



DATE: August 5, 2020

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **CONSIDERATION OF ZONING ORDINANCE TEXT AMENDMENTS ESTABLISHING NEW STANDARDS FOR RENEWABLE ENERGY FACILITIES, ELECTRIC VEHICLE CHARGING FACILITIES, URBAN FORESTRY, AND TRANSPORTATION DEMAND MANAGEMENT (TDM), CONSISTENT WITH GREENHOUSE GAS EMISSIONS (GHG) REDUCTION MEASURES INCLUDED IN THE CITY'S CLIMATE ACTION PLAN**

SYNOPSIS

The Planning Division recommends that the City Council introduce Zoning Ordinance Text Amendments (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) and adopt a resolution approving Local Coastal Program (LCP) Amendments (LCPA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) to establish new standards for renewable energy facilities, electric vehicle charging facilities, urban forestry, and transportation demand management (TDM); and establish the amended text of Zoning Ordinance Articles 10, 10C, 11, 11C, 12, 13, 13C, 30, and 31 as part of the Local Coastal Program.

BACKGROUND

On May 9, 2019, the City Council adopted a Climate Action Plan (CAP) in conjunction with the first phase of a comprehensive General Plan Update. The CAP promulgates greenhouse gas (GHG) emissions reduction measures intended to reduce local GHG emissions in a manner consistent with state emissions reduction goals. Some of these measures call upon the City to establish new zoning standards for certain types of new development. Intended to ensure that new development does not result in significant cumulative GHG emissions impacts, these standards address the provision of renewable energy, electric vehicle charging facilities, urban forestry, and transportation demand management (TDM).

Table 17 of the CAP lists all of the emissions reduction measures the City is responsible for implementing. Most of these measures involve public outreach and education, incentives for voluntary action, and City initiatives (e.g., Water Conservation Plan, Zero Waste Strategic Plan). Table 17 is appended to this staff report as Attachment 6.

CAP Consistency Checklist

A key component of the CAP is the CAP Consistency Checklist, which is meant to ensure that new development supports the City's emissions reduction goals while affording applicants an alternative to project-specific GHG emissions analysis. The Checklist outlines siting and design criteria that accord with certain CAP emissions reduction measures. Projects that conform to these criteria do not have to prepare project-specific GHG emissions analysis as part of the environmental review process. The Checklist is generally favored by the development community, as it provides a clear and efficient path to CEQA compliance. The Draft CAP Consistency Checklist is appended to this staff report as Attachment 5.

PROJECT DESCRIPTION

The proposed zoning text amendments would implement new standards for renewable energy facilities, electric vehicle (EV) parking and charging facilities, urban forestry, and transportation demand management (TDM). In turn, the adoption of these new standards would effectuate the CAP Consistency Checklist.

Renewable Energy Facilities

Consistent with CAP Emissions Reduction Measure E2, Planning staff proposes new standards that would require that certain types of new development implement on-site renewable energy generation to supply at least 50 percent of estimated electricity demand. The following new developments would be subject to this requirement:

TABLE 1

Project Scale Thresholds for Renewable Energy Facilities Requirements

Project Type	Project Scale Threshold	Requirement
Multifamily Residential	25 dwelling units	On-site renewable energy generation facilities that supply at least 50 percent of estimated electricity demand
Commercial	12,500 sf of gross floor area	
Industrial	25,000 sf of gross floor area	
Institutional	12,500 sf of gross floor area	
Additions (All Project Types)	1,500 sf of gross floor area	Modified buildings to be rendered "solar ready" as defined by the California Energy Code

In the event City staff determines that conformance to these requirements is physically infeasible, applicants can purchase a minimum 75 percent renewable energy portfolio through the electric utility, should this option be available through SDG&E or other future energy provider. (At present, this option is only available to residential customers.)

As noted above, additions to existing development exceeding 1,500 square feet would be required to render any renovated buildings "solar ready." In such cases, staff will look for ways to encourage property owners to take the opportunity to install solar PV facilities (though this would not be mandatory).

State standards currently require that all new residential development under four stories be equipped with solar PV facilities that supply 100% of estimated electricity demand. Additionally, all new non-residential development must be rendered “solar-ready,” which involves allocation of an unshaded “solar zone” free of obstructions and plans for connecting future PV facilities to the building’s electrical system. Therefore, the standards being proposed are either consistent with, or complementary to, current “green” building standards.

Electric Vehicle Charging Facilities

Consistent with CAP Emissions Reduction Measure TL2, Planning staff proposes new standards requiring that certain types of new development 1) reserve parking spaces for electric and other zero-emission vehicles and 2) install EV charging facilities to serve a minimum percentage of these reserved parking spaces. The following tables illustrate how these standards would apply to both residential and non-residential projects:

TABLE 2

Required EV Parking Spaces/Charging Stations (Multifamily Residential)

Total Parking Spaces	Minimum EV Spaces	Minimum EV Charging Stations
5-9	1	1
10-19	2	1
20-29	3	2
30-46	4-6	2
47-79	7-11	3
80-106	12-15	5
107-153	16-22	6
154-200	23-30	9
201+	15% of total spaces	50% of required EV spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

TABLE 3

Required EV Parking Spaces/Charging Stations (Non-Residential Development)

Total Parking Spaces	Minimum EV Spaces	Minimum EV Charging Stations
5-9	1	0
14-19	2	1
20-33	4	2
34-46	6	2-3
47-66	9	3-4
67-86	12	5-6
87-119	17	6-8
120+	15% of total spaces	50% of required EV spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down the next whole number.

For multifamily residential development that includes private, enclosed parking spaces (e.g., garages), common EV charging facilities would not be required. Instead, such projects would be required to install 240-volt electrical outlets in all private parking areas to support vehicle charging equipment.

The California Energy Code includes minimum requirements for EV reserved parking spaces and charging facilities in new development. The standards outlined above are somewhat more exacting than current state standards, in that they establish a lower threshold of applicability, require more EV reserved parking spaces, and require charging facilities in instances where state code requires only charger-ready infrastructure. Planning staff anticipates, however, that future iterations of the Energy Code will likely include additional EV parking and charging requirements in line with what is currently being proposed.

Urban Forestry

Through the sequestration of atmospheric carbon (i.e., the conversion of carbon dioxide into plant material and oxygen), trees and other flora play an important role in mitigating the impact of climate change. To enhance sequestration of atmospheric carbon, CAP Measure AF1 calls for the City to establish minimum standards for tree canopy and permeable surface area in conjunction with new development. These standards complement existing landscaping requirements, which focus on aesthetic considerations.

The following table outlines the minimum tree canopy and permeable surface area that new development must implement. These requirements are expressed as percentages of total lot area.

**TABLE 4
Required Minimum Tree Canopy and Permeable Surface Area**

Project Site Area	Minimum Tree Canopy	Minimum Permeable Surface
Less than 1/3 acre	7%	10%
Between 1/3 and 1 acre	9%	16%
1 acre or more	12%	22%

Applicants can comply with these standards in a variety of ways. Where it is infeasible to achieve the minimum required tree canopy on the project site, applicants can utilize adjacent public parkway, plant trees elsewhere in the City (subject to approval by the Public Works Director), or contribute to a tree fund or similar in-lieu fee program, should the City decide to create such a program.

To ensure the long-term viability of trees and other landscape, applicants would be required to prepare and implement a Landscape and Tree Canopy Management Plan (LTCMP).

Transportation Demand Management (TDM)

Transportation Demand Management (TDM) refers to a wide range of strategies designed to encourage employees to choose commuting modes other than single-occupancy vehicle (SOV) trips. CAP Emissions Reduction Measure TL5 calls upon the City to develop TDM standards for new non-residential development and expansions of existing non-residential development that generate a minimum of 100 daily employee trips. Such projects are expected to reduce combustion engine SOV commute trips by at least 10 percent from a business-as-usual scenario.

In response to public input, information regarding the current percentage of workers in the San Diego region who commute by means other than combustion engine SOV trips, and the fact that the City will see only a small number of new development projects that individually generate more than 100 daily employee commute trips, staff has prepared an ordinance that applies the following TDM requirements for new non-residential development:

Table 5
TDM Requirements for Qualifying Non-Residential Development

Applicability	Minimum Alternative Employee Commute Mode Share
New Non-Residential Development Generating 50 or More Daily Employee Commute Trips	20% Minimum

Projects subject to this requirement would prepare TDM Plans that would be implemented no later than 12 months after building occupancy. Businesses operating on the project site would be expected to achieve the minimum alternative commute mode share (20%) within three years of building occupancy. Monitoring of progress toward commute mode shift would come through employee surveys. Projects that do not achieve the minimum required commute mode shift would be required to revise their TDM plans and report status on an annual basis until the minimum required alternative employee commute mode share has been achieved. The goal at this measure is to reduce combustion engine SOV trips so it's most likely that reductions would be achieved by employees telecommuting, utilizing electric vehicles, rideshare options, public transit or bicycling/walking to work.

ANALYSIS

The proposed zoning text amendments would effectuate the CAP Consistency Checklist and thereby provide the development community with a means of streamlining the environmental review process. Most infill and redevelopment projects would be eligible to utilize the Checklist as an alternative to project-specific GHG emissions impact analysis. This streamlined process could potentially save developers significant time and cost by simplifying the GHG analysis process. The Draft CAP Consistency Checklist is appended to this staff report as Attachment 5.

Objectives

In preparing the proposed zoning text amendments, Planning Division staff has pursued the following objectives:

- Make requirements outcome-based, and allow flexibility in terms of how compliance is achieved;
- Ensure that local standards result in emissions reduction exceeding the "Adjusted Business-as-Usual" (ABAU) scenario depicted in the CAP;
- Communicate requirements in simple and unambiguous terms;
- Make requirements quantitative and measurable, to facilitate monitoring and enforcement;
- Ensure that requirements are financially feasible and provide opportunities for positive return on investment (ROI); and

- Provide information and resources that assist applicants in understanding and complying with the requirements.

The proposed zoning text amendments would facilitate local emissions reduction below the ABAU scenario depicted in the CAP. This is illustrated in Figure 6 of the CAP, appended to this staff report as Attachment 7.

As noted above, the proposed standards afford applicants a variety of means of achieving compliance.

Staff has conducted research on the cost of renewable energy and EV charging facilities. Cost estimates for renewable energy and EV charging facilities are appended to this staff report as Attachment 8. Additional analysis of cost, financing, and ROI is provided in the May 18th Planning Commission staff report, appended to this staff report as Attachment 3.

Staff has prepared infographics, templates, and other resources to support compliance with the proposed standards.

Co-Benefits

Implementation of the proposed zoning text amendments is expected to provide a wide range of co-benefits to the City. A detailed discussion of co-benefits is provided in the May 18th Planning Commission staff report.

Public Input

On March 3, 2020, The Planning Division conducted a public open house on the Checklist and proposed zoning text amendments. Virtually all of the public input received at the open house expressed a desire to see the City pursue more aggressive GHG emissions reduction.

As of July 30, 2020, all public input conveys general support for the proposed zoning text amendments, with some respondents urging the City to pursue more aggressive emissions reduction measures.

Sierra Club Oceanside has offered the following recommendations:

- Encourage existing businesses to implement TDM;
- As an example for the community, develop a TDM plan for City employees;
- Require that the electrical power serving EV charging facilities be 100% renewable;
- Ensure fair pricing of EV charging;
- Require minimum tree canopy of 20% for sites of 1 acre or more and 12% to 14% tree canopy for smaller sites;
- Prioritize tree planting in underserved neighborhoods with minimal tree canopy; and
- Require building electrification in new development – i.e., no use of natural gas.

The Oceanside Pedestrian and Bicycle Safety Committee, a citizen based group, has formally endorsed the proposed TDM standards.

San Diego Gas and Electric (SDG&E) has formally endorsed all of the proposed zoning text amendments.

One community member has encouraged the City to promote dividend account parking programs, including a pilot program at City Hall.

The Building Industry Association (BIA) has recommended that applicants be afforded the option of meeting the renewable energy and EV charging requirements off-site when on-site installation is deemed infeasible. Staff is generally supportive of this option, with the following recommendations: 1) off-site renewable energy facilities should offset anticipated electricity demand by at least 75 percent (in keeping with the CAP goal of 75 percent renewable electricity portfolio by 2030); 2) off-site EV charging facilities should be installed in development of the same type as the project subject to the requirement – e.g., for residential projects, off-site installation should be in residential development; and 3) operations and maintenance plans should be prepared for both renewable energy and EV charging facilities to be implemented off-site. Subject to City Council direction, staff is agreeable to amending the renewable energy and EV charging ordinances to incorporate these BIA recommendations.

Public comment received prior to publication of the meeting agenda is appended to this staff report as Attachment 9.

FISCAL IMPACT

There is no direct fiscal impact associated with the adoption of the proposed zoning text amendments. However, monitoring and enforcement of the new standards and other GHG emissions reduction measures may require either additional staff resources or reallocation of existing staff resources.

COMMISSION OR COMMITTEE REPORTS

On May 18, 2020, the Planning Commission reviewed the proposed zoning text amendments and voted 6-0 to recommend City Council adoption. Commissioners asked questions about the feasibility of the proposed urban forestry standards, particularly for projects on smaller project sites. A number of commissioners recommended higher tree canopy standards for such sites. Several commissioners expressed interest in building electrification as an emissions reduction measure that could be promulgated in the next iteration of the CAP (which will be prepared as part of the second phase of the City's General Plan Update). Some commissioners suggested lowering the square footage threshold for requiring solar ready buildings. One commissioner asked that staff consider how TDM plans would be impacted by changes in building tenancy. One commissioner encouraged the City to explore a local GHG emissions offset program.

ENVIRONMENTAL DETERMINATION

The Planning Division has evaluated the proposed project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality

Act (CEQA), 1970. The proposed project implements components of the City's Climate Action Plan, the potential environmental impacts of which were addressed in a Program Environmental Impact Report (PEIR) certified by the City Council on May 9, 2019. Per CEQA Guidelines Section 15168 (Program EIR), because the proposed project lies within the scope of the City's Climate Action Plan, no further environmental review is required.

CITY ATTORNEY'S ANALYSIS

The City Council is authorized to hold a public hearing in this matter. Consideration of the amendments should be based on the testimony and evidence presented at the hearing. After conducting the public hearing, the City Council should affirm, deny or modify the proposed zoning text amendments. The supporting documents have been approved as to form the City Attorney.

RECOMMENDATION

The Planning Division recommends that the City Council introduce Zoning Text Amendments (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) and adopt a resolution approving Local Coastal Program (LCP) Amendments (LCPA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) to establish new standards for renewable energy facilities, electric vehicle charging facilities, urban forestry, and transportation demand management (TDM); and establish the amended text of Zoning Ordinance Articles 10, 10C, 11, 11C, 12, 13, 13C, 30, and 31 as part of the Local Coastal Program.

PREPARED BY



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SUBMITTED BY



Deanna Lorson
City Manager

REVIEWED BY:

Jonathan Borrego, Deputy City Manager
Jeff Hunt, City Planner



ATTACHMENTS:

1. City Council Ordinances and Exhibits (ZAs)
2. City Council Resolutions (LCPAs)
3. Planning Commission Staff Report (May 18, 2020)
4. Planning Commission Resolution
5. Draft Climate Action Plan Consistency Checklist
6. Table 17 of the Climate Action Plan
7. Figure 6 of the Climate Action Plan
8. Cost Estimates for Renewable Energy and EV Charging Facilities
9. Summary of Public Comment Received by June 3, 2020

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ARTICLES 10, 10C, 11, 11C, 12, 13, 13C, 14, 30 AND 31 OF THE OCEANSIDE ZONING ORDINANCE TO INCLUDE REQUIREMENTS FOR ELECTRIC VEHICLE PARKING AND ELECTRIC VEHICLE CHARGING FACILITIES (ZONING TEXT AMENDMENT ZA20-00004)

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) concludes that human influence on the global climate system is certain, with anthropogenic emissions of greenhouse gases (GHGs) contributing to rising surface air temperatures and subsurface ocean temperatures; and

WHEREAS, there is substantial scientific evidence that warming global temperatures induced by human activities are responsible for rising sea levels, increasing ocean acidification, increasing wildfire risk, prolonged droughts, more frequent and intense storm events, and more extreme heat days; and

WHEREAS, with the adoption of Assembly Bill 32 (The Global Warming Solutions Act of 2006), the State of California has committed to substantially reducing GHG emissions through a variety of means, including energy efficiency, renewable energy, containment of urban sprawl, expansion of the zero-emission vehicle fleet, water conservation, solid waste management, and the sequestration of atmospheric carbon in plant material and soils; and

WHEREAS, California's 2017 Climate Change Scoping Plan, a five-year assessment of statewide GHG emissions reduction efforts required by Assembly Bill 32, establishes that local GHG emissions reduction efforts are critical to achieving the State's climate stabilization goals; and

WHEREAS, the California Environmental Quality Act (CEQA) enables cities and other lead agencies to address the cumulative GHG emissions impacts of new development through comprehensive plans that outline GHG emissions reduction measures (e.g., Climate Action Plans); and

WHEREAS, on May 9, 2019, the City Council adopted the City's first Climate Action Plan (CAP), which establishes local GHG emissions reduction targets and outlines a wide range of measures designed to achieve these targets; and

1 WHEREAS, the CAP includes a CAP Consistency Checklist intended ensure that new
2 development is consistent with the City’s GHG emissions reduction goals while streamlining
3 the environmental review process for projects that implement specific GHG emissions
4 reduction measures; and

5 WHEREAS, the CAP Consistency Checklist includes a requirement that certain projects
6 provide preferential parking for electric vehicles and install Level 2 electric vehicle charging
7 facilities; and

8 WHEREAS, this and other requirements for new development must be codified in the
9 City’s Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

11 SECTION 1. Oceanside Zoning Ordinance Article 30 is amended to incorporate Section
12 3048 to establish standards for preferential parking for electric vehicles and electric vehicle
13 charging facilities in conjunction with certain types of new development, as specified in Exhibit
14 A.

15 SECTION 2. Oceanside Zoning Ordinance Articles 10, 10C, 11, 11C, 12, 13, 13C, 14,
16 and 31 are amended to incorporate references to Zoning Ordinance Section 3048, as specified in
17 Exhibit B.

18 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
19 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
20 days after its passage in a newspaper of general circulation published in the City of Oceanside.

21 SECTION 4. For properties within the Coastal Zone, this ordinance shall be effective
22 upon certification of Local Coastal Plan Amendment (LCPA20-00004) by the California
23 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
24 effective thirty days after its adoption. Development proposals which are “deemed complete”
25 prior to the effective date of this ordinance shall not be subject to the amended zoning
26 regulations unless new project applications are refiled subsequent to the effective date of the
27 ordinance.

28

1 SECTION 5. Severability.

2 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
3 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
4 shall not affect the validity of the remaining portions of this Ordinance. The City Council
5 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
6 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
7 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

8 SECTION 6. Statute of limitations. The time period to seek judicial review of the
9 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

10 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
11 California, held on the 5th day of August, 2020, and, thereafter,

12 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
13 Oceanside California, held on the ____ day of _____, 2020, by the following vote:

14 AYES:

15 NAYS:

16 ABSENT:

17 ABSTAIN:

18
19
20 MAYOR OF THE CITY OF OCEANSIDE

21 ATTEST:

APPROVED AS TO FORM:

22
23 _____
24 CITY CLERK


25 _____
26 CITY ATTORNEY

Exhibit A

3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Multi-family residential and non-residential development of a certain scale is required to provide preferential parking and charging facilities for electric vehicles. The standards for preferential parking and electric vehicle charging facilities outlined in this section are intended to exceed those established by state law. In the event state standards exceed those outlined in this section, state standards shall apply.

Electric vehicle charging facilities installed in accordance with this section shall comply with Article 625 of the California Electrical Code and subsequent iterations thereof.

Single-family residential developments are subject to the Cal Green Building Code requirements and therefore exempt from the standards outlined in this section.

As specified in Tables 1 and 2, new multi-family residential and nonresidential developments that include five or more parking spaces shall reserve 15 percent of parking spaces for zero-emission vehicles and equip 50 percent of these reserved spaces with Level 2 electric vehicle charging facilities.

The standards outlined in Table 1 shall apply to multi-family residential development featuring common parking facilities, with “common parking facilities” defined as those where parking spaces are not separated from one another by walls or doors but rather assembled in open and shared spaces. Multi-family residential development with non-common parking facilities (e.g., private garages) shall provide at least one 240-volt/16-ampere electrical outlet in each compartmentalized parking area to accommodate “Level 2” electric vehicle charging.

Multi-family development that includes dedicated visitor parking shall provide at least one visitor-serving electric vehicle parking space equipped with charging facilities.

Table 1
Multi-Family Residential Electric Vehicle (EV)
Parking Space and Charging Facility Requirements

Total Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-9	1	0
10-19	2	1
20-29	3	1
30-46	4-6	2-3
47-79	7-11	3-5
80-106	12-15	6-7
107-153	16-22	8-11
154-200	23-30	12-15
201+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

Table 2
Non-Residential Electric Vehicle (EV)
Parking and Charging Facility Requirements

Required Parking Spaces	Required Reserved EV Spaces*	Required Charger Equipped Facilities
5-13	1	0
14-19	2	1
20-33	3-4	2
34-46	5-6	2-3
47-66	7-9	3-4
67-86	10-12	5-6
87-119	13-17	6-8
120+	15% of Total Required Parking Spaces*	50% of Required EV Parking Spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

Exhibit B

(ZA20-00004/LCPA20-00004)

Article 10, Section 1050 (LL): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 10C, Section 1050 (GG): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 11, Section 1130 (Z): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 11C, Section 1140 (T): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 12, Section 1232 (NN): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 13, Section 1330 (Q): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 13C, Section 1340 (V): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 14, Section 1430 (8): See Section 3048 Preferential Electric Vehicle Parking and Electric Vehicle Charging Facilities

Article 31, Section 3103: Requirements for preferential electric vehicle parking and electric vehicle charging facilities for Non-residential and multi-family residential developments are provided within Article 3048

1 WHEREAS, the CAP includes a CAP Consistency Checklist intended to streamline the
2 environmental review process for new development that implements specific GHG emissions
3 reduction features; and

4 WHEREAS, the CAP Consistency Checklist includes a requirement that certain types of
5 non-residential development projects prepare transportation demand management (TDM) plans
6 that result in a minimum alternative employee commute mode share, with alternative commute
7 modes defined as those that don't involve combustion engine single-occupancy vehicle trips;
8 and

9 WHEREAS, this and other requirements for new development must be codified in the
10 City's Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

12 SECTION 1. Oceanside Zoning Ordinance Section 30 is amended to incorporate
13 Subsection 3050 to establish TDM requirements, as specified in Exhibit A.

14 SECTION 2. Oceanside Zoning Ordinance Sections 10, 10C, 11, 11C, 12, 13, 13C, and
15 14 are amended to incorporate references to Zoning Ordinance Section 3050, as specified in
16 Exhibit B.

17 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
18 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
19 days after its passage in a newspaper of general circulation published in the City of Oceanside.

20 SECTION 4. For properties within the Coastal Zone, this ordinance shall be effective
21 upon certification of Local Coastal Plan Amendment (LCPA20-00006) by the California
22 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
23 effective thirty days after its adoption. Development proposals which are "deemed complete"
24 prior to the effective date of this ordinance shall not be subject to the amended zoning
25 regulations unless new project applications are refiled subsequent to the effective date of the
26 ordinance.

27 SECTION 5. Severability.
28

1 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
2 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
3 shall not affect the validity of the remaining portions of this Ordinance. The City Council
4 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
5 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
6 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

7 SECTION 6. Statute of limitations. The time period to seek judicial review of the
8 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

9 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
10 California, held on the 5th day of August, 2020, and, thereafter,

11 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
12 Oceanside California, held on the ____ day of _____, 2020, by the following vote:

13 AYES:

14 NAYS:

15 ABSENT:

16 ABSTAIN:

17
18 MAYOR OF THE CITY OF OCEANSIDE

19
20 ATTEST:

APPROVED AS TO FORM:

21
22 _____
CITY CLERK



CITY ATTORNEY

Exhibit A

3050 Transportation Demand Management (TDM)

New non-residential development and additions to existing non-residential development that generate more than 50 daily employee trips must prepare and implement a transportation demand management (TDM) plan that results in a minimum alternative employee commute share of 20 percent. The alternative employee commute share shall include all commute trips not involving combustion engine single-occupancy vehicles (SOVs). Alternative employee commute modes include ridesharing, public transit, active transportation, telecommuting, and zero-emission vehicles.

TDM plans shall include the following:

- A. Designation of a Transportation Coordinator responsible for ensuring compliance with TDM plan requirements;
- B. Site-specific analysis of opportunities for, and constraints upon, alternative commute modes (e.g., active transportation, transit, ridesharing);
- C. Marketing and outreach strategies that educate employees about sustainable travel choices;
- D. Customized travel plans for employees (upon request);
- E. Description and justification of selected TDM measures;
- F. Calculation of the estimated commute mode shift associated with selected TDM measures; and
- G. A monitoring and reporting program, including provisions for addressing changes in tenancy.

To calculate the estimated alternative employee commute mode share achieved by selected TDM measures, applicants may utilize resources provided by transportation agencies and other government entities (e.g., SANDAG's Mobility Management Toolbox) or commission a qualified transportation planning and/or engineering consultant to prepare customized calculations based on best available information and industry-standard methodologies. The format of a TDM plan, as well as the methodology employed to calculate commute mode shift, shall be subject to review and approval by the City Planner.

Projects shall initiate monitoring of the employee commute mode share through employee surveys within six months of reaching 75 percent occupancy or within 12 months of initial occupancy, whichever occurs first. TDM plans shall be implemented within 12 months of full occupancy. The minimum 20 percent alternative employee commute mode share shall

be documented within three (3) years of project completion (i.e., issuance of final building permits or certificates of occupancy). Should the minimum alternative employee commute mode share not be achieved within three (3) years, the TDM plan shall be revised within six months to introduce additional and/or modified TDM measures. Projects that do not achieve the minimum alternative employee commute mode share within three (3) years of completion shall report commute mode share information to the City on an annual basis. Projects that achieve the minimum 20 percent alternative employee commute mode share shall report employee commute mode share information to the City every three (3) years.

Exhibit B

(ZA20-00006/LCPA20-00006)

Article 10, Section 1050 (NN): See Section 3050 Transportation Demand Management (TDM)

Article 10C, Section 1050 (II): See Section 3050 Transportation Demand Management (TDM)

Article 11, Section 1130 (BB): See Section 3050 Transportation Demand Management (TDM)

Article 11C, Section 1140 (V): See Section 3050 Transportation Demand Management (TDM)

Article 12, Section 1232 (PP): See Section 3050 Transportation Demand Management (TDM)

Article 13, Section 1330 (T): See Section 3050 Transportation Demand Management (TDM)

Article 13C, Section 1340 (X): See Section 3050 Transportation Demand Management (TDM)

Article 14, Section 1430 (10): See Section 3050 Transportation Demand Management (TDM)

1 WHEREAS, the CAP includes a CAP Consistency Checklist intended to streamline the
2 environmental review process for new development that implements specific GHG emissions
3 reduction features; and

4 WHEREAS, the CAP Consistency Checklist includes a requirement that projects that
5 include more than 50 surface parking spaces incorporate renewable energy facilities capable of
6 offsetting at least 50 percent of forecasted electricity demand; and

7 WHEREAS, this and other requirements for new development must be codified in the
8 City's Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

10 SECTION 1. Oceanside Zoning Ordinance Section 30 is amended to incorporate
11 Subsection 3047 to establish requirements for new development projects to incorporate
12 renewable energy facilities and solar-ready requirements, as specified in Exhibit A.

13 SECTION 2. Oceanside Zoning Ordinance Sections 10, 10C, 11, 11C, 12, 13, 13C, and
14 14 are amended to incorporate references to Zoning Ordinance Section 3047, as specified in
15 Exhibit B.

16 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
17 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
18 days after its passage in a newspaper of general circulation published in the City of Oceanside.

19 SECTION 4. For properties within the Coastal Zone, this ordinance shall be effective
20 upon certification of Local Coastal Plan Amendment (LCPA20-00003) by the California
21 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
22 effective thirty days after its adoption. Development proposals which are "deemed complete"
23 prior to the effective date of this ordinance shall not be subject to the amended zoning
24 regulations unless new project applications are refiled subsequent to the effective date of the
25 ordinance.

26 SECTION 4. Severability.

27 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
28 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision

1 shall not affect the validity of the remaining portions of this Ordinance. The City Council
2 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
3 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
4 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

5 SECTION 6. Statute of limitations. The time period to seek judicial review of the
6 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

7 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
8 California, held on the 5th day of August, 2020, and, thereafter,

9 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
10 Oceanside California, held on the ____ day of _____, 2020, by the following vote:

11 AYES:

12 NAYS:

13 ABSENT:

14 ABSTAIN:

15
16 MAYOR OF THE CITY OF OCEANSIDE

17
18 ATTEST:

19 APPROVED AS TO FORM:

20 _____
21 CITY CLERK

22 
23 _____
24 CITY ATTORNEY

Exhibit A

Section 3047 Renewable Energy Facilities

Certain types of new development shall install and maintain renewable energy facilities (e.g. solar photovoltaic systems). Additions to existing development meeting the threshold established in Subsection B shall render such development “solar ready” per the current versions of the California Energy Code and California Green Building Standards Code. In the event that state requirements for renewable energy facilities and solar ready design exceed those outlined in this section, state requirements shall prevail.

- A. As specified below, the following types of development shall install and maintain renewable energy facilities that supply at least 50 percent of forecasted electricity demand:
- Residential projects that include 25 or more units
 - Industrial projects larger than 25,000 square feet
 - Commercial and institutional projects larger than 12,500 square feet
 - Mixed-use development (consisting of residential and commercial uses) larger than 12,500 square feet
 - In the event that installing a renewable energy facility is not feasible, applicants can purchase an energy portfolio comprising at least 75% renewable, emissions-free energy.
- B. Additions to all existing development over 1,500 square feet shall be rendered “solar ready,” as defined above.

Exhibit B

(ZA20-00003/LCPA20-00003)

Article 10, Section 1050 (KK): See Section 3047 Renewable Energy Facilities

Article 10C, Section 1050 (FF): See Section 3047 Renewable Energy Facilities

Article 11, Section 1130 (Y): See Section 3047 Renewable Energy Facilities

Article 11C, Section 1140 (S): See Section 3047 Renewable Energy Facilities

Article 12, Section 1232 (MM): See Section 3047 Renewable Energy Facilities

Article 13, Section 1330 (P): See Section 3047 Renewable Energy Facilities

Article 13C, Section 1340 (U): See Section 3047 Renewable Energy Facilities

Article 14, Section 1430 (7): See Section 3047 Renewable Energy Facilities

ORDINANCE NO. _____

An ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ARTICLES 10, 10C, 11, 11C, 12, 13, 13C, 14 AND 30 TO INCLUDE URBAN FORESTRY REQUIREMENTS (ZONING TEXT AMENDMENT ZA20-00005)

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) concludes that human influence on the global climate system is certain, with anthropogenic emissions of greenhouse gases (GHGs) contributing to rising surface air temperatures and subsurface ocean temperatures; and

WHEREAS, there is substantial scientific evidence that warming global temperatures induced by human activities are responsible for rising sea levels, increasing ocean acidification, increasing wildfire risk, prolonged droughts, more frequent and intense storm events, and more extreme heat days; and

WHEREAS, with the adoption of Assembly Bill 32 (The Global Warming Solutions Act of 2006), the State of California has committed to substantially reducing GHG emissions through a variety of means, including energy efficiency, renewable energy, containment of urban sprawl, expansion of the zero-emission vehicle fleet, water conservation, solid waste management, and the sequestration of atmospheric carbon in plant material and soils; and

WHEREAS, California's 2017 Climate Change Scoping Plan, a five-year assessment of statewide GHG emissions reduction efforts required by Assembly Bill 32, establishes that local GHG emissions reduction efforts are critical to achieving the State's climate stabilization goals; and

WHEREAS, the California Environmental Quality Act (CEQA) enables cities and other lead agencies to address the cumulative GHG emissions impacts of new development through comprehensive plans that outline GHG emissions reduction measures (e.g., Climate Action Plans); and

WHEREAS, on May 9, 2019, the City Council adopted the City's first Climate Action Plan (CAP), which establishes local GHG emissions reduction targets and outlines a wide range of measures designed to achieve these targets; and

1 WHEREAS, the CAP includes a CAP Consistency Checklist intended to streamline the
2 environmental review process for new development that implements specific GHG emissions
3 reduction features; and

4 WHEREAS, the CAP Consistency Checklist includes a requirement that all development
5 requiring discretionary review must provide a minimum percentage of tree canopy and permeable
6 surface area based on project site area; and

7 WHEREAS, this and other requirements for new development must be codified in the
8 City's Zoning Ordinance prior to the implementation of the CAP Consistency Checklist.

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

10 SECTION 1. Oceanside Zoning Ordinance Section 30 is amended to incorporate
11 Subsection 3049 to establish standards for urban forestry program (UFP) plans for projects
12 subject to the entitlement review process, as specified in Exhibit A.

13 SECTION 2. Oceanside Zoning Ordinance Sections 10, 10C, 11, 11C, 12, 13, 13C, and
14 14 are amended to incorporate references to Zoning Ordinance Section 3049, as specified in
15 Exhibit B.

16 SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this
17 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
18 days after its passage in a newspaper of general circulation published in the City of Oceanside.

19 SECTION 4. For properties within the Coastal Zone, this ordinance shall be effective
20 upon certification of Local Coastal Plan Amendment (LCPA20-00005) by the California
21 Coastal Commission. For properties outside of the Coastal Zone, this ordinance shall be
22 effective thirty days after its adoption. Development proposals which are "deemed complete"
23 prior to the effective date of this ordinance shall not be subject to the amended zoning
24 regulations unless new project applications are refiled subsequent to the effective date of the
25 ordinance.

26 SECTION 5. Severability.

27 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
28 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision

1 shall not affect the validity of the remaining portions of this Ordinance. The City Council
2 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
3 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
4 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

5 SECTION 6. Statute of limitations. The time period to seek judicial review of the
6 adoption of this ordinance is set forth in Government Code section 65009(c)(1)(B).

7 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
8 California, held on the 5th day of August, 2020, and, thereafter,

9 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
10 Oceanside California, held on the ____ day of _____, 2020, by the following vote:

11 AYES:

12 NAYS:

13 ABSENT:

14 ABSTAIN:

15
16 MAYOR OF THE CITY OF OCEANSIDE

17
18 ATTEST:

19 APPROVED AS TO FORM:

20 _____
21 CITY CLERK

22 
23 _____
24 CITY ATTORNEY

Exhibit A

Section 3049 Urban Forestry Program

All new development that requires administrative or discretionary review shall comply with the urban forestry standards outlined in Table 1.

Table 1
Minimum Tree Canopy and Permeable Surface Area Requirements

Project Site Area	Minimum Tree Canopy Area	Minimum Permeable Surface Area
1 acre or more	12%	22%
1/3 acre to 1 acre	9%	16%
Less than 1/3 acre	7%	10%

Permeable surfaces should allow water to pass through it, with pores or openings, and may include gravel, pervious concrete, porous asphalt, paving stone, or similar materials.

Tree canopy area shall be measured using the projected maximum growth of selected tree species, based on planting location.

Projects must also provide a Landscape and Tree Canopy Management Plan (LTCMP). The LTCMP shall include information regarding regular, seasonal, and emergency maintenance, trash abatement, irrigation, tree/plant care, tree replacement, insect and disease infestation prevention, integrated pest management, and appropriate response process etc. Projects that do not maintain landscape in a manner consistent with the approved LTCMP shall be subject to code enforcement action.

In the event a project site cannot feasibly accommodate the minimum permeable surface area required, additional tree canopy, in excess of the minimum requirement, can be credited to meet the minimum permeable surface area requirement.

In the event a project site cannot feasibly accommodate the minimum tree canopy area, the project may plant in the public right-of-way (e.g., parkway) adjacent to the project site or on an alternative site within the City, as approved by the Director of the Public Works Department. Should the City establish a Tree Fund or similar in-lieu fee program, projects that cannot meet minimum requirements may contribute to said program as an alternative means of compliance.

Exhibit B

(ZA20-00005/LCPA20-00005)

Article 10, Section 1050 (MM): See Section 3049 Urban Forestry Program

Article 10C, Section 1050 (MM): See Section 3049 Urban Forestry Program

Article 11, Section 1130 (AA): See Section 3049 Urban Forestry Program

Article 11C, Section 1140 (X): See Section 3049 Urban Forestry Program

Article 12, Section 1232 (PP): See Section 3049 Urban Forestry Program

Article 13, Section 1330 (R): See Section 3049 Urban Forestry Program

Article 13C, Section 1340 (W): See Section 3049 Urban Forestry Program

Article 14, Section 1430 (9): See Section 3049 Urban Forestry Program

1 WHEREAS, the City Council finds that the Local Coastal Program Amendment
2 (LCPA20-00006) conforms with and is adequate to carry out the land use plan of the Local
3 Coastal Program.


4 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
5 RESOLVE as follows:

- 6 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
7 certifies that the Local Coastal Program Amendment (LCPA20-00001) is intended to be
8 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
9 hereby adopted.
- 10 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
11 thereto amended to date, a Notice of Exemption has been issued for the project by the
12 Resource Officer for the City of Oceanside.
- 13 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
14 amendment shall take effect upon Coastal Commission approval.
- 15 4. Notice is hereby given that the time within which judicial review must be sought on the
16 decision is governed by Public Resources Code §30801.

17 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
18 2020, by the following vote:

- 19 AYES:
- 20 NAYS:
- 21 ABSENT:
- 22 ABSTAIN:

23 _____
24 Mayor of the City of Oceanside

25 APPROVED AS TO FORM:
26 
27 _____
28 City Attorney

ATTEST:

City Clerk

1 WHEREAS, the City Council finds that the Local Coastal Program Amendment
2 (LCPA20-00005) conforms with and is adequate to carry out the land use plan of the Local
3 Coastal Program.

4 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
5 RESOLVE as follows:
6

- 7 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
8 certifies that the Local Coastal Program Amendment (LCPA20-00001) is intended to be
9 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
10 hereby adopted.
- 11 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
12 thereto amended to date, a Notice of Exemption has been issued for the project by the
13 Resource Officer for the City of Oceanside.
- 14 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
15 amendment shall take effect upon Coastal Commission approval.
- 16 4. Notice is hereby given that the time within which judicial review must be sought on the
17 decision is governed by Public Resources Code §30801.

18 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
19 2020, by the following vote:

20 AYES:

21 NAYS:

22 ABSENT:

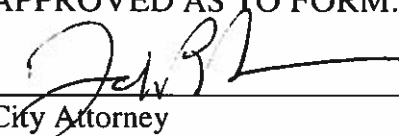
23 ABSTAIN:
24

25 _____
26 Mayor of the City of Oceanside

27 ATTEST:

28 APPROVED AS TO FORM:

City Clerk



City Attorney

1 State Guidelines thereto amended to date and is hereby approved by the City Council in
2 conjunction with its recommendations on the application; and

3 WHEREAS, the City Council finds that the Local Coastal Program Amendment
4 (LCPA20-00004) conforms with and is adequate to carry out the land use plan of the Local
5 Coastal Program.

6 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
7 RESOLVE as follows:

- 8
- 9 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
10 certifies that the Local Coastal Program Amendment (LCPA20-00004) is intended to be
11 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
12 hereby adopted.
 - 13 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
14 thereto amended to date, a Notice of Exemption has been issued for the project by the
15 Resource Officer for the City of Oceanside.
 - 16 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
17 amendment shall take effect upon Coastal Commission approval.
 - 18 4. Notice is hereby given that the time within which judicial review must be sought on the
19 decision is governed by Public Resources Code §30801.

20 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
21 2020, by the following vote:

22 AYES:

23 NAYS:

24 ABSENT:

25 ABSTAIN:

26
27
28 ATTEST:

City Clerk

Mayor of the City of Oceanside

APPROVED AS TO FORM:



City Attorney

1 WHEREAS, the City Council finds that the Local Coastal Program Amendment
2 (LCPA20-00003) conforms with and is adequate to carry out the land use plan of the Local
3 Coastal Program.

4 NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES
5 RESOLVE as follows:

- 6
- 7 1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby
8 certifies that the Local Coastal Program Amendment (LCPA20-00003) is intended to be
9 carried out in a manner fully in conformity with the Coastal Act and said LCPA is
10 hereby adopted.
 - 11 2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines
12 thereto amended to date, a Notice of Exemption has been issued for the project by the
13 Resource Officer for the City of Oceanside.
 - 14 3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this
15 amendment shall take effect upon Coastal Commission approval.
 - 16 4. Notice is hereby given that the time within which judicial review must be sought on the
17 decision is governed by Public Resources Code §30801.

18 PASSED AND ADOPTED by the Oceanside City Council on this 5th day of August,
19 2020, by the following vote:

20 AYES:

21 NAYS:

22 ABSENT:

23 ABSTAIN:

24
25 _____
26 Mayor of the City of Oceanside

27 ATTEST:

27 APPROVED AS TO FORM:

28 _____
City Clerk

City Attorney



DATE: May 18, 2020

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **ZONING TEXT AMENDMENTS (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) AND LOCAL COASTAL PROGRAM AMENDMENT (LCPA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) ESTABLISHING STANDARDS FOR RENEWABLE ENERGY FACILITIES, ELECTRIC VEHICLE CHARGING FACILITIES, URBAN FORESTRY, AND TRANSPORTATION DEMAND MANAGEMENT (TDM) AND ESTABLISHING THE AMENDED TEXT OF ZONING ORDINANCE ARTICLES 10C, 11C, 12, 13C, 30, AND 31 AS PART OF THE LOCAL COASTAL PROGRAM – APPLICANT: CITY OF OCEANSIDE**

RECOMMENDATION

The Planning Division recommends that the Planning Commission recommend City Council adoption of Zoning Text Amendments (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) and Local Coastal Program Amendment (LCPA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) establishing standards for renewable energy facilities, electric vehicle charging facilities, urban forestry, and transportation demand management (TDM) and establishing the amended text of Zoning Ordinance Articles 10C, 11C, 12, 13C, 30, and 31 as part of the Local Coastal Program by:

- (1) Adopting Planning Commission Resolution No. 2020-P16 recommending City Council approval of Zoning Text Amendments (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) and Local Coastal Program Amendment (LCPA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) with findings of approval attached herein (Attachment 1).

BACKGROUND

Assembled by the United Nations to inform policymakers on climate change and its potential impacts, the Intergovernmental Panel on Climate Change (IPCC) concludes that there is unequivocal scientific evidence of human-induced warming of the global climate system.¹ The IPCC further concludes that impacts on natural and human systems from

¹ International Panel on Climate Change, Climate Change Synthesis Report: Summary for Policymakers (2014).

global warming have already occurred, and that many land and ocean ecosystems, and some of the services these ecosystems provide, have already changed due to global warming. The IPCC states that future climate-related risks will increase significantly if global warming exceeds 1.5°C, at which point some impacts may be irreversible (e.g., the wholesale loss of some ecosystems).²

California's Fourth Climate Assessment (2018) finds that, due to climate change, the state could experience the following impacts by 2100:

- The average annual maximum daily temperature could increase by 5.6 to 8.1 degrees Fahrenheit;
- Water supply from snowpack could decline by as much as two-thirds from present levels;
- The average area burned by wildfires each year could increase by 77 percent and bring about an 18 percent increase in fire insurance costs;
- Between 31 and 67 percent of the state's beaches could completely erode without large-scale human interventions; and
- Heat waves in urban areas could result in two to three times more heat-related deaths, while further stressing the state's electrical grid.

The Climate Assessment notes that the extent of future impacts will likely correlate with global GHG emissions levels.

In 2016, the state legislature adopted Senate Bill 32, which establishes a 2030 statewide GHG emissions reduction target of 40 percent below 1990 emissions. Guided by this legislation, the 2017 California Climate Change Scope Plan outlines a broad strategy to achieve the state's emissions reduction target. Noting that local emissions reduction efforts "complement statewide measures and are critical to supporting the State's efforts to reduce emissions," the Scoping Plan encourages local jurisdictions to leverage their land use authority and other tools to motivate residents and businesses to reduce their reliance on fossil fuel and embrace more sustainable practices.

On May 9, 2019, the City Council adopted a Climate Action Plan (CAP) in conjunction with the first phase of a comprehensive General Plan Update. The CAP promulgates greenhouse gas (GHG) emissions reduction measures intended to reduce local GHG emissions in a manner consistent with state emissions reduction goals. Some of these measures call upon the City to establish new zoning standards for certain types of new development. Designed to ensure that new development does not result in significant cumulative impacts on GHG emissions, these new zoning standards address renewable energy, electric vehicle charging facilities, urban forestry, and transportation demand management (TDM).

A key component of the CAP is the CAP Consistency Checklist for new development, which ensures implementation of key emissions reduction measures while streamlining the analysis of GHG emissions impacts. Proposals that conform to the Checklist will not be

² International Panel on Climate Change, Special Report: Global Warming of 1.5 °C (2018).

required to prepare detailed GHG emissions analysis as part of the environmental review process. Appended to this staff report as Attachment 3, the Checklist will be effectuated by the adoption of the proposed zoning text amendments on renewable energy, electric vehicle charging facilities, urban forestry, and TDM.

PROJECT DESCRIPTION

Appended to this staff report as Attachment 5, Table 18 of the CAP lists a wide range of actions the City will implement to achieve local GHG emissions reduction consistent with state emissions reduction targets. These actions are organized into the following five categories: land use and transportation, building energy, water and wastewater, solid waste, and urban forestry and agriculture. Some of these actions are local government initiatives (e.g., Water Conservation Master Plan, Zero Waste Strategic Management Plan, street tree planting efforts). Others involve outreach, education, and voluntary efforts (e.g., energy and water use disclosure and benchmarking, community gardens, pilot carbon farming program). To mitigate the potential GHG emissions impacts of population, housing, and employment growth, a limited number of actions involve mandates on new development. These actions include zoning text amendments that establish standards for renewable energy, electric vehicle parking and charging facilities, urban forestry (tree canopy and permeable surface area), and transportation demand management (TDM).

Renewable Energy Facilities

CAP Measure E2 calls upon the City to require that certain types of new development implement on-site renewable energy generation to supply at least 50 percent of estimated electricity demand. Under the proposed ordinance the following new developments will be subject to this requirement, as follows:

- Residential projects involving 25 or more dwelling units;
- Commercial development involving at least 12,500 square feet of gross floor area;
- Industrial development involving at least 25,000 square feet of gross floor area;
- Institutional development involving at least 12,500 square feet of gross floor area; and
- Residential and non-residential development involving at least 1,500 square feet of new floor area be required to render modified buildings “solar ready” (e.g., capable of accommodating future solar photovoltaic facilities).

At present, solar photovoltaic facilities are the most efficient and cost-effective way to meet this requirement. Wind energy generation facilities may be another viable option for applicants, when scaled, designed, and located to avoid significant aesthetic impacts.

The draft ordinance includes a waiver process for property owners for whom such improvements are deemed infeasible. In determining the feasibility of rendering a building “solar ready,” staff will consider a number of factors, including the cost of “solar ready” improvements relative to the overall cost of the project.

Electric Vehicle (EV) Charging Facilities

CAP Measure TL2 calls upon the City to require that certain types of new development 1) reserve parking spaces for electric vehicles and 2) install EV charging facilities to serve a minimum percentage of these reserved parking spaces. The following tables illustrate how these standards would apply to both residential and non-residential projects:

**TABLE 1
Required EV Parking Spaces and EV Charging
Stations for Multifamily Residential Development**

Total Required Parking Spaces	Required Minimum EV Spaces	Required Minimum EV Charging Stations
5-9	1	1
10-19	2	1
20-29	3	2
30-46	4-6	2
47-79	7-11	3
80-106	12-15	5
107-153	16-22	6
154-200	23-3	9
201+	15% of total spaces	50% of required EV spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

**TABLE 2
Required EV Parking Spaces and EV
Charging Stations for Non-Residential Development**

Total Required Parking Spaces	Required Minimum EV Spaces	Required Minimum EV Charging Stations
5-9	1	1
10-25	2	1
26-50	4	2
51-75	6	3
76-100	9	5
101-150	12	6
151-200	17	9
201+	15% of total spaces	50% of required EV spaces

*The minimum number of required EV parking spaces and charging facilities shall be rounded down to the next whole number.

The California Energy Code includes minimum requirements for EV reserved parking spaces and charging facilities in new development. The standards outlined above are slightly more exacting than current state standards, in that they establish a lower threshold of applicability, require more EV reserved parking spaces, and require charging facilities in instances where state code requires only charger-ready infrastructure.

Urban Forestry

Through the sequestration of atmospheric carbon (i.e., the conversion of carbon dioxide into plant material and oxygen), trees and other flora play an important role in mitigating the impact of climate change. To enhance sequestration of atmospheric carbon, CAP Measure AF1 calls for the City to establish minimum standards for tree canopy and permeable surface area in conjunction with new development. These standards complement existing landscaping requirements, which focus on aesthetic considerations.

The following table outlines the minimum tree canopy and permeable surface area that new development must implement. These requirements are expressed as percentages of total lot area.

**TABLE 3
Required Minimum Tree Canopy and Permeable Surface Area**

Project Site Area	Minimum Tree Canopy Area	Minimum Permeable Surface Area
Less than 1/3 acre	7%	10%
Between 1/3 and 1 acre	9%	16%
1 acre or more	12%	22%

Applicants can comply with these standards in a variety of ways. Where it is infeasible to achieve the minimum required tree canopy on the project site, applicants can utilize adjacent public parkway, plant trees elsewhere in the City (subject to approval by the Public Works Director), or contribute to a tree fund or similar in-lieu fee program, should the City decide to create one.

Applicants would be at liberty to choose virtually any tree species to meet the tree canopy requirement, with an understanding that different trees have different canopy dimensions and thus the smaller the individual tree canopy, the more trees needed to meet the requirement. While a recommended tree list has been prepared, applicants can propose other tree species, as long as they can demonstrate that these species can achieve the minimum required tree canopy.

To ensure the long-term viability of trees and other landscape, applicants would be required to prepare and implement a Landscape and Tree Canopy Management Plan (LTCMP).

These requirements have been informed by extensive research on viable tree species, tree planting and maintenance guidelines, sequestration rates, tree canopy requirements in other jurisdictions, and tree canopy percentages associated with recently proposed and implemented projects in the City. These requirements have also been considered in light of current minimum landscape standards, which generally require that 10 to 15 percent of non-residential sites accommodate landscape and that at least 50 percent of residential

front yard areas be landscaped. At present, zoning standards do not specify a minimum tree canopy.

Transportation Demand Management (TDM)

As noted above, GHG emissions from private vehicle transportation contribute significantly to the City’s carbon footprint. A significant percentage of private vehicle trips involve commuting to and from the workplace. Through transportation demand management (TDM) programs, employers can encourage their employees to choose alternatives to combustion engine single-occupancy vehicle (SOV) commuting. TDM measures include rideshare incentives, transit passes, shuttle service to and from transit stations, parking cash-out programs, telework, and locker rooms, showers, and other amenities for employees who choose to walk or bicycle to work.

CAP Measure TL5 calls upon the City to develop TDM standards for new non-residential development and expansions of existing non-residential development that generate a minimum of 100 daily employee trips. Such projects are expected to reduce combustion engine SOV commute trips by at least 10 percent from a business-as-usual scenario.

In response to public input, information regarding the current percentage of workers in the San Diego region who commute by means other than combustion engine SOVs, and the fact that the City will see only a small number of new development projects that individually generate more than 100 daily employee commute trips, staff has prepared an ordinance that applies the following TDM requirements for new projects:

Project Employee Commute Trips	Alternative Employee Commute Trips
50 or More Daily	20 % Minimum

While some local jurisdictions require that businesses implement specific TDM measures, staff has crafted an ordinance that allows developers and business owners to choose measures best suited to their operations, employees, location, etc. To identify practical and effective TDM measures, employers can work with a qualified transportation consultant or utilize off-the-shelf resources like SANDAG’s Mobility Management Toolbox. Selected measures will be assembled in a TDM plan that outlines how these measures will be implemented, monitored, and modified as appropriate. To assist applicants with the preparation of TDM plans, staff is currently preparing an optional TDM Plan Template.

ANALYSIS

CAP Consistency Checklist

The California Environmental Quality Act (CEQA) establishes that local jurisdictions must evaluate the significance of GHG emissions generated by proposed projects. More specifically, local jurisdictions must consider how project-specific emissions will impact climate change, taking into account local conditions, state regulations, and evolving scientific information. CEQA Guidelines Section 15183.5 authorizes local jurisdictions to analyze and mitigate GHG emissions at a programmatic level, through “a separate plan to reduce greenhouse gas emissions.” The City followed this guidance by adopting a legally-

enforceable, "CEQA-qualified" CAP (i.e., one supported by an Environmental Impact Report) and incorporating a CAP Consistency Checklist that allows the City to waive project-specific GHG emissions analysis for projects that comply with specific requirements.

Appended to this staff report as Attachment 3, the CAP Consistency Checklist outlines the criteria that projects must meet in order to be exempted from project-specific GHG emissions assessment. These criteria include conformance to the above-noted requirements for renewable energy facilities, EV parking and charging facilities, urban forestry, and TDM, as well as the following:

- Locational requirements (one or more of the following)
 - Consistency with current land use and zoning designations
 - Sited within a Smart Growth Opportunity Area
 - Sited within a quarter-mile of a priority TOD corridor
 - If not consistent with current land use and zoning designations, generating less GHG emissions than currently permitted land uses
- Installation of recycled water facilities (as required by the Water Utilities Dept.)

Staff is recommending additional Checklist criteria that would apply to projects not located in an SGOA or priority TOD corridor. These criteria include:

- Participation in the City's Food Scraps Recycling Program (as applicable)
- Participation in SDG&E's Comprehensive Audit Program or Facility Assessment Service Program
- Reduction of estimated vehicle miles traveled (VMT) by at least 15 percent below the regional average

These criteria are highlighted in yellow on the Checklist, indicating they are not identified in the current iteration of the CAP.

In addition to ensuring that new development is designed to mitigate significant GHG emissions impacts, the Checklist is also intended to encourage infill and redevelopment within already urbanized areas (i.e., smart growth), consistent with policies in the recently-adopted Economic Development Element and Energy and Climate Action Element.

It is important to note that regardless of whether or not an applicant chooses to utilize the Checklist, a project may still be subject to some or all of the requirements outlined in the Checklist (including those pertaining to renewable energy facilities, EV parking and charging facilities, urban forestry, and TDM).

Renewable Energy Facilities

The recently-adopted Energy and Climate Action Element (ECAE) establishes the goal of significantly reducing the City's reliance on fossil fuel. One of the ECAE policies supportive of this goal calls upon the City to "require that new development supply a portion of its energy demand through renewable sources, to the extent practical and financially feasible."

As part of the state-level effort to achieve "zero net energy," the California Energy Code (CEC) requires that all new single-family development and certain types of multifamily development include solar PV facilities that supply 100 percent of estimated electrical energy demand. Currently, CEC standards apply to multifamily development up to three stories in height. The proposed standards would apply to multifamily development over three stories in height, as well as non-residential development meeting the square footage thresholds outlined earlier in this staff report.

Research into the cost of solar PV installation indicates that in most cases solar facilities begin to provide a positive return on investment within eight years. Staff intends to conduct additional research on initial costs, financing options, the longevity of solar facilities, and the benefits of pairing solar PV facilities with energy storage and electric vehicles.

The expansion of solar PV facilities can enhance the City's energy independence and security by reducing reliance on the regional power grid and providing "distributed" energy supply options for a future Community Choice Aggregation (CCA).

Electric Vehicle (EV) Charging Facilities

As determined by a recent GHG emissions inventory prepared under SANDAG's ReCAP program, GHG emissions from private vehicle transportation account for nearly 50 percent of the City's total emissions. To encourage emissions reduction in the transportation sector, the ECAE establishes the goal of increasing the percentage of zero-emission vehicles (ZEVs) in the community-wide vehicle fleet to at least 20 percent by 2035. Achieving this goal will require significant expansion of EV charging facilities.

The average cost for a Level 2 charging station is roughly \$1,200 (including installation). The proximity of an electrical power source is a key cost variable. Charging facilities can be pay-for-service, so they can provide applicants with a return on investment. In non-residential settings, the installation and maintenance of charging stations can be funded by third parties (e.g., Electrify America) who enter into revenue sharing agreements with property owners.

It is anticipated that the provision of electric vehicle charging facilities will help to drive traffic to commercial venues and enhance the value and marketability of both for-sale and rental housing units.

Urban Forestry

The (ECAE) establishes a goal of achieving a citywide tree canopy of at least 25 percent by 2035. At present, the City's tree canopy is approximately 15 percent. One of the ECAE policies supportive of this goal calls upon the City to "encourage new development to incorporate shade trees, to the extent practical and financially feasible."

In addition to contributing to carbon sequestration, trees and other forms of landscape provide a number of additional benefits. As noted on the urban forestry brochure appended to this staff report as Attachment 4, trees can improve air quality, reduce urban

heat island effects, reduce energy costs, retain and filter stormwater, improve visual quality, enhance walkability. Well-maintained trees have also been shown to increase property values. Expanding the urban forest in Oceanside is expected to create a more attractive, healthy, and invigorating environment that enhances the image of the City and draws visitors, businesses, and an array of community events.

Transportation Demand Management (TDM)

The proposed TDM standards support a number of ECAE goals and policies, particularly those related to the expansion of mobility options for Oceanside residents, workers, and visitors (e.g., achieving a minimum 10 percent transit commute mode share by 2035).

In addition to reducing transportation-related GHG emissions, TDM can help to reduce traffic congestion (and thereby the need for an expanded roadway network), reduce transportation costs, improve public health and safety, enhance worker productivity, and encourage innovation. If TDM were broadly implemented in Oceanside, the City could see significant reduction in peak hour traffic volumes and associated traffic delay. Moreover, the City could see reduced roadway maintenance costs and more revenue for alternative transportation infrastructure.

According to a survey published by the San Diego Association of Governments (SANDAG) in July 2018, approximately 13 percent of workers in the region commute by alternative means (i.e., other than combustion engine single-occupancy vehicle trips). The survey does not account for telework or zero-emission vehicles, which are two TDM options available to applicants under the proposed TDM standards. Given current commute mode share in the region and the options available to applicants to reduce combustion engine SOV trips, staff finds the proposed 20 percent minimum alternative commute mode share to be practical and financially feasible.

Given that thousands of existing businesses in the City are not subject to the proposed TDM requirements, the Planning Division is exploring ways to encourage existing businesses to voluntarily pursue TDM. Possible incentives include reduce parking requirements, membership in the City's Green Business Network, and resources provided by SANDAG's iCommute program. To better understand the current commuting choices of the City's workforce, the Planning Division and Economic Development Division will be surveying local businesses. Staff is hopeful that this survey effort will help to open up a dialogue with local businesses on the benefits of TDM.

Public Outreach

On March 3, 2020, the Planning Division hosted a public open house to solicit public input on the Checklist and implementing ordinances. A majority of attendees expressed support for more ambitious requirements. A summary of public input received at the open house is appended to this staff report as Attachment 7. Also appended to this staff report as Attachments 8 and 9, respectively, are letters from the Sierra Club and the Oceanside Pedestrian and Bicycle Committee.

ENVIRONMENTAL DETERMINATION

The Planning Division has evaluated the proposed project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. The proposed project implements components of the City's Climate Action Plan, the potential environmental impacts of which were addressed in a Program Environmental Impact Report (PEIR) certified by the City Council on May 9, 2019. Per CEQA Guidelines Section 15168 (Program EIR), because the proposed project lies within the scope of the City's Climate Action Plan, no further environmental review is required.

SUMMARY

The Planning Division recommends that the Planning Commission recommend City Council adoption of Zoning Text Amendments (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) and Local Coastal Program Amendment (LCPA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) establishing standards for renewable energy facilities, electric vehicle charging facilities, urban forestry, and transportation demand management (TDM) and establishing the amended text of Zoning Ordinance Articles 10C, 11C, 12, 13C, 30, and 31 as part of the Local Coastal Program by:

- (2) Adopting Planning Commission Resolution No. 2020-P16 recommending City Council approval of Zoning Text Amendments (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) and Local Coastal Program Amendment (LCPA20-00003/ZA20-00004/ZA20-00005/ZA20-00006) with findings of approval attached herein (Attachment 1).

PREPARED BY:



Russ Cunningham
Principal Planner

SUBMITTED BY:



Jeff Hunt
City Planner

JF/RC/fil

Attachments:

1. Planning Commission Resolution No. 2020-P16
2. City Council Ordinances and Resolutions (with ZA Exhibits)
3. Draft CAP Consistency Checklist
4. Ordinance Brochures
5. Table 18 of the Climate Action Plan
6. Tree Canopy Handout
7. Summary of Public Input (Open House 3/3/20)
8. Correspondence from the Sierra Club
9. Correspondence from the Oceanside Pedestrian and Bicycle Committee

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**PLANNING COMMISSION
RESOLUTION NO. 2020-P16**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF ZONING TEXT AMENDMENTS AND LOCAL COASTAL PROGRAM AMENDMENTS TO AMEND ARTICLES 10, 10C, 11, 11C, 12, 13, 13C, 14, 30, AND 31 OF THE ZONING ORDINANCE, AND ESTABLISH THE AMENDED TEXT AS PART OF THE IMPLEMENTING DOCUMENT OF THE LOCAL COASTAL PROGRAM

APPLICATION NO: ZA20-00003/ZA20-00004/ZA20-00005/ZA20-00006 & LCPA20-00003/
LCPA20-00004/LCPA20-00005/LCPA20-00006
APPLICANT: City of Oceanside
LOCATION: Citywide

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

WHEREAS, the International Panel on Climate Change (IPCC) has established that the planet is already experiencing the consequences of 1°C of human-induced global warming through more extreme weather, rising sea levels and diminishing Arctic sea ice, and other changes;

WHEREAS, on September 27, 2006, the State of California enacted AB 32, the Global Warming Solutions Act, to establish greenhouse gas (GHG) emissions targets for the state; and

WHEREAS, the California Environmental Quality Act (CEQA) requires the lead agencies address the effects of GHG emissions on climate change as part of the development review process; and

WHEREAS, CEQA authorizes lead agencies to address GHG emissions at a programmatic level through GHG reduction plans, and, in turn, allows for streamlined environmental review of projects consistent with such plans; and

WHEREAS, on May 9, 2019, the City Council adopted a Climate Action Plan that outlines GHG emissions reduction measures intended to reduce local GHG emissions in a manner consistent with state emissions reduction targets; and

WHEREAS, these measures include requirements for renewable energy facilities, electric vehicle parking and charging facilities, urban forestry, and transportation demand management (TDM); and

1 WHEREAS, implementation of said requirements is necessary to effectuate the Climate
2 Action Plan Consistency Checklist, which ensures that the GHG emissions impacts of new
3 development are sufficiently mitigated, while streamlining the CEQA review process for projects
4 that comply with the Checklist; and

5 WHEREAS, the City's Local Coastal Program includes a Land Use Plan (LUP) and an
6 Implementation Program (IP) inclusive of zoning ordinances;

7 WHEREAS, amendments to Articles 10, 10C, 11, 11C, 12, 13, 13C, 14, 30, and 31 of the
8 Zoning Ordinance are necessary to implement said requirements for renewable energy facilities,
9 electric vehicle parking and charging facilities, urban forestry, and transportation demand
10 management (TDM); and

11 WHEREAS, the introduction of said amendments as part of the Implementation Program
12 (IP) is necessary to implement said requirements in the City's Local Coastal Program; and

13 WHEREAS, there was filed with this Commission a verified petition on the forms
14 prescribed by the Commission requesting a Zone Amendment and Local Coastal Program
15 Amendment, under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside
16 to permit the following:

17 Zoning Ordinance text amendments as shown in the attached Exhibits; and

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 18th day
19 of May, 2020 conduct a duly advertised public hearing as prescribed by law to consider said
20 application; and

21 WHEREAS, the City's Planning Division has evaluated the proposed project in
22 accordance with CEQA and determined that the project implements components of the City's
23 Climate Action Plan, the potential environmental impacts of which were addressed in a Program
24 Environmental Impact Report (PEIR) certified by the City Council on May 9, 2019; and

25 WHEREAS, per CEQA Guidelines Section 15168 (Program EIR), because the proposed
26 project lies within the scope of the City's Climate Action Plan, no further environmental review is
27 required; and

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

30 ////////

31 ////////

1 **FINDINGS:**

- 2 1. The Zoning Text Amendments as proposed, conforms to the General Plan of the City, in
3 that these amendments support numerous goals and policies of the Energy and Climate
4 Action Element (ECAE) that promote sustainability through renewable energy, reduced
5 reliance on combustion engine vehicles, and expansion of the urban forest.
- 6 2. The granting of the Zoning Text Amendments is consistent with the purpose of the Zoning
7 Ordinance, in that said amendments will implement zoning requirements called for in the
8 City's Climate Action Plan.
- 9 3. The Zoning Text Amendments conform to the Local Coastal Program, in that the
10 associated zoning requirements will not adversely impact public coastal access, water or
11 marine resources, sensitive habitat, visual resources, visitor serving uses, or public
12 facilities.

13 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
14 recommend approval of Zone Amendments (ZA20-00003/ZA20-00004/ZA20-00005/ZA20-
15 00006) and Local Coastal Program Amendments (LCPA20-00003/LCPA20-00004/LCPA20-
16 00005/LCPA20-00006) as represented in the attached Exhibits.

17 PASSED AND ADOPTED Resolution No. 2020-P16 on May 18, 2020 by the following
18 vote, to wit:

19 AYES: Krahel, Goodkind, Balon, Busk, Rosales and Custer

20 NAYS: None

21 ABSENT: Morrissey

22 ABSTAIN: None

23 
24 _____
25 Kyle Krahel, Chairperson
26 Oceanside Planning Commission

26 ATTEST:

27 
28 _____
29 Jeff Hunt, Secretary

30 I, JEFF HUNT, Secretary of the Oceanside Planning Commission, hereby certify that this is a
31 true and correct copy of Resolution No. 2020-P16.

32 Dated: _____



Climate Action Plan (CAP) Consistent Checklist

For New Development Subject to Environmental Review
per the California Environmental Quality Act (CEQA)

With the adoption of the **Climate Action Plan (CAP)** on May 8, 2019, the City of Oceanside committed to measures designed to reduce local greenhouse gas (GHG) emissions in a manner consistent with state emissions reduction goals. In addition to City initiatives and voluntary community efforts, these measures include **requirements for certain types of new development**. These requirements promote local renewable energy generation, electric vehicle charging infrastructure, urban forestry, reduction in single-occupancy vehicle trips, recycled water use, and other efforts that reduce the City's carbon footprint while enhancing its energy and water independence.

The **CAP Consistency Checklist (Checklist)** consolidates these requirements within a single document, allowing for streamlined compliance review.

The **California Environmental Quality Act (CEQA)** requires that the potential GHG emissions impacts of new development be analyzed, and that significant emissions impacts be mitigated to the extent feasible. Under CEQA, local jurisdictions can establish their own significance thresholds for GHG emissions impacts.

The City of Oceanside has set a significance threshold that aligns with the City's emissions reduction targets as outlined in the CAP (3.5MT CO₂^e per service population). This threshold is discussed in a policy directive that can be furnished upon request. While applicants can choose to conduct project-specific GHG emissions analysis to demonstrate compliance with the City's significance threshold, conforming to the requirements consolidated in the Checklist may be a more expeditious way to address CEQA requirements.

Applicants who choose to utilize the Checklist should factor the associated requirements into the project design process and submit the Checklist concurrently with the initial entitlement application.

CITY OF OCEANSIDE CLIMATE ACTION PLAN (CAP) CONSISTENCY CHECKLIST

Project Information

Contact Information

Project Number: _____ Project Name: _____

Property Address/APN: _____

Applicant: _____

Address: _____

Phone Number: _____ Email: _____

Is the Checklist being prepared by a professional consultant? Yes No

Consultant Firm: _____ Point of Contact: _____

Phone Number: _____ Email: _____

Project Description

Project Site Area (Acres): _____ Status: Vacant Developed

If the site is developed, describe nature of existing development: _____

Located within a Smart Growth Opportunity Area? Yes No

Located within ¼ mile of a priority corridor? Yes No

Consistent with current land use and zoning designations? Yes No

Proposed land use(s): Residential Commercial Industrial Institutional

Residential density: _____ Percentage of maximum allowable density: _____

Commercial FAR: _____ Percentage above minimum commercial FAR: _____

Industrial FAR: _____ Percentage of permeable surface area: _____

Applicability

In accordance with Section 15183.5 of the California Environmental Quality Act (CEQA), the Checklist provides for streamlined review of projects subject to environmental review, offering an alternative to project-specific analysis of GHG emissions impacts. The Checklist is available to projects that meet locational requirements that further the City's efforts to facilitate housing and employment growth in walkable, transit-served areas, as well as projects that either 1) conform to current land use and zoning standards or 2) involve uses that would generate less GHG emissions than those allowed under current standards. Projects not located in walkable, transit-served areas are subject to additional Checklist requirements designed to ensure that such projects

The Checklist is not mandatory. As part of the CEQA process, applicants can choose to mitigate significant GHG emissions impacts by other means. However, the City, as the lead agency for the CEQA process, reserves its discretion to determine if proposed mitigation measures are appropriate and adequate. For example, the City may or may not be amenable to out-of-jurisdiction carbon offsets as a means of mitigating significant GHG emissions impacts, based on the feasibility of on-site mitigation measures, opportunities for local offsets, etc.

Consistent with California's Climate Change Scoping Plan, the City has established a bright line threshold of significance for GHG emissions impacts: 900MT annually, with construction-related emissions amortized over 20 years. Projects that fall under this threshold are not required to conduct analysis of GHG emissions impacts, and thus would not benefit from the Checklist.

CEQA-exempted projects may still be subject to CAP measures. Requirements for on-site renewable energy generation, electric vehicle charging facilities, and transportation demand management (TDM) are triggered by project type and scale, as outlined in Section 3047 of the City's Zoning Ordinance.

The applicability of the Checklist may evolve in response to the City's progress in achieving its emissions reduction goals, new state policies or regulations, new methods of mitigating GHG emissions, etc. When the CAP is periodically updated, it is likely that the Checklist will need to be revised to accord with new or modified emissions reduction measures. The CEQA-qualified status of the CAP, which is the basis for its legal enforceability, relies upon a Checklist that ensures that new development supports the City's emissions reduction goals.

Checklist

Land Use Consistency

The City seeks to accommodate future housing and job growth primarily through infill and redevelopment within already urbanized areas. Specifically, the City seeks to facilitate new residential and employment-oriented development within SANDAG-designated Smart Growth Opportunity Areas and prior corridors (i.e., Coast Hwy, Mission Avenue, Oceanside Blvd, Vista Way). To this end, the Checklist includes locational criteria for new development subject to CEQA review.

Does the project meet one or more of the following locational criteria?

- 1) The project site is located within a designated Smart Growth Opportunity Area.
 Yes No
- 2) The project site is located within ¼ mile of a priority TOD corridor, as identified in the City's Smart and Sustainable Corridors Plan.
 Yes No
- 3) The project is consistent with current land use and zoning designations.
 Yes No
- 4) The project requires amendment of current land use and zoning designations. As demonstrated through a detailed analysis a) consistent with the precedent in the surrounding zoning district and b) subject to third party expert review, the proposed land uses would generate less GHG emissions than those associated with uses allowed under current land use and zoning designations.
 Yes No

Projects that do not qualify under any of the above criteria are not eligible for the Checklist. Projects that qualify under Criteria 3 or 4 are subject to additional Checklist requirements, as specified below.

CAP Measure Consistency

Renewable Energy Facilities

Outlined in Section 3047 of the City's Zoning Ordinance, this Checklist requirement applies to the following types of new development:

- Residential projects that include 25 or more dwelling units
- Commercial projects that comprise at least 12,500 square feet of habitable space
- Industrial projects that comprise at least 25,000 square feet of habitable space
- Institutional projects that comprise at least 12,500 square feet of habitable space

Does the project meet one or more of the above-noted thresholds?

- Yes No

If yes, will at least 50 percent of estimated electricity demand be met with on-site renewable, emissions-free energy supply (e.g., solar photovoltaic facilities)?

- Yes No

If no, will the project purchase an energy portfolio comprised of at least 75 percent renewable, emissions-free electricity?

- Yes No

Electric Vehicle Parking and Charging Facilities

Outlined in Section 3047 of the City's Zoning Ordinance, this Checklist requirement is applicable to new development that requires at least five (5) parking spaces.

Is the project subject to this requirement?

- Yes No

If yes, how many electric vehicle parking stalls is the project required to provide?

CITY OF OCEANSIDE CLIMATE ACTION PLAN (CAP) CONSISTENCY CHECKLIST

If yes, how many electric vehicle charging stations is the project required to provide?

Briefly describe where the required parking spaces and charging stations will be located within the project site. Note the plan sheet(s) on which the parking spaces and charging stations are depicted.

Recycled Water Infrastructure

The applicability of this requirement is determined by the City's Water Utilities Department. Does the Water Utilities Department require that the project install infrastructure to provide for recycled water service?

- Yes No

If yes, will the project install the required infrastructure?

- Yes No

If yes, please briefly describe how the project will fulfill this requirement.

Transportation Demand Management (TDM)

As outlined in Section 3047 of the City's Zoning Ordinance, the City requires that all new non-residential development expected to generate at least 50 daily employee commute trips prepare and implement a transportation demand management (TDM) plan that reduces combustion engine single-occupancy vehicle commute trips by at least 20 percent below a baseline established at the time of building occupancy. The City does not prescribe specific TDM measures but rather allows employers to tailor their TDM plans to suit their business operations,

CITY OF OCEANSIDE CLIMATE ACTION PLAN (CAP) CONSISTENCY CHECKLIST

employees, and locational advantages and constraints. The City provides an optional template for TDM plans.

Is the project subject to this requirement?

- Yes No

If yes, does the applicant except this requirement as a condition of project approval?

- Yes No

If yes, please provide a preliminary indication of the resources that will be utilized to prepare the TDM Plan (e.g., qualified traffic consultant, SANDAG Mobility Management Toolbox).

The TDM Plan must include a monitoring and reporting program that commits the project to submitting a bi-annual status report to the City. Does the applicant agree to conduct ongoing monitoring and reporting of employee commuting choices?

- Yes No

Urban Forestry

As part of its urban forestry efforts, the City requires that all new development establish a minimum tree canopy and permeable surface area. When meeting the minimum tree canopy and permeable surface area requirements on the project site is determined to be infeasible, applicants can pursue alternatives. Listed in order of preference, these alternatives include installing trees in adjacent public parkways, installing trees elsewhere in the City (subject to review and approval by the Public Works Department), paying into the City's Tree Fund, or purchasing carbon offset credits. Minimum tree canopy and permeable surface area requirements are outlined in Section 3047 of the City's Zoning Ordinance.

Does the project comply with minimum tree canopy and permeable surface area requirements?

- Yes No

If yes, do the applicant and successors agree to maintain minimum tree canopy and permeable surface area throughout the life of the project?

CITY OF OCEANSIDE CLIMATE ACTION PLAN (CAP) CONSISTENCY CHECKLIST

- Yes
- No

Does the applicant intend to pursue one of the above-noted alternatives to establishing minimum on-site tree canopy?

- Yes
- No

If yes, which alternative does the applicant intend to pursue?

- Tree installation in the adjacent public parkway
- Tree installation elsewhere in the City, as approved by the Public Works Department
- Payment into the City's Tree Fund, in an amount determined by the Public Works Department
- Purchase of carbon offsets in a project listed in a registry approved by the California Air Resources Board (CARB)

If one of the above-noted alternatives is proposed, please explain why compliance with the on-site requirement is infeasible and why the proposed alternative is the most appropriate option.

Food Scraps Recycling Program

In accordance with state law (AB 1826 and SB 1383), all non-residential uses are required to participate in the City's Food Scraps Recycling Program, which involves placement of food scraps in a separate bin for separate processing. The City's Water Utilities Department and Waste Management of North County provide free technical assistance and training for businesses and their employees.

Is the project subject to this requirement?

- Yes
- No

CITY OF OCEANSIDE CLIMATE ACTION PLAN (CAP) CONSISTENCY CHECKLIST

If yes, does the applicant agree to ensure that all business owners and employees associated with the project participate in relevant training?

- Yes No

Oceanside Green Business Network (Voluntary)

Supported by the City's Water Utilities Department, the Oceanside Green Business Network is a free program that encourages environmental stewardship in the local business community and provides members with strategies designed to help them thrive in the green economy. While membership is voluntary, applicants for non-residential development as well as those operating businesses within the development are strongly encouraged to join the Network. Membership is contingent upon earning a minimum score on the Network's [Sustainability Scorecard](#).

Does the applicant intend to join and promote membership in the Oceanside Green Business Network?

- Yes No

Energy Efficiency Audits & Analysis (Applicable to Projects Not Meeting Locational Criteria 1 or 2)

San Diego Gas and Electric (SDG&E) offers a variety of energy audits and evaluations for both residential and non-residential ratepayers. These programs identify opportunities for enhanced energy efficiency, which can result in lower energy costs. SDG&E services for non-residential development include the Comprehensive Audit Program and the Facility Assessment Service Program. Applicants for non-residential development located outside of Smart Growth Opportunities areas or a ¼-mile radius of a priority corridor are required to participate in one of the above-noted programs no sooner than one year and no later than two years after initial building occupancy. Applicants are not required to implement the recommendations of the audit.

Is the project subject to this requirement?

- Yes No

CITY OF OCEANSIDE CLIMATE ACTION PLAN (CAP) CONSISTENCY CHECKLIST

If yes, does the applicant agree to participate in an SDG&E energy efficiency audit program within the above-noted timeframe?

Yes No

Mitigation of Per Capita Vehicle Miles Traveled (VMT) above Baseline (Applicable to Projects Not Meeting Locational Criteria 1 or 2)

Consistent with state law (AB 743), the City's CEQA review process includes assessment of impacts on vehicle miles traveled (VMT). In general, projects located in walkable, transit-rich areas are expected to generate less VMT than those located in peripheral areas with diffuse land use patterns. Projects not meeting locational criteria 1 or 2 are required to reduce VMT by at least 15 percent below the regional average.

Is the project subject to this requirement?

Yes No

If yes, will the project include features that will reduce estimated VMT by at least 15 percent below the regional average?

Yes No

Draft Checklist items highlighted in yellow are not acknowledged in the current iteration of the CAP. Implementation of these measures may require amendment of the CAP.

DRAFT

IMPLEMENTATION TIMELINE AND PRIORITIZATION

Table 17 Level of Effort of Reduction Measures		
Measure Strategies	Level of Effort	Reduction Potential
E1—Renewable Energy Procurement Promote Participation in SDG&E EcoChoice and Ecoshare Programs Annual Reporting on SDG&E Procurement and Program Participation Conduct Community Choice Energy Program Feasibility Study	High	High 73,685 MT CO ₂ e by 2030
E2—Solar Photovoltaic Promotion Program Adopt Solar Ordinance for New Development Promote Solar Financing Options Maintain Expedited Permitting for Residential Solar PV Systems Establish an Aggregated Demand Solar PV Program	Low	High 19,448 MT CO ₂ e by 2030
E3—Residential Energy Conservation and Disclosure Promote Residential Energy Use Disclosure Promote Energy Efficiency Improvement Financing Options	Moderate	Moderate Not Quantified
E4—Promotion of Low-Income Financing Programs Promote Low-Income Financing Options	Moderate	Moderate Not Quantified
E5—Non-Residential Building Energy Benchmarking and Disclosure Promote Non-Residential Energy Use Disclosure	Moderate	Moderate Not Quantified
W1—Implementation of the Water Conservation Master Plan Implement Water Conservation Master Plan	Moderate	Moderate 1,610 MT CO ₂ e by 2040
W2—Non-Residential Water Use Benchmarking and Disclosure Promote Non-Residential Water Use Disclosure	Moderate	Moderate Not Quantified
W3—Increased Local Water Supply Implement Capital Improvements to Increase the Supply Capacity of Recycled Water	High	Moderate 5,608 MT CO ₂ e by 2045
SW1—Implementation of Zero Waste Strategic Resource Plan Implement the Zero Waste Strategic Resource Management Plan	High	High 10,331 MT CO ₂ e by 2020
SW2—Beyond 2020 - Enhanced Waste Diversion Beyond 2020 - Enhanced Waste Diversion	High	High 16,524 MT CO ₂ e by 2035
TL1—Smart Growth Policies Adopt Smart Growth Policy Annual Reporting on Development Patterns Incent Development in SGOA	High	Moderate ¹² 2,486 MT CO ₂ e by 2030
TL2—Electric Vehicle Promotion Adopt Electric Vehicle Infrastructure Ordinance to Require EV stations Promote Incentives for EVs and EV Charging Stations Establish an Aggregated Demand EV Program	Moderate	Moderate 4,923 MT CO ₂ e by 2030
TL3—Preferential Parking Spaces for Clean Air Vehicles Adopt Clean Air Vehicle Parking Ordinance	Low	Low Not Quantified

¹² Smart Growth Policies would achieve be anticipated to achieve greater long-term reductions than reflected by the reported reduction potential. Increased density in development clusters such as SGOAs facilitates implementation of subsequent GHG reduction measures such as enhanced transit, reduced parking requirements, etc.

Table 17 Level of Effort of Reduction Measures		
Measure Strategies	Level of Effort	Reduction Potential
TL4—Expand Complete Streets Programs Incorporate Criteria for Multiuse Pathways Opportunity Sites in the Bicycle/Pedestrian Master Plan Update. Adopt Complete Streets Policy to Facilitate Incorporation of Complete Streets Concepts Periodically Update the Citywide Traffic Signal Priority List Develop a Neighborhood Electric Vehicle Implementation Plan Promote Walking, Bicycling, or Carpooling to School	Low	Low Not Quantified
TL5—Transportation Demand Management Plans Adopt a TDM Ordinance to require TDM Plans for New Developments Conduct Surveys to Determine Existing TDM Measure Implementation Provide Incentives for Implementation of TDM Measures at Existing Businesses	Moderate	Moderate 4,161 MT CO _{2e} by 2050
AF1—Urban Forestry Program Inventory Existing Tree Canopy Adopt a Green Streets Ordinance to Require Shade Trees in New Developments Adopt a Green Streets Policy to Require Shade Trees in CIP Roadway Projects Promote Tree Canopy Expansion in Public Right-of-Way Support Volunteer Tree Planting and Stewardship Efforts Allow CEQA Impact Mitigation through Tree Planting and Stewardship	Low	Low 806 MT CO _{2e}
AF2—Urban Agriculture and Community Gardens Adopt an Urban Agriculture and Community Gardens Policy to Establish Goals and Measures Implement an Urban Agriculture and Community Gardens Program Adopt an Urban Agriculture Incentive Zone Ordinance Promote Urban Agriculture and Community Gardening	Low	Low Not Quantified
AF3—South Morro Hills Agricultural Lands Conservation Program Develop an Agricultural Lands Conservation Program	Moderate	High 12,990 MT CO _{2e}
AF4—Carbon Farming Program Implement a Demonstrative Carbon Farming Program	High	Low Not Quantified

The implementation actions associated with each GHG reduction measure as well as the responsible department are shown in Table 18, below. The prioritization of reduction measures including phasing and recommended schedule milestones is also included. As discussed previously, the prioritization of reduction measures is based on which measures are anticipated to be “low hanging fruit”; the City may revise schedule milestones based the level of effort experienced during implementation.

Excerpt from the City of Oceanside Climate Action Plan (CAP), depicting GHG emissions reduction achieved through federal and state regulations vis-à-vis local emissions reduction targets:

Reduction targets consistent with current regulations and in line with state goals are shown below ("State-aligned Emissions Targets"; Figure 6). As shown, the City has already achieved emission levels consistent with state-aligned per capita targets for 2030. Due to ongoing efforts by the City, as well as state and federal programs, the City is forecasted to achieve emission levels consistent with state-aligned per capita targets through 2037. However, without further local action, the City would not achieve per capita emission levels consistent with the state's 2050 GHG emissions target.

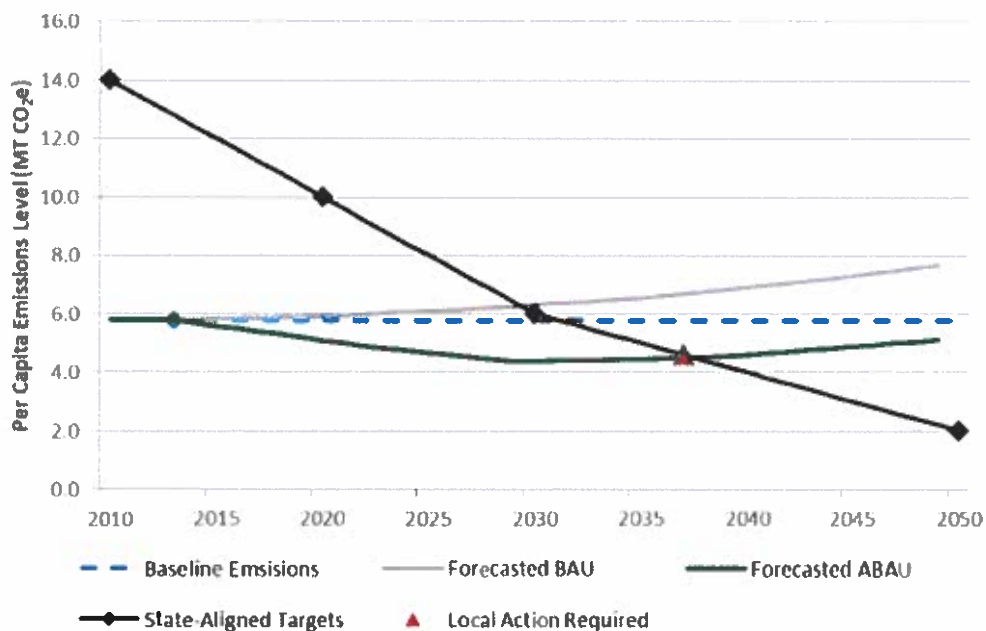


Figure 6 Community Emissions Inventory, Forecast, and Targets

CAP Consistency Checklist

Costs: EV Charging Facilities

Average EV Charging Facilities Hardware Costs

Level	Type	Chargers per pedestal	Per-charger cost
Level 1	Non-networked	One	\$813
Level 1	Non-networked	Two	\$596
Level 2	Non-networked	One	\$1,182
Level 2	Non-networked	Two	\$938
Level 2	Networked	One	\$3,127
Level 2	Networked	Two	\$2,793
DC fast	Networked 50 kW	One	\$28,401
DC fast	Networked 150 kW	One	\$75,000
DC fast	Networked 350 kW	One	\$140,000

Source: International Council on Clean Transportation (ICCT)

Costs: EV Charging Facilities

Average EV Charging Facilities Installation Costs

	1 charger per site	2 chargers per site	3-5 chargers per site	6+ chargers per site
California	Labor	\$1,786	\$1,491	\$1,747
	Materials	\$1,235	\$958	\$908
	Permit	\$283	\$172	\$65
	Tax	\$156	\$121	\$115
	Total	\$4,148	\$3,039	\$2,745
Outside California	Labor	\$1,827	\$1,647	\$1,316
	Materials	\$1,112	\$1,039	\$874
	Permit	\$82	\$62	\$59
	Tax	\$96	\$89	\$110
	Total	\$2,836	\$3,020	\$3,090

Source: International Council on Clean Transportation (ICCT)



Climate Action Plan Implementation
CAP Consistency Checklist

**Summary of Public Comment
Received at Open House (March 3, 2020)**

General

- **These ordinances are a good start, but the City needs to make progress in implementing other components of the CAP (e.g., renewable energy procurement, complete streets policies for CIP projects).**
- **The City is not devoting enough resources to CAP Implementation.**
 - **A sustainability coordinator should be hired.**
 - **The staff interdisciplinary oversight committee should be formalized.**
 - **The City should provide financial incentives and technical assistance to existing businesses to encourage TDM.**
- **The City should consider how the benefits of climate mitigation can be monetized.**
- **While effective climate action depends upon individual citizens, households, and businesses making sustainable choices, many of these choices remain financially and/or practically infeasible for a lot of people (e.g., solar PV, electric vehicles, transit use). Consequently, government at all levels must do more to leverage public resources and regulatory authority spur meaningful emissions reduction.**
- **The City should ban artificial turf. In addition to its adverse impacts on air quality and public health, artificial turf contributes to GHG emissions.**
- **Artificial turf replacing natural grass in City parks will have a negative effect on GHG**
- **Be sure to get current drafts online so the public can review them.**
- **What are the other GHG reduction measure besides these four?**
- **Trees were removed from some mobile home parks (including La Salina) because the roots were impacting sewer lines. Can the City require replacement of these trees?**
- **One of the power point slides mis-spelled "energy".**
- **The City should consider CCE and look at neighboring jurisdictions (specifically Vista) and the CCE feasibility study.**
- **Oceanside should not be the only city not participating in a CCE.**



TDM

- **The threshold for applicability of the TDM requirement (100 daily commute trips) is too high. As a result, the requirement will have minimal applicability and thus minimal impact on GHG emissions reduction.**
- **The minimum trip reduction requirement (10%) is too low. The minimum requirement should be no less than 20%, which translates to one day a week of alternative commuting. This is a reasonable expectation to have for businesses and their employees.**
- **What TDM requirements have been enacted in other cities in the region? How do these requirements compare with what the City is proposing?**
- **"Parking cash-out" is not a term that most people understand. Instead, use the term "alternative parking programs."**
- **The City should set an example for local businesses by implementing a parking cash-out program for the City Hall parking structure and other parking facilities on City-owned properties.**
- **The City should follow Carlsbad's lead and implement a shuttle service from the OTC to the central employment areas.**
- **The TDM requirements should apply to existing businesses seeking building permits for renovations and additions.**
- **How will the City hold businesses accountable for the ongoing operation of their TDM programs?**
- **How much GHG emissions reduction is the proposed requirement expected to achieve?**
- **The City should develop level of service (LOS) standards for pedestrian and bicycle facilities and require new development to install and expand these facilities where they are not present or substandard.**

Renewable Energy Facilities

- **The ordinance should include provisions for existing development as well as new development projects.**
- **The City should provide a reduction in building permit fees or other incentives to homeowners to install solar.**
- **There should be a streamlined process and clear instructions for homeowners/businesses wanting to install solar.**
- **Retrofitting older buildings (usually consisting of modifications to the roof and electrical panel upgrades) to be able to accommodate solar PV systems is very expensive and deters people from choosing to install solar.**



- **The City shall consider waiving or reducing building permit fees for retrofitting certain buildings.**
- **There should be checklist that explains what is needed to retrofit a home to accommodate solar.**
- **Better coordination between the City and SDG&E is needed to make permitting and installation a more efficient process.**
- **Energy demand calculation should include both natural gas and electricity usage.**
- **All new buildings (regardless of size) should be solar ready if not required to install solar.**
- **There should be a shade ordinance that prohibits future development if the development will negatively affect existing PV systems. Refer to a similar ordinance in the City of Solana Beach.**
- **If the City requires solar on residential homes the City needs to ensure the solar PV systems remains viable to protect financial investments.**
- **The City should consider providing additional funding or tax incentives to Mobile Home Parks. This could be used to help pay for the necessary infrastructure to retrofit and make the necessary renovations to accommodate solar installation at the MHP.**
- **The City should look into the materials solar PV systems are comprised of to ensure there are not environmental impacts.**
- **Has the City considered allowing micro grids?**

Electric Vehicle Parking and Charging Facilities

- **What about existing sites? Will the city require EV charging on existing sites with existing parking that currently doesn't meet the required parking regulations?**
- **Will the city require EV parking for additions in the future? If so, what will be the square-footage threshold?**
- **Will the city require additions to be either EV ready or add the EV infrastructure in the future?**
- **Can the city require more regulations for residential? Most people charge their vehicles at home, so why not require all existing single families to be EV ready?**
- **Is the City's EV proposal more or less restrictive than other local municipalities?**
- **Why not have EV in public right of ways?**
- **Can the city provide grant funding or assistance for installing EV within existing developments?**
- **Will there be a requirement that dictates private EV chargers versus devices that pay directly to the EV charging companies rather than the property owner?**
- **Permit fee/waivers for EV permits?**
- **Will an electrician or contractor be needed for the installation?**



Urban Forestry

- **Does the tree list consider allergens? Male vs. female plants?**
- **Should also exclude pesticides, include a list of prohibited.**
- **Remove 'qualified tree planting program.' The trees should be in the City.**
- **Definitely establish a Tree Fund.**
- **Prohibit gas powered leaf blowers and incentives for electric lawn mowers**
- **Prohibit car idling**



April 6, 2020

Russ Cunningham
Principal Planner
City of Oceanside
Email: rcunningham@ci.oceanside.ca.us

Re: Comments on City of Oceanside Climate Action Plan Draft Ordinances

Dear Mr. Cunningham:

The Sierra Club submits the following initial comments on the Climate Action Plan (CAP) Draft Ordinances for the City of Oceanside. The Sierra Club appreciates the efforts of the City to prepare the Ordinances and implement the CAP. Local government efforts to reduce emissions within their jurisdiction are critical to achieving the State's long-term GHG goals. They also provide important co-benefits, such as improved air quality, job creation, local economic benefits, more sustainable communities, and an improved quality of life.

General Comments

We have been urging the City to move forward with CAP implementation and progress toward that end is welcome. If it was the City's intent to provide an outline for comment in order to move forward with implementation of the CAP, that was achieved. The draft ordinances are bare bones, which in some instances leaves the actual requirements open to interpretation. We are concerned that the ordinances as drafted left too many items unclear which would result in a failure to meet CAP goals and provide a pathway for much less progress toward a sustainable future. They need to include more definitions and expand the descriptions of what will be required.

The draft ordinances also need introductory or preamble paragraphs that explain why the City is adopting the ordinance.

In some instances, additional information was referenced as being available on the City's web site and it was not accessible in the links provided.

Including the specific CAP measures that the draft ordinances will implement, as the EV ordinance online fact sheet, did on all the fact sheets would add clarity to the public comment process. The February 27, 2020 memo to the City Council provided the specific CAP measures (although it listed only TL2 for the EV ordinance). However, it would be clearer if all draft ordinance materials included the specific CAP measures being implemented for reference.

Consistency Checklist

"the City may or may not be amenable to out-of-jurisdiction carbon offsets as a means of mitigating significant GHG emissions impacts, based on the feasibility of on-site mitigation measures, opportunities for local offsets, etc." The Sierra Club strongly opposes out-of-jurisdiction carbon offsets, as it would allow unmitigated GHG increases in the City, the antithesis of the goal of a CAP. The language on the

Checklist is vague and the circumstances under which out-of-jurisdiction carbon offsets could be used are undefined. We urge that it be eliminated from the Checklist.

“Developments of 25 or more dwelling units” should be eliminated from the On-site Renewable Energy Section of the Checklist since such a development would not “generate less GHG emissions than those allowed under current standards.” State code requires approximately 100% of low-rise residential electric usage be offset by solar power. We suggest adding a building electrification option for these residential developments. Building electrification coupled with solar generated electric energy would decarbonize the developments, thus meeting the requirement to reduce GHG emissions.

Renewable Energy

E-2 Adopt Solar Ordinance for new development

As of January 1, 2020, all low-rise (3 stories or less) residential single and multi-family are required by the state code to install solar to meet approximately 100% of annual electric use. The ordinance would require residential projects with 25 or more units to install solar to meet 50% of projected annual electric use. That language is also on the Consistency Checklist and needs to be changed or removed. We urge the City to add provisions that would move new development toward full building electrification. Studies by utilities and code experts have found that building all-electric would reduce the cost of new construction by \$6,000 for a single family home and \$1,500 per unit in multi-family. All electric homes will also yield energy bill savings of \$4,000 - \$10,000 over 20 years compared to homes with gas appliances in California.

Since most residential construction already has higher requirements than the draft ordinance perhaps the City should also focus on requiring mid-rise and high-rise residential projects to meet a significant percentage of projected annual electric use.

EV Charging

TL-2 & TL-3

This ordinance will require charging stations to be built in all new developments. That is a step forward and it is above the state code requirement of having designated EV parking that is charger-ready.

Your 2/27/20 memo to the City Council states that the charging facilities “can be pay-for-service, so they can provide a return on investment.” That’s a logical policy however, there should be some language added about fair pricing for the service. The ordinance should add language that requires a minimum percent of renewable energy for the charging stations. 100% renewable energy for the charging stations could be incentivized.

The ordinance will also require EV parking spaces to be designated in all new developments. The CAP requirement for commercial and industrial parking spaces is 12%. The draft ordinance is setting the bar at 10%. It’s not a big difference, however, designated EV parking spaces are a low cost measure to promote the CAP EV expansion goal, and with the delay in the starting date for this measure, raising the required percent rather than lowering it would make sense.

Urban Forestry Program

AF-1 Adopt a Green Streets ordinance to require shade trees in new development

The CAP specifies a goal of planting 200 trees/year in the public right of way and incorporating an average of 200 additional trees with new development. As we know, optimizing the benefits of tree planting needs to include more than just a number of trees. The guidance from Urban Forestry experts is "the right trees in the right places with the right care". The draft ordinance has several elements that reflect the expert guidance. However, it needs to expand several sections and definitions to be more comprehensive and effective.

The CAP states that target requirements for new developments is 35% tree canopy cover. The draft ordinance proposes a 12% minimum canopy area for project sites of 1 acre or more. Smaller sites have 7-9% minimums. How does this small step get Oceanside to the 35% goal? Is it assumed that tree growth will expand the canopy within a certain timeframe? If that is the case, the 35% canopy cover should be included in the ordinance language along the lines of - LTCMP shall provide for 35% canopy cover within 5 (or X) years.

Requiring minimum permeable surfaces is a positive requirement which wasn't included in the CAP. However, including it in the draft ordinance without a clear requirement for meeting the 35% canopy goal in new developments within a reasonable time is cause for concern that including permeable surfaces is being substituted for meeting the CAP's 35% canopy goal.

The CAP specifies "shade trees". The GHG reduction is based on carbon sequestration. But a key benefit of trees is reducing the heat island effect which requires planting trees where they will shade buildings or walkways/bikeways. This helps reduce building energy use and also indirectly help increase walking and biking. Placement of trees needs to be part of the ordinance to ensure those benefits are also achieved.

The draft ordinance posted at the March 3rd workshop included a requirement for Landscape and Tree Canopy Management Plan (LTCMP). That is an essential item for the ordinance. The ordinance should expand on the description of the LTCMP to include: the need to maintain the trees and canopy with watering, pruning and other care as needed for the life cycle of the selected species; and to replace trees that are removed or die.

A City Tree Fund is included in the draft ordinance as a way for developers to meet the requirement when the project site cannot achieve the minimum canopy cover. The CAP identifies ranges of from 0.2 – 3 % Tree Canopy Cover (TCC) between neighborhoods with an average of about 1.4%. A City Tree Fund has the potential to be one tool that addresses the need to expand the tree canopy in neighborhoods with the lowest percentage of canopy. They are usually disadvantaged communities that will be most impacted by climate change and CAP implementation should include provisions to address these inequities. There needs to be significantly more clarity about the Tree Fund option to ensure it is effective. As you explained at the March 3 workshop, there currently is no City Tree Fund program. It would need to be established by the City Council adopting an ordinance. We know paying money into a fund does not reduce GHG, so that alone does not achieve the required emission reductions. The City must have a plan that: identifies areas that trees are needed, establishes the cost to purchase and maintain the trees for the expected 50 year life, ensures that the trees are planted, and that they have an LTCMP.

Paying into a qualified tree planting program outside of the city should not be included as an option. It would do nothing to reduce GHG in Oceanside which is the purpose of the CAP.

Another task in the CAP which was scheduled to be completed within 6 months of CAP adoption is to adopt a Green Streets Policy to require shade trees in CIP roadway projects (AF-1). The CAP states that the City's Public Works Department can facilitate plantings along transportation corridors or other public rights-of-way. We urge the City to address this immediately.

Transportation Demand Management

TL5 Adopt a TDM Ordinance to require TDM Plans for new developments

Overall, the ordinance is not as comprehensive as it needs to be for effective implementation and reduction of VMT and GHG. For example, our neighbor the City of Carlsbad passed a TDM Ordinance (CS-350) last year. The Carlsbad Ordinance incorporates by reference the Carlsbad TDM Handbook, a comprehensive 91 page manual. The additional materials for the Oceanside Draft Ordinance, referenced in the Fact Sheet on the TDM Ordinance were not accessible for review. The Fact Sheet states "the City has prepared a TDM plan template that can be accessed on the City's website." Our attempts to access that template on the City's web site were unsuccessful.

Descriptions of what the City is trying to accomplish are confusing and open to interpretation. The draft Ordinance on display at the workshop March 3 calls for a 10 percent minimum commute share for transportation modes other than SOV. A SANDAG staff person informed us that a SANDAG survey in November 2019 for Oceanside found that 87% of people who are employed at a location in the city get to work by SOV. That puts Oceanside's current alternative mode share at 13%. The City's goal should be a minimum 10% reduction from the current 87% SOV transportation mode. An approach that could be considered is to establish a threshold of each employee taking alternative modes one day a week. That would produce a 20% alternative mode which is a clear and reasonable goal to establish.

Another means to achieving a significant reduction in SOV mode would be to require a minimum amount of remote working in business sectors where direct, in-person labor is not required. The massive work shift we've witnessed in the past few weeks as employers and employees around the county (and world) learned how to implement a work-from-home policy is a lesson the City should capitalize on. It is clearly a low cost way to achieve GHG reductions and also reduce traffic congestion, air pollution, and the waste of resources going into more roadway expansion.

The fact sheet on the City's web site uses different language. "The City of Oceanside requires... a transportation demand management (TDM) plan that reduces SOV commute trips by at least 10 percent." What is the baseline for the 10% reduction in this description? If it is assumed that the baseline is 100% SOV, the actual 87% SOV determined by SANDAG is already exceeding the 10% reduction goal.

Better accountability is needed. The icommute program suggests that the best practice is for TDM reporting every two years. A "biannual report" requirement is included in the Consistency Checklist but not the ordinance. The draft ordinance requires the 10% reduction to be documented within 5 years of project completion. If the 10% goal is not met in 5 years, the TDM plan must be revised and approved by the City. Business license renewal is contingent on the City approving the revised TDM plan. That allows too much time to elapse with no accountability. Developers should be clearly required to report every two years. If they fail to reach their TDM plan goals they should be subject to potential fines. If they fail to report they should be fined or lose their Certificate of Occupancy.

The City should also be setting an example with its own TDM Plan for City employees. The City should have ambitious incentives for alternative mode transportation. We note that Oceanside is listed as a Bronze Tier employer in the SD County icommute program. Our Tri-city neighbors are more ambitious. The City of Carlsbad achieved the icommute Silver Tier and the City of Vista is in the Gold Tier. Oceanside should have a plan to achieve the Gold Tier. We have the benefit of a multi-modal transit center downtown which is ¼ mile from City Hall. Parking management programs, such as Dividend Account Parking are also effective measures to consider. The City should also adopt a work from home one day a week policy for all employees whose work can be accomplished from a remote location.

Additionally, another important TDM task in the CAP, (TL5), targeting existing employers, is supposed to be underway now also. Within the first year of adoption the CAP states that the City will conduct surveys to determine existing TDM measure implementation, and target 25% of surveyed businesses. As we know, the focus on existing businesses would be very effective at VMT and GHG mitigation. Moving forward on this task would be of great benefit to the City's residents and employers and it needs to be prioritized.

Thank you for considering our comments. We look forward to working with the City and other stakeholders toward implementing the CAP. Please feel free to contact us with any questions or concerns and please include each of us in future notifications on CAP development.

Sincerely,

Barbara Collins
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City of Oceanside Bicycle and Pedestrian Committee
BikeWalk Oceanside

Phone: 619-200-6133 • E-Mail: tlichterman@cox.net

March 26, 2020

Mr. Russ Cunningham, Principal Planner
City of Oceanside
300 N. Coast Highway
Oceanside, CA 92054

RE: Input on Draft Implementing Ordinances for Oceanside Climate Action Plan

Dear Mr. Cunningham,

The Oceanside Bicycle and Pedestrian Committee is a citizen's advisory committee whose role is to advise the City on programs and projects which improve bicycling and walking in the community. The Committee's membership includes over 75 Oceanside residents who are concerned about bicycling and walking infrastructure and opportunities. We are also very concerned about the climate change crisis and have discussed this issue with City staff on numerous occasions, in particular as it relates to cycling and walking as alternative modes to reduce VMT and greenhouse gases.

In our advisory capacity, Committee members attended the City's March 3 Open House on the Climate Action Plan draft implementing ordinances and spoke at length with staff about the draft Transportation Demand Management Ordinance. The Committee subsequently discussed this item at our March 9 monthly meeting and authorized the Chairman to submit formal comments on the draft. Our comments follow:

- The draft TDM ordinance needs an introductory or preamble paragraph that explains/justifies why the City is adopting this TDM ordinance. Perhaps something like the following would be appropriate:

Oceanside's Climate Action Plan recognizes that 48 percent of the total greenhouse gas emissions generated in the City are the result of private motor vehicle operation. Therefore, it is critical that measures be taken to reduce motor vehicle miles traveled (VMT) and thereby reduce greenhouse gases. The Transportation Demand Management Ordinance establishes requirements for larger-sized employers to develop TDM Plans, as a means to reduce one of the largest sources of private motor vehicle VMT – the commute trip.

For reference, I am including a copy of Carlsbad's ordinance implementing the TDM elements of their Climate Action Plan, in which they spell out the specific purposes of the Plan in implementing the CAP. Carlsbad has also developed a TDM Handbook for use by developers of applicable projects in coming up with their Plans.

- The draft TDM ordinance does not go far enough in reducing solo-occupant auto driving at the City's larger employers. First, the draft only applies to "new" industrial and

commercial developments that generate more than 100 daily employee trips". We believe the ordinance should apply to ALL employers of this size in the City, as a matter of equity as well as in support of the effort to reduce VMT. This is not a big "ask". SANDAG's iCommute program can provide much of the assistance required to establish each employer's TDM plan, if they will permit SANDAG outreach staff to visit their site, conduct a transportation survey, and help identify viable alternative modes and strategies for that site. I have included a copy of the SANDAG iCommute Employer Services brochure for reference.

- The ordinance should use clearer language as regards "100 daily employee trips". Either state that this is 100 one-way employee trips (i.e., 50 employees), or state it applies to employers with 50 or more employees.
- The draft Ordinance only calls for a 10 percent reduction in solo-occupant auto trips. If each employee at a company would just commit to taking alternative modes one day a week, that would produce a 20 percent reduction in vehicle miles travelled and associated greenhouse gases. That seems like a reasonable goal to establish. At a minimum, this should be established as a "stretch" goal in the ordinance.
- The City should be setting an example by establishing its own Transportation Demand Management (TDM) Plan for City employees, not just requiring it of NEW employers. This includes demonstrating leadership in strategies to reduce single-occupant auto driving, such as employee incentives to use transit or alternative modes, and instituting revised parking policies that incentivize alternative modes such as Dividend Account Parking or other comparable programs.

The Committee supports the City's effort to establish a Climate Action Plan with quantifiable goals and strategies that support all transportation modes through a stronger TDM ordinance. We thank the City for the opportunity to provide input.

Sincerely,



Tom Lichterman
Chairman

cc: Members of the Oceanside Bicycle and Pedestrian Committee

ATTACHMENTS:

City of Carlsbad TDM Ordinance
SANDAG iCommute Employer Services Brochure

PUBLIC COMMENTS:

All timely received public comments (*written and/or telephonic comments*) for this item can be accessed by clicking the following link:

<https://app.box.com/s/gee6d8hr91d0u2flzh1cy868ao880c67>