

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
(619) 767-2370 WWW.COASTAL.CA.GOV



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San Diego Coast District Deputy Director's Report for July 2026

Prepared July 02, 2026 (for the July 09, 2026 Hearing)

To: Commissioners and Interested Parties

From: Karl Schwing, San Diego Coast District Deputy Director

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and local government acceptance of modifications for LCP certification for the San Diego Coast District Office are being reported to the Commission on July 09, 2026. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's San Diego Coast District Office in San Diego. Staff is asking for the Commission's concurrence on the items in the San Diego Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on July 9th.

With respect to the July 9th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on July 09, 2026 (see attached)

Waivers

- 6-25-0613-W, Braudaway ADU Conversion (Imperial Beach)
- 6-26-0180-W, Chen Addition (San Diego)
- 6-26-0247-W, Sears ADU (Solana Beach)
- 6-26-0370-W, STLTHM/Semion Talpalatsky ADU (San Diego)
- 6-26-0469-W, Santa Fe Christian Schools Modular Classroom Replacement (Solana Beach)

Immaterial Amendments

- 6-16-0450-A2, City of Carlsbad Las Encinas Revetment Authorization Extension (seaward side of Carlsbad Blvd at Las Encinas Creek, Carlsbad)

Immaterial Extensions

- 6-24-0315-E1, California Department of Parks and Recreation San Elijo State Beach Campground Accessibility Improvements (San Diego)

LCP Certification Review

- LCP-6-OCN-25-0030-2, City of Oceanside Inclusionary Housing (Oceanside)

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7575 METROPOLITAN DRIVE, SUITE 103
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PH (619) 767-2370 FAX (619) 767-2384
WWW.COASTAL.CA.GOV



June 25, 2026

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-25-0613-W

Applicant: George Braudaway

Location: 411 8th St., Imperial Beach, San Diego County. (APN(s): 626-040-17-00)

Proposed Development: Conversion of an existing approx. 784 sq. ft. detached garage into two approx. 374 sq. ft. accessory dwelling units (ADUs); after-the-fact approval of conversion of an approx. 1,200 sq. ft. two-story addition into two studio units, on an approx. 6,000 sq. ft. lot with an existing approx. 982 sq. ft. single family residence to remain.

Rationale: The project site is located approximately 500 feet from the inland extent of San Diego Bay National Wildlife Refuge and is located between the sea and the first public road. The proposed accessory dwelling units will be located in the rear yard of an existing multi-family residence within an established residential neighborhood consisting of residences similar in bulk and scale to the proposed development; therefore, the project will not be out of character within the existing community. The existing structure with a single-family residence and two studio units is considered legal nonconforming because it was constructed prior to the current land use and zoning designation of R-1-6000 (Single Family Residential). The two studio units were permitted by the City of Imperial Beach in 1986 and serve as long-term rentals. There will be no increase in the degree of nonconformity as a result of the project, and the nonconforming units provide valuable housing stock in an area with several legal nonconforming multi-family residences (ref: CDP No. 6-20-0593). The subject site is located within a half-mile of a bus stop. State ADU law does not require off-street parking for new ADUs located within a half-mile of a bus stop, nor does it require replacement parking for a garage-to-ADU conversion. The existing residence complies with the certified LCP requirement that the primary dwelling unit provide two 100% enclosed off-street parking spaces each. As a legal non-conforming lot, there is no parking requirement for the studio units. However,

Coastal Development Permit Waiver
6-25-0613-W

there are approximately three additional parking spaces proposed on-site to be used by tenants of the studios or the proposed ADUs. The proposed dwelling units will not block any public views or public accessways. Since the site is located near sensitive habitat, the applicant has proposed lighting that will reduce impacts to wildlife, including fixtures that are fully shielded, below 2700 Kelvins, and do not blink, flash, or strobe. Based on current best available science, the proposed project is not anticipated to experience coastal hazards with sea level rise over the anticipated lifespan of the proposed development. The applicant has proposed adequate floodproofing measures and will notify all future occupants of the potential for coastal hazards. The applicant has also agreed to assume the risks of the project that may result from coastal hazards such as storms and flooding. Therefore, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its July 2026 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge
Executive Director


Melissa Belen-Gonzalez
Coastal Program Analyst

cc: Commissioners/File

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June 26, 2026

**Coastal Development Permit Waiver
Improvements to Existing Structures
or Repair and Maintenance
Coastal Act Section 30610**

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13250(c), Section 13252(e), or Section 13253(c), Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-26-0180-W

Applicant: Charlie Chen

Location: 723 Vanitie Ct, Mission Beach, San Diego (San Diego County) (APN: 423-559-16)

Proposed Development: Construction of an approximately 352 sq. ft. third floor addition, and roof deck with railing at an existing 1,018 sq. ft. two-story single-family residence with attached 200 sq. ft. garage and 132 sq. ft. carport on a 1,250 sq. ft. lot.

Rationale: The proposed project requires a permit because the site is located between the sea and the first public roadway (Mission Boulevard), and the addition will result in an increase of more than 10% of the existing floor area. However, this is not a shoreline lot, and the site is approximately 180 feet from the beach. The proposed project is located in an established neighborhood consisting of multi-family and single-family residences similar in size and scale to the proposed development. The proposed residential development is consistent with all planning and zoning regulations of the Mission Beach Planned District Ordinance and the City of San Diego LCP. There are no anticipated impacts to public access from construction activities as the applicant has proposed to stage all construction materials on site and the applicant does not propose to utilize public parking for worker parking. Therefore, the proposed development will not adversely impact coastal resources, public access, public views, or public recreation.

Coastal Development Permit Waiver
6-26-0180-W

opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its July 2026 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Lindsey Cain
Coastal Program Analyst

cc: Commissioners/File

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June 25, 2026

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-26-0247-W

Applicant: Timothy Sears

Location: 515 Seabright Ln, Solana Beach (San Diego County) (APN: 263-062-10-00)

Proposed Development: Construction of an approx. 861 sq. ft. detached two-story ADU on a 10,300 sq. ft. lot with an existing 2,556 sq. ft. two-story single-family residence with 280 sq. ft. detached garage.

Rationale: The project site is located between the sea (San Elijo Lagoon) and the first public roadway, but is not a shoreline lot, as the site is approximately 0.3 mile from the inland extent of the beach. The proposed project is located in an established residential neighborhood consisting of residences similar in bulk and scale to the proposed development. The project is consistent with the City of Solana Beach's Low/Medium Density Residential designation, which allows for four dwelling units per net acre. The proposed development will not block public views or impact public access and there will be no impacts to habitat. Adequate parking will be provided for the primary residence and the ADU does not require parking because it will be located less than half a mile from the nearest transit stop. The project is consistent with all zoning and plan designations for the City of Solana Beach and its certified Land Use Plan.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

Coastal Development Permit De Minimis Waiver
6-26-0247-W

This waiver will not become effective until reported to the Commission at its July 2026 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

A handwritten signature in black ink, appearing to read "Amanda Gannon", written in a cursive style.

Amanda Gannon
Coastal Program Analyst

cc: Commissioners/File

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June 24, 2026

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-26-0370-W

Applicant: STLTHM/Semion Talpalatsky

Location: 3874 Riviera Dr., San Diego, San Diego County (APN: 423-410-07)

Proposed Development: Conversion of approximately 290 square feet of existing laundry/utility space into one accessory dwelling unit (ADU) and addition of approximately 14 sq. ft. to accommodate a replacement laundry area, within an existing 6,137 sq. ft. multi-family residential building.

Rationale: The project site is located between the sea and the first public road and is a shoreline lot. The proposed project requires a permit because the scope of work includes the creation of a new ADU within a multi-family structure that constitutes a change in the intensity of use. The proposed project is located along the bay shore, which consists largely of condominium and apartment buildings similar in size and scale to the proposed development. No grading is proposed and the project is located within an existing developed urban lot. No changes are proposed to the main building facades or heights, and the change in square footage is minor. The proposed development will not block any public views or impact public access, and there will be no impacts to habitat or parking. Per Section 141.0302(b)(10) of the City of San Diego LCP, no on-street or off-street parking spaces are required for ADUs where they are attached to the proposed or existing primary dwelling unit or accessory structure. The proposed ADUs are attached to the primary structure and therefore no additional parking is required. The project is consistent with the zoning and plan designations for the City of San Diego.

Coastal Development Permit De Minimis Waiver
6-26-0370-W

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its July 2026 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

A handwritten signature in cursive script that reads "Flora Coden".

Flora Coden
Coastal Program Analyst

cc: Commissioners/File

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June 18, 2026

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-26-0469-W

Applicant: Santa Fe Christian Schools, Attn: Kurt de Pfyffer

Location: 838 Academy Dr, Solana Beach, San Diego County (APN: 298-112-29)

Proposed Development: Removal of two existing modular classroom buildings totaling approximately 1,500 sq. ft., installation of two new modular classroom buildings totaling approximately 2,016 sq. ft., and replacement of approximately 150 sq. ft. of asphalt on an approximately 16.31 acre site.

Rationale: This project is not located between the sea and the first public road and is approximately .85 miles from the shoreline. This project requires a permit because the removal and the replacement of the trailers constitute new development. No significant change in the amount or direction of stormwater flows would result from the project. No impacts to vegetation will occur, as all work is located within the asphalt parking lot. The new modular buildings will have a larger footprint than the existing structure but will not result in an increase in enrollment capacity. Parking will not be impacted as a result of the project and there is no grading proposed. The project is located in the City of Solana Beach Land Use Plan Hillside Overlay Zone but the replacement buildings will not require or have impacts to steep slopes, water quality, or public views. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its July 2026 meeting and the site of the proposed development has been appropriately noticed,

Coastal Development Permit De Minimis Waiver
6-26-0469-W

pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:



Flora Coden
Coastal Program Analyst

cc: Commissioners/File

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June 24, 2026

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **6-16-0450-A2**

To: All Interested Parties

From: Kate Huckelbridge, PhD, Executive Director

Subject: Permit No. **6-16-0450-A2** granted to **City of Carlsbad** for: Follow-up approval to retain a 270 linear foot rock revetment authorized by emergency permit for five years, and after-the-fact approval of construction of an additional 250 linear foot revetment on the beach protecting southbound lanes of Carlsbad Boulevard.

Project Site: West side of southbound Carlsbad Boulevard, north of Encinas Creek, Carlsbad, San Diego County

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Amend Special Condition 1 to extend authorization for seven additional years.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.¹ Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the amendment shall not be

¹ The Commission's regulations are codified in Title 14 of the California Code of Regulations.

Notice of Proposed Immaterial Permit Amendment

6-16-0450-A2

effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the executive director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

This amendment authorizes CDP #6-16-0450 (City of Carlsbad) for an additional seven years by amending Special Condition 1. In March 2018, the Coastal Commission approved the underlying CDP (Ref. No. 6-16-0450), which granted follow-up approval to retain a 270 linear foot rock revetment authorized by an emergency permit (G-6-15-0049/City of Carlsbad) as well as after-the-fact approval of an additional 250 linear foot revetment, for five years (i.e., March 14, 2023). In 2023, the Commission approved an amendment to the underlying CDP (Ref. No. 6-16-0450-A1), which extended authorization for an additional year (i.e. March 14, 2024). The revetment is located on the beach, seaward of southbound Carlsbad Boulevard, south of Palomar Airport Road and north of Encinas Creek.

The City has submitted this amendment request prior to the expiration of the authorization period, and the subject amendment does not undermine the intent of Special Condition 1, which was to ensure that the City actively seeks a longer-term solution to erosion at the subject site. The deadline for authorization was intended to allow the City to develop a Hazards Management Plan, a portion of which was completed in February 2024 for the South Carlsbad Climate Adaptation project. The seven additional years will allow the City time to apply for new grant funding to move the project from feasibility and conceptual design to finalization of the roadway alignment and environmental restoration alternatives, as well as time to conduct a construction feasibility study, and complete the environmental documentation and permitting. No adverse impacts are anticipated, and thus the proposed project will not adversely impact coastal resources and can be found in conformance with Chapter 3 policies of the Coastal Act.

Notice of Proposed Immaterial Permit Amendment 6-16-0450-A2

CDP 6-16-0450-A2 amends the following Special Condition approved by 6-16-0450 and 6-16-0450-A1:

1. Limited Authorization Period and Long-Term Hazard Management Plan.

(a) This coastal development permit authorizes the shoreline protection for ~~six~~ thirteen years from the date of this permit approval (i.e., to March 14, ~~2024~~ 2031) or until the time when the currently existing structures warranting armoring are no longer present or no longer require armoring for such protection, whichever occurs first.

(b) No later than ~~six~~ thirteen years after the approval of this permit (i.e., by March 14, ~~2024~~ 2031), the permittee or successor in interest shall apply for a regular coastal development permit to implement a long-term Hazards Management Plan for Carlsbad Boulevard that addresses current and future coastal hazards present at the site. The Hazards Management Plan shall incorporate measures to adapt to sea level rise over time and provide for the long term protection and provision of public improvements, coastal access, public opportunities for coastal recreation, public views and coastal resources, including beach and shoreline habitat (measures may include, but need not be limited to, phased implementation of beach nourishment, soft protection, managed retreat, focused or small-scale armoring) and a time line or event driven schedule for implementation of the plan. The plan shall evaluate and consider all potential constraints, including geotechnical and engineering constraints; potential phasing options with timelines; project costs for the preferred project and alternatives; and potential funding options. The plan shall be submitted with documentation sufficient to support all analyses, methodologies, and conclusions.

(c) If the permittee proposes to retain any portion the shoreline protection beyond the ~~six~~ thirteen year authorization period in the permit application required by subsection (b) of this Special Condition or in a separate amendment to this permit, the permittee is required to include in the permit application an evaluation of alternatives to the shoreline protection and related elements that are capable of protecting the development while eliminating or reducing impacts to public access, public views, shoreline processes including sand supply, marine resources, and other coastal resources at the site. The information concerning these alternatives must be sufficiently detailed to enable the Coastal Commission to evaluate the feasibility of each alternative for addressing site issues under the Coastal Act and the LCP. The permittee must also include mitigation for the effects of any remaining portion of the shoreline protection on public access and recreation and other coastal resources during the expected life of the remaining shoreline protection beyond, but not including, the initial ~~six~~ thirteen year period of authorization.

Notice of Proposed Immaterial Permit Amendment
6-16-0450-A2

All other Standard and Special Conditions for CDP No. 6-16-0450 remain unchanged and in effect.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to SanDiegoCoast@coastal.ca.gov or the address above.

If you have any questions about this notice, please contact Chelsea Jander at SanDiegoCoast@coastal.ca.gov or the phone number provided above.

Original on File signed by:

Chelsea Jander
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
VOICE (619) 767-2370
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June 25, 2026

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that CA Dept of Parks & Recreation has applied for a one-year extension of Coastal Development Permit No. 6-24-0315 granted by the California Coastal Commission on August 8, 2024.

for: Upgrade twelve campsites, two overlooks with outdoor showers, and ten water stations with accessibility improvements.

at: San Elijo State Beach, 2050 S Coast Hwy, Encinitas (San Diego County) APN(s): 260-330-02-00; 261-020-11-00

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. This determination shall be reported to the Commission. The permit expiration date shall be extended for one year from the date the permit would otherwise have expired if "(1) no written objection to the executive director's determination is received within 10 working days after mailing notice, and (2) three [or more] commissioners do not object to the executive director's determination." If an objection is received, the executive director shall review such objection to determine whether the objection identifies a changed circumstance that may affect the development's consistency with the Coastal Act. If the executive director concludes that no such circumstance is identified, the determination and conclusion shall be reported to the Commission along with copies of such objections. If three or more Commissioners do not object to the determination, the time for commencement of development shall be extended for one year from the expiration date of the permit.

Persons having questions concerning this extension application should contact the district office of the Commission or the staff member below.

Persons wishing to object must email or mail a written objection to the staff member below within 10 working days. Letters may be mailed to the mailing address of San Diego Coast District Office above.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Notice of Extension Request for Coastal Development Permit
6-24-0315

Original on File signed by:

A handwritten signature in black ink, appearing to read "Alex Llerandi", written over a horizontal line.

Alexander Llerandi
alexander.llerandi@coastal.ca.gov
Coastal Program Analyst

cc: Commissioners/File

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7575 METROPOLITAN DRIVE, SUITE 103
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VOICE (619) 767-2370
FAX (619) 767-2384



Th15

Prepared July 2, 2026 (for July 9, 2026 Hearing)

To: Commissioners and Interested Persons

From: Kate Huckelbridge, Executive Director
Kanani Leslie, San Diego Coast District Coastal Program Manager
Melissa Belen-Gonzalez, Coastal Planner

Subject: Certification Review for City of Oceanside LCP Amendment Number LCP-6-OCN-25-0030-2 (Inclusionary Housing)

On February 5, 2026, the California Coastal Commission considered a proposed City of Oceanside LCP amendment (LCP-6-OCN-25-0030-2) designed to update inclusionary housing provisions, including increasing the threshold for applicability from 3 to 10 or more units and increasing requirement to reserve housing for low and moderate-income households from 10% to 15%. At that time, and after a public hearing, the Commission conditionally certified the amendment provided it was modified as suggested by the Commission.

The City of Oceanside considered the Commission's conditional certification on June 17, 2026, and approved a modified version of the LCP amendment that day in response to the Commission's conditional certification, including the suggested modifications.

The Executive Director has reviewed the City's June 17, 2026 action, and has determined that it is legally adequate to meet all of the Commission's conditional certification requirements. The Executive Director will report that determination to the Coastal Commission at the Commission's July meeting on July 9, 2026, as part of the San Diego Coast District Deputy Director's Report. The Commission meeting starts at 9am on July 9th, and the District Director's Report is item number Th15 on the agenda for that day. Interested persons are welcome to submit comments and/or to sign-up to testify to the Commission regarding this matter under that agenda item (see the Commission's website at <http://www.coastal.ca.gov> for further information and instructions to participate in these ways).

Please note that this certification review is not a time to revisit any substantive issues associated with the approval of the subject LCP amendment, as certification review is limited to the question of whether the County adopted the suggested modifications to the LCP amendment approved by the Commission. Please further note that the Executive Director's determination is not subject to any required concurrence or approval by the Commission, but rather is simply being reported to the Commission as is required by the Commission's regulations in order to allow for the amended LCP to be certified in that form (see Title 14, Division 5.5, Sections 13544 and 13544.5). Upon reporting this item to the Commission in the San Diego Coast District Director's Report, the amended LCP will be

certified as of that date and time.

If you have any questions about this LCP amendment certification review process, including questions about how to submit written comments and/or to testify to the Commission, please contact the San Diego Coast office at (619) 767-2370 or SanDiegoCoast@coastal.ca.gov.

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1 individual definitions that fall under the overarching category of “lower-income;” 4) Revise 14C.5
2 to require the application of inclusionary housing provisions to projects with seven or more units
3 instead of the proposed ten or more units; 5) Revise 14C.6 to require income restrictions for at
4 least 55 years, allow ADUs to meet inclusionary requirements for any residential project, and
5 correct the State Density Bonus Law reference; 6) Revise 14C.9 to add acutely low income as an
6 option in the affordable housing plan and specify that the affordable housing agreement may be
7 recorded prior to Coastal Development Plan issuance; and 7) Revise 14C.10 to reference the
8 correct subsection of 14C.6 and remove a rent-specific sentence for clarity.

9 **NOW, THEREFORE**, the City Council of the City of Oceanside **DOES RESOLVE** as
10 follows:

- 11 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
12 certifies that the Local Coastal Program Amendment (LCPA23-00002) is intended to be
13 carried out in a manner fully in conformity with the Coastal Act and is hereby adopted.
- 14 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
15 thereto amended to date, a Notice of Exemption has been issued for the project by the
16 Resource Officer for the City of Oceanside.
- 17 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
18 Local Coastal Plan Amendment shall take effect upon CCC concurrence.
- 19 4. Notice is hereby given that the time within which judicial review must be sought on the
20 decision is governed by Public Resources Code §30801.
- 21

22
23 **PASSED AND ADOPTED** by the Oceanside City Council this 3rd day of June 2026, by the
24 following vote:

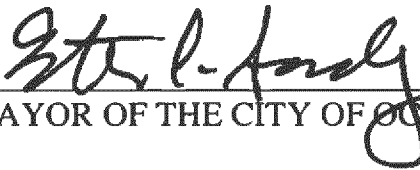
25
26 **AYES:** Sanchez, Joyce, Figueroa, Robinson, Weiss

27 **NAYS:** None

28 **ABSENT:** None

ABSTAIN: None

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MAYOR OF THE CITY OF OCEANSIDE

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

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1) revise 14C.2 to require the application of inclusionary housing provisions to projects with seven or more units instead of the City's proposal to require applicability with ten or more units; 2) Revise 14C.3 to delete the editor's note previously certified by LCPA-6-OCN-20-0091-4; 3) Revise 14C.4. to update the individual definitions that fall under the overarching category of "lower-income;" 4) Revise 14C.5 to require the application of inclusionary housing provisions to projects with seven or more units instead of the proposed ten or more units; 5) Revise 14C.6 to require income restrictions for at least 55 years, allow ADUs to meet inclusionary requirements for any residential project, and correct the State Density Bonus Law reference; 6) Revise 14C.9 to add acutely low income as an option in the affordable housing plan and specify that the affordable housing agreement may be recorded prior to Coastal Development Plan issuance; and 7) Revise 14C.10 to reference the correct subsection of 14C.6 and remove a rent-specific sentence for clarity.

WHEREAS, the City Council did, on the 3rd of June 2026 conduct a duly-noticed public hearing to consider the CCC's suggested modifications to the City's inclusionary housing provisions; 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 State Guidelines; and

NOW, THEREFORE, the City Council of the City of Oceanside **DOES ORDAIN** as follows:

SECTION 1. The Local Coastal Plan Amendment (LCPA23-00002) amending Chapter 14C of the Oceanside City Code with modifications suggested by the California Coastal Commission, as specified in Exhibit A, is hereby adopted.

SECTION 2. The amended text of City Code Chapter 14C, attached hereto as Exhibit A is hereby to be adopted and applied citywide, and the City Clerk is hereby directed to amend the City Code as specified by this Ordinance.

SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court for competent jurisdiction, such decision shall not affect the validity of the remaining portions of this

1 ordinance. The City Council hereby declares that it would have passed and adopted this
2 Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any
3 one or more sections, subsections sentences, clauses or phrases be declared invalid or
4 unconstitutional.

5 **SECTION 4.** The City Clerk of the City of Oceanside is hereby directed to publish this
6 ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days
7 after its passage in a newspaper of general circulation published in the City of Oceanside.

8 **SECTION 5.** This ordinance shall take effect and be in force on the thirtieth (30th) day
9 from and after its final passage.

10 **INTRODUCED** at a regular meeting of the City Council of the City of Oceanside,
11 California, held on the 3rd day of June 2026, and thereafter,

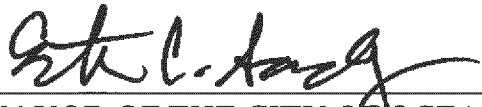
12 **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of
13 Oceanside, California held on the 17th day of June 2026, by the following vote:

14
15 AYES: Sanchez, Joyce, Figueroa, Robinson, Weiss

16 NAYS: None

17 ABSENT: None

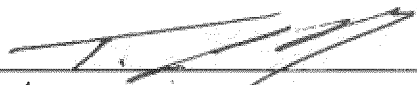
18 ABSTAIN: None

19
20 
21 MAYOR OF THE CITY OF OCEANSIDE

22 ATTEST:

23 
24 City Clerk

25 APPROVED AS TO FORM:

26 
27 City Attorney
28

Chapter 14C

INCLUSIONARY HOUSING¹

Sec. 14C.1. Intent.

Housing requirements for lower and moderate-income households in residential projects. It is the intent of this chapter to establish requirements for the provision of housing opportunities for lower- and moderate-income households, in residential projects requiring development plans. Such opportunities provide a public benefit of making housing available to all economic segments of the population that may not otherwise be accessible in the market. It is further the intent of this chapter to define a variety of ways that the requirement for inclusionary housing may be satisfied, inclusive of on- or off-site alternatives, housing for sale or for rent, or a payment of an in-lieu fee so as not to unduly burden the production of housing.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022)

Sec. 14C.2. Applicability.

- (a) The provisions of this chapter shall apply to all residential projects of ~~ten (10)~~ seven (7) or more units including, without limitation, mixed-use developments with residential units, condominium conversions and time extensions of development plan approval for previously approved residential projects.
- (b) This chapter shall not apply to the following:
 - (1) The construction of a new residential structure of ~~ten (10)~~ seven (7) or more units which replaces a residential structure that was destroyed or demolished within two (2) years prior to the application for a building permit for the new residential structure, provided that the number of residential units is not increased from the number of residential units of the previously destroyed or demolished residential structure or expanded or enlarged by ~~ten (10) percent five hundred (500) square feet~~ or more of habitable space;
 - (2) Residential projects for which an application for a planning permit has been deemed complete no later than the effective date of this chapter, provided that such residential projects shall comply with any predecessor ordinance, resolution, or policy in effect on the date the application for the development was deemed complete.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022; Ord. No. 24-OR0004-1, § 1(Exh. A), 2-14-2024)

Sec. 14C.3. Reserved.

¹Editor's note(s)—Ord. No. 22-OR0848-1, § 1(Exh. A), adopted Dec. 21, 2022, repealed the former Ch. 14C, §§ 14C-1—14C-10, and enacted a new Ch. 14C as set out herein. The former Ch. 14C pertained to similar subject matter and derived from Ord. No. 91-49, § 2, adopted Oct. 23, 1991; Ord. No. 92-05, §§ 1, 2, adopted Jan. 29, 1992; Ord. No. 00-241-1, § 1, adopted April 12, 2000; Ord. No. 00-278-1, adopted May 10, 2000; Ord. No. 11-OR0543-1, § 1, adopted July 5, 2011; Ord. No. 13-OR0083-1, § 1(Exh. A), adopted Jan. 30, 2013; and Ord. No. 20-OR0563-1, §§ 1—4, adopted Sept. 9, 2020.

Sec. 14C.4. Definitions.

Acutely low-income household means a person or persons living together as a household unit whose combined incomes do not exceed fifteen (15) percent of the median income for San Diego County for equivalent household size, as determined annually by the U.S. Department of Housing and Urban Development (HUD) and as defined in California Health and Safety Code Section 50106 and published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision) by the California Department of Housing and Community Development.

Affordable. For the purposes of this chapter, the term "affordable" shall refer to the affordable sales price or rent defined herein.

Affordable housing means dwelling units required by this chapter to be reserved as affordable to and occupied by lower- or moderate-income households.

Affordable housing agreement means a legally binding agreement between an applicant and the city to ensure that the inclusionary housing requirements of this chapter are satisfied. The agreement establishes, among other things, the number of required reserved units, the unit sizes, location, affordability tenure, terms and conditions of affordability and unit production schedule.

Affordable housing guidelines means any requirements for implementation and administration of this chapter adopted by the city council in accordance with section 14C.9 of this chapter.

Affordable housing trust account means a fund or account designated by the city to maintain and account for all monies received pursuant to this chapter.

Affordable rent means the maximum monthly rent, including an allowance for tenant paid utilities (HUD Allowances for Tenant-Furnished Utilities for the Housing Choice Voucher program) calculated at the specified income level in accordance with California Health and Safety Code Section 50053 and implementing regulations. Consistent with California Government Code Section 65915 (c)(1)(B), for housing developments with one hundred (100) percent of all units in the development, including total units and density bonus units, but exclusive of a manager's unit or units, for lower income households, the rent shall be as follows:

- (1) The rent for at least twenty (20) percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.
- (2) The rent for the remaining reserved units in the development shall be set at an amount consistent with the maximum rent levels for a housing development that receives an allocation of state or federal low-income housing tax credits from the California Tax Credit Allocation Committee.

Affordable sales price means the maximum purchase price that will be affordable to the specified household at the specified income level, calculated in accordance with California Health and Safety Code Section 50052.5 and implementing regulations. The affordable sales price shall include a reasonable down payment, and monthly housing payments (including interest, principal, mortgage insurance, property taxes, homeowner's insurance, homeowner's association dues, and a reasonable allowance for property maintenance, repairs, and utilities), all as determined by the city.

Area median income means the median household income of San Diego County or equivalent geographic area as annually estimated by HUD pursuant to Section 8 of the United States Housing Act of 1937. In the event such HUD determinations of area median income are discontinued, the area median income shall be that median household income as established and published by the State of California Department of Housing and Community Development pursuant to Health and Safety Code Section 50093.

Extremely low-income household means a person or persons living together as a household unit whose combined incomes exceed fifteen (15) percent but do not exceed thirty (30) percent of the median income for San

Diego County for an equivalent size household, as determined annually by the U. S. Department of Housing and Urban Development, and as defined in California Health and Safety Code Section 50106 and published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision) by the California Department of Housing and Community Development.

Financial assistance means assistance to include, but not be limited to, the subsidization of fees, infrastructure, land costs, or construction costs, the use of redevelopment set-aside funds, community development block grant (CDBG) funds, HOME funds, or the provision of other direct financial aid in the form of cash transfer payments or other monetary compensation, by the City of Oceanside.

Household means a person or persons living together in the same residence.

HUD means the United States Department of Housing and Urban Development.

Incentives or concessions shall have the same meaning as defined in Section 3032 of the Oceanside Zoning Ordinance.

Low-income household means a person or persons living together as a household unit whose combined incomes exceed fifty (50) percent but do not exceed eighty (80) percent of the median income for San Diego County for an equivalent size household, as determined annually by the U. S. Department of Housing and Urban Development, and as defined in California Health and Safety Code Section 50079. 5 and published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision) by the California Department of Housing and Community Development.

~~*Lower-income household* means low-income, very low-income, and extremely low-income households, inclusively.~~ *Lower-income household* means low-income, very low-income, extremely low-income households inclusively, and acutely low income inclusively.

Market-rate unit means a dwelling unit where the rental rate or sales price is not restricted either by this chapter or by requirements imposed through other local, state, or federal affordable housing programs.

Moderate-income household means a person or persons living together as a household unit whose combined income exceeds eighty (80) percent but does not exceed one hundred twenty (120) percent of the median income for San Diego County for an equivalent size household, as determined annually by the U. S. Department of Housing and Urban Development, and as defined in California Health and Safety Code Section 50093 (b) and published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision) by the California Department of Housing and Community Development.

Net building area means the aggregate gross floor area of all of the unrestricted dwelling units within a development excluding (i) areas outside the dwelling unit's habitable space such as garages, carports, parking areas, porches, patios, and open space, and (ii) common areas such as lobbies, common hallways, stairways, elevators, and equipment spaces.

Planning permit means any typically discretionary approval of a residential project, including, but not limited to, a general or specific plan adoption or amendment, rezoning, tentative map, parcel map, conditional use permit, variances, design review, or coastal development permit.

Rental unit means a residential unit with no condominium or other subdivision map allowing units to be sold individually.

Reserved unit means a residential dwelling unit deed restricted for occupancy by and affordable to a lower- or moderate-income household pursuant to the requirement of this chapter and collectively known as the "inclusionary housing requirement."

Residential project means any new construction of ~~ten (10)~~ seven (7) or more dwelling units or condominium conversion as referenced in this chapter 14C, for which a planning permit or building permit is required.

Very low-income household means a person or persons living together as a household unit whose combined incomes exceed thirty (30) percent but do not exceed fifty (50) percent of the median income for San Diego County for an equivalent size household, as determined annually by the U. S. Department of Housing and Urban Development, and as defined in California Health and Safety Code Section 50105 and published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision) by the California Department of Housing and Community Development.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022; Ord. No. 24-OR0004-1, § 1(Exh. A), 2-14-2024)

Sec. 14C.5. Reservation requirements for affordable housing.

(a) No development plan for a residential project of ~~ten (10)~~ seven (7) or more units subject to this chapter shall be approved in any area of the city unless at least fifteen (15) percent of such housing units are reserved for sale to lower- and moderate-income households or reserved as rental units for low-income households, the inclusionary housing requirement, as follows, unless an alternative is approved as described in section 14C.8:

- (1) *Reservation for ownership projects.* At least fifteen (15) percent of such housing units are reserved for sale to lower- and moderate-income households or reserved as rental units for lower-income households.
- (2) *Reservation for rental residential projects.* At least fifteen (15) percent of such housing units are reserved for lower-income households.
- (3) *Reservation of combined for-sale and rental units.* When a residential project includes both ownership and rental dwelling units, the provisions of this chapter that apply to the ownership residential project shall apply to that portion of the development that consists of ownership dwelling units, while the provisions of this chapter that apply to the rental residential project shall apply to that portion of the development that consists of rental dwelling units.

(b) *Calculation of reservation requirement.* The calculation of the number of housing units to be reserved by this section shall be made utilizing the total number of housing units in the residential project prior to including any increase in the allowable number of such housing units authorized by any density bonus granted pursuant to Government Code Section 65915 et seq., including as codified in section 3032 of the Oceanside Zoning Ordinance.

If the calculation of the number of housing units to be reserved results in a fractional unit of one-half ($\frac{1}{2}$) or more, one (1) additional reserved unit shall be provided. When the calculation results in a fraction of less than one-half ($\frac{1}{2}$), the applicant may either reserve one (1) additional housing unit or pay a partial in-lieu fee equal to the remaining fraction according to section 14C.7.

(c) *Replacement housing.* If a residential project, subject to this chapter, is required to provide replacement housing pursuant to Government Code Sections 65915 or 65590, then the number of units required to be reserved for lower- or moderate-income households shall be the larger of the number of units required under Government Code Sections 65915, 65590 or this chapter. The requirements for reserved housing under this chapter shall not be additive to the requirements for replacement housing under Government Code Sections 65915 or 65590.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022; Ord. No. 24-OR0004-1, § 1(Exh. A), 2-14-2024)

Sec. 14C.6. Affordable housing standards and incentives.

(a) *Affordable housing standards.* Reserved units must be constructed on the site of the residential project unless the city approves an alternative as provided under section 14C.8. Reserved units must conform to the

standards of this section 14C.6, to be set forth in the affordable housing agreement and where applicable, subsequent deed restrictions or regulatory agreements.

- (1) *Rental restrictions.* Reserved units shall remain restricted and affordable to the designated income group for at least fifty-five (55) years. In addition to the income of a designated group, limitations on assets may also be used as a factor in determining eligibility for rental or ownership units. Notwithstanding anything to the contrary in this chapter, no reserved unit shall be rented for an amount which exceeds ninety (90) percent of the actual rent charged for a comparable market unit in the same development, if any.
 - (2) *Sales restrictions.* After the initial sale of the reserved ownership units at a price affordable to the target income level group, reserved ownership units shall remain affordable to subsequent income eligible buyers pursuant to a resale restriction with a term of at least fifty-five (55) years or ownership units may be sold at a market price to other than targeted households provided that the sale shall result in the recapture by the city or its designee of a financial interest in the units equal to the amount of subsidy necessary to make the unit affordable to the designated income group and a proportionate share of any appreciation. Funds recaptured by the city shall be used in assisting other eligible households with home purchases at affordable prices. To the extent possible, projects using ownership units to satisfy inclusionary housing requirements shall be designed to be compatible with conventional mortgage financing programs including secondary market requirements.
 - (3) *Design and construction of reserved units.* The design and exterior appearance of the reserved units shall be reasonably consistent or compatible with the design of the total project development in terms of exterior appearance, materials, and finished quality. Interior finishes and amenities may differ from those provided in the non-reserved units within the development but neither the workmanship nor the products may be of substandard or inferior quality as determined by the city. The unit mix based on bedroom count provided for reserved units shall be a general mix in response to affordable housing demand priorities of the city and shall be set forth in the affordable housing agreement. When reserved units are provided on-site and interspersed with market-rate units in a multifamily residential development, reserved units shall be of a unit mix, based on bedroom count, proportional to the unit mix of market-rate units, dispersed throughout the residential project, and provided the same amenities as the market-rate units, including the same access to and enjoyment of common open space, parking, storage, and other facilities in the residential project.
 - (4) *For sale and rental developments.* When a residential project proposes both for sale and for rent units, the reserved units shall be dispersed proportionally between for sale and for rent units.
 - (5) *Timing for construction of reserved units.* The reserved units shall be constructed either prior to or simultaneously with the non-reserved units within the development or an alternative schedule for development as agreed upon. The timing and schedule for the provision of the reserved units, including any arrangements to meet the inclusionary housing requirements through other alternatives as permitted by section 14C.8, shall be set forth in the affordable housing agreement.
- (b) Accessory dwelling units (ADUs) may be constructed on-site to satisfy an inclusionary housing requirement for a single-family residential development. ADUs shall be rent restricted at affordable rental rates and renters shall be income-qualified in compliance with the requirements of this chapter, to be specified in the applicable affordable housing agreement. ADUs shall not be used as reserved credits available as an alternative to satisfy an inclusionary housing requirement of another applicant.
 - (c) *Affordable housing incentives or concessions.* The applicant of a residential project providing reserved units may, at the applicant's sole option and concurrently with the submittal of the planning permit, submit a written request for one (1) or more of the following affordable housing development incentives or concessions:

-
- (1) Density bonus and other regulatory incentives pursuant to Government Code Section 65915 and the provisions of article 30 section 3032 of the Oceanside Zoning Ordinance, if the residential project contains sufficient units to qualify for a density bonus. If the applicant requests a density bonus, the other incentives listed below in this subsection (b) may be provided only if each is individually requested as a regulatory incentive under section 3032 [of the Oceanside Zoning Ordinance]. Those affordable dwelling units that qualify as a residential project for a density bonus shall also be counted toward satisfying the inclusionary housing requirements of this chapter.
 - (2) *Financial assistance.* The applicant may apply for financial assistance from city-administered funds for the difference in costs that results if the applicant provides more reserved units than are required by this chapter, or provides reserved units to households in income classifications that are lower than required. The city shall consider making financial assistance available to applicants when necessary to enable residential projects to provide a preferable product type or affordability in excess of the requirements of this chapter.
 - a. Evaluation of requests for financial assistance shall be based on the effectiveness of the assistance in achieving a preferable product type and/or affordability objectives as set forth within the city's housing element; the capability of the development team; the reasonableness of development costs and justification of subsidy needs; and the extent to which other resources are used to leverage the requested financial assistance and incentives.
 - (3) Incentives may be offered by the city to the extent that resources and programs for this purpose are available to the city and applicant for such use, and to the extent that the residential project, with the use of incentives, assists in achieving the city's housing goals. To the degree that the city makes available programs to provide incentives, applicants may apply for such programs.
 - (4) Nothing in this chapter establishes, directly or through implication, a right to receive any financial assistance or incentives from the city or any other party or agency to enable an applicant to meet the obligations established by this chapter.
- (c) *Affordable housing plan.* Any assistance and/or incentives requested by the applicant and how the development will comply with the provisions of this chapter shall be included in the proposed affordable housing plan for the residential project submitted at the time of application for the first approval, consistent with section 14C.9 below.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022; Ord. No. 24-OR0004-1, § 1(Exh. A), 2-14-2024)

Sec. 14C.7. In-lieu fee alternative.

- (a) As an alternative to reserving units as required in section 14C.5, residential projects may pay a fee in-lieu of reservation in accordance with the terms set forth below:
 - (1) The amount of the in-lieu fee for each required reserved unit shall be determined at the time of issuance of building permits for the first residential units in a development project subject to this chapter. The applicant may request a deferral of this fee prior to the issuance of a certificate of occupancy for the unit, in accordance with section 32B.7(e) of the City Code. Said fee shall be assessed against the market-rate lots/units of the residential project and will be charged per square foot of the net building area in the new residential development.
 - (2) The fee amount shall be established from time to time by resolution of the city council and will be administratively adjusted annually at such time all other applicable development impact fees are updated, typically July 1 of each year based on the Engineering News Record Construction Cost Index ("CCI") for the Los Angeles region, or similar construction industry index selected by the city manager if the CCI index is discontinued.

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- a. The fee will be based upon and not exceed the subsidy needed to make affordable to a lower- and moderate-income household a newly constructed, typical attached-housing unit with an assumed affordability tenure of at least fifty-five (55) years.
 - (3) No building permit shall be issued by the city for any market-rate unit in the residential project until in-lieu fees for the residential project have been paid to the city or such requirements of section 14C.5 are otherwise satisfied.
 - (4) All in-lieu fees shall be deposited in the affordable housing trust account described in subsection 14C.7(b) below.
 - (5) Projects requesting a density bonus, incentive or concession, waiver, or parking ratio under Government Code Section 65915 or section 3032 of the Oceanside Zoning Ordinance shall not be permitted to pay in-lieu fees as an alternative to satisfying the inclusionary housing requirements of this chapter.
 - (b) All in-lieu fees collected hereunder shall be used by the city exclusively to provide housing opportunities for lower- or moderate-income households anywhere within the city. All in-lieu fees shall be held in a separate account with interest accruing to said affordable housing trust account. All funds in the account shall be spent in a manner as the city council deems appropriate, upon recommendation of the housing commission, solely to provide housing opportunities for lower- or moderate-income households and any special needs populations in the city, consistent with the goals and policies contained in the city's housing element, and for administration and compliance monitoring of the affordable housing program consistent with the purpose of the chapter. For the purposes of this subsection, the term "provide housing opportunities for lower- or moderate-income households" means any expenditure authorized by law which directly or indirectly makes housing units affordable to lower- or moderate-income households.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022; Ord. No. 24-OR0004-1, § 1(Exh. A), 2-14-2024)

Sec. 14C.8. Alternative options for providing reserved units.

- (a) *Off-site provision of reserved units.* If an applicant can provide evidence to demonstrate that on-site provision of reserved units is not feasible, with such evidence being deemed reasonable, accurate, and sufficient at the discretion of the city manager, then the applicant may propose to construct the reserved units at another site within the city limits of Oceanside conforming with the requirements of section 14C.5., excluding low-income impacted census tracts (i.e., census tracts 181, 182 (excluding blockgroup 3), 184, 186.03) for reserved rental units. The city may approve the off-site construction if the proposal meets the following requirements:
 - (1) The developer has demonstrated that the goals of this chapter and the city's housing element would be better served by allowing some or all of the reserved units required by section 14C.5 to be produced and operated at an alternative site or sites.
 - (2) The off-site construction project represents a more effective and feasible means of implementing this chapter and the goals of the city's housing element. Factors to be weighed in this determination include: the feasibility of the on-site option considering project size, site constraints, competition from other projects, difficulty in integrating due to significant price and product type disparity, lack of capacity of the on-site developer to produce or operate affordable housing. Also to be considered are whether the off-site option offers greater feasibility and cost effectiveness, particularly regarding potential financial assistance or other public subsidy and any adopted affordable housing guidelines, location advantages such as proximity to jobs, schools, transportation, and services, diminished impact on other existing developments, capacity of the proposed affordable housing developer to deliver and

-
- operate the project, and satisfaction of multiple developer obligations that would be difficult to satisfy on multiple projects.
- (3) Financing or a viable financing plan, which may include public funding, shall be in place for the off-site reserved units.
 - (4) The off-site location is suitable for the proposed affordable housing, consistent with any adopted affordable housing guidelines and the city's housing element, will not tend to cause residential segregation, and is located with appropriate infrastructure and services. The off-site alternative complies with the applicable density, intensity and objective development standards that are permitted under the zone or general plan for the site.
 - (5) All agreements between parties regarding off-site construction of the reserved units will be made a part of the affordable housing agreement required for the site(s) and will be subject to review and approval by the city manager or designee.
- (b) *Joint venture off-site provision of reserved units.* Provided all participating applicants meet the requirements of subsection (a) above, off-site projects may provide the reserved units for multiple applicants.
 - (c) *Reserved unit credits.* If an applicant provides newly constructed units to meet the requirements for provision of reserved units pursuant to this chapter, and such new units exceed the number of reserved units required by this chapter, then the "excess" units may be used to meet the inclusionary housing requirements for another applicant. Any sale of "reserved unit credits" shall be an entirely civil transition with no regulation by the city (i.e., reserved unit credits may be sold for "what the market will bear"). Applicants who propose to meet their inclusionary housing requirement by purchasing reserved unit credits in another project must meet the requirements for off-site provision of reserved units in subsection (a) above. All reserved unit credits must be deed restricted to comply with the requirements of section 14C.6.
 - (d) *Purchase, rehabilitation, and reservation of existing market rate units.* The applicant may propose to satisfy the requirements of section 14C.5, by the purchase, rehabilitation, and reservation of existing market rate units for the targeted income group, if the conversion of these units is consistent with Government Code Section 65583.1 and these units are compliant with building and safety standards prior to recordation of affordability covenants;
 - (e) *Preservation existing affordable units.* The applicant may propose to satisfy the requirements of section 14C.5, by the preservation of existing affordable units at risk of loss, if the preservation of these units is consistent with Government Code Section 65583.1 and allows the city to substitute the preservation of these units for the obligation to identify adequate sites.
 - (f) *In-lieu fees.* The requirements of section 14C.5 may be satisfied by the payment of a fee to the city in-lieu of constructing the reserved units within the residential project in accordance with section 14C.7.
 - (g) *Dedication of land.* The applicant may propose to satisfy the requirements of section 14C.5 by the donation of land of adequate size and appropriate to accommodate the required number of reserved units to the city or to an affordable housing developer who has secured financing to construct the reserved units, with the city maintaining sole discretion to approve such donation, pursuant to a legally binding agreement. In its consideration of appropriateness, the city shall consider if the location will not tend to cause residential segregation, has appropriate infrastructure and services, and the off-site project will comply with the applicable density, intensity and objective development standards that are permitted under the zone or general plan for the site. The property shall be dedicated prior to issuance of any building permit for the residential project.
 - (h) *Other alternative compliance methods.* An applicant may propose an alternative compliance method to provide reserved units through other means. The city may approve or conditionally approve such an alternative only if the city manager determines, based on substantial evidence, that such alternative compliance will provide as many or more reserved units at the same or lower-income levels, will not tend to

cause residential segregation, and will otherwise provide greater public benefit than would provision of the reserved units on site.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022; Ord. No. 24-OR0004-1, § 1(Exh. A), 2-14-2024)

Sec. 14C.9. Application and review procedures.

- (a) *Affordable housing plan.* An application for the first approval of a residential project shall include an affordable housing plan, which may be deemed consistent with the affordable housing plan and density bonus addendum required under section 3032 (H) and (I), Affordable Housing Density Bonus, of the Oceanside Zoning Ordinance, describing how the development will comply with the provisions of this chapter and subject to the following terms:
- (1) The affordable housing plan shall be processed concurrently with all other permits required for the residential project. A condition shall be attached to the first approval of any residential project to require recordation of an affordable housing agreement setting forth the conditions and guidelines to be met in the implementation of this chapter prior to the approval of any final or parcel map or building permit for the residential project.
 - (2) An affordable housing plan shall include, but not be limited to, the following:
 - a. The number of reserved units proposed;
 - b. The unit square footage, and number of bedrooms for market rate and reserved units and tenure (ownership or rental);
 - c. The proposed location of the reserved units (on or off-site);
 - d. Level of affordability for inclusionary units (acutely low, extremely low, very low, low, or moderate);
 - e. Schedule for production of dwelling units;
 - f. Incentives or concessions requested; and
 - g. Evidence to justify any requested alternative under section 14C.8.
- (b) *Affordable housing agreement.* The applicant shall enter into an affordable housing agreement with the city, in a form approved by the city attorney, to be executed by the city manager, to ensure that all the requirements of this chapter are satisfied. The affordable housing agreement shall be recorded against the residential project prior to issuance of a coastal development permit, or approval of any final or parcel map, or issuance of any building permit, whichever occurs first, and the relevant terms and conditions therefrom filed and subsequently recorded as a separate deed restriction or regulatory agreement on the affordable project individual lots or units of property which are designated for the location of reserved units. This agreement shall serve as the governing document demonstrating compliance of the residential project with this chapter.
- (1) An affordable housing agreement, for which the inclusionary housing requirement will be satisfied through the new construction of units, either on-site or off-site, shall specify, but not be limited to, the number, type, location, size, and phasing of all reserved units, amenities and services provided, such as daycare, after school programs, transportation, job training/employment services and recreation, and where applicable, requirements for other documents to be approved by the city, such as marketing, leasing and management plans, particularly related to the provisions for income certification and screening of potential purchasers or renters of units, resale control mechanisms, and monitoring and compliance plans, consistent with any adopted affordable housing guidelines, as determined by the city manager or designee.

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- (2) An affordable housing agreement will not be required for projects which will be satisfying their inclusionary housing requirement through payment to the city of an in-lieu fee.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022; Ord. No. 24-OR0004-1, § 1(Exh. A), 2-14-2024)

Sec. 14C.10. Continued affordability.

- (a) Any affordable housing agreement or adopted affordable housing guidelines may include standard documents for execution by the city manager, in a form approved by the city attorney, to ensure the continued affordability of the reserved units approved for each residential project and standards for determining household income, affordable housing cost, provisions for continued monitoring of tenant eligibility, and other eligibility criteria. The documents, when deemed necessary by the city to ensure occupancy and affordability by the targeted income group, shall be recorded against the residential project, all reserved units, and any site, subject to the provisions of this chapter.
- (b) *Sales price/rental restriction.* The initial sales price or rent to be charged for a reserved housing unit shall be so limited as to be affordable within the definition of section 14C.4. A deed restriction, covenant, and/or other instrument enforceable by the city and approved by the city attorney and director of housing and neighborhood services, limiting the resale of such units shall be recorded against the title of the property within which the reserved units are located, or limiting the rental of the reserved units at affordable prices in accordance with the affordable housing standards as described in 14C.4(a)(1) and (2). ~~The rent restriction shall be in effect for a minimum of fifty-five (55) years and shall apply to all successors in interest.~~ Additionally, the property shall be so restricted as to prohibit the conversion of the restricted units for the term of the rent restriction to a condominium, stock cooperative, community apartment, or such other form of ownership which would eliminate the restricted units as rental units.
- (c) Any eligible household that occupies a reserved unit must occupy that unit as its principal residence, unless otherwise approved in writing for rental to a third-party eligible household for a limited period of time due to household hardship, as may be specified in any adopted affordable housing guidelines or in the affordable housing agreement or other agreement.
- (d) Officials, employees, or consultants of the city and members of city boards and commissions shall comply with all applicable laws, regulations, and policies relating to conflicts of interest as to their eligibility to develop, construct, sell, rent, lease, occupy, or purchase a reserved unit. Any adopted affordable housing guidelines shall include conflict of interest provisions relating to the administration of this chapter and the eligibility of persons to occupy affordable units.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022)

Sec. 14C.11. Periodic review.

Annually, the city council shall review the status of compliance with this chapter, and the degree to which reserved units provided and fees collected pursuant to this chapter are addressing the shortfall of affordable housing units. Not later than five (5) years after the effective date of this chapter, the city council shall consider a report by the city manager reviewing the reservation requirement and fee formula established to implement the provisions of this chapter to determine whether any adjustments in the reservation requirement or fee formula are warranted.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022)

Editor's note(s)—Ord. No. 22-OR0848-1, § 1(Exh. A), adopted Dec. 21, 2022, set out provisions intended for use as § 14C.10. Inasmuch as there were already provisions so designated, said section has been codified herein as § 14C.11 at the discretion of the editor.

Sec. 14C.12. Administration.

- (a) The provisions of this chapter shall be administered by the director of housing and neighborhood services of the City of Oceanside under the direction of the city manager.
- (b) The city council may adopt by resolution rules and regulations, serving as affordable housing guidelines, for the implementation of this chapter.
- (c) An applicant and/or subsequent purchaser of a reserved unit shall be required to pay such fee as may be established by resolution of the city council, which fees may be updated periodically, to recover the cost to the city of administration of the provisions of this chapter and monitoring of the reserved units.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022)

Editor's note(s)—Ord. No. 22-OR0848-1, § 1(Exh. A), adopted Dec. 21, 2022, set out provisions intended for use as § 14C.11. Inasmuch as there were already provisions so designated, said section has been codified herein as § 14C.12 at the discretion of the editor.

Sec. 14C.13. Building permit.

No building permit shall be issued for any residential project subject to this chapter unless the housing and neighborhood services director has certified that the proposed development has complied with or is otherwise exempt from the provisions of this chapter.

(Ord. No. 22-OR0848-1, § 1(Exh. A), 12-21-2022)

Editor's note(s)—Ord. No. 22-OR0848-1, § 1(Exh. A), adopted Dec. 21, 2022, set out provisions intended for use as § 14C.12. Inasmuch as there were already provisions so designated, said section has been codified herein as § 14C.13 at the discretion of the editor.