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**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
OCEANSIDE APPROVING A GENERAL PLAN AMENDMENT TO  
THE LAND USE ELEMENT OF THE GENERAL PLAN TO REVISE  
CRITERIA TO EXCEED BASE DENSITY ALLOWANCES (LAND  
USE ELEMENT POLICY 2.32)**

**(Applicant: City of Oceanside)**

WHEREAS, the City Council has determined that policies of the Land Use Element of the General Plan related to residential development exceeding base density allowances should be modified to facilitate the integration of income-restricted housing into market-rate residential projects; and

WHEREAS, on December 10, 2012, the Planning Commission conducted a duly-noticed public hearing to consider whether to recommend that the City Council adopt the proposed amendments; and

WHEREAS, the Planning Commission's recommendation is summarized in the staff report prepared by the Development Services Department; and

WHEREAS, on January 16, 2013, the City Council held a duly-noticed public hearing and heard and considered written evidence and oral testimony by all interested parties on the above-identified amendments;

WHEREAS, the Planning Division has reviewed the proposed amendments for compliance with the California Environmental Quality Act (CEQA) and has determined that the amendments are exempt from CEQA review in accordance with CEQA Section 21065, as they would not cause either direct or reasonably foreseeable indirect physical changes in the environment.

WHEREAS, based on such evidence and testimony, including but not limited to the report of the Development Services Department, the City Council finds as follows:

**For the General Plan Amendment:**

1. The proposed amendments to the Land Use Element would be compatible to all other elements of the General Plan.

1 2. Future projects associated with the proposed amendments to the Land Use Element  
2 would be subject to discretionary approval and environmental review as appropriate.

3 NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve  
4 amendment of Land Use Element Policy 2.32, Potential Range of Residential Densities, as  
5 specified in Exhibit "A".

6 Notice is hereby given that the time within which judicial review must be sought on this  
7 decision is governed by Govt. Code Section 65009(c)(1)(A).  
8

9 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this 16th  
10 day of January, 2013, by the following vote:

11  
12 AYES:

13 NAYS:

14 ABSENT:

15 ABSTAIN:  
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MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

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CITY CLERK

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CITY ATTORNEY

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## SECTION 2.32. POTENTIAL RANGE OF RESIDENTIAL DENSITIES

### Policies:

- A. For projects that do not include income-restricted dwelling units in accordance with the City's inclusionary housing regulations, the base density shall be considered the appropriate density for development within each residential land use designation.
- B. Residential projects that provide for income-restricted dwelling units consistent with the City's inclusionary housing regulations and possess ~~an excellence of design features that~~ mitigate the potentially adverse impacts of higher density shall be granted the ability to achieve densities above the base density. Project characteristics that ~~exceed standards established by City policy and those established by existing or approved developments in~~ contribute to the aesthetic value and functionality of the surrounding area will be favorably considered in the review of acceptable density within the range. Such characteristics include, but are not limited to the following:
- ~~1) Infrastructure improvements beyond what is necessary to serve the project and its population.~~
  - ~~2) Lot standards (i.e. lot area, width, depth, etc.) which exceed the minimum standards established by City policy.~~
  - ~~3) Development standards (i.e. parking, setbacks, lot coverage, etc.) which exceed the standards established by City policy.~~
  - 4) High-quality Superior architectural design and materials that mitigate the potentially adverse impacts of higher density and increased scale.
  - 5) High-quality Superior landscape/hardscape design and materials that soften the appearance of associated development and contribute to an sustainable, attractive, and pedestrian-friendly streetscape.
  - ~~6) Superior recreation facilities or other amenities.~~

- 7) Functional, sustainable, and visually-appealing common ~~Superior private and/or semi-private~~ open space areas.
- ~~8) Floor areas which exceed the norm established by existing or approved development in the surrounding area.~~
- 9) Consolidation of existing legal lots to provide unified site design.
- 10) Initiation of residential development in appropriate areas where nonconforming commercial zones or industrial uses are still predominant.
- 11) Participation in the City's Redevelopment, Housing, Conservation, Public Safety and/or Historical Preservation programs.
- 12) Innovative design and/or construction methods which further the goals of the General Plan.

The effectiveness of such design features and characteristics in contributing to the overall quality of a project shall be used to establish the density above base density. No one factor shall be considered sufficient to permit a project to achieve the maximum potential density of a residential land use designation.

- C. Projects that exceed base density allowances and provide income-restricted dwelling units in accordance with the City's inclusionary housing standards shall be eligible for concessions to development standards as specified in the zoning ordinance. Such concessions are intended to mitigate the financial burden associated with the provision of income-restricted units.
- D. Residential projects with densities below the base density shall be considered to be consistent with the land use designation.