

	POLICY NUMBER	300-14
	ADOPTED	2-25-87
	REVISED	2-14-90
	REVISED	7-11-07
	REVISED	2-23-11
SUBJECT:	REVISED	10-12-11
Enhanced Notification Program	REVISED	4-22-15

Purpose

It is the goal of the City Council, through the implementation of this policy, to increase public awareness of and promote public participation in proposed land development projects within the City of Oceanside. This policy is intended to supplement and enhance existing noticing requirements outlined in various sections of the Oceanside Municipal Code. Where the policy is more inclusive or expansive, the requirements of this policy shall be followed. When this policy is silent on a particular aspect of the noticing requirements outlined in the Municipal Code, the requirements of the Municipal Code shall be followed.

Expanded Radius Requirements for Mail Notification of Discretionary Proposals (*)

It is the policy of the City Council that notice shall be given to all property owners within 1,500 feet from a project site for all discretionary entitlement proposals which include any of the following discretionary entitlements:

- General Plan Land Use Amendments
- Specific Plans, Master Plans and Planned Developments
- Zone Changes
- Residential projects of five (5) dwelling units or more
- Commercial projects with a site area of five (5) acres or greater
- Industrial projects
- All projects requiring a Conditional Use Permit

For all other discretionary entitlement proposals, notice shall be given to all property owners within 500 feet of a project site.

In addition to the noticing requirements to property owners, notice shall be given to all occupants/tenants within 100 feet from a project site for all discretionary entitlement proposals.

This policy shall be applicable to all mail notices including environmental processing notices (e.g., EIR Notice of Preparation/EIR Scoping Meetings, Notices of Availability, and pending decisions on Mitigated Negative Declarations), notice of public hearing, notice of decision and the advance noticing requirement outlined in this policy. All costs associated with the expanded noticing requirements shall be borne by the applicant and shall be set and periodically updated by the City Planner.

() This type of notification applies to all discretionary entitlement requests and excludes individual owners of time shares.*

Advance Mail Notification (Notice of Application) (**)

Property owners and residents, as outlined in the preceding section, shall be sent a notice, via mail, informing them of pending discretionary entitlement proposals. The content of such notice shall include the project entitlement case number, project name, date of application, a brief project description, contact person for project, project location, and assigned City project planner. Said notice shall be sent within 15 days from the project application submittal date and shall be in addition to any other notice(s) required by the California Government Code or the City of Oceanside.

All costs associated with the advance noticing requirement shall be borne by the project applicant.

*(**) This type of notification applies to all discretionary entitlement requests and excludes individual owners of time shares.*

On-site Signage (***)

It is the policy of the City Council that a "NOTICE OF PROJECT APPLICATION" shall be posted by the applicant on the project site within 15 days following submittal of a formal application for discretionary entitlement(s). The sign shall remain on-site until the appeal period for the requested entitlement(s) has expired. The notice shall be designed in accordance with and shall include the information described in the City of Oceanside on-site sign design/text information exhibit on file with the City. A "Certificate of Posting" shall be submitted to the City within 24 hours of posting.

All project site notices shall comply with the following:

1. On sites less than 5 acres, notice signage shall be posted at the most publicly visible location on site, to the satisfaction of the City. On sites over 5 acres or with multiple public road frontages, a minimum of two OCEANSIDE CITY COUNCIL POLICY signs (one per street frontage) shall be posted, to the satisfaction of the City.
2. Sign material shall be durable enough to withstand the elements.
3. Signs shall be mounted to an existing building or secured to a groundmounted pole with a minimum pole height of four (4) feet and a maximum pole height of six (6) feet.
4. Sign dimensions shall be two (2) feet in height and three (3) feet in width.
5. Sign color background shall be yellow.
6. All letter colors shall be black.

7. Letter font shall be Arial.
8. Letter heights for the notice shall be as shown on the City's on-site sign design/text information exhibit on file in the City.
9. Applicant or developer phrases or logos shall not be allowed.
10. Applicant shall obtain City approval of text, prior to posting.
11. Any removed or damaged notices shall be replaced within 5 days from receipt of such written notification by the City. Failure to replace removed or damaged signs shall cause processing of a development proposal to be suspended.

All signs required by this provision shall be removed from the project site at the conclusion of the appeal period of the final decision.

*(***) This type of notification does not apply to administrative discretionary entitlement requests.*

Community Outreach Plan (****)

It is the policy of the City Council to require an applicant to engage in community outreach efforts prior to an application being deemed complete. This requirement shall be applicable to all proposals which include any of the following discretionary entitlements:

- General Plan Land Use Amendments
- Specific Plans, Master Plans and Planned Developments
- Zone Changes
- Residential projects of five (5) dwelling units or more
- Commercial projects with a site area of five (5) acres or greater
- Industrial projects
- All projects requiring a Conditional Use Permit

The Community Outreach Plan process shall include the following three (3) components:

1. A written plan which describes who may be affected by the application, how those potentially affected will be engaged by the applicant, and the schedule for the applicant to implement their community outreach efforts. The written plan and its contents shall be reviewed and approved by the Planning Division prior to its implementation;
2. Implementation of the written plan; and

3. A community outreach report which details the results of the community outreach efforts including documentation of how those potentially affected by the application were contacted, times and dates of any community meetings, copies of sign-in sheets and comment sheets, and a summary of concerns raised and how the applicant has addressed those concerns. The community outreach report shall be submitted to the Planning Division for review and approval prior to the application being deemed complete.

*(****) This type of notification does not apply to administrative discretionary entitlement requests.*

Interested Party Notification List (****)

It is the policy of the City Council that a mail-notification list shall be created to include all parties, including neighborhood groups and homeowner associations, who request notification of all discretionary entitlement requests. The notices required by the enhanced notification program, the City of Oceanside Municipal Code, and by the laws of the State of California shall be mailed to those individuals who have requested to be part of the interested party notification list.

*(****) This type of notification applies to all discretionary entitlement requests.*

Web-Based Notification (*****)

It is the policy of the City Council that the application cover page of all discretionary entitlement requests shall be posted on the City's Web site within 15 days from the project application submittal date.

*(*****) This type of notification applies to all discretionary entitlement requests.*

Timing of Public Hearing Notification

Public hearing mail notices shall be sent out a minimum of 15 days in advance of the scheduled public hearing date.

All costs associated with the advance and expanded noticing requirements shall be borne by the applicant and shall be set and periodically updated by the City Planner.

The failure of any persons or entity to receive notice given pursuant to this policy shall not constitute grounds for any court to invalidate the action(s) for which the notice was given. The provisions of this policy are directory in nature and shall not be deemed to create a mandatory duty the breach of which could result in liability to the City or to the officer or employee pursuant to state statute or other law. The failure to strictly observe this policy shall not affect the jurisdiction of the City Council or other applicable decision-

making body from taking action on a matter for which the notice was given provided the City has complied with the noticing requirements of the California Government Code.

For purposes of this policy, "Administrative decision(s)" is defined as action(s) by the City Planner on discretionary entitlement requests, as set forth in the City of Oceanside zoning ordinance.