



Development Services Department – Planning Division
300 North Coast Highway | Oceanside, CA 92054 | (760) 435-3520

AB 130 SUPPLEMENTAL APPLICATION

AB 130 establishes a statutory exemption for housing development projects on specific sites, provided they meet labor requirements if applicable and engage in tribal consultation (California Public Resources Code Section 21080.66b). This application form is to be used in conjunction with the General Discretionary Permit Application for any development project utilizing AB 130. Complete the form and provide any supporting materials described in this Supplemental Application and submit it along with a complete General Discretionary Permit Application.

General Information

Applicant Name:

Applicant Address:

Applicant Email Address:

Applicant Phone:

Property Owner Name:

Property Owner Address:

Property Owner Email Address:

Property Owner Phone:

To be completed if Applicant is not Property Owner:

I authorize the applicant indicated above to submit the application on my behalf:

Signature of Property Owner
(or attach a letter of authorization)

Property Information

Property Address:

Assessor's Parcel Number (APN):

Lot Size:

Zoning Designation:



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AB 130 Exemption Eligibility Checklist

Applicants seeking to use the AB 130 urban in-fill housing statutory exemption **must complete this checklist in full and provide justification for each criterion to demonstrate eligibility**. Failure to provide required justification will result in the supplemental application being ineligible for the applicability of AB 130.

Eligibility Requirement	Applicant: <i>(provide a response to each question)</i>	
<p>Does the proposed project meet any one of the following criteria for a Housing Development Project?</p> <p>Residential units only.</p> <p>Mixed-use developments consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential use.</p> <p>Mixed-use development with at least 50% of the new or converted square footage designated for residential use and includes at least 500 net new residential units and no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.</p> <p>Mixed-use development with at least 50% of the net new or converted square footage designated for residential use, includes at least 500 net new residential units, demolishes or converts at least 100,000 square feet of nonresidential use and at least 50% of existing nonresidential uses on the site, and does not include any portion designated for transient lodging except a residential hotel under Section 50519.</p> <p>Transitional housing or supportive housing.</p>	Yes	No
<p>Is a portion of the proposed project designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging?</p>	Yes	No
<p>Does the proposed project exhibit Planning and Zoning Consistency by being consistent with the applicable general plan and zoning ordinance, and any applicable local coastal program?</p>	Yes	No
<p>Will the project include at least 15 units per acre?</p>	Yes	No



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Eligibility Requirement	Applicant: (provide a response to each question)	
<p>Does the project avoid demolishing any historic building that was officially listed on a national, state, or local historic register before the application was submitted?</p>	Yes	No
<p>Does the proposed project meet any one of the following criteria for Urban Infill? (select all that apply).</p> <p>It has previously been developed with an urban use.</p> <p>At least 75% of the perimeter of the site adjoins parcels that are developed with urban uses.</p> <p>At least 75% of the area within a one-quarter mile radius of the site is developed with urban uses.</p> <p>For sites with four sides, at least three out of four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.</p>	Yes	No
<p>Is the development located on a property that contains any of the following: Prime farmland, wetlands, a high fire hazard severity zone, a delineated earthquake fault zone, a floodplain, a floodway, a community conservation plan area, a habitat for protected species, or is under a conservation easement. For more information, please see the requirements in <i>CA Govt. Code Section 65912.121(g)</i>.</p> <p>If yes, the development is not eligible for a statutory exemption under AB 130.</p>	Yes	No
<p>Is the development in the coastal zone?</p> <p>If the development is in the coastal zone, the site must be subject to and compliant with a certified local coastal program or a certified land use plan. The site may not be in an area vulnerable to five feet of sea level rise, located within 100-feet of a wetland, or on prime agricultural land. For more information, please see the requirements in <i>CA Govt. Code Section 65913.4(a)(6)(A)</i>.</p>	Yes	No



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Eligibility Requirement	Applicant: (provide a response to each question)	
<p>Is the development site a hazardous waste site? (CA Govt. Code Section 65912.121(g); 65913.4(a)(6) (e).)</p> <p>If yes, you must secure a letter from the State Department of Public Health, State Water Resources Control Board, or the Department of Toxic Substance Control stating that the site is suitable for residential use or residential mixed uses prior to submitting a project application. Applications for AB 130 on hazardous waste sites without a letter from the appropriate government agency stating that the site is suitable for residential uses will not be accepted as complete.</p>	Yes	No
<p>The project applicant agrees to complete a Phase I environmental assessment as defined in Section 78090 of the Health and Safety Code and, if applicable, agrees to the requirements below as a condition of project approval.</p> <ul style="list-style-type: none"> • If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. • If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy. • If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy. 	Yes	No
<p>Will any of the housing on the development site be located less than 500 feet from a freeway, defined in California Vehicle Code section 332, but not including freeway on ramps or off ramps?</p> <p>If yes, the project must include MERV 16 (“Minimum efficiency reporting value”) filtration and all outdoor intakes as well as building balconies, must face away from the freeway.</p>	Yes	No



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Tribal Consultation Requirements

The proposed project must comply with tribal consultation requirements to qualify for the AB 130 exemption (as outlined in Public Resources Code Section 21080.66b). The Planning Division shall send a request-to-consult letter within 14 days of issuance of the complete application notice. By signing below, the project sponsor acknowledges that tribal consultation is a mandatory requirement for eligibility under the AB 130 exemption and agrees to incorporate any enforceable agreements resulting from the consultation process, including the measures specified in Public Resources Code Section 21080.66(b)(4)(B)(i), as a conditions of project approval, unless the tribe and the project applicant mutually agree otherwise.

Tribal Consultation Timeline for Urban Infill Housing CEQA Exemption

Timeline	Required Action & Details
<p><u>Within 14 Days</u> of:</p> <p>The application being deemed complete,</p> <p>OR</p> <p>For projects deemed complete before July 1, 2026, receiving notice that the project is eligible for the exemption</p>	<p>The local government must formally notify via certified mail and email each California Native American tribe traditionally and culturally affiliated with the project site. This notification serves as an invitation to consult on the proposed project, its location and its potential effects on tribal cultural resources. Public Resources Code Section 21080.66(b) specifies the required contents of this notification.</p>
<p><u>60 Days</u> from formal notification</p>	<p>California Native American Tribes have 60 days to accept consultation invitation. If the tribes decline or fail to respond within 60 days, the consultation is considered concluded.</p>
<p><u>Within 14 days</u> of tribal acceptance</p>	<p>The local government must initiate the consultation process with that tribe</p>
<p><u>45 days</u> from consultation initiation (<u>plus optional 15-day extension</u>)</p>	<p>The consultation must conclude within 45 days of initiation, subject to a on-time 15-day extension upon request by a participating California Native American tribe.</p>
<p><u>Within 30 days</u> from the later of the following dates</p> <p>The conclusion of tribal consultation</p> <p>OR</p> <p>The expiration of the applicable time limit to conduct a consistency review per Government Code Section 65589.5(j)(2) (which is either 30 or 60 days after the project is determined to be complete).</p>	<p>The public agency that is the lead agency for a development project must approve or disapprove the project (or it is deemed approved). The timeline does not include appeals.</p>

Name:

Signature:



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Project Labor Requirements

By signing below, the applicant certifies that the project will comply with all labor requirements under Public Resources Code § 21080.66(d), including but not limited to, prevailing wage obligations and skilled and trained workforce standards, as applicable based on the project’s height, affordability, and number of proposed residential units. The Planning Division may require an affidavit to confirm compliance.

Name:

Signature:

Signatures

Under penalty of perjury, the following declarations are made:

1. The information presented is true and correct to the best of my knowledge.
2. I understand that failure to provide required supporting evidence will result in the supplemental application being deemed incomplete and rejected.
3. I understand additional information or applications may be required to deem the supplemental application complete.

Name:

Signature:

Date:

Relationship to the Project:

*If you are an authorized agent, please provide a letter of authorization from the owner.