

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE SUPERSEDING ORDINANCE NO. 06-OR0050-1 AMENDING ARTICLE 32 OF THE OCEANSIDE ZONING ORDINANCE BY AMENDING SECTIONS 3203, 3205, 3206, 3209, 3210 AND 3212 OF THE ZONING ORDINANCE REGARDING CONDOMINIUM CONVERSIONS

(Matt Speights – Applicant)
(ZA-10-05)

WHEREAS, Article 32, Condominium Conversions of the Zoning Ordinance, specifies application procedures, tenant benefits and notification, standards and procedures;

WHEREAS, the City has determined that the zoning regulations pertaining to these procedures, benefits and notifications should be modified;

WHEREAS, on November 7, 2005, the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing as required by law, adopted Resolution No. 2005-P51 recommending approval of said Zone Amendment (ZA-10-05);

WHEREAS, on January 11, 2006, the City Council of the City of Oceanside held a duly advertised public hearing to consider said Zone Amendment applications and the recommendation of the Planning Commission thereon and heard and considered written evidence and oral testimony by all persons regarding the proposed Zone Amendment;

WHEREAS, the City Council determined that it is appropriate to amend various sections of Article 32 of the Zoning Ordinance relating to procedures, benefits and notifications regarding condominium conversions; 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 as amended to date.

WHEREAS, SECTION 3205 was inadvertently left out of the title of the ordinance and therefore not included on the agenda statement;

WHEREAS, a new Ordinance must be adopted to supersede Ordinance No. 06-OR0050-1, to provide adequate notice of the changes to Chapter 32;

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

2 SECTION 1. Section 3203 of the Zoning Ordinance is amended to add the following:

3 "G. To establish procedures and standards for the conversion of existing multiple-
4 family rental housing that have not received permanent occupancy permits to condominiums. "

5 SECTION 2. Section 3205 of the Zoning Ordinance is amended to add the following:

6 "In addition, conversion of existing rental housing stock that have not received final
7 occupancy permits and are of four or fewer units must obtain a use permit approved by the
8 Planning Commission and conversions of five or more units must obtain a use permit approved
9 by the City Council pursuant to Article 41."

10 SECTION 3. Section 3206 C. 3. of the Zoning Ordinance is amended to add the
11 following:

12 "Conversions of existing rental housing stock that has not received final occupancy
13 permits may be required to follow all of the provisions of Section 3206. Final recommendation
14 will be determined by the Planning Director."

15 SECTION 4. Section 3209 K. of the Zoning Ordinance is amended to add the following:

16 "Conversion of existing rental housing stock that has not received final occupancy
17 permits is not required to follow the provision of Section 3209."

18 SECTION 5. Section 3210 B. of the Zoning Ordinance is amended to add the following:

19 "Conversion of existing rental housing stock that has not received final occupancy
20 permits is not required to follow the provision of Section 3210."

21 SECTION 6. Section 3212 C. of the Zoning Ordinance is amended to add the following:

22 "Conversion of existing rental housing stock that has not received final occupancy
23 permits is not required to follow the provision of Section 3212."

24 SECTION 7. The City Clerk of the City of Oceanside is hereby directed to publish this
25 ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15)
26 days after its passage in the North County Times, a newspaper of general circulation published
27 in the City of Oceanside.

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1 SECTION 4. This ordinance shall take effect and be in force on the thirtieth (30th) day
2 from and after its final passage.

3 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
4 California, held on the ___ day of _____, 2006, and, thereafter,

5 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
6 Oceanside California, held on the ___ day of _____, 2006, by the following vote:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11 MAYOR OF THE CITY OF OCEANSIDE

12
13 ATTEST:

APPROVED AS TO FORM:

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15 _____
16 CITY CLERK

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CITY ATTORNEY