



DATE: August 19, 2009

TO: Honorable Mayor and Councilmembers

FROM: Development Services Department/Planning Division

SUBJECT: **ORDINANCE TO AUTHORIZE A ONE-TIME EXTENSION OF UNEXPIRED ENTITLEMENTS INCLUDING DEVELOPMENT PLANS, CONDITIONAL USE PERMITS, VARIANCES AND REGULAR COASTAL PERMITS FOR A PERIOD OF 24 MONTHS**

SYNOPSIS

Under consideration is a Zone Amendment (ZA-3-09) adding a new subsection to the "Time Extension" procedures of Articles 41 and 43 of the Zoning Ordinance. Staff recommends that the City Council introduce an ordinance adding a section to Articles 41 and 43 to automatically extend the expiration date of any entitlement that has been approved, but not yet implemented, and that has not expired on the date that the ordinance becomes effective and that will expire prior to January 1, 2012 for a period of 24 months from the original expiration date. Staff further recommends that unexpired discretionary permits issued concurrent with subdivision map approvals, shall be further extended for a period of time commensurate with the extension of unexpired tentative maps or parcel maps pursuant to Government Code Section 66452.22.

BACKGROUND

Time extension procedures currently outlined in the Zoning Ordinance are intended to ensure that development projects and conditionally-permitted land uses remain consistent with applicable policies, regulations and guidelines. Under these procedures, time extensions can be approved for projects that pay their fair share toward needed public services and do not conflict with any changes in City policy nor any substantial physical changes in the surrounding area that have occurred since the original approval.

Articles 41 and 43 of the Oceanside Zoning Ordinance establish that Development Plans, Conditional Use Permits and Variances are effective for a period of two years following their original approval. Regular Coastal Permits are issued with identical effective dates, and are often issued in conjunction with other entitlements. Articles 41 and 43 further establish that such approvals may be extended for an additional period of up to three years through a formal application for renewal, which must be filed with the Planning Division no less than 30 days or more than 90 days prior to expiration.

In the fall of 2007, the economy went into recession, and the housing market suffered

unprecedented losses in value. As a result of these economic factors, all facets of the building industry have suffered huge job losses and been unable to secure financing to complete their entitled projects. In response to this industry-wide downturn, in July 2008, the California State Legislature approved Senate Bill 1185, which granted an automatic one-year extension to all subdivision maps that were unexpired on July 15, 2008, and set to expire before January 1, 2011. This amendment to the Subdivision Map Act also extended the maximum life of a tentative map from five to six years. In July 2009, the California Legislature enacted another automatic extension of 24 months for unexpired tentative maps via AB 333. However, neither of these state statutes extend the life of any other locally-issued entitlements, e.g., Development Plans, Conditional Use Permits, Variances and Regular Coastal Permits.

Accordingly, under the current statutory scheme, tentative maps and parcel maps are extended, but no other entitlements receive the same extension. Thus, applicants are required to apply for extensions of all locally-issued entitlements, even if they were approved in conjunction with a subdivision map. Under the City's current fee schedule, fees for time extension applications amount to 50 percent of the processing fees for the original entitlements. For example, the fee for a time extension application for an approved Development Plan on less than 10 acres is $\$4,527 \times 0.50 = \$2,263.50$. Average processing times for time extension applications range from 12 to 16 weeks.

On June 17, 2009, in response to requests from the development community, staff recommended to the City Council various changes to the Municipal Code, various City Council policies, and a more streamlined and less expensive time extension application process for non-map entitlements. At this public hearing, the City Council authorized a modification to the Oceanside Municipal Code to provide the Building Official with the discretion to approve extensions to building permits up to 12 months. However, no action was taken on staff's recommendation for expedited review and reduced fees for time extension requests for non-map entitlements (proposed City Council Policy 300-26), and thus the question remains as to how time extension requests for non-map entitlements should be processed in light of the state-mandated automatic time extensions for tentative maps.

ANALYSIS

Current Economic Conditions

According to the National Bureau of Economic Research, the U.S. economy has been in recession since the fall of 2007. Over the past 18 months, the national unemployment rate has nearly doubled. While home sales in California have increased slightly in recent months, the median home price is nearly 50 percent below its peak during the summer of 2007, and home foreclosure rates remain near historic highs. The commercial vacancy rate in San Diego County reached 20 percent in the second quarter of 2009 – the highest level seen since 1993. In Oceanside, the impact of these national, state and regional trends is reflected in both an eight percent decrease in business license applications between January-June 2008 and January-June 2009 and

a 20 percent decline in building permit applications between Fiscal Year 2007-08 and Fiscal Year 2008-09.

Faced with diminished real estate values, a restricted credit market and other obstacles associated with the current economic crisis, land development projects across the country continue to struggle to secure construction financing in a timely manner. For projects unable to commence construction before the end of their initial approval period, the time and expense involved in a standard time extension process may prove to be a greater burden than their proponents can afford to undertake, with the result being the expiration of approved projects that might otherwise have contributed to a community's built environment, quality of life and economic development. A similar fate exists for projects that have already applied for and received all of the time extensions for which they are eligible under current standards. Granting a one-time automatic time extension for non-map entitlements (i.e., Development Plans, Conditional Use Permits, Variances and Regular Coastal Permits), would provide a respite for imperiled development projects without eliminating the community's ability to apply the standard time extension review process to future entitlements.

Zone Amendment

In order to achieve consistency with both the letter and spirit of state law, it is staff's position that a one-time 24-month extension should be granted to all Development Plans, Conditional Use Permits and Variances and Coastal Permits that are valid on the date the ordinance goes into effect, and that are set to expire prior to January 1, 2012. Because Articles 41 and 43 of the Zoning Ordinance currently limit time extensions of entitlements to a total of three years, an additional automatic extension beyond three years would require amendment of Articles 41 and 43. To account for such projects, staff recommends adoption of a non-codified Zone Amendment that provides for the automatic extension of Development Plans, Conditional Use Permits, Variances and Regular Coastal Permits in accordance with any automatic time extension for tentative maps enacted by the state. Such an amendment would account for the provisions of SB 1185 and AB 333.

In addition to the benefits of aligning City protocol with state law and providing relief to projects imperiled by current economic conditions, staff support for automatic time extensions for entitlements meeting these time parameters is also based on the fact that no substantive changes in land use policy have been adopted since the initial approval of projects that would be automatically extended by the proposed Zone Amendment. In the intervening period, the City has not comprehensively updated the Land Use Element of the General Plan or the Zoning Ordinance, nor has it adopted any specific plans or other regulatory documents that would render nonconforming any automatically extended project. Although the potential exists for automatically extended projects to be rendered nonconforming by future changes in land use policy, the same potential exists for more recently entitled projects that will not benefit from automatic time extensions. It is staff's position that the temporary nature of the proposed automatic time extension would ensure the long-term integrity of the standard time extension process, which would be reestablished once the automatic time extension period has expired.

Potentially Eligible Projects

Working from available information, staff has identified the entitled and unexpired projects that would be eligible for automatic time extensions under the proposed Zone Amendment. At present, there are roughly 40 active residential projects comprising approximately 900 housing units, many of which have not as yet been issued permits for grading or construction. Several of these projects have submitted time extension applications within the past year; these requests have been tolling as the City evaluates the appropriateness of automatic extensions. Roughly 20 commercial and mixed-use projects have active entitlements at this time, including the S.D. Malkin hotel and timeshares, the CityMark complex, the Pavilion at Oceanside retail center, the La Pacifica 2 industrial development, several small retail complexes and a variety of medical and professional office buildings. One commercial project, San Luis Rey Crossing at North River Road and College Blvd., currently has a tolling time extension request. It is impossible to know how many of these projects might ultimately benefit from automatic time extensions, but assuming economic conditions improve within the next year, it seems likely that most of these projects can be implemented within their originally-prescribed time parameters.

The Coast Highway Vision and Strategic Plan (CHVSP)

The Coast Highway Vision and Strategic Plan (CHVSP), adopted by the City Council on April 15, 2009, outlines a variety of strategies for the revitalization of Coast Highway and adjacent areas. The principal goals of the CHVSP are to create pedestrian-friendly, transit-oriented mixed-use nodes along Coast Highway while enhancing the character of established neighborhoods and preserving open space, wildlife habitat and other environmental resources. Although not a regulatory document, the CHVSP provides a basis for subsequent changes to the General Plan, Local Coastal Program and Zoning Ordinance meant to foster the sustainable revitalization of Coast Highway. The CHVSP also includes design guidelines for future development along and adjacent to this commercial corridor. At present, few entitled projects are slated for properties within CHVSP boundaries; comprising mostly small-scale residential development, none of these projects are contrary to the overall vision of the CHVSP. Should proponents of any of these projects be interested in modifying their plans to more fully align with CHVSP principles (e.g., achieving higher residential densities or incorporating commercial elements), the Planning Division stands ready to assist their efforts, and, when deemed appropriate and feasible, to expedite any additional administrative or discretionary review that may be required under the Zoning Ordinance or applicable City protocol.

Alternatives

While staff recommends that the Zoning Ordinance be amended to allow for a one-time automatic time extension of Development Plans, Conditional Use Permits, Variances and Regular Coastal Permits, the City could instead choose to: a) allow no additional time extensions beyond those now provided for in the Zoning Ordinance; or b) provide

for additional time extensions through an administrative or discretionary review process. The City could require that additional time extension requests be subjected to either the standard review process or an expedited review process involving an abridged application, reduced or waived fees, reduced processing time, fewer notification requirements and/or a lower level of review. As directed, staff can provide a matrix of alternatives to automatic time extensions.

COMMISSION/COMMITTEE REPORT

On July 27, 2009, the Planning Commission reviewed and unanimously recommended approval of the proposed Zone Amendment.

FISCAL IMPACT

Automatic time extensions for Development Plans, Conditional Use Permits and Variances would result in a nominal loss of revenue from fees that would otherwise be required as part of the standard time extension process. However, this loss of revenue would be largely offset by the recovery of staff time that would otherwise be devoted to processing standard time extension applications.

CITY ATTORNEY'S ANALYSIS

Pursuant to Article 4506 of the Oceanside Zoning Ordinance, the City Council is required to hold a public hearing on the proposed text amendment. Consideration of the amendment should be based on the evidence presented at the public hearing. After conducting the public hearing, the City Council should approve, modify or reject the Planning Commission's recommendation. A modification not previously considered by the Planning Commission shall be referred to the Planning Commission for review and report prior to adopting the proposed Zone Amendment.

RECOMMENDATION

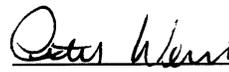
Staff recommends that the City Council introduce an ordinance adding a section to Articles 41 and 43 to automatically extend the expiration date of any entitlement that has been approved, but not yet implemented, and that has not expired on the date that the ordinance becomes effective and that will expire prior to January 1, 2012 for a period of 24 months from the original expiration date. Staff further recommends that unexpired discretionary permits issued concurrent with subdivision map approvals, shall be further extended for a period of time commensurate with the extension of unexpired tentative maps or parcel maps pursuant to Government Code Section 66452.22.

PREPARED BY:



Russ Cunningham
Senior Planner

SUBMITTED BY:



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager
George Buell, Development Services Director
Jerry Hittleman, City Planner



ATTACHMENTS/EXHIBITS

1. City Council Ordinance
2. Planning Commission Resolution No. 2009-P37
3. Planning Commission Staff Report dated July 27, 2009
4. Correspondences

1 recommending approval of the subject request; and

2 WHEREAS, on August 19, 2009, the City Council of the City of Oceanside held a duly
3 advertised public hearing to consider said Zone Amendment and the recommendation of the
4 Planning Commission thereon and heard and considered written evidence and oral testimony by
5 all persons regarding the proposed Zone Amendment; and

6 WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of
7 Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the
8 State Guidelines thereto amended to date; and

9 WHEREAS, based upon such evidence, testimony and staff reports, this Council finds as
10 follows:

11 1. The Zoning Amendment conforms to the General Plan, Zoning Ordinance and
12 Local Coastal Program of the City of Oceanside.

13 2. The Zoning Ordinance amendment is a fair and expeditious response to the needs
14 of the development community yet balances those needs with the rights of the residents to
15 continue to participate in the development review process.

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

17 Articles 4108(B)(1) and 4308(C)(1) are hereby added to the Zoning Ordinance as
18 follows:

19 1. Article 4108(B)(1) One-time Automatic Extension. Notwithstanding the above,
20 all Use Permits, and Variances, including Regular Coastal Permits, approved but not yet
21 implemented that are valid and unexpired on the date this ordinance becomes effective, and that
22 are set to expire prior to January 1, 2012, shall be extended for a period of 24 months from the
23 original date of expiration, or if already extended pursuant to this Article, from the expiration
24 date of the extension. Provided however, that any Use Permit or Variance approved concurrent
25 with a Tentative Map, Vesting Tentative Map or Parcel Map shall, pursuant to Government
26 Code § 66452.21 and § 66452.22, be provided the same extension as the extension provided to
27 the tentative map, vesting tentative map or parcel map.

28 2. Article 4308(C)(1) One-time Automatic Extension. Notwithstanding the above,

1 all Development Plans, including Regular Coastal Permits, approved but not yet implemented
2 that are valid and unexpired on the date this ordinance becomes effective, and that are set to
3 expire prior to January 1, 2012, shall be extended for a period of 24 months from the original
4 date of expiration, or if already extended pursuant to this Article, from the expiration date of the
5 extension. Provided however, that any Development Plan approved concurrent with a
6 Tentative Map, Vesting Tentative Map or Parcel Map shall, pursuant to Government Code §
7 66452.21 and § 66452.22, be provided the same extension as the extension provided to the
8 Tentative Map, Vesting Tentative Map or Parcel Map.

9 3. Notice is hereby given that the time within which judicial review must be sought
10 on this decision is governed by CCP Section 1094.6.

11 4. This Ordinance shall not be codified.

12 5. The City Clerk of the City of Oceanside is hereby directed to publish the title of
13 this Ordinance once within fifteen (15) days after its passage in the North County Times, a
14 newspaper of general circulation published in the City of Oceanside. This Ordinance shall take
15 effect and be in force on the thirtieth (30th) day from and after its final passage.

16 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
17 California, held on the 19th day of August, 2009, and, thereafter,

18 ///

19 ///

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1 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
2 Oceanside, California, held on the _____ day of _____, 2009, by the following vote:

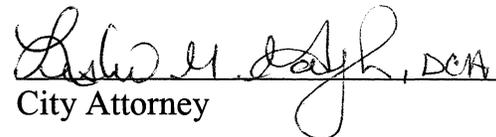
3
4 AYES:
5 NAYS:
6 ABSENT:
7 ABSTAIN:

8
9 _____
10 Mayor of the City of Oceanside

11 ATTEST:

11 APPROVED AS TO FORM:

12
13
14 _____
15 City Clerk

14 
15 City Attorney

1 PLANNING COMMISSION
2 RESOLUTION NO. 2009-P37

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING
APPROVAL OF A ZONE TEXT AMENDMENT AMENDING
ARTICLES 41 AND 43 OF THE ZONING ORDINANCE

5 APPLICATION NO: ZA-3-09
6 APPLICANT: City of Oceanside
7 LOCATION: Citywide

8 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
9 RESOLVE AS FOLLOWS:

10 WHEREAS, according to the National Bureau of Economic Research, the national
11 economy has been in recession since the fall of 2007; and,

12 WHEREAS, the concomitant decline in real estate values has significantly constrained
13 the credit market, making it difficult for business owners and land development interests to
14 secure financing for entitled projects;

15 WHEREAS, in response to the current economic downturn, the State of California has
16 taken steps to automatically extend time limits for tentative maps; and

17 WHEREAS, the automatic time extensions for tentative map approvals established by
18 state statute do not extend to other administrative or discretionary permits issued by the City;
19 and

20 WHEREAS, on June 17, 2009, the City Council approved an amendment to the
21 Municipal Code that provides the Building Official with discretion to extend active building
22 permits for 12 months through July 31, 2010; and

23 WHEREAS, the three-year time limit denoted in Articles 4108(B) and 4308(C) of the
24 Zoning Ordinance shall not apply to those entitlements extended pursuant to this ordinance; and

WHEREAS, the "Time Extension" procedures contained in Articles 41 and 43 of the
Oceanside Zoning Ordinance are the exclusive time extension procedures recognized by the City
of Oceanside and are thus intended to apply citywide in all areas of the City of Oceanside,
including the Coastal Zone; and

1 WHEREAS, the Planning Commission, after giving the required notice, did on the 27th
2 day of July, 2009, conduct a duly advertised public hearing as prescribed by law to consider said
3 application; and

4 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
5 Guidelines thereto, a Notice of Exemption has been prepared for the zone text amendment
6 project; and

7 WHEREAS, studies and investigations made by this Commission and on its behalf reveal
8 the following facts:

9 For the Zone Amendment:

- 10 1. The Zone Text Amendments, as proposed, conform to the General Plan of the City.
- 11 2. The granting of the Zone Text Amendments is consistent with the purposes of the
12 Zoning Ordinance.

13 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
14 recommend approval of Zone Amendment (ZA-3-09) as represented in the attached Exhibit "A".

15 PASSED AND ADOPTED Resolution No. 2009-P37 on July 27, 2009 by the
16 following vote, to wit:

17 AYES: Troisi, Neal, Martinek, Bertheaud, Rosales and Scrivener

18 NAYS: None

19 ABSENT: Balma

20 ABSTAIN: None



21 Claudia Troisi, Chairperson
22 Oceanside Planning Commission

23 ATTEST:

24 
Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
this is a true and correct copy of Resolution No. 2009-P37.

Dated: July 27, 2009



DATE: July 27, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/ Planning Division

SUBJECT: **CONSIDERATION OF ZONE AMENDMENT (ZA-3-09)
AMENDING ARTICLES 41 AND 43 OF THE ZONING
ORDINANCE – TIME EXTENSIONS – APPLICANT: CITY
OF OCEANSIDE**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Adopt Planning Commission Resolution No. 2009-P37 recommending approval of Zoning Amendment (ZA-3-09) with findings of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Time extension procedures currently outlined in the Zoning Ordinance are intended to ensure that development projects and conditionally-permitted land uses remain consistent with applicable policies, regulations and guidelines. Under these procedures, time extensions can be approved for projects that pay their fair share toward needed public services and do not conflict with any changes in City policy nor any substantial physical changes in the surrounding area that have occurred since the original approval.

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In the fall of 2007, the economy went into recession, and the housing market suffered unprecedented losses in value. As a result of these economic factors, all facets of the building industry have suffered huge job losses and been unable to secure financing to complete their entitled projects. In response to this industry-wide downturn, in July 2008 the California State Legislature approved Senate Bill 1185, which granted an automatic one-year extension to all subdivision maps that were unexpired on July 15,

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ANALYSIS

Current Economic Conditions

According to the National Bureau of Economic Research, the U.S. economy has been in recession since the fall of 2007. Over the past 18 months, the national unemployment rate has nearly doubled. While home sales in California have increased slightly in recent months, the median home price is nearly 50 percent below its peak during the summer of 2007, and home foreclosure rates remain near historic highs. The commercial vacancy rate in San Diego County reached 20 percent in the second quarter of 2009 – the highest level seen since 1993. In Oceanside, the impact of these national, state and regional trends is reflected in both an eight percent decrease in business license applications between January-June 2008 and January-June 2009 and a 20 percent decline in building permit applications between Fiscal Year 2007-08 and Fiscal Year 2008-09.

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country continue to struggle to secure construction financing in a timely manner. For projects unable to commence construction before the end of their initial approval period, the time and expense involved in a standard time extension process may prove to be a greater burden than their proponents can afford to undertake, with the result being the expiration of approved projects that might otherwise have contributed to a community's built environment, quality of life and economic development. A similar fate exists for projects that have already applied for and received all of the time extensions for which they are eligible under current standards. Granting automatic time extensions for non-map entitlements (i.e. Development Plans, Conditional Use Permits, Variances and Regular Coastal Permits), with a provision to sunset these automatic time extensions when economic conditions improve, would provide a respite for imperiled development projects without eliminating the community's ability to apply the standard time extension review process to future entitlements.

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Alternatives

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The City could require that additional time extension requests be subjected to either the standard review process or an expedited review process involving an abridged application, reduced or waived fees, reduced processing time, fewer notification requirements and/or a lower level of review. As directed, staff can provide a matrix of alternatives to automatic time extensions.

ENVIRONMENTAL DETERMINATION

The proposed zone text amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b) (3). The activity under consideration is covered by the general rule that CEQA applies only to projects which have the potential of causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SUMMARY

Affording a defined amount of additional time to secure financing and address other exigencies of a slumping real estate market, the proposed modifications to the "Time Extension" provisions of the Zoning Ordinance serve as one-time dispensation to land development interests as yet unable to initiate entitled projects under difficult economic conditions. Staff recommends that the Planning Commission:

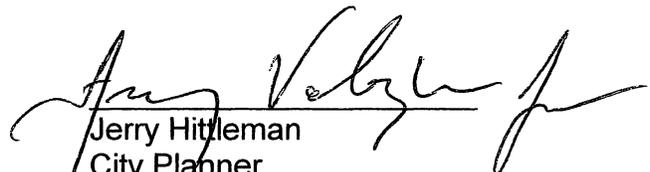
- Adopt Planning Commission Resolution No 2009-P37 recommending approval of Zone Amendment (ZA-3-09) with findings of approval attached herein.

PREPARED BY:



Russ Cunningham
Senior Planner

SUBMITTED BY:



Jerry Hittleman
City Planner

REVIEWED BY:



Amy Volzke, Principal Planner

RC/fil

Attachments:

1. Planning Commission Resolution No. 2009-P37

9201 Spectrum Center Blvd., Suite 110
San Diego, CA 92123-1407

P 858.450.1221
F 858.552.1445

www.biasandiego.org

July 27, 2009

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CHIEF EXECUTIVE OFFICER

Borre Winckel

AFFILIATES

California Building
Industry Association

National Association
of Home Builders

Ms. Claudia Troisi
Chairwoman
Oceanside Planning Commission
300 N. Coast Highway
Oceanside, CA 92054

RE: Item 6: Local Permit Extensions

Dear Chairwoman Troisi and Members of the Planning Commission:

The Building Industry Association of San Diego County represents around 900 companies comprising a regional workforce of approximately 100,000 men and women. Our industry is mired in a deep recession. Permit activity is 80% below normal levels and upwards of 40,000 construction industry-related jobs have been lost in San Diego County alone since the housing recession began, fully 1/3rd of the total job loss for the region.

The construction industry needs key economic stimulus measures to jumpstart permit and construction activity once again. *We strongly support the staff recommendation to automatically extend existing local permits for two years and we request that the Planning Commission support these automatic extensions.*

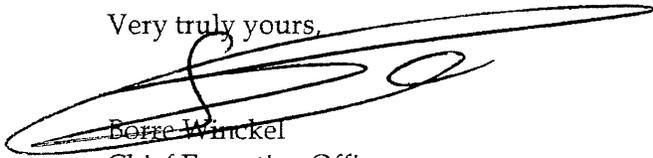
We caution against implementing anything short of providing these automatic extensions as many projects do not have the financial wherewithal to pay for individual costly extensions. For that matter, these projects have already gone through a costly and time-consuming permit approval process. The staff recommendation would simply provide an automatic extension of these existing approved permits.

This measure is a major step in enabling the industry to recover sooner, which means job growth can recovery sooner and impact fees and tax revenues will recover sooner as well, providing critical funding to the City. This measure will have no fiscal impact and only a fiscal benefit to the city. It is truly a "win-win" and we strongly urge you to move this item forward to the City Council.



With this action you will join the State of California and more than 60 jurisdictions around the state, including 5 local cities, that have implemented these critical win-win economic stimulus measures. Thank you in advance for your efforts to help the construction industry recover.

Very truly yours,

A handwritten signature in black ink, appearing to read "Borre Winckel", is written over a large, horizontal, oval-shaped scribble.

Borre Winckel
Chief Executive Officer

cc: Peter Weiss, City Manager
Oceanside Mayor and City Council

Russ Cunningham

From: fabio [fabio.marchi@cox.net]
Sent: Monday, July 27, 2009 1:10 PM
To: George Buell
Subject: Planning 1 072709

Hi George

I have some of the applicants reply to me expressing support for a 3 year extension no fee.

The reason of the 3 years is that some of the applicants have already a year behind and if ask for only 2, they will have a net use of one year.

For example, if economic situation doesn't change shortly, and the renewal expiration will become due, we then have to repeat the cycle all over.

If economy gets healthy earlier, applicants will build early that the extended permit. So everybody wins.

I'll send you several emails following this one. There others than they said that they will be present tonight at planning commission meeting. Sincerely Fabio 760-439-7686

Russ Cunningham

From: fabio [fabio.marchi@cox.net]
Sent: Monday, July 27, 2009 1:11 PM
To: George Buell
Subject: planning 4 072709

----- Original Message -----

From: Sean Santa Cruz
To: Ellie Walton
Cc: Fabio Marchi
Sent: Friday, July 24, 2009 2:21 PM
Subject: RE: Your project in Oceanside

Fabio,

I would like to extend our support for your efforts in achieving an extension of all entitlements for 3 years with no fees in the City of Oceanside. Hallmark Communities currently has a project off of Dixie Street that requires an extension of the Development Plan only. We ask that the Planning Commission approve the extensions and waiver of fees for all Oceanside projects. Thank you.

Sean Santa Cruz
VP Planning and Development
Hallmark Communities, Inc.
740 Lomas Santa Fe Drive
Suite 204
Solana Beach, CA 92075
858-481-3310 EXT 122
858-481-6325 FAX

Russ Cunningham

From: fabio [fabio.marchi@cox.net]
Sent: Monday, July 27, 2009 1:10 PM
To: George Buell
Subject: planning 3 072709

----- Original Message -----

From: Kevin Canning
To: Ellie Walton
Cc: Fabio Marchi
Sent: Friday, July 24, 2009 10:03 AM
Subject: RE: Your project in Oceanside

I am unable to attend the City of Oceanside Planning Commission meeting on July 27 due to a previous commitment.

However, I am fully in support of the staff recommendation to extend discretionary permit approvals for a period concurrent with AB 333.

Brehm has a 44-lot subdivision (Jeffries Ranch) that will greatly benefit from this action.

I applaud the City's proactive action on this matter and thank them for their efforts to stimulate the economy and create jobs.

*Kevin Canning
VP Land Acquisition/Gov't Relations
Brehm Communities
(760) 448-2420 (office)
(949) 235-3846 (cell)*

Russ Cunningham

From: fabio [fabio.marchi@cox.net]
Sent: Monday, July 27, 2009 1:10 PM
To: George Buell
Subject: planning 3 072709

From: dzernik@hotmail.com
To: elliewalton@hotmail.com; fabio.marchi@cox.net
Subject: RE: Your project in Oceanside
Date: Sun, 26 Jul 2009 03:53:39 +0000

Ellie

Thank you for your E-mail. Keep up the good work. I'll try to attend the meeting. I may not be able to because that is family time. If I don't see you at the meeting, my spirit will be with you. I currently have a project on 4848 Concho Circle. I support a time extension for my proposed development plan with no fees. The current economic conditions will stop the proposed project at this time.

Sincerely,

Skyline engineering
David Zernik,P.E.
322 S. Ditmar St. Oceanside, Calif 92054
760-721-3520

Russ Cunningham

From: fabio [fabio.marchi@cox.net]
Sent: Monday, July 27, 2009 1:11 PM
To: George Buell
Subject: planning 2 072709

> ----- Original Message -----

> From: "Scott McCue" <smccue9@cox.net>

> To: "Scott McCue" <smccue9@cox.net>; <elliewalton@hotmail.com>

> Cc: <fabio.marchi@cox.net>

> Sent: Sunday, July 26, 2009 11:39 AM

> Subject: Re: Scott, we need your support in writing

>

>

>> Mr. Fabio Marchi

>> fabio.marchi@cox.net

>>

>> To reiterate, yes I will support your motion for a (3) year time
>> extension and will try to make the July 27, 2009 @ 7 pm meeting.

>>

>> Sincerely, Scott McCue - (760) 500-1735 - Cell/Direct.