

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
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SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
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F9a

LCP-6-OCN-21-0088-3 (Climate Action Plan)

April 8, 2022

EXHIBITS

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3 OCEANSIDE AMENDING THE IMPLEMENTING DOCUMENT
4 OF THE LOCAL COASTAL PROGRAM TO ESTABLISH
5 RENEWABLE ENERGY REQUIREMENTS FOR NEW
6 DEVELOPMENT AND REQUESTING CALIFORNIA COASTAL
COMMISSION CERTIFICATION OF SAID AMENDMENT

7 (City of Oceanside –Applicant)

8 (LCPA20-00003)

9
10 WHEREAS, the California Coastal Act (Public Resources Code §30000, et seq.) (the
11 "Coastal Act") requires that the City adopt a Local Coastal Program (LCP) which meets the
12 requirements of the Coastal Act at the local level and implements its provisions and policies;


13 WHEREAS, on January 25, 1985, the California Coastal Commission ("Commission")
14 approved with suggested modifications, the City's Land Use Plan ("LUP") and, pursuant to
15 Public Resources Code §30512.2, found the City's LUP to be consistent with the policies and
16 requirements of Chapter 3 of the Coastal Act and to meet the basic stated goals specified in
17 Public Resources Code §30001.5;

18 WHEREAS, the Planning Division has prepared amendments to Article 30 of the Zoning
19 Ordinance to establish requirements for new development projects to incorporate renewable
20 energy facilities and solar ready design consistent with the City’s Climate Action Plan; and

21 WHEREAS, the City seeks to establish the amended text of Article 30 (Section 3047) as
22 part of the implementing documents of the Local Coastal Program; and

23 WHEREAS, on May 18, 2020, the Planning Commission conducted a duly-advertised
24 public hearing as prescribed by law and recommended City Council approval of said
25 recommendations; and

26 WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of
27 Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the
28 State Guidelines thereto amended to date and is hereby approved by the City Council in
conjunction with its recommendations on the application; and

EXHIBIT NO. 1
Resolutions
 LCP-6-OCN-21-0088-3 California Coastal Commission

1 WHEREAS, the City Council finds that the Local Coastal Program Amendment
2 (LCPA20-00003) conforms with and is adequate to carry out the land use plan of the Local
3 Coastal Program.

4 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
5 RESOLVE as follows:

- 6
- 7 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
8 certifies that the Local Coastal Program Amendment (LCPA20-00003) is intended to be
9 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
10 hereby adopted.
 - 11 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
12 thereto amended to date, a Notice of Exemption has been issued for the project by the
13 Resource Officer for the City of Oceanside.
 - 14 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
15 amendment shall take effect upon Coastal Commission approval.
 - 16 4. Notice is hereby given that the time within which judicial review must be sought on the
17 decision is governed by Public Resources Code §30801.

18 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
19 2020, by the following vote:

20 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ

21 NAYS: NONE

22 ABSENT: NONE

23 ABSTAIN: NONE

24 
25 _____
26 Mayor of the City of Oceanside

27 ATTEST:

27 APPROVED AS TO FORM:

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30 City Clerk

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29 _____
30 City Attorney

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RESOLUTION NO. 20-R0459-1

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OCEANSIDE AMENDING THE IMPLEMENTING DOCUMENT
OF THE LOCAL COASTAL PROGRAM TO ESTABLISH
REQUIREMENTS FOR PREFERENTIAL ELECTRIC VEHICLE
PARKING AND ELECTRIC VEHICLE CHARGING FACILITIES
FOR NEW DEVELOPMENT AND REQUESTING CALIFORNIA
COASTAL COMMISSION CERTIFICATION OF SAID
AMENDMENT**

(City of Oceanside –Applicant)

(LCPA20-00004)

WHEREAS, the California Coastal Act (Public Resources Code §30000, et seq.) (the "Coastal Act") requires that the City adopt a Local Coastal Program (LCP) which meets the requirements of the Coastal Act at the local level and implements its provisions and policies;

WHEREAS, on January 25, 1985, the California Coastal Commission ("Commission") approved with suggested modifications, the City's Land Use Plan ("LUP") and, pursuant to Public Resources Code §30512.2, found the City's LUP to be consistent with the policies and requirements of Chapter 3 of the Coastal Act and to meet the basic stated goals specified in Public Resources Code §30001.5;

WHEREAS, the Planning Division has prepared amendments to Article 30 of the Zoning Ordinance to establish requirements for new development projects to incorporate renewable energy facilities and solar ready design consistent with the City's Climate Action Plan; and

WHEREAS, the City seeks to establish the amended text of Article 30 (Section 3048) as part of the implementing documents of the Local Coastal Program; and

WHEREAS, on May 18, 2020, the Planning Commission conducted a duly-advertised public hearing as prescribed by law and recommended City Council approval of said recommendations; and

WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the

1 State Guidelines thereto amended to date and is hereby approved by the City Council in
2 conjunction with its recommendations on the application; and

3 WHEREAS, the City Council finds that the Local Coastal Program Amendment
4 (LCPA20-00004) conforms with and is adequate to carry out the land use plan of the Local
5 Coastal Program.

6 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
7 RESOLVE as follows:

- 8
- 9 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
10 certifies that the Local Coastal Program Amendment (LCPA20-00004) is intended to be
11 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
12 hereby adopted.
 - 13 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
14 thereto amended to date, a Notice of Exemption has been issued for the project by the
15 Resource Officer for the City of Oceanside.
 - 16 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
17 amendment shall take effect upon Coastal Commission approval.
 - 18 4. Notice is hereby given that the time within which judicial review must be sought on the
19 decision is governed by Public Resources Code §30801.

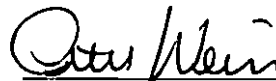
20 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
21 2020, by the following vote:

22 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ

23 NAYS: NONE

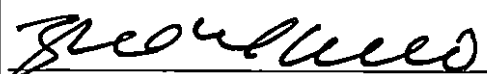
24 ABSENT: NONE

25 ABSTAIN: NONE


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28 Mayor of the City of Oceanside

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

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2 **RESOLUTION NO. 20-R0460-1**

3 **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF**
4 **OCEANSIDE AMENDING THE IMPLEMENTING DOCUMENT**
5 **OF THE LOCAL COASTAL PROGRAM TO ESTABLISH URBAN**
6 **FORESTRY REGULATIONS AND REQUESTING CALIFORNIA**
7 **COASTAL COMMISSION CERTIFICATION OF SAID**
8 **AMENDMENT**

9 (City of Oceanside –Applicant)

10 (LCPA20-00005)

11 WHEREAS, the California Coastal Act (Public Resources Code §30000, et seq.) (the
12 "Coastal Act") requires that the City adopt a Local Coastal Program (LCP) which meets the
13 requirements of the Coastal Act at the local level and implements its provisions and policies;

14 WHEREAS, on January 25, 1985, the California Coastal Commission ("Commission")
15 approved with suggested modifications, the City's Land Use Plan ("LUP") and, pursuant to
16 Public Resources Code §30512.2, found the City's LUP to be consistent with the policies and
17 requirements of Chapter 3 of the Coastal Act and to meet the basic stated goals specified in
18 Public Resources Code §30001.5;

19 WHEREAS, the Planning Division has prepared amendments to Article 30 of the Zoning
20 Ordinance to establish urban forestry program (UFP) regulations consistent with the City's
21 Climate Action Plan; and

22 WHEREAS, the City seeks to establish the amended text of Article 30 (Section 3049) as
23 part of the implementing documents of the Local Coastal Program; and

24 WHEREAS, on May 18, 2020, the Planning Commission conducted a duly-advertised
25 public hearing as prescribed by law and recommended City Council approval of said
26 recommendations; and

27 WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of
28 Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the
State Guidelines thereto amended to date and is hereby approved by the City Council in
conjunction with its recommendations on the application; and

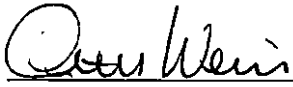
1 WHEREAS, the City Council finds that the Local Coastal Program Amendment
2 (LCPA20-00005) conforms with and is adequate to carry out the land use plan of the Local
3 Coastal Program.

4 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
5 RESOLVE as follows:

- 6 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
7 certifies that the Local Coastal Program Amendment (LCPA20-00001) is intended to be
8 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
9 hereby adopted.
- 10 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
11 thereto amended to date, a Notice of Exemption has been issued for the project by the
12 Resource Officer for the City of Oceanside.
- 13 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
14 amendment shall take effect upon Coastal Commission approval.
- 15 4. Notice is hereby given that the time within which judicial review must be sought on the
16 decision is governed by Public Resources Code §30801.

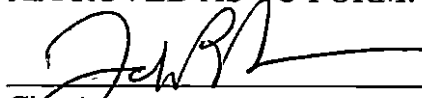
17 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
18 2020, by the following vote:

19 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ
20 NAYS: NONE
21 ABSENT: NONE
22 ABSTAIN: NONE

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25 _____
26 Mayor of the City of Oceanside

27 ATTEST:
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City Clerk

APPROVED AS TO FORM:


City Attorney

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RESOLUTION NO. 20-R0461-1

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OCEANSIDE AMENDING THE IMPLEMENTING DOCUMENT
OF THE LOCAL COASTAL PROGRAM TO ESTABLISH
TRANSPORTATION DEMAND MANAGEMENT REGULATIONS
AND REQUESTING CALIFORNIA COASTAL COMMISSION
CERTIFICATION OF SAID AMENDMENT**

(City of Oceanside –Applicant)

(LCPA20-00006)

WHEREAS, the California Coastal Act (Public Resources Code §30000, et seq.) (the "Coastal Act") requires that the City adopt a Local Coastal Program (LCP) which meets the requirements of the Coastal Act at the local level and implements its provisions and policies;

WHEREAS, on January 25, 1985, the California Coastal Commission ("Commission") approved with suggested modifications, the City's Land Use Plan ("LUP") and, pursuant to Public Resources Code §30512.2, found the City's LUP to be consistent with the policies and requirements of Chapter 3 of the Coastal Act and to meet the basic stated goals specified in Public Resources Code §30001.5;

WHEREAS, the Planning Division has prepared amendments to Article 30 of the Zoning Ordinance to establish transportation demand management (TDM) regulations consistent with the City's Climate Action Plan; and

WHEREAS, the City seeks to establish the amended text of Article 30 (Section 3050) as part of the implementing documents of the Local Coastal Program; and

WHEREAS, on May 18, 2020, the Planning Commission conducted a duly-advertised public hearing as prescribed by law and recommended City Council approval of said recommendations; and

WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the State Guidelines thereto amended to date and is hereby approved by the City Council in conjunction with its recommendations on the application; and

1 WHEREAS, the City Council finds that the Local Coastal Program Amendment
2 (LCPA20-00006) conforms with and is adequate to carry out the land use plan of the Local
3 Coastal Program.

4 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
5 RESOLVE as follows:

- 6
- 7 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
8 certifies that the Local Coastal Program Amendment (LCPA20-00001) is intended to be
9 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
10 hereby adopted.
 - 11 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
12 thereto amended to date, a Notice of Exemption has been issued for the project by the
13 Resource Officer for the City of Oceanside.
 - 14 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
15 amendment shall take effect upon Coastal Commission approval.
 - 16 4. Notice is hereby given that the time within which judicial review must be sought on the
17 decision is governed by Public Resources Code §30801.

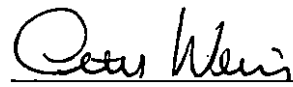
18 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
19 2020, by the following vote:

20 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ


21 NAYS: NONE

22 ABSENT: NONE

23 ABSTAIN: NONE


24 
25 _____
26 Mayor of the City of Oceanside

27 ATTEST:

28 

City Clerk

APPROVED AS TO FORM:



City Attorney

ORDINANCE NO. 20-OR0503-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ZONING ORDINANCE ARTICLES 10, 10C, 11, 11C, 12, 13, 13C, 14, AND 30 TO INCORPORATE REQUIREMENTS FOR RENEWABLE ENERGY FACILITIES (ZONING TEXT AMENDMENT ZA20-00003) _____

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) concludes that human influence on the global climate system is certain, with anthropogenic emissions of greenhouse gases (GHGs) contributing to rising surface air temperatures and subsurface ocean temperatures; and

WHEREAS, there is substantial scientific evidence that warming global temperatures induced by human activities are responsible for rising sea levels, increasing ocean acidification, increasing wildfire risk, prolonged droughts, more frequent and intense storm events, and more extreme heat days; and

WHEREAS, with the adoption of Assembly Bill 32 (The Global Warming Solutions Act of 2006), the State of California has committed to substantially reducing GHG emissions through a variety of means, including energy efficiency, renewable energy, containment of urban sprawl, expansion of the zero-emission vehicle fleet, water conservation, solid waste management, and the sequestration of atmospheric carbon in plant material and soils; and

WHEREAS, California's 2017 Climate Change Scoping Plan, a five-year assessment of statewide GHG emissions reduction efforts required by Assembly Bill 32, establishes that local GHG emissions reduction efforts are critical to achieving the State's climate stabilization goals; and

WHEREAS, the California Environmental Quality Act (CEQA) enables cities and other lead agencies to address the cumulative GHG emissions impacts of new development through comprehensive plans that outline GHG emissions reduction measures (e.g., Climate Action Plans); and

WHEREAS, on May 9, 2019, the City Council adopted the City's first Climate Action Plan (CAP), which establishes local GHG emissions reduction targets and outlines a wide range of measures designed to achieve these targets; and



1 WHEREAS, the CAP includes a CAP Consistency Checklist intended to streamline the
2 environmental review process for new development that implements specific GHG emissions
3 reduction features; and

4 WHEREAS, the CAP Consistency Checklist includes a requirement that projects that
5 include more than 50 surface parking spaces incorporate renewable energy facilities capable of
6 offsetting at least 50 percent of forecasted electricity demand; and

7 WHEREAS, this and other requirements for new development must be codified in the
8 City's Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

10 SECTION 1. Oceanside Zoning Ordinance Section 30 is amended to incorporate
11 Subsection 3047 to establish requirements for new development projects to incorporate
12 renewable energy facilities and solar-ready requirements, as specified in Exhibit A.

13 SECTION 2. Oceanside Zoning Ordinance Sections 10, 10C, 11, 11C, 12, 13, 13C, and
14 14 are amended to incorporate references to Zoning Ordinance Section 3047, as specified in
15 Exhibit B.

16 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
17 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
18 days after its passage in a newspaper of general circulation published in the City of Oceanside.

19 SECTION 4. For properties within the Coastal Zone, this ordinance shall be effective
20 upon certification of Local Coastal Plan Amendment (LCPA20-00003) by the California
21 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
22 effective thirty days after its adoption. Development proposals which are "deemed complete"
23 prior to the effective date of this ordinance shall not be subject to the amended zoning
24 regulations unless new project applications are refiled subsequent to the effective date of the
25 ordinance.

26 SECTION 4. Severability.

27 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
28 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision

1 shall not affect the validity of the remaining portions of this Ordinance. The City Council
2 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
3 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
4 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

5 SECTION 6. Statute of limitations. The time period to seek judicial review of the
6 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

7 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
8 California, held on the 5th day of August, 2020, and, thereafter,

9 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
10 Oceanside California, held on the 19th day of August, 2020, by the following vote:

11 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ

12 NAYS: NONE

13 ABSENT: NONE

14 ABSTAIN: NONE

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16 
17 MAYOR OF THE CITY OF OCEANSIDE

18 ATTEST:

19 APPROVED AS TO FORM:

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21 CITY CLERK

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CITY ATTORNEY

Exhibit A

Section 3047 Renewable Energy Facilities

Certain types of new development shall install and maintain renewable energy facilities (e.g. solar photovoltaic systems). Additions to existing development meeting the threshold established in Subsection B shall render such development “solar ready” per the current versions of the California Energy Code and California Green Building Standards Code. In the event that state requirements for renewable energy facilities and solar ready design exceed those outlined in this section, state requirements shall prevail.

- A. As specified below, the following types of development shall install and maintain renewable energy facilities that supply at least 50 percent of forecasted electricity demand:
- Residential projects that include 25 or more units
 - Industrial projects larger than 25,000 square feet
 - Commercial and institutional projects larger than 12,500 square feet
 - Mixed-use development (consisting of residential and commercial uses) larger than 12,500 square feet
 - In the event that installing a renewable energy facility is not feasible, applicants can purchase an energy portfolio comprising at least 75% renewable, emissions-free energy.
- B. Additions to all existing development over 1,500 square feet shall be rendered “solar ready,” as defined above.

Exhibit B

(ZA20-00003/LCPA20-00003)

Article 10, Section 1050 (KK): See Section 3047 Renewable Energy Facilities
Article 10C, Section 1050 (FF): See Section 3047 Renewable Energy Facilities
Article 11, Section 1130 (Y): See Section 3047 Renewable Energy Facilities
Article 11C, Section 1140 (S): See Section 3047 Renewable Energy Facilities
Article 12, Section 1232 (MM): See Section 3047 Renewable Energy Facilities
Article 13, Section 1330 (P): See Section 3047 Renewable Energy Facilities
Article 13C, Section 1340 (U): See Section 3047 Renewable Energy Facilities
Article 14, Section 1430 (7): See Section 3047 Renewable Energy Facilities

ORDINANCE NO. 20-OR0504-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ARTICLES 10, 10C, 11, 11C, 12, 13, 13C, 14, 30 AND 31 OF THE OCEANSIDE ZONING ORDINANCE TO INCLUDE REQUIREMENTS FOR ELECTRIC VEHICLE PARKING AND ELECTRIC VEHICLE CHARGING FACILITIES (ZONING TEXT AMENDMENT ZA20-00004)

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) concludes that human influence on the global climate system is certain, with anthropogenic emissions of greenhouse gases (GHGs) contributing to rising surface air temperatures and subsurface ocean temperatures; and

WHEREAS, there is substantial scientific evidence that warming global temperatures induced by human activities are responsible for rising sea levels, increasing ocean acidification, increasing wildfire risk, prolonged droughts, more frequent and intense storm events, and more extreme heat days; and

WHEREAS, with the adoption of Assembly Bill 32 (The Global Warming Solutions Act of 2006), the State of California has committed to substantially reducing GHG emissions through a variety of means, including energy efficiency, renewable energy, containment of urban sprawl, expansion of the zero-emission vehicle fleet, water conservation, solid waste management, and the sequestration of atmospheric carbon in plant material and soils; and

WHEREAS, California's 2017 Climate Change Scoping Plan, a five-year assessment of statewide GHG emissions reduction efforts required by Assembly Bill 32, establishes that local GHG emissions reduction efforts are critical to achieving the State's climate stabilization goals; and

WHEREAS, the California Environmental Quality Act (CEQA) enables cities and other lead agencies to address the cumulative GHG emissions impacts of new development through comprehensive plans that outline GHG emissions reduction measures (e.g., Climate Action Plans); and

WHEREAS, on May 9, 2019, the City Council adopted the City's first Climate Action Plan (CAP), which establishes local GHG emissions reduction targets and outlines a wide range of measures designed to achieve these targets; and

1 WHEREAS, the CAP includes a CAP Consistency Checklist intended ensure that new
2 development is consistent with the City’s GHG emissions reduction goals while streamlining
3 the environmental review process for projects that implement specific GHG emissions
4 reduction measures; and

5 WHEREAS, the CAP Consistency Checklist includes a requirement that certain projects
6 provide preferential parking for electric vehicles and install Level 2 electric vehicle charging
7 facilities; and

8 WHEREAS, this and other requirements for new development must be codified in the
9 City’s Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

11 SECTION 1. Oceanside Zoning Ordinance Article 30 is amended to incorporate Section
12 3048 to establish standards for preferential parking for electric vehicles and electric vehicle
13 charging facilities in conjunction with certain types of new development, as specified in Exhibit
14 A.

15 SECTION 2. Oceanside Zoning Ordinance Articles 10, 10C, 11, 11C, 12, 13, 13C, 14,
16 and 31 are amended to incorporate references to Zoning Ordinance Section 3048, as specified in
17 Exhibit B.

18 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
19 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
20 days after its passage in a newspaper of general circulation published in the City of Oceanside.

21 SECTION 4. For properties within the Coastal Zone, this ordinance shall be effective
22 upon certification of Local Coastal Plan Amendment (LCPA20-00004) by the California
23 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
24 effective thirty days after its adoption. Development proposals which are “deemed complete”
25 prior to the effective date of this ordinance shall not be subject to the amended zoning
26 regulations unless new project applications are refiled subsequent to the effective date of the
27 ordinance.

1 SECTION 5. Severability.

2 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
3 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
4 shall not affect the validity of the remaining portions of this Ordinance. The City Council
5 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
6 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
7 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

8 SECTION 6. Statute of limitations. The time period to seek judicial review of the
9 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

10 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
11 California, held on the 5th day of August, 2020, and, thereafter,

12 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
13 Oceanside California, held on the 19th day of August, 2020, by the following vote:

14 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ

15 NAYS: NONE

16 ABSENT: NONE

17 ABSTAIN: NONE

18 
19 MAYOR OF THE CITY OF OCEANSIDE

20
21 ATTEST:

APPROVED AS TO FORM:

22 
23 CITY CLERK


24 
25 CITY ATTORNEY

Exhibit A

3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Multi-family residential and non-residential development of a certain scale is required to provide preferential parking and charging facilities for electric vehicles. The standards for preferential parking and electric vehicle charging facilities outlined in this section are intended to exceed those established by state law. In the event state standards exceed those outlined in this section, state standards shall apply.

Electric vehicle charging facilities installed in accordance with this section shall comply with Article 625 of the California Electrical Code and subsequent iterations thereof.

Single-family residential developments are subject to the Cal Green Building Code requirements and therefore exempt from the standards outlined in this section.

As specified in Tables 1 and 2, new multi-family residential and nonresidential developments that include five or more parking spaces shall reserve 15 percent of parking spaces for zero-emission vehicles and equip 50 percent of these reserved spaces with Level 2 electric vehicle charging facilities.

The standards outlined in Table 1 shall apply to multi-family residential development featuring common parking facilities, with “common parking facilities” defined as those where parking spaces are not separated from one another by walls or doors but rather assembled in open and shared spaces. Multi-family residential development with non-common parking facilities (e.g., private garages) shall provide at least one 240-volt/16-ampere electrical outlet in each compartmentalized parking area to accommodate “Level 2” electric vehicle charging.

Multi-family development that includes dedicated visitor parking shall provide at least one visitor-serving electric vehicle parking space equipped with charging facilities.

Table 1
Multi-Family Residential Electric Vehicle (EV)
Parking Space and Charging Facility Requirements

Total Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-9	1	0
10-19	2	1
20-29	3	1
30-46	4-6	2-3
47-79	7-11	3-5
80-106	12-15	6-7
107-153	16-22	8-11
154-200	23-30	12-15
201+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

Table 2
Non-Residential Electric Vehicle (EV)
Parking and Charging Facility Requirements

Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-13	1	0
14-19	2	1
20-33	3-4	2
34-46	5-6	2-3
47-66	7-9	3-4
67-86	10-12	5-6
87-119	13-17	6-8
120+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

Exhibit B

(ZA20-00004/LCPA20-00004)

Article 10, Section 1050 (LL): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 10C, Section 1050 (GG): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 11, Section 1130 (Z): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 11C, Section 1140 (T): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 12, Section 1232 (NN): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 13, Section 1330 (Q): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 13C, Section 1340 (V): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 14, Section 1430 (8): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 31, Section 3103: Requirements for preferential electric vehicle parking and electric vehicle charging facilities for Non-residential and multi-family residential developments are provided within Article 3048

ORDINANCE NO. 20-OR0505-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ARTICLES 10, 10C, 11, 11C, 12, 13, 13C, 14 AND 30 TO INCLUDE URBAN FORESTRY REQUIREMENTS (ZONING TEXT AMENDMENT ZA20-00005)

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) concludes that human influence on the global climate system is certain, with anthropogenic emissions of greenhouse gases (GHGs) contributing to rising surface air temperatures and subsurface ocean temperatures; and

WHEREAS, there is substantial scientific evidence that warming global temperatures induced by human activities are responsible for rising sea levels, increasing ocean acidification, increasing wildfire risk, prolonged droughts, more frequent and intense storm events, and more extreme heat days; and

WHEREAS, with the adoption of Assembly Bill 32 (The Global Warming Solutions Act of 2006), the State of California has committed to substantially reducing GHG emissions through a variety of means, including energy efficiency, renewable energy, containment of urban sprawl, expansion of the zero-emission vehicle fleet, water conservation, solid waste management, and the sequestration of atmospheric carbon in plant material and soils; and

WHEREAS, California's 2017 Climate Change Scoping Plan, a five-year assessment of statewide GHG emissions reduction efforts required by Assembly Bill 32, establishes that local GHG emissions reduction efforts are critical to achieving the State's climate stabilization goals; and

WHEREAS, the California Environmental Quality Act (CEQA) enables cities and other lead agencies to address the cumulative GHG emissions impacts of new development through comprehensive plans that outline GHG emissions reduction measures (e.g., Climate Action Plans); and

WHEREAS, on May 9, 2019, the City Council adopted the City's first Climate Action Plan (CAP), which establishes local GHG emissions reduction targets and outlines a wide range of measures designed to achieve these targets; and

1 WHEREAS, the CAP includes a CAP Consistency Checklist intended to streamline the
2 environmental review process for new development that implements specific GHG emissions
3 reduction features; and

4 WHEREAS, the CAP Consistency Checklist includes a requirement that all development
5 requiring discretionary review must provide a minimum percentage of tree canopy and permeable
6 surface area based on project site area; and

7 WHEREAS, this and other requirements for new development must be codified in the
8 City's Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

10 SECTION 1. Oceanside Zoning Ordinance Section 30 is amended to incorporate
11 Subsection 3049 to establish standards for urban forestry program (UFP) plans for projects
12 subject to the entitlement review process, as specified in Exhibit A.

13 SECTION 2. Oceanside Zoning Ordinance Sections 10, 10C, 11, 11C, 12, 13, 13C, and
14 14 are amended to incorporate references to Zoning Ordinance Section 3049, as specified in
15 Exhibit B.

16 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
17 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
18 days after its passage in a newspaper of general circulation published in the City of Oceanside.

19 SECTION 4. For properties within the Coastal Zone, this ordinance shall be effective
20 upon certification of Local Coastal Plan Amendment (LCPA20-00005) by the California
21 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
22 effective thirty days after its adoption. Development proposals which are "deemed complete"
23 prior to the effective date of this ordinance shall not be subject to the amended zoning
24 regulations unless new project applications are refiled subsequent to the effective date of the
25 ordinance.

26 SECTION 5. Severability.

27 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
28 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision

1 shall not affect the validity of the remaining portions of this Ordinance. The City Council
2 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
3 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
4 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

5 SECTION 6. Statute of limitations. The time period to seek judicial review of the
6 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

7 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
8 California, held on the 5th day of August, 2020, and, thereafter,

9 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
10 Oceanside California, held on the 19th day of August, 2020, by the following vote:

11 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ

12 NAYS: NONE

13 ABSENT: NONE

14 ABSTAIN: NONE

15
16 
17 MAYOR OF THE CITY OF OCEANSIDE

18 ATTEST:

19 APPROVED AS TO FORM:

20 
21 CITY CLERK


22
23
24
25
26
27 
28 CITY ATTORNEY

Exhibit A

Section 3049 Urban Forestry Program

All new development that requires administrative or discretionary review shall comply with the urban forestry standards outlined in Table 1.

Table 1
Minimum Tree Canopy and Permeable Surface Area Requirements

Project Site Area	Minimum Tree Canopy Area	Minimum Permeable Surface Area
1 acre or more	12%	22%
1/3 acre to 1 acre	9%	16%
Less than 1/3 acre	7%	10%

Permeable surfaces should allow water to pass through it, with pores or openings, and may include gravel, pervious concrete, porous asphalt, paving stone, or similar materials.

Tree canopy area shall be measured using the projected maximum growth of selected tree species, based on planting location.

Projects must also provide a Landscape and Tree Canopy Management Plan (LTCMP). The LTCMP shall include information regarding regular, seasonal, and emergency maintenance, trash abatement, irrigation, tree/plant care, tree replacement, insect and disease infestation prevention, integrated pest management, and appropriate response process etc. Projects that do not maintain landscape in a manner consistent with the approved LTCMP shall be subject to code enforcement action.

In the event a project site cannot feasibly accommodate the minimum permeable surface area required, additional tree canopy, in excess of the minimum requirement, can be credited to meet the minimum permeable surface area requirement.

In the event a project site cannot feasibly accommodate the minimum tree canopy area, the project may plant in the public right-of-way (e.g., parkway) adjacent to the project site or on an alternative site within the City, as approved by the Director of the Public Works Department. Should the City establish a Tree Fund or similar in-lieu fee program, projects that cannot meet minimum requirements may contribute to said program as an alternative means of compliance.

Exhibit B

(ZA20-00005/LCPA20-00005)

Article 10, Section 1050 (MM): See Section 3049 Urban Forestry Program

Article 10C, Section 1050 (MM): See Section 3049 Urban Forestry Program

Article 11, Section 1130 (AA): See Section 3049 Urban Forestry Program

Article 11C, Section 1140 (X): See Section 3049 Urban Forestry Program

Article 12, Section 1232 (PP): See Section 3049 Urban Forestry Program

Article 13, Section 1330 (R): See Section 3049 Urban Forestry Program

Article 13C, Section 1340 (W): See Section 3049 Urban Forestry Program

Article 14, Section 1430 (9): See Section 3049 Urban Forestry Program

ORDINANCE NO. 20-OR0506-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ZONING ORDINANCE ARTICLES 10, 10C, 11, 11C, 12, 13, 13C, 14, AND 30 TO INCORPORATE REQUIREMENTS FOR TRANSPORTATION DEMAND MANAGEMENT (ZONING TEXT AMENDMENT ZA20-00006)

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) concludes that human influence on the global climate system is certain, with anthropogenic emissions of greenhouse gases (GHGs) contributing to rising surface air temperatures and subsurface ocean temperatures; and

WHEREAS, there is substantial scientific evidence that warming global temperatures induced by human activities are responsible for rising sea levels, increasing ocean acidification, increasing wildfire risk, prolonged droughts, more frequent and intense storm events, and more extreme heat days; and

WHEREAS, with the adoption of Assembly Bill 32 (The Global Warming Solutions Act of 2006), the State of California has committed to substantially reducing GHG emissions through a variety of means, including energy efficiency, renewable energy, containment of urban sprawl, expansion of the zero-emission vehicle fleet, water conservation, solid waste management, and the sequestration of atmospheric carbon in plant material and soils; and

WHEREAS, California's 2017 Climate Change Scoping Plan, a five-year assessment of statewide GHG emissions reduction efforts required by Assembly Bill 32, establishes that local GHG emissions reduction efforts are critical to achieving the State's climate stabilization goals; and

WHEREAS, the California Environmental Quality Act (CEQA) enables cities and other lead agencies to address the cumulative GHG emissions impacts of new development through comprehensive plans that outline GHG emissions reduction measures (e.g., Climate Action Plans); and

WHEREAS, on May 9, 2019, the City Council adopted the City's first Climate Action Plan (CAP), which establishes local GHG emissions reduction targets and outlines a wide range of measures designed to achieve these targets; and

1 WHEREAS, the CAP includes a CAP Consistency Checklist intended to streamline the
2 environmental review process for new development that implements specific GHG emissions
3 reduction features; and

4 WHEREAS, the CAP Consistency Checklist includes a requirement that certain types of
5 non-residential development projects prepare transportation demand management (TDM) plans
6 that result in a minimum alternative employee commute mode share, with alternative commute
7 modes defined as those that don't involve combustion engine single-occupancy vehicle trips;
8 and

9 WHEREAS, this and other requirements for new development must be codified in the
10 City's Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

12 SECTION 1. Oceanside Zoning Ordinance Section 30 is amended to incorporate
13 Subsection 3050 to establish TDM requirements, as specified in Exhibit A.

14 SECTION 2. Oceanside Zoning Ordinance Sections 10, 10C, 11, 11C, 12, 13, 13C, and
15 14 are amended to incorporate references to Zoning Ordinance Section 3050, as specified in
16 Exhibit B.

17 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
18 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
19 days after its passage in a newspaper of general circulation published in the City of Oceanside.

20 SECTION 4.. For properties within the Coastal Zone, this ordinance shall be effective
21 upon certification of Local Coastal Plan Amendment (LCPA20-00006) by the California
22 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
23 effective thirty days after its adoption. Development proposals which are "deemed complete"
24 prior to the effective date of this ordinance shall not be subject to the amended zoning
25 regulations unless new project applications are refiled subsequent to the effective date of the
26 ordinance.

27 SECTION 5. Severability.
28

1 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
2 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
3 shall not affect the validity of the remaining portions of this Ordinance. The City Council
4 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
5 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
6 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

7 SECTION 6. Statute of limitations. The time period to seek judicial review of the
8 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

9 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
10 California, held on the 5th day of August, 2020, and, thereafter,

11 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
12 Oceanside California, held on the 9th day of August, 2020, by the following vote:

13 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ

14 NAYS: NONE

15 ABSENT: NONE

16 ABSTAIN: NONE

17
18 
19 MAYOR OF THE CITY OF OCEANSIDE

20 ATTEST:

APPROVED AS TO FORM:

21
22 
23 CITY CLERK

24
25
26
27
28 
CITY ATTORNEY

Exhibit A

3050 Transportation Demand Management (TDM)

New non-residential development and additions to existing non-residential development that generate more than 50 daily employee trips must prepare and implement a transportation demand management (TDM) plan that results in a minimum alternative employee commute share of 20 percent. The alternative employee commute share shall include all commute trips not involving combustion engine single-occupancy vehicles (SOVs). Alternative employee commute modes include ridesharing, public transit, active transportation, telecommuting, and zero-emission vehicles.

TDM plans shall include the following:

- A. Designation of a Transportation Coordinator responsible for ensuring compliance with TDM plan requirements;
- B. Site-specific analysis of opportunities for, and constraints upon, alternative commute modes (e.g., active transportation, transit, ridesharing);
- C. Marketing and outreach strategies that educate employees about sustainable travel choices;
- D. Customized travel plans for employees (upon request);
- E. Description and justification of selected TDM measures;
- F. Calculation of the estimated commute mode shift associated with selected TDM measures; and
- G. A monitoring and reporting program, including provisions for addressing changes in tenancy.

To calculate the estimated alternative employee commute mode share achieved by selected TDM measures, applicants may utilize resources provided by transportation agencies and other government entities (e.g., SANDAG's Mobility Management Toolbox) or commission a qualified transportation planning and/or engineering consultant to prepare customized calculations based on best available information and industry-standard methodologies. The format of a TDM plan, as well as the methodology employed to calculate commute mode shift, shall be subject to review and approval by the City Planner.

Projects shall initiate monitoring of the employee commute mode share through employee surveys within six months of reaching 75 percent occupancy or within 12 months of initial occupancy, whichever occurs first. TDM plans shall be implemented within 12 months of full occupancy. The minimum 20 percent alternative employee commute mode share shall

be documented within three (3) years of project completion (i.e., issuance of final building permits or certificates of occupancy). Should the minimum alternative employee commute mode share not be achieved within three (3) years, the TDM plan shall be revised within six months to introduce additional and/or modified TDM measures. Projects that do not achieve the minimum alternative employee commute mode share within three (3) years of completion shall report commute mode share information to the City on an annual basis. Projects that achieve the minimum 20 percent alternative employee commute mode share shall report employee commute mode share information to the City every three (3) years.

Exhibit B

(ZA20-00006/LCPA20-00006)

Article 10, Section 1050 (NN): See Section 3050 Transportation Demand Management (TDM)

Article 10C, Section 1050 (II): See Section 3050 Transportation Demand Management (TDM)

Article 11, Section 1130 (BB): See Section 3050 Transportation Demand Management (TDM)

Article 11C, Section 1140 (V): See Section 3050 Transportation Demand Management (TDM)

Article 12, Section 1232 (PP): See Section 3050 Transportation Demand Management (TDM)

Article 13, Section 1330 (T): See Section 3050 Transportation Demand Management (TDM)

Article 13C, Section 1340 (X): See Section 3050 Transportation Demand Management (TDM)

Article 14, Section 1430 (10): See Section 3050 Transportation Demand Management (TDM)

Exhibit A

Section 3047 Renewable Energy Facilities

Certain types of new development shall install and maintain renewable energy facilities (e.g. solar photovoltaic systems). Additions to existing development meeting the threshold established in Subsection B shall render such development “solar ready” per the current versions of the California Energy Code and California Green Building Standards Code. In the event that state requirements for renewable energy facilities and solar ready design exceed those outlined in this section, state requirements shall prevail.

- A. As specified below, the following types of development shall install and maintain renewable energy facilities that supply at least 50 percent of forecasted electricity demand:
- Residential projects that include 25 or more units
 - Industrial projects larger than 25,000 square feet
 - Commercial and institutional projects larger than 12,500 square feet
 - Mixed-use development (consisting of residential and commercial uses) larger than 12,500 square feet
 - In the event that installing a renewable energy facility is not feasible, applicants can purchase an energy portfolio comprising at least 75% renewable, emissions-free energy.
- B. Additions to all existing development over 1,500 square feet shall be rendered “solar ready,” as defined above.

EXHIBIT NO. 3

Text Revisions



LCP-6-OCN-21-0088-3
California Coastal Commission

Exhibit A

3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Multi-family residential and non-residential development of a certain scale is required to provide preferential parking and charging facilities for electric vehicles. The standards for preferential parking and electric vehicle charging facilities outlined in this section are intended to exceed those established by state law. In the event state standards exceed those outlined in this section, state standards shall apply.

Electric vehicle charging facilities installed in accordance with this section shall comply with Article 625 of the California Electrical Code and subsequent iterations thereof.

Single-family residential developments are subject to the Cal Green Building Code requirements and therefore exempt from the standards outlined in this section.

As specified in Tables 1 and 2, new multi-family residential and nonresidential developments that include five or more parking spaces shall reserve 15 percent of parking spaces for zero-emission vehicles and equip 50 percent of these reserved spaces with Level 2 electric vehicle charging facilities.

The standards outlined in Table 1 shall apply to multi-family residential development featuring common parking facilities, with “common parking facilities” defined as those where parking spaces are not separated from one another by walls or doors but rather assembled in open and shared spaces. Multi-family residential development with non-common parking facilities (e.g., private garages) shall provide at least one 240-volt/16-ampere electrical outlet in each compartmentalized parking area to accommodate “Level 2” electric vehicle charging.

Multi-family development that includes dedicated visitor parking shall provide at least one visitor-serving electric vehicle parking space equipped with charging facilities.

Table 1
Multi-Family Residential Electric Vehicle (EV)
Parking Space and Charging Facility Requirements

Total Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-9	1	0
10-19	2	1
20-29	3	1
30-46	4-6	2-3
47-79	7-11	3-5
80-106	12-15	6-7
107-153	16-22	8-11
154-200	23-30	12-15
201+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

Table 2
Non-Residential Electric Vehicle (EV)
Parking and Charging Facility Requirements

Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-13	1	0
14-19	2	1
20-33	3-4	2
34-46	5-6	2-3
47-66	7-9	3-4
67-86	10-12	5-6
87-119	13-17	6-8
120+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

Exhibit A

Section 3049 Urban Forestry Program

All new development that requires administrative or discretionary review shall comply with the urban forestry standards outlined in Table 1.

Table 1
Minimum Tree Canopy and Permeable Surface Area Requirements

Project Site Area	Minimum Tree Canopy Area	Minimum Permeable Surface Area
1 acre or more	12%	22%
1/3 acre to 1 acre	9%	16%
Less than 1/3 acre	7%	10%

Permeable surfaces should allow water to pass through it, with pores or openings, and may include gravel, pervious concrete, porous asphalt, paving stone, or similar materials.

Tree canopy area shall be measured using the projected maximum growth of selected tree species, based on planting location.

Projects must also provide a Landscape and Tree Canopy Management Plan (LTCMP). The LTCMP shall include information regarding regular, seasonal, and emergency maintenance, trash abatement, irrigation, tree/plant care, tree replacement, insect and disease infestation prevention, integrated pest management, and appropriate response process etc. Projects that do not maintain landscape in a manner consistent with the approved LTCMP shall be subject to code enforcement action.

In the event a project site cannot feasibly accommodate the minimum permeable surface area required, additional tree canopy, in excess of the minimum requirement, can be credited to meet the minimum permeable surface area requirement.

In the event a project site cannot feasibly accommodate the minimum tree canopy area, the project may plant in the public right-of-way (e.g., parkway) adjacent to the project site or on an alternative site within the City, as approved by the Director of the Public Works Department. Should the City establish a Tree Fund or similar in-lieu fee program, projects that cannot meet minimum requirements may contribute to said program as an alternative means of compliance.

Exhibit A

3050 Transportation Demand Management (TDM)

New non-residential development and additions to existing non-residential development that generate more than 50 daily employee trips must prepare and implement a transportation demand management (TDM) plan that results in a minimum alternative employee commute share of 20 percent. The alternative employee commute share shall include all commute trips not involving combustion engine single-occupancy vehicles (SOVs). Alternative employee commute modes include ridesharing, public transit, active transportation, telecommuting, and zero-emission vehicles.

TDM plans shall include the following:

- A. Designation of a Transportation Coordinator responsible for ensuring compliance with TDM plan requirements;
- B. Site-specific analysis of opportunities for, and constraints upon, alternative commute modes (e.g., active transportation, transit, ridesharing);
- C. Marketing and outreach strategies that educate employees about sustainable travel choices;
- D. Customized travel plans for employees (upon request);
- E. Description and justification of selected TDM measures;
- F. Calculation of the estimated commute mode shift associated with selected TDM measures; and
- G. A monitoring and reporting program, including provisions for addressing changes in tenancy.

To calculate the estimated alternative employee commute mode share achieved by selected TDM measures, applicants may utilize resources provided by transportation agencies and other government entities (e.g., SANDAG's Mobility Management Toolbox) or commission a qualified transportation planning and/or engineering consultant to prepare customized calculations based on best available information and industry-standard methodologies. The format of a TDM plan, as well as the methodology employed to calculate commute mode shift, shall be subject to review and approval by the City Planner.

Projects shall initiate monitoring of the employee commute mode share through employee surveys within six months of reaching 75 percent occupancy or within 12 months of initial occupancy, whichever occurs first. TDM plans shall be implemented within 12 months of full occupancy. The minimum 20 percent alternative employee commute mode share shall

be documented within three (3) years of project completion (i.e., issuance of final building permits or certificates of occupancy). Should the minimum alternative employee commute mode share not be achieved within three (3) years, the TDM plan shall be revised within six months to introduce additional and/or modified TDM measures. Projects that do not achieve the minimum alternative employee commute mode share within three (3) years of completion shall report commute mode share information to the City on an annual basis. Projects that achieve the minimum 20 percent alternative employee commute mode share shall report employee commute mode share information to the City every three (3) years.