



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** April 14, 2021  
**ORIGINATING DEPT:** Community Development Department  
**SUBJECT:** Adoption of 6<sup>th</sup> Cycle Housing Element

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## **BACKGROUND:**

All California municipalities are required by Article 10.6 of the Government Code (Sections 65580-65590) to adopt a Housing Element as part of their General Plan. Distinct from the other General Plan elements, the Housing Element is subject to detailed statutory requirements and mandatory review by the California Department of Housing and Community Development (HCD). On October 28, 2020, the City Council authorized release of the draft Housing Element to HCD for review and comment. The City's draft Housing Element was received by HCD on December 16, 2020 and a conference call between HCD staff, Kimley-Horn and Associates staff, and City Staff occurred on January 21, 2021 and received written comments from HCD staff on February 16, 2021. HCD requested modifications, which were subsequently resubmitted to HCD on March 10 and 23, 2021.

The next step in the process is for Council to adopt the Housing Element and send it back to HCD for final certification. The due date to submit an adopted Housing Element to HCD for all cities within San Diego County for certification is April 15, 2021. This item is before Council to review and discuss the changes requested by HCD, consider adoption of the Housing Element (Attachment 1) and if adopted, approve submittal of the document to the California Department of Housing and Community Development for certification.

## **DISCUSSION:**

Housing element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately

COUNCIL ACTION:

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address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development.

A major component of the Housing Element is the Regional Housing Needs Assessment (RHNA). HCD prepares a RHNA for each Council of Government (COG) in the state, which identifies projected housing units needed for all economic segments based on Department of Finance (DOF) population estimates. The San Diego Association of Governments (SANDAG) is the COG for the San Diego region and allocates to the 18 cities, and the unincorporated area of the County, a share of housing needs totaling the RHNA for each income category. Each local government must then demonstrate that it has planned to accommodate all of its regional housing needs allocation in its Housing Element. For the eight-year projection period, which spans from April 15, 2021 to April 14, 2029, Solana Beach's RHNA is 875 housing units.

It is important to note that the RHNA is a number that is provided for planning purposes. It is not a quota of housing that must be produced – the City just has to show that it can accommodate these units and that its regulations are not overly restrictive to prevent them from being built. Programs in the Housing Element are intended to encourage and facilitate the development, improvement, maintenance, and preservation of housing. However, the actual number of units built during the planning period will depend on market conditions and funding availability.

The following items are required to be included in the Housing Element:

- A housing needs assessment that identifies and analyzes the City's demographic, economic, and household characteristics and housing needs in the community for all income levels.
- An analysis of existing assisted housing developments that are "at risk" of converting from low income to market rate during the next 8 years due to termination of subsidy contracts, mortgage prepayment, expiration of restrictions on use, etc.
- An inventory of land suitable for residential development including vacant sites and sites having potential for redevelopment and an analysis of the relationship of zoning and public facilities and services to these sites.
- An analysis of potential and actual governmental and non-governmental constraints upon the maintenance, improvement, or development of housing for all income levels.
- Efforts to remove governmental constraints that hinder the City from meeting its share of the regional housing need and from meeting the need for persons with disabilities, supportive housing, transitional housing, and emergency (homeless) shelters.
- Goals, policies, and quantified objectives related to the maintenance, preservation, improvement, and development of housing.
- An evaluation of the effectiveness of the previous Housing Element.



- Programs that assist in the development of housing for all income levels, remove governmental constraints to housing, promote equal housing opportunities, and preserve existing lower income housing developments “at risk” of converting to market rate. If the City were not able to identify adequate sites to meet the RHNA goals, then the Housing Element would also be required to include a program to rezone sites to meet the need. Since adequate sites have been identified, there is no need for a rezoning program.
- The programs must include a schedule of actions with a timeline for implementation such that there will be beneficial impacts of the programs within the planning period. The programs must also identify the agencies/officials responsible for the implementation.
- A description of the means by which consistency will be achieved between the Housing Element and other General Plan Elements.
- A description of the efforts to achieve public participation of all economic segments of the community in the preparation and adoption of the housing element.

The last Housing Element for the 2013-2021 planning period was adopted in 2013. Since then, there have been a number of new laws and regulations that apply to this next update. The Draft Housing Element has been revised to comply with these new laws and regulations. It has also been reworded, re-organized, and updated with the most current information available.

## **Public Participation**

A number of opportunities were provided for public involvement and input throughout this process. The City and its consultant held public meetings and public workshops, conducted a Citywide community survey, and maintained a General Plan Update website, which allowed the public to keep up to date on the process and submit online comments. Also, the draft document was released for public review from October 22<sup>nd</sup> through November 23<sup>rd</sup>, 2020. The final 6<sup>th</sup> Cycle Housing Element Update with HCD-requested revisions was posted on the City’s website, also allowing for additional public input and comment.

On April 5, 2021 the City received a letter and subsequent email from YIMBY Law that outlined concerns including, but not limited to, the City’s public outreach efforts, likelihood of housing development, ADU production and affordability, affirmatively furthering fair housing development, and development constraints. A copy of the letter is attached to this staff report. These comments have been carefully reviewed and, after due consideration, staff believes that the 6<sup>th</sup> Cycle Housing Element Update has thoroughly and comprehensively addressed analyses of existing demographics and housing constraints and developed policies and programs that adequately address State Law requirements. Additionally, the City has been working closely with HCD staff to address HCD comments to garner State certification of the City’s 6<sup>th</sup> Cycle Housing Element Update.

## **HCD Comments and Requested Revisions**

Since receipt of HCD's comment letter on February 16, 2021, Staff and the City's consultant, Kimley-Horn Associates, have been making edits to sections of the City's Draft 6<sup>th</sup> Cycle Housing Element. The following is a summary of the comments received from HCD:

### *Section 3 – Housing Needs, Resources and Constraints*

- Additional analysis and documentation of household characteristics, including an estimate of number of units in need of rehabilitation and replacement and include programs as appropriate.
- Affirmatively further fair housing in accordance with state law and include an assessment of fair housing in the jurisdiction including the following components:
  - Summary of fair housing issues in the jurisdiction
  - Analysis of federal, state and local data
  - An assessment of factors for fair housing issues
  - Identification of City fair housing priorities and goals
  - Strategies and action to implement fair housing priorities and goals
- Inventory of land suitable and available for residential development
  - Inventory to describe existing uses on sites inventory
  - Suitability of non-vacant sites to demonstrate the potential for redevelopment
  - Indicate policies or incentives to encourage and facilitate lot consolidation of small sites
  - Additional analysis that support realistic capacity assumptions for residential development in commercial zones
  - Demonstrate sufficient capacity of infrastructure (water and sewer)
  - Demonstrate zoning for variety of housing types (employee housing, emergency shelters, permanent supportive housing)
- Additional analysis of potential government constraints
  - Land use controls (density, building height, parking)
  - Reasonable accommodation for persons with disabilities
- Additional analysis of nongovernmental constraints
  - Length of time between approval for housing development and building permit issuance
- Special housing needs analysis
  - Quantify number of persons with developmental disabilities
  - Include responsive programs

### *Section 4 – Housing Programs*

- Identify actions that facilitate housing development for all income levels and housing types
  - Provide additional information in sites inventory
  - Clarify and revise Accessory Dwelling Unit (ADU) potential development assumptions

- Provide programs to incentivize and promote ADUs and ADU affordability
- Programs that further special needs housing (farmworkers, persons with disability, homelessness)
- Programs to conserve and improve existing affordable housing stock
- Promote and affirmatively further fair housing
- Quantify objectives for rehabilitation and conservation of housing
- Identify the number of low- and moderate-income dwelling units that have been replaced, demolished, and/or converted since 1982

On March 24, 2021 staff shared HCD comments and the proposed changes to the Draft 6<sup>th</sup> Cycle Housing Element. The following is a summary of the proposed changes including those discussed on March 24<sup>th</sup>:

- Added language regarding “Employee Housing” and added a program that would update the Solana Beach Municipal Code (SBMC) to define employee housing consistent with the State Health and Safety Code (Program 1M)
- Added a “Group Residential” development parking analysis of surrounding jurisdictions
- Provided additional information and analysis regarding “Emergency Shelters”
- Added program to amend SBMC that would include “Transitional” and “Supportive” housing in use matrix (Program 1L)
- Added program to remove possible constraint regarding “reasonable accommodations” in the SBMC (Program 4F)
- Added Project Timing (Table 3-11) analysis
- Added water and wastewater capacity information
- Provided additional analysis regarding small site adequacy to meet RHNA (Table 3-15)
- Revised estimated annual ADU production from 19 to 16 ADUs per year
- Provided additional analysis regarding development of non-vacant sites (Table 3-17)
- Added analysis regarding Fair Housing including regional figures and indicators
- Added analysis and evaluation of Previous Housing Element
- Added Program 1O to pursue outside funding opportunities for lower- and moderate-income households
- Added a sample development project in the General Commercial Zone that analyzed possible development under current development standards
- Provided examples of four small, mixed-use infill development projects on non-vacant parcels
- Created additional housing needs analysis and tables comparing City statistics to County and the State
- Added programs to comply with SB 1035 (Safety Element) and SB 1000 (Environmental Justice)
- Added programs to explore amendments to the City’s Zoning Ordinance that may encourage ADU development in certain overlay zones

Upon adoption of the 6<sup>th</sup> Cycle Housing Element by City Council, the document will be submitted to HCD for certification.

**CEQA COMPLIANCE STATEMENT:**

The proposed Project is exempt under State CEQA Guidelines §15061(b)(3) common sense exemption, because the Project involves policies, programs, and actions to meet the City's RHNA allocation that either would not cause a significant effect on the environment or were previously analyzed adequately in the Solana Beach General Plan EIR (SCH No. 1987071508). Given their nature and scope, the proposed Housing Element Update programs and policies would not result in physical environmental impacts. Additionally, the Housing Element Update does not grant any development entitlements or authorize development beyond what is allowed under the City's current General Plan and Zoning Code (Municipal Code Title 17). Future housing development pursuant to the Housing Element Update would be subject to compliance with the established regulatory framework, namely federal, state, regional, and local (i.e., General Plan policies, Municipal Code, Standard Conditions) regulations. Moreover, future housing development pursuant to the Housing Element Update would be subject to further discretionary review or approval by the City, including environmental review under CEQA. Based on these factors, it can be seen with certainty that there is no possibility that the proposed 2021-2029 Housing Element Update would have a significant effect on the environment; therefore, the 2021-2029 Housing Element is exempt from CEQA under the common sense exemption.

The City's consultant, Kimley-Horn Associates, has prepared a Technical Memorandum and a Policy and Program Analysis in support of the findings for exemption. Those documents are included as Attachments to the staff report (Attachments 4, 5 & 6).

**FISCAL IMPACT:**

There is no fiscal impact as a result of this item.

**WORKPLAN:**

ITEM A.1 – Community Character, Land Use & Planning

**OPTIONS:**

- Approve Staff recommendation to adopt the 6<sup>th</sup> Cycle Housing Element and submit the document to the California Department of Housing and Community Development for certification.
- Deny Staff recommendation and provide alternative direction.





# City of Solana Beach Housing Element 2021-2029

ATTACHMENT 1

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# Introduction

# Section 1: Introduction

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## A. Role of the Housing Element

The Housing Element is one of the seven state mandated elements included in the City of Solana Beach's General Plan. The purpose of the Housing Element is to identify and plan for the City's existing and projected housing needs; it contains a detailed outline and work program of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for a sustainable future. Each eight-year planning cycle, the City is allocated a specific number of housing units called the Regional Housing Needs Allocation (RHNA). The RHNA quantifies current and future housing growth within a City. Through research and analysis, the Housing Element identifies available candidate housing sites and establishes the City's official housing policies and programs to accommodate Solana Beach's Regional Housing Need Assessment (RHNA) goals as determined by the San Diego Association of Governments (SANDAG).

## B. State Policy and Authorization

### 1. Background

As a mandated Element of the Solana Beach General Plan, the Housing Element must meet all requirements of existing state law. Goals, programs and policies, and quantified objectives developed within the Housing Element are consistent with state law and are implemented within a designated timeline to ensure the City accomplishes the identified actions as well as maintains compliance with state law. The California Department of Housing and Community Development (HCD) reviews each Housing Element for substantial compliance with state law, HCD's review and certification is required before a local government can adopt its housing element as part of its overall General Plan

### 2. State Requirements

California State Housing Element Law (California Government Code Article 10.6 and Section 65588) establishes the requirements for the Housing Element. Each local government in the state must adopt a Housing Element and review and revise it no less than once every eight years.

The California Legislature identifies overall housing goals for the state to ensure every resident has access to housing and a suitable living environment; section 65588 of the California Government Code states the following Housing Element goals:

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



**Table 1-1** summarizes State Housing Element requirements and identifies the location in this document where these requirements are addressed.

<b>Table 1-1: Housing Element Requirements</b>		
<b>Housing Element Requirement(s)</b>	<b>Gov. Code Section</b>	<b>Reference in Housing Element</b>
Analysis of employment trends.	Section 65583.a	Section 2-B
Projection and quantification of existing and projected housing needs for all income groups.	Section 65583.a	Section 3-E
Analysis and documentation of the City’s housing characteristics, including cost for housing compared to ability to pay, overcrowding, and housing condition.	Section 65583.a	Section 2-D
An inventory of land suitable for residential development including vacant sites and sites having redevelopment potential.	Section 65583.a	Appendix B
Analysis of existing and potential governmental constraints upon the maintenance, improvement or development of housing for all income levels.	Section 65583.a	Section 3-B
Analysis of existing and potential nongovernmental (private sector) constraints upon maintenance, improvement or development of housing for all income levels.	Section 65583.a	Section 3-A
Analysis concerning the needs of the homeless.	Section 65583.a	Section 2-E.7
Analysis of special housing needs: handicapped, elderly, large families, farm workers, and female-headed households.	Section 65583.a	Section 2-E
Analysis of opportunities for energy conservation with respect to residential development.	Section 65583.a	Section 3-F.5-7
Identification of Publicly Assisted Housing Developments.	Section 65583.a	Section 3-E
Identification of Units at Risk of Conversion to Market Rate Housing.	Section 65583.a	Section 3-E
Identification of the City’s goal relative to the maintenance, improvement, and development of housing.	Section 65583.a	Section 4-B
Analysis of quantified objectives and policies relative to the maintenance, improvement, and development of housing.	Section 65583.b	Section 4-C
Identification of adequate sites that will be made available through appropriate action with required public services and facilities for a variety of housing types for all income levels.	Section 65583.c(1)	Appendix B
Identification of strategies to assist in the development of adequate housing to meet the needs of low and moderate-income households.	Section 65583.c(2)	Section 3-E.3
Description of the Public Participation Program in the formulation of Housing Element Goals, Policies, and Programs.	Section 65583.d	Appendix C
Description of the Regional Housing Needs Assessment (RHNA) prepared by the San Diego Association of Governments.	Section 65583.e	Section 3-E
Analysis of Fair Housing, including Affirmatively Furthering Fair Housing.	Section 8899.50	Section 3-G



Housing Element Requirement(s)	Gov. Code Section	Reference in Housing Element
Review of the effectiveness of the past Element, including the City’s accomplishments during the previous planning period.	Section 65583.f	Appendix A
Source: State of California, Department of Housing and Community Development.		

The City of Solana Beach’s current Housing Element was last amended in 2014 for the 5th cycle for the 2014 to 2021 planning period; the 6<sup>th</sup> Cycle Housing Element will plan for the 2021-2029 planning period. Multiple amendments have been made to State Housing Element law since the adoption of the current Housing Element. These amendments change the required analysis, reporting and type of policies that must be contained in the City’s 2021-2029 Housing Element. The contents of this Housing Element comply with these amendments to State housing law and all other federal, State and local requirements.

### 3. Regional Housing Needs Assessment (RHNA)

California’s RHNA is a methodology for determining future housing need within the state, by income category, and is based on growth in population, households, and employment. The statewide RHNA is determined under the administration of HCD. The quantified housing need is then allocated among the State’s 18 Metropolitan Planning Organizations (MPOs), in the City of Solana Beach’s case, this agency is SANDAG.

In accordance with Section 65583 of the California Government Code, SANDAG then delegates a “fair share” of housing need to its member jurisdictions. The RHNA allocation is then divided amongst four income categories, which are benchmarked on the County of San Diego’s median income for a family of four. Table 1-2 below identifies the four income categories by which the City’s RHNA allocation is divided.

Income Category	Percent of Median Family Income (MFI)
Very Low Income	0-50% MFI
Low Income	51-80% MFI
Moderate Income	81-120% MFI
Above Moderate Income	>120% MFI

For the 2021-2029 planning period the City of Solana Beach is allocated a total of 875 units, including:

- 316 units affordable to very low-income households
- 159 units affordable to low-income
- 160 units affordable to moderate-income
- 240 units affordable to above-moderate income

### 4. Relationship to Other General Plan Elements

The Housing Element is one Element (Chapter) of the Solana Beach General Plan. The goals, policies, actions, and programs described in the Housing Element relate to and are consistent with the other Elements of the Solana Beach General Plan. The City’s Housing Element focuses on programs and policies that support the preservation, improvement, and development of housing to meet the existing and projected future needs of its population.

The Housing Element relates to development policies contained in the Land Use Element, which designates the proposed general distribution, general location, and extent of the uses of the land for housing, business, industry, open space, and other uses. The Land Use Element also includes the standards of housing density (dwelling units per acre) and building intensity (Floor Area Ratio) established for various land use designations identified in the plan. By

designating areas for residential development, the General Plan identifies limits on densities and types of housing units constructed in the City. The Land Use Element identifies lands designated for a range of commercial and office uses creating employment opportunities for various income groups. The presence and potential for job growth affects the current and future demand for local housing at the various income levels in the City.

The Circulation Element of the General Plan also relates to the Housing Element. The Circulation Element is intended to better balance the needs of all roadway users by making enhancements to existing circulation facilities to establish a comprehensive multi-modal system that facilitates more walking, cycling, and transit use. Consequently, the Housing Element must include policies and incentives that consider the types of infrastructure essential for residential housing units in addition to mitigating the effects of growth in the City.

The Housing Element has been reviewed for consistency with the City's other General Plan components, and the policies and programs in this Element are consistent with the policy direction contained in other parts of the General Plan. As portions of the City's General Plan may be amended in the future, the Housing Element will be reviewed to ensure internal consistency is maintained.

## 5. Public Participation

Section 65583 of the Government Code states that, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Meaningful community participation is also required in connection with the City's Assessment of Fair Housing (AFH). A discussion of citizen participation is provided below.

As part of the 6th Cycle Housing Element Update process, the City of Solana Beach has conducted extensive public outreach activities beginning in 2019. Participation was encouraged through a variety of activities and tools in order to engage multiple segments of the Solana Beach community. During the first stage of outreach a comprehensive Housing Element Update webpage was created on the City's website, an in-person workshop was held at City Hall, and flyers and factsheets were provided to the community in print and available on the Housing Element webpage. The second round of outreach built upon the participation in the first round and included informational flyers available in Spanish and English, a virtual workshop where Spanish translation was available but not requested, an online survey to gather additional input, and opportunities to review the draft documents. Outreach activities and events are described in detail below. All information relating to the project is available on the Housing Element Update website page located on the City's website and the page is updated regularly to include new information as it becomes available.

Outreach for the 6th Cycle Housing Element to the Solana Beach community, includes the following actions:

**Community Workshop#1** - The City of Solana Beach conducted a Community Workshop at City Hall on Thursday, March 5, 2020. The purpose of the meeting was to provide information on the Housing Element update process and to gather input and ideas from the public that will shape the goals, policies and programs in the Housing Element. The workshop included a PowerPoint presentation as well as an interactive feedback session to answer the following questions:

- What are the biggest challenges to housing in Solana Beach?
- What types of programs or assistance could the City provide to facilitate housing?
- What other opportunities or ideas do you have to address Housing issues in Solana Beach?

There were a number of common themes expressed by participants during the workshop. These themes ranged from challenges relating to the high cost of land and limited remaining undeveloped areas within the City to participants wanting to see an emphasis on accessory dwelling units and mixed-use development. The comments provide great insight into the areas of opportunity that are addressed within the Housing Element. Appendix C contains a summary of all public comments regarding the Housing Element received by the City during the update process.

**Community Workshop #2** – The City conducted a second community workshop on October 15, 2020 virtually, using Zoom; Spanish translation was available for the workshop but was not requested. The workshop was advertised through flyers in both English and Spanish and on the City’ Housing Element Update webpage. The workshop is available for viewing at <https://www.ci.solana-beach.ca.us/housingelement>. During the workshop, participants were provided with an overview of the current status of the update process, information on previous outreach efforts, and information on each section of the Draft Housing Element. The workshop also directed participants to take an online housing survey and to provide comments on the Public Review Draft.

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

**Online Community Survey** – On October 15, 2020 the City of Solana Beach launched an online community survey to gather additional feedback regarding the Housing Element Update. Participants were asked to consider potential policies and programs to include in the Housing Element, as well as potential housing types and opportunities for housing in the City. The survey also solicited feedback regarding potential barriers to housing access and constraints to the development of housing.

**City Council Study Session** – On October 28, 2020, the City held a City Council Study Session. During the study session, the project team provided a presentation to the Solana Beach City Council with an overview of the Public Review Draft Housing Element and Housing Element update process to date. Community members had the opportunity to give public comments and several were received by the City.

**Community Workshop #3** – On November 12, 2020, the City hosted a third community workshop.

**Project Website** – The City made diligent efforts to be transparent with the community regarding the Housing Element Update process, including the creation of a centralized source for all information.

**Fact Sheets** – In an effort to inform the public of the Housing Element Update process and the different components, the City created a fact sheet that provided information on the process, timeline, the City’s local RHNA allocation, and different methods for obtaining more information. This fact sheet was translated into Spanish as well.

## 6. Data Sources

The data used for the completion of this Housing Element comes from a variety of sources. These include, but are not limited to:

- 2000 and 2010 Census
- American Community Survey
- Regional Analysis of Impediments to Fair Housing (AI)
- Regional Forecast by the San Diego Association of Governments (SANDAG), 2019
- Point-in-Time Homeless Census by the Regional Task Force on the Homeless, 2019
- Home Mortgage Disclosure Act (HMDA) lending data
- California Department of Economic Development
- California Employment Development Division Occupational Wage data, 2019
- Department of Housing and Urban Development, Comprehensive Housing Affordability Strategy (CHAS), 2012-2016
- San Diego Apartment Association Survey, 2019

The data sources represent the best data available at the time this Housing Element Update was prepared. The original source documents contain the assumptions and methods used to compile the data.

## 7. Housing Element Organization

This Housing Element represents the City's policy program for the 2021-2029 6th Planning Period. The Housing Element is comprised of the following Chapters:

**Chapter 1: Introduction** contains a summary of the content, organization and statutory considerations of the Housing Element;

**Chapter 2: Community Profile** contains an analysis of the City's population, household and employment base, and characteristics of the housing stock;

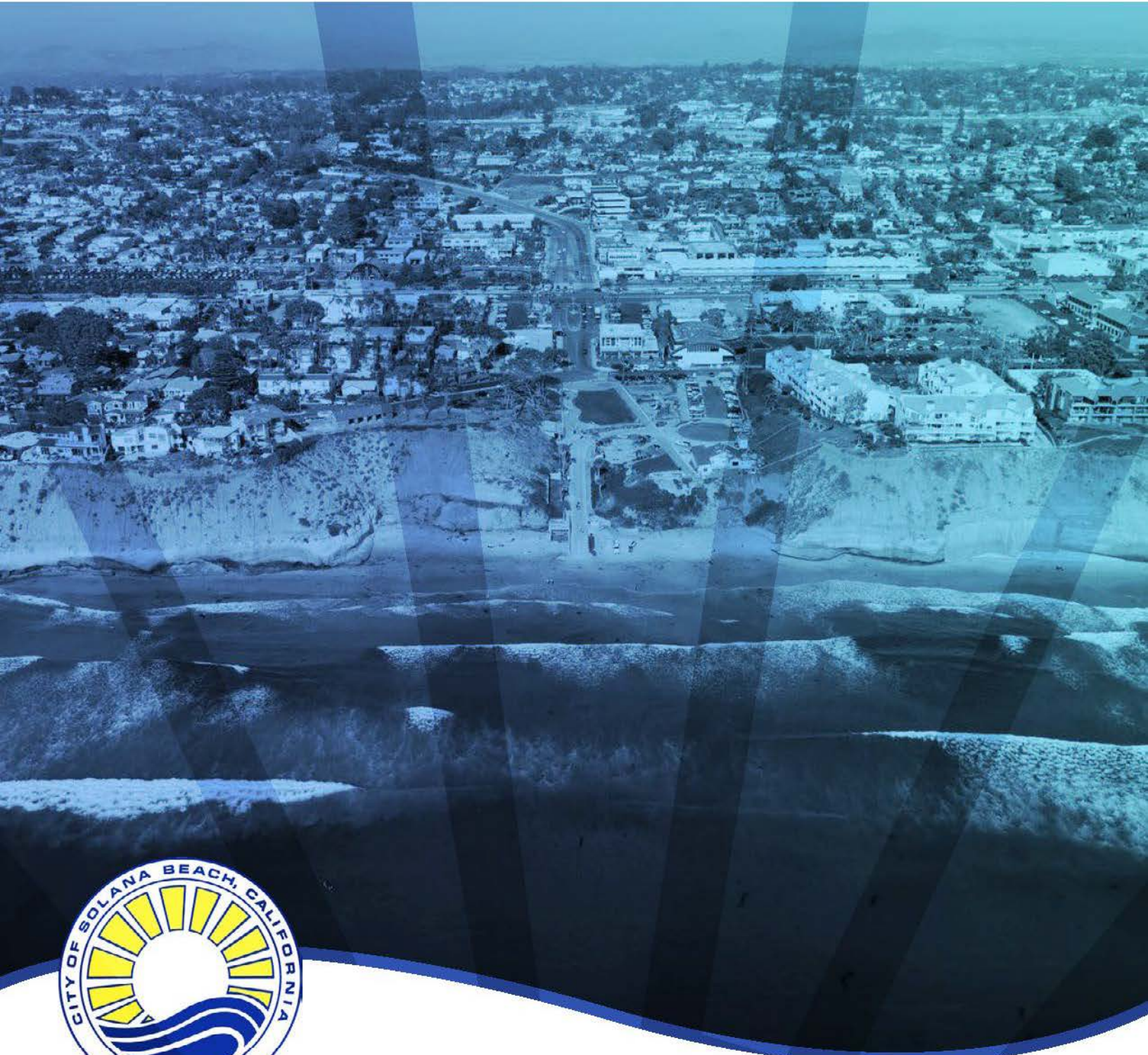
**Chapter 3: Housing Constraints and Resources** examine governmental and non-governmental constraints on the production, maintenance, and affordability of housing and provides a summary of housing resources, including sites identification, funding and financial considerations, and an analysis of fair housing;

**Chapter 4: Housing Policy Plan** addresses Solana Beach's identified housing needs, including housing goals, policies and programs.

**Appendices** provides various appendices with supplementary background resources including:

- **Appendix A** – Review of Past Performance of 5<sup>th</sup> Cycle Housing Element Programs
- **Appendix B** – Adequate Sites Analysis
- **Appendix C** – Community Engagement Summary
- **Appendix D** – Glossary of Housing Terms





# Community Profile



## Section 2: Community Profile

This Community Profile for the City of Solana Beach provides an overview of the City’s housing and population conditions. The Community Profile lays the foundation for the Housing Element’s policies by describing and assessing the factors and characteristics that contribute to the supply and demand for housing in Solana Beach. Specifically, the Community Profile describes the community’s population, employment, economic, and household characteristics. Special Needs groups and housing stock characteristics are also described.

The data used for this community profile has been collected using the most current available from the San Diego County Association of Governments (SANDAG), 2010 U.S. Census, 2013-2017 American Community Survey, the California Department of Finance, the California Employment Development Department, the California Department of Education and other currently available real estate market data.

### A. Population Characteristics

The characteristics of Solana Beach inform the planning process and help establish policies for current and future needs of the City. Population characteristics affect current and future housing demand in the City. Population growth, age composition, and race/ethnicity influence the type and extent of housing needed and the ability of the local population to afford housing costs. The following section describes and analyzes the various population characteristics and local trends that affect housing needs.

#### 1. Population Growth

Solana Beach is a small coastal community in the San Diego Region, with an estimate population of 13,367 residents. The 2010 American Census reported that from 2000 to 2010 Solana Beach’s population declined by about one percent. Compared to surrounding cities, the one percent population decline is modest relative to Del Mar’s 14 percent decline and Carlsbad’s 66 percent increase in population in those ten years. SANDAG’s Regional Growth Forecast data (Table 2-1) shows Solana Beach is projected to grow fourteen percent from 2010 through 2050, from 12,867 to 14,870. The increase in population compares closely to neighboring jurisdiction, which are projected to grow from ten to sixteen percent through 2050.

Jurisdictions	Population						Percent Change	
	2000 Actual	2010 Actual	2012 Projected	2020 Projected	2035 Projected	2050 Projected	2000 - 2010	2012- 2050
Oceanside*	161,029	167,086	169,319	177,840	188,597	189,377	3.8%	12%
Carlsbad*	78,247	105,328	107,674	118,450	124,351	124,518	34.6%	16%
Encinitas*	58,014	59,518	60,346	62,908	65,264	66,670	2.6%	10%
<b>Solana Beach*</b>	<b>12,979</b>	<b>12,867</b>	<b>13,000</b>	<b>13,367</b>	<b>14,207</b>	<b>14,870</b>	<b>-0.9%</b>	<b>14%</b>
Del Mar	4,389	4,161	4,194	4,399	4,672	4,732	-5.2%	13%
San Diego City	1,223,400	1,307,402	1,321,315	1,453,267	1,665,609	1,777,936	6.9%	35%
San Diego County	2,813,833	3,095,313	3,143,429	3,435,713	3,853,698	4,068,759	10.0%	29%

Represents an estimate from the SANDAG 2050 Regional Growth Forecast.  
 \*North coastal cities in San Diego County.  
 Sources: Bureau of the Census (2000-2010) and SANDAG Regional Growth Forecast Update (2013).

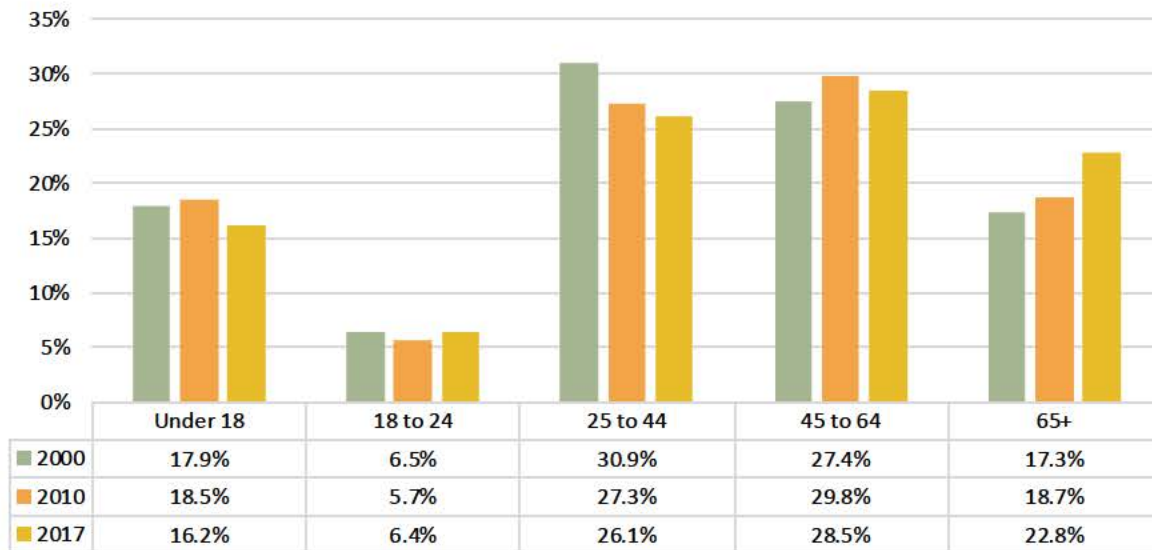


## 2. Age Characteristics

The age composition of a community is an important factor in evaluating housing needs because housing demand within the market is often determined by the preferences of certain age groups. Conventionally, young adults and seniors tend to favor apartments, low to moderate-cost condominiums, and smaller or more affordable single-family units because they tend to live on smaller or fixed incomes and have smaller families. While the middle-aged demographic, persons between 35-years and 65-years, makes up a major portion of buyers, as well as the market for moderate to high cost apartments and condominiums because they generally have higher incomes and larger families. As population moves through different stages of life, housing is required to accommodate new or adjusted needs. In order to produce a well-balanced and healthy community, where needs are met, it is essential that a community be provided with appropriate housing to accommodate needs of all ages.

As shown in Figure 2-1, in 2017, majority of Solana Beach’s population (54.6 percent) falls into middle age, 25 years to 64 years, category. The data in Figure one shows a slightly reduced middle age population, from 58.3 percent in 2000 to 54.6 percent in 2017, a 6.3 percent change. The data also shows an increasing population of 65 years or over from seventeen percent to about 23 percent, a 31.7 percent increase. Figure 1 also exemplifies a decline in population under the age 18 from 17.9 percent to 16.2 percent. An aging population in a community is important to note because of the changing or additional needs in housing costs, accessibility and accommodations that an aging population may require.

Figure 2-1: Age Distribution in Solana Beach (2000 – 2017)



Source: United States Census Bureau, 2000 and 2010 and American community Survey, 5-Year Estimates, 2017.

The data in Table 2-2 compares the age distribution of Solana Beach to San Diego County and surrounding jurisdictions. According the American Community Survey 2017 estimates, the Solana Beach population of 65+ is approximately 10% higher than San Diego County. However, an older population is not abnormal in North County when comparing age demographics to surrounding communities. In Del Mar, 25 percent of the population is age 65 years and over, the highest percentage in the North County region; in Oceanside, Carlsbad and Encinitas the population 65 years and over is above fifteen percent, higher than the County and City of San Diego of about twelve percent. In Solana Beach, the population under the age of 18 is lower than the county by about seven percent. The population of people age 18 to 24 is 5.3 percent lower than the County.

Jurisdiction	Under 5	5 to 17	18 to 24	25 to 44	45 to 64	65 years +
Oceanside	6.4%	15.0%	10.1%	28.1%	25.2%	15.1%
Carlsbad	6.0%	17.4%	6.4%	24.3%	29.8%	16.0%
Encinitas	5.5%	15.0%	5.7%	26.5%	30.4%	16.9%
<b>Solana Beach</b>	<b>3.9%</b>	<b>12.4%</b>	<b>6.4%</b>	<b>26.1%</b>	<b>28.5%</b>	<b>22.8%</b>
Del Mar	1.7%	10.3%	1.3%	25.0%	36.2%	25.6%
San Diego	6.3%	14.2%	11.7%	32.6%	23.3%	12.0%
San Diego County	6.5%	15.7%	10.9%	29.5%	24.5%	12.9%

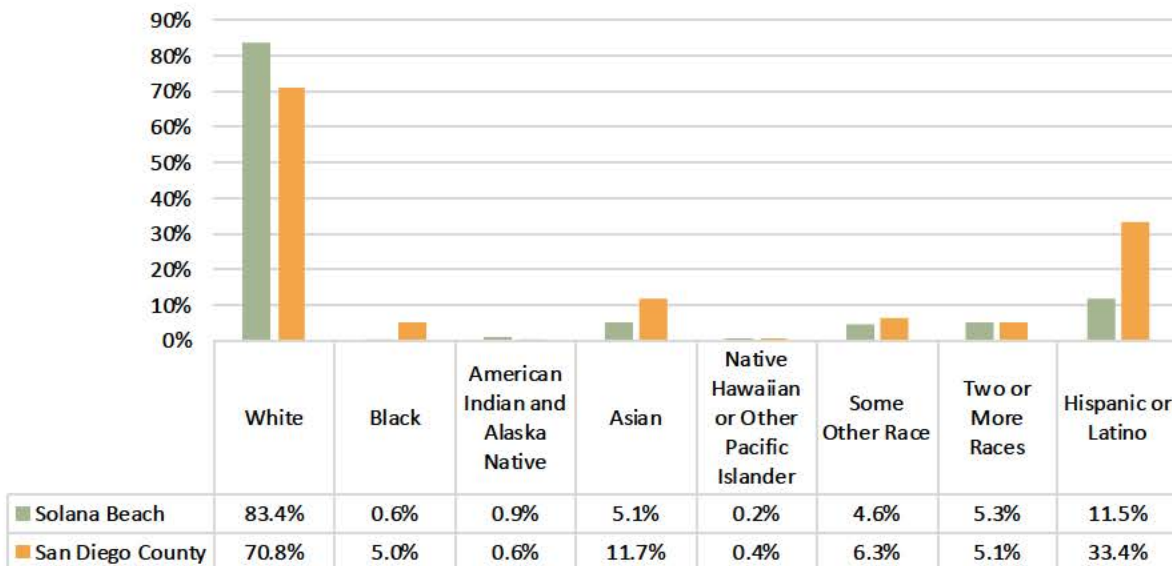
*Source: American Community Survey, 5-Year Estimates, 2017.*

### 3. Race/Ethnicity Characteristics

Racial and ethnic composition of a community is important to understand and analyze the implications for housing to the extent that different racial and ethnic groups have different household characteristics, income levels, and cultural backgrounds which may affect their housing needs, housing choice and housing types.

The American Community Survey data (shown in Table 2-3) reports Solana Beach’s White population to be 12.6 percent higher than San Diego County. The City of Solana Beach’s demographics (shown in Figure 2-2) show a significantly smaller percentage of residents who are Black compared to the County of San Diego (0.6 percent compared to five percent). Similarly, the percentage of the population within Solana Beach who is Asian is less than half of the overall County’s percentage of the population who is Asian (5.1 percent compared to 11.7 percent). Both the Native Hawaiian/Other Pacific Islander and American Indian/Alaska Native populations are each below one percent of the total population (0.4 and 0.6 percent respectively). Of San Diego’s total population, 33.4 reported Hispanic or Latino, nearly triple the 11.5 percent who reported Hispanic or Latino in Solana Beach. Overall, Solana Beach’s White population is a higher percentage than the County’s, with less overall diversity than the County.

Figure 2-2: Racial Ethnic Composition (2017)



*Source: American Community Survey, 5-Year Estimates, 2017.*



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In addition to comparing Solana Beach’s demographics to the County of San Diego, the data in **Table 2-4** tracks the racial and ethnic demographics over the course of about 20 years, from 2000 to 2017. The American Community Survey data reports the racial and ethnic composition of Solana Beach from 2000 to 2017, showing the trends and changes in the City. The data shows that Solana Beach’s population has been primarily White between 2000 and 2017, however, the White population has shown a modest decline by about four percent overall. While the Black population percentage remains virtually unchanged, under one percent of the total population from 2000 to 2017, the Asian population increased from 3.5 percent in 2000 to 5.1 percent in 2017. Of Solana Beach’s total population in 2000, about fifteen percent identified as Hispanic or Latino, whereas in 2017 the Hispanic or Latino population decreased to 11.5 percent in 2017.

Race/Ethnicity	2000	2010	2017	Percent Change 2000 to 2010	Percent Change 2010 to 2017
White	87.0%	85.8%	83.4%	-1.4%	-2.8%
Black	0.5%	0.5%	0.6%	0.0%	20.0%
American Indian and Alaska Native	0.4%	0.5%	0.9%	25.0%	80.0%
Asian	3.5%	4.0%	5.1%	14.3%	27.5%
Native Hawaiian or Other Pacific Islander	0.1%	0.1%	0.0%	0.0%	-100.0%
Some Other Race	5.6%	5.7%	4.6%	1.8%	-19.3%
Two or More Races	2.9%	3.4%	5.3%	17.2%	55.9%
Hispanic or Latino	14.8%	15.9%	11.5%	7.4%	-27.7%

*Source: United States Census Bureau, 2000 and 2010 and American Community Survey, 5-Year Estimates, 2017.*

The racial and ethnic composition of a population may affect housing needs because of cultural preferences associated with different racial/ethnic groups. Cultural influences may reflect preference for a specific type of housing; additionally, race and ethnicity tend to correlate with other characteristics such as location choices, mobility, and income. In Solana Beach, most of the population is white, and poverty primarily affects the City’s Black and American Indian or Alaskan Native residents, with 17.3 percent and twenty percent living below the poverty level respectively (Shown in **Figure 2-6**). Race and ethnicity as they correlate with income and poverty, are important in recognizing housing needs trends and housing availability.

**B. Economic Characteristics**

Reporting and analyzing economic characteristics of a community is an important component of the Housing Element because the data provides valuable insight of the community’s ability to access the housing market as well as financial restraints consistent with housing needs and accommodations. Incomes associated with different types of employment and the number of workers in a household affect housing affordability and choice. Therefore, to consider a healthy balance between jobs and housing, it is important to consider the employment characteristics of a community. Local employment growth is linked to local housing demand, and the reverse being true when employment contracts.



## 1. Employment and Wage Scale

For a City to achieve a healthy balance between jobs and housing, it is important to consider employment, wage and occupational characteristics and growth changes. Based on the SANDAG Sub-regional Growth Forecast (Table 2-5), San Diego County can expect a 17.6 percent employment growth from 2020 to 2050. Solana Beach is expected to grow 18.7 percent between 2010 and 2050, but only about 8 percent from 2020 to 2050. Though the job growth in San Diego County (34.4 percent) outpaces Solana Beach, nearby counties are shown to experience similar growth rates. Solana Beach’s neighbor to the North, Encinitas, is shown to experience a 15.2 percent job growth from 2010 to 2050. Del Mar, to the south, projects a significantly lower job growth rate (6.6 percent).

Jurisdiction	2010	2020	2050	% Change 2010-2050	Numeric Change 2010-2050
Carlsbad	64,956	77,431	85,718	32.0%	20,762
Del Mar	4,431	4,542	4,725	6.6%	294
Encinitas	25,643	27,276	29,542	15.2%	3,899
Oceanside	41,142	48,208	54,091	31.5%	12,949
<b>Solana Beach</b>	<b>7,417</b>	<b>8,156</b>	<b>8,802</b>	<b>18.7%</b>	<b>1,385</b>
San Diego County	1,421,941	1,624,124	1,911,405	34.4%	489,464

*Source: SANDAG Series 13 Subregional Growth Forecast, 2013.*

Table 2-5 shows Solana Beach to generate a total of 1,385 jobs between 2010 and 2050, an 18.7 percent increase overall, higher than the neighboring Cities, with similar demographics and populations, of Del Mar and Encinitas. The 2010 to 2050 employment growth of 18.7 percent in Solana Beach is slightly higher to its population growth (15.5 percent 2010 to 2050 population growth) shown in Table 1. In 2035, Solana Beach is projected to have 19.4 jobs per developed employment acre, which total 8,536 jobs available for a projected population of 11,809 (persons 18 years or over). In 2050, there are a projected 8,802 jobs available for a projected 12,247 persons over the age of 18.

Analyzing the employment by sector in a city is important in understanding growth changes, income and wages, and access to different types of housing, as well as, what housing needs maybe be present. Solana Beach is a moderate to high income community (see Table 2-11 ), which may be attributed to the high percent of persons in the professional, scientific, management, and administrative services Industries, an estimated 21.7 percent in 2010 and 23.6 percent in 2017. The data in Table 2-6 shows a large increase (211.4%) in agriculture, forestry, fishing and hunting, and mining from 2010 to 2017, as well as a in retail (104.5%). The data also reports a fifty percent decrease in public administration roles, and a twenty percent drop in the arts, entertainment, recreation and hospitality sectors. Education, healthcare and social services as well as professional, scientific, management and administration make up majority of the positions in Solana beach in 2017 (39.5 percent combined).

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Industry Sector	2010		2017		Percent Change 2010-2017
	# of people employed	% of City Employment	# of people employed	% of City Employment	
Agriculture, forestry, fishing and hunting, and mining	35	0.5%	109	1.5%	211.4%
Construction	359	5.5%	364	5.1%	1.4%
Manufacturing	365	5.6%	454	6.3%	24.4%
Wholesale trade	254	3.9%	232	3.2%	-8.7%
Retail trade	396	6.1%	810	11.3%	104.5%
Transportation and warehousing, and utilities	111	1.7%	202	2.8%	82.0%
Information	327	5.0%	201	2.8%	-38.5%
Finance and insurance, and real estate and rental leasing	644	9.9%	761	10.6%	18.2%
Professional, scientific, management, and administrative services	1,409	21.7%	1,689	23.6%	19.9%
Education services, health care, and social assistance	1,108	17.1%	1,140	15.9%	2.9%
Arts, entertainment, recreation, accommodation, and food services	963	14.8%	767	10.7%	-20.4%
Other services (except public administration)	279	4.3%	309	4.3%	10.8%
Public Administration	236	3.6%	117	1.6%	-50.4%
<b>Total</b>	<b>6,486</b>	<b>100%</b>	<b>7,155</b>	<b>100%</b>	<b>10.3%</b>

Source: American Community Survey, 5-Year Estimates, 2010 and 2017.

In addition to reporting and analyzing employment sector trends, analyzing the unemployment rate is essential to understanding current housing affordability and needs, as well as projected needs. According to the American Community Survey Data, (Table 2-7) Solana Beach experienced just below a four percent unemployment rate in 2017, the lowest unemployment rate in the North County region. The data reports San Diego County to have about a seven percent unemployment rate in 2017, and surrounding jurisdictions to have unemployment rates ranging from 3.9 in Del Mar to 6.6 percent in Oceanside.

Jurisdiction	Unemployment rate*
Oceanside	6.6%
Carlsbad	5.2%
Encinitas	4.9%
<b>Solana Beach</b>	<b>3.8%</b>
Del Mar	3.9%
San Diego	7.0%
San Diego County	7.1%

\*Population 16 years and over  
Source: American Community Survey, 5-Year Estimates, 2017.



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Table 2-8 displays average annual wage data for occupations compiled by the California Employment Development Department (EDD) for the San Diego Metropolitan Statistical Area in 2019. Professional and health services occupations, including managers, doctors, attorneys, architects, and engineers were among the highest paying professions in the region. In addition to the traditionally higher paying occupations, computer and mathematical occupations averaged over \$100,000 in the County, and making careers in tech higher paying than healthcare, architecture and engineering occupations. Education and financial occupations generally offer high to moderate pay scales while the food preparation and retail sales offer lower wages. Compared to County statistics, the City of Solana Beach’s residents benefitted from higher paying jobs and a lower unemployment rate. According to the data in Table 6, majority of Solana Beach’s residents maintain mid to high level paying occupations.

Table 2-8: Mean Salary by Occupation in San Diego County	
Occupation	Salary
Management	\$131,550
Legal	\$125,772
Healthcare Practitioners and Technical	\$97,702
Architecture and Engineering	\$98,760
Computer and Mathematical	\$101,629
Life, Physical and Social Sciences	\$86,073
Business and Financial Operations	\$80,510
Education, Training and Library	\$66,335
Arts, Design, Entertainment, Sports and Media	\$61,635
Construction and Extraction	\$58,011
Protective Services	\$58,798
Community and Social Service	\$57,077
Installation, Maintenance and Repair	\$53,025
Sales	\$43,543
Office and Administration Support	\$43,266
Production	\$42,499
Transportation and Material Moving	\$38,450
Healthcare Support	\$38,858
Building, Grounds Cleaning, and Maintenance	\$33,718
Personal Care and Service	\$31,530
Farming, Fishing and Forestry	\$32,872
Food Preparation and Serving Related	\$26,380
<i>Source: California Employment Development Division, Occupational Wage data, 2019.</i>	

## C. Household Characteristics

A household is considered all persons who occupy a housing unit, as defined by the Census; this may include single persons living alone, families related through marriage, blood or adoption, domestic partnerships and unrelated individuals living together. Not all housing is considered a housing unit including, nursing facilities, residential care facilities, dormitories, and other group living, as well as, the persons living with them are not considered a household.

Information on household characteristics assists understanding growth and determining the housing needs of a community. Income and affordability are best measured at the household level, as well as the special needs of certain groups, such as large families, single parent households, or low and extremely low-income households. For example, if a City has a prominent aging population, who are homeowners but live on fixed incomes, it may consider implementing a home beautification assistance program.

### 2. Household Type and Size

According to the American Community Survey 2017, there were 1,111,739 total households in San Diego County. Of those households, 5,744—less than one percent— were in Solana Beach. Compared to surrounding jurisdictions, Solana Beach is one of the smallest communities, being only larger than Del Mar, which has 2,157 households. The data in **Table 2-9** breaks down characteristics the total households of Solana Beach and its surrounding communities. Nearly half of all the Households in Solana Beach were married-couple families, similar to both the County and nearby jurisdictions. Just under six percent of the households were female headed with no husband present, about half of the eleven percent female headed households in San Diego County. The data also reports that 44.6 percent of all households reported non-family; an abnormally high number compared to 32.8 percent reported in the County and as low as 29.2 percent in Carlsbad to 41.8 percent in Del Mar, of nearby jurisdictions.

Jurisdiction	Married-couple Family Households	% of Total Households	Female Household, No Husband Present	% of Total Households	Non-Family Household	% of Total Households	Total Households
Oceanside	31,652	51.1%	7,115	11.5%	20,142	32.5%	61,978
Carlsbad	24,617	56.9%	4,576	10.6%	12,626	29.2%	43,281
Encinitas	13,026	53.6%	1,560	6.4%	8,698	35.8%	24,284
<b>Solana Beach</b>	<b>2,608</b>	<b>45.4%</b>	<b>331</b>	<b>5.8%</b>	<b>2,559</b>	<b>44.6%</b>	<b>5,744</b>
Del Mar	1,060	49.1%	75	3.5%	901	41.8%	2,157
San Diego	221,461	44.5%	56,305	11.3%	196,653	39.6%	497,189
San Diego County	556,665	50.1%	133,696	12.0%	364,949	32.8%	1,111,739

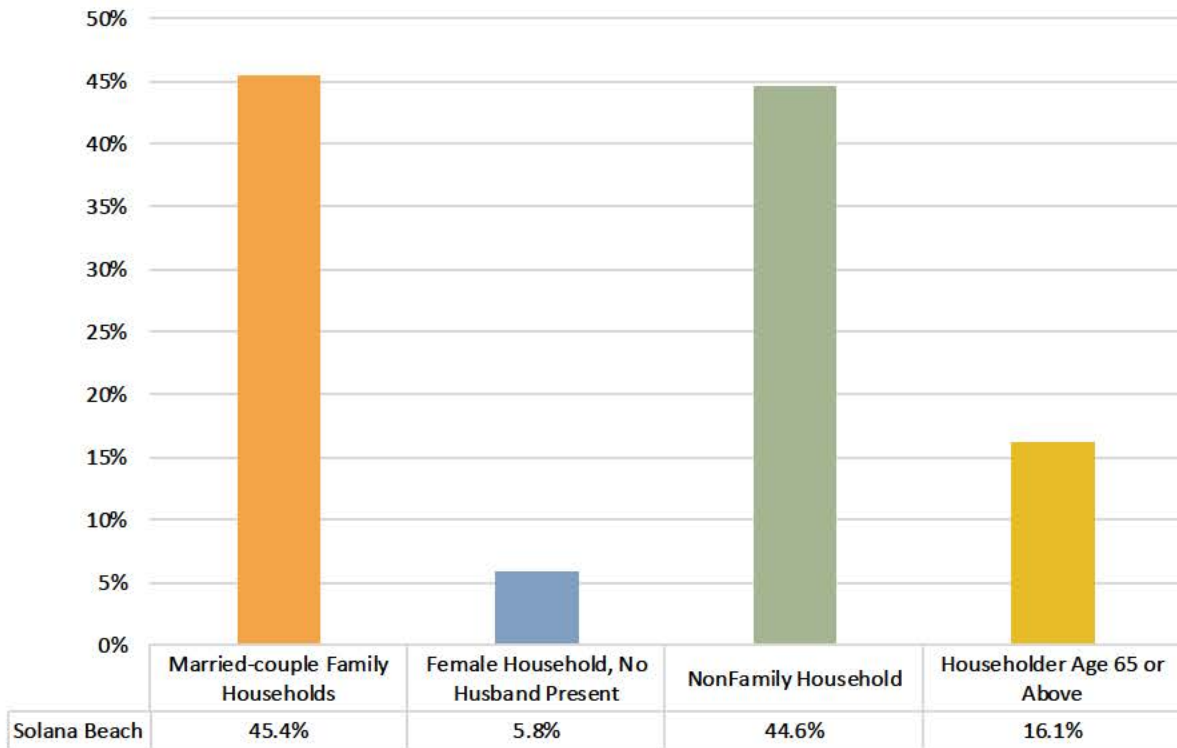
*Source: American Community Survey, 5-Year Estimates, 2017.*

**Figure 2-3** displays the data in **Table 9**, with the addition of householder age 65 and above. Previously noted in **Figure 1**, Solana Beach has a growing population over the age of 65. In 2000, the population 65 years and over was 17.3 growing to 22.8 percent in 2017. A high percentage of persons over 65 years contributes to a higher percentage of Senior headed households. About sixteen percent of all households in Solana Beach are senior headed.



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Figure 2-3: Solana Beach Household Characteristics in Percent (2017)



Source: American Community Survey, 5-Year Estimates, 2017.

Table 2-10 shows that between 2000 and 2010, Solana Beach experienced a five percent decrease in total households and a 1.6 percent increase from 2010 to 2017. Overall Solana Beach has experienced a less than one percent decrease in total households from 2010 to 2017. The data shows that both the married-couple households and the female households with no husband present have slightly decreased from 2000 to 2017. However, the percentage of householders 65 years and over, or senior headed households, has steadily increased; jumping from 10.4 percent in 2000 to 11.5% in 2010 then increasing again to 16.1 percent in 2017.

	2000	Percent	2010	Percent	2017	Percent
Total Households	5,754	100.0%	5,650	100.0%	5,744	100.0%
Married-couple Family Households	2,723	47.3%	2,730	48.3%	2,608	45.4%
Female Household, No Husband Present	389	6.8%	360	6.4%	331	5.8%
Non-family Household	2,474	43.0%	2,367	41.9%	2,556	44.6%
Householder 65 Years and Over	599	10.4%	647	11.5%	--	16.1%

Source: American Community Survey, 5-Year Estimates, 2017.

Household size is an indicator of one source of population growth and an indicator of the character households, which represent the most basic unit of demand for housing. Although there can be more than one family in a housing unit, the measure of persons per household provides an indicator of the number of persons residing in a household

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organizing unit and the number of persons living in a housing unit. Average household size can be both a result and indicator of housing affordability and other household economic conditions.

Table 2-11 displays the average number of persons per household in North County San Diego as well as San Diego city and the County as a whole. The American Community Survey reports Solana Beach to have an average household size of 2.33 persons in 2017. The average household size of Solana Beach is smaller than the 2.87 average for the County. However, the average household size of surrounding communities is similar, ranging from 2.01 persons per households in Del Mar to 2.81 persons per household in Oceanside.

Jurisdiction	Average Persons per Household
Oceanside	2.81
Carlsbad	2.60
Encinitas	2.56
<b>Solana Beach</b>	<b>2.33</b>
Del Mar	2.01
San Diego	1.37
San Diego County	2.87

*Source: American Community Survey, 5-Year Estimates, 2017.*

### 3. Household Income

Household income is directly connected to affordability, as household income increases, it is more likely that the household can afford market rate housing units, larger units and/or pursue ownership opportunities. As household income decreases, households tend to pay a disproportionate amount of their income for housing. This may influence increased incidence of overcrowding and substandard living conditions.

The California State Department of Housing and Community Development (HCD) has identified the following income categories based on the HUD Area Median Family Income (HAMFI) of San Diego County;

- Extremely Low-income: households earning up to 30 percent of the HAMFI
- Very Low-income: households earning between 31 and 50 percent of the HAMFI
- Low-income: households earning between 51 percent and 80 percent of the HAMFI
- Moderate Income: households earning between 81 percent and 120 percent of the HAMFI
- Above Moderate Income: households earning over 120 percent of the HAMFI

Combined, the extremely low, very low, and low-income groups are referred to as lower income.<sup>1</sup> Comprehensive Housing Affordability Strategy (CHAS) estimates based on 2006-2016 American Community Survey (ACS) data used below. In 2017, approximately 76 percent of Solana Beach households earned moderate or above moderate incomes (Table 2-12), while 24 percent of households had incomes in the extremely low, very low, and low-income levels.

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<sup>1</sup> Federal housing and community development programs typically assist households with incomes up to 80 percent of the HAMFI and use different terminology. For example, the Federal Community Development Block Grant (CDBG) program refers households with incomes between 51 and 80 percent HAMFI as moderate income (compared to low-income based on State definition).



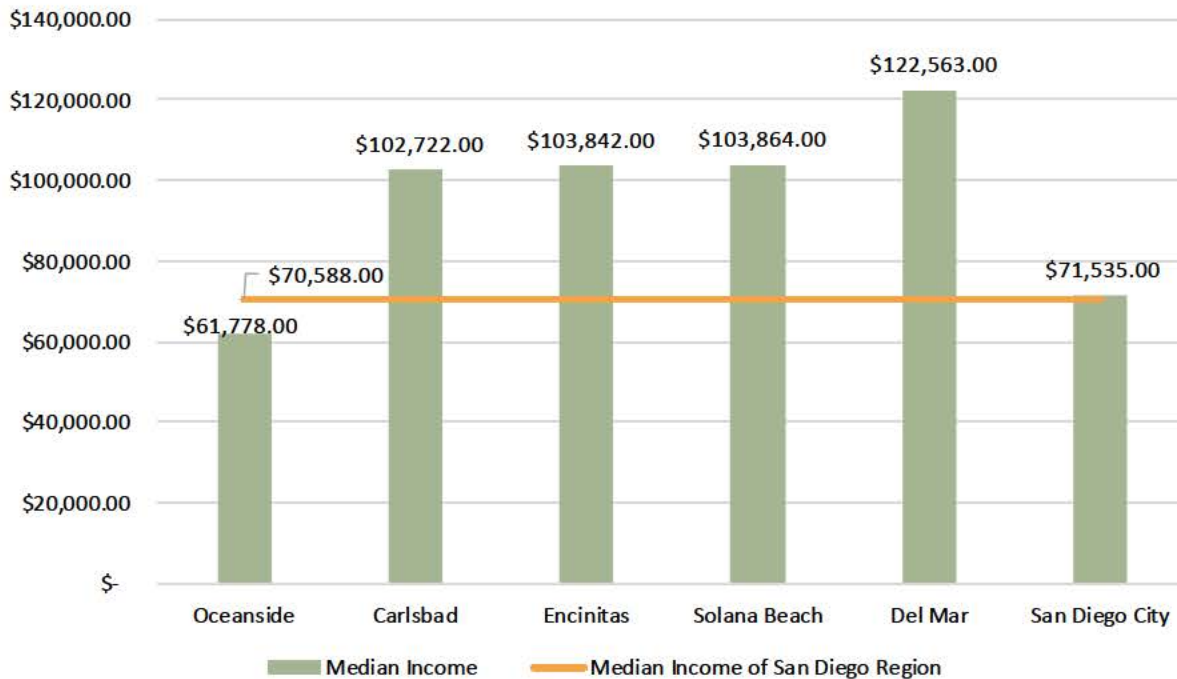
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Income Category (% of County AMFI)	Households	Percent
Extremely Low (30% HAMFI or less)	330	5.7%
Very Low (31 to 50% HAMFI)	355	6.2%
Low (51 to 80% HAMFI)	695	12.1%
Moderate or Above (over 80% HAMFI)	4,365	76%
<b>Total</b>	<b>5,745</b>	<b>100%</b>

*Source: Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS), 2013-2017.*

Household incomes in Solana Beach are significantly higher than the County, yet comparable to incomes in surrounding communities. The American Community Survey data reports that the median income in San Diego County was \$70,588 in 2017 (Figure 2-4). In the same year, Solana Beach reported an average income of \$103,864, similar to Encinitas’ median income of \$103,842 and Carlsbad’s median income of \$102,722. Solana Beach’s median income represents its high volume of professional residents in moderate to high paying jobs (Tables 6 and 8). The data in Table 2-13 shows that Solana Beach’s median reported income in 2017 was 32 percent higher than the County’s median income, a common trend in the North County region.

Figure 2-4: Median Household Income by City (2017)



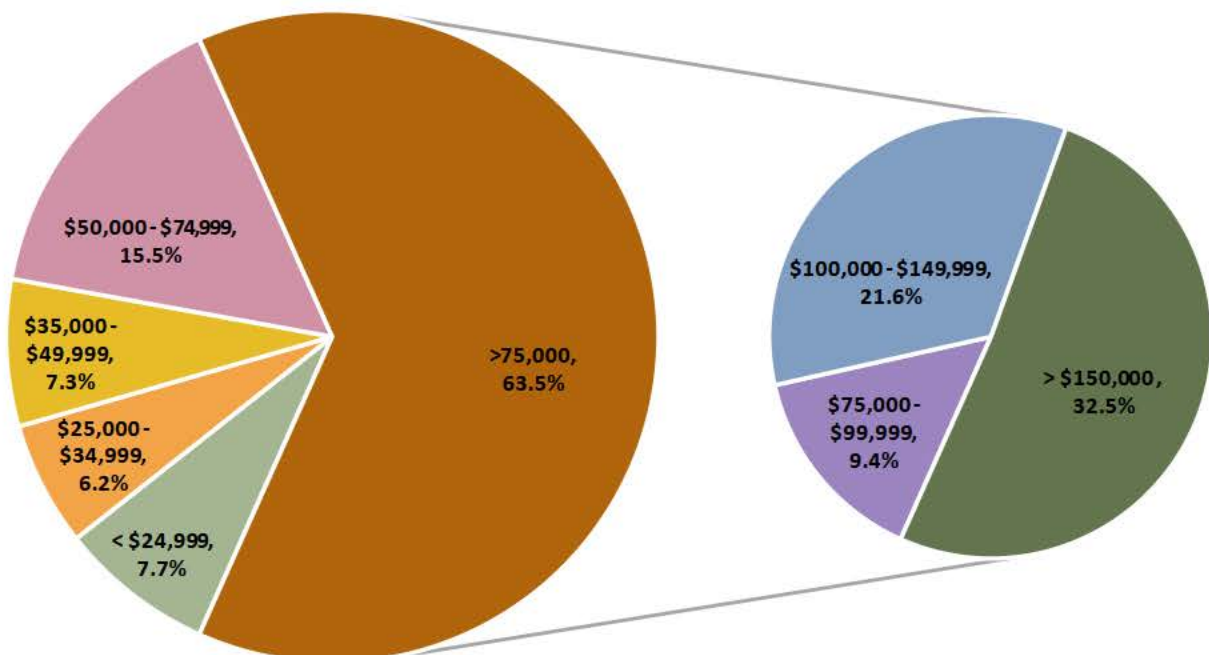
*Source: American Community Survey, 5-Year Estimates, 2017.*

Jurisdiction	Median Income	Percent Above/Below Regional Median
Oceanside	\$61,778	-14.3%
Carlsbad	\$102,722	31.3%
Encinitas	\$103,842	32.0%
<b>Solana Beach</b>	<b>\$103,864</b>	<b>32.0%</b>
Del Mar	\$122,563	42.4%
San Diego	\$71,535	1.3%
San Diego County	\$70,588	--

*Source: American Community Survey, 5-Year Estimates, 2017.*

The data displayed in Figure 2-5 shows the majority of households in Solana Beach (63.5 percent) had an income of \$75,000 or higher. Majority of residents made above \$100,000 per year in 2017, with 21.6 percent households making \$100,000 to \$149,999 and 32.5 percent of households making \$150,000 or more. On the other hand, just 7.7 percent of households made less than \$24,999 and 13.5 percent made \$25,000 to \$49,999. Overall, the majority of Solana Beach’s households have moderate to high incomes.

Figure 2-5: Solana Beach Income Breakdown by Category



*Source: American Community Survey, 5-Year Estimates, 2017.*

## D. Housing Problems

The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census Bureau for HUD provides detailed information on housing needs by income level for different types of households in Solana Beach. The most recent available CHAS data for Solana Beach was published in August 2019 and was based on 2006-2016 ACS data. Housing problems considered by CHAS included:

- Units with physical defects (lacking complete kitchen or bathroom);
- Overcrowded conditions (housing units with more than one person per room);
- Housing cost burdens, including utilities, exceeding 30 percent of gross income; or
- Severe housing cost burdens, including utilities, exceeding 50 percent of gross income.

The types of problems in Solana Beach vary according to household income, type, and tenure (Table 2-14). These include:

- In general, owner-households had a lower level of housing problems (16 percent) than renter-households (22.6 percent).
- Approximately seven percent of owner households reported having a severe housing problem, whereas almost sixteen percent of renters reported a severe housing problem.
- Overall, 38.6 percent of all households reported at least one housing problem and 22.8 percent of all households reported at least one severe housing problem.

Housing Problem Overview*	Owner	Percent	Renter	Percent	Total	Percent
Household has at least 1 of 4 Housing Problems	920	16.0%	1,300	22.6%	2,220	38.6%
Household has none of 4 Housing Problems	2,385	41.5%	1,085	18.9%	3,470	60.3%
Cost Burden not available, no other problems	25	0.4%	40	0.7%	65	1.1%
<b>Total</b>	<b>3,325</b>	<b>57.8%</b>	<b>2,425</b>	<b>42.2%</b>	<b>5,750</b>	<b>100%</b>
Severe Housing Problem Overview**	Owner	Percent	Renter	Percent	Total	Percent
Household has at least 1 of 4 Severe Housing Problems	400	7.0%	910	15.8%	1,310	22.8%
Household has none of 4 Severe Housing Problems	2,900	50.4%	1,470	25.6%	4,370	76.0%
Cost Burden not available, no other problems	24	0.4%	40	0.7%	65	1.1%
<b>Total</b>	<b>3,325</b>	<b>57.8%</b>	<b>2,425</b>	<b>42.2%</b>	<b>5,750</b>	<b>100%</b>

\* The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%.

\*\* The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50%.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2012-2016.



## 1. Overcrowding

A combination of low incomes and high housing costs forces households to live in overcrowded conditions. “Overcrowding” is generally defined as a housing unit occupied by more than one person per room in house (including living room and dining rooms, but excluding hallways, kitchen, and bathrooms). An overcrowded household results from either a lack of affordable housing (which forces more than one household to live together) and/or a lack of available housing units of adequate size. Overcrowding can indicate that a community does not have an adequate supply of affordable housing, especially for large families.

Overcrowded and severely overcrowded households can lead to neighborhood deterioration due to the intensive use of individual housing units leading to excessive wear and tear, and the potential cumulative overburdening of community infrastructure and service capacity. Furthermore, overcrowding in neighborhoods can lead to an overall decline in social cohesion and environmental quality. Such decline can often spread geographically and impact the quality of life and the economic value of property and the vitality of commerce within a city. The combination of lower incomes and high housing costs result in many households living in overcrowded housing conditions.

**Table 2-15: Overcrowding by Tenure**

Tenure	Total	Overcrowded Housing Units (1.01-1.5 persons/room)	Percent	Severely Overcrowded Housing Units (>1.5 persons/room)	Percent
Owner Occupied	3,368	27	0.47%	0	0.0%
Renter Occupied	2,376	15	0.26%	28	0.49%
<b>Total</b>	<b>5,744</b>	<b>42</b>	<b>0.73%</b>	<b>28</b>	<b>0.49%</b>

*Source: American Community Survey, 5-Year Estimates, 2017.*

Because of Solana Beach’s demographic profile (older population, smaller household, higher income) overcrowding has not been a reported issue. According to the American Community Survey, shown in Table 2-15, less than one percent of owner-occupied households reported overcrowding (more than one person per room) and no owner-occupied households reported severe overcrowding (more than 1.5 persons per room). Of the renter-occupied households, less than one percent reported overcrowding or severe overcrowding. Only 1.2 percent of all households reported any kind of crowding, nearly five percent less than San Diego County. Additionally, overcrowding was less of an issue in Solana Beach than many of its neighbors, where Oceanside experienced 4.8 percent reported overcrowding and 3.4 percent in Encinitas. Overall, overcrowding in the North County area is reported as less of a problem than in San Diego County as a whole.

**Table 2-16: Overcrowded Housing Units**

Jurisdiction	Total Overcrowded Units	Percent
Oceanside	2,997	4.8%
Carlsbad	892	2.1%
Encinitas	816	3.4%
<b>Solana Beach</b>	<b>70</b>	<b>1.2%</b>
Del Mar	0	0%
San Diego	31,411	6.3%
San Diego County	72,686	6.5%

*Source: American Community Survey, 5-Year Estimates, 2017.*

## 2. Overpayment (Cost Burden) In Relationship to Income

State and federal standards indicate that a household paying more than 30 percent of its income for housing is overpaying. Overpayment for housing can cause an imbalance on the remainder of a household's budget. Understanding and measuring overpayment for housing in a community is an indicator of the dynamics of demand and supply.

Per the Housing and Urban Development CHAS report, shown in Table 2-17, 3,189 households or about half of Solana Beach's households reported some type of overpayment. About 15 percent of owners experienced a cost burden over 30 percent and only about 6 percent of owners reported a cost burden of 50 percent or greater. The data in Table 17 show that renters were importantly affected by cost burden, where 20.4 percent reported a 30 percent or higher burden and 13.5 percent reported a 50 percent or high cost burden.

Table 2-17: Summary of Housing Overpayment

Income by Cost Burden*	Owner				Renter				Total Households with Cost Burden	% of Tot. HH
	Cost Burden > 30%	% of Tot. HH*	Cost Burden > 50%	% of Tot. HH	Cost Burden > 30%	% of Tot. HH	Cost Burden > 50%	% of Tot. HH		
Household Income is less-than or = 30%	65	1.1%	55	1.0%	255	4.4%	240	4.2%	615	10.7%
Household Income >30% to less-than or = 50% HAMFI	99	1.7%	95	1.7%	275	4.8%	250	4.3%	719	12.5%
Household Income >50% to less-than or = 80% HAMFI	135	2.3%	95	1.7%	355	6.2%	235	4.1%	820	14.3%
Household Income >80% to less-than or = 100% HAMFI	120	2.1%	50	0.9%	205	3.6%	35	0.6%	410	7.1%
Household Income >100% HAMFI	465	8.1%	60	1.0%	85	1.5%	15	0.3%	625	10.9%
<b>Total</b>	<b>884</b>	<b>15.4%</b>	<b>355</b>	<b>6.2%</b>	<b>1,175</b>	<b>20.4%</b>	<b>775</b>	<b>13.5%</b>	<b>3,189</b>	<b>55.5%</b>

\*% of tot. HH = Percent of Total Households in Solana Beach

\*Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.

Note: HAMFI = HUD Area Median Family Income, this is the median family income calculated by HUD for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. HAMFI will not necessarily be the same as other calculations of median incomes (such as a simple Census number), due to a series of adjustments that are made.

Source: Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2012-2016.



## E. Special Needs Groups

Certain households may have more difficulty in finding adequate and affordable housing due to special circumstances, therefore, it is important to understand the demographics of persons with special needs to recognize how it influences the housing needs within a community. Special needs populations include seniors, persons with disabilities, female-headed households, large households, and farm workers. In addition, many often have lower incomes because of their conditions. Table 2-18 displays the data for persons with special needs in Solana Beach.

Special Needs Groups	# of People or Households	Percent of Total Population/ Households
Senior Headed Households	1,067	18.6%
Households with Seniors (65 years and over)	2,190	38.1%
Seniors Living Alone	926	16.1%
Persons with Disabilities	861	6.5%
Large Households (5 or more persons per household)	197	3.4%
Single-Parent Households	267	4.6%
Single-Parent, Female Headed Households with Children (under 18 years)	119	2.1%
People Living in Poverty	656	4.9%
Farmworkers	109	0.8%
Homeless*	80	---
* Total number of people includes counts for Solana Beach and surrounding jurisdictions, including Del Mar, Encinitas and San Diego. <i>Source: American Community Survey, 5-Year Estimates, 2017</i>		

### 1. Seniors

The senior population, generally defined as those 65 years of age and over, has several concerns: limited and fixed incomes, high health care costs, transit dependency, and living alone. Specific housing needs of the senior population include affordable housing, supportive housing (such as intermediate care facilities), group homes, and other housing that includes a planned service component.

A limited income for many seniors, often makes it difficult to find affordable housing. Table 2-19 compares Solana Beach’s senior population to San Diego County and nearby cities. The data reports that in Solana Beach 22.8 percent of the population is age 65 or over, 3,040 persons. Among the senior population, 926 living alone, and 2,190 households have persons 65 years and over living in them (Table 2-18). Furthermore, about 18 percent of all households in Solana Beach were seniors headed households. In 2017, ACS reported 12.9 percent of San Diego County’s population to be age 65 or over, about half of Solana Beach’s Senior population. The North County Cities all report a higher senior population than the County, Del Mar’s being the highest at 25.6 percent. In addition to overpayment problems faced by seniors due to their relatively fixed incomes, many seniors are faced with various disabilities (Table 20).



Jurisdiction	Population Count	Percent
Oceanside	26,461	15.1%
Carlsbad	18,082	16.0%
Encinitas	10,582	16.9%
<b>Solana Beach</b>	<b>3,040</b>	<b>22.7%</b>
Del Mar	1,109	25.6%
San Diego	166,922	12.0%
San Diego County	425,217	12.9%

*Source: American Community Survey, 5-Year Estimates, 2017.*

Table 2-20 displays the tenure of Solana Beach and surrounding jurisdictions for residents 65 and over. There are currently more owner-occupied housing units than renter-occupied housing units in all the jurisdictions listed below. In Solana Beach, owner-occupied housing units make up 81% of all senior occupied housing units, with the remainder being renter-occupied units.

Jurisdiction	Owner-Occupied Housing Units	Renter-occupied Housing Units	Occupied Housing Unit
Del Mar	636	75	711
Encinitas	5,248	2,133	7,381
<b>Solana Beach</b>	<b>1,627</b>	<b>375</b>	<b>2,002</b>
San Diego	73,515	30,626	103,841
San Diego County	191,062	67,286	258,348

*Source: American Community Survey, 5-Year Estimates, 2019*

## 2. Persons with Physical and Developmental Disabilities

Physical and developmental disabilities can hinder access to traditionally designed housing units as well as potentially limit the ability to earn adequate income. Physical, mental, and/or developmental disabilities may deprive a person from earning income, restrict mobility, or make self-care difficult. Thus, persons with disabilities often have special housing needs related to limited earning capacity, a lack of accessible and affordable housing, and higher health costs associated with a disability. Additionally, some residents suffer from disabilities that require living in a supportive or institutional setting.

Although no current comparisons of disability with income, household size, or race/ethnicity are available, it is reasonable to assume that a substantial portion of persons with disabilities would have annual incomes within Federal and State income limits, especially those households not in the labor force. Furthermore, many lower income persons with disabilities are likely to require housing assistance and services. Housing needs for disabled persons are further compounded by design issues and location factors, which can often be costly. For example, special needs of households with wheelchair-bound or semi-ambulatory individuals may require ramps, holding bars, special bathroom designs, wider doorways, lower cabinets, elevators, and other interior and exterior design features.

Housing opportunities for persons with disabilities can be addressed through the provision of affordable, barrier-free housing. Rehabilitation assistance can be targeted toward renters and homeowners with disabilities for unit modification to improve accessibility.

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The 2017 ACS identifies six disability types: hearing disability, vision disability, cognitive disability, ambulatory disability, self-care disability and independent living disability. The Census and the ACS provide clarifying questions to determine persons with disabilities and differentiate disabilities within the population. The ACS defines a disability as a report of one of the six disabilities identified by the following questions:

- **Hearing Disability:** Is this person deaf or does he/she have serious difficulty hearing?
- **Visual Disability:** Is this person blind or do they have serious difficulty seeing even when wearing glasses?
- **Cognitive Difficulty:** Because of a physical, mental, or emotional condition, does this person have serious difficulty concentrating, remembering, or making decisions?
- **Ambulatory Difficulty:** Does this person have serious difficulty walking or climbing stairs?
- **Independent Living Difficulty:** Because of a physical, mental, or emotional condition, does this person have difficulty doing errands alone such as visiting a doctor’s office or shopping?

According to the 2017 ACS, shown in Table 2-21, majority of persons in Solana Beach with a disability reported having an ambulatory disability (30.2 percent). Twenty-three percent of persons with a disability reported having independent living difficulties, which could be an effect of the generally older population of Solana Beach. The 2017 ACS data reports that 18.3 percent of persons with a disability had a cognitive difficulty and 17.6 percent had a hearing difficulty.

Among the persons with reported disabilities, 1,120 were 65 years and older, about 70 percent of reported disabilities. Only about five percent of documented disabilities were reported for persons under the age of eighteen, and a 24.6 percent were persons aged 18 to 64. Overall, of the total population in Solana Beach 6.5 percent are reported to have at least one disability (Table 2-18).

Disability Type	Under 18 with a Disability	18 to 64 with a Disability	65 years and Over with a Disability	Total	Percent of Population with Disability	Percent of Total Population
Population with a Hearing Difficulty	0	54	228	282	17.6%	2.1%
Population with a Vision Difficulty	5	17	34	56	3.5%	0.4%
Population with a Cognitive Difficulty	46	111	136	293	18.3%	2.2%
Population with an Ambulatory Difficulty	17	88	378	483	30.2%	3.6%
Population with a Self-care Difficulty	17	35	64	116	7.3%	0.9%
Population with an independent Living Difficulty	--	90	280	370	23.1%	2.8%
<b>Total</b>	<b>85</b>	<b>395</b>	<b>1,120</b>	<b>1,600*</b>	<b>100.0%</b>	<b>--</b>

\*This number may double count as some persons report having one or more disabilities, therefore this total number differs from the total number of persons with a disability in Table 18.  
Source: American Community Survey, 5-Year Estimates, 2017.

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### ***Developmental Disabilities***

State law requires that the Housing Element discuss the housing needs of persons with developmental disabilities. As defined by the Developmental Disabilities Assistance and Bill of Rights Act of 2000, a “developmental disability” is a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age 22;
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency; and
- Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

Many people with developmental disabilities can live and work independently within a conventional housing environment. Individuals with more severe developmental disabilities require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for persons with developmental disabilities is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

Solana Beach has approximately 21 individuals aged 0 – 17 and 29 individuals 18 years and older identified as having a developmental disability by the State Department of Developmental Services (DDS) in December 2020. This is a total of 50 individuals, which represents approximately 0.4% of the total population for the City. While the 21 individuals aged 0 – 17 likely live with family, it is important that housing for the 21 adults with developmental disabilities be planned for by the City. To address the needs of this population, the City has included **Program 4C** to accommodate the approval of group homes, ADA retrofit efforts, ADA compliance and/or other measures through the implementation of Title 24.

The San Diego Regional Center (SDRC) is a focal point in the community for persons with developmental disabilities living in San Diego and Imperial Counties. The SDRC provides community resources and services to residents with developmental disabilities by assisting in locating affordable housing opportunities, employment opportunities, and overall enhancing quality of individual’s daily living experiences through access to necessary services. The SDRC has five main Area Offices, with the Carlsbad (North County Office), being the closest to Solana Beach. The SDRC has a wide range of resources available both in person at their Area Offices as well as online at <http://sdrc.org/>. The SDRC does not post statistics relating to individuals assisted per jurisdiction, but does have an extensive list of service providers who they partner with to provide services to residents. The following service providers located within Solana Beach are listed on the 2021 SDRC Vendor List.

- Behavioral Autism Therapies, LLC
- Real Connections Child Development Institute
- Solana Beach Child Development Center
- MFG, Inc.
- Strength Collectives, LLC
- Evans, Amber Pawlowski
- Andrews Speech and Language
- At Play Occupational Therapy Services, Inc.
- Hartmann Barrett, Brooke
- Himstreet, Christine EST
- Kids on the Go Therapy
- Rise Physical Therapy
- Segal Speech and Language Therapy
- Strides Physical Therapy, Inc.
- College Nannies & Tutors #1
- Access to Success ILS
- Kelly-Danssaert, Joanne



### 3. Large Households

Large Households are defined as households consisting of five or more persons. Such households comprise special needs groups because many communities have a limited supply of adequately sized and affordable housing units. To save for other necessities such as food, clothing and medical care, it is common for lower income large households to reside in smaller units with inadequate number of bedrooms, which frequently results in overcrowding and can contribute to fast rates of deterioration.

Securing housing large enough to accommodate all members of a household is more challenging for renters, because multi-family rental units are typically smaller than single-family ownership units. While apartment complexes offering two and three bedrooms are common, apartments with four or more bedrooms are rare. It is more likely that a large family will experience overcrowding in comparison to smaller families. Additionally, throughout the region, larger single-family homes, whether to rent or own, are generally not affordable to most lower income households.

The 2017 ACS reported a small percentage of large households in Solana Beach. **Table 2-22** displays the data for large households, showing that under four percent of total households in Solana Beach were large households. Among large households in Solana Beach, majority were owner occupied, 177; while just twenty were renter occupied. Overall, Solana Beach has a small percentage of large households to accommodate.

Household Size	Owner	Percent	Renter	Percent	Total	Percent
5-Person Household	130	2.2%	9	0.1%	139	2.4%
6-person household	20	0.3%	10	0.2%	30	0.5%
7-or-more person Households	27	0.5%	1	0.01%	28	0.5%
<b>Total</b>	<b>177</b>	<b>3.1%</b>	<b>20</b>	<b>0.3%</b>	<b>197</b>	<b>3.4%</b>

*Source: American Community Survey, 5-Year Estimates, 2017.*

### 4. Single-Parent Households

Single-parent households often require special consideration and assistance due to their greater need for affordable and accessible day care, health care, and other supportive services. Many female-headed households with children are susceptible to having lower incomes than similar two-parent households. Single, female mothers often face social marginalization pressures that often limit their occupational choices and income earning potential, housing options and access to supportive services.

The data in **Table 2-23**, gathered from the 2017 ACS, shows that under five percent (267) of all households are single-parent households in Solana Beach. Of the 267 single parent households, 119 are reported female headed, no male present and 148 are male headed, no female present. Overall, the data shows that there are no single-parent households living in poverty.

	Single Parent-Male, No Female Present	Single Parent-Female, No Male Present	Single Parent Households Living in Poverty	Single Parent Households	Percent of Total Households
<b>Solana Beach</b>	148	119	0	267	4.6%

*Source: American Community Survey, 5-Year Estimates, 2017.*

## 5. Farmworkers

The Agricultural sector is one of the largest industry sectors in California and employs 422,430 persons as of 2019<sup>2</sup>. Farm workers are traditionally defined as persons whose primary incomes are earned through seasonal agricultural work. Farm workers have special housing needs because they earn lower incomes than many other workers and move throughout the year from one harvest location to the next.

Data for farm and agriculture workers is compiled by county within California; the most recent available data comes from the Census of Agriculture, 2017 report produced by the United States Department of Agriculture, National Agricultural Statistics Services. According to the Hired Farm Labor – Workers and Payroll report, there were a total of 2,202 farms and 12,335 hired farm laborers in San Diego County in 2017. The data also identifies a total of 764 migrant farmworkers<sup>3</sup>. On average, farmworkers in the San Diego region earn about \$32,800 per year, this is about 46 percent of the San Diego County median income (See Figure 4 above), therefore, farmworkers are generally within the low-income household category. Currently, there are reported less than one percent of the population employed in agriculture, forestry, fishing and hunting, and mining occupations in Solana Beach. The City has several plant and tree nurseries and ornamental horticultural businesses which employ residents identified within the agricultural sector. The City's efforts to plan for future housing available to lower-income residents encompasses the current identified need for residents in the agricultural sector.

## 6. Extremely Low-income Households and Poverty Status

2012-2016 Comprehensive Housing Affordability Strategy (CHAS) data indicates there were approximately 700 low-income households and 445 very low-income households. Very low-income households are those households that earn 50 percent or less of the median family income (MFI) for San Diego County. Extremely low-income households are those households which earn less than 30 percent of the MFI. There are approximately 435 extremely low-income households in Solana Beach (renters and owners). **Table 2-24** below, includes data characterizing affordability and cost burden for various income groups.

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<sup>2</sup> California Agriculture Employment Maps, California Employment Development Department, 2019.

<sup>3</sup> United States Department of Agriculture, National Agricultural Statistics Services, *Census of Agriculture, California, 2017*.



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Table 2-24: Housing Problems for All Households by Tenure

In come by Housing Problem	Owner		
	Household has at least 1 of 4 Housing Problems	Household has none of 4 Housing Problems	Cost Burden not available, no other Housing Problem
Household Income is less-than or = 30%	65	30	25
Household Income >30% to less-than or = 50% HAMFI	100	70	--
Household Income >50% to less-than or = 80% HAMFI	140	200	--
Household Income >80% to less-than or = 100% HAMFI	125	170	--
Household Income >100% HAMFI	490	1,915	--
<b>Total</b>	<b>920</b>	<b>2,385</b>	<b>25</b>
In come by Housing Problem	Renter		
	Household has at least 1 of 4 Housing Problems	Household has none of 4 Housing Problems	Cost Burden not available, no other Housing Problem
Household Income is less-than or = 30%	255	20	40
Household Income >30% to less-than or = 50% HAMFI	275	--	--
Household Income >50% to less-than or = 80% HAMFI	355	10	--
Household Income >80% to less-than or = 100% HAMFI	250	60	--
Household Income >100% HAMFI	165	995	--
<b>Total</b>	<b>1,300</b>	<b>1,085</b>	<b>40</b>
<b>Total Households (Owner and Renter)</b>	<b>2,220</b>	<b>3,470</b>	<b>65</b>

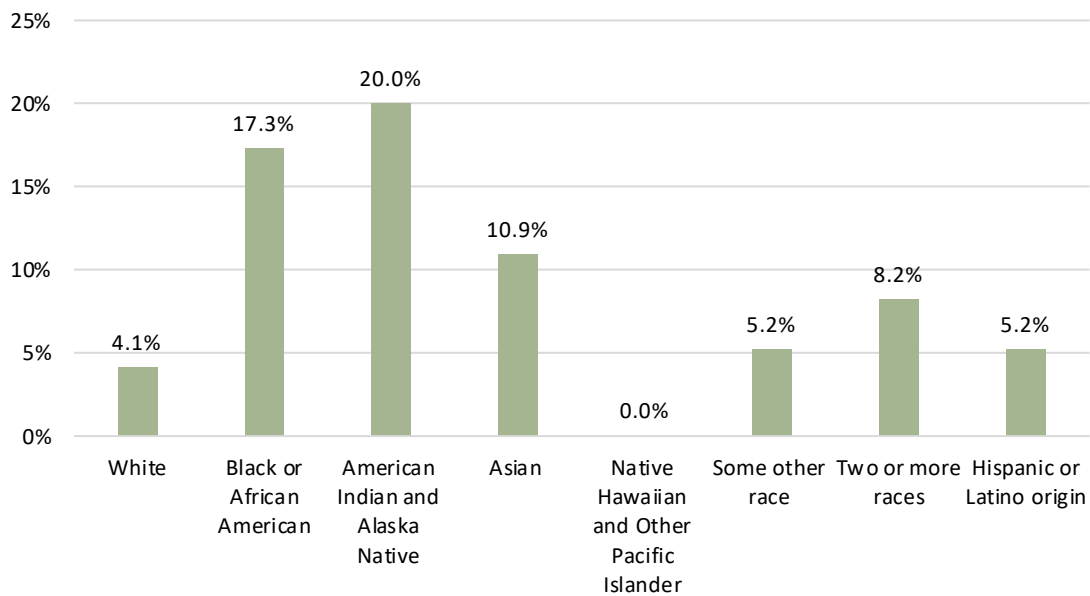
Source: Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2012-2016.  
 \* The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%.  
 \*\* The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50%.  
 Note: HAMFI = HUD Area Median Family Income, this is the median family income calculated by HUD for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. HAMFI will not necessarily be the same as other calculations of median incomes (such as a simple Census number), due to a series of adjustments that are made.

According to the 2017 ACS, 656 persons were reported to be living in poverty, about 4.9 percent of the population. Figure 2-6, displays the percent of persons living in poverty by race or ethnicity and Hispanic or Latino origin, based on own race/ethnicity.

The lowest percentage of people living in poverty was the population who identified as White, with just 4.1 percent of all persons who identified White living in poverty. American Indian and Alaska native was the highest percent of persons living in poverty at 20 percent of the total American Indian and Alaska native population living in poverty. Additionally, both the Black or African American and Asian populations were disproportionately affected by poverty as 17.3 percent of the Black or African American population in the City reported living in poverty and 10.9 percent of the Asian population in the City reported living in poverty. The Native Hawaiian and other Pacific Islander population shows no persons living in poverty; however, it should be noted that no people within Solana Beach reported their race/ethnicity as Native Hawaiian/other Pacific Islander.



Figure 2-6: Percent below Poverty Level, by Race and Hispanic or Latino Origin in Solana Beach



Source: American Community Survey, 5-Year Estimates, 2017.

## 7. Homeless

Throughout the country and the San Diego region, homelessness has become an increasingly important issue in light of the current economic conditions. Factors contributing to the rise in homelessness include increased unemployment and underemployment, a lack of housing affordable to lower and moderate-income persons (especially extremely low-income households), reductions in public subsidies to the poor, and the de-institutionalization of the mentally ill.

State law mandates that municipalities address the special needs of homeless persons within their jurisdictional boundaries. “Homelessness” as defined by the U.S. Department of Housing and Urban Development (HUD) has recently been updated, the following list the updated descriptions for homeless and the changes in the definition from HUD:

- People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided. The only significant change from existing practice is that people will be considered homeless if they are exiting an institution where they resided for up to 90 days (it was previously 30 days), and were in shelter or a place not meant for human habitation immediately prior to entering that institution.
- People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled-up situation, within 14 days and lack resources or support networks to remain in housing. HUD had previously allowed people who were being displaced within 7 days to be considered homeless. The proposed regulation also describes specific documentation requirements for this category.
- Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This is a new category of homelessness, and it applies to families with children or unaccompanied youth who have not had a lease or ownership interest in a housing unit in the last 60 or more days, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
- People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing. This category is similar to the current practice regarding people who are fleeing domestic violence.

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This definition does not include persons living in substandard housing (unless it has been officially condemned); persons living in overcrowded housing (for example, doubled up with others), persons being discharged from mental health facilities (unless the person was homeless when entering and is considered to be homeless at discharge), or persons who may be at risk of homelessness (for example, living temporarily with family or friends.)

The Regional Task Force on the Homeless (RTFH) is San Diego County’s leading resource for information on issues of homelessness. The RTFH promotes a regional approach as the best solution to ending homelessness in San Diego County. RTFH compiles data from a physical Point-In-Time (PIT) count of sheltered (emergency and transitional) and street homeless persons. 2018 was the last year in which the San Diego County WeAllCount Annual Report identified Solana Beach separately from surrounding jurisdictions. In the 2018 count, the population of sheltered and unsheltered people experiencing homelessness in Solana Beach was none. The 2019 Count was conducted on January 25, 2019 and the results are shown in Table 2-25 Oceanside had the largest homeless population of the North County coastal cities. Solana Beach’s homeless population includes homeless persons in Encinitas, San Dieguito, and Del Mar.

Jurisdiction	Unsheltered	Sheltered	Total	% of County
Oceanside	242	166	408	5.4%
Carlsbad	94	53	147	1.9%
<b>Solana Beach*</b>	<b>47</b>	<b>33</b>	<b>80</b>	<b>1.1%</b>
San Diego	2,283	2,604	4,887	64.1%
San Diego County	3,971	3,648	7,619	100%

\* Total number of people includes counts for Solana Beach and surrounding jurisdictions, including Del Mar, Encinitas and San Diego  
*Source: San Diego Regional Task Force on the Homeless (RTFH), WeAllCount Survey Results, 2019.*

According to RTFH, the San Diego region’s homeless population can be divided into two general groups: (1) urban homeless, and (2) rural homeless, including farm workers and day laborers who primarily occupy the hillsides, canyons and fields of the northern regions of the County. It is important to recognize that homeless individuals may fall into more than one category (for example, a homeless individual may be a veteran and a substance abuser), making it difficult to accurately quantify and categorize the homeless. RTFH reports the San Diego Region has seen an increase in the average length of time people reside in emergency shelters. The report shows that over 40 percent of the people who exit shelter move on to stable living conditions, but 26 percent return to homelessness within two years.

The North County region of San Diego experiences a reduced amount of homelessness compared to San Diego City and the County as a whole (Table 2-24). The City of Solana Beach (including nearby cities) has the lowest count of homeless persons in the North County region, 47 unsheltered and 33 sheltered, a total of 80 homeless persons.

**8. Students**

The college student population in the area is another significant factor affecting housing demand. Solana Beach is located near the University of California, San Diego, San Diego State University, the University of San Diego, California State University at San Marcos, Point Loma Nazarene University, Palomar College, Mesa College and Mira Costa College. According to the 2013-2017 ACS, 696 persons, about 5.2 percent of Solana Beach’s population, were enrolled in college or graduate school, of total persons enrolled in college or graduate school 456 were females (65.5 percent). While many of the City’s college students reside with their parents, some students reside in Solana Beach in their own independent housing and a general lack of affordable housing is often a factor in a student’s decision to move elsewhere after graduation.



## F. Housing Stock Characteristics

The characteristics of the housing stock, including growth, type, availability and tenure, age and condition, housing costs, and affordability are important in determining the housing needs for the community. This section details the housing stock characteristics of Solana Beach to identify how well the current housing stock meets the needs of its current and future residents.

### 1. Housing Growth

According to the 2017 ACS, between 2000 and 2010, the Solana Beach housing stock was estimated to grow from 6,456 to 6,540 units, a 1.3 percent growth shown in Table 25. From 2010 to 2017, Solana Beach experienced a 1.9 percent housing growth. The Overall housing growth in the Northern Coastal County areas has been limited; when compared to adjacent cities, Solana Beach experienced the lowest percent of housing growth as Carlsbad saw a 32 percent growth from 2000 to 2010 and another 5.5 percent increase in housing stock from 2010 to 2017. Additionally, smaller cities, such as Del Mar saw a 9.3 percent growth from 2010 to 2017.

Jurisdiction	2000	2010	2017	Percent Change 2000 to 2010	Percent Change 2010 to 2017
Oceanside	59,581	64,435	66,715	8.1%	3.5%
Carlsbad	33,798	44,673	47,119	32.2%	5.5%
Encinitas	23,843	25,740	26,321	8.0%	2.3%
<b>Solana Beach</b>	<b>6,456</b>	<b>6,540</b>	<b>6,665</b>	<b>1.3%</b>	<b>1.9%</b>
Del Mar	2,557	2,596	2,838	1.5%	9.3%
San Diego	469,689	516,033	533,973	9.9%	3.5%
San Diego County	1,040,149	1,164,786	1,195,868	12.0%	2.7%

*Source: U.S. Census Bureau, 2000 and 2010 and American Community Survey, 5-Year Estimate, 2017.*

### 2. Housing Type

Table 2-27 provides characterization of the housing stock in Solana Beach and San Diego County per the 2013-2017 American Community Survey. The 2013-2017 American Community Survey indicates that single-family detached homes are the predominant housing type in both Solana Beach and San Diego County. However, Solana Beach proves to provide a diverse assortment of housing. Single-family housing units make up about 45.7 percent of Solana Beach's housing stock and multi-family units make up 38.9 percent of the housing stock. Mobile homes make up under one percent of the total housing stock.

Jurisdiction	Single-Family Detached	Single-Family Attached	Multi-Family	Mobile Homes	Total Units
Solana Beach	3,051	992	2,596	26	6,665
San Diego County	613,113	112,939	426,053	42,614	1,195,868

*Source: American Community Survey, 5-Year Estimates, 2017.*

### 3. Housing Availability and Tenure

Housing tenure and vacancy rates generally influence the supply and cost of housing. Housing tenure defines if a unit is owner-occupied or renter-occupied. Tenure is an important market characteristic as it relates to the availability of housing product types and length of tenure. The tenure characteristics in a community can indicate several aspects of the housing market, such as affordability, household stability, and availability of unit types, among others. In many communities, tenure distribution generally correlates with household income, composition and age of the householder.

In 2017, Solana Beach’s occupied housing was nearly split evenly between owners and renters. Owners made up 58 percent of occupied housing units, majority in single-family detached housing (2,334). Just sixteen percent of single family detached units were occupied by renters, where nearly 80 percent of multi-family units were occupied by renters. All occupied mobile homes in the City were owner occupied.

	Single-Family Detached	Single-Family Attached	Multi-Family	Mobile Homes	Total Occupied Units
Owner Occupied	2,334	600	408	26	3,368
Renter Occupied	451	336	1,589	0	2,376
<b>Total</b>	<b>2,785</b>	<b>936</b>	<b>1,997</b>	<b>26</b>	<b>5,744</b>

*Source: American Community Survey, 5-Year Estimates, 2017.*

As shown in Table 2-29, owner-occupied households had a slightly higher average household size than renter-occupied households in 2017. The average owner-household size in 2017 was 2.41, whereas renter-occupied units average 2.21 persons per household. Additionally, overall household size is smaller than both the County’s average of 2.87 persons and the nearby jurisdictions ranging from 2.56 in Encinitas to 2.81 in Oceanside. The smaller household sizes could be due to the large number of seniors and senior headed households and smaller number of persons under 18 years in the City.

Jurisdiction	Owner Occupied Household Size	Renter Occupied Household Size	Average Household Size
Oceanside	2.73	2.91	2.81
Carlsbad	2.67	2.47	2.60
Encinitas	2.68	2.36	2.56
<b>Solana Beach</b>	<b>2.41</b>	<b>2.21</b>	<b>2.33</b>
Del Mar	2.19	1.80	2.01
San Diego	2.80	2.66	2.72
San Diego County	2.89	2.85	2.87

*Source: American Community Survey, 5-Year Estimates, 2017.*

Vacancy rates are an important housing indicator because they indicate the degree of choice available. High vacancy rates usually indicate low demand and/or high supply conditions in the housing market. Too high of a vacancy rate can be difficult for owners trying to sell or rent. Low vacancy rates usually indicate high demand and/or low supply conditions in the housing market. Too low of a vacancy rate can force prices up making it more difficult for lower and

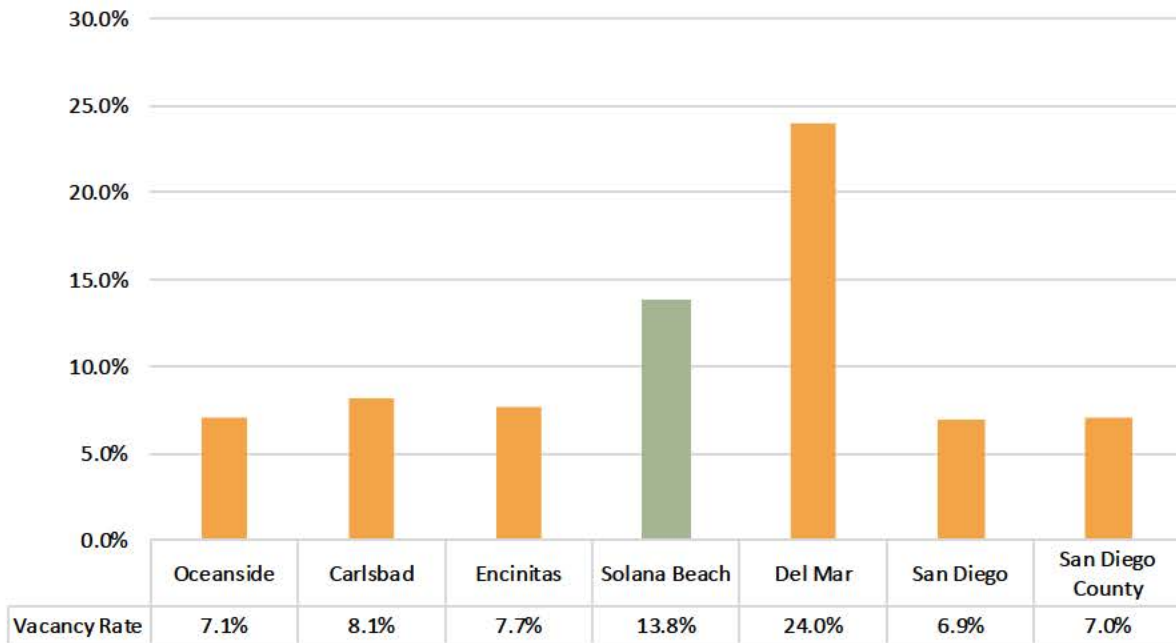


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moderate-income households to find housing. Vacancy rates of between two to three percent are usually considered healthy for single-family or ownership housing, and rates of five to six percent are usually considered healthy for multi-family or rental housing. However, vacancy rates are not the sole indicator of market conditions. They must be viewed in the context of all the characteristics of the local and regional market.

The data displayed in **Figure 2-7** shows that Solana Beach has a vacancy rate of 13.8 percent, lower than Del Mar’s 24 percent, but nearly double the County’s vacancy rate and higher than nearby jurisdictions.

**Figure 2-7: Vacancy Rates by Jurisdiction**



*Source: American Community Survey, 5-Year Estimates, 2017.*

**Table 2-30** displays the breakdown of type of vacant units in Solana Beach. Seasonal, recreational and occasional use units have the highest count of vacancy at 681 units, meaning that many of the vacant homes in Solana Beach are primarily seasonal vacation homes. There were 45 rented but unoccupied units in 2017 and 16 sold but unoccupied units. In addition, there were zero units vacant for migrant workers and only 88 units available for sale and for rent combined in 2017.

Type of Housing	Estimate
For rent	88
Rented, not occupied	45
For sale only	0
Sold, not occupied	16
For seasonal, recreational or occasional use	681
For migrant workers	0
Other vacant	91
<b>Total</b>	<b>921</b>

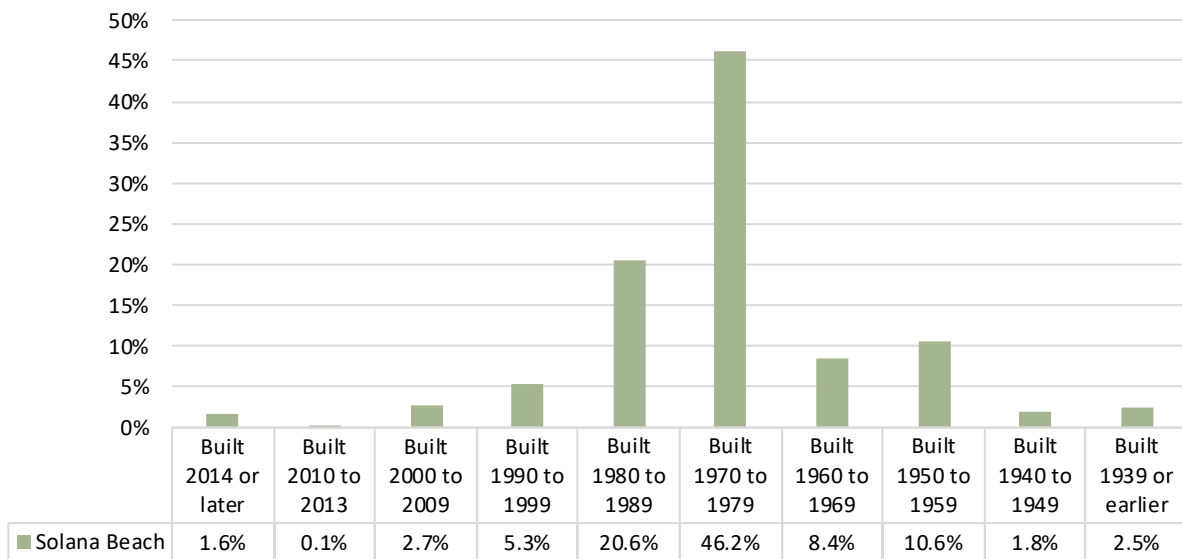
*Source: American Community Survey, 5-Year Estimates, 2017.*

## 4. Housing Age and Condition

Housing age can be an important indicator of housing condition within a community. For example, housing that is over 30 years old is typically in need of some major rehabilitation, such as a new roof, foundation, plumbing, etc. Many federal and state programs also use the age of housing as one factor in determining housing rehabilitation needs.

According to the data displayed in **Figure 2-8**, there was a housing stock boom from 1970 to 1978, with 46.2 percent of all housing built during this time. Between 1980 and 1989, a smaller number of homes were built but overall a large percentage of homes were built during the mid to late 20<sup>th</sup> century. Only about 4 percent units in Solana Beach built after 2000, and about 2 percent in 2014 or later. Typically, a large proportion of older housing would indicate that most of the City’s housing stock could require major rehabilitation. However, due to the City’s higher than average median household income and housing values, owner-occupied housing is better maintained than in many other jurisdictions. From 2019 to 2020 a total of 81 code enforcement reports were filed related to dilapidated properties, property maintenance, and/or substandard living conditions.

**Figure 2-8: Housing Stock Age**



Source: American Community Survey, 5-Year Estimates, 2017.

## 5. Housing Costs and Affordability

Housing costs reflect the supply and demand of housing in a community. This section summarizes the cost and affordability of the housing stock to Solana Beach’s residents.

**Table 2-31** shows the median home value in Solana Beach was \$1,103,900 in 2017. Value is significantly lower than Del Mar’s median home value of \$2,000,000, Solana Beach’s median home value is 28% higher than Encinitas. Additionally, Solana Beach’s median home value is about 56 percent higher than the County’s median home value of \$484,900.

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Jurisdiction	Median Home Value
Oceanside	\$423,100
Carlsbad	\$713,600
Encinitas	\$862,300
<b>Solana Beach</b>	<b>\$1,103,900</b>
Del Mar	\$2,000,000
San Diego	\$523,600
San Diego County	\$484,900

*Source: American Community Survey, 5-Year Estimates, 2017.*

The primary source of information on rental costs in the San Diego region is the San Diego County Apartment Association (SDCAA). SDCAA conducts two surveys of rental properties per year. For the spring 2019 survey, 6,000 surveys were sent out to rental property owners and managers throughout San Diego County. Responses were received from 23,000 units. Although this survey sampled a broad variety of rental housing, it was not a scientific sampling.

Table 2-32 shows that in the fall of 2018, average monthly rents in Solana Beach ranged from \$2,043 for a one-bedroom apartment to \$2,770 for a three-bedroom apartment. In Spring of 2019, the average rent for a one-bedroom apartment increased from \$2,043 to \$2,099, and the rent for larger apartments increased moderately from \$2,391 for a two bedroom in 2018 to \$2,443 in 2019 and from \$2,770 to \$2,820 for a three bedroom. Average costs of rent in Spring of 2018 ranged from \$1,500 for a studio to \$2,712 for a three-bedroom.

Unit Type	Properties Surveyed	Spring 2019 Average Monthly Rent	Spring 2019 Average Rent/Sq. Foot	Fall 2018 Average Monthly Rent	Spring 2018 Average Monthly Rent
Studio	0/0	\$0	\$0.00	\$0	\$1,500
1 Bedroom	77/1	\$2,099	\$3.10	\$2,043	\$1,985
2 bedrooms	91/1	\$2,443	\$2.66	\$2,391	\$2,331
3+ Bedrooms	8/1	\$2,820	\$2.69	\$2,770	\$2,712

*Source: Southern California Rental Housing Association, San Diego 2019 Vacancy and Rental Rate Survey, March 2019.*

Housing affordability can be inferred by comparing the cost of renting or owning a home in the City with the maximum affordable housing costs for households at different income levels. Taken together, this information can generally show who can afford what size and type of housing and indicate the type of households most likely to experience overcrowding and overpayment.

The Federal Department of Housing and Urban Development (HUD) conducts annual household income surveys nationwide to determine a household's eligibility for federal housing assistance. Based on this survey, the California Department of Housing and Community Development (HCD) developed income limits, based on the HUD Area Median Family Income (HAMFI), which can be used to determine the maximum price that could be affordable to households in the upper range of their respective income category. Households in the lower end of each category can afford less



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by comparison than those at the upper end. The maximum affordable home and rental prices for residents in San Diego County are shown in Table 2-33.

The data shows the maximum amount that a household can pay for housing each month without incurring a cost burden (overpayment). This amount can be compared to current housing asking prices (**Table 2-31**) and market rental rates (**Table 2-32**) to determine what types of housing opportunities a household can afford.

### **Extremely Low-income Households**

Extremely low-income households earn less than 30 percent of the County HAMFI – up to \$22,500 for a one-person household and up to \$34,700 for a five-person household in 2019. Extremely low-income households cannot afford market-rate rental or ownership housing in Solana Beach without assuming a substantial cost burden.

### **Very Low-income Households**

Very low-income households earn between 31 percent and 50 percent of the County HAMFI – up to \$37,450 for a one-person household and up to \$57,800 for a five-person household in 2019. A very low-income household can generally afford homes priced between \$174,500 and \$269,500, adjusting for household size. A very low-income household at the maximum income limit can afford to pay approximately \$936 to \$1,445 in monthly rent, depending on household size. Given the high cost of housing in Solana Beach, persons or households of very low-income could not afford to rent or purchase a home in the City.

### **Low-income Households**

Low-income households earn between 51 percent and 80 percent of the County's HAMFI - up to \$59,950 for a one-person household and up to \$92,450 for a five-person household in 2019. The affordable home price for a low-income household at the maximum income limit ranges from \$239,500 to \$430,750. Based on the asking prices of homes for sale in 2019 (Table 2-24), ownership housing would not be affordable to low-income households. A one-person low-income household could afford to pay up to \$1,499 in rent per month and a five-person low-income household could afford to pay as much as \$2,311. Low-income households in Solana Beach would not be able to find adequately sized affordable apartment units (Table 2-25).

### **Moderate income Households**

Persons and households of moderate income earn between 81 percent and 120 percent of the County's HAMFI – up to \$111,850, depending on household size in 2019. The maximum affordable home price for a moderate-income household is \$338,000 for a one-person household and \$521,250 for a five-person family. Moderate income households in Solana Beach would not be able to purchase a home in the City. The maximum affordable rent payment for moderate income households is between \$1,813 and \$2,796 per month. Appropriately-sized market-rate rental housing is generally affordable to households in this income group.

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Table 2-33: Affordable Housing Costs (2019) San Diego County							
Annual Income	Affordable Monthly Housing Cost		Utilities Allowances, Taxes, and Insurance			Affordable Purchase Price	
	Rent	Sale	Rent	Sale	Taxes/Insurance		
<b>Extremely Low-income (30% of HAMFI)</b>							
1-Person	\$22,500	\$563	\$563	\$119	\$180	\$84	\$105,000
2-Person	\$25,700	\$643	\$643	\$152	\$220	\$96	\$120,000
3-Person	\$28,900	\$723	\$723	\$222	\$261	\$108	\$135,000
4-Person	\$32,100	\$803	\$803	\$237	\$323	\$120	\$149,750
5-Person	\$34,700	\$868	\$868	\$271	\$364	\$130	\$162,000
<b>Very Low-income (50% of HAMFI)</b>							
1-Person	\$37,450	\$936	\$936	\$119	\$180	\$140	\$174,500
2-Person	\$42,800	\$1,070	\$1,070	\$152	\$220	\$161	\$199,500
3-Person	\$48,150	\$1,204	\$1,204	\$222	\$261	\$180	\$224,500
4-Person	\$53,500	\$1,338	\$1,338	\$237	\$323	\$201	\$249,500
5-Person	\$57,800	\$1,445	\$1,445	\$271	\$364	\$217	\$269,500
<b>Low-income (80% HAMFI)</b>							
1-Person	\$59,950	\$1,499	\$1,499	\$119	\$180	\$225	\$279,500
2-Person	\$68,500	\$1,713	\$1,713	\$152	\$220	\$257	\$319,500
3-Person	\$77,050	\$1,926	\$1,926	\$222	\$261	\$289	\$359,000
4-Person	\$85,600	\$2,140	\$2,140	\$237	\$323	\$321	\$399,000
5-Person	\$92,450	\$2,311	\$2,311	\$271	\$364	\$347	\$430,750
<b>Moderate Income (120% HAMFI)</b>							
1-Person	\$72,500	\$1,813	\$1,813	\$119	\$180	\$272	\$338,000
2-Person	\$82,850	\$2,071	\$2,071	\$152	\$220	\$311	\$386,000
3-Person	\$93,200	\$2,330	\$2,330	\$222	\$261	\$350	\$434,000
4-Person	\$103,550	\$2,589	\$2,589	\$237	\$323	\$388	\$482,750
5-Person	\$111,850	\$2,796	\$2,796	\$271	\$364	\$419	\$521,250
<i>Source: San Diego Housing Commission, Allowances for Tenant-Furnished Utilities and Other Services Report and California Department of Housing and Community Development, 2019 Income Limits and Kimley Horn and Associates Assumptions: 2019 HCD income limits; 30% gross household income as affordable housing cost; 15% of monthly affordable cost for taxes and insurance; 10% down payment; and 4.5% interest rate for a 30-year fixed-rate mortgage loan. Utilities based on San Diego County Utility Allowance.</i>							





# Constraints, Resources, and Fair Housing



# Section 3: Housing Constraints, Resources and Fair Housing

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A variety of constraints affect the provisions and opportunities for adequate housing in Solana Beach. Housing constraints consist of both governmental constraints, including but not limited to development standards and building codes, land use controls, and permitting processes; as well as, nongovernmental or market constraints, including but not limited to land costs, construction costs, and availability of finances. Combined, these factors create barriers to availability and affordability of new housing, especially for lower and moderate-income households.

## A. Nongovernmental Constraints

Nongovernmental constraints largely affect the cost of housing in Solana Beach and can produce barriers to housing production and affordability. These constraints include the availability and cost of land for residential development, the demand for housing, financing and lending, construction costs, and the availability of labor, which can make it expensive for developers to build any housing, and especially affordable housing. The following highlights the primary market factors that affect the production of housing in Solana Beach.

### 1. Land Costs and Construction Costs

High land costs are a significant constraint to the development of affordable and middle-income housing in the City of Solana Beach. Land cost represents a significant cost component in residential development. There are significant fluctuations in land costs per square foot depending on location.

While the City contains numerous vacant properties, an April 20, 2020, web search revealed that less than 100 units were listed for sale, majority of the parcels zoned for single-family residence. Current housing data shows that the price of single-family residences ranged from \$889,000 for a three bed and two bath unit (1,072 sf) to \$2,545,000 for a three bed and 2 baths (2,124 sf). Beach front property with similar square is listed for as much as \$2,599,000 and homes with higher square footage reach \$4,200,000 and \$5,500,000. The limited supply and high cost of vacant land poses the largest constraint to the construction of affordable housing, especially affordable housing in Solana Beach. High land costs have a demonstrable effect on the cost of housing in Solana Beach, as the price of housing is directly related to the costs of acquiring land.

The cost of construction is another major factor in the price of housing. The International Code Council (ICC) provides estimates for the average cost of labor and materials for typical Type VA wood-frame housing. Estimates are based on “good-quality” construction, providing for materials and fixtures well above the minimum required by state and local building codes. In August 2019, the ICC estimated that the average per square-foot cost for good-quality housing in the San Diego region was approximately \$117 for multi-family housing and \$129 for single-family homes. Construction costs for custom homes and units with extra amenities, run even higher. Although construction costs are a significant portion of the overall development cost, they are consistent throughout the region and, especially when considering land costs, are not considered a major constraint to housing production in Solana Beach.

### 2. Availability Financing

The availability of financing in a community depends on a number of factors, including the type of lending institutions active in a community, lending practices, rates and fees charged, laws and regulations governing financial institutions,

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and equal access to such loans. Additionally, availability of financing affects a person’s ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications and the income, gender, and race of loan applicants. The primary concern in a review of lending activity is to determine whether home financing is available to residents of a community. The data presented in this section include the disposition of loan applications submitted to financial institutions for home purchase, home improvement, and refinancing in Solana Beach.

**Table 3-1** below displays the disposition of loan applications for the county of San Diego, per the 2016 Home Mortgage Discloser Act report. Given the relatively high rate of approval for home purchase, improvement, and refinance loans, home financing is generally available and not considered to be a significant constraint to the provision and maintenance of housing in Solana Beach.

<b>Table 3-1: Disposition of Loan Applications – San Diego County</b>				
<b>Applications by Loan Type</b>	<b>Total</b>	<b>Percent Approved</b>	<b>Percent Denied</b>	<b>Percent Other</b>
Conventional Purchase	20,129	77.6%	5.2%	17.2%
Government-Backed Purchase <sup>1</sup>	6,721	72.8%	5.6%	21.5%
Home Improvement	1,875	78.0%	7.9%	14.2%
Refinancing	14,015	72.8%	7.3%	19.8%

Notes: Percent approved includes loans approved by the lenders whether or not they are accepted by the applicant  
 Percent Other includes loan applications that were either withdrawn or closed for incomplete information.  
 1. Government-backed loans include loans insured or guaranteed by the Federal Housing Administration (FHA), Veteran Administration (VA), and Farm Service Agency (FSA)/Rural Housing Services (RHS).  
 Source: HMDA data, 2017.

### 3. Economic Constraints

Market forces on the economy and the trickle-down effects on the construction industry can act as a barrier to housing construction and especially to affordable housing construction. It is estimated that housing price growth will continue in the City and the region for the foreseeable future. Moving into 2020, the economy was growing, California was seeing a 1.6 percent growth in jobs from 2019 and experiencing all-time lows for unemployment rates.

A 2020 California Association of Realtors (CAR) report found that homes on the market in San Diego County cost an average of \$670,000 in February 2020, a seven percent increase year to year change. According to the CAR First Time Buyer Housing Affordability Index, from 2018 to 2019 the median value of a home in San Diego County was \$556,750 with monthly payments (including taxes and insurance) of \$2,880, requiring an average qualifying income of \$86,400. However, in the City of Solana Beach, homes and cost of living was significantly higher. According to March 2020 data from Zillow, the median cost of a home in Solana Beach is \$1,475,031. According to research conducted on Zillow.com, the median price of a home in Solana Beach increased nine percent from 2018 to 2020 (\$1,200,000 to \$1,310,000), and they are expected to rise another 0.4 percent moving into 2021. The same report found that the median list price per square foot in Solana Beach is \$790, which is higher than the San Diego-Carlsbad Metro average of \$390.

Solana Beach’s home value index (\$1,480,000) outpaced nearby coastal cities such Encinitas (\$925,000) and Carlsbad (\$785,100). The high cost of land and increasing home prices in Solana Beach can be seen as a constraint to the development of and access to housing, particularly the development of and access to affordable housing.



## B. Governmental Constraints

In addition to market constraints, local policies and regulations also affect the price and availability of housing and the provision of affordable housing. For example, State and Federal regulations affect the availability of land for housing and the cost of housing production, making it difficult to meet the demand for affordable housing and limiting supply in a region. Regulations related to environmental protection, building codes, and other topics have significant, often adverse, impacts on housing cost and availability.

While the City of Solana Beach has limited control over State and Federal Laws that affect housing, local laws including land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other factors can constrain the maintenance, development, and improvement of housing create barriers to housing.

### 1. Land Use Controls

In the State of California, cities are required to prepare a comprehensive, long term General Plan to guide future development. The Land Use Element of the General Plan establishes land uses and density of development within the City of Solana Beach, and is consistent with the City's Municipal Code. In 1976 California Legislature enacted the Coastal Act which created a mandate for coastal cities and counties to manage the conservation and development of coastal zone areas. Solana Beach is located entirely within the State's Coastal Zone, therefore, in accordance with the Coastal Act requirements, the City developed a Local Coastal Program (LCP) which provides additional guidelines for development.

The Land Use Element in the City of Solana Beach's General Plan and the City's LCP set forth policies and regulations for guiding local development. These policies, together with existing zoning regulations, establish the amount and distribution of land to be allocated for different uses within the City. The LCP and Zoning Ordinance, each of which is consistent with the Community Plan, identify the following residential categories and their existing allowed densities:

- Estate Residential (ER-1, ER-2) (Max. 2 units/net acre)
- Low Residential (LR) (Max. 3 units/net acre)
- Low Medium Residential (LMR) (Max. 4 units/net acre)
- Medium Residential (MR) (Max. 7 units/net acre)
- Medium High Residential (MHR) (Max. 12 units/net acre)
- High Residential (HR) (Max. 20 units/net acre)

In addition to residential categories, Solana Beach also allows residential uses in commercial zones when integrated into a mixed-use development. Residential uses in commercial zones are also subject to additional limitations such as specific guidelines for placement of units, floor area ratio, and additional review. Commercial zones that allow residential uses include the following:

- General Commercial (C) (Max. 20 units/net acre)
- Special Commercial (SC) (Max. 20 units/net acre)
- Light Commercial (LC) (Max. 12 units/net acre)

These categories accommodate development of a wide range of housing types in Solana Beach. Most future residential development will occur as in-fill housing on existing lots due to the built-out nature of the City. Furthermore, maintaining the existing residential categories is important for ensuring compatibility between the new and existing housing.

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**Scenic Area Overlay Zone(SAOZ)**

The purpose of the Scenic Area overlay zone is to regulate the development in areas of high scenic value to preserve and enhance the scenic resources present within and adjacent to such areas and to assure the exclusion of incompatible uses and structures. All projects within the zone require a Development Review Permit (DRP). Submittal requirements for applications for Development Review Permits in the overlay zone can be found within Title 17, Section 68 (for DRP regulations) and Title 17, Section 48 (for SAOZ regulation) of the City's Municipal Code. The Scenic Area overlay includes some sites identified within the City's sites inventory along the Highway 101 corridor. The SAOZ is not considered a constraint to the development of housing currently as recent development applications indicate that proposed projects are able to meet density assumptions and (per HCD guidance) the requirements for development within the SAOZ are clearly stated in the section of the City's Municipal Code identified in this section.

**Hillside Overlay Zone(HOZ)**

The purpose of the Hillside overlay zone is to restrict the grading of natural slopes with an inclination of 25 percent or greater in order to achieve the following:

- Preserve the natural topography and scenic qualities of the city;
- Protect native coastal sage/chaparral and grassland habitat;
- Preserve existing watersheds; and
- Reduce the potential for environmental hazards including soil erosion, siltation of coastal wetlands, landslides, adverse impacts due to runoff, and other impacts which could affect the public health, safety and general welfare.

All projects within the zone require a Development Review Permit. Submittal requirements for applications for Development Review Permits in the overlay zone can be found within Title 30 of the City's Municipal Code. The HOZ primarily applies to the hillside areas along the coast and small portions of residential zones. The HOZ is not considered a constraint to the development of housing as none of the City's identified candidate sites are within the HOZ.

**Floodplain Overlay Zone**

The purpose of the Floodplain overlay zone is to ensure that any permitted development within the 100-year floodplain of the San Dieguito River Valley will not constitute an unreasonable, undesirable, or unnecessary obstruction to flood flow and that such development will not adversely affect coastal wetlands, riparian areas, or other sensitive habitat areas within the floodplain. All projects within the zone require a Development Review Permit. Submittal requirements for applications for Development Review Permits in the overlay zone can be found within Title 30 of the City's Municipal Code. The Floodplain overlay zone intends to protect residents from environmental hazards and protect and conserve the land. The Floodplain Overlay Zone is a small area located in the southern portion of the City. Only one site identified to meet the City's moderate income RHNA need is partially located within this zone. This floodplain area applicable to this site does not affect the viability of the site identified and the capacity of the site considers the minimal floodplain constraints. The Floodplain Overlay Zone is not considered a constraint to housing in Solana Beach.

**Scaled Residential Overlay Zone(SROZ)**

The purpose of the Scaled Residential overlay zone is to preserve and enhance the existing community character and aesthetic quality of the City of Solana Beach, by providing regulations to ensure and protect the character of established residential neighborhoods; and by preserving the traditional scale and seaside orientation of residential areas in the City of Solana Beach. The requirements of the overlay zone primarily applies to Low-Medium Residential Medium Residential zones west of Interstate 5. The development standards set forth by the Scaled Residential zone include but are not limited to the following:

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- Floor Area Ratio (FAR) must comply with a four-tiered standard.
- Required parking within garages is excluded from the FAR calculation.
- The floor area of any basement portion of a residential building will follow standards based on whether the basement has exposed sides or no exposed sides.
- Bay windows may extend into the setback given that they will not exceed three feet by four feet by two feet (depth).
- Three level building facades are prohibited.

Development standards applicable to projects within the SROZ can be found within Title 30 of the City's Municipal Code. The SROZ does not apply to any of the site the City has identified to meet their lower income RHNA need. A number of sites identified to meet the City's moderate and above moderate income RHNA needs are within the SROZ, but development in these areas primarily consists of single-family development which is consistent with the goals and standards of the SROZ.

## 2. State Density Bonus Law

Density bonuses are another way to increase the number of dwelling units otherwise allowed in a residentially zoned area. The City's Zoning Ordinance identifies the purpose of the Density Bonus Ordinance to provide density bonuses or equivalent financial incentives for the provision of affordable housing and implement the housing element of the Solana Beach General Plan. Density bonus provisions do not apply to senior citizen and senior congregate care housing projects that utilize alternative density bonus provisions. This City's Density Bonus ordinance was most recently amended through Ordinance No. 392 in January 2009.

Density Bonuses may be awarded to applicants who agree to construct at least one of the following:

- Ten percent (10%) of the total units of a housing development for lower income households;
- Five percent (5%) of the total units of a housing development for very low-income households;
- A senior citizen housing development; or
- Ten percent (10%) moderate income housing in a common interest development; provided, that all of the units in the development are offered to the public for purchase.

If an applicant exceeds the percentages mentioned above, the applicant shall be entitled to an additional density bonus above 20 percent calculated as follows:

- For each one percent (1%) increase above ten percent (10%) in the percentage of units affordable to lower income households, the density bonus shall be increased by one and one-half percent (1.5%), up to a maximum of thirty-five percent (35%) for the total project;
- For each one percent (1%) increase above five percent (5%) in the percentage of units affordable to very low-income households, the density bonus shall be increased by two and one-half percent (2.5%), up to a maximum of thirty-five percent (35%) for the total project;
- For each one percent (1%) above ten percent (10%) in the percentage of units affordable to moderate income households, the density bonus shall be increased by one percent (1%), up to a maximum of thirty-five percent (35%) for the total project.

Each housing developments is entitled to only one density bonus, density bonuses from more than one category may not be combined, additionally, density bonus provisions do not apply to senior citizen and senior congregate care



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housing projects that utilize alternative density bonus provisions. An applicant with a development which qualifies for density bonus may also submit a proposal for additional incentives. Additional incentives may include, but are not limited to, reductions in restrictions on building standards, parking requirement, or approval of mixed-use development in conjunction with housing development. Qualifications for additional incentives include:

- One additional incentive for projects that include at least 10 percent of the total units for low income households, at least 5 percent for very low-income households, or at least 10 percent for moderate income households in a common interest development where all units are offered for purchase.
- Two additional incentives for projects that include at least 20 percent of the total units for low income households, at least 10 percent for very low-income households, or at least 20 percent for moderate income households in a common interest development where all units are offered for purchase.
- Three additional incentives for projects that include at least 30 percent of the total units for low income households, at least 15 percent for very low-income households, or at least 30 percent for moderate income households in a common interest development where all units are offered for purchase.

### 3. Residential Development Standards

Residential development standards allow cities to dictate the standards and regulations associated with development in order to maintain community compatibility and to provide well-designed housing options for the community. The City of Solana Beach requires a variety of regulations and restrictions for new developments, those pertaining to the construction of housing are described below and specific requirements can be found in **Table 3-2**. The City's current development standards are accessible to the general public on the City's website. The City's Municipal Code is located on the City's website which provides a listing of all relevant development standards applicable to development in the City.

#### Minimum Lot Sizes

Minimum lot sizes and dimensions (width and depth) correspond to their residential density categories such that application of these standards will allow planned density to be achieved. For example, the LR Low Residential zone requires a minimum lot size of 14,000 square feet (sf) per dwelling unit (du) to achieve a maximum of 3 du/acre (43,560 sf/3 = 14,000 sf). However, to achieve a higher density, minimum lot area is reduced as in the MHR Medium-High Residential Zone which allows 5,000 square feet lot area to achieve a density of 8 du/acre (43,560 sf / 8 du = 5,000 sf/du). While minimum lot sizes, achieve appropriate densities per the desired housing type, all residential zones also allow one Accessory Dwelling Unit on lots with existing or proposed single-family homes or multi-family developments. Therefore, minimum lot size and lot dimension standards do not constrain the ability to achieve planned densities.

#### Setbacks

Minimum setback or yard requirements vary among the residential zones. The primary purposes of imposing setbacks is to ensure adequate air and light between properties, to ensure adequate on-site access and circulation, to provide opportunities for private open space areas (yards), and to separate uses between properties to minimize conflicts and potential life/safety hazards. Generally speaking, setbacks are tied to lot size, meaning smaller lots have lower minimum setbacks, and larger lots require larger "yards." While it is possible that setback requirements may inhibit maximum density from being realized in some cases, there is enough flexibility in the current ordinances that setback requirements do not constitute a significant constraint on residential development. Setback requirements have been considered in the City's calculation of realistic site capacity.

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**Lot Coverage and FAR**

Lot coverage and floor area ratio (FAR) standards are intended to control bulk, mass, and intensity of a use. Lot coverage limits a building's footprint and is defined as the percentage between the ground floor area of building(s) and the net area of a lot. FAR limits the total usable floor area and is expressed as a ratio between the bulk floor area of building(s) and gross lot area. Floor area ratio is a supplementary device that under some conditions improves upon (but does not necessarily replace) the traditional means of relating bulk of building to land, to other buildings in the vicinity, and to public facilities. It permits variable dimensions within an over-all volume limit and it offers a way of predicting the ratio of personsto a unit of land in office building districts of high land use intensity.

In the residential-only zones maximum floor area ratio ranges depending on desired density and requirements. For example, in the LR zone maximum lot coverage is 60 percent for the first 5,000 square feet, 30 percent for each additional square foot between 5,000 and 20,000, and 15 percent for additional square footage above 20,000. However, in the higher density zones such as MHR and HR maximum floor area ratio jumps to 75 percent. As applied to residential development, these standards may only limit the size of dwelling units, and do not limit the number of units, which is an expression of density (that is, zoning). FAR, combined with height limitations, can potentially prevent maximum density from being achieved in certain cases.

**Maximum Building Height**

All properties within the City of Solana Beach are located within the Coastal Zone as defined in the California Coastal Act. Therefore, the City's Local Coastal Program, as approved by the California Coastal Commission, restricts the maximum building height within the City to 25 feet in residential zones. Additionally, in the MHR and HR residential zones, maximum building height may be increased to 30 feet pursuant a Development Review Permit or 35 feet pursuant a conditional use permit, as deemed appropriate. This figure is compatible with, and often more generous, than other nearby coastal jurisdictions; for example, the City of Encinitas restricts most building heights to 22 feet. Solana Beach is considered a built-out City, as many of its neighboring coastal cities which have more restrictive building heights, therefore, building height regulations in Solana Beach have not been considered an impediment to the development of housing within the City.

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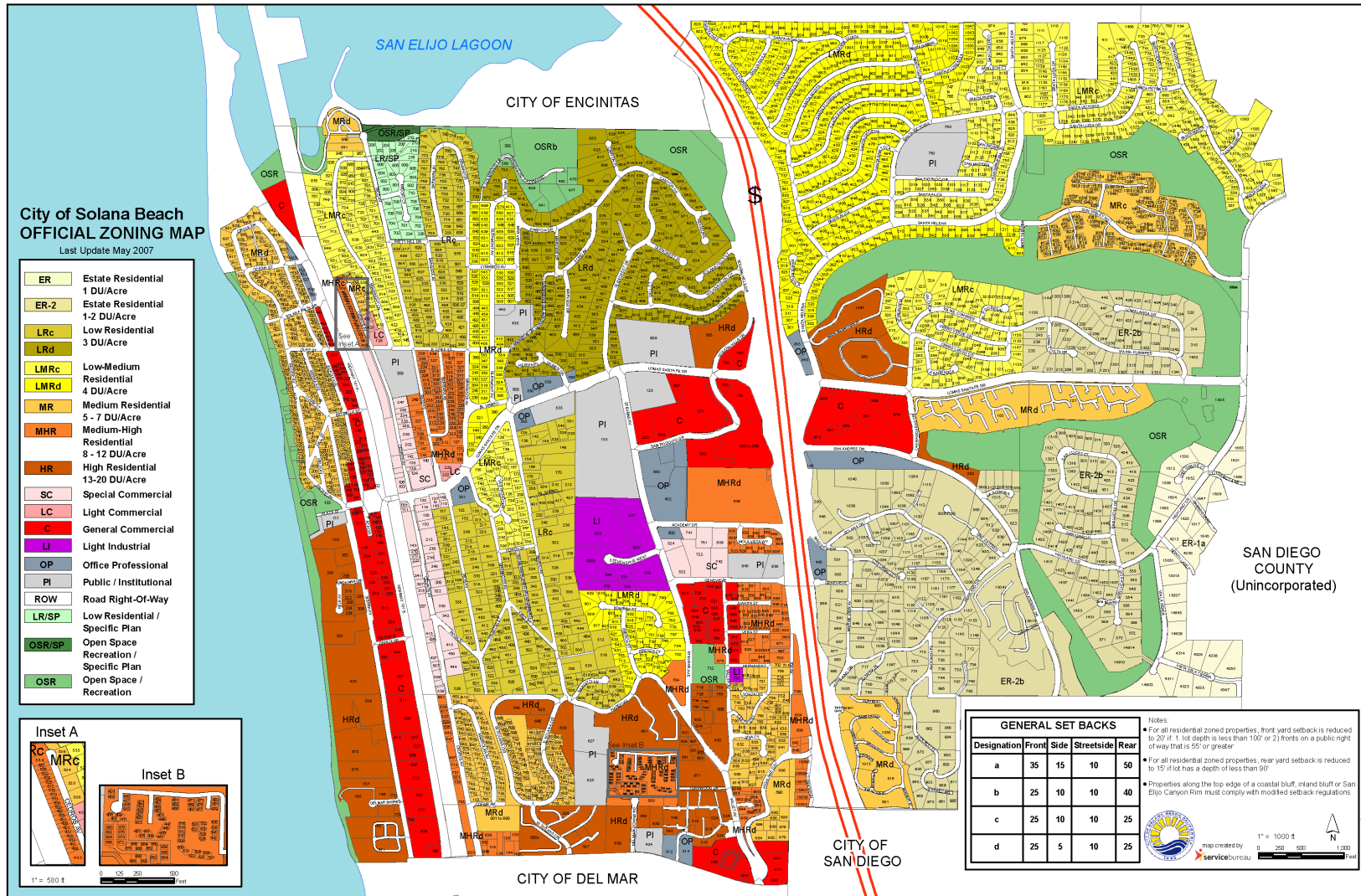
<b>Residential Zone</b>	<b>Dimensions</b>					<b>Construction Standards</b>	
<b>Community Plan (Zone)</b>	<b>Min. Lot Size (sf)</b>	<b>Street Frontage</b>	<b>Width (Interior)</b>	<b>Width (Corner)</b>	<b>Depth</b>	<b>Max. FAR</b>	<b>Max Height (feet)</b>
Estate Residential (ER-1)	40,000	100'	100'	100'	150'	60% <sup>1</sup>	25
Estate Residential (ER-2)	20,000	80'	80'	85'	150'	60% <sup>1</sup>	25
Low Residential Zone (LR)	14,000	65'	65'	70'	100'	60% <sup>1</sup>	25
Low Medium Residential Zone (LMR)	10,000	60'	60'	65'	100'	60% <sup>1</sup>	25
Medium Residential Zone (MR-East)	6,000	60'	60'	65'	100'	60% <sup>1</sup>	25
Medium Residential Zone (MR-West)	5,000	50'	50'	55'	100'	60% <sup>1</sup>	25
Medium High Residential (MHR)	5,000	50'	50'	55'	100'	75%	25 <sup>2</sup>
High Residential Zone (HR)	10,000	60'	60'	65'	100'	75%	25 <sup>2</sup>
North Rios Specific Plan	As allowed under the North Rios Specific Plan.						
Tangaroa Estates Specific Plan	As allowed under the Tangaroa Estates Specific Plan.						
Highway 101 Corridor Specific Plan	As allowed under the Highway 101 Corridor Specific Plan.						
FAR= Floor Area Ratio 1. 60% for the first 5,000 sf of lot area, 30% for each additional sf of lot area between 5,000 and 20,000 sf, and 15% for each additional sf of lot area above 20,000 sf. 2. Pursuant to a Development Review Permit the max. building height for may be increased to 30 feet and pursuant to a Conditional Use Permit, limited height increases to a max. of 35 feet for civic uses may be allowed.							

Minimum yard dimensions for the (ER-1), (ER-2), (LR), (LMR), (MR), (MHR), and (HR) zones shall be determined by the setback designator indicated on the City of Solana Beach official zoning map, on file with the city clerk and available at the department of community development. All yards shall be measured from the property line and/or road right-of-way as follows:

<b>Setback Designator</b>	<b>Front Yard (feet)</b>	<b>Side Yard Interior (feet)</b>	<b>Side Yard Street (feet)</b>	<b>Rear Yard (feet)</b>
<b>A</b>	35	15	10	50
<b>B</b>	25	10	10	40
<b>C</b>	25	10	10	25
<b>D</b>	25	5	10	25
Note: Setback Designators are assigned in the City's Zoning Map, Figure 3 below. Source: City of Solana Beach Zoning Ordinance.				



Figure 3-1: City of Solana Beach Zoning Map



**Parking Standards**

In addition to the development standards identified in **Table 3-3**, Solana Beach requires a certain number of covered spaces for two family and multifamily rental apartments as well as an additional space for all accessory dwelling units. Guest parking is also required for multi-family housing at a ratio of one space for every four units. The Solana Beach Municipal Code provides additional direction for parking standards and regulation, such as when a garage or parking lot is converted or used for purposes other than parking, the required amount of parking shall be provided on the site consistent with the design standards of this chapter.

<b>Table 3-4: Parking Requirements for Residential Uses</b>	
<b>Unit Type</b>	<b>Number of Spaces Required</b>
Single-family dwellings	2 Spaces
Two-family dwellings, multiple-family dwellings and mobile homes <sup>1</sup>	--
Studios/efficiency units/single room occupancy	1.5 Spaces
Two or more bedrooms	2 Spaces
Additional guest parking	1 uncovered space for each 4 units
Mobile home parks	2 covered spaces per unit within an enclosed garage and 1 uncovered guest space for each 4 units.
Group residential	1 space for each resident in accordance with total permitted occupancy plus 1 guest space for each 4 residents of permitted occupancy.
Accessory dwelling units	1 space in addition to those required for primary residence.
Residential day care	2 spaces in addition to those required for primary use.
Residential care facilities	2 spaces in addition to those required for primary residence.
1. (For rental apartments - a minimum of 50 percent of required parking spaces shall be covered)	

Typically, the cost associated with garage parking construction can be viewed as a constraint to affordable housing development, particularly for multi-family housing. However, the City’s parking regulations are not a significant constraint because the number of required parking spaces for duplexes and multi-family projects varies by the number of bedrooms. Furthermore, affordable housing projects that qualify for a density bonus can request application for additional incentives which can be provided in the form of reduction of parking requirements. While off-street parking standards can affect planned residential density, especially for small lots and in-fill areas, this potential constraint is mitigated by the incentives and flexible standards described above.

**Development Standards – Sample Application**

**Table 3-5** and **Figure 3-2** below outline the basics of a Sample Development Project within the General Commercial Zone. The purpose of this is to demonstrate the viability of mixed-use projects within the General Commercial zone. The current development standards in place for the General Commercial zone, including building height, have not

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limited projects within the City to date. This development uses the City’s current definition of net acreage and is typical of the majority of parcels located within the City’s downtown area that have been identified within the Sites Analysis for the Housing Element (**Appendix B**).

The analysis shows that a sample 2-story mixed-use development on a 0.51 acre parcel, implementing the development standards found within the Highway 101 Specific Plan and the City’s Municipal Code, can produce 10 residential units ranging from 1 to 2 bedrooms, with an average size of 920 square feet. This is well in excess of the City’s minimum unit size of 650 square feet. This analysis accounts for the required parking (18 spaces), entry and exit drive aisles, and additional landscaping which is not a requirement of mixed-use projects within the General Commercial Zone. Per the Municipal Code, the sample project does not require any setbacks and thus has a 0’ lot line condition proposed.

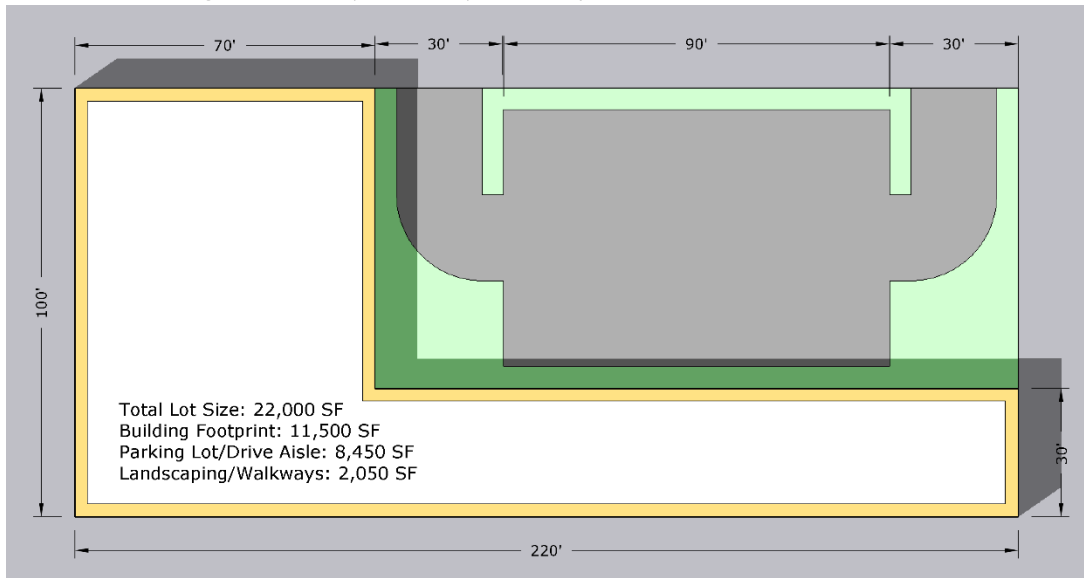
As required in the City’s Municipal Code, 40% of the building size is reserved for residential uses, while the remaining 60% could be utilized for entry/exit corridors, stairways, a leasing office, commercial space, or back of house areas. This example represents one potential development scenario and shows that the existing development standards, including building height, are not an impediment to obtaining the full 20 dwelling units per acre density. This example is for illustrative purposes only and does not represent an actual development or parcel within the City.

<b>Project Characteristics</b>	<b>Allowed</b>	<b>Development Example</b>	<b>Notes</b>
Total Parcel Size	22,000 SF	22,000 SF	
Total Building SF	26,400 SF	23,000 SF	<b>11,500 SF</b> per story
Building Height	26’/2 stories	2 stories	
Setbacks	0’ all setbacks	--	
Total Residential Component (40% of gross allowable floor area)	10,560 SF	9,200 SF	6,500 SF is the minimum needed to accommodate 10 residential units
Density	20 du/ac	20 du/ac	
Anticipated Residential Units	--	10 (5 1bd, 5 2 bds)	
Average Unit Size	Min. 650 SF	920 SF	
Parking Required	18 spaces	18 spaces	Surface parking (50% required to be covered)
Parking Spaces/Drive Aisle Space	--	<b>8,450</b> (470SF per space)	Typical Parking Space (200SF) Drive aisle width behind space (100’) Remaining 3,050 for entry/exit drive aisle
Open Space/Landscaping	None Required	<b>2,050 SF</b>	Parking lot landscaping (5’ islands/drive aisle buffer)
<b>Total Ground Floor Area Used</b>	<b>--</b>	<b>22,000 SF</b>	

Note: The bolded numbers combined represent the required project components on the ground level.



Figure 3-2: Sample Development Project (General Commercial Zone)



#### 4. Growth Management Measures

Growth management measures are techniques used by a government to regulate the rate, amount and type of development. In 1998 Solana Beach citizens voted into law Ordinance No. 251, which requires a public vote on all City Council approved General Plan amendments meeting the following threshold requirements:

- a 2.5 gross acre size;
- an increase in the amount of potential building space allowed by 50,000 square feet; or
- an increase in potential traffic generation by 25 percent or ten percent during peak hours.

More recently, in the General Election of 2000, Solana Beach’s voters passed Proposition T, known as the “Community Protection Act” which requires voter approval to change, alter, or increase General Plan land use categories. Proposition T amended the General Plan to specify that without approval by a majority of voters in the City, no General Plan Amendment, including a Specific Plan adoptions or changes, shall be adopted if they would:

- change, alter, or increase the General Plan Residential Land Use Categories, or
- change any land use designation to any other, except changes to land already designated residential and which clearly result in a reduction in intensity or density of said land use designated as residential.

Both Proposition T and Ordinance No. 251 require a public vote for general plan amendments affecting land use, with the exception of amendments necessary to comply with state or federal law. Proposition T does not interfere with rights to obtain density bonuses (which do not require a general plan amendment), or limit rights or other entitlements available under affordable housing law. The 2021-2029 Housing Element does not anticipate the need to rezone any land within Solana Beach, therefore Proposition T will not be triggered.

## 5. Specific Plans

### *North Rios Specific Plan*

The North Rios Specific Plan, approved February 18, 1997, allows for the development of approximately 10 acres of previously underdeveloped land located at the northeast corner of Rios Avenue and Patty Hill Drive in the City of Solana Beach. The Specific Plan consists of a residential development which intends to create a “livable” neighborhood through the implementation of sensitive street and lot design.

The North Rios Specific Plan outlines the development regulations and guidelines, streetscape treatment, view preservation components, and implementation measures applicable to development of the project, which includes development of approximately 24 single-family residences on individual lots. Since adoption of the specific plan, these dwelling units have been constructed and currently remain as of September 2020.

### *Tangaroa Estates Specific Plan*

The Tangaroa Estates Specific Plan, adopted September 3, 1996, permits the proposed residential development of a single parcel of land of approximately six acres in size. The subject land is located at the northern terminus of Rios Avenue in the City of Solana Beach, County of San Diego, California. The specific plan permits the development of nine single-family residential dwelling units, with an average lot size greater than 14,000 square feet. The specific plan permits a residential density three units per net acre with a maximum of nine lots.

These units are located directly north of the North Rios Specific Plan area. Since adoption of the specific plan, these dwelling units have been constructed and currently remain as of September 2020.

### *Highway 101 Corridor Specific Plan*

The Highway 101 Corridor Specific Plan is a plan for physical development and redevelopment of this important roadway area that defines Solana Beach. The Plan provides a set of guidelines and regulations for directing development within the 163-acre project area. The purpose of the Specific Plan is to provide for new development and redevelopment to achieve a physical environment along the Highway 101 corridor that is cohesive and representative of the unique character of Solana Beach.

The Specific Plan carries out the goals and objectives of the Solana Beach General Plan through its identification of a development plan which complements General Plan policy, while implementing area-specific development standards and design guidelines. Additionally, the Specific Plan and the Zoning Ordinance are designed to work together in the Highway 101 corridor to implement General Plan policy for this area. As such, certain development standards contained in the Specific Plan are tailored to the unique character of the Highway 101 corridor and supersede those contained in the Zoning Ordinance. The Specific Plan designates ten land uses; commercial and industrial uses include, General Commercial, Light Commercial, Office/Professional, Planned Industrial, and Special Commercial. Residential development consists of single-family low medium residential (approximately four units per acre), single-family medium residential (up to seven units per acre), and single-family/multi-family medium high residential (up to 12 units per acre). For other standards, the Specific Plan refers directly to those contained in the Zoning Ordinance. Residential development standards for the Highway 101 Corridor Specific Plan are shown in **Table 3-6**.

Table 3-6: Highway 101 Residential Development Standards		
Development Standard	Designated Zone	
	Residential Low Medium and Medium	Residential Medium High
Minimum Lot Area (a)	10,000 SF	6,000 SF
Front Setback	25'	20'
Side Setback	10'	5'
Rear Setback	25'	25
Max. FAR	N/A	N/A
Height Limit*	25'	30'
Parking	Refer to Zoning Ordinance	
Landscaping	Refer to Zoning Ordinance	
* Building height greater than 16 feet is subject to View Assessment Process.		
Source: Highway 101 Specific Plan		

## 6. Provisions for a Variety of Housing Types

Housing Element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of a variety of types of housing for all income levels. **Table 3-7** below summarizes the City’s zoning provisions for various types of housing. Permitted, conditional, and prohibited residential uses are indicated as follows:

- “P” indicates the use shall be a permitted use in the zone.
- “PL” indicates the use shall be permitted subject to the limitations set forth in the individual zone.
- “C” indicates the use is subject to a conditional use permit issued by the director of community development.
- “CC” indicates the use is subject to a conditional use permit issued by the city council.
- “E” indicates the use shall be prohibited within the zone.



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Table 3-7: Permitted, Conditional, and Prohibited Uses in Solana Beach													
Housing Type	Residential Zones							Commercial/Industrial/Professional Zones					
	Er-1	Er-2	LR	LMR	MR	MHR	HR	C	SC	LC	OP	PI	LI
P = Permitted Use   PL = Permitted subject to Limitations   C = Conditional Use Permit issued by Community Development Director   CC = Conditional Use Permit issued by City Council   E = Prohibited													
Single-family Dwelling	P	P	P	P	P	P	P	E	E	E	E	E	E
Two-Family Dwellings (duplex)	E	E	E	E	P	P	P	PL	PL	PL	E	E	E
Multiple-Family Dwellings (condos, townhomes, apartments)	E	E	E	E	P	P	P	PL	PL	PL	E	E	E
Residential/Mixed Use Buildings	E	E	E	E	E	E	E	PL	PL	PL	E	E	E
Residential Care Facilities (6 or fewer persons)	P	P	P	P	P	P	P	P	P	E	E	E	E
Residential Care Facilities (7 - 12 persons)	C	C	C	C	C	C	C	C	C	E	E	C	E
Residential Care Facilities (13 or more persons)	CC	CC	CC	CC	CC	CC	CC	CC	CC	E	E	CC	E
Family Day Care Homes (6 or fewer persons)	P	P	P	P	P	P	P	P	P	E	E	E	E
Group Residential Facilities	E	E	E	E	E	C	C	CC	E	E	E	E	E
Senior Citizen/Congregate Care Housing	E	E	E	E	CC	CC	CC	E	E	E	E	E	E
Mobile Home and Manufactured Housing (individual lots)	PL	PL	PL	PL	PL	PL	PL	E	E	E	E	E	E
Mobile Home Parks	CC	CC	CC	CC	CC	CC	CC	E	E	E	E	E	E
Guest Houses	PL	PL	PL	E	E	E	E	E	E	E	E	E	E
Accessory Dwelling Units	PL	PL	PL	PL	PL	C	C	E	E	E	E	E	E
Caretaker Units	E	E	E	E	E	E	E	PL	PL	PL	PL	C	PL
Home Occupations	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	E	E	E
Live/Work Uses	E	E	E	E	E	E	E	C	E	E	E	E	E
Emergency Shelters	E	E	E	E	E	E	E	P	E	E	E	C	E
*Permitted as an accessory to an allowed use Source: City of Solana Beach, Zoning Ordinance, accessed April 2020.													

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**Single-family**

Any building designed and used to house not more than one family including all domestic employees of such family. Single-family use is permitted in all residential zones in the City.

**Two-Family Dwellings**

Any building designed and used to house two families living independently of each other on the same legal lot. Dwelling units may be attached or detached. Minimum separation between principal structures on the same lot is 15 feet. Duplexes are permitted in the MR, MHR, and HR zones, and they are permitted with limitations in the C, SC, and LC zones.

**Multi-family**

Any building designed and used to house three or more families living independently of each other on the same legal lot. Dwelling unit may be attached or detached. Minimum separation between principal structures on the same lot is 15 feet. This includes apartment houses, townhomes, and condos. Currently, multi-family housing is permitted in the MR, MHR, and HR zones and permitted with limitations in the C, SC, and LC zones.

**Residential/Mixed Use Buildings**

Any buildings designed and used to house one or more families living independently of each other in addition to one or more principal nonresidential uses permitted by the zone. Residential/Mixed Use is permitted with limitations in the C, SC, and LC zones.

**Residential Care Facilities**

Any family home, group care facility, or similar facility for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living that is licensed by the State of California Department of Social Services or the Department of Alcohol and Drug Programs. Small residential care facilities serve six or fewer persons. Large residential care facilities serve seven or more persons. Residential care facilities designed for six persons or fewer are permitted in all residential zones and the C, SC and LC zones. Residential care facilities designed to for seven to twelve persons are conditionally permitted in all residential zones and the C, SC, and PI zones. Residential Care Facilities designed for thirteen or more persons are conditionally permitted in all residential zones and the C, SC, and PI zones.

**Employee Housing**

As part of the City's 5<sup>th</sup> Cycle Housing Element, the City included **Program 6H** which states that the City would review the current regulations for compliance with the Employee Housing Act, particularly sections 17021.5 and 17021.6 of the Health and Safety Code regarding farmworker housing and make amendments to the City's regulations as necessary. The City conducted this review during the 5<sup>th</sup> cycle and believes that the current code, while it does not explicitly state compliance with Sections 17021.5 and 17021.6 of the Health and Safety Code regarding farmworker housing. **Program 1L** states that the City will revise the City of Solana Beach Municipal code to define employee housing and ensure that the City's code meets the requirements of Section 17021.5 and 17021.6 of the Health and Safety Code.

**Family Day Care Homes**

A day care facility for six or fewer children. Family Day Care homes include infant centers, preschools and extended day care facilities. Family Day Care Homes are permitted in all residential zones and the C and SC zones.

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**Farmworker Housing**

The City has a very small portion of land designated for agriculture uses. According to the American Community Survey, less than two percent of Solana Beach’s workforce was employed in the farming industry. Therefore, there is no need for farmworker housing in Solana Beach. However, the City’s overall efforts to provide and maintain affordable housing opportunities will help to provide housing for any farmworkers that may choose to reside in the City.

**Group Residential Facilities**

Any fraternity, sorority, boarding house, retirement homes or other residential occupancy of living units by groups of seven or more persons, exclusive of residential care facilities, single room occupancy hotels and senior congregate care housing. Group Residential Facilities are conditionally permitted in the MHR, HR, and C zones.

The City of Solana Beach’s Municipal Code states that the parking requirement for Group Residential is one space for each resident in accordance with the total permitted occupancy plus one guest space for each four residents of permitted occupancy. The City of Solana Beach has not had an applicant express that the existing parking standards present a constraint or have resulted in a project not being developed.

The City analyzed this against standards required in surrounding jurisdictions to determine how Solana Beach’s parking requirements compared for similar developments. **Table 3-8** shows that comparison analysis using a sample 20 bed group residential home with two beds per room assumed.

<b>Table 3-8: Group Residential Parking Analysis</b>		
<b>Jurisdiction</b>	<b>Group Residential Parking Requirement</b>	<b>Sample Required Parking for a 20 Bed Development, two beds per room</b>
Solana Beach	1 parking space per bed and 1 guest parking space per four beds	25 parking spaces
Encinitas	1 parking space per bed	20 parking spaces
Del Mar	1 space per 2 sleeping rooms	5 parking spaces
Carlsbad	1.25 spaces per sleeping room	13 parking spaces
Note: In Solana Beach, Group Residential can mean fraternity, sorority, boarding house, retirement homes or other residential occupancy of living by groups of seven or more persons. Encinitas, Del Mar, and Carlsbad do not have Group Residential defined in their code. This analysis uses applicable requirements for fraternities, boarding/rooming houses, and similar uses.		

**Senior Citizen/ Congregate Care Housing**

A structure providing residence for a group of senior citizens (60 years of age or more) with central or private kitchen, dining, recreational, etc. facilities with separate bedrooms and/or living quarters. Senior Citizen/Congregate Care Housing is conditionally permitted in the MR, MHR, and HR zones.

**Mobile Homes/Manufactured Housing and Mobile Home Parks**

The Solana Beach Municipal Code defines Mobile/Manufactured Homes as a factory-built or manufactured home as permitted by state of California and federal laws and installed on a permanent foundation system. Therefore, a Mobile Home Park is defined as a residential facility arranged or equipped for the accommodation of two or more mobile homes, with spaces for such mobile homes available for rent, lease, or purchase, and providing utility services and



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other facilities either separately or in common to mobile home space therein. Mobile/Manufactured Homes are permitted with limitations in all residential zones. Mobile Home Parks are conditionally permitted in all residential homes.

### Guest Houses

The Solana Beach Municipal Code defines a guest house as a detached accessory building for the temporary use by guests of the occupants of the premises including provisions for living, sleeping, and sanitation, but exclusive of cooking facilities. Guest Houses are allowed as an accessory use in the ER-1, ER-2, and LR zones subject to requirements set for in the Solana Beach Municipal Code.

### Accessory Dwelling Units<sup>1</sup>

The Solana Beach Municipal Code defines Accessory Dwelling Units as a dwelling unit attached to a primary residence or accessory garage (to a primary residence) providing complete independent living facilities for no more than two persons including provisions for living, sleeping, eating, cooking, and sanitation. Accessory dwelling units include granny flats and second units. Accessory dwelling units are permitted with limitations in the ER-1, ER-2, LR, LMR, and MR zones, and are conditionally permitted in the MHR and HR zones.

Development standards applied to Accessory dwelling Units are as follows:

- A detached primary dwelling unit shall exist on the lot or premises.
- The lot on which an accessory dwelling unit is proposed shall have a minimum area of 6,000 square feet, not including any commonly owned area.
- The accessory dwelling unit shall be attached to or contained within the primary dwelling in such a manner as to avoid the appearance of the add-on unit. For the purposes of this regulation, “attachment” shall include second story additions to (a) the principal structure, (b) an attached garage, or (c) a detached garage. The accessory dwelling unit shall be architecturally integrated with the structure to which it is attached. The entrance to an accessory dwelling unit shall not be visible from the street adjacent to the front yard setback.
- The maximum allowed area of the accessory dwelling unit shall be 640 square feet. The minimum allowed area of the accessory unit shall be 350 square feet.
- The total floor area of all structures shall not exceed the maximum floor area (FAR) for the site.
- The owner of the property must continually occupy either the main dwelling unit or the accessory dwelling unit. For purposes of this section, “owner” includes a lessee if the leasehold includes both the main dwelling and accessory dwelling unit.
- One off-street parking space shall be provided for the accessory dwelling unit and all off-street parking deficiencies shall be corrected.
- Any construction of an accessory dwelling unit shall conform to all property development regulations of the zone in which the property is located as well as all fire, health, safety and building provisions of this title.
- The City may offer incentives to encourage development of accessory dwelling units. If owners of accessory units elect to file a 30-year deed restriction to rent the unit to lower income households, the City will consider

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1 In February 2020, the City passed Ordinance 508 which repealed and replaced the existing section referring to Accessory Living Units with new guidelines consistent with State law. The ordinance text reads “Accessory Dwelling Units” as opposed to the current “Accessory Living Units”. Program 1J in the Housing Element commits the City to amending the Municipal Code for consistency within 1 year.

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waiving fees and reducing parking and development standards or providing other incentives consistent with the Costa Hawkins Act.

New State Law require cities to lessen certain restrictions surrounding ADUs and JADUs. As part of the Housing Plan (**Program 1B**), the City will commit to amending the ADU/JADU ordinance to be consistent with State law.

**Ca retaker Units**

A dwelling unit accessory to a principal use on a site and intended for occupancy on the same site by a caretaker, security guard, servant or similar position requiring residence on the site, exclusive of a hotel/motel manager's unit. Caretaker Units are permitted with limitations in the C, SC, LC, OP and LI zones and conditionally permitted in the PI zone.

**Home Occupations**

An accessory use of a dwelling unit for gainful employment involving the provision or sale of goods and/or services and the creation of handicrafts and artwork. A home occupation is incidental to the primary use of the building as a residence. Home Occupations are permitted with limitations in all residential zones and in the C, SC, and LC zones.

**Live/Work Uses**

An occupancy by an individual or a family maintaining a common household consisting of one or more rooms or floors in a building originally designed for industrial or commercial occupancy, or in a new building specifically designed for live/work use and includes the following:

- Cooking and sanitary facilities in accordance with applicable standards as adopted by the City of Solana Beach; and
- Adequate working space reserved for that sole purpose and used by one or more persons residing therein.

Live/Work Uses are conditionally permitted in the C zone.

**Emergency Shelters**

Temporary housing with minimal supportive services for homeless persons. No individual or household may be denied emergency shelter because of an inability to pay. Emergency Shelters are permitted in the General Commercial (C) zone and are permitted in the Public/Institutional (PI) zone with a director's use permit. The City currently has approximately 183 acres of land zoned for C and PI which may accommodate emergency shelters.

Per the City's code, emergency shelters must comply with the following development standards:

- A new emergency shelter shall not be closer than 300 feet to another emergency shelter as measured between property lines.
- An emergency shelter shall contain a maximum of one bed per 150 square feet of sleeping area not to exceed 20 beds and shall serve no more than 20 persons.
- Emergency shelters shall have an interior, enclosed client waiting and intake area large enough to accommodate the number of persons equal to 25 percent of the number of beds. The area shall be based on space required for seated persons. Any exterior overflow waiting area shall be fenced, screened, gated, and covered and shall not obstruct sidewalks or driveways.
- Emergency shelters shall have an interior multipurpose area separate from the sleeping area. The multipurpose area shall be provided with space equal to at least 10 square feet per bed, but not be less than

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150 square feet. The exterior multipurpose area shall have a gathering area equal to at least 25 square feet per bed and shall be fenced, screened, and landscaped.

- Facilities shall maintain a management plan which documents that management and staffing is sufficient for adequate control of the facility.
- Parking standards as described below.

In Solana Beach, the square footage of office space in a shelter is a separate component of the shelter that needs to be parked at office requirements and the shelter (number of beds) needs parking at 1 space per 10 beds. The amount of required parking associated with the office use is limited to staff working in the emergency shelter, but the 1 space per 10 beds requirement provides parking for those housed temporarily at the emergency shelter. Emergency shelters must provide 1 bed per 150 square feet of sleeping area, not to exceed 20 beds. This equates to requiring one parking space per 1,500 square feet of sleeping area, well below the requirement of typical uses within the General Commercial and Public/Institutional zones.

In comparison, general commercial uses are required to be parked at a rate between 1 space per 200-250 sf depending on the size. Office uses are required to be parked at a rate between 1 space per 200-300 sf depending on the size. Office components of emergency shelters, as stated above, would be parked at the typical rate required by the City's code. This analysis demonstrates that the City's code requirement for parking at emergency shelters is less than that of typical uses permitted in those zones.

### *Transitional and Supportive Housing*

Transitional housing is a type of supportive housing used to facilitate the movement of homeless individuals and families to permanent housing. California law defines "transitional housing" and "transitional housing development" as buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient after a predetermined period, not less than six months (Health and Safety Code Section 50675.2). Residents of transitional housing are usually connected to supportive services designed to assist the homeless in achieving greater economic independence and a permanent, stable living situation.

Supportive housing links the provision of housing and social services for the homeless, people with disabilities, and a variety of other special needs populations. State law defines "supportive housing" as housing with no limit on length of stay, that is occupied by low income adults with disabilities, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (California Health and Safety Code Section 50675.14).

The Solana Beach Municipal Code defines Transitional and Supportive Housing consistent with the State's definitions and requirements. Supportive and transitional housing are not a specified type of residential use and may be proposed as single family units or multifamily units, though the City's Municipal Code does not specifically indicate this within Table 17.12.020-A. Therefore, the regulations which are applicable to residential uses within the zone, where the transitional or supportive housing is proposed, will apply. The City has included **Program 1K** to amend Table 17.12.020-A of the Solana Beach Municipal Code to indicate that transitional and supportive housing are permitted by right in zones where multifamily and mixed-use are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code Section 65651.



### Tiny Homes

Tiny Homes are not currently defined or included in the Solana Beach Zoning Ordinance. The State of California also does not have existing guidelines for tiny homes, however, the 2018 International Residential Code (IRC) defines tiny homes as a dwelling unit which is 400 square feet or less in floor area excluding lofts. In its rulemaking document the ICC cited reasons for updating and including tiny homes in the IRC, including the following:

- The average US home size is increasing, while family size is decreasing;
- Tiny Houses use a fraction of the wood and wood products of a conventional home;
- Increased housing cost makes home ownership unfeasible for many, and;
- Tiny Houses can add to affordable owned and rental housing stock.

### Single Room Occupancy Units

The Department of Housing and Urban Development (HUD) defines a Single Room Occupancy Unit (SRO) as a residential property that includes multiple single room dwelling units. Each unit is for occupancy by a single eligible individual. The unit need not, but may, contain food preparation or sanitary facilities, or both. 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. Currently, the Solana Beach Municipal Code does not contain specific provisions for SRO units, however, they do fall within the category of Multifamily housing and are subject to the same development standards as multifamily housing.

## 7. Housing for Persons with Disabilities

Both the Federal Fair Housing Amendment Act (FHAA) and the California Fair Employment and Housing Act direct require governments to make reasonable accommodations (that is, modifications or exceptions) in their zoning laws and other land use regulations to afford disabled persons an equal opportunity to housing. State law also requires cities to analyze potential and actual constraints to the development, maintenance, and improvement of housing for persons with disabilities.

The Housing Element Update must also include programs that remove constraints or provide reasonable accommodations for housing designed for persons with disabilities. The analysis of constraints must touch upon each of three general categories: 1) zoning/land use; 2) permit and processing procedures; and 3) building codes and other factors, including design, location and discrimination, which could limit the availability of housing for disabled persons.

### Reasonable Accommodation

Persons with mobility disabilities may require modifications to their living quarters such as access ramps, wider doors and hallways, larger bathrooms, and lowered countertops. The City enforces the California Building Standards Code which provides flexibility in the design of housing for persons with disabilities.

Both the Federal Fair Housing Act and the California Fair Employment and Housing Act require local governments to make reasonable accommodations in their zoning laws and other land use regulations and practices when such accommodations are necessary to afford disabled persons with an equal opportunity to use and enjoy a dwelling.

Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities. For example, it may be reasonable to accommodate requests from persons with

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disabilities to waive a setback requirement or other standard of the Municipal Code to ensure that homes are accessible for the mobility impaired. Whether a particular modification is reasonable depends on the circumstances.

Solana Beach provides reasonable accommodation in procedures and regulations to ensure equal access to housing for persons with disabilities and the development of housing for persons with disabilities in the Request for Reasonable Accommodation Ordinance, adopted in February of 2014 and available under SBMC Section 17.66. The purpose of the Request for Reasonable Accommodation Ordinance is to provide a procedure under which a person with disabilities, or property owner of industrial or commercial uses, may request a reasonable accommodation in the application of zoning regulations to secure equal access to housing (or commercial/industrial facilities), and outline a process for decision makers to act upon such requests. A request for a reasonable accommodation in land use, zoning, and building laws, regulations, policies, or practices may be made by any person with a disability, or by an entity acting on behalf of a person or persons with disabilities, to secure equal access to housing. The requested accommodation may be approved or granted with modifications if the following findings can be made:

- The housing which is the subject of the request will be used by one or more individuals with a disability protected under the Acts;
- The accommodation requested is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling;
- The requested reasonable accommodation will not impose an undue financial or administrative burden on the City; and
- The requested reasonable accommodation will not require a fundamental alteration in the nature of a city program or law, including but not limited to the general plan, zoning ordinance, and building laws.

The community development director may impose any conditions of approval needed to ensure that the project complies with the required findings mentioned above. Conditions may include, but are not limited to, ensuring that any removable structures or physical design features that are constructed or installed in association with a reasonable accommodation are capable of being removed once those structures or physical design features are no longer necessary to provide access to the dwelling unit for the current occupants.

Currently, the following criteria, among other factors, may be considered by the community development director regarding the reasonableness of the requested accommodation:

- Whether there are alternative reasonable accommodations available that would provide an equivalent level of benefit; and
- Whether the requested reasonable accommodation substantially affects the physical attributes of the property or has impacts on surrounding properties that would fundamentally alter a city program or law.

The City has reviewed the two criteria stated directly above which may be considered by the community development director and found that they may potentially create a constraint. In response, the City has included Program 4F within the Housing Element to remove this criteria from the City's Municipal Code.

### **Residential Care Facilities**

The City of Solana Beach Municipal Code defines Residential Care Facilities as any family home, group care facility, or similar facility, with or without food services and kitchen facilities, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual including, but not limited to, alcoholism or drug abuse recovery facilities, congregate living facilities,

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community care facilities, intermediate care facilities/disabled habilitative, or intermediate care/developmentally disabled-nursing facilities licensed by the state of California, excluding housing for the elderly, nursing and convalescent homes.

Residential care facilities designed for six persons or fewer are permitted in all residential zones and the C, SC and LC zones. A residential care facility for seven or more persons shall be permitted only by conditional use permit. Specific conditions providing for the development, operation, and design of any residential care facility for seven to 12 persons shall be made by the director of community development. Specific conditions providing for the development, operation, and design of any residential care facility for 13 or more persons shall be made by the city council.

The following development standards are intended as minimum requirements for residential care facilities. Since the Conditional Use Permit process is discretionary, each application will be considered on its own merits. Additional requirements may be imposed in order to meet the objectives of the general plan or to address special circumstances of the proposal including, but not limited to, state and county licensing requirements:

- The use should comply with all property development regulations of the underlying zone, including but not limited to setbacks, yards, floor area ratio, height and parking, unless a variance to the above standards is granted in conjunction with the Conditional Use Permit.
- Sleeping areas must meet all of the following criteria:
  - A minimum of 70 square feet of sleeping area per resident, exclusive of closet or storage space.
  - No room commonly used for other purposes shall be used as a sleeping area. Such rooms shall include but shall not be limited to living rooms, dining rooms, family rooms, dens, recreation rooms, hallways, stairways, unfinished attics, basements, garages, storage areas, sheds, or similar attached or detached buildings.
  - No sleeping area shall be used as a public or general passageway to another room, bath, or toilet.
  - A minimum of eight square feet of storage (closet or drawers) shall be provided per bed.
- The facility shall provide one full bathroom (toilet, sink, shower, and/or bathtub) per every seven beds.
- The facility shall be required to provide one parking space per employee and one parking space for every seven beds, unless the director of community development determines that additional parking spaces are required.
- The facility shall comply with citywide landscaping regulations.
- The facility shall be required to provide a common living area of 100 square feet plus five square feet per bed, exclusive of the sleeping, dining and kitchen areas.
- Existing and new facilities shall comply with all other health, building, and safety requirements.

### **Occupancy Standards**

California law requires local governments to treat licensed group homes and residential care facilities with six or fewer residents no differently than other by-right single-family housing uses. "Six or fewer persons" does not include the operator, the operator's family or persons employed as staff. The City must allow these licensed residential care facilities in any area zoned for residential use and may not require licensed residential care facilities for six or less to obtain Conditional Use Permits or variances that are not required of other family dwellings. Currently, Chapter 17.08.030 of the City's Zoning Ordinance defines a "family" as "Two or more persons living together as a bona fide single housekeeping unit," the City also permits residential care facilities in all residential zones. The City's definition of family does not produce potential constraints in providing access to care facilities or housing opportunities.



## 8. Development Fees

Residential developers are subject to a variety of fees and exactions to process permits and provide necessary services and facilities as allowed by State law; these fees include, but are not limited to, development impact fees, permit issuance, subdivision processing fees, and engineering and public works fees. Development impact and permit issuance fees are used to support a variety of functions including checking submitted plans, paying local facilities management fees, special road assessments, and public service-related fees for other agencies such as school districts, water districts, and utility providers. Subdivision processing fees are used to cover the City's administrative costs incurred through the processing of subdivision applications and plans. Engineering and public works fees perform a similar function.

In general, fees and exactions can impact the cost and feasibility of developing the housing as well as its affordability. They can be a constraint to the maintenance, improvement, and development of housing because the additional cost borne by developers contributes to overall increased housing unit cost. However, the fees are necessary to maintain adequate planning services and other public services and facilities in the City. According to the City's 2020-2021 adopted budget, in addition to development and impact fees, Solana Beach receives primary funds through the following top six General Fund revenues:

- Property Tax
- Sales Tax
- Motor Vehicle In-lieu
- Transient Occupancy Tax
- Franchise Fees
- Fire Benefit Fees

The City's revenues, listed above, help to fund public facilities, park maintenance, public arts, and public services, additionally in-lieu housing fees provide revenue supplementary to the listed fees.

The current fee schedule became effective 2020, is summarized in **Table 3-9**, and is publicly available on the city's website. Under the fee schedule, the City recovers a portion but not all of the City's administrative costs for processing development applications. The City's Engineering fees and Development Impact fees, also effective 2020, are summarized in **Tables 3-10 and 3-11**. Based on the City's 2020-2021 Budget, service charges, which include planning and zoning fees, building/plan check fees, public facilities fees, engineering fees, fire plan check fees, and park fees, account for about 3.5 percent of the City's total general fund revenue.

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<b>Table 3-9: Community Development Services Fees</b>			
<b>Description of Service</b>	<b>Fee/Deposit</b>	<b>Description of Service</b>	<b>Fee/Deposit</b>
Conditional Use Permit	\$8,877	Major Subdivision - Tentative Map	\$14,350
Bluff Retention Device CUPs & Wireless Communication Facility CUPs	Require add'l deposit for third-party reviews at Cost + 15%	Major Subdivision - Final Map	\$4,976
Community Development Directors Use Permit	\$2,665 Per application	Minor Subdivision - Tentative Map	\$10,993
Zoning Letter	\$159	Minor Subdivision - Parcel Map	\$4,033
Variance - Processing	\$6,719	Environmental Impact Report	Deposit for third-party review at Cost + 15% Admin Fee
General Plan Amendment	\$10,000 Deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs as determined	Structure Develop. Permit - Processing	\$3,680
Rezoning Review/Specific Plan		Structure Develop. Permit - Processing	\$1,104 If in conjunction with a Development Review Permit, fee will be \$1,077 per application
Zoning Text Amendment		Structure Develop. Permit - Processing	\$3,128 If in conjunction with multiple entitlements, a 15% discount is applied to lower cost entitlements, and fee will be \$3,052 per application
Development Review Permit - Processing - Level I Resident	\$5,228	Landscape Plan Review/Inspection	Deposit for third-party review at Cost + 15% Admin Fee
Development Review Permit - Processing - Level I Non-Resident	\$10,470	Planning Public Noticing	\$548 per notice plus mailing and Newspaper
Development Review Permit - Processing - Level II	\$17,543	Multi-Permit discount of 15%	A multi-Permit discount of 15% is available for each add'l Planning Department permit filed on the same project at the same time as the first permit service.

Source: City of Solana Beach, Schedule of Fees effective January 1, 2020.

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Table 3-10: Engineering Review Fees			
Description of Service	Fee	Description of Service	Fee
Lot Line Adj./Cert. Of Compliance. - Review	\$1,881 per application	Grading Plan check/ Public Improvement Permit/Inspection - \$200,001+	\$3,100 + \$10 for each \$1000 or fraction thereof of the construction value over \$200,000
Grading Plan check/ Public Improvement Plan Check - \$0-\$10,000	\$1,025 Min. fee	Grading Deposits	Based on an Engineer's Estimate of the work performed under the permit.
Grading Plan check/ Public Improvement Plan Check – \$10,001- \$20,000	\$1,025 + \$10.25 for each additional \$100 or fraction thereof of the construction value over \$10,000	Geotechnical Plan Review/Inspection	Deposit for third-party review at Cost + 15% Admin Fee
Grading Plan check/ Public Improvement Plan Check – \$20,001- \$80,000	\$2,050 + \$3.08 for each additional \$100 or fraction thereof of the construction value over \$20,000	Encroachment Permit	Street Cut - \$774 Standard - \$543
Grading Plan check/ Public Improvement Plan Check – \$80,001- \$200,000	\$3,898 + \$10.25 for each additional \$1000 or fraction thereof of the construction value over \$80,000	Miscellaneous Engineering Permit/Inspection	\$226
Grading Plan check/ Public Improvement Plan Check – \$200,001+	\$5,128 + \$10.25 for each \$1000 or fraction thereof of the construction value over \$200,000	Easement Abandon/Street Vacation	\$1,758 per application or a deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs.
Grading Plan check/ Public Improvement Permit/Inspection – \$0-\$20,000	\$1,025 Min. fee	Easement/R.O.W Dedication	\$487
Grading Plan check/ Public Improvement Permit/Inspection - \$20,001-\$80,000	\$1,025 + \$15.38 for each additional \$1,000 or fraction thereof of the construction value over \$20,000	Subdivision Monuments	security deposit is based on estimate provided by surveyor to set the monuments.
Grading Plan check/ Public Improvement Permit/Inspection - \$80,001-\$200,000	\$1,948 + \$10.25 for each additional \$1,000 or fraction thereof of the construction value over \$80,000	Sewer Connection Fees	Future Capacity = 50% Ocean Outfall = 27% Existing Facility = 23% Per total of \$4,500 per 1.0 EDU

Source: City of Solana Beach, Schedule of Fees effective January 1, 2020.

**Development Impact Fees**

In addition to City fees charged at the time Building Permits are issued, developers are required to pay a number of impact fees (shown in **Table 3-11**). Additionally, school impact fees are required and collected by the San Dieguito School district. Considering the high cost of land in Solana Beach, the fees charged by the City and school district do not create a constraint to the construction of market rate housing. The fees only comprise a very small percentage of the entire cost to construct a residence in Solana Beach. All the development fees listed in **Table 3-11** are posted on the City's website and available to the public.



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Although there are no specific establishments for a right to receive any additional incentive from the City or any other party or agency to enable the developer to meet the obligations of the City’s Code, the city council at its sole discretion may discount city fees, expedite the application process, or provide other assistance when it finds that provision of such assistance is needed to meet housing needs. Furthermore, the city manager is authorized to reduce city development impact fees by 75 percent for accessory dwelling units (ADU) processed consistent with the City’s code, provided that a deed restriction for state law affordability provisions is recorded for the term of 99 years. The City does currently reduce development impact fees for affordable projects.

<b>Description of Service</b>	<b>Fee</b>	<b>Description of Service</b>	<b>Fee</b>		
Regional Transportation Congestion Program RTCIP Fee	Single family \$3,623 per du	<b>Third Party Review</b>			
	Multi-family \$2,899 per du				
Public Facilities Fee	1% of project valuation			Landscape Review	+ 15% of Third-Party Review Cost
Master Art Policy Fee	0.5% of project valuation			Wireless Review	+ 15% of Third-Party Review Cost
Affordable Housing Impact Fee	\$25.28 per sf			Geotechnical Review	+ 15% of Third-Party Review Cost
Transportation Impact Fee - Single Family	\$ 15,714.00 per unit			Biological Review	+ 15% of Third-Party Review Cost
Transportation Impact Fee - Condo & Multi-Family	\$ 11,206.00 per unit			Counsel Review	+ 15% of Third-Party Review Cost
Transportation Impact Fee - Accessory Living (units)	\$ 3,929.00 per unit			Stormwater Review	+ 15% of Third-Party Review Cost
Fire Mitigation Impact Fee - Detached Dwelling (units)	\$ 1,759.00			Traffic Review	+ 15% of Third-Party Review Cost
Fire Mitigation Impact Fee - Attached Dwelling (units)	\$ 248.00			Environmental Review	+ 15% of Third-Party Review Cost
Park Development Impact Fee - Detached Dwelling (units)	\$ 6,913.00	Shoreline Development Noise	+ 15% of Third-Party Review Cost		
Park Development Impact Fee - Attached Dwelling (units)	\$ 5,002.00	Review Cultural Resources	+ 15% of Third-Party Review Cost		
Public Use Facilities Impact Fee - Detached Dwelling (units)	\$ 640.00	Review Bluff Retention	+ 15% of Third-Party Review Cost		
Public Use Facilities Impact Fee - Attached Dwelling (units)	\$ 463.00	Third Party Review Admin Fee	15% of Third Part Review Cost		

*Source: City of Solana Beach, Schedule of Fees effective January 1, 2020.*

*Estimated Fees and Direct Costs*

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Estimated total development fees and impact fees for a typical single-family residential project, assuming it is not part of a subdivision and is consistent with existing city policies and regulations are about \$122,500 for a 3,000 square foot home, assuming all related impact fees. Estimated total development and Impact fees for a typical multi-family residential project with thirteen units, assuming it is consistent with existing city policies is about \$1,143,800. The City of Solana Beach is committed to encouraging and increasing affordable housing, assuming a developer choose to include affordable units and the affordable housing impact fee is waived, total fees for the same single-family unit total about \$46,700 and for the same multifamily development total about \$334,900.

These estimates are illustrative in nature and that actual costs are contingent upon unique circumstance inherent in individual development project applications. Considering the cost of land in Solana Beach, and the International Code Council (ICC) estimates for cost of labor and materials, the combined costs of permits and fees range from approximately 3.6 percent to 9.4 percent of the direct cost of development for a single-family residential project and 4.1 percent to 13.9 percent for a multi-family residential project. Direct costs do not include, landscaping, off-site improvements, shell construction or amenities, therefore the percentage of development and impact fees charged by the City may be smaller if all direct and indirect costs are included.

### **Affordable Housing In-lieu Fees**

#### *Payment of Affordable Housing Impact Fees*

As an alternative to the construction of affordable units on-site, a developer may propose to pay affordable housing impact fees adopted by City Council resolution to mitigate the residential project's impact on the need for affordable housing in the City, if the city council makes both of the following findings:

- The affordable housing impact fees will be used to provide financial assistance to an identified city or city-sponsored affordable housing project that: (a) is proposed by an affordable housing developer; (b) has received all discretionary approvals from the city and the Coastal Commission; and (c) requires additional funds to commence construction.
- Provision of the affordable housing impact fee will create more affordable units than would be created by on-site provision of the affordable units.

Any approved affordable housing impact fees shall be paid prior to the first issuance of a Building Permit for the residential development. At the time of adoption of the Housing Element, the cost for In-lieu fees were \$25.26 per square feet. The City's preference is for units to be built on-site as part of projects and to date, there has been limited interest in paying in lieu fees as opposed to providing units.

### **Affordable Housing Impact Fees**

Any affordable housing impact fees are set by city fee resolution or other action of the city council. Fees may be based on a fee per dwelling unit, fee per square foot, or any other reasonable basis. The city council may review the fees from time to time at its sole discretion and may, based on that review, adjust the fee amount. Affordable housing impact fees may not exceed the cost of mitigating the impact of residential projects on the need for affordable housing in the City. Based on the City's 2020 adopted fee schedule, the current affordable housing impact fee is \$25.28 per square foot. The current affordable impact fees are posted on the City's website and available to the public

In addition, all affordable housing impact fees shall be deposited into the City of Solana Beach designated housing fund. The fees collected and all earnings from investment of the fees shall be expended exclusively to provide or assure continued provision of affordable housing in the City through acquisition, construction, development assistance, rehabilitation, financing, rent or other subsidies, provision of supportive services, or other methods, and

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for costs of administering programs which serve those ends. The housing assisted shall be of a type, or made affordable at a cost or rent, for which there is a need in the City and which is not adequately supplied in the City by private housing development in the absence of public assistance and to the extent feasible shall be utilized to provide for low and very low-income housing.

## 9. Inclusionary Housing and Provisions for Affordable Housing

Due to the High cost of land and housing in Solana Beach, the City has established and implemented different programs and fees to provide housing access to all community members. Title 17, Chapter 70 of Solana Beach's Municipal Code establishes regulations and standards regarding the provision of affordable housing. The code states that new housing contributes to the demand for goods and services in the City, increasing local employment at wage levels which often do not permit employees to afford housing in the city. Further, new housing construction which does not include affordable units aggravates the existing shortage of affordable housing by absorbing the supply of available residential land. Providing affordable units or impact fees as required by chapter 70 of the code will ensure that part of the City's remaining developable land is used to provide affordable housing. The requirements, programs, and fees, detailed below, coincide with the City's housing goals, as expressed in the Housing Element component of the Solana Beach General Plan.

For the purposes of this section, a unit is affordable if it meets the requirements for affordable housing costs for very low- or low-income households established by Health and Safety Code Section 50052.5 and regulations adopted by the California Department of Housing and Community Development (California Code of Regulations Title 25, Sections 6910 through 6924) determining affordability of residential housing units based upon household size and income levels. The following discussion identifies Affordable Housing requirements and includes an analysis of potential constraints:

### **Affordable Housing Required – For-sale and Rental residential projects**

Developers of for-sale residential projects providing five or more dwelling units, or five or more lots for sale for residential purposes, shall construct and set aside 15 percent of all units or lots for sale to very low or low income households at sales prices affordable to such persons or households. The required affordable units shall remain affordable for 99 years from the date of final inspection, as shown on the inspection record card for the affordable unit.

Developers of rental residential projects providing five or more dwelling units shall construct and set aside 15 percent of all units for rent to very low or low income households at rents affordable to such persons or households. Additionally, the required rental affordable units shall remain affordable for 99 years from the date of final inspection, as shown on the inspection record card for the affordable unit.

As defined by the City's code, when the calculation of the number of affordable units required for a residential project results in a fraction of one-half or more, one additional affordable unit must be provided. When the calculation results in a fraction of less than one-half, the developer must either provide an additional affordable unit or pay an affordable housing impact fee calculated by multiplying the area (in square feet) of the average market-rate unit in the project by the fraction and multiplying that number by the impact fee per square foot. For example, based on the City's current fee schedule, if the average market-rate unit has 2,500 square feet, and there is a fraction of 0.2, the impact fee would total 500 multiplied \$25.28, generating a total \$12,640.



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**Affordable Housing Plan and Affordable Housing Agreement**

An affordable housing plan shall be submitted as part of the first submittal of any residential project and will be processed, reviewed, and approved, conditionally approved, or denied concurrently with all other applications required for the residential project. The affordable housing plan may indicate that the developer intends to pay affordable housing impact fees. However, if affordable units are proposed to be provided, the affordable housing plan shall include the following, as applicable:

- Number, affordability level, unit type, tenure (for-sale or for-rent), number of bedrooms, location, unit size (square feet), and design of all affordable units.
- Construction schedule and phasing of affordable units in relation to market-rate units.
- Any requested alternative to the provision of affordable units including information as required by the City and reasonably required by the community development director to demonstrate compliance with the Solana Beach Municipal Code.
- Such additional information as may be required by the community development director to ensure conformance of the project with this chapter or the general plan or any specific plan.

Additionally, Prior to final or parcel map approval for the residential project, or, if a tentative or parcel map is not requested for the residential development, prior to issuance of any Building Permit within the residential development, an affordable housing agreement between the developer and the City shall be recorded against the property included in the residential project. The affordable housing agreement shall be binding on all future owners and successors in interest. After approval of the affordable housing plan, the city manager is authorized to approve the affordable housing agreement and any additional documents necessary to implement this section.

The affordable housing agreement shall be consistent with the affordable housing plan and shall include, but not be limited to, the following:

- Number, affordability level, unit type, tenure, number of bedrooms, location, unit size, and design of all affordable units.
- A description of the household income groups to be accommodated by the housing development, and the standards for determining the corresponding affordable rent or affordable sales price and housing cost.
- A description of provisions for income certification and screening of potential purchasers or renters of affordable units, resale control mechanisms (in for-sale units), and ongoing monitoring and administration.
- Terms of affordability.
- A schedule for completion of affordable units and phasing of development in relation to construction of market-rate units.
- A description of remedies for breach of the agreement by either party.
- For for-sale affordable units, conditions governing the initial sale and resale of affordable units to eligible households to ensure continued compliance with the restrictions of this chapter; and a condition requiring disclosure by the developer to the buyer of affordable units of the existence of the deed restrictions affecting the resale of the property.
- For rental affordable units, conditions establishing rules and procedures for qualifying tenants, setting rental rates, filling vacancies, operating and maintaining rental affordable units, and annually monitoring affordable units. A rent regulatory agreement acceptable to the City will be recorded against the residential project prior to issuance of a Building Permit for any dwelling unit in the residential project. The rent regulatory agreement shall include the developer's agreement to the limitations on rents required by the City.

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- If an alternative to affordable units is approved (alternatives detailed below), provisions to ensure that the affordable housing is provided and that the requirements applied to the alternative have been complied with. Where off-site property is proposed for affordable housing, additional restrictions or agreements may be required to be recorded against the off-site property.
- Other provisions needed to ensure implementation and compliance with this chapter, to ensure continued affordability of the units, or to comply with state or federal law.

### Alternatives for Provision of Affordable Units

The City of Solana Beach has a number of alternatives for the provision of affordable units. The alternatives are broken down by the following categories and detailed below.

#### *Rental Units in a For-Sale Residential Project*

- A developer of a for-sale residential project may propose to provide rental affordable units rather than for-sale affordable units.
- If the developer elects to provide rental affordable units, at least 15 percent of the units in the residential project shall be rented to very low- or low-income households at affordable rents.
- The rent regulatory agreement will include provisions for sale of the affordable units and relocation benefits for tenants of the rental affordable units if the owner of the residential project later determines to offer any rental affordable units in the residential project for sale.
- The owner must also provide all notices to prospective tenants of the residential project required by state law and, at the time sale of the units is proposed, provide all tenants of the rental affordable units with the same notices, rights, and relocation benefits as provided by state law and the Municipal Code for tenants in condominium conversions.
- The owner shall provide written notice to the City at least 90 days before offering any rental affordable unit for sale. The owner shall provide as many for-sale affordable units at affordable housing cost as are required.
- At the time of sale, documents acceptable to the community development director, all consistent with the requirements of this chapter, shall be recorded against the for-sale affordable units for a term of 99 years from the date of sale.

#### *Construction of Off-Site Affordable Housing*

As an alternative to the construction of affordable units on-site, a developer may propose to construct an affordable housing development on other property within the City. The affordable housing plan must provide evidence of and contain the following:

- Financing or a viable financing plan, which may include public funding, shall be in place for the off-site affordable units.
- The off-site location must be suitable for the proposed affordable housing, consistent with any adopted affordable housing guidelines and the housing element, will not tend to cause residential segregation, and be located within the city of Solana Beach boundaries with appropriate infrastructure and services. Any off-site alternative must comply with the density, intensity and development standards that are permitted under the zone for the site.
- Prior to issuance of a Building Permit for any unit in the residential development, the off-site development shall have all discretionary permits and approvals necessary for the construction of the affordable housing, and the developer approved by the city shall have purchased the site for the off-site affordable housing.

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- Prior to occupancy of any unit in the residential development, occupancy shall have been authorized for all units in the affordable housing development.

### *Preservation or Conversion of Existing Unit*

As an alternative to the construction of affordable units on-site, a developer may propose to preserve existing affordable units at risk of loss or convert market-rate units to affordable units, if the preservation or conversion of these units is consistent with requirements of the City's Code allows the City to substitute the preservation or conversion of these units for the obligation to identify sites.

### *Legalization of Existing Unpermitted Dwelling Units*

As an alternative to the construction of affordable units on-site, a developer may acquire and place deed restrictions upon existing housing units within the City constructed without Building Permits, for occupancy by very low- or low-income households at prices or rents affordable to such households subject to the following standards and conditions:

- The developer must demonstrate ownership of the unpermitted dwelling units or an executed agreement with the owner of the dwelling units agreeing to record an affordable housing agreement against the property and to grant the developer access to perform any required rehabilitation or improvements.
- The existing unpermitted housing units must not have a separate address that was included in the most recent United States Census.
- The units must be ready for occupancy by an eligible household prior to final inspection, as shown on the inspection record card, for any market-rate units in the residential project.
- A Building Permit shall be obtained for each unpermitted dwelling unit. Any substandard unit shall be rehabilitated in conformance with applicable local ordinances and state statutes.
- If the units will be for-sale or rental affordable units, the number, affordability, and term of affordability of the affordable units shall conform with the provisions of the City's Code requirements.

### *Affordable Housing Design and Standards*

When an affordable unit is the unit may be constructed as a separate single-family dwelling unit or may be combined with other dwelling units. Affordable units must be designed to be integrated into the residential style of the residential project, and shall have the same general bulk, scale, average square footage, same mix, and height as market-rate units in the development. Subject to approval of the community development director or designee, affordable units may have different interior finishes and features than market-rate units in the same residential development project, so long as the finishes and features are durable, of good quality and consistent with contemporary standards for new housing.

Additionally, affordable units must be comparable to market-rate units in overall number of bedrooms and the proportion of units in each bedroom category. For multifamily residential projects, the affordable units shall be integrated into the project and located so as not to create a geographic concentration of affordable units within the residential project, unless required to provide housing for senior citizens or to obtain financial assistance from state or federal agencies.

Finally, all affordable units must be constructed and occupied concurrently with or prior to the construction and final inspection of market-rate units. In phased residential projects, affordable units shall be constructed and occupied in proportion to the number of units in each phase of the residential project.

**Waivers of Affordable Housing Requirements**

As part of an application for the first approval of a residential project, a developer may request that the requirements of this chapter be waived or modified, based upon a showing that applying the requirements of this chapter would result in an unconstitutional taking of property or would result in any other unconstitutional result. Any request for a waiver or modification shall be submitted concurrently with the project application. The developer shall set forth in detail the factual and legal basis for the claim, including all supporting technical documentation, and shall bear the burden of presenting the requisite evidence to demonstrate the alleged unconstitutional result. Any request for a waiver or modification based on this section shall be reviewed and considered at the same time as the project application. In deciding whether to grant the waiver or modification, the city council shall assume each of the following when it is applicable to the project:

- The developer will provide the most economical inclusionary units feasible in terms of construction, design, location and tenure.
- The developer is likely to obtain housing subsidies when such funds are reasonably available.

The waiver or modification may be approved only to the extent necessary to avoid an unconstitutional result, based upon legal advice provided by or at the behest of the city attorney, after adoption of written findings, based on legal analysis and the evidence. If a waiver or modification is granted, any change in the project shall invalidate the waiver or modification, and a new application shall be required for a waiver or modification.

## **10. On-/Off-Site Improvements**

Site improvements in the City consist of development for on-site improvements (fronting streets, curbs, gutters, sewer/water, and sidewalks), and off-site improvements (drainage, parks, traffic, schools, and sewer/water). Thus, these are costs that will be added to the sale or rental price of housing. Because residential development cannot take place without the addition of adequate infrastructure, site improvement requirements are not seen as a constraint to the development of housing within the City.

The infrastructure in Solana Beach is fully developed and well maintained. As a result, only minimal on or off-site improvements are required for most new development. Typical on-site improvements consist of curbs, gutters, sewers/water, and sidewalks. Required off-site improvements are also minimal and directly relate to project impacts. For example, a project approval may be accompanied by conditions for localized street and intersection improvements. But again, because the City's infrastructure is largely in place and because there is minimal land available for subdivisions, requirements for construction of new public streets or other significant infrastructure is very rare. The required public improvement standards are used primarily to ensure that the existing roadways adjacent to new residential construction maintain or provide the appropriate right-of-way. In conclusion, given the completely developed nature of the City's infrastructure, the cost to developers of providing public facilities is relatively low when compared to other parts of the region where the infrastructure is not already available or is inadequate to serve new development.



## 11. Building Codes and Enforcement

The City of Solana Beach's construction codes are based upon the California Code of Regulations, Title 24 (Building, Plumbing, Mechanical, Electrical and Housing Codes) and are considered to be the minimum necessary to protect the public health, safety and welfare of the City's residents. Code enforcement is conducted by the City and is based on systematic enforcement in areas of concern and on a complaint basis throughout the City. The Code Enforcement Division works with property owners and renters to assist in meeting state health and safety codes. The Code Compliance Department investigates complaints regarding violations of the Solana Beach Municipal Codes, Uniform Building Codes, Fire Codes, and Parking regulations. The intention and goal is to work together with the community to help resolve issues through voluntary compliance.

## 12. Local Processing and Permit Procedures

The processing time for permits varies in Solana Beach based upon the scope and type of project and the applicant's compliance with the City's ordinances and completeness of applications. Certain types of applications/permits are discretionary and require a public hearing, while others are processed administratively. Projects needing discretionary review typically involve significant grading activity or buildings over 500 square feet in size. On average, permit processing for discretionary projects takes between six and eight months. Administrative approval takes between several days to two or three weeks. A significant portion of the permit processing in the City is associated with single-family remodels.

Projects that take a longer time to secure final approval generally have significant environmental impacts or involve general plan amendments or rezoning. The developers may be responsible for delays by failing to provide information or requesting continuances. Permit approval under these circumstances requires more time for public notice, public hearings, and negotiation of design modification to resolve problems.

For a discretionary Development Review Permit, the City automatically proceeds with a development proposal hearing at the next scheduled City Council meeting once the following findings are met: (1) the proposed development is consistent with the General Plan and all applicable requirements, including special regulations, overlay zones, and specific plans; (2) the proposed development complies with the development criteria; (3) environmental review as required by CEQA is completed; and (4) all required permits and approvals, including Variances, Conditional Use Permits, Comprehensive Sign Plans, etc., are processed concurrently with the Development Review Permit.

Once the criteria are met, the City continues to apply the State of California Streamlining Act requirements to ensure continued timely and predictable permit processing. The process is further expedited in the City of Solana Beach because the City has no Planning Commission; the Council acts as the Planning Commission and; thereby, reduces the steps in the process and removes uncertainty of Planning Commission-City Council policy interpretations. An application for a Development Review Permit shall be required for any structure or site development which meets, but is not limited to, the following criteria:

- New construction (including structural additions to existing development) totaling 30,000 gross square feet or more, except greenhouses in the (A) zone and structures in residential zones.
- Any residential projects of 20 or more units.
- Any site development, including grading, or construction including any structural additions to existing development, that involves an aggregate of more than 100 cubic yards of cut and/or fill, excluding:
  - Residential swimming pools/spas
  - City of Solana Beach approved public works projects in the existing right of way

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- Any new residential structure or structural addition in the MHR or HR zones which exceeds 25 feet in height and any new nonresidential structure or structural addition which exceeds 30 feet in height.
- Any developments located in the Hillside, Scenic, or Floodplain Overlay Zones.
- Any development on a coastal bluff top property or on the face or toe of a bluff for which a Coastal Development Permit issued by the California Coastal Commission is presently required.
- Any new construction, including replacement of an existing structure or structural additions to existing development in residential zones, shall require a Development Review Permit if either or both of the following development criteria are satisfied:
  - The total of existing square footage plus proposed new square footage of the structure exceeds 60 percent of the maximum floor area allowable under the applicable floor area ratio.
  - If new square footage is proposed for an existing or new second story, the total of the existing square footage plus proposed new square footage of only the second story of the structure exceeds 40 percent of the floor area of the first story existing floor area for residential lots of 6,000 square feet or less, or 35 percent of the floor area of the first story existing floor area for residential lots of greater than 6,000 square feet.

No Building Permit or Grading Permit shall be issued relating to a project for which a Development Review Permit is required by this title until a Development Review Permit is obtained. Additionally, Solana Beach is located entirely within the state's coastal zone and all Coastal Development Permits must be heard by the State Coastal Commission.

The general process for obtaining an Administrative Building Permit in Solana Beach is as follows:

- One set (1) of building plans are initially reviewed by the Planning Department. Once the planning department has reviewed and noted required revisions or comments, the plans are marked to proceed with plan check. The applicant is advised to submit four (4) additional sets to the Building Department, which is managed by Esgil, an independent firm that provides plan check services to the City of Solana Beach. The Engineering, Environmental and Fire Departments conduct their reviews at the same time. The plans are reviewed for compliance with both the City's Municipal Code and applicable State laws.
- The Building Department plan check process may require plan revisions and subsequent rechecks until the plans are determined to meet all California Building Codes.
- The final set of plans must then be resubmitted to the City of Solana Beach for a "Re-Stamp." This Re-Stamp is required to allow each department the opportunity to review the final plan to confirm that required revisions were made, and to evaluate whether changes required by a different department did not create additional comments. Once the building permit plans have been placed in stamp out, the City sets no longer than ten days to sign off. Generally, the Re-Stamp proceeds more quickly than the initial review.

The City reviewed entitled projects over the past three years to determine how many applied for and received building permits and how long that took approximately. **Table 3-12** below shows how many projects received a building permit within one year of their entitlement approval. Not every project that received entitlement approvals applied for building permits in a timely fashion or at all. Entitlement approvals remain in place for a period of two years and may receive extensions from the City if desired by the applicant. The City continues to work with applicants that receive entitlement approvals to determine next steps and assist applicants with navigating the permitting process.

Year	No. Projects Entitled	Entitled Projects that did not Apply for Building Permits	Projects that Received Building Permits within One Year of Entitlement Approval
2018	15	<ul style="list-style-type: none"> <li>3 projects have not submitted for permits yet</li> <li>2 projects were revised by the applicant and are currently in the permit process</li> </ul>	<p>9</p> <p>1 additional project received a permit within 2 years</p>
2019	18	<ul style="list-style-type: none"> <li>4 projects have not submitted for permits yet</li> <li>2 projects were revised by the applicant and are currently in the permit process</li> <li>1 project changed owners and has re-applied for permits</li> </ul>	11
2020	14	<ul style="list-style-type: none"> <li>5 projects have not submitted for permits yet</li> <li>2 projects are in process to receive building permits</li> </ul>	7

The City operates a permit and processing counter with daily hours and provides extensive technical assistance to project proponents to ensure that their applications are complete and correct. In this manner, the City is able to provide a high degree of certainty and process proposals within seven to eight weeks.

The majority of these entitlements were for single-family residences and were entitled at the maximum density. As shown in **Table 3-18**, the City receives applications to develop below the maximum density on projects that propose a mixed-use type development. In these instances, the projects were determined to have the physical capacity to develop at the maximum density but chose to include a commercial or office component.

### 13. State Policies and Regulations

State policies and regulations, which are regularly updated to include new standards for development, requirements to improve accessibility, and updated environmental standards, may also serve to constrain housing development in local communities.

#### California Code of Regulations, Title 24

The state of California regularly updates and adopts new standards for construction which are known as the California Building Standards Code. The California Building Standards Code is a compilation of three types of building standards from three different origins, listed as follows:

- Building standards that have been adopted by state agencies without change from building standards contained in national model codes;
- Building standards that have been adopted and adapted from national model codes to address California’s ever-changing conditions; and
- Building standards, authorized by the California legislature, that constitute amendments not covered by national model codes, that have been created and adopted to address particular California concerns.

Regulations for residential use, maintenance, and occupancy for existing buildings are found in the California Code of Regulations, Title 24 Part 2.5. The most recent Code was published July 1, 2019 and went into effect January 1, 2020. The City of Solana Beach has adopted the 2019 Code as the City’s building standards, and the regulations and

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requirements provided by the California Code are not considered a constraint to development of accessible and affordable housing being they are required by law and developed to implement safe and well design standards.

**Environmental Protection**

State regulations require environmental review of proposed discretionary projects (e.g., subdivision maps, use permits, etc.). Costs resulting from fees charged by local government and private consultants needed to complete the environmental analysis, and from delays caused by the mandated public review periods, are also added to the cost of housing. However, the presence of these regulations helps preserve the environment and ensure environmental safety to Solana Beach residents.

## C. Infrastructure Constraints

Another factor that could constrain new residential construction is the requirement and cost to provide adequate infrastructure (major and local streets; water and sewer lines; and street lighting) needed to serve new residential development. In most cases, where new infrastructure is required, it is funded by the developer and then dedicated to the City, which is then responsible for its maintenance. Because the cost of these facilities is generally borne by developers, it increases the cost of new construction, with much of that increased cost often “passed on” in as part of home rental or sales rates. However, such infrastructure costs do not represent a barrier in Solana Beach because as a built-out community, Solana Beach’s infrastructure is, likewise, built out and in place. Therefore, the high development costs often associated with installing infrastructure systems in other communities are not found in Solana Beach.

### 1. Water Supply and Wastewater Capacity

Among the municipal services that the City of Solana Beach provides are the functions of wastewater, and clean water (storm water pollution prevention). These utility services are funded exclusively from fees and rates charged to the City’s utility customers related to their use. Water supply is provided by the Santa Fe Irrigation District.

The City of Solana Beach has evaluated the availability of infrastructure from a Citywide and site-specific standpoint. In determining the feasibility of sites to accommodate the City’s RHNA needs, infrastructure provision was a determining factor. Based on the site inventory analysis contained in Appendix B of this Housing Element, deficiencies in infrastructure adjacent to, or on the parcels within the inventory of sites, do not pose a constraint to development. All of the lower income sites are adjacent to existing public roads that contain utilities and other infrastructure.

The City’s current General Plan EIR evaluated the infrastructure capacity for all sites within the City as identified in the current Land Use Element. The City is not rezoning or adding additional capacity beyond what is currently permitted and what has previously been evaluated. Therefore, the current EIR analysis which states there is adequate infrastructure in place to accommodate future anticipated development is accurate. Additionally, the City’s draft MND for the Housing Element Update was conducted to evaluate any potential impacts to the environment.

**Water Supply**

The Santa Fe Irrigation District provides reliable water to the Rancho Santa Fe, Fairbanks Ranch and City of Solana Beach area, and has been for almost a century. The Mission of the Santa Fe irrigation District is to efficiently provide its customers with safe and reliable water. The Santa Fe Irrigation District was originally formed by landowners under the California Irrigation District Act to provide water service to the area. The District serves approximately 19,400 customers on 10,200 acres of land in three communities: Rancho Santa Fe, Fairbanks Ranch and the City of Solana Beach.



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The Santa Fe Irrigation District has 100% ownership of 151 miles of pipelines and a six million-gallon filtered water reservoir in Solana Beach known as Larrick Reservoir. It shares ownership with the San Dieguito Water District (SDWD) of a 40 million-gallon-per day (mgd) water treatment and filtration plant (R.E. Badger Filtration Plant). The San Dieguito Reservoir was constructed in 1918 and has the capacity to hold 550-acre feet of raw water.

### Wastewater Capacity

In compliance with the Federal Clean Water Act requirements, the City maintains the sanitary sewer system. A private contractor, under contract with the City of Solana Beach, provides routine cleaning of the public sewer mains. All public sewers are cleaned at least once a year using high pressure jetting and/or mechanical rodding. Problem sewers are cleaned up to four times annually. Root intrusion and grease buildup are the primary culprits of sewer backups.

The City's sewage is pumped to the San Elijo Water Reclamation Facility in Cardiff for treatment and disposal. The treatment facility supplies reclaimed water for landscape irrigation and industrial applications. The City Council appoints representatives to sit as voting members on the San Elijo Joint Powers Authority Board.

Sewer service charges are billed annually on the County property tax bill. The charge is determined based upon a user classification or category. Sewer service is not determined by water usage. The City Council, upon review of operating expenses and staff recommendations, determines the annual sewer fees each year.

Based on current service, routine care of the City's system, and the fact that the City of Solana Beach is built-out and well connected, additional housing will not pose a significant impact on the City's water services or ability to provide such services to new units. Additionally, cooperation with local service providers will support the prioritization of water and sewer services for future residential development, including units affordable to lower-income households. The City will submit the adopted Housing Element to local water and sewer providers for their review and consideration when reviewing new residential projects.

## 2. Stormwater Management

Solana Beach is located within the Carlsbad and San Dieguito River Watershed Management Areas (WMAs). Major surface water bodies in the Carlsbad WMA that receive urban runoff discharges from areas within the City include the San Elijo Lagoon and the Pacific Ocean. Major surface water bodies in the San Dieguito WMA that receive urban runoff discharges from areas within the City are the San Dieguito River/Estuary and the Pacific Ocean. The City of Solana Beach Public Works Department has and is responsible for maintaining the storm drain infrastructure through comprehensive programmatic efforts.

As mandated by the National Pollutant Discharge Elimination System Permit Order No. R9-2013-0001 (NPDES Permit) issued by the Regional Water Quality Control Board (RWQCB), the City is required to prevent and eliminate non-storm water discharges into the City's storm drain system. Non-compliance with the NPDES Permit can result in heavy fines to the City, up to \$10,000 per day per violation. In order to stay in compliance, the City has a comprehensive program to reduce the amount of pollutants that are allowed to enter the storm drain system. This is important because storm drains are NOT connected to wastewater treatment facilities, so the water that enters them flows directly to creeks, lagoons, and oceans untreated. The City of Solana Beach prohibits all non-storm water discharges unless a discharge is authorized by a separate NPDES permit. Typical non-storm water discharges include, but are not limited to:

- Oil from vehicles
- Excess pesticides and fertilizer from landscaping
- Bacteria from pet waste
- Sediment from construction and landscaping projects

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- Soap from car washing
- Litter
- Lawn and garden debris
- Improperly disposed home improvement debris
- Irrigation runoff
- Water from residential and commercial street, sidewalk, and parking lot washing
- Air conditioning condensation
- Chlorinated swimming pool discharges
- Sanitary sewer and septic system overflows

### Jurisdictional Runoff Management Program

The City has a Jurisdictional Runoff Management Program (JRMP) that governs the activities and programs implemented to comply with the NPDES Permit. The purpose of the City's JRMP is to implement strategies that effectively prohibit non-storm water discharges to the MS4 and reduce the discharge of pollutants in storm water to the maximum extent practicable (MEP). Improving the quality of the discharge from the MS4 should have beneficial effects on the local receiving water bodies.

While the primary responsibility of managing the JRMP lies with the Department of Public Works, other City departments participate in the implementation of the program. Each Department and associated Division has an established role in implementing the components of the JRMP. The JRMP is broken up into the following sections, each with their own set of guidelines and requirements that City staff must adhere to and implement to stay in compliance with the NPDES Permit:

- Development Planning
- Construction
- Municipal
- Industrial and Commercial
- Residential
- Illicit Discharge Detection and Elimination
- Education
- Public Participation
- Fiscal Analysis
- Effectiveness Assessment

The City also has responsibilities above and beyond the requirements of the JURMP. The NPDES Permit requires the City to participate with neighboring jurisdictions and the entire region to develop and implement Watershed programs and a Regional Program. The City is in two separate watersheds, the Carlsbad Watershed and the San Dieguito Watershed, which each have pollution prevention programs called Watershed Urban Runoff Management Programs (WURMPs). City staff must develop and implement programs with staff from neighboring jurisdictions and the region to address water pollution on a much larger scale.

## 3. Fire and Emergency Services

Management of the fire department is handled through a Management Services Agreement with the City of Encinitas. Through this agreement the department is staffed with a Fire Chief, Deputy Fire Chief, 4 Battalion Chiefs, Fire Marshal, 6 Fire Captains, 6 Fire Engineers, 4 Firefighter/Paramedics, 2 Probationary Firefighters, a Management Analyst, and a Fire Prevention Specialist. In addition, the fire station is home to 6 Paramedics operating an ambulance owned by American Medical Response.

### Responsibilities

Duties include supervising fire suppression operations and emergency medical services; emergency management; fire prevention activities; purchasing of materials, supplies, and fire equipment; management of service contracts; and administrative functions. In addition to Del Mar and Encinitas, the Solana Beach Fire Department has automatic aid agreements with the City of San Diego and the Rancho Santa Fe Fire District. The Solana Beach Fire Department

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provides mutual aid to the Northern San Diego Zone, San Diego County and as needed throughout the State of California

### Emergency Response

Emergency response is handled according to the nature of the emergency with a combination of vehicles and equipment housed at the Solana Beach station and from surrounding agencies through mutual aid and automatic aid agreements. For example, a call for a structure fire would bring an engine, truck and paramedic unit from Solana Beach as well as engines from Rancho Santa Fe, Del Mar, Encinitas and San Diego. An increase to a second or third alarm would bring vehicles from as far as Carlsbad, Oceanside, Vista, San Marcos and Escondido.

The City of Solana Beach contracts with Trauma Intervention Programs of San Diego County, Inc. (TIP), a non-profit organization of specially trained citizen volunteers, to provide immediate emotional and practical support to victims and their families in the first few hours following a tragedy.

It is not anticipated that any new fire or emergency facilities would be required as a result of development on the housing sites. Therefore, this does not place a constraint on development.

## 4. Police Services

The City of Solana Beach is contracted for law enforcement services from the San Diego County Sheriff's Department. Through contract with the Sheriff's Department, the City of Solana Beach receives routine patrol of streets by patrol and traffic deputies, crime prevention services, and a wide array of other law enforcement services. The North Coastal Station serves nearly 60 square miles which includes the cities of Solana Beach, Encinitas and Del Mar, and the unincorporated communities of Rancho Santa Fe, Del Dios, Camp Pendleton and San Onofre.

### Patrol Division

Patrol deputies respond to crimes or emergencies in progress and calls for service. They conduct routine patrols with their primary focus on the protection and preservation of life. They conduct preliminary investigations and apprehend law violators.

### Traffic Division

Traffic deputies focus on vehicle code enforcement, traffic collision investigations and traffic control. The California Highway Patrol is the agency responsible for traffic enforcement in the unincorporated areas throughout the state of California.

It is not anticipated that any new police facilities would be required as a result of development on the housing sites. Therefore, this does not place a constraint on development.

## D. Environmental Constraints

This section contains environmental constraints commonly found in the southern California region that may apply to future development within the City of Solana Beach. Most of these, while present within Solana Beach, do not reduce the development capacity of individual sites, nor do they alter the City's ability to develop housing within the planning period.

As demonstrated in the Overlay and Sites Analysis sections, the City has conducted a careful site analysis that takes into consideration the various environmental factors that may apply to future housing development within the City.

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As part of this analysis, the City mapped known environmentally sensitive areas using SANGIS data as well as available very high fire severity zone data. The City did not include any sites located within either of these areas. The City also addressed geologic, seismic, and liquefaction hazards by not identifying sites within the Coastal Bluff Overlay zone, where the majority of these hazards are present. Lastly, the City did not identify sites within the Floodplain Overlay zone.

The City has made diligent efforts to identify sites that are not impacted by known environmental constraints based on available data. The majority of the identified housing sites are in infill areas which are either currently developed or previously disturbed, which generally limits the environmental factors present on site. Further analysis of environmental factors is included within the environmental clearance document for the housing element.

### 1. Geologic and Seismic Hazards

Southern California is considered as one of the most seismically active regions in the United States because the faulting is dominated by the compression regime associated with the “big bend” of the San Andreas Fault Zone. The San Diego region is transected by several sub-parallel, pervasive fault zones, as well as smaller faults. Historically, earthquakes less than magnitude 4 have been common to the San Diego region.

Solana Beach is located on the western edge of the Peninsular Range geologic province. The Peninsular Range province is a physiographic feature which includes the Laguna Mountains, the Agua Tibia Mountains, the Santa Rosa Mountains, the San Jacinto Mountains, and the Santa Ana Mountains. The formation of this province’s mountain ranges and other features is due to the relative movement of the Pacific and North American continental plates along the San Andreas fault system. The province is located immediately west of the San Andreas fault and is affected by a number of other faults.

Therefore, Solana Beach, like much of southern California, is located in a region of high seismic activity. An offshore extension of the Rose Canyon fault lies approximately two miles to the west of Solana Beach and is considered to be potentially active. Events are much less likely to occur on potentially active faults as compared to active faults. However, given the close proximity of the Rose Canyon fault to Solana Beach, a strong earthquake on this fault could produce severe ground shaking in the city. In addition, recent offshore seismic activity has demonstrated that small magnitude earthquakes (less than 4.5 magnitude) can be generated on offshore faults, located approximately five miles offshore, and known as the South Coast Offshore Zone of Deformation. Below is an analysis of geologist and seismic constraints to development in Solana Beach per the City’s Safety Element and Climate Action Plan.

#### *Geologic and Seismic Constraints to Development*

The suitability of land for development is influenced strongly by the presence of certain geologic and seismic hazards. These hazards range from the direct and indirect effects associated with earthquakes to problems associated with slope stability and soil conditions that are not conducive to development.

#### *Seismic Shaking*

The energy released by movement along a fault travels through the earth’s crust as shock waves which cause the ground motion associated with earthquakes. The severity of ground motion at any given location is related to the total amount of energy released, the distance from the earthquake’s origin, and the character of surface and subsurface geologic conditions.



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Virtually all of Solana Beach consists of well-consolidated geologic materials rather than poorly consolidated soils such as alluvial deposits. Nevertheless, it should be noted that ground shaking in hillside areas could induce the slumping of geologic structures or landslides in areas of slope instability. According to the California Division of Mines and Geology, Solana Beach is within an area where the intensity of maximum expectable earthquakes would likely be moderate.

### Liquefaction

Liquefaction is the substantial loss of strength of poorly consolidated and saturated soils due to the effects of seismic shaking. The passage of seismic waves through such soils can cause soil particles to be suspended temporarily in water, creating conditions very similar to quicksand. The resultant loss of strength can cause significant damage to structures as they settle, tilt, or collapse.

The potential for liquefaction in a given area is dependent upon soil characteristics, groundwater conditions, and the intensity of seismic shaking. In the Solana Beach area, the potential for liquefaction is greatest in the area located generally between Stevens Avenue and Valley Avenue, and in the area north of Via de la Valle between Del Mar Downs and Stevens Avenue. These are the only areas in the City which are underlain by poorly consolidated alluvium and slope wash which could liquefy during an earthquake depending upon groundwater conditions.

### Seiches

Seiches are the oscillation of water in bodies of water sometimes caused by earthquakes. A common example is the “sloshing” of water in a swimming pool during an earthquake. Seiches are potentially hazardous when the wave action created in lakes or bays is strong enough to threaten human beings and structures nearby the body of water. The only area near Solana Beach where this is a potential concern is San Elijo Lagoon. However, this is a very minor concern since urban development in the City is not in close enough proximity to the lagoon to be exposed to seiches.

### Landslides

Landslides are the downslope movement of geologic materials. Typically, such movement occurs as block glide or as a slump. In addition to landslides, other slope stability problems found in hillside areas must be considered in planning future land uses. These problems include soil creep, earthflows, and mudflows.

- Soil creep is the slow downslope movement of individual soil particles at varying rates.
- Earthflows involve the downslope movement of soils that have been saturated and form a viscous flow of material.
- Mudflows involve the rapid downslope flow of mud and debris.

In Solana Beach, the principal area of concern regarding slope stability is along the City’s coastal bluffs.

### Bluff/Slope Stability

Slope stability is a significant concern along Solana Beach’s entire coastal bluff area. The steep bluffs have experienced losses resulting from the combined effect of natural and man-made activities. Urban development on the blufftops has placed increased loads upon the geologic structure of the area. All coastal blufftop areas are of concern to the City.

The City has recognized the challenges that come with managing the actively eroding shoreline. Multiple factors, such as wave action, winter storms, sea-level rise, and the lack of sand replenishment contribute to an unstable geologic environment. Seacliff erosion poses a threat to the public recreational use of the beach and to the homes located at

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the top of the bluffs. Shoreline protective devices along the coast include seawalls, revetments, shotcrete walls/cave infills, notch and dripline infills, and mid- and upper-bluff retention systems

Although future development constructed under the Housing Element may involve the construction of new residential structures in a seismically active area, the potential hazards would be less than significant because of the existing regulatory framework related to seismic safety. Additionally, development standards, updated building codes, and design requirements are in place in Solana Beach to mitigate potential hazards from natural disasters as well as developments.

## 2. Flooding

Flooding problems in Solana Beach have historically involved coastal flooding and San Dieguito River flooding in the area of Stevens Avenue and Valley Avenue. With respect to coastal flooding, the occurrence of storm events in combination with high astronomical tides and strong winds can cause a significant wave runup and allow storm waves to attack higher than normal elevations along the coastline. When this occurs, shoreline erosion and coastal flooding frequently result in damage to inadequately protected structures and facilities located along low-lying portions of the shoreline.

Floodplains are relatively flat land areas subject to periodic inundation by nearby drainage courses. These areas have historically attracted human settlement by virtue of their flat terrain, proximity to water, and soil characteristics that are often very fertile. Flooding represents a hazard only after human settlement on the floodplain exposes people and property to risks associated with the inevitable flood flows. Flood hazard areas in the Solana Beach area have been mapped through the National Flood Insurance Program administered by the U.S. Department of Housing and Urban Development (HUD) and the Federal Emergency Management Agency (FEMA). According to the City's Climate action Plan, a total of 9,300 people are vulnerable to a 100-year flood along the San Diego coast.

The relationship between land use and flood hazards has two key aspects. First, the potential for flooding is a major constraint to land development in that the hazards posed by flooding severely restrict the types of land uses within the floodplain. Second, urban land use development could result in adverse effects on downstream areas by increasing the potential for flooding. Urban development can result in adverse effects upon downstream areas involving increased flooding and/or erosion and sedimentation problems. Through the development of buildings, roads, sidewalks, and accompanying infrastructure, the amount of impermeable surfaces increases reducing the amount of land area capable of absorbing precipitation. Consequently, stormwater runoff conveyed to the San Dieguito River and the San Elijo Lagoon will increase in both volume of flow and flow velocity. While the effect of individual projects themselves may be relatively minor, the cumulative effect of increased impermeable surfaces and storm drain construction throughout upstream portions of Solana Beach could result in greater frequency and magnitude of flooding in downstream areas. However, given the extent of existing urbanization in Solana Beach, additional effects upon downstream areas are expected to be very minor.

However, the City recognizes the potential hazards which accompany flooding and has developed the following measures to prepare:

- As data and coastal science progress, conduct sea-level rise studies in addition to the study prepared as a part of the U.S. Army Corps of Engineers (USACE) Solana Beach & City of Encinitas Coastal Storm Damage Reduction Project to better understand the risks and cost/benefits of development within flooding hazard zones and potential long-term mitigation recommendations;

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- Protect existing, and construct new buffers to protect the coastline from flooding;
- Implement and expand upon the short- and long-term sediment management programs identified in the Solana Beach & City of Encinitas Coastal Storm Damage Reduction Project to preserve shorelines through beach replenishment and nourishment to address impacts of sea-level rise on shorelines;
- Incorporate sea-level rise effects into capital improvement plans;
- Install “green infrastructure,” using vegetation and soils to restore natural processes required to manage stormwater, around buildings and other parcel areas;
- Expand upon living shoreline-related projects similar to the Southern California Reef Technology Project to create shoreline habitat, enhance recreation, and improve sand retention; and
- Encourage the use of native landscaping with deep roots that can provide a sponge-effect by absorbing urban runoff.
- Join with other coastal cities in the region to share information and collaborate on adaptation measures.

Using the measures listed above, in addition to the requirements and standards outlined in the Floodplain Overlay Zone, it can be deduced that the impacts of potential flooding in Solana Beach will not pose a serious threat or constraint to the development and maintenance of safe and affordable housing within the City.

## E. Housing Resources

### 1. Residential Sites Inventory

**Appendix B** of the Housing Element includes the required site analysis tables and site information for the vacant and non-vacant properties to meet the City’s RHNA need through the 2021-2029 planning period. The following discussions summarize the City’s site inventory and discuss the City’s past experience in redeveloping non-vacant sites and sites within non-residential zones.

### 2. Above Moderate and Moderate Income Sites

For the 2021-2029 planning period, the City’s RHNA allocation is 160 for moderate income site and 240 for above moderate-income sites. The City anticipates growth to meet the moderate and above moderate income need to come in existing residentially and commercially zoned areas (that presently permit residential development as a primary use) through the development of new units and through the development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs).

78 moderate income and above moderate-income units can be accommodated on residentially zoned sites. The City has also identified commercially zoned sites within the City that permit residential as a primary use with the capacity to accommodate 182 above moderate-income units. The City contains the required descriptive information for these sites within **Appendix B**.

An additional 125 units can be accommodated through the development of ADUs/JADUs throughout the community. This is based on the methodology described within this section and incorporates guidance from HCD’s Housing Element Site Inventory Guidebook.

#### ***Analysis Of The City’s Existing Capacity And Zoning***

The Housing Element must demonstrate the City’s ability to accommodate the RHNA either through production or the availability of properly zoned land that can accommodate additional growth. The City of Solana Beach is able to

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accommodate all of its moderate and above moderate income RHNA need through available land with existing zoning classifications that permit residential as a primary use, as well as through the anticipated development of accessory dwelling units. **Appendix B** in this document contains a list and description of the sites designated to meet the City’s moderate and above-moderate need. **Table 3-13** below summarizes the capacity of the sites by current zoning classification which can accommodate 44 moderate income and 34 above moderate-income dwelling units. In conjunction with ADU development, these amounts exceed the City’s 2021-2029 RHNA allocation as shown in **Table 3-17**.

<b>Table 3-13: Residential Capacity for Moderate and Above Moderate-Income Sites</b>					
	<b>Max Density (DU/AC)</b>	<b>Realistic Density (Used for Potential Yield Calculations)</b>	<b>Number of Parcels</b>	<b>Acreage</b>	<b>Potential Units</b>
<b>Above Moderate-Income Sites</b>					
LRc	3	3	15	15.01	26
LRd	3	3	2	1.48	2
LMRc	4	4	4	2.87	4
LMRd	4	4	2	1.38	2
C	20	16	6	11.84	182
<b>Subtotal</b>			<b>29</b>	<b>32.58</b>	<b>216</b>
<b>Moderate Income Sites</b>					
MRd	7	5	7	3.86	13
MHRd	12	8	15	5.84	31
<b>Subtotal</b>			<b>22</b>	<b>9.70</b>	<b>44</b>
<b>Total</b>			<b>51</b>	<b>42.28</b>	<b>260</b>

**Reasonable Capacity Assumptions**

This section describes the methodology developed to determine the site capacity for the moderate and above moderate-income sites. Reasonable capacity for sites identified to meet the City’s above moderate need was calculated based on a number of factors, including site size, existing zoning requirements, and the maximum density achievable for projects within the LRc, LRd, LMRc, and LMRd zones. Reasonable capacity for sites identified to meet the City’s moderate need was calculated based on the same methodology described above, however the methodology assumed development of sites at the minimum density achievable for projects within the MRd and MHRd zones.

Potential constraints, to the extent they are known, such as environmentally sensitive areas and steep slopes were considered and deductions made where those factors decreased the net buildable area of a parcel. Additionally, existing units non-vacant parcels were analyzed to determine the number of existing units currently on the parcel. Replacement of existing units was included as a factor to prevent no net loss of existing housing stock.

**3. Sites Suitable for Lower Income Housing**

The City of Solana Beach has a RHNA need of 316 very-low-income units and 159 low-income units. As demonstrated below, the City is able to take credit for 32 low-income units, reducing that low-income need to 127 units. The City has identified residentially and commercially zoned parcels that can accommodate 531 dwelling units. The City also



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anticipates the development of 15 affordable ADUs based on the methodology described in this section. This is in excess of the City's 443 low and very-low RHNA need by 68 units, or an additional 15%.

The very-low and low-income sites inventory within **Appendix B** describes each of these sites, with information provided per the HCD required data tables. Dwelling unit yield for each of the parcels within this inventory were analyzed to determine a net parcel size based on the City's established definition of net acreage and known physical and environmental constraints. Due to the nature of infill development opportunities, parcels with non-residentially zoned areas were analyzed differently as described in the following section.

As identified in **Appendix B**, the City is able to accommodate their lower income RHNA need, including a buffer, on sites currently zoned to permit residential as a primary use. Non-vacant sites designated to meet the very-low and low-income RHNA need that have been identified in a previous housing and vacant sites designated to meet the very-low and low-income RHNA need that have been identified in two previous housing elements will also allow 'by-right' approval for any project with 20 percent low income housing that does not involve a subdivision per State law. This is described in **Program 1F** within the Housing Plan.

### ***Development Of Non-Residentially Zoned Sites For Affordable Housing***

In order to meet the City's very-low and low-income RHNA need, the City has identified parcels currently located on non-residentially zoned parcels that permit residential uses as a primary use. The City's existing zoning allows for the development of housing in a mixed-use setting at 20 dwelling units per acre in the following zones:

- General Commercial (C)
- Special Commercial (SC)

Per the City of Solana Beach Municipal Code, "Residential dwellings shall be permitted only on the upper floors, basement, and rear 50 percent of the ground floor. Alternatively, residential dwellings may be permitted on any portion of the building (or buildings) pursuant to a Development Review Permit; provided, that total residential development does not exceed 50 percent of gross allowable floor area." Residential units must be a minimum of 650 square feet in size, however "efficiency units" are permitted in these zones pursuant to a Development Review Permit. These units may range in size between 220 and 650 square feet. The reduced unit size may result in the development of more affordable units.

It is anticipated that while all sites identified with the City's sites analysis have the potential to develop at 20 dwelling units per acre at the full net acreage, some sites located within non-residentially zoned areas may develop with commercial uses. To account for this, the City has reviewed past residential development within these areas and determined that an 80% factor is appropriate to realistically gauge the residential development potential on the identified sites. As shown in **Table 3-18** the City has a past history of developing residential uses within the general commercial and special commercial zones at approximately 80% of the maximum capacity.

Pursuant to HCD's Building Blocks, there are a number of additional methods available to the City to analyze the likelihood of future development within these areas. These methods include:

- Discussion of residential development trends (regionally or locally) in nonresidential zones.
- Description of any existing or planned policies, programs, or local guidance or efforts promoting residential development in nonresidential zones.

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- Description of any existing, or planned, mixed-use or overlay zoning, performance standards, or incentives for promoting residential development in nonresidential zones.
- Demonstrate a surplus of non-residentially zoned sites relative to the regional housing need.

The following sections describe local and regional development trends promoting mixed-use development within established commercial corridors as well as Solana Beach's existing or planned policies, programs, zoning amendments, and incentives for promoting residential development in nonresidential zones.

### EXISTING OR PLANNED POLICIES AND PROGRAMS

The City of Solana Beach currently allows residential development within three of its commercial zones. Two of these zones, General Commercial (C) and Special Commercial (SC) allow for development at 20 dwelling units per acre, a density which HCD deems appropriate for the development of low-income housing within a jurisdiction of Solana Beach's size.

In addition to existing zoning, the Highway 101 Corridor Specific Plan (amended July 2006) promotes the development of mixed-use residential and commercial uses along Highway 101 at a range of densities. The Specific Plan states that mixed-use development provides the opportunity to work toward the attainment of Housing Element objectives as well as provide an opportunity to enhance the pedestrian character of the Plaza and Transit Districts by introducing a residential component into the core of the Specific Plan area.

### Regional Housing Needs Allocation

#### Future Housing Needs

Future housing need refers to the share of the regional housing need that has been allocated to the City. The State Department of Housing and Community Development (HCD) supplies a regional housing goal number to the San Diego Association of Governments (SANDAG). SANDAG is then mandated to allocate the housing goal to city and county jurisdictions in the region through a RHNA Plan. In allocating the region's future housing needs to jurisdictions, SANDAG is required to take the following factors into consideration pursuant to Section 65584 of the State Government Code:

- Market demand for housing;
- Employment opportunities;
- Availability of suitable sites and public facilities;
- Commuting patterns;
- Type and tenure of housing;
- Loss of units in assisted housing developments;
- Over-concentration of lower income households; and • Geological and topographical constraints.

HCD, through a determination process, allocates units to each region across California. It is then up to each region to determine a methodology and process for allocating units to each jurisdiction within that region. SANDAG adopted its Regional Housing Needs Allocation (RHNA Plan) in July 2018. This RHNA covers an 8-year planning period (starting in 2021) and addresses housing issues that are related to future growth in the region. The RHNA allocates to each city and county a "fair share" of the region's projected housing needs by household income group. The major goal of the RHNA is to assure a fair distribution of housing among cities and counties within the San Diego region, so that every community provides an opportunity for a mix of housing for all economic segments.

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Solana Beach’s share of the SANDAG regional growth allocation is 875 new units for the current planning period (2021-2029). **Table 3-14, Housing Needs for 2021-2029**, indicates the City’s RHNA need for the stated planning period.

<b>Income Category (% of County AMI)</b>	<b>Number of Units</b>	<b>Percent</b>
Extremely Low (30% or less) <sup>1</sup>	158	
Very Low (31 to 50%)	316	36.1%
Low (51 to 80%)	159	18.2%
Moderate (81% to 120%)	160	18.3%
Above Moderate (Over 120%)	240	27.4%
<b>Total</b>	<b>875</b>	<b>100.0%</b>

Note 1: Pursuant to AB 2634, local jurisdictions are also required to project the housing needs of extremely low income households (0-30% AMI). In estimating the number of extremely low income households, a jurisdiction can use 50% of the very low income allocation or apportion the very low income figure based on Census data. This number is not additive to the total allocation.

Source: Final Regional Housing Needs Allocation, SANDAG, 2019.

**Credits Toward The 2021-2029 RHNA**

The current 5<sup>th</sup> Housing Element cycle covers the reporting period from January 1, 2013 to December 31, 2020. The projection period for 6<sup>th</sup> cycle Housing Elements, which is the period in which cities within the SANDAG region are permitted to begin attributing development of housing units towards meeting their RHNA need, begins on June 30, 2020. The City is permitted by State law to count any units developed within the projection period prior to adoption of the 2021-2029 housing element towards meeting their RHNA need for the 6<sup>th</sup> Cycle.

Since June 30, 2020, the City has approved entitlements for 103 total units. **Table 3-15** shows a summary of these units.

<b>Description</b>	<b>Permit Issued</b>	<b>Affordability Level</b>				<b>Total</b>
		<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Above Moderate</b>	
Solana Highlands Multi-family	To be issued		32		30	<b>62</b>
Solana 101 Multi-family	To be issued				25	<b>25</b>
895 Genevieve – ADU Garage Conversion	To be issued			1		<b>1</b>
515 Ford Avenue – New Single-family	To be issued				1	<b>1</b>
521 S. Rios Avenue – New Single-family and ADU	To be issued			1	1	<b>2</b>
984 Avocado Place – New Single-family and ADU	Issued – Date N/A			1	1	<b>2</b>
986 Avocado Place – New Single-family	Issued – Date N/A				1	<b>1</b>
431 Marview Lane – New Single-family	Issued – Date N/A				1	<b>1</b>

Table 3-15: Approved Entitlements Counted as Credit Towards 2021-2029 RHNA						
Description	Permit Issued	Affordability Level				Total
		Very Low	Low	Moderate	Above Moderate	
970 Avocado Place – New Single-family	Issued – Date N/A				1	1
752 Sonrisa Street – ADU Garage Conversion	Issued – Date N/A			1		1
166 S Nardo Avenue – New ADU	7/30/2020			1		1
200 Marine View Avenue – ADU Guest House Conversion	9/29/2020			1		1
739 N Rios Avenue – New ADU	7/7/2020			1		1
564 N Rios Avenue – New ADU	10/1/2020			1		1
336 S Nardo Avenue – New ADU	9/29/2020			1		1
1103 Santa Rufina Court – ADU Garage Conversion	11/12/2020			1		1
<b>Total</b>		<b>0</b>	<b>32</b>	<b>10</b>	<b>61</b>	<b>103</b>

The Solana Highlands Multi-family project, which includes 32 units available at the low-income level, includes an Affordable Housing Agreement which was approved by the Solana Beach City Council in 2018. That agreement ensures these units are deed-restricted at the low-income level beyond the duration of the planning period.

**Adequacy Of Sites For RHNA**

Solana Beach has identified sites with a capacity to accommodate 531 lower income dwelling units, which is in excess of its 475-unit lower income housing need. Sites designated are on parcels that permit residential development as a primary use up to 20 dwelling units per acre.

Due to the nature of parcels within the general commercial and special commercial zones, some sites may be smaller in nature. Sites that are smaller than 0.5 acres are shown in the table below and were analyzed to determine their viability to redevelop for residential uses within the planning period. That analysis is described further in **Appendix C** and summarized here. **Table 3-16** shows the sites identified to meet the City of Solana Beach’s lower income RHNA need that are smaller than 0.5 acres and the analysis findings that support their likelihood to redevelop. Additional sites are identified as likely to be consolidated within the City’s Sites Analysis, as shown in **Appendix C**. Those sites are not listed here as they are individually over the 0.5 acres and may likely develop individually as well.



Table 3-16: Adequacy of Small Sites to Meet RHNA				
APN	Address	Parcel Size	Consolidated Site (Shown in HCD Site Inventory Template)	Analysis Findings/Description
2982118100	S Sierra Avenue	0.33	A	This parcel is currently a city-owned parking lot with no existing structures. The Sites Analysis shows this parcel as consolidated with 511 S Highway 101 (APN 2982114000), a fit athletic club for which it currently serves as overflow parking. These parcels are directly adjacent, share an ingress/egress point and the parking is not used for any other adjacent use. As the parcel is City-owned, the City has added control over the future use of this parcel and is interested in developing it for residential uses as indicated in the Housing Element.
2980103200	201 S Highway 101	0.35	C	This parcel as well as the parcel directly adjacent to it (APN 2980103100) are both vacant parcels within the City's downtown core. Both parcels have a common ownership under the Kornberg Family Trust and have no existing structures or developed sections. The properties are in close proximity to a number of multi-family developments which have developed on parcels within similar size, shape, and location.
2980103100	204 S Sierra Avenue	0.43	C	See above description. Parcels are anticipated to be developed together and have been identified as consolidated sites in the City's Sites Inventory.

The City of Solana Beach has a total 2021-2029 RHNA allocation of 875 units. As demonstrated previously, the City is able to take credit for 89 units currently within the projection period, lowering the total RHNA obligation to 772 units as show in **Table 3-17**. The Housing Element update lists sites, including accessory dwelling units, that can accommodate approximately 884 additional units, in excess of the required 772 units. As described in this section, the City believes that due recent State legislation and local efforts to promote accessory dwelling unit production, the City can realistically anticipate the development of 128 ADUs within the 8-year planning period. Overall, the City has adequate capacity to accommodate its 2021-2029 RHNA with a 15% buffer in excess of the City's lower income RHNA need.

<b>Table 3-17: Summary of RHNA Status and Sites Inventory</b>					
	<b>Extremely Low/ Very Low Income</b>	<b>Low Income</b>	<b>Moderate Income</b>	<b>Above Moderate Income</b>	<b>Total</b>
2021-2029 RHNA	316	159	160	240	875
RHNA Credit (Units Built)	--	32	10	61	103
<b>Total RHNA Obligations</b>	<b>316</b>	<b>127</b>	<b>150</b>	<b>179</b>	<b>772</b>
<b>Sites Available</b>					
Existing Residentially Zoned Properties	10		44	34	88
Existing Commercially Zoned Properties	486		--	182	668
<b>Total Potential Capacity Based on Existing GP and Zoning</b>	<b>496</b>		<b>44</b>	<b>216</b>	<b>756</b>
Accessory Dwelling Unit Production	15		113	--	128
<b>Total Sites Available</b>	<b>511</b>		<b>157</b>	<b>216</b>	<b>884</b>
<b>Sites Surplus</b>	<b>68</b>		<b>7</b>	<b>37</b>	<b>112</b>

#### 4. Development of Non-Vacant Sites and Converting to Residential Uses

The City has designated non-vacant sites, both residentially and non-residentially zoned, to meet their 6<sup>th</sup> Cycle RHNA need. The Housing Element considers only parcels that are residentially zoned currently to meet their moderate and above moderate RHNA need. Parcels designated to meet the two remaining categories (very low and low-income) are on both residentially and non-residentially zoned parcels. The majority of these parcels have existing single-family residential uses on the parcel but have lot sizes and development standards that provide the opportunity for these parcels to subdivide and accommodate additional units while still meeting all of the applicable development standards for that zone.

State law requires that the City analyze:

- the extent to which existing uses may constitute an impediment to the future residential development within the planning period,
- the City’s past experience with converting existing uses to higher density residential uses,
- current market demand for the existing use,
- analysis of leases that would prevent redevelopment of the site,
- development trends,
- market conditions, and
- regulatory or incentives to encourage redevelopment.

##### *Past Experience Developing Non-Vacant Sites for Residential Uses*

The following approved projects illustrate the viability of developing non-vacant, non-residentially zoned sites within Solana Beach. These projects are all zoned either General Commercial (C) or Special Commercial (SC). These zones permit residential development at up to 20 dwelling units per acre. The projects below were developed with a mixture of uses and the square footage of non-residential uses has been provided where available. In all instances, development did not occur at the maximum density due to the presence of other uses, but development was at or near the lowered capacity factor that the City assumed in the sites analysis process. Additionally, it was found that all

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projects could have achieved the maximum allowable density with the application of current development standards, but instead chose to include non-residential uses.

Table 3-18: Example Development of Non-Vacant Sites for Residential Uses				
Project Address/ APN	Dwelling Units	Zoning	Use Prior to Redevelopment	Project Analysis
636 Valley Avenue/ 2981333900	3	C	Small single-family residence on a large lot, mostly undeveloped lot.	Project developed 3 residential units and a small commercial component. At 20 du/ac, the project could accommodate 4 dwelling units but opted to only do 3 to incorporate the commercial component. This justifies the City's adjustment factor shown in Table B-4 in <b>Appendix B</b>
625 Valley Avenue/ 2981310800	2	C	Commercial dentist offices on a large lot.	Project redeveloped the lot to keep the dentistry office uses and add two residential units at the rear part of the parcel. The parcel. This project had the potential to include additional residential but chose to keep over half of the lot for dentist offices and related parking.
330 S. Cedros Avenue/ 2980761300	8	SC	Commercial nursery with outdoors sales/display areas and a small commercial store structure.	Project developed 8 residential units in addition to ground floor commercial space along Cedros Avenue and additional creative office space for lease within the two story structure. This development could have met the maximum number of residential units but chose to include additional commercial/office space.
343 S. Highway 101/ 2980521400	25	C	Five adjacent parcels consisting of a commercial car repair/autobody shop, vacant mobile home park, vacant residence, and homes converted to office uses.	This 1.95 acre project site consists of 5 parcels in the General Commercial (C) zone that were directly adjacent and consolidated to develop this mixed-use project. The project consists of approximately 52,000 square feet of commercial office, restaurant and dining, and retail space in addition to 25 multi-family residential units. This development could have met the maximum number of residential units permitted within the current zoning but chose to include additional commercial/office space.

Existing Uses on Candidate Sites

**Table B-4** shows the existing uses on each of the candidate sites identified to meet Solana Beach's low and very-low income RHNA need. These sites are largely commercial in nature currently though a broad level analysis shows that a number of the existing retail, restaurant, and gym facilities are either temporarily or permanently closed, likely due

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to recent economic conditions relating to the impacts of COVID-19. Where known, this has been indicated within the individual parcel analysis. A December 2020 publication in SanDiegoVille listed 115 San Diego restaurants and bars alone that closed in 2020, approximately 15 of which were in Solana Beach and the surrounding coastal cities of Del Mar, Encinitas, and Carlsbad.

Three of the four development examples in **Table 3-18** above were existing commercial uses and all were on parcels zoned commercially. These recent examples demonstrate an uptick in residential development where previously commercial uses existed in Solana Beach.

The City is continuing to outreach to property owners of the identified candidate sites and the development community to collect letters of interest in residential development. Letters received are included within **Appendix A**.

### Lease Analysis

Existing lease agreements on infill and non-vacant properties present a potential impediment that may prevent residential development within the planning period. State law requires the City to consider lease terms in evaluating the use of non-vacant sites, however the City does not have access to private party lease agreements or other contractual agreements amongst private parties. As part of the sites analysis for very-low and low-income sites, the City conducted discussions with those property owners who came forward as interested in developing their properties for affordable housing through the planning period.

### Regulatory Incentives

Many development projects in infill areas like the Solana Beach commercial corridor utilize density bonus provisions to construct affordable units. The City understands that existing land use policy may not necessarily contribute to the development of housing. Therefore, regulatory incentives can be helpful in bringing housing units to the market.

The Housing Element looks at the ability to sub-divide existing residential parcels into multiple lots as one method to meet the RHNA need. Creating lots by subdividing one lot from another creates the regulatory structure land resources for additional housing development activity.

The City has created programs expressly written to address the potential development of additional regulatory incentives to incentivize the creation of affordable housing.

### Current Market Demand for Existing Uses

Social and demographic trends within Solana Beach and the San Diego region as a whole have changed since the adoption of the 5<sup>th</sup> cycle Housing Element. With those changes come changes in the types of housing needed to serve the existing and future populations. According to draft population forecasts developed by SANDAG (Series 13), the region's population will rise to 4,068,759 million in 2050, from 3,095,313 million in 2010 (31% increase). Current SANDAG modeling anticipates that Senior Citizens (ages 65+) will drastically outpace other age demographic categories. An increasing elderly population presents cities within the San Diego region with a range of potential scenarios in regard to how to adequately house and accommodate for a large portion of the population with potentially limited mobility increased community care needs. These age demographics also typically have fixed or decreasing incomes and may look for senior care facilities or easily walkable communities that decrease dependence on automobiles. During outreach workshops across the region, many senior citizens express the desire to age in place and stay within the communities they have invested in and are comfortable with. This often requires moving to smaller units or other types of senior communities where services and help are readily available.



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Another subset of the population to consider is Generation Y, often referred to as millennials. As millennials enter into their late 20s to mid-30s, many show the desire to purchase housing in some form. A 2014 ULI study stated that “fully 70% of Gen Yers expect to be homeowners by 2020, despite the fact that only 26 own today (2014)”. (ULI, Gen Y and Housing, 2014) The study goes on to show that 35% of respondents lived in other city neighborhoods (neighborhoods outside of main downtown areas) and 28% lived in suburbs, while only 13% lived within or near downtown areas. This indicates an increasing desire for millennials to live in outlying city neighborhoods or suburbs where housing is still relatively cheaper and there is more opportunity to have larger lots and more space. Solana Beach is largely classified as a suburban community situated between the major downtown areas of San Diego and Los Angeles. If trends continue, millennials will continue to seek out opportunities to live in communities like Solana Beach, though the current high cost of housing and land values may deter some to less expensive areas.

### Development Trends

As a coastal community with high land values and limited land resources, Solana Beach has developed into a mostly built-out community with little available developable land. This trend is seen in many of the neighboring North San Diego County cities like Encinitas and Del Mar. Solana Beach’s comparatively small size in terms of physical land further constrains the ability to rely on undeveloped or underutilized parcels to meet their RHNA need.

State, regional, and local policy direction promoting the development of housing at all levels to meet existing housing shortages, especially for low-income families, has further driven up the demand for housing. The redevelopment of existing non-vacant land, both in residential and non-residential zones, for multi-family rental and for sale housing provides a realistic opportunity to create affordable housing using the resources available within communities such as Solana Beach. As a result, much of Solana Beach’s future growth will be on infill opportunities within the City. To facilitate this, the City has two commercial zones (General Commercial and Special Commercial) which allow residential development up to 20 dwelling units per acre. This increases the developable area within the City where residential development can occur and promotes development at densities which may support affordable housing.

Many of the proposed sites within the housing element sites inventory involve the redevelopment and revitalization of non-vacant parcels. This development is anticipated to occur in existing commercial corridors where commercial uses may be both supplemented or replaced by needed housing units as traditional retail uses shift to focuses of smaller physical footprints and a larger online presence. This follows a statewide shift in development trends towards infill properties and creating walkable hubs that rely on alternative methods of transportation such as walking, biking, and mass transit. The following recently constructed projects are regional examples within San Diego of infill projects with a residential component:

- **Solana 101 (Solana Beach, CA)** – Mixed-use project containing approximately 45,500 square feet of office space, 10,500 square feet of restaurant uses, 4,100 square feet of retail space, and 25 one- and two-bedroom apartments. Building permits are currently in the process of being issued.
- **801 Pearl St. (La Jolla, CA)** – Two-story mixed-use project on 0.48 acres with 26 residential units (2 affordable), and two retail units on the ground floor. Building permits are currently in the process of being issued.
- **The Point @ Ingraham (San Diego, CA)** – 21-unit property with 2,300 square feet of commercial space on the ground floor. Residential units range from 400 – 900 square feet. Completed in 2014.
- **The Lofts at Moonlight Beach (Encinitas, CA)** – 18 residential units above 15 retail spaces which range in size from 550 sf to 1,200 sf. The project is a mixture of two- and three stories along Highway 101 in Encinitas. Completed in 2008.

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These projects are a small sample size of mixed-use projects completed in the San Diego region, many of which are along Highway 101 in various cities. City's like Solana Beach are uniquely positioned to foster infill development by permitting residential uses within their main commercial zones.

Development on non-vacant parcels was analyzed to determine a reasonable development capacity based on known constraints and historic development patterns within each of the different zones. Development is anticipated to occur in the General Commercial (C) and Special Commercial (SC) zones. **Table B-4** in **Appendix B** contains a detailed description of each existing use. Many of the existing uses were found to be similar with recent redevelopment examples in Solana Beach (shown in **Table 3-18**) as well as the regional development trend analysis in this section. **Appendix A** also includes outreach to property owners and letters of owner support/developer interest for specific parcels identified in the Housing Element.

### Accessory Dwelling Unit Production

One of the proposed methods for meeting the City's RHNA at all income levels is through the production of accessory dwelling units (ADUs). A number of State Assembly and Senate Bills were passed in 2018 and 2019 that promote development of ADUs and remove barriers that may inhibit their development within communities. The following is a summary of those bills:

- AB 68 and 881
  - Prohibit minimum lot size requirements
  - Cap setback requirements at 4', increasing the size and location opportunities for ADUs
  - Prohibit the application of lot coverage, FAR, or open space requirements that would prevent an 800 square foot from being developed on a lot
  - Remove the need for replacement parking when converting an existing garage to an ADU
  - Limit local discretion in establishing min and max unit size requirements
  - Mandate a 60 day review period for ADU applications through a non-discretionary process
- SB 13
  - Prohibit owner-occupancy requirements for 5 years
  - Reduce impact fees applicable to ADUs
  - Provide a program for homeowners to delay compliance with certain building code requirements that do not relate to health and safety
- AB 670
  - Prohibits Homeowner's Associations (HOAs) from barring ADUs

These bills, as well as other significant legislation relating to ADUs creates a development environment that is likely to increase the number of ADUs developed within Solana Beach over the 2021-2029 planning period. Solana Beach, with a large proportion of single-family residential properties (many on larger lots), is well-oriented for the development of ADUs.

As a result of this legislation and an increased effort by the City to promote ADUs, the City saw an increase in approvals in 2020. The City had 12 ADUs approved for development between January 1, 2020 and December 31, 2020, 2 of which are affordable. HCD guidance states that ADUs may be calculated based on the City's production since January 1, 2018. In 2018 and 2019, the City of Solana Beach approved 6 and 10 ADUs respectively. The City of Solana Beach has determined based on past performance and HCDs approved methodology that it is appropriate to anticipate the development of 16 accessory dwelling units per year from 2021 to 2029 for a total of 128 ADUs.

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Additionally, the City received 24 applications for ADUs in 2020. The City is still processing some of these applications, which will likely receive permits early in 2021. In accordance with State law, ADUs are allowed in all zones that allow single dwelling unit or multiple dwelling unit development. Junior Accessory dwelling Units (JrADUs) are permitted only in single dwelling unit zones.

Through the Housing Element, Solana Beach commits to creating an ADU tracking program and performing a mid-cycle assessment of their ADU development performance. As stated in HCD guidance, the City may use other justifiable analysis to calculate anticipated ADU performance.

As part of the sites analysis found within **Appendix B**, the City has accounted for future ADU and JADU production using the City's 2018, 2019 and 2020 performance to date. This City anticipates ADU development of 128 ADUs over the next 8 years, 15 of which are anticipated to be affordable. The ADUs not designated to meet the City's lower income RHNA need are anticipated to be affordable at the moderate-income levels.

## F. Financial Resources

Providing an adequate supply of decent and affordable housing requires funding from various sources, the City may have access to the following finding sources.

### 1. Section 8 Housing Choice Voucher

The Section 8 Housing Choice Voucher program is a Federal government program to assist very low-income families, the elderly, and the disabled with rent subsidy payments in privately owned rental housing units. Section 8 participants are able to choose any housing that meets the requirements of the program and are not limited to units located within subsidized housing projects. They typically pay 30 to 40 percent of their income for rent and utilities. The County of San Diego administers Section 8 Housing Choice vouchers within the City of Solana Beach. The County makes the determination for the number of vouchers available within Solana Beach based on available funding from year to year. This is not determined by the City of Solana Beach.

### 2. Community Development Block Grants (CDBG)

The Community Development Block Grant (CDBG) program provides annual grants on a formula basis to cities to develop viable urban communities by providing a suitable living environment and by expanding economic opportunities, principally for low- and moderate-income persons (up to 80 percent AMI).

CDBG funds can be used for a wide array of activities, including:

- Housing rehabilitation;
- Lead-based paint screening and abatement;
- Acquisition of buildings and land;
- Construction or rehabilitation of public facilities and infrastructure, and:
- Public services for low income households and those with special needs.

### 3. HOME Investment Partnership Program (HOME)

The HOME program provides federal funds for the development and rehabilitation of affordable rental and ownership housing for households with incomes not exceeding 80 percent of area median income. The program gives local governments the flexibility to fund a wide range of affordable housing activities through housing partnerships with

private industry and non-profit organizations. HOME funds can be used for activities that promote affordable rental housing and homeownership by low income households.

#### **4. Infrastructure and Facilities**

As a highly urbanized community, infrastructure facilities are available to serve development throughout Solana Beach. Access to required infrastructure was a consideration in determining the draft candidate sites to meet the City's RHNA need.

##### **Safety Considerations for Development Near Railroad Tracks**

The City of Solana Beach follows the guidelines for train safety published by Operation Lifesaver. There are no considerable constraints to development due to the hazards or safety concern caused by the train in Solana Beach. Additional train safety information and guidelines for visitors and residents can be found on the Solana Beach website.

#### **5. Energy Conservation**

The primary uses of energy in urban areas are for transportation lighting, water heating, and space heating and cooling. The high cost of energy demands that efforts be taken to reduce or minimize the overall level of urban energy consumption. Energy conservation is important in preserving non-renewable fuels to ensure that these resources are available for use by future generations. There are also a number of benefits associated with energy conservation including improved air quality and lower energy costs. The City of Solana Beach has many opportunities to directly affect energy use within its jurisdiction.

#### **6. Title 24 and Solana Beach Climate Action Plan**

Title 24 of the California Administrative Code is a set of requirements for energy conservation, green design, construction maintenance, safety, and accessibility. Title 24 was published by the California Building Standards Code and applies to all buildings in California, not just state-owned buildings. Title 24 regulations and requirements are enforced when an applicant pulls a Building Permit for a proposed project and have plans reviewed or building inspected.

In 2019, the City adopted the Solana Beach Climate Action Plan which sets targets for reducing greenhouse gas, identifies strategies to meet the targets, formulates and implementation plan, and discusses adaptation methods for the City. Green House gas emissions reduction targets for the CAP were established consistent with State guidance as follows, 15 percent below 2010 levels by 2020 and 50 percent below 2010 levels by 2035. The Program also includes strategies to reduce water consumption and waste generation, promote energy efficiency and encourage sustainable transportation alternatives.

#### **7. Solana Energy Alliance**

2002, Community Choice Aggregation (CCA) (AB 117) was signed into law. This legislation removed a significant organizational hurdle for local governments interested in providing electricity to their communities. Unlike AB 1890, which required each customer to specifically choose non-IOU service ("opt-in" to the new service), formation of a CCA assumes that all utility customers within the CCA's boundaries will become CCA customers. However, customers within the CCA's boundaries may choose to continue their utility service, to "opt-out" of the CCA program. Customers will have, at a minimum, four opportunities to opt-out of the CCA and remain with the CCA at no additional cost during the CCA formation process. Customers that remain in the CCA can switch back to SDG&E at any time in the future.



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Unlike a municipal utility, such as the Los Angeles Department of Water and Power or the Sacramento Municipal Utility District, a CCA does not own the transmission and delivery systems (i.e., the poles and wires). Instead, a CCA is responsible for providing the energy commodity (i.e., the electrons themselves) to its constituents—which may or may not entail ownership of electric generating resources. The Investor Owned Utility (IOU), SDG&E, still provides transmission and delivery, maintains the infrastructure and provides billing services (the customer will see no changes in the billing process) in a CCA.

### *The Value of Forming a CCA*

Many communities want to increase the amount of non-polluting, renewable energy they use, and are looking at Community Choice Aggregation as a mechanism for doing so. CCAs have shown to be one of the most significant mitigation measures necessary for communities to reach greenhouse gas reduction targets established by the State.

Local control over retail electric rates is another important motivation for initiating CCA. Investor-owned utilities currently propose service rates for electric generation, transmission and distribution, and the California Public Utilities Commission either approves or rejects these proposals. Under CCA, decisions about rates, generating resources and public benefit programs will be made locally and be accountable to local customers.

### *The Benefits of CCA*

A community will need to present strong incentives for choosing CCA to its potential customers. Many California cities and counties have agreed to reduce greenhouse gas emissions or have other, similar environmental goals. CCAs can help by increasing local consumption of renewable energy.

Local control of electric rates can also allow a community to attract new businesses and retain existing ones by offering targeted incentives to these customers. Other communities may want to develop generation projects that increase local employment. Some may focus on creating income to offset municipal expenditure. And perhaps most importantly, preliminary feasibility studies indicate that CCAs, through the use of local government financing, should be able to reduce electric rates compared with IOUs. This reduction is because private financing costs are more than twice those of a CCA. Based on a pilot project funded by the California Energy Commission, CCA capital costs were about 5.5%, compared to 12.9% for IOUs.

This capital financing advantage is especially important for high capital, low-operating-cost facilities like renewable energy generation.

### *The Risks of CCA*

The biggest risk is that CCA rates may be higher than utility rates. Well-managed power purchasing and development should mitigate this risk. A well-balanced portfolio of resources that includes short and long-term contracts and CCA financed new generation projects should result in competitive rates.

One way to hedge against volatile energy prices is to create a rate stabilization fund, which many municipal utilities do. This will allow a CCA to hold prices steady, even when fuel prices rise. And there is no fuel cost to generate electricity from wind and solar sources.

Future regulatory decisions could result in cost increases for CCA programs. Most of the decisions about CCA programs have already been made by the CPUC, however. Local governments participated in that process, and their concerns were favorably reflected in those decisions.

## G. Affirmatively Furthering Fair Housing (AFFH) Analysis

Beginning January 1, 2019, AB 686 established new requirements for all California jurisdictions to ensure that local laws, programs, and activities affirmatively further fair housing. All Housing Elements due on or after January 1, 2021 must contain an Assessment of Fair Housing (AFH) consistent with the core elements of the analysis required by the federal Affirmatively Further Fair Housing Final Rule of July 16, 2015.

Under State law, affirmatively further fair housing means “taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. These characteristics can include, but are not limited to race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

In May 2015, San Diego County and the San Diego Regional Alliance for Fair Housing completed the Regional Analysis of Impediments (AI) to Fair Housing Choice for FY 2015-2020. The City of Solana Beach is one of thirteen jurisdictional members of the San Diego Regional Alliance for Fair Housing (SDRAFFH). The Regional Alliance for Fair housing is a coalition of fair housing organizations, community-based groups, concerned citizens, representatives of the housing industry, and government agencies working toward the goal of affirmatively furthering fair housing.

The AI identifies impediments that may prevent equal housing access and develops solutions to mitigate or remove such impediments. Solana Beach’s 6<sup>th</sup> Cycle Housing Element references analysis from the AI in order to identify potential impediments to housing that are specific to the City.

### 1. Needs Assessment

The AI contains a Countywide analysis of demographic, housing, and specifically fair housing issues for all cities in San Diego County, including Del Mar. The City's demographic and income profile, household and housing characteristics, housing cost and availability, and special needs populations are discussed in the Community Profile Section of the Housing Element.

#### *Fair Housing Assessment*

The AI identifies impediments to fair housing within jurisdictions in San Diego County. Within the AI, there are several potential constraints that are either directly related to the coastal jurisdictions within San Diego County or to Solana Beach specifically. The following potential constraints are related to analysis within the regional AI:

- High housing cost and affordability of housing in coastal areas
- Low number of loan applications due to the built out character of the community
- Lack of racial diversity
- Residential density constraints
- Low concentration of rent-restricted units
- Existing growth management policies
- Lack of education and outreach

As part of the AI, the County of San Diego surveyed residents to learn more about fair housing issues in each jurisdiction. The County received approximately 1,100 total individual responses, with only 1 response by a resident within Solana Beach. The respondent stated that they believed they were discriminated on the basis of their source of income (e.g. welfare, unemployment insurance, Housing Choice Voucher/Section 8 Voucher). The respondent did

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not report the incident as they did not know where to report it. There were zero fair housing complaints within Solana Beach filed with the State Department of Fair Employment and Housing (DFEH) between 2009-2014 and one fair housing within Solana Beach filed with the State Department of Housing and Urban Development (HUD).

The Regional AI (2015-2020) provided the following recommendations for the City of Solana Beach. Some of these are in the form of actions that may have been taken by the City since the adoption of the AI.

1. The City should evaluate its definition of family and revise the definition to ensure that it does not constrain the development of housing for persons with disabilities or residential care facilities.
2. Amend the Zoning Ordinance to permit emergency shelters by right in at least one zone to comply with State law
3. Amend its Zoning Ordinance to include provisions for transitional housing, transitional housing, and SRO pursuant to State law.

### Local Contributing Factors

The regional AI outlines the following local characteristics which can contribute to fair housing issues in Solana Beach:

- **Housing Age and Condition** – Section 2.F.4 of this Housing Element analyzes the housing stock within the City of Solana Beach. The analysis found that 46.2 percent of all housing in Solana Beach was built between 1970 and 1978. Only about 4 percent units in Solana Beach built after 2000, and about 2 percent in 2014 or later. From 2019 to 2020 a total of 81 code enforcement reports were filed related to dilapidated properties, property maintenance, and/or substandard living conditions. Similarly, the housing stock in the San Diego region is older, with majority of the housing units (54 percent) built before 1979 and is at least 40 years old. Home rehabilitation can be an obstacle for senior homeowners with fixed incomes and mobility issues.
- **Housing Cost and Affordability** - Section 2.F.5 of this Housing Element analysis the cost and affordability of housing within the City of Solana Beach. The cost of homeownership varies within San Diego County depending on the community. According to the regional AI, in 2019, the median sales price for homes in San Diego County was \$594,909, an increase of 38 percent from 2014. Home prices vary by area/jurisdiction, with very high median prices in coastal areas such as in Solana Beach where the median cost of a home was \$1,103,900 in 2017, (56% higher than the County median).
- **Access to Opportunities for Persons with Disabilities** - Affordability, design, location, and discrimination limit the supply of housing for persons with disabilities. Amendments to the Fair Housing Act, as well as state law, require ground-floor units of new multifamily construction with more than four units to be accessible to persons with disabilities. However, units built prior to 1989 are not required to be accessible to persons with disabilities. Noted above, more than half of the Solana Beach Housing stock was built prior to 1989 creating challenges to finding adequate and accessible housing for persons with disabilities. **Program 4F in the Section 4: Housing Plan** identifies strategies to support reasonable accommodation and increase the opportunity for housing for persons with disabilities.

### Fair Housing Enforcement And Outreach Capacity

The Regional AI identifies six workshops that were hosted throughout the County in October and November 2019 to gather input regarding fair housing issues in the region. The locations and dates of the workshops were as follows:

- Central Region: LISC San Diego, San Diego, CA - October 30, 2019
- Eastern Region: El Cajon Police Department, El Cajon, CA - November 6, 2019
- Northern Region: Escondido City Hall, Escondido, CA - November 7, 2019

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- Central Region: Valencia Park/Malcolm X Library - November 13, 2019
- Southern Region: Chula Vista City Hall, Chula Vista, CA - November 20, 2019
- Southern Region: MLK Jr. Community Center, National City, CA - November 21, 2019

In addition to the input given by representatives from local organizations in attendance at the community workshops, key stakeholders were contacted for one-on-one interviews about the AI. Participants represented organizations that provide fair housing services and/or complementary and related support services. Additionally, a fair Housing Survey was released throughout the County, available in multiple languages. One survey respondent reported being from Solana Beach; the respondent noted that he/she was discriminated against based on source of income and did not file a report because he/she did not know where to file.

Currently, North County Lifeline (NCL) provides fair housing services within Solana Beach. Through Facilitative Mediation, NCL provides tools for dispute resolution in order to resolve conflicts outside of court. For those in need of additional assistance, North County Lifeline also provides a monthly legal clinic to provide legal advice to residents in need of counseling.

The U.S. Department of Housing and Urban Development (HUD) maintains a record of all housing discrimination complaints filed in local jurisdictions. These grievances can be filed on the basis of race, color, national origin, sex, disability, religion, familial status and retaliation. From FY 2014-18 there were a total of 5 fair housing complaints filed, 3 of which were related to discrimination bases on disability, 1 was related to discrimination based on national origin and 1 was related to discrimination based on retaliation. Of the 5 reports filed a total of 4 fair housing cases filed with HUD. Of the 4 cases, 3 concluded as no cause for determination and 1 was successfully settled. The complaints reported equate 1 percent of all complaints filed with HUD in the San Diego Region, as identified by the regional AI.

### *Racially or Ethnically Concentrated Areas of Poverty (R/ECAP)*

To assist communities in identifying racially/ethnically-concentrated areas of poverty (R/ECAPs), HUD has developed a census tract-based definition of R/ECAPs. The definition involves a racial/ethnic concentration threshold and a poverty test. The racial/ethnic concentration threshold is straightforward: R/ECAPs must have a non-white population of 50 percent or more. Regarding the poverty threshold, Wilson (1980) defines neighborhoods of extreme poverty as census tracts with 40 percent or more of individuals living at or below the poverty line. Because overall poverty levels are substantially lower in many parts of the country, HUD supplements this with an alternate criterion. Thus, a neighborhood can be a R/ECAP if it has a poverty rate that exceeds 40% or is three or more times the average tract poverty rate for the metropolitan/micropolitan area, whichever threshold is lower.

The 2015 AI performed an analysis of R/ECAPs within San Diego County and found small pockets within certain jurisdictions. None were located within the City of Solana Beach. Further analysis using the U.S. Department of Housing and Urban Development's R/ECAP GIS mapping tool confirms that all census tracts within Solana Beach have a R/ECAP value of 0, indicating that the census tracts within Solana Beach do not meet the defined parameters for a racially or ethnically concentrated area of poverty as defined by HUD. **Figure 3-3** below displays the results for R/ECAPs within the Solana Beach Region. The map identifies one R/ECAP area to the south of Solana Beach near the University of California, San Diego. The region is 37.13 percent Asian Pacific Islander and 12.2 percent Hispanic Nonwhite. The proximity to the University may be a factor in the area's R/ECAP designation, Section 2.E.8 outlines the City of Solana Beach's student population; the City is committed to furthering housing options for all demographics.

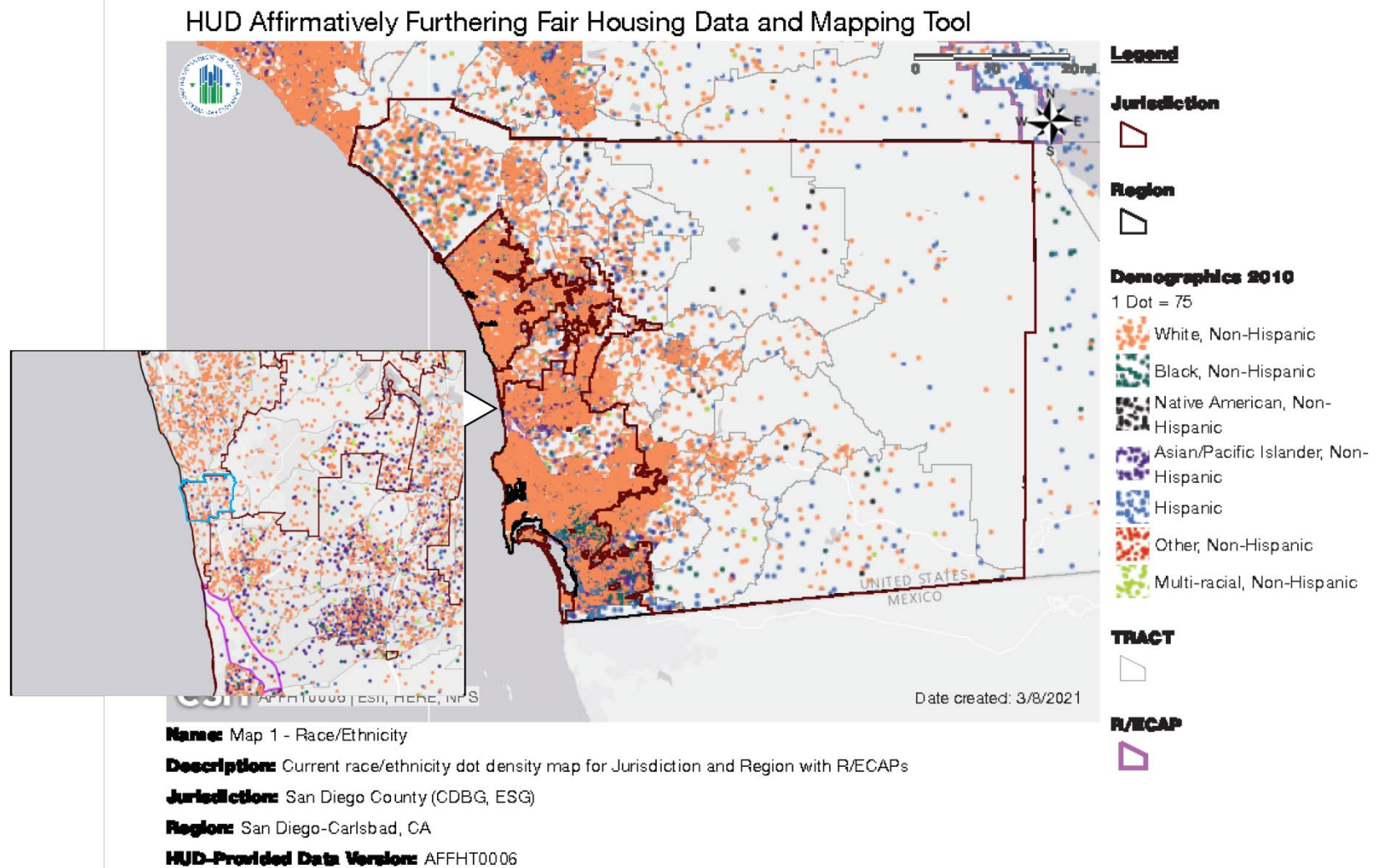
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**Table 3-19** below identifies the racial and ethnic composition of the City of Solana Beach as compared to the County of San Diego and the State of California. The City of Solana Beach, the County of Sand Diego and the State of California all has a majority White population. Additionally, both the County and the State have a population over 30 percent Hispanic or Latino of any race, whereas Solana Beach has an 11 percent population of Hispanic or Latino persons of any race. All three geographies have under one percent population of Native Indian and Alaska Native persons and under one percent Native Hawaiian or Pacific Islander.

<b>Table 3-19: Population by Race</b>			
<b>Race/Ethnicity</b>	<b>Solana Beach</b>	<b>County of San Diego</b>	<b>California</b>
	<b>2017</b>	<b>2017</b>	<b>2017</b>
White	83.4%	70.8%	60.6%
Black or African American	0.6%	5.0%	5.8%
American Indian and Alaska Native	0.9%	0.6%	0.7%
Asian	5.1%	11.7%	14.1%
Native Hawaiian and Other Pacific Islander	0.0%	0.4%	0.4%
Some other race	4.6%	6.3%	13.7%
Two or more races	5.3%	5.1%	4.7%
Hispanic or Latino origin (of any race)	11.5%	33.4%	38.8%
<i>Source: American Community Survey, 5-year estimates, 2017.</i>			



Figure 3-3: Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs), County of Sand Diego and Solana Beach



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*Disparities in Access to Opportunity*

The UC Davis Center for Regional Change and Rabobank partnered to develop the Regional Opportunity Index (ROI) intended to help communities understand local social and economic opportunities. The goal of the ROI is to help target resources and policies toward people and places with the greatest need to foster thriving communities. The ROI incorporates both “people” and “place components, integrating economic, infrastructure, environmental, and social indicators into a comprehensive assessment of the factors driving opportunity.

The ROI: People is a relative measure of people's assets in education, the economy, housing, mobility/transportation, health/environment, and civic life as follows:

- **Education Opportunity:** Assesses people's relative success in gaining educational assets, in the form of a higher education, elementary school achievement, and regular elementary school attendance.
- **Economic Opportunity:** Measures the relative economic well-being of the people in a community, in the form of employment and income level.
- **Housing Opportunity:** Measures the relative residential stability of a community, in the form of homeownership and housing costs.
- **Mobility/Transportation Opportunity:** Contains indicators that assess a community's relative opportunities for overcoming rural isolation.
- **Health/Environment Opportunity:** Measures the relative health outcomes of the people within a community, in the form of infant and teen health and general health.
- **Civic Life Opportunity:** A relative social and political engagement of an area, in the form of households that speak English and voter turnout.

The ROI: Place is a relative measure of an area's assets in education, the economy, housing, mobility/transportation, health/environment, and civic life.

- **Education Opportunity:** Assesses a census tract's relative ability to provide educational opportunity, in the form of high-quality schools that meet the basic educational and social needs of the population.
- **Economic Opportunity:** Measures the relative economic climate of a community, in the form of access to employment and business climate.
- **Housing Opportunity:** Measures relative availability of housing in a community, in the form of housing sufficiency and housing affordability.
- **Health/Environment Opportunity:** A relative measure of how well communities meet the health needs of their constituents, in the form of access to health care and other health-related environments.
- **Civic Life Opportunity:** Measures the relative social and political stability of an area, in the form of neighborhood stability (living in same residence for one year) and US citizenship.

As shown in **Figures 3-4 (a and b)** below, the majority of the City of Solana Beach is classified as a high opportunity zone. This indicates a high level of relative opportunities that people are able to achieve as well as a high level of relative opportunities that Solana Beach provides. As such, the analysis indicates that access to opportunity is not a substantial issue within Solana Beach. However, **Figure 3-4 (b) identifies** two regions directly to the south east of Solana Beach considered low and very low resource areas. The data shows low access to housing in both regions as well as low health and environmental opportunities as primary factors in the low/very low resource designation. Being that the City of Solana Beach is a high opportunity region, the City is committing to implementing policies and programs to encourage access to such opportunities to persons residing outside of the City. Program X.X identifies the strategies the City will explore in order to provide opportunity and housing for persons within the Solana Beach/North County San Diego region.

Figure 3-4a: Regional Opportunity Index, People (2014)

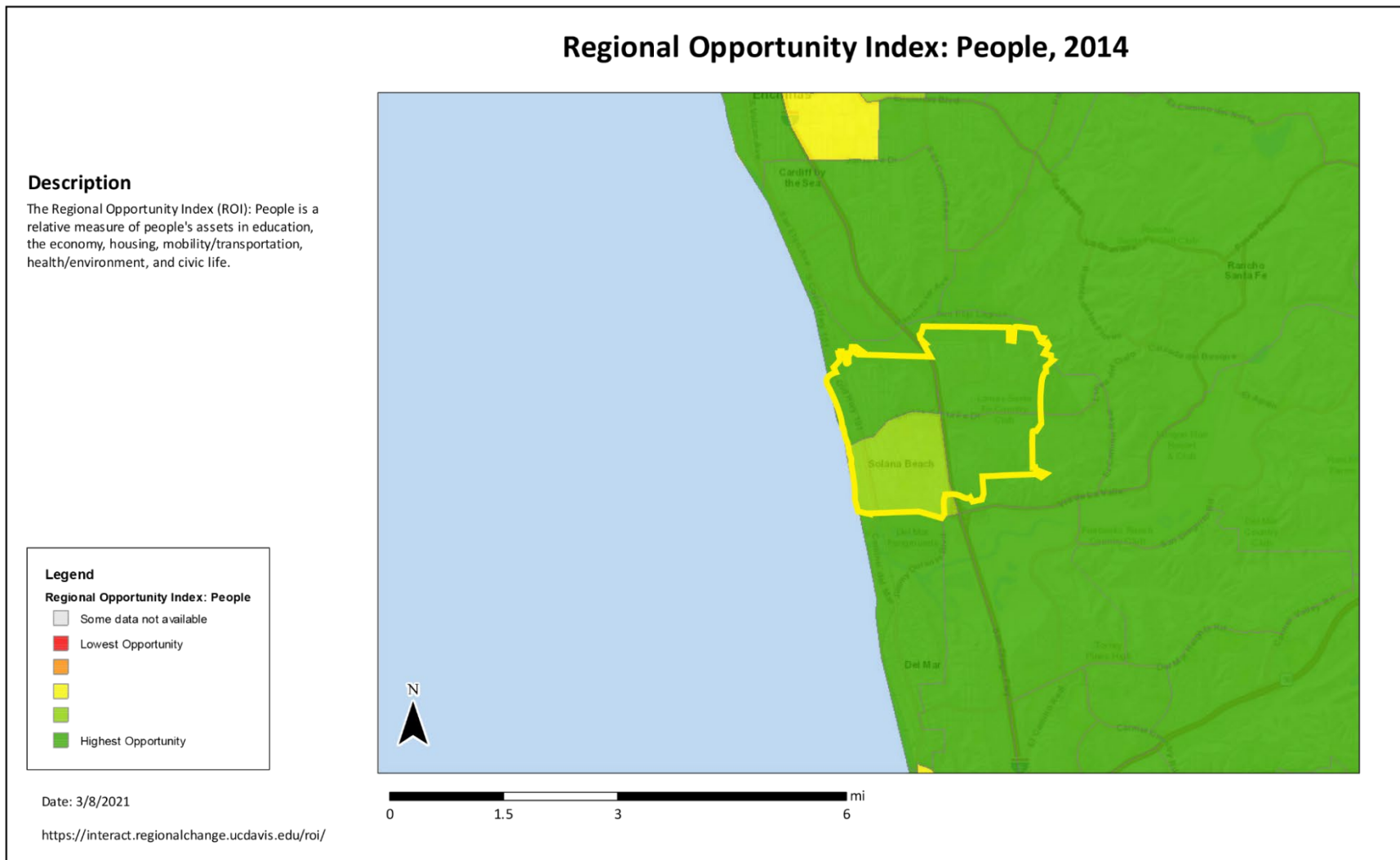
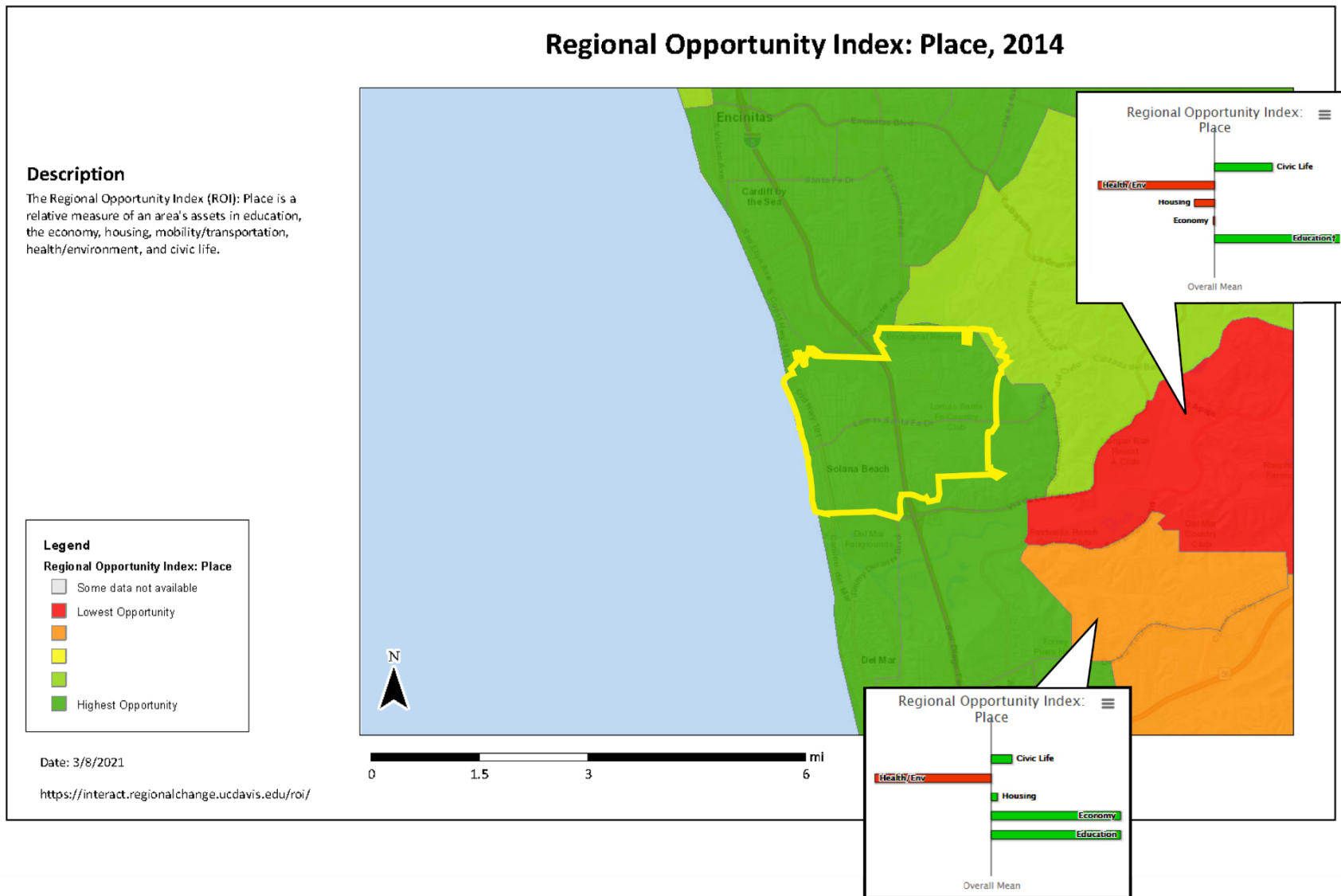


Figure 3-4b: Regional Opportunity Index, Place (2014)

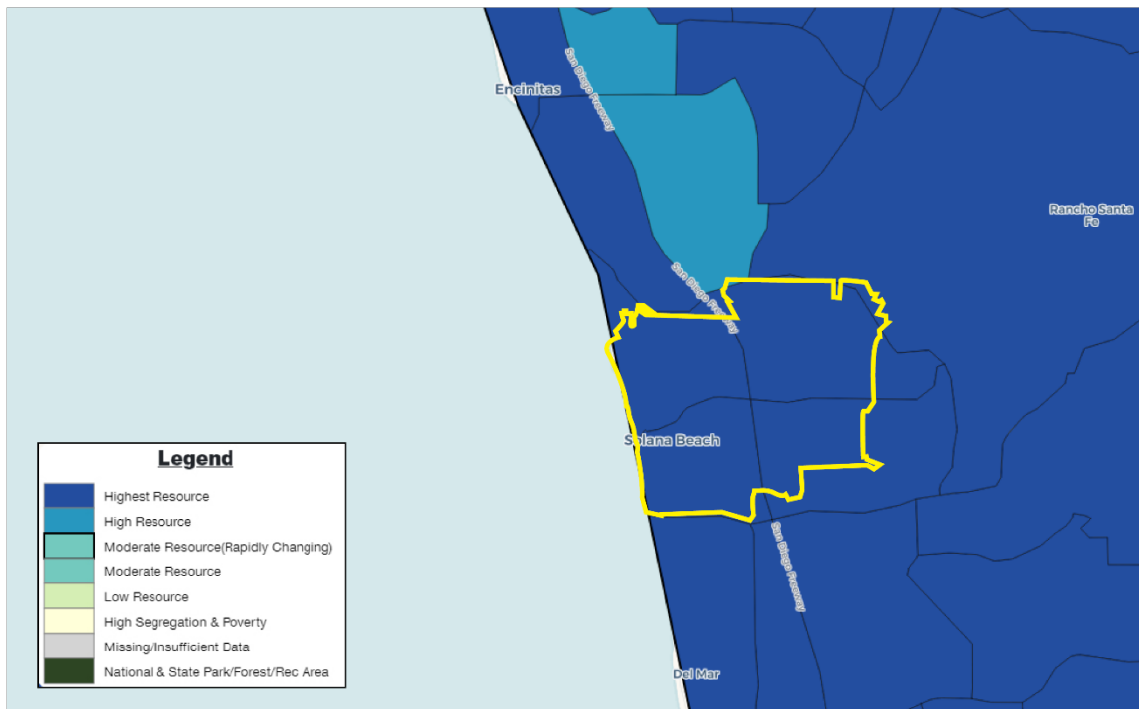


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Additionally, the Department of Housing and Community Development together with the California Tax Credit Allocation Committee established the California Fair Housing Task Force to provide research, evidence-based policy recommendations, and other strategic recommendations to HCD and other related state agencies/departments to further the fair housing goals (as defined by HCD). The Task force developed the TCAC/HCD opportunity Area Maps to understand how public and private resources are spatially distributed. The Task force defines opportunities as pathways to better lives, including health, education, and employment. Overall, opportunity maps are intended to display which areas, according to research, offer low-income children and adults the best chance at economic advancement, high educational attainment, and good physical and mental health.

According to the Task Force’s methodology, the tool allocates the 20 percent of the tracts in each region with the highest relative index scores to the “Highest Resource” designation and the next 20 percent to the “High Resource” designation. Each region then ends up with 40 percent of its total tracts as “Highest” or “High” resource. These two categories are intended to help state decision-makers identify tracts within each region that the research suggests low-income families are most likely to thrive, and where they typically do not have the option to live—but might, if given the choice. As shown in **Figure 3-5** below, all of Solana Beach and the surrounding regions are classified as high and highest resource.

**Figure 3-5: TCAC/HCD Opportunity Area Maps, Solana Beach (2020)**



Opportunity indicators included in the AI also help inform communities about disparities in access to opportunity. HUD-provided index scores are based on nationally available data sources and assess residents’ access to key opportunity assets in San Diego County. These indices are only available to Entitlement Jurisdictions (with population over 50,000 and receiving CDBG funds from HUD). For Urban County jurisdictions for which a HUD-provided index is not provided, a similar analysis as that provided by the indices was conducted using comparable information.

**Table 3-20** below displays opportunity indicators based on school proficiency, labor market, and job proximity. The City of Solana Beach has 3 Title I school, which helps low-achieving children meet state standards in core academic



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subjects. These schools coordinate and integrate resources and services from federal, state, and local sources. To be considered for Title 1 school funds, at least 40 percent of the students must be considered low-income. Additionally, the AI showed that for the time period analyzed, the City had an annual unemployment rate of 1.4%, below the County average of 2.8% and lower than the nearby city of Del Mar. Additionally, over 70 percent of jobs were within a 30-minute commute from Solana Beach residents.

Opportunity Indicator	Solana Beach
<b>School Proficiency</b>	
Total Title I Schools	3
Total Schools	4
% of Schools	75.0%
<b>Unemployment Rate</b>	
Annual Rate	1.4%
<b>Job Proximity</b>	
<29 mins.	70.5%
30-59 mins.	24.6%
60 mins. or more	4.9%

*Source: San Diego Regional Analysis of Impediments, American Community Survey 2013-2017, S1701.*

Transit explores metrics that reveal the social and economic impact of transit, specifically looking at connectivity, access to jobs, and frequency of service. According to the data shown in **Table 3-21**, Solana Beach scored a 5.9 AllTransit performance score, illustrating a moderate combination of trips per week and number of jobs accessible that enable a moderate number of people to take transit to work. In total, 68,617 jobs are accessible within a 30-minute trip from Solana Beach, however just 2.2 percent of commuters use transit. By comparison, Solana Beach scored of the highest alongside Lemon Grove (7.9), Imperial Beach (6.7), and Coronado (6.6), whereas Del Mar (5.1) and Poway (3.1) scored lowest.

Jurisdiction	All Transit Performance Score	Transit Trips Per Week within 1/2 Mile	Jobs Accessible in 30-min trip	Commuters Who Use Transit	Transit Routes within 1/2 Mile
Solana Beach	5.9	950	68,617	2.02%	3

*Source: San Diego Regional Analysis of Impediments, American Community Survey 2013-2017, S1701.*

**Discussion of Disproportionate Housing Needs**

The analysis of disproportionate housing needs within Solana Beach evaluated existing housing need, need of the future housing population, and units within the community at-risk of converting to market-rate.

**Housing Needs in Solana Beach**

A variety of factors affect housing needs for different households. Most commonly, disability, household income and households’ characteristics shape the type and size of housing units needed, as well as accessibility based on existing units in a City. **Tables 3-21 through 3-27** displayed data for demographic characteristics of Solana Beach, as compared to the County of San Diego and the State of California. Additional detailed analysis of the Solana Beach community demographics is outline in **Chapter 2: Community Profile of this Housing Element**.

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**Table 3-22** displays the data for persons with disabilities in the City, County and State. Overall, about 10 percent of the population in California reported having at least one listed disability. Similarly, in the county, nearly 10 percent of persons reported at least one disability. The City of Solana Beach reported a lower percent of the population to have a disability in the same year (6.5 percent). Of the 6.5 percent of the population in Solana Beach with a disability, majority were Independent Living and Hearing Difficulty, both could be tied to the City’s older population. Ease of reasonable accommodation procedures and opportunity for accessible housing can provide increased housing security for the population with disabilities.

Disability	City of Solana Beach	County of San Diego	California
<b>Total with a Disability</b>	6.5%	9.8%	10.6%
Hearing Difficulty	2.1%	2.7%	3.0%
Vision Difficulty	0.4%	1.7%	2.0%
Cognitive Difficulty	2.3%	4.2%	4.3%
Ambulatory Difficulty	3.8%	5.4%	5.9%
Self-care Difficulty	0.9%	2.3%	2.6%
In dependent Living	3.3%	5.1%	5.5%

*Source: American Community Survey, 5-Year Estimates.*

**Tables 3-23 and 3-24** display household type and income data for the State, County and City. Overall, household characteristics broken down by family, married couple, households with children and non-family households are similar in all three areas. Solana Beach had a slightly higher percentage of non-family households (44.6 percent, compared to about 30 and 31 percent in the County and State, respectively). Additionally, Solana Beach had a higher percentage of households with one or more persons over the age of 60.

Additionally, the City of Solana Beach had a higher median income than the County and the State (\$70,588 and \$67,169 respectively).

Familial Status	City of Solana Beach	County of San Diego	California
	2017	2017	2017
<b>Total Households</b>	5,744	1,111,739	12,888,128
<b>Family Households</b>	55.4%	67.2%	68.8%
<b>Married-Couple Family Households</b>	45.4%	50.1%	49.5%
<b>With Children</b>	20.3%	30.2%	31.0%
<b>Non-Family Households</b>	44.6%	32.8%	31.2%
<b>Households with one or more people 60 years+</b>	48.30%	35.70%	37.50%

*Source: American Community Survey, 5-Year Estimates.*

Table 3-24: Households by Income, Compared by Geography			
Households Income	City of Solana Beach	County of San Diego	California
	2017	2017	2017
Less than \$10,000	1.8%	5.1%	5.4%
\$ 10,000-\$14,999	1.0%	3.8%	4.7%
\$ 15,000-\$24,999	4.9%	7.6%	8.6%
\$ 25,000-\$34,999	6.2%	8.0%	8.3%
\$ 35,000-\$49,999	7.3%	11.4%	11.4%
\$ 50,000-\$74,999	15.5%	16.8%	16.3%
\$ 75,000-\$99,999	9.4%	12.9%	12.2%
\$ 100,000-\$149,999	21.6%	17.0%	15.7%
\$ 150,000-\$199,999	8.8%	8.2%	7.8%
\$ 200,000 or More	23.7%	9.3%	9.7%
Median Income	\$103,864	\$70,588	\$67,169

*Source: American Community Survey, 5-Year Estimates, 2017.*

**Table 3-25** displays data for households experiencing overpayment or cost burden in the State, County and City. Overall, all three areas had a high percentage of cost burden greater than 30 percent of household’s income (over 50 percent in each region) with Solana Beach’s cost burden slightly higher at 62 percent. Additionally, both the State and Country had a higher percentage of cost burden greater than 50 percent of household income (19.4 percent) compared to 18.3 percent in Solana Beach. Housing Cost burden has a number of consequences for a household, mainly displacement from their existing living situation creating limited access essential goods and often employment by potentially increasing commute times. Increased opportunity for affordable housing and housing assistance funds help to prevent cost burden on households.

Table 3-25: Households by Overpayment, Compared by Geography			
Overpayment/Cost Burden	City of Solana Beach	County of San Diego	California
	2017	2017	2017
Cost Burden > 30%	62.1%	57.0%	58.5%
Cost Burden > 50%	18.3%	19.4%	19.4%
No Cost Burden	1.0%	1.7%	1.4%

*Source: Consolidated Planning/CHAS Data, 2013-2017.*

**Table 3-26** displays data for household tenure (owner vs. renter) for the State, County and City. Homeownership is a crucial foundation for helping families with low incomes build strength, stability and independence. The opportunity for transition into the homebuyer’s market is important for persons and households in different communities, homeownership allows for increased stability and opportunity to age in place. The County, State and City all had higher rates of homeownership, Solana Beach having the highest in 2017 at 58.6 percent.

Additionally, **Table 3-27** displays data for overcrowding in the State, County and City. Overcrowding is defined as between 1.01 and 1.5 persons per room in a household, and severe overcrowding is defined as more than 1.51 persons per room. Overcrowding often occurs when nonfamily members combine incomes to live in one households,

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such as college students and roommates, it also occurs when there is not enough size appropriate housing options for large or multigenerational families. The City of Solana Beach experienced low rates of overcrowding compared to the State and County, overcrowding in the City also primarily affected renters rather than owners. Providing opportunities for adequate housing stock can help reduce the burden on overcrowding for households in a community.

Table 3-26: Households by Tenure, Compared by Geography			
Household Tenure	City of Solana Beach	County of San Diego	California
	2017	2017	2017
Owner Households	58.6%	52.4%	54.5%
Renter Households	41.4%	46.4%	45.5%
Total Occupied Housing Units	5,744	1,125,286	12,888,128

Source: American Community Survey, 5-Year Estimates, 2017.

Table 3-27: Households by Overcrowding, Compared by Geography			
Overcrowding and Tenure	City of Solana Beach	County of San Diego	California
	2017	2017	2017
<b>Owner Households</b>			
Overcrowded	0.8%	2.1%	3.0%
Severely Overcrowded	0.0%	0.7%	1.0%
<b>Renter Households</b>			
Overcrowded	0.6%	7.1%	8.2%
Severely Overcrowded	1.2%	3.7%	5.0%

Source: American Community Survey, 5-Year Estimates, 2017.

### Housing Stock in Solana Beach

Tables 3-28 and 3-29 display comparative housing stock data for the State, County and City. Table 3-27 below shows data for occupied housing units by type. A variety of housing stock provides increased opportunity in communities for different size and households types. Majority of the housing stock in Solana Beach is classified as one-unit detached housing, also known as single family housing. A total of 18 percent of all housing in the City is classified as 10 or more apartments, also known as multi-family or multi-unit housing. Comparatively, both the County and the State has higher percentages of single-family housing, (52.3 percent and 58.5 percent respectively).

Housing Unit Type	City of Solana Beach	County of San Diego	California
	2017	2017	2017
1, detached	48.5%	52.3%	58.5%
1, attached	16.3%	9.5%	7.0%
2 apartments	1.5%	1.8%	2.4%
3 or 4 apartments	6.7%	5.0%	5.5%
5 to 9 apartments	8.1%	8.0%	6.1%
10 or more apartments	18.4%	19.9%	16.9%
Mobile home or other type of housing	0.5%	3.5%	3.6%

Source: American Community Survey, 5-Year Estimates, 2017.

Table 3-29 below displays housing stock by year built or the City, County, and State. Older housing generally requires more upkeep, regular maintenance and can cause a cost burden on both renters and homeowners. Majority of Solana Beach’s housing units were built between 1970 and 1990 whereas the distribution of development was more dispersed from 1960 to 2000 in the County and the State. Overall, increased numbers of older housing can lead to displacement, cost burden, and substandard living conditions. An analysis of the housing stock is provided above in Section 3.G.1 Local Contributing Factors.

Year Built	City of Solana Beach	County of San Diego	California
	2017	2017	2017
Built 2014 or later	1.62%	0.65%	0.60%
Built 2010 to 2013	0.11%	1.59%	1.46%
Built 2000 to 2009	2.73%	12.16%	11.54%
Built 1990 to 1999	5.34%	12.52%	10.91%
Built 1980 to 1989	20.63%	19.55%	15.27%
Built 1970 to 1979	46.21%	22.81%	17.84%
Built 1960 to 1969	8.40%	12.04%	13.41%
Built 1950 to 1959	10.58%	10.81%	13.62%
Built 1940 to 1949	1.85%	3.48%	6.09%
Built 1939 or earlier	2.54%	4.39%	9.26%

Source: American Community Survey, 5-Year Estimates, 2017.

### Future Growth Need

The City’s future growth need is based on the RHNA production of 316 very low and 159 low income units within the 2021-2029 planning period. Figure 3-5 shows that both existing and proposed affordable units are well dispersed throughout the community and do not present a geographic barrier to obtaining affordable housing. The Sites Inventory of this Housing Element shows the City’s ability to meet their 2021-2029 RHNA need at all income levels. Appendix B of this Housing Element demonstrates the City’s ability to meet its 2021-2029 RHNA need at all income levels. This demonstrates the City’s ability to accommodate the anticipated future affordable housing needs of the community.



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### Displacement Risk

There are no affordable units currently at risk of converting to market-rate within the 2021-2029 planning period.

#### *Assessment of Contributing Factors for Affirmatively Furthering Fair Housing in Solana Beach*

The AI does not identify impediments to fair housing specific to Solana Beach, however some of the regional impediments to fair housing identified within jurisdictions in San Diego County may assist Solana Beach in opening the community up to a broader range of future residents:

- Fair housing information needs to be disseminated through many media forms to reach the targeted groups.
- Hispanics and Blacks continue to be under-represented in the homebuyer market and experience large disparities in loan approval rates.
- Housing choices for special needs groups, especially persons with disabilities and seniors, are limited.
- Fair housing enforcement activities, such as random testing, are limited
- Patterns of racial and ethnic concentration exist in the region, although there are no racially or ethnically concentrated areas of poverty in Solana Beach.

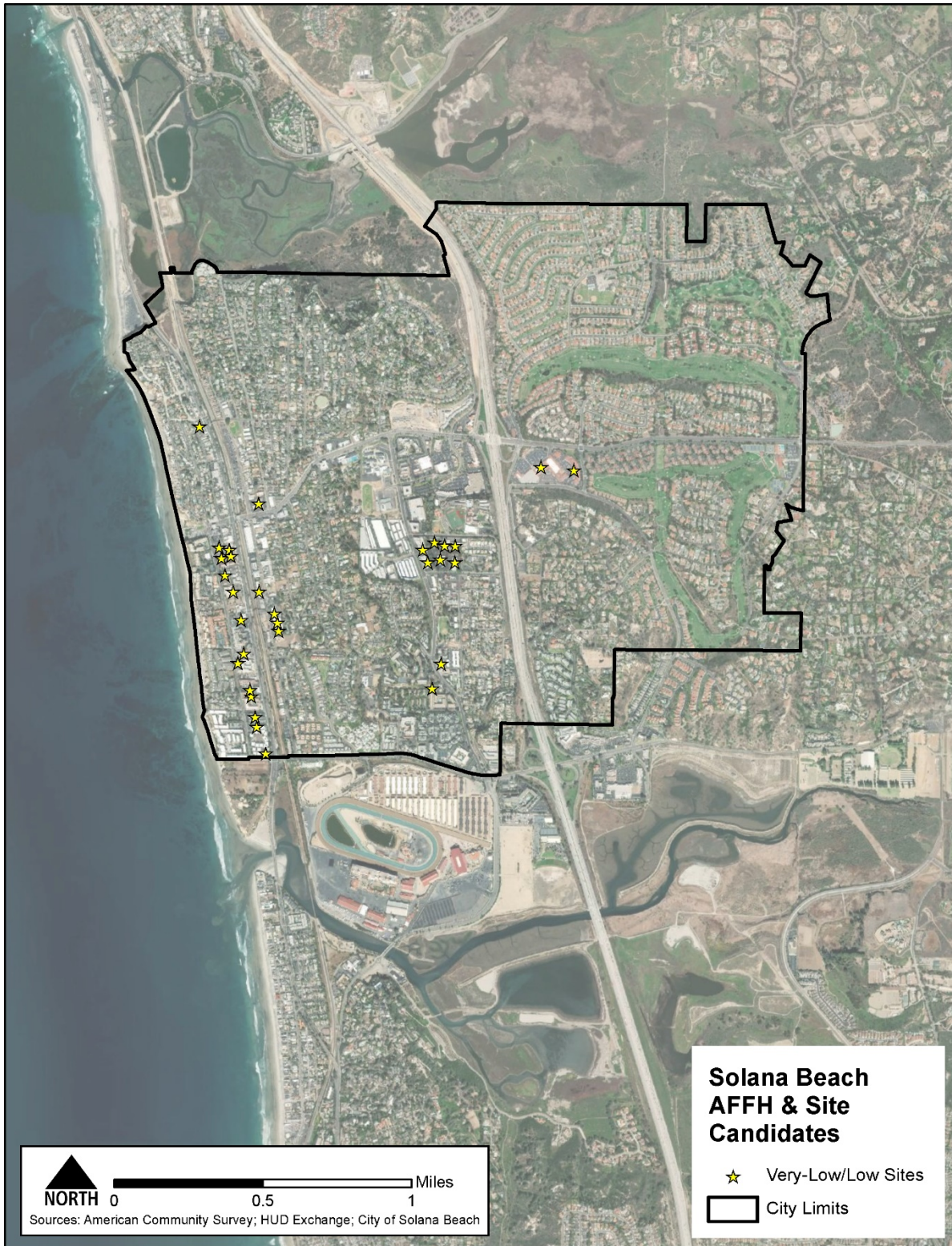
The analysis conducted in this section regarding fair housing issues within Solana Beach yielded the following conclusions:

- There are no racially or ethnically concentrated census tracts (RECAPs) within Solana Beach as identified by HUD within the 2020 County of San Diego Analysis of Impediments (AI). This indicates that there are no census tracts within Solana Beach with a non-white population of 50 percent or more or any census tracts that have a poverty rate that exceeds 40% or is three or more times the average tract poverty rate for the metropolitan/micropolitan area.
- The UC Davis Regional Opportunity Index shows that the majority of residents within Solana Beach have a high level of access to opportunity throughout the majority of the City, with all census tracts showing the highest level of access to opportunity. Additionally, analysis of the TCAC/HCD opportunity Area Maps show that all census tracts in Del Mar are classified with the “Highest Resource” designation. This indicates that these census tracts are within the top twenty percent in the region in terms of areas that lower-income residents may thrive if given the opportunity to live there.
- The City has demonstrated the ability to meet the anticipated future affordable housing needs of the community through the designation of sites to meet the very low and low income RHNA need (**Appendix B**) These sites are dispersed throughout the community.
- [City to confirm status of at-risk units prior to HCD submittal]

#### *Analysis of Sites Pursuant to AB 686*

AB 686 requires that jurisdictions identify sites throughout the community in a manner that is consistent with its duty to affirmatively further fair housing. The site identification requirement involves not only an analysis of site capacity to accommodate the RHNA, but also whether the identified sites serve the purpose of replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity.

Figure 3-6: Existing and Proposed Affordable Housing Locations in Solana Beach



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**Figure 3-7** shows the proposed candidate sites to meet the very low and low income RHNA for Solana Beach in relation to the location of residents of Hispanic origin. The City of Solana Beach is relatively small in size with the majority of housing opportunity areas, including areas with higher access to vital goods, services, and public transportation, are located within the downtown areas. As such, these are ideal areas for the City to focus much of its future housing growth. It is anticipated that accessory dwelling unit growth, including growth for affordable ADUs, will occur in the less dense areas of the community.

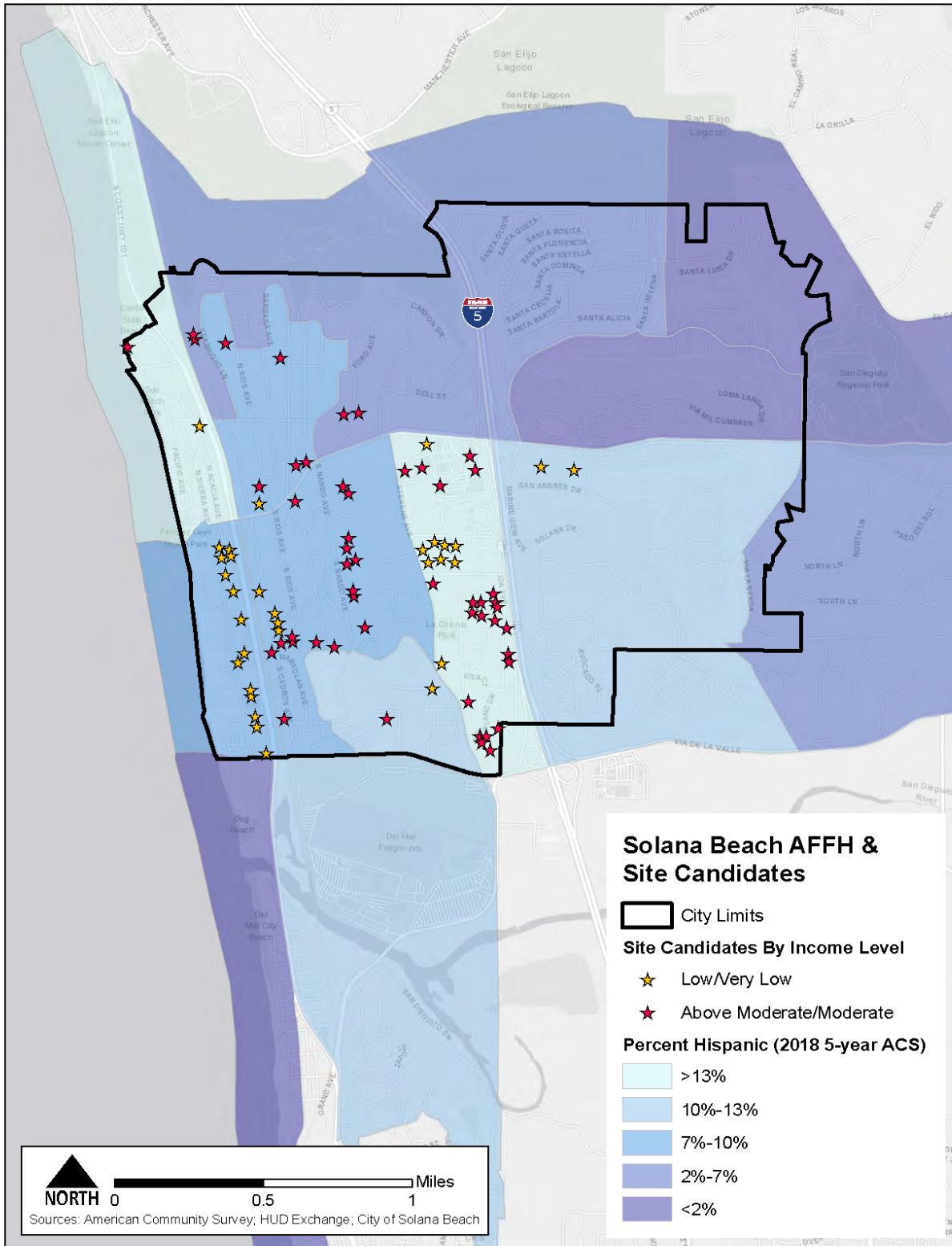
**Figure 3-7** shows the following findings:

- 18 proposed (totaling 138 potential units, or 26.1% of the total potential units) sites to accommodate the Low and Very Low RHNA allocation are located within block groups that have a percentage of the population that identifies as Hispanic greater than 13 percent
- 2 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 69 potential units, or 13.0% of the total potential units) are located within block groups that have a percentage of the population that identifies as Hispanic between 10 percent and 13 percent
- 27 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 322 potential units, or 60.9% of the total potential units) are located within block groups that have a percentage of the population that identifies as Hispanic between 7 percent and 10 percent

The data shows that the proposed candidate sites to meet the very low and low income RHNA need are evenly dispersed throughout the community with an emphasis on locating units where there is a high level of access to important public services and transit. As shown in **Figure 3-7**, the distribution of proposed units does not disproportionately impact areas with larger concentrations of the Hispanic population.



Figure 3-7: Candidate Sites – Ethnicity Analysis



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**Figure 3-8** shows location of proposed candidate sites to meet the very low and low income RHNA for Solana Beach in in comparison with census data showing the percentage of the population within each block group that is non-white.

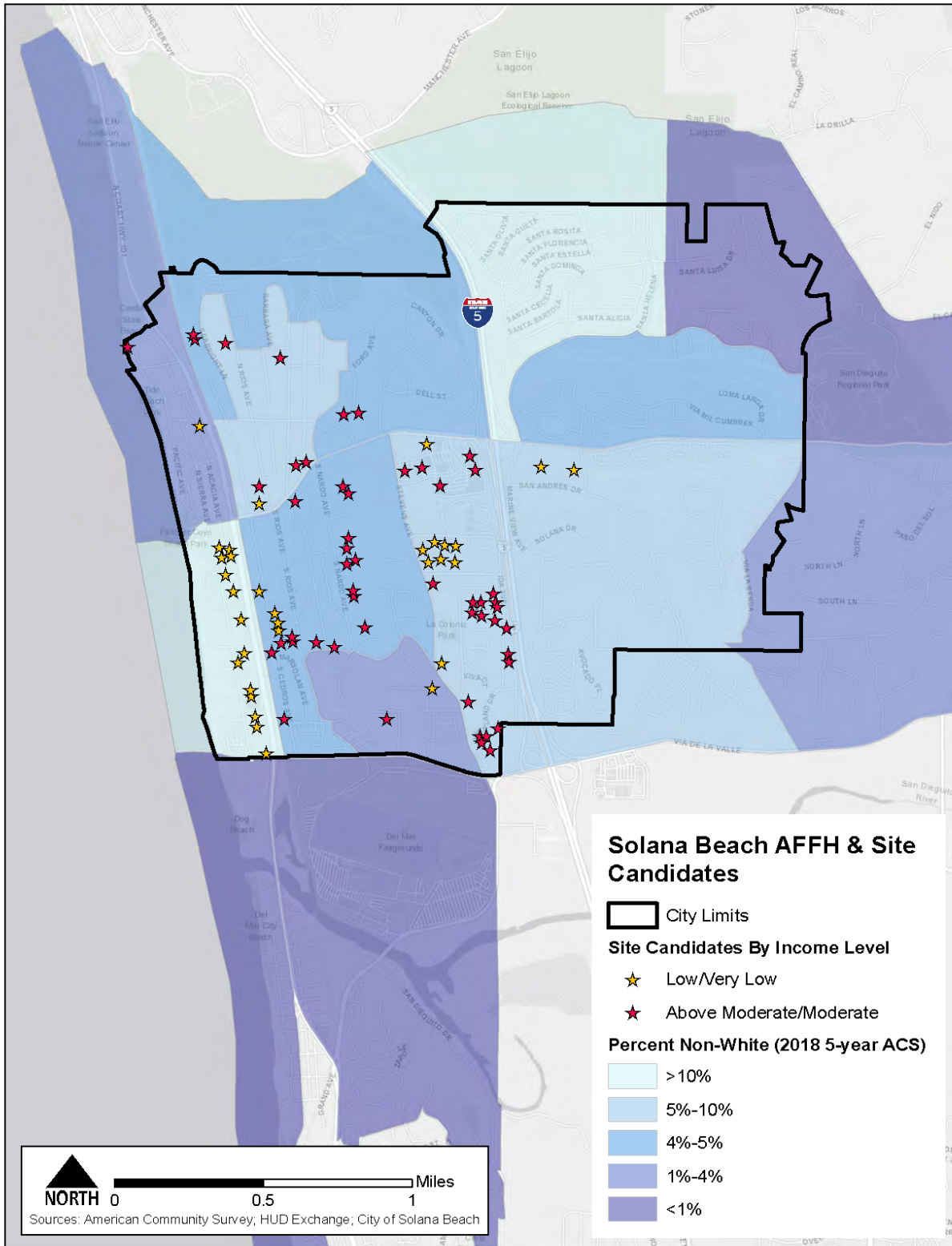
**Figure 3-8** shows the following findings:

- 19 proposed (totaling 242 potential units, or 45.7% of the total potential units) sites to accommodate the Low and Very Low RHNA allocation are located within block groups that have a percentage of the population that is non-white greater than 10 percent
- 11 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 214 potential units, or 40.5% of the total potential units) are located within block groups that have a percentage of the population that is non-white between 5 percent and 10 percent
- 7 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 52 potential units, or 9.8% of the total potential units) are located within block groups that have a percentage of the population that is non-white between 4 percent and 5 percent
- 10 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 21 potential units, or 4.0% of the total potential units) are located within block groups that have a percentage of the population that is non-white between 1 percent and 4 percent

The data shows that the proposed candidate sites to meet the very low and low income RHNA need are evenly dispersed throughout the community with an emphasis on locating units where there is a high level of access to important public services and transit. As shown in **Figure 3-8**, the distribution of proposed units does not disproportionately impact areas with larger concentrations of Non-white populations.



Figure 3-8: Candidate Sites – Racial Analysis



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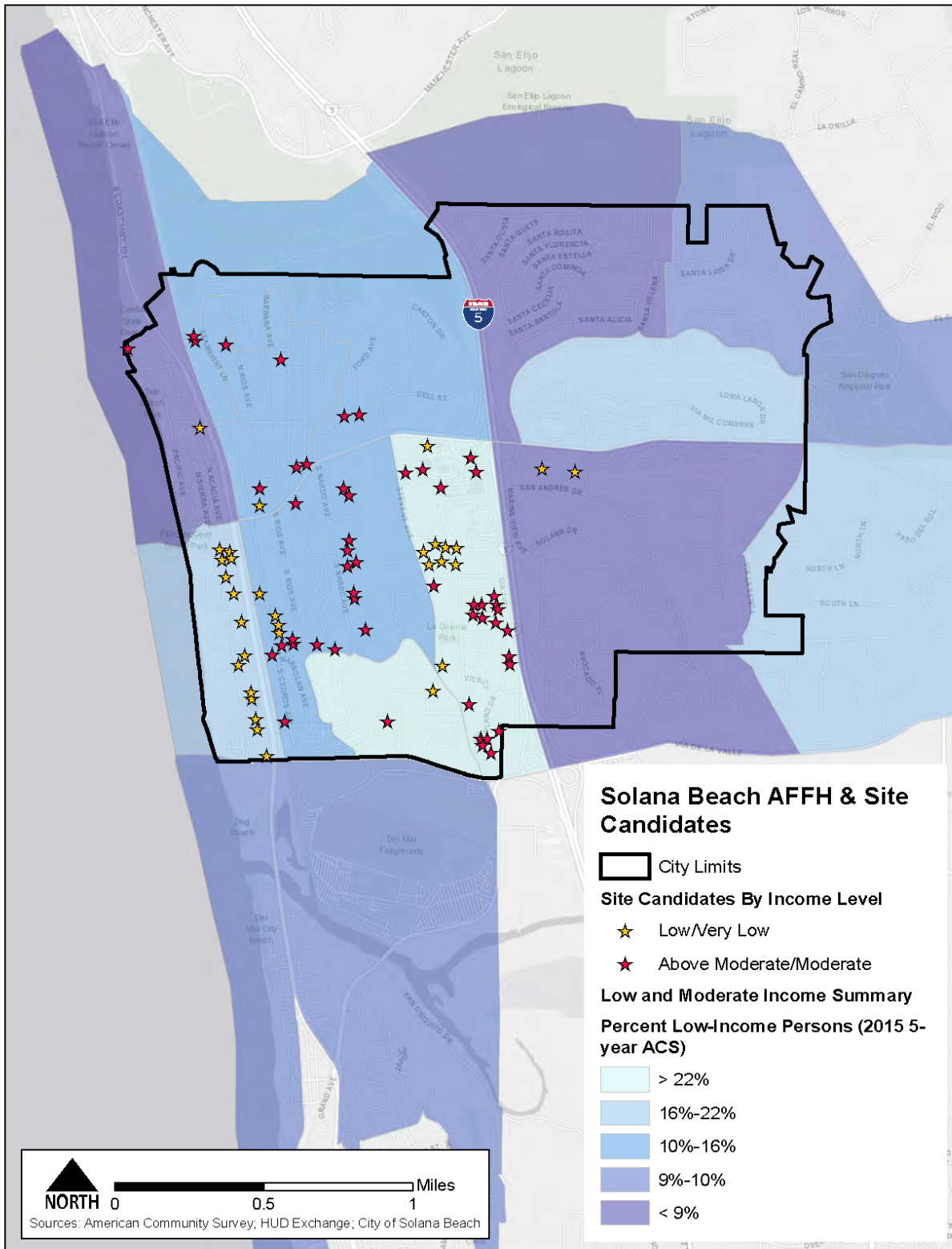
**Figure 3-9** shows location of proposed candidate sites to meet the very low and low income RHNA for Solana Beach in comparison with census data showing the percentage of the population within each block group who is categorized as low income by the American Community Survey.

**Figure 3-9** shows the following findings:

- 10 proposed (totaling 129 potential units, or 17% of the total potential units) sites to accommodate the Low and Very Low RHNA allocation are located within block groups that have a percentage of the population that is low income greater than 22 percent.
- 14 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 186 potential units, or 24% of the total potential units) are located within block groups that have a percentage of the population that is low income between 16 and 22 percent.
- 5 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 62 potential units, or 8% of the total potential units) are located within block groups that have a percentage of the population that is low income between 10 and 16 percent.
- 3 proposed sites to accommodate the Low and Very Low RHNA allocation (totaling 21 potential units, or 18% of the total potential units) are located within block groups that have a percentage of the population that is low income less than 10 percent.

The data shows that the proposed candidate sites to meet the very low and low income RHNA need are evenly dispersed throughout the community with an emphasis on locating units where there is a high level of access to important public services and transit. As shown in **Figure 3-9**, the distribution of proposed units does not disproportionately impact any specific regions within the community as well as provided increased opportunities for low income housing in areas with higher rates of low-income persons.

Figure 3-9: Candidate Sites – Income Level



**Summary of Fair Housing Analysis**

The City of Solana Beach is identified as a high resource area with increased economic, civic life, health, and transit opportunities and access. The existing demographic of the community of Solana Beach are higher income residents which can be attributed to the high opportunities of the area. The City of Solana Beach also has a high tourist seasons and offers a variety of retail and tourist based economic opportunities. The City is committed to creating channels to open opportunities to residents in surrounding communities, especially those who work in Solana Beach.

**Analysis of Fair Housing Priorities and Goals**

The City is committed to furthering fair housing through the implementation of several policies located within the City’s Housing Plan. The primary method for this is through identifying sites which can accommodate the City’s very low and low income RHNA need, as demonstrated in **Appendix B**. Other programs that affirmatively further fair housing include:

- **Program 1B**, to promote the development of accessory dwelling units and junior accessory dwelling units;
- **Program 1D**, to establish a program to convert existing, non-permitted accessory dwelling units to legal units;
- **Program 1E**, to continue to implement the City’s affordable housing ordinance;
- **Program 4B**, to update the City’s Municipal Code to permit emergency, transitional, and supportive housing as a matter of right in appropriate zoning districts per State law;
- **Program 4C**, to accommodate development that provides housing opportunities for residents with physical and developmental disabilities; and
- **Program 4D**, to work with the San Diego County Housing Authority to administer Section 8 Rental Assistance.

The City will monitor the effectiveness of these programs annually through the completion of their Annual Progress Reports (APRs).

## H. Evaluation of Previous Housing Element

The Housing Element must analyze the City’s accomplishments during previous Housing Element planning periods. This section describes the City's progress in implementing the 2013– 2021 Housing Element; the effectiveness of the Element; and the appropriateness of the Element's goals, objectives, and policies. It evaluates the City’s progress in two contexts: 1) the City’s progress towards meeting Coastal Zone requirements; and, 2) the City’s success in meeting its housing goals and program objectives. The second part of the analysis is included within **Appendix A** of the Housing Element as indicated below.

### 1. Evaluation of Progress towards Meeting Coastal Zone Requirements

Residential Development in the Coastal Zone	1986-1991	1991-1999	1999-2004	2005-2011	2011-2019
New Construction	86	51	37	82	71
New Low- and moderate-income housing	1	4	5	9	20
Demolished/converted low-and moderate-income housing	4	13	0	0	0
Replacement low- and moderate-income housing	0	0	5	0	0

## 2. Evaluation of Adopted Housing Element Goals and Programs

Appendix A of the Housing Element describes the City’s progress in meeting the goals and policies of the latest adopted Housing Element; evaluates the effectiveness of each program; and describes the appropriateness of the goals, policies, and objectives. The results of this review and assessment were used to revise and update the proposed programs for 2021-2029 as described in Section 4.

## 3. Quantified Objectives in Past Housing Element Cycles

Housing Element law required that quantified objectives be developed with regard to new construction, rehabilitation, conservation and preservation activities that will occur during the 2013-2021 Housing Element cycle. Table 3-31 summarizes the City of Solana Beach’s quantified objectives for the 2013-2021 Housing Element, Table 3-32 summarizes the City’s actual accomplishments in construction, and Table 3-33 summarizes the City’s accomplishments in housing rehabilitation.

Income Level	New Construction	Rehabilitation	Conservation/Preservation
Extremely Low Income	43	3	
Very Low Income	42	2	
Low Income	65		1
Moderate Income	59		
Above Moderate Income	131		
<b>Total</b>	<b>340</b>	<b>5</b>	<b>1</b>

### New Construction

Table 3-22 shows the City’s progress in new construction through the end of 2019.

1/1/2013 – 12/31/2019	Regional Share Goal	New Construction
Extremely Low	43	0
Very Low	42	0
Low	65	6
Moderate	59	14
Above Moderate	131	51
<b>Total</b>	<b>340</b>	<b>71</b>

### Rehabilitation

There was only one rehabilitated residential project that occurred within Solana Beach in the 5<sup>th</sup> cycle planning period. The project, known as Solana Mar, was completed in 2018 and included the rehabilitation of 132 market-rate residential units.

1/1/2013 – 12/31/2019	Rehabilitation
Extremely Low	--
Very Low	--
Low	--
Moderate	--
Above Moderate	132
<b>Total</b>	<b>132</b>



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Conservation

The City of Solana Beach identified two existing affordable units at-risk of converting to market rate during the current and future housing cycles. One of those units (North Helix) converted to market-rate during the 5<sup>th</sup> Cycle. The City engaged with the property owner of this unit to determine if a new affordability agreement could be put in place, but due to a lack of funding to assist the property owner and the property owner's lack of interest in maintaining the affordability on the unit, an agreement was not reached. The other unit identified was not at-risk during the 2013-2021 planning period.



# Housing Plan

## Section 4: Housing Plan

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The Housing Plan describes the City of Solana Beach’s 2021-2029 policy program. The Housing Plan describes the specific goals, policies, and programs to assist City decision makers to achieve the long-term housing objectives set forth in the Solana Beach Housing Element. This Plan identifies goals, policies, and programs aimed at providing additional housing opportunities, removing governmental constraints to affordable housing, improving the condition of existing housing, and providing equal housing opportunities for all residents. These goals, policies, and programs further the City’s overall housing policy goal to inspire a more diverse, sustainable, and balanced community through implementation of strategies and programs that will result in economically and socially diversified housing choices that preserve and enhance the special character of Solana Beach.

### Regional Housing Needs Assessment

The San Diego Association of Governments (SANDAG) has conducted a Regional Housing Needs Assessment (RHNA) to determine the City’s share of the affordable housing needs for the San Diego region. The RHNA quantifies Solana Beach’s local share housing needs for the region by income category. Income categories are based on the most current Median Family Income (MFI) for San Diego County. The City’s 2021-2029 RHNA growth need is as follows:

- 316 units - Extremely low (less than 30% County MFI (<\$21,176)) and Very low income (0-50% County MFI (<\$35,294))
  - 159 units - Low income (51-80% of County MFI (\$35,294-\$56,470))
  - 160 units - Moderate income (81-120% of County MFI (\$56,470-\$84,706))
  - 240 units - Above moderate income (120% or more of County MFI >\$84,706)
- 875 units - Total**

### A. Housing Goals

The City of Solana Beach has identified the following housing goals as part of this Housing Element Update:

**Housing Goal #1:** A range of housing strategies to accommodate Solana Beach’s share across all income levels.

**Housing Goal #2:** Preserve and enhance the existing community and neighborhood quality and character.

**Housing Goal #3:** Reduce or eliminate constraints to the development, improvement, preservation, and maintenance of housing.

**Housing Goal #4:** Equal opportunities to access housing for all persons regardless of age, race, religion, sex, marital status, sexual orientation, ancestry, national origin, or disability.

**Housing Goal #5:** A sustainable approach to new and existing residential and mixed-use development through increased energy conservation and waste reduction.

The goals listed above are described below and on following pages with accompanying policies and programs to achieve them.

## B. Housing Policies and Programs

This Housing Element expresses the Solana Beach community's overall housing goals and supporting policies, quantified objectives, and housing programs to achieve them. The stated Housing Programs are based on a review of past performance of the prior Housing Element, analysis of current constraints and resources, and input from Solana Beach residents and stakeholders.

### **Housing Goal #1: A range of housing strategies to accommodate Solana Beach's share across all income levels.**

**Housing Policy 1.1:** Maintain sufficient land designated and appropriately zoned for housing to achieve a complimentary mix of single-family and multi-family development to accommodate Solana Beach's Regional Housing Needs Assessment (RHNA) growth needs throughout the planning period.

**Housing Policy 1.2:** Promote a variety of tenures, unit types, and locations of housing throughout the community.

**Housing Policy 1.3:** Encourage mixed-use development opportunities.

**Housing Policy 1.4:** Encourage the consolidation of adjacent parcels to facilitate multi-family residential development.

**Housing Policy 1.5:** Encourage development of local housing opportunities to serve the needs of the local workforce and their families.

**Housing Policy 1.6:** Encourage the production of Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) through incentivizing and streamlining development.

### **Housing Goal 1 - Implementing Programs**

#### **Housing Program 1A:** Mixed-Use Development on Commercially-Zoned Sites

Due to the built-out nature of Solana Beach, there are very few vacant/underutilized residentially-zoned parcels in the City. The City is reliant upon vacant/underutilized commercial sites that can accommodate mixed-use development as a way to facilitate additional housing opportunities and permits mixed-use developments in all commercial zones. Solana Beach has two commercial zoning classifications that permit development at 20 dwelling units per acre, the City's default density for accommodating lower income housing development. As part of this Housing Element, the City has identified potential sites that are suitable for mixed-use development.

The City will consult with developers early in the planning period to ensure that its development standards encourage mixed-use development. To the extent possible, the City will also identify possible actions to shorten the permitting process for mixed-use development such as through the use of CEQA exemptions for infill projects. The program will continue to be annually reviewed in the annual housing report.

**Timeframe:** Within 24 months of adoption of the 6<sup>th</sup> cycle Housing Element

**Responsible Agency:** City of Solana Beach Community Development

**Funding Source:** General Fund

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**Housing Program 1B:** Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development

The City updated the Solana Beach Municipal Code to incorporate provisions of new State ADU law which expands where ADUs and JADUs can be constructed and removes barriers to the development of these units. ADU production has increased since incorporation of these new provisions and the City anticipates that ADUs will factor heavily into assisting the City in meeting their RHNA needs, as described in the Housing Resources section of this Housing Element.

The City will continue to incentivize and promote the construction of Accessory Dwelling Units, especially those that may be leased at affordable rates. Currently, Section 17.70.060 of the Solana Beach Municipal Code states that “The city manager is authorized to reduce city development impact fees by 75 percent for accessory dwelling units (ADU) processed consistent with SBMC 17.20.040(D), provided that a deed restriction for state law affordability provisions is recorded for the term of 99 years. (Ord. 500 § 5, 2019). The City will continue to provide this incentive to residents and will develop outreach collateral for public dissemination, including updates to the City’s website, information at City Hall and via other appropriate print and digital media. The intent of this is to make sure residents are aware of this incentive and have information readily available that may ease the development of ADUs at affordable levels. The City anticipates this will assist in the development of 16 ADUs available at the lower income levels within the planning period.

Additionally, Solana Beach will explore methods to make ADU development possible in sensitive areas of the City provided that criteria is met that shows the creation of an ADU will not be a detriment to sensitive habitat or other similar areas. The goal of this is to increase opportunities for ADU development within the City.

<p><b>Timeframe:</b> Within 12 months of adoption of the 6<sup>th</sup> cycle Housing Element <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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**Housing Program 1C:** Create ADU Monitoring Program

The City will create a monitoring program to track ADU and JADU creation and affordability levels throughout the planning period. This will allow the City to monitor the development of accessory units at all income levels. Additionally, the City will review their ADU and JADU development progress within 2 years of the adoption of the 6<sup>th</sup> cycle Housing Element to evaluate if production estimates are being achieved. If ADUs are not being permitted as assumed in the Housing Element, the City will take the action within 6 months of completion of the ADU review to ensure that adequate capacity at each income level is maintained to meet the City’s RHNA needs. These actions may include identification of adequate sites to meet the City’s identified unaccommodated need.

<p><b>Timeframe:</b> Within 24 months of adoption of the 6<sup>th</sup> cycle Housing Element <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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**Housing Program 1D:** Conversion Program of Existing, Non-Permitted Accessory Dwelling Units

The City will continue to implement its illegal unit conversion program. This program allows homeowners with existing illegally established accessory dwelling units to legal, permitted status. The City has historically permitted one illegal ADU per year during the 5<sup>th</sup> cycle and anticipates that they will continue at this pace. 8 ADU conversions are listed in the City’s quantified objectives for the 2021-2029 planning period.

<p><b>Timeframe:</b> Ongoing <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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**Housing Program 1E:** Affordable Housing Program

The City will continue to implement its affordable housing ordinance as outlined in the Solana Beach Municipal Code. The purpose of this ordinance is to assist the City in meeting its share of the regional housing needs, to implement the City's General Plan and Housing elements relative to the provision of housing units for all economic sectors of its population, and to require affordable housing in both rental and for-sale housing consistent with provisions of the California Government Code. The City will monitor this program to identify any potential constraints and make any necessary adjustments to the ordinance to facilitate successful implementation of this program.

<p><b>Timeframe:</b> Ongoing <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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**Housing Program 1F:** Candidate Sites Used in Previous Housing Elements

Pursuant to State Housing law, candidate sites identified in this Housing Element to accommodate a portion of the City's low- and very low -income RHNA that were identified in previously adopted Housing Elements must be rezoned to allow residential use by right at specified densities for housing developments in which at least 20 percent of the units are affordable to lower income households. By right shall mean the jurisdiction may not require any of the following discretionary actions, except if the project requires a subdivision:

- A conditional use permit
- A planned unit development permit
- Other discretionary, local-government review or approval that would constitute a "project"

The City may impose objective design review standards on projects. The City has identified as part of this Housing Element update vacant and nonvacant sites that were used in previous Housing Elements to meet the current RHNA need. To accommodate the provisions of State law, the City shall place a housing overlay zone over all nonvacant sites included in a prior Housing Element and all vacant sites included in two or more consecutive planning periods that permits by right development for projects that meet the requirements of State housing law. These sites are identified in **Appendix B**.

<p><b>Timeframe:</b> Within 36 months of adoption of the 6<sup>th</sup> Cycle Housing Element <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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**Housing Program 1G:** Federal and State Funding Programs

The City will review federal and state housing financing and subsidy programs for their potential availability to Solana Beach. If the programs could be reasonably thought to be available to Solana Beach, the City would work with the appropriate developers and non-profits to support feasible funding application(s). This program also will entail the provision of City staff assistance to developers of housing for lower income housing and assessing the potential to match their projects to applicable federal and state programs. Included in this assistance would be pre-application meetings and helping the applicant with identifying potential approaches to address design and site requirements.

<p><b>Timeframe:</b> Ongoing/Annually <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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**Housing Program 1H:** Manufactured Housing

State law (Government Code Section 65852.3) requires that the city's zoning code allows and permits manufactured housing in the same manner and in the same zone as conventional structures are permitted. Specifically, manufactured homes should only be subject to the same development standards that a conventional single-family residential dwelling on the same lot would be subject to. In order to comply with State law, the City will amend the Solana Beach Municipal Code to define manufactured housing and mobile homes consistent with State law and identify the zone(s) where such housing is permitted. The City will also ensure that the requirements for manufactured homes is the same as a conventional single-family dwelling unit in the same zone.

<p><b>Timeframe:</b> Within 24 months of adoption of the 6th Cycle Housing Element <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Sources:</b> General Fund</p>
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**Housing Program 1I:** Update Density Bonus Ordinance

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

To comply with State Density Bonus law, the City will amend the ordinance as needed to ensure that its local ordinance remains consistent with State law, but will apply current state law even before local amendments are adopted. The City commits to continue to review and approve requests under State Density Bonus Law (including requests for incentives, concessions, waivers, and parking reductions) so that projects that qualify are not prevented from developing at the densities to which they are entitled.

<p><b>Timeframe:</b> Within 24 months of adoption of the 6th Cycle Housing Element <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Sources:</b> General Fund</p>
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**Housing Program 1J:** Update Solana Beach Municipal Code to be Consistent With Ordinance 508 (Accessory Dwelling Units)

The City will amend the Municipal Code to be consistent with the newly adopted Ordinance 508 regarding. The City's current municipal code is consistent with the language in Ordinance 508 with the exception of the terminology used, which revised the language from Accessory Living Units (ALUs) to Accessory Dwelling Units (ADUs). Within 12 months of adoption of the Housing Element, the City will amend the appropriate sections of the Municipal Code for consistency.

<p><b>Timeframe:</b> Within 12 months of adoption of the 6th Cycle Housing Element <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Sources:</b> General Fund</p>
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**Housing Program 1K:** Amend Table 17.12.020-A of the Solana Beach Municipal Code Regarding Transitional and Supportive Housing

The City will amend Table 17.12.020-A of the Solana Beach Municipal Code to show that transitional and supportive housing are permitted uses where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code 65651.

**Timeframe:** Within 12 months of adoption of the 6<sup>th</sup> Cycle Housing Element  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Sources:** General Fund

**Housing Program 1L:** Amend the Solana Beach Municipal Code to define Employee Housing so that it is compliant with Sections 17021.5 and 17021.6 of the Employee Housing Act

The City will amend the Solana Beach Municipal Code to be in compliance with Section 17021.5 and 17025.6 of the Employee Housing Act (Health and Safety Code, § 17000 et seq.) and define employee housing in a manner consistent with the above referenced Health and Safety Code sections. The Municipal Code will be revised to state that employee housing for six or fewer employees will be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. Additionally, the Municipal Code will be updated to state that employee housing consisting of no more than 12 units or 36 beds will be permitted in the same manner as other agricultural uses in the same zone.

**Timeframe:** Within 12 months of adoption of the 6<sup>th</sup> Cycle Housing Element  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Sources:** General Fund

**Housing Program 1M:** Amend the City's development process to assist in the development of housing for extremely-low households and households and individuals with special needs.

As identified in Section 3, the City of Solana Beach City Council at its sole discretion may discount city fees, expedite the application process, or provide other assistance when it finds that provision of such assistance is needed to meet housing needs identified in the housing element which otherwise would not be met through the implementation of this Municipal Code. The City will take the following actions to amend the development process to include the following guaranteed incentives that apply solely to development projects that specifically accommodate housing at the extremely low-income level or that accommodate households for individuals with special needs:

- Adopt a priority processing procedure
- Waive city-controlled development impact fees until certificate of occupancy (COA)

**Timeframe:** Within 36 months of adoption of the 6<sup>th</sup> Cycle Housing Element  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Sources:** General Fund

**Housing Program 1N:** Pursue outside funding opportunities for the development of lower and moderate income households.

As opportunities arise, the City will pursue new funding sources for lower and moderate income multi-family housing from available non-profit, local, state, and federal programs. The City will also seek to partner with local agencies that may provide funding opportunities or other resources that can assist in the development of housing affordable at the lower and moderate income levels.

**Timeframe:** Review Annually  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Sources:** General Fund

**Housing Goal #2: Preserve and enhance the existing community and neighborhood quality and character.**

**Housing Policy 2.1:** Promote revitalization and rehabilitation of existing residential dwellings.

**Housing Policy 2.2:** Promote high quality design and development standards to ensure future housing development compliments and enhances neighborhood character.

**Housing Policy 2.3:** Ensure residential and mixed-use projects are designed and developed to discourage crime.

**Housing Policy 2.4:** Encourage mixed-use and transit, bicycle, and pedestrian-oriented development that supports and contributes to a “sense of place” in the community.

**Goal 2 Implementing Programs**

**Housing Program 2A:** Preservation of At-Risk Housing

The City has reviewed the existing affordable housing developments and determined that no units are currently at risk of converting to market-rate during the planning period. Should this change and existing affordable units become at-risk of converting to market-rate, the City will contact the owners of these properties to explore preservation opportunities such as extending affordability covenants, sale/purchasing these developments, non-profit housing organizations assistance, and applying for financial assistance to preserve these affordable units.

**Timeframe:** Annually

**Responsible Agency:** City of Solana Beach Community Development

**Funding Sources:** General Fund

**Housing Program 2B:** Replacement Housing

The City may have existing non-vacant sites that contain vacant or demolished residential units that were occupied by lower income households or households subject to affordability requirements within the last five years. The City will implement a replacement housing program to ensure the replacement of any units lost subject to the requirements of Government Code section 65915, subdivision (c)(3) on site identified in the site inventory when any new development (residential, mixed-use or residential) occurs on a site that is identified in the inventory meeting the following conditions.

- Currently has residential uses or within the past five years has had residential uses that have been vacated or demolished, and
- Was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very-low income, or
- Subject to any other form of rent or price control through a public entity’s valid exercise of its police power, or
- Occupied by low and very low-income households.

**Timeframe:** The replacement requirement will be implemented upon adoption of the Housing Element and applied as applications on identified sites are received and processed, and local policy shall be adopted within one year of adoption of the Housing Element.

**Responsible Agency:** City of Solana Beach Community Development

**Funding Sources:** General Fund

**Housing Goal #3: Reduce or eliminate constraints to the development, improvement, preservation, and maintenance of housing.**

**Housing Policy 3.1:** Promote public awareness of the various methods and resources available to support homeownership opportunities.

**Housing Policy 3.2:** Explore opportunities to identify alternative financial assistance for the development and/or purchase of housing affordable to extremely low income, very low income, low income, and moderate-income households.

**Housing Policy 3.3:** Explore incentives, bonuses, and flexibility in standards and requirements that could benefit affordable housing development, such as flexible development standards, reduced permit fees, and streamlined permit processing.

**Housing Policy 3.4:** Encourage remodeling, maintenance, repair, and rehabilitation of existing housing to address special housing needs, prevent deterioration, and preserve safe and sanitary housing conditions.

**Housing Policy 3.5:** Grant priority water and sewer service to housing with units affordable to lower income households.

**Goal 3 Implementing Programs**

**Housing Program 3A:** Compliance with SB 35 Provisions

Per Government Code 65913.4(a)(6)(A), future development projects within the City of Solana Beach do not currently meet the stated requirements for SB 35 streamlining provisions as all land within the city (and therefore all potential projects) are located within a coastal zone. Should compliance status or the requirements of SB 35 change in the future, the City of Solana Beach will take the required actions to comply with State law.

The City will continue to annually monitor and update local procedures and policies based on applicable changes to SB 35 to remain in compliance with State law.

<p><b>Timeframe:</b> Ongoing <b>Responsible Agency:</b> Planning and Community Development <b>Funding Sources:</b> General Fund</p>
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**Housing Program 3B:** Public Education

The City shall continue to monitor, and update information related to the development of housing through the continued promotion of public educational materials. The information describes the benefits of affordable housing and the myths and realities of affordable housing through such means as public presentations, newspaper articles, and information posted on the City's website.

<p><b>Timeframe:</b> Ongoing <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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**Housing Program 3C:** Water and Sewer Resources

Pursuant to Chapter 727, Statutes of 2005 (SB 1087), the City of Solana Beach is required to deliver its adopted Housing Element and any amendments thereto to local water and sewer service providers. This legislation allows for coordination between the City and water and sewer providers when considering approval of new residential projects. Additionally, cooperation with local service providers will support the prioritization of water and sewer services for future residential development, including units affordable to lower-income households. The City will



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submit the adopted Housing Element to local water and sewer providers for their review and consideration when reviewing new residential projects.

<b>Timeframe:</b> Annually <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund
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**Housing Program 3D:** Safety Element Update and adoption of an Environmental Justice Element

SB 1035 requires that the City, after the initial revision of the safety element to identify flood hazards and address the risk of fire in certain lands upon each revision of the housing element, review and, if necessary, revise the safety element to identify new information relating to flood and fire hazards that was not previously available during the previous revision of the safety element. The City is currently in the process of revising the Housing Element and will take the document to City Council for adoption within 12 months of adoption of the 6<sup>th</sup> Cycle Housing Element.

SB 1000 (2018) requires that the City include an environmental justice component to the General Plan during the 6<sup>th</sup> Cycle update of the City’s Housing Element. The City will adopt a separate Environmental Justice Element within 12 months of adoption of the 6<sup>th</sup> Cycle Housing Element.

<b>Timeframe:</b> Within 12 months of adoption of the 6 <sup>th</sup> Cycle Housing Element <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund
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**Housing Goal #4: Equal opportunities to access housing for all persons regardless of age, race, religion, sex, marital status, sexual orientation, ancestry, national origin, or disability.**

**Housing Policy 4.1:** Enforce fair housing laws addressing discrimination in the building, financing, selling or renting of housing based on race, religion, family status, national origin, disability, or other protected class.

**Housing Policy 4.2:** Establish policies, programs and incentives to promote the development of housing for very low-, low-, and moderate-income persons, and especially those within Solana Beach’s special needs populations.

**Housing Policy 4.3:** Seek to accommodate housing for residents with special needs through appropriate zoning standards and permit processes.

**Housing Policy 4.4:** Ensure equal access to housing by providing reasonable accommodation for persons with disabilities consistent with Americans with Disabilities Act (ADA) and Fair Housing Act (FHA) requirements.

**Housing Policy 4.5:** Support efforts to provide services that facilitate aging in place such as senior transportation, recreational activities, and other means to help older adults connect to the services they need to live independently in their own homes.

**Goal 4 Implementing Programs**

**Housing Program 4A:** Affirmatively Further Fair Housing

Pursuant to AB 686, the City will affirmatively further fair housing by taking meaningful actions in addition to resisting discrimination, that overcomes patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristic, as defined by California law.

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The Housing Element contains analysis of contributing factors to fair housing issues within Solana Beach and determined the following factors were applicable:

1. **Housing Age and Condition** – Section 2.F.4 of this Housing Element analyzes the housing stock within the City of Solana Beach. The analysis found that 46.2 percent of all housing in Solana Beach was built between 1970 and 1978. Only about 4 percent units in Solana Beach built after 2000, and about 2 percent in 2014 or later. From 2019 to 2020 a total of 81 code enforcement reports were filed related to dilapidated properties, property maintenance, and/or substandard living conditions. Similarly, the housing stock in the San Diego region is older, with majority of the housing units (54 percent) built before 1979 and is at least 40 years old. Home rehabilitation can be an obstacle for senior homeowners with fixed incomes and mobility issues.
2. **Housing Cost and Affordability** - Section 2.F.5 of this Housing Element analysis the cost and affordability of housing within the City of Solana Beach. The cost of homeownership varies within San Diego County depending on the community. According to the regional AI, in 2019, the median sales price for homes in San Diego County was \$594,909, an increase of 38 percent from 2014. Home prices vary by area/jurisdiction, with very high median prices in coastal areas such as in Solana Beach where the median cost of a home was \$1,103,900 in 2017, (56% higher than the County median).
3. **Access to Opportunities for Persons with Disabilities** - Affordability, design, location, and discrimination limit the supply of housing for persons with disabilities. Amendments to the Fair Housing Act, as well as state law, require ground-floor units of new multifamily construction with more than four units to be accessible to persons with disabilities. However, units built prior to 1989 are not required to be accessible to persons with disabilities. Noted above, more than half of the Solana Beach Housing stock was built prior to 1989 creating challenges to finding adequate and accessible housing for persons with disabilities. **Program 4F in the Section 4: Housing Plan** identifies strategies to support reasonable accommodation and increase the opportunity for housing for persons with disabilities.

To City is committed to taking meaningful actions to mitigate or remove fair housing issues within Solana Beach. The City will take the following actions for each of the contributing factors identified:

1. Housing Age and Condition
  - a. Continue to assess and make modifications to the City's code enforcement process, including having code enforcement staff follow up with landlords to ensure repairs are made.
  - b. If funding becomes available, prioritize investment in community revitalization programs that identify and assist properties with blight conditions.
2. Housing Cost and Affordability
  - a. Promote construction of ADUs throughout the community.
  - b. Continue to work with the County of San Diego on distribution of Section 8 Housing Choice Vouchers.
  - c. Promote development of affordable housing in high resources areas.
3. Access to Opportunities for Persons with Disabilities
  - a. The City currently uses CDBG funding received to identify and mitigate ADA issues related to housing to create opportunities for persons with disabilities. The City will continue to allocate funding to ADA for as long as it remains available.

Additionally, the City will partner with capable organizations to review housing discrimination complaints, attempt to facilitate equitable resolution of complaints, and, where necessary, refer complainants to the appropriate state or federal agency for further investigation and action.

City of Solana Beach  
2021-2029 Housing Element Update

**Timeframe:** Ongoing  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Source:** General Fund

**Housing Program 4B:** Emergency, Transitional and Supportive Housing and Lower Barrier Navigation Centers

The City shall permit Low Barrier Navigation Center development as a matter of right in appropriate zoning districts, subject to requirements of state law. These requirements include implementing standards, provisions and limitations governing the permitting, development, siting and management of Low Barrier Navigation Centers. The City of Solana Beach shall update its Municipal Code, as appropriate, to comply with State law.

Additionally, the City will also review and amend (if necessary) the Municipal Code to comply with updates to State law regarding transitional and emergency shelters.

**Timeframe:** Within 24 months of adoption of the 6th Cycle Housing Element and reviewed Annually for updates  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Source:** General Fund

**Housing Program 4C:** Persons with Physical and Developmental Disabilities

As identified in **Section 2**, the City of Solana Beach has a total of 50 people identified by the State Department of Developmental Services (DDS) as having a developmental disability in December 2020. The City understands that people with developmental disabilities may have unique needs when looking for housing accommodation and is committed to assisting residents.

The City will continue to take actions to accommodate the approval of group homes, ADA retrofit efforts, ADA compliance and/or other measures through the implementation of Title 24 as well as amend its procedures to provide more flexibility in the development of accommodations for persons with physical and developmental disabilities by eliminating the need for a variance.

**Timeframe:** Review Annually and Address as Requested  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Source:** General Fund

**Housing Program 4D:** Section 8 Rental Assistance

The City will continue to work with the San Diego County Housing Authority to administer the Section 8 Rental Assistance Program, and will continue support the County's application for additional Section 8 allocations. This program provides rental assistance to eligible very low and low income households. The subsidy represents the difference between the rent that exceeds 30 percent of a household's monthly income and the actual rent charged.

The City will provide marketing collateral in both English and Spanish informing residents and landlords of the availability of Section 8 rental assistance. The City will also seek out project-based Section 8 vouchers to assist with the operational income of affordable housing projects.

**Timeframe:** Annually  
**Responsible Agency:** City of Solana Beach Community Development  
**Funding Source:** County of San Diego

City of Solana Beach  
2021-2029 Housing Element Update

**Housing Program 4E:** Mortgage Credit Certificate (MCC)

Homeownership can be an asset to maintaining a healthy community. The Mortgage Credit Certificate (MCC) program assists low and moderate income first time home buyers. Under this program, which is administered by the County of San Diego, qualified first-time home buyers are able to take a federal income tax credit of up to 20 percent of the annual interest paid on their mortgage. This frees up more capital to buy the home. The City of Solana Beach will continue to distribute information on the MCC program.

**Timeframe:** Ongoing

**Responsible Agency:** City of Solana Beach Community Development

**Funding Source:** County of San Diego

**Housing Program 4F:** Amend the Reasonable Accommodation criteria within the City's Municipal Code

The City will amend the Municipal Code to remove the following criteria which currently may be considered by the community development director regarding the reasonableness of a requested accommodation:

- *Whether there are alternative reasonable accommodations available that would provide an equivalent level of benefit; and*
- *Whether the requested reasonable accommodation substantially affects the physical attributes of the property or has impacts on surrounding properties that would fundamentally alter a city program or law.*

**Timeframe:** Within 12 months of adoption of the 6<sup>th</sup> Cycle Housing Element

**Responsible Agency:** City of Solana Beach Community Development

**Funding Source:** General Fund

**Housing Goal #5: A sustainable approach to new and existing residential and mixed-use development through increased energy conservation and waste reduction.**

**Housing Policy 5.1:** Work with energy providers, such as San Diego Gas and Electric (SDG&E), to promote energy conservation programs and incentives.

**Housing Policy 5.2:** Encourage the use of building placement, design, and construction techniques that promote energy conservation.

**Housing Policy 5.3:** Promote the use of green building practices in new and existing development to maximize energy efficiency and conservation.

**Housing Policy 5.4:** Encourage affordable housing developments that receive public subsidies to obtain Leadership in Energy and Environmental Design (LEED) certification.

**Housing Policy 5.5:** Encourage construction projects to recycle construction debris and promote the use of recycled materials as part of new construction or renovations, including the reuse of existing building shells/elements.

**Goal 5 Implementing Programs**

**Housing Program 5A: Energy Conservation**

The City of Solana Beach is committed to conserving energy and being a sustainable community. Several existing programs promote energy conservation and the City continues to explore additional opportunities to promote energy conservation. For example:

- The City recently adopted an ordinance to reduce single use plastic bags in grocery stores, retailers, and restaurants.
- The City will continue to implement the Solana Beach Green Building Incentive.
- The City will continue to provide information on the City’s website regarding steps residents can take to increase their energy efficiency and SDG&E rebate/voucher programs available to Solana Beach residents and businesses.
- The City will develop an energy efficiency program for the community and continue to monitor pertinent legislation which would make it easier to implement solar installations.

The City will continue to work with the Clean and Green committee to develop additional energy conservation and sustainability programs.

<p><b>Timeframe:</b> Ongoing <b>Responsible Agency:</b> City of Solana Beach Community Development <b>Funding Source:</b> General Fund</p>
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### C. Summary of Quantified Objectives

Table 4-1: Summary of Quantified Objectives						
Income Group	Extremely Low*	Very Low	Low	Moderate	Above Moderate	Total
New Construction (RHNA)	496 units			44 units	216 units	756 units
Accessory Units	15 units			113 units	0 units	128 units
Conservation/ Preservation**	2 units			0 units	6 units	0 units
Rental Subsidy	0 units			0 units	0 units	0 units
Rehabilitation	16 units			0 units	64 units	80 units
*Extremely Low Units are defined by HCD as half of the City's Very-Low Income need. **Program 1D commits the City to continuing their Illegal ALU conversion program during the 6th cycle planning period. The City historically issues permits for the conversion of approximately 1 illegal ADU a year. The City does not have any projects 'At-Risk' in the 2021-2029 planning period; however, the City will continue to monitor the status of deed-restricted affordable housing units. Units reported account for ADU units anticipated to be legalized during the planning period. Consistent with the City's affordable ADU assumption						



# Appendix A:

Review of Past Performance



# Appendix A: Review of Past Performance

The following chart is a review of the City of Solana Beach’s housing project and program performance during the current Planning Cycle (2014 – 2021). It is an evaluation of the 5<sup>th</sup> Cycle’s policies and programs and considers all current and existing programs and projects as well as the most current accomplishments and effectiveness and appropriateness.

Past Performance					
#	Program	Program Objective	Program Action	Current Planning Period Accomplishments	Effectiveness and Appropriateness
<b>1</b>	<b>Encourage Mixed-Use Development</b>				
1.A	<i>Encourage Mixed-Use Development</i> - Continue to identify potential sites for mixed-use development	Identify adequately zoned and available sites for the current planning period, monitor development trends and update the adequate sites analysis as additional potential sites become viable for mixed-use development.	The City has already identified adequately zoned and available sites for the current planning period. On an ongoing basis, the City will continue to identify potential sites that are suitable for mixed-use development and will work with the community and property owners to identify these sites. These sites could include, but not necessarily be limited to: <ol style="list-style-type: none"> <li>1. Older commercial centers needing revitalization;</li> <li>2. Sites that facilitate pedestrian, bicycle, and transit-oriented development, especially those along transit routes;</li> <li>3. Sites where planned infrastructure would enable infill or additional residential development to occur;</li> <li>4. Sites where public investments could be used to complement mixed-use development, especially projects containing affordable housing.</li> </ol>	Two mixed-use projects netting in 33 dwelling units were approved in December 2016 and July 2018.	Mixed-Use development continues to be an effective method to accommodating for housing growth in communities with limited vacant land. The City will continue to encourage the use of mixed-use development to meet their 6 <sup>th</sup> Cycle RHNA needs.
1.B	<i>Encourage Mixed-Use Development</i> - Facilitate mixed-use development	Consult with developers to ensure that the City’s mixed-use development standards facilitate mixed-use projects. Compare the City’s expectations for mixed-use development to the feedback gathered from developers to evaluate the effectiveness of mixed-use development standards. Make revisions to the standards to encourage and facilitate mixed-use development, as appropriate. Work to implement procedures that will allow for CEQA streamlining for eligible projects pursuant to SB375 and other CEQA exemptions.	The City will continue to support applications for financing and/or funding for mixed-use projects. At this time, the City does not believe that additional revisions to its development standards are needed; however, it will continue to consult with developers to ensure that its development standards encourage mixed-use development. To the extent possible, the City will also identify possible actions to shorten the permitting process for mixed-use development such as through the use of CEQA exemptions for infill projects.	The City worked with several developers during the planning period that resulted in three mixed-use development projects being approved by City Council. Two projects are now complete. The third project is currently under construction.	The City will continue to encourage the use of mixed-use development to meet their 6 <sup>th</sup> Cycle RHNA needs.
1.C	<i>Encourage Mixed-Use Development</i> - Increase awareness of the potential for mixed-use development	The City will ensure that developers are aware of the mixed-use development opportunities in the city.	The City will continue to work to increase developer awareness of the potential for mixed-use development. The City will continue to pursue both for-profit and non-profit developers to determine the best method to implement this program.	The City continues to educate property owners and developers about the process for mixed-use development in our commercially zoned properties. Two RFPs were issued by the City for development on City owned properties that encourage mixed-use development. The City continues to discuss potential mixed-use	The City will continue to provide information relating to development opportunities as required by State law.



Past Performance					
#	Program	Program Objective	Program Action	Current Planning Period Accomplishments	Effectiveness and Appropriateness
				development on City owned properties.	
1.D	Encourage Mixed-Use Development - Federal and State Programs	Review State and federal affordable housing programs for grant opportunities that can facilitate housing development in Solana Beach.	The City will regularly review potential federal and state housing financing and subsidy programs for their potential availability to Solana Beach. If the programs could be reasonably thought to be available to Solana Beach, the City would work with the appropriate developers and non-profits to support feasible funding application(s).	City staff continues to explore federal and state financing and subsidy programs for potential affordable housing and mixed-use development. Discussion with HCD staff and SANDAG are on-going. Planning funds were applied for and granted by HCD to assist with the City's Housing Plan efforts. Staff has mentioned to HCD staff that financing for construction continues to be the greatest challenge for housing developers, particularly for affordable housing projects. Developers have indicated that competitiveness for such financing is challenging when competing against other projects where land values are much lower.	The City will continue to seek opportunities for financing and subsidy programs that may assist in the development of mixed-use within Solana Beach.
2	Encourage Accessory Living Units	Distribute information to the public regarding the accessory living unit program at the permitting counter and other public venues, assess program effectiveness, and continue to monitor development standards and the permitting process. Seven additional accessory dwelling units are expected to be approved between 2013 and 2020 based on past trends.	The City currently has an accessory living unit ordinance, and the City will continue to encourage the development of accessory living units.  The City is committed to providing incentives that could include, but would not be necessarily limited to, continuing to assess development standards and implementing a faster permit approval process for these units. The City will also distribute information to the public regarding the accessory living unit program at the permitting counter and other public venues. In addition, the City will evaluate the progress that it makes from 2013 to 2020 in order to assess the program's effectiveness and take appropriate action to enhance program effectiveness, if necessary.	Ordinance 470 was adopted on November 9, 2016 to amend the municipal code to comply with Senate Bill 1069 and Assembly Bill 2299 related to accessory dwelling units. The provisions for accessory living units were removed from the municipal code as they were no longer consistent with the provisions of SB 1069 and AB 2299.	Per the new requirements of State housing law, the City will update their existing accessory living unit ordinance to meet the necessary requirements relating to the development of ADUs and JADUs. The City will continue to make updates to the ordinance as new legislation is passed throughout the 6 <sup>th</sup> Cycle planning period.
3	Density Bonus Program	Develop an educational hand-out regarding the State's density bonus law.	The City will continue to implement its density bonus ordinance to facilitate developer use of this program, and to comply with state law. The City will develop educational materials regarding the State's density bonus law.	A handout has been developed and is available at the front counter and on the city website.	The City successfully developed an educational hand out detailing the requirements and applicable exemptions for density bonus projects. The City will continue to update their educational materials to



Past Performance					
#	Program	Program Objective	Program Action	Current Planning Period Accomplishments	Effectiveness and Appropriateness
					reflect updates to new State law or local density bonus ordinance changes.
4	Affordable (Inclusionary) Housing Program	Continue to enforce the City's Affordable Housing Ordinance for new developments. Utilize any Affordable Housing Impact Fees to provide affordable housing through new construction or conversion from market-rate housing.	The City will continue to monitor its effectiveness and provide incentives to the developers of affordable inclusionary housing units, as needed. The City will continue to monitor this program to identify any potential constraints and make adjustments to the ordinance if necessary to facilitate successful implementation of this program.	Inclusionary provisions of the City's Municipal Code were modified to adopt a new Affordable Housing Impact Fee; adopted March 23, 2011.  Two mixed-use project netting in 33 dwelling units approved in 2016 and 2018 were subject to the impact fee.	The City will continue to apply the requirements outlined in the local Affordable Housing Ordinance to new development projects in the 6 <sup>th</sup> Cycle.
5	Replacement Housing	Replacement of ten very low-income units per the <i>Haro</i> settlement.	The City desires to retain affordable housing in the coastal zone, and the City's Affordable Housing Program, described in Program 4, is intended to meet the City's obligation to provide housing for low- and moderate-income households in the coastal zone.  Under the terms of a settlement agreement in <i>Haro v. City of Solana Beach</i> , the City committed to replacing 13 units of affordable housing.	One mixed-use application consisting of 10 very low-income units on city-owned land was approved in 2014 and received a time extension in December 2015. On August 24, 2016 the City Council conducted a public hearing under the Tax and Equity Fiscal Responsibility Act (TEFRA) and approved the use of tax exempt bonds for the financing of the project.	The City will end this program after the 5 <sup>th</sup> planning period.
6	<b>Address and Mitigate Constraints to Housing Development</b>				
6.A	Monitor Affordable (Inclusionary) Housing Ordinance	Monitor the effectiveness of the Inclusionary Housing Ordinance in achieving additional affordable housing units.	The City will continue to monitor its effectiveness and provide incentives to the developers of affordable inclusionary housing units, as needed. The City will continue to monitor this program to identify any potential constraints and adjust the ordinance if necessary to facilitate successful implementation of this program.	Staff discusses the inclusionary program with all applicants proposing 5 or more units and any interested party.	The City will continue to discuss the potential incentives associated with the development of affordable inclusionary housing units as new development occurs within the 6 <sup>th</sup> Cycle. As a requirement of adoption of the 6th Cycle Housing Element Update, the City is required to identify and analyze potential governmental constraints to development, including constraints associated with existing inclusionary housing policies.
6.B	Monitor Permit Processing Procedures	Monitor permit processing procedures.	The City will continue to monitor its permit processing procedures over the housing element period to ensure that they are not acting as a constraint to the development of housing. If the City finds that its procedures are overly burdensome on residential projects, it will consider revising the permitting process to mitigate potential constraints.	The City continues to review its permit processing procedures over the course of the 5 <sup>th</sup> Cycle Housing Element planning period.	As a requirement of adoption of the 6th Cycle Housing Element Update, the City is required to identify and analyze potential governmental constraints to development, including constraints associated with existing permit processing procedures and timelines.
6.C	Public Education	Publish/post a new story or information or conduct a presentation once a year.	The City shall initiate a public education program to provide information that describes the benefits of affordable housing and the myths and realities of affordable housing through such means as public presentations, newspaper articles, and information posted on the City's website.	Educational information regarding affordable housing was posted on the website.	Public education regarding new State housing laws is an important component of the public outreach process for the 6 <sup>th</sup> Cycle Housing Element. As part of the update process, the City will conduct the required community



Past Performance					
#	Program	Program Objective	Program Action	Current Planning Period Accomplishments	Effectiveness and Appropriateness
					outreach and post relevant educational materials on the City's website.
6.D	Constraints for Persons with Disabilities/ Transitional and Supportive Housing	Consistent with SB2, amend the City's zoning ordinance to treat transitional and supportive housing as residential uses subject to the same requirements as any other residential use in the same zone in which it is proposed and amend the definition of residential care facility to delineate the difference between residential care facilities and transitional or supportive housing. Revise the reasonable accommodation procedures to eliminate the need for a variance and continue to monitor zoning and land use rules and regulations to ensure that they do not constrain the development of housing for persons with disabilities.	The City will continue to facilitate the development, maintenance and improvement of housing for persons with disabilities. Also, the City will continue to ensure the City's zoning does not constrain the development of housing for persons with disabilities or residential care facilities. In addition, it will amend its zoning ordinance to treat transitional and supportive housing as residential uses subject to the same requirements as any other residential use in the same zone.	Ordinance 445 amending zoning was adopted 2/12/14. Ordinance 445 amended the City's Zoning code to comply with Request for Reasonable Accommodate under the Fair Housing Act and clarified the definitions of Supportive Housing, Transitional Housing, and Residential Care Facilities.	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element. The City will analyze constraints relevant to the provision of housing for persons with disabilities and other special needs portions of the population as required by State law.
6.E	Facilitate Housing for the Extremely Low Income	Amend the City's zoning ordinance to clarify that SROs are considered studios or efficiency units, which are permitted in multi-family zones.	The City permits studios/efficiency units in its multi-family zones and will amend its zoning ordinance to clarify that SROs are considered a multi-family use. In addition, the City will encourage and facilitate the development of housing for extremely low-income households through a variety of activities such as holding workshops with housing developers, providing financial or in-kind technical assistance or land write-downs, providing expedited permit processing, identifying grant or funding opportunities, applying for or supporting applications for funding on an on-going basis, and offering a reduced fee schedule.	In 2016, the City amended its zoning code to clarify that single-room occupancy units (SRO's) are permitted in multi-family zones.	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element.
6.F	Priority Water and Sewer Service for Affordable Housing	Immediately following adoption, provide the Santa Fe Irrigation District with a copy of the Housing Element. Adopt priority sewer service for affordable housing.	The City will immediately forward the adopted Housing Element and any subsequent amendments to the Santa Fe Irrigation District. The City will also develop priority service procedures for its sewer service.	The Housing Element was sent to the Water Authority.	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element.
6.G	Housing Element Consistency and Monitoring	A housing element that is consistent with the rest of the General Plan and other important planning and policy procedures	The City will continue to monitor the Housing Element as part of its annual general plan implementation report. This includes monitoring the Housing Element for consistency with any amendments made to the Safety, Conservation, and/or Land Use Elements pursuant to AB162 and the required annual review of floodplain maps. If sites identified in the Housing Element as suitable for housing are subsequently identified as inappropriate due to changes in the flood maps, additional sites may need to be identified.	The City's General Plan consistency review between the adopted current Housing Element and the other elements within the General Plan is ongoing.	Per State law, the City is required to maintain consistency between all elements of the General Plan. As revisions are made to other elements within the City's General Plan during the 6 <sup>th</sup> Cycle, the City will amend the Housing Element if necessary to remain consistent.
6.H	Employee Housing Act Compliance	Ensure compliance with the Employee Housing Act.	Review the City's regulations for compliance with the Employee Housing Act, particularly sections 17021.5 and 17021.6 of the Health and Safety Code regarding farmworker housing. Make amendments to the City's regulations as necessary.	Employee Housing Act has been reviewed and the Housing Element was found in compliance..	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element. If future revisions to the Employee Housing Act occur, the City will make the necessary amendments to remain in compliance.
7	Emergency Shelter Housing Site Identification	Amend the zoning ordinance to allow emergency shelters by right in the General Commercial zone and develop objective standards for their development.	To ensure compliance with this requirement, the City will modify its zoning ordinance to permit emergency shelters in its General Commercial zone and develop objective standards for their development.	Zoning ordinance amending emergency shelters outright in General Commercial and permitting them in the Public/Institutional zone with a Director's Use Permit with	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element.



Past Performance					
#	Program	Program Objective	Program Action	Current Planning Period Accomplishments	Effectiveness and Appropriateness
				development standards was adopted February 12, 2014.	
8	Illegal Unit Conversion	Continue to implement the illegal unit conversion program. Research the feasibility of implementing an amnesty program.	This program allows homeowners with illegally established accessory dwelling units on their property to apply for legalization.	No applications for conversion have been received so far in the planning period.	This program will be continued in the 6 <sup>th</sup> Cycle Housing Element. New state law regarding ADU compliance, development standards, and permitting requirements will be addressed.
9	Preserve Existing At-Risk Units	Continue to monitor units at risk of conversion, identify non-profit housing organizations capable of assisting with the preservation of at-risk units, and identify available funding sources. Prevent the one at-risk unit from converting to market rate.	The City will contact the owners of properties with affordable units at risk of converting to market rate to learn of their plans and explore the possibility of purchasing these developments through HUD or a non-profit corporation, actively seeking out non-profit housing organizations that could assist in the preservation of the at-risk units, and applying for financial assistance from sources such as CDBG and HOME funds to attempt to offer financial incentives to extend the terms of the affordability restrictions. Once a non-profit is identified, the City will assess the non-profit corporations' capacity to acquire and manage, assist or support funding applications, and provide tenant counseling.	Received project application for Solana Highlands in 2014 with 32 affordable units, which will replace units previously monitored by the County of San Diego. The expiration date for these affordable units was 2011 and 18 units currently remain. The project was approved by City Council in December 2018.	The City is required by State law to address the preservation of units at-risk of converting to market-rate within the next 10 years. This analysis is included within the 6 <sup>th</sup> Cycle Housing Element.
10	Section 8 Rental Assistance	Assist developers in applying for project-based Section 8 rental assistance as opportunities arise and continue to work with the County of San Diego Housing Authority regarding the administration of the Section 8 Rental Assistance Program.	The City will provide flyers in both English and Spanish notifying residents and landlords of the availability of Section 8 rental assistance. The City will also seek out project-based Section 8 vouchers to assist with the operational income of affordable housing projects.	The City has continued to coordinate with the County of San Diego Housing Authority to implement and administer Section 8 Rental Assistance.	The City will continue to provide community members with updated information materials regarding the availability of Section 8 Housing Choice Vouchers so long as funding for the program remains available.
11	Capital Improvements Program	Update the Capital Improvement Program on an annual basis.	The City annually prepares and adopts as part of its annual budget process a multi-year program of capital improvements. The primary focus of the program is repair and maintenance activities.	Continued to implement City's CIP program, annual budget adopted each year.	The City successfully updated and implemented its CIP and will continue to do so in the 6 <sup>th</sup> Cycle Housing Element planning period.
12	Condominium Conversion Policy	Continue to implement the ordinance.	The City will consider requests for the conversion of existing rental housing of ten or more units to condominium units only when the rental vacancy rate exceeds 6 percent.  In the event that a conversion request is granted, the project is subject to the affordable (inclusionary) housing ordinance, which requires that 15 percent of the units be set aside as affordable.	No applications for conversion have been received so far in the planning period.	The City will continue to implement the existing condominium conversion ordinance as detailed within the City's Municipal Code.
13	Residential Code Enforcement	Expand the program to make complaint forms available in Spanish and available to download on the City's website. The City will monitor and review code enforcement activity on an annual basis and identify all housing complaints by type, action taken, and results achieved.	The City will expand its residential code enforcement program by making complaint forms available in Spanish and including additional information on the City's website.	A code action data base for housing complaints is routinely maintained and the complaint form is available in English and Spanish.	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element.
14	Residential Rehabilitation	Continue to provide informational materials to promote this County program.	The City of Solana Beach provides information regarding the residential rehabilitation program. The residential rehabilitation program addresses a wide range of rehabilitation needs. These include minor repairs as well as substantial structural, heating, electrical, or plumbing modifications, as well as technical assistance with applying for loans, housing inspections, and construction inspections.	City staff continues to make available informational materials discussing the County's residential rehabilitation program to the public.	The City will continue to make available to residents any existing and updated information discussing this County program for as long as it remains available.
15	Mortgage Credit Certificate (MCC)	Continue to provide informational materials regarding this County program.	The Mortgage Credit Certificate (MCC) program assists low and moderate-income first-time home buyers. Under this program, which is administered by the County of San	No applications have been received, the MCC handout has	The City will continue to make available to residents any existing and updated



Past Performance					
#	Program	Program Objective	Program Action	Current Planning Period Accomplishments	Effectiveness and Appropriateness
			Diego, qualified first-time home buyers are able to take a federal income tax credit of up to 20 percent of the annual interest paid on their mortgage.	been made available at City Counter.	information discussing this County program for as long as it remains available.
16	Distribute Fair Housing Information	Continue to provide informational materials regarding fair housing.	The City will stay informed of the current fair housing complaint process, continue to distribute the FHCSA's information on fair housing, and refer fair housing questions and housing discrimination claims to the FHCSA. The City will distribute and make available informational material at both the Building and Planning Department counters and identify other venues (e.g., libraries and other public venues) and opportunities to distribute the information. The City will also maintain a record of fair housing inquiries, referrals for fair housing assistance, and complaints filed.	The City distributes brochures at the Library and City Hall and participates in Fair Housing Council. No complaints received or referred to FHC during 2016.	The City is required by State law to analyze current and future efforts to affirmatively further fair housing (AFFH) as part of the 6 <sup>th</sup> Cycle Housing Element Update. The City will continue to make materials and resources regarding fair housing available to the public.
17	Energy Conservation	Complete the development of the energy efficiency program.	<p>The City will continue to implement the Solana Beach Green Building Incentive, which offers expedited permit processing for green building applications, permit fee reimbursement for projects that receive GreenPoint Rated certification, and public recognition.</p> <p>The City will continue to provide information on the City's website regarding steps residents can take to increase their energy efficiency and SDG&amp;E rebate/voucher programs available to Solana Beach residents and businesses. The City will develop an energy efficiency program for the community and continue to monitor pertinent legislation which would make it easier to implement solar installations.</p> <p>The City will continue to utilize the Ad-Hoc Subcommittee on Environmental Sustainability to work closely with the Clean and Green committee to develop additional energy conservation and sustainability programs.</p>	<p>The City implemented the PACE program in winter 2014 and continues to identify areas and programs for reducing energy use in the development of the Climate Action Plan.</p> <p>The City currently has information regarding the programs in the City Website, on the Energy Efficiency Programs page, including links to rebates and services and additional state information.</p>	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element.
18	Public Participation	Keep track of public noticing and participation procedures and as part of the annual review of the housing element, identify and implement effective public communication strategies.	The City must make a diligent effort to achieve public participation of all economic segments of the community. As part of the annual review of the housing element, the City will evaluate the effectiveness of its public communication strategies	The City maintains all notices provided to the public and mails, Eblast, places information on the City website and Facebook, and has used surveys to obtain feedback and information.	The City is required by State law to conduct community engagement as part of the 6 <sup>th</sup> Cycle Housing Element Update process. All community outreach materials, workshop summaries, and written comments are included within the 6 <sup>th</sup> Cycle Housing Element Update as well as on the City's website.
19	Affordable Housing on City-Owned Property	Issue RFPs to develop affordable housing on the City-owned sites identified in the suitable sites inventory (Sites 3 and 4).	The City will be issuing requests for proposals (RFP) for the development of the other two sites (Sites 3 and 4). To encourage development of these sites, the City will offer incentives such as a reduced fee schedule, land write-downs, and expedited permit processing.	There are currently two RFP's on the City's website.	The City successfully completed this program as part of the implementation of their 5 <sup>th</sup> Cycle Housing Element. As part of the 6 <sup>th</sup> Cycle Housing Element Update, the City will evaluate the appropriateness of these sites in using them to meet the City's RHNA need, given the reuse requirements of State law.





# Appendix B:

## Candidate Sites Analysis

# Appendix B: Candidate Sites Analysis

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## Candidate Sites Analysis Overview

The Housing Element is required to identify sites by income category to meet the City's RHNA Allocation. The sites identified within the Housing Element represent the City of Solana Beach's ability to develop housing at the designated income levels within the planning period (2021-2029). These sites are either residentially zoned or within a commercial zone that permits residential uses at 20 du/ac.

The State Department of Housing and Community Development (HCD) is currently preparing a standardized sites analysis inventory matrix for jurisdictions to complete. This matrix is anticipated to include detailed information on the sites identified to meet the City's RHNA, including:

- Assessor Parcel Number (APN)
- Address
- Size (Net Acres as defined by the City and in Appendix D)
- Zoning
- Description of Existing Use
- Ownership
- Density
- Potential Development Capacity (Dwelling Units)

A summary of this information is included within the Housing Resources section (Section 3) of Solana Beach's 2021-2029 Housing Element.

**Table B-1** shows the City's 2021-2029 RHNA need by income category as well as a breakdown of the sites identified to meet that need. The analysis within Appendix B shows that the City of Solana Beach has the capacity to meet their 2021-2029 RHNA allocation through a variety of methods, including:

- Identification of additional capacity on existing, residentially zoned sites and commercially zoned sites that permit residential development at 20 du/ac
- Identification of City owned properties suitable for the development of housing
- Future development of accessory dwelling units (ADUs)

## Water, Sewer, And Dry Utility Availability

Each site has been evaluated to ensure there is adequate access to water and sewer connections as well as dry utilities. Each site is situated with a direct connection to a public street that has the appropriate water and sewer mains and other infrastructure to service the candidate site.

## Accessory Dwelling Units (ADUs)

As a result of this legislation and an increased effort by the City to promote ADUs, the City has seen an increase in applications so far in 2020. The City has approved 12 ADUs for development in 2020, 2 of which are affordable. Additionally, the City received 24 applications for ADUs in 2020. The City is still processing some of these applications, which will likely receive permits early in 2021. In accordance with State law, ADUs are allowed in all zones that allow single dwelling unit or multiple dwelling unit development. Junior Accessory Dwelling Units (JrADUs) are permitted only in single dwelling unit zones.

The City of Solana Beach has determined based on past performance and HCDs approved methodology that it is appropriate to anticipate the development of 16 accessory dwelling units per year from 2021 to 2029 for a total of 128 ADUs.



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Table B-1: Summary of RHNA Status and Sites Inventory					
	Extremely Low/ Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
2021-2029 RHNA	316	159	160	240	875
RHNA Credit (Units Built)		32	10	61	103
<b>Total RHNA Obligations</b>	<b>316</b>	<b>127</b>	<b>150</b>	<b>179</b>	<b>772</b>
<b>Sites Available</b>					
Existing Residentially Zoned Properties	10		44	34	88
Existing Commercially Zoned Properties	486		--	182	668
<b>Total Potential Capacity Based on Existing GP and Zoning</b>	<b>496</b>		<b>44</b>	<b>216</b>	<b>756</b>
Accessory Dwelling Unit Production	15		113	--	128
<b>Total Sites Available</b>	<b>511</b>		<b>157</b>	<b>216</b>	<b>884</b>
<b>Potential Unit Surplus</b>	<b>68</b>		<b>7</b>	<b>37</b>	<b>112</b>

## B.1 Very Low- and Low-Income Sites Inventory

This section contains a description and listing of the candidate sites identified to meet the Solana Beach’s very low and low income RHNA need. A full list of these sites is presented in **Table B-4**.

The City of Solana Beach has identified sites with capacity to accommodate the City’s 2021-2029 RHNA. This capacity is based on existing zoning and does not require the City to complete rezones in order to add capacity to what currently exists. This City has identified 32 parcels within the high density residential, general commercial, and special commercial zones. Each of these zones permits residential as a standalone use. The identified sites have been evaluated to determine the extent to which on-site uses are likely to redevelop within the planning period. It was found that a number of the existing uses (identified in Table B-4) are either temporarily or permanently closed or have reduced hours of operation. Additional sites show no website presence to indicate a viable business. Many of the uses are in multi-tenant commercial centers with one ownership and most show little to no evidence of recent investment or redevelopment. The City does not have access to lease structures as these are private documents but has conducted an analysis to identify sites that show characteristics indicating they are likely to redevelop within the planning period. The analysis also includes several letters of potential residential development interest in **Appendix A**.

As shown below, the City has a past history of developing residential uses within non-residential zones that have existing uses. This is often done in a mixed-use development which retains commercial uses as described in the following section.

### Redevelopment of Non-Vacant Sites for Residential Uses

The City’s does not have sufficient vacant land available to accommodate fifty percent of their low/very-low income RHNA. To accommodate the need at those income levels, the City has analyzed sites within the general commercial, special commercial, and high density residential zones. The City has also evaluated recent projects that have redeveloped within commercially zoned areas that included residential units. Those projects, including the zoning use prior to redevelopment, and a project analysis of the approved development plan, are shown in **Table B-2**. The



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City’s analysis showed that prior uses on these redeveloped sites were similar in nature to the existing uses on sites identified within the sites inventory in **Table B-4**.

The City has also conducted a parcel specific analysis of existing uses for each of the identified sites. This analysis of existing uses, including indicators of a likelihood that the existing use will redevelop within the next eight years, are provided in **Table B-4**. This analysis is based on information readily available to the City and research that can be found through online research. The City does not always have access to private lease information but has included information that property owners have shared regarding individual sites.

The following residential development projects have been constructed within the City’s general and special commercial zones:

Table B-2: Example Development of Non-Vacant Sites for Residential Uses				
Project Address/ APN	Dwelling Units	Zoning	Use Prior to Redevelopment	Project Analysis
636 Valley Avenue/ 2981333900	3	C	Small single-family residence on a large lot, mostly undeveloped lot.	Project developed 3 residential units and a small commercial component. At 20 du/ac, the project could accommodate 4 dwelling units but opted to only do 3 to incorporate the commercial component. This justifies the City’s adjustment factor shown in Table B-4 in <b>Appendix B</b>
625 Valley Avenue/ 2981310800	2	C	Commercial dentist offices on a large lot.	Project redeveloped the lot to keep the dentistry office uses and add two residential units at the rear part of the parcel. The parcel. This project had the potential to include additional residential but chose to keep over half of the lot for dentist offices and related parking.
330 S. Cedros Avenue/ 2980761300	8	SC	Commercial nursery with outdoors sales/display areas and a small commercial store structure.	Project developed 8 residential units in addition to ground floor commercial space along Cedros Avenue and additional creative office space for lease within the two story structure. This development could have met the maximum number of residential units but chose to include additional commercial/office space.
343 S. Highway 101/ 2980521400	25	C	Five adjacent parcels consisting of a commercial car repair/autobody shop, vacant mobile home park, vacant residence, and homes converted to office uses.	This 1.95 acre project site consists of 5 parcels in the General Commercial (C) zone that were directly adjacent and consolidated to develop this mixed-use project. The project consists of approximately 52,000 square feet of commercial office, restaurant and dining, and retail space in addition to 25 multi-family residential units. This development could have met the maximum number of residential units permitted within the current zoning but chose to include additional commercial/office space.

While these projects do not contain affordable units, they show that the City has a past performance of developing residential units within the general and special commercial zones. As all of these uses retained a small commercial

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component, the City has included a residential development factor of 0.8 to accommodate for the inclusion of commercial uses in redevelopment. The **Housing Plan** section outlines actions the City will take to promote the development of affordable units within the downtown and commercial areas.

**Development of Small Site Parcels**

Sites identified to meet the City’s very-low and low income RHNA were selected based on their ability to meet the default density of 20 dwelling units per acre and the AB 1397 size requirements of at least .5 acres but not greater than 10 acres. While several sites identified in the City’s sites analysis do not meet this requirement, the City has a history of developing residential uses on parcels in the downtown that are less than half an acre. This shows the viability of these sites. Additionally, the City has identified sites under a half-acre in size that are either adjacent or share characteristics such as common ownership. This is shown under the consolidation group column of **Table B-4**.

<b>APN</b>	<b>Address</b>	<b>Parcel Size</b>	<b>Consolidated Site (Shown in HCD Site Inventory Template)</b>	<b>Analysis Findings/Description</b>
2982118100	S Sierra Avenue	0.33	A	This parcel is currently a city-owned parking lot with no existing structures. The Sites Analysis shows this parcel as consolidated with 511 S Highway 101 (APN 2982114000), a fit athletic club for which it currently serves as overflow parking. These parcels are directly adjacent, share an ingress/egress point and the parking is not used for any other adjacent use. As the parcel is City-owned, the City has added control over the future use of this parcel and is interested in developing it for residential uses as indicated in the Housing Element.
2980103200	201 S Highway 101	0.35	C	This parcel as well as the parcel directly adjacent to it (APN 2980103100) are both vacant parcels within the City’s downtown core. Both parcels have a common ownership under the Kornberg Family Trust and have no existing structures or developed sections. The properties are in close proximity to a number of multi-family developments which have developed on parcels within similar size, shape, and location.
2980103100	204 S Sierra Avenue	0.43	C	See above description. Parcels are anticipated to be developed together and have been identified as consolidated sites in the City’s Sites Inventory.

Sites were selected based on their realistic viability to accommodate lower income housing within the 2021-2029 planning period. This includes an evaluation of vacant land within the City (**Table B-2**) as well as underutilized sites that may provide the potential for redevelopment to accommodate residential at higher densities. Solana Beach is almost entirely built out, with the little vacant land within the City containing steep slopes or other characteristics



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which make it difficult to develop. As such, all sites identified within the housing element are on non-vacant parcels. As shown in the previous section, the City has a history of developing residential units on non-vacant parcels.

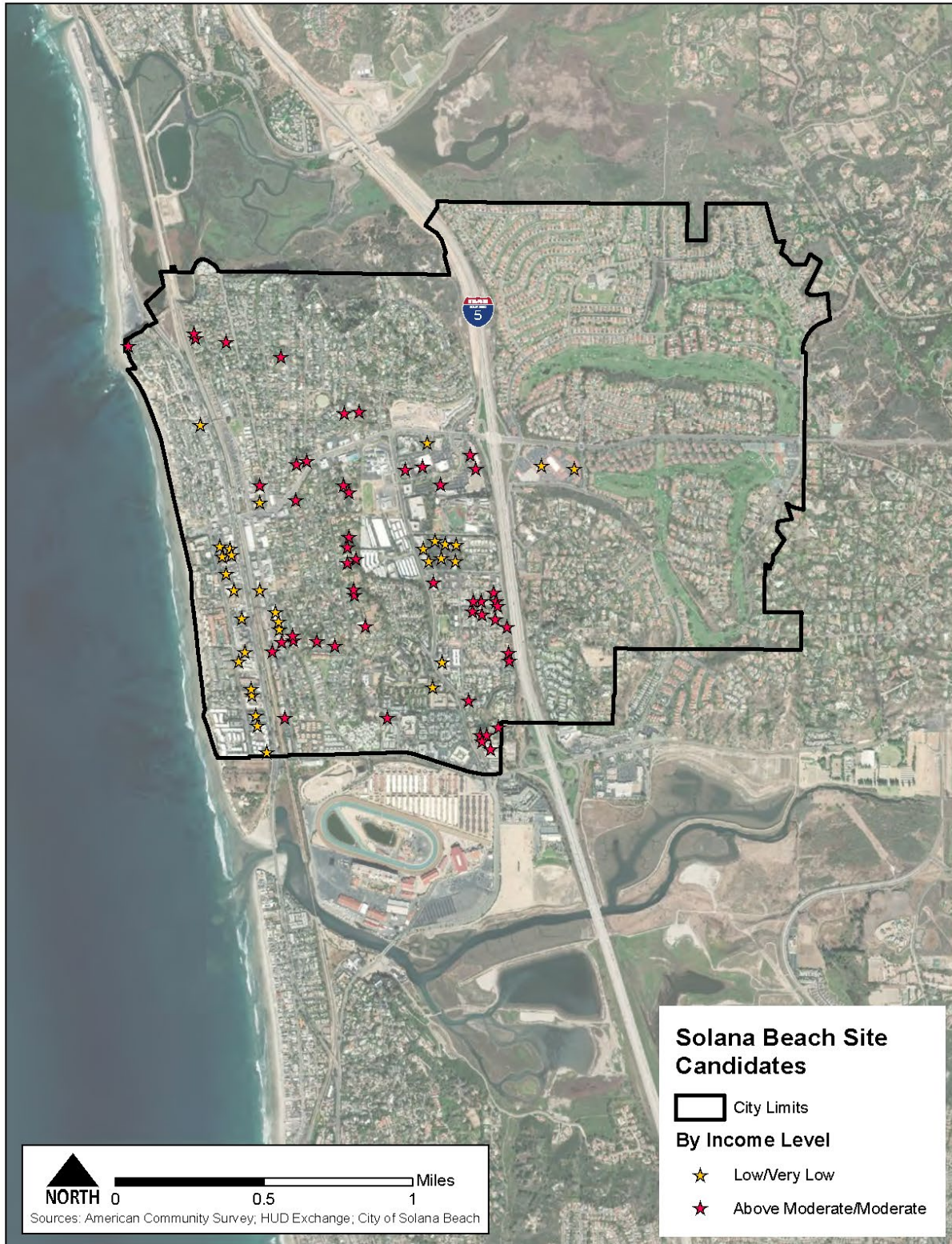
**Figure B-1** shows the locations of all parcels identified to meet the City's lower income RHNA need. A detailed map and list of candidate sites can be found on the City's website.

**Infrastructure Availability**

As discussed in **Section 3**, each site has been evaluated to ensure there is adequate access to water and sewer connections. Each site is situated adjacent to a public street that has the appropriate water and sewer mains and other infrastructure to service the candidate site.



**Figure B-1: Map of Identified Sites (All Income Levels)**



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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
2982118100	C	C	S SIERRA AVE	CITY OF SOLANA BEACH	0.33	20	0.8	5		City-owned surface parking lot that provides parking solely to the adjacent gym facility. City is in the process of issuing RFPs for this property.	A
2982114000	C	C	511 S HIGHWAY 101	HARRISON FAMILY TRUST 01-09-91	1.15	20	0.8	17		FIT Athletic Club. Currently shown as closed on their website and may redevelop in conjunction with City RFP for adjacent parking lot.	A
2980102000	C	C	236 S SIERRA AVE	236 S SIERRA LLC	0.53	20	0.8	7		Small office space for Cruzan (Real Estate Developer), ID Studios, Inc (Interior Designer), and OrangeWallstudios architecture+planning. This site has capacity to add residential uses while maintaining existing commercial, similar to the sample professional dentist office which recently redeveloped.	
2980106100	C	C	155 S OLD HIGHWAY 101	101 PLAZA LLC	0.55	20	0.8	6		Small commercial center including uses such as GC Dance Company, Beach Grass Café, Sotheby's, nail salon, travel agency, and movement center.	



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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
										Several of these uses, including Beach Grass Café, the Center of Movement and Balance, Choukri Salon, and WorldView Travel were determined to be permanently closed via information available online.	
2980521200	C	C	305 HIGHWAY 101	LONGS DRUG STORES CALIFORNIA INC (SUBLESSEE) <LF>	1.80	20	0.8	27		CVS Pharmacy location with ample surface parking. Single tenant and building show no signs of recent renovations/reinvestment. Directly adjacent to new mixed-use development (343 S. Highway 101)	
2980531700	C	C	405 S HIGHWAY 101	BANK OF AMERICA NATIONAL TRUST&SAVINGS ASSN	0.98	20	0.8	15		Large underutilized parcel with single tenant (Bank of America) Building shows no signs of reinvestment or renovation and market trends point to bank uses going online with smaller physical footprints.	
2980910100	SC	SC	337 S CEDROS ST	HARRISON KEITH&SARA	0.71	20	0.8	7		Small commercial center for Amari Active (currently closed), Devine Grace Today (currently closed),	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
										Imeriti Inc and Investors 1031 Exchange. Building shows no signs of reinvestment or renovation.	
2980920100	SC	SC	410 S CEDROS AVE	SOUTH CEDROS ASSOCIATES LLC	0.93	20	0.8	10		24-7 Towing SOLANA BEACH, AIM Wellness Center, BeachRadish Images and BPI Training Now I Home Star are the current tenants.. Lease structures are not available to the City for these uses. This site may redevelop with sites labeled "B" in the consolidation group.	B
2980921100	SC	SC	0 CEDROS AVE	SOUTH CEDROS ASSOCIATES LLC	0.91	20	0.8	11		The site contains parking spaces and a portion of a commercial center (Pedego Electric Bikes and Shauns California Sunglasses store). This site may redevelop with sites labeled "B" in the consolidation group. Building shows no signs of reinvestment or renovation.	B



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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
2981121500	SC	SC	741 ACADEMY DR	ACADEMY HOSPITAL LLC	0.58	20	0.8	6		Single tenant (Academy Animal Hospital) and building shows no signs of recent renovations/reinvestment. Lease terms are not known for this use.	
2981121900	SC	SC	524 STEVENS AVE	CANTERBURY 2008 IRREVOCABLE TRUST 05-22-08	0.62	20	0.8	6		Small Commercial center with tenants such as A Diva's Hidden Hair, Annie's Café's and Deli (currently closed), Bongiorno's and Charco Financial LLC. Charco Financial LLC has no website or information available to show they are still in business. Buildings show no signs of renovation or reinvestment.	
2981122000	SC	SC	532 STEVENS AVE	SOLANA PARTNERS LP	1.79	20	0.8	21		1 Carpet San Diego, Mitchell's Floor Coverings, Studio 540 Jiu Jitsu, Hylete, PERFECT PET SALON and Sydnee's Pet Grooming are the current tenants of the small commercial center. There is surface parking surrounding the building	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
										that may be redeveloped with room for commercial uses.	
2981122100	SC	SC	722 GENEVIEVE ST	SOLANA PARTNERS LP	2.43	20	0.8	29		Small commercial center that currently has A'LaFin Skincare, akovash hardwood (currently closed), Back To Perfection, Beauty & Body Med Spa Salon Solana Beach CA, Busy Moms Fitness Solana Beach & San Diego, Custom Home Audio as tenants. The building is surrounded by surface parking spaces and shows no indications of reinvestments or renovations.	
2981122200	SC	SC	742 GENEVIEVE ST	SOLANA PARTNERS LP	1.61	20	0.8	19		Ballet Arte, Body Design, Breyer's Branches Test, and Dyjak Design Build are the current tenants for the building. There are surface parking lot surrounds the building and no indicator of renovations or reinvestments.	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
2633513500	SC	SC	124 LOMAS SANTA FE	OZAWA FARMS INC <DBAJ&T INVESTMENTS>	1.82	20	0.8	28		A Commercial Shopping Center with Two Buildings with Aliza D. Cierone, ND, American Family Martial Arts, Andeliz Nails & Spa, Balancio Insurance, BioIntelligent Wellness, Blue Water Tackle(currently closed), Capstar Mortgage, Chief's Burgers & Brew, Dr. Alexia Garcia Chiropractor, Foundation Yoga Center, Johnson Air Systems, Linda's Hair Nails & Rfxlgy(currently closed), Local Greens, lu ann for hair, Michele Fry, L.Ac., RYT 500, Old Mission Properties, Purebowl, ShorelineFishing, SMartface, Sneaky Feet Aikido, Solana Beach Fish House, Solana Donur House, Solana Spa, Spark Health – IV Therapy Vitamin B12 & Other Services, Subway, Supeirior Legal Divorce & Mediation Services and Tidewater Chiropracter as	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
										current tenants. There is ample surface parking spaces that surrounds the building and building shows no indications of reinvestments and renovations.	
2982114700	C	C	647 S HIGHWAY 101	PINNACLE SOLANA II L L C	0.82	20	0.8	12		Single tenant building (Parioli Italian Bistro) with front and rear surface parking. The current site is underdeveloped with a large undeveloped portion of the parcel in the rear. This parcel is almost identical in nature to one of the redeveloped parcel examples shown in <b>Table B-2</b> .	
2982114900	C	C	731 S HIGHWAY 101	BLUE MAX	1.72	20	0.8	27		Mercado del Sol Commercial Shopping Center containing Double Take, Qwik Corner, JI Phone Repair (Permanently Closed), Bravo Salon (no website or indication of operation), Talisman Arts Tarot, Bangkok Bay Thai, a dry cleaner, and others. Many of these uses have	



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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
										limited hours and little web presence to determine a viable business. The building has surface parking in the front and one side of the building. There are no signs of recent renovations or reinvestments on the building.	
2982118500	C	C	635 OLD HIGHWAY 101	CITY OF SOLANA BEACH	1.08	20	0.8	17		City Hall of Solana Beach is located in the building and has ample parking in the rear. This parcel is city-owned and has been considered for residential uses in the past and the City will continue to pursue developer interest in the site. The site is underdeveloped and shows no indicators of recent renovations or reinvestments	
2982402400	C	C	100 BORDER AVE	COOPER-HARRIS FAMILY TRUST 01-07-04	0.60	20	0.8	9		Dated and underutilized small Commercial/Office Shopping Center. The building has rear parking and is directly adjacent to existing multi-family uses.	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
2982405800	C	C	777 HIGHWAY 101	PACIFIC EXECUTIVE PLAZA L L C	1.11	20	0.8	17		Small Business Park (with tenants including Andrew Moranchel, CPA P.C., Balance Strategies, LLC, Daniel Lowther Law Offices and Dumbeck & Dumbeck Law Office) that has ample surface parking in the front and side of the building. .	
2985301900	SC	SC	761 ACADEMY DR	MAX FIRSTENBERG WEINSTOCK FAMILY L L C	1.03	20	0.8	11		Small Business Park that includes 2 buildings with 2 tenants (Center for Cosmetic Dentistry and David Daughters, DDS, Inc.). The shopping center is dated with no indications that the building has recent renovations or reinvestments and surface parking is in the front.	
2985302000	SC	SC	809 ACADEMY DR	ACADEMY GROUP LLC	1.03	20	0.8	12		Top Tier Training, Stratum Fitness and The Saints Thrifts Store are the present tenants of the building with front parking. Presently there is no sign of renovations or reinvestments.	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
2980103200	C	C	201 S HIGHWAY 101	KORNBERG FAMILY TRUST 08-11-92 PERL FAMILY MARITAL TRUST	0.35	20	0.8	5	VAC	Currently the site is a vacant lot and is clearly underdeveloped. The project may redevelop in conjunction with an adjacent site labeled "C" in the consolidation group.	C
2980103100	C	C	204 S SIERRA AVE	KORNBERG FAMILY TRUST 08-11-92 PERL FAMILY MARITAL TRUST	0.43	20	0.8	6	VAC	Presently the site is a vacant lot and is underdeveloped. The project may redevelop in conjunction with an adjacent site labeled "C" in the consolidation group.	C
2980106300	C	C	140 S SIERRA AVE	CITY OF SOLANA BEACH	1.00	20	0.8	16		City-owned surface parking lot that provides parking solely to the adjacent commercial shopping centers. This parcel has been considered for residential uses in the past and the City will continue to pursue developer interest in the site.	
2634210800	C	C	607 LOMAS SANTA FE DR	SECURITY PACIFIC NATIONAL BANK	1.05	20	0.8	15		A single tenant building (Chase Banking) with ample surface parking and currently underdeveloped.	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
				<LF> ANDERSON CAROL						Building shows no signs of reinvestment or renovation and market trends point to bank uses going online with smaller physical footprints. The City has identified the larger shopping center and is in the process of obtaining a letter of interest for residential development.	
2980920200	SC	SC	444 S CEDROS AVE	SOUTH CEDROS ASSOCIATES LLC	0.48	20	0.8	5		A commercial center (24-7 Towing SOLANA BEACH, AIM Wellness Center, BPI Training Now/Home Star and Cloud Applications & Accounting Services) that has front and side surface parking. This site may redevelop with sites labeled "B" in the consolidation group.	B
2632936000	C	C	971 LOMAS SANTA FE DRIVE	PACIFIC SOLANA BEACH HOLDINGS	3.98	20	0.8	63		Commercial center with multiple tenants such as Samurai Japanese Restaurant, Postal Annex, The Frame Shop, and Craftsman Revival Home. This site has ample surface parking with no	



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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
										indication of recent renovations or reinvestments.	
2632935900	C	C	LOMAS SANTA FE DRIVE	PACIFIC SOLANA BEACH HOLDINGS	9.85	20	0.8	64		Large commercial center with multiple tenants such as Vons, Big 5 Sports Goods, HomeGoods and 24 Hour fitness(presently closed)but not limited to tenants listed above. This site shows no recent reinvestments or renovations and currently has ample surface parking. The City is in the process of obtaining a letter of interest for residential development from the property owner.	
2633040100	C	C	354 ACACIA AVE	HAGIO MICHIO TRUST01-31-02	0.52	20	0.8	10		The commercial center is located on the corner of a major roadway and shows no signs of recent renovations or reinvestments. The current tenants include Mitch's Surf Shop North, Joe Blair Surfboards and Moreland Choppers. The City is in the process of obtaining a letter of	

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Table B-4: Sites to Accommodate Low and Very Low-Income RHNA											
APN	Zone	GPLU	Address	Owner	Size (AC)	Realistic Density	Capacity Adjustment Factor	Potential Capacity	Vacant	Existing Uses and Redevelopment Analysis	Consolidation Group
										interest for residential development from the property owner.	
2981643200	HRd	HR	802 STEVENS AVE	ARNAIZ RONALD M & HILL- ARNAIZ MAKAYLA R TODD AUDREY	0.51	13	0.8	4		There is an existing 2 single-family detached houses and currently the site is underutilized. A realistic density of 13 du/ac (permits 20 du/ac) has been applied and existing units have been removed from the potential yield.	
2982810900	HRd	HR	841 STEVENS AVE	GRANADOS FAMILY TRUST 10-22-18	0.59	13	0.8	6		There is an existing single-family detached house on a underutilized parcel. The current building shows no signs of any recent renovations or reinvestments into the property. A realistic density of 13 du/ac (permits 20 du/ac) has been applied and existing units have been removed from the potential yield.	

## B.2 Moderate and Above Moderate Sites Inventory

This section contains a description and listing of the candidate sites identified to meet the Solana Beach’s moderate and above moderate income RHNA need.

### Calculation of Unit Capacity

The capacity for sites identified to meet the City’s above moderate RHNA need was determined by multiplying the net parcel size by the maximum achievable density for that zoning designation and rounding down to the nearest whole dwelling unit. Alternatively, the capacity for sites identified to meet the City’s moderate RHNA need was determined with the same methodology using the minimum achievable density for that zoning designation. In taking this approach, the City is using a conservative methodology. Where information is known, acreage has been netted out for potential constraints to development.

### Selection of Sites

This Appendix B contains a selection of those sites that are most likely to be developed for moderate and above-moderate income housing. For the purpose of identifying sites with the potential to be redeveloped within the planning period, this analysis considered existing zoned parcels that permit residential as a primary use within the following zones based on the permitted densities within those zones:

- Above moderate
  - LRC, Low Residential C
  - LRd, Low Residential D
  - LMRc, Low-Medium Residential C
  - LMRd, Low-Medium Residential D
  - C, General Commercial
- Moderate:
  - MRd, Medium Residential D
  - MHRd, Medium-High Residential D

Due to the primarily developed nature of Solana Beach’s communities, sites with a capacity through the existing zoning to develop for at least one additional unit were considered within the analysis. In most instances, additional units are achievable through the subdivision of an existing property and addition of dwelling units.

For the purposes of this analysis, accessory dwelling unit potential was calculated separately as outlined within the Candidate Sites Analysis Overview section above. ADUs represent additional potential units to meet the City’s RHNA.

City of Solana Beach  
2021-2029 Housing Element

Table B-3: Sites to Accommodate Moderate and Above Moderate RHNA

APN	Zone	Address	Owner	Size (AC)	Realistic Density	Potential Capacity	Vacant	Notes
2981331300	MHRd	820 VERA ST	DYER GARY&JOAN	0.16	8	1		Single-family house
2981331100	MHRd	834 VERA ST	CLARK MIRIAM E 1992 TRUST 06-30-92	0.15	8	1	VAC	Vacant Parcel
2982120100	MHRd	601 S CEDROS AVE	GILLIAM FAMILY TRUST 04-27-93	0.30	8	1		Single-family house
2633510600	MHRd	147 N RIOS AVE	FLAGG KENNETH&ANITA	0.29	8	1		Single-family house
2981401400	MHRd	667 IDA AVE	MURO TRUST 10-26-01	0.29	8	1		Single-family house
2982124400	MHRd	755 CEDROS AVE	D J D 2002 TRUST 04-13-02	0.27	8	1		Single-family house
2981400600	MHRd	635 IDA AVE	HERNANDEZ FAMILY TRUST 07-30-07	0.27	8	1		Single-family house
2981340300	MHRd	819 VERA ST	GRACIANO ARTURO	0.27	8	1		Single-family house
2981401800	MHRd	655 IDA AVE	FOWLER CHRYSTALYNN	0.26	8	1		Single-family house
2982932100	MHRd	804 IDA AVE	GONZALES FAMILY TRUST 02-11-99	0.51	8	1		Single-family house
2981400900	MHRd	645 IDA AVE	PICKERING JENNIFER A M	0.38	8	2		Single-family house
2981340501	MHRd	833 VERA ST	JONES SETH J&ROBINK	0.46	8	2		Two small single-family structures
2982932000	MHRd	0 IDA AVE	BRISA MAR DEVELOPMENT	0.51	8	4		Underutilized site w/ fence
2981623700	MHRd	0 IDA AVE	K N N MANAGEMENT LLC	0.77	8	6	VAC	Vacant Parcel
2982604400	MHRd	0 DEL MAR DOWNS RD	SAINT JAMES CATHOLIC PARISH IN SOLANA BEACH	0.94	8	7	VAC	Vacant Parcel
2982701800	MRd	2466 MANGO WAY	MARANDINO FAMILY TRUST 08-17-03	0.21	5	1	VAC	Vacant Parcel



City of Solana Beach  
2021-2029 Housing Element

Table B-3: Sites to Accommodate Moderate and Above Moderate RHNA

APN	Zone	Address	Owner	Size (AC)	Realistic Density	Potential Capacity	Vacant	Notes
2982701600	MRd	686 VIA DE LA VALLE	MARANDINO FAMILY TRUST 08-17-03	0.41	5	1		Single-family house
2982703500	MRd	684 VIA DE LA VALLE	MENGLER BRUCE&GRAHAM SUSAN FAMILY TRUST 05-20-15	0.51	5	1	VAC	Vacant Parcel
2630212500	MRd	637 W CIRCLE DR	STEINBERG JOSEPH S&DIANE H	0.46	5	1		Single-family house
2982704400	MRd	690 VIA DE LA VALLE	DOH REVOCABLE LIVING TRUST 01-04-12	0.44	5	1		Single-family house
2982830900	MRd	880 STEVENS AVE	PELLERITO JAMES J	0.62	5	2		Single-family house
2982704100	MRd	990 HIGHLAND DR	M C S DEL MAR CORPORATE CENTER LLC	1.22	5	6	VAC	Parking Structure
2634210900	C	225 STEVENS AVE	SOLANA BEACH PRESBYTERIAN CHURCH	2.02	20	31		Church Facilities
2634211000	C	663 SAN RODOLFO DR	S B T C HOLDINGS L L C	3.49	20	54		Commercial Shopping Center
2634211200	C	114 SOLANA HILLS DR	S B T C HOLDINGS L L C	3.26	20	51		Commercial Shopping Center
2634211300	C	0 SOLANA HILLS DR	S B T C HOLDINGS L L C	0.51	20	8		Commercial Shopping Center
2634211500	C	667 SAN RODOLFO DR	S B T C HOLDINGS L L C	1.55	20	23		Commercial Shopping Center
2981313000	C	616 STEVENS AVE	WINDWARD PLAZA LLC	1.00	20	15		Commercial Shopping Center
2630321800	LMRc	717 SEABRIGHT LN	HARTMAN BLAYNE TRUST 04-27-05	0.53	4	1		Single-family house
2630311200	LMRc	645 N RIOS AVE	POPE S&K FAMILY TRUST 03-24-03	0.54	4	1		Single-family house
2980838600	LMRc	130 S GRANADOS AVE	MUELLER FAMILY TRUST 04-09-01	0.56	4	1		Single-family house

City of Solana Beach  
2021-2029 Housing Element

Table B-3: Sites to Accommodate Moderate and Above Moderate RHNA

APN	Zone	Address	Owner	Size (AC)	Realistic Density	Potential Capacity	Vacant	Notes
2630320800	LMRc	725 SEABRIGHT LN	WAKEHAM RAY H&PATRICIA V FAMILY TRUST 09-16-88	0.53	4	1		Single-family house
2634040100	LMRd	321 EL VIENTO ST	MARTIN JOHN A&LOIS K TRUST 11-06-89	0.73	4	1		Single-family house
2634041000	LMRd	390 LOMAS SANTA FE DR	ZIMMERMAN FAMILY TRUST 08-29-07	0.65	4	1		Single-family house
2980943200	LRc	0 GRANADOS AVE	CARLTON FAMILY TRUST 12-10-93	0.34	3	1	VAC	Vacant parcel
2981215600	LRc	524 S NARDO AVE	SANCHEZ FELIX	1.19	3	2		Single-family house
2630821700	LRc	615 N GRANADOS AVE	GUNTHER HERBERT J&W RUTH TRUST 11-16-77	0.77	3	1		Single-family house
2634020500	LRc	148 S NARDO AVE	CARADINE JON C	1.79	3	4		Single-family house
2634022200	LRc	170 S NARDO AVE	BATCHMAN FAMILY TRUST 10-13-10	1.26	3	2		Single-family house
2980811100	LRc	302 S NARDO AVE	BARTHELL FAMILY TRUST 12-12-02	2.02	3	4		Single-family house
2980812500	LRc	258 S NARDO AVE	BARTHELL FAMILY TRUST 12-12-02	1.56	3	2		Single-family house
2980844400	LRc	422 S NARDO AVE	SWORTWOOD CHRISTOPHER G&HEATHER	0.85	3	1		Single-family house
2980844500	LRc	430 S NARDO AVE	BUSER MARTIN&CYNTHIA FAMILY TRUST 12-03-97	0.86	3	1		Single-family house
2980844700	LRc	326 NARDO AVE	SCHLIFF FAMILY TRUST 05-13-10	0.68	3	1		Single-family house
2980844800	LRc	318 S NARDO AVE	MCHALE FAMILY TRUST 02-23-18	0.74	3	1		Single-family house
2980921000	LRc	526 S CEDROS AVE	ESTRADA EDDIE M&GLORIA A REVOCABLE TRUST 04-08-08	1.10	3	1		Two single-family houses

City of Solana Beach  
2021-2029 Housing Element

Table B-3: Sites to Accommodate Moderate and Above Moderate RHNA								
APN	Zone	Address	Owner	Size (AC)	Realistic Density	Potential Capacity	Vacant	Notes
2980921300	LRc	0 RIOS AVE	ESTRADA EDDIE M&GLORIA A REVOCABLE TRUST 04-08-08	0.42	3	2	VAC	Vacant parcel
2980921400	LRc	0 RIOS AVE	NORTH COUNTY COASTAL LLC	0.40	3	1	VAC	Vacant parcel
2980934400	LRc	535 S GRANADOS AVE	SIHOTA JAGBIR S TRUST 06-14-11	1.05	3	2		Single-family house
2631607100	LRd	403 MARVIEW DR	BURGER FAMILY TRUST 02-07-95	0.78	3	1		Single-family house
2631607500	LRd	404 MARVIEW DR	HOUSTON 1992 TRUST 12-18-92	0.70	3	1		Single-family house





# Appendix C:

## Community Outreach



# Appendix C: Community Engagement Summary

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Section 65583 of the Government Code states that, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Meaningful community participation is also required in connection with the City's Assessment of Fair Housing (AFH). A discussion of citizen participation is provided below.

As part of the 6<sup>th</sup> Cycle Housing Element Update process, the City of Solana Beach has conducted extensive public outreach activities beginning in 2020. These recent outreach efforts included presentations, City Council and Planning Commission Study Sessions, Community Workshops, digital media, and noticed Public Hearings. Project materials, including summaries from community workshops and public meetings, notices, and draft public review documents are available on the City's website: <https://www.ci.solana-beach.ca.us/housingelement>

Outreach for the 6<sup>th</sup> Cycle Housing Element to the Solana Beach community, includes the following actions:

- **Community Workshop#1** – The City conducted a community workshop on March 5, 2020 at City Hall that was advertised using both handouts and flyers as well as the City's website. The Workshop had 13 attendees. The workshop is available for viewing on the City's webpage at <https://www.ci.solana-beach.ca.us/housingelement>. At the workshop participants were provided with an overview of the planning process. The City's RHNA obligations and engaged in an interactive exercise to focus on and identify the responses and creative solutions to the following:
  - What are the biggest challenges to housing in Solana Beach?
  - What creative ways can Solana Beach provide housing in the future?
  - What types of programs or assistance could the City provide to facilitate housing?
  - What other opportunities or ideas do you have to address housing issues in Solana Beach?
- **Community Workshop #2** – The City virtually conducted a second community workshop on October 15, 2020. The workshop was advertised through flyers in both English and Spanish and on the City's Housing Element Update webpage. The workshop is available for viewing at <https://www.ci.solana-beach.ca.us/housingelement>. During the workshop, participants were provided with an overview of the current status of the update process, information on previous outreach efforts, and information on each section of the Draft Housing Element. The workshop also directed participants to take an online housing survey and to provide comments on the public review draft.
- **Community Workshop #3** – On November 12, 2020, the City virtually hosted a third community workshop to review the contents of the Public Review Draft Housing Element and collect comments. The workshop was advertised through flyers in both English and Spanish and on the

City's Housing Element Update webpage. The workshop was held approximately one week before the close of the public review period so that residents and interested parties had an opportunity to review the document, formulate questions or comments, and provide those to the project team. During the meeting, the project team made a short presentation with highlights of the contents of the Public Review Draft Housing Element and received several verbal comments from participants.

- **Online Community Survey** – From October 15, 2020 to November 30, 2020 the City of Solana Beach launched an online community survey to gather additional feedback regarding the Housing Element Update. Participants were asked to consider potential policies and programs to include in the Housing Element, as well as potential housing types and opportunities for housing in the City. The survey also solicited feedback regarding potential barriers to housing access and constraints to the development of housing.
- **City Council Study Session** – The City held a City Council Study Session on October 28, 2020. During the study session, the project team provided a presentation to the Solana Beach City Council with an overview of the Public Review Draft Housing Element and Housing Element update process to date. Community members had the opportunity to give public comments and several were received by the City.
- **City Council Study Session #2** – The City held a City Council Study Session on March 24, 2021. During the study session, the project team provided an updated draft of the Housing Element to review based on HCD comments received.
- **Housing Element Update Website** – A website developed for public consumption, which can be accessed at <https://www.ci.solana-beach.ca.us/housingelement>. The website provides relevant information about the update process, key features of the housing element, project timeline and a calendar of events for outreach activities. The website also provided a link to the community survey tool as well as the contact information of city for residents and community members to send additional comments or request additional information.

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

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

## **C.1 Community Workshop #1**

This section contains all available public oral comments provided during the first Community Workshop, as well as provided workshop materials and handouts. Public comments were received in written and oral form.

## City of Solana Beach Housing Element Update 6th Cycle (2021-2029)

### Workshop 1, Summary

Date: March 5, 2020



On Thursday, March 5<sup>th</sup>, 2020 the City of Solana Beach held a public community workshop for the 2021-2029 6<sup>th</sup> Cycle Housing Element Update. The purpose of the meeting was to provide information on the Housing Element update process and to gather input and ideas from the public that will shape the goals, policies and programs in the Housing Element. The workshop included a PowerPoint presentation as well as an interactive feedback session to answer the following questions:

- What are the biggest challenges to housing in Solana Beach?
- What types of programs or assistance could the City provide to facilitate housing?
- What other opportunities or ideas do you have to address Housing issues in Solana Beach?

A video of the full presentation and the PowerPoint slides are available on the City's website. Below are the comments and responses received at the workshop.

#### **What are the biggest challenges to housing in Solana Beach?**

1. Maintain open space balance and permeable land (for runoff)
2. Lack of freely developable property
3. Fear of the types of people who live in affordable housing
4. Cost
5. The parking requirements
6. Already dense
7. Zoning limits
8. Support appropriate setbacks but they can be a limitation
9. How to classify different types of housing?
  - a. Ex: mobile homes, tiny homes
10. High cost of materials and labor to produce housing
11. Cost of land and construction
12. Financing building and permits
13. Calling people NIMBY's does not help and only inflames fears
14. Emerging ways to build, construction changes
  - a. Example: 3D printers
15. High cost of land
16. Excessive taxation
17. Loss of private property rights mandated by the State
18. Regulations with HOA's
19. NIMBY attitudes
20. Lack of vacant land
21. Zoning- a lot of rural zoning on the east side
22. State legislation creating constraints in Cities
23. Population increases – how to accommodate growing numbers

#### **What creative ways can Solana Beach provide housing in the future?**

1. Limited and clearly delineated regulatory process



# City of Solana Beach Housing Element Update 6th Cycle (2021-2029)

## Workshop 1, Summary

Date: March 5, 2020



2. Simplified ADU permitting
3. Golf course
4. ADUs
5. Multi-generational and co-housing (at the train station?)
6. Living units at businesses
7. Adding backyard limits will destroy our neighborhood, too dense, too many cars, parking on streets.
8. Reasonable expectations, cohesive positions, flexibility, education
9. On church parking lots
10. More mixed-use development with studio lofts
11. Co-housing
  - a. Varied designs
  - b. Maybe a contest when property is selected
12. Political will
13. Expedite the permitting process
14. Transit oriented development with minimum parking regulations
15. Tiny villages (Seattle)
16. Live work
17. Accelerated approvals
18. Multi-use TOD development at NCTD transit center
19. ADUs will change the character of the community
20. Utilize parking lot behind Vons for apartments (3 story ok!)
21. Tie parking for ADUs to house on property to help address parking concerns
22. Reduce/restrict short term rentals in residential neighborhoods
  - a. It limits housing for people who want to live and work full time in Solana Beach
  - b. Not against it, just need to regulate it
  - c. You could probably provide/build more housing if you saw that people were actually living full time in the City
23. Eliminate or lower fees for ADUs if deemed affordable
24. Allow single family homes to be split into multiple units
25. Rethink zoning in certain parts of community such as shopping centers near freeways, they might be able to accommodate mixed-use/live-work
26. Micro-units
27. Pre-approve certain types of buildings and plans
28. Shared parking resources
29. To provide more affordable housing we need better public transit
  - a. Frequency and additional routes

### What types of programs or assistance could the City provide to facilitate housing?

1. Cohousing
  - a. Micro-units
  - b. Small units

## City of Solana Beach Housing Element Update 6th Cycle (2021-2029)

### Workshop 1, Summary

Date: March 5, 2020



2. Down payment assistance – affordability issues
3. Accessory Dwelling Unit (ADU)/Junior Accessory Dwelling Unit (JADU) program
  - a. Example: City of Encinitas
4. Land bank/ use of existing structures and lots available
  - a. CVS area
  - b. Existing commercial
5. Vertical development
6. Mixed-use development
  - a. Incentives, planning
7. City approved auxiliary housing units
8. Fee waivers or reduction for ADUs deed restricted affordable
9. Annex and subdivide Rancho Santa Fe
10. Financing for building/splitting to increase density if units are publicly available (not for within family)
11. P3 ground lease any viable empty city property
12. Research and educate on
  - a. Building plans for ADUs
  - b. 3D printers
  - c. Architects builders etc.
13. City can use incentives (go to the front of the line, etc)
14. Limit affordable housing to people who serve Solana beach such as fireman, police, medical personnel, and teachers for instance

### **What other opportunities or ideas do you have to address Housing issues in Solana Beach?**

1. New development should maintain community character (bulk, scale, and maintain buffers/setbacks between property)
  - a. Relax standards within reason
2. HOA issues – Park Del Mar
3. Educate community on new regulations and options
  - a. Architects
  - b. Land owners
  - c. Fliers at hardware stores
  - d. Etc.
4. Funding
  - a. Hold contests
  - b. Promotional
5. Educate community on funding opportunities for ADUs etc
6. Use church parking lots



# Question 1 = WHAT ARE THE BIGGEST CHALLENGES TO HOUSING IN COLANA BEACH

Maintain open space balance and permeable land (for runoff)

Lack of Freely Developable Property

fear of the types of people who live in affordable housing

Cost

The parking requirements

Already dense

Zoning limits support approp. setbacks but its a limit  
• now to classify or what is suitable

High Cost of materials + labor to produce housing

Cost Land Construction

Financing building + permits

Calling people NIMBYS does not help & only inflames fears

Emerging ways to build  
• construction changes  
ex: 3D printers

High Cost of Land

Excessive taxation

Loss of private property rights mandated by the State

Regulations with HOA'S

NIMBY attitudes

Lack of vacant ~~proper~~ Land

Zoning  
• ALOT of rural zoning on East side



# QUESTION 2- WHAT ARE CREATIVE WAYS SOLANA BEACH CAN PROVIDE HOUSING IN THE FUTURE?

Limited and clearly delineated regulatory processes

simplified ADU permitting

Golf Course

ADUs

multi-generational co-housing (at the train station?)

Living units at businesses

adding backyard units will destroy our neighborhood. Too dense Too many cars parked on streets

Reasonable expectations, cohesive positions, flexibility, education

On church parking lots

more mixed use development with studios/lofts

~~ADU~~  
Co Housing  
- Varied designs  
- Play be contest when property selected

Political will

Expedite the permitting process.

transit-oriented development with minimum parking req.

Tiny Villages (Seattle)

Live Work

JADUs

Accelerated approvals

Multi-use TOD Development at NCTD Transit Center

ADU's will CHANGE CHARACTER OF THE COMMUNITY



Utilize parking lot behind VONS for apartments (3-story OK!)

Eliminate or Lower Fees for ADUs if deemed affordable

Micro units

Pre-approve certain types of buildings + plans

Tie parking for ADUs to house on property to help address parking concerns

Allow single family homes to be split into multiple units

shared parking

resources

Reduce <sup>Restrict</sup> STRs in Residential neighborhoods

Rethink zoning in certain parts of community such as shopping centers near Hwy. that might accom mixed use/live work

To provide more affordable housing we need better public transit

limit housing for ppl who want to live and work full time in SB - not against it just need to closely regulate it.

you could provide more housing if you saw people were actually living full-time



# QUESTION 3 - WHAT TYPES OF PROGRAMS OF ASSISTANCE COULD THE CITY PROVIDE TO FACILITATE HOUSING?

CO Housing opportunities

↳ micro-units  
small units

Down payment assistance - affordability issues

ADU/JADU program  
City/Encinitas ex.

Land bank/  
use existing structures,  
lots available

vertical development

↳ ex: CVS area  
existing commercial

Mixed use dev

• incentives  
• planning

City approved  
auxiliary  
housing plan

Fee waivers  
or reduction  
for ADUs  
deed restricted  
Affordable

Annex &  
Subdivide  
Rancho Santa Fe

Financing for  
building/splitting to  
increase density if  
units are publically  
available (not for w/in  
family)

P3/ground  
lease any  
viable +  
empty city  
property

Research +  
educate on

- ⊙ bld plans for ADUs
- ⊙ 3-D printers
- ⊙ architects/builders etc

City can use  
incentives  
(go to the front  
of the line, etc)

Limit affordable  
housing to people  
who serve Solana  
Beach such as  
firemen, police,  
medical personnel,  
teachers for instance.



# QUESTION 4 = WHAT OTHER IDEAS/OPPORTUNITIES DO YOU HAVE TO ADDRESS HOUSING ISSUES IN SOLANA BEACH?

New development should maintain community character (bulk, scale, + maintain buffers/seback betw properties)

↑  
relax standards w/in reason

Educate community on new regulations + options

- Architects
- Land owner
- Fliers at hardware stores
- etc

Educate community on funding opportunities for ADUs etc

HGA ISSUES -  
PARK DELMAR  
EX.

Funding

- hold contests
- promotionals

USE church parking lots

City of Solana Beach Housing Element Update  
 6th Cycle (2021-2029)  
 Community Workshop #1 – Sign-in Sheet



Date: March 5, 2020

NAME	E-Mail	ADDRESS
Jonathan Goodrich	[REDACTED]	Solana Beach
Judy Malody	[REDACTED]	Solana Beach
<del>Wanda Winters</del>	<del>Wanda.Winters@solonabeach.com</del>	<del>3210 Vista del Mar</del>
Susan Keydel	[REDACTED]	Solana Beach
Becky Rapp	[REDACTED]	
Jewel Edson	[REDACTED]	City Hall
Kristi Becker	[REDACTED]	
Zahra Panahi	[REDACTED]	[REDACTED]
Shawna McGarry	[REDACTED]	[REDACTED]
Judi Strang	[REDACTED]	[REDACTED]
Kelly Harless	[REDACTED]	[REDACTED]



**City of Solana Beach Housing Element Update  
6th Cycle (2021-2029)  
Community Workshop #1 – Sign-in Sheet**



Date: March 5, 2020

NAME	E-Mail	ADDRESS
Karen + Bob Daney	[REDACTED]	[REDACTED]
Kaitlin + Daniel Frink	[REDACTED]	[REDACTED]

## **C.2 Community Workshop #2**

This section contains all available public comments provided during the second Community Workshop, as well as provided workshop materials and handouts. Public comments were received in written and oral form.





# **City of Solana Beach**

## *2021-2029 Housing Element Update Community Workshop #2*

The City of Solana Beach is preparing to release the Public Review Draft of the 2021-2029 Housing Element. Please join us for a virtual workshop to learn about the different parts of the draft document as well as how you can provide feedback during the public review period.

**WHEN:** October 15, 2020, 6 p.m.

**WHERE:** The link to this virtual meeting will be made available on the City's Housing Element Update page, located on the City's website ([www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us))

*For questions, please contact Joseph Lim at (858) 720-2434 or by email at [jlim@cosb.org](mailto:jlim@cosb.org)*





# **Ciudad de Solana Beach**

*Actualización del Elemento Vivienda 2021-2029*

*Taller Virtual*

La Ciudad de Solana Beach se está preparando para publicar el Borrador de la Revisión Pública del Elemento Vivienda 2021-2029. Por favor únase a nosotros en un taller virtual para aprender acerca de las diferentes partes del documento preliminar así como también proporcionar sus comentarios durante el periodo de revisión pública.



**CUÁNDO:** 15 de Octubre de 2020, 6 p.m.

**LUGAR:** El lugar de enlace para esta reunión virtual estará disponible en la página de Actualización del Elemento Vivienda de la ciudad, ubicada en el sitio web de la ciudad ([www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us))

([www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us))

*Para preguntas, contactar Joseph Lim a (858) 720-2434 o [jlim@cosb.org](mailto:jlim@cosb.org)*





## Solana Beach Housing Element Update


6<sup>th</sup> Cycle (2021-2029)

Virtual Community Workshop #2  
Thursday, October 15<sup>th</sup>, 2020

1

## Agenda

- Purpose of the Workshop
- Overview of Housing Element Update Process
- Overview of Public Draft Housing Element (2021-2029)
- Next Steps
- Community Conversation



2

## Purpose of the Workshop

This workshop is intended to:

- Provide an opportunity to participate in the Housing Element Update process
- Introduce the Public Draft Housing Element
- Receive feedback from the community



3



4



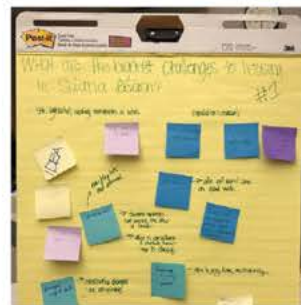
## Housing Element Update Process



5

## Housing Element Process Overview

- **Workshop #1** gathered input and ideas to shape the goals, policies, and programs in the Housing Element
- Workshop participants identified:
  - Challenges to developing housing in Solana Beach
  - Opportunities to address Solana Beach's housing issues
  - Solutions to provide housing in the future
  - Programs and Assistance the City could consider
- Workshop #1 summary contained in Appendix C




6



7

## Housing Element Organization

- **Section 1:** Introduction
- **Section 2:** Demographic and Housing Community Profile
- **Section 3:** Housing Constraints, Resources, and Fair Housing
- **Section 4:** Housing Plan
- Appendices

A photograph of a modern, multi-story apartment building. The building has a light-colored facade with a decorative, grid-like pattern on the upper level. It features a balcony with a white railing and a small outdoor area. The building is situated on a grassy hillside.

8



## Section 1: Introduction

- Overview of the City's Housing Element
- State's legal requirements for Housing Element
- Shows Solana Beach's Regional Housing Needs Assessment (RHNA) requirements



9

## Section 2: Housing and Demographic Profile

- Demographic Profile
  - Population and Household characteristics
- Socioeconomic Profile
  - Market conditions
- This section informs and supports the development of the identified policies and programs in the Housing Plan



10

## Section 3: Constraints, Resources, & Fair Housing

- Analysis of Constraints that may limit the City's ability to develop housing
- Analysis of Housing resources available from programs, services, or funding/financing
- Analysis of Fair Housing within the City



11

## Governmental Constraints

- Constraints related to local or regional governmental requirements and processes
- Analysis of Governmental Constraints includes:
  - Land use controls
  - Development Standards
  - Development Fees
  - Local Processing and Permit Procedures



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## Non-Governmental Constraints

- External constraints outside the City's control
- Analysis of Non-Governmental Constraints includes:
  - Land costs and construction costs
  - Availability of financing
  - Economic Conditions



13

## Infrastructure Constraints

- Constraints associated with infrastructure needed to serve housing
- Analysis of Infrastructure Constraints includes:
  - Water Supply
  - Wastewater Capacity
  - Stormwater Capacity
  - Fire, Police, and Emergency Services



14

## Environmental Constraints

- Constraints due to existing or future environmental conditions

- Analysis of Environmental Constraints includes:

- Geological/Seismic Hazards
- Flooding
- Habitat/Sensitive Areas
- Topography
- High Fire Severity Zones



15

## Adequate Sites Analysis

### City of Solana Beach 2021-2029 RHNA Housing Growth Need

Income Category	% of Area Median Income (AMI)*	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very Low Income	0 – 50% AMI	\$0	\$46,350	316 units
Low Income	51 – 80% AMI	\$46,351	\$74,160	159 units
Moderate Income	81 – 120% AMI	\$74,161	\$111,240	160 units
Above Moderate Income	>120% AMI	\$111,241	>111,241	240 units
<b>Total</b>				<b>875 units</b>

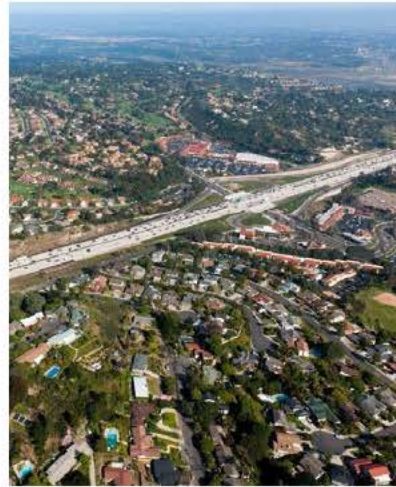
\* Income Range is based on the 2020 HUD Area Median Income (AMI) for San Diego County of \$92,700.

16



## Adequate Sites Analysis

- The City must identify sites to accommodate 2021-2029 RHNA growth need.
- The analysis evaluates all areas of the City they could accommodate development of housing.



17

## Adequate Sites Analysis

- “Candidate Sites” are chosen based on a variety of factors, some of which include:
  - adequate zoning,
  - size requirements,
  - proximity to services and transit, and
  - availability of infrastructure.
- State law outlines additional criteria for the selection of adequate sites
- ***Solana Beach’s candidate housing sites strategy is not anticipated to require rezoning of any parcels within Solana Beach***

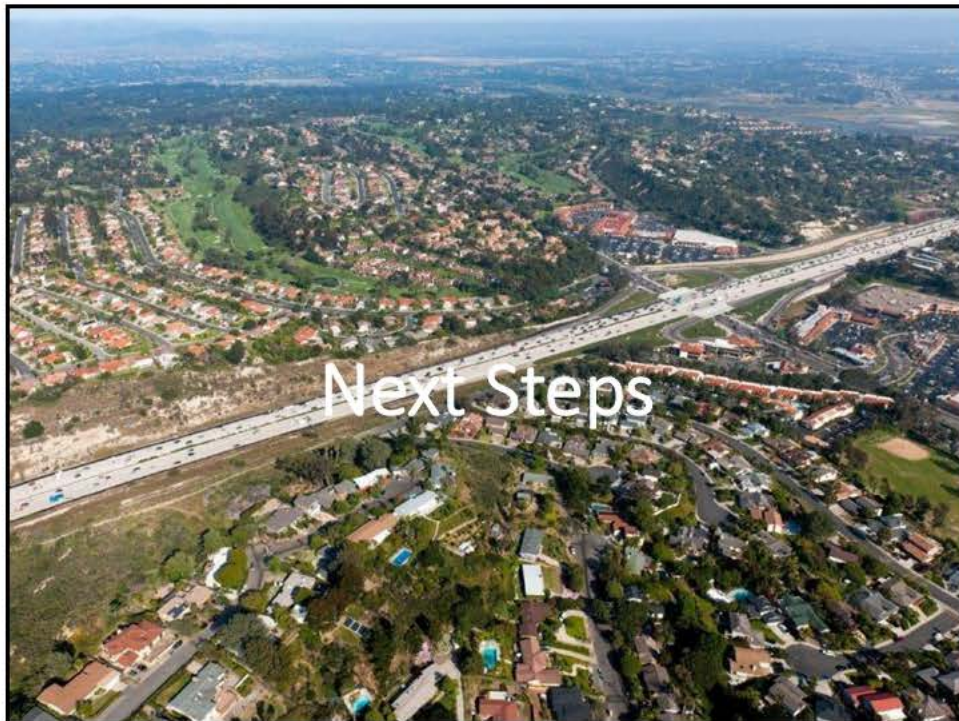


18

## Fair Housing

- City is required by law to conduct a Fair Housing Assessment
- **Affirmatively furthering fair housing (AFFH) definition:**
  - Taking meaningful actions that address significant disparities in housing needs and in access to opportunity
  - Replacing segregated living patterns with truly integrated and balanced living patterns,
  - Transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and
  - Fostering and maintaining compliance with civil rights and fair housing laws.

19



20



## Next Steps

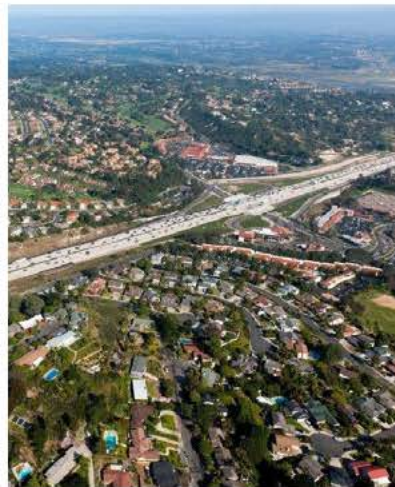
Next Steps	Date
Public Review Draft Housing Element Available	October 22, 2020
City Council Work Session	October 28, 2020



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## Public Survey: Sites and Programs

- Please respond to the Housing Element Update survey located at:
  - [\[Insert surveymonkey link\]](#)
- Purpose of the survey is to gather community input on:
  - Potential additional housing focus areas and locations
  - Issues or opportunities that may be addressed by Housing Programs
  - Any additional relevant feedback



22




23

## Live Public Input

- [INSERT INSTRUCTIONS PER CITY]

24





**Thank you!**  
For questions, please contact:  
**Joseph Lim, Community Development Director**  
[Jlim@cosb.org](mailto:Jlim@cosb.org)  
**(858) 720 - 2434**

## **C.4 Community Survey**

The City conducted a community survey which launched on October 15, 2020. This section contains a summary of the survey results, as well as all survey response data.

## Housing Element Update Survey

From October 15, 2020 to November 30, 2020 the City of Solana Beach launched an online community survey to gather additional feedback regarding the Housing Element Update. Participants were asked to consider potential policies and programs to include in the Housing Element, as well as potential housing types and opportunities for housing in the City. The survey also solicited feedback regarding potential barriers to housing access and constraints to the development of housing. Below is a summary of the survey's results.

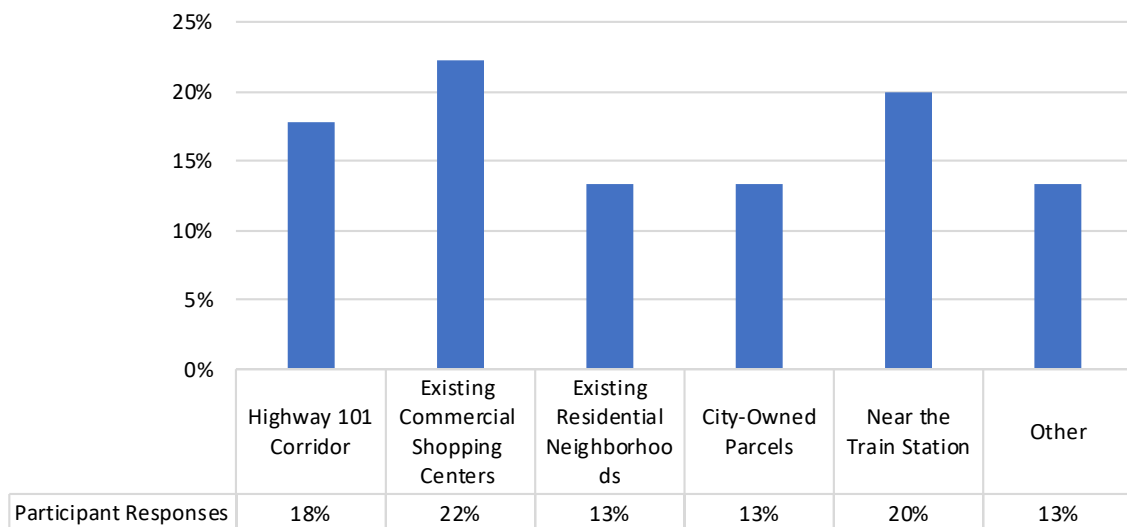
### Survey Results

#### *Question 1: Where do you think the City of Solana Beach should prioritize the development of housing?*

Participants were provided a multiple-choice question in order to gather information about where residents, stakeholders and other survey participants were most interested in seeing housing.

**Figure C 1** displays data results for participant responses to Housing Development Locations. Based on the data, participants were most interested in development in the Existing Commercial Shopping Centers while development in Existing Residential Neighborhoods , City-Owned Parcels and other locations were the least appealing for the participants. Participants showed a variety interest in development Highway 101 Corridor and Near the Train Station.

**Figure C-1: Housing Development Locations**

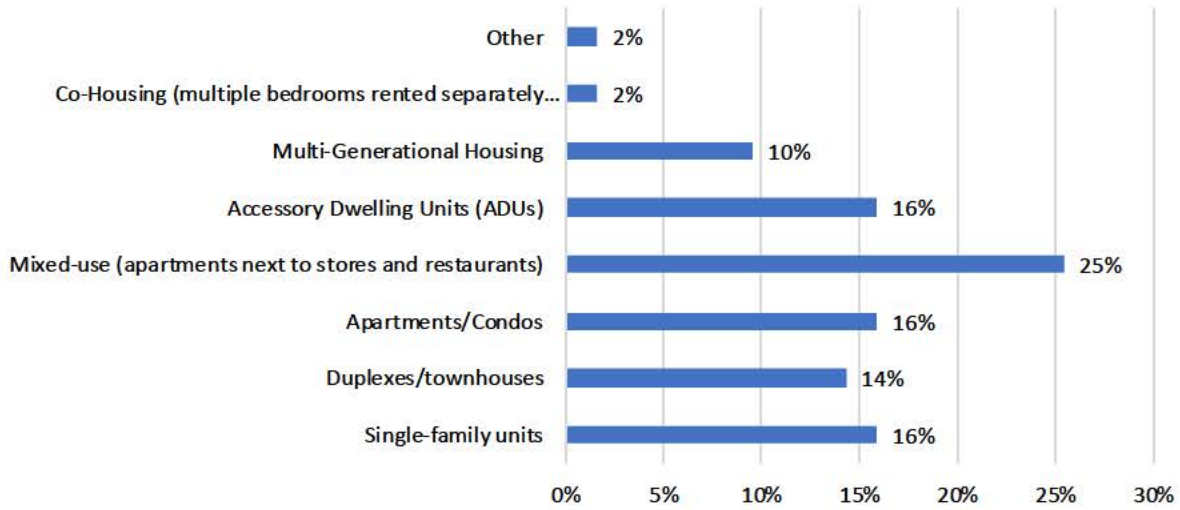


#### *Question 2: What types of housing would you like to see within Solana Beach?*

Participants were provided a variety of housing types in multiple choice format and ask to identify or select all the option they are interested in seeing in Solana Beach.

**Figure C 2** displays data results of participant responses to question 2. Based on the data, participants favored Mixed Use (apartments next to stores and restaurants), while Co-Housing and Other were the least favored by participants. Participants showed a mixed interest in Single-Family units, Duplexes/townhouses, Apartments/condos, Accessory Dwelling Units (ADUS) and Multi Generation Housing .

**Figure C-2: Housing Development Types**



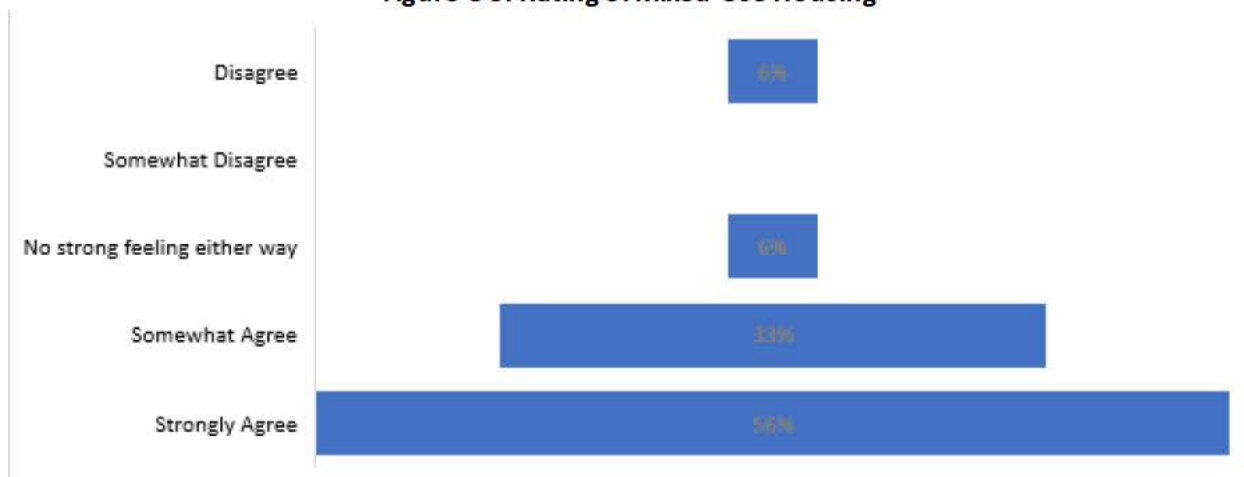
*Question 3: Please rate how much you agree with the following statement: Mixed-Use housing (a mixture of housing and other uses, including commercial, office, or other within the same site) is a good solution to addressing Solana Beach's future housing needs.*

Participants were asked to rate the above statement on the following scale:

- 1 - Disagree
- 2 - Somewhat Disagree
- 3 - No strong feeling either way
- 4 - Somewhat Agree
- 5 - Strongly Agree

Participants agreed that mixed-use housing is a good solution to addressing Solana Beach's future housing needs at an average of 4.33. The figure below identifies a further breakdown of responses, showing that over half of participants strongly agreed to the above statement.

**Figure C-3: Rating of Mixed-Use Housing**



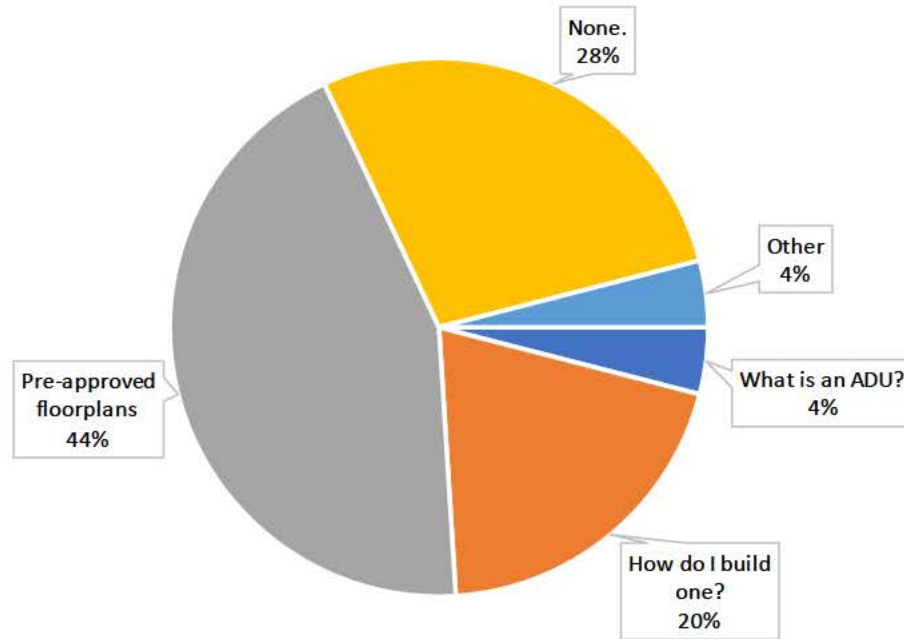


*Question 4: What information (if any) would you like provided on Accessory Dwelling Units (ADUs)?*

Participants were provided a multiple-choice option regarding ADU information and asked to identify what type of information they would most like the City to provide.

Figure C 4 displays the data results of question 4. Participants identified information on Pre-approved floorplans as the highest priority while information on what an ADU is was the least requested. Participants showed a variety interest on information on “how to build an ADU” and not wanting any information.

**Figure C-4: Information on ADU's**

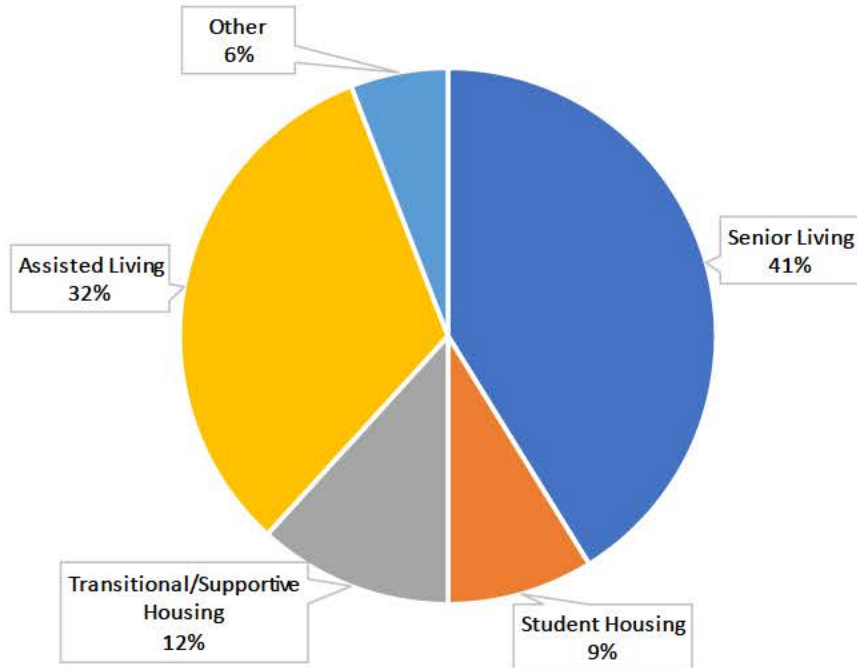


*Question 5: What types of housing for special need groups are needed within Solana Beach?*

The survey provided participants with the following multiple-choice options: Senior living, Student Housing, Transitional/Supportive Housing, and Assisted Living. Participants were asked to select all housing types which are needed for special needs groups in Solana Beach.

Figure C-5 displays survey results for question 5. The data shows that majority of the participants were the most interested in senior living housing. Participants showed a mixed interest in Transitional/Supportive Housing and Assisted Living while participants were least interested in student housing.

**Figure C-5: Special Needs Housing Types**



*Question 6: Are there any other groups within the community with unique housing concerns that should be considered?*

Participants were provided an open comment box to solicit a variety of specific responses. Participants identified housing for low-income families, as well as housing for individuals that work in Solana Beach as topic for consideration in the Housing Element.

*Question 7: The Housing Element is the guiding document for housing-related decisions within the City. This document looks at potential constraints, resources, fair housing issues, and action programs to address important topics relating to housing within the community. Knowing that, are there any additional housing-related issues or constraints that the City should review as part of this process?*

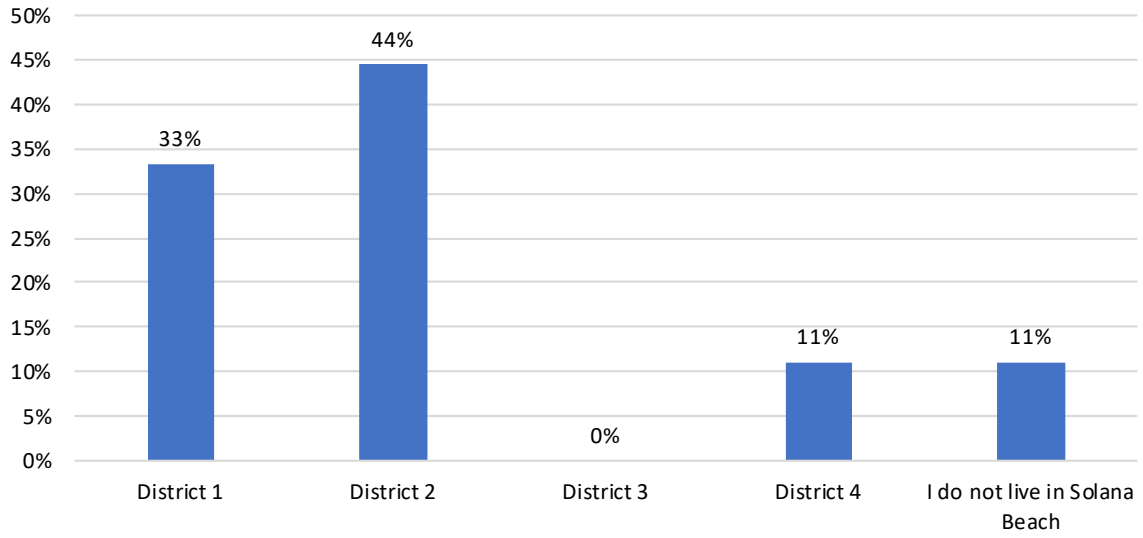
Participants were provided an open comment box to solicit a variety of specific responses. Participants voiced their concerns of ADU's turning into short term rentals as well as support of development of ADU's.

*Question 8: What district do you live in?*

Participants were provided a list of the four districts in Solana Beach, as well as an option for those who do not reside in the City.

Figure C-6 displays results for question 8. Majority of the participants live in District 2 and there were not participants that lives in District 3. Participants also lived in District 1 and District 4 as well as not living in the City.

**Figure C-6: Participant's Districts**



ID	Start time	Completion time	Email	Language	Where do you think the City of Solana Beach should prioritize the development of housing?	Please rate how much do you agree with the following statement: Mixed-Use housing (a mixture of housing and other uses, including commercial, office, or other within the same site) is a good solution...	What information (if any) would you like provided on Accessory Dwelling Units (ADUs)? (Please select all that apply.)	What types of housing for special need groups are needed within Solana Beach? (Please select all that apply.)	Are there any other groups within the community with unique housing concerns that should be considered?	The Housing Element is the guiding document for housing-related decisions within the city. This document looks at potential constraints, resources, fair housing issues, and action programs to add...	What district do you live in? Image Source: National Demographics Corporation
1	10/15/20 13 37 55	10/15/20 13 38 06	anonymous	English (United)	TEST;				TEST	TEST	
2	10/15/20 16 31 25	10/15/20 16 33 01	anonymous	English (United)	Highway 101 Corridor;Existing Commercial Shopping Centers ;Near the Train Station	Apartments/Condos;Mixed-use (apartments next to stores and restaurants) Duplexes/townhouses	5 Pre-approved floorplans	Senior Living			District 4
3	10/15/20 17 15 01	10/15/20 17 21 40	anonymous	English (United)	Near the Train Station;	Mixed-use (apartments next to stores and restaurants);	5 None;	Senior Living;Assisted Living;		Simplify subdivision of large parcels	District 1
4	10/16/20 14 05 10	10/16/20 14 20 40	anonymous	English (United)	I think you're going to need to utilize all of these spaces ;	Single-family units;Duplexes/townhouses;Apartments/Condos;Multi-Generational Housing;Co-Housing (multiple bedrooms rented separately within one unit);Mixed-use (apartments next to stores and restaurants);Accessory Dwelling Units (ADUs);	5 Pre-approved floorplans;	Senior Living;Student Housing;Assisted Living;		There is a lot of vacant housing in Solana Beach, especially in the bluff condo areas. I've rented in there and spoken with friends who live in them currently and hear they are about 50% occupied. I think this is a current constraint and a constraint to future housing that might be built in Solana Beach if we don't implement policies that discourage this. In Canada, there is a tax/fee for housing that is vacant. This could be a good source of income for the city. In addition, the car parking that is required for housing here is outdated in my opinion, especially in light of climate change.	District 1
5	10/16/20 15 10 08	10/16/20 15 16 05	anonymous	English (United)	wherever possible;	Single-family units;Duplexes/townhouses;Apartments/Condos;Mixed-use (apartments next to stores and restaurants);Accessory Dwelling Units (ADUs);	5 None;	Senior Living;Student Housing;Transitional/Supportive Housing ;	Low income families and singles!		District 2
6	10/16/20 16 08 48	10/16/20 16 12 07	anonymous	English (United)	Existing Commercial Shopping Centers ;Existing Residential Neighborhoods	Mixed-use (apartments next to stores and restaurants) Apartments/Condos Single-family units	4 None.		Low Income	Ability to maintain available facilities to support additional residents. How to realize adequate park space, open space, and other recreational opportunities if we're being asked to measurably grow.	District 2
7	10/17/20 10 30 41	10/17/20 10 34 20	anonymous	English (United)	Highway 101 Corridor;Existing Commercial Shopping Centers ;	Mixed-use (apartments next to stores and restaurants);Multi-Generational Housing;	5 None;	Assisted Living;	Affordable units for those on disability		District 1
8	10/17/20 21 41 03	10/17/20 21 45 40	anonymous	English (United)	Existing Residential Neighborhoods;	Accessory Dwelling Units (ADUs);Mixed-use (apartments next to stores and restaurants);	5 Pre-approved floorplans;How do I build one?;	Senior Living;Transitional/Supportive Housing ;Assisted Living;			District 2
9	10/18/20 14 11 50	10/18/20 14 13 31	anonymous	English (United)	Existing Commercial Shopping Centers ;Existing Residential Neighborhoods Near the Train Station	Apartments/Condos;Multi-Generational Housing;Mixed-use (apartments next to stores and restaurants)	4 None.	Senior Living Assisted Living			I do not live in Solana Beach
10	10/19/20 9 05 35	10/19/20 9 10 28	anonymous	English (United)	Highway 101 Corridor;Existing Commercial Shopping Centers ;Near the Train Station;Existing Residential Neighborhoods;City-Owned Parcels;There are many avenues of opportunity to allow for the needed housing. More favorable mixed-use zoning in commercial areas, along with relaxations for granny flat or duplex type builds in the more traditional residential areas.	Single-family units;Duplexes/townhouses;Apartments/Condos;Mixed-use (apartments next to stores and restaurants) Accessory Dwelling Units (ADUs) Multi-Generational Housing	5 Pre-approved floorplans	Senior Living Assisted Living	homes for blue collar workers, and blue collar salaries - restaurant workers, etc... Yes. Housing for special needs adults. Wondering about the impact on existing infrastructure and services such as providing more classrooms for children especially now that classes are necessarily smaller and likely to remain so because of pandemics. Parking is essential since it is unlikely that commuters would take the train until that service is expanded both in frequency and destinations within the County. What is the impact on our Climate Action Plan with this increase in housing?	If a site is constrained either by physical properties and/or economic qualities from a build for low income housing to come to fruition, the City should be realistic with that and honest in where they are identifying where this type of housing can actually be built.	District 2
11	10/24/20 9 00 07	10/24/20 9 28 43	anonymous	English (United)	Please hold another public workshop now that the map is available;-Highway 101 Corridor;Existing Commercial Shopping Centers ;City-Owned Parcels;	Single-family units;Mixed-use (apartments next to stores and restaurants);Accessory Dwelling Units (ADUs);	4 Pre-approved floorplans;	Senior Living;Assisted Living;		Obviously the RHNA numbers address the need for affordable housing. We don't need more luxury units. ADUs should be specifically for this use not available for offices and vacationing family members. The ADUs should not qualify as VBRO or AIRB&B units.	District 1
12	10/24/20 9 30 16	10/24/20 9 44 28	anonymous	English (United)	Highway 101 Corridor;Existing Commercial Shopping Centers ;City-Owned Parcels;Near the Train Station;	Single-family units;Mixed-use (apartments next to stores and restaurants);Accessory Dwelling Units (ADUs);	4 Pre-approved floorplans;	Senior Living;	People who work in Solana Beach should have priority for new housing here.	Don't change existing zoning beyond allowing ADUs. Who will pay for the added infrastructure necessary for the added RNHA units (schools, parks, etc.)? There are probably many unauthorized units already existing within "single family" homes. Consider an amnesty program that doesn't penalize - maybe even rewards - homeowners who come out of the shadows with their existing rentals toward our RNHA target.	District 1
13	10/28/20 10 36 17	10/28/20 10 38 25	anonymous	English (United)	Existing Residential Neighborhoods;Near the Train Station;City-Owned Parcels;	Mixed-use (apartments next to stores and restaurants);Multi-Generational Housing;Apartments/Condos;Single-family units;Duplexes/townhouses;	4 Pre-approved floorplans;	Transitional/Supportive Housing ;	The underpaid.	Multi family limitations	I do not live in Solana Beach
14	11/2/20 17 44 51	11/2/20 17 47 58	anonymous	English (United)	Closer to Lomas Country Club where the traffic can be accommodated and there is much more space	Duplexes/townhouses Single-family units	1 None.	Senior Living		Solana Beach is ideally sized and the density is appropriate for the area and topography.	District 1
15	11/6/20 15 17 36	11/6/20 15 23 56	anonymous	English (United)	Existing Residential Neighborhoods;City-Owned Parcels;	Single-family units;Duplexes/townhouses;Apartments/Condos;Mixed-use (apartments next to stores and restaurants);Accessory Dwelling Units (ADUs);Multi-Generational Housing;	5 Pre-approved floorplans;How do I build one?;	Senior Living;Student Housing;Transitional/Supportive Housing ;Assisted Living;	Existing property owners that may want to split their land yet are not allowed to do so. Allow flag lots again. Waive fees for ADU's and offer free plans. Make the setbacks less restrictive.	Ease requirements, approve faster, offer incentives, and be easier to work with.	District 2
16	11/6/20 16 01 12	11/6/20 16 02 56	anonymous	English (United)	Existing Commercial Shopping Centers ;Highway 101 Corridor;	Accessory Dwelling Units (ADUs);	5 floorplans;	Assisted Living;			District 2
17	11/6/20 16 43 10	11/6/20 16 48 12	anonymous	English (United)	Near the Train Station;	Mixed-use (apartments next to stores and restaurants);Accessory Dwelling Units (ADUs);Apartments/Condos;	5 How do I build one?;Pre-approved floorplans;	Senior Living;Assisted Living;		Make is easier and simpler to build AUD. Encourage people thru incentives. Also, maintain the ability to enable homeowner to use their property for short term rentals. It is NOT a problem in our community and provides the city income and our businesses customers.	District 2
18	11/12/20 12 59 56	11/12/20 13 27 27	anonymous	English (United)	Highway 101 Corridor;Existing Commercial Shopping Centers ;Near the Train Station	Single-family units;Mixed-use (apartments next to stores and restaurants);Accessory Dwelling Units (ADUs) Duplexes/townhouses	3 Pre-approved floorplans How do I build one?	Senior Living	Would like to see more people living close to work, to minimize commute. Those include people working in Solana beach on permanent jobs, such as fire fighters, police, teachers, other local government employees and young professionals.	Land cost, lack of available vacant land, high construction costs for coastal areas.	District 2
19	11/12/20 19 06 01	11/12/20 19 21 16	anonymous	English (United)	Highway 101 Corridor;City-Owned Parcels;Existing Commercial Shopping Centers ;Near the Train Station;	Apartments/Condos;Mixed-use (apartments next to stores and restaurants);Duplexes/townhouses;	4 None;	Senior Living;Assisted Living;	City of Solana Beach workers and public school teachers should have places to live near work.	I'm concerned that ADUs or apartments built in or over garages will become short term rentals, taking them out of the available long term housing stock and leading to a degradation of single family residential areas and a loss of the sense of community due to constant turnover.	District 4



# Solana Beach Housing Element Update (2021-2029) Community Survey

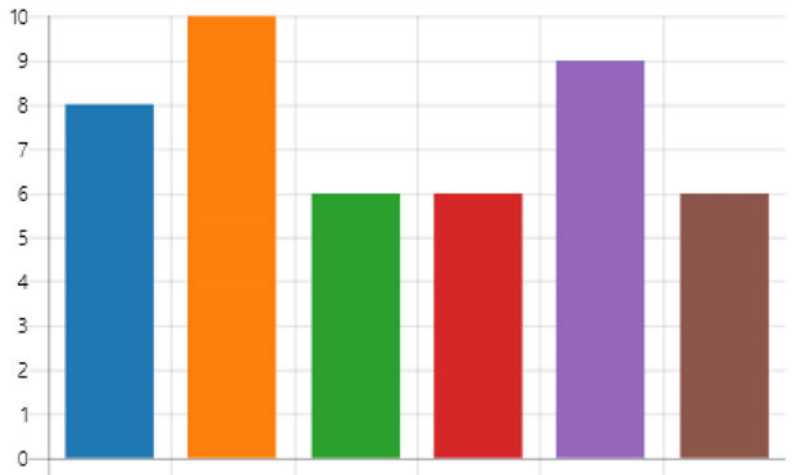
**19**  
Responses

**07:59**  
Average time to complete

**Active**  
Status

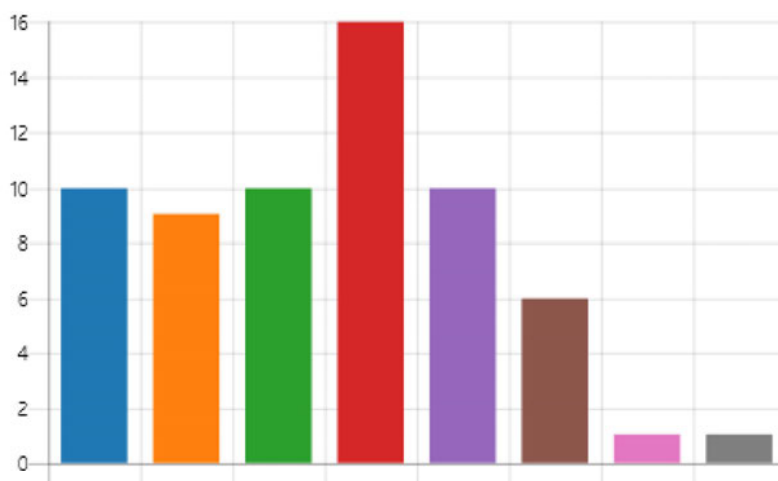
1. Where do you think the City of Solana Beach should prioritize the development of housing?

- Highway 101 Corridor 8
- Existing Commercial Shopping... 10
- Existing Residential Neighbor... 6
- City-Owned Parcels 6
- Near the Train Station 9
- Other 6



2. What types of housing would you like to see within Solana Beach? (Please select all that apply.)

<span style="color: blue;">●</span> Single-family units	10
<span style="color: orange;">●</span> Duplexes/townhouses	9
<span style="color: green;">●</span> Apartments/Condos	10
<span style="color: red;">●</span> Mixed-use (apartments next t...	16
<span style="color: purple;">●</span> Accessory Dwelling Units (AD...	10
<span style="color: brown;">●</span> Multi-Generational Housing	6
<span style="color: pink;">●</span> Co-Housing (multiple bedroo...	1
<span style="color: gray;">●</span> Other	1



3. Please rate how much do you agree with the following statement: Mixed-Use housing (a mixture of housing and other uses, including commercial, office, or other within the same site) is a good solution to addressing Solana Beach's future housing needs. 1 - Disagree 2 - Somewhat Disagree 3 - No strong feeling either way 4 - Somewhat Agree 5 - Strongly Agree Image Source: Solana 101

💡 Insights

18

Responses

4.33

Average Number

4. What information (if any) would you like provided on Accessory Dwelling Units (ADUs)? (Please select all that apply.)

<span style="color: blue;">●</span> What is an ADU?	1
<span style="color: orange;">●</span> How do I build one?	5
<span style="color: green;">●</span> Pre-approved floorplans	11
<span style="color: red;">●</span> None.	7
<span style="color: purple;">●</span> Other	1



5. What types of housing for special need groups are needed within Solana Beach? (Please select all that apply.)

<span style="color: blue;">●</span> Senior Living	14
<span style="color: orange;">●</span> Student Housing	3
<span style="color: green;">●</span> Transitional/Supportive Housi...	4
<span style="color: red;">●</span> Assisted Living	11
<span style="color: purple;">●</span> Other	2



6. Are there any other groups within the community with unique housing concerns that should be considered?

**11**  
Responses

Latest Responses

*"City of Solana Beach workers and public school teachers should have pl...*

*"Would like to see more people living close to work, to minimize commu...*

7. The Housing Element is the guiding document for housing-related decisions within the city. This document looks at potential constraints, resources, fair housing issues, and action programs to address important topics relating to housing within the community. Knowing that, are there any additional housing-related issues or constraints that the City should review as part of this process?

**13**  
Responses

Latest Responses

*"I'm concerned that ADUs or apartments built in or over garages will bec...*

*"Land cost, lack of available vacant land, high construction costs for coas...*

*"Make is easier and simpler to build AUD. Encourage people thru incenti...*

8. What district do you live in? Image Source: National Demographics Corporation

● District 1	6
● District 2	8
● District 3	0
● District 4	2
● I do not live in Solana Beach	2





## **C.5 City Council Study Session Notes**

The City held a City Council Study Session on October 28, 2020. This section contains all associated materials of the studysession.



# CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, PUBLIC FINANCING  
AUTHORITY, HOUSING AUTHORITY

## MINUTES

### Joint REGULAR Meeting

Wednesday, October 28, 2020 \* 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California  
This meeting was conducted in accordance with Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.

#### CITY COUNCILMEMBERS

Jewel Edson, **Mayor**

Judy Hegenauer, **Deputy Mayor**

Kristi Becker, **Councilmember**

Kelly Harless, **Councilmember**

David A. Zito, **Councilmember**

**Gregory Wade**  
City Manager

**Johanna Canlas**  
City Attorney

**Angela Ivey**  
City Clerk

#### CALL TO ORDER AND ROLL CALL:

Mayor Edson called the meeting to order at 6:13 p.m.

Present: Jewel Edson, Judy Hegenauer, Kristi Becker, Kelly Harless, David A. Zito

Absent: None

Also Greg Wade, City Manager

Present Johanna Canlas, City Attorney

Angela Ivey, City Clerk

Dan King, Assistant City Manager

Mo Sammak, City Engineer/Public Works Dir.

Rodney Greek, Interim Finance Dir.

Joseph Lim, Community Development Dir.

#### CLOSED SESSION REPORT:

#### 4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1) - Voice of San Diego v. City of Solana Beach & Does (Case No. 37-2020-00024389-CU-WM-NC)

Johanna Canlas, City Attorney, reported that the City Council, by a vote of 5-0, authorized the City Manager to execute the settlement agreement resolving litigation. The material terms include: Voice of San Diego will dismiss the action with prejudice in exchange for consideration in the amount of \$16,474.06 and revision to Administrative Policy #32 extending email retention to 2 years before emails are automatically deleted from the City's mail server.

#### FLAG SALUTE:

#### APPROVAL OF AGENDA:

**Motion:** Moved by Councilmember Zito and second by Mayor Edson to approve.

**Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

**Motion carried unanimously.**

## ORAL COMMUNICATIONS:

*Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.*

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by having submitted written comments for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda.

Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

Lisa Montes spoke about her opposition to Measure S on the upcoming election, that La Colonia de Eden Garden successfully fought to rid its community of drugs in the 1980's, having family affected by drugs in the past, and marijuana being a gateway to heavier drug use.

## COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

*An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.*

### A. CONSENT CALENDAR: (Action Items) (A.1. - A.5.)

*Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.*

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion.

#### A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the following City Council meetings, September 9 and September 23, 2020.

Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

**Motion:** Moved by Councilmember Zito and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. **Motion carried unanimously.**

#### A.2. Register of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for September 26, 2020 – October 9, 2020.

[Item A.2. Report \(click here\)](#)

**Motion:** Moved by Councilmember Zito and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. **Motion carried unanimously.**

#### A.3. General Fund Adopted Budget Changes for Fiscal Year 2020/21. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2020-2021 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

**Motion:** Moved by Councilmember Zito and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. **Motion carried unanimously.**

**A.4. Closing City Hall Between the Christmas and New Year's Holidays.** (File 0110-75)

Recommendation: That the City Council

1. Adopt **Resolution 2020-138** authorizing the closure of City Hall and all non-public safety facilities on Monday, December 28th, Tuesday, December 29th, and Wednesday, December 30th for miscellaneous, confidential and management employees, and approve 12-hours of additional leave to the fire employees' leave banks and 24-hours of additional leave to the marine safety employees' leave banks.

[Item A.4. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**Motion:** Moved by Councilmember Zito and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. **Motion carried unanimously.**

**B. PUBLIC HEARINGS:** None

**C. STAFF REPORTS: (C.1. – C.4.)**

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

**C.1. 6<sup>th</sup> Cycle Housing Element Update Discussion.** (File 0610-10)

Recommendation: That the City Council

1. Discuss and provide guidance regarding the Draft Housing Element Update.

[Item C.1. Report \(click here\)](#)

[Item C.1. Supplemental Docs \(Updated 10-28 at 525pm\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

Greg Wade, City Manager, introduced the item.

Joe Lim, Community Development Dir., presented a PowerPoint (on file).

Council and Staff discussed the November 12<sup>th</sup> public workshop, identification and



modification of sites, affordable/junior accessory dwelling units (ADUs), parking requirements and calculation of ADUs (Accessory Dwelling Units) towards meeting the housing needs allocation.

Shawna McGarry said she submitted a letter prior to the meeting with most of her comments, that the challenge to locate space for 875 units was difficult and that some of the methodology and data did not make sense for such a small town, and that she supported a housing seminar on ADUs to educate the community.

Tracy Richmond spoke about the lack of funds to build local affordable housing, the State needing to return funds/abilities to cities that was taken away years ago, difficulty in solving at a local level, and the need to equitably distribute the needed units between different sides of town.

Greg Wade, City Manager, responded to some public comments stating that the map was based primarily on existing multi-family zoning, that fewer areas on the east side of town were zoned for multi-family, that the funding of affordable housing was challenging due to the elimination of Redevelopment, as well as small lots, high land values and limited vacant land.

Council and Staff discussed site development, sites east of I-5 such as the shopping center, flexibility of site locations, affordable units in commercial zones that would allow for residential, the census data, high vacancy rate and low overcrowding factors that impact housing allocations, and ADUs allowed within Home Owner Associations (HOA).

Council, Staff, and Consultant (Nick Chen, Kimley-Horn) discussed the census data used by SANDAG, that overcrowding assessments are often due to the number of households that are primary residences rather than second homes and the number of people per household, and how each housing cycle affected a new allocation process.

Council discussed considering identifying the Vons shopping center for potential affordable housing, avoiding zoning changes to meet housing allocations, the disproportionate allocation between different cities, affordable requirement of 20 units per acre, goal of housing or units (i.e. vacation rentals) from Housing and Community Development (HCD), HOA's ability to restrict but not prohibit ADUs, and concern for number of units identified in southwest quadrant of City.

Greg Wade, City Manager, stated that he understood direction and Staff would review some slight revisions to the map/list including looking at the East side, staff would further research ADU development, and that public comment would be received at the November 12<sup>th</sup> public workshop.

## **C.2. Senate Bill 1383 Organic Waste Requirements and Impacts.** (File 1030-50)

Recommendation: That the City Council

1. Receive a presentation from Staff on SB 1383 and provide direction to Staff as appropriate. Direction could include to draft regulations and ordinances as required by SB 1383 for Council to consider and to explore options to



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** October 28, 2020  
**ORIGINATING DEPT:** Community Development  
**SUBJECT:** **6th Cycle Housing Element Update Discussion**

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## **BACKGROUND:**

The Housing Element is a State-mandated policy document. The Housing Element is required by State Housing law to be updated every eight years. The City's current Housing Element is for the 5<sup>th</sup> Cycle planning period which covers 2013-2021. The next planning period is the 6<sup>th</sup> Cycle which covers 2021-2029.

Housing Element Law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development.

All California municipalities are required by Article 10.6 of the Government Code (Sections 65580-65590) to adopt a Housing Element as part of their General Plan. Distinct from the other General Plan elements, the Housing Element is subject to detailed statutory requirements and mandatory review by the California Department of Housing and Community Development (HCD).

This item is before the City Council to discuss and provide guidance regarding the Draft Housing Element Update.

## **DISCUSSION:**

COUNCIL ACTION:

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**AGENDA ITEM C.1.**

The Housing Element is a guiding document that is used to implement goals, policies, objectives and programs that further the development of housing for all income levels in the City. The Housing Element is one of seven mandatory Elements of the General Plan that identifies ways to address housing needs of current and future residents.

As mandated by state law, the City is required to include specific content within the Housing Element in an effort to provide each jurisdiction's "fair share" of regional housing needs. The San Diego Association of Governments (SANDAG) is responsible for preparing the Regional Housing Needs Assessment (RHNA) for all jurisdictions within the SANDAG region. For the 6<sup>th</sup> Cycle planning period (April 15, 2021 to April 15, 2029), the City of Solana Beach was allocated a total 875 units, including 316 very low-income units, 159 low-income units, 160 moderate income units, and 240 above-moderate income units.

The City has conducted two workshops (March 5, 2020 and October 15, 2020), during which, City Staff and Kimley-Horn Associates, the City's Housing Element consultant, updated the community about the State's requirements for the Housing Element Update process and solicited input from the community regarding various housing challenges, facilitation of housing programs, and housing opportunities within the community. Comments received from the community and City Council have contributed to the draft Housing Plan section of the Housing Element which lays out the goals, policies and programs aimed to facilitate housing development in the community.

The draft Housing Element also includes a map and list of candidate sites where the housing for each income category could be developed. After review and evaluation of the City's existing zoning and General Plan land use capacity, it has been determined that the City can accommodate the 2021-2029 RHNA allocation through a variety of methods and among the candidate sites identified without the need to rezone any properties in the City. While the City has very little vacant/undeveloped land, the draft Housing Element identifies vacant and City-owned properties suitable for development of housing, identifies additional capacity on existing residentially zoned and commercially zoned sites, and identifies future development capacity for accessory dwelling units (ADUs) throughout the City. Details of this analysis are contained in Appendix B – Candidate Sites Analysis of the Housing Element.

Sites identified to meet the City's very-low and low income housing categories were selected based on factors established by the State (AB 1397), which include a default density of 20 dwelling units per acre and a minimum parcel size of ½ acre, but not greater than 10 acres. There were some exceptions to the minimum parcel size requirement either where there had been examples of recent development on similarly sized sites or where sites were identified as having common ownership to adjacent parcels that could possibly be combined into suitable site for housing or mixed use development. Due to City's existing land use and zoning designations, the candidate sites analysis resulted in a greater concentration of very low and low-income housing sites being located in the southwestern quadrant of the City, where higher density zoning designations currently exist.

For moderate-income and above moderate-income housing, sites were identified based on properties that had the greatest possibility to be redeveloped on existing medium- and low-density zoned properties. In most instances, the sites identified would allow for development of one or more units based on the permitted densities.

As noted in the draft Housing Element, the RHNA allocation of residential units by income category is summarized in the following table:

<b>Table B-1: Summary of RHNA Status and Sites Inventory</b>					
	<b>Extremely Low/ Very Low Income</b>	<b>Low Income</b>	<b>Moderate Income</b>	<b>Above Moderate Income</b>	<b>Total</b>
2021-2029 RHNA	316	159	160	240	875
RHNA Credit (Units Built)				2	2
<b>Total RHNA Obligations</b>	<b>316</b>	<b>159</b>	<b>160</b>	<b>238</b>	<b>873</b>
<b>Sites Available</b>					
Existing Residentially Zoned Properties	23		44	34	107
Existing Commercially Zoned Properties	506		--	190	650
<b>Total Potential Capacity Based on Existing GP and Zoning</b>	<b>529</b>		<b>44</b>	<b>224</b>	<b>757</b>
Accessory Dwelling Unit Production	43		120	29	192
<b>Total Sites Available</b>	<b>572</b>		<b>164</b>	<b>253</b>	<b>949</b>
<b>Potential Unit Surplus</b>	<b>97</b>		<b>4</b>	<b>15</b>	<b>76</b>

The draft Housing Element is being made available for public comment on October 22, 2020 through November 23, 2020. Comments from the public and City Council will be incorporated into the final draft of the City’s 2021-2029 Housing Element which is scheduled to be forwarded to HCD in December 2020. HCD will provide comments to the final draft within 60 days of City submittal. Based on HCD comments, edits will be made for final consideration and adoption by City Council prior to April 15, 2021.

**CEQA COMPLIANCE STATEMENT:**

This discussion item is not a project as defined by CEQA.

**FISCAL IMPACT:**

There is no fiscal impact as a result of this item.



**OPTIONS:**

City Council may wish to consider including any number of policies that would further housing development. The following are a list of items that City Council may consider:


- Suggest, modify, and/or comment on candidate sites.
- Incentives to encourage affordable ADU construction.
- Less restrictive development standards for ADU development.
- Explore zoning modifications that would support ADU and affordable housing development.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council discuss and provide guidance regarding the Draft Housing Element Update.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.

  
\_\_\_\_\_  
Gregory Wade, City Manager

Attachments:

1. Legislative Fact Sheet
2. SANDAG RHNA Allocation Per Income Category
3. Solana Beach Candidate Housing Sites
4. Draft Housing Element Update

**From:** [Shawna McGarry](#)  
**To:** [EMAIL GRP-City Clerk's Ofc](#)  
**Subject:** Cool Article on ADU opportunities  
**Date:** Wednesday, October 28, 2020 4:19:08 PM

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Hello Angela,

This might be of interest to Council/Staff with regard to ADUs, <https://www.dwell.com/article/tiny-home-no-cost-construction-roundup-c58d3abe>.

Thanks!  
Shawna

**CAUTION:** External e-mail. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## **C.6 City Council Study Session #2 Notes**

The City held a City Council Study Session on March 24, 2021. This section contains all associated materials of the study session.



# CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT  
AGENCY, PUBLIC FINANCING AUTHORITY, AND HOUSING AUTHORITY

## ACTION AGENDA

The Action Agenda of the City Council Meeting is a document provided immediately following the Council Meeting in order for staff and the public to be aware of the business transacted and actions taken by Council. This is a preliminary draft and not a public record. The meeting's legal record is the Minutes approved by the City Council.

### Joint REGULAR Meeting

Wednesday, March 24, 2021 \* 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California  
This meeting will be conducted in accordance with Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.

#### MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC

Due to the Executive Order to stay home, in person participation at City Council meetings will not be allowed at this time. In accordance with the Executive Order to stay home, there will be no members of the public in attendance at Council Meetings. Alternatives to in-person attendance for viewing and participating in City Council meetings are being provided under provided below.

#### AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is posted online [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) Closed Session Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

#### WATCH THE MEETING

- Live web-streaming: Meetings web-stream live on the City's website on the City's [Public Meetings](#) webpage. Find the large Live Meeting button.
- Live Broadcast on Local Govt. Channel: Meetings are broadcast live on Cox Communications - Channel 19 / Spectrum (Time Warner)-Channel 24 / AT&T U-verse Channel 99.
- Archived videos online: The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's [Public Meetings](#) webpage.

#### PUBLIC COMMENTS

- Written correspondence (supplemental items) regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) with a) Subject line to include the meeting date b) Include the Agenda Item # as listed on the Agenda.
- Correspondence received after the official posting of the agenda, but before 3:00 p.m. (or 3 hrs. prior to the meeting start time) on the meeting day, will be distributed to Council and made available online along with the agenda posting. All submittals received before the start of the meeting will be made part of the record.
- Written submittals will be added to the record and not read out loud.
- The designated location for viewing supplemental documents is on the City's website [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) on the posted Agenda under the relative Agenda Item.

OR

Verbal comment participation: If you wish to provide a live verbal comment during the meeting, attend the virtual meeting via your computer or call in.

#### Before Meeting

- Sign up (register) to speak at the virtual meeting for the Zoom webinar as early as possible and at least 3 hours prior to the start of the meeting so that Staff can manage the speaker list.  
Public Participation Link: [https://us02web.zoom.us/webinar/register/WN\\_MuqaK8NYR1urX4Ly83lxtg](https://us02web.zoom.us/webinar/register/WN_MuqaK8NYR1urX4Ly83lxtg)
- Follow the prompts to enter your name and email address and identify the item you are speaking on.
- Join the meeting by locating your confirmation email, that was sent immediately following registration, which will provide your log-in link.
- Join/Log-In to the meeting at least 15 minutes prior to the start time so that the City Clerk can verify you are ready to speak before the meeting begins.
- If your computer does not have a mic to speak or you have sound issues, you can use the call-in audio information (Zoom ID, Participant ID) from a landline or cell phone to join the meeting for the audio accessibility.
- If you call in as well for better audio, mute your computer's speakers to eliminate feedback so that you do not have two audios competing when you are speaking.



During Meeting:

- Choose Gallery View to see the presentations, when applicable.
- Participants will be called upon from those who have Registered and their name is identified by the City Clerk calling from the registration list. You will be called on by name and unmuted by the meeting organizer and then you may provide comments for the allotted time. Allotted speaker times are listed under each [Agenda](#) section.

**SPECIAL ASSISTANCE NEEDED - AMERICAN DISABILITIES ACT TITLE 2**

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) at least 72 hours prior to the meeting.

<b>CITY COUNCILMEMBERS</b>			
<b>Lesa Heebner, Mayor</b>			
<b>Kristi Becker</b> Deputy Mayor	<b>Kelly Harless</b> Councilmember	<b>David A. Zito</b> Councilmember District 1	<b>Jewel Edson</b> Councilmember District 3
Gregory Wade <b>City Manager</b>	Johanna Canlas <b>City Attorney</b>	Angela Ivey <b>City Clerk</b>	

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**SPEAKERS:**

See Public Participation on the first page of the Agenda for publication participation options.

**READING OF ORDINANCES AND RESOLUTIONS:**

Pursuant to [Solana Beach Municipal Code](#) Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

**CALL TO ORDER AND ROLL CALL:**

**CLOSED SESSION REPORT:**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0**

**ORAL COMMUNICATIONS:**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by having submitted written comments for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda.

Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

## **COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:**

*An opportunity for City Council to make brief announcements or report on their activities. These items are not agendaized for official City business with no action or substantive discussion.*

### **A. CONSENT CALENDAR: (Action Items) (A.1. - A.8.)**

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

#### **A.1. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the February 24, 2021 City Council meetings.

Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

**COUNCIL ACTION: Approved 5/0**

#### **A.2. Register Of Demands. (File 0300-30)**

Recommendation: That the City Council

1. Ratify the list of demands for February 20, 2021– March 05, 2021.

[Item A.2. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

#### **A.3. General Fund Budget Adjustments for Fiscal Year 2020/21. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2020-2021 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

#### **A.4. Housing Element Annual Progress Report (File 0610-10)**

Recommendation: That the City Council

1. Adopt **Resolution 2021-032** approving the 2020 Housing Element Annual Progress Report and the 2019/20 Housing Successor Annual Report as submitted and direct City Staff to file the report with the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

[Item A.4. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

**A.5. Destruction of Obsolete Records.** (File 0170-50)

Recommendation: That the City Council

1. Adopt **Resolution 2021-036** authorizing the destruction of officially obsolete records.

[Item A.5. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

**A.6. National Wildlife Federation's Mayors' Monarch Pledge.** (File 0480-75)

Recommendation: That the City Council

1. Adopt **Resolution 2021-034** authorizing the Mayor to Sign the National Wildlife Federation's Mayors' Monarch Pledge.

[Item A.6. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

**A.7. Temporary Art Compensation Increase** (File 0910-41)

Recommendation: That the City Council

1. Adopt **Resolution 2021-035** authorizing a modification to the Temporary Public Arts Program artist compensation from \$500 to \$1,500 for a one-year loan.

[Item A.7. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

**A.8. SEA Long-Term Renewable Power Purchase.** (File 1010-45)

Recommendation: That the City Council

1. Approve **Resolution 2021-039** authorizing the City Manager to execute a long-term power purchase agreement, in a form approved by the City Attorney, with Shell Energy to satisfy SEA's long-term procurement obligation under SB 350.

### [Item A.8. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

### **B. PUBLIC HEARINGS: (B.1. – B.2.)**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

An applicant or designee(s) for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each.

After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record.

#### **B.1. Public Hearing: 537 North Granados Ave., Applicant: Gladnick, Case DRP20-005/SDP20-009.** (File 0600-40)

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2021-033** conditionally approving a DRP and SDP to demolish a single family residence, construct a replacement two-story, single-family residence with an attached two-car garage and single carport, and perform associated site improvements at 537 North Granados Avenue, Solana Beach.

### [Item B.1. Report \(click here\)](#)

[Item B.1. Updated Report #1 \(added 3-24 at 4:30pm\)](#)

[Item B.1. Supplemental Docs \(added 3-24 at 1:26pm\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0 with the update d landscape plan and additional language that states conditions would not supersede the conditions of the City's water efficient landscape regulations.**



**B.2. Solana Energy Alliance Rate Schedule.** (File 1010-45)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Adopt **Resolution 2021-038** amending the rate schedule for Solana Energy Alliance.

[Item B.2. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

**C. STAFF REPORTS: (C.1. – C.2.)**

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

**C.1. 6<sup>th</sup> Cycle Housing Element Update Status.** (File 0610-10)

Recommendation: That the City Council

1. Provide comments and direction on the proposed Draft 6<sup>th</sup> Cycle Housing Element Update changes.

[Item C.1. Report \(click here\)](#)

[Item C.1. Updated Report #1 \(added 3-24 at 10:00am\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**Discussion.**

**C.2. La Colonia Park/Fletcher Cove Park Playground Design.** (File 0720-30, 0730-40)

Recommendation: That the City Council

1. Adopt **Resolution 2021-030** authorizing the City Manager to execute a Professional Services Agreement, in an amount not to exceed \$111,250, with Van Dyke Landscape Architects for design of a new playground at La Colonia Park and design of new playground equipment at Fletcher Cove Park.

[Item C.2. Report \(click here\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

## **WORK PLAN COMMENTS:**

*Adopted June 12, 2019*

## **COMPENSATION & REIMBURSEMENT DISCLOSURE:**

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency "City" at the next regular meeting of the legislative body.

## **COUNCIL COMMITTEE REPORTS:** [Council Committees](#)

### **REGIONAL COMMITTEES: (outside agencies, appointed by this Council)**

- a. City Selection Committee (meets twice a year) Primary-Heebner, Alternate-Edson
- b. Clean Energy Alliance (CEA) JPA: Primary-Becker, Alternate-Zito
- c. County Service Area 17: Primary- Harless, Alternate-Edson
- d. Escondido Creek Watershed Authority: Becker /Staff (no alternate).
- e. League of Ca. Cities' San Diego County Executive Committee: Primary-Becker, Alternate-Harless. Subcommittees determined by its members.
- f. League of Ca. Cities' Local Legislative Committee: Primary-Harless, Alternate-Becker
- g. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-Becker, Alternate-Harless
- h. North County Dispatch JPA: Primary-Harless, Alternate-Becker
- i. North County Transit District: Primary-Edson, Alternate-Harless
- j. Regional Solid Waste Association (RSWA): Primary-Harless, Alternate-Zito
- k. SANDAG: Primary-Heebner, 1<sup>st</sup> Alternate-Zito, 2<sup>nd</sup> Alternate-Edson. Subcommittees determined by its members.
- l. SANDAG Shoreline Preservation Committee: Primary-Becker, Alternate-Zito
- m. San Dieguito River Valley JPA: Primary-Harless, Alternate-Becker
- n. San Elijo JPA: Primary-Zito, Primary-Becker, Alternate-City Manager
- o. 22<sup>nd</sup> Agricultural District Association Community Relations Committee: Primary-Edson, Primary-Heebner

### **STANDING COMMITTEES: (All Primary Members) (Permanent Committees)**

- a. Business Liaison Committee – Zito, Edson.
- b. Fire Dept. Management Governance & Organizational Evaluation – Harless, Edson
- c. Highway 101 / Cedros Ave. Development Committee – Edson, Heebner
- d. Parks and Recreation Committee – Zito, Harless
- e. Public Arts Committee – Edson, Heebner
- f. School Relations Committee – Becker, Harless
- g. Solana Beach-Del Mar Relations Committee – Heebner, Edson

### **CITIZEN COMMISSION(S)**

- a. Climate Action Commission: Primary-Zito, Alternate-Becker

## **ADJOURN:**

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***Next Regularly Scheduled Meeting is April 14, 2021***

*Always refer the City's website Event Calendar for Special Meetings or an updated schedule.*

*Or Contact City Hall 858-720-2400*

[www.cityofsolanabeach.org](http://www.cityofsolanabeach.org)

**AFFIDAVIT OF POSTING**

STATE OF CALIFORNIA }  
COUNTY OF SAN DIEGO } §  
CITY OF SOLANA BEACH }

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the March 24, 2021 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on March 17, 2021 at 1:20 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., May 24, 2021, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk \* City of Solana Beach, CA

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**CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:**

*Regularly Scheduled, or Special Meetings that have been announced, are posted on each Citizen Commission's Agenda webpage. See the [Citizen Commission's Agenda webpages](#) or the City's Events [Calendar](#) for updates.*

- **Budget & Finance Commission**
- **Climate Action Commission**
- **Parks & Recreation Commission**
- **Public Arts Commission**
- **View Assessment Commission**

### **C.7 Community Workshop #3**

This section contains all available public comments provided during the third Community Workshop, as well as, provided workshop materials and handouts. Public comments were received in written and oral form.





# **City of Solana Beach**

## *2021-2029 Housing Element Update Community Meeting*

The City of Solana Beach is hosting a Community Meeting following the release of the City's Public Review Draft Housing Element. Please join us to discuss the draft 2021-2029 Housing Element and ask any questions you have.

**WHEN:** November 12th, 6 p.m.

**WHERE:** Please visit [[www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us)] for a link to access the Community Meeting.

*For questions, please contact Joseph Lim at (858) 720-2434 or by email at [jlim@cosb.org](mailto:jlim@cosb.org).*







## **Ciudad de Solana Beach**

### *Reunión Comunitaria de Actualización del Elemento Vivienda 2021-2029*

La Ciudad de Solana Beach está organizando una reunión comunitaria después de la publicación del Borrador de Revisión Pública del Elemento Vivienda. Por favor únase a nosotros para discutir el borrador del Elemento Vivienda 2021-2029 y hacer cualquier pregunta que tenga.

**CUÁNDO:** 12 de Noviembre, 6 p.m.

**DÓNDE:** Por favor visite [[www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us)] para obtener un enlace para tener acceso a la reunión comunitaria.

*Si tiene preguntas, comuníquese con Joseph Lim al (858) 720-2434 o a [jlim@cosb.org](mailto:jlim@cosb.org).*



## **C.8 Public Comments**

This section contains all available public comments provided during the Public Review Draft open comment period and any additional comments received by the City relating to the Housing Element update process. Public comments were received in written form.

**From:** Margaret Walker [REDACTED]  
**Date:** November 10, 2020 at 4:37:30 PM PST  
**To:** Joseph Lim [REDACTED] >  
**Cc:** Judi Strang <[REDACTED]>, Barbara Gordon <[REDACTED]>  
**Subject:** Housing Element Workshop #3

To: [REDACTED]

RE: Smoke-free/Vape-free Policies in Solana Beach Housing Element Update

As work continues on updating the city's housing element plan, San Dieguito Alliance for Drug Free Youth would like to respectfully recommend that the city adopt and enforce a comprehensive smoke-free/vape-free ordinance for multifamily housing (MUH) properties as part of the Housing Element Update 2021-2029.

We fully support the suggestion of Dr. Wilma J. Wooten, Public Health Officer and Director for San Diego County, that all cities, including Solana Beach, consider such an ordinance and incorporate language into Housing Element goals and policies to:

*Reduce secondhand and thirdhand smoke and vapor death and disability, and that such policy "cover all exclusive-use areas, exterior areas (such as private balconies and decks) and interior unit spaces, as well as common areas not already covered by state law."*

We believe this action is critical as it will impact housing developed in the city over the next nine years far [for](#) all income levels.

As Dr. Wooten pointed out, this action provides an opportunity to increase health equity for all residents, sparing them exposure to harmful chemicals from secondhand smoke/vapor and its lingering residues (thirdhand smoke/vapor). Inclusion of the wording *vape-free* will spare MUH occupants from chemicals and vapor resulting from vaping aerosols, known to be equally as harmful as secondhand smoke.

The U.S. Surgeon General has stated there is no safe level of secondhand smoke and the risk of harm is most acute in MUH. [Thank you.](#)

Respectfully,

Peggy Walker  
San Dieguito Alliance for Drug Free Youth  
Public Health Educator  
Solana Beach Resident  
[REDACTED]



**From:** Peggy Walker [REDACTED] >  
**Sent:** Wednesday, November 18, 2020 8:21 AM  
**To:** Joseph Lim [REDACTED] >  
**Subject:** Re Housing Update

Hello Joe,

Thanks for a great public workshop last week on the Housing Element Update. In checking with the county, it appears a letter from Dr. Wilma Wooten, the County's Public Health Officer, regarding Smoke-free Multi Unit Housing (MUH) policy was sent to Solana Beach but it went to Greg Wade -- and that was back in August. I can understand that with all the fray around putting such a complicated plan together it may have missed your desk or been overlooked.

I've attached below Dr. Wooten's August 7th letter to the City below for your information, and do so with all due respect for the work that's been done.

Our organization and others associated with the San Diego County Tobacco Coalition are concerned about the adverse health effects of secondhand and thirdhand smoke on MUH residents, especially the low-income populations targeted. In a move toward environmental equity, many cities including Berkeley, Long Beach and Pasadena have already implemented exemplary smoke-free policies that may be of interest to you.

Another aspect of social equity associated with smoke-free MUH policies is that those of lower income levels and/or families with children disproportionately live in MUH complexes. I've attached a sample smoke-free ordinance for your perusal.

Thank you again, for considering smoke-free MUH policy as you move forward.

Please let me know if I can provide you with further information regarding the value of smoke-free MUH.

Regards,  
Peggy Walker  
San Dieguito Alliance for Drug Free Youth  
*Public Health Educator, Youth Program Development*  
San Diego County Tobacco Control Coalition  
[REDACTED]

Letter from Dr. Wooten to City of Solana Beach  
August 7, 2020

TO: Greg Wade  
City Manager

FROM: Wilma J. Wooten, M.D., M.P.H.,  
Public Health Officer & Director, Public Health Services

**RE: Smoke-free Housing in Housing Element Update**

As the Public Health Officer for the San Diego County, I am contacting you to discuss your City's mandated housing element update. The update of the housing element is an opportunity to increase health equity by ensuring all residents live in safe and healthy conditions. As the Governor's Office of Planning and Research has stated, in its recent guidance on environmental justice in general plans, exposure to harmful chemicals from secondhand smoke and its lingering residues (thirdhand smoke) is a threat to safe housing. The U.S. Surgeon General has declared that there is no safe level of exposure to secondhand smoke, which annually causes an estimated 41,000 deaths by people who do not smoke. The risk of harm is most acute in multifamily housing, where drifting smoke from one person can contaminate many living units and is expensive and difficult to clean up.

As you work on updating your housing element, we would ask that you consider incorporating the following language into your goals and policies:

*To reduce secondhand and thirdhand smoke death and disability, adopt and enforce a comprehensive smoke-free ordinance for multifamily housing properties that covers all exclusive-use areas, both exterior areas (such as private balconies and decks) and interior unit spaces, as well as common areas not already covered by state law.*

Attached is the document, entitled *Prohibiting Smoking in Multifamily Housing: Model Language and Rationale Statement for Inclusion in General Plan Housing Elements, July 2020*. This document explains the rationale for including tobacco elements in general plan housing elements. Also, included for your reference are two information fact sheets, from the California Department of Public Health, on the dangers of secondhand and thirdhand smoke.

Staff from the Public Health Services Tobacco Control Resource Program, in the County of San Diego Health and Human Services Agency, would be happy to discuss opportunities to include tobacco protections in your city's housing element. For further information of questions, please feel free to contact Parke Troutman at [REDACTED] or [REDACTED]. Additionally, San Diego County is a center of research on thirdhand smoke. Staff would be pleased to connect you with leading local scientists if you would like a presentation on the state of current research on this topic.

Sincerely,

**Wilma J. Wooten, M.D., M.P.H.**, Public Health Officer and Director,  
Public Health Services  
County of San Diego Health and Human Services Agency  
[REDACTED]

From: Don Glatthorn <[REDACTED]>  
Sent: Thursday, October 15, 2020 3:29 PM  
To: Joseph Lim <[REDACTED]>  
Cc: Tiffany Wade <[REDACTED]>  
Subject: Housing Element Workshop #2

Joseph,

I am the Owner and Manager for South Tracy Land Partners LLC (STLP) and VDM 383 LLC (VDM).

STLP and VDM are the tenants in common owners of the property at [REDACTED] and the vacant land on [REDACTED] all located in Solana Beach, Ca.

I have a sincere interest in furthering housing opportunities in north county San Diego and intend to bring a development application forward on the above referenced properties at some point in the future. I am fairly well informed on Housing Element programs and State guidelines for incentivizing the construction of new market rate and affordable units. I also understand the ongoing controversy on RHNA allocations to small coastal cities.

My experience in developing housing is largely based on my recent and ongoing attempts to bring housing to the City of Del Mar. After seven years of effort, our Del Mar results have been a mix of good and very bad. We have been successful in gaining approval of the 941 Camino Del Mar project which will build two affordable and six market rate units with a groundbreaking of summer 2021. If interested, you can view a video of the project on the 941caminodelmar website. Unfortunately our efforts to gain approvals for the Watermark project in Del Mar have been unsuccessful to date. We remain undaunted and are continuing our efforts to seek approvals for Watermark despite the recent failure of the Del Mar City Council to amend the Community Plan allowing residential in the NC Zone and refusal to adopt reasonable development standards to incentivize the construction of housing which address unique the physical constraints of the NC Zone. All of which are required pursuant to the 2013 certified Del Mar Housing Element.

The Watermark project could bring 38 market rate plus 10 affordable housing units to the City of Del Mar if approvals are gained.

I provide the background on my Del Mar efforts in order to color my unique insights into the extreme housing challenges facing cities and property owners in affluent coastal communities. My experience in Del Mar highlights many challenges and include the following:

1. Many members of the public have incorrect misconceptions regarding the realities of affordable housing. Those misconceptions include: the income levels and jobs of affordable occupants, a perception of diminished property values to adjacent neighboring properties, higher traffic counts, extreme noise impacts, poor maintenance and diminished curb appeal.
2. Property owners use affordable housing law as a "get rich quick" scheme to circumvent local control. State required development standard incentives which balance the economic challenges of integrating affordable components such as increases for FAR, height and others will ruin the character of a community in appearance and soul.
3. Affordable housing will overcrowd schools and diminish the quality of education in those schools.

All of the above are flagrantly incorrect and often times based on rumor and ignorance.

I am proud to live Solana Beach and fully support the efforts of the our Planning Department and City Council to do educate the public public on the importance and benefits of a more integrated community both socially and economically. The public outreach for the HE update has been robust and effective.

I applaud the inclusive and honest dialogue regarding housing challenges in Solana Beach and the sincere efforts of staff and City Council to incentivize new housing opportunities across all income levels. Generally the City of Solana Beach currently establishes reasonable development standards to facilitate housing construction with the notable exception of height. About four years ago the City amended the Highway 101 Specific Plan to reduce height from three stories to two stories. In my opinion this was done without sufficient public outreach, specifically failure to notify each individual property owner. I believe the catalyst to this botched and rushed literal down zoning was the Solana 101 project. I encourage the City to revisit height measurement in the Highway 101 Specific Plan and reset it back to three stories to incentivize housing construction in mixed use projects along Highway 101.

With respect to my Solana Beach properties referenced above and the City of Solana Beach Housing Element I have the following comments.

1. I have attempted to look at the HE online and believe the reference to size and capacity may be incorrect. I emphasize MAY be incorrect because I am not 100% sure. The document is extremely large and I may be missing some things. My property consist of five different parcels APN's [REDACTED] [REDACTED] Those parcels total about 27,000 SF and are ideal candidates for redevelopment of a mixed use project with housing including an affordable component. Please confirm the proper size and density calculations in the HE if not already correct. They very well may be correct and I am simply missing the information.
2. Please consider height amendments and reverting back to 3 stories in the Highway 101 Specific Plan area.

Thank you for your consideration of my comments. I appreciate your outreach for comments and sincerely appreciate our City Council for its honesty and a desire to be inclusive and do housing right.

Sincerely

Don Glatthorn

Manager  
STLP and VDM



**From:** Rev. Gerard Lecomte CJM [REDACTED]  
**Sent:** Wednesday, October 14, 2020 11:46 AM  
**To:** Joseph Lim <[REDACTED]>  
**Cc:** deacon Peter [REDACTED]  
**Subject:** City of SB

To whom it may concern,

Joseph Lim, Community Development Director, City of Solana Beach

Re: Solana Beach Housing Element Update

St. James Catholic Parish, located at 625 S. Nardo Avenue in Solana Beach, has been working with the San Diego chapter of Catholic Charities in identifying potential uses for available land we possess at the south end of our property. We would like to go on record expressing an interest in developing this land for public benefit, specifically housing to support low-income individuals. Please consider including this intention in your Housing Element Update.

Sincerely,

Fr. Gerard Lecomte

Pastor

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**From:** Heather Dinsmore <[REDACTED]>  
**Sent:** Thursday, October 8, 2020 9:55 AM  
**To:** Joseph Lim [REDACTED]  
**Subject:** bring flag lots back to SB

Hi, Joe-

Regarding the virtual workshop next week, I wanted to suggest the idea of bringing back the option to do flag lots and relaxing the restrictions for people wanting to split them. It would be a win for the landowner that could sell a portion of their property and it would create another lot that would pay property taxes.

I also love that ADU's are being allowed now and I think that SB should follow suit of some of the other local cities by offering free building plans, loosening restrictions, and waiving fees to encourage homeowners to build them.

Just my two cents. I'll try and listen in on the call. I hope that you are doing well and staying healthy.

Best,  
Heather Dinsmore  
247 South Rios Ave  
[REDACTED]



October 28, 2020

Mr. Joseph Lim  
Community Development Director  
City of Solana Beach  
635 S. Highway 101  
Solana Beach, CA  
Submitted via email: [REDACTED]

**Re: Draft 6<sup>th</sup> Cycle Housing Element**

Dear Mr. Lim:

On behalf of the San Diego Housing Federation, we are writing to provide comments and feedback on the draft 6<sup>th</sup> Cycle Housing Element for the City of Solana Beach.

The draft Housing Element contains several actionable items that will help Solana Beach make progress toward meeting its housing goals. We applaud these components of the draft Housing Element and would like to make some additional recommendations to strengthen the plan's impact on achieving housing goals.

### **Implementing State Legislation**

The San Diego Housing Federation was a proud co-sponsor of AB 1486, a bill that strengthened and clarified the state's Surplus Land Act. City implementation of this bill will advance Housing Goal #1 (page 4-2) to accommodate Solana Beach's share across all income levels. Identifying unused City-owned sites for housing can help to ensure the City is compliant with the State Surplus Land Act and helps support the development of affordable housing.

We are pleased to see Housing Program 1J (page 4-5) included in this plan to update the City's Density Bonus Ordinance. We recommend that the City move quickly to implement AB 1763, a bill we supported which provides a density bonus for developments that are 100 percent affordable, to serve as a tool for building affordable housing. The City should also work to implement AB 2345, a bill we supported that builds on the success of the City of San Diego's Affordable Homes Bonus Program (AHBP) by taking the program statewide. A report by Circulate San Diego, "[Equity and Climate for Homes](#)," found that 63 percent of AHBP projects were located in high and highest resource census tracts, demonstrating the program's role in affirmatively furthering fair housing. Just passed and signed into law this year, AB 2345 is a valuable tool to achieve the City's housing goals.

### **Local funding for affordable housing**

The draft Housing Element recognizes the need for funding to build housing that is affordable to low-income individuals and families. As is recognized throughout the draft Housing

Element, federal and state funding is a critical piece to the resources puzzle. We recommend that the Housing Element specifically include a goal to prioritize funds made available through the Permanent Local Housing Allocation (PLHA), also known as the Building Homes and Jobs Act ([SB 2, 2017](#)), for the development of deed-restricted affordable housing. Maximizing the use of these funds to build housing for extremely low-, very low-, and moderate income households will help the City meet its RHNA obligations. Additionally, as local gap financing is critical, we encourage the City to consider dedicating former redevelopment funds, sometimes called “boomerang funds,” as a local source of funding for affordable housing.

### **Affirmatively furthering fair housing and equity**

As noted in the housing element, the majority of the City of Solana Beach is classified as a high opportunity zone as identified by the Regional Opportunity Index (Figures 3-2, page 3-50) and the city is predominantly White with the White population 12.6 percent higher than San Diego County (page 2-3). The City of Solana Beach should take the opportunity in its Housing Element to recognize the role that the City has played in segregation on a regional level. In particular, constraints on increasing housing supply such as the Growth Management Measures described on pages 3-9 to 3-10 should be examined for their role in creating exclusion.

We recommend that the City review the California Department of Housing and Community Development (HCD) 2020 Analysis of Impediments to Fair Housing Choice and include the recommendations and actions outlined in the report. We additionally recommend that the City work with HCD on AFFH recommendations as they relate specifically to Housing Elements and incorporate those recommendations in the plan.

### **Housing and Climate Change**

Our September 2016 report, “[Location Matters: Affordable Housing and VMT Reduction in San Diego County](#),” found that lower-income households are more likely to live in transit-rich areas, own fewer cars, are likely to live in larger building and smaller units, all factors that make affordable housing near transit a key greenhouse gas reduction strategy. In addition, the City’s Climate Action Plan calls for reducing average commuter trip distances (Measure T-3) and increasing commuting by mass transit (Measure T-4). However, the few mentions of the Climate Action Plan in the Housing Element are in relation to energy conservation measures and makes no mention of dense, deed-restricted affordable housing as a greenhouse gas reduction tool. We urge the City to examine the role of affordable housing in helping the City to meet both its RHNA obligations and its Climate Action Plan goals.

We thank you for consideration of our feedback and comments. We appreciate the time and effort that Planning Department staff have dedicated to the draft Housing Element document and look forward to supporting the City of Solana Beach in adopting a robust plan that will help to meet the City’s housing goals.

Sincerely,

*Laura Nunn*

Laura Nunn  
Director of Policy & Programs





# Appendix D:

## Glossary of Terms

# Appendix D: Glossary of Housing Terms

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**Above-Moderate-Income Household.** A household with an annual income usually greater than 120% of the area median family income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available legibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

**Acreage, Net.** The total land area within the lot lines of a lot or parcel minus land area which will be required for public streets, easements or other areas to be dedicated or reserved for public use or open space (including undevelopable slopes, bluffs, and sensitive lands).

**Affirmatively Furthering Fair Housing (AFFH):** Affirmatively Furthering Fair Housing (AFFH) is a legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act. AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

**Apartment.** An apartment is one (1) or more rooms in an apartment house or dwelling occupied or intended or designated for occupancy by one (1) family for sleeping or living purposes and containing one (1) kitchen.

**Assisted Housing.** Generally multi-family rental housing, but sometimes single-family ownership units, whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs including, but not limited to Federal state, or local housing programs including, but not limited to Federal Section 8 (new construction, substantial rehabilitation, and loan management set-asides), Federal Sections 213, 236, and 202, Federal Sections 221 (d) (3) (below-market interest rate program), Federal Sections 101 (rent supplement assistance), CDBG, FmHA Sections 515, multi-family mortgage revenue bond programs, local redevelopment and in lieu fee programs, and units developed pursuant to local inclusionary housing and density bonus programs.

**Below-Market-Rate (BMR).** Any housing unit specifically priced to be sold or rented to low- or moderate-income households for an amount less than the fair-market value of the unit. Both the State of California and the U.S. Department of Housing and Urban Development set standards for determining which households qualify as "low income" or "moderate income." (2) The financing of housing at less than prevailing interest rates.

**Build-Out.** That level of urban development characterized by full occupancy of all developable sites in accordance with the General Plan; the maximum level of development envisioned by the General Plan. Build-out does not assume that each parcel is developed to include all floor area or housing units possible under zoning regulations.

**Community Development Block Grant (CDBG).** A grant program administered by the U.S. Department of Housing and Urban Development (HUD) on a formula basis for entitled communities and administered by the State Department of Housing and Community Development (HCD) for non-entitled jurisdictions. This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

City of Solana Beach  
2021-2029 Housing Element

**Condominium.** A development consisting of an undivided interest in common for a portion of a parcel, coupled with a separate interest in space in a residential or commercial building on the parcel.

**Covenants, Conditions, and Restrictions (CC&Rs).** A term used to describe restrictive limitations that may be placed on property and its use, and which usually are made a condition of holding title or lease.

**Deed.** A legal document which affects the transfer of ownership of real estate from the seller to the buyer.

**Density Bonus.** The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location.

**Density, Residential.** The number of dwelling units per net acre.

**Developable Land.** Land that is suitable as a location for structures and that can be developed free of hazards to, and without disruption of, or significant impact on, natural resource areas.

**Down Payment.** Money paid by a buyer from his own funds, as opposed to that portion of the purchase price which is financed.

**Duplex.** A detached building under single ownership that is designed for occupation as the residence of two families living independently of each other.

**Dwelling Unit (DU).** One or more rooms including bathrooms(s) and a kitchen, designed as a unit for occupancy by one family for living and sleeping purposes.

**Emergency Shelter.** A facility that provides immediate and short-term housing and supplemental services for the homeless. Shelters come in many sizes, but an optimum size is considered to be 20 to 40 beds. Supplemental services may include food, counseling, and access to other social programs. (See "Homeless" and "Transitional Housing.")

**Extremely Low-Income Household.** A household with an annual income equal to or less than 30% of the area median family income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

**Fair Market Rent.** The rent, including utility allowances, determined by the United States Department of Housing and Urban Development for purposes of administering the Section 8 Program.

**Family.** Two or more persons living together as a bona fide single housekeeping unit.

**General Plan.** The city of Solana Beach general plan as adopted by the city council.

**Goal.** A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort.

**Green Building.** Green or sustainable building is the practice of creating healthier and more resource-efficient models of construction, renovation, operation, maintenance, and demolition. (US Environmental Protection Agency)

City of Solana Beach  
2021-2029 Housing Element

**Historic Preservation.** The preservation of historically significant structures and neighborhoods until such time as, and in order to facilitate, restoration and rehabilitation of the building(s) to a former condition.

**Historic/Cultural Landmark (Site).** Any building, structure, or site (including significant trees or other plant life located thereon) which has been determined by the city council, pursuant to SBMC 17.60.160, to have significant historical, cultural, architectural or archaeological value.

**Household.** All those persons—related or unrelated—who occupy a single housing unit. (See “Family.”)

**Housing and Community Development Department (HCD).** The State agency that has principal responsibility for assessing, planning for, and assisting communities to meet the needs of low- and moderate-income households.

**Housing Element.** A State-mandated element of a local general plan, it assesses the existing and projected housing needs of all economic segments of the community, identifies potential sites adequate to provide the amount and kind of housing needed, and contains adopted goals, policies, and implementation programs for the preservation, improvement, and development of housing. Under State law, Housing Elements must be updated every eight years.

**Housing Payment.** For ownership housing, this is defined as the mortgage payment, property taxes, insurance and utilities. For rental housing this is defined as rent and utilities.

**Housing Ratio.** The ratio of the monthly housing payment to total gross monthly income; also called Payment-to-Income Ratio or Front-End Ratio.

**Housing Unit.** The place of permanent or customary abode of a person or family. A housing unit may be a single-family dwelling, a multi-family dwelling, a condominium, a modular home, a mobile home, a cooperative, or any other residential unit considered real property under State law.

**Housing and Urban Development, U.S. Department of (HUD).** A cabinet-level department of the federal government that administers housing and community development programs.

**Implementing Policies.** The City’s statements of its commitments to consistent actions.

**Implementation.** Actions, procedures, programs, or techniques that carry out policies.

**Infill Development.** The development of new housing or other buildings on scattered vacant lots in a built-up area or on new building parcels created by permitted lot splits.

**Land Use.** A description of how land (real estate) is occupied or utilized.

**Live-Work Units.** Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

**Low-Income Household.** A household with an annual income usually no greater than 51%-80% of the area median family income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.



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**Low-income Housing Tax Credits.** Tax reductions provided by the federal and State governments for investors in housing for low-income households.

**Manufactured Housing.** Residential structures that are constructed entirely in the factory, and which since June 15, 1976, have been regulated by the federal Manufactured Home Construction and Safety Standards Act of 1974 under the administration of the U.S. Department of Housing and Urban Development (HUD). (See “Mobile home” and “Modular Unit.”)

**Mixed-Use Development.** The development of a parcel(s) or structure(s) with two or more different land uses such as, but not limited to, a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

**Moderate-Income Household.** A household with an annual income usually no greater than 81%-120% of the area median family income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

**Monthly Housing Expense.** Total principal, interest, taxes, and insurance paid by the borrower on a monthly basis. Used with gross income to determine affordability.

**Multifamily.** Multiple separate housing units for residential (i.e., noncommercial) inhabitants contained within one building or several buildings within one complex. Includes multi-bedroom units, one-bedroom units, efficiency units, studios, and single room occupancy.

**Ordinance.** A law or regulation set forth and adopted by a governmental authority, usually a city or county.

**Overcrowded Housing Unit.** A housing unit in which the members of the household, or group are prevented from the enjoyment of privacy because of small room size and housing size. The U.S. Bureau of Census defines an overcrowded housing unit as one which is occupied by more than one person per room.

**Parcel.** A parcel of land under one ownership that has been legally subdivided or combined and is shown as a single parcel on the latest equalized assessment roll.

**Planning Area.** The area directly addressed by the general plan. A city’s planning area typically encompasses the city limits and potentially annexable land within its sphere of influence.

**Policy.** A specific statement of principle or of guiding actions that implies clear commitment but is not mandatory. A general direction that a governmental agency sets to follow, in order to meet its objectives before undertaking an action program. (See “Program.”)

**Poverty Level.** As used by the U.S. Census, families and unrelated individuals are classified as being above or below the poverty level based on a poverty index that provides a range of income cutoffs or “poverty thresholds” varying by size of family, number of children, and age of householder. The income cutoffs are updated each year to reflect the change in the Consumer Price Index.

**Program.** An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal or objective. Policies and programs establish the “who,” “how” and “when” for carrying out the “what” and “where” of goals and objectives.

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**Redevelop.** To demolish existing buildings; or to increase the overall floor area existing on a property; or both; irrespective of whether a change occurs in land use.

**Regional.** Pertaining to activities or economies at a scale greater than that of a single jurisdiction and affecting a broad geographic area.

**Regional Housing Needs Assessment.** A quantification by the local council of governments of existing and projected housing need, by household income group, for all localities within a region.

**Rehabilitation.** The repair, preservation, and/or improvement of substandard housing.

**Residential.** Land designated in the General Plan and zoning ordinance for building consisting of dwelling units. May be improved, vacant, or unimproved. (See "Dwelling Unit.")

**Residential Care Facility.** A facility that provides 24-hour care and supervision to its residents.

**Retrofit.** To add materials and/or devices to an existing building or system to improve its operation, safety, or efficiency. Buildings have been retrofitted to use solar energy and to strengthen their ability to withstand earthquakes, for example.

**Rezoning.** An amendment to the map to effect a change in the nature, density, or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

**Section 8 Rental Assistance Program.** A federal (HUD) rent-subsidy program that is one of the main sources of federal housing assistance for low-income households. The program operates by providing "housing assistance payments" to owners, developers, and public housing agencies to make up the difference between the "Fair Market Rent" of a unit (set by HUD) and the household's contribution toward the rent, which is calculated at 30% of the household's adjusted gross monthly income (GMI). "Section 8" includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation.

**Senior Housing.** Typically, one- and two-bedroom apartments or condominiums designed to meet the needs of persons 62 years of age and older or, if more than 150 units, persons 55 years of age and older, and restricted to occupancy by them.

**Shared Living Facility.** The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and provide social contact, mutual support, and assistance. Shared living facilities serving six or fewer persons are permitted in all residential districts by Section 1566.3 of the California Health and Safety Code.

**Single-Family Dwelling, Attached.** A dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit. (See "Townhouse.")

**Single-Family Dwelling, Detached.** A dwelling unit occupied or intended for occupancy by only one household that is structurally independent from any other such dwelling unit or structure intended for residential or other use. (See "Family.")

**Single Room Occupancy (SRO).** The smallest dwelling unit allowed by the Uniform Building Code which provides full living quarters, including kitchen and bathroom facilities (see current UBC Chapter 12). Also referred to as Efficiency Unit.

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2021-2029 Housing Element

**Subsidize.** To assist by payment of a sum of money or by the granting to terms or favors that reduces the need for monetary expenditures. Housing subsidies may take the forms of mortgage interest deductions or tax credits from federal and/or state income taxes, sale or lease at less than market value of land to be used for the construction of housing, payments to supplement a minimum affordable rent, and the like.

**Substandard Housing.** Residential dwellings that, because of their physical condition, do not provide safe and sanitary housing.

**Supportive Housing.** Housing with no limit on length of stay, that is occupied by the target population as defined in California Health and Safety Code Section 53260(d), and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. "Target population" means adults with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people. [California Health and Safety Code Sections 50675.14(b) and 53260(d)]

**Target Areas.** Specifically, designated sections of the community where loans and grants are made to bring about a specific outcome, such as the rehabilitation of housing affordable by Very-Low and Low-income households.

**Tax Increment.** Additional tax revenues that result from increases in property values within a redevelopment area. State law permits the tax increment to be earmarked for redevelopment purposes but requires at least 20 percent to be used to increase and improve the community's supply of very low- and low-income housing.

**Tenure.** A housing unit is owner-occupied if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. A cooperative or condominium unit is owner-occupied only if the owner or co-owner lives in it. All other occupied units are classified as renter-occupied including units rented for cash rent and those occupied without payment of cash rent.

**Townhouse.** A building subdivided into individual units such that each owner owns the unit structure and the land on which the unit is located, plus a common interest in the land upon which the building is located.

**Transitional Housing.** Shelter provided to the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing. (See "Homeless" and "Emergency Shelter.")

**Undevelopable.** Specific areas where topographic, geologic, and/or superficial soil conditions indicate a significant danger to future occupants and a liability to the City.

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**Acronyms Used**

**ACS:** American Community Survey  
**BMPs:** Best Management Practices  
**CALTRANS:** California Department of Transportation  
**CEQA:** California Environmental Quality Act  
**CHAS:** Comprehensive Housing Affordability Strategy  
**CIP:** Capital Improvement Program  
**DDS:** Department of Developmental Services  
**DIF:** Development Impact Fee  
**DU/AC:** Dwelling Units Per Acre  
**EDD:** California Employment Development Department  
**FAR:** Floor Area Ratio  
**FEMA:** Federal Emergency Management Agency  
**HCD:** Department of Housing and Community Development  
**HOA:** Homeowners Association  
**HUD:** Department of Housing and Urban Development  
**LAFCO:** Local Agency Formation Commission  
**MFI:** Median Family Income  
**NPDES:** National Pollutant Discharge Elimination System  
**RTFH:** Regional Task Force on the Homeless  
**RTP:** Regional Transportation Plan  
**SANDAG:** San Diego Associations of Governments  
**SDCAA:** San Diego County Apartment Association  
**SPA:** Sectional Planning Area  
**STF:** Summary Tape File (U.S. Census)  
**TOD:** Transit-Oriented Development  
**TDM:** Transportation Demand Management  
**TSM:** Transportation Systems Management  
**WCP:** Water Conservation Plan



**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution 2021-041 adopting the 6th Cycle Housing Element and submitting the document to the California Department of Housing and Community Development for certification.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation



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Gregory Wade, City Manager

Attachments:

1. Final 6<sup>th</sup> Cycle Housing Element
2. Resolution 2021-041
3. YIMBY Law Letter and email
4. Technical Memorandum
5. Solana Beach Housing Element Update Program Review Matrix
6. Environmental Checklist

## RESOLUTION 2021-041

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, ADOPTING THE 6<sup>TH</sup> CYCLE HOUSING ELEMENT UPDATE AND AUTHORIZING SUBMITTAL OF THE 6<sup>TH</sup> CYCLE HOUSING ELEMENT UPDATE TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**WHEREAS**, the City's General Plan provides strategic planning for community sustainability and evaluates, defines, and sets goals for development preservation and rehabilitation of distinct neighborhoods and commercial areas; and

**WHEREAS**, the General Plan was initially adopted in 1988 and although it has been amended throughout the years, has never been comprehensively revised; and

**WHEREAS**, the State requires periodic updates to reflect changes in the community and current laws; and

**WHEREAS**, all California municipalities are required by Article 10.6 of the Government Code (Sections 65580-65590) to adopt a Housing Element as part of their General Plan; and

**WHEREAS**, the 6<sup>th</sup> Cycle Housing Element Update was subject to detailed statutory requirements and reviewed by the California Department of Housing and Community Development (HCD); and

**WHEREAS**, the 6<sup>th</sup> Cycle Housing Element Update was circulated for a 30-day public review beginning October 22, 2020, and ending on November 23, 2020, in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15105; and

**WHEREAS**, the proposed Project is exempt under State CEQA Guidelines §15061(b)(3) common sense exemption, because the Project involves policies, programs, and actions to meet the City's RHNA allocation that either would not cause a significant effect on the environment or were previously analyzed adequately in the Solana Beach General Plan EIR (SCH No. 1987071508). Given their nature and scope, the proposed Housing Element Update programs and policies would not result in physical environmental impacts. Additionally, the Housing Element Update does not grant any development entitlements or authorize development beyond what is allowed under the City's current General Plan and Zoning Code (Municipal Code Title 17). Future housing development pursuant to the Housing Element Update would be subject to compliance with the established regulatory framework, namely federal, state, regional, and local (i.e., General Plan policies, Municipal Code, Standard Conditions) regulations. Moreover, future housing development pursuant to the Housing Element Update would be subject to further discretionary review or approval by the City,

including environmental review under CEQA. Based on these factors, it can be seen with certainty that there is no possibility that the proposed 2021-2029 Housing Element Update would have a significant effect on the environment; therefore, the 2021-2029 Housing Element is exempt from CEQA under the common sense exemption; and

**WHEREAS**, upon adoption of the 6<sup>th</sup> Cycle Housing Element Update, the document will be submitted to the California Department of Housing and Community Development for certification.

**NOW, THEREFORE**, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.
2. That the City Council authorizes the submittal of the final draft 6<sup>th</sup> Cycle Housing Element Update to the California Department of Housing and Community Development.
3. That the City Council directs the City Manager or his designee to file associated CEQA documents with the applicable agencies.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Solana Beach, California, held on the 14<sup>th</sup> day of April 2021 by the following vote.

AYES: Councilmembers –  
NOES: Councilmembers –  
ABSENT: Councilmembers –  
ABSTAIN: Councilmembers –

\_\_\_\_\_  
LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

\_\_\_\_\_  
ANGELA IVEY, City Clerk



YIMBY LAW

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04/05/2021

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Via Email

Re: Solana Beach 6th Cycle RHNA Final Draft Housing Element and March 2021 Revisions

Dear Mr. Wade:

This letter is a detailed analysis of the City of Solana Beach's 2021-2029 Final Draft Housing Element for the 6th Cycle RHNA. We wish to express our concern regarding a myriad of issues in that document, including the city's public outreach efforts, the likelihood of development, forecasted ADU production and the affordability of those ADUs, AFFH, constraints on development, the site inventory, and a few other topics. Please note that we have also emailed this letter to the community development director, as well as the executive assistant for the city manager's office to be disseminated to the city council. We have also forwarded a copy of this letter and its enclosure to the city's housing element reviewer at HCD, as well as to HCD's Fair Housing Office in its Housing Policy Division.

### **Public Participation**

State law requires that every city and county "shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort."<sup>1</sup> In HCD's February 16, 2021 letter to Solana Beach, it reminds the city of this obligation. While the city reported the number of attendees to its first workshop—13 individuals—it did not report the number of attendees in either of its subsequent workshops. Assuming 13 different individuals attended all the workshops, as well as the city council study session, 52 different people attended various housing element-related events, or 0.4% of the city's population.<sup>2</sup> Additionally, while the city reported it circulated a Spanish-language flyer for its second and third workshops, it did not report such accommodation for any other public outreach event, nor did it report that Spanish-language translation

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<sup>1</sup> [Government Code § 65583\(c\)\(7\)](#)

<sup>2</sup> [U.S. Census Bureau, Population Estimates Program](#)





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services—or translation services for the 7% of city residents who speak a language other than English or Spanish in their home—were available at any of the workshops or at the council study session.<sup>3,4</sup>

Another concern about the city’s reporting of its outreach efforts is that its housing element survey only listed responses as percentages, not the actual number of responses, so it is unclear how many people truly participated. If this is incorrect and the unlabeled, unnumbered page immediately preceding Page C-6 of the housing element is the summary of survey participants, that only 19 survey responses were received is cause for alarm and an indication of a failure of this tool to produce meaningful data.<sup>5</sup> Moreover, not a single person from Council District 3 participated in the survey; Council Districts 1 and 2 were significantly overrepresented amongst those who responded.<sup>6</sup> This is particularly troubling because, according to Exhibit A of City of Solana Beach Ordinance 488, Council District 3 has the fewest white voters, the most immigrants, the most language diversity and isolation, the least amount of residents with graduate degrees, and the highest proportion of lower-income households.<sup>7</sup> A simple fix to this problem would have been focused outreach to households in that district. Furthermore, when the city receives comments to its draft housing element, it must actually incorporate them into its thinking and manifest them as housing element policies and programs, or otherwise justify not doing so.

Last, it does not appear as though the City of Solana Beach made a serious effort to solicit input from key stakeholders, such as the public housing authority; affordable housing developers; civic organizations, like NAACP, LULAC, and AAPI groups; disability advocates; the area Continuum of Care; the area chamber of commerce; the area workforce development board; local and area daycares, school districts, colleges, and universities; public interest lawyers; and tenants’ rights groups, to name but a few. Any housing element that lacks solid grounding in the needs of its community is *prima facie* deficient and HCD should not certify such an element. To be clear, *community* is an inclusive term meaning those who work, live, work and live, and own property in the city, as well as and **especially those who cannot afford to live in the city because of the arbitrarily exclusionary and constrained land use decisions that make the city unaffordable to lower-income households**. For reference, the median home price in Solana Beach was \$1,623,242 as of February 2021.<sup>8</sup>

### Likelihood of Development

An accurate assessment of the site inventory’s zoned capacity is necessary in order for the housing element to support sufficient housing production. The site capacity estimate should account for the following two factors:

1. **What is the likelihood that the site will be developed during the planning period?**
2. **If the site were to be developed during the planning period, how many net new units of housing are likely to be built on it?**

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<sup>3</sup> [Exhibit A, Ordinance 488, City of Solana Beach](#)

<sup>4</sup> [U.S. Census Bureau, Population Estimates Program](#)

<sup>5</sup> Unlabeled, unnumbered page of City of Solana Beach Final Draft Housing Element (December 2020), p. 158 of PDF document

<sup>6</sup> City of Solana Beach Final Draft Housing Element (December 2020), p. 5 of Appendix C

<sup>7</sup> [Exhibit A, Ordinance 488, City of Solana Beach](#)

<sup>8</sup> [Zillow](#)



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These are the **likelihood of development** and **net new units if developed** factors, as required by HCD guidelines.<sup>9,10</sup> The portion of the jurisdiction's RHNA target that a site will realistically accommodate during the planning period is:

$$\text{(likelihood of development)} \times \text{(net new units if developed)} = \text{realistic capacity}$$

The City of Solana Beach's site inventory identifies 82 candidate sites; only 11 of all 82 sites are vacant, and only 2 out of 53 total residential sites, both nonvacant, are appropriate to accommodate the very low- and low-income RHNA.<sup>11</sup> These 82 sites' total zoned capacity is 513 dwelling units for very low- and low-income households and 260 dwelling units for moderate- and above moderate-income households, or 773 total dwelling units, but there is no estimate at all of the likelihood of development.<sup>12,13</sup> Instead, the December 2020 Final Draft Housing Element and the March 2021 revisions thereto assume all sites have a 100% probability for (re)development, which is to say the draft housing element assumes every single site will be (re)developed, with no quantitative evidence to support this assumption.

Additionally, all but 2 of the 32 very low- and low-income candidate sites are envisioned to be built on commercially zoned sites, with only 10 units of lower-income housing—out of the city's total lower-income RHNA of 475 units and claimed total lower-income capacity of 513 units—planned on residentially zoned land.<sup>14,15</sup> Moreover, the city claims a “development factor” of 80% for its *commercial* and *special commercial* zones, assuming that the commercial component and requisite site improvements of mixed-use projects will use only 20% of the buildable area of those sites. That such a calculation exists is proper; however, the city fails to demonstrate that this 80% factor is a verifiable, evidence-based metric. In the one example the city provides to substantiate its past performance in nonvacant site development, only one of the four example sites includes information about the maximum number of dwelling units the site could have accommodated. Specifically, 636 Valley Avenue was redeveloped from a single-family home into a commercial use with three dwelling units.<sup>16</sup> Since 636 Valley Avenue could have developed four dwelling units but instead only developed three, the development factor the city claims should be 75%, not 80%.<sup>17</sup> Additionally, since there was already a residential use at this site and the number of net new units is only two, the net development factor is two out of four, or 50%. The city should include this level of detail for 625 Valley Avenue, 330 S. Cedros Avenue, and 343 S. Highway 101 if it wishes to claim a development factor greater than 75% for nonresidential nonvacant sites and 50% for residential nonvacant sites.

Nevertheless, there is no consideration for the likelihood of development that these sites will be developed during the 6th Cycle, especially considering many were not developed in the 5th Cycle. This is evidenced by the city confusing *realistic capacity* and *likelihood of development* when discussing the past redevelopment of commercial sites, for which they report “that an 80% factor is appropriate to realistically

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<sup>9</sup> [HCD Site Inventory Guidebook, p. 20](#)

<sup>10</sup> [HCD Site Inventory Guidebook, p. 21](#)

<sup>11</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. B-9 through B-22

<sup>12</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. B-2

<sup>13</sup> Tables B-1 and 3-16 were not updated to reflect the increase in zoned capacity from 756 to 773 total dwelling units between the December 2020 final draft and the March 2021 revisions.

<sup>14</sup> [California Government Code § 65583.2\(c\)\(3\)\(B\)](#)

<sup>15</sup> City of Solana Beach Final Draft Housing Element (December 2020), pp. 3-3, 3-42, and 3-43

<sup>16</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-51

<sup>17</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. B-3 and B-4



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gauge the residential development potential.”<sup>18</sup> This describes realistic capacity, not the likelihood that any of these nonvacant sites would be redeveloped at all, which is made clear when they write in the next sentence, “the City has a past history of developing residential uses within the general commercial and special commercial zones at approximately 80% of the maximum capacity.”<sup>19</sup> If this is incorrect and the city believes both its realistic capacity and likelihood of development of nonvacant sites are 80%, there is no calculation within the housing element to account for such.

Another area of concern is that the draft housing element identifies high residential zoning as a maximum of 20 dwelling units per acre when, according to HCD’s *Building Blocks*, a suburban city within a metropolitan jurisdiction should have a lower-income density of “at least 20 dwelling units per acre.”<sup>20</sup> Moreover, the city reported that its Highway 101 Corridor Specific Plan “promotes the development of mixed-use residential and commercial uses along Highway 101 at a range of densities;” however, if those densities are less than at least 20 dwelling units per acre, they are neither in compliance with state law nor a development incentive.<sup>21</sup>

Specifically, of the 295 residential units that were forecasted to be developed on nonvacant sites in the 5th Cycle Housing Element, only 30 units in total were entitled, permitted, or constructed before June 30, 2020. Of those 30 units, 25 were assigned to a project that included five APNs, four of which were developed and one of which will remain undeveloped and available on the 6th Cycle Housing Element site inventory.<sup>22</sup> Since the mixed-use project with 25 units used only four of five APNs, we credit that site as only 80% developed, before applying the development factor, and, thus, reduce for the following calculation the number of units from 25 to 20. That said, the aggregate amount of units developed on nonvacant sites was 25, out of a total of 295 dwelling units of total zoned capacity—just 8.475%.

**Therefore, the 6th Cycle Housing Element should be bound to the local, evidence-based trend of 8.475% of all nonvacant sites in the site inventory being redeveloped, which would, consequently, require the city to identify enough parcels where the RHNA target can be achieved, whether through rezoning existing sites or expanding the site inventory.** If the city were to realistically plan for 475 very low- and low-income units during the 6th Cycle, it would need to identify sites to plan for 5,605 units, based on its own data that support such a statistically low likelihood of development.

For instance, 100 Border Avenue, which is Site 4.46 on the site inventory, is a two-story commercial building on a 0.60-acre site.<sup>23</sup> There are currently no residential units at this site, and the site inventory identifies it as appropriate for 20 dwelling units per acre, which would support affordable housing in a suburban city within a metropolitan area, so long as that is at least 20 dwelling units per acre, not a maximum of 20 dwelling units an acre. The site inventory properly applies a development factor of 80% to satisfy curb, gutter, sidewalk, landscaping, setbacks, and other improvements, which results in:

$$0.60 \text{ acres} * 20 \text{ dwelling units per acre} * 0.80 \text{ development factor} = 9.6 \text{ dwelling units}$$

<sup>18</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. 3-44 and 3-45

<sup>19</sup> *ibid.*

<sup>20</sup> [HCD Building Blocks, Analysis of Sites and Zoning](#); City of Solana Beach Final Draft Housing Element (December 2020), p. 3-3; City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. 3-45 and 3-47

<sup>21</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-45

<sup>22</sup> Of note, this project was approved in 2017, but as of the date of this comment letter, no construction activity has begun.

<sup>23</sup> [Non-Residential Sites Draft 10/21/20](#)



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Additionally, with a true development factor of 75%, not 80%, the correct number of units is:

$$0.60 \text{ acres} * 20 \text{ dwelling units per acre} * 0.75 \text{ development factor} = 9.0 \text{ dwelling units}$$

However, the city failed to include the likelihood of development in its calculation, which drastically changes this site's realistic capacity. When including the likelihood of development calculation, and when using the more accurate development factor of 75%, the true site capacity equals:

$$0.60 \text{ acres} * 20 \text{ dwelling units per acre} * 0.75 \text{ development factor} * \\ 0.08475 \text{ likelihood of development} = \mathbf{0.76275 \text{ dwelling units}}$$

When factoring the likelihood of development, as calculated from the city's own data about development of nonvacant sites during the city's 5th Cycle Housing Element, this site that was assumed to yield nine dwelling units instead yields less than one. Importantly, no density bonus applies to projects with only one unit, so relying on State Density Bonus Law or policies and programs championing the success of a local density bonus are of little value in such circumstances. This calculation is a critical step that is not only called for in HCD's own guidance but must be strictly adhered to in order for the city and the state to have a truly realistic assumption about how much constructed, habitable housing a local agency's housing element will accommodate.<sup>24</sup> While the statewide housing crisis is not the fault of any one city, unrealistic or incomplete calculations not grounded in reality will not produce a meaningful amount of new homes, which will continue to perpetuate homelessness and segregation.

Solana Beach must, therefore, include the calculation of the likelihood of development for all candidate sites in its site inventory and make the subsequent adjustments to its housing element. The City of Sacramento's [draft site inventory](#) provided a high-quality, numerical analysis of the likelihood of their sites' development through a "tiered classification system to classify the non-vacant underutilized sites."<sup>25</sup> This approach offers a model for Solana Beach to adapt to its unique circumstances. Additionally, Table 3-11, *Project Timing from Entitlements to Building Permits*, identifies the number of projects entitled and permitted since 2018.<sup>26</sup> In 2018, two-thirds of entitled projects received building permits, in 2019, it was less than two-thirds of entitled projects, and in 2020, it was exactly one-half of entitled projects.<sup>27</sup> These data further support the reality that the likelihood of development is well below 100% in Solana Beach.

Frustratingly, the city totally misinterpreted market conditions with regard to Millennials and Generation Z, the latter also known as "Zoomers" and being born after 1996.<sup>28</sup> While it is certainly true that Millennials, as a group, wish to purchase homes and build wealth like every other generation before them, that so many live and rent homes in suburbs like Solana Beach instead of main downtown areas is a function of cost, not desire—as was misunderstood by the city. That 63% of Millennials live in suburbs and "other city neighborhoods" is related to the unaffordability crisis, not a desire to commute long distances, need a car at all, or live exclusively in single-family homes.<sup>29</sup> Consequently, when Millennials, and, soon, Zoomers, are pushed into suburbs and exurbs to find housing, the communities they settle in are not exempt from

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<sup>24</sup> [HCD Site Inventory Guidebook, p. 21](#)

<sup>25</sup> [Public Review Draft, City of Sacramento Housing Element 2021-2029, p. H-2-15](#)

<sup>26</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-34

<sup>27</sup> *ibid.*

<sup>28</sup> [Pew Research Center](#)

<sup>29</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-52





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their duty to plan for, entitle, and permit more affordable and market-rate housing stock. This is important because the city's housing element admits that, without more affordable housing choices, Millennials and Zoomers will continue to be pushed farther away and will likely also be excluded from the city due to the rising cost of housing.<sup>30</sup>

Furthermore, it is ironic if not tragic that Solana Beach describes itself as “built out” when it provides *estate residential* zoning with a maximum density of 1 and 2 dwelling units per acre, depending on location; *low residential* with a maximum density of 3 dwelling units per acre; *low medium residential* with a maximum density of 4 dwelling units per acre; and *medium residential* with a maximum density of 7 dwelling units per acre.<sup>31</sup> This is a particularly jarring reality when one considers that approximately 25% of all zoned land within the city is set aside for estate residential zones; approximately 50% of all zoned land within the city is set aside for low, low medium, and medium residential zones; and approximately 15% of all zoned land within the city is set aside for zones that allow 8 or more dwelling units per acre.<sup>32</sup>

Last, the city reported that its 5th Cycle Housing Element RHNA was 43 units of extremely low-, 42 units of very low-, 65 units of low-, and 59 units of moderate-income housing; however, during that period, it permitted no units of extremely low- or very low-income housing, 6 units of low-income housing, and 14 units of moderate-income housing.<sup>33</sup> That the previous planning period yielded only 6 out of 150 planned extremely low-, very low-, and low-income homes is incredibly instructive, and a 4% likelihood of development for these income categories during the previous planning period should be taken into consideration when estimating how much housing the city can reasonably anticipate during the 6th Cycle planning period. This is not a unique circumstance within California, and the housing crisis is a direct result of this arbitrary zoning constraint that perpetuates unaffordability and reinforces segregation.

### **Forecasts of ADU Development and Affordability of ADUs**

The city reported that it permitted 6 ADUs in 2018, 10 ADUs in 2019, and 12 ADUs in 2020; two of the ADUs permitted in 2020 were claimed to be affordable to households with lower incomes.<sup>34</sup> Unfortunately, while the city acknowledged HCD's safe harbor guidelines for estimating ADU production, it failed to properly perform the safe harbor calculation.<sup>35</sup> The correct safe harbor calculation in forecasting ADU production is the average of production in 2018, 2019, and 2020, which results in 9 ADUs per year ( $6 + 10 + 12 = 28$ ;  $28 / 3 = 9.33$ ). Therefore, the appropriate estimate is 75 ADUs during the planning period, not 128 as stated ( $12 * 9.33 = 74.64$ ).<sup>36</sup> Even if the city estimated that it would permit 28 ADUs every 3 years ( $9.33 * 3 = 28$ ), this forecast calculation does not change, and the city should therefore amend its *Summary of RHNA Status and Sites Inventory* as listed in Tables B-1 and 3-16.<sup>37</sup>

**This more accurate forecast will likely result in the city failing to plan for a sufficient amount of moderate-income housing.** If the city wishes to claim a higher number, it must present findings and

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<sup>30</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-52

<sup>31</sup> City of Solana Beach Final Draft Housing Element (December 2020), p. 3-3

<sup>32</sup> [City of Solana Beach Official Zoning Map](#)

<sup>33</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-78

<sup>34</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-54

<sup>35</sup> [HCD Site Inventory Guidebook, p. 31](#)

<sup>36</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-48

<sup>37</sup> City of Solana Beach Final Draft Housing Element (December 2020), pp. B-2 and 3-49



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substantial evidence that its local programs and policies incentivize the development of ADUs more than current state law, and, should the city demonstrate success in exceeding their recent performance, it can amend the relevant sections of its housing element. Program 1C anticipates this permitting shortfall but conditions action on said shortfall being 20% or more of the anticipated number of permitted ADUs.<sup>38</sup> This is insufficient because if the number of ADUs actually permitted falls below the number of ADUs anticipated to be permitted, the city will likely drop below its relevant RHNA income category and would automatically be noncompliant with Housing Element Law and subject to housing element decertification.

Similar to the city's claims regarding its forecasted production of ADUs, the data Solana Beach relies upon to determine the affordability of ADUs should be included in the housing element. The city's report about affordability casually explains that 2 out of 12 ADUs permitted in 2020 were affordable, but there is no evidence of the circumstances that result in these ADUs' affordability to lower-income households. Are those affordable ADUs rented at below market rate-rents to friends or family members of the owner of the ADU, are those ADUs rented at no charge to friends or family of the owner of the ADU, or is there some other circumstance, such as access to or favorable terms for construction financing in exchange for a certain term of affordability? If the city wishes to claim 15 ADUs affordable to lower-income households throughout the planning period, it must provide some evidence that such a prediction is valid and not a sweetheart deal for a small, exclusive group of people personally known to the owner of the ADU or who otherwise have special access to the homeowner's social network.<sup>39</sup> On balance, an ADU that is not held out for rent to the public rental market is not affordable within the meaning of affordable housing. We do not contest that all new housing relieves pressure on the housing market; however, rental housing that is not accessible to all renters only skews the data related to the amount of affordable housing in a region.

Additionally, in Table 3-14, *Approved Entitlements Counted as Credit Towards 2021-2029 RHNA*, the city reported it issued 10 ADU permits in the current planning period that began June 30, 2020, but, interestingly, all 10 ADUs were counted as affordable to moderate-income households, even when the new single-family home they accompany was counted toward being affordable to above moderate-income households.<sup>40</sup> Barring a deed restriction, how can the city know the affordability of a permitted-but-unbuilt ADU, and why were all of these ADUs counted toward the moderate-income RHNA category? If the city has evidence that all ADUs that are simultaneously permitted when a building permit for a single-family home is issued, it should provide it; otherwise, claiming all new ADUs are affordable to moderate-income households is improper and should be disallowed.

Furthermore, for ADUs permitted and built since January 1, 2018, has the city claimed credit in its Annual Progress Reports more than once, e.g., one ADU being permitted in October 2019 and built in July 2020, with the former's building permit counted in the 5th Cycle planning period's April 2020 APR and the latter's certificate of occupancy counted in the 6th Cycle Housing Element? **Moreover, reducing the number of ADUs counted as affordable to moderate-income households would likely cause the city to fail to plan for enough dwelling units to accommodate its moderate-income RHNA obligation, precluding HCD from certifying the city's housing element and also having No Net Loss consequences.** Even more, the city claims that all ADUs not affordable to very low- and low-income households will automatically be affordable to moderate-income households, but without

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<sup>38</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 4-3

<sup>39</sup> *ibid.*

<sup>40</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-47



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findings or substantial evidence, we find this to be an unjustifiable claim.<sup>41</sup> This is further supported by the city identifying that it has several unpermitted ADUs within its community and that it has a track record of converting one per year into a legal, permitted use.<sup>42</sup> While the city offers no evidence of this, it should be noted that all eight of these unpermitted ADUs are, when brought into compliance, expected to be affordable to above moderate-income households, signifying the city is well aware that not all of its ADUs are naturally affordable to moderate-income households.

Additionally, the city has authorized its city manager to reduce “development impact fees by 75 percent for accessory dwelling units (ADU)...provided that a deed restriction for state law affordability provisions is recorded for the term of 99 years.”<sup>43</sup> However, earlier in the same chapter of the housing element, the city states that it will consider offering incentives to owners of ADUs who “elect to file a 30-year deed restriction to rent the unit to lower income households.”<sup>44</sup> Those incentives include waiving fees and reducing parking and development standards or “or providing other incentives consistent with the Costa Hawkins Act.”<sup>45</sup> We are confused by this conflicting information about ADU development incentives, not understanding whether the city requires 99- or 30-year deed restrictions to receive an incentive or whether these are in fact parallel incentive programs with the more lengthy deed restriction having fewer and the shorter having a greater suite of options. Moreover, after examining the relevant Solana Beach Municipal Code section, we are unable to locate any mention of 30-year deed restrictions and what incentives they might be coupled with.<sup>46</sup> In addition to relying upon the 99-year timeframe for ADU development incentives, as described in Title 17 of the Solana Beach Municipal Code, we are uncertain as to what precisely the city believes Program 1B will accomplish, since the city will only “continue to incentivize and promote the construction of Accessory Dwelling Units, especially those that may be leased at affordable rates” and “develop outreach collateral for public dissemination, including updates to the City’s website, information at City Hall and via other appropriate print and digital media.”<sup>47,48</sup> The city goes on to state that “[t]he intent of [Program 1B] is to make sure residents are aware of this incentive and have information readily available that may ease the development of ADUs at affordable levels.”<sup>49</sup> Without clear, actionable objectives, Program 1B will have little if any value.

While this is superficially a good policy, in actuality, it has no practical benefit. First, reducing or waiving fees is a public benefit, which makes the ADU “paid for in whole or in part out of public funds” and triggers prevailing wage law; second, while the city manager is *authorized* to reduce fees, they are not required to; third, a 99-year period of rental affordability would make almost any ADU project infeasible; and fourth, ADUs smaller than 800 square feet are exempt from development impact fees.<sup>50,51</sup> For instance, if a person took out a \$200,000 commercial loan with a repayment period of 20 years and an interest rate of 5%, they would have a monthly payment of \$1,320. Assuming prevailing wage adds 30% to construction costs, that would increase the loan amount to \$260,000; however for this example, we omit that number.

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<sup>41</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-54

<sup>42</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), Table 4-1, *Summary of Quantified Objectives*

<sup>43</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. 3-24 and 3-25

<sup>44</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-17

<sup>45</sup> *ibid.*

<sup>46</sup> [SBMC § 17.20.040\(D\), as amended by Ordinance No. 508 dated January 23, 2020](#)

<sup>47</sup> [SBMC § 17.70.060, as amended by Ordinance No. 500 dated March 29, 2019](#)

<sup>48</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 4-3

<sup>49</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 4-3

<sup>50</sup> Prevailing Wage Compliance Monitoring: Practical Advice for City Officials, pp. 3 and 4

<sup>51</sup> [League of California Cities](#), Prevailing Wage Compliance Monitoring: Practical Advice for City Officials, pp. 3 and 4



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Adding an additional \$200,000 of assessed value—although, it would likely be higher—this example homeowner’s insurance and property taxes would also increase by approximately \$200 per month, for a total of \$1,520 per month. Since underwriters typically count 75% of rental income toward a borrowers’ debt to income ratio, this example homeowner would need to charge \$2,027 per month to cover the cost of the loan, increased premiums and taxes, and ADU vacancy.<sup>52</sup> If this example homeowner wanted to enjoy positive cashflow and generate passive income, they would ignore these calculations and charge whatever the market would bear; as of April 4, 2021, the median rent for a studio apartment in Solana Beach was \$2,100.<sup>53</sup> If this example homeowner needs \$2,027 per month to break even but can only expect to charge \$2,100 per month in rent, that makes any deed-restricted affordability infeasible and would kill the project. While this ordinance has no practical effect on smaller ADUs, ADUs 800 square feet and larger would be similarly affected because, in addition to costing more but not being rented for more, the development impact fees would be substantial and cost-prohibitive. All of this is to say that the city’s ADU development impact fee waiver program is of little if any value and should not be used to justify any development incentive to claim increased rates of production.

With the city’s overreliance on ADU production to accommodate its RHNA, as well as the city’s overreliance on ADU affordability, we find an automatic biennial review is acceptable, but an automatic annual review is more appropriate. If the city should fail to permit the number of ADUs it claims it will, and if the ADUs it permits do not achieve the anticipated level of affordability it claims they will, not only is it almost certain that No Net Loss would be triggered, but there is also cause for HCD to decertify the city’s housing element. An automatic annual review would allow the city to better evaluate Programs 1B and 1C, then work to mitigate constraints and / or incentivize development. Last, we find the city’s arbitrary 20% underperformance metric to be insufficient and request the city provide stricter performance standards and program revision timelines. With so few moderate-income dwelling units planned for in the housing element, a 20% shortfall is not appropriately responsive. We also encourage the city to update Page 3-54 to more accurately reflect the language of Program 1C and not use the phrase “mid-cycle” for what will be either four or eight housing element program reviews throughout the planning period.

### **Affirmatively Furthering Fair Housing**

The City of Solana Beach is a community with a wealth of resources, having zero census tracts that qualify as racially and ethnically concentrated areas of poverty under either HUD definition.<sup>54</sup> The other side of that same coin is either a) the city is an egalitarian utopia free of the national and international forces of segregation, racism, and capitalism, or b) the city is an exclusive enclave of wealthy white people. Unfortunately, that latter is true, as it is in many areas of California and most coastal areas of California. In the beginning of its AFFH chapter, the city reported that, according to its Regional Opportunity Index score, three out of its four census tracts were classified as *highest opportunity* and the remaining census tract was classified as *high opportunity*, and, therefore, “the analysis indicates that access to opportunity is not a substantial issue within Solana Beach.”<sup>55</sup> This is a misguided interpretation.

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<sup>52</sup> [Free and Clear](#)

<sup>53</sup> [Zumper](#)

<sup>54</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-60

<sup>55</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. 3-62 and 3-63





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According to 2019 Census Bureau data, the City of Solana Beach is 76.2% white but not Hispanic or Latino, 0.7% Black, 0.9% Native American, 4.9% Asian, 0% Native Hawaiian and Pacific Islander, and 15.5% Hispanic or Latino.<sup>56</sup> There are fewer Black people in Solana Beach than in both Encinitas and Carlsbad, and there are also fewer people who identify as Native Hawaiian and Pacific Islander in Solana Beach than in both Encinitas and Carlsbad. Solana Beach has less than half as many Hispanic or Latino residents per capita as the County of San Diego, and aside from white people who do not identify as Hispanic or Latino, Solana Beach is less diverse than the County of San Diego in every racial category.<sup>57</sup> Said clearly, Solana Beach is whiter and less diverse than the county in which it is located.

We dispute the use of the ROI tool as the reference document for AFFH analysis given that it uses data from the 2010 decennial census and was last updated in 2014; there are newer, more robust sources of demographic data available. For instance, the state's *Opportunity Map* categorizes all of the city's census tracts—the entire city—as areas of highest opportunity, and all of the “tract opportunity indicators” in the *Mapping Opportunity in California* map exceed the average score within SANDAG, except for the adult employment rate in Census Tract 173.06, which is, presumably, due to the immense wealth in a mostly estate residential, 1 dwelling unit per acre zone.<sup>58,59</sup> Additionally, roughly 55% of K-5 students in the SANDAG region live in poverty, but no more than 20% of K-5 students in any census tract in Solana Beach live in poverty.<sup>60</sup> Furthermore, the only census tract that does not have a percentage of adults with bachelor's degrees roughly 75% or higher is Census Tract 173.04, where that number is slightly below 60%.<sup>61</sup> Of note, Census Tract 173.04 includes the majority of both Council Districts 2 and 3, which are 57% and 58% multifamily housing, respectively, compared to Council Districts 1 and 4, which are 29% and 15% multifamily housing, respectively.<sup>62</sup>

Other demographic differences between Census Tract 173.04 and the others—again, Census Tract 173.04 includes the majority of households in Council Districts 2 and 3—include 30% and 32% of households making between \$0 and \$50,000 per year, respectively, while households in Council Districts 1 and 4, primarily in other census tracts, have 14% and 21% making between \$0 and \$50,000 per year, respectively.<sup>63</sup> Council Districts 2 and 3 have 21% and 18% of households making more than \$200,000 per year, but Council Districts 1 and 4 have 36% and 29% of households making more than \$200,000 per year.<sup>64</sup> Council districts 2 and 3 have less than half as many immigrant-residents who have not yet become naturalized citizens, and have the lowest percentage of white residents.<sup>65</sup> Council District 2 is 32% Hispanic or Latino, Council District 3 is 17% Hispanic or Latino, Council District 1 is 8% Hispanic or Latino, and Council District 4 is 5% Hispanic or Latino.<sup>66</sup> Frankly, Census Tract 173.04 is an entirely different community than Census Tracts 173.03, 173.05, and 173.06, which together comprise Council Districts 1 and 4. While there are no statutorily defined RECAPs in Solana Beach, there is clear and obvious segregation and homogeneity throughout the city.

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<sup>56</sup> [U.S. Census Bureau, Population Estimates Program](#)

<sup>57</sup> *ibid.*

<sup>58</sup> [2021 Tax Credit Allocation Committee and HCD](#)

<sup>59</sup> [University of California, Berkeley, Othering and Belonging Institute](#)

<sup>60</sup> *ibid.*

<sup>61</sup> *ibid.*

<sup>62</sup> [Exhibit A, Ordinance 488, City of Solana Beach](#)

<sup>63</sup> *ibid.*

<sup>64</sup> *ibid.*

<sup>65</sup> *ibid.*

<sup>66</sup> *ibid.*



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Despite the low quality of the ROI map, we reviewed these data, since they are the dataset analyzed by the city. Even as far back as 2014, all four census tracts in the City of Solana Beach had *lowest opportunity* housing scores for the ROI Place analysis, meaning all four census tracts were unaffordable as compared to the mean census tract in the region. Additionally, Census Tract 173.04's "civic life" score was also ranked as *lowest opportunity*, again, as compared to the mean census tract in the region.<sup>67</sup> *Civic life* is defined as "the relative social and political stability of an area, in the form of neighborhood stability (living in same residence for one year) and US citizenship."<sup>68</sup> For the "housing opportunity" metric in the ROI People analysis, which "measures the relative residential stability of a community, in the form of homeownership and housing costs," only Census Tract 173.04 had unaffordable housing, which is likely a function of the high number of households earning between \$0 and \$50,000 per year and more than half of the census tract being composed of households living in multifamily housing.<sup>69</sup> Again, the thesis of the city's AFFH chapter is "everyone in our wealthy enclave has great access to our exclusive resources!", which is flatly untrue, as evidenced by the realities lower-income households face in Census Tract 173.04. As seen in Figure 3-23(b), *Regional Opportunity Index, Place, 2014*, approximately two miles beyond Solana Beach's eastern boundary lies an area of *lowest* and *low* health, environmental, housing, and economic opportunity.<sup>70</sup> This level of resource hoarding and segregation, intentional or unintentional, is anathema to the idea of creating opportunity. To wit, affirmatively furthering fair housing means making some extraordinary effort, beyond whatever legal mandate or obligation exists, to create opportunities for disadvantaged communities and people comprising lower-income households.

With regard to the continued ghettoization of lower-income households, the overwhelming majority of the city's lower-income site inventory candidate sites are located in the southwest quadrant of Solana Beach—Census Tract 173.04 and most of Council Districts 2 and 3. Of the city's 32 very low- and low-income housing candidate sites, only 2 are located to the east of I-5 in Census Tract 173.06, and they are adjacent, nonvacant parcels with newer-construction buildings containing grocery stores, restaurants, and retail stores covering nearly 14 acres. There are also only two very low- and low-income candidate sites located north of Lomas Santa Fe Drive in Census Tract 173.03, and they are both nonvacant commercial uses.<sup>71</sup> That 93.5% of the city's candidate sites for very low- and low-income housing are located in the census tract that already has the lowest income, least housing stability, lowest rate of homeownership, lowest rate of adults with bachelor's and graduate degrees, and most Asian and Hispanic / Latino residents demonstrates the City of Solana Beach is not serious about "replacing segregated living patterns with truly integrated and balanced living patterns."<sup>72</sup> Furthermore, we strongly object to the city claim that Programs 1B and 1D, concerning ADUs, AFFH.<sup>73</sup> Again, a local agency cannot claim that it is affirmatively furthering fair housing by complying with established laws. Creating a class of serfs who have no opportunity to become homeowners, build equity, and bequeath generational wealth to their children or other family members is exactly the opposite of AFFH.

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<sup>67</sup> [University of California Davis, Center for Regional Chance](#)

<sup>68</sup> University of California Davis, Center for Regional Chance, [Regional Opportunity Index Overview](#), p. 13

<sup>69</sup> [University of California Davis, Center for Regional Chance](#); University of California Davis, Center for Regional Chance, [Regional Opportunity Index Overview](#) p. 5

<sup>70</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-64

<sup>71</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-69

<sup>72</sup> [Exhibit A, Ordinance 488, City of Solana Beach](#); City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-68

<sup>73</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-77



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Figure 3-6, *Candidate Sites – Ethnicity Analysis*, reveals that 10 out of 32 very low- and low-income candidate sites are in areas with a Hispanic / Latino population greater than 13% of the total population, 3 very low- and low-income candidate sites are in areas with a Hispanic / Latino population between 10% and 13% of the total population, and 19 very low- and low-income candidate sites are in areas with a Hispanic / Latino population between 7% and 10% of the total population; 0 very low- and low-income candidate sites are in areas with a Hispanic / Latino population between 2% and 7% or less than 2% of the total population.<sup>74</sup> Furthermore, as seen in Figure 3-7, *Candidate Sites – Racial Analysis*, only 2 very low- and low-income candidate sites are in areas with a nonwhite population between 2% and 4%, and 0 very low- and low-income candidate sites are in areas with a nonwhite population below 1%; 30 candidate sites are located in areas with larger nonwhite populations.<sup>75</sup> By its own admission, nearly 50% of the city’s very low- and low-income candidate sites are located in the parts of the city that have the fewest white residents.<sup>76</sup>

Furthermore, in Figure 3-8, *Candidate Sites – Income Level*, the city continues to prove our point that it will continue to segregate lower-income households. This graphic shows that 10 out of 32 very low- and low-income candidate sites are in areas that already have more than 22% of the city’s low- and moderate-income households, 14 out of 32 very low- and low-income candidate sites are in areas that already have between 16% and 22% of the city’s low- and moderate-income households, and 5 out of 32 very low- and low-income candidate sites are in areas that already have between 10% and 16% of the city’s low- and moderate-income households; 1 very low- and low-income candidate site is in areas that already have between 9% and 10% of the city’s low- and moderate-income households, and 2 very low- and low-income candidate site is in areas that already have less than 9% of the city’s low- and moderate-income households.<sup>77</sup>

While we wish to give the city the benefit of the doubt, we fundamentally disagree that “[t]he data shows [*sic*] that the proposed candidate sites to meet the very-low and low income RHNA need are evenly dispersed throughout the community with an emphasis on locating units where there is a high level of access to important public services and transit.”<sup>78</sup> Again, it is facially nonsensical to claim such a thing when there is not a single unit of lower-income housing integrated into any area of estate residential (ER-1, ER-2), low residential (LR), low medium residential (LMR), medium residential (MR), or medium high residential (MHR) zones anywhere in the city. **Placing 98.5% of the city’s lower-income RHNA capacity on nonvacant sites zoned as commercial and special commercial is not affirmatively furthering fair housing, and simply saying it is does not make it true.**

### Constraints

#### ADUs

The city’s draft housing element identifies medium high residential- and high residential-zoned sites as requiring conditional use permits for the construction of ADUs; however, the housing element states “all residential zones also allow one Accessory Dwelling Unit on lots with existing or proposed single-family

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<sup>74</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-71

<sup>75</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-73

<sup>76</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-72

<sup>77</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-75

<sup>78</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-70



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homes or multifamily developments.”<sup>79,80</sup> Which is it? Regardless of whether MHR- and HR-zoned sites are areas for multifamily housing, a requirement for CUPs runs counter to state law providing relief for construction of ADUs on any residentially zoned parcel, including parcels with multifamily housing.<sup>81</sup> Furthermore, the draft housing element describes conditions the city requires by ordinance for the entitlement of ADUs, including minimum lot sizes, prohibition on detached ADUs, maximum square footage, aggregate FAR calculation, owner occupancy requirements, impact fees, and parking replacement, all of which are now incompatible with and preempted by state law. While the city acknowledges its ordinance is preempted by state law, it commits only to “develop outreach collateral for public dissemination, including updates to the City’s website, information at City Hall and via other appropriate print and digital media” and lists the timeline for revision to its ordinance as within 12 months of housing element adoption.<sup>82</sup> A simple, efficient, and prompt solution to this unenforceable law is simply a rescission of the ordinance; however, if the city chooses to schedule revisions to their ADU law, no more than three years to complete that work is appropriate and twelve months is preferred.

### Land Use Element

The city’s land use element provides for special overlay zones, which the city claims will not be a constraint. Practically, all development restrictions and requirements are a constraint to some degree, so we reject the city’s claim that its *Scenic Area Overlay Zone* “is not considered a constraint to the development of housing currently as recent development applications indicate that proposed projects are able to meet density assumptions.”<sup>83</sup> The Solana Beach Municipal Code constrains ADU development by requiring a development review permit for all ADUs that exceed the floor area ratio of the primary structure and “any development on properties along Highway 101 or Lomas Santa Fe Drive, which is not visible from Highway 101 or Lomas Santa Fe Drive.”<sup>84</sup> This permit, for ADUs and especially for multifamily projects, adds time and cost to development, which is incompatible with state law and reduces project feasibility, respectively. Additionally, this overlay zone requires that the “placement of buildings and structures shall not detract from the visual setting or obstruct significant views,” which interferes with and is preempted by by-right development laws for ADUs on residential parcels.<sup>85</sup> The intent of the *Scaled Residential Overlay Zone* is to “preserve and enhance the existing community character and aesthetic quality of the City of Solana Beach, by providing regulations to ensure and protect the character of established residential neighborhoods; and by preserving the traditional scale and seaside orientation of residential areas in the City of Solana Beach.”<sup>86</sup>

Given the history of race- and protected class-based housing discrimination, the implementation of programs and policies that are described by the use of the phrase *neighborhood character* or *community character* may very well constitute a Fair Housing Law violation. Furthermore, both the SAOZ and SROZ include candidate sites from the city’s site inventory, but the city claims “the SROZ does not apply to any of the site [*sic*] the City has identified to meet their lower income RHNA need.”<sup>87</sup> Without a separate ordinance or a revision to Title 17 of the city’s municipal code to exempt very low-and low-income

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<sup>79</sup> City of Solana Beach Final Draft Housing Element (December 2020), p. 3-13

<sup>80</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-6

<sup>81</sup> California Government § 65852.2 et seq.

<sup>82</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 4-3

<sup>83</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-4

<sup>84</sup> [SBMC §§ 17.48.010.C, D2, and D5](#)

<sup>85</sup> [SBMC § 17.48.010.F2](#)

<sup>86</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-4

<sup>87</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-5





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candidate sites from the provisions of these overlay zones, these overlays zones substantially constrain the likelihood of development and the realistic capacity of development.

### Minimum Lot Size

Minimum lot sizes generally constrain the ability to build denser housing. The city provides no analysis of how much of any one category of zoning exists within its boundaries, so it is difficult to assess whether there is a fair and equitable distribution of residential sites in Solana Beach. Also, larger minimum lot sizes reduce walkability and auto-independent travel options, resulting in reduced pedestrian and bicyclist safety, higher greenhouse gas emissions, and sprawl into the wildland-urban interface. Furthermore, it is completely detached from reality to insist that state law that preempts local control concerning the development of ADUs acts as relief to the substantial constraint of more than half of Solana Beach's zoning being less than 7 dwelling units per acre. If Solana Beach truly wished to remove this development constraint, it would legalize plex zoning on all of its residential parcels, especially in the estate residential zones. Having between two and six attached homes on parcels half an acre and one acre in size is both a smarter and more practical use of land, especially as it concerns AFFH.

Setbacks play a significant role in limiting the developable area of a parcel, and we disagree with the city's claim that "there is enough flexibility in the current ordinances that setback requirements do not constitute a significant constraint on residential development."<sup>88</sup> As described in Table 3-3, *Residential Development Standards in Solana Beach - Setbacks* and the city's zoning map, the setback for a parcel in the medium high residential zone is 25 feet to the front and to the rear, 5 feet to the side, and 10 feet to the streetside.<sup>89</sup> The minimum lot size in the medium high residential zone is 5,000 square feet, and, according to Table 3-2, *Residential Development Standards in Solana Beach - Dimensions*, the minimum lot dimensions are 50 feet wide and 100 feet long for interior lots.<sup>90</sup> For a typical lot in the interior medium high residential zone the buildable area is 40 feet wide and 50 feet deep or 2,000 square feet—only 40% of the lot size. The medium high residential zone supports a maximum density of 12 dwelling units per acre, but with a floor area ratio of 75%, the maximum allowable square footage of all site improvements is 1,500 square feet.<sup>91,92</sup> Practically speaking, a development on this example site could fit four 375 square foot efficiency units; however, the project would be denied because of the required 1.5 parking spots per unit required for studios, efficiency units, and single-room occupancy, plus one additional spot because this hypothetical development has four dwelling units.<sup>93</sup>

However, even on a 5,000 square foot medium high residential interior lot with no setbacks and 100% FAR, the maximum allowable square footage of all site improvements would be 5,000 square feet. To accommodate the on-site parking requirements for twelve 416 square foot efficiency units, a developer would need to plan for 22 parking spaces.<sup>94</sup> At 8.5 feet wide by 19 feet long, 22 parking spots would consume 3,553 square feet of the 5,000 square foot lot.<sup>95</sup> If the city had an ordinance exempting parking from FAR calculations for multifamily development—it does not—a developer would be able to build a

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<sup>88</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-6

<sup>89</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-8; [City of Solana Beach Official Zoning Map](#)

<sup>90</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-7

<sup>91</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-3

<sup>92</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-7

<sup>93</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-10

<sup>94</sup> *ibid.*

<sup>95</sup> [City of Solana Beach Off-Street Parking Design Manual, p. 6](#)



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four-story building with three 416 square foot efficiency units on each floor. Unfortunately, the medium high residential zone has a height limit of 25 feet, so the remaining 1,447 square feet of buildable area would be enough to build 3.48 of the 12 homes allowable in that zone on one floor or two larger studios or one-bedroom apartments on a bottom floor and one on a second floor. If FAR was ignored and all 12 units were permissible, the city would still require a CUP to exceed the 25-foot height limit, but this would be a fool's errand because the CUP permits a maximum height of 30 feet.<sup>96</sup> These scenarios present polar opposite development goals: maximizing units or maximizing parking. In reality, only a fraction of the density allowed in each zone can actually be built, which presents a significant government constraint.

### Setbacks

Aside from both variations of estate residential zones, all residential lots are required to be no less than 100 feet long in depth.<sup>97</sup> All residential lots except for those located in the estate residential zones have *Setback Designators C and D*, both of which have front and back setbacks of 25 feet each.<sup>98</sup> For interior lots, Setback Designator C requires 10-foot side setbacks, and Setback Designator D requires 5-foot side setbacks.<sup>99</sup> While low medium residential zoning has 10,000 square foot lots, which allows for 4,000 square feet of buildable area, the maximum density in this zone is four dwelling units per acre. Requiring parcels to be more than 50% private open space constitutes a significant governmental constraint.

### Lot Coverage and FAR

The city's FAR requirements are incompatible with the site characteristics necessary for the construction of affordable housing. While the city says it uses lot coverage and FAR standards "to control bulk, mass, and intensity of a use," arbitrarily requiring so much private open space—at the expense of building more housing—for no other reason than *because it can*, reduces the likelihood of development and realistic capacity of affordable housing.<sup>100</sup> What is the virtue of a public park, and why does the entire city lie within the Coastal Zone, if it is so necessary to consume more than half of a given parcel with private open space? Concerning residential development, the city writes "these standards may only limit the size of dwelling units, and do not limit the number of units..."; however, it then writes immediately thereafter that "FAR, combined with height limitations, can potentially prevent maximum density from being achieved in certain cases."<sup>101</sup> It is deeply concerning that the city can identify and describe such a substantial governmental constraint but then fail to acknowledge that the constraint only exists because the city created it, and, thus, the city must be the one to mitigate it.

### Maximum Building Height

In its description of this government constraint, the city writes, "[a]ll properties within the City of Solana Beach are located within the Coastal Zone as defined in the California Coastal Act. Therefore, the City's Local Coastal Program, as approved by the California Coastal Commission, restricts the maximum building height within the City to 25 feet in residential zones."<sup>102</sup> This is illogical: Not only was the city not required to develop, adopt, and have certified a Local Coastal Program, but when it pursued creating an LCP, the city invented this 25-foot height limit of its own volition. To use the same logic as the city does in

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<sup>96</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-7

<sup>97</sup> *ibid.*

<sup>98</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-8

<sup>99</sup> *ibid.*

<sup>100</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-6

<sup>101</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-7

<sup>102</sup> *ibid.*



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justifying this self-imposed height limit, one might say “all of my money is deposited in my savings account; therefore, I can’t buy groceries because I don’t have any money in my checking account.” This sounds ridiculous for the same reason the city’s explanation about its maximum building height does. The simple solution to this metaphorical problem is for the individual to move some of their money from their savings account to their checking account, just like the simple solution to the city’s actual problem is to increase its maximum building height in its LCP.

The city reported that its “maximum building height may be increased to 30 feet pursuant a Development Review Permit” and “35 feet for civic uses” with a CUP for projects in the medium high residential and high residential zones.<sup>103</sup> That such a variation exists demonstrates that there is no adverse impact on public health or safety related to taller buildings. Since the city created its LCP and the city controls its zoning code, the only valid activity that would mitigate this substantial governmental constraint is the city amending its LCP to allow an increase in maximum building height. If the city is concerned about visual corridors and viewsheds, a uniform maximum building height of 45 feet—and 50 feet with a DRP—makes coastal resources no less accessible than a uniform maximum building height of 25 feet—and 30 feet with a DRP—since no human being has ever grown to be 25 feet tall, much less 45 feet tall.

### Parking Standards

One of the greatest failures of the planning profession is the steadfast belief that every car is entitled to a home but not every person is. The corrupted prioritization of auto-centric planning has led to the City of Solana Beach requiring an unreasonably high amount of parking, such that it makes infeasible affordable housing. In addition to these project-bankrupting parking requirements, the city has chosen to maintain its parking standards for ADUs, even though they could have chosen to eliminate them under SB 1069.<sup>104</sup> Not only is the requirement to provide replacement parking for garage-conversion ADUs and new parking for new-construction ADUs, but the overzealous parking requirements for multifamily housing, as well as the type of deed-restricted single-family homes a nonprofit developer like Habitat for Humanity would build, make it a near impossibility to build affordable housing in Solana Beach.

Specifically, requiring 1.5 parking spaces for efficiency units, studios, and SROs is unreasonable.<sup>105</sup> Not only are efficiency units typically occupied by a single individual and SROs legally occupied by only a single individual, but, oftentimes, occupants of these types of homes are in transition between various life events, need supportive services, or intend to live in such accommodations for a limited amount of time.<sup>106</sup> Occupants of these housing types should not be assumed to own or have cars without such a constraint on development being supported by evidence. Furthermore, studios are smaller homes, typically suitable for one person, so while it *may* be appropriate to require parking for studios, requiring more than 1.0 parking spaces per studio—and more than 1.0 parking spaces per efficiency unit and SRO unit—is a substantial government constraint.

Furthermore, requiring two parking spaces for apartments with two or more bedrooms, plus an additional parking space for guests for every four dwelling units, is phenomenally cost-prohibitive. Surface parking costs approximately \$20,000 per space and garages and covered parking spaces cost approximately

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<sup>103</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-7

<sup>104</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-7; [California Government § 65852.2 et seq.](#)

<sup>105</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-10

<sup>106</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-19



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\$50,000 per space.<sup>107</sup> Underground parking costs an astronomically high \$80,000 per space.<sup>108</sup> For a 12-unit affordable housing development, the city would require 27 parking spaces, costing more than half a million dollars. This amount is likely more than 10% of the entire project's cost, making development designed for very low- and low-income development nearly infeasible. The very existence of the parking concession in SDBL seeks to remedy this issue, and the city's unwillingness to reduce its parking requirements actively constrains development. This might explain the dearth of affordable housing in Solana Beach, and until the city removes this substantial constraint, that condition will remain unchanged.

### Growth Management

SB 166, the Housing Crisis Act of 2019, renders moot growth management controls and residential caps under certain conditions.<sup>109</sup> Those conditions include that the enacting local agency's electors approved the ordinance before January 1, 2005 and that the local agency is located in a predominantly agricultural county, defined as one that is composed of at least one-half agricultural land and that has more than 550,000 acres of agricultural land.<sup>110</sup> According to most recent version of the California Farmland Conversion Report, not only does the County of San Diego have just 340,111 acres of important farmland, well below the threshold of 550,000 acres, but the entire county measures 2,712,200 acres in size, placing the proportion of county farmland at just 12.5%.<sup>111</sup> Therefore, Ordinance No. 251 and Proposition T are deficient, making both laws null and void.<sup>112</sup> While unenforceable laws do not necessarily create a government constraint, the city should nevertheless conspicuously advertise that, until the Housing Crisis Act of 2019 sunsets, prospective housing developers should ignore these laws.

### Zoning Controls

According to Table 3-6, *Permitted, Conditional, and Prohibited Uses in Solana Beach*, single-family homes are allowed in all residential zones, including medium high and high residential zones.<sup>113</sup> Not surprisingly, the city appears to be totally oblivious to the segregated conditions it perpetuates when it defined a single-family home as "[a]ny building designed and used to house not more than one family including all domestic employees of such family."<sup>114</sup> Both group residential facilities and senior citizen and congregate care housing with any number of units are forbidden in both estate residential, the low residential, and the low medium residential zones.<sup>115</sup> Group residential facilities with any number of units are forbidden in the medium residential zone but allowed with a CUP issued by the planning director in the medium high and high residential zones. Senior citizen and congregate care housing with any number of units is permitted with a CUP issued by the city council in the medium residential, medium high residential, and high residential zones. Since senior citizen and congregate care housing requires discretionary approval by the city council, and, thus, the city council may deny this type of housing from ever being constructed in the City of Solana Beach, regardless of the zone type or the number of units the development would have, **we find this subjective condition affecting a protected class to be a facial violation of Fair Housing Law.**

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<sup>107</sup> [New CA Database Shows How Much Parking Costs and How Little It's Used](#)

<sup>108</sup> *ibid.*

<sup>109</sup> [California Government Code § 66300 et seq.](#)

<sup>110</sup> *ibid.*

<sup>111</sup> [California Department of Conservation](#)

<sup>112</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. 3-10 and 3-11

<sup>113</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-13

<sup>114</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-14

<sup>115</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-13





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Additionally, the city described its compliance with employee housing laws, stating that while it believes its ordinances comply with California Health and Safety Code §§ 17021.5 and 17021.6, it will complete Program 1M to update its codes and make explicitly clear that it is not in violation of these laws.<sup>116</sup> However, the city failed to update Table 3-6, *Permitted, Conditional, and Prohibited Uses in Solana Beach*, omitting pertinent information required to be published in the housing element.<sup>117</sup> Disappointingly, the city also continues to demonstrate a fundamental misunderstanding of how access to opportunity works, stating with regard to farmworker housing, “[a]ccording to the American Community Survey, less than two percent of Solana Beach’s workforce was employed in the farming industry. Therefore, there is no need for farmworker housing in Solana Beach.”<sup>118</sup> **We find this statement and the subsequent regulatory environment it produces to be discriminatory and a facial violation of Fair Housing Law.**

Local agencies are prohibited not only from exercising bias based on race, sex, familial status, age, or religion, but from discriminating against any individual or group of individuals the enjoyment of residence, landownership, tenancy, or any other land use because the residential development is subsidized, multifamily, or occupancy will include low- or moderate-income persons.<sup>119</sup> Local agencies may also not impose different requirements on assisted developments than those imposed on non-assisted developments.<sup>120</sup> However, local agencies may extend preferential treatment to local, state or federally assisted developments, and developments intended for occupancy by low- and moderate-income households or agricultural employees. This preferential treatment may include, but is not limited to, reduction of fees, changes in architectural requirements, site development and property line adjustments, building setback requirements, or vehicle parking requirements that reduce development costs of these developments.<sup>121</sup>

Additionally, the city makes no distinction between senior citizen and congregate care housing with six or fewer units and those with seven or more units.<sup>122</sup> Again, the legal requirement described in California’s AFFH law means “taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.”<sup>123</sup>

Last, Table 3-6, *Permitted, Conditional, and Prohibited Uses in Solana Beach*, identifies where group residential facilities are permissible within the city, but it does not distinguish between those facilities that have six or fewer units from those with seven or more.<sup>124</sup> This is curious because the city distinguishes between various unit sizes of residential care facilities and family day care homes, but neither of those uses received any revisions in the subsequent pages of the March 2021 update to the Final Draft Housing Element whereas the information about group residential facilities was significantly revised.<sup>125</sup>

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<sup>116</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-14

<sup>117</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-13

<sup>118</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-15

<sup>119</sup> [California Government Code §§ 65008\(b\)\(1\)\(D\) and \(d\)\(1\) and \(2\)](#)

<sup>120</sup> *ibid.*

<sup>121</sup> [California Government Code § 65008\(e\)\(2\)](#)

<sup>122</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-15

<sup>123</sup> [California Government Code §§ 8899.50 and 65583 et seq.](#)

<sup>124</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-13

<sup>125</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-15



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### People with Disabilities

Program 4C affects people with physical and developmental disabilities, and through this program, the city commits to “continue to take actions to accommodate the approval of group homes, ADA retrofit efforts, ADA compliance and/or other measures through the implementation of Title 24 as well as amend its procedures to provide more flexibility in the development of accommodations for persons with physical and developmental disabilities by eliminating the need for a variance.”<sup>126</sup> The city relies on this passive construction in many of its housing element programs, and we contend that continuing to do something that produces no or limited positive results is useless. The city should amend this program’s objectives and, in service of the dozens of people with physical and developmental disabilities, issue an RFP for one of the city-controlled candidate sites to develop very low- or low-income housing to support this group of residents.

### Development Fees and Impact Fees

The housing element does not include a comparison of the city’s development fees and impact fees to those charged in nearby cities, such as Carlsbad, Encinitas, Del Mar, and the City of San Diego, so reviewers of the housing element are unable to readily discern whether \$122,500 in combined fees for a single-family home is commensurate with combined fees charged in those neighboring jurisdictions.<sup>127</sup> In August 2019, the International Code Council “estimated that the average per square-foot cost for good-quality housing in the San Diego region was approximately \$117 for multi-family housing and \$129 for single-family homes.”<sup>128</sup>

To use the city’s example of a 3,000 square foot single-family home, the cost of construction would be approximately \$387,000. Since construction costs have increased since August 2019, a rough estimate of a 25% increase would change that cost for a 3,000 square foot single-family home to \$483,750. With combined fees of \$122,500 for that 3,000 square foot single-family home, a residential developer would be paying more than 25% of the project’s construction costs in fees alone. This is a different assessment than the city provides in the last paragraph of Page 3-25, which we assume is due to the city factoring in land costs.<sup>129</sup> We disagree with this method of calculating the proportional burden of development fees and impact fees, since no two parcels are likely to have their land appraised or assessed at the same value, such a calculation does not account for the speculative value of land, and the cost for “good-quality” construction, as defined by the ICC, is static regardless of where that good-quality construction occurs in the San Diego region.

Furthermore, the city reports it would charge an estimated \$1,143,800 in combined fees for a 13-unit apartment development, or nearly \$88,000 per unit.<sup>130</sup> Unfortunately, however, while the city reports the ICC’s estimate of good-quality multifamily construction costs, the city does not offer either the per-unit or combined square footage of this example multifamily development. Omitting that information makes it impossible for the reviewer to assess the proportional burden of multifamily development fees and impact fees, so we are unable to discern whether those fees constitute a substantial governmental burden. The city does however disclose an upper estimate of the proportional burden of development fees and impact

<sup>126</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 4-10

<sup>127</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-25

<sup>128</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-1

<sup>129</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021)

<sup>130</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-25



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fees for multifamily housing that is approximately 50% than the amount disclosed for single-family home development fees and impact fees, so, presumably, the proportional burden of those fees for multifamily housing is greater than 25%.<sup>131</sup> Nevertheless, regardless of whether the Solana Beach's single-family home development fees and impact fees are commensurate with neighboring jurisdictions' fees, we find this proportional fee burden to be a substantial governmental constraint in the development of housing in Solana Beach.

### Local Processing and Permit Procedures

The housing element does not include a comparison of the city's performance in processing applications for development to the performance in nearby cities, such as Carlsbad, Encinitas, Del Mar, and the City of San Diego, so reviewers of the housing element are unable to readily discern whether six to eight months to process an application is commensurate with application processing performance in those neighboring jurisdictions.<sup>132</sup> The city also fails to disclose its application processing performance for the multifamily development designated Project Number 17-14-08 and located at 343 S. Highway 101.<sup>133</sup> On November 13, 2019, the city council unanimously approved applicant-requested modifications to an earlier-approved entitlement.<sup>134</sup> The city should provide clarification regarding its performance in processing the various applications for this nonvacant site redevelopment to support its claimed six-to-eight month performance. Without further information, this level of performance may constitute a governmental constraint that would certainly be (partially) mitigated by reducing the regulatory burden associated with applications for development within multiple overlapping overlay zones and a Coastal Zone.

### Site Inventory

With regard to the February 16, 2021 letter from HCD, the city must provide significantly more detailed "findings based on substantial evidence that the existing use is not an impediment and will likely discontinue in the planning period."<sup>135</sup> Additionally, HCD also explained in that same letter that sites smaller than 0.50 acres are not eligible for inclusion in the site inventory absent substantial evidence that the city has both experience and a track record of supporting development on small sites.<sup>136</sup> Alarming, almost a third of the site inventory—32 of 83 sites—is sites smaller than 0.50 acres.<sup>137</sup> In its revised housing element, the city includes three example sites to summarize the type of evidence it relies upon to demonstrate the site's small size will not be an impediment and the site's use will likely discontinue in the planning period. We find these explanations are not findings, not substantial, and not adequate within the plain meaning of these words and phrases.<sup>138</sup>

For instance, Site 4.73 is a city-owned parking lot adjacent to a privately held parcel identified as Site 4.40.<sup>139</sup> The city does not report that the owner or person in control of the business located at Site 4.40 has made any indication they wish to buy Site 4.73, nor has the city demonstrated that the owner or person in control of the business located at Site 4.40 has residential development experience or the

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<sup>131</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-25

<sup>132</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-32

<sup>133</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. B-4

<sup>134</sup> [City of Solana Beach City Council Meeting Staff Report](#), [City of Solana Beach City Council Meeting Minutes](#)

<sup>135</sup> HCD letter to City of Solana Beach, Appendix p. 3

<sup>136</sup> *ibid.*

<sup>137</sup> [City of Solana Beach, Non-Residential Sites, Draft 10/21/2020](#)

<sup>138</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. B-5

<sup>139</sup> [City of Solana Beach, Non-Residential Sites, Draft 10/21/2020](#)



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capital necessary to redevelop Site 4.73. Additionally, Sites 4.68 and 4.69 are separate, adjacent parcels held by the same private owner, and the city has assumed that each site being less than 0.50 acres is of no concern because they can be consolidated.<sup>140</sup> While such a lot consolidation is of course possible, the city fails to present any evidence that the owner plans to consolidate the parcels themselves, intends to sell both parcels together to a residential developer, or presently desires to sell the parcels at all.

Surprisingly, the city relies upon the effects of the pandemic to catalyze the residential redevelopment of nonvacant sites within the city. This is a curious approach, especially considering that the city has done no focused outreach to owners, renters, and lessors of those sites to make any realistic assumptions about the likelihood of those parcels being redeveloped. The city provides no evidence whatsoever to support its assumption that temporarily or permanently closed sites will be redeveloped as housing instead of a different commercial use. While the city directs the reader to Appendix A for copies of correspondence with owners, renters, and lessors, the version of Appendix A in the December 2020 Final Draft Housing Element is entirely composed of the city's evaluation of the performance of programs in the previous planning period and does not include copies of letters, emails, or other documents that would support its claims about nonvacant site redevelopment.<sup>141</sup> (*Perhaps there is an updated version of Appendix A that was inadvertently excluded from the staff report for the recent city council meeting where these revisions were discussed?*) At best, the city claims to have engaged in "discussions with those property owners who came forward as interested in developing their properties for affordable housing through the planning period;" however, the city uses this passive grammatical construction, presumably, because it did not proactively initiate this type of outreach.<sup>142</sup>

In addition to the above concerns, the city includes in its site inventory several candidate sites that are facially unlikely to redevelop, such as a veterinary clinic, two bank branches, and city hall.<sup>143</sup> Throughout the pandemic, the need for people to access financial institutions and receive medical care for themselves and their pets has remained steady, and as of the date of this letter, in addition to 40% of adults being vaccinated in California, the economy added 916,000 jobs in March, the latter of which lowered nationwide unemployment to 6% and signals an imminent increase in economic activity.<sup>144</sup> Additionally, we are unpersuaded that the city is serious in having Solana Beach City Hall redeveloped, and this site should not be included in the site inventory without an accompanying RFP and active legislative measures to support by-right development of this nonvacant nonresidential site. To our knowledge, no city anywhere in California has redeveloped an existing, actively used city hall for the purpose of adding housing, so the inclusion of city hall as a feasible candidate site should be disallowed without significant, substantial incentives. It seems almost unfathomable that a majority of a local agency's elected officials would vote to allow its seat of government to be redeveloped for residential use, since it would be cost prohibitive to lease replacement office space for the displaced city employees and the infrastructure to support public meetings would be dismantled, to name just the first two challenges that come to mind. Even if a parking lot were used for the development of homes on the nonvacant city hall site, the city would then need to accommodate off-site parking facilities and transportation for its workforce, as well as accommodate however many new tenants it shared its remaining parking area with. Without completing

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<sup>140</sup> [City of Solana Beach, Non-Residential Sites, Draft 10/21/2020](#)

<sup>141</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), Appendix A and p. 3-51

<sup>142</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), Appendix A and pp. 3-51 and B-3

<sup>143</sup> City of Solana Beach Final Draft Housing Element (December 2020), Appendix B

<sup>144</sup> 40% of California adults at least partially vaccinated against COVID-19, data show – [The Sacramento Bee](#); Strong U.S. Job Growth in March Fuels Optimism on Recovery – [The New York Times](#)





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even that basic first step, or the more serious step of issuing an RFP, city hall is unequivocally inappropriate to include as a candidate site in the site inventory.

The city also reported that its reliance on small sites is appropriate because it has a track record of allowing development on nonvacant sites; however, it defends that track record by describing programs to subdivide existing residential parcels.<sup>145</sup> We are confused as to how subdividing residential parcels supports the redevelopment of nonvacant, commercially zoned sites smaller than 0.50 acres in size, both active and temporarily or permanently closed. A more appropriate program would be one that supported lot consolidations at low- or no-cost and / or with expedited application processing times. Additionally, the site inventory omits information about whether a candidate site was included in either of the last two planning periods, making it unnecessarily difficult for reviewers to discern whether by-right development conditions exist at any of the identified sites, pursuant to state law, such as Site 4.70, which “has been considered for residential uses in the past.”<sup>146,147</sup>

Last, Site 4.63 with APN 263293-6000, included in the *Non-Residential Sites, Draft 10/21/2020* document, and APN 2632935900 (no unique site identifier), included in the *Revised Final Draft Housing Element*, are together the Loma Santa Fe Plaza.<sup>148,149</sup> Site 4.63 is listed as being 3.98 acres in size, and APN 2632935900 is listed as being 9.85 acres in size.<sup>150,151</sup> However, according to the *Parcel Lookup Tool*, Site 4.63 is actually 4.22 acres in size and APN 2632935900 is actually 13.2 acres in size.<sup>152</sup> Unless the city has evidence demonstrating these sites are not the size reported by SANDAG, which relies on county assessor data, APN 2632935900 is larger than 10.0 acres and must undergo a similar analysis about feasibility for nonvacant sites as the many sites smaller than 0.50 acres also in the city’s site inventory.<sup>153</sup>

### **Other Concerns**

Housing Program 1G, *Federal and State Funding Programs*, binds the city to maintain an ongoing effort to obtain federal and state funding programs; Housing Program 1O binds the city to pursuing external funding for lower- and moderate-income funding sources, “as opportunities arise.”<sup>154</sup> These programs’ objectives are weak. Program 1G requires the city to only review funding opportunities and conditionally work with developers to support their applications to said subsidy programs.<sup>155</sup> A stronger, more actionable program would include more affirmative language, using words like “shall,” as well as commitments to pursue HOME funds, which the city discusses but does not disclose whether it applies for, CalHome funds, Infill Infrastructure Grant funds, California Emergency Solutions and Housing funds, Emergency Solutions Grants Program funds, Homkey funds, and Affordable Housing Sustainable Communities funds.<sup>156</sup> Program 1O requires only that the city “seek to partner with local agencies that may provide funding opportunities or other resources that can assist in the development of housing

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<sup>145</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-51

<sup>146</sup> HCD Site Inventory Guidebook, p. 11

<sup>147</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. B-15

<sup>148</sup> [City of Solana Beach](#)

<sup>149</sup> [City of Solana Beach](#)

<sup>150</sup> [City of Solana Beach, Non-Residential Sites, Draft 10/21/2020](#)

<sup>151</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. B-16

<sup>152</sup> [SANDAG SanGIS](#)

<sup>153</sup> [HCD Site Inventory Guidebook, pp. 17-18](#)

<sup>154</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), pp. 4-4, 4-5, and 4-7

<sup>155</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 4-4

<sup>156</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-55



## YIMBY LAW

affordable at the lower and moderate income levels.”<sup>157</sup> *Seeking to partner as opportunities arise* is exactly the level and intensity of commitment that has led to the bottomless chasm that is the housing affordability crisis. We implore the city to develop more actionable objectives.

The citation for the location of the Scaled Residential Overlay Zone is incorrect.<sup>158</sup>

Figure 3-5, *Existing and Proposed Affordable Housing Locations in Solana Beach*, is incorrect because it does not include a yellow star for the candidate site located at 607 Lomas Santa Fe Drive.<sup>159</sup>

### **Conclusion**

We are grateful for the opportunity to review the city’s Final Draft Housing Element and the subsequent revisions directed by HCD, and we look forward to seeing the city’s response to the concerns we raised. It is our hope that the city takes our concerns seriously and makes another round of substantial revisions to comply with the strengthened Housing Element Law and various other relevant sections of Government Code. We would be delighted to meet with city officials to discuss the contents of this letter and work together on improving the draft housing element to better serve the residents and city.

Sincerely,

Jon Wizard  
Housing Elements Coordinator  
YIMBY Law  
jon@yimbylaw.org

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<sup>157</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 4-7

<sup>158</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-4

<sup>159</sup> City of Solana Beach Revised Final Draft Housing Element (March 2021), p. 3-69

## TECHNICAL MEMORANDUM

**To:** Mr. Joseph Lim, AICP  
**From:** Ms. Rita Garcia  
Mr. Brian Leung  
**Date:** April 5, 2021  
**Subject:** City of Solana Beach 2021-2029 Housing Element Update CEQA Determination

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### 1.0 INTRODUCTION & PURPOSE

This Technical Memorandum shall serve as an evaluation of the City of Solana Beach 2021-2029 Housing Element Update (the “Project”) concerning California Environmental Quality Act (CEQA) compliance. This Technical Memorandum was prepared to present: 1) the findings resulting from the CEQA compliance review, as described below; and 2) the recommendations concerning the appropriate CEQA compliance documentation.

### 2.0 STATUTORY AUTHORITY & REQUIREMENTS

#### State CEQA Guidelines §15061 – Review for Exemption

Once it has been determined that an activity is a project subject to CEQA, it is then determined whether the project is exempt from CEQA. Pursuant to State CEQA Guidelines §15061, a project is exempt from CEQA if:

- 1) The project is exempt by statute (see State CEQA Guidelines Article 18, commencing with §15260).
- 2) The project is exempt pursuant to a Categorical Exemption (CE) (see State CEQA Guidelines Article 19, commencing with §15300) and the application of that CE is not barred by one of the exceptions set forth in State CEQA Guidelines §15300.2.
- 3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

- 4) The project will be rejected or disapproved by a public agency.
- 5) The project is exempt pursuant to the provisions of Article 12.5 - Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects.

### **3.0 PROJECT DESCRIPTION**

The Housing Element includes the City's Housing Policy Plan, which addresses the City's identified housing needs, and includes goals, policies, and programs concerning housing and housing-related services, and the City's approach to addressing its share of the regional housing need. The 2021-2029 Housing Element Update consists of a comprehensive review and update to the previous Housing Element which covered 2013-2021. To satisfy and meet their RHNA allocation, the City completed a parcel-specific land inventory that includes sites capable of accommodating the RHNA allocation without any need for land use designation amendments or re-zoning. In total, the inventory includes 83 candidate housing sites totaling approximately 86 acres. The environmental impacts associated with development of these sites was addressed in the Solana Beach General Plan EIR (SCH No. 1987071508) and the Highway 101 Corridor Specific Plan EIR (Ordinance 487). Additionally, the HEU does not grant any land use entitlements or authorize development in areas not already designated for residential development.

### **4.0 FINDINGS CONCERNING CEQA COMPLIANCE/CEQA EXEMPTION**

Kimley-Horn has completed the Project's CEQA compliance review, as follows:

#### **Exemption Justification Under Common-Sense Exemption**

The proposed Project is exempt under State CEQA Guidelines §15061(b)(3) common sense exemption, because the Project involves policies, programs, and actions to meet the City's RHNA allocation that either would not cause a significant effect on the environment or were previously analyzed adequately in the Solana Beach General Plan EIR (SCH No. 1987071508) and the Highway 101 Corridor Specific Plan EIR (Ordinance 487). Given their nature and scope, the proposed Housing Element Update programs and policies would not result in physical environmental impacts. Additionally, the Housing Element Update does not grant any development entitlements or authorize development beyond what is allowed under the City's current General Plan and Zoning Code (Municipal Code Title 17). Future housing development pursuant to the Housing Element Update would be subject to compliance with the established regulatory framework, namely federal, state, regional, and local (i.e., General Plan policies, Municipal Code, Standard Conditions) regulations. Moreover, future housing development pursuant to the Housing Element



Update would be subject to further discretionary review or approval by the City, including environmental review under CEQA. Based on these factors, it can be seen with certainty that there is no possibility that the proposed 2021-2029 Housing Element Update would have a significant effect on the environment; therefore, the 2021-2029 Housing Element is exempt from CEQA under the common sense exemption.

### **Policy and Program Analysis in Support of Findings**

**Attachment A: Solana Beach Housing Element Update Program Review Matrix** summarizes the 2021-2029 Housing Element policies and provides summary findings in support of an exemption under State CEQA Guidelines §15061(b)(3) common sense exemption. **Attachment B: Environmental Checklist**, which is patterned after State CEQA Guidelines Appendix G, provides more detailed findings in support of an exemption.

As is evidenced by the discussions presented above and in Attachments A and B, the proposed Project qualifies as being exempt from CEQA under the common-sense exemption. Moreover, the Project is not barred from the application of a CE, pursuant to State CEQA Guidelines §15300.2. Therefore, it has been determined that the proposed Project would not have a significant effect on the environment and a CE is the appropriate CEQA documentation.

# Attachment A

## Solana Beach Housing Element Update Program Review Matrix

6 <sup>th</sup> Cycle Housing Element Program	Amended Program	New Program	Update/Ongoing Program	Summary of Determination the Program is exempt under state CEQA Guidelines §15061(b)(3) common sense exemption
<p><b>Housing Program 1A:</b> Mixed-Use Development on Commercially-Zoned Sites</p>		x		<p>The intent of this program is to promote mixed-use development including residential uses in commercially zoned areas within the City. This program does not propose any development or entitle any projects. Future projects would be subject to the City's development permit review, plan check process, and environmental review under CEQA. Implementation of Housing Program 1A would not result in physical environmental impacts.</p>
<p><b>Housing Program 1B:</b> Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development</p>		x		<p>The 6<sup>th</sup> Cycle Housing Element does not propose any development or entitle any projects, including ADU's. Future ADU related projects would be subject to the City's development permit review, plan check process. Implementation of Housing Program 1B would not result in physical environmental impacts.</p>
<p><b>Housing Program 1C:</b> Create ADU Monitoring Program</p>		x		<p>This is a program to track and monitor ADU permitting in the City. This program does not result in physical environmental impacts.</p>
<p><b>Housing Program 1D:</b> Conversion Program of Existing, Non-Permitted Accessory Dwelling Units</p>			x	<p>This program allows homeowners with illegally established accessory dwelling units on their property to apply for legalization. This program does not promote or result in any approved permits for ADU construction. Therefore, no physical environmental impacts would occur.</p>

# Attachment A

## Solana Beach Housing Element Update Program Review Matrix

<p><b>Housing Program 1E:</b> Affordable Housing Program</p>			<p>x</p>	<p>This program would assist the City in meeting its share of the regional housing needs, to implement the City’s General Plan and Housing elements relative to the provision of housing units for all economic sectors of its population, and to require affordable housing in both rental and for-sale housing consistent with provisions of the California Government Code. The HEU does not grant any development entitlements or authorize development beyond what is allowed under the City’s current General Plan and Zoning Code. No physical environmental impacts would occur.</p>
<p><b>Housing Program 1F:</b> Candidate Sites Used in Previous Housing Elements</p>			<p>x</p>	<p>This program would place a housing overlay zone over all nonvacant sites included in a prior Housing Element and all vacant sites included in two or more consecutive planning periods that permits by right development for projects that meet the requirements of State housing law. This program does not grant any development entitlements or authorize development beyond what is allowed under the City’s current General Plan and Zoning Code. No physical environmental impacts would occur.</p>
<p><b>Housing Program 1G:</b> Federal and State Funding Programs</p>			<p>x</p>	<p>This program supports affordable housing/lower income housing by reviewing and identifying funding sources, thus, would not result in physical environmental impacts.</p>
<p><b>Housing Program 1I:</b> Manufactured Housing</p>		<p>x</p>		<p>This program would amend the Solana Beach Municipal Code (SBMC) to define manufactured housing and mobile homes consistent with State law and identify the zone(s) where such housing is permitted. This program does not result in the direct construction or permitting of new housing. No development entitlements would be</p>

## Attachment A

### Solana Beach Housing Element Update Program Review Matrix

				issued and therefore, no physical environmental impacts would occur.
<b>Housing Program 1J:</b> Update Density Bonus Ordinance			x	This program amends the existing ordinance related to density bonuses to comply with new State law. Updating the ordinance and compliance with state law would not result in any direct, physical environmental impacts.
<b>Housing Program 1K:</b> Update Solana Beach Municipal Code to be Consistent With Ordinance 508 (Accessory Dwelling Units)			x	This program amends the existing SBMC for word consistency related to ALUs and ADUs. Amending for consistency would not result in physical environmental impacts.
<b>Housing Program 1L:</b> Amend Table 17.12.020-A of the Solana Beach Municipal Code Regarding Transitional and Supportive Housing			x	This program amends the existing SBMC to show that transitional and supportive housing are permitted uses where multifamily and mixed uses are permitted. Amending the code does not result in any direct construction or approved permits of new housing. No physical environmental impacts would occur.
<b>Housing Program 1M:</b> Amend the Solana Beach Municipal Code to define Employee Housing so that it is compliant with Sections 17021.5 and 17021.6 of the Employee Housing Act			x	This program amends the existing SBMC to define employee housing consistent with Section 17021.5 and 17025.6 of the Employee Housing Act (Health and Safety Code, § 17000 et seq.). Amending the code does not result in any direct construction or approved permits of new housing. No physical environmental impacts would occur.
<b>Housing Program 1N:</b> Amend the City's development process to assist in the development of housing for extremely-low households and households and individuals with special needs.			x	This program would amend the City's development process to allow for the discount of fees, expedited application review, or development impact fee deferral for housing for extremely-low households and households and individuals with special needs. Amending the code does not result in any direct construction or approved permits



## Attachment A

### Solana Beach Housing Element Update Program Review Matrix

				of new housing. No physical environmental impacts would occur.
<b>Housing Program 10:</b> Pursue outside funding opportunities for the development of lower and moderate income households.			x	This program promotes the City's pursuit of outside funding for lower and moderate income multi-family housing from non-profits, local, state, and federal programs. Promotion of funding opportunities does not result in physical environmental impacts.
<b>Housing Program 2A:</b> Preservation of At-Risk Housing			x	This program suggests that the City review affordable housing developments at risk of being converted into market-rate during the 6 <sup>th</sup> Cycle period. This would not result in reasonably foreseeable physical environmental impacts.
<b>Housing Program 2B:</b> Replacement Housing		x		This program would implement a replacement housing program to ensure the replacement of any units lost subject to the requirements of Government Code section 65915 subdivision (c)(3). The replacement program would not result in significant physical environmental impacts.
<b>Housing Program 3A:</b> Compliance with SB 35 Provisions			x	This program addresses compliance with applicable provisions, thus, would not result in physical environmental impacts.
<b>Housing Program 3B:</b> Public Education			x	This program promotes public educational materials related to development of housing. The information describes the benefits of affordable housing and the myths and realities of affordable housing through such means as public presentations, newspaper articles, and information posted on the City's website. No physical environmental impacts would occur.
<b>Housing Program 3C:</b> Water and Sewer Resources			x	This program allows for coordination between the City and water and sewer providers when considering approval

## Attachment A

### Solana Beach Housing Element Update Program Review Matrix

				of new residential projects. No physical environmental impacts would occur.
<b>Housing Program 3D:</b> Safety Element Update and adoption of an Environmental Justice Element			x	This is a program to coordinate adoption of other General Plan elements. These other elements are not a part of the HEU and therefore subject to separate review under CEQA. No physical environmental impacts would occur.
<b>Housing Program 4A:</b> Affirmatively Further Fair Housing			x	This program promotes the City's commitment to affirm fair housing. No proposed actions would result in physical environmental impacts.
<b>Housing Program 4B:</b> Emergency, Transitional and Supportive Housing and Lower Barrier Navigation Centers			x	This program evaluates barriers to access housing. It also includes City review and amendment of the SBMC to comply with updates to State law regarding transitional and emergency shelters. Thus, would not result in physical environmental impacts.
<b>Housing Program 4C:</b> Persons with Physical and Developmental Disabilities			x	This program aims to accommodate the approval of group homes, ADA retrofit efforts, ADA compliance and/or other measures through the implementation of Title 24 as well as amend its procedures to provide more flexibility in the development of accommodations for persons with physical and developmental disabilities by eliminating the need for a variance. No physical environmental impacts would occur.
<b>Housing Program 4D:</b> Section 8 Rental Assistance			x	This program aims to assist developers in applying for project-based Section 8 rental assistance as opportunities arise and continue to work with the County of San Diego Housing Authority regarding the administration of the Section 8 Rental Assistance Program. No physical environmental impacts would occur.

## Attachment A

### Solana Beach Housing Element Update Program Review Matrix

<b>Housing Program 4E:</b> Mortgage Credit Certificate (MCC)			x	This program aims to provide informational materials regarding this County program. No physical environmental impacts would occur.
<b>Housing Program 4F:</b> Amend the Reasonable Accommodation criteria within the City's Municipal Code			x	This program amends the SBMC to remove criteria related to reasonable accommodation. Amending the code does not result in any direct construction or approved permits of new housing. No physical environmental impacts would occur.
<b>Housing Program 5A:</b> Energy Conservation			x	This program aims to continue to develop additional energy conservation and sustainability programs. Thus, would not result in physical environmental impacts.

# 1.0 ENVIRONMENTAL CHECKLIST

The following sections evaluate the potential environmental impacts that could result from the 6<sup>th</sup> Cycle Housing Element Update (HEU) (project), including housing development on the candidate housing sites facilitated by the HEU. HEU implementation is anticipated to occur over the next eight years, which constitutes the City’s planning period from 2021 to 2029 to meet the State’s Regional Housing Needs Assessment (RHNA) allocation. Potential impacts are assessed against the existing conditions, long-term implementation, criteria for determining the significance of potential environmental impacts, analyses of the type and magnitude of environmental impacts, and compliance with existing regulatory framework that would reduce environmental impacts.

State CEQA Guidelines §15126.2(a) states that direct, indirect, short-term, long-term, on-site, and/or off-site impacts must be addressed, as appropriate, for the environmental issue being analyzed. This environmental checklist utilizes the following terms to describe the level of significance of impacts identified by the environmental analysis:

- No Impact: This term is used when the HEU would have no adverse effect on an environmental resource.
- Less than Significant: This term is used to refer to impacts resulting from implementation of the HEU that are not likely to exceed the defined threshold of significance. This term is also used to refer to potentially significant impacts that are reduced to a level that does not exceed the defined thresholds of significance after compliance with the existing regulatory framework through standard conditions.

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1.1 AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.2 AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</b>				



<b>ENVIRONMENTAL IMPACTS Issues</b>	<b>Potentially Significant Issues</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1.3 AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.4 BIOLOGICAL RESOURCES. Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>ENVIRONMENTAL IMPACTS Issues</b>	<b>Potentially Significant Issues</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.5 CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.6 ENERGY. Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>ENVIRONMENTAL IMPACTS Issues</b>	<b>Potentially Significant Issues</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1.7 GEOLOGY AND SOILS. Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.8 GREENHOUSE GAS EMISSIONS. Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>ENVIRONMENTAL IMPACTS Issues</b>	<b>Potentially Significant Issues</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.9 HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.10 HYDROLOGY AND WATER QUALITY. Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
project may impede sustainable groundwater management of the basin?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	0
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.11 LAND USE AND PLANNING. Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.12 MINERAL RESOURCES. Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1.13 NOISE. Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1.14 POPULATION AND HOUSING. Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.15 PUBLIC SERVICES. Would the project result in</b>				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.16 RECREATION. Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.17 TRANSPORTATION. Would the project:</b>				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.18 TRIBAL CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?				
<b>1.19 UTILITIES AND SERVICE SYSTEMS. Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1.20 WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>1.21 MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:</b>				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 1.1 Aesthetics

### 1.1a Would the Project have a substantial adverse effect on a scenic vista?

**Less Than Significant Impact.** As discussed in detail in the City of Solana Beach General Plan (General Plan) Conservation and Open Space Element, the portions of the City offers scenic vistas of the Pacific Ocean. A substantial adverse effect to visual resources could result in situations in which a development project introduces physical features that are not characteristic of current development, obstructs an identified public scenic vista, impairs views from other properties, or has a substantial change to the natural landscape.

The project would not result in direct housing construction but would facilitate and provide a policy framework for future housing development throughout the City. The proposed HEU would not result in a significant adverse effect on a scenic vista. All future housing development facilitated by the HEU would be subject environmental review under CEQA, the City's development review process, and required to demonstrate consistency with General Plan policies and compliance with Solana Beach Municipal Code (SBMC) standards. Future housing development, including those intended to protect scenic vistas. Compliance with General Plan Conservation and Open Space Element Policies 3a-3d, which require new developments be subjected to visual impact analyses, integration with the surrounding environment, compliance with design guidelines and community design elements, and preservation of private views, would be required. Further, the project does not propose to rezone properties or change the City's development standards that could affect scenic vistas, such as those that regulate building height, setbacks, massing, and overall design. Therefore, impacts to scenic vistas would be less than significant.

### 1.1b Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

**Less Than Significant Impact.** There are no officially designated State scenic highways within the City.<sup>1</sup> However, Interstate 5 (I-5) is eligible for designation and Highway 101 provides scenic views along the Pacific Coast. As previously noted, the project would not result in direct housing construction, but would facilitate future housing development throughout the City. Future housing development could occur near I-5/Highway 101 where trees, rock outcroppings, or historic buildings are present. SBMC §17.48.010 - Scenic Area Overlay Zone includes site development standards intended to protect the visual quality of the City's scenic corridors. Several candidate sites are within the City's Scenic Area Overlay Zone, thus, would be subject to compliance with SBMC §17.48.010, which requires a Development Review Permit as part of the City's entitlement process.

All future housing development facilitated by the HEU would be subject to the City's development review process and required to demonstrate consistency with General Plan policies and compliance with SBMC standards, including those intended to protect scenic resources. Therefore, project implementation would not substantially damage scenic resources associated with a scenic highway, historic building, or scenic resource. A less than significant impact would occur.

### 1.1c In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the Project is in

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<sup>1</sup> California Department of Transportation, *California State Scenic Highway System Map*, Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983>, Accessed February 14, 2021.

**an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?**

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development, which is anticipated to occur in urbanized areas throughout the City. The General Plan contains goals and policies that govern scenic quality. Goal 3.2 aims to protect and enhance sensitive open space and viewsheds through Policies 1a through 1c, which restrict development along bluffs overlooking Solana Beach; preserve existing public beaches, parks, trails, and open space areas; and implement the Community Design Element. Additionally, Policies 3a through 3e aim to protect visual resources by requiring visual impact analyses where potential impacts upon sensitive locations are identified, integration of new development with the surrounding environment, preservation of private views, and dark sky policies. Overall, Conservation Element goals and policies promote consistency of new developments with surrounding structures and environment.

The SBMC contains standards that govern scenic quality. SBMC §17.63 - Visual Assessment protects visual quality by preserving the existing character of established residential neighborhoods, and protecting public and private views, and aesthetic resources. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to demonstrate compliance with SBMC standards, including those that protect against degradation of visual resources by requiring project modifications, conditions of approval or mitigation measures, as needed. Because future housing development consistency with General Plan policies and compliance with SBMC standards would be verified through the City's development review process, the project would not conflict with applicable policies or standards governing scenic quality. Therefore, impacts would be less than significant.

**1.1d Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?**

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development throughout the City. Future housing development could add a new source of substantial light and glare. Potential new light sources include exterior nighttime lighting fixtures, parking area lighting, light glow from windows, doors and skylights, and accent lighting. The introduction of concentrated or multiple sources of nighttime lighting near low-density areas could result in potential impacts.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to comply with all applicable requirements concerning light and glare, including the California Green Building Standards Code (Title 24 Part 11) and SBMC §17.60.060, which control excessive or unnecessary outdoor light emissions in the City, and requires that lighting fixtures be shielded appropriately to eliminate light directed above the horizontal. Therefore, the HEU would not create a new source of substantial light or glare. Impacts would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.

## 1.2 Agriculture and Forestry Resources

- 1.2a** Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?
- 1.2b** Would the Project conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1.2c** Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?
- 1.2d** Would the Project result in the loss of forest land or conversion of forest land to non-forest use?
- 1.2e** Would the Project involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest land?

**1.2a-e. No Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. The City does not contain Prime Farmland, Unique Farmland or Farmland of Statewide Importance, as classified by the State Department of Conservation Farmland Mapping and Monitoring Program (FMMP).<sup>2</sup> Additionally, the project does not propose redesignation or rezoning of properties within the City. Therefore, project implementation would not conflict with existing agricultural zoning or a Williamson Act contract, or result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, or conversion or loss of forest land. Further, the City does not contain land designated or used as forest land or timberland. Project implementation would not rezone or convert forest land or timberland. Therefore, the HEU would result in no impact to agricultural or forest resources.

### Standard Conditions and Requirements

None are applicable to the project.

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<sup>2</sup> California Department of Conservation, *California Important Farmland Finder*. <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed March 19, 2021



## 1.3 Air Quality

### 1.3a Would the Project conflict with or obstruct implementation of the applicable air quality plan?

**Less Than Significant Impact.** The San Diego Air Pollution Control District (SDAPCD) and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plans for attainment and maintenance of ambient air quality standards in the San Diego Air Basin (SDAB)—specifically, the State Implementation Plan (SIP) and Regional Air Quality Strategy (RAQS). The California Air Resources Board (CARB) mobile source emission projections and SANDAG growth projections are based on population forecasts, vehicle trends, and land use plans developed by San Diego County and the County’s cities, as part of their general plan development.

The project would not result in direct housing construction but would facilitate and provide a policy framework for future housing development throughout the City. The HEU does not propose redesignation of properties within the City. Future housing development facilitated by the HEU that proposes to redesignate the property with greater density than assumed in the General Plan and SANDAG’s growth projections, could conflict with the SIP and RAQS and could contribute to a potentially significant cumulative impact on air quality.

As discussed previously, the project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development consistent with State housing law. The City can accommodate future housing needs within the existing land use designations and no redesignation/rezoning is required. The City’s Commercial Zone and Special Commercial Zone (which implements the General Commercial and Special Commercial Land Use designation) allows for mixed-use development that includes up to 20 dwelling units per acre (du/ac). This allowable residential use supports the SDAPCD’s strategies for encouraging increased development diversity by increasing residential units in the commercial and residential land uses zones.

Additionally, all future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City’s development review process, and required to adhere to all federal, state, and local regulations for minimizing construction and operational pollutant emissions, including the San Diego Air Pollution Control District Rules listed below:

- **SDAPCD Regulation IV: Prohibitions; Rule 50: Visible Emissions.** Prohibits discharge into the atmosphere from any single source of emissions whatsoever any air contaminant for a period or periods aggregating more than 3 minutes in any period of 60 consecutive minutes that is darker in shade than that designated as Number 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or of such opacity as to obscure an observer’s view to a degree greater than does smoke of a shade designated as Number 1 on the Ringelmann Chart.
- **SDAPCD Regulation IV: Prohibitions; Rule 51: Nuisance.** Prohibits the discharge, from any source, of such quantities of air contaminants or other materials that cause or have a tendency to cause injury, detriment, nuisance, annoyance to people and/or the public, or damage to any business or property.
- **SDAPCD Regulation IV: Prohibitions; Rule 55: Fugitive Dust.** Regulates fugitive dust emissions from any commercial construction or demolition activity capable of generating fugitive dust emissions, including active operations, open storage piles,

and inactive disturbed areas, as well as track-out and carry-out onto paved roads beyond a project site.

- **SDAPCD Regulation IV: Prohibitions; Rule 67.0.1: Architectural Coatings.** Requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

Furthermore, the HEU would comply with General Plan Conservation and Open Space Element Measure 1 which encourages the mixture of residential and commercial uses in and around commercial areas. Therefore, air quality impacts from future development on candidate housing sites would be less than significant following compliance with the existing regulatory framework.

It is noted, the City's goal is to achieve Housing and Community Development (HCD) HEU certification; therefore, the project must comply with applicable federal, state, regional, and local housing laws, and policies. As a result, it is not anticipated that future housing development facilitated by the HEU would interfere with SDAPCD goals for improving air quality in the San Diego Air Basin (SDAB) or conflict with or obstruct implementation of applicable air quality plans. Therefore, air quality impacts would be less than significant.

**1.3b Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development throughout the City, which would occur as market conditions allow and at the discretion of the individual property owners. Future housing development could result in temporary, short-term pollutants from construction-related soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling construction materials. Construction emissions would be temporary, with construction activities and associated emissions ceasing once housing development is complete. Further, construction emissions can vary substantially from day to day depending on activity level, the specific operation type, and, for dust, prevailing weather conditions.

All future housing development facilitated by the HEU would be subject the City's development review process and required to demonstrate compliance with federal, state, and local regulations in effect at the time at the time of development, including the General Plan policies and SBMC standards. The City's Development Review Permit process outlined in SBMC §17.68.040 and building permit application may require future housing development conduct air quality (and other technical) studies to demonstrate compliance with SDAPCD air quality construction thresholds.

Concerning operational thresholds, future housing development facilitated by the HEU would likely generate VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> operational emissions from mobile sources (i.e., vehicle trips), use of consumer products, architectural coatings for repainting, and landscape maintenance equipment; and energy sources (i.e., combustion of fuels used for space and water heating and cooking appliances). In analyzing cumulative impacts for future housing development facilitated by the HEU, an analysis must specifically evaluate a development's contribution to the cumulative increase in pollutants for which the SDAB is designated as nonattainment for the CAAQS and NAAQS. The SDAB has been designated as a federal nonattainment area for O<sub>3</sub> and a State nonattainment area for O<sub>3</sub>, PM<sub>10</sub>, and

PM<sub>2.5</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions associated with construction generally result in nearfield impacts. The nonattainment status is the result of cumulative emissions from all sources of these air pollutants and their precursors within the SDAB. Future housing developments would be required to demonstrate that VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions would be below the significance thresholds for both construction and operational activities. All future housing development would require further evaluation under this criterion to demonstrate that both daily construction emissions and operations would not exceed SDAPCD's significance thresholds for any criteria air pollutant. Additionally, future housing development construction activities would be subject to SDAPCD Rule 55: Fugitive Dust Control, which requires actions to restrict visible emissions of fugitive dust beyond the property line. Compliance with Rule 55 would limit fugitive dust (i.e., PM<sub>10</sub> and PM<sub>2.5</sub>) that may be generated during grading and construction activities. Future housing developments also would be subject to SDAPCD Rule 67.0: Architectural Coatings, which establishes maximum VOC contents of 50 and 100 grams per liter for flat and non-flat coatings, respectively. All future development facilitated by the HEU would also be subject to environmental review under CEQA, the City's development review process, and required to adhere to relevant federal, state, and local regulations for minimizing construction and operational pollutant emissions and General Plan Land Use Element Policy 3.6, which promotes the use of solar panels, and other green energy sources in conjunction with new development to reduce emissions during project operations. Future housing development, at a minimum, would be required to meet California Green Building Standards Code (CALGreen) and Energy Code (Title 24, Part 6 of the California Code of Regulations) mandatory energy requirements in effect at the time of the development application. Projects would benefit from the efficiencies associated with these regulations as they relate to building heating, ventilating, and air conditioning mechanical systems, water heating systems, and lighting. Considering these requirements, future development housing development facilitated by the HEU would not result in a cumulatively considerable net increase of any criteria pollutant for which the SDAB is in nonattainment under an applicable federal or state ambient air quality standard. Therefore, impacts would be less than significant.

### **1.3c Would the Project expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** As discussed above, the project would not result in direct housing construction, but would facilitate future housing development throughout the City consistent with State Housing laws. Future housing development would be evaluated on a case by case basis. As a result, no air modeling was conducted for this analysis.

### **Toxic Air Contaminants**

Future housing development could include emissions of pollutants identified by the state and federal government as toxic air contaminants (TACs) or hazardous air pollutants (HAPs). The greatest potential for TAC emissions during construction would be diesel particulate emissions from heavy equipment operations and heavy-duty trucks and the associated health impacts to sensitive receptors. Compliance with various measures (e.g., 13 California Code of Regulations (CCR) 2449 and 13 CCR 2485) would be required by state law to reduce DPM emissions. It is unlikely that future housing development facilitated by the HEU would require the extensive operation of heavy-duty construction equipment, or extensive use of diesel trucks, which would be subject to a CARB Airborne Toxics Control Measure for in-use diesel construction equipment to reduce diesel particulate emissions.

### **Carbon Monoxide Hot Spots**

Mobile-source impacts, including those related to CO, occur essentially on two scales. Regionally, construction travel associated with future housing development would add to regional trip generation and increase the vehicle miles travelled (VMT) within the local airshed and the SDAB. Locally, construction traffic would be added to the roadway system in the vicinity of future housing development sites. Although the SDAB is currently an attainment area for CO, there is a potential for the formation of microscale CO “hotspots” to occur immediately around points of congested traffic. Hotspots can form if traffic occurs during periods of poor atmospheric ventilation that is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and/or is operating on roadways already congested with existing traffic.

Typically, high CO concentrations are associated with congested roadways. Traffic associated with future housing development facilitated by the HEU could contribute to traffic congestion that could result in the formation of CO hotspots. Because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the SDAB is steadily decreasing. All future housing development facilitated by the HEU would require further evaluation under this criterion through the City’s development review process to demonstrate that both daily construction emissions and operations would not exceed SDAPCD’s significance thresholds for any criteria air pollutant.

Future construction activities would be subject to environmental review under CEQA and comply with SDAPCD Rules. Therefore, future housing development facilitated by the HEU would not expose sensitive receptors to substantial pollutant concentrations.

#### **1.3d Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**Less Than Significant Impact.** Land uses and industrial operations associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding.

As discussed above, the project would not result in direct housing construction, but would facilitate future housing development throughout the City. Future housing development facilitated by the HEU would result in new housing development and not development of a land use that is commonly associated with odors. However, future housing development facilitated could result in odors generated from vehicles and/or equipment exhaust emissions during construction. Such odors would be temporary and generally would occur at magnitudes that would not affect substantial numbers of people. Future housing development facilitated by the HEU would not expose a substantial number of people to odors. Therefore, impacts would be less than significant.

#### **Standard Conditions and Requirements**

None are applicable to the project.



## 1.4 Biological Resources

### 1.4a **Would the Project have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game of U.S. Fish and Wildlife Service?**

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate and provide a policy framework for future housing development throughout the City. Additionally, given the City's existing developed nature, the candidate housing sites mostly include properties that are developed and adjacent to existing development. However, future housing development could impact candidate, sensitive, or special status wildlife or plant species through direct or indirect disturbance or elimination of essential habitat.

San Elijo Lagoon Ecological Reserve's southern extension is within the City's northern area. No candidate housing sites are proposed within the reserve or any other officially designated environmentally sensitive habitat areas (ESHA). However, candidate housing sites 76 and 77 are proposed adjacent to an ESHA and a small portion of candidate housing site 5 is located within a potential ESHA. City of Solana Beach Local Coastal Program (LCP) Chapter 3, Marine and Land Resources, details sensitive vegetation communities, plant species, and animal species located throughout City and related land use plan policies. Candidate housing sites 12, 13, 25, 63, 64, and 65 are proposed near sensitive resources identified in the LCP.

Future housing development facilitated by the HEU has the potential to impact nesting birds which have acclimated to urban life and nest and forage in the local trees and shrubs. These bird species are protected under the Migratory Bird Treaty Act (MBTA). Although the MBTA is no longer interpreted to protect migratory birds and raptors from incidental take, State Fish and Game Commission §3503 and §3503.5 still provide these protections. If vegetation clearing would occur during the bird breeding season (February 1 to July 15 for raptors and January 15 to August 31 for other birds), direct impacts to nesting birds could occur.

All future housing development facilitated by the HEU would be subject to the City's development review process, which includes site-specific analysis. All future housing development would be required to demonstrate compliance with federal, state, and local regulations aimed at protecting biological resources, including those in the City's General Plan and LCP, as well as the County's Multiple Species Conservation Plan.

All future housing development facilitated by the HEU would be required to demonstrate consistency with General Plan Conservation and Open Space Element policies 5a-5f, which aims to preserve sensitive habitat as permanent open space to protect biological resources, and enforce measures to minimize future impacts on San Elijo Lagoon.

All future housing development facilitated by the HEU would be required to demonstrate consistency with LCP policies, including those found in LCP Chapter 3 concerning ESHA designation and protection, areas adjacent to ESHA, and native tree protection. Specifically, Policy 3.22 requires that development adjacent to ESHAs provide a native vegetation buffer.

All future housing development facilitated by the HEU would be required to demonstrate consistency with San Diego Multiple Habitat Conservation Program (MHCP) policies related to development such as

requiring setback limitations from sensitive habitat areas, locating staging areas in disturbed habitat, and place new development in already disturbed areas.

All future housing developments facilitated by the HEU would also be required to incorporate measures for protecting biological resources from construction-related activities such as vegetation removal and degradation to plant and wildlife habitat as incorporated in Standard Condition (SC) BIO-1 and SC BIO-3. Following compliance with the established regulatory framework described above, as well as SC BIO-1 and SC BIO-3, future housing development would not result in substantial adverse effect, either directly or indirectly, or through habitat modifications to special status wildlife and plants. Therefore, impacts would be less than significant level.

**1.4b Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**Less Than Significant Impact.** Exhibit 2 depicts areas within the City identified as containing riparian habitat or other sensitive natural community. A portion of the San Elijo Lagoon Ecological Reserve is also located in the City. The project would not result in direct housing construction but would facilitate future housing development throughout the City. Additionally, there are no candidate housing sites proposed within the San Elijo Lagoon Ecological Reserve. Candidate housing sites 12, 13, 25, 63, 64, and 65 are located near riparian habitat or other sensitive natural community, as identified in the LCP.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA and the City's development review process, which includes site-specific analysis where sensitive vegetation communities are assumed to be present. Surveys would verify and confirm the presence of sensitive vegetation communities and determine the extent of any potential impacts and the need for mitigation. All future housing development facilitated by the HEU would be required to demonstrate compliance with federal, state, and local requirements aimed at protecting biological resources, including those in the City's General Plan and LCP, as well as the County's MSCP, as discussed in Response 1.4a above. Additionally, all future housing development facilitated by the HEU would be required to comply with SC BIO-1 and SC BIO-2 for avoiding and minimizing construction and operations impacts to riparian habitat or other sensitive vegetation communities. Therefore, the HEU would not result in substantial adverse effect, either directly or indirectly, on any sensitive vegetation communities.

**1.4c Would the Project have a substantial adverse effect on a State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**Less Than Significant Impact.** Wetlands occur primarily in the San Elijo Lagoon Ecological Reserve and along a few urban drainages in the City.<sup>3</sup> As discussed above, the project would not result in direct housing construction but would facilitate future housing development throughout the City. As depicted in Exhibit 2, there are no candidate housing sites proposed on the Reserve. However, future housing development facilitated by the HEU could directly or indirectly impact aquatic resources deemed jurisdictional wetlands or other waters of the U.S. or State. LCP Chapter 3.C.3 (Land Use Plan Policies-Wetlands), provides policies to restrict and regulate development or land alteration in, adjacent to, or draining into a coastal lagoon or wetland area. Per the LCP, it is City policy that there would be no net loss of wetland acreage or resource

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<sup>3</sup> U.S. Fish and Wildlife Service, *National Wetlands Inventory*. [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html), accessed February 10, 2020.

value as a result of land use or development. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to demonstrate compliance with relevant federal, state, and local regulations for avoiding and minimizing impacts to wetlands and other waters of the U.S. and State. Future housing development would also be subject to compliance with SC BIO-2 for avoiding and minimizing impacts. Following compliance with the established regulatory framework, as well as SC BIO-2, future housing development would not result in substantial adverse effect, either directly or indirectly, on any known wetlands or other waters of the U.S. and State. A less than significant impact would occur.

**1.4d Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate future housing development throughout the City. As discussed in Response 1.4a above, future housing development facilitated by the HEU could impact nesting birds that nest and forage in local trees and shrubs. These bird species are protected under State Fish and Game Commission §3503 and 3503.5. LCP Chapter 3, Marine and Land Resources, contains the following policies to protect movement within wildlife corridors:

- **Policy 3.47:** Fencing or walls shall be prohibited within riparian habitat and on bluffs, except where necessary for public safety, wildfire risk abatement, habitat protection, or restoration. Fencing or walls that do not permit the free passage of wildlife shall be prohibited in any wildlife corridor. Walls installed for public fire safety reasons, which are located within very high fire hazard severity zones as identified on the City's WUI map, shall be constructed of non-combustible materials. Openings in walls and gates for emergency access or wildlife movement purposes may be required.
- **Policy 3.48:** Fencing adjacent to ESHA shall be sited and designed to be wildlife permeable, enabling wildlife to pass through, except where the fencing is adjacent to residential areas and intended to prevent domestic animals from entering the ESHA or buffer area, and does not cross probable wildlife corridors

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to relevant federal, state, and local regulations for avoiding and minimizing interference with the movement of any native resident or migratory fish and wildlife species, migratory wildlife species, or migratory wildlife corridors. Future housing development where the City has determined a potential for impacts to a wildlife corridor, would be required to comply with SC BIO-1. In addition, SC BIO-3 requires a preconstruction survey for nesting birds for all sites that contain trees, shrubs and/or other vegetation. Following compliance with the established regulatory framework, as well as SC BIO-1 and SC BIO-3, future housing development would result in a less than significant impact on wildlife corridors. Impacts would be less than significant.

**1.4e Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Less Than Significant Impact.** General Plan Conservation and Open Space Element Policy 5a, states that the City shall require that all development proposals provide adequate mitigation measures for identified significant biological resources. LCP Chapter 3 provides land use policies for the protection of native trees.

SBMC Chapter 11.23 - Trees and Shrubs provides local regulations related to interference, removal, and planting of trees.

As discussed above, the project would not result in direct housing construction, but would facilitate future housing development throughout the City. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to demonstrate compliance with General Plan Conservation and Open Space Element Policy 5a, LCP Chapter 3, and SBMC Chapter 11.23. The project would not conflict with any local policies or ordinances protecting biological resources, and impacts would be less than significant.

**1.4f Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**Less Than Significant Impact.** The County's MHCP is a comprehensive, multiple jurisdictional planning program designed to develop an ecosystem preserve in northwestern San Diego County. Areas containing sensitive species and habitats are protected by the MHCP through the creation of provisions and mitigation measures, which inhibit development in a manner that would otherwise be harmful to those sensitive species and habitats. The entire City is within the MHCP study area, and therefore all candidate housing sites are within the MHCP study area.

As discussed above, the project would not result in direct housing construction, but would facilitate future housing development throughout the City. Future housing development could be located within MHCP jurisdiction. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to demonstrate consistency with the MHCP. Therefore, the project would not result in any direct environmental impacts that would conflict with provisions of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.

**Standard Conditions and Requirements**

**SC BIO-1:** Future housing development facilitated by the HEU where the City has determined a potential for impacts to special-status wildlife and plants species, shall comply with the following framework: Prior to the issuance of any permit for future housing development facilitated by the HEU, a site-specific general biological resources survey shall be conducted on sites that, according to the Local Coastal Program, contain any sensitive plant or wildlife species. A biological resources report shall be submitted to the City to document the results of the biological resources survey. The report shall include (1) the methods used to determine the presence of sensitive biological resources; (2) vegetation mapping of all vegetation communities and/or land cover types; (3) the locations of any sensitive plant and wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed project; (6) if potentially significant impacts to sensitive biological resources are identified, the requirement for grading and site plans to incorporate project design features to avoid or reduce direct impacts on sensitive biological resources to the extent feasible; and (7) appropriate measures to avoid or reduce impacts on sensitive biological resources.



**SC BIO-2:** Future housing development facilitated by the HEU, where the City has determined a potential for impacts to protected wetlands or other waters of the U.S. and State, shall be required to comply with the following framework: Prior to the issuance of any permit for future housing development facilitated by the HEU, where the City has determined the potential for impacts to jurisdictional aquatic resources, shall be required to prepare an aquatic resources delineation survey. The limits of any jurisdictional resources shall be delineated. A delineation report shall be submitted to the City to document the results of the aquatic resources delineation. The report shall include (1) the methods used to determine the presence of aquatic resources; (2) mapping of all resources; (3) an evaluation of the significance of any potential direct or indirect impacts from the proposed project; (4) if potentially significant impacts to aquatic resources are identified, the requirement for grading and site plans to incorporate project design features to avoid or reduce direct impacts on aquatic resources to the extent feasible; and (5) appropriate measures to avoid or reduce impacts to aquatic resources.

**SC BIO-3:** Housing development facilitated by the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the applicant shall be responsible for hiring a qualified biologist to conduct a pre-construction nesting bird survey prior to commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on/adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event that active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be established around such active nests, and no construction within the buffer shall be allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

## 1.5 Cultural Resources

### 1.5a Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?

**Less than Significant Impact.** Based on National Register of Historical Places (NRHP) guidelines, generally, structures 50 years of age or older could be a historic resource. According to the LCP, there are six known archaeological/historical sites. According to the City’s LCP Chapter 5, historic resources are limited in Solana Beach, as nearly all of the City’s earliest structures have been replaced with new development.

Project implementation has the potential for development over the next ten or more years. All candidate housing sites, except those listed in **Table 1.5-1: Candidate Housing Sites on Vacant Sites**, are developed. The existing buildings/structures on the candidate housing sites could be 50 years of age or older, or could reach 50 years during HEU implementation. Therefore, any candidate housing site that is presently developed has the potential to contain a historical structure(s) during HEU implementation.

Site Number	Assessor’s Parcel Number	Address <sup>1</sup>	Size (AC)	Existing Baseline Condition
1	2980943200	0 Granados Avenue	0.34	Vacant
21	2980921300	0 Rios Avenue	0.42	Vacant
22	2980921400	0 Rios Avenue	0.4	Vacant
24	2982701800	2466 Mango Way	0.21	Vacant
26	2981331300	820 Vera Street	0.16	Vacant
27	2981331100	834 Vera Street	0.15	Vacant
42	2982932000	0 Ida Avenue	0.51	Vacant
43	2982704100	990 Highland Drive	1.22	Vacant
44	2981623700	0 Ida Avenue	0.77	Vacant
45	2982604400	0 Del Mar Downs Road	0.94	Vacant

1. Vacant parcels do not have addresses and are only identified by street name.

The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Therefore, future housing development facilitated by the HEU could cause a substantial adverse change in the significance of a historical resource through demolition, destruction, relocation, or alteration, if such a resource is present on or near the site.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City’s development review process, and required to adhere to all federal, state, and local regulations for avoiding impacts to historical resources, including the National Historic Preservation Act. It is noted, General Plan Conservation and Open Space Element Objective 6 aims to prevent the loss of important historical resources. To this end, Conservation and Open Space Element Policy 6B requires that sites proposed for future development be evaluated by certified archaeologists (and paleontologists) in accordance with CEQA. Cultural resources database searches and field surveys would be performed prior to any ground-disturbing activity, to determine the presence of any significant cultural resources. All

future housing development facilitated by the HEU would be subject to compliance with SC CUL-1, which specifies the framework for addressing potential impacts to buildings in excess of 50 years of age. Following compliance with the established regulatory framework, impacts would be less than significant.

**1.5b Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate future housing development throughout the City. Therefore, ground-disturbing activities such as grading or excavation, associated with future housing development facilitated by the HEU could impact archaeological resources. As previously mentioned, according to the LCP, there are six known archaeological/historical sites. The likelihood of encountering archeological resources on undeveloped sites is greatest given these have been minimally disturbed in the past (e.g., undeveloped parcels, vacant lots, and lots containing undeveloped areas). Alternately, previously disturbed sites are generally considered to have a lower potential for archeological resources, since previous construction activities may have already removed or disturbed soil that may have contained resources. All candidate housing sites, except those listed in **Table 1.5-1**, are developed and, therefore, have a lower potential for archeological resources. Notwithstanding, future housing development could disturb and potentially destroy subsurface prehistoric/historic archaeological resources through ground disturbances. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding impacts to archeological resources. This includes compliance with the City's LCP, and General Plan Conservation and Open Space Element Objective 6, which aims to prevent the loss of important archaeological resources. In the likelihood that future housing development would impact archeological resources, compliance with SC CR-2 would be required. SC CR-2 requires preparation of an archaeological resource report where the City has deemed a potential impact to archaeological resources. Compliance with the established regulatory framework, as well as SC CR-2, would reduce impacts to a less than significant impact.

**1.5c Would the Project disturb any human remains, including those interred outside of formal cemeteries?**

**Less Than Significant.** There are no known burial sites or cemeteries in the City. Therefore, it is not anticipated that human remains would be present in the City outside formal cemeteries. Additionally, the project would not result in direct housing construction. Notwithstanding, the project would facilitate future housing development throughout the City. Therefore, human remains could be disturbed as a result of future development facilitated by the HEU. If human remains are found, those remains would require proper treatment in accordance with applicable laws, including State of California Health and Safety Code (HSC) §§7050.5-7055 and PRC §5097.98 and §5097.99. HSC §§7050.5-7055 describe the general provisions for treatment of human remains. Specifically, HSC §7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. HSC §7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately. As required by State law, the procedures set forth in PRC §5087.98 would be implemented, including evaluation by the County Coroner and notification of the NAHC. The NAHC would designate the "Most Likely Descendent" of the unearthed human remains. If human remains are found during excavation, excavation would be halted near the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for treatment and disposition of

the remains. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to demonstrate compliance with the regulatory framework. In the likelihood that future housing development would disturb any human remains, projects would be required to comply with SC CR – 3. Compliance with the established regulatory framework would result in a less than significant impact.

### **Standard Conditions and Requirements**

- SC CR-1** Future housing development facilitated by the HEU, where the archaeologist has determined a potential for impacts to historic resources, shall be required to comply with the following framework: For any building/structures in excess of 50 years of age, and prior to the issuance of any permit, the applicant shall retain a qualified professional historian to determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in State CEQA Guidelines §15064.5. A historical resource report shall be submitted by the applicant to the City and shall include the methods used to determine the presence or absence of historical resources, identify potential impacts from the proposed project, and evaluate the significance of any historical resources identified.
- SC CR-2** Future housing development facilitated by the HEU, where the City has determined a potential for impacts to archeological resources, shall be required to comply with the following framework: Prior to the issuance of any permit on a previously undisturbed site, the applicant shall retain a qualified archaeologist to conduct an archaeological survey to evaluate the presence of cultural resources and the need for preservation, relocation, or other methods. An archaeological resource report shall be submitted by the applicant to the City and shall include the methods used to determine the presence or absence of archaeological resources, identify potential impacts from the proposed project, and evaluate the significance of any archaeological resources identified. If there are potentially significant impacts to an identified archaeological/cultural resource, the report shall also recommend appropriate mitigation required by the applicant.
- SC CR-3** Future housing development facilitated by the HEU, where the City has determined a potential for impacts to human remains, shall be required to comply with the following framework: In the event that human remains are discovered or unearthed, all earth-disturbing work within a 100-meter radius of the location of the human remains shall be temporarily suspended or redirected by the applicant until a forensic expert retained by the applicant has identified and evaluated the nature and significance of the find, in compliance with State CEQA Guidelines 15064.5(f). If human remains of Native American origin are discovered or unearthed, the applicant shall contact the consulting tribe, as detailed in SC TCR-1, regarding any finds and provide information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input concerning significance and treatment. After the find has been appropriately mitigated, as determined and documented by a qualified archaeologist, work in the area may resume.



## 1.6 Energy

### 1.6a Would the Project result in a potentially significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

San Diego Gas and Electric (SDG&E), operated by Sempra Energy, provides electricity and natural gas service to the City.

#### Construction

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate and provide a policy framework for future housing development throughout the City. Therefore, future housing development facilitated by the HEU would result in the direct consumption of electricity and natural gas resources. Energy use from construction activities would primarily result from the use of diesel fuel (e.g., mobile construction equipment), fuel use by vehicles and construction equipment and vehicle trips associated with workers commuting to and from construction sites, and electricity (e.g., power tools) and fuel use. During construction, some incidental energy conservation would occur through compliance with State requirements. Construction equipment would also be required to comply with the latest Environmental Protection Agency (EPA) and CARB engine emissions standards. Construction-related energy consumption associated with future housing developments would be subject to project-level review, approval by the City, and environmental review under CEQA.

Future construction activities associated with future housing development would also be required to monitor air quality emissions using applicable regulatory guidance per SDAPCD. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced as a result of monitoring and the efficient use of equipment and materials, this results in reduced energy consumption. There are no aspects of the HEU that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities of future housing developments.

There are no unusual characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or state. Future housing developments would be subject to environmental review under CEQA and project-specific review and approval to ensure compliance with applicable City goals, policies, and code requirements. Therefore, it is expected that construction fuel consumption associated with the HEU would not be any more inefficient, wasteful, or unnecessary than other similar projects of this nature. Impacts to energy resources associated with the future developments' construction activities would be less than significant. Project implementation would not grant any entitlements or building permit issuances that would result in wasteful, inefficient, or unnecessary consumption of energy resources.

#### Operations

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Future development facilitated by the HEU would consume energy during operations through building electricity, water, and natural gas usage, as well as fuel usage from on-road vehicles. Passenger vehicles would be mostly powered by gasoline, with some fueled by diesel or electricity. Public transit would be powered by diesel or natural gas and could potentially be fueled by electricity. All future housing development facilitated by the HEU would be subject to the City's development review process and required to adhere to all federal, state, and local requirements for energy efficiency, including SB 32's Scoping Plan that includes a 50 percent reduction in

petroleum use in vehicles, SANDAGs 2014 San Diego Regional Energy Strategy, which calls for the support of land use and transportation planning strategies that reduce energy use and GHG emissions, and the latest Title 24 standards. It is also noted that the project design and materials would be subject to compliance with the most current Building Energy Efficiency Standards. Prior to issuance of a building permit, the City would review and verify that the project plans demonstrate compliance with the current version of the Building and Energy Efficiency Standards. The project would also be required adhere to the provisions of California Green Building Standards Code (CALGreen), which establishes planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. Therefore, project implementation would not result in a substantial increase in transportation-related energy uses, such that it would result in a wasteful, inefficient, or unnecessary consumption of energy resources.

**1.6b Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?**

**No Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Future housing development facilitated by the proposed project would be required to comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur. Furthermore, the General Plan and Climate Action Plan (CAP) identify goals and policies related to energy efficiency and renewable energy sources. Future developments would be reviewed for consistency with City policies related to renewable energy and energy efficiency.

Future housing development facilitated by the proposed project would be required to obtain permits and comply with federal, state, and local regulations aimed at reducing energy consumption. In addition, the General Plan and CAP include policies aimed at reducing energy consumption. Federal and state energy regulations, such as the California Energy Code Building Energy Efficiency Standards (CCR Title 24, Part 6), the CALGreen Code (CCR Title 24, Part 11), and SB 743 transportation-related impact analysis requirements would also be imposed through future development permit review to minimize future energy consumption. Therefore, future housing development facilitated by the HEU would be required to be consistent with applicable federal, state, and local laws, policies, and regulations related to renewable energy and energy efficiency. No direct physical environmental impacts would occur.

**Standard Conditions and Requirements**

None are applicable to the project.

## 1.7 Geology and Soils

### 1.7a.i Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

**Less Than Significant Impact.** The project would not result in direct housing construction. Additionally, no known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, traverses the City.<sup>4</sup> Therefore, future housing development facilitated by the HEU would not cause potential substantial adverse effects involving rupture of a known earthquake fault. No impact would occur.

### 1.7a.ii Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

**Less Than Significant Impact.** As discussed in General Plan Safety Element, the City is in a region containing various faults and has experienced historic seismic activity. The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Future housing facilitated by the HEU could be subject to moderate to strong ground shaking in the event of an earthquake on one of the regional faults including the San Andreas fault to the east and the parallel fault systems of the Elsinore fault to the east, as well as the offshore Rose Canyon faults.

In general, all future housing development facilitated by the HEU would be required to demonstrate conformance with seismic design guidelines and requirements contained in the City's Buildings and Construction Code (SBMC Title 15) and requirements would be confirmed through the design review and building plan review processes. The CBC contains design and construction regulations pertaining to seismic safety for buildings, which covers issues such as ground motion, soil classifications, redundancy, drift, and deformation compatibility. SBMC Chapter 15.40 - Excavation and Grading, requires that a grading permit be obtained prior to grading, and that all applications include a statement signed by the owner acknowledging that a civil engineer, soils engineer and/or geologist will be employed to give technical advice and consultation or observe the work, whenever approval of the plans and issuance of the permit are to be based on the condition that such professional persons be so employed.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding and minimizing seismic-related impacts. Following compliance with the established regulatory framework, the HEU would result in a less than significant impact concerning potential exposure to seismic-related hazards, which could result in adverse effects. Therefore, impacts are considered less than significant.

### 1.7a.iii Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

**Less Than Significant Impact.** Liquefaction is the loss of strength where loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions. The potential for liquefaction in the City is greatest in the area located generally between Stevens Avenue and Valley

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<sup>4</sup> California Department of Conservation, *Regulatory Maps*, Available at: <https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/>, Accessed January 5, 2021.

Avenue and in the area north of Via de la Valle between Del Mar Downs and Stevens Avenue.<sup>5</sup> These are the only areas in the City, which are underlain by poorly consolidated alluvium and slope wash which could liquefy during an earthquake depending upon groundwater conditions.

The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Therefore, future housing facilitated by the HEU could be subject to liquefaction. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements, including the City's Uniform Codes for Construction Building Code (SBMC Chapter 15.08), and the City's Grading Ordinance (SBMC Chapter 15.40), which would require a Grading Plan and Soils Engineering Report before issuance of grading permits (§15.40.250). The Soils Engineering Report would confirm site-specific soil composition and assign an EI rating, and would include conclusions and recommendations addressing grading procedures, soil stabilization, and foundation design. Considering these requirements, including the preparation of Soils Engineering Reports for future housing developments, as required by City Codes, future housing development facilitated by the HEU would not create substantial risks to life or property associated with expansive soils. Therefore, impacts would be less than significant.

**1.7a.iv Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?**

**Less Than Significant Impact.** Landslides can occur if areas of steep slopes consisting of unstable soils are disturbed by ground shaking and/or heavy rainfall. The principal area of concern regarding slope stability is along the City's coastal bluffs.<sup>6</sup> As seen in **Exhibit 2: Environmental Conditions on Candidate Housing Sites**, one housing candidate site (Site 29) is located along coastal bluffs that are susceptible to landslide hazards.

The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Therefore, future housing facilitated by the HEU could be subject to landslides. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding and minimizing seismic-related impacts (i.e. ground failure including landslides). Therefore, no impacts related to landslides would occur.

**1.7b Would the Project result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate future housing development throughout the City. Therefore, future development facilitated by the HEU would involve grading activities that would disrupt soil profiles, and thereby result in potential increased exposure of soils to wind and rain. Erosion on graded slopes could cause downstream sedimentation impacts. Other related impacts resulting from substantial short-term erosion or loss of topsoil include topography changes and the creation of impervious surfaces.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding and minimizing impacts concerning soil erosion or loss of topsoil, including the

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<sup>5</sup> City of Solana Beach Safety Element, 2.1.2 Geologic and Seismic Constraints to Development *Liquefaction*.

<sup>6</sup> City of Solana Beach Safety Element, 2.1.2 Geologic and Seismic Constraints to Development *Landslides*.

City's Excavation and Grading Ordinance (SBMC Chapter 15.40), which establishes minimum requirements for grading, excavating and filling of land, and provides for the issuance of permits. Prior to initiation of ground disturbing activities, future project applicants would be required to demonstrate compliance with the SBMC including requirements pertaining to erosion control to the satisfaction of the City Building Department. Short-term construction-related erosion would be addressed through compliance with the NPDES program, which requires implementation of a Storm Water Pollution Prevention Plan (SWPPP) and best management practices (BMPs) intended to reduce soil erosion. Considering these requirements, future housing development facilitated by the HEU would not result in substantial soil erosion or loss of topsoil. Therefore, impacts would be less than significant.

**1.7c Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

**1.7d Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

**Less Than Significant Impact.** Subsidence occurs when a large portion of land is displaced vertically, usually due to the withdrawal of groundwater, oil, or natural gas. Soils that are particularly subject to subsidence include those with high silt or clay content. The potential for liquefaction is greatest in the area located generally between Stevens Avenue and Valley Avenue, and in the area north of Via de la Valle between Del Mar Downs and Stevens Avenue.<sup>7</sup> These are the only areas in the city which are underlain by poorly consolidated alluvium and slope wash, which could liquefy during an earthquake depending upon groundwater conditions. Some candidate housing sites are located within this area.

The project would not result in direct housing construction but would facilitate future housing development throughout the City. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements, including the City's Uniform Codes for Construction Building Code (SBMC Chapter 15.08), and the City's Grading Ordinance (SBMC Chapter 15.40), which would require a Grading Plan and Soils Engineering Report before issuance of grading permits (§15.40.250). The Soils Engineering Report would confirm site-specific soil composition and assign an EI rating, and would include conclusions and recommendations addressing grading procedures, soil stabilization, and foundation design. Considering these requirements, including the preparation of Soils Engineering Reports for future housing developments, future housing development facilitated by the HEU would not create substantial risks to life or property associated with expansive soils. Therefore, impacts would be less than significant.

**1.7e Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

**No Impact.** The project would not result in direct housing construction but would facilitate and provide a policy framework for future housing development throughout the City. All future housing development facilitated by the HEU would be in areas served by the City's sanitary sewer system and would therefore not use septic tanks or other alternative wastewater disposal systems. Therefore, no impact would occur.

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<sup>7</sup> Ibid



**1.7f Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less Than Significant Impact.** The General Plan Conservation Element defines paleontological resources as prehistoric plant and animal fossils embedded in subsurface geologic materials and identifies existing cultural/scientific resources within City boundaries. The specific underlying geology is not known for any candidate housing sites at this level of programmatic analysis; however, the San Diego region has been designated a paleontological resource of high sensitivity. Additionally, the geologic formations in Solana Beach consist of marine sedimentary deposits which are expected to contain fossils. However, no significant fossil localities have been identified within the City. The localities found nearest to Solana Beach are situated along the coast between Del Mar and La Jolla. These resources include fossil mollusk localities, fossil calcereous nannoplankton localities, and fossil mammal localities. Aquatic shell fossils have also been found at the northwest area of the City, and they may extend into the City in very small areas. No housing candidate sites are located proximate to identified fossil localities.

While the project would not result in direct housing construction, it would facilitate and provide a policy framework for future housing development throughout the City. Therefore, there is a likelihood that earthwork activities associated with future housing development facilitated by the HEU would encounter a paleontological resource. Direct impacts to paleontological resources could occur when earthwork activities (e.g., grading) cut into sensitive paleontological areas, thereby directly damaging the resource, or exposing paleontological resources to potential indirect impacts (e.g., surficial erosion, uncontrolled specimen collection).

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to demonstrate consistency with General Plan policies protecting paleontological resources. General Plan Conservation Element Policy 6.b requires that sites proposed for future development are to be evaluated by certified archaeologists and/or paleontologists in accordance with CEQA. The General Plan Policy as well as City's development review process may require additional studies if paleontological resources are suspected to be impacted by future development on future candidate housing sites. Compliance with the established regulatory framework would ensure potential impacts from future housing development concerning the destruction of a unique paleontological resource or unique geologic feature would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.

## 1.8 Greenhouse Gas Emissions

### 1.8a Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate and provide a policy framework for future housing development throughout the City. As noted in **Section 1.14 Population and Housing**, the future housing development facilitated by the HEU would result in a population growth of 1,762 persons.

Future housing development facilitated by the HEU would result in an increase in GHG due to increased VMT, construction activities, stationary area sources (i.e., natural gas consumption for space and water heating devices, landscape maintenance equipment operations, and use of consumer products), energy consumption, water supply, and solid waste generation. Increased GHG emissions could contribute to global climate change patterns and the adverse global environmental effects thereof. GHG emissions associated with future development are anticipated to include CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub>. Future housing development would be subject to the City's discretionary review process, CEQA evaluation, and plan check process, which may require future applicants prepare air quality and greenhouse gas emission studies using the California Emissions Estimator Model (CalEEMod). CalEEMod relies upon project-specific land use data to calculate emissions. Site-specific details are not available for this analysis of the HEU, which is programmatic in nature.

The SANDAG's San Diego Forward: The Regional Plan aims to create sustainable, mixed-use communities conducive to public transit, walking, and biking by focusing future growth in the previously developed, western portion of the region along the major existing transit and transportation corridors. The City's existing zoning designations could facilitate housing developing in commercially zoned areas, and therefore reduce VMT and GHG impacts by creating housing opportunities in areas with pedestrian connectivity between residential and commercial uses and in proximity to public transportation, along established transportation corridors, near recreation opportunities, and away from environmentally sensitive resources. Future housing development facilitated by the HEU would be required to meet the mandatory energy requirements of California Green Building Standards Code (CALGreen) and the Energy Code (CCR Title 24, Part 6) in effect at the time of development. These regulations require that new development incorporate design features to capture energy efficiencies associated with building heating, ventilating, and air conditioning mechanical systems, water heating systems, and lighting. Future housing development would also be required to implement strategies outlined in the City's climate action plan, which includes several measures that have the potential to reduce GHG emissions. As a result, fewer VMT results in fewer GHGs. Therefore, future development facilitated by the HEU would not generate significant greenhouse gas emissions impacts. Impacts are anticipated to be less than significant.

### 1.8b Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less Than Significant Impact.** Future development facilitated by the HEU, at a minimum, would be required to meet the mandatory energy requirements of CALGreen and the Energy Code (CCR Title 24, Part 6) in effect at the time of development. These regulations require that new development incorporate design features to capture energy efficiencies associated with building heating, ventilating, and air conditioning mechanical systems, water heating systems, and lighting. In addition, future housing development would be subject to discretionary permits and CEQA evaluation required to comply with the goals and strategies outlined in the City's CAP and SANDAG's Regional Plan.

The City's CAP focuses on reducing emissions by 15 percent below 2010 levels by 2020 and 50 percent below 2010 levels by 2035. In order to further reduce citywide GHG emissions, the CAP identifies a series of reduction measures and strategies, which would guide the City in several key focus areas (e.g., energy and buildings, water and waste, transportation, and urban tree planting). Measures outlined within the CAP would not be directly applicable development on candidate housing sites because they are intended to be implemented by the City. As a result, future housing development facilitated by the HEU would not conflict with the City's CAP.

As discussed above, SANDAG's San Diego Forward: The Regional Plan aims to create sustainable, mixed-use communities conducive to public transit, walking, and biking by focusing future growth in the previously developed, western portion of the region along the major existing transit and transportation corridors. The City, inclusive of the candidate housing sites are in the western San Diego region, and the HEU goals would be to reduce impacts by placing housing near public transportation, along established transportation corridors, near recreation opportunities, and away from environmentally sensitive resources.

Future development facilitated by the HEU would be consistent with the policy objectives of both the CAP and SANDAG's Regional Plan. The proposed HEU is consistent with strategies included in the RTP and SCS including: focusing housing and job growth in areas that are already developed; accommodating the City's fair share to avoid pushing new development into the undeveloped eastern portions of the County; maintaining designated open space within the City; creating great places for everyone to live, work, and play; supporting energy programs that promote sustainability; and addressing the housing needs of all economic segments of the population. Furthermore, since the HEU would not propose any rezoning of any parcels, future growth and development facilitated by the HEU would have already been taken into account in the General Plan EIR and SANDAG RTP. Therefore, the HEU, and future development facilitated by the HEU, would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. Impacts would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.

## 1.9 Hazards and Hazardous Materials

### 1.9a Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Less Than Significant Impact.** Exposure of the public or the environment to hazardous materials can occur through transportation accidents; environmentally unsound disposal methods; improper handling of hazardous materials or hazardous wastes (particularly by untrained personnel); and/or emergencies, such as explosions or fires. The severity of these potential effects varies by type of activity, concentration and/or type of hazardous materials or wastes, and proximity to sensitive receptors.

The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Demolition and construction activities associated with future housing development facilitated by the HEU would require transport of hazardous materials (e.g., asbestos containing materials, lead-based paint, and/or contaminated soils). This transport would be limited in duration. Compliance with handling measures is required by the City, County's Department of Environmental Health, and the San Diego Air Pollution Control District during construction and operational phases of future development projects. These measures include standards and regulations regarding the storage, handling, and use of hazardous materials.

Future housing development facilitated by the HEU would not involve ongoing or routine use of substantial quantities of hazardous materials during operations (occupancy of future housing). Only small quantities of hazardous materials would be anticipated including cleaning solvents, fertilizers, pesticides, and other materials used in regular maintenance. On the local level, the Solana Beach Fire Department routinely provides inspections to ensure the safe storage, management, and disposal of any hazardous materials in accordance with the federal, state, and local regulations. Impacts associated with the transport, use, or disposal of hazardous materials would be less than significant.

### 1.9b Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate future housing development throughout the City. Therefore, excavation and grading activities associated with future development facilitated by the HEU could expose construction workers and the general public to unknown hazardous materials present in soil or groundwater. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to demonstrate consistency with the regulatory framework for minimizing upset associated with hazardous materials. Compliance with SC HAZ-1, which requires preparation of a project-specific Phase I Environmental Site Assessment (ESA) for any vacant, commercial site currently or historically involving hazardous materials or waste, would be required. The Phase I ESA may require further sampling/remedial activities by a qualified hazardous materials Environmental Professional with Phase II/site characterization experience. Further, the City incorporated the County of San Diego Title 6, Division 8, Chapters 11 and 12 relating to Certified Unified Program Agency ("CUPA") for the regulation of underground storage of hazardous substances, hazardous materials and medical waste under SBMC Chapter 6.28. Future assessments for future housing projects would include a review of local, state, tribal, and federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps and physical setting sources. Following compliance with the established

regulatory framework and SC HAZ-1, potential impacts involving the accidental discovery of unknown wastes or suspect materials during construction would be less than significant.

**1.9c Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate future housing development throughout the City. The future housing development facilitated by the HEU would have a potentially significant impact on the environment if it would emit hazardous emissions or substances within 0.25-mile of an existing or proposed school. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to regulations related to the emissions or handling of hazardous materials, substances, or wastes near schools to reduce the potential for impacts to schools. Adherence to California Hazardous Waste Control Law, California Health and Safety Code, and Resource Conservation and Recovery Act (RCRA) regulations would reduce potential impacts associated with the accidental release of hazardous materials. As a result, future housing development facilitated by the HEU would not conflict with any State or local plan aimed at preventing emissions or handling of hazardous materials near schools. Therefore, impacts would be less than significant.

**1.9d Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?**

**Less Than Significant Impact.** The California Department of Toxic Substances does not identify hazardous waste or substance sites in the City pursuant to California Government Code §65962.5.4.<sup>8</sup> However, DTSC Envirostor regulatory review identified four regulated facilities and SWRCB Geotracker 27 regulated facilities within the City. Several candidate housing sites are near the regulated facilities. As discussed in detail under Threshold 1.9a, future housing development facilitated by the HEU would require a site-specific Phase I ESA to identify any environmental concerns prior to development approval. Compliance with SC HAZ-1 would result in a less than significant impact concerning hazardous materials sites.

**1.9e For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?**

**No Impact.** According to the General Plan Circulation Element, the City does not have an airport within its jurisdiction, but is serviced by two nearby airports: the McClellan-Palomar Airport located in the City of Carlsbad to the north and the San Diego International Airport at Lindbergh Field located in the City of San Diego to the south. The City is not located within the airport influence areas of the McClellan–Palomar Airport or the San Diego International Airport, thus, is not subject to noise, safety, or aircraft overflight impacts from operations at these airports. The City is not within two miles of an airport. Therefore, the HEU or future development facilitated by the HEU would not result in a safety hazard or excessive noise for people residing or working in the HEU area, no impact would occur.

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<sup>8</sup> California Department of Toxic Substances Control, *Hazardous Waste and Substances Site List (Cortese)*, Available at: [https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site\\_type=CSITES,FUDS&status=ACT,BKLG,COM&report\\_title=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29](https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&report_title=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29), Accessed January 7, 2021.



**1.9f Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Future housing development facilitated by the HEU would increase allowable housing capacity in certain areas located throughout the City. This increase in density could result in an increased demand on emergency evacuation services in the event of a citywide or partial city emergency. However, the increased housing capacity associated with the HEU would not exceed the total population initially projected and planned for under the General Plan. Therefore, no changes in the City's existing circulation network are proposed or required under the HEU and no impact to emergency response or evacuation is anticipated. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and compliance with SBMC §15.32.170 (Fire apparatus access roads), which specifies access roads design standards to ensure adequate service to a project site. Given the scope and location of the future housing development facilitated by the HEU, the HEU is not anticipated to impair implementation of, or physically conflict with, the County of San Diego MHMP specific hazard mitigation goals, objectives, and related potential actions within the City. As a result, future housing development facilitated by the HEU would not conflict with any State, County, or local plan aimed at preserving and maintaining adopted emergency response or emergency evacuation plans. Impacts would be less than significant.

**1.9g Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. As discussed in **Section 1.20, Wildfire**, future housing development facilitated by the HEU would not directly or indirectly expose people or structures to a risk of loss, injury or death involving wildland fires. The candidate housing sites are located primarily in developed locations and not adjacent to any wildland areas. Where candidate sites involve vacant land, future housing development would be subject to compliance with SBMC Chapter 15.32 (Fire code), which would ensure adequate fire protection through certain design features to limit exposure and impacts of fires. Furthermore, future housing development may be subject to the SBMC Chapter 15.60 (Fire Mitigation Impact Fee) to pay fair share contributions related to fire protection services. Therefore, impacts related to wildland fires would be considered less than significant.

**Standard Conditions and Requirements**

**SC HAZ-1** Prior to any renovation, or demolition, grading or building permit approval, the applicant shall retain a qualified hazardous materials Environmental Professional to prepare a formal Phase I Environmental Site Assessment (ESA) for any vacant, commercial, and industrial properties involving hazardous materials or waste. The Phase I ESA shall be prepared in accordance with ASTM Standard Practice E 1527-13 or the Standards and Practices for All Appropriate Inquiry (AAI), prior to any land acquisition, demolition, or construction activities. The Phase I ESA would identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified hazardous materials Environmental Professional with Phase II/site characterization experience prior to land acquisition, demolition, and/or construction. The Environmental

Professional shall identify proper remedial activities to be implemented by the applicant, if necessary.

## 1.10 Hydrology and Water Quality

### 1.10a Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Future housing development could result in potential impacts related to water quality over three different periods:

- During the earthwork and construction phase, where the potential for erosion, siltation, and sedimentation would be the greatest;
- Following construction, before the establishment of ground cover, when the erosion potential may remain relatively high; and
- After project completion, when impacts related to sedimentation would decrease markedly but those associated with urban runoff would increase.

Urban runoff, both dry and wet weather, discharges into storm drains, and in most cases, flows directly to creeks, rivers, lakes, and the ocean.

#### **Construction**

Short-term impacts related to water quality can occur during the earthwork and construction phases of future housing development projects. During this phase, the potential for erosion, siltation, and sedimentation would be the greatest. Additionally, impacts could occur prior to the establishment of ground cover when the erosion potential may remain relatively high. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and compliance with the established regulatory framework pertaining to water quality. If future developments disturb more than one acre of land surface, they would be required to obtain coverage under the National Pollution Discharge Elimination System (NPDES) storm water program. The NPDES Construction General Permit program calls for the implementation of best management practices (BMPs) to reduce or prevent pollutant discharge from these activities to the Maximum Extent Practicable for urban runoff and meeting the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology standards for construction storm water. Construction activities would be required to comply with a project-specific Stormwater Pollution Prevention Program (SWPPP) that identifies erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction Activity General Permit to control potential construction-related pollutants. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized.

Additionally, the future development projects facilitated by the HEU would be required to comply with the City's Storm Water Management and Discharge Control Ordinance (SBMC Chapter 13.10) and the City's Local Coastal Plan Land Use Plan (LCP LUP). The Stormwater Ordinance establishes requirements for the management of storm water flows from development projects, both to prevent erosion and to protect and enhance existing water-dependent habitats. The Ordinance assures consistency with the purpose and intent of this chapter and shall implement the requirements of NPDES Permit No. CAS0109266. The LCP LUP provides parameters for new development within the City and the protection of water resources and water conservation. New development in the City would be required to

demonstrate consistency with the LUP map, and all applicable LCP policies. These requirements would ensure that potential impacts from construction of developments facilitated by the HEU related to soil erosion, siltation, and sedimentation remain less than significant and avoid violation to any water quality standards or waste discharge requirements.

### **Operations**

General Plan Circulation Element Figure C-7, Existing Drainage System, identifies existing drainage facilities in the City. Due to the built-out nature of the City, most surface flows are directed toward existing stormwater drainage facilities. The project would not result in direct housing construction, but would facilitate future housing development throughout the City. All candidate housing sites, except those listed in **Table 1.5-1**, are developed and, therefore, future development would not create substantial amounts of impervious surfaces that would substantially increase off-site runoff.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, to install, implement, and maintain the BMPs identified in SBMC §13.10.070 including, but not limited to erosion management; materials storage; inspection, maintenance, repair, upgrade of BMPs; and preparation of SWPPP. Additionally, future developments would be required to comply with SBMC Section §13.10.080 pertaining to Residential BMP requirements including minimum BMPs specified for landscaping, home care and maintenance, and motor vehicle maintenance.

All new development would also be required to comply with existing water quality standards and waste discharge regulations set forth by the State Water Quality Control Board (SWQCB). Future developments facilitated by the HEU would comply with these regulations and waste discharges would be connected to the public wastewater system.

Future housing development facilitated by the HEU would be required to adhere to all federal, state, and local requirements for avoiding violation of water quality standards during construction and operations. Considering these requirements, future housing development facilitated by the HEU would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Therefore, impacts would be less than significant.

### **1.10b Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?**

**Less Than Significant Impact.** A groundwater basin is generally defined as a hydrogeologic unit containing one large aquifer as well as several connected and interrelated aquifers that has reasonably well-defined boundaries and areas of recharge and discharge. The California Department of Water Resources CA Bulletin 118 identifies the boundaries of 515 groundwater basins and subbasins, as last modified by the Basin Boundary Emergency Regulation adopted in October 2015. Based on the available data, the City is not underlain by a recognized groundwater basin that would be subject to impacts from infiltration and drainage. Accordingly, although the project would not result in direct housing construction, but would facilitate future housing development throughout the City, future housing development facilitated by the HEU would not interfere with groundwater recharge or impede sustainable groundwater management of a basin.

Further, the Santa Fe Irrigation District (District) provides water resources to the City. Currently, there is no use of groundwater sources by the District.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding and minimizing construction and operations impacts to groundwater supplies, including the City's Stormwater Management and Discharge Control Ordinance (SBMC Chapter 13.10). Considering these requirements, future housing development facilitated by the HEU would not decrease ground water supplies or interfere substantially with ground water recharge such that the HEU may impede sustainable groundwater management of the basin. Therefore, impacts would be less than significant.

- 1.10c.i**      **Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?**
- 1.10c.ii**     **Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**
- 1.10c.iii**    **Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**
- 1.10c.iv**     **Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?**

**Less Than Significant Impact.** General Plan Circulation Element Figure C-7, Existing Drainage System, identifies existing drainage facilities in the City. The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Most candidate housing candidate sites are developed and contain impervious surfaces, which direct surface flows toward existing City facilities. Due to the primarily built-out nature of the City, construction of future housing developments facilitated by the HEU would not substantially alter the existing drainage pattern through the addition of impervious surfaces. The drainage areas, as well as the drainage characteristics/patterns in the implementation condition would be similar to existing conditions.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding impacts that could substantially alter the existing drainage pattern or alter the course of a stream or river, including the City's Stormwater Management and Discharge Control Ordinance (SBMC Chapter 13.10).



Considering these requirements, future housing development facilitated by the HEU would not substantially alter the existing drainage pattern of the site or area. This includes no alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site, create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems, or provide substantial additional sources of polluted runoff, or impede or redirect flood flows. Therefore, impacts would be less than significant.

**1.10d In flood hazard, tsunami, or seiche zones, would the Project risk the release of pollutants due to Project inundation?**

**Less Than Significant Impact.** According to the Federal Emergency Management Agency (FEMA) FIRM Map #06073C1307H, most of the City is located within Flood Zone X, defined as an area of minimal flood hazard. The City's southeast portion, adjacent to its boundary with the City of Del Mar, is located within Flood Zone AE, defined as a Special Flood Hazard Area. Some candidate sites are located within this area. The City's Special Zoning Overlays Map identifies a Floodplain Overlay within this region. As discussed in SBMC Chapter 17.80, Flood Damage Prevention Overlay Zone, identified flood hazard areas in the City are subject to periodic inundation. SBMC Chapter 17.80 identifies allowable uses, development standards, and outlines permitting requirements for all development within a Flood Overlay Zone. Any proposed housing development within the City's flood overlay zone, would be required to comply with the regulations and permitting requirements contained in SBMC Chapter 17.80. Compliance would ensure that new development is appropriately constructed so as to avoid hazards to those who would occupy the development and to avoid damage or hazards to the surrounding area.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding and minimizing impacts related to flood hazards, tsunami, or seiches, including the SBMC standards and LCP policies. Considering these requirements, the future housing development facilitated by the HEU would not result in significant increased risk concerning release of pollutants due to inundation, tsunami, or seiche zones. Therefore, HEU impacts would be less than significant.

**1.10e Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less Than Significant Impact.** In 2014, the California Sustainable Groundwater Management Act (SGMA) was passed, which provides authority for agencies to develop and implement groundwater sustainability plans (GSP) or alternative plans that demonstrate the water basins are being managed sustainably.<sup>9</sup> As discussed under Threshold 1.10b, the City is not underlain by a recognized groundwater basin and does not obtain its water supply from groundwater sources. Therefore, future housing development facilitated by the HEU would not obstruct implementation of the Sustainable Groundwater Management Act (SGMA).

The City's Stormwater Management and Discharge Control Ordinance (SBMC Chapter 13.10) aims to protect water resources and improve water quality. The ordinance causes use of management practices by the city and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state and control contribution of pollutants to City's municipal separate storm sewer systems (MS4s),

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<sup>9</sup> State Water Resources Control Board. Sustainable Groundwater Management Act (SGMA). [https://www.waterboards.ca.gov/water\\_issues/programs/gmp/sgma.html](https://www.waterboards.ca.gov/water_issues/programs/gmp/sgma.html). Accessed March 21, 2021.

and to ensure that the City is compliant with California Regional Water Quality Control Board San Diego Region Order No. R9-2013-0001 and with applicable state and federal law.

Future developments facilitated by the HEU would be required to prepare a stormwater management plan and incorporate stormwater standards manual requirements into design documents to minimize potential impacts to water quality. Submitted materials would be required to demonstrate how the requirements of this stormwater ordinance would be met, and the permit or approval would not be approved unless the decision maker determines that the application complies.

Further, dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to comply with the General Permit for Discharges of Stormwater Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). The Construction General Permit requires the development of a Stormwater Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to all federal, state, and local requirements for avoiding and minimizing conflicts with or obstruction of implementation of a water quality control plan or sustainable groundwater management plan, including the Basin Plan and the City's Jurisdictional Runoff Management Program (JRMP). Further, future housing development facilitated by the HEU would not prevent the City's Clean Water Program from ensuring that MS4 Permit and Basin Plan requirements are met. As a result, future housing development facilitated by the HEU would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.

## 1.11 Land Use and Planning

### 1.11a Would the Project physically divide an established community?

**Less Than Significant Impact.** Projects that divide an established community can involve large scale linear infrastructure, such as freeways, highways, and drainage facilities, that bisect an established community or create barriers to movement within that community. “Locally undesirable land uses” such as prisons or landfills sited within economically depressed areas can also divide an established community.

The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. All future housing development facilitated by the HEU would occur in existing residential areas, thus, would not divide an established community. In the Central Commercial zone, residential use would be required to be part of a mixed-use project in order to comply with horizontal zoning. It is not anticipated that future housing development facilitated by the HEU would require substantial road-widenings or other features which could divide the established community. Further, the increase in housing availability within the City facilitated by the HEU would be consistent with Community Plan goals and complement the community as a whole. Candidate housing sites have been identified throughout the City, rather than concentrated in a single area, thus would not divide an established community. Therefore, a less than significant impact would occur.

### 1.11b Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**Less Than Significant Impact.** The HEU includes 83 candidate housing sites for future housing development to meet the City’s RHNA allocation of 875 DU. As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Future housing development facilitated by the HEU, which would occur as market conditions allow and at the discretion of the individual property owners. However, the HEU would identify a series of implementing actions to increase the City’s housing capacity. As part of the HEU, additional housing units would be accommodated on the candidate housing sites that are ultimately selected through revisions to the City’s Housing Element. Future housing development facilitated by the HEU is anticipated to increase the City’s housing stock where capacity exists

Future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City’s development review process, and required to comply with applicable federal, state, and local laws and local policies and regulations, as applicable to new housing development. The HEU is subject to comply with applicable State Housing law. As such, the HEU would be consistent with applicable land use and planning policies in the state, regional, and local context as necessary to meet that legislation. This includes consistency with the General Plan. Future housing development facilitated by the HEU would therefore be consistent with all applicable land use and planning policies and regulations intended to minimize environmental effects. A less than significant impact would occur.

### Standard Conditions and Requirements

None are applicable to the project.

## 1.12 Mineral Resources

**1.12a Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

**1.12b Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

**No Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Additionally, there are no known mineral resources of significant value or categorized as locally important within the City. Therefore, no direct physical environmental impact would occur and due to the absence of mineral resources in the City.

### **Standard Conditions and Requirements**

None are applicable to the project.

1.13 Noise

**1.13a Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?**

**Less Than Significant Impact.**

**Construction Noise.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Future housing development facilitated by the HEU would result in construction noise generated from development activities. In general, construction would typically involve the following construction sequences: (1) site preparation and/or demolition; (2) grading and utilities construction; (3) building construction; (4) paving; and (5) architectural coatings. Typical construction equipment would include backhoes, excavators, graders, loaders, compactors, cranes, trucks, pavers, pneumatic tools, generator sets, and air compressors. With exception to pile-driving activities, construction equipment with substantially higher noise-generation characteristics (such as rock drills and blasting equipment) would not be anticipated for construction of typical residential developments. Typical construction equipment generates maximum noise levels at 50 feet from the noise source ranging between 80 dBA for backhoes and loading trucks, to 85-90 dBA for graders and excavators, as shown in **Table 1.13-1** below.

<b>Table 1.13-1: Maximum Noise Levels Generated by Construction Equipment</b>			
<b>Equipment</b>	<b>Typical Noise Level (dBA) at 50 Feet from Source</b>		
	<b>Acoustical Use Factor</b>	<b>L<sub>max</sub> at 50 Feet (dBA)</b>	<b>L<sub>max</sub> at 100 Feet (dBA)</b>
Concrete Saw	20	90	84
Crane	16	81	75
Concrete Mixer Truck	40	79	73
Backhoe	40	78	72
Dozer	40	82	76
Excavator	40	81	75
Forklift	40	78	72
Paver	50	77	71
Roller	20	80	74
Tractor	40	84	78
Water Truck	40	80	74
Grader	40	85	79
General Industrial Equipment	50	85	79

dBA: A-weighted decibels; L<sub>max</sub>: maximum noise level  
 Note: Acoustical Use Factor (percent): Estimates the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.  
 Source: Federal Highway Administration, *Roadway Construction Noise Model User's Guide*, January 2006.

In general, construction noise can vary substantially from day to day, depending on the level of activity and the specific type of equipment in operation. Additionally, construction activities associated with



future housing development facilitated by the HEU is anticipated to occur in incremental phases over time based on market demand, economic, and planning considerations. As a result, construction-related noise would not be concentrated in any one particular area of the City.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to comply with SBMC Chapter 7.34, Noise Abatement and Control. Construction associated with future housing development facilitated by the HEU would be required to comply with the SBMC §7.34.100 (Construction Noise). The SBMC limits construction activities to Monday through Friday, 7:00 a.m. to 7:00 p.m., and Saturday 8:00 a.m. to 7:00 p.m., with no construction allowed on Sundays or City holidays. For some future housing developments, such as those near sensitive noise receptors, the City may choose to require conditions of approval to include measures under its Design Review process such as temporary sound barriers and shielding to reduce potential noise impacts on sensitive receptors. For example, acoustically designed enclosures and buildings can provide up to approximately 50 dBA of noise reduction, depending on the noise abatement treatments implemented.

**Operations Noise.** The project would not result in direct housing construction but would facilitate future housing development throughout the City. Future housing development facilitated by the HEU would result in additional housing, people, pets, and automobiles in the City. Noise would be generated by stationary operation-related sources, such as heating, ventilation, and air conditioning (HVAC) units, tankless water heaters, generators, lawn maintenance equipment, and swimming pool pumps. All future housing development facilitated by the HEU would be subject to environmental review under CEQA and be required to demonstrate compliance with SBMC Chapter 7.34 (Noise Ordinance) and SBMC §17.68.040 (Development Review Permits).

Noise is also likely to occur from line sources, such as motor vehicle traffic. Future housing development facilitated by the HEU would result in increased traffic volumes on local city roadways, thereby increasing cumulative noise levels. Given the City's largely developed nature, new housing development would not be expected to significantly increase traffic volume on local roadways. Additional average daily trips (ADT) from future housing development facilitated by the HEU would need to more than double current ADT for there to be a discernable difference in noise levels (i.e. more than 3 dBA increase). Furthermore, most of the candidate housing sites are already developed and already generate traffic volumes and mobile noises. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and compliance with SBMC §17.68.040, which requires project noise compatibility with adjacent land uses.

Compliance with SBMC §7.34.100 would ensure construction and operations related noise impacts would be less than significant. Further, implementation of SC NOI-1 and NOI-2 would ensure no impact would occur to adjacent noise-sensitive receptors. Compliance with SC NOI-1 would minimize construction noise associated with future development through the use of site-specific noise reduction features. Specifically, NOI-1 requires the use of the best available noise control techniques, as well as alternatives to pneumatic power tools. SC NOI-2 requires compliance with a list of measures to respond to and track complaints related to construction noise. Following compliance with SBMC §7.34.100 and SC NOI-1 and NOI-2, a less than significant impact would occur.

**1.13b Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Construction activities associated with future housing development facilitated by the HEU could result in varying degrees of groundborne vibration impacts from heavy equipment operations, depending on the construction procedure and equipment used. Construction equipment operations would generate vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located near a construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). Groundborne vibrations from construction activities rarely reach levels that damage structures.

Construction activities associated with future development have the potential to generate low levels of groundborne vibration. **Table 1.13-2**, Typical Vibration Levels for Construction Equipment, identifies various vibration velocity levels for various construction equipment types.

<b>Equipment</b>	<b>Approximate Peak Particle Velocity at 25 Feet (inches/second)</b>	<b>Approximate Peak Particle Velocity at 50 Feet (inches/second)</b>	<b>Approximate Peak Particle Velocity at 250 Feet (inches/second)</b>
Large bulldozer	0.089	0.0315	0.0028
Loaded trucks	0.076	0.0269	0.0024
Small bulldozer	0.003	0.0011	0.0001
Jackhammer	0.035	0.0124	0.0011
Vibratory compactor/roller	0.210	0.0742	0.0066

Notes:

1. Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018. Table 7-4.
2. Calculated using the following formula:  

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$
 where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance  
 PPV (ref) = the reference vibration level in in/sec from Table 12-2 of the FTA *Transit Noise and Vibration Impact Assessment Guidelines*  
 D = the distance from the equipment to the receiver

Similar to noise, groundborne vibration attenuates with distance. The groundborne vibration generated during construction activities would primarily impact vibration-sensitive land uses (i.e., nonengineered timber and masonry buildings) located adjacent to or near the construction activity. The force of vibrations reaching an adjacent structure would depend upon several variables, including the activity generating the vibrations, the distance between the source and the existing structure, and the type of soil or pavement found between the two. Based upon the vibration velocity levels provided in **Table 1.13-2**, vibration velocities from typical heavy construction equipment operations that could be used during construction activities range from 0.003 to 0.089 inch-per-second PPV at 25 feet from the activity source (and up to 0.644 PPV if pile driving activities were to occur). Thus, vibration velocities from typical heavy construction equipment operations at 25 feet from the activity source would not exceed the 0.2 the inch/second threshold, except for pile driving activities. As also shown in **Table 1.13-2**, vibration velocities from pile driving activities at 50 feet from the activity source would exceed the 0.2 the inch/second threshold. Therefore, construction-related activities that involve pile driving and occur 50 feet from a vibration-sensitive land use (non-engineered timber and masonry buildings) could exceed 0.2 the inch/second

threshold, and expose persons or structures to, or generate excessive groundborne vibration or groundborne noise levels.

To further lessen the potential vibration-related impacts to adjacent sensitive uses, SC NOI-3 would be implemented, which requires that the preexisting condition of all buildings within a 50-foot radius of proposed construction activities that involve pile driving be evaluated during a preconstruction survey and that alternative methods be used. Residential uses would not be anticipated to generate excessive groundborne vibration or groundborne noise. Future housing development facilitated by the HEU would not involve railroads or substantial heavy truck operations, and therefore would not result in vibration impacts at surrounding uses. Therefore, operational activities associated with future development would not expose persons or structures to or generate excessive groundborne vibration or groundborne noise levels. Therefore, impacts would be less than significant.

**1.13c For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** According to the General Plan Circulation Element, the City does not have an airport within its jurisdiction, but is serviced by two nearby airports: the McClellan-Palomar Airport located in the City of Carlsbad to the north and the San Diego International Airport at Lindbergh Field located in the City of San Diego to the south. The City is not located within the airport influence areas of the McClellan–Palomar Airport or the San Diego International Airport, thus, is not subject to noise, safety, or aircraft overflight impacts from operations at these airports. The City is not within two miles of an airport. Therefore, the HEU would not expose people to excessive noise levels associated with a private airstrip or an airport. No impact would occur.

**Standard Conditions and Requirements**

**SC NOI-1** To reduce construction-related noise impacts, where construction activities would exceed SBMC Chapter 7.34 (Noise Abatement and Control) standards, the applicant shall require construction contractors to implement a site-specific Noise Reduction Program, which includes the following measures, ongoing through demolition, grading, and/or construction:

- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds), wherever feasible.
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used (this muffler can lower noise levels from the exhaust by up to approximately 10 dBA). External jackets on the tools themselves shall be used where feasible (this can achieve an approximately 5.0-dBA reduction). Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

- Stationary construction-related noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and incorporate insulation barriers, or other measures to the extent feasible.

**SC NOI-2**

Prior to demolition, grading, or building permit approval, the Applicant shall submit to the Community Development Department a list of measures to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction. At minimum, these measures shall include the following:

- A procedure to the public for notifying the City's Code Compliance Officer and Sheriff's Department (during regular construction hours and off-hours);
- A requirement for a sign to be posted by the Applicant on-site specifying the permitted construction days and hours, and notification procedure, and who to notify in the event of a noise-related concern. The sign shall also include the construction contractor's telephone numbers (during regular construction hours and off-hours); and
- A requirement for a preconstruction meeting to be held with the Applicant and general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

**SC NOI-3**

To avoid impacts to vibration-sensitive structures (i.e., non-engineered timber and masonry buildings) located within a 50-foot radius of pile driving activities, prior to demolition, grading, or building permit approval, the applicant shall provide for the following measures to be specified on the project plans and implemented prior to and during construction:

- The applicant shall submit to the Community Development Department the preexisting condition of all vibration-sensitive land uses within a 50-foot radius of proposed pile driving during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by pile driving, if any. Fixtures and finishes susceptible to damage and within a 50-foot radius of pile driving shall be documented (photographically and in writing) prior to demolition, grading, or building permit approval. All damage shall be repaired/restored to its preexisting condition by the applicant.
- Pile driving within a 50-foot radius of identified vibration-sensitive structures shall utilize alternative installation methods (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers) such that vibration velocities from the alternative construction activity would fall below the 0.2 the inch/second threshold. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

## 1.14 Population and Housing

### 1.14a Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. To meet the City’s RHNA allocation of 875 units, the HEU identifies a series of implementing actions to increase the City’s housing capacity that would induce some planned population growth in the City. Future housing development facilitated by the HEU would be subject to environmental review under CEQA and discretionary permits and would occur as market conditions allow and at the discretion of the individual property owners. Any future housing development facilitated by the HEU would occur in urbanized locations near existing infrastructure (roads, utilities) and served by fire and other emergency responders.

SANDAG’s regional growth assessment contains population projections for the City, which are based on the General Plan. Based on SANDAG forecasts, the City’s population is anticipated to reach 15,249 persons by 2035 and 15,969 persons by 2050, with approximately 6.3 percent population growth between 2020 and 2035. SANDAG forecasts total population in the City over the next 30 years to increase by 11.2 percent.

The forecast population growth from future housing development facilitated by the HEU is presented in **Table 1.14-1: Population Increase from Housing Element Update.**

<b>Table 1.14-1: Population Increase from Housing Element</b>	
<b>Definition</b>	<b>6<sup>th</sup> Cycle Housing Element</b>
Number of Units	756
Persons per household	2.33
Forecast Population Growth with HEU	1,762
2020 Population Estimate	13,367
Forecast Population with HEU Total	15,129
Forecast Population Percent Growth with HEU Total	11.65

As previously noted, the HEU update would result in a significant impact if it would “induce substantial unplanned population growth in an area.” As indicated in **Table 1.14-1**, the forecast population growth resulting from future housing development facilitated by the HEU is 1,762 persons, or approximately 11.65 percent increase compared to the City’s existing population of 13,367 persons. The slight variation in population forecasts is not considered substantial given it would occur over an extended period (i.e., 2021 through 2029). Additionally, the future housing development facilitated by the HEU is intended to be dispersed throughout the community to create managed levels of growth in specific areas. Additionally, the City’s forecast population including future housing development facilitated by the HEU of approximately 15,129 persons would be less than SANDAG’s forecast population of 15,249 persons by 2035. Moreover, because SANDAG population forecasts are based on the General Plan and the project does not propose changes in land use designations, the project would not conflict with SANDAG forecasts. Therefore, the corresponding population and housing growth would not be considered “unplanned” population growth.



All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and would be assessed on a project-by-project basis for potential effects concerning population growth. Additionally, future housing development would be subject to compliance with all federal, state, and local requirements for minimizing growth-related impacts. The SBMC §15.60, 15.65, 15.66 require that future developments pay their fair share development impact fees to mitigate impacts on transportation, fire, parks, and public use facilities. Therefore, the HEU would not induce substantial unplanned population growth in the City directly or indirectly, a less than significant impact would occur.

**1.14b Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**Less Than Significant Impact.** SB 166 (2017) requires a City or County to ensure that its Housing Element inventory can accommodate its share of the regional housing need throughout the planning period. It prohibits a City or County from reducing, requiring, or permitting the reduction of the residential density to a lower residential density than what was utilized by the HCD for certification of the Housing Element, unless the City or County makes written findings supported by substantial evidence that the reduction is consistent with the adopted General Plan, including the Housing Element.

Compliance with SB 166 would minimize the potential for future housing displacement. The candidate housing site inventory would be sufficient to accommodate the City's RHNA allocation, and all HEU actions would occur such that there is no net loss of residential unit capacity. Therefore, the HEU's potential impacts, including from future development facilitated by the HEU, concerning displacement of existing people or housing, and need to construction replacement housing elsewhere would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.

## 1.15 Public Services

- 1.15a.i**      **Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Future housing development facilitated by the HEU and the resulting population growth of approximately 1,762 persons (see **Section 1.14, Population and Housing**) would incrementally increase the demand for fire protection services. The City of Solana Beach Fire Department (SBFD) provides fire protection and emergency services to the City. As most of the candidate housing sites are developed, they are already served by the City of Solana Beach Fire Department. **Table 1.15-1: Vacant Candidate Housing Sites Inventory** shows the ten vacant proposed candidate housing sites that are not currently generating a demand for fire protection services. Future housing development facilitated by the HEU would incrementally increase the demand for fire protection services to those vacant areas. However, the proposed vacant sites are in urbanized locations near existing infrastructure (e.g., roads and utilities) and would be located near areas already served by the SBFD. Therefore, because the construction of new fire protection facilities to serve the future housing development facilitated by the HEU is not anticipated, the project would not result in physical impacts in this regard. No impact is anticipated to concerning construction of fire protection facilities.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to 2019 California Fire Code and SBMC §15.32 (Fire Code). Further, future housing developments would be subject to fire protection development impact fees set forth in SBMC §15.60, *Fire Facility Impact Fees*. Payment of these fees would help fund and construction of new fire facilities and would minimize the project's operational impacts to fire protection services to the greatest extent practicable. Additionally, future housing developments would be required to submit a will-serve letter or service questionnaire to the SBFD in conjunction with their applications to ensure that both fire protection services are available to serve the proposed housing development. Compliance with the established regulatory framework would minimize impacts to fire protection services.

- 1.15a.ii**      **Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?**

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Future housing development facilitated by the HEU and the resulting population growth of approximately 1,762 persons (see **Section 1.14, Population and Housing**) would incrementally increase the demand for police protection services. The County of San Diego Sheriff's Department (SDCSD) provides police protection services and law enforcement to the City. The SDCSD facility serving Solana Beach is located at 175 North El

Camino Real in the City of Encinitas (North Coastal Station), approximately 3.4 miles north of the City of Solana Beach. The SDCSD does not have any required response times.

Approximately 88 percent of candidate housing sites are developed with existing structures already served by the SDCSD. As previously mentioned, **Table 1.15-1** depicts the ten vacant proposed candidate housing sites that are not currently generating a demand for fire protection services. Future housing development facilitated by the HEU would incrementally increase the demand for police protection services to those vacant areas. However, the proposed vacant sites are in urbanized locations near existing infrastructure (e.g., roads and utilities) and would be located near areas already served by the SDCSD.

Given the City’s buildout nature, future housing development under the HEU is not anticipated to create a need to expand police protection facilities. All future housing development facilitated by the HEU would be required to submit a will-serve letter or service questionnaire to the SDCSD in conjunction with their applications to ensure that police protection services are available to serve the proposed housing development. Additionally, the City would review future housing development applications to ensure compliance with the established regulatory framework. Compliance with the established regulatory framework would minimize impacts to police protection services. Therefore, the HEU would not result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities. Impacts would be less than significant, and no physical environmental impacts would occur.

**1.15a.iv Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives schools?**

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Future housing development facilitated by the HEU and the resulting population growth of approximately 1,762 persons (see **Section 1.14, Population and Housing**) would incrementally increase the demand for school services. The City is served by the Solana Beach Elementary School District (SBESD) and San Dieguito Union High School District (SDUHSD), which provides public education for grades kindergarten through sixth and grades seven through twelve, respectively. **Table 1.15-2: Elementary Schools and Capacity** lists the existing elementary, middle, and high schools and 2021 enrollment numbers. As indicated in **Table 1.15-2**, current elementary school enrollment totals 2,916 with schools located within the Cities of Solana Beach, Rancho Santa Fe, and San Diego and current middle/high student enrollment is 13,022, with schools located within the Cities of Encinitas, San Diego, and Solana Beach.

<b>Table 1.15-2: School Capacity<sup>1</sup></b>		
<b>School</b>	<b>Grades</b>	<b>Current Student Enrollment</b>
<b>Elementary Schools</b>		
Solana Highlands Elementary School 3520 Long Run Drive, San Diego	K-3	311
Carmel Creek Elementary School 4210 Carmel Center Road, San Diego	K-3	332
Solana Vista Elementary School	K-3	380

780 Santa Victoria Avenue, Solana Beach		
Skyline Elementary School 155 Stevens Avenue, Solana Beach	K-6	494
Solana Santa Fe Elementary School 6570 E Apajo, Rancho Santa Fe	K-6	332
Solana Ranch Elementary School 13605 Pac. Highlands Ranch Parkway, San Diego	K-6	555
Solana Pacific Elementary School 3901 Townsgate Drive, San Diego	4-6	512
<b>Middle Schools</b>		
Earl Warren Middle School 155 Stevens Avenue, Solana Beach	7-8	600
Pacific Trails Middle School 5975 Village Center Loop Road, Encinitas	7-8	671
Carmel Valley Middle School 3800 Mykonos Lane, Encinitas	7-8	1,158
Diegueno Middle School 2150 Village Park Way, Encinitas	7-8	945
Oak Crest Middle School 675 Balour Drive, Encinitas	7-8	703
<b>High Schools</b>		
Canyon Crest Academy 5951 Village Center Loop Road, Encinitas	9-12	2,576
La Costa Canyon High School 1 Maverick Way, Encinitas 3,000 1,935	9-12	1,935
San Dieguito High School Academy 800 Santa Fe Drive, Encinitas	9-12	1,902
Torrey Pines High School 3710 Del Mar Heights Road, Encinitas	9-12	2,418
Sunset High School (Continuation School) 684 Requeza Street, Encinitas	9-12	114
<b>Source:</b> SBESD, 2021; Public School Review		
<b>Notes:</b> <sup>1</sup> As of 2021, the CEQA thresholds apply only to public schools. Three private schools, Fusion Academy and Learning Center – Solana Beach, Santa Fe Christian Schools, St. James Academy, within the City were not included in this analysis.		

Future housing development facilitated by the HEU would generate student population growth in both the DMUSD and SDUHSD, which would incrementally increase the demand for school facilities and services. Any future housing development facilitated by the HEU would be required to comply with Senate Bill (SB) 50 requirements, which allow school districts to collect impact fees from developers of new residential projects to offset the cost of new development. Future applicants would be subject to school developer fees from the SBESD and SDUHSD. These fees are evaluated on a yearly basis and would be collected at the time of permit issuance. Pursuant to Government Code §65995(3)(h), “payment of statutory fees is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use or development of real property...”. Payment

of these fees would provide an adequate financial base to construct and equip new, such as the new DMUSD school, and existing schools. Additionally, because the construction of new school facilities to serve the future housing development facilitated by the HEU is not anticipated, the project would not result in physical impacts in this regard. No impact is anticipated to concerning construction of school facilities.

**1.15a.iv**            **Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?**

**Less Than Significant Impact.** Please refer to **Section 1.16, Recreation.**

**1.15a.v**            **Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?**

**Less Than Significant Impact.** The San Diego County Library (SDCL) system serves over one million residents across the County, including Solana Beach. The existing public libraries within five miles of the candidate housing sites are: the Solana Beach Branch at 157 Stevens Ave in Solana Beach; and the Carmel Valley Branch at 3919 Townsgate Drive, southeast of Solana Beach, in San Diego.

As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Future housing development facilitated by the HEU and the resulting population growth of approximately 1,762 persons (see **Section 1.14, Population and Housing**) would incrementally increase the demand for library facilities. Any future housing development facilitated by the HEU would occur in urbanized locations near existing facilities that currently provide service to these areas. Therefore, it is anticipated that the increased demand would not be substantial or such that it would warrant construction of a new facility. The SDCL system would ultimately be responsible for future modifications and or expansion to accommodate growth within its service area. The SDCL system has a list of goals and objectives within its adopted Operational Plan for Fiscal Year 2020-21 that involves financial management and projections that account for future library enhancement. The SDCL system Operational Plan also identifies the need to revitalize building infrastructure and reduce ongoing maintenance and repair by implementation a Facilities Operational Improvement Program, which includes the City's County library. Therefore, the HEU would not result in substantial adverse physical impacts associated with the provision of new library facilities. Impacts would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.



## 1.16 Recreation

### 1.16a Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Future housing development facilitated by the HEU and the resulting population growth of approximately 1,762 persons (see **Section 1.14, Population and Housing**), would incrementally increase the use of existing recreational facilities such that substantial physical deterioration could occur or be accelerated.

All future housing development facilitated by the HEU would be subject to the City's development review process and compliance with SBMC requirements. To avoid the overuse of existing recreational facilities, such that substantial physical deterioration would occur, future housing developments would be subject to park development impact fees set forth in SBMC §15.65, *Park Development Impact Fee*. Any future housing development that involves subdivision of land would be subject to payment of fees in order help fund the acquisition and development of new or rehabilitating existing park and recreational facilities needed to accommodate added demands created by the addition of residential dwelling units. Additionally, the HEU's candidate housing sites are dispersed throughout the community to minimize the potential for adverse changes in the neighborhood character and reduce the potential for adverse impacts on recreation amenities. Adherence to mandatory discretionary permit requirements and regulations for providing recreation would support the City's goals for providing sufficient recreation opportunities for residents. For these reasons, the HEU and future housing development facilitated by the HEU would not result in substantial physical deterioration of existing neighborhood or regional parks. Therefore, impacts would be less than significant.

### 1.16b Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Less Than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Existing recreational facilities in Solana Beach include a coastal rail trail, two local golf courses, two public parks, three public school sites, and 1.7-mile stretch of public beach. General Plan *Conservation and Open Space Element* Objective 1 states, "To Meet the Needs of the Entire Community by Providing Adequate Levels of Parks and Recreational Opportunities" and LCP *Chapter 2, Public Access and Recreation Section*, Land Use Plan Policy 2.4 states, "The City shall assure that the recreational needs resulting from any proposed development will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition at three acres per 1000 population, and/or development plans with the provision of onsite recreational facilities to serve new development."

Future housing development facilitated by the HEU and the resulting population growth of approximately 1,762 persons (see **Section 1.14, Population and Housing**), would incrementally increase the demand for park and recreation land by approximately 5.29 acres (based on Objective 1 and Policy 2.4). However, the increased demand for park and recreation facilities during the HEU planning period (2021-2029) would be nominal and could be accommodated by the existing supply. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review

process, and required to demonstrate consistency with General Plan Policy 2.4. If in the future it is determined that construction of new recreational facilities is warranted, that proposal would be subject to the City's development review process and CEQA evaluation to determine whether adverse physical effects on the environment would occur. Therefore, a less than significant impact would occur regarding the construction and expansion of recreational facilities.

**Standard Conditions and Requirements**

None are applicable to the project.

## 1.17 Transportation

### 1.17a **Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less Than Significant Impact.** The project would facilitate and provide a policy framework for future housing development throughout the City but does not propose development beyond what is allowed under the City's current General Plan and Zoning Code. Further, the HEU does not include any goals, policies, or implementation programs that would conflict with plans or other regulations that address the circulation system. Future development projects would be reviewed on a case-by-case basis to ensure consistency with applicable regulations that address the circulation system.

Transit opportunities in Solana Beach are provided by the North County Transit District (NCTD) with both commuter train and bus services. There are 6.4 miles of bicycle facilities within the City, with over half located along Lomas Santa Fe Drive and Highway 101. The Highway 101 corridor has high levels of cycling activity due to its coastal location and beach access points. Pedestrian facilities exist throughout the City but are most predominant at the Coastal Rail Trail, which includes a multi-use path that runs along the entire length of the City, parallel to Highway 101.

The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Future housing development facilitated by the HEU and the resulting population growth of approximately 1,762 persons (see **Section 1.14, Population and Housing**), would incrementally increase the demand for transit and pedestrian facilities.

All future housing development facilitated by the HEU would be subject to environmental review under CEQA, City's development review process, and compliance with applicable General Plan, Local Coastal Plan, and SBMC policies/standards concerning public transit and pedestrian facilities. This includes policies and regulations required to improve public access and safety for people who walk and bike, and improve the transportation system, as applicable. Future housing development on the candidate housing sites would be required to adhere to all state requirements for consistency with transportation plans. Furthermore, future housing development would be subject to compliance with SBMC §17.68.040 (Development Review) and §17.68.060 (Planned Unit Developments). The City's review process would examine project compatibilities with the surrounding areas. Conditions of approvals may include requirements for street improvements and dedications and traffic circulation. As a result, future housing development on the candidate housing sites facilitated by the HEU would not conflict with an adopted program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, impacts would be less than significant.

### 1.17b **Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Less Than Significant Impact.** The project would not result in direct housing construction but would facilitate and provide a policy framework for future housing development throughout the City. The candidate housing sites are dispersed throughout the City to reduce the potential for adverse environmental impacts. The intent is to reduce impacts by placing housing near public transportation and recreation opportunities and away from environmentally sensitive resources. For example, several candidate housing sites are near the Highway 101 corridor.

Future development projects would be reviewed on a case by case basis to ensure consistency with application regulations that address the circulation system, including Vehicle Miles Travelled (VMT). The City has adopted the SANDAG VMT guidelines which outlines the process for evaluating a project's impacts concerning VMT.

All future housing development facilitated by the HEU would be required to adhere to all state and local requirements for avoiding significant impacts related to VMT. Any traffic demand measures required for mitigation would be required to comply with General Plan Circulation Element Policy C-1.1, which aims to encourage and facilitate transit-oriented development, mixed-use, and infill projects in appropriate locations, especially near the transit station and along key corridors such as Highway 101. A majority of candidate housing sites are within urban and developed areas, and therefore future housing development on the candidate housing sites facilitated by the HEU would be expected to reduce VMT. Future housing development in some areas of the City would provide more housing closer to employment and commercial areas, further increasing opportunities to reduce VMT and increase the ease of walking, cycling, and using public transit. Therefore, impacts would be less than significant.

**1.17c Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Because future housing development facilitated by the HEU would occur on mostly developed properties use existing roadways that are connected and adjacent to the existing transportation network, hazards due to a geometric design feature or incompatible uses are not anticipated. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and be evaluated at the project-level for its potential to increase hazards due to a geometric design feature and to verify compliance with SBMC requirements (e.g., SBMC §17.68.040 (Development Review Permits) and §17.68.060 (Planned Unit Developments)). Future housing development facilitated by the HEU would be required to comply with applicable building and fire safety regulations required for the design of new housing and emergency access; and would be required to adhere to all state and local requirements for avoiding construction and operations impacts related to design and incompatible uses. As a result, future housing development facilitated by the HEU would not substantially increase hazards due to design features or incompatible uses. Therefore, impacts would be less than significant.

**1.17d Would the project result in inadequate emergency access?**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate future housing development throughout the City. Because future housing development facilitated by the HEU would occur on mostly developed properties, it is not anticipated that future housing development would result in inadequate emergency access. Additionally, all future housing development facilitated by the HEU would be subject to the City's development review process and required to demonstrate consistency with the SMBC. The City has adopted the California Fire Code under SBMC §15.32 and SBMC §15.32.170 – 503 Fire Apparatus Access Roads, which requires compliance with emergency access design standards as part of new construction of roads to provide sufficient access for emergency equipment. The Fire Code also sets standards for road dimension, design, grades, and other fire safety features. Additionally, more stringent CBC standards also apply regarding new construction and development of emergency access issues associated with earthquakes, flooding, climate/strong winds, and water shortages. Future housing development would be required to comply with applicable building

and fire safety regulations required for the design of new housing and emergency access. Thus, compliance with the SBMC would ensure adequate access issues, including emergency access. As a result, future housing development facilitated by the HEU would not result in inadequate emergency access. Therefore, impacts would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.



## 1.18 Tribal Cultural Resources

**1.18a Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

- i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**
- ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Less Than Significant Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Therefore, future housing development facilitated by the HEU could cause a substantial adverse change in the significance of a tribal cultural resource through demolition, destruction, relocation, or alteration, if such a resource is present on or near the site.

All future housing development facilitated by the HEU would be subject to the City's development review process and required to adhere to all federal, state, and local regulations for avoiding impacts to historical resources. The likelihood of encountering tribal cultural resources on undeveloped sites is greatest on sites that have been minimally excavated in the past (e.g., undeveloped parcels, vacant lots, and lots containing undeveloped areas). Alternately, previously excavated areas are generally considered to have a lower potential for tribal cultural resources, since the previously graded areas may have already removed or disturbed the soil that may have previously contained resources. Future housing development on the candidate housing sites facilitated by the HEU would be subject to discretionary permits and CEQA evaluation and would be required to adhere to all federal, state, and local requirements for avoiding impacts to tribal cultural resources. This includes compliance with CEQA §21074 and the City's Conservation and Open Space Element, Objective 6, which aims to prevent the loss of important historical, archaeological, and paleontological resources.

Future housing development facilitated by the HEU would be subject to discretionary permits and compliance with all federal, state, and local requirements for protecting tribal cultural resources. In the likelihood that future housing development would impact tribal resources, compliance with SC TCR-1 would be required. Following compliance with the established regulatory framework and SC TCR-1, a less than significant impact would occur.

### **Standard Conditions and Requirements**

**SC TCR-1** Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any tribal, cultural, or archaeological resources during ground-disturbing activities, the Applicant shall immediately cease such activities in the immediate vicinity. The find shall then be assessed by a qualified archeologist retained by the Applicant and a tribal monitor/consultant approved by the consulting tribe. The applicant shall promptly notify the Planning and Community Development Director of the discovery of resources. If the

resources are Native American in origin, the consulting tribe shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the tribe will request preservation in place or recovery for educational purposes. At the direction of the qualified archaeologist and tribal monitor/consultant, and in coordination with the Community Development Department, work may continue on other parts of the affected site while evaluation and, if necessary, additional protective measures are completed at the affected portion of the site pursuant to State CEQA Guidelines §15064.5 [f]. If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time and funding to allow for sufficient implementation of avoidance measures must be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment upon identification of unique archeological resources (Public Resources Code §§21083.2(b)). If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All tribal cultural resources shall be returned to the consulting tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non- profit institution with a research interest in the materials, such as the San Diego Archeological Center. Acceptance and curation of the historic archeological materials will be at the discretion of the institution. If no institution accepts the archaeological material, they shall be offered to the consulting tribe or the Solana Beach Civic and Historical Society for educational purposes.

## 1.19 Utilities and Service Systems

### 1.19a Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

#### Water

**Less Than Significant Impact.** The Santa Fe Irrigation District (District) provides water resources to the City. The District service area contains approximately 10,200 acres, of which 2,850 acres are in Solana Beach. General Plan Circulation Element Figure C-5, Existing Water Distribution System, identifies existing water lines in the City.

The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Future housing development facilitated by the HEU would be located in developed areas of the City where water infrastructure already exists. Further, most of the candidate housing sites are developed and include existing connections to the District's system. Accordingly, future housing development facilitated by the HEU is not anticipated to require or result in the relocation or construction of new or expanded water facilities that could cause significant environmental effects. Notwithstanding, all future housing development facilitated by the HEU would be subject to environmental review under CEQA, the City's development review process, and required to adhere to General Plan policies and SBMC regulations. A less than significant impact would occur.

#### Wastewater Treatment

**Less Than Significant Impact.** The City of Solana Beach owns and is responsible for approximately 283,000 linear feet of wastewater conveyance pipeline and four active pump stations. The City generates an average wastewater flow of approximately 1.22 million gallons per day (gpd). For planning and facility sizing purposes, the City utilizes a conservative estimate of 200 gpd per Equivalent Dwelling Unit (EDU). General Plan Circulation Element Figure C-6, Existing Wastewater System, identifies existing wastewater lines in the City. A majority of identified housing candidate sites are currently developed and include existing connections to the City's wastewater system.

As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. As discussed in **Section 1.14, Population and Housing**, the forecast population growth resulting from future housing development facilitated by the HEU is 1,762 persons, or approximately 11.65 percent over the City's existing population of 13,367 persons. The forecast population growth associated with future housing development facilitated by the HEU would increase wastewater generation in the City and demands for wastewater treatment. However, the City's forecast population including future housing development facilitated by the HEU of approximately 15,129 persons would be less than SANDAG's forecast population of 15,249 persons by 2035. Moreover, because SANDAG population forecasts are based on the General Plan and the project does not propose changes in land use designations, the project would not conflict with SANDAG forecasts.

The City's Capital Improvement Program is utilized to maintain and upgrade the sewer system. It follows recommendations outlined in the Sanitary Sewer Master Plan, which estimated a future population of 15,620 persons at build-out based on General Plan buildout. No change to the City's buildout population

forecast would occur with project implementation. Therefore, the City's wastewater infrastructure is considered adequate to accommodate projected growth.

Accordingly, project implementation would not require or result in the relocation or construction of new or expanded wastewater facilities that could cause significant environmental effects. A less than significant impact would occur.

### **Stormwater Drainage**

**Less Than Significant Impact.** Portions of Solana Beach fall within two watersheds: the San Dieguito Watershed and the Carlsbad Watershed. The City's 2004 Drainage Master Plan provides an inventory of all existing public drainage facilities along with hydrologic and hydraulic analyses to determine existing system capacities. General Plan Circulation Element Figure C-7, Existing Drainage System, identifies existing drainage facilities in the City. A majority of identified housing candidate sites are currently developed and surface flows are directed toward existing City facilities. Accordingly, project implementation would not require construction or relocation of new or expanded storm drainage facilities.

As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. As discussed in **Section 1.14, Population and Housing**, the forecast population growth resulting from future housing development facilitated by the HEU is 1,762 persons, or approximately 11.65 percent over the City's existing population of 13,367 persons. The forecast population growth associated with future housing development facilitated by the HEU would increase wastewater generation in the City and demands for wastewater treatment. However, the City's forecast population including future housing development facilitated by the HEU of approximately 15,129 persons would be less than SANDAG's forecast population of 15,249 persons by 2035. Moreover, because SANDAG population forecasts are based on the General Plan and the project does not propose changes in land use designations, the project would not conflict with SANDAG forecasts.

The City's Capital Improvement Program is utilized to maintain and upgrade the drainage system. It follows recommendations outlined in the Drainage Master Plan which estimated a future population of 15,620 persons at build-out based on General Plan buildout. No change to the City's buildout population forecast would occur with project implementation. Therefore, the City's stormwater drainage infrastructure is considered adequate to accommodate projected growth.

Further, future housing development facilitated by the HEU would comply with the City's stormwater management ordinance which establishes standards and minimum requirements for storm water management, site design, and best management practices to improve water quality and reduce the adverse effects of polluted runoff discharges. Additionally, the City's Urban Storm Water Mitigation Plan would be used to guide applicants through the selection, design, and incorporation of stormwater BMPs into project-specific plans to reduce pressure on the City's facilities. A less than significant impact would occur.

### **Dry Utilities (i.e. Electric Power, Natural Gas, and Telecommunications)**

San Diego Gas and Electric (SDG&E), operated by Sempra Energy, provides electricity and natural gas service to the City. Telecommunications service is provided by multiple companies including Cox, AT&T, and Comcast.

The project would not result in direct housing construction, but would facilitate future housing development throughout the City. The housing development facilitated by the HUE would increase the demands for dry utilities. However, the candidate housing sites are located in developed areas of the City that are already served by electric power, natural gas, and telecommunications facilities. Further, most of the candidate housing sites are developed and connect to existing dry utility infrastructure. While future development facilitated by the HEU would increase population within the City and increase service demand, growth projections are consistent with regional and local plans used to guide infrastructure development. All future housing development facilitated by the HEU would be required to meet the mandatory requirements under the City's various programs aimed at ensuring adequate supplies and service infrastructure are available to serve the development. A less than significant impact would occur.

**1.19b Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?**

**Less Than Significant Impact.** As discussed above, the candidate housing sites are located within the Santa Fe Irrigation District service area, which obtains its potable water supply from three sources: local surface water from Lake Hodges (also referred to as Hodges Reservoir), imported raw water purchased from the Water Authority, and imported treated water purchased from the Water Authority. The District owns and maintains approximately 160 miles of water distribution pipeline and one above-ground storage reservoir with a capacity of 6.0 million gallons.

The District's 2015 Final Urban Water Management Plan (UWMP) was prepared in compliance with the requirements of Water Code Section 10610 through 10656 of the Urban Water Management Planning Act. The UWMP requires every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (AF) of water annually to prepare, adopt, and file an UWMP with the California Department of Water Resources (DWR) every five years in the years ending in zero and five. The 2015 UWMP provides water supply planning for a 25-year planning period in 5-year increments and identifies water supplies needed to meet existing and future demands. The demand analysis must identify supply reliability under three hydrologic conditions: a normal year, a single-year, and multiple-dry years.

To prepare its UWMP, the District utilized population projections are based on SANDAG's 2050 Regional Growth Forecast, Series 13 model. The District is relatively built out and the UWMP assumes a projected population growth of approximately 11 percent over 25 years. The UWMP provides estimates of the water supply and water demand during historic year, normal year, dry-year, and member agency demand projected to year 2040. The District has sufficient supplies to meet demand through multiple-dry year conditions and no shortages are anticipated within its service area.

The forecast population growth associated with future housing development facilitated by the HEU would increase residential water demand in the City. However, the City's forecast population including future housing development facilitated by the HEU of approximately 15,129 persons would be less than SANDAG's forecast population of 15,249 persons by 2035. Population projections used to prepare the UWMP are consistent with population growth that would occur from implementation of the HEU and planned water supplies would be sufficient to serve the future development.

Further, future housing development facilitated by the HEU would be subject to environmental review under CEQA, discretionary permits, and required to adhere to all federal, state, and local requirements during construction and operation for ensuring that sufficient water supplies are available. Additionally,



future housing development would be required to present will-serve letters or submit a Utility Service Application to the City substantiating that adequate water supplies would be available. Considering these requirements, sufficient water supplies would be available to serve the project. A less than significant impact would occur.

**1.19c Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less Than Significant Impact.** In compliance with the Federal Clean Water Act requirements, the City maintains the sanitary sewer system. A private contractor, under contract with the City of Solana Beach, provides routine cleaning of the public sewer mains. The City's sewage is pumped to the San Elijo Water Reclamation Facility in Cardiff for treatment and disposal. The treatment facility supplies reclaimed water for landscape irrigation and industrial applications. The City Council appoints representatives to sit as voting members on the San Elijo Joint Powers Authority Board.

Future development facilitated by the HEU would result in increased demand for wastewater treatment services. The City levies connection fees for new or expanded sewer connections, including those to new development. These connection fees help fund the costs associated with providing wastewater facility capacity to both new users requiring new connections, as well as existing users requiring additional capacity. Future housing development under the HEU would be subject to discretionary permits and required to adhere to all federal, state, and local requirements related to wastewater treatment during construction and operations, including the City's Sewer Regulations Ordinance (SBMC Chapter 14.04) and the Construction General Permit. Considering these requirements, and the available capacity discussed above, the project would not result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. No new expansions of infrastructure facilities are required, and impacts would be less than significant. No direct physical impact to the environment would occur.

**1.19d Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**Less Than Significant Impact.** The City contracts with EDCO Waste and Recycling Services for residential refuse collection. The project would not result in direct housing construction, but would facilitate future housing development throughout the City. However, future housing development facilitated by the HEU would result in increased solid waste generation. EDCO Waste and Recycling would be responsible for solid waste collection and hauling during both construction and operational phases of any future housing development. Solid waste generated during construction activities typically includes demolition of existing on-site structures, vegetation clearing, and grading would generate solid waste. Such waste would be source separated on-site for reuse, recycling, or proper disposal. Bins for the various construction material waste types would typically be provided on site by EDCO Waste and Recycling, who would also transport waste materials to the proper facilities for disposal. For future operations, EDCO Waste and Recycling would offer a variety of trash collection and recycling services.

It is anticipated solid waste from future housing development facilitated by the HEU would be disposed of at the Sycamore and Otay Landfills. The Sycamore Landfill is permitted to receive 5,000 tons per day

and has a remaining capacity of approximately 114 million tons.<sup>10</sup> The Otay Landfill is permitted to receive 6,700 tons per day and has a remaining 21 million tons.<sup>11</sup> Solid waste generated at future housing developments facilitated by the HEU would represent a nominal increase in disposal rates. Existing landfill capacity would be sufficient to serve future development within the City.

Further, AB 341 requires Cities and Counties to implement recycling programs, reduce refuse at the source, and compost waste to achieve the established 75 percent diversion of solid waste from landfills. EDCO Waste and Recycling is the only franchised waste hauler authorized to provide trash and recycling. For future development, the City, in conjunction with EDCO Waste and Recycling, would perform outreach, education and monitoring pursuant to this regulation.

Future housing development facilitated by the HEU would be subject to discretionary permits and required to adhere to all federal, state, and local requirements for solid waste reduction and recycling. Considering these requirements, the HEU implementation would not generate solid waste in excess of State or local standards, or in excess of local infrastructure's capacity. Therefore, impacts would be less than significant.

**1.19e Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**No Impact.** State, County, and local agencies with regulatory authority related to solid waste include the California Department of Resources Recycling and Recovery and the City of Solana Beach. Regulations specifically applicable to the proposed project include the California Integrated Waste Management Act of 1989 (AB 939), California Green Building Standards Code (CalGreen) Section 4.408, and SB 341, which requires multi-family residential development and commercial uses to implement recycling programs.

The Integrated Waste Management Act, which requires every City and County in the State to prepare a Source Reduction and Recycling Element (SRRE) to its Solid Waste Management Plan, identifies how each jurisdiction will meet the State's mandatory waste diversion goal of 50 percent by and after the year 2000. The diversion goal has been increased to 75 percent by 2020 by SB 341.

The 2019 CalGreen Code Section 4.408 requires preparation of a Construction Waste Management Plan that outlines ways in which the contractor would recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition debris. As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. During the construction phase of future housing development, projects would comply with the CalGreen Code through the recycling and reuse of at least 65 percent of the nonhazardous construction and demolition debris from the project site. No conflict with statutes and regulations related to solid waste would occur.

**Standard Conditions and Requirements**

None are applicable to the project.

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<sup>10</sup> California Department of Resources Recycling and Recovery , *Solid Waste Information System (SWIS)*, Available at: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1798?siteID=2871> , Accessed January 18, 2021.

<sup>11</sup> California Department of Resources Recycling and Recovery , *Solid Waste Information System (SWIS)*, Available at: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1790?siteID=2863>, Accessed January 18, 2021.

## 1.20 Wildfire

### **1.20a If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?**

**Less than Significant Impact.** The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. According to CalFire Fire Hazard Severity Zone Map<sup>12</sup>, candidate housing sites are not within a State responsibility area or a Very High Fire Hazard Severity Zone. All future housing development facilitated by the HEU would be subject to environmental review under CEQA, City's development review process, and required to demonstrate consistency with General Plan policies and SBMC regulations regarding fire and other hazards. Safety Element Section 2.4 describes action items to reduce fire hazard within the city, including strict zoning and development regulations, removal or reduction of vegetation that constitutes fuel for fires in or near developed areas, controlled burning, and the development of a network of firebreaks that reduce the potential spread of wildfires. Safety Element Section 2.4, also, describes methodology to maintain adequate emergency response capabilities, including providing the Solana Beach Fire Department with sufficient financial resources and maintaining city and county emergency roads to high fire hazard areas. Future development facilitated by the HEU would be subject to discretionary permits and required to meet the mandatory requirements related to the prevention of wildfire impacts. As a result, HEU implementation would not substantially impair an adopted local or county-wide emergency response or evacuation plan. Therefore, impacts would be less than significant.

### **1.20b If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**Less than Significant Impact.** As discussed above, candidate housing sites are not within an area classified as very high fire hazard severity zone. Therefore, impacts would be less than significant.

### **1.20c If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**Less than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Candidate housing sites are not within areas classified as very high fire hazard severity zone. The need for installation and maintenance of new infrastructure would be evaluated as part of the discretionary development permit review process. It is anticipated that future housing development facilitated by the HEU would be served by the extension of existing utility infrastructure because of the predominately developed nature of the City. Therefore, impacts would be less than significant.

### **1.20d If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the Project expose people or structures to significant risks, including downslope**

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<sup>12</sup> California Department of Forestry and Fire Protection, California Fire Hazard Severity Zone Viewer Available at: <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>, Accessed February 5, 2021.

**or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**Less than Significant Impact.** As previously noted, the project would not result in direct housing construction, but would facilitate future housing development. Candidate housing sites are not within areas classified as very high fire hazard severity zone. According to the California Geological Survey, Solana Beach does not contain any areas identified as having a potential for landslides.<sup>13</sup> Adherence to state and City codes, and emergency and evacuation plans set by the City and the County of San Diego would prevent impacts to people or structures from risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be less than significant.

**Standard Conditions and Requirements**

None are applicable to the project.

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<sup>13</sup> California Geological Survey, Geologic Hazards Data and Maps Data Viewer, Available at: <https://maps.conservation.ca.gov/geologichazards/>, Accessed December 28, 2020.

## 1.21 Mandatory Findings of Significance

### **1.21a Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Less than Significant Impact.** On the basis of the foregoing analysis, the proposed project does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten or eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. All future housing development facilitated by the HEU would be subject to the City's development review process and required to adhere to all federal, state, and local requirements. The HEU would not result in any direct environmental impacts that would substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Impacts are less than significant.

### **1.21b Does the Project have possible environmental effects which are individually limited, but cumulatively considerable?**

**Less Than Significant Impact.** State CEQA Guidelines §15065(a)(3) defines "cumulatively considerable as times when "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." This document provides a programmatic analysis of the effects of the proposed HEU and the future housing development facilitated by its implementation.

The project would not result in direct housing construction, but would facilitate and provide a policy framework for future housing development throughout the City. Future housing development facilitated by the HEU would: occur as market conditions allow and at the discretion of the individual property owners; be subject to the City's development review process; be subject to environmental review under CEQA; and does not propose changes to current land use designations and zoning. Based on these factors, and since all future housing development facilitated by the HEU would be subject to the City's development review process, the project would not result in environmental effects, which are individually limited, but cumulatively considerable.

### **1.21c Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less Than Significant Impact.** There are no known substantial adverse effects on human beings that would be caused by the proposed project. The project would facilitate future housing development throughout the City, but would not result in direct housing construction. The HEU provides capacity for future housing development consistent with State Housing law. The candidate housing sites inventory includes 83 properties that are dispersed throughout the community to minimize the potential for adverse environmental impacts. The provision of additional housing in the City is intended to create adequate



housing availability at all income levels. The creation of more economically and socially diversified housing choices is a goal of the HEU and is intended to provide new housing opportunities for low-income households. Implementation of the HEU would provide additional housing options for a variety of income levels, as allocated by RHNA.

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