



ENVIRONMENTAL CONSULTANTS

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CITY OF ENCINITAS NATIVE PLANT ORDINANCE PUBLIC MEETING #1 – MEETING MINUTES

- Prior to official meeting start, Don Rideout brought up a few points of discussion:
 - 4.a. (Exemptions): typo on the word “residences”, it does not need to be plural.
 - 4.c. (Exemptions): State Parks Land – not in the City’s jurisdiction remove “city operated properties” and leave CA state beaches.
 - 2 (Definitions): “Native plant” definition, words in parentheses needed? Suggestion was to remove.
 - 6 (Development Applications for Private and Public Projects)- staff will rely on the landscape architect to verify compliance with the ordinance.
 - 7.a.i. (Installation Requirements and Recommendations): ongoing conversation around weeding, best management practices for planting, etc. Does this section work better as a reference doc?
 - 7.a.i.3. (Installation Requirements and Recommendations): Why is/should we include weed cloth? Group consensus was “no” that this should not be recommended.
 - 8 (Maintenance, Replacement and Removal Requirements):
 - Consider adding notes discouraging unnecessary maintenance (perhaps reference external guidance materials for more specifics, not sure what should be in the ordinance and what is education).
 - Leave leaves/debris to allow for insect and small animal use and overall breakdown and soil enhancement.
 - Avoid excess trimming of plants for traditional aesthetics.
 - Consider seasonal recommendations, avoid deadheading for extended period, leave stems for insect nesting.
 - Remove reference to shade cloth as this damages soil health and interaction with insects and other ground interactions.
 - Sara, City staff, gave a [presentation](#).
 - Open discussion – any additional feedback on the top 4 data resources (previously “existing lists”).
 - Lindsay mentioned our meeting w/Calscape and summarized what we discussed and the future changes that will be occurring to the website data resource.
 - Tree list submitted by Torrey Neal.
 - Tanya Bredehoft – offered Cal Poly SLO database – UFEI (<https://ufe.calpoly.edu/>)
 - Also called “SelecTree”; How are we going to “approve” lists presented by the public:
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- Does it occur in SoCal as defined by eco region in Calscape.
 - These ecoregions are defined by Jepson.
 - User can query by eco region or by plant species.
 - Have other lists as secondary to vet out non-native.
 - The ordinance will provide (supplemental) guidance on how to query.
 - Suggestion to use the Nature Collective website as a supplemental resource.
 - Lindsay spoke to the longevity of our primary resource.
 - Question from a community member: Is there a resource for someone who isn't familiar with native plants or who isn't computer savvy, how would they understand what to plant?
 - NPO doesn't apply to lots with a single-family residence.
 - NPO is not intended to teach individuals how to design, rely on professionals, like a landscape architect or landscape designer.
 - Patrick mentioned that there are some more pre-prepared lists via some of the resources, there are lots of pre-prepared lists that other agencies have put together. For example, "Nifty [50](#) by the San Diego County Water Authority".
 - Mayor Bruce Ehlers – reminder that the goal is to provide the City with a "ultimate super list" within the Calscape database based on the final definition using the Jepson ecoregions.
 - Calscape's current search by address feature, generates a list within 10-miles of the entered address. This is too narrow for the purpose of ordinance but a handy tool for an individual homeowner. For ordinance Lindsay reminded group that we previously spoke about using the Jepson ecoregions and confirmed that Calscape is working on easier search option for searching by each region. Calscape is also updating database to correctly search entire county when entered and city in the future. They remain eager to work with and support the City in this process.
- Resume presentation- Sara discussed the highlighted features of the following ordinance sections:
 - Definitions
 - Applicability
 - Exemptions
 - General Requirements
 - Development Applications for Private and Public Projects
 - Installation Requirements & Recommendations
 - Maintenance, Replacement and Removal Requirements
 - Open Group Discussion- Do you have any regulations that you saw in the ordinance that you would like to discuss?
 - Have we talked about working with the fire department?
 - Staff responded: See general requirements section 5e. Which discusses projects in a fire hazard severity zone shall comply with all State and local fire requirements.
 - Fire protection plan will be approved concurrent w/the native plant landscape palette.
 - Requiring the City to lead by example – replacement of landscaping/trees should be native. The City will speak with CIP and Public Works about streetscapes and street trees requirements and street tree lists.
 - 2 (Definitions)
 - Southern California native plant – suggestion to use the ecoregions definition and not the address with 10-mile radius definition. Plants

- that are found in certain identified ecoregions will be considered southern CA native.
- Invasive plant species – look at weed management list that is in the landscaping manual and urban forestry manual. Mark Wisniewski states that this has already been created for the City and is known as the Encinitas invasive plant list.
 - Suggestion to use County of San Diego Water Efficient Landscape Design Manual has an invasive list, but we aren't sure if it's consistently updated.
 - Member of the public asked how this ordinance will work with the recently passed state law regarding a non-functional turf ban ([AB 1572](#)).
 - City responded that these two regulations would coexist; but the City will need to review the bill to see how these two regulations would work together.
 - Lindsay (consultant team) – should we add an item to address turf removal, and which % should apply?
 - If we incorporate that nonfunctional turf areas removed pursuant to this bill shall be subject to the ordinance, would the 50% be applied to the entire property or just the turf removal area?
 - Creating certain percentage requirements may limit us and it may not be appropriate in certain landscaping areas.
 - 3.b. (Applicability): current suggestion is 75% or more of the existing landscaping area is replaced then they shall comply with ordinance but then the community suggested changing the threshold to 50%.
 - Patty (City staff) – what about a cohesive aesthetic? And irrigation?
 - Patrick (Consultant team) – aesthetically it's fine, you can meet any aesthetic goal; but could be other reasons such as irrigation; the percentage is arbitrary to a degree.
 - Suggestion to have percentage threshold lower
 - 4.b. (Exemptions): how do we define “open turf area”; should we define the minimum size and what falls under this definition. Maybe this can be incorporated and looked at as functional/nonfunctional turf.
 - 4.c. (Exemptions): city operated properties – this is in applicability for city owned properties definition. Exempt CA state beaches.
 - City responded that the city operated properties language from this regulation will be removed and keep exception for CA state beaches and parks as these are not governed by the City.
 - What if 25% is invasive? How do we address the existing 25% in the proposed palette?
 - Patty (City staff) – the NPO precludes using invasives and invasives shall be removed.
 - Does the NPO discuss providing a diversity in plants to support habit (e.g., trees, grasses)?
 - Lindsay (Consultant team) referred to diversity of plant types in “General Requirements”
 - Patty (City staff) – the existing municipal code does require a certain percentage of trees per acre for multifamily developments.
 - Staff response: Diversity is a subjective word.
 - Should we ask for a minimum number of plant species per a certain amount of area?
 - We will continue to discuss as we develop the ordinance.
 - Suggestion: Keeping it vague allows for a lack of diversity where needed (e.g., a street island); thinking about implementation.

- Mayor Ehlers suggested adding language to the applicability section stating that when design review is triggered the ordinance shall be applicable (discretionary review situation);
 - Staff added that currently design review projects that propose landscaping changes shall comply with water efficiency ordinance. If a project is not proposing landscaping changes, then the applicant is exempt from these requirements. Suggestion is that same process would apply.
 - Patty – reiterated that is true unless a project meets the 75% re-landscaping trigger (which the community suggested that this be changed to 50%).
- Mayor Ehlers suggested that in addition to the percentage re-landscape threshold, to add a maximum square footage of landscaping to be exempt. Examples are these commercial sites that have minimal landscaping, could these projects be exempt.
 - If a project site landscaping is less than ___ square footage, then it could be exempt.
 - If you're below a threshold, you're exempt. Mayor Ehlers directed staff to look at examples throughout the City to see how much landscaping is onsite on these commercial properties (Downtown, Cardiff and North 101- Leucadia).
 - Jennifer (Consultant team)- Look at the flip side and understanding implementation, we don't want to be overly onerous. Staff to review further.
- Patty (City staff) – Looking at implementation of existing landscaping and existing irrigation. How does new landscaping's of native plants affect irrigation?
 - Pat (Consultant team) – not much at all, it just changes the timing of watering.
- 5.c. (General requirements): what is considered maturity? About 10 years.
 - Maturity depends on type of plant, as it can vary.
 - Lindsay (Consultant team) – 50% native plant requirement. How should this be measured. Concerns with measuring quantity because native and nonnatives may look unproportional at maturity.
 - Suggestion is to have the 50% native plant requirement based on plant coverage at maturity.
 - The Sunset Western Garden Book defines mature canopy.
- Community member asked how a life cycle is defined?
 - Consultant acknowledged that the choice of the term “life cycle” was an attempt to find a word that would capture a wide variety of plant terms and asked whether the audience might have other terms to suggest. The intent of the term was to capture different forms shrub, tree, herb, seasonality like evergreen and deciduous or annual versus perennial and biannual and other descriptive terms. The term currently being used in the ordinance is to encourage design that is non monotypic without being prescriptive.
- Community member asked how will this ordinance affect existing City properties?
 - Patty (City staff) – City properties would be subject to the NPO.
 - We need to explore the possibility of gradual transition outside of new or redevelopment.
 - When opportunities arise, the City shall lead by example.
- Community members asked about baja plant species being included in the Southern CA native plant ecoregion definition? Some are showing resilience and thriving in San Diego County region.
 - Baja plants are likely already considered CA native, these species have naturalized.
 - Another community member commented that the list should be narrower, and to not include desert and mountain ecoregions.
 - Patrick (Consultant team) – there is a misconception of how plants from different ecoregions will do based on their microclimates, depending on your location in

Encinitas and how much sun or shade an area gets will determine what plants are most appropriate for that microclimate.

- Lindsay (Consultant)- Calscape has corrected the Southern California error and no longer allows this search term to be used.
 - The proposed ecoregion definition is proposed to include South Coast, Channel Islands, Transvers Ranges, Peninsular Ranges, San Jacinto Mountains, Mojave Desert, Sonoran Desert, Desert Mountain, South Coast Ranges, Sierra Nevada Foothills. We would still like to revisit the inclusion of the South Coast Ranges and Sierra Nevada Foothills as they are the northern most ecoregions and present the greatest expansion of the definition. This will be discussed as a group and finalized at the next public meeting.
 - Definition of southern California – chosen ecoregions.
 - Point conception as northernmost point along the coast.
- Community member asked if we have suggestions on how to create a diverse palette.
 - City staff stated that we are not recommending any specific plants but we're providing the community with native plant data resource tools to confirm species and that it meets the definition of southern California native.
- Community member asked about landscaping areas that provide a path of travel for ADA access. Can these areas be exempt? This is functional turf.
- 4. (Exemptions): Community member suggested that farm and agricultural land uses should be exempt from the ordinance.
- Discussion of street tree list not being native trees and the implications of this.
 - Suggestion to update the street trees list.
 - Staff will follow up with public works to discuss to see if there are reasons why these trees are not native, can we modify this list? What are size and planting requirements? Is there availability of these native trees at the required planting size?
 - Don't limit tree size to something too large such as 15g.

Brainstorm Incentives Program Discussion

- Big Bear Water District - \$100 water bill rebate if you show a receipt of native plant purchases.
- Water districts to promote natives not just drought tolerant species.
- Local native garden tours (free).
- Membership to SDBG or day passes for education.
- Botanical ID tags; QR code; native plant project signage; city sites tour on City's website; City of Tucson has an awards program – gate signage (pollinator, low water, native).
- Highlight native plants on Arbor Day – include education and awareness of native plants.
- HOA outreach – meetings, educational opportunities.
- Incentivize HOAs.
- Community Outreach:
 - Host workshops for interacting education.
 - Show examples of a variety of development types.
- Pollinator kits
- Create a StoryMap of existing gardens around Encinitas.
- Educational signage or certification.