

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE AMENDING THE IMPLEMENTING DOCUMENT OF THE LOCAL COASTAL PROGRAM BY AMENDING ARTICLE 46 OF THE COMPREHENSIVE ZONING ORDINANCE TO ESTABLISHING PROVISIONS THAT WILL ALLOW CITY COUNCIL TO CONDUCT A DE NOVO HEARING OF PLANNING COMMISSION DECISIONS BEING APPEALED AND REQUESTING CALIFORNIA COASTAL COMMISSION CERTIFICATION OF SAID AMENDMENT**

**(City of Oceanside –Applicant)**

**(LCPA25-00001)**

**WHEREAS**, the California Coastal Act (Public Resources Code §30000, et seq.) (The "Coastal Act") requires that the City adopt a Local Coastal Program (LCP) which meets the requirements of the Coastal Act at the local level and implements its provisions and policies;

**WHEREAS**, the City's adopted and certified LCP is comprised of a Land Use Plan (LUP) and an Implementation Plan (IP) inclusive of zoning ordinances applicable to areas within the coastal zone; and

**WHEREAS**, the Comprehensive Zoning Ordinance sets forth the purpose, intent, and zoning regulations for properties within the City of Oceanside; and

**WHEREAS**, certain Articles of said ordinance containing zoning regulations applicable Citywide or limited to coastal zone areas have been certified by the California Coastal Commission (CCC) and included in the IP; and

**WHEREAS**, subsequent modifications to certified Articles require processing of a Local Coastal Program Amendment (LCPA) and recertification by the CCC, prior to inclusion of the amended text in the LCP; and

**WHEREAS**, the Planning Division prepared recommended text amendments to Article 46, Sections 4604 and 4605 to remove text related to issues that cannot be considered in the appeal hearing, and update the procedures for appeals to allow City Council to perform a de novo hearing of Planning Commission decisions being appealed for consideration by the City Council on June 4, 2025; and

1       **WHEREAS**, on April 14, 2025, the Planning Commission conducted a duly-noticed  
2 public meeting to consider the amendments and took no formal action on the item; and

3       **WHEREAS**, a Notice of Exemption was prepared by the Resource Officer of the City  
4 of Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and  
5 the State Guidelines; and

6       **WHEREAS**, the City Council/Community Development Commission conducted a duly-  
7 noticed public hearing on June 4, 2025, and hereby finds that Zone Amendment (ZA25-00002)  
8 and Local Coastal Program Amendment (LCPA25-00001) conform with, and are adequate, to  
9 carry out the land use plan of the Local Coastal Program.

10       **NOW, THEREFORE**, the City Council/Community Development Commission of the  
11 City of Oceanside **DOES RESOLVE** as follows:

- 12 1. The zoning text amendments to the Comprehensive Zoning Ordinance (ZA25-00002)  
13 and the Local Coastal Program Amendment (LCPA25-00001) to allow City Council to  
14 conduct a de novo hearing of Planning Commission decisions being appealed, will not  
15 impact public coastal access, water or marine resources, sensitive habitat, visual  
16 resources, visitor serving uses, or public facilities.
- 17 2. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby  
18 certifies that the Local Coastal Program Amendment (LCPA25-00001) is intended to be  
19 carried out in a manner fully in conformity with the Coastal Act, and is hereby adopted.
- 20 3. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines  
21 thereto amended to date, a Notice of Exemption has been issued for the project by the  
22 Resource Officer for the City of Oceanside.
- 23 4. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this  
24 Local Coastal Plan Amendment shall take effect upon Coastal Commission approval.
- 25 5. Notice is hereby given that the time within which judicial review must be sought on the  
26 decision is governed by Public Resources Code §30801.
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**PASSED AND ADOPTED** by the Oceanside City Council/Community Development  
Commission this \_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
MAYOR/  
CDC CHAIR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk/ CDC Secretary

  
\_\_\_\_\_  
City Attorney/ CDC General Counsel