

STAFF REPORT*CITY OF OCEANSIDE*

DATE: August 9, 2023

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **RESOLUTION UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2023-P05 APPROVING A DEVELOPMENT PLAN, REGULAR COASTAL PERMIT, AND DENSITY BONUS TO ALLOW THE DEMOLITION OF TWO SINGLE-FAMILY HOMES AND ONE TRIPLEX AND THE CONSTRUCTION OF A THREE-STORY APARTMENT COMPLEX CONSISTING OF 16 MARKET-RATE UNITS AND ONE VERY LOW-INCOME AFFORDABLE UNIT AT 1931-1933 SOUTH TREMONT STREET – THE TREMONT – APPLICANT: JLH FXS TREMONT, LLC; APPELLANT: CHRISTINE ANN RUSSELL**

SYNOPSIS

Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution No. 2023-P05 approving a Development Plan (D22-00010), Regular Coastal Permit (RC22-00008), and Density Bonus (DB22-00006) to allow the demolition of two single-family homes and one triplex and the construction of a three-story apartment complex consisting of 16 market-rate units and one Very Low Income (VLI) affordable unit at 1931-1933 South Tremont Street.

BACKGROUND

The site consists of two legally created parcels totaling 13,804 square feet and is located on South Tremont Street, just north of the intersection at Vista Way. Situated within the South Oceanside Neighborhood Planning Area, the site has a General Plan land use designation of Coastal Residential High Density (C-RH), a zoning designation of Medium Density Residential (R-3), and is located in the non-appealable area of the City's Coastal Zone. Surrounding uses include a mix of multi-family and single-family residential development in all directions.

The project was considered by the Planning Commission at its regular meeting on March 13, 2023. After due consideration, the Planning Commission, by a 6-1 vote (all commissioners present), approved a Development Plan (D22-00010), Regular Coastal Permit (RC22-00008), and Density Bonus (DB22-00006) through adoption of Resolution No. 2023-P05.

On April 3, 2023, Christine Ann Russell submitted a timely request to appeal the

project, accompanied by the required appeal fee. The letter of appeal is included as Attachment 2 and the Planning Commission Resolution approving the project is included as an exhibit to Attachment 1.

PROJECT DESCRIPTION

The proposed project requires a Development Plan, Regular Coastal Permit, and a Density Bonus request to merge two parcels of record into a single lot for the construction of a 17-unit apartment building on a 13,804 square-foot site. The Density Bonus application would allow the proposed apartment project to exceed the maximum potential density of 14 units by 20 percent for a total of 17 units in exchange for reserving one of the units (5 percent) for rental to VLI households per State Density Bonus Law (SDBL). The units would range in size from 470 square feet to 897 square feet in a variety of studio, one-bedroom and two-bedroom floorplans. The affordable unit would be proportional to the other market rate studios provided in the unit mix.

TABLE 1: UNIT RESERVATION REQUIREMENT BY UNIT TYPE

Unit Type	Unit Count by Unit Type	% of Total Project Units	Number of Income Restricted Units by Unit Type
Studio	7	41%	1
1 Bedroom	8	47%	0
2 Bedroom	2	12%	0
Total Units	17		1

The subject property in its present condition is constructed with two vacant single-family homes and three apartment units which are currently rented. One of the three rented apartments proposed to be demolished is currently occupied by a lower income household; thus, the project is subject to the replacement housing and relocation protection provisions outlined in the Housing Crisis Act of 2019, as amended by SB 8 in 2022. The project complies with the replacement housing provisions, as there will be no net loss in residential units and the proposed affordable unit matches the bedroom count and income level of the existing lower-income unit to be demolished. Pursuant to SB-8, the occupants of the existing lower-income unit are entitled to relocation protections such as a right to remain in their units up to six months prior to the start of construction activities, the right of first refusal, and applicable relocation assistance.

To accommodate the increased density allowed under SDBL, the applicant is requesting two waivers of development standards, including required coverage of parking and outdoor storage requirements. The developer has indicated that adherence to these two standards would have the effect of physically precluding the construction of the development with the proposed number of affordable housing units.

The following table is provided to illustrate the R-3 zoning development standards and identify the standards proposed to be waived as a part of the Density Bonus application:

TABLE 2: 1931-1933 S TREMONT ST DEVELOPMENT STANDARDS MATRIX			
Development Standard	R-3 Zone	Project as Proposed	Notes
Note: All references to Sections or Articles are from the City of Oceanside Zoning Ordinance, as applicable within the R-3 Zoning District.			
Minimum Setbacks:			
Front	15 ft	15 ft	Complies with Code
Side	10% of lot width (5 ft)	5 ft	Complies with Code
Rear	5 ft	41 ft	Complies with Code
Density	1 unit per 1,000 sf of lot area	17 units with State Density Bonus Law	Complies with State Density Bonus Law
Lot Coverage	60%	36%	Complies with Code
Building Height	35 ft from average grade to ceiling/3 stories	33.9 ft/3 stories	Complies with Code
Parking	1 covered space per unit = 17 covered spaces	17 spaces – 8 covered, 9 uncovered	Amount of parking complies with code. Waiver requested for coverage requirement to accommodate density bonus units
Outdoor Storage	160 cubic feet of outdoor storage per unit	80 cubic feet of outdoor storage per unit	Waiver requested to accommodate density bonus units
Landscaping	7% tree canopy, 10% permeable surface area	20% tree canopy, 26% permeable surface area	Complies with Code

*Items highlighted in **bold** represent the waivers that are being requested pursuant to Density Bonus Law

A detailed project description and full analysis is contained in the Planning Commission Staff Report dated March 13, 2023 and is included as Attachment 3 for reference.

ANALYSIS

Pursuant to Section 4605(C) of the Zoning Ordinance, the City Council may consider only the issues that were raised in the appeal filed with the City. The following is a summary of the appellant's reasons, as understood by staff, for filing an appeal of the Planning Commission's decision to approve the project. Each identified reason for filing the appeal is followed by a response from staff. The appellant's letter of appeal, which includes the full text of each appeal point, has been included as Attachment 2 for the City Council's reference.

ISSUE 1: The proposed project would impact and block safety access due to increased operations from visitors and delivery vehicles and the street would have to be widened to accommodate emergency vehicles.

City Response:

The project has been reviewed and approved for safety standards by the Fire Department and Traffic Engineering Division of the Public Works Department. The existing street, as designed, meets the requirements for the minimum width of a two-lane local street, and the proposed project would not create significant impacts that would hinder emergency access in the area. Furthermore, the proposed project's parking would be accessed from the adjacent alley, thereby reducing traffic demand on Tremont Street.

ISSUE 2: A coastal analysis of the streets should be performed before any more multifamily dwelling units are approved.

City Response:

The appellant's request for preparation of a coastal analysis of the streets is vague and does not specifically indicate the type of analysis that should be performed prior to consideration of the proposed project. The comment implies a need to analyze traffic impacts within the Coastal Zone. The project, as proposed, is compliant with the minimum off-street parking requirements for the R-3 zone and would not create a significant traffic impact. Based on the project's low trip generation calculation, the proposed project does not trigger the threshold to warrant a traffic study. The project has also been found to be consistent with the Local Coastal Program and relevant Coastal Act Policies.

ISSUE 3: The proposed project would impede access to Americans with Disabilities Act (ADA) "handicap" personal vehicles.

City Response:

There is no evidence in the project record that indicates the development would impede existing or proposed ADA access in the area. The project would provide 17 off-street parking spaces, including two ADA accessible spaces, and is consistent with the parking requirements for a development of the proposed density in the R-3 zone. The

project would also close two curb cuts on South Tremont Street, which would create additional on-street public parking.

Summary

As previously stated, pursuant to Section 4605(C) of the Zoning Ordinance, the City Council may consider only the issues that were raised in the appeal filed with the City. The analysis provided above clearly demonstrates that the appellant has not provided any basis to warrant overturning the Planning Commission's approval of the project. Therefore, staff recommends that the City Council uphold the Planning Commission's approval of the project.

ENVIRONMENTAL DETERMINATION

The Planning Commission confirmed issuance of a Categorical Exemption pursuant to Article 19 Categorical Exemptions, Section 15332 "In-fill Development Projects" of the California Environmental Quality Act (CEQA), as the site is located in an urbanized area and would not result in any significant environmental effects.

FISCAL IMPACT

No fiscal impact.

COMMISSION OR COMMITTEE REPORT

The project was considered by the Planning Commission at its regular meeting on March 13, 2023. After due consideration, the Planning Commission, by a 6-1 vote (all commissioners present), approved a Development Plan (D22-00010), Regular Coastal Permit (RC22-00008), and Density Bonus (DB22-00006) through adoption of Resolution No. 2023-P05.


CITY ATTORNEY'S ANALYSIS

The City Council is authorized to hold a public hearing in this matter. Consideration of the matter should be based on the testimony and evidence presented at the hearing. After conducting the public hearing, the Council shall affirm, modify or deny the project. The supporting documents have been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution No. 2023-P05 approving a Development Plan (D22-00010), Regular Coastal Permit (RC22-00008), and Density Bonus (DB22-00006) to allow the demolition of two single-family homes and one triplex and the construction of a three-story apartment complex consisting of 16 market-rate units and one Very Low Income (VLI) affordable unit at 1931-1933 South Tremont Street.

PREPARED BY:



Delaney Carmen
Planner II

SUBMITTED BY:



Jonathan Borrego
City Manager

REVIEWED BY:

Darlene Nicandro, Development Services Director
Sergio Madera, City Planner





ATTACHMENTS:

1. City Council Resolution including Planning Commission Resolution No. 2023-P05 approving the project
2. Letter of Appeal
3. Planning Commission Staff Report dated March 13, 2023
4. Plans (Online)
5. Project Pro-Forma
6. Community Outreach Report (online)
7. Other Attachments – Application Page, Description and Justification, NOE



City of Oceanside
Development Services Department

Memorandum

Date: August 9, 2023
To: Honorable Mayor and City Councilmembers
Through: Jonathan Borrego, City Manager
From: Darlene Nicandro, Development Services Director
By: Delaney Carmen, Planner II
Subject: **Affordable Housing Conditions for D22-00010 “The Tremont”**

Staff has reviewed the project and finds it to be subject to the Housing Crisis Act, as amended in SB-8. As detailed in the staff report, there are five units on site proposed to be demolished as a part of the development project: two are vacated, three are currently rented, and one of those three is currently occupied by a lower income household. This unit is considered a Protected Unit under SB-8; thus, its occupants are entitled to relocation protections such as a right to remain in their units up to six months prior to the start of construction activities, the right of first refusal, and applicable relocation assistance. Staff has added Exhibit B to the Council resolution to reflect and enforce applicable Affordable Housing state law protections.

Please direct questions and comments to Delaney Carmen at (760) 435-3596 or dcarmen@oceansideca.org.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2023-P05 APPROVING A DEVELOPMENT PLAN, REGULAR COASTAL PERMIT AND DENSITY BONUS TO ALLOW THE DEMOLITION OF TWO SINGLE-FAMILY HOMES AND ONE TRIPLEX AND THE CONSTRUCTION OF A THREE-STORY APARTMENT COMPLEX CONSISTING OF 16 MARKET-RATE UNITS AND ONE (1) VERY LOW-INCOME AFFORDABLE UNIT AT 1931-1933 SOUTH TREMONT STREET

**(JLH FXS Tremont, LLC – Applicant)
(Christine Ann Russell -Appellant)**

WHEREAS, on March 13, 2023, the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, approved Development Plan (D22-00010), Regular Coastal Permit (RC22-00008) and Density Bonus (DB22-00006), to permit the demolition of two single-family homes and one triplex and the construction of a three-story apartment complex consisting of 16 market-rate units and one (1) very low-income affordable unit at 1931-1933 South Tremont Street; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) of 1970 and State Guidelines there to, the project qualifies for a Class 32 Categorical Exemption (In fill Development Projects); and

WHEREAS, on April 3, 2023, a timely appeal of the Planning Commission's approval of said project was filed with the City Clerk; and

WHEREAS, on June 21, 2023, the City Council of the City of Oceanside held a duly noticed public hearing and heard and considered evidence and testimony by all interested parties concerning the Planning Commission's approval of the Development Plan, Regular Coastal Permit, and Density Bonus; and

WHEREAS, based on such evidence, testimony, and staff reports, this Council has determined that the findings of fact articulated by the Planning Commission adequately address all of the issues raised in the appeal of this project, and therefore the Council accepts the findings of

fact as set forth in Planning Commission Resolution No. 2023-P05, attached hereto as Exhibit “A,” and incorporates them by reference as if fully set forth herein;

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

1. The Council affirms the Planning Commission action of March 13, 2023, confirms the approval of the CEQA Class 32 Categorical Exemption and upholds the approval of Development Plan (D22-00010), Regular Coastal Permit (RC22-00010), and Density Bonus (DB22-00006), as specified by Planning Commission Resolution No. 2023-P05, attached hereto as Exhibit “A” and incorporated herein by this reference.

2. The City Council hereby incorporates the Conditions of Approval, as they relate to Affordable Housing Restrictions, as depicted in Exhibit “B”.

3. Notice is hereby given that the time within which judicial review must be sought on this decision is governed by CCP Section 1094.6(b) as set forth in Oceanside City Code Section 1.10.

PASSED and ADOPTED by the City Council of the City of Oceanside, California this ____ day of _____, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

City Clerk

City Attorney

1 PLANNING COMMISSION
2 RESOLUTION NO. 2023-P05

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 DEVELOPMENT PLAN, REGULAR COASTAL PERMIT AND
6 DENSITY BONUS ON CERTAIN REAL PROPERTY IN THE
CITY OF OCEANSIDE

7 APPLICATION NO: D22-00010, RC22-00008 and DB22-00006
8 APPLICANT: JLH FXS Tremont, LLC
9 LOCATION: 1931 – 1933 S Tremont St (APNs 153-264-15, 153-264-14)

10 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
11 RESOLVE AS FOLLOWS:

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting approval of a Development Plan, Regular Coastal Permit
14 and Density Bonus under the provisions of Articles 10C, 30, 31, and 43 of the Zoning Ordinance,
15 and the Local Coastal Program Permit Handbook of the City of Oceanside to permit the following:

16 The demolition of two single-family homes and one triplex and the construction of a three-
17 story apartment building consisting of 16 market-rate units and one (1) very low-income
18 affordable unit and associated site improvements

19 on certain real property described in the project description.

20 WHEREAS, the Planning Commission, after giving the required notice, did on the 13th day
21 of March 2023 conduct a duly advertised public hearing as prescribed by law to consider said
22 application.

23 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
24 Guidelines thereto (Section 15332); this project qualifies for a Class 32 categorical exemption (In-
25 Fill Development Projects), as it involves in-fill development consistent with general plan and
26 zoning designations;

27 WHEREAS, there is hereby imposed on the subject development project certain fees,
28 dedications, reservations and other exactions pursuant to state law and city ordinance;

29 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the
30 project is subject to certain fees, dedications, reservations and other exactions as provided below:

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Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
Schools (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
Traffic Signal & Thoroughfare (Single-Family Residential)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Reso. #15-R0638-1 Ord #85-23
Wastewater System Capacity Buy-In Fee(Single-Family Res)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37
San Diego County Water Authority (Residential and Non-Residential)	SDCWA Ord. 2017
Inclusionary Housing In-Lieu fees (Residential)	Chapter 14C of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

WHEREAS, the fees listed above have been identified by the City as being applicable to the project as proposed. Failure by the City to list an applicable fee above does not relieve the developer from paying all applicable fees at the time when such fees become due;

WHEREAS, the fee amount to be paid for each category referenced above shall be the amount listed on the schedule of fees published by the Development Services Department at the time when such fees become due and payable;

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1 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated
2 and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code
3 and the City expressly reserves the right to amend the fees and fee calculations consistent with
4 applicable law;

5 WHEREAS, the City expressly reserves the right to establish, modify, or adjust any fee,
6 dedication, reservation or other exaction to the extent permitted and as authorized by law;

7 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
8 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
9 described in this resolution begins on the effective date of this resolution and any such protest must
10 be in a manner that complies with Section 66020;

11 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
12 effective 20 days from its adoption in the absence of the timely filing of an appeal or call for review
13 prior to the expiration of the 20 day appeal period;

14 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
15 the following facts:

16 **FINDINGS:**

17 **For the Development Plan (D22-00010):**

- 18 1. The site plan and physical design of the project as proposed is consistent with the
19 purposes of the Zoning Ordinance. The project has been designed to provide affordable
20 housing in the City's Coastal Zone while also ensuring adequate light, air, privacy and
21 open space is maintained for residents of the project and surrounding properties.
- 22 2. The Development Plan as proposed conforms to the General Plan of the City, in that the
23 project meets the goals of the General Plan to provide high density development and
24 affordable housing within the R-3 zone and that the proposed residential product type, size,
25 style and density are consistent with the Land Use Element requirements established in the
26 General Plan.
- 27 3. The area covered by the Development Plan can be adequately, reasonably, and conveniently
28 served by existing and planned public services, utilities, and public facilities. The project
29 constitutes an infill development within an existing established neighborhood in an
30 urbanized part of the city.

31 **////**

- 1 4. The project, as proposed, is compatible with existing and potential development within the
2 surrounding area. The project is compliant with all State Density Bonus Law regulations
3 and the proposed building has been designed to maintain compatibility with the
4 surrounding neighborhood through tiered construction and façade modulation to conform
5 to the scale of surrounding buildings.
- 6 5. The site plan and physical design of the project is consistent with the policies contained
7 within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the Development
8 Guidelines for Hillsides, and Section 3039 of the Zoning Ordinance in that the project site
9 has been previously developed and does not contain any qualifying slopes, topographic
10 features that would be considered undevelopable, or any riparian areas.
- 11 6. The proposed project is consistent with all applicable policies of the Local Coastal Program
12 as implemented through the Zoning Ordinance. Specifically, the physical aspects of the
13 project are consistent with the properties neighboring the project site. In addition, the project
14 will not substantially alter or impact existing public views of the coastal zone area nor restrict
15 public access to the beach. Section 1.32 of the City of Oceanside's General Plan utilizes
16 the certified Local Coastal Plan and supporting documentation for review of all proposed
17 projects within the coastal zone. The project has been reviewed and determined to be in
18 compliance with the policies and recommendations of the Local Coastal Program in that:
- 19 a. The proposed project complies with Local Coastal Program policy VI.C.8,
20 which states "the City shall ensure that all new development is compatible in
21 height, scale, color and form with the surrounding neighborhood." The proposed
22 project is consistent in scale with the surrounding development consisting of
23 multi-family dwelling units within the 1900 block of South Tremont Street.

24 For the Regular Coastal Permit (RC22-00008):

- 25 1. The project conforms to the Local Coastal Plan, including the policies of the plan, as
26 implemented through the Zoning Ordinance in that the project, as conditioned, will not
27 substantially alter or impact existing public views of the coastline because the project
28 meets required height and setback standards for R-3 zoning and is not located within a
29 public view corridor.

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31 ////

2. The project is located within the non-appeal area and conforms to the public access and recreation policies of Chapter 3 of the Coastal Act in that the project does not contain a public beach accessway nor does it propose to impact any public beach accessway.

3. The project, as conditioned, will not result in the loss of any on-street public parking spaces in that all of the required parking for the project is being provided on-site. Furthermore, the property is removing two curb cuts on South Tremont Street, thereby increasing available street parking.

For the Density Bonus (DB22-00006):

1. The affordable unit will be reserved for tenancy by households within the Very Low Income (VLI) category and will be subject to a restrictive covenant guaranteeing affordability for the VLI households for a period of 55 years.

2. The affordable unit has been designed to be proportional to the project's market rate units in terms of floor plan, square footage, and exterior design. The affordable unit consists of a studio apartment with the same square footage and floor plan as the four other market rate studio units on site.

3. The restrictive covenant associated with the affordable unit will be for a period of 55 years.

4. The maximum allowable rent for the project's affordable units comply with the law for the Very Low Income category.

5. The project's affordable unit will be available at affordable housing costs, as defined in Health and Safety Code Section 50052.5.

6. Public subsidies are not being provided for the project, therefore an equity sharing agreement is not applicable.

7. The project is subject to the yearly accounting requirement to the Neighborhood Services Department for the affordable unit as outlined in Section 3032(M)(7) of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Development Plan (D22-00010), Regular Coastal Permit (RC22-00008) and Request for Density Bonus (DB22-00006) subject to the following conditions:

Building:

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1. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all Current State and local building codes.
- The 2022 triennial edition of the California Code of Regulations, Title 24 (California Building Standards Code) applies to all occupancies that applied for a building permit on or after January 1, 2023, and remains in effect until the effective date of the 2022 triennial edition which will be January 1, 2026.
- Beginning on January 1, 2023, Oceanside Development Services (ODS) is required by State law to enforce the 2022 Edition of California Building Standards Codes (a.k.a., Title 24 of the California Codes of Regulations).
- Every three years, the State adopts new model codes (known collectively as the California Building Standards Code) to establish uniform standards for the construction and maintenance of buildings, electrical systems, plumbing systems, mechanical systems, and fire and life safety systems.
- Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require that the latest edition of the California Building Standards code and Uniform Housing Code apply to local construction 180 days after publication.
- Part 2: The 2022 California Building Code (CBC).
 - Part 2.5: The 2022 California Residential Code (CRC).
 - Part 3: The 2022 California Electrical Code (CEC).
 - Part 4: The 2022 California Mechanical Code (CMC).
 - Part 5: The 2022 California Plumbing Code (CPC).
 - Part 6: The 2022 California Energy Code
 - Part 9: The 2022 California Fire Code (CFC)
 - Part 11: The 2022 California Green Building Standards Code (CALGreen Code) This Part is known as the California Green Building Standards Code, and it is intended that it shall also be known as the CALGreen Code.
2. The building plans for this project are required to be prepared by a licensed architect or engineer and shall be in compliance with this requirement prior to submittal for building plan review.
3. All Soil Reports, Structural Calculations, and Energy Calculations, shall be required at time of plans submittal to the Building Division for plan check.

4. Verification that all addresses have been properly assigned by the City's Planning Division shall accompany the Building Permit application.
5. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on final building and electrical plans.
6. Electric vehicle (EV) charging for new construction. New construction shall comply with sec. 4.106.4.1 and 4/106/4/2 to facilitate future installation and use of EV chargers. Electric vehicle supply equipment (EVSE) shall be installed in accordance with California Electrical Code (CEC), Article 625.
7. All electrical, communication, CATV, etc. service lines within the exterior lines of the property shall be underground (City Code Sec. 6.30).
8. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the plans. Separate/unique addresses may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division shall accompany the Building Permit application.
10. Rodent proofing: Annular spaces around pipes, electric cables, conduits or other openings in sole/bottom plates at exterior walls shall be protected against the passage of rodents by closing such openings with cement mortar, concrete masonry or a similar method acceptable to the city building inspector.
11. A form or foundation survey shall be required prior to the placement of concrete to show the location of the new structure in respect to the property lines, known easements, and known setback lines. By obtaining a form survey the location of the foundation is checked prior to the placement of concrete, and can save costly corrective measures in case of an encroachment of a property line.
12. Buildings or portions of buildings and facilities within the scope of this chapter shall be accessible to persons with disabilities. Each building on a building site shall be considered separately when determining the requirements contained in this chapter, except when calculating the number of units which must comply with Section 1102A.3.1. Dwelling units within a single structure separated by firewalls do not constitute separate buildings.

1 Newly-constructed covered multifamily dwellings as defined in this chapter, include, but
2 are not limited to, the following:

- 3 a. Apartment buildings with 3 or more dwelling units including timeshare apartments
4 not considered a place of public accommodation or transient lodging as defined in
5 Health and Safety Code Section 19955 (a), and Chapter 2 of the California Building
6 Code.
 - 7 b. Condominiums with 4 or more dwelling units including timeshare condominiums
8 not considered a place of public accommodation or transient lodging as defined in
9 Health and Safety Code Section 19955 (a), and Chapter 2 of the California Building
10 Code.
 - 11 c. Lodging houses, as defined in Chapter 2 of the California Building Code, used as a
12 residence with more than 3 but not more than 5 guest rooms.
 - 13 d. Congregate residences, as defined in Chapter 2 of the California Building Code,
14 with 3 or more sleeping units.
 - 15 e. Dwellings with 3 or more efficiency units, as defined in Chapter 2 of this code, or
16 Section 17958.1 of the California Health and Safety Code.
 - 17 f. Shelters for homeless persons, not otherwise subject to the disabled access
18 provisions of the Division of the State Architect-Access Compliance (DSA-AC).
 - 19 g. Dormitories, as defined in Chapter 2 of this code, with 3 or more guest rooms as
20 defined in Chapter 2 of the California Building Code.
 - 21 h. Timeshare dwellings with 3 or more units, not considered a place of public
22 accommodations or transient lodging as defined in Health and Safety Code Section
23 19955 (a), and Chapter 2 of the California Building Code.
 - 24 i. Other Group R occupancies in covered multifamily dwellings which are regulated
25 by the Office of the State Fire Marshal. See Section 1.11.
 - 26 j. Public housing as defined in Chapter 2 of this code is subject to provisions of the
27 Division of the State Architect (DSA-AC) in Chapter 11B. Newly constructed
28 covered multifamily dwellings, which can also be defined as public housing, shall
29 be subject to the requirements of Chapter 11A and Chapter 11B.
- 30 13. A demolition permit for the existing structures must be obtained and a final inspection
31 must be approved by the Building Division.
32

14. Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with either CAL Green Section 4.408.2 Waste Management Plan, 4.408.3 Waste Management Company or 4.408.4 Waste Stream Reduction Alternative. A City approved waste management company/hauler shall be used for recycling of construction waste. Documentation of compliance with Section 4.408.1 shall be provided to the Authority Having Jurisdiction prior to project final approval.

15. Designated parking. In new projects or additions or alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel efficient, and carpool/van pool vehicles as shown on Table 5.106.5.2 CGBSC 5.106.5.2. Parking stall marking. Paint "CLEAN AIR/ with lower edge of last word aligned with the end of the stall striping. VANPOOL/EV" CGBSC 5.106.5.2.1.

16. Electric vehicle (EV) charging. [N] Construction shall comply with Section 5.106.5.3.1 or 5.106.5.3.2 to facilitate future installation of electric vehicle supply equipment (EVSE) in compliance with California Building Code (CBC) and California Electrical Code (CEC).

17. Multiple charging space requirements. [N] When multiple charging spaces are required per Table 5.106.5.3.3, raceway(s) is/are required to be installed at the time of construction and shall be installed in accordance with CEC. Construction plans and specifications shall comply with CGBSC 5.106.5.3.2.

18. The developer shall monitor, supervise and control all building construction and supportive activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:

- a. Building construction work hours shall be limited to between 7 a.m. and 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

- b. The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste containers shall be considered compliance with this requirement. Small Amounts of construction debris may be stored on site in a neat, safe manner for short periods of time pending disposal.

Planning:

19. This Development Plan, Regular Coastal Permit and Density Bonus shall expire 36 months from its approval, on March 13, 2026, unless this time period is extended by the provisions of Article 1 of the Zoning Ordinance.
20. This Development Plan, Regular Coastal Permit and Density Bonus, as conditioned, approves only the demolition of two single-family homes and one triplex and the construction of a three-story apartment building consisting of 16 market-rate units and one (1) very low-income affordable unit and associated site improvements as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the project or a new project.
21. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Development Plan (D22-00010), Regular Coastal Permit (RC22-00008) and Request for Density Bonus (DB22-00006). The City will promptly notify the applicant of any such claim, action or proceeding against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
22. Prior to the transfer of ownership and/or operation of the site, the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and/or operator. This notification's provision shall run with the life of the project and shall be recorded as a covenant on the property.
23. Failure to meet any conditions of approval for this development shall constitute a violation of the Regular Coastal Permit.

- 1 24. Unless expressly waived, all current zoning standards and City ordinances and policies in
2 effect at the time building permits are issued are required to be met by this project. The
3 approval of this project constitutes the applicant's agreement with all statements in the
4 Description and Justification and other materials and information submitted with this
5 application, unless specifically waived by an adopted condition of approval.
- 6 25. Elevations, exterior wall materials, colors, fencing, roofing materials, and floor plans shall
7 be substantially the same as those approved by the Planning Commission. These shall be
8 shown on plans submitted to the Building Division and Planning Division.
- 9 26. A covenant or other recordable document approved by the City Attorney shall be prepared
10 by the property owner and recorded prior to the issuance of a building permit. The covenant
11 shall provide that the property is subject to this resolution, and shall generally list the
12 conditions of approval.
- 13 27. Prior to the transfer of ownership and/or operation of the site, the owner shall provide written
14 copy of the application, staff report and resolution for the project to the new owner and/or
15 operator. This notifications provision shall run with the life of the project and shall be
16 recorded as a covenant on the property.
- 17 28. Adjacent homeowners shall be notified of planned construction activities and times
18 approximately two weeks prior to the start of work.
- 19 29. Failure to meet any conditions of approval shall constitute a violation of the Development
20 Plan, Regular Coastal Permit and Density Bonus.
- 21 30. Prior to issuance of any building or grading permit, the director of housing and
22 neighborhood services shall certify that the proposed development has complied with the
23 requirements for inclusionary housing and all provisions of Chapter 14C.
- 24
- 25 31. Trash/Recycling bins for all waste streams shall be kept within the designated space
26 provided. No storage of bins on the outside shall occur. Bins shall be wheeled out to an
27 appropriate location on the designated pickup date and returned within 24 hours to the
28 interior storage space.
- 29 32. The developer is prohibited from entering into any agreement with a cable television
30 franchisee of the City, which gives such franchisee exclusive rights to install, operate, and
31 or maintain its cable television system in the development.
- 32

- 1 33. At all times, the alley shall be free of obstructions, including private vehicles and other
2 objects. Vehicles or other objects shall not project over the western property line or
3 obstruct the alley.
- 4 34. Parking spaces shall be kept available and usable for the parking of tenants' vehicles at
5 all times.
- 6 35. In accordance with Density Bonus requirements, one (1) unit shall be reserved for rent to
7 very low-income households. This affordable unit shall be provided proportional to the
8 overall project in unit size, dispersed throughout the project, and have access to all
9 amenities available to other residents. The city shall determine the eligibility of the very
10 low-income households. A deed restriction, covenant, and/or other instrument
11 enforceable by the city and approved by the City Attorney and Director of Housing and
12 Neighborhood Services, limiting the rental of such units to eligible very low-income
13 households shall be recorded against the title of the property. The duration of such sale
14 restrictions shall be in effect for a minimum of fifty-five (55) years.
- 15 36. The required "Affordable Housing Regulatory Agreement" shall be recorded against the
16 project site prior to the issuance of any permits for the project.
- 17 37. All units proposed as part of this project shall be rented for no less than 31-days.
- 18 38. A letter of clearance from the affected school district in which the property is located
19 shall be provided as required by City policy at the time building permits are issued.
- 20 39. Subject to the provisions of the Local Coastal Plan for Coastal Housing, the developer shall
21 obtain a Coastal Affordable Housing Permit from the Director of Housing and
22 Neighborhood Services prior to issuance of building permits.
- 23 40. In the event any subsurface archaeological or cultural resources are encountered during
24 grading or construction activities, such activities in the locality of the find shall be halted
25 immediately. An archaeologist, certified by the Society of Professional Archaeologists
26 (SOPA) and a Luiseño Native American Monitor, shall be brought in to determine the
27 significance of the archaeological or cultural resources and implement appropriate
28 mitigations prior to commencement of earthwork.

29 **Engineering:**

- 30 41. Prior to the demolition of any existing structure or surface improvements on site, a grading
31 plan application shall be submitted to the Engineering Division and erosion control plans
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1 shall be approved by the City Engineer. No demolition shall be permitted without an
2 approved erosion control plan.

3 42. Design and construction of all improvements shall be in accordance with the City of
4 Oceanside's Engineers Design and Processing Manual, City Ordinances, standard
5 engineering and specifications of the City of Oceanside, and subject to approval by the City
6 Engineer.

7 43. All right-of-way alignments, street dedications, exact geometrics and widths shall be
8 designed, dedicated, and constructed or replaced in accordance with the City of Oceanside
9 Engineers Design and Processing Manual, and as required by the City Engineer.

10 44. Owner/developer shall provide an updated Title Report dated within 6 months of the grading
11 plan application submittal.

12 45. The approval of the development plan/project shall not mean that closure, vacation, or
13 abandonment of any public street, right of way, easement, or facility is granted or guaranteed
14 to the owner/developer. The owner/developer is responsible for applying for all closures,
15 vacations, and abandonments as necessary. The application(s) shall be reviewed and
16 approved or rejected by the City of Oceanside under separate process (es) per codes,
17 ordinances, and policies in effect at the time of the application. The City of Oceanside retains
18 its full legislative discretion to consider any application to vacate a public street or right of
19 way.

20 46. Owner/developer shall submit to the City for processing a covenant attesting to the project's
21 development conditions. The approved covenant shall be recorded at the County prior to
22 the issuance of a grading permit

23 47. All public improvement requirements shall be covered by a Development Improvement
24 Agreement and secured with sufficient improvement securities or bonds guaranteeing
25 performance and payment for labor and materials, setting of survey monuments, and
26 warranties against defective materials and workmanship before the approval of the public
27 improvement plans.

28 48. Prior to the issuance of any building permits, all improvements including landscaping,
29 landscaped medians, frontage improvements shall be under construction to the satisfaction
30 of the City Engineer.

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49. Prior to the issuance of a Certificate of Occupancy permit, all improvements, including landscaping, landscaped medians, frontage improvements shall be completed to the satisfaction of the City Engineer.
50. A traffic control plan shall be prepared in accordance with the City's traffic control guidelines and approved by the City Engineer prior to the start of work within the public Right-of-Way. Traffic control safety and implementation for construction or re-construction of streets shall be in accordance with construction signing, marking, and other protection as required by Caltrans' Traffic Manual and City Traffic Control Guidelines. Traffic control plan implementation and hours shall be in accordance with the approved traffic control plans.
51. Tremont Street shall be constructed with new curb and gutter and sidewalk. Sidewalk improvements (construct/replace) shall comply with current ADA requirements.
52. Minimum curb return radius at pedestrian ramp and driveway locations shall comply with the City of Oceanside Engineers Design and Processing Manual.
53. Sight distance requirements at the project driveway(s) or street shall conform to the sight distance criteria as provided by Caltrans. The owner/developer shall provide a plan and profile of the line of sight for each direction of traffic at each proposed driveway on the grading plans.
54. Proposed vertical improvements adjacent to alley roadways at a height greater than 30 inches and that would have the potential to obstruct the driver's line-of-sight are not allowed. Existing vertical obstructions should be removed or lowered, if practical. Such obstructions may include buildings, hedges, trees, bushes, un-mowed grass, tall crops, walls, fences, and terrain itself.
55. Maintenance responsibilities for private driveways, parking lots, and roadways are the responsibility of the property owner.
56. A pavement evaluation report shall be submitted for offsite street and/or alley pavements with the grading plan application. The owner/developer shall contract with a geotechnical engineering firm to perform a field investigation of the existing pavement on all streets adjacent to the project boundary. The limits of the study shall be half-street width along the project's Tremont Street frontage. The field investigation shall be performed according to a specific boring plan prepared by a licensed Geotechnical Engineer and approved by the

City Engineer prior to the issuance of a grading permit. In the absence of an approved boring plan, the field investigation shall include a minimum of one pavement boring per every fifty linear feet (50) of street frontage.

57. Should the study conclude that the existing road pavement does not meet current pavement thickness requirements set forth in the City of Oceanside Engineers Design and Processing Manual, the Owner/developer shall remove and reconstruct the existing pavement section in accordance with City requirements. Otherwise, the City Engineer shall determine whether the Owner/developer shall: 1) Repair all failed pavement sections, 2) header cut and grind per the direction of the City Engineer, or 3) Perform R-value testing and submit a study that determines if the existing pavement meets current City standards/traffic indices.

58. Proposed public improvements located within the City's ROW or onsite shall be displayed on separate public improvement plans in accordance with the City's Engineers Design and Processing Manual.

59. Any existing public or private improvements that are being joined to and that are already damaged or damaged during construction of the project, shall be repaired or replaced as necessary by the developer to provide a competent and stable connection, and to the City's satisfaction.

60. Full width and depth alley improvements, including the installation of a longitudinal concrete ribbon gutter, shall be shown on separate public improvement plans and designed in accordance with the City of Oceanside Engineers Design and Processing Manual.

61. A precise grading plan, which includes proposed onsite private improvements, shall be prepared, reviewed, secured and approved prior to the issuance of any building permit. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage, footprints of all structures, walls, drainage devices and utility services. Parking lot striping and any on site traffic calming devices shall be shown on the precise grading plans.

62. The project shall provide and maintain year-round erosion control for the site. Prior to the issuance of a grading permit, an approved erosion control plan, designed for all proposed stages of construction, shall be secured by the owner/developer with cash securities or a Letter-of-Credit and approved by the City Engineer; a Certificate of Deposit will not be accepted for this security.

- 1 63. Owner/developer shall develop and submit a draft neighborhood-notification flier to the City
2 for review. The flier shall contain information on the project, construction schedule,
3 notification of anticipated construction noise and traffic, and contact information. Prior to
4 the issuance of a grading permit, the approved flier shall be distributed to area residents,
5 property owners, and business owners located within a 500-foot radius area of the project.
- 6 64. Owner/developer shall monitor, supervise and control all construction and construction-
7 supportive activities, so as to prevent these activities from causing a public nuisance,
8 including but not limited to, ensuring strict adherence to the following:
- 9 65. Dirt, debris and other construction material shall not be deposited on any public street or
10 into the City's storm water conveyance system.
- 11 66. All grading and related site preparation and construction activities shall be limited to the
12 hours of 7 AM to 6 PM, Monday through Friday. No engineering-related construction
13 activities shall be conducted on Saturdays, Sundays or legal holidays unless written
14 permission is granted by the City Engineer with specific limitations to the working hours
15 and types of permitted operations. All on-site construction staging areas shall be located as
16 far as possible (minimum 100 feet) from any existing residential development. As
17 construction noise may still be intrusive in the evening or on holidays, the City of Oceanside
18 Noise Ordinance also prohibits "any disturbing excessive or offensive noise which causes
19 discomfort or annoyance to reasonable persons of normal sensitivity."
- 20 67. The construction site shall accommodate the parking of all motor vehicles used by persons
21 working at or providing deliveries to the site. An alternate parking site can be considered by
22 the City Engineer in the event that the lot size is too small and cannot accommodate parking
23 of all motor vehicles.
- 24 68. Owner/developer shall complete a haul route permit application (if required for
25 import/export of dirt) and submit to the City of Oceanside Transportation Engineering
26 Section forty-eight hours (48) in advance of beginning of work. Hours of hauling operations
27 shall be dictated by the approved haul route permit.
- 28 69. It is the responsibility of the owner/developer to evaluate and determine that all soil imported
29 as part of this development is free of hazardous and/or contaminated material as defined by
30 the City and the County of San Diego Department of Environmental Health. Exported or
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1 imported soils shall be properly screened, tested, and documented regarding hazardous
2 contamination.

3 70. The approval of the development plan shall not mean that proposed grading or
4 improvements on adjacent properties (including any City properties/right-of-way or
5 easements) is granted or guaranteed to the owner/developer. The owner/developer is
6 responsible for obtaining written permission to grade or construct on adjacent properties
7 prior to the issuance of a grading permit. Should such permission be denied, the development
8 plan shall be subject to going back to public hearing or subject to a substantial conformity
9 review.

10 71. Prior to the issuance of a grading permit, a comprehensive soil and geologic investigation
11 shall be conducted for the project site. All necessary measures shall be taken and
12 implemented to assure slope stability, erosion control, and soil integrity; and these measures
13 shall be incorporated as part of the grading plan design. No grading shall occur at the site
14 without a grading permit.

15 72. Where proposed off-site improvements, including but not limited to slopes, public utility
16 facilities, and drainage facilities, are to be constructed, owner/developer shall, at his own
17 expense, obtain all necessary easements or other interests in real property and shall dedicate
18 the same to the City of Oceanside as required. Owner/developer shall provide documentary
19 proof satisfactory to the City of Oceanside that such easements or other interest in real
20 property have been obtained prior to the issuance of any grading, building or improvement
21 permit for this development/project. Additionally, the City of Oceanside, may at its sole
22 discretion, require that the owner/developer obtain at his sole expense a title policy insuring
23 the necessary title for the easement or other interest in real property to have vested with the
24 City of Oceanside or the owner/ developer, as applicable.

25 73. Use of adjacent properties for construction without permission is prohibited. Developer is
26 required to obtain written permission from adjacent property owners allowing access onto
27 their site. There shall be no trespassing, grading, or construction of any kind on adjacent
28 properties without permission. "Failure to comply will result in the revocation of the grading
29 permit." This written permission shall be provided to the City prior to the issuance of a
30 grading permit.

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- 1 74. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
2 prior to the issuance of a grading permit and approved by the City Engineer prior to the
3 issuance of building permits. Landscaping plans, including plans for the construction of
4 walls, fences or other structures at or near intersections, must conform to intersection sight
5 distance requirements. Frontage and median landscaping shall be installed and established
6 prior to the issuance of any certificates of occupancy. Securities shall be required only for
7 landscape items in the public right-of-way. Any project fences, sound or privacy walls and
8 monument entry walls/signs shall be shown on, bonded for and built from the approved
9 landscape plans. These features shall also be shown on the precise grading plans for
10 purposes of location only. Plantable, segmental walls shall be designed, reviewed and
11 constructed from grading plans and landscape/irrigation design/construction shall be from
12 landscape plans. All plans must be approved by the City Engineer and a pre-construction
13 meeting held prior to the start of any improvements.
- 14 75. The drainage design shown on the conceptual grading/site plan, and the drainage report for
15 this development plan is conceptual only. The final drainage report and design shall be
16 based upon a hydrologic/hydraulic study that is in accordance with the latest San Diego
17 County Hydrology and Drainage Manual, and is to be approved by the City Engineer prior
18 to the issuance of a grading permit. All drainage picked up in an underground system shall
19 remain underground until it is discharged into an approved channel, or as otherwise
20 approved by the City Engineer.
- 21 76. The project's drainage system shall not connect or discharge to another private stormdrain
22 system without first obtaining written permission from the owner of the system. The written
23 permission letter shall be provided to the City prior to the issuance of a grading permit. The
24 owner/developer shall be responsible for obtaining any off-site easements for storm drainage
25 facilities.
- 26 77. All public storm drains shall be shown on separate public improvement plans. Public storm
27 drain easements shall be dedicated to the City where required.
- 28 78. Drainage facilities shall be designed and installed to adequately accommodate the local
29 storm water runoff, and shall be in accordance with the San Diego County Hydrology
30 Manual and the City of Oceanside Engineers Design and Processing Manual, and to the
31 satisfaction of the City Engineer.
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- 1 79. Owner/developer shall place a covenant on the non-title sheet of the grading plan agreeing
2 to the following: "The present or future owner/developer shall indemnify and save the City
3 of Oceanside, its officers, agents, and employees harmless from any and all liabilities, claims
4 arising from any flooding that may occur on this site, and any flooding that is caused by this
5 site impacting adjacent properties".
- 6 80. Storm drain facilities shall be designed and constructed to allow inside travel lanes of streets
7 classified as a Collector or above, to be passable during a 100-year storm event.
- 8 81. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and disposed of
9 in accordance with all state and federal requirements, prior to discharging of stormwater into
10 the City drainage system.
- 11 82. Owner/developer shall comply with the provisions of the National Pollution Discharge
12 Elimination System (NPDES) General Permit for Storm Water Discharges Associated with
13 Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The
14 General Permit continues in force and effect until a new General Permit is issued or the
15 SWRCB rescinds this General Permit. Only those owner/developers authorized to discharge
16 under the expiring General Permit are covered by the continued General Permit.
17 Construction activity subject to the General Permit includes clearing, grading, and
18 disturbances to the ground such as stockpiling, or excavation that results in land disturbances
19 of equal to or greater than one acre.
- 20 83. The owner/developer shall obtain coverage under the General Permit by submitting a Notice
21 of Intent (NOI) and obtaining a Waste Discharge Identification Number (WDID#) from the
22 State Water Resources Control Board (SWRCB). In addition, coverage under the General
23 Permit shall not occur until an adequate SWPPP is developed for the project as outlined in
24 Section A of the General Permit. The site specific SWPPP shall be maintained on the project
25 site at all times. The SWPPP shall be provided, upon request, to the United States
26 Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control
27 Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies.
28 The SWPPP is considered a report that shall be available to the public by the RWQCB under
29 section 308(b) of the Clean Water Act. The provisions of the General Permit and the site
30 specific SWPPP shall be continuously implemented and enforced until the owner/developer
31 obtains a Notice of Termination (NOT) for the SWRCB.
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1 84. Owner/developer is required to retain records of all monitoring information, copies of all
2 reports required by this General Permit, and records of all data used to complete the NOT
3 for all construction activities to be covered by the General Permit for a period of at least
4 three years from the date generated. This period may be extended by request of the SWRCB
5 and/or RWQCB.

6 85. The project is categorized as a stormwater-Standard Development Project (SDP). A final
7 Storm Water Quality Management Plan (SWQMP) shall be submitted to the City for review
8 at the final engineering phase. Approval of this document is required prior to the issuance
9 of a grading permit.

10 86. Approval of this development project is conditioned upon payment of all applicable impact
11 fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code.
12 All traffic signal fees and contributions, highway thoroughfare fees, park fees,
13 reimbursements, drainage impact fees, and other applicable charges, fees and deposits shall
14 be paid prior to the issuance of any building permits, in accordance with City Ordinances
15 and policies. The owner/developer shall also be required to join into, contribute, or
16 participate in any improvement, lighting, or other special district affecting or affected by this
17 project.

18 87. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
19 will be subject to prevailing wage requirements as specified by Labor Code section 1720(b)
20 (4). The owner/developer shall agree to execute a form acknowledging the prevailing wage
21 requirements prior to the granting of any fee reductions or waivers.

22 88. In the event that there are discrepancies in information between the conceptual plan and the
23 conditions set forth in the project's entitlement resolution (Conditions of Approval), the
24 project's entitlement resolution shall prevail.

25
26 **Water Utilities:**

27 89. The developer will be responsible for developing all water and sewer utilities necessary
28 to develop the property. Any relocation of water and/or sewer utilities is the responsibility
29 of the developer and shall be done by an approved licensed contractor at the developer's
30 expense.

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- 1 90. All Water and Wastewater construction shall conform to the most recent edition of the
2 *Water, Sewer, and Recycled Water Design and Construction Manual* or as approved by
3 the Water Utilities Director.
- 4 91. The property owner shall maintain private water and wastewater utilities located on
5 private property.
- 6 92. Water services and sewer laterals constructed in existing right-of-way locations are to be
7 constructed by an approved and licensed contractor at developer's expense.
- 8 93. Minimum separation between water services and sewer laterals shall be 10 feet.
- 9 94. Water facilities, backflows or meters, shall have a minimum 10' separation from trees. Palm
10 tree minimum separation is lowered to 5' from water facilities.
- 11 95. Each new residential dwelling unit shall be metered individually.
- 12 96. For new buildings with multiple residential dwelling units; the City has accepted, as an
13 alternative, a public master meter for each building provided there is a private sub-meter
14 for each individual dwelling unit. The Building Owner would be responsible for the
15 ownership, maintenance, reading, and replacement of the private sub-meters.
- 16 97. Water meters located in the alley shall be equipped with an H-20 rated meter box.
- 17 98. Provide a separate irrigation water meter to serve landscaped areas. Meter shall be
18 managed and paid for by the Building Owner. An address assignment will need to be
19 completed for the meter, and can be processed through the City Planning Department.
- 20 99. Per the latest approved California Fire Code, all new residential units shall be equipped
21 with fire sprinkler system.
- 22 100. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire
23 protection shall have a dedicated fire service connection to a public water main with a
24 double check detector backflow assembly. Location of the backflow assembly must be
25 approved by Fire Department.
- 26 101. Hot tap connections will not be allowed for size on size connections or connections that
27 are one (1) pipe size smaller than the water main. These connections shall be cut-in tees
28 with three valves for each end of the tee. Provide a connection detail on the improvement
29 plans for all cut-in tee connections.

30 **The following conditions shall be met prior to the approval of engineering design plans.**

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- 1 102. Any water and/or sewer improvements required to develop the proposed property will
2 need to be included in the improvement plans and designed in accordance with the *Water,*
3 *Sewer, and Recycled Water Design and Construction Manual.*
- 4 103. All public water and/or sewer facilities not located within the public right-of-way shall
5 be provided with easements sized according to the *Water, Sewer, and Recycled Water*
6 *Design and Construction Manual.* Improvements within easement areas shall be
7 constructed for all weather access.
- 8 104. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a recycled
9 water impact fee since the proposed project is not within 75 feet of a recycled water main.
10 The impact fee shall be established by submitting a formal letter requesting the City to
11 determine this fee, which is based on 75% of the design and construction cost to construct
12 a recycled water line fronting the property in S. Tremont Street.
- 13 105. The Sewer Study for Tremont Apartments dated June 2022 was reviewed by the Water
14 Utilities Department. The results showed that the existing sewer collection system has
15 adequate capacity to receive flows from the Project. No additional offsite sewer
16 improvements are required.
- 17 106. An Oil and Sand Interceptor, as described by the latest adopted California Plumbing Code
18 Chapter 10, relating to garages, wash racks or when deemed necessary shall be shown on
19 building plans at each building sewer in an appropriate location and shall be maintained
20 in accordance with the Fats, Oil, and Grease permit. The location shall be shown on the
21 approved Engineering Plans with reference to Building Plans for design and detail.
- 22 107. Connections to a public sewer main with a 6-inch or larger sewer lateral will require a
23 new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and Recycled*
24 *Water Design and Construction Manual.*
- 25 108. A separate irrigation meter with an approved backflow prevention device is required to
26 serve common landscaped areas and shall be displayed on the plans.
- 27 109. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter
28 and reduced pressure principle backflow device on Landscape Plans.
- 29 110. Provide stationing and offsets for existing and proposed water service connections and
30 sewer laterals on plans.

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1 111. Any unused water services or sewer laterals by the proposed development shall be
2 abandoned in accordance with Water Utilities requirements. If an existing water meter is
3 abandoned then a credit will be applied towards future buy-in fees in the amount of the
4 buy-in fee of the existing meter.

5 **The following conditions of approval shall be met prior to building permit issuance.**

6 112. Show location and size of existing and proposed water meter(s) on site plan of building
7 plans. Show waterline from proposed meter to connection point to building.

8 113. Show location and size of existing and proposed sewer lateral(s) from property line or
9 connection to sewer main to connection point at building.

10 114. Provide a fixture unit count table and supply demand estimate per the latest adopted
11 California Plumbing Code (Appendix A) to size the water meter(s), including sub-meters,
12 and service line(s).

13 115. Provide drainage fixture unit count per the latest adopted California Plumbing Code to
14 size sewer lateral for property.

15 116. If a Sand and Oil Separator is required, then building plans must show drainage fixture
16 unit count and calculations per the latest California Plumbing Code to size oil and sand
17 separator and show on plans the location, make and model of separator, inlet/outlet
18 piping, and a plumbing schematic of the separator along with the required appurtenances
19 at each building sewer lateral.

20 117. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees are
21 to be paid to the City at the time of Building Permit issuance per City Code Section 32B.7.

22 **Fire:**

23 118. All demo must comply with the 2019 CFC Chapter 33.

24 119. Building sprinkler system must comply with 2016 NFPA 13.

25 120. Building will require a dedicated fire line to the building.

26 121. Building will be required to comply with 2019 CFC Chapter 9 and NFPA 72 for fire alarm
27 system.

28 122. FDC must be located on the address side of the street or driveway within 40' of a hydrant.

29 123. Hose pulls from a fire access roadway must not exceed 200' of all exterior walls of the
30 structure. This is measured on an approved route around the building and not as the crow
31 flies.
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- 1 124. Fire hydrant must be within 400' of all exterior walls of the structure.
- 2 125. A minimum 5' setback around the structure for emergency access.
- 3 126. All Emergency Escape and Rescue Openings (EERO) must be accessible with fire
4 department ground ladders at a 4:1 ratio. Unless, the project meets one of the exceptions
5 in 2019 CFC Chapter 10.
- 6 127. Corridor and stairway sizing and construction will comply with 2019 CFC Chapter 10.
- 7 128. Fire extinguishers required and accessible for all occupant within 75' of travel.
- 8 129. Addresses shall be a minimum 6" in height with contrasting colors and visible from
9 Tremont St.
- 10 130. Smoke and carbon monoxide alarms are required with battery backup.
- 11 131. All vehicle access gates must be equipped with Knox electronic key switch.
- 12 132. All building must be equipped with a Knox Box for emergency access.

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2 133. The City is in the process of implementing a citywide Community Facilities District
3 (CFD) for Public Safety. The CFD would place an annual per unit fee on projects which
4 meet the criteria for inclusion. The project you are submitting appears to meet the criteria
5 for inclusion in the proposed Public Safety CFD. It is expected that your project will be
6 required to annex into the CFD as a condition of approval."

7 For the purposes of determining the applicability of the Citywide Public Safety
8 Community Facilities District (CFD) to residential occupancies, any new development or
9 change in occupancy classified as an R occupancy in the most recently adopted California
10 Building and/or California Fire codes with 16 or more dwelling or sleeping units (not
11 intended for use as a hotel or motel where Transient Occupancy Taxes [TOT] will be
12 collected) will be required to annex into the CFD as a condition of
13 development. Additionally, for properties converted from a facility where TOT has been
14 previously collected, the property will be required to annex into the CFD as a condition
15 of development.

16 Multi- Family 3 or more: \$417.00 Per Unit Per Year

17 PASSED AND ADOPTED Resolution No. 2023-P05 on March 13, 2023 by the
18 following vote, to wit:

19 AYES: Rosales, Morrissey, Balma, Dodds, Custer, Symons

20 NAYS: Malik

21 ABSENT:

22 ABSTAIN:

23 
24 Tom Rosales, Chairperson
25 Oceanside Planning Commission

26 ATTEST:

27 
28 Sergio Madera, Secretary

29 Dated: March 13, 2023

30 I, SERGIO MADERA, Secretary of the Oceanside Planning Commission, hereby certify that this
31 is a true and correct copy of Resolution No. 2023-P05.
32



Affordable Housing & Density Bonus | Project Conditions

Activity No.:	D22-00010	APN:	1532641400
Location:	1933 S TREMONT ST		
Project Description:	3 STORY 17 UNIT RES. APTS		
Date Reviewed:	8/3/2023	Status:	<input checked="" type="checkbox"/> Approved w/Conditions
Reviewer:	Leilani Hines	Phone:	760-435-3377

Conditions: Affordable Housing Restrictions

1. **Density Bonus/Inclusionary Housing Requirements:** In order to obtain the density bonus, incentives/concessions, and waivers under the City's Comprehensive Zoning Ordinance Section 3032 and [California Government Code Section 65915](#) (collectively known as "Density Bonus" law) and to satisfy the reserved affordable housing requirements for low and moderate-income households under Oceanside City Code [Chapter 14C](#), the occupancy of 1 of the 17 rental apartment units shall be restricted for occupancy by Very Low-Income Households, as defined in [California Health and Safety Code Section 50105](#), at an Affordable Housing Cost, as set forth in [Section 50053](#) of the California Health and Safety Code for a period of not less than 55 years. To demonstrate compliance with [Density Bonus law](#), [Chapter 14C](#), and any housing and occupant protection obligations under [Housing Element law](#), [Density Bonus law](#), the [Housing Crisis Act of 2019](#) or the [Mello Act](#), an Affordable Housing Agreement, along with the approved site development plan and a deed of trust securing such covenants, as approved by the City Attorney and the Housing and Neighborhood Services Director, shall be recorded against the title of the property and the relevant terms and conditions recorded as a deed restriction, regulatory agreement or other enforceable instrument. The Agreement will be recorded prior to the approval of any final or parcel map or issuance of a building permit for the first dwelling unit of the Project. The Agreement shall be binding to all future owners and successors in interest.
2. **Occupancy & Monitoring of Affordability Covenants:** A monitoring fee will be required at the time Certificate of Occupancy is issued for the first housing unit of the Project. The fee will be collected for the total number of restricted units as defined in the Affordable Housing Agreement and/or the Regulatory Agreement for monitoring of compliance with the applicable restrictions on an annual basis.



Affordable Housing & Density Bonus | Project Conditions

Conditions: Replacement Housing/Occupant Protections

3. In compliance with State laws, any proposed housing development in which residential units are proposed for demolition, have been demolished with five years, or have been withdrawn from rent or lease pursuant to the Ellis Act is subject to affordable housing replacement obligations and applicable occupant protections. Therefore, as a condition of development, as required by State [Housing Element law](#), [Density Bonus law](#), and the [Housing Crisis Act of 2019](#), the proposed housing development project must demonstrate to the satisfaction of the Housing and Neighborhood Services Director that the project:
 - a. Creates at least as many residential units as demolished (three residential units);
 - b. Creates as many restricted affordable units of equivalent size (studio/1 ba) and of the same or lower income category as will be demolished (one low-income residential units);
 - c. Provides all occupants the right to occupy their units until six months before the start of construction activities on the new project. If demolition of the unit does not proceed, then the occupant may return to the unit ([CA Govt Code Section 66300 \(d\)\(2\)\(C\)](#));
 - d. Provide the lower-income occupants of the one protected unit a right of first refusal for a "comparable" unit in the development at affordable rent or affordable housing cost. ([CA Govt Code Section 66300 \(d\)\(2\)\(D\)\(i\)](#)); and,
 - e. Provide State relocation benefits at Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 to the lower-income occupants of the one protected unit. ([CA Govt Code Section 66300 \(d\)\(2\)\(D\)\(ii\)](#));

Replacement units may be counted towards satisfaction of set-aside units for the purposes of meeting the State Density Bonus ([California Govt Code Section 65915](#)) or Oceanside City Code [Chapter 14C](#) requirements.



Affordable Housing & Density Bonus | Project Conditions

Conditions: Affirmative Fair Housing Marketing Plan (AFHMP)

4. Affirmatively Furthering Fair Housing: An Affirmative Fair Housing Marketing Plan (AFHMP) shall be submitted for review and acceptance by the Housing and Neighborhood Services Department at least 6 months before issuance of the Certificate of Occupancy for the first dwelling unit of the Project utilizing Form [HUD-935.2A -Affirmative Fair Housing Marketing Plan \(Multifamily Housing\)](#) or [HUD-935.2B -Affirmative Fair Housing Marketing Plan \(Single Family Housing\)](#). The purpose of this affirmative fair housing marketing program is to target and outreach to specific groups who may need differing efforts in order to be made aware of and apply for the available affordable housing opportunities. The affirmative fair housing marketing program should identify the demographic groups within the housing market area which are least likely to apply for housing without special outreach efforts and an outreach program which includes special measures designed to attract those groups, in addition to other efforts designed to attract persons from the total population. All marketing materials must include the applicable fair housing logos, including the Equal Housing Opportunity and Accessibility logos.

STAFF INSTRUCTIONS:

- Fill in any blanks specific to the project.
- When complete remove highlighting and instructions.



Affordable Housing & Density Bonus | Project Conditions

Reference

1. Mix of Units

Description	Bedroom Mix					Total Units
	Studio	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms	
Total Units						0
	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Prop Manager						
Total Target Units						0
Extremely Low Income (up to 30% AMI)						0
Very Low Income (31 to 50% AMI)						0
			0%			#DIV/0!
Low Income (51% - 80% AMI)						0
	#DIV/0!	0%	0%	#DIV/0!	#DIV/0!	#DIV/0!
Moderate Income (81% - 120% AMI)						0

Note: Affordable Units and Product Comparability

Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

The designated affordable units shall be:

- Comparable in size, bedroom mix, amenities, and features to the market rate units in the development.
- Provided in a proportionate mix of bedrooms per unit ratio within the total development.
- Distributed in proportion to the market rate units and have like-qualities as the typical market rate units in the development.



Housing & Neighborhood Services Department
Housing Division | Development Processing

Affordable Housing & Density Bonus | Project Conditions

**San Diego-Carlsbad, CA MSA
Household Income Limits**

Note: The following household income limits are adjusted for a high cost area as per the Federal Housing Act of 1937 and calculated using HCD methodology to comply with Health and Safety Code Sections 50052.5 and 50093.

HUD Method

San Diego-Carlsbad, CA MSA
U.S. Department of Housing and Urban Development
May 15, 2023 Effective Date

2023

\$ 116,800

Hshold Size	Extremely Low Income 30%			35%			40%			45%		
	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly
ONE	\$28,950	\$2,413	\$723	\$33,800	\$2,817	\$845	\$38,600	\$3,217	\$965	\$43,400	\$3,617	\$1,085
TWO	\$33,100	\$2,758	\$827	\$38,600	\$3,217	\$965	\$44,100	\$3,675	\$1,103	\$49,600	\$4,133	\$1,240
THREE	\$37,250	\$3,104	\$931	\$43,450	\$3,621	\$1,086	\$49,600	\$4,133	\$1,240	\$55,800	\$4,650	\$1,395
FOUR	\$41,350	\$3,446	\$1,033	\$48,250	\$4,021	\$1,206	\$55,100	\$4,592	\$1,378	\$62,000	\$5,167	\$1,550
FIVE	\$44,700	\$3,725	\$1,117	\$52,150	\$4,346	\$1,303	\$59,550	\$4,963	\$1,489	\$67,000	\$5,583	\$1,675
SIX	\$48,000	\$4,000	\$1,200	\$56,000	\$4,667	\$1,400	\$63,950	\$5,329	\$1,599	\$71,950	\$5,996	\$1,799
SEVEN	\$51,300	\$4,275	\$1,282	\$59,850	\$4,988	\$1,496	\$68,350	\$5,696	\$1,709	\$76,900	\$6,408	\$1,923
EIGHT	\$54,600	\$4,550	\$1,365	\$63,700	\$5,308	\$1,592	\$72,750	\$6,063	\$1,819	\$81,850	\$6,821	\$2,046

Hshold Size	Very Low Income 50%			60%			70%			Low Income 80%		
	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly
ONE	\$48,250	\$4,021	\$1,206	\$57,900	\$4,825	\$1,447	\$67,550	\$5,629	\$1,688	\$77,200	\$6,433	\$1,930
TWO	\$55,150	\$4,596	\$1,378	\$66,200	\$5,517	\$1,655	\$77,200	\$6,433	\$1,930	\$88,200	\$7,350	\$2,205
THREE	\$62,050	\$5,171	\$1,551	\$74,450	\$6,204	\$1,861	\$86,850	\$7,238	\$2,171	\$99,250	\$8,271	\$2,481
FOUR	\$68,900	\$5,742	\$1,722	\$82,700	\$6,892	\$2,067	\$96,450	\$8,038	\$2,411	\$110,250	\$9,188	\$2,756
FIVE	\$74,450	\$6,204	\$1,861	\$89,350	\$7,446	\$2,233	\$104,200	\$8,683	\$2,605	\$119,100	\$9,925	\$2,977
SIX	\$79,950	\$6,663	\$1,998	\$95,950	\$7,996	\$2,398	\$111,900	\$9,325	\$2,797	\$127,900	\$10,658	\$3,197
SEVEN	\$85,450	\$7,121	\$2,136	\$102,550	\$8,546	\$2,563	\$119,600	\$9,967	\$2,990	\$136,750	\$11,396	\$3,418
EIGHT	\$90,950	\$7,579	\$2,273	\$109,200	\$9,100	\$2,730	\$127,350	\$10,613	\$3,183	\$145,550	\$12,129	\$3,638

Hshold Size	100%			110%			Moderate Income 120%			140%		
	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly	Annual Income	Monthly Income	30.00% Monthly
ONE	\$81,750	\$6,813	\$2,043	\$89,950	\$7,496	\$2,248	\$98,100	\$8,175	\$2,452	\$114,450	\$9,538	\$2,861
TWO	\$93,450	\$7,788	\$2,336	\$102,800	\$8,567	\$2,570	\$112,100	\$9,342	\$2,802	\$130,800	\$10,900	\$3,270
THREE	\$105,100	\$8,758	\$2,627	\$115,650	\$9,638	\$2,891	\$126,150	\$10,513	\$3,153	\$147,150	\$12,263	\$3,678
FOUR	\$116,800	\$9,733	\$2,920	\$128,500	\$10,708	\$3,212	\$140,150	\$11,679	\$3,503	\$163,500	\$13,625	\$4,087
FIVE	\$126,150	\$10,513	\$3,153	\$138,800	\$11,567	\$3,470	\$151,350	\$12,613	\$3,783	\$176,600	\$14,717	\$4,415
SIX	\$135,500	\$11,292	\$3,387	\$149,050	\$12,421	\$3,726	\$162,550	\$13,546	\$4,063	\$189,650	\$15,804	\$4,741
SEVEN	\$144,850	\$12,071	\$3,621	\$159,350	\$13,279	\$3,983	\$173,800	\$14,483	\$4,345	\$202,750	\$16,896	\$5,068
EIGHT	\$154,200	\$12,850	\$3,855	\$169,600	\$14,133	\$4,240	\$185,000	\$15,417	\$4,625	\$215,800	\$17,983	\$5,395

Note: Income levels 80% and below are adjusted by a HUD high cost area allowance.

This general income information is calculated from the U.S. Department of Housing and Urban Development (HUD) income figures. Specific program requirements may vary.

Prepared by Affordable Housing Services Information, LLC © 2023 Web: www.AHSinfo.com Phone (858) 832-1460



Affordable Housing & Density Bonus | Project Conditions

COUNTY (fill-in): San Diego		2023 (fill-in: Cal Yr)						
Affordable Housing Cost:		AREA MEDIAN INCOME (AMI): \$116,800 (fill in: median income, 4-person)						
		To find COUNTY & INCOME to "fill-in": for AMI, use "Official State Income Limits" at below link https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf						
Health & Safety Code (H&S):	RENTER \$ 50053	OWNER \$ 50052.5						
Extremely Low	30%	30%	Formula (These columns show how the maximum monthly rent and maximum housing cost were calculated.)					
Very Low	50%	50%						
Low	60%	70%						
Moderate	110%	110%						
<u>H&S 50052.5(h)</u>		Maximum	Above					
Unit Size	HH Size	Monthly Rent Cost	County's Area Median Income					
Bedrooms	Persons	(Renters)	Max Cost					
		(Owners)	Median %					
			Upper Limit					
			* Family Size Adj.					
			Months					
Note: Cost does not reflect deduction of allowances (e.g. utilities)								
Extremely Low Income HH	0 (Studio)	1	\$613	same	(30% x	30% x \$116,800	x 0.7	/ 12]
	1 bedroom	2	\$701	same	(30% x	30% x \$116,800	x 0.8	/ 12]
	2 bedrooms	3	\$788	same	(30% x	30% x \$116,800	x 0.9	/ 12]
	3 bedrooms	4	\$876	same	(30% x	30% x \$116,800	x 1.0	/ 12]
	4 bedrooms	5	\$946	same	(30% x	30% x \$116,800	x 1.08	/ 12]
	5 bedrooms	6	\$1,016	same	(30% x	30% x \$116,800	x 1.16	/ 12]
Very Low Income HH	0 (Studio)	1	\$1,022	same	(30% x	50% x \$116,800	x 0.7	/ 12]
	1 bedroom	2	\$1,168	same	(30% x	50% x \$116,800	x 0.8	/ 12]
	2 bedrooms	3	\$1,314	same	(30% x	50% x \$116,800	x 0.9	/ 12]
	3 bedrooms	4	\$1,480	same	(30% x	50% x \$116,800	x 1.0	/ 12]
	4 bedrooms	5	\$1,577	same	(30% x	50% x \$116,800	x 1.08	/ 12]
	5 bedrooms	6	\$1,694	same	(30% x	50% x \$116,800	x 1.16	/ 12]
Low Income HH	0 (Studio)	1	\$1,226	60% applies to renters	(30% x	60% x \$116,800	x 0.7	/ 12]
	1 bedroom	2	\$1,402		(30% x	60% x \$116,800	x 0.8	/ 12]
	2 bedrooms	3	\$1,577		(30% x	60% x \$116,800	x 0.9	/ 12]
	3 bedrooms	4	\$1,752		(30% x	60% x \$116,800	x 1.0	/ 12]
	4 bedrooms	5	\$1,892		(30% x	60% x \$116,800	x 1.08	/ 12]
		5 bedrooms	6	\$2,032	(30% x	60% x \$116,800	x 1.16	/ 12]
	0 (Studio)	1		\$1,431	(30% x	70% x \$116,800	x 0.7	/ 12]
	1 bedroom	2		\$1,635	(30% x	70% x \$116,800	x 0.8	/ 12]
	2 bedrooms	3		\$1,840	(30% x	70% x \$116,800	x 0.9	/ 12]
	3 bedrooms	4		\$2,044	(30% x	70% x \$116,800	x 1.0	/ 12]
4 bedrooms	5		\$2,208	(30% x	70% x \$116,800	x 1.08	/ 12]	
5 bedrooms	6		\$2,371	(30% x	70% x \$116,800	x 1.16	/ 12]	
Moderate Income HH	0 (Studio)	1	\$2,248	30% applies to renters	(30% x	110% x \$116,800	x 0.7	/ 12]
	1 bedroom	2	\$2,570		(30% x	110% x \$116,800	x 0.8	/ 12]
	2 bedrooms	3	\$2,891		(30% x	110% x \$116,800	x 0.9	/ 12]
	3 bedrooms	4	\$3,212		(30% x	110% x \$116,800	x 1.0	/ 12]
	4 bedrooms	5	\$3,489		(30% x	110% x \$116,800	x 1.08	/ 12]
		5 bedrooms	6	\$3,726	(30% x	110% x \$116,800	x 1.16	/ 12]
	0 (Studio)	1		\$2,623	(35% x	110% x \$116,800	x 0.7	/ 12]
	1 bedroom	2		\$2,998	(35% x	110% x \$116,800	x 0.8	/ 12]
	2 bedrooms	3		\$3,373	(35% x	110% x \$116,800	x 0.9	/ 12]
	3 bedrooms	4		\$3,747	(35% x	110% x \$116,800	x 1.0	/ 12]
4 bedrooms	5		\$4,047	(35% x	110% x \$116,800	x 1.08	/ 12]	
5 bedrooms	6		\$4,347	(35% x	110% x \$116,800	x 1.16	/ 12]	
* Family Size (1-8) Adjustment: Adjustments are made so larger families have higher income limits. The 4-person income limit serves as the base in calculating income limits for household sizes other than 4 persons. For family sizes ranging from 1 to 8 persons, the multipliers are as follows:								
Number of Persons (below):								
1	2	3	4					
0.7	0.8	0.9	1.0 (base)					
Decimal Multipliers (above):								
For households larger than eight persons (all income categories), determine income limit as follows: Per person (PP) adjustment above 8: (1) multiply the four-person income limit by eight percent (8%), (2) multiply result by number of persons in excess of eight, (3) add the amount to the income limit for eight persons, and (4) round the result to the nearest \$100. For projects with no federal assistance, household size is set at number of bedrooms in unit plus one (H&S 50052.5(h)) Median Income is held harmless from 2012 at \$75,900.								
EXAMPLE	4 persons	x 8% PP Adj						
Extremely Low	41,350	3,308						
Very Low Income	68,900	5,512						
Lower Income	110,250	8,820						
Moderate Income	140,150	11,212						
	added to 8 persons	= 9 persons	8 persons+8%PPAdj(x2) = 10 persons					
	54,592	57,890	25,750 0010 01,238					
	90,990	96,550	47,100 11024 102,010					
	145,540	154,400	73,600 17040 163,100					
	184,988	196,210	106,250 22424 207,382					

Effective: June 6, 2023



Affordable Housing & Density Bonus | Project Conditions

**SECTION 8 – EXISTING HOUSING ALLOWANCES
VOUCHER PAYMENT STANDARDS**

Locality: OCEANSIDE - Effective Date: 12/01/2022						
	0BR	1BR	2BR	3BR	4BR	5BR
92054 & 92057	\$1,870	\$2,057	\$2,618	\$3,575	\$4,356	\$5,009
92056 & 92058	\$2,024	\$2,233	\$2,838	\$3,883	\$4,719	\$5,427

TENANT-FURNISHED UTILITIES AND OTHER SERVICES

Locality: OCEANSIDE - Effective: 8/01/2022							
MONTHLY DOLLAR ALLOWANCES							
UNIT TYPE		0BR	1BR	2BR	3BR	4BR	5BR
<u>GARDEN, HIGH RISE APARTMENTS, CONDOS</u>							
HEATING	NATURAL GAS	18	21	24	26	29	32
	ELECTRIC	23	29	38	45	52	59
COOKING	NATURAL GAS	4	5	7	10	12	14
	ELECTRIC	10	12	18	27	36	43
OTHER ELECTRIC		39	46	64	82	103	126
WATER HEATING	NATURAL GAS	9	11	16	21	27	32
	ELECTRIC	24	28	43	55	65	75
WATER		78	84	124	183	242	302
SEWER		43	43	43	43	43	43
TRASH		26	26	26	26	26	26
RANGE MICROWAVE		5	5	5	5	5	5
REFRIGERATOR		5	5	5	5	5	5

MONTHLY DOLLAR ALLOWANCES							
UNIT TYPE		0BR	1BR	2BR	3BR	4BR	5BR
<u>DUPLEXES, ROW, TOWNHOUSES</u>							
HEATING	NATURAL GAS	25	30	32	35	38	40
	ELECTRIC	38	45	54	62	71	80
COOKING	NATURAL GAS	4	5	7	10	12	14
	ELECTRIC	10	12	19	29	36	43
OTHER ELECTRIC		48	56	78	103	131	159
WATER HEATING	NATURAL GAS	12	14	20	27	34	40
	ELECTRIC	30	38	56	69	81	93
WATER		78	84	124	183	242	302
SEWER		43	43	43	43	43	43
TRASH		26	26	26	26	26	26
RANGE MICROWAVE		5	5	5	5	5	5
REFRIGERATOR		5	5	5	5	5	5

Actual Family Allowances	Utility or Service	Per Month Cost
Address of Use Oceanside, CA 9205 Number of Bedrooms	Heating	\$
	Cooking	
	Other Electric	
	Water Heating	
	Water	
	Sewer	
	Trash	
	Range/Microwave	
	Refrigerator	
	Other	
	Total	\$

Utility Allowance ref: Handbook 7420.8 02/13



OCEANSIDE_{CA}

Attachment 2

RECEIVED

City Clerk Department
300 North Coast Highway
Oceanside, CA 92054
Tel (760) 435-3000 Fax (760) 967-3822

APR 03 2023

OCEANSIDE CITY CLERK

APPEAL OF PLANNING COMMISSION ACTION

APPEALS MUST BE FILED WITH THE CITY CLERK'S OFFICE WITHIN 10 CALENDAR DAYS OF THE DATE OF FINAL ACTION

PROJECT/ACTION BEING APPEALED

PROJECT NAME The Tremont D22-00014 DATE OF FINAL DECISION March 13, 2023

RESOLUTION NUMBER
2023-P05

FORM OF APPEAL

APPEAL FEE - \$1,838 ☒ PETITION ☐ (PLEASE SEE BELOW FOR EXPLANATION/SIGN OFF)

LETTER INCLUDING A STATEMENT SPECIFICALLY IDENTIFYING THE PORTION(S) OF THE DECISION BEING APPEALED AND THE BASIS FOR THE APPEAL IS ATTACHED ☒

PERSON FILING APPEAL

NAME Christine Ann Russell Daytime Telephone: 442.266.8438

ADDRESS 1922 1/2 S. Tremont St. CITY Oceanside STATE CA ZIP 92054

APPEALED BY ☐ APPLICANT (COMPANY/REP) ☒ INTERESTED PARTY ☐ PROPERTY OWNER WITHIN NOTICE AREA

SIGNATURE [Signature] DATE April 3, 2023

CONTACT PERSON

(IF DIFFERENT FROM PERSON FILING APPEAL)

NAME Dennis J. Russell CMO

ADDRESS CITY STATE ZIP

Daytime Telephone Fax Number Email Address

Section 4604: To appeal by petition for a waiver of the appeal fee, the appeal must be accompanied by the signatures of 50% of the property owners within the noticed area or 25 signatures of the property owners or tenants within the noticed area, whichever is less.

I hereby certify that this appeal is being submitted in accordance with the Zoning Ordinance and meets the criteria specified in Section 4604 for an appeal by petition.

Signature: _____

Date: _____

NOTE: All petitions must contain original signatures, along with the printed name

Received by: TS

Via: Counter

Copy to: CAO, CMO, Sergio, Darlene

3 April 2023

Aloha,

I love the City of Oceanside and believe in preserving the history and ensuring access to safety for the residents that pay taxes and good money to live here. I had routed a petition of signatures against the development going up in the alley here next to the fitness studio due to safety and environmental reasons back in 2022 and was unable to appeal it to the city council due to surgery and had missed deadlines.

The last time a safety analysis of the zoning area of the operations of the streets was done in 2015. I was unable to attend the planning commission meeting regarding The Tremont D22-00010 due to increasing medical problems I am experiencing as I am currently not able to walk and have been to urgent care and the emergency room and not getting anywhere with help from the veterans health administration regarding my leg. I am literally homebound.

John Malik voted against this project citing the issue with the last time a real analysis was done back in 2015 and other concerns. There is more to it than just being a "parking" issue when it impacts safety and wellness of ADA handicapped individuals and folks that are disabled living on this particular residential section of street. A lot has changed in this neighborhood section of street since 2015 unfortunately not for the betterment of the City of Oceanside and this particular street in terms of safety of the those living here on this street.

I highlighted several points when I sent in feedback objecting to this with the planning commission.

Building four small ground level long term rental cottages with offstreet parkingspaces for each unit would me much more fitting and ideal for this particular section of street vs a 16 unit multiple story complex which will definitely impact and block safety access due to increase flow of operations from visitors, deliveries, etc...which is already putting residents in danger here different times of the day, night....impacting access to safety response vehicles and impacting access to ADA handicap vehicles and ADA equipped special adaptation vehicles that residents personally own, etc...on a particular section of street like this due to the changes that have occurred since 2015....

On the flip side of things the City of Oceanside Fire Department operations is going down hill as I recently discovered this past Friday night March 31, 2023 when I called 911 for assistance to Scripps Memorial Hospital since I cannot transport myself and cannot go by taxi lyft uber etc due to past safety issues there....

It is recommended that the development be reviewed and downsized to four separate ground level long term rental cottages with off street parking and areas for organic farming in each little back yard. It is recommended that this coastal analysis of the streets take place in the city of Oceanside before any further mulit dwelling units like this proposal are voted on and/or allowed to proceed....

Sincerely,

Christine J. Murall, 442266.8434 (phone home)
Stage 4 cancer patient
100% permanent and total disabled veteran
Former naval officer U.S. Naval Academy Class of 2000

Delaney Carmen

From: Christine Russell <russell_chris_a@hotmail.com>
Sent: Monday, March 13, 2023 10:36 PM
To: Planning-Planning Commission; Planning Web; Sergio Madera; Darlene Nicandro; Michael Gossman; Delaney Carmen
Cc: Esther Sanchez; Ryan Keim; Peter Weiss; bartbillings; Darin Selnick; Eric Joyce; Rick Robinson; jim.desmond@sdcounty.org; Carrie Grose; Samuel.Jackson1@thefund.org; geoffrey_ross@yahoo.com; Kevin Kiley
Subject: Appealing decision to city council....1931-1933 South tremont street Applicant JLH FXS Tremont street, LLC. ADA handicapped rights to a safe personal ADA handicap vehicle on a city of oceanside coastal residential neighborhood street

Warning: External Source

I'm watching the online meeting but couldn't attend because my three wheel mobility scooter battery is dead even though a Vietnam veteran Dan Geisler fellow oceanside resident came over and got it out of storage for me yesterday and plugged it in to charge over 24 hours and we'll it didn't work, something wrong with the battery....I had scheduled a ride with MTS to pick me and my mobility scooter up for this evening, but didn't make it obviously. I can't walk right now and have to stay off the legs. I did make it doctor appointment this afternoon. It cost me \$20.00 to go 1/2 mile to one of my doctors in Carksbad village today via Lyft round trip....that's nutzo.

I have \$7.00 total in my checking and savings account combined today...Wow, how's that for being a former naval officer, Annapolis graduate battling a metastatic disease □ living in Oceanside...having to pay full price for everything...since my disability income is over that magic line? I couldn't find anyone to give me a ride tonight either...I tried all angles of approach...

I'm appealing this to the city council and need an extension due to my current disabilities...it says ten days on the flier and we'll I need more than ten days because of what's going on with me...always a mountain to climb....

What Mr Sergio stated about the property....folks wanted to know the history... Those two houses and the back unit were all owned by the same family. They all lived on that property next door to each other. The guy was was a contractor that built the back units and got creative for his family twenty plus years ago. Folks passed away and one of the families was able to maintain the house and the other family wasn't able to maintain the house next door the same way...but house is a housenever judge a book by its cover until you know the real deal....obviously this developer has money in mind and not the safety of residents on this street and doesn't care about access to safety on this street.

*****I believe a developer should come and camp out in their truck on the streets they want to develop so they can really see for themselves what I'm talking about here...they should walk a mile in the shoes first of their potential disabled renters that have visitors that are disabled as well with no safe access anymore on this particular section of street because of what happened with folks blindly passing things with no regards for safety and healthy living of your oceanside neighbors.*****

The previous lady that lived in that home before it was sold in 2022 was mentally ill that was related to the original family contractor ...she has serious medical problems and had a lot of illness etc...the family members related to the original contractor are all gone now since the houses were sold...they were all biologically related that lived on the properties next to each other the last twenty years...The owner quickly remodeled the houses and now they are being

rented out...and you got new folks leasing the homes that were given face lifts....One of the current habitants of the house smokes marijuana on the porch of the house which isn't legal and that marijuana smoke drifts over and impacts the children playing in the side yard of a one bedroom duplex with a back duplex as well....

well just that **one bedroom unit** next door is actually inhabited by about **ten people** now in a one bedroom they all come and go different cars. That's just the one unit next door to the current house that's smoking marijuana outside on the property of this cluster bomb 🧨 proposal...

Your suppose to smoke it inside the house...it's sad because next door there is a duplex you got a family of "ten" coming and going with little ones living in a one bedroom...so all that marijuana smoke isn't good for the little kids right next door...family of "ten" in a one bedroom house...the houses are on top of each other here...not enough distance for folks to smoke marijuana outside without it impacting their neighbors in a negative way on this particular street

I called earlier today about dialing in on a conference call to provide the facts about what's going on this street from a safety access perspective to the actual meeting for tonight, but no one called me back....I only heard back from Michael via email when I got home from doctors appointment...I was hoping to come via my scooter and MTS but the three wheel mobility scooter that was donated to me doesn't work and has to be fixed.

I am home bound and can't walk, Michael, asst city managed sent one picture over showing the problem with the alley that is now turned into a regular streer most of the time on the other side where residential businesses have their parking lots and some of those parking lots have been turned into outdoor restaurants here by the south coastal 101..., I don't know what happened to the other two pictures of the actual street here I reside on. I'll text both of them to mobile numbers again Michael and Darlene...because I don't have ability to email them. It shows the bottleneck safety problem where folks are boxed in and no more vehicles can fit on this street since there is no off street parking and then you got handicapped folks like myself that need to be able to access their ADA disabled vehicles etc because we are not able to walk to a bus stop and can't afford the going rates of Uber, Lyft or MTS door to door services which have gone up etc...actual homeowners here on this street I live on are disabled as well and park their ADA handicap vehicles on this street...I took the pictures and texted them to show what we already have on a daily basis weekly basis, the problems and why a proposal like that blocks access amd becomes a bottleneck issue for folks to access vehicles because a 16 unit place it's visitors and residential dwellers is too much for this segment of street and doesn't work here.

I'm less than 100ft from this proposed cluster bomb 🧨 that will destroy the quiet and what's left of safety? If it goes up. A lot has changed on this little section since I moved here in 2019 not for the better unfortunately. And this is because of trying to turn a residential neighborhood into a downtown pacific beach which is an ultimate nightmare and why I left and the owner told me to move to north county and look at oceanside and that's why I moved here to get away from the out of control drugs and crime etc...on the street I lived on in pacific beach...it's disgusting what happened to that little street in pacific beach in San Diego, CA....

and that's what will happen here if that cluster bomb goes up here...it's not a starter home...these homes here, People live here their whole lives on this block...it's not starter homes here...you'll end up with ten people per one bedroom because folks are not moving anymore...if they try to evict...they lose income...no such thing anymore as a starter home as one of the planning commissioner mentioned...the folks that are moving in are not of that mindset....not when you have ten folks living in one bedroom...so you got 160 folks in reality living in the 16 units...that's what's really going on and what happens and this little slice of Heaven turns into trash ghetto land and no longer vintage historical tremont street with the palm trees is the bottom line upfront

Thanks,
car



4422668430

<https://www.usatoday.com/in-depth/news/investigations/2021/11/01/mission-act-aid-veterans-healthcare-va-isnt-letting-it/8561618002/>

Aloha 🌺,

In response to Development Plan (D22-00010), Regular Coastal Permit (RC22-00008)

I texted **Pictures** I took to Darlene Nicandro and Michael Gossman yesterday. I can't email pictures due to technology problems right now. My leg I can't walk and my computer broke and don't have a money to get upgraded fixed computer phone. My email doesn't work on my computer phone.

The multi dwelling infrastructure building has to stop 🚫 on small street section like the one I reside on because it impedes access to ADA handicap personal vehicle Access. Folks that have disabled placards in coastal communities where there is no off street parking like the street I reside on, have to have a spot to park on the streets here in the south coastal oceanside zones. There is a coastal highway with business buildings on the other side and it impedes access to those businesses because they turned their parking lots into outdoor restaurants and now they park on our residential street. People get sick or become disabled, it is what it is from a legal standpoint. I'm sorry that the owners of that property, that they won't be able to develop their dream cluster bomb on the little section street I reside on and some other folks that are disabled as well reside on. They all are handicap and park their vehicles within steps of their front doors. This is single dwelling homes.

There Are federal laws that protect ADA handicap individuals who have handicap placards, therefore developers can no longer build cluster bombs buildings multiple stories for multiple complexes on a street where there is no off street parking because individuals like myself have to have access to our "safe" ADA DMV handicap vehicles. This particular street I live on, the development has to be halted because it's a matter of now endangering my life and the lives of others that are disabled on this street. There are two other individuals within this proposed development within 100ft that are physically disabled as well and have to be able to access their vehicle on the city of oceanside coastal zone street outside of the residence they rent. MTS door to door service just doesn't work in urgent situations, it's a complete failure and takes four hours to get to one Dr appointments some days I have multiple doctors appointments even though I try not to schedule it that way, it happens, and this is why I still have to have access to my ADA hadicapp safe personal vehicle.

Authorizing a cluster bomb structure to be built that houses sixteen apartments less than 100ft away from me, directly impacts my ability to have access to my safe vehicle here on south tremont street. I sent pictures of what has happened on this street here in south coastal oceanside to Darlene Nicardo and Michael Gossman. The assistant city manager and Development services director.

My neighbor that lives right across from me on the same property as me here is also disabled and she has to have access to her "safe" vehicle here on south tremont street. My previous caregiver husband who lives across the street less than hundred feet away from this proposed development is also disabled cancer survivor and they park their ADA disabled personal vehicle on the street here where there is no off street parking.

I am no longer able to walk to the other streets where I used to have to park when there was no parking available on my street that I reside on. This has become very problematic because every week there is someone that goes to pour tavern restaurant parking on this street and taking a lot of the spots

I fought the development with the cluster bomb multiple story high rise going up in my alley, but the planning commission ignored my cries for help then, and the planning commission approved the development of that which broke the law, because the visitors from that building are going to park on my street as well and block my access to my ADA handicap safe vehicle. I was too sick to appeal it to the City Council of Oceanside. I can't afford Uber, Lyft, or taxi services. I don't have the money and I'm a party of one. MTS services don't work, because you have to schedule 24 hours in advance. Every week I have some kind of urgent care event come up and I have to access my ADA safe vehicle with my ADA handicap placard. You can't call up MTS to show up on your door step to take you to the doctors or grocery store the same day. It's five dollars each way...that's just too expensive as well with the amount of trips I actually make with my ADA handicap personal safe vehicle,

MTS mass transit access has to be 24 hours in advance and just doesn't work for urgent care situations with MTS mass transit in San Diego county for folks with critical and terminal illnesses that live alone and on permanent disability. Folks that work full time jobs can't leave their jobs to come and drive me places. My neighbors were not able to help me even during the pandemic. I had to pay for help and use my own safe disabled personnel vehicle.

This proposed multi dwelling infrastructure is going to block my ability to access my personal ADA safe vehicle. Since the Chinese Wahun virus, the poor tavern closed their parking lot and turned it into permanent outdoor restaurant and now all their customers park on my residential street blocking my access to having a safe ADA personal vehicle. I can no longer walk to the corner where the poor tavern is at.

You cannot approve a massive construction site of a multiple structure cluster bomb of 16 units because it's going to impact the ability of disabled persons on this street to access their ADA safe personal vehicles that have handicap placards etc...

It's already a nightmare on this street post Chinese Wahun virus pandemic because of the outdoor parking lot that was permanently turned into an outdoor restaurant.

I moved to this area to be able to access a personal ADA safe vehicle that was a ground floor little house that doesn't share common walls. This is a street with mainly single house structures. I'm on fixed income and can't move anywhere because of what's happened and my neighbors like myself some have medical conditions which is why they can't live in places that share common walls due to marijuana smoking, essential oil burning, and incense which happens all the time in so called no smoking properties...so there are individuals that have to live in small stand alone units that are disabled and cannot climb stairs.

There already serious problems on this street now with the city of oceanside street sweeping operations and folks that have ADA handicap safe access personal vehicles etc...this all happened post Chinese virus where it got substantially worse...the city of oceanside still has to accommodate disabled persons on their city of oceanside streets....MTS doesn't work for me and I actually have church friends and caregivers come over and drive my ADA handicap special safe vehicle.

All the Visitors of an apartment with 16 units is going to block my access to my ADA handicapped personal safe vehicle less than 100 feet away from me on a street where there already isn't access to offstreet parking because of what happened the last 20 years with allowing vacation rentals and building granny flat and single dwelling apartments on single dwelling infrastructures. The proposed construction development of a 16 unit multi dwelling infrastructure blocks ADA access on this particular city of oceanside coastal street due to all the vacation rentals and granny flat and small single unit dwellings that were built on this particular section of street on both sides the last 20 years which is why it won't work on this particular section of street....

Then you had the Chinese virus allow restaurants turn their parking lots into outdoor restaurants...well disabled folks have to have access still to their ADA person handicap disabled vehicles and we just can't move, we have our disability rights to that "trump" developers so called precedence for housing....well that kind of multi dwelling structure housing just can't be built or allowed on this particular street less than hundred feet from me because it directly puts my life in danger ⚠ because I can't access my disabled safe personal handicapped vehicle...

The owner and property management firm of multi dwelling infrastructures isn't going to be able to manage their tenants and prevent their visitors from blocking my access to my ADA safe vehicle on a city of oceanside street where there is no off street parking, so since that endangers my life and the lives of others that are disabled on this street and have to have access to their ADA safe vehicles, you can't allow it is the bottom line, because your breaking ADA federal laws of those that are handicap on streets like this that exist in coastal community of oceanside.

I cannot live in buildings that share common walls because I have chronic multiple chemical sensitivity and can't live in buildings that share common walls because buildings Breathe. Smoking marijuana with medical marijuana cards, diffusing essential oils, burning incense in buildings that share common walls doesn't work for folks with chronic multiple chemical sensitivity disability. I have to live in a ground floor stand alone unit that doesn't have carpet or other chemicals I'm highly allergic to like paints etc...so don't tell me to move. I moved over 35 times in my life and can't move now because I'm battling a terminal illness.

People don't think of these things until they end up sick and or permanent and total disabled like myself . The Oceanside planning commission and oceanside city council needs to stop approving multi structure cluster Bomb dwellings on these kinds of residential streets in the coastal zones where there is no off street parking because it literally is endangering our safety now and blocking our safe access to our personal ADA handicap safe vehicle as permanent and total disabled persons in neighborhoods that have single dwelling homes....on streets like the one I live on where there is literally business stores on the other side of me and the coastal 101....

The developer presidence and the so called demand for housing? that was put in motion here in the coastal community of oceanside is struck null and void because in situations like the street I live on...it's blocking safe ADA access to personal ADA safe access vehicles for those that live on these residential vehicles where there is no off street parking for permanent and total disabled persons that are single and live alone and cannot live in multi dwelling infrastructures. It's why we moved to a neighborhood like this with single dwelling homes that are ground level to be able to access our safe ADA vehicle with our ADA handicap placards and ride our four wheel handicap scooters up to our front doorstep.

Residents are not suppose to park in front of postal mailboxes because the postal service workers are supposed to be Able to access the mailboxes...folks sometimes don't understand why they don't get their postal mail....it's because the postal workers cannot access the post boxes because of the vehicles blocking the post office boxes on the streets where there is no off street parking here in south coastal oceanside...

This area is a residential neighborhood with stand alone homes and no off street parking, you can no longer authorize the development of multi dwelling infrastructures because folks like myself have to have access to my ADA safe vehicle and there is no offstreet parking for me and others that are disabled that live on this street.

I sent text messages to Darlene Nicandro and Michael Gossman with pictures illustrating the situation and why you cannot authorize anymore multi dwelling cluster bomb infrastructures where there is no off street parking available for the current residents already living in on the street that are disabled and have handicap placards. What about folks getting sick in the future that may become disabled and have to have access to a safe ADA personal vehicle,

Such a massive constructive site will interfere with my medical requirements to access a ADA safe vehicle as well as the others that are disabled on this street. I live in a standalone ground floor unit stand alone unit and cannot live in mult deeming infrastructures due to chronic multiple chemical sensitivity didsbiky. . They cannot shut down access to the street for major construction etc here of a multiple dwelling site structure within 100ft because I have to have access to my ADA safe vehicle and there is no off street parking, but I pay taxes too here in the city of oceanside as a resident as well...

My neighbor that lives across from me is also disabled. There are a So others that live on this street that are disabled with their disabled ADA personal safe vehicles and legally I'm supposed to be able to access my safe ADA vehicle that's a couple steps from my residence here.

Well my handicap ADA placard and my constitutional right as a U.S. citizen to have a parking spot for my "safe vehicle access" trumps the ability for developers to build multi dwelling infrastructure here on my street where there is no off street parking....less than 100 ft from where I reside here in this south coastal oceanside zone. This area was never meant to house multiple dwelling housing infrastructures. There just isn't anymore room.

This situation extends to all coastal communities throughout the entire state of California living on streets like the one I live on with coastal business on the other side where folks turned their parking lots into permanent outdoor restaurants where their parking lots used to be. Folks that are handicap and are disabled are entitled to have access to a safe ADA vehicle etc....no matter where they live. If a multi dwelling infrastructure is going to impede this access to disabled person, then you cannot build it. It puts their life in jeopardy. There are other folks that live on south tremont street that are disabled like myself, they don't have the handicap placards on display. I just leave mine up 24 -7 due to all the problems on this street that began when the Chinese Wahun virus started and the problems never went away post pandemic now....I moved to this particular street because of my medical conditions I can only live in a small stand alone unit that doesn't share common walls and access to my safe handicapped vehicle is only a couple steps away. It didn't become a serious issue until they turned the parking lot into an outdoor restaurant and then the planning commission has approved more development of the some of the single dwelling infrastructures on this street where there is no offstreet parking and now you have some vacation rentals that used to be long term rentals but now there vacation rentals and that gets crazy on this little section of street because you can't track down vacation rental folks....they are not real neighbors etc....

Please strike out Development Plan (D22-00010) regular coastal permit (RC22-0008) and request for density bonus (DB22-00006) because it will further block access to ADA personal safe handicap vehicles on this particular street where there is no longer any offstreet parking and the Chinese virus caused the business on the other side of the street to turn their parking lots into outdoor restaurants and now all those folks park this residential street at night.

I don't know what's it called, but I believe north San Diego county cities and the city of oceanside should develop some kind of city ordinance law and present it before the state of California, reminding the State of California of disabled persons residing on streets in coastal communities that have to have access to their handicap disabled personal safe vehicle. I don't know what that looks like with city codes and planning commission work, but this needs to be instituted immediately and this will stop the developers on coastal streets here like the one I reside on....the other side is the coastal 101...and the issue is the coastal traffic comes and parks on this residential street or the next one over...I've watched them going in circles looking for a parking spot on the residential street here because now the parking lot was turned into an outdoor restaurant, etc....

I'm here 24/7 because I am disabled and don't work and see it all from my front yard. Basically the undercover neighborhood watch...

I hope you understand what I wrote. I explained it many different ways to address all the different learning styles and to address all the folks with different handicaps and learning abilities to understand by also texting pictures to Darlene Nicandro and Michael Gossman yesterday.

***The developer should instead build a couple stand alone small one bedroom ground floor cottages that don't share common walls that each have their own off street parking space next to the little one bedroom cottage that they are leasingsimilar to the property I live on, but with actually having off street parking and build it as one bedroom with actual bathroom. My neighbors directly across from me pay a whole lot less due to being grandfathered in and living here long before I showed up etc...

I moved in here I pay \$1500.00 a month and now the rent has been raised to \$1755 which I know is crazy, but I can't believe the average one bedroom is going for \$2400.00 in a cluster bomb developments.

I live in 400sqft and I have no bathtub and no bedroom closet etc because these homes back in the 1940s are vintage and represent a different life, although I wish I had the money to remodel it with green chemical free and odor free materials, I would do it myself and add a closet and a bathtub while living here at the same time..since I am a stage

four cancer patient on permanent ongoing daily chemotherapy treatment and have no where to go and one step away from being homeless myself if the rents continue to go up.....they sell odor free paints that are special for cancer patients like me and I bought some "special clean room caulking materials" that they use in the space station that is odorless and no chemicals ...you can't open up a window in space....I wish 🙏❤️🙏 I could buy a coastal little one bedroom with off street parking on this street here. I would put all tile down as well since I can't be around carpet....

***The developer should design and build like six ground floor six tiny homes with one bedroom and separate bathroom that have soak tubs that disabled folks like myself can access, no carpet, all tile ground floor units...and that have their own off-street parking spot and their own little backyard to have an organic vegetable garden....and "rent to own" to only disabled veterans like myself.

If I had the money as a developer I would buy that lot and that's what I would do for permanent and total disabled female veterans like myself because society didn't build up the infrastructure across the nation for disabled women veterans under 55 like myself. All presidential administrations failed in this regards and that's why the Semper Fi and Americas Fund, www.thefund.org, was beyond their years in seeing the cluster bomb crisis back in 2001.

No one cares about handicap permanent and total disabled female veterans like myself. This is something I have really learned since 2016 when I was being misdiagnosed at the veterans hospital in La Jolla California. There are more of us now popping up because of allowing women on the front lines the last twenty years in the war zones etc....unfortunately there are not enough Godly men around that's why we are forced to live alone and don't have families of our own....and in todays society...not to many folks (men and women both) do not want to live and care for permanent and total disabled female veterans that are permanently wounded or dealing with critical or terminal illnesses that are related to military service etc....that's the bottom line upfront.

Happy Sunday greetings. Always on neighborhood watch here.

Thank you.

Sincerely,

//signed//

Christine Ann Russell

100 percent Permanent and total disabled veteran

Stage four cancer patient

1922 1/2 South Tremont street

Oceanside, California 92054



<https://www.usatoday.com/in-depth/news/investigations/2021/11/01/mission-act-aid-veterans-healthcare-va-isnt-letting-it/8561618002/>

[LinkedIn.com/in/christine-ann-russell-4199069](https://www.linkedin.com/in/christine-ann-russell-4199069)

4422668430

Sent from my iPad

Delaney Carmen

From: Christine Russell <russell_chris_a@hotmail.com>
Sent: Sunday, March 5, 2023 3:18 PM
To: Planning-Planning Commission; Planning Web; Sergio Madera; Darlene Nicandro; Michael Gossman; Delaney Carmen
Cc: Esther Sanchez; Ryan Keim; Peter Weiss; bartbillings; Darin Selnick; Eric Joyce; Rick Robinson; jim.desmond@sdcounty.org; Carrie Grose; Samuel.Jackson1@thefund.org; geoffrey_ross@yahoo.com; Kevin Kiley
Subject: 1931-1933 South tremont street Applicant JLH FXS Tremont street, LLC. ADA handicapped rights to a safe personal ADA handicap vehicle on a city of oceanside coastal residential neighborhood street

Warning: External Source

Aloha 🌺,

In response to Development Plan (D22-00010), Regular Coastal Permit (RC22-00008)

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There Are federal laws that protect ADA handicap individuals who have handicap placards, therefore developers can no longer build cluster bombs buildings multiple stories for multiple complexes on a street where there is no off street parking because individuals like myself have to have access to our "safe" ADA DMV handicap vehicles. This particular street I live on, the development has to be halted because it's a matter of now endangering my life and the lives of others that are disabled on this street. There are two other individuals within this proposed development within 100ft that are physically disabled as well and have to be able to access their vehicle on the city of oceanside coastal zone street outside of the residence they rent. MTS door to door service just doesn't work in urgent situations, it's a complete failure and takes four hours to get to one Dr appointments some days I have multiple doctors appointments even though I try not to schedule it that way, it happens, and this is why I still have to have access to my ADA hadicapp safe personal vehicle.

Authorizing a cluster bomb structure to be built that houses sixteen apartments less than 100ft away from me, directly impacts my ability to have access to my safe vehicle here on south tremont street. I sent pictures of what has happened on this street here in south coastal oceanside to Darlene Nicardo and Michael Gossman. The assistant city manager and Development services director.

My neighbor that lives right across from me on the same property as me here is also disabled and she has to have access to her "safe" vehicle here on south tremont street. My previous caregiver husband who lives across the street less than

hundred feet away from this proposed development is also disabled cancer survivor and they park their ADA disabled personal vehicle on the street here where there is no off street parking.

I am no longer able to walk to the other streets where I used to have to park when there was no parking available on my street that I reside on. This has become very problematic because every week there is someone that goes to pour tavern restaurant parking on this street and taking a lot of the spots

I fought the development with the cluster bomb multiple story high rise going up in my alley, but the planning commission ignored my cries for help then, and the planning commission approved the development of that which broke the law, because the visitors from that building are going to park on my street as well and block my access to my ADA handicap safe vehicle. I was too sick to appeal it to the City Council of Oceanside. I can't afford Uber, Lyft, or taxi services. I don't have the money and I'm a party of one. MTS services don't work, because you have to schedule 24 hours in advance. Every week I have some kind of urgent care event come up and I have to access my ADA safe vehicle with my ADA handicap placard. You can't call up MTS to show up on your door step to take you to the doctors or grocery store the same day. It's five dollars each way...that's just too expensive as well with the amount of trips I actually make with my ADA handicap personal safe vehicle,

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This proposed multi dwelling infrastructure is going to block my ability to access my personal ADA safe vehicle. Since the Chinese Wahun virus, the pour tavern closed their parking lot and turned it into permanent outdoor restaurant and now all their customers park on my residential street blocking my access to having a safe ADA personal vehicle. I can no longer walk to the corner where the poor tavern is at.


You cannot approve a massive construction site of a multiple structure cluster bomb of 16 units because it's going to impact the ability of disabled persons on this street to access their ADA safe personal vehicles that have handicap placards etc...

It's already a nightmare on this street post Chinese Wahun virus pandemic because of the outdoor parking lot that was permanently turned into an outdoor restaurant.

I moved to this area to be able to access a personal ADA safe vehicle that was a ground floor little house that doesn't share common walls. This is a street with mainly single house structures. I'm on fixed income and can't move anywhere because of what's happened and my neighbors like myself some have medical conditions which is why they can't live in places that share common walls due to marijuana smokin, essential oil burning, and incense which happens all the time in so called no smoking properties...so there are individuals that have to live in small stand alone units that are disabled and cannot climb stairs.

There already serious problems on this street now with the city of oceanside street sweeping operations and folks that have ADA handicap safe access personal vehicles etc...this all happened post Chinese virus where it got substantially worse...the city of oceanside still has to accommodate disabled persons on their city of oceanside streets....MTS doesn't work for me and I actually have church friends and caregivers come over and drive my ADA handicap special safe vehicle.

All the Visitors of an apartment with 16 units is going to block my access to my ADA handicappb personal safe vehicle less than 100 feet away from me on a street where there already isn't access to offstreet parking because of what happened the last 20 years with allowing vacation rentals and building granny flat and single dwelling apartments on single dwelling infrastructures. The proposed construction development of a 16 unit multi dwelling infrastructure blocks ADA access on this particular city of oceanside coastal street due to all the vacation rentals and granny flat and small single unit dwellings that were built on this particular section of street on both sides the last 20 years which is why it won't work on this particular section of street....

Then you had the Chinese virus allow restaurants turn their parking lots into outdoor restaurants...well disabled folks have to have access still to their ADA person handicap disabled vehicles and we just can't move, we have our disability rights to that "trump" developers so called precedence for housing....well that kind of multi dwelling structure housing just can't be built or allowed on this particular street less than hundred feet from me because it directly puts my life in danger  because I can't access my disabled safe personal handicapped vehicle...

The owner and property management firm of multi dwelling infrastructures isn't going to be able to manage their tenants and prevent their visitors from blocking my access to my ADA safe vehicle on a city of oceanside street where there is no off street parking, so since that endangers my life and the lives of others that are disabled on this street and have to have access to their ADA safe vehicles, you can't allow it is the bottom line, because your breaking ADA federal laws of those that are handicap on streets like this that exist in coastal community of oceanside.

I cannot live in buildings that share common walls because I have chronic multiple chemical sensitivity and can't live in buildings that share common walls because buildings Breathe. Smoking marijuana with medical marijuana cards, diffusing essential oils, burning incense in buildings that share common walls doesn't work for folks with chronic multiple chemical sensitivity disability. I have to live in a ground floor stand alone unit that doesn't have carpet or other chemicals I'm highly allergic to like paints etc...so don't tell me to move. I moved over 35 times in my life and can't move now because I'm battling a terminal illness.

People don't think of these things until they end up sick and or permanent and total disabled like myself. The Oceanside planning commission and oceanside city council needs to stop approving multi structure cluster Bomb dwellings on these kinds of residential streets in the coastal zones where there is no off street parking because it literally is endangering our safety now and blocking our safe access to our personal ADA handicap safe vehicle as permanent and total disabled persons in neighborhoods that have single dwelling homes....on streets like the one I live on where there is literally business stores on the other side of me and the coastal 101....

The developer precedence and the so called demand for housing? that was put in motion here in the coastal community of oceanside is struck null and void because in situations like the street I live on...it's blocking safe ADA access to personal ADA safe access vehicles for those that live on these residential vehicles where there is no off street parking for permanent and total disabled persons that are single and live alone and cannot live in multi dwelling infrastructures. It's why we moved to a neighborhood like this with single dwelling homes that are ground level to be able to access our safe ADA vehicle with our ADA handicap placards and ride our four wheel handicap scooters up to our front doorstep.

Residents are not suppose to park in front of postal mailboxes because the postal service workers are supposed to be able to access the mailboxes...folks sometimes don't understand why they don't get their postal mail....it's because the postal workers cannot access the post boxes because of the vehicles blocking the post office boxes on the streets where there is no off street parking here in south coastal oceanside...

This area is a residential neighborhood with stand alone homes and no off street parking, you can no longer authorize the development of multi dwelling infrastructures because folks like myself have to have access to my ADA safe vehicle and there is no offstreet parking for me and others that are disabled that live on this street.

I sent text messages to Darlene Nicandro and Michael Gossman with pictures illustrating the situation and why you cannot authorize anymore multi dwelling cluster bomb infrastructures where there is no off street parking available for the current residents already living in on the street that are disabled and have handicap placards. What about folks getting sick in the future that may become disabled and have to have access to a safe ADA personal vehicle,

Such a massive constructive site will interfere with my medical requirements to access a ADA safe vehicle as well as the others that are disabled on this street. I live in a standalone ground floor unit stand alone unit and cannot live in multi dwelling infrastructures due to chronic multiple chemical sensitivity disability. They cannot shut down access to the street for major construction etc here of a multiple dwelling site structure within 100ft because I have to have access to

my ADA safe vehicle and there is no off street parking, but I pay taxes too here in the city of oceanside as a resident as well...

My neighbor that lives across from me is also disabled. There are a
So others that live on this street that are disabled with their disabled ADA personal safe vehicles and legally I'm supposed to be able to access my safe ADA vehicle that's a couple steps from my residence here.

Well my handicap ADA placard and my constitutional right as a U.S. citizen to have a parking spot for my "safe vehicle access" trumps the ability for developers to build multi dwelling infrastructure here on my street where there is no off street parking....less than 100 ft from where I reside here in this south coastal oceanside zone. This area was never meant to house multiple dwelling housing infrastructures. There just isn't anymore room.

This situation extends to all coastal communities throughout the entire state of California living on streets like the one I live on with coastal business on the other side where folks turned their parking lots into permanent outdoor restaurants where their parking lots used to be. Folks that are handicap and are disabled are entitled to have access to a safe ADA vehicle etc...no matter where they live. If a multi dwelling infrastructure is going to impede this access to disabled person, then you cannot build it. It puts their life in jeopardy. There are other folks that live on south tremont street that are disabled like myself, they don't have the handicap placards on display. I just leave mine up 24 -7 due to all the problems on this street that began when the Chinese Wuhon virus started and the problems never went away post pandemic now....I moved to this particular street because of my medical conditions I can only live in a small stand alone unit that doesn't share common walls and access to my safe handicapp vehicle is only a couple steps away. It didn't become a serious issue until they turned the parking lot into an outdoor restaurant and then the planning commission has approved more development of the some of the single dwelling infrastructures on this street where there is no offstreet parking and now you have some vacation rentals that used to be long term rentals but now there vacation rentals and that gets crazy on this little section of street because you can't track down vacation rental folks...they are not real neighbors etc....

Please strike out Development Plan (D22-00010) regular coastal permit (RC22-0008) and request for density bonus (DB22-00006) because it will further block access to ADA personal safe handicap vehicles on this particular street where there is no longer any offstreet parking and the Chinese virus caused the business on the other side of the street to turn their parking lots into outdoor restaurants and now all those folks park this residential street at night.

I don't know what's it called, but I believe north San Diego county cities and the city of oceanside should develop some kind of city ordinance law and present it before the state of California, reminding the State of California of disabled persons residing on streets in coastal communities that have to have access to their handicap disabled personal safe vehicle. I don't know what that looks like with city codes and planning commission work, but this needs to be instituted immediately and this will stop ● the developers on coastal streets here like the one I reside on....the other side is the coastal 101...and the issue is the coastal traffic comes and parks on this residential street or the next one over...I've watched them going in circles looking fir a parking spot on the residential street here because now the parking lot was turned into an outdoor restaurant, etc.....

I'm here 24/7 because I am disabled and don't work and see it all from my front yard. Basically the undercover neighborhood watch...

I hope you understand what I wrote. I explained it many different ways to address all the different learning styles and to address all the folks with different handicaps and learning abilities to understand by also texting pictures to Darlene Nicandro and Michael Gossman yesterday.

***The developer should instead build a couple stand alone small one bedroom ground floor cottages that don't share common walls that each have their own off street parking space next to the little one bedroom cottage that they are leasingsimilar to the property I live on, but with actually having off street parking and build it as one bedroom with

actual bathroom. My neighbors directly across from me pay a whole lot less due to being grandfathered in and living here long before I showed up etc...

I moved in here I pay \$1500.00 a month and now the rent has been raised to \$1755 which I know is crazy, but I can't believe the average one bedroom is going for \$2400.00 in a cluster bomb developments.

I live in 400sqft and I have no bathtub and no bedroom closet etc because these homes back in the 1940s are vintage and represent a different life, although I wish I had the money to remodel it with green chemical free and odor free materials, I would do it myself and add a closet and a bathtub 🛁 while living here at the same time..since I am a stage four cancer patient on permanent ongoing daily chemotherapy treatment and have no where to go and one step away from being homeless myself if the rents continue to go up.....they sell odor free paints that are special for cancer patients like me and I bought some "special clean room caulking materials" that they use in the space station that is odorless and no chemicals ...you can't open up a window in space....I wish 🏠❤🏠 I could buy a coastal little one bedroom with off street parking on this street here. I would put all tile down as well since I can't be around carpet....

***The developer should design and build like six ground floor six tiny homes with one bedroom and separate bathroom that have soak tubs that disabled folks like myself can access, no carpet, all tile ground floor units...and that have their own off-street parking spot and their own little backyard to have an organic vegetable garden....and "rent to own" to only disabled veterans like myself.

If I had the money as a developer I would buy that lot and that's what I would do for permanent and total disabled female veterans like myself because society didn't build up the infrastructure across the nation for disabled women veterans under 55 like myself. All presidential administrations failed in this regards and that's why the Semper Fi and Americas Fund, www.thefund.org, was beyond their years in seeing the cluster bomb crisis back in 2001.

No one cares about handicap permanent and total disabled female veterans like myself. This is something I have really learned since 2016 when I was being misdiagnosed at the veterans hospital in La Jolla California. There are more of us now popping up because of allowing women on the front lines the last twenty years in the war zones etc....unfortunately there are not enough Godly men around that's why we are forced to live alone and don't have families of our own....and in todays society...not to many folks (men and women both) do not want to live and care for permanent and total disabled female veterans that are permanently wounded or dealing with critical or terminal illnesses that are related to military service etc....that's the bottom line upfront.

Happy Sunday greetings. Always on neighborhood watch here.

Thank you.

Sincerely,

//signed//

Christine Ann Russell

100 percent Permanent and total disabled veteran

Stage four cancer patient

1922 1/2 South Tremont street

Oceanside, California 92054



<https://www.usatoday.com/in-depth/news/investigations/2021/11/01/mission-act-aid-veterans-healthcare-va-isnt-letting-it/8561618002/>

[LinkedIn.com/in/christine-ann-russell-4199069](https://www.linkedin.com/in/christine-ann-russell-4199069)

4422668430

Sent from my iPad

Delaney Carmen

From: Christine Russell <russell_chris_a@hotmail.com>
Sent: Saturday, December 3, 2022 2:48 PM
To: Sergio Madera
Cc: Darlene Nicandro; geoffrey_ross@yahoo.com; Delaney Carmen; Robert Dmohowski
Subject: Re: Aloha...safety and environmental concerns

Warning: External Source

Hi Sergio,

I would have responded yesterday and meant to drop off my request to be added to the request to speak again at the next city hall meeting, but I had an emergency come up yesterday and on Thursday my oncologist wanted me to go to the ER.

1) The residents are not in favor as the sign was removed from the fence and I do not have knowledge behind that action. Actions speak louder than words so I had to share on behalf of my fellow neighbors and home owners and residents that live in this section of Oceanside.

2) while I understand the intentions, it's too large of a scale re the historical history of the Historical Palm South Tremont streets original engineering designs as the street would have to be widened to accommodate safety vehicles and spaces for residents on the street when they fall sick. Human beings need to have access to personal vehicles when they are sick and or battling diseases. The city of oceanside cannot cut off access to safety and this applies to all sections of the city, not just this historical street.

Due to financial set backs the majority of human beings I'm aware of can no longer pay for Lyft Ubers and taxis services. While living here on historical tremont street I dialed 911 for a lift to the hospital...it wasn't an emergency but I could t access my "safety vehicle" because it was parked on the other street due to the impact of the outdoor restaurants now bring permanent outdoor restaurants that were nice parking lots.

3). While the city of oceanside keeps referencing these so called state laws amd so called housing shortages....developers are leaving the "safety and environmental impacts" section blank when they submit applications with their fees as what happened with Scott nightingale and the "mercantile loft cluster Bomb". You cannot leave these sections blanks and just drive forward because of so called laws ? out of Sacramento. That's just a bait and switch...

Human beings have to be safe and have access to safety. Structures cannot be built if they endanger safety and impact access to safety of human beings. Ultimately with the pandemic, this is why society shut down because of there were not hospital beds to meet the demands of human beings. So in this case a building can also impede the access to safety of human beings and access to safety of human beings. This is why this proposal fails the human beings "safety" already living on south tremont historical street.

4). There is the the historical aspect of our state that enables streets, bridges, buildings to be protected. I am trying to identify some historians to put package together to get submitted and approved by the state to help protect the entire city of oceanside to put an end to developers trying to change and develop the last pieces of oceanside...what's left...I'm curious as to what the square miles is of the city of oceanside....and what the actual number is of historical land hasn't been touched....we have to put a stop to this in the present moment...everyone at the planning commission keeps touting progress....but it's no longer progress because the environment is being harmed and human beings are no longer safe in the city of oceanside from the perspective of buildings and developers of buildings etc...

5) I've been just recently announcing that I pray for an investor to buy out the folks of the "mercantile loft cluster bomb" and "switch it" to a **One Story historical 101 coastal museum with garden**...maybe I can somehow get Elon Musks attention with helping save a historical south coastal city (Oceanside) along the 101 here in San Diego County in the Golden state. Similar to what they did to protect the areas of Monterrey, Carmel, San Simeon etc....takes money (\$) to "switch it" but it just "tears ☹️ me " up to see that Camp Pendleton is now the "historical environmental museum" of what the land once looked like...it's beauty and splendor and it's just a lot of sadness to be frank. It is only left because of the existence of the military so it's the US military now that are truly the protectors of nature, environmental concerns etc....I hope you see the point....

I have seen nothing constructive-come out of the save south coastal oceanside group...

There isn't happy deals or happy settle,Mets even happening and many are not putting in the efforts to seek a neighborhood legal advisor to wheel and deal with a decipher to get a developer to scale down or just move on...

6) the recent experiences have been a nightmare since construction started literally in my backyard with literally mini earthquakes almost every day and power outages plumbing issues...you name it...it's going on now daily and weekly....there was no notice of demolition day so we could safely locate the area as the demolition started...I would have left for a week because we are not getting "hazardous living Pay" from the city of oceanside so we deserve notice to leave and come back if needed. Even though piles of dirt exist now....what's in the dirt...has anyone did testing if the dirt being dug up to see what's in that dirt now....the wind picks up and blows dirt particles in the air....they are not spraying water daily and they dig and move dirt around..

.alot of folks ride their bikes and walk and there are no warnings about what's in the piles of dirt at the excavation "tremont mercantile loft cluster bomb" site etc...

7) I had talked about additional safety measures that need to go up around the city...such as signs behind business, signs in alleys about speed and smoking burning things out in the open on the streets and houses backyards etc...supposed to be 25feet away and well that doesn't exist in the coastal zones....you just can't stop and ignore safety and environmental violations in the city of oceanside. Everyone pays taxes to be safe and these developments are impeding the safety of the human beings already here in the coastal zones and other locations and spots throughout the City of Oceanside. Have to start somewhere. I was telling back to the basics...because folks are not understanding the small print regarding laws that were passes by the state...one being recreational marijuana smoking....supposed to be in private residence....but it doesn't work in mercantile residential buildings and it doesn't work in the open in alleys streets where everything is do compacted and not further than 25 feet away...I spoke about speed bumps in alleys, signs, implementing a sticker program in some parts of the city like they have in New England and if you don't have a sticker...you get ticketed for parking on that street. Folks have to have access to a safe vehicle that are sick...they do have this program in Annapolis, Maryland and in New Port, Rhode Island with having to have a sticker on your car when you are parking on a public street or you can get a ticket. It's based on your residence and one sticker for one vehicle per household etc...it is what it is due to problems of trying to have access to a "safe" vehicle for "safe" transportation for someone that is sick...etc...

8). we still have to be able to breathe and be able to access medical care in a vehicle....the mass transit systems are not there to access if you can't access your "safety" transportation on the next street over. Building cluster bombs really do not work in these coastal zone areas because they really do restrict safety accesses to means of "safe" transportation options and the need to breathe clean air. All the vehicles crammed on a street restricts access to paramedics and fire department engines even finding a place to park in some situations due to human beings trying to sardine cram the "safe" transportation vehicles.... Uber Lyft taxis amd GoOside isn't a solution for "safe" transportation access....due to so called growth we have to still be able to access safe transportation. Folks still are passing away from old age disease etc, do I don't believe the so called affordable housing demand numbers....

You can't just then say everyone has to use mass transit for cleaner air and wipe out peoples homes in order to build so called safe transportation access.

9) You just have to put your foot down at some point to stop the madness because of the so called presidency that's been established but this presidency isn't really a law...it's just a tradition....he gets to smoke pot with his medical marijuana card in a non smoking property....so I get to smoke medical marijuana on a no smoking property as well....this

similar analogy is applied to developments now which is not logical at all. It's not safe for human beings and when it's not safe for human beings it's not safe for the environment. You can't rob Peter to pay Paul. And that's why we now have the present day nightmare in the city of oceanside,.

10) I know I'm a voice of one representing others in the south coastal zone and fellow neighbors stuck notes in my box to speak truth on their behalf etc...Money needs to be allocated to restoring and preserving the historical aspects of the city of oceanside now. We should not just see history of beauty in pictures hanging on the walls in the downtown resorts by the city of oceanside pier of what was. While I understand that may be a huge source of revenue supposedly for the city of oceanside....there are other ways for revenue to support the functions and operations of a city....it's not just resorts...Long Beach used to be beautiful....now it's repulsive....the parks what was once there...it's all gone now...just concrete....if you get the point. This area is a historical neighborhood where human beings live, it's not concrete...yet?

More to follow...I hope you understand the different points made...

Thank you,
Christine Ann Russell
Stage four cancer patient
Permanent and total Disabled combat veteran
Former safety and environmental officer
4422668430

Sent from my iPad

On Dec 2, 2022, at 9:18 AM, Sergio Madera <SMadera@oceansideca.org> wrote:

Ms. Russell,

Good morning. Apologies for the delayed response. The project I believe you're referring to is known as The Tremont (D22-00010). That project is still currently under review and has not gone to the Planning Commission for their consideration. The project consists of a Development Plan and Density Bonus. The applicant is proposing to construct a 17 unit apartment complex. Delaney Carmen, Planner I, in our office is the new project manager. She is copied here. Should you have any questions regarding the project or its status, please feel free to reach out directly to Delaney.

Regards,

Sergio



Sergio Madera
City Planner
City of Oceanside
Development Services Department
Planning Division
760-435-3539
smadera@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.

From: Christine Russell <russell_chris_a@hotmail.com>
Sent: Friday, December 2, 2022 2:36 AM
To: Darlene Nicandro <DNicandro@oceansideca.org>
Cc: Sergio Madera <SMadera@oceansideca.org>; geoffrey_ross@yahoo.com
Subject: Re: Aloha...safety and environmental concerns

Warning: External Source

Hi Darlene,

Tomorrows Friday and there are **No Excuses** for no one getting back in touch with me for the information requested.

Looks like the "commission staff" and "planning staff" and "whatever other wheeling s and dealings" and "bait amd switches" is where the evil is at...

Thanks,
Christine Ann Russell
Sent from my iPad

On Nov 23, 2022, at 3:44 PM, Darlene Nicandro <DNicandro@oceansideca.org> wrote:

Hi Sergio,

Please see Christine's email below. When you return to the office, can you or one of your staff please provide her the information she requested?

Thanks,
Darlene

Darlene Nicandro
Development Services Director
Development Services Department
300 North Coast Highway
Oceanside, CA 92054
(760) 435-3595
dnicandro@oceansideca.org
www.ci.oceanside.ca.us



All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.



From: Christine Russell <russell_chris_a@hotmail.com>
Sent: Wednesday, November 23, 2022 3:21 PM
To: Darlene Nicandro <DNicandro@oceansideca.org>
Cc: geoffrey_ross@yahoo.com
Subject: Re: Aloha...safety and environmental concerns

Warning: External Source

Thank you Darlene for the update.

Please let me know about the other proposal on south tremont street that's diagonal from me. Someone tore the sign down. I wanted to appeal that Decision to city council if it has been approved by the planning commission. It's four homes they wanted to tear down and build what I consider to be a cluster bomb...multiple stories with multiple units...something like 20 units which is really sad a versus the four residential homes that are across the street from me now...

The land was originally owned by one family and the head of household I guess was a contractor and years ago he constructed the second residential units in back of the two front residential homes. It was something crazy like 20 units they originally proposed... I've been too sick to track anything.

Thanks,
Christine Ann Russell

Sent from my iPad

On Nov 23, 2022, at 3:03 PM, Darlene Nicandro
<DNicandro@oceansideca.org> wrote:

Hi Christine,

Please see my responses in **red font** below. Hope you have a nice Thanksgiving!

Thanks,
Darlene

Darlene Nicandro
Development Services Director
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300 North Coast Highway
Oceanside, CA 92054
(760) 435-3595
dnicandro@oceansideca.org
www.ci.oceanside.ca.us



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From: Darlene Nicandro
Sent: Monday, November 21, 2022 4:23 PM
To: 'Christine Russell' <russell_chris_a@hotmail.com>
Cc: geoffrey_ross@yahoo.com
Subject: RE: Aloha...safety and environmental concerns

Hi Christine,

It was nice meeting you last week as well. Thank you for providing me with your documents.

As we discussed, I will:

1. Follow up with our City Planner to ensure that the Project Map Viewer is updated more regularly. I know this shouldn't be an excuse but hopefully you'll be understanding in knowing that we lost 4 out of 10 planners in the last 6 months, so we're doing our best with very limited staff.

I spoke with Sergio Madera, City Planner, about your comments regarding this and he said he will work with staff to do a better job of updating the Project Map Viewer more regularly, and see if he can include a footnote at the bottom that says something like "Last updated X, 202X; please contact the Planning Division at ___ for the most recent update.)

2. Follow up with Engineering – Land Development to better understand their noticing policy when it comes to demolitions.

I spoke with our Land Development Engineer today. He said that the Building division handles demolition permits, not Engineering. One suggestion is to state public notification requirements on the Demolition Permit. I will reach out to our Chief Building Official about this next week.

The 51 acres that was discussed is a portion of the 465-acre El Corazon Park; it was presented by the Public Works Department as [Agenda Item No. 15](#). The item was proposed in accordance with the January 2013 Disposition and Development Agreements with Sudberry Development, Inc. approved by the City Council seated at that time.

In regards to your other email, I will ask our City Planner to let me know the latest on the south Tremont project you described.

I'll follow up as soon as possible, hopefully this week, but it may be difficult due to the holiday.

I hope you have a nice Thanksgiving.

Thanks,
Darlene

Darlene Nicandro
Development Services Director
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300 North Coast Highway
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(760) 435-3595
dnicandro@oceansideca.org
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All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.



From: Christine Russell <russell_chris_a@hotmail.com>
Sent: Thursday, November 17, 2022 12:54 PM
To: Darlene Nicandro <DNicandro@oceansideca.org>
Cc: geoffrey_ross@yahoo.com
Subject: Aloha...safety and environmental concerns

Warning: External Source

Hi Darlene,

It was nice meeting you yesterday evening. I been emailing different concerns directly to the entire Oceanside city council since fall 2019. I started emailing concerns directly to the Oceanside Planning Commission , Planning staff, and City council etc...in 2021. I had sent concerns and issues directly to Deputy Mayor Ryan Keim as a concerned resident because of my illness in October 2022. I also had emailed the entire city council , planning commission, and planning staff etc since the fence went up around the area here in my backyard...Deputy Keims assistant called me back before All Hallows Eve/All Saints Day/All souls Day, but never connected with her....I did go down to the City Hall office twice attempting to talk to Deputy Keim or his assistant but they were out of office, the last two weeks before the demolition happened. I was trying to get information about what was going on with the project in my backyard.

I am on permanent and total disability so I don't function like normal functioning and use different tools and have different ways of communicating and different times of the day I am able to function. It was Deputy Mayor Ryan Keim who told me on the phone on November 7, 2022 to talk directly with the contractor that day when the building were being demolished in my backyard here and of course I am not going to go interface in

person with a contractor when a building is being demolished in my backyard. Its a hazard for me to bark at contractors and tell them to stop tearing down a buildings on November 7, 2022 because no notices were put in our mailboxes of the day of planned demolition, etc....

Attached documents and what I talked about last night.

My colleague Mr. Geoffrey Ross, [linkedin.com/in/geoffrey-ross-840b423](https://www.linkedin.com/in/geoffrey-ross-840b423), geoffrey_ross@yahoo.com, whom I included on this correspondence had directed me to the Office of Historic Preservation...ohp.parks.ca.gov

At the meeting last night I had heard another concerned resident talking something about a problem with a proposal with the City of Oceanside just giving away 51 acres for some kind of developement? Where did that 51 acres come from in the first place? Was it given to the city of Oceanside with the intent of fostering safety and the environment and enjoyment via parks and gardens....I understand what the concerned residents were expressing last night with the value of the preservation of the environment of 51 acres.....it really saddens me that Camp Pendelton is what the area used to look like and now its really the only "environmental museum left." I know my father grew up in the City of Long Beach and a family in Long Beach had deeded some land to the City of Long Beach for the land to be turned into park and wildlife preservation....laws had been passed...but folks bypassed the safety/environmental concerns and that land that had been given to the City of Long Beach for a park....was all torn up and developed...the whole thing is long gone now and only cluster bombs there now in the coastal area of the City of Long Beach where my father grew up during his childhood. My dad was a paperboy who delivered newspapers and he read and talked to all the neighbors on his route so that is how he learned of the land that was given to the City of Long Beach and then just given away to developers when the land was supposed to be used for a park and enjoyment of habitat....now its just a bunch of cluster bombs (buildings, etc...) and all that land that was deeded to the City of Long Beach was just given away to developers, etc...

Thank you so much,
Christine Ann Russell
Stage four Cancer patient
Total and Disabled Combat Veteran
Former Safety/Environmental Officer
1922 ½ South Tremont street
Oceanside, CA 92054

<https://www.usatoday.com/in-depth/news/investigations/2021/11/01/mission-act-aid-veterans-healthcare-va-isnt-letting-it/8561618002/4422668430>

PLANNING COMMISSION**STAFF REPORT**

DATE: March 13, 2023

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department-Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D22-00010), REGULAR COASTAL PERMIT (RC22-00008) AND REQUEST FOR DENSITY BONUS (DB22-00006) TO ALLOW THE DEMOLITION OF TWO SINGLE-FAMILY HOMES AND ONE TRIPLEX AND THE CONSTRUCTION OF A THREE-STORY APARTMENT COMPLEX CONSISTING OF 16 MARKET-RATE UNITS AND ONE (1) VERY LOW-INCOME AFFORDABLE UNIT AT 1931-1933 SOUTH TREMONT STREET – THE TREMONT – APPLICANT: JLH FXS TREMONT, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Article 19, Section 15332 (In-Fill Development Projects);
- (2) Adopt Planning Commission Resolution No. 2023- P05 approving Development Plan (D22-00010), Regular Coastal Permit (RC22-00008) and Density Bonus (DB22-00006) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND:

Background: The site consists of two legally created parcels totaling 13,804 square feet and is located on South Tremont Street, just north of the intersection at Vista Way. Situated within the South Oceanside Neighborhood Planning Area, the site has a General Plan land use designation of Coastal Residential High Density (C-RH), a zoning designation of Medium Density Residential (R-3), and is located in



the non-appealable area of the City's Coastal Zone. Surrounding uses include a mix of multi-family and single-family residential development in all directions.

The subject property currently consists of three residential buildings - two single-family homes and one triplex - totaling 4,764 square feet, which are proposed to be demolished. The two single-family homes were originally owner-occupied and are now vacant, and the three apartments are currently being rented. The project is exempt from requiring replacement housing pursuant to Government Code 65590.1, but will still be conditioned to obtain a Coastal Affordable Housing Compliance Permit from the Housing Division.

On July 5, 2022, an application for a Development Plan (D22-00010), Regular Coastal Permit (RC22-00008) and Density Bonus (DB22-00006) was received by Planning Division staff. The project underwent three rounds of review during the entitlement process and was ultimately deemed complete on January 18, 2023.

Project Description: The proposed project is comprised of three separate components: a Development Plan, a Regular Coastal Permit and a Density Bonus. The Development Plan allows for a residential project involving more than two dwelling units and the Regular Coastal Permit allows for development within the Coastal Zone. The Density Bonus is pursuant to regulations mandated by State Density Bonus Law.

Development Plan (D22-00010) represents a request for the following:

To allow the construction of a three-story apartment building consisting of 17 for-rent residential apartments, 17 parking stalls, and associated site improvements. The units would range in size from 470 square feet to 897 square feet in a variety of studio, one-bedroom and two-bedroom floorplans. 12 of the units would have private outdoor patios or balconies, and there would also be common outdoor lounge areas on the first and second floors. All 17 parking spaces would be accessed via the alley on the west side of the project site with 8 covered and 9 uncovered parking spaces. A double height open-air entry court on Tremont Street would mark the main pedestrian entrance to the building, with circulation also provided through side yard doors which would directly access common bicycle storage areas, outdoor showers and surfboard lockers. The ground floor would also contain individual storage closets for each unit, the refuse and recycling room, boiler, and main electrical room.

The applicant proposes to reserve 5%, or one unit, for very low-income households and is therefore entitled to one concession and an unlimited number of waivers from required development standards per Density Bonus Law, which are highlighted in the following section. The subject development plan has been prepared pursuant to Articles 10C, 31, and 43 of the Zoning Ordinance and would be consistent with the pattern of development in the surrounding neighborhood.

The proposed architecture would create a contemporary building of varied massing and height with bright colored plaster walls, large window openings, usable outdoor terraces and abundant landscaping to embrace the coastal style of South Oceanside. The cubist approach to the design would create a checkerboard of living space and outdoor areas

on the building façade to reduce massing and create a tiered structure that steps back from yard areas. The proposed landscape design would include planting and trees in the right-of-way and all yard areas, as well as raised planters in the entry court that would provide shading and structural relief to the site.

Density Bonus (DB22-00006) per State Density Bonus Law (SDBL) represents a request for the following:

To allow a residential development that would provide one (1) or 5% of the total apartment units for very low-income qualifying households. The maximum potential base density for the site, based on the Coastal Residential High-Density General Plan Land Use designation, is 14 units (1 dwelling unit per 1,000 square feet of acreage) based on the following calculation:

Table 1: Base Density Calculation

13,804 sq. ft x 1 dwelling unit per 1,000 sq. ft = 13.8, rounded up to 14 units

Table 2 below outlines the density bonus the project is eligible for based on the income level and percentage of units being reserved:

Table 2: Density Bonus by Income Category

Restricted Category	Affordable Units or	% of Restricted Affordable Units	% of Density Bonus Granted
Very Low Income 50% AMI or below		5%	20%

In exchange for reserving 5% (or 1) very low-income unit, the project is allowed a 20% density bonus that would provide three (3) additional units above the maximum allowed, which equals a total of 17 units. The density bonus calculation is listed below in Table 3:

Table 3: Density Bonus Calculation

14 units x 0.2 (density bonus) = 2.8, rounded up to 3 additional units
14 units + 3 units = 17 units Total

The affordable unit would be proportional to other market rate studios provided in the unit mix and would be dispersed throughout the project. The unit would be allocated as affordable to very low-income households, per State Density Bonus Law.

In addition to the density bonus, SDBL entitles projects to certain incentives or concessions and also provides for waivers from development standards that would physically preclude the project at the density proposed. The granting of waivers does not reduce the number of incentives allowed on a project, and the number of waivers that may be requested and granted is not limited. SDBL prohibits the City from denying any requested incentives/concessions or waivers absent findings of a "Specific Adverse Impact," which is defined as "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on

the date the application was deemed complete. Inconsistency with Zoning Ordinance or General Plan land use designation shall not constitute a specific, adverse impact on public health or safety.”

By providing 5% very low-income units, this project is entitled to one incentive/concession, as outlined below:

Incentive/Concession No. 1: A request to eliminate the requirements to underground all overhead utilities along the entire project frontage.

The applicant has provided “reasonable documentation” in the form of a project pro-forma that shows the requested concession results in identifiable and actual cost reductions to provide for affordable housing costs. Undergrounding of the three overhead utility poles located on the alley would result in an estimated cost of \$463,500, which would render the project financially unviable. The pro-forma has been included as Attachment 3 for reference.

In order to accommodate the increased density allowed under SDBL, the project cannot physically comply with all of the development standards that apply to non-density bonus projects. Based on the proposed design to accommodate the development at the density proposed, the applicant has requested waivers from the following two development standards pursuant to SDBL:

- Covered parking space requirement
- Outdoor storage space

The following table is provided to illustrate the R-3 zoning development standards and identify the standards proposed to be waived as a part of the Density Bonus application:

Table 4: 1931-1933 S Tremont St Development Standards Matrix			
Development Standard	R 3 Zone	Project as Proposed	Notes
Note: All references to Sections or Articles are from the City of Oceanside Zoning Ordinance, as applicable within the R-3 Zoning District.			
Minimum Setbacks:			
Front	15 ft	15 ft	Complies with Code
Side	10% of lot width (5 ft)	5 ft	Complies with Code
Rear	5 ft	41 ft	Complies with Code
Density	1 unit per 1,000 sf of lot area	17 units with State Density Bonus Law	Complies with State Density Bonus Law
Lot Coverage	60%	36%	Complies with Code

Table 4: 1931-1933 S Tremont St Development Standards Matrix

Development Standard	R-3 Zone	Project as Proposed	Notes
Note: All references to Sections or Articles are from the City of Oceanside Zoning Ordinance, as applicable within the R-3 Zoning District.			
Building Height	35 ft from average grade to ceiling/3 stories	33.9 ft/3 stories	Complies with Code
Parking	1 covered space per unit = 17 covered spaces	17 spaces – 8 covered, 9 uncovered	Amount of parking complies with code. Waiver requested for coverage requirement to accommodate density bonus units
Outdoor Storage	160 cubic feet of outdoor storage per unit	80 cubic feet of outdoor storage per unit	Waiver requested to accommodate density bonus units
Landscaping	7% tree canopy, 10% permeable surface area	20% tree canopy, 26% permeable surface area	Complies with Code

*Items highlighted in **bold** represent the waivers that are being requested pursuant to Density Bonus Law

ANALYSIS

1. General Plan Compliance

The General Plan Land Use Map designation for the subject property is C-RH, Coastal Residential High Density. The proposed project is consistent with this land use designation and the policies of the General Plan as follows:

A. Land Use Element

Goal 1.16 Housing

Objective: To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

Policy E: The City shall protect, encourage, and where feasible, provide housing opportunities for persons of low and moderate income.

The proposed project is requesting density bonus by reserving 5% of the total number of units or one (1) unit for very low-income tenants. By providing affordable units, the project would provide housing opportunities in an area that would otherwise be unattainable for lower income households.

Goal 1.23 Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatment, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The project would enhance its surroundings through building siting, landscaping, and architectural design. The design is sensitive to the surrounding context with its terraced massing that steps away from the street and multiple building volumes that break up the overall mass and provide façade modulation. The project utilizes a variety of finish materials and detailing that create visual interest, along with an abundance of landscaping to provide architectural relief. The project's incorporation of local coastal architectural style would help integrate it into the surrounding neighborhood and improve the existing site by providing modern, updated housing for a variety of income levels.

2. Local Coastal Program (LCP) Compliance

Located within the Coastal Zone, the project site is subject to the LCP, which includes the Land Use Plan and a series of goals and policies intended to ensure that development within the Coastal Zone conserves the City's coastal resources and fulfills the requirements of the California Coastal Act and its basic goals of protecting, maintaining, enhancing, and restoring the overall quality of the State's coastal environment.

Under the Land Use Plan of the LCP, the subject site is designated High Density Residential. Staff finds the proposed project is consistent with the purpose and intent of the LCP land use designation and is compatible with the surrounding development.

The proposed project complies with the objectives and policies of the LCP and is compatible with the Land Use Plan. The subject site lies within the non-appeal jurisdiction of the Coastal Zone, and thus is subject to the public access and recreation policies of Chapter 3 of the Coastal Act. Consistent with these policies, the proposed project would not impede public access to the coast or diminish opportunities for visitor-serving recreational uses within the Coastal Zone. The proposed project would be contiguous with existing developed areas with adequate public services and would enhance the scenic and visual qualities of the Coastal Zone.

The LCP contains policies requiring development to maintain the character of the existing neighborhood. The proposed Development Plan and Regular Coastal Permit conform to the policies of the LCP and the development would be consistent and compatible with the development pattern within the surrounding neighborhood in terms of land use and architectural style.

The LCP contains objectives and policies pertaining to new development within the Coastal Zone as follows:

The City shall ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.

The height of the building is modulated with varied roof heights and massing that is broken up into separate volumes in order to minimize the bulk of the building while maintaining the density allowed under SDBL. The building materials include light colored smooth stucco, aluminum doors and windows, wire mesh railings, and concrete paving. The elevations, materials and colors are complementary of the eclectic housing in the surrounding area.

New development shall utilize optimum landscaping to accent and enhance desirable site characteristics and architectural features.

The frontage of the project is highly landscaped with a lush but drought tolerant palette of planting along the public sidewalk and on site. Several large tree specimens are proposed to create shade and canopy as well as enhance the walkability of the site. The project will be conditioned to ensure the proposed landscape palette is compatible with the site's coastal location and addresses aesthetic and maintenance issues to comply with the City's Landscape Design Manual.

The City shall require that all new residential development provide adequate on-site parking:

Per Article 31 of the Zoning Ordinance, the subject property is required to provide one enclosed or covered space per dwelling unit. This reduced parking provision applies to properties that were legally subdivided prior to January 20, 1958 with a lot area of 7,500 square feet or less. Based on this provision, the project is required to provide 17 covered spaces. The project is providing the required amount of on-site parking, with a requested waiver pursuant to State Density Bonus Law to maintain half of the spaces as uncovered. The project is also closing two curb cuts on South Tremont Street, which will create additional on-street public street parking.

3. Zoning Ordinance Compliance

The proposed project is subject to the residential development standards within Article 10C of the Zoning Ordinance. With respect to development standards, the proposed project complies with the requirements of the R-3 Coastal Residential Zone, except where the applicant is seeking waivers of the development standards consistent with SDBL as previously highlighted in Table 4 of this report.

PUBLIC NOTIFICATION

In accordance with the Coastal Permit Handbook of the LCP, and the City's Enhanced Notification Program, legal notice of the Planning Commission hearing was published in the newspaper and notices were mailed to property owners of record within a 1,500-foot radius of the project site and occupants within a 100-foot radius of the project site. The applicant posted a Notice of Project Application sign on the property and notices were also mailed to individuals and organizations requesting notification.

Staff received two emails in opposition regarding the proposed project and two in support; these emails along with the community outreach report completed for the project are appended as Attachment 4. All concerns received were based upon building height, density and parking.

ENVIRONMENTAL DETERMINATION

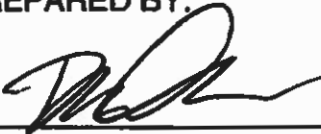
Pursuant to the California Environmental Quality Act (CEQA), staff finds that the proposed project is categorically exempt pursuant to Article 19 Categorical Exemptions, Section 15332 "In-fill Development Projects" of the California Environmental Quality Act. The site is located in an urbanized area, and would not result in any significant environmental effects.

SUMMARY

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Article 19, Section 15332 (In-Fill Development Projects);
- (2) Adopt Planning Commission Resolution No. 2023- P05 approving Development Plan (D22-00010), Regular Coastal Permit (RC22-00008) and Request for Density Bonus (DB22-00006) with findings and conditions of approval attached herein.

PREPARED BY:



Delaney Carmen
Planner I

SUBMITTED BY:



Sergio Madera
City Planner

Attachments:

1. Planning Commission Resolution No. 2023-P05
2. Plans (Online)
3. Project Pro-Forma
4. Community Outreach Report (online)
5. Other Attachments – Application Page, Description and Justification, NOE

MEMORANDUM

DATE: August 9, 2023
TO: Honorable Mayor and City Councilmembers
FROM: Delaney Carmen, Planner II
SUBJECT: Links to the attachments for the March 13, 2023 Planning Commission Report

The attachments to the March 13, 2023 Planning Commission Report (attachment 3 to the City Council Staff Report) can be electronically viewed here:

4.01 Attachment 1: Planning Commission Staff Report dated March 13, 2023 and Planning Commission Resolution No. 2023-P05

<https://records.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=59754>

4.02 Attachment 2: Plans

<https://records.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=59755>

4.03 Attachment 3: Project Pro-Forma

<https://records.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=59756>

4.04 Attachment 4: Community Outreach Summary

<https://records.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=59757>

4.05 Attachment 5: Other Attachments – Application Page, Description and Justification, NOE

<https://records.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=59758>

MEMORANDUM

DATE: August 9, 2023
TO: Honorable Mayor and City Councilmembers
FROM: Delaney Carmen, Planner II
SUBJECT: Link to Attachment 4: Plans

The project plans, attachment 4 to the City Council Staff Report, are not included in the packet due to size. The plans can be viewed electronically here:

Attachment 4: Plans (labeled 4.02 ATTACHMENT 2)

<https://records.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=59755>

The Tremont – Density Bonus Incentive

Please see the below description and proforma analysis showing why JLH FXS Tremont's is requesting to use a density bonus incentive to waive the required undergrounding of utilities for The Tremont project.

Based on an estimate from *Utility Specialists*, a dry utility contractor that has been engaged for The Tremont, costs associated with a conversion to meet the city's Zoning Ordinance would be over \$460,000. A detailed estimate is attached, which outlines the scope of work that would be required to complete the conversion, including:

- Removing 3 poles and the need to set a new pole and anchor up the alley to the north.
- A deviation from SDG&E would be needed to allow us trench alongside the gas line to meet clearance requirements from the wet utilities, given the existing alley way is 30' wide with sewer, water, & gas lines running through it. This portion of trenching would need to be hand dug.
- Two additional pad mounted transformers would need to be placed on the new property to replace the pole top transformers coming down with the conversion. Significant adjustments would need to be made to the site plan to accommodate these transformers.
- Replace the existing customers Overhead connections with underground services. This would require trenching on the customers property & installation of new equipment on each home.
 - Each customer would need to approve the developers work on their properties. A single property owner who refuses to allow this work could hold up the entire conversion. Approximately 8 or more lots would be affected.
- Additional structures and equipment would be required to relocate the Phone and CATV systems effected by the conversion.

In addition to the risks associated with the scope of work as outlined above, the financial impact of this requirement could make the project unfeasible. The additional \$463,500 of costs reduces the yield on cost of the project by 32 bps. This in conjunction with the rise in interest rates since the project was originally contemplated would make the project not financially viable. Please see Exhibit A.

INVESTMENT DESCRIPTION			
Name	THE TREMONT County		San Diego
Address	1931 & 1933 S Tremont St. State		CA
City	Oceanside Zip Code		92054
Land Area	13,770 SF	0.3 acres Buildings	1.0
Units/Acre		53.8 Avg. # of Stories	3.0
FAR		0.99 Units	17 units
Gross Buildable (GBA - SF)		13,639 Net Rentable (NRA - SF)	73.2% of GBA 9,983
Total Parking Spaces		17 Structured Parking Spaces	0
Parking Ratio		1.00/unit Surface Parking Spaces	17

WITH INCENTIVE TO WAIVE UNDERGROUND UTILITIES

THE TREMONT - SOURCES AND USES			
SOURCES			
	%	per unit	Amount
Limited Partner Equity (90%)	90%	123,913	2,106,528
Sponsor Equity (10%)	10%	13,787	234,376
Total Equity	30%	137,700	2,340,904
Bridge/Construction Loan	70%	321,221	5,460,763
Total Sources			7,801,668
USES			
	%	per unit	Amount
Land Cost	36%	164,706	2,800,000
Closing Costs and Acq. Fee	1%	5,914	100,535
Hard Costs	48%	218,543	3,715,237
Soft Costs	10%	47,978	815,630
Carry Costs	5%	21,780	370,266
Total Uses		458,922	7,801,668

TREMONT - UNIT MIX		
UNIT TYPE	COUNT	AVG. SF
A - 2Bd/2ba w/balcony	2	867
B1 - 1bd/1ba w/balcony	2	621
B2 - 1bd/1ba loft w/balcony	6	630
C1 - Studio (Market)	4	461
C1 - Studio (Affordable - Very Low)	1	461
C2 - Studio w/balcony (Market)	2	461
TOTAL / WEIGHTED AVERAGE	17	587

RETURNS	
	Trended
Yield on Cost	5.31%
Levered IRR	14.92%

IF REQUIRED (NO INCENTIVE)

THE TREMONT - SOURCES AND USES			
SOURCES			
	%	per unit	Amount
Limited Partner Equity (90%)	90%	131,502	2,235,538
Sponsor Equity (10%)	10%	14,630	248,711
Total Equity	30%	146,132	2,484,248
Bridge/Construction Loan	70%	340,913	5,795,520
Total Sources			8,279,769
USES			
	%	per unit	Amount
Land Cost	34%	164,706	2,800,000
Closing Costs and Acq. Fee	1%	5,914	100,535
Hard Costs	50%	245,808	4,178,737
Soft Costs	10%	48,035	816,599
Carry Costs	5%	22,582	383,897
Total Uses		487,045	8,279,769

TREMONT - UNIT MIX		
UNIT TYPE	COUNT	AVG. SF
A - 2Bd/2ba w/balcony	2	867
B1 - 1bd/1ba w/balcony	2	621
B2 - 1bd/1ba loft w/balcony	6	630
C1 - Studio (Market)	4	461
C1 - Studio (Affordable - Very Low)	1	461
C2 - Studio w/balcony (Market)	2	461
TOTAL / WEIGHTED AVERAGE	17	587

RETURNS	
	Trended
Yield on Cost	4.99%
Levered IRR	13.15%



4429 Moreno Boulevard
 San Diego, California 92117
 858 581 2258

Preliminary Dry Utility Conversion Cost Estimate

Field X Studio

Tremont Apartments

9/1/2022

Item	Quantity	Unit Cost	Cost	Potential Refund	Net Cost	NOTES:
SDG&E Structures & Fees		\$ -	\$ 120,000	\$ -	\$ 120,000	SDG&E transformers, pole, & anchor
AT&T Relocation Fees		\$ 50,000	\$ 50,000	\$ -	\$ 50,000	AT&T Relocation fee
CATV Relocation Fees	2	\$ 25,000	\$ 50,000	\$ -	\$ 50,000	Cox & Charter Relocation Fee
					\$ 220,000	
Contractor Costs						
Contractor - Mainline Trench	350'	\$ 260	\$ 91,000	\$ -	\$ 91,000	Mainline Trenching Fees
Contractor - Sub-Structures		\$ -	\$ -	\$ -	\$ 28,500	SDG&E & Communication sub-structures
Contractor - Re-Feed Existing Services	8 Homes	\$ 15,000	\$ 120,000	\$ -	\$ 124,000	Trenching and Equipment
Sub-Total					\$ 243,500	

GRAND TOTAL

\$ 463,500


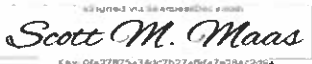
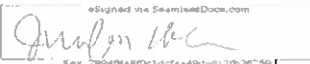
MEMORANDUM

DATE: August 9, 2023
TO: Honorable Mayor and City Councilmembers
FROM: Delaney Carmen, Planner II
SUBJECT: Link to Attachment 6: Community Outreach Report

The Community Outreach Report, attachment 6 to the City Council Staff Report, is not included in the packet due to its size. The report can be viewed electronically here:

Attachment 6: Community Outreach Report (labeled 4.04 ATTACHMENT 4)

<https://records.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=59757>

 Application for Discretionary Permit Development Services Department / Planning Division				STAFF USE ONLY	
				ACCEPTED	BY
Please Print or Type All Information				HEARING	
PART I – APPLICANT INFORMATION				GENERAL PLAN AMENDMENT	
1. APPLICANT		2. STATUS		MASTER/SPECIFIC PLAN	
JLH FXS Tremont LLC		Owner		ZONE AMENDMENT	
3. ADDRESS		4. PHONE & E-MAIL		TENTATIVE MAP	
PO Box 658, Cardiff CA 92007		(619) 865-3883		TENT. PARCEL MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				DEVELOPMENT PLAN	
Fieldxstudio, Inc, attn Scott Maas				CONDITIONAL USE PERMIT	
6. ADDRESS		7. PHONE & E-MAIL		VARIANCE	
2033 San Elijo Ave #643, Cardiff, CA 92007		(858) 752-9212		COASTAL PERMIT	
PART II – PROPERTY DESCRIPTION				HISTORIC PERMIT	
8. LOCATION				9. SIZE	
1931-1933 S. Tremont St., Oceanside, CA 92054				13,804 sf (0.32-acres)	
10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER		
Urban High Density	R3/CZ	Residential Multi Family	153-264-14-00, 153 264 15-00		
14. LATITUDE			15. LONGITUDE		
33° 10' 19" N			117° 21' 39" W		
PART III – PROJECT DESCRIPTION					
16. GENERAL PROJECT DESCRIPTION Demolition of two single family homes and a 3 unit apartment. Construction of new 3-story apartment project utilizing 20% density bonus, consisting of 17 residential units (including 1 very low income affordable) and 17 parking stalls.					
17. PROPOSED GENERAL PLAN	18. PROPOSED ZONING	19. PROPOSED LAND USE	20. NO. UNITS	21. DENSITY	
Urban High Density	R3/CZ	Residential Multi Family	17	53.1 du/acre	
22. BUILDING SIZE	23. PARKING SPACES	24. % LANDSCAPE	25. % LOT COVERAGE or FAR		
14,146 sf	17	1,421 sf (10%)	36% Lot Coverage, FAR N/A		
PART IV – THE FOLLOWING ATTACHMENTS WILL BE REQUESTED AFTER REVIEW OF APPLICATION. PLEASE PROVIDE BOX EMAIL ACCOUNT: scott@fieldxstudio.com					
26. DESCRIPTION/JUSTIFICATION		27. TITLE REPORT WITH LEGAL DESCRIPTION		28. NOTIFICATION MAP & LABELS	
29. ENVIRONMENTAL INFO FORM		30. STORM WATER QUALITY ASSESSMENT FORM		31. PLOT PLANS	
32. FLOOR PLANS AND ELEVATIONS		33. CERTIFICATION OF POSTING		34. OTHER (See attachment for required reports)	
PART V – SIGNATURES					
SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. ATTACH ADDITIONAL PAGES AS NECESSARY.					
35. APPLICANT OR REPRESENTATIVE		36. DATE	37. OWNER		38. DATE
Scott M. Maas		06/27/2022	Jennifer Holm		06/27/2022
 <small>Signed via SeamedDocu.com</small>		 <small>Signed via SeamedDocu.com</small>			
<ul style="list-style-type: none"> I DECLARE, UNDER PENALTY OF PERJURY, THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTAND THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS. I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION. 					

THE TREMONT

1931-1933 S. Tremont St., Oceanside CA 92054

DESCRIPTION & JUSTIFICATION

DEVELOPMENT PLAN (D22-00010)
REGULAR COASTAL DEVELOPMENT PERMIT (R22-00008)
DENSITY BONUS (DB22-00006)

November 14, 2022

Applicant:
JLH FXS Tremont, LLC
PO Box 658
Cardiff by the Sea, CA 92007
Attn Jennifer Holm
jholm@jlh-capital.com

INTRODUCTION

This application is for a Development Plan, Regular Coastal Development Permit, Lot Merger and Density Bonus for a 3-story apartment project proposing 17 residential apartments, and 17 parking stalls. The project utilizes the State Affordable Housing Density Bonus program pursuant to City of Oceanside Comprehensive Zoning Ordinance Section 3032 and provides 5% of the base density units (1 unit) as Very-Low Income units in exchange for a 20% density bonus equal to 3 units. The 5% very-low income unit qualifies the project for (1) Incentive/Concession and unlimited Waivers of Development Standards. The project site is located in South Oceanside at 1931-1933 S. Tremont St. just north of the intersection at Vista Way.

The subject property consists of 2 underlying legal lots totaling 0.32-acres (13,804 sf). The property has a General Plan land use designation of Residential Urban High Density (Coastal) and the corresponding Zoning Designation of R3/CZ which allows residential uses at a density of 1 unit per 1,000 sf of lot area. There are three existing residential buildings totaling 4,746 sf and 5 units which are proposed to be demolished. The configuration of the existing buildings is two single family detached homes, which were owner-occupied, and a small apartment building with 3 second floor units. Existing parking for the apartments is through a covered parking garage fronting the alley. The single-family homes each have a single car garage accessed from Tremont St.

There are no recorded covenants or easements on the property. The property is surrounded by a mix of one and two-story buildings and a mix of multi-family and single-family residential uses.

Table-1: SURROUNDING LAND USES

LOCATION	ZONE	EXISTING LAND USE	NOTES
Subject Property	R-3	Residential – Multi-Family/Single Family	
North of Subject Property	R-3	Residential – Multi-Family/Single Family	<i>Adjacent</i>
South of Subject Property	R-3	Residential – Multi-Family/Single Family	<i>Adjacent</i>
East of Subject Property	R-3	Residential – Multi-Family/Single Family	<i>Across S. Tremont</i>
West of Subject Property	R-3	Residential – Multi-Family/Single Family	<i>Across alley</i>

Table-2: DEVELOPMENT STANDARDS

STANDARD	REQUIRED	PROPOSED
Building Setbacks:		
Front	20', or 15' west of I-5	15'
Interior Side	5'	5'
Rear	15', 5' at alley	41'
Structure Height (CZ)	35' from average grade to ceiling/3-stories	33.9'/3-stories
Lot Coverage	60%	36%
Floor Area Ratio	N/A	N/A
Landscape*	7% Tree Canopy, 10% Permeable	20%, 26%
Parking**	17	17

*See Landscape below.

**See Parking Analysis below.

DEVELOPMENT PLAN

The Tremont is a 3-story apartment building consisting of 17 apartments, 8 covered parking stalls and 9 uncovered parking stalls located to the rear of the lot accessed directly from the alley. The R3/CZ Zone allows a maximum structure height of 35' (measured from average grade to the ceiling of the uppermost floor) and 3-stories. The proposed design has a maximum structure height of 33.9' and 3-stories.

The design of the building is intended to present a clean, active and friendly face toward Tremont Street, while locating the parking and services to the rear of the building accessed via the alley. The project is highlighted with private patios and decks at each level creating usable outdoor space for the units. The ground floor has a generous landscape area, common seating area, and a double height open-air entry court intended to draw residents and visitors into the space. Circulation is also provided through the side yards where they can access common bicycle storage areas, outdoor showers and surfboard lockers. The ground floor also contains individual storage closets for each unit, the refuse and recycling room, boiler, and main electrical room. There are 9 covered parking spaces, including two EV spaces, and 9 uncovered spaces. Adjacent to the alley is a proposed pad mounted transformer.

The pedestrian entrances at the side yards and the entry court are through a security gate and fence, intended to maintain a secure site. The primary entryway contains a wire mesh fence and gate so that while it is very secure, it also allows for visibility from both inside and outside the project. The driveway access to the rear parking off the alley is secured with an operable vehicle gate. The building is served by two exit stairs at either end of the common corridor. A 3rd stair is located off the primary entry court, connecting level one with level two, where there is also a common lounge space overlooking the double height entry court.

The units are designed with floor to ceiling windows to maximize natural light and ventilation. In addition to the windows, most units have access to private outdoor patios or decks which look out on to the street or alley, providing activation and "eyes on the street".

Table-3: PROPOSED RESIDENTIAL UNIT SUMMARY

UNIT TYPE	UNIT NUMBERS	AREA (sq)	DECK/PATIO (sq)	BED/BATH	UNIT COUNT
Type A	101, 102	897	385	2 bed/2 bath	2
Type B1	205, 209	637	90	1 bed/1bath	2
Type B2	301, 306	679	135	1 bed/1 bath	2
Type B3	302, 303, 304, 305	679	135	1 bed/1 bath	4
Type C1	202, 203, 206*, 207, 208	470	0	Studio	5
Type C2	201, 204	470	139	Studio	2
TOTAL					17

**Affordable Units at Very Low Income*

Table-4: UNIT MIX

UNIT TYPE	QTY.	%	PARKING RATIO	PARKING REQ'D
STUDIO	7	41%	1.0	7
1-BEDROOM	8	47%	1.0	8
2-BEDROOM	2	12%	1.0	2
TOTAL	17	100%		17

Table-5: BUILDING AREA SUMMARY

	LEVEL				TOTAL
	01	02	03		
COVERED PARKING	1,509	-	-		1,509
RESIDENTIAL – LEASABLE	1,784	4,570	4,078		10,432
CIRCULATION/NON-LEASABLE	1,914	900	900		3,714
TOTAL BUILDING AREA	5,207	5,470	4,978		14,146*
PRIVATE DECK/PATIO	770	456	810		2,036

***EXCLUDES COVERED PARKING AREA**

ARCHITECTURE:

The architectural intent behind The Tremont is to create a building of varied massing and height with a play between solid and void, indoor and outdoor spaces. The project embraces the coastal setting of South O with bright colored plaster walls, natural ventilation and light through large window openings, and a highlight of usable outdoor terraces and patios and lush landscaping.

The two ground floor units have private patios accessed both directly from within the unit, as well as directly from the street through the low wall surrounding the patios. These are intended to create a “front porch” atmosphere and a social connection with the neighborhood. In addition to the private patios, there is a common seating area outside of the security gate that creates that “front porch” space for the residents of the upper floor units. Finally, a lounge located on the 2nd level of the double height entry court looks out over the entry gate toward the street. The intention of these areas, along with the private decks on the upper levels, is to create a social engagement with the neighborhood as well as activating the building and putting more eyes on the street to increase neighborhood safety.

The zoning ordinance allows for 3-stories and 35’ of height. We are proposing a 3-story building and 33.9’ in height. Recognizing that the massing along Tremont, with some exceptions, is primarily one and two-story buildings, we took care to craft a building massing that modulates the height and breaks up the scale of the proposed three-story structure. A cubist approach to varying the mass and void creates outdoor terraces that dot the façade like a checkerboard, while the building massing pulls away from the side yard and creates additional usable terrace areas. In addition to the checkerboard massing, the 4 corners of the building are eroded away and step back like a wedding cake to modulate the scale and bulk of the building. The roof design features varied ‘hats’ of projecting eaves at the highest level with the parapet of the primary roof structure siting 2’ below.

The building features a mix of durable building materials and finishes with the intention of creating a high-quality living environment that is appropriate to the coastal climate, and accentuates the cubist massing. The building features a mix of smooth stucco in white and light grey colors, clear anodized aluminum doors and windows, and wire mesh guardrail detailing. The ground level is highlighted by concrete unit pavers, stucco walls with wood pedestrian gates, concrete paving, and lush landscaping. A painted steel pergola over the primary entry way provides the opportunity to allow vines to climb up and over the entry way. The relatively restrained material and color palette is intended to create a calm and consistent building façade that allows the massing to take center stage.,

LANDSCAPE:

The landscape concept is intended to enhance the usable outdoor space and create an inviting and lush entry to the project. Planting in the right-of-way and front yard area draws visitors in to the ground level common patio and entry court. The front yard and private patios are highlighted by specimen tree far in excess of the required tree canopy, including Australian Willows, Saratoga Laurel, and Pink Melaleuca. The existing iconic Mexican Fan Palms in the park strip will be preserved in place, with added understory planting of Breeze Mat Rush, Flax Lily, Natal Plum, and Fescue grass.

A raised planter within the covered entry court area is highlighted by shade tolerant species of Holy Fern and Barberry. The side yards and rear include Lavender Ivy and Creeping Fig vines, Wax Myrtle, and Willow Trees.

PARKING:

Section 3103 of Article 31 allows for a residential parking ratio of one space per dwelling unit if units are two-bedrooms or less. Based on these provisions, the standard required parking calculation for the proposed project is as follows:

Table-6: PARKING SUMMARY

USE	INTENSITY	RATIO	SECTION	SPACES REQUIRED	SPACES PROVIDED
Residential (2-bedrooms and less)	17 du	1/unit	Article 31, Section 3103	17	17
Total				17	17*

**8 Stalls are Covered. 9 stalls are Uncovered. Requested Waiver of Standards to allow uncovered parking*

Due to the physical constraints of the site dimensions, we are locating half of our parking adjacent to the rear yard/alley property line in order to fit a double loaded parking bay as well as the proposed building. Because of the required setbacks at the rear yard, we are unable to fit a structure over the westerly row of parking. Due to this condition, we are requesting a Waiver of Standards to allow some of the required parking spaces to be uncovered. We are requesting this waiver as opposed to a waiver of the rear yard setback for a few reasons. First, the covered parking definition requires walls on three sides. That would mean that we would need to put a wall right on the alley as well as adjacent to our driveway entry, which we believe would impair visibility and create an unsafe ingress/egress condition at the alley. Second, the additional cost of the structure to cover the parking stalls would create additional financial hardship on the project, and we believe create a less attractive solution. We are mitigating the loss of

covered parking by providing three specimen trees adjacent to these uncovered parking stalls, which over time will provide shade to this area, and we feel creates a superior aesthetic setting in addition.

The language in Government Code Section 65915(k)(1) states “(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).”

Electric Vehicle (EV) Parking and Charging Facilities are being provided as per Article 30 Section 3048. Multi-Family Residential project requiring 10-19 spaces are required 2 EV spaces and 1 Charging Facility, which we are providing.

Table-7: ELECTRIC VEHICLE CHARGING

REQUIRED PARKING	REQUIRED EV SPACES	REQUIRED EV CHARGING FACILITIES
Residential: 10-19	2	1

TRANSPORTATION

A Trip Generation Table for the Vehicle Miles Traveled (VMT) analysis were provided for the project. The ADT generated totaled 102 daily trips and therefore screened out of a CEQA VMT Analysis. The net trip generation (existing land use trips deducted) is 72 ADT, and therefore also screens out of a Local Transportation Analysis (LTA).

REPLACEMENT HOUSING & INCLUSIONARY HOUSING

The property in its current condition consists of 5 existing residential units, all previously owned by one family for multiple generations. Two of the units are detached single family homes, which were both built in the 1950's and were owner-occupied at the time JLH FXS Tremont, LLC purchased the property. Both single family homes have not been rented in the past 5 years and are vacant at the time of this submittal. The other three units on site are rental apartments in the rear of 1931 S. Tremont Street, and consist of two, 2-bedroom/1-bath units and one studio/1-bath unit. All three apartments are currently rented. A summary of the existing dwelling units is as follows:

Table-8: EXISTING DWELLING UNITS SUMMARY

UNIT	TYPE	HOUSEHOLD SIZE	HOUSEHOLD INCOME	RENT
APT. UNIT A	2-BR/1-BA	2	\$96,000/yr	\$2,100
APT. UNIT B	2-BR/1-BA	2	\$89,800/yr	\$1,600
APT. UNIT C	STUDIO/1-BA	2	\$69,200/yr	\$1,500
HOUSE – 1931	3-BR-1-BA	N/A	N/A	NOT RENTED IN PAST 5 YEARS
HOUSE – 1931	4-BR/2-BA	N/A	N/A	NOT RENTED IN PAST 5 YEARS

The project will be conditioned to require recordation of the affordable housing agreement prior to the approval of any final or parcel map or building permit for the residential project to ensure the provision of housing in compliance with OCC Chapter 14C and any replacement housing obligations. The inclusionary housing obligation per 14C.5(b)(2) is 10% of the base density, rounded down for fractions of 0.75 or less. Our base density of $14 \times .10 = 1.4$, rounded down to 1 inclusionary unit, which is consistent with the 1 affordable unit required with the density bonus calculation.

COASTAL DEVELOPMENT PERMIT

A summary of the project's consistency with the policies of the City of Oceanside's Local Coastal Program is provided as follows:

- The project site is located within the Coastal Zone and therefore requires a Regular Coastal Development Permit per the City's Local Coastal Program. Approval of the Regular Coastal Permit requires a public hearing for the Development Plan and Density Bonus.
- The project is located within, contiguous with, and in close proximity to existing residential developed areas with similar residential uses of similar sizes and heights.
- Vehicular access to the site will be taken via the alley behind the site. Pedestrian and bicycle access will be taken from S. Tremont Street right-of-way.
- There are adequate public services to the property (Fire, Police, Utilities).
- No scenic or visual qualities of coastal areas shall be impacted as a result of the development.
- There are limited views westerly since this project is mid-block. However, the terraced building massing will allow air and light to permeate, as well as open up the visual corridor along S. Tremont St.
- The project creates an attractive building to add to the neighborhood, replacing three older residential buildings that are in disrepair.
- The project will add much needed rental units to the Coastal Zone, and South Oceanside neighborhood in particular, including both market rate and affordable apartments.
- Access to public transit (NCTD Sprinter, Breeze, Amtrack) is available via the public sidewalks along S. Coast Highway and Vista Way.
- The project is not located along the shoreline and will not obstruct and/or block any existing and/or proposed public beach access.
- The project will be located at an infill site with no environmentally sensitive habit areas on or near the site and is contributing to the revitalization of this area within the Coastal Zone.
- The project does not diminish public access to the shoreline.
- The project does not include any diking, dredging, filling or shoreline structures, and is not located in an area of high geologic or flood hazard area.

- The project will include an approved storm water management plan to meet current water quality and runoff standards established by the Regional Water Quality Control Board and implemented by the City of Oceanside.
- The project will include one (1) unit of affordable housing near the coast and coastal amenities.
- The project is providing parking areas within the secured site for residential users, in addition to the ample street parking found along Tremont Street, which is being increased by the removal of two existing curb cuts and driveways.
- The amount of parking provided meets the parking standards for these uses based on Density Bonus requirements and complies with the minimum parking standard identified in the LCP to assure that functionally adequate parking for the proposed development is met.
- The project does not affect or preclude the provision of adequate urban services for coastal-dependent, recreation or visitor-serving uses, and essential public facilities are available to serve the proposed development.

CLIMATE ACTION PLAN (CAP) CONSISTENCY ANALYSIS

Section 3047 Renewable Energy Facilities:

Renewable Energy Facilities are required for residential projects that include 25 or more residential units or Mixed-Use projects with 12,500 sf of commercial. Because the proposed project includes 17 residential units, renewable energy facilities are not required. The project will be "solar ready" per the current versions of the California Energy Code and California Green Building Standards Code. As such, the project is proposing to install solar photovoltaic systems to service all seventeen (17) residential units on the roof area of the proposed building as shown on the architectural plans, which exceeds the minimum requirement for the project.

Section 3048 Electric Vehicle Parking and Charging Facilities:

New multi-family residential development of a certain scale is required to provide parking and charging facilities for electric vehicles as outlined in Table 1 & 2 of Section 3048. The project is required to provide 17 residential parking spaces. Per Table 1, this requires 2 Reserved EV Spaces and 1 Charger Equipped Facility.

Section 3049 Urban Forestry Program

The Urban Forestry Program requires that all new developments that require administrative or discretionary review shall comply with the urban forestry standard outlined in Table 1 of Section 3049 based upon the project site area. The project site of 0.32-acres falls into the "less than 1/3 acres category which requires a Minimum Tree Canopy of 7% and a Minimum Permeable Surface Area of 10%. The proposed landscape plan provides a tree canopy of 2,869 sf (20%) and permeable surfacing of 3,560 sf (26%), which exceeds the minimum requirement.

Section 3050 Transportation Demand Management (TDM)

Transportation Demand Management (TDM) requires that all new non-residential development that generate more than 50 daily employee trips must prepare and implement a TDM plan. Since this project is only residential use, a TDM is therefore not required. Furthermore, access to two major NCTD Bus lines along Coast Highway and Vista Way are within less than 1/3-mile from the site and the NCTD Sprinter Station are within 0.9-mile of the project.

WASTE MANAGEMENT

The project proposes the shared use of three (3) 6-yard bins for trash, recycling, and organic waste per the City of Oceanside & Waste Management design standards to service the seventeen (17) residential units. The trash bins are located within an enclosed Refuse & Recycling Room located on the ground level adjacent to the parking lot.

The Building Management will be responsible for the trash, recycling, and organic waste service, which will include valet/scout truck to bring the bins out to the alley where they can be picked up by Waste Management. The frequency of the service will be coordinated by the Building Management based on the fluctuating needs of the residents.

DENSITY BONUS

The State of California's Density Bonus Law (Government Code §65915-65918) was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers or reductions or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City of Oceanside zoning regulations implement the state requirements, and Table A below summarizes the calculations under Density Bonus Law for this project. Per State Density Bonus Law, the site can have a total of 17 dwelling units, with 1 affordable Very-Low-Income unit. Affordable units will be proportional to the overall project in unit size and dispersed throughout the project having access to all amenities available to other residents.

Table-9: DENSITY BONUS SUMMARY

Address:	1931-19335 S. Tremont St., Oceanside, CA 92054
APN:	153-264-14-00, 153-264-15-00
Site Area:	13,804 sf (0.32-acres)
General Plan:	Residential Urban High Density
Zone:	R3/CZ
Base Density:	$1/1,000 \text{ sf} = 13,804/1,000 = 13.8 = 14$ (44 du/acre)
Density with 20% Bonus:	17 units (53.64 du/acre)
Site Land Use within five years of application:	Residential

Table-10: DENSITY BONUS CALCULATION

Step 1	Calculate Allowable Base Density:
	R3 Density: $1/1,000 \text{ sf}$ (43.56 du/acre) $13,804 / 1,000 = 13.8$, round up to 14 (44 du/acre)
Step 2	Determine Affordable Percentage and Units:
	5% Very Low Income Units: $0.05 \times 14 = 0.7$, round up to 1
Step 3	Calculate Density Bonus Units:
	20% Density Bonus:

	0.20 x 14 = 2.8. round up to 3
Step 4	Calculate Total Dwelling Units:
	14 + 3 = 17, including 1 Affordable
	17 units total (53.64 du/acre)

**All fractional units shall be rounded up*

SUMMARY OF DEVELOPMENT INCENTIVES & WAIVERS OF DEVELOPMENT STANDARDS:

Based on the proposed design for density bonus units, the project seeks one Development Incentive and one Waiver of Development Standards for the proposed housing development pursuant to State Density Bonus Law, which are described below.

Table 11 – DEVELOPMENT INCENTIVES & WAIVERS OF DEVELOPMENT STANDARDS

DEVELOPMENT INCENTIVE	REQUESTED CONCESSION
#1	Waive requirement to underground overhead utilities.
WAIVER OF DEVELOPMENT STANDARD	STANDARD
#1	Waiver of requirement that all parking must be covered
#2	Reduce amount of storage required

DEVELOPMENT INCENTIVE #1 – Waive requirement to underground overhead utilities.

City Standard:

Condition of approval to underground all overhead utilities fronting the site.

Justification of Concession:

The undergrounding of utilities along the entire project frontage would be disproportionate to the size of this project, and the costs associated would be prohibitive, rendering the project financially infeasible and therefore prevent the production of the affordable housing units. Refer to financial proforma analysis provided in Attachment A.

WAIVER OF DEVELOPMENT STANDARDS #1 – Waiver of requirement that parking be covered

City Standard:

Required residential parking stalls must be covered.

Justification of Waiver:

The constraints of the site depth mean that after fitting in a minimum residential structure, a double loaded parking lot puts one row of parking near the rear property line. The required rear yard setback means that we could not fit a structure that completely covers the row of parking and still respect the rear yard setback. Also note that the definition requires that the covered stalls have walls on three sides, which also lends to the physical difficulty of meeting this requirement. Providing a structure for the covered parking near the alley was considered, but not implemented for a few of reasons; 1) the

structure would impair visibility for ingress/egress from alley to parking area, 2) the requirement for walls on three sides under the enclosure and the additional width of the parking stalls as a result does not physically fit on the site, and 3) it would reduce the amount of landscape area on site. It was discussed and agreed that adding more trees and landscaping to the rear rather than a covered parking structure was preferable aesthetically and would present a more friendly face toward the neighborhood. Though it's not entirely a financially justified incentive, it should also be pointed out that the cost of a structure would be much more than the cost of landscaping, which is preferred aesthetically. While we are able to provide 8 of the 17 required parking stalls as covered under the building, we would like to request a waiver of standards for the remaining 9 spaces to be allowed to be uncovered.

WAIVER OF DEVELOPMENT STANDARDS #2 – Reduce amount of storage required

City Standard:

Article 10C, Section 1040(R) requires that 160 cubic feet of outdoor storage be provided per unit.

Justification of Waiver:

The project is proposing to provide 80 cubic feet of storage for each unit, at approximately 40" wide x 48" deep and 6' tall. In addition, the proposed storage units are located "outside of the units", but within the first floor corridor where they are more accessible to the tenants versus being located "outdoors". Due to the constraints of the site's width and depth and fitting in the parking spaces along with the residential units, we simply do not have the area to provide the full 160 cubic feet of storage and therefore are requesting a Waiver of that standard to allow 80 cubic feet of storage per unit.

Additional Density Bonus Conditions:

The project will comply with the City of Oceanside requirements for Density Bonus including the following:

1. The affordable units shall maintain either a sales restriction or rental restriction as appropriate per OCC-Section 14C.5.(a)(4-6).
2. The design and appearance of the reserved units shall be compatible with and substantially the same as the non-reserved units within the development and shall contain proportionately the same or a larger number of bedrooms and square footage per reserved unit as the non-reserved units per OCC-Section 14C.7(a). [For the purposes of this Section, the project's income restricted units would be considered proportional to square footage if they are at least eighty percent (80%) of the average square footage of all market rate units in the development with the same bedroom count. Further, the range of affordable units will be reasonably dispersed throughout the development.]
3. The project shall provide the following number and type of very low-income units as follows: (1) Studio.
4. The time period of availability for the affordable units shall be for 55 years for both For Sale and Rental Affordable Units.
5. A one-time inclusionary administration fee will be paid for the project to monitor the sales or rental restrictions of the reserved units.

6. The developer shall determine the sales price or rental prices in accordance with OCC Section 14C.4.-Definitions of Affordable and Area Median Income. Very low-income units are calculated to be less than fifty percent (<50%) median household income.
7. Owner-occupied and renter-occupied Very-Low-Income units shall be available at affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code and California Government Code Section 65915, et seq.

PROJECT HIGHLIGHTS:

1. The project will remove existing residential structures that have fallen into disrepair and replace them with an attractive new multi-unit building.
2. The project brings much needed rental units, both affordable and market rate, to the South "O" neighborhood, increasing affordability within the Coastal Zone in a walkable and transit oriented location.
3. The architecture of the project is sensitive to the context of the neighborhood and creates an appropriately scaled building with visual interest in massing, height and building materials.
4. The project creates public benefit by bringing new landscaping improvements to the Tremont St. right-of-way and enhances the public sidewalk and beautifies the streetscape.

REQUIRED FINDINGS:

GENERAL PLAN FINDINGS:

The General Plan Land Use Map designation for the subject property is Coastal General Commercial. The proposed project is consistent with this land use designation as well as the goals and objectives of the City's General Plan, as follows:

A. Land Use Element

Goal 1.23: Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatments, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

The design is sensitive to the surrounding context with its terraced massing that steps away from the street, multiple building volumes that break up the overall mass, and a massing of varied roof heights that aim to avoid a large and boxy appearance. The project utilizes a variety of high-quality finish materials and detailing that will visually enhance the neighborhood, both at the pedestrian level as well as for vehicular traffic passing by. A variety of roof forms and heights, railing details, and unique massing at the upper levels create a multi-story building that has visual interest beyond just the ground level. Outdoor terraces create activity and human presence visible from the street at the upper levels while the ground floor retail uses activate the street level.

Goal 1.32: Coastal Zone

Objective: To provide for the conservation of the City's coastal resources and fulfill the requirements of the California Coastal Act of 1976.

Policy A: The City shall utilize the certified Local Coastal Plan for review of all proposed projects within the Coastal Zone. Specifically, the goals and policies of the Local Coastal Program Land Use Plan are the guiding policy review document.

The City shall maintain existing view corridors through public rights-of-way.

Development of the project adheres to all applicable development standards in the Zoning Ordinance regarding building height, setbacks, density, FAR, Lot Coverage, etc. The project is not located along the shoreline and will not obstruct and/or block existing and/or proposed beach access.

The City shall ensure that all new development is compatible in height, scale, color, and form with the surrounding neighborhood.

The height of the building is modulated with varied roof heights and massing that is broken up into separate volumes. The building materials include light colored smooth stucco, aluminum doors and window, wire mesh railings, and concrete paving. The elevations and materials and colors are complimentary of the eclectic surrounding context of residential buildings.

New development shall utilize optimum landscaping to accent and enhance desirable site characteristics and architectural features.

The project is highly landscaped at the most public portion of the site along Tremont St. A lush but low water palette of planting is proposed along the public sidewalk and on site. Several large tree specimens are proposed to create shade and canopy as well as sculptural presence to the front yard and streetscape. The project will be conditioned to ensure the proposed landscape palette takes into account the site's coastal location and addresses aesthetic and maintenance issues and comply with the City of Oceanside's landscape design manual.

The City shall require all new residential development provides adequate on-site parking.

The project is providing parking areas on site that meet the parking standards for these uses.

DEVELOPMENT PLAN FINDINGS:

The City of Oceanside stipulates three specific findings that must be made for approval of a Development Plan. This project meets those conditions as follows:

That the Development Plan as proposed conforms to the General Plan of the City.

The project is consistent with the land use and development standards as outlined in the General Plan and Zoning Ordinance. The project meets the goal of the City and General Plan to bring a high-density development and affordable housing units under the R3/CZ zone and that the proposed residential product type, size, style, and density are consistent with the Land Use Element requirements established in the General Plan. The project as proposed is compatible with the existing and potential development on adjoining properties or in the surrounding neighborhood.

Complies with the land-use and development regulation of the base zoning district, the Hillside Development Provisions of this Section, and any other overlay districts applied to the property.

The project is consistent with the land-use and development regulations of the R3/CZ district. There are no hillside, sensitive resources, environmental habitat, or other applicable overlays on this site and the proposed development does not have any significant impacts to any of these resources. There is no historical significance to the existing buildings proposed to be demolished.

Can be adequately, reasonably and conveniently served by the public services, utilities, and public facilities.

The project site is already served by existing public services (Fire, Police, etc.) and has been designed incorporating the review comments by these public safety groups, so it will continue to be reasonably served by those public services. The site is currently services by adequate public utilities including water, gas, sewer, and electricity and will continue to do so under the proposed design. The refuse and recycling is currently and will continue to be served privately through Waste Management.



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** JLH FXS Tremont LLC
2. **ADDRESS:** 1931 – 1933 S Tremont St
3. **REPRESENTATIVE/PHONE NUMBER:** Scott Maas (858) 752-9212
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Delaney Carmen, Planner I - (760) 435-3596
6. **PROJECT TITLE:** 701-713 N Freeman St Apartments (RD22-00001, DB22-00001)
7. **DESCRIPTION:** The proposed project is a request to allow the demolition of two single-family homes and one triplex and the construction of a three-story apartment complex consisting of 16 market-rate units and one (1) very low-income affordable unit at 1931-1933 South Tremont Street within the South Oceanside Neighborhood Planning Area. The project site is designated Coastal Residential High Density (C-RH) by the City's General Plan and is zoned Medium Density Residential (R-3) per the City's Zoning Ordinance.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on this review, staff has determined that further environmental evaluation is not required because:

- ☒ In accordance with Article 19, Section 15332 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the proposed project qualifies for a Class 3 "In-fill Development Projects" Categorical Exemption pursuant to Section 15332, as the project is located in an urbanized area and would not result in any significant environmental effects.
- ☐ "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (Section 15061(b) (3)); or,
- ☐ The project is statutorily exempt, Section, ____ (Sections 15260-15277); or,
- ☐ The project does not constitute a "project" as defined by CEQA (Section 15378).

A handwritten signature in black ink, appearing to read "Delaney Carmen".

Delaney Carmen, Planner I

Date: February 2, 2023