



CITY of ESCONDIDO

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 26, 2025

4:00 PM - Closed Session (Cancelled)

5:00 PM - Regular Session

Escondido City Council Chambers, 201 North Broadway, Escondido, CA 92025

WELCOME TO YOUR CITY COUNCIL MEETING

We welcome your interest and involvement in the legislative process of Escondido. This agenda includes information about topics coming before the City Council and the action recommended by City staff.

MAYOR

Dane White

DEPUTY MAYOR

Consuelo Martinez (District 1)

COUNCILMEMBERS

Joe Garcia (District 2)

Christian Garcia (District 3)

Judy Fitzgerald (District 4)

CITY MANAGER

Sean McGlynn

CITY ATTORNEY

Michael McGuinness

CITY CLERK

Zack Beck

HOW TO WATCH

The City of Escondido provides three ways to watch a City Council meeting:

In Person



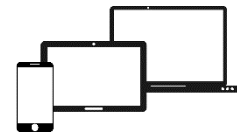
201 N. Broadway

On TV



Cox Cable Channel 19 and U-verse Channel 99

Online



www.escondido.gov



CITY of ESCONDIDO

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 26, 2025

HOW TO PARTICIPATE

The City of Escondido provides two ways to communicate with the City Council during a meeting:

In Person



Fill out Speaker Slip and Submit to City Clerk

In Writing



escondido-ca.municodemeetings.com

ASSISTANCE PROVIDED

If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 760-839-4869. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired – please see the City Clerk.





CITY of ESCONDIDO

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 26, 2025

CLOSED SESSION

CANCELLED

4:00 PM

CALL TO ORDER

1. Roll Call: Fitzgerald, C. Garcia, J. Garcia, Martinez, White

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. Speakers are limited to only one opportunity to address the Council under Oral Communications.

CLOSED SESSION

- I. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code § 54956.9(d)(2))**
 - a. Interlms Exchange of the Automobile Club (AAA)
City of Escondido Claim No. 5861
- II. **CONFERENCE WITH LABOR NEGOTIATORS (Government Code § 54957.6)**
 - a. Agency Representative: Sean McGlynn, City Manager, or designee
Employee Organization: Teamsters Local 911, Maintenance and Operations Bargaining Unit, and Administrative / Clerical / Engineering Bargaining Unit

ADJOURNMENT



CITY of ESCONDIDO

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 26, 2025

REGULAR SESSION

5:00 PM Regular Session

MOMENT OF REFLECTION

City Council agendas allow an opportunity for a moment of silence and reflection at the beginning of the evening meeting. The City does not participate in the selection of speakers for this portion of the agenda, and does not endorse or sanction any remarks made by individuals during this time. If you wish to be recognized during this portion of the agenda, please notify the City Clerk in advance.

FLAG SALUTE

The City Council conducts the Pledge of Allegiance at the beginning of every City Council meeting.

CALL TO ORDER

Roll Call: Fitzgerald, C. Garcia, J. Garcia, Martinez, White

CLOSED SESSION REPORT

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. Speakers are limited to only one opportunity to address the Council under Oral Communications.

CONSENT CALENDAR

Items on the Consent Calendar are not discussed individually and are approved in a single motion. However, Council members always have the option to have an item considered separately, either on their own request or at the request of staff or a member of the public.

1. AFFIDAVITS OF PUBLICATION, MAILING, AND POSTING (COUNCIL/RRB)



CITY of ESCONDIDO

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 26, 2025

2. APPROVAL OF WARRANT REGISTER (COUNCIL)

Request approval for City Council and Housing Successor Agency warrant numbers:

- 391924 - 391927 & 3 EFT Transactions dated March 10, 2025
- 391909 - 392070 & 4 EFT Transactions dated March 12, 2025
- 42 EFT Transactions dated March 14, 2025

Staff Recommendation: Approval (Finance Department: Christina Holmes)

3. APPROVAL OF MINUTES: None

4. WAIVER OF READING OF ORDINANCES AND RESOLUTIONS

5. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE ESCONDIDO FIREFIGHTERS' ASSOCIATION – SAFETY AND NON-SAFETY PERSONNEL BARGAINING UNIT

Request the City Council adopt Resolution No. 2025-24, approving a one-year extension to the Memorandum of Understanding (“MOU”) between the City of Escondido (“City”) and the Escondido Firefighters’ Association – Safety and Non-Safety Personnel Bargaining Unit (“Association”), commencing January 1, 2025, through December 31, 2025.

Staff Recommendation: Approval (Human Resources Department: Jessica Perpetua, Director of Human Resources)

Presenter: Jessica Perpetua, Director of Human Resources

a) Resolution No. 2025-24

6. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE ESCONDIDO POLICE OFFICERS' ASSOCIATION – SWORN PERSONNEL

Request the City Council adopt Resolution No. 2025-25, approving a two-year Memorandum of Understanding (“MOU”) between the City of Escondido (“City”) and the Escondido Police Officers’ Association - Sworn Personnel (“Association”), commencing January 1, 2025, through December 31, 2026.

Staff Recommendation: Approval (Human Resources Department: Jessica Perpetua, Director of Human Resources)

Presenter: Jessica Perpetua, Director of Human Resources

a) Resolution No. 2025-25



CITY of ESCONDIDO

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 26, 2025

CURRENT BUSINESS

7. APPEAL BY TTRLFG, LLC, OF BUILDING ADVISORY AND APPEAL BOARD'S DECISION DENYING TTRLFG, LLC'S APPEAL OF AMENDED NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (SUBSTANDARD BUILDING)

Request the City Council adopt Resolution No. 2025-23 denying Appellant TTRLFG, LLC's ("Appellant") appeal and upholding the Building Advisory and Appeals Board's decision denying Appellant's appeal of the Building Official's issuance of an Amended Notice and Order to Abate a Public Nuisance (Substandard Building).

Staff Recommendation: Denial of Appeal (Development Services Department: Christopher McKinney, Deputy City Manager/Interim Director of Development Services; City Attorney's Office: Michael R. McGuinness, City Attorney)

Presenters: Anthony Mullins, Code Compliance Manager; Brenna Miller, Deputy City Attorney

a) Resolution No. 2025-23

8. PL25-0043 – 2024 HOUSING ELEMENT ANNUAL PROGRESS REPORT

Request the City Council receive and file the 2024 calendar year annual progress report for the General Plan Housing Element ("Housing Element APR").

Staff Recommendation: Receive and File (Development Services Department: Christopher W. McKinney, Deputy City Manager/Interim Director of Development Services)

Presenter: Pricila Roldan, Associate Planner

9. FEASIBILITY STUDY FOR THE DEVELOPMENT OF THE AGTECH INNOVATION CENTER IN ESCONDIDO, CALIFORNIA

Request the City Council Receive and File the feasibility study created by the Vine Institute analyzing the potential for the development of the AgTech Innovation Center in Escondido.

Staff Recommendation: Receive and File (Economic Development Department: Jennifer Schoeneck, Director of Economic Development)

Presenter: Jennifer Schoeneck, Director of Economic Development



CITY of ESCONDIDO

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 26, 2025

FUTURE AGENDA

10. FUTURE AGENDA

The purpose of this item is to identify issues presently known to staff or which members of the City Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: None (City Clerk's Office: Zack Beck)

COUNCILMEMBERS SUBCOMMITTEE REPORTS AND OTHER REPORTS

CITY MANAGER'S REPORT

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety, and Community Development.

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. Speakers are limited to only one opportunity to address the Council under Oral Communications.

ADJOURNMENT

UPCOMING MEETING SCHEDULE

Wednesday, April 02, 2025 4:00 & 5:00 PM Closed Session, Regular Meeting, *Council Chambers*
Wednesday, April 09, 2025 4:00 & 5:00 PM Closed Session, Regular Meeting, *Council Chambers*

SUCCESSOR AGENCY

Members of the Escondido City Council also sit as the Successor Agency to the Community Development Commission, Escondido Joint Powers Financing Authority, and the Mobilehome Rent Review Board.



A F F I D A V I T S
O F
I T E M
P O S T I N G – N O N E



STAFF REPORT

March 26, 2025
File Number 0400-40

SUBJECT

APPROVAL OF WARRANT REGISTER (COUNCIL)

DEPARTMENT

Finance

RECOMMENDATION

Request approval for City Council and Housing Successor Agency warrant numbers:

391924 - 391927 & 3 EFT Transactions dated March 10, 2025

391909 - 392070 & 4 EFT Transactions dated March 12, 2025

42 EFT Transactions dated March 14, 2025

Staff Recommendation: Approval (Finance Department: Christina Holmes)

ESSENTIAL SERVICE – Internal requirement per Municipal Code Section 10-49

COUNCIL PRIORITY –

FISCAL ANALYSIS

The total amount of the warrants for the following periods are as follows:

March 10, 2025 is \$17,129.04

March 12, 2025 is \$3,058,149.12

March 14, 2025 is \$263,868.50

PREVIOUS ACTION – None

BACKGROUND

The Escondido Municipal Code Section 10-49 states that warrants or checks may be issued and paid prior to audit by the City Council, provided the warrants or checks are certified and approved by the Director of Finance as conforming to the current budget. These warrants or checks must then be ratified and approved by the City Council at the next regular Council meeting.



APPROVAL
OF
MINUTES



STAFF REPORT

ITEM NO. 4

SUBJECT

WAIVER OF READING OF ORDINANCES AND RESOLUTIONS –

ANALYSIS

The City Council/RRB has adopted a policy that is sufficient to read the title of ordinances at the time of introduction and adoption, and that reading of the full text of ordinances and the full text and title of resolutions may be waived.

Approval of this consent calendar item allows the City Council/RRB to waive the reading of the full text and title of all resolutions agendized in the Consent Calendar, as well as the full text of all ordinances agendized in either the Introduction and Adoption of Ordinances or General Items sections. **This particular consent calendar item requires unanimous approval of the City Council/RRB.**

Upon approval of this item as part of the Consent Calendar, all resolutions included in the motion and second to approve the Consent Calendar shall be approved. Those resolutions removed from the Consent Calendar and considered under separate action may also be approved without the reading of the full text and title of the resolutions.

Also, upon the approval of this item, the Mayor will read the titles of all ordinances included in the Introduction and Adoption of Ordinances section. After reading of the ordinance titles, the City Council/RRB may introduce and/or adopt all the ordinances in one motion and second.

RECOMMENDATION

Staff recommends that the City Council/RRB approve the waiving of reading of the text of all ordinances and the text and title of all resolutions included in this agenda. Unanimous approval of the City Council/RRB is required.

Respectfully Submitted,

Zack Beck
City Clerk



STAFF REPORT

March 26, 2025
File Number 0740-30

SUBJECT

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE ESCONDIDO FIREFIGHTERS' ASSOCIATION – SAFETY AND NON-SAFETY PERSONNEL BARGAINING UNIT

DEPARTMENT

Human Resources Department

RECOMMENDATION

Request the City Council adopt Resolution No. 2025-24, approving a one-year extension to the Memorandum of Understanding (“MOU”) between the City of Escondido (“City”) and the Escondido Firefighters’ Association – Safety and Non-Safety Personnel Bargaining Unit (“Association”), commencing January 1, 2025, through December 31, 2025.

Staff Recommendation: Approval (Human Resources: Jessica Perpetua, Director of Human Resources)

Presenter: Jessica Perpetua, Director of Human Resources

ESSENTIAL SERVICE – Yes, internal requirement in support of Fire Services

COUNCIL PRIORITY – Improve Public Safety

FISCAL ANALYSIS

The fiscal impact to the General Fund for the fiscal year ending June 30, 2025 is \$310,500. The financial impacts of the remainder of the contract will be included in the FY2025/26 operating budget adoption.

PREVIOUS ACTION

On February 28, 2024, the City Council voted to adopt the MOU between the Association and the City of Escondido, for a one-year term that expired on December 31, 2024.

BACKGROUND

The City Council provided policy and negotiating authority to the City Manager in closed session. Thereafter, both City staff and Association representatives met quickly and efficiently to reach terms of an agreement. Both parties understand the importance of maintaining good labor relationships to serve the community.



CITY of ESCONDIDO

STAFF REPORT

The one-year extension provides a 6 percent (6%) across-the-board increase for all classifications, 24 hours of additional leave, training coverage for promotional classes, the removal of the ten-year requirement to reach Step 7 to align with all other City classifications, modified vacation accrual, education incentive pay for a Master’s or Post Baccalaureate degree, and increased uniform allowance. The extension also includes re-opener language for healthcare and MOU language clean-up.

Members of the Association voted in support of the terms and conditions of this agreement. Likewise, City staff recommends approval.

RESOLUTIONS

- a) Resolution No. 2025-24
- b) Resolution No. 2025-24 – Exhibit “A” Management Proposal #3 – Tentative Agreement

ATTACHMENTS

- a) Attachment “1”—Budget Adjustment

RESOLUTION NO. 2025-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING A ONE-YEAR EXTENSION TO THE MEMORANDUM OF UNDERSTANDING BETWEEN REPRESENTATIVES OF THE ESCONDIDO FIREFIGHTERS' ASSOCIATION – SAFETY AND NON-SAFETY PERSONNEL AND THE CITY OF ESCONDIDO

WHEREAS, on February 28, 2024, the Escondido City Council adopted Resolution No. 2024-22, to complete a Memorandum of Understanding between the Escondido Firefighters' Association – Safety and Non-Safety Personnel ("Association") and the City of Escondido ("City") for the period of January 1, 2024 and December 31, 2024 ("MOU"); and

WHEREAS, negotiating teams from the City and the Association have been duly appointed and have met and conferred in good faith to address matters affecting both parties including wages, hours, and other terms and conditions of employment; and

WHEREAS, the City and the Association agree the MOU promotes the continuation of the harmonious relationship between the City and the Association and at this time a one-year extension to the MOU is in the best interest of the City and the Association; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve a one-year extension to the MOU and certain other modifications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California as follows:

1. That the above recitations are true.

2. That the changes as provided in Resolution No. 2025-24 Exhibit "A" should be adopted, and is incorporated herein.

3. That the City Council authorizes the City's negotiating team to execute the one-year extension to the MOU with a new term from January 1, 2025 through December 31, 2025.

**City of Escondido
2025 Meet-and-Confer Process
Escondido Firefighters' Association**

Management Proposal #3 – Tentative Agreement

1. Term

One-year contract.
January 1, 2025 – December 31, 2025.

None of the terms are retroactive; all changes take effect upon the agreed upon effective date after the ratification by both parties.

2. Compensation

a. Across-the-board Increase

- 6.0% across-the-board increase for all classifications.

3. Additional Leave ("Personal leave" shall be called flexible holiday for Workday Coding Purposes)

The City agrees to provide the establishment of a flexible holiday bank. Must be pre-approval, just like vacation leave. The flexible hours must be used within the fiscal year they are deposited. The flexible holiday hours cannot be turned in for cash value at any time, including if an employee terminates employment with the City. Flexible holiday hours cannot be rolled over from year to year. Employees must be in an active and paid status in order to receive the annual credit. Employees who are hired after the annual credit distribution will **not** receive this benefit. The City agrees to provide the following hours:

- a. 24 hours of flexible holiday hours credited to each employee's leave banks the first pay period in July 2025.**

4. Training Coverage for promotional classes.

See draft MOU language.

5. Longevity Step

Removal of 10 – year requirement to advance to the longevity step of 7. Employees will be eligible to advance to step 7 after one full year at step 6, consistent with their step date.

6. Vacation Accrual

Modify vacation accrual to reflect the following:

<u>Current</u>	<u>Proposed</u>
First 5 years = 120 hours	First 5 years = 168 hours
5 – 10 years = 168 hours	5 – 10 years = 216 hours
10 – 15 years = 216 hours	10 – 15 years = 264 hours
15 – 20 years = 264 hours	15 + years = 312 hours
20+ years = 312 hours	

7. Education Incentive Pay

Add Master’s Degree Pay or Post Baccalaureate Pay at 6%.

Add MOU language to clarify that education incentive pay does not stack.

8. Uniform Allowance

Increase from \$800 to \$1,100 per year for safety.
Increase from \$400 to \$700 per year for non-safety.
This would encompass an additional \$225 for annual stipend for safety boots.

The Uniform Allowance for Safety employees shall be eleven hundred dollars (\$1,100.00) per year, and seven hundred dollars (\$700.00) for Non-Safety employees. Employees receive uniform allowance proportionally per pay period and is reported to CalPERS as such, versus a one-time lump-sum payment annually. Association members will be responsible for purchasing and wearing a “Uniform Safety Boot” as part of their station uniform. All Safety employees will be required to purchase a Class A uniform by their fifth (5th) year of employment.

9. Health Care Re-Opener

The City will direct the Health Insurance Committee to promptly investigate, evaluate and produce a written report assessing potential options to increase the quantity of City funded health plans. The HIC report shall specifically address participation rates and costs associated with each health care option in a written report to be completed by September 1, 2025.

10. MOU language cleanup



**CITY OF ESCONDIDO
Budget Adjustment Request**

Department	Human Resources Department
Department Contact	Jessica Perpetua
City Council Meeting Date	March 26, 2025

Explanation of Request

City Council adoption of Resolution No. 2025-24, approving a one-year extension to the Memorandum of Understanding (“MOU”) between the City of Escondido (“City”) and the Escondido Firefighters’ Association – Safety and Non-Safety Personnel Bargaining Unit (“Association”), commencing January 1, 2025, through December 31, 2025

Budget Adjustment Information

Description	Fund	Cost Center	Spend Category	Revenue Category	Project Description	Grant Description	Amount of Increase / (Decrease)
FY2025 Firefighters Association MOU	General Fund	Fire	Personnel Services	-	-	-	\$ 310,500

APPROVALS

DEPARTMENT HEAD

Signed by:
Jessica Perpetua
E3466F28D38A48C...

FINANCE

Signed by:
Christina Holmes
C0C8E98A934247C...



STAFF REPORT

March 26, 2025
File Number 0740-30

SUBJECT

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE ESCONDIDO POLICE OFFICERS' ASSOCIATION – SWORN PERSONNEL

DEPARTMENT

Human Resources Department

RECOMMENDATION

Request the City Council adopt Resolution No. 2025-25, approving a two-year Memorandum of Understanding (“MOU”) between the City of Escondido (“City”) and the Escondido Police Officers’ Association - Sworn Personnel (“Association”), commencing January 1, 2025, through December 31, 2026.

Staff Recommendation: Approval (Human Resources: Jessica Perpetua, Director of Human Resources)

Presenter: Jessica Perpetua, Director of Human Resources

- a) Resolution No. 2025-25

ESSENTIAL SERVICE – Yes, Internal requirement in support of Police Services

COUNCIL PRIORITY – Improve Public Safety

FISCAL ANALYSIS

The fiscal impact to the General Fund for the fiscal year ending June 30, 2025 is \$445,780. The financial impacts of the remainder of the contract will be included in the FY2025/26 operating budget adoption.

PREVIOUS ACTION

On March 6, 2024, the City Council voted to adopt the MOU between the Association and the City of Escondido, for a one-year term that expired on December 31, 2024.

BACKGROUND

The City Council provided policy and negotiating authority to the City Manager in closed session. Thereafter, both City staff and Association representatives met quickly and efficiently to reach terms of an agreement. Both parties understand the importance of maintaining good labor relationships to serve the community.



CITY of ESCONDIDO

STAFF REPORT

The two-year contract provides: a 7 percent (7%) across-the-board increase for all classifications in year one and a 6 percent (6%) across-the-board increase for all classifications in year two; an increase in the compensatory time off maximum from 80 to 120 hours; addition of one floating holiday; the opportunity to participate in vacation buy back to mirror the miscellaneous employee groups; an increase in the monthly sick leave accrual from 9 to 10 hours to mirror the daily hours worked; an increase to existing educational incentive pay and the addition educational incentive pay for a Master's or Post Baccalaureate degree; removal of the 10-year requirement to advance to the longevity Step 7; adds Step 7 for the Sergeant classification to be consistent with all other classifications in the City; addition of a longevity lump sum payment of \$1,000 annually for employees reaching 15 continuous years with the City of Escondido. The contract also includes re-opener language for healthcare and MOU language clean-up.

Members of the Association voted in support of the terms and conditions of this agreement. Likewise, City staff recommends approval.

RESOLUTIONS

- a) Resolution No. 2025-25
- b) Resolution No. 2025-25 – Exhibit "A" Management Proposal #3 – Tentative Agreement

ATTACHMENTS

- a) Attachment "1" – Budget Adjustment

RESOLUTION NO. 2025-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING A TWO-YEAR MEMORANDUM OF UNDERSTANDING BETWEEN REPRESENTATIVES OF THE ESCONDIDO POLICE OFFICERS' ASSOCIATION – SWORN PERSONNEL AND THE CITY OF ESCONDIDO

WHEREAS, on March 6, 2024, the Escondido City Council adopted Resolution No. 2024-21, to complete a Memorandum of Understanding between the Escondido Police Officers' Association – Sworn Personnel ("Association") and the City of Escondido ("City") for the period of January 1, 2024, and December 31, 2024 ("MOU"); and

WHEREAS, negotiating teams from the City and the Association have been duly appointed and have met and conferred in good faith to address matters affecting both parties including wages, hours, and other terms and conditions of employment; and

WHEREAS, the City and the Association agree the MOU promotes the continuation of the harmonious relationship between the City and the Association and, at this time, a two-year MOU is in the best interest of the City and the Association; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve a two-year MOU.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.

2. That the changes as provided in Resolution No. 2025-25 Exhibit "A" should be adopted, and is incorporated herein.

3. That the City Council authorizes the City's negotiating team to execute the two-year MOU with a new term from January 1, 2025 through December 31, 2026.

**City of Escondido
2025 Meet-and-Confer Process
Escondido Police Officers' Association**

Management Proposal #3 – Tentative Agreement

1. Term

Two-year contract.
January 1, 2025 – December 31, 2026.

None of the terms are retroactive; all changes take effect upon the agreed upon effective date after the ratification by both parties.

2. Compensation

a. Across-the-board Increase

- Year 1 – 7.0% across-the-board increase for all classifications.
- Year 2 – 6.0% across-the-board increase for all classifications.

3. Compensatory Time Off

The compensatory time off cap will increase from 80 hours to 120 hours.

4. Holiday

All employees will receive one floating holiday per fiscal year on July 1st, equal to ten (10) hours of straight time. This benefit will not be prorated for those hired after July 1. The floating holiday may be used at the discretion of the employee with prior management approval. An unused floating holiday credit will not carry over to the next fiscal year, has no cash value, and thus cannot be paid out upon separation of employment.

Clarify MOU language by adding a holiday comp time cap of 109 hours.

5. Vacation Buy Back

All employees will have the ability to cash out a maximum of 40 vacation hours in July and a maximum of 40 vacation hours in December, for a total of 80 vacation hours in a year.

6. Sick Leave

Increase accrual rate from 9 hours to 10 hours per calendar month.

7. Education Incentive Pay

Increase Associate's Degree Pay from 1% to 2% of base pay

Increase Bachelor's Degree Pay from 2% to 4% of base pay

Add Master's Degree or Post Baccalaureate Pay at 6%

Add MOU language to clarify that education incentive pay does not stack.

8. Longevity

Removal of 10 – year requirement to advance to the longevity step of 7. Employees will be eligible to advance to step 7 after one full year at step 6, consistent with their step date.

Add a newly added step 7, at 5%, for the classification of Police Sergeant. Employees will be eligible to advance to step 7 after one full year at step 6.

Add longevity pay of \$1,000 lump sum payment annually each year after employee reaches 15 continuous years with the City of Escondido.

9. Health Care Re-Opener

The City will direct the Health Insurance Committee to promptly investigate, evaluate and produce a written report assessing potential options to increase the quantity of City funded health plans. The HIC report shall specifically address participation rates and costs associated with each health care option in a written report to be completed by September 1, 2025.

10. MOU language cleanup



**CITY OF ESCONDIDO
Budget Adjustment Request**

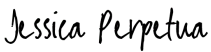

Department	Human Resources Department
Department Contact	Jessica Perpetua
City Council Meeting Date	March 26, 2025

Explanation of Request

City Council adoption of Resolution No. 2025-25, approving a two-year Memorandum of Understanding ("MOU") between the City of Escondido ("City") and the Escondido Police Officers' Association - Sworn Personnel ("Association"), commencing January 1, 2025, through December 31, 2026

Budget Adjustment Information

Description	Fund	Cost Center	Spend Category	Revenue Category	Project Description	Grant Description	Amount of Increase / (Decrease)
FY2025 Police Officers Association MOU	General Fund	Police	Personnel Services				\$ 445,780

APPROVALS	
DEPARTMENT HEAD	Signed by:  _____ <small>E3466F29D38A48C...</small>
FINANCE	Signed by:  _____ <small>A8E1B20895CC457</small>



STAFF REPORT

March 26, 2025
File Number 0610-75

SUBJECT

APPEAL BY TTRLFG, LLC, OF BUILDING ADVISORY AND APPEAL BOARD'S DECISION DENYING TTRLFG, LLC'S APPEAL OF AMENDED NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (SUBSTANDARD BUILDING)

DEPARTMENT

Development Services Department and City Attorney

RECOMMENDATION

Request the City Council adopt Resolution No. 2025-23 denying Appellant TTRLFG, LLC's ("Appellant") appeal and upholding the Building Advisory and Appeals Board's decision denying Appellant's appeal of the Building Official's issuance of an Amended Notice and Order to Abate a Public Nuisance (Substandard Building).

Staff Recommendation: Denial of Appeal (Development Services Department: Christopher McKinney, Deputy City Manager; City Attorney: Michael R. McGuinness, City Attorney)

Presenters: Anthony Mullins, Code Compliance Manager; Brenna Miller, Deputy City Attorney

ESSENTIAL SERVICE – Yes, internal requirement in support of Keep City Clean for Public Health and Safety; Land Use/Development

COUNCIL PRIORITY – Improve Public Safety; Encourage Housing Development; Increase Retention and Attraction of People and Businesses to Escondido

FISCAL ANALYSIS

None

PREVIOUS ACTION

On October 31, 2024, the City's Code Compliance Division issued Appellant an Amended Notice and Order to Abate a Public Nuisance (Substandard Building) for the property at 325-333 N. Beech Street. (Attachment "1").



CITY of ESCONDIDO

STAFF REPORT

On November 4, 2024, Appellant filed a timely appeal of the Amended Notice and Order to the City of Escondido Building Advisory and Appeals Board (“Board”).

On November 21, 2024, the Board met to hear Appellant’s appeal but continued the appeal at Appellant’s request.

On January 22, 2025, the Board met and heard Appellant’s appeal. After reviewing and considering Appellant’s written appeal and presentation, a City staff report, and all evidence presented by all parties, the Board denied the appeal and upheld the issuance of the Amended Notice and Order. The agenda packet for this meeting, which includes the initial appeal documents and City staff report, can be viewed here: [MEET-Packet-27bada29115f459790f0c461fde9b88b.pdf](#). The PowerPoint presentation and attachments Appellant presented to the Board are included as Attachment “2”. The Board’s Resolution denying the appeal is included here as Attachment “3”.

On January 27, 2025, Appellant filed a timely appeal of the Board’s decision to City Council.

BACKGROUND

Subject Property

Figure 1 – Subject Property



The subject property is located at 325-333 N. Beech Street, Assessor’s Parcel Number 2301210600 (“Property”). The Property is located within the Mixed Use Overlay of the East Valley Specific Plan, which allows for some residential use. The last Conditional Use Permit (“CUP”) for the Property, which describes the approved uses of the Property, was approved by the City of Escondido Planning Commission in 1994. (Attachment “4”). The City has no record of any permits or approvals for alterations, additions, or changes of use at the Property after the 1994 CUP. According to City records, the Property is currently only permitted for the following uses:

- A commercial building with space for three tenants;
- An office building;

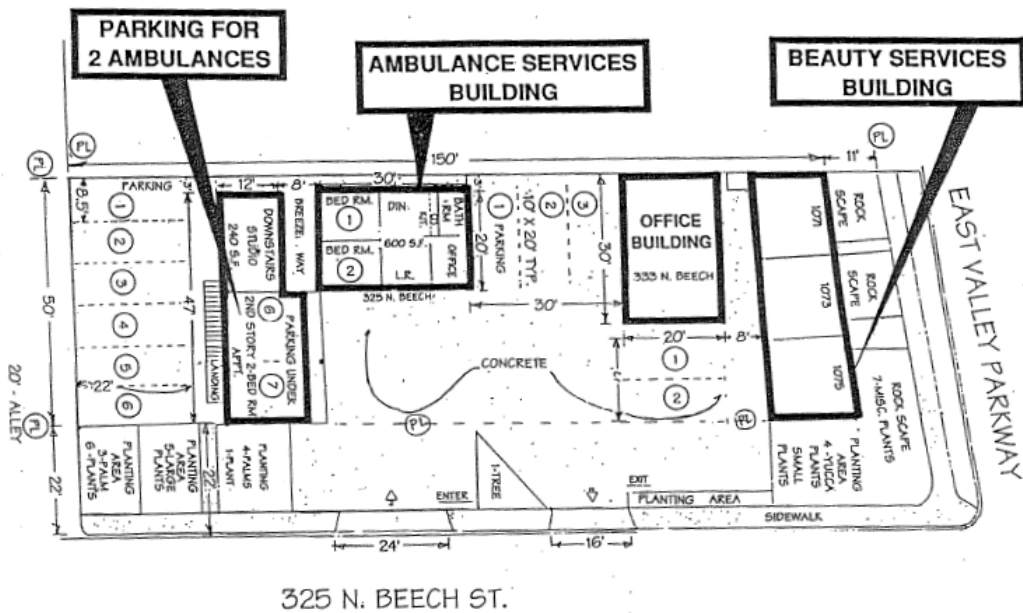


CITY of ESCONDIDO

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- A building for an ambulance services business, with an office and temporary rest quarters for ambulance service employees;
- A second-floor two-bedroom residential unit above the garage; and
- A first-floor studio residential unit.

Figure 2 – Site Plan Showing Approved Uses of the Property



Appellant owns the Property. Tony Struyk and Rick Zeiler are managers/members of TTRLFG, LLC.

Code Compliance Case

On July 26, 2023, the Code Compliance Division opened a case based on a complaint about the Property regarding possible unpermitted construction and conversion of commercial space to residential use. The Code Compliance Officer (“CCO”) assigned to the case inspected the exterior of the Property and determined that there are five unpermitted residential units at the Property.

On July 27, 2023, the CCO issued Appellant a Notice of Violation (“NOV”) for violations of the Escondido Municipal Code and California Building Code for unpermitted construction or alteration of a building or structure. The NOV ordered Appellant to submit an application and plans to the City Planning and Building Divisions to legalize the changes made at the Property. In August 2023, Tony Struyk met with Planning and Building Division staff, who explained the process for Appellant to obtain the proper permits for the



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construction and changes in use at the Property. On November 16, 2023, the CCO issued Appellant a pre-citation notice due to non-compliance with the NOV.

On February 12, 2024, Appellant’s contractor emailed plans to the Planning Division as part of its pre-application review process for a proposed project to convert the carport at the Property into two residential units. The Planning Division notified the contractor via email that it would not intake a formal project application for the carport conversion because the emailed plans showed there were existing unpermitted residential units on the Property and because the requested conversion would not be permitted per the 1994 CUP. The Planning Division explained that Appellant would need to apply for and obtain proper permits for the existing units prior to adding additional residential units. The Planning Division’s email to Appellant’s contractor is included as Attachment “5.” On April 3, 2024, the CCO issued an Administrative Citation due to non-compliance with the NOV.

On August 20, 2024, and October 8, 2024, the City obtained inspection warrants from the San Diego County Superior Court to inspect the exterior of the Property and interior of all residential units, due to continuous refusals from Tony Struyk, Rick Zeiler, and the Property’s tenants to allow the City to inspect to ensure compliance with building and safety code requirements. The City inspected the Property four times from September 2024 to October 2024. City staff present at the inspections included the Building Official and staff from Code Compliance, the Escondido Fire Department, and the Environmental Compliance Division. The City confirmed after fully inspecting that there are seven residential units at the Property:

- The office building has been converted into Units 1 and 2 without required permits;
- The ambulance services building has been converted into Units 5 and 6 without required permits;
- The garage has been converted into Unit 9 without required permits; and
- Units 7 and 8 are legally permitted per City records.

The inspections revealed numerous violations of the Escondido Municipal Code, Escondido Zoning Code, California Building Code, California Fire Code, and California Health and Safety Code. Most violations are a direct result of the unpermitted construction and conversion of space at the Property. On September 26, 2024, the City issued an initial Notice and Order to Abate a Public Nuisance (Substandard Building). On October 31, 2024, the City issued an Amended Notice and Order to Abate a Public Nuisance (Substandard Building), which:

- lists the code violations at the Property;
- ordered Appellant to vacate all tenants from Units 1, 2, 5, 6, and 9 within three days pursuant to the California Health and Safety Code; and
- ordered Appellant to correct the code violations and submit an application and plans to the City to obtain permits to legalize the changes at the Property within ten (10) days.



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On November 4, 2024, Appellant, filed a timely appeal of the Amended Notice and Order to the Board.

Building Advisory and Appeals Board

On November 21, 2024, the Board met to hear Appellant’s appeal but continued the appeal at Appellant’s request.

On January 22, 2025, the Board met and heard Appellant’s appeal. Tony Struyk and Rick Zeiler presented the appeal; City staff and Appellant answered questions posed by the Board; and the Board heard public comment on the matter. After reviewing and considering Appellant’s written appeal, presentation, and attachments, a City staff report and attachments, and all evidence presented by all parties, the Board denied Appellant’s appeal and upheld the issuance of the Amended Notice and Order.

On January 27, 2025, Appellant filed a timely appeal of the Board’s decision to City Council.

City’s Response to Appeal

The City recommends that City Council deny this appeal and uphold the Board’s decision affirming the issuance of the Amended Notice and Order. Appellant has provided no grounds to support this appeal. City staff inspected the Property in September and October 2024 and determined, based on their expertise, experience, and qualifications, that the code violations listed in the Amended Notice and Order exist at the Property. The Amended Notice and Order was issued as a result of the inspections and in compliance with local and state laws. The City ordered that Appellant vacate the unpermitted units because several of the code violations constitute an immediate danger to the health and safety of the occupants under the California Health and Safety Code.

Tony Struyk and Rick Zeiler have been aware since July 2023 that they are required to submit a formal project application and plans to the City to bring the Property into compliance with the law. They have refused to do so, refused to cooperate when the City sought to inspect the Property to ensure compliance with safety and building codes, and have denigrated City staff throughout the code enforcement process. Appellant should be required to follow the same process and rules as every other property owner in the City of Escondido to ensure that all uses and any residential and commercial units are safe and legally permitted.

RESOLUTIONS

- a) Resolution No. 2025-23
- b) Resolution No. 2025-23 — Exhibit “A” — Amended Notice and Order to Abate a Public Nuisance (Substandard Building) dated October 31, 2024



CITY *of* ESCONDIDO

STAFF REPORT

ATTACHMENTS

- a) Attachment "1" — Amended Notice and Order to Abate a Public Nuisance (Substandard Building) dated October 31, 2024
- b) Attachment "2" — PowerPoint and Attachments Appellant presented to the Board
- c) Attachment "3" — Building Advisory and Appeals Board Resolution No. 2024-01
- d) Attachment "4" — 1994 Conditional Use Permit Documents
- e) Attachment "5" — Planning Response Regarding Property and Pre-Application Review

RESOLUTION NO. 2025-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, DENYING THE APPEAL OF THE ESCONDIDO BUILDING ADVISORY AND APPEALS BOARD'S DECISION DENYING THE APPEAL OF AN AMENDED NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (SUBSTANDARD BUILDING) BY APPELLANT TTRLFG, LLC

WHEREAS, the subject property is all the real property located at 325-333 N. Beech Street, Escondido, California, 92025, Assessor's Parcel Number 2301210600 ("Property"); and

WHEREAS, on April 12, 1994, the City of Escondido Planning Commission approved Resolution No. 4929 for a Conditional Use Permit ("CUP"), Case Number 94-08-CUP, to establish an ambulance services business at the Property; and

WHEREAS, the staff report recommending approval of the CUP, Case Number 94-08-CUP, provides the approved uses of the Property, which includes only two residential units; and

WHEREAS, there have been no approved changes of use at the Property since the 1994 CUP; and

WHEREAS, before October 31, 2024, TTRLFG, LLC became the record owner of the Property. Tony Struyk and Rick Zeiler are the managers or members of TTRLFG, LLC; and

WHEREAS, on September 26, 2024, after an investigation of the conditions on the Property, the City of Escondido's ("City") Code Compliance Division issued TTRLFG, LLC a Notice and Order to Abate a Public Nuisance (Substandard Building); and

WHEREAS, on October 31, 2024, the City issued TTRLFG, LLC an Amended Notice and Order to Abate a Public Nuisance (Substandard Building), which was appealed (“Appeal”) to the City’s Building Advisory and Appeals Board (“Board”); and

WHEREAS, on November 21, 2024, and again on January 22, 2025, the Board met to hear the Appeal. After all evidence was presented by the City and TTRLFG, LLC, the Board denied the Appeal; and

WHEREAS, TTRLFG, LLC has appealed the Board’s decision to deny the Appeal to the City Council of the City of Escondido; and

WHEREAS, the City Council of the City of Escondido (“City Council”) did, on March 26, 2025, hold a public hearing to consider the appeal by Appellant TTRLFG, LLC, of the Board’s decision denying the Appeal of the Building Official’s issuance of an Amended Notice and Order to Abate a Public Nuisance (Substandard Building) at the Property. Said Amended Notice and Order to Abate a Public Nuisance (Substandard Building) is included as Exhibit “A”; and

WHEREAS, the City Council made the following determinations:

1. That the appeal hearing was properly noticed as required by the Escondido Municipal Code and applicable state law; and
2. That a staff report was presented discussing the issues in the matter; and
3. That a hearing was held and that all persons desiring to speak or present evidence were provided a reasonable opportunity to do so.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true and correct.

2. That the City Council has reviewed and considered the Appellant's written appeal dated January 27, 2025, Appellant's presentation, the staff report dated March 26, 2025, the record before the Building Advisory and Appeals Board, Building Advisory and Appeal Board Resolution No. 2024-01, and all evidence presented by all parties.

3. That, after considering the appeal, staff report, and all other oral and written evidence, the City Council hereby denies the appeal by Appellant TTRLFG, LLC, of the Building Advisory and Appeals Board's decision denying the Appeal of the Building Official's issuance of an Amended Notice and Order to Abate a Public Nuisance (Substandard Building).



Code Compliance Division
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4650 Fax: 760-432-6819

**NOTICE AND ORDER
TO ABATE A PUBLIC NUISANCE
(Substandard Building)
AMENDED**

October 31, 2024

**TTRLFG LLC
C/O Owner Rick Zeiler
PO Box 27198
San Diego CA 92198**

**Unknown Occupants
325-333 N Beech Street – Units 1, 2, 5, 6, 7, 8 & 9
Escondido CA 92025**

**CASE NUMBER: C23-0994
SUBJECT: 325-333 N Beech Street, Escondido, CA 92025
DESCRIPTION: Assessors' Parcel Number 230-121-0600**

Pursuant to the Escondido Municipal Code, a Code Compliance Officer, the Building Official, a Fire Inspector/Investigator, and an Environmental Compliance Officer inspected the exterior and Units 1, 5, 6, 7, and 8 at the above referenced property on September 3 and 19, 2024. City staff also inspected Unit 2 on October 17, 2024, and the garage area identified as Unit 9, on October 21, 2024. The inspections were in response to a complaint received by the City of Escondido Code Compliance Division. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code ("EMC") sections 1-14, 6-12.2, 6-485, and 33-1312, a substandard building, as defined by California Health & Safety Code ("HSC") sections 17920.3 and 17980.6, and an unsafe structure, as defined by California Building Code ("CBC") section 116.1 and California Fire Code ("CFC") section 114, is being maintained on the property. Numerous violations of the EMC, CBC, Escondido Zoning Code ("EZC"), CFC, and HSC were found on the property.

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October 31, 2024
Page 2

The Following Violations Were Found:

1. Up to five residential units (accessory dwelling units) and a storage room were constructed without the required Building Department review and permits. **EMC §§ 6-12, 6-12.2, 6-13.1; CBC §§ 105.1, 114.1; HSC §§ 17920.3(c), (n).**
2. Accessory dwelling units ("ADU") and additions were built without required Planning Department review, approval via an approved ADU permit or "Major Plot Plan" submittal, and permits. **EZC §§ 33-1210, 33-1472, 33-1476, 33-1313, 33-1314; HSC §§ 17920.3(c), (n).**
3. The walls that separate the dwelling units from each other and the walls that separate the garage and sleeping units were constructed without the required fire-resistance rated partitions. **CFC § 901.4.4; CBC §§ 420.2, 708; HSC § 17920.3(h), (m).**
4. False wall installed in the hallway to Units 7 and 9, which blocks access to the electrical panels and meters. **CFC § 901.3.**
5. Multiple areas missing fire-resistive construction (drywall and stucco). **CFC § 901.4.4; HSC §§ 17920.3(h), (m).**
6. There is a gas leak at the meter in the walkway leading to the garage. **CEBC101.8.1; HSC §§ 17920.3(a)14.**
7. Property lacks a Fire Sprinkler system and Fire Alarm system, which is required based on the number of residential units. **CFC §§ 901.3, 901.4, 903.2.8, 907.2.9; CBC § 420.5; HSC § 17920.3(h), (m).**
8. Sleeping windows do not meet height requirement for egress windows. **CFC §§ 1031.2, 1031.3; CBC §§ 1031.2, 1031.3; HSC § 17920.3(l).**
9. Fire extinguishers not located every 75 feet. **CFC §§ 906.1, 906.2, 906.3.**
10. Smoke detectors not located in every sleeping room and every egress hallway. **CFC § 907.2.11.2; CBC § 420.5; HSC § 17920.3(m).**
11. No CO2 detectors in any of the units. **CFC § 915.1; CBC § 420.5.**

325-333 N Beech Street
October 31, 2024
Page 3

12. Multiple outlets missing outlet covers and exposing wires to the elements. **CFC § 603.2.2; HSC § 17920.3(d).**
13. The side egress gate is locked and does not swing in the path of travel. Gate must be operable at all times and swing in the path of travel. **CFC § 1017.**
14. There is a tree touching the roof on the west side of the building. Tree will need to be limbed up. **CFC § 4906; HSC § 17920.3(h).**
15. There is an accumulation of trash and debris throughout the property in an area open to public view. **EMC §§ 6-484(a)(1), (a)(2); HSC §§ 17920.3(a)(16), (c).**
16. The property additions do not include the required trash bin enclosure. **EMC § 22-26(d)(1). HSC § 17920.3(j).**

AS THE RESPONSIBLE PERSON AND/OR OWNER OF RECORD, YOU ARE HEREBY ORDERED WITHIN THREE (3) DAYS OF THIS NOTICE TO:

1. Vacate all tenants from Units 1, 2, 5, 6, and 9, and secure the aforementioned units from unauthorized entry, pursuant to California Health and Safety Code sections 17920.3, 17980, and 17980.6. You shall keep the aforementioned units vacant and secured until the required repairs have been made and the dwelling is deemed habitable by the City of Escondido and brought into compliance with all state and local code regulations.

YOU ARE ALSO ORDERED WITHIN TEN (10) DAYS OF THE RECEIPT OF THIS NOTICE TO:

1. Submit an application, plans, and designs to the City of Escondido Planning and Building Departments to legalize the improvements and address all violations OR obtain a demolition permit from the City of Escondido Building Department, remove all unpermitted construction and alterations, and return the property to its last approved intended use. All work done under a building/demolition permit must be finalized within 30 days of receiving this notice.
2. Remove all trash and debris from the property.
3. Comply with the attached Notice of Inspection issued by Environmental Compliance Officer Marcus Leso on September 3, 2024.
4. Trim the tree touching the roof on the west side of the building.

325-333 N Beech Street
October 31, 2024
Page 4

Please Note: You must bring this or a copy of this notice with you when applying for the required permits. Failure to do so may result in the permits not being issued until the officer handling this case can be reached.

Disposal of material involved in public nuisances shall be carried forth in a legal manner. If you fail to comply with this notice in abating all violations as required, within the time allotted, the Building Official may order the building vacated, secured against trespass, and posted to prevent further occupancy until the work is completed. The Building Official may also proceed to cause the work to be done and charge the costs thereof against the property and/or its owner.

Moreover, reinspection fees may be assessed and/or administrative citations may be issued. The first citation has a mandatory fine of \$100.00, the second citation is \$250.00 and each subsequent citation is \$500.00. Each day a violation exists is a separate violation and may be cited. Additionally, the case may be referred to the City Attorney's Office for other appropriate legal action. The City may amend this Notice and Order upon discovery of additional violations at the Property.

Any person having any interest or record title in the property may appeal the Building Official's action in issuing this notice to the Planning Commission **within ten (10) days** of the date of this notice, pursuant to EMC section 6-488. Appeals must be filed with the City Clerk, be in writing, and be accompanied by the established filing fee. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for appeal.

IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

This notice will be recorded against the property in the office of the San Diego County Recorder, unless the violations are corrected.

FOR NON-OWNER OCCUPIED DWELLINGS

TAX LIABILITY

California Revenue and Taxation Code, sections 17274 and 24436.5, require that this agency report all substandard rental units which do not comply with the State Housing Law or local codes dealing with health, safety, or building within six (6) months of this notice to the State Franchise Tax Board. If compliance is not met within 6 months of this notice, this agency will report such noncompliance to the State Franchise Tax Board,

325-333 N Beech Street
October 31, 2024
Page 5

which will disallow any State Income Tax deductions for interest, depreciation, taxes, or amortization for this (these) dwelling unit(s).

RELOCATION MAY BE REQUIRED

Pursuant to California Health and Safety Code section 17975, an owner must pay relocation benefits to any tenant who is displaced or subject to displacement from a residential unit as a result of an order to vacate or an order requiring the vacation of a residential unit by a local enforcement agency as a result of a violation so extensive and of such a nature that the immediate health and safety of the residents is endangered. The local enforcement agency shall determine the eligibility of tenants for benefits and the amount of the benefit.

RETALIATION PROHIBITED

California Civil Code section 1942.5 prohibits a lessor of rental housing from retaliating against a lessee because of the exercise by the lessee of his or her rights under Civil Code section 1940 *et seq.* or because of a lessee's complaint to an enforcement agency as to the tenability of a dwelling. (See California Health and Safety Code section 17980.6).

MAY BE UNLAWFUL FOR LANDLORD TO DEMAND OR COLLECT RENT OR ISSUE NOTICE

Pursuant to California Civil Code section 1942.4(a), a landlord of a dwelling may not demand rent, collect rent, issue a notice of rent increase, or issue a three-day notice to pay rent or quit pursuant to Code of Civil Procedure section 1161(2), if all of the following conditions exist prior to the landlord's demand or notice:

- The dwelling substantially lacks any of the affirmative standard characteristics listed in section 1941.1 or violates section 17920.10 of the Health and Safety Code, or is deemed and declared substandard as set forth in section 17920.3 of the Health and Safety Code because conditions listed in that section exist to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants of the dwelling;
- A public officer or employee who is responsible for the enforcement of any housing law, after inspecting the premises, has notified the landlord or the landlord's agent in writing of his or her obligations to abate the nuisance or repair the substandard conditions; and

325-333 N Beech Street
October 31, 2024
Page 6

- The conditions have existed and have not been abated 35 days beyond the date of service of the notice specified in paragraph (2) and the delay is without good cause, and the conditions were not caused by an act or omission of the tenant or lessee in violation of section 1929 or 1941.2.

If you have any questions regarding this case, please contact me at (760) 839-6374 between 7:30 a.m. and 5:30 p.m., Monday through Thursday.

Sincerely,


Stephen Jacobson
Code Compliance Officer II



**City of Escondido
 Environmental Programs
 Hale Avenue Resource Recovery Facility
 1521 S Hale Avenue, Escondido, CA 92029
 Telephone (760) 839-6290 Fax (760) 489-1132**

Date :
 9/3/2024

Inspector: LESO, MARCUS
 Inspector's #: 760.839.6290 Ext. 7092

W/O Report#: 1061477

Onsite Contact Name & Phone #	TTRLFG, LLC c/o Rick Zeiler
Business Name & Ph# or N/A:	TTRLFG, LLC 619-857-0411
Address/Bus/Res:	325-333 N Beech St, Escondido CA 92027
Property Mgr. Address, Ph# or N/A:	TTRLFG, LLC c/o Rick Zeiler PO Box 27198, San Diego, CA 92198

STORMWATER BMPs (BEST MANAGEMENT PRACTICES) RESULTS	SC-10-Non-Storwater Discharge Control: NO BMP ISSUES -	SC-11-Spill Prevention: NO BMP ISSUES -	SC-20-Vehicle&Equip / Fueling: NOT APPLICABLE AT SITE -	SC-21-Vehicle&Equip /Cleaning: NO BMP ISSUES -
SC-22-Vehicle&Equip / Repair: NO BMP ISSUES -	SC-30 Outdoor Load/Unload: NOT APPLICABLE AT SITE -	SC-31-Outdoor Lig.Cont.Strg: NOT APPLICABLE AT SITE -	SC-32-Outdoor Equip.Ops: NOT APPLICABLE AT SITE -	SC-33-Outdoor Storage/Raw Mat: NOT APPLICABLE AT SITE -
SC-34-Waste Hand / Disp: BMP ISSUES - Trash is over flowing and is on the ground	S&E-Sediment & Erosion Cont: NO BMP ISSUES -	SC-41-Bldg.& Ground Maint: BMP ISSUES - Not enough trash and recycling	SC-43-Parking/Storage / Maint: NO BMP ISSUES -	SC-44-Storm Drain Sys Maint: NO BMP ISSUES -
TC-Treatment Controls: NOT APPLICABLE AT SITE -	Employee Training: NOT APPLICABLE AT SITE -	Note Corrective Actions: NOT APPLICABLE AT SITE -		Reinspection Date: <div style="border: 1px solid black; padding: 2px;">10/1/2024 12:00:00</div>

Report:
 9/3/24 2:35 p <https://www.escondido.gov/DocumentCenter/View/1977/Trash-Enclosure-Guidelines-PDF2>
 9/3/24 2:21 p During a joint inspection of a warrant issued to the City of Escondido for an unpermitted building structure at 325-333 N Beech Street, I was called out for any sewer and stormwater issues. I was not able to inspect all units, but there were no sewer issues in the ones that I could inspect. There were no signs of an illegal connection to the City's sewer main on the street. There was one dumpster and a green organic residential bin with no recycling bin or dumpster. There was a lot of trash on the floor, and the green organic bin was also filled with trash, which can't be properly disposed of when it is processed at Escondido Disposal. TTRLFG, LLC is being issued a Notice of Correction under municipal code section 22-26 (d)(1) to build a proper dumpster enclosure. The dumpster enclosure shall meet the City's standards. The link below is the City of Escondido Trash Enclosure Guidelines. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Violation(s): NOC Number: 240903-01 **NOC Extension:** **Administrative Citation:**

A2.22-26. (a-k) Reduction of pollutants in stormwater

Build a dumpster enclosure that meets City's standards. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Comp?
 NO

ORDER TO COMPLY: You are hereby ordered to abate the preceding violations.

Failure to comply may subject you to penalties and/or administrative fines, up to \$1000.00 per violation per day, as provided by law.

TTRLFG, LLC c/o Rick Zeiler 9/3/2024 2:42:20PM

LESO, MARCUS
 760.839.6290 Ext. 7092

9/3/2024 2:42:20PM



Code Compliance Division
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4650 Fax: 760-432-6819

**NOTICE AND ORDER
TO ABATE A PUBLIC NUISANCE
(Substandard Building)
AMENDED**

October 31, 2024

**TTRLFG LLC
C/O Owner Rick Zeiler
PO Box 27198
San Diego CA 92198**

**Unknown Occupants
325-333 N Beech Street – Units 1, 2, 5, 6, 7, 8 & 9
Escondido CA 92025**

**CASE NUMBER: C23-0994
SUBJECT: 325-333 N Beech Street, Escondido, CA 92025
DESCRIPTION: Assessors' Parcel Number 230-121-0600**

Pursuant to the Escondido Municipal Code, a Code Compliance Officer, the Building Official, a Fire Inspector/Investigator, and an Environmental Compliance Officer inspected the exterior and Units 1, 5, 6, 7, and 8 at the above referenced property on September 3 and 19, 2024. City staff also inspected Unit 2 on October 17, 2024, and the garage area identified as Unit 9, on October 21, 2024. The inspections were in response to a complaint received by the City of Escondido Code Compliance Division. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code ("EMC") sections 1-14, 6-12.2, 6-485, and 33-1312, a substandard building, as defined by California Health & Safety Code ("HSC") sections 17920.3 and 17980.6, and an unsafe structure, as defined by California Building Code ("CBC") section 116.1 and California Fire Code ("CFC") section 114, is being maintained on the property. Numerous violations of the EMC, CBC, Escondido Zoning Code ("EZC"), CFC, and HSC were found on the property.

325-333 N Beech Street

October 31, 2024

Page 2

The Following Violations Were Found:

1. Up to five residential units (accessory dwelling units) and a storage room were constructed without the required Building Department review and permits. **EMC §§ 6-12, 6-12.2, 6-13.1; CBC §§ 105.1, 114.1; HSC §§ 17920.3(c), (n).**
2. Accessory dwelling units ("ADU") and additions were built without required Planning Department review, approval via an approved ADU permit or "Major Plot Plan" submittal, and permits. **EZC §§ 33-1210, 33-1472, 33-1476, 33-1313, 33-1314; HSC §§ 17920.3(c), (n).**
3. The walls that separate the dwelling units from each other and the walls that separate the garage and sleeping units were constructed without the required fire-resistance rated partitions. **CFC § 901.4.4; CBC §§ 420.2, 708; HSC § 17920.3(h), (m).**
4. False wall installed in the hallway to Units 7 and 9, which blocks access to the electrical panels and meters. **CFC § 901.3.**
5. Multiple areas missing fire-resistive construction (drywall and stucco). **CFC § 901.4.4; HSC §§ 17920.3(h), (m).**
6. There is a gas leak at the meter in the walkway leading to the garage. **CEBC101.8.1; HSC §§ 17920.3(a)14.**
7. Property lacks a Fire Sprinkler system and Fire Alarm system, which is required based on the number of residential units. **CFC §§ 901.3, 901.4, 903.2.8, 907.2.9; CBC § 420.5; HSC § 17920.3(h), (m).**
8. Sleeping windows do not meet height requirement for egress windows. **CFC §§ 1031.2, 1031.3; CBC §§ 1031.2, 1031.3; HSC § 17920.3(l).**
9. Fire extinguishers not located every 75 feet. **CFC §§ 906.1, 906.2, 906.3.**
10. Smoke detectors not located in every sleeping room and every egress hallway. **CFC § 907.2.11.2; CBC § 420.5; HSC § 17920.3(m).**
11. No CO2 detectors in any of the units. **CFC § 915.1; CBC § 420.5.**

325-333 N Beech Street
October 31, 2024
Page 3

12. Multiple outlets missing outlet covers and exposing wires to the elements. **CFC § 603.2.2; HSC § 17920.3(d).**
13. The side egress gate is locked and does not swing in the path of travel. Gate must be operable at all times and swing in the path of travel. **CFC § 1017.**
14. There is a tree touching the roof on the west side of the building. Tree will need to be limbed up. **CFC § 4906; HSC § 17920.3(h).**
15. There is an accumulation of trash and debris throughout the property in an area open to public view. **EMC §§ 6-484(a)(1), (a)(2); HSC §§ 17920.3(a)(16), (c).**
16. The property additions do not include the required trash bin enclosure. **EMC § 22-26(d)(1). HSC § 17920.3(j).**

AS THE RESPONSIBLE PERSON AND/OR OWNER OF RECORD, YOU ARE HEREBY ORDERED WITHIN THREE (3) DAYS OF THIS NOTICE TO:

1. Vacate all tenants from Units 1, 2, 5, 6, and 9, and secure the aforementioned units from unauthorized entry, pursuant to California Health and Safety Code sections 17920.3, 17980, and 17980.6. You shall keep the aforementioned units vacant and secured until the required repairs have been made and the dwelling is deemed habitable by the City of Escondido and brought into compliance with all state and local code regulations.

YOU ARE ALSO ORDERED WITHIN TEN (10) DAYS OF THE RECEIPT OF THIS NOTICE TO:

1. Submit an application, plans, and designs to the City of Escondido Planning and Building Departments to legalize the improvements and address all violations OR obtain a demolition permit from the City of Escondido Building Department, remove all unpermitted construction and alterations, and return the property to its last approved intended use. All work done under a building/demolition permit must be finalized within 30 days of receiving this notice.
2. Remove all trash and debris from the property.
3. Comply with the attached Notice of Inspection issued by Environmental Compliance Officer Marcus Leso on September 3, 2024.
4. Trim the tree touching the roof on the west side of the building.

325-333 N Beech Street
October 31, 2024
Page 4

Please Note: You must bring this or a copy of this notice with you when applying for the required permits. Failure to do so may result in the permits not being issued until the officer handling this case can be reached.

Disposal of material involved in public nuisances shall be carried forth in a legal manner. If you fail to comply with this notice in abating all violations as required, within the time allotted, the Building Official may order the building vacated, secured against trespass, and posted to prevent further occupancy until the work is completed. The Building Official may also proceed to cause the work to be done and charge the costs thereof against the property and/or its owner.

Moreover, reinspection fees may be assessed and/or administrative citations may be issued. The first citation has a mandatory fine of \$100.00, the second citation is \$250.00 and each subsequent citation is \$500.00. Each day a violation exists is a separate violation and may be cited. Additionally, the case may be referred to the City Attorney's Office for other appropriate legal action. The City may amend this Notice and Order upon discovery of additional violations at the Property.

Any person having any interest or record title in the property may appeal the Building Official's action in issuing this notice to the Planning Commission **within ten (10) days** of the date of this notice, pursuant to EMC section 6-488. Appeals must be filed with the City Clerk, be in writing, and be accompanied by the established filing fee. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for appeal.

IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

This notice will be recorded against the property in the office of the San Diego County Recorder, unless the violations are corrected.

FOR NON-OWNER OCCUPIED DWELLINGS

TAX LIABILITY

California Revenue and Taxation Code, sections 17274 and 24436.5, require that this agency report all substandard rental units which do not comply with the State Housing Law or local codes dealing with health, safety, or building within six (6) months of this notice to the State Franchise Tax Board. If compliance is not met within 6 months of this notice, this agency will report such noncompliance to the State Franchise Tax Board,

325-333 N Beech Street
October 31, 2024
Page 5

which will disallow any State Income Tax deductions for interest, depreciation, taxes, or amortization for this (these) dwelling unit(s).

RELOCATION MAY BE REQUIRED

Pursuant to California Health and Safety Code section 17975, an owner must pay relocation benefits to any tenant who is displaced or subject to displacement from a residential unit as a result of an order to vacate or an order requiring the vacation of a residential unit by a local enforcement agency as a result of a violation so extensive and of such a nature that the immediate health and safety of the residents is endangered. The local enforcement agency shall determine the eligibility of tenants for benefits and the amount of the benefit.

RETALIATION PROHIBITED

California Civil Code section 1942.5 prohibits a lessor of rental housing from retaliating against a lessee because of the exercise by the lessee of his or her rights under Civil Code section 1940 *et seq.* or because of a lessee's complaint to an enforcement agency as to the tenability of a dwelling. (See California Health and Safety Code section 17980.6).

MAY BE UNLAWFUL FOR LANDLORD TO DEMAND OR COLLECT RENT OR ISSUE NOTICE

Pursuant to California Civil Code section 1942.4(a), a landlord of a dwelling may not demand rent, collect rent, issue a notice of rent increase, or issue a three-day notice to pay rent or quit pursuant to Code of Civil Procedure section 1161(2), if all of the following conditions exist prior to the landlord's demand or notice:

- The dwelling substantially lacks any of the affirmative standard characteristics listed in section 1941.1 or violates section 17920.10 of the Health and Safety Code, or is deemed and declared substandard as set forth in section 17920.3 of the Health and Safety Code because conditions listed in that section exist to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants of the dwelling;
- A public officer or employee who is responsible for the enforcement of any housing law, after inspecting the premises, has notified the landlord or the landlord's agent in writing of his or her obligations to abate the nuisance or repair the substandard conditions; and

325-333 N Beech Street
October 31, 2024
Page 6

- The conditions have existed and have not been abated 35 days beyond the date of service of the notice specified in paragraph (2) and the delay is without good cause, and the conditions were not caused by an act or omission of the tenant or lessee in violation of section 1929 or 1941.2.

If you have any questions regarding this case, please contact me at (760) 839-6374 between 7:30 a.m. and 5:30 p.m., Monday through Thursday.

Sincerely,


Stephen Jacobson
Code Compliance Officer II



**City of Escondido
Environmental Programs
Hale Avenue Resource Recovery Facility
1521 S Hale Avenue, Escondido, CA 92029
Telephone (760) 839-6290 Fax (760) 489-1132**

Date :
9/3/2024

Inspector: LESO, MARCUS
Inspector's #: 760.839.6290 Ext. 7092

W/O Report#: 1061477

Onsite Contact Name & Phone #	TTRLFG, LLC c/o Rick Zeiler
Business Name & Ph# or N/A:	TTRLFG, LLC 619-857-0411
Address/Bus/Res:	325-333 N Beech St, Escondido CA 92027
Property Mgr. Address, Ph# or N/A:	TTRLFG, LLC c/o Rick Zeiler PO Box 27198, San Diego, CA 92198

STORMWATER BMPs (BEST MANAGEMENT PRACTICES) RESULTS	SC-10-Non-Storwater Discharge Control: NO BMP ISSUES -	SC-11-Spill Prevention: NO BMP ISSUES -	SC-20-Vehicle&Equip / Fueling: NOT APPLICABLE AT SITE -	SC-21-Vehicle&Equip /Cleaning: NO BMP ISSUES -
SC-22-Vehicle&Equip / Repair: NO BMP ISSUES -	SC-30 Outdoor Load/Unload: NOT APPLICABLE AT SITE -	SC-31-Outdoor Lig.Cont.Strg: NOT APPLICABLE AT SITE -	SC-32-Outdoor Equip.Ops: NOT APPLICABLE AT SITE -	SC-33-Outdoor Storage/Raw Mat: NOT APPLICABLE AT SITE -
SC-34-Waste Hand / Disp: BMP ISSUES - Trash is over flowing and is on the ground	S&E-Sediment & Erosion Cont: NO BMP ISSUES -	SC-41-Bldg.& Ground Maint: BMP ISSUES - Not enough trash and recycling	SC-43-Parking/Storage / Maint: NO BMP ISSUES -	SC-44-Storm Drain Sys Maint: NO BMP ISSUES -
TC-Treatment Controls: NOT APPLICABLE AT SITE -	Employee Training: NOT APPLICABLE AT SITE -	Note Corrective Actions: NOT APPLICABLE AT SITE -		Reinspection Date: 10/1/2024 12:00:00

Report:
9/3/24 2:35 p <https://www.escondido.gov/DocumentCenter/View/1977/Trash-Enclosure-Guidelines-PDF2>
9/3/24 2:21 p During a joint inspection of a warrant issued to the City of Escondido for an unpermitted building structure at 325-333 N Beech Street, I was called out for any sewer and stormwater issues. I was not able to inspect all units, but there were no sewer issues in the ones that I could inspect. There were no signs of an illegal connection to the City's sewer main on the street. There was one dumpster and a green organic residential bin with no recycling bin or dumpster. There was a lot of trash on the floor, and the green organic bin was also filled with trash, which can't be properly disposed of when it is processed at Escondido Disposal. TTRLFG, LLC is being issued a Notice of Correction under municipal code section 22-26 (d)(1) to build a proper dumpster enclosure. The dumpster enclosure shall meet the City's standards. The link below is the City of Escondido Trash Enclosure Guidelines. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Violation(s): NOC Number: 240903-01 NOC Extension: Administrative Citation:

A2.22-26. (a-k) Reduction of pollutants in stormwater

Build a dumpster enclosure that meets City's standards. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Comp?
NO

ORDER TO COMPLY: You are hereby ordered to abate the preceding violations.

Failure to comply may subject you to penalties and/or administrative fines, up to \$1000.00 per violation per day, as provided by law.

TTRLFG, LLC c/o Rick Zeiler 9/3/2024 2:42:20PM

LESO, MARCUS

9/3/2024 2:42:20PM

760.839.6290 Ext. 7092

**APPEAL OF AMENDED NOTICE AND ORDER TO
ABATE A PUBLIC NUISANCE (SUBSTANDARD
BUILDING) AND ORDER TO VACATE**

Item 7.

BY TTRLFG, LLC

325-333 N Beech Street

JANUARY 16, 2025

(CONTINUED FROM NOVEMBER 21, 2024)

CITY OF ESCONDIDO

CODE OF ORDINANCES

BUILDING ADVISORY AND APPEALS BOARD

SECTION 6-11.8.4

Hearing, considering appeal. An appeal to the board shall be heard and considered by the board in a public meeting. The hearing may be continued from time to time as the board may deem proper to reach a just decision on the appeal. **At the time of the hearing** of the appeal by the board, the **appellant** or his or her legal representative **shall be heard by the board**. The appellant may present any oral and legal arguments and evidence he or she wishes in prosecuting his or her appeal. **The building director shall present a written report** concerning the appeal, a copy of which shall be delivered to the appellant no later than the hearing date.

NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE Item 7.

(SUBSTANDARD BUILDING)

SEPTEMBER 26, 2024

Despite multiple requests,
NO copy of a complaint
has been provided to us

Pursuant to the Escondido Municipal Code, a Code Compliance Officer, the Building Official, a Fire Inspector/Investigator, and an Environmental Compliance Officer inspected Units 1, 5, 6, 7, and 8 at the above referenced property on September 3, 2024, & September 19, 2024. The inspections were in response to a written complaint received by the City of Escondido Code Compliance Division. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code ("EMC") sections 1-14, 6-10.4, 6-12.2, 6-485, and 33-1312, a substandard building, as defined by California Health & Safety Code ("HSC") section 17920.3, and an unsafe structure, as defined by California Building Code ("CBC") section 116.1 and California Fire Code ("CFC") section 114, is being maintained on the property. Numerous violations of the EMC, CBC, Escondido Zoning Code ("EZC"), CFC, and HSC were found on the property.

REPORTS FROM THE CITY'S "REPORT IT!" APP – ALL YEARS

Item 7.



LEGAL PROPERTY OWNER

Property Detail Report

For Property Located At :
333 N BEECH ST, ESCONDIDO, CA 92025-3202



Owner Information

[Photos Available \(04/20/2022\)](#)

Owner Name: **TTRLFG LLC**
Mailing Address: **PO BOX 27198, SAN DIEGO CA 92198-1198 B001**
Vesting Codes: //

Location Information

Legal Description:	LOT 9 BLK 26 TR 336	APN:	230-121-06-00
County:	SAN DIEGO, CA	Alternate APN:	
Census Tract / Block:	202.02 / 2	Subdivision:	ESCONDIDO
Township-Range-Sect:		Map Reference:	22-F1 /
Legal Book/Page:	230-12	Tract #:	336
Legal Lot:	9	School District:	ESCONDIDO UN
Legal Block:	26	School District Name:	ESCONDIDO UN
Market Area:		Munic/Township:	
Neighbor Code:			

VIOLATIONS LISTED IN AMENDED NOTICE NO. 1

Up to five residential units (accessory dwelling units) and a storage room were constructed without the required Building Department review and permits. EMC §§ 6-12, 6-12.2, 6-13.1; CBC §§ 105.1, 114.1; HSC §§ 17920.3(c), (n).

VIOLATIONS LISTED IN AMENDED NOTICE NO. 2

Accessory dwelling units ("ADU") and additions were built without required Planning Department review, approval via an approved ADU permit or "Major Plot Plan" submittal, and permits. EZC §§ 33-1210, 33-1472, 33-1476, 33-1313, 33-1314; HSC §§ 17920.3(c), (n).

VIOLATIONS LISTED IN AMENDED NOTICE NO. 3

The walls that separate the dwelling units from each other and the walls that separate the garage and sleeping units were constructed without the required fire-resistance rated partitions. CFC § 901.4.4; CBC §§ 420.2, 708; HSC § 17920.3(h), (m).

VIOLATIONS LISTED IN AMENDED NOTICE NO. 4

False wall installed in the hallway to Units 7 and 9, which blocks access to the electrical panels and meters. CFC § 901.3

VIOLATIONS LISTED IN AMENDED NOTICE NO. 5

Multiple areas missing fire-resistive construction (drywall and stucco). CFC § 901.4.4; HSC §§ 17920.3(h), (m).

VIOLATIONS LISTED IN AMENDED NOTICE NO. 6

There is a gas leak at the meter in the walkway leading to the garage. CEBC101.8.1; HSC §§ 17920.3(a)14.

VIOLATIONS LISTED IN AMENDED NOTICE NO. 7

Item 7.

Property lacks a Fire Sprinkler system and Fire Alarm system, which is required based on the number of residential units. CFC §§ 901.3, 901.4, 903.2.8, 907.2.9; CBC § 420.5; HSC § 17920.3(h), (m).

VIOLATIONS LISTED IN AMENDED NOTICE NO. 8

Sleeping windows do not meet height requirement for egress windows. CFC §§ 1031.2, 1031.3; CBC §§ 1031.2, 1031.3; HSC § 17920.3(I).

VIOLATIONS LISTED IN AMENDED NOTICE

NO. 9

Item 7.

Fire extinguishers not located every 75 feet. CFC §§ 906.1, 906.2, 906.3.

VIOLATIONS LISTED IN AMENDED NOTICE NO. 10

Item 7.

Smoke detectors not located in every sleeping room and every egress hallway. CFC § 907.2.11.2; CBC § 420.5; HSC § 17920.3(m).

VIOLATIONS LISTED IN AMENDED NOTICE

NO. 11

Item 7.

No CO2 detectors in any of the units. CFC § 915.1; CBC § 420.5.

VIOLATIONS LISTED IN AMENDED NOTICE NO. 12

Item 7.

Multiple outlets missing outlet covers and exposing wires to the elements. CFC § 603.2.2; HSC § 17920.3(d).

VIOLATIONS LISTED IN AMENDED NOTICE Item7.

NO. 13

The side egress gate is locked and does not swing in the path of travel. Gate must be operable at all times and swing in the path of travel. CFC § 1017.

VIOLATIONS LISTED IN AMENDED NOTICE Item 7.

NO. 14

There is a tree touching the roof on the west side of the building.
Tree will need to be limbed up. CFC § 4906; HSC § 17920.3(h).

VIOLATIONS LISTED IN AMENDED NOTICE Item 7.

NO. 15

There is an accumulation of trash and debris throughout the property in an area open to public view. EMC §§ 6-484(a)(1), (a)(2); HSC §§ 17920.3(a)(16), (c).

VIOLATIONS LISTED IN AMENDED NOTICE

NO. 16

The property additions do not include the required trash bin enclosure. EMC § 22-26(d)(1). HSC § 17920.3(j).

ACKNOWLEDGMENTS AND CLARIFICATIONS (VOICE CLIPS FROM CITY HALL)

4/22/22 - Ivan Flores, Senior Planner

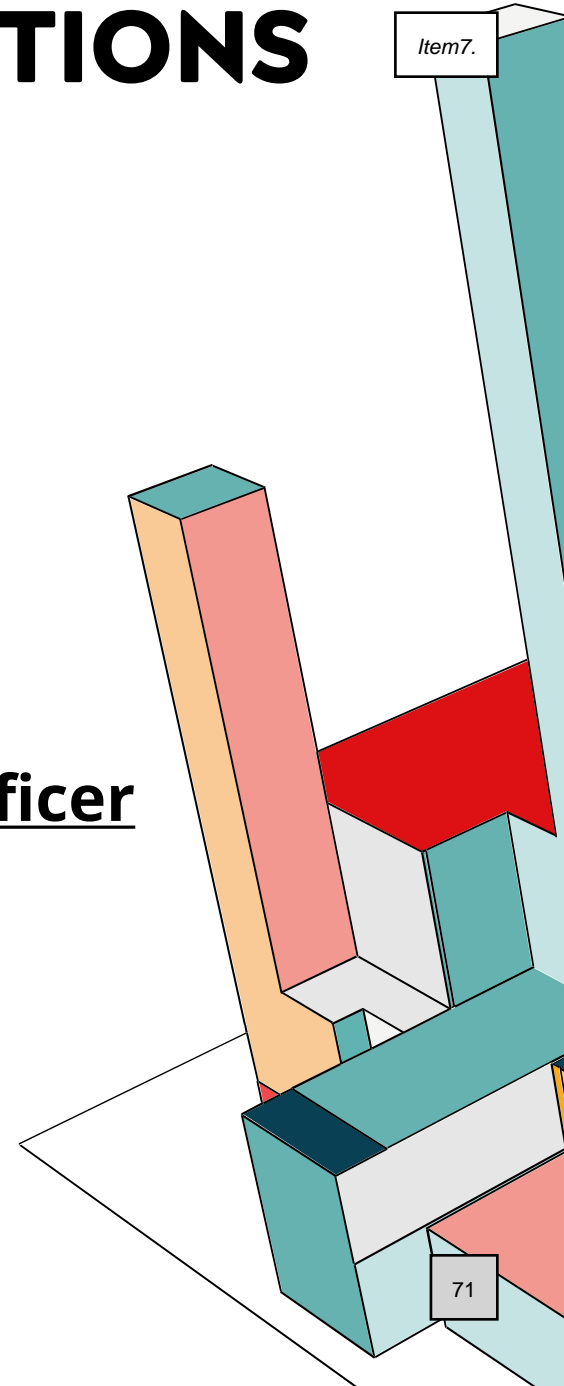
- 1. Non-Conforming 25% (Long version)
- 2. Non-Conforming Unlimited Time
- 3. Non-Conforming Indefinitely
- 4. Seven Plus Three

8/23/23 - Stephen Jacobson, Code Compliance Officer

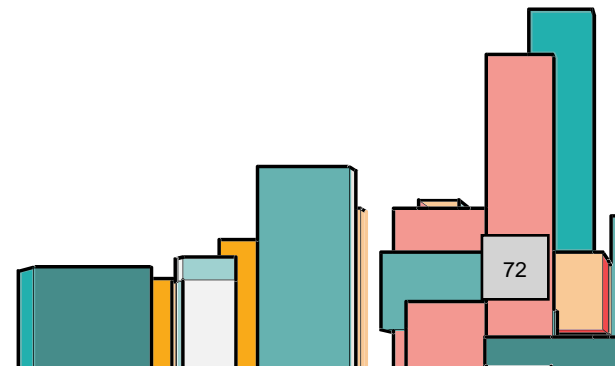
- 5. Forever
- 6. For Years
- 7. Health & Safety

8/23/23 - Douglas Moody, Building Official

- 8. Not a Big Deal



PHOTOS AND VIDEOS 325-333 N BEECH STREET



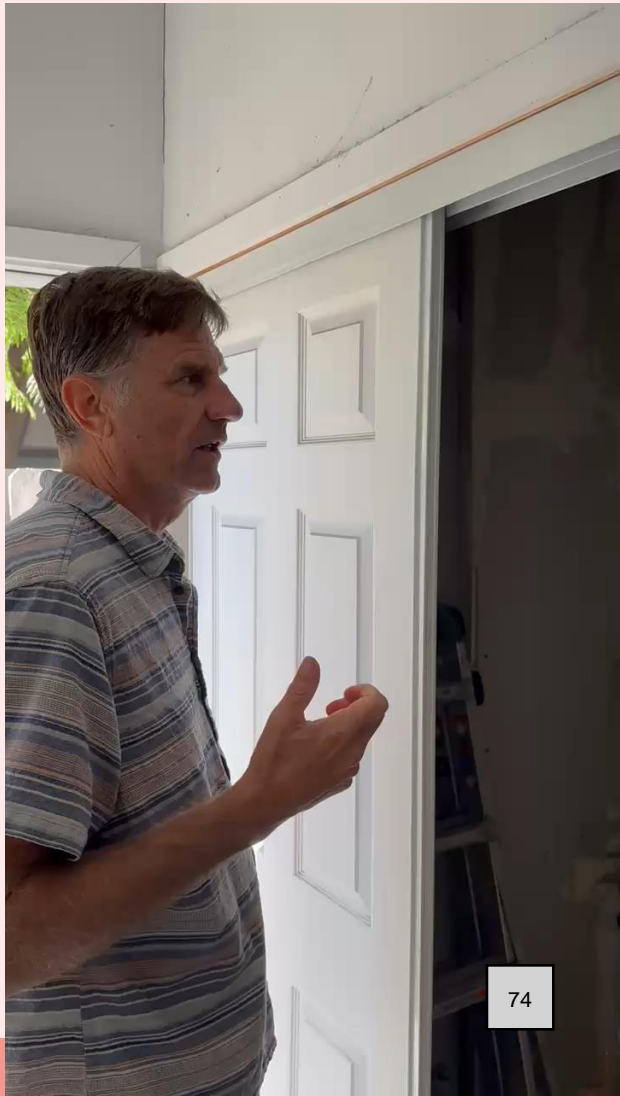
FIRE EXTINGUISHER MEASUREMENT VIDEOS

Attachment "2"

Item 7.



FIRE WALL VIDEOS

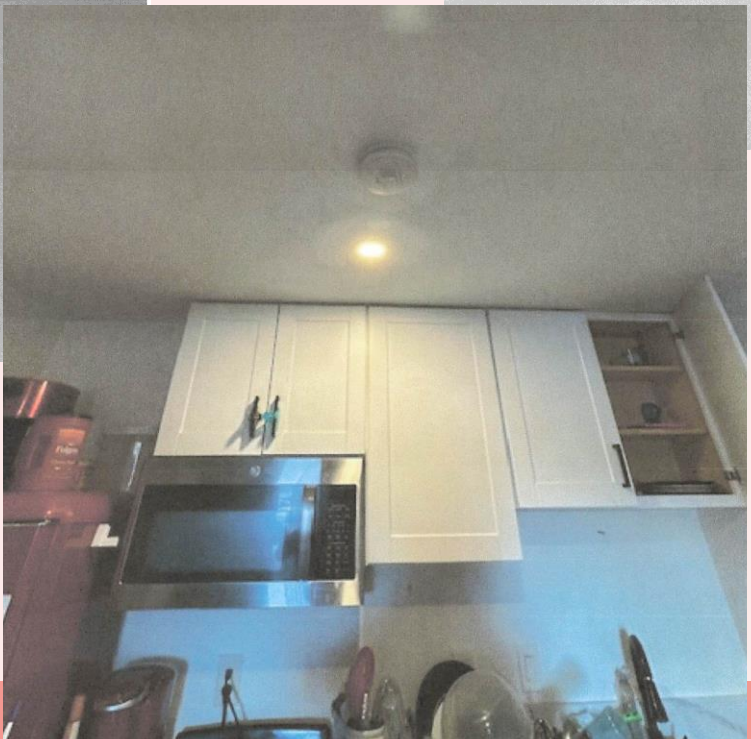
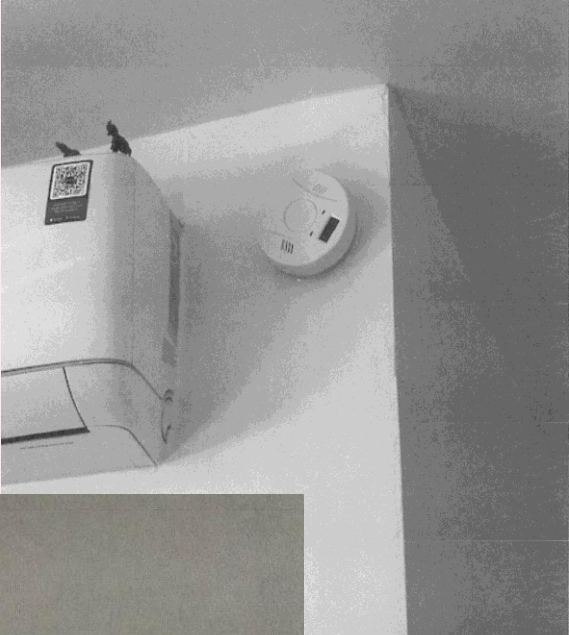


PHOTOS - SEPTEMBER 30, 2024

Item 7.



Smoke / CO2 Alarms



PHOTOS - SEPTEMBER 30, 2024

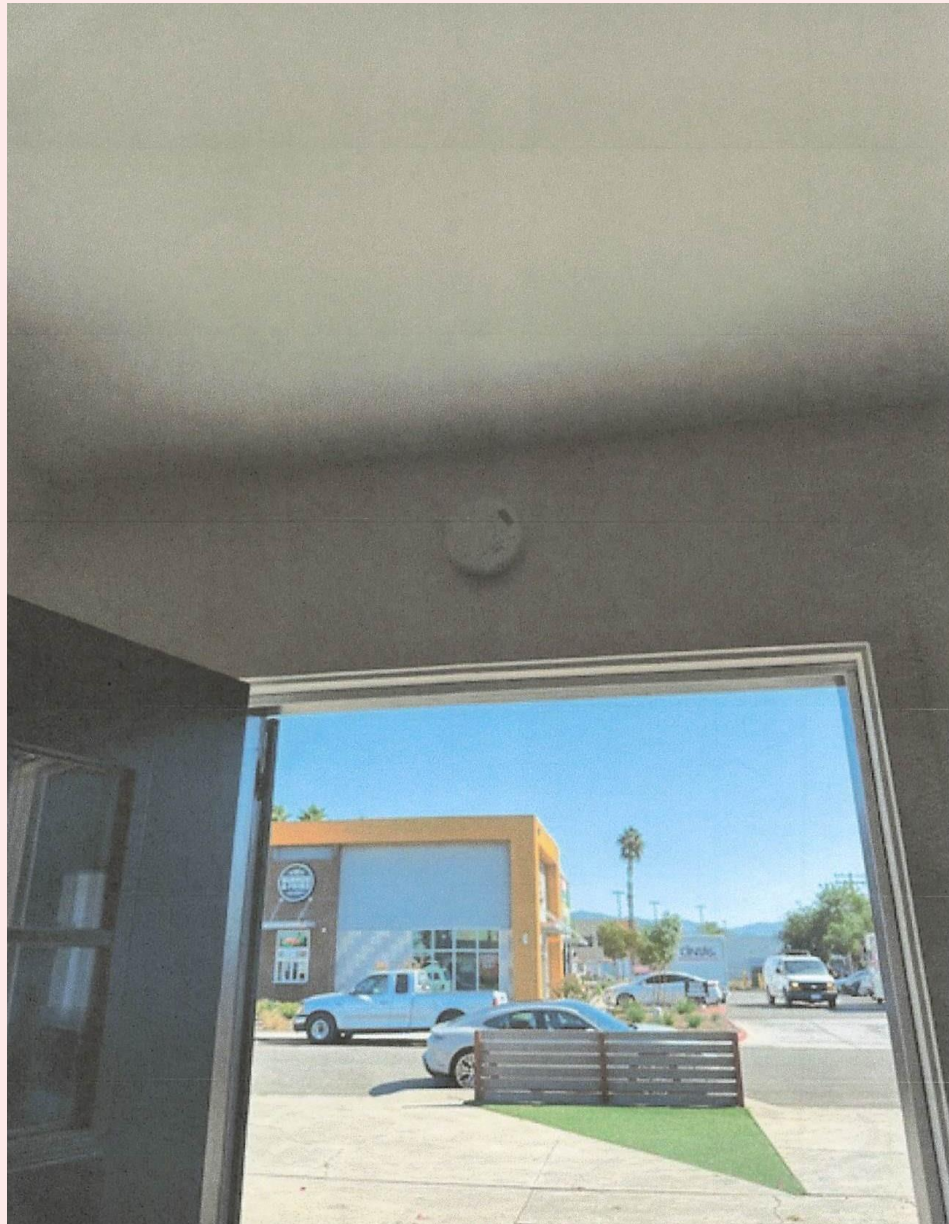
Item 7.

Smoke / CO2 Alarms

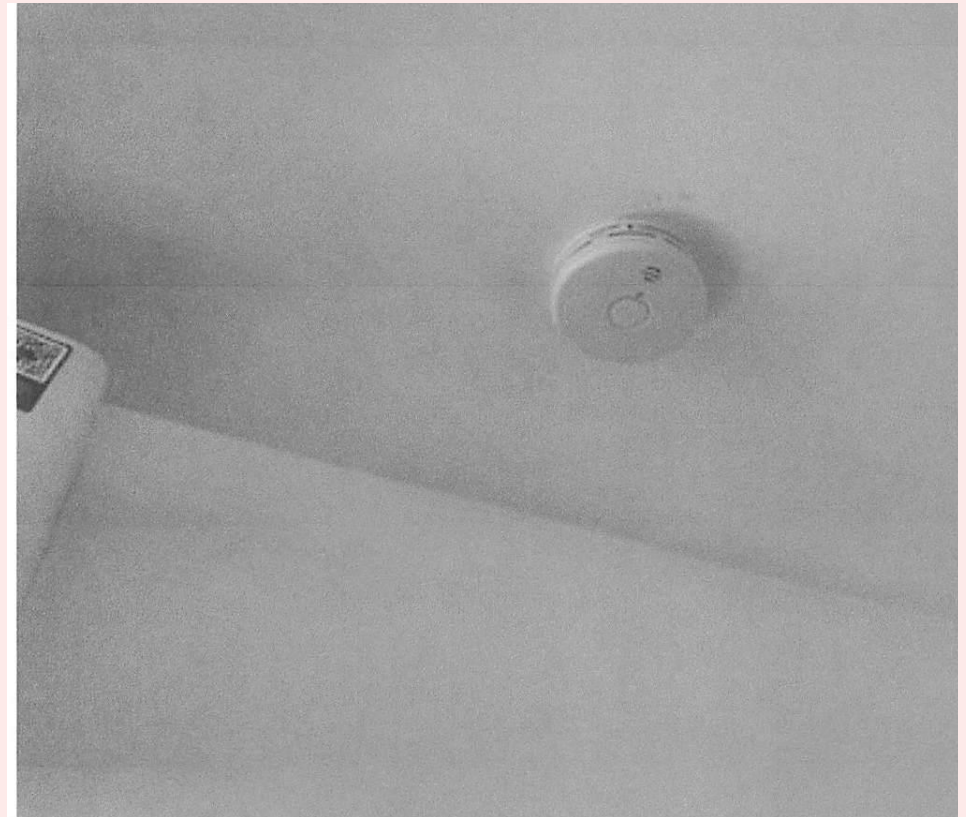


PHOTOS - SEPTEMBER 30, 2024

Item 7.



Smoke / CO2 Alarms



77

PHOTOS - SEPTEMBER 30, 2024

Item 7.



PHOTOS - SEPTEMBER 30, 2024

Item 7.

Fire Extinguishers on Property



PHOTOS - SEPTEMBER 30, 2024

Item 7.



Non-Lockable Gate



Roof Cleared of Tree Limbs

SITE CONDITION - SEPTEMBER 30, 2024

Item 7.



SDG&E CLEARANCE REQUIREMENTS Item 7.

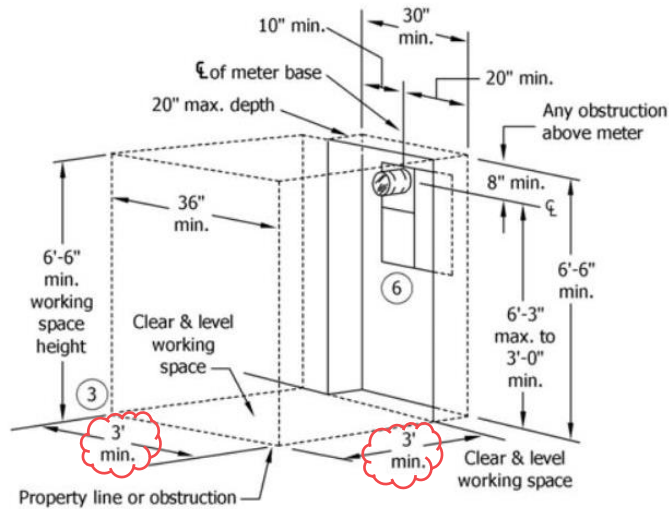


FIGURE 3
Recess Single Meter "Residential Application Only"

Notes to Figures 1 – 3:

- ① The 10" and 26" dimensions may vary depending on site conditions and equipment configuration, but in no case shall the left or right side clearance from centerline of the meter socket to an obstruction be less than 10", and the overall width of working space must be 36" minimum.
- ② For hardscape working space requirements, refer to Notes 6, 7, 10 and 11 on page SG 504.5.
- ③ For barrier requirements see page SG 505.
- ④ Residential equipment shown, however, this standard is also applicable to commercial equipment (not shown).
- ⑤ This standard also applies to wall-mounted and free-standing switchboards (not shown).
- ⑥ See pages SG 508.1 – 508.2 for additional Meter Cabinet Recess requirements.
- ⑦ See page SG 504.5, Note 8 for 480-volt service, and Note 9 for medium-voltage switchgear.

SINGLE OR MULTIPLE METER INSTALLATIONS COMMERCIAL OR RESIDENTIAL APPLICATIONS

SG 507.2

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REV	CHANGE	BY	DSGN	APPV	DATE	REV	CHANGE	BY	DSGN	APPV	DATE
A	Editorial Changes	LSM	IPJ	TPM	11/01/17	D					
B						E					
C						F					

<input checked="" type="checkbox"/> Indicates Latest Revision	<input type="checkbox"/> Completely Revised	<input type="checkbox"/> New Page	<input type="checkbox"/> Information Removed
SDG&E SERVICE STANDARDS & GUIDE			
SINGLE OR MULTIPLE METER INSTALLATIONS COMMERCIAL OR RESIDENTIAL APPLICATIONS			SG 507.2

LEGISLATION

SENATE BILLS, ASSEMBLY BILLS

AND

CODE OF ORDINANCES

CITY OF ESCONDIDO - CODE OF ORDINANCES

SECTION 6-488: PROCEDURES FOR ABATEMENT OF UNLAWFUL CONDITIONS

(a) Notice and order. Whenever the building official or designee ("building official") has inspected or caused to be inspected any property and has found and determined that conditions constituting a public nuisance exist thereon, the building official may use the procedures set forth in this section for the abatement of such nuisance.

(1) The building official shall issue a notice and order and mail a copy of such notice and order to the landowner and the person, if other than the landowner, occupying or otherwise in real or apparent charge and control of the property. The notice and order shall contain:

(i) The street address and a legal description sufficient for identification of the property on which the condition exists.

(ii) A statement that the building official has determined that a public nuisance is being maintained on the property with a brief description of the conditions which render the property a public nuisance.

(iii) An order to complete abatement of described conditions within such time as the building official considers to be reasonable, but in no event shall the total time allowed for abatement be more than 60 days from the date of the notice and order. Provided that, in the event of work required due to fire, earthquake, or any other natural disaster, all appropriate permits shall be obtained and the work shall commence within 60 days from the date of service of the notice and order, and shall be completed within 180 days from the date of service of the notice and order.

(iv) A statement advising that the disposal of material involved in public nuisances shall be carried forth in a legal manner.

(v) A statement advising that if the required work is not commenced within the time specified, the building official will proceed to cause the work to be done, and bill the persons named in the notice for the abatement costs and/or assess the costs against the property.

(vi) A statement advising any person having any interest or record title in the property of the appeal process provided in this section.

(vii) A statement advising that the notice and order will be recorded against the property in the office of the county recorder, unless the violation(s) are corrected.

(2) The notice and order, and any amended notice and order shall be mailed by certified mail, postage prepaid, to each person as required pursuant to the provisions of subsection (a) of this section at the address as it appears on the last equalized assessment roll of the county or as known to the building official. The address of owners shown on

(3) Proof of service of the notice and order shall be documented at the time of service by a declaration under penalty of perjury executed by the person effecting service, declaring the time and manner in which service was made.

(4) If the violations are not corrected within a reasonable time, the building official shall file in the office of the county recorder a certificate legally describing the property and certifying that a public nuisance exists on the property and the owner has been so notified. The building official shall file a new certificate with the county recorder that the nuisance has been abated whenever the corrections ordered shall have been completed so that there no longer exists a public nuisance on the property described in the certificate; or the notice and order is rescinded by the planning commission upon appeal; or whenever the city abates the nuisance and the abatement costs have been paid. Such certificate shall be filed within five working days of the date of completion of such corrections.

CITY OF ESCONDIDO - CODE OF ORDINANCES

SECTION 6-491: ADDITIONAL PROCEEDINGS FOR ABATEMENT OF IMMINENTLY DANGEROUS PUBLIC NUISANCES

Notwithstanding any provision of this article to the contrary, whenever the building official determines that a public nuisance is so imminently dangerous to life or adjacent property that such condition must be immediately corrected, or isolated, the building official may institute the following procedures:

- (a) Notice. The building official shall attempt to make contact through a personal interview, or by telephone with the landowner or the person, if any, occupying or otherwise in real or apparent charge and control thereof. In the event contact is made, the building official shall notify such person, or persons, of the danger involved and require that such condition be immediately removed, repaired or isolated so as to preclude harm to any person or property.
- (b) Abatement. In the event the building official is unable to make contact as hereinabove noted, or if the appropriate persons, after notification by the building official, **do not take action as specified by such official, within 24 hours, then the building official may**, with the approval of the city manager, take all steps deemed necessary to remove or isolate such dangerous condition, or conditions, with the use of city forces or a contractor retained pursuant to the provisions of this article.
- (c) Cost. The building official shall keep an itemized account of the costs incurred by the city in removing or isolating such condition, or conditions. Such costs may be recovered in the same manner that abatement costs are recovered pursuant to this article.

SB-1226 BUILDING STANDARDS: BUILDING PERMITS

Item 7.

This bill would require the department to propose the adoption of a building standard to the California Building Standards Commission pursuant to existing law that would authorize, when a record of the issuance of a building permit for the construction of an existing residential unit does not exist, the above-described enforcement officials to determine when the residential unit was constructed and then apply the State Housing Law, the building standards published in the California Building Standards Code, and other specified rules and regulations in effect on that date and issue a retroactive building permit for that construction. This bill would declare that the provisions of the bill are declaratory of existing law.

(3) It is the intent of the Legislature to clarify that when a building permit for a residential unit does not exist, the appropriate enforcement official may make a determination of when a residential unit was constructed and then apply the California Building Standards Code and other specified rules and regulations in effect when the residential unit was determined to be constructed for purposes of issuing a building permit for the residential unit.

AB-2221 ACCESSORY DWELLING UNITS

This bill would require a permitting agency to approve or deny an application to serve an accessory dwelling unit or a junior accessory dwelling unit within the same timeframes. If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit, the bill would require a permitting agency to return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant within the same timeframes. The bill would define "permitting agency" for its purposes.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall approve or deny an application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation or service of an accessory dwelling unit. (B) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

Attachment "2"

SB-897 ACCESSORY DWELLING UNITS: JUNIOR ACCESSORY DWELLING UNITS

Item 7.

This bill would require that the standards imposed on accessory dwelling units be objective. For purposes of this requirement, the bill would define "objective standard" as a standard that involves no personal or subjective judgment by a public official and is uniformly verifiable, as specified. The bill would also prohibit a local agency from denying an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

Existing law prohibits a local agency from imposing parking standards on certain accessory dwelling units, including those that are located within 1/2-mile walking distance of public transit.

This bill would require a permitting agency to return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant, if the permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit.

This bill would prohibit a local agency from denying a permit for an unpermitted accessory dwelling unit that was constructed before January 1, 2018, because, among other things, the unit is in violation of building standards or state or local standards applicable to accessory dwelling units, unless the local agency makes a finding that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure. This bill would specify that this prohibition does not apply to a building that is deemed substandard under specified provisions of law.

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot.

If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

State of California

HEALTH AND SAFETY CODE

Section 17980.12

17980.12.

(a) (1) An enforcement agency, until January 1, 2030, that issues to an owner of an accessory dwelling unit described in subparagraph (A) or (B) below, a notice to correct a violation of any provision of any building standard pursuant to this part shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to this subdivision:

(A) The accessory dwelling unit was built before January 1, 2020.

(B) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(2) The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in paragraph (1) may, in the form and manner prescribed by the enforcement agency, submit an application to the enforcement agency requesting that enforcement of the violation be delayed for five years on the basis that correcting the violation is not necessary to protect health and safety.

(3) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of a violation on the primary dwelling unit, provided that correcting the violation is not necessary to protect health and safety.

State of California HEALTH AND SAFETY CODE

Section 17920.3

17920.3. Any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:

- (a) Inadequate sanitation shall include, but not be limited to, the following:
 - (1) Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
 - (2) Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
 - (3) Lack of, or improper kitchen sink.
 - (4) Lack of hot and cold running water to plumbing fixtures in a hotel.
 - (5) Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
 - (6) Lack of adequate heating.
 - (7) Lack of, or improper operation of required ventilating equipment.
 - (8) Lack of minimum amounts of natural light and ventilation required by this code.
 - (9) Room and space dimensions less than required by this code.
 - (10) Lack of required electrical lighting.
 - (11) Dampness of habitable rooms.
 - (12) Infestation of insects, vermin, or rodents as determined by a health officer if an agreement does not exist with an agency that has a health officer, the infestation can be determined by a code enforcement officer, as defined in Section 829.5 of the Penal Code, upon successful completion of a course of study in the appropriate subject matter as determined by the local jurisdiction.
 - (13) Visible mold growth, as determined by a health officer or a code enforcement officer, as defined in Section 829.5 of the Penal Code, excluding the presence of mold that is minor and found on surfaces that can accumulate dust, if any part of their properly functioning and intended use.
 - (14) General dilapidation or improper maintenance.
 - (15) Lack of connection to required sewage disposal system.
 - (16) Lack of adequate garbage and rubbish storage and removal facilities, as determined by a health officer or, if an agreement does not exist with an agency that has a health officer, the lack of adequate garbage and rubbish removal facilities can be determined by a code enforcement officer as defined in Section 829.5 of the Penal Code.

- (b) Structural hazards shall include, but not be limited to, the following:
 - (1) Deteriorated or inadequate foundations.
 - (2) Defective or deteriorated flooring or floor supports.
 - (3) Flooring or floor supports of insufficient size to carry imposed loads with safety.
 - (4) Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
 - (5) Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
 - (6) Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
 - (7) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
 - (8) Fireplaces or chimneys which list, bulge, or sag due to defective material or deterioration.
 - (9) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
- (c) Any nuisance.
 - (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.
 - (e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that covers or covers connections and siphonage between fixtures.
 - (f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
 - (g) Any weather protection, which shall include, but not be limited to, the following:
 - (1) Deteriorated, crumbling, or loose plaster.
 - (2) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken windows or doors.
 - (3) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
 - (4) Broken, rotted, split, or buckled exterior wall coverings or roof coverings.
- (h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

- (i) Materials of construction, except those that are specifically allowed or approved by this code, and that have been adequately maintained in good and safe condition.
- (j) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
- (k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.
 - (l) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
 - (m) When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.
 - (n) All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
 - (o) Inadequate structural resistance to horizontal forces.
 - (p) "Substandard building" includes a building not in compliance with Section 13143.2. However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.

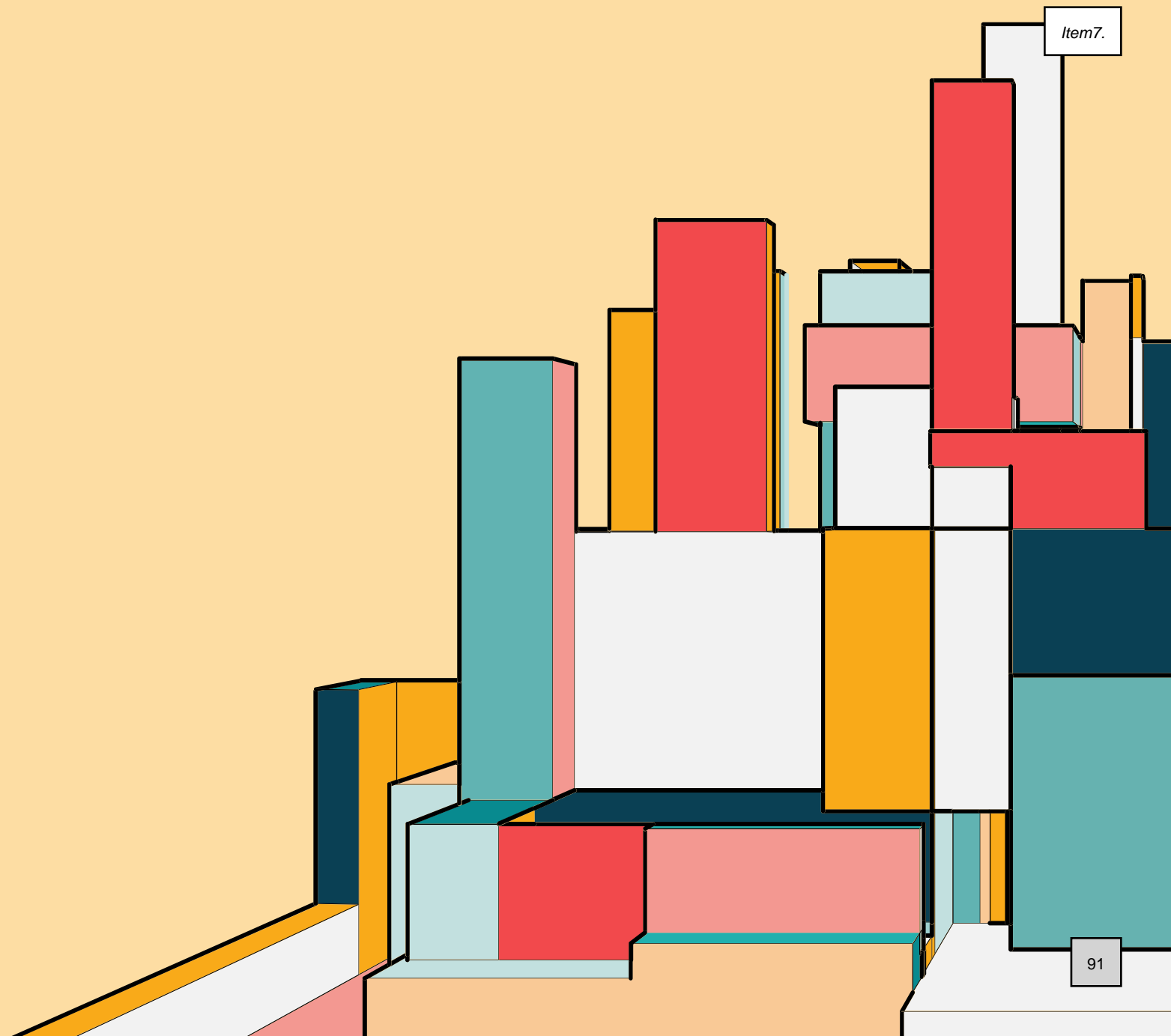
(Amended by Stats. 2015, Ch. 720, Sec. 3. (SB 655) Effective January 1, 2016.)

NONE OF THESE APPLY
NONE OF THESE CONDITIONS EXIST

THANK YOU

TTRLFG LLC Representatives:

Tony Struyk & Rick Zeiler



ATTACHMENTS

1. Article 20 – Property Maintenance
2. NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (Substandard Building) AMENDED – October 31, 2024
3. Amended Notice Email from Mr. Jacobson
4. Requests to Meet to Discuss Notices Including to Meet with Deputy City Attorney
5. NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (Substandard Building) – September 26, 2024
6. City of Escondido Acknowledgement of Receipt and Request to Appeal the September 26, 2024 Notice
7. City of Escondido Rejecting Right to Appeal by Deputy City Attorney
8. Response and Appeal of the NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (Substandard Building) – September 26, 2024
9. AB-2221 Accessory Dwelling Units
10. SB-897 Accessory Dwelling Units: Junior Accessory Dwelling Units
11. SB-1226 Building Standards: Building Permits
- 12A. Proof of Fire Wall Rating
- 12B. SDG&E Clearance Requirements
13. Photos in Response to Violation 5 - Drywall
14. Independent Consultant Inspection Report
15. Photos of Fire Extinguishers
16. Legal Code Fire Extinguisher Distance
17. Mr. Jacobson's Photos of Smoke Detectors on Sept. 3, 2024
18. Section 8 Inspection Report
19. Removal of Gate
20. Photo of Roof After Tree Trimming
21. Photos Showing No Trash or Debris on Property
22. Emails of Multiple Attempts to Contact City Attorney
23. PRA Request No. 24-946: All Communications, Notes, Statements, Affidavits, Photos, Records, Emails, and Discussions Regarding 325-333 West Beech Street
24. PRA Request No. 24-868: Copies of All Laws, Ordinances, and Enactments Adopted By the City of Escondido
25. Article 70: Accessory Dwelling Units: Junior Accessory Dwelling Units
26. Email Chain of Requests to Meet with Mr. Moody and Building Officials
27. Comments on City Staff Report
28. Feb 2024 Confirmation of Plan Submittal
29. Response to Oct. 31, 2024 Notice
30. Request for Delay in Enforcement

Article 20 PROPERTY MAINTENANCE

Attachment 1
1
Item 7.

§ 6-480 Title.

This article shall be known as the "City of Escondido Property Maintenance Ordinance."
(Ord. No. 85-44, § 1, 7-10-85)

§ 6-481 Findings.

The council finds and determines as follows:

- (a) The city has a history and reputation for well-kept properties and the property values and the general welfare of the community are founded, in part, upon the appearance and maintenance of private and public properties.
- (b) There is a need for further emphasis on property maintenance and sanitation in that certain conditions, as described in this article, have been found from place to place throughout the city.
- (c) The existence of such conditions described in this article is injurious and inimical to the public health, safety, and welfare of the residents of the city and contributes substantially and increasingly to the deterioration of neighborhoods.
- (d) Unless corrective measures are undertaken to alleviate such existing conditions and assure the avoidance of future problems in this regard, the public health, safety, and general welfare, and specifically the social and economic standards of the community, will be depreciated.
- (e) The abatement of such conditions will improve the general welfare and image of the city.
- (f) The abatement procedures set forth in this article are reasonable and afford due process to all affected persons.
- (g) The uses and abuses of property as described in this article reasonably relate to the proper exercise of police power to protect the health, safety, and general welfare of the public.

(Ord. No. 85-44, § 1, 7-10-85)

§ 6-482 Definitions.

The following words and phrases, whenever used in this article, shall be construed as defined in this section, unless from the context a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

"Attractive nuisance" shall mean any condition, instrumentality, or machine which is unsafe and unprotected and thereby dangerous to young children by reason of their inability to appreciate the peril therein, and which may reasonably be expected to attract young children to the premises and risk injury by playing with, in, or on it. Attractive nuisances may include, but shall not be limited to:

- (1) Abandoned and/or broken equipment,
- (2) Hazardous pools, ponds, and excavations, and
- (3) Neglected machinery.

"Landowner" shall mean the person to whom land is assessed as shown on the last equalized assessment roll of the county and the City of Escondido.

Item 7.

"Parkway" shall mean that portion of a street right-of-way which lies between the property line and the outside edge of a gutter or gutter lip, including a driveway approach. Where no curb exists, "parkway" shall mean the area of property from the property line to the edge of the pavement.

"Property" shall mean any lot or parcel of land. For the purposes of this definition, "lot or parcel of land" shall include any alley, sidewalk, parkway, or unimproved public easement abutting such lot or parcel of land.

"Reinspection fee" shall mean a fee charged against a responsible person who has become the subject of city enforcement of state or local law, and for which there is a need to recover the city's actual cost of a second or any subsequent inspection of the property, caused by the responsible party's failure to comply with a lawful order from an enforcement officer. The amount of this fee shall be set by periodic resolution of the city council.

"Responsible person" shall mean a property owner, a tenant, a person occupying or having control or possession of any property, any person with a legal interest in real property (including banks or mortgage holders), and any person who directly manages a business or property or who demonstrates responsibility for the maintenance and repair of the property, or any agents thereof.

(Ord. No. 85-44, § 1, 7-10-85; Ord. No. 2000-03, §§ 3 and 4; Ord. No. 2008-24, § 1, 10-22-08)

§ 6-483 Responsibility for enforcement.

The building official shall be responsible for the administration and enforcement of this article.

(Ord. No. 85-44, § 1, 7-10-85)

§ 6-484 Prohibited activities.

- (a) It is unlawful for any responsible person to use, allow, maintain, or deposit on such property any of the following:
- (1) Trash, junk, or debris including, but not limited to, household waste, litter, garbage, scrap metal or lumber, wood, concrete, asphalt, tires, piles of earth or construction material.
 - (2) Abandoned, discarded, or unused furniture, appliances, sinks, toilets, cabinets, fixtures, tools, vehicle parts, machinery, equipment, or similar items within public view.
 - (3) Trash cans, bins, boxes, recycle containers or other similar containers stored in front or side yards, within public view, except as permitted by section 14-27.
 - (4) Building supplies, materials, or equipment not associated with a valid building permit at the same address, unless entirely screened from public view.
 - (5) Tarpaulins, plastic sheeting, cloth and similar coverings unless used on a temporary basis, or used in conjunction with a valid building permit.
 - (A) Use of tarpaulins, plastic sheeting, cloth or similar coverings 30 days after receiving notice from the city shall be prima facie evidence of a violation.
 - (B) Tarpaulins, plastic sheeting, cloth and similar temporary coverings shall not be used

to screen items prohibited by section 6-484(a) from public view for any period of time.

Item 7.

- (6) Abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof, including motor homes, trailers, campers and boats, or any portions of any of the above, unless stored within an entirely enclosed space.
 - (7) Signs which are broken, deteriorated, partially obscured, illegible or in a state of disrepair.
- (b) Buildings. It is unlawful for any responsible person to use, allow, or maintain on such property any of the following:
- (1) Buildings which are abandoned, partially destroyed, or partially constructed or incomplete.
 - (2) Buildings which have deteriorated to the point that exterior building coverings allow sun or water penetration.
 - (3) Broken windows, doors, attic vents and under floor vents.
 - (4) Building exteriors, walls, fences, patios, driveways, or walkways which are cracked, broken, defective, deteriorated or in disrepair.
 - (5) Building exteriors, walls, fences, driveways or walkways which are defaced due to any writing, inscription, figure, scratches or other markings commonly referred to as "graffiti."
 - (6) A gate that is not secure and latched or lacks a functional automatic self-closing device if the property contains a swimming pool.
- (c) Polluted Water. It is unlawful for any responsible person to use, allow, or maintain on such property, a swimming pool, pond or other body of water which is abandoned, unattended, unfiltered or not otherwise maintained, resulting in the water becoming polluted. For the purpose of this subsection, polluted water means water contained in a swimming pool, pond or other body of water, which includes but is not limited to bacterial growth, including algae, remains of insects, remains of deceased animals, reptiles, rubbish, refuse, debris, papers, and any other foreign matter or material which because of its nature or location constitutes an unhealthy, unsafe or unsightly condition.
- (d) Landscape Maintenance. It is unlawful for any responsible person to use, allow or maintain on such property any of the following:
- (1) Weeds.
 - (2) Dead, diseased, decayed, unsightly, overgrown or hazardous vegetation.
 - (3) Vegetation growing into, upon or above a sidewalk, alley or any public right-of-way, except trees with at least eight feet of vertical clearance above the surface.
 - (4) Roots growing beneath public or private sidewalks, streets or alleys and causing the improved surface to crack, buckle or rise.
 - (5) Barren patches of dirt, holes and ruts on any landscaped area in public view.
 - (6) Deteriorated or unsightly landscape elements including natural features such as rock and stone; and structural features, including fountains, reflecting pools, art works, screens, walls, fences and benches.

(7) Excess irrigation resulting in water flowing from the property.

(Ord. No. 85-44, § 1, 7-10-85; Ord. No. 94-41, § 15, 1-11-95; Ord. No. 2008-24, § 2, 10-22-08; Ord. No. 2011-02RR, § 18, 3-16-11)

Item 7.

§ 6-485 Public nuisances.

It is hereby declared a public nuisance for any landowner or person leasing, occupying, directly controlling, or having possession of any property in this city to maintain any condition described in section 6-484 of this code or to maintain any attractive nuisance.

(Ord. No. 85-44, § 1, 7-10-85)

§ 6-486 Authority for adoption, application and purpose.

The procedures set forth in this chapter for the abatement of a public nuisance and the recovery of the cost of such abatement are adopted pursuant to the authority set forth in California Government Code Sections 38773 and 38773.5, and the police power of the city pursuant to the California Constitution.

The procedures set forth in this chapter shall apply to any public nuisance in the city.

The procedures set forth in this chapter are not exclusive and shall be in addition to the procedure for abatement of public nuisances permitted by California state law or other local ordinance.

(Ord. No. 85-44, § 1, 7-10-85; Ord. No. 89-19, § 1, 5-3-89)

§ 6-487 Enforcement.

Enforcement of this article may be accomplished by the building official, or a designee of the building official, to include a contractor retained pursuant to the provisions of this code, in any manner authorized by law. The procedures set forth in this article shall not be exclusive, and shall not in any manner limit or restrict the city from enforcing other city ordinances or abating public nuisances in any other manner provided by law.

(Ord. No. 85-44, § 1, 7-10-85; Ord. No. 96-29, § 1, 9-4-96)

§ 6-488 Procedures for abatement of unlawful conditions.

(a) Notice and order. Whenever the building official or designee ("building official") has inspected or caused to be inspected any property and has found and determined that conditions constituting a public nuisance exist thereon, the building official may use the procedures set forth in this section for the abatement of such nuisance.

(1) The building official shall issue a notice and order and mail a copy of such notice and order to the landowner and the person, if other than the landowner, occupying or otherwise in real or apparent charge and control of the property. The notice and order shall contain:

(i) The street address and a legal description sufficient for identification of the property on which the condition exists.

(ii) A statement that the building official has determined that a public nuisance is being maintained on the property with a brief description of the conditions which render the property a public nuisance.

(iii) An order to complete abatement of described conditions within such time as the building official considers to be reasonable, but in no event shall the total time allowed for abatement be more than 60 days from the date of the notice and order. Provided that, in the event of work required due to fire, earthquake, or

other natural disaster, all appropriate permits shall be obtained and the work shall commence within 60 days from the date of service of the notice and order and shall be completed within 180 days from the date of service of the notice and order. Item 7.

(iv) A statement advising that the disposal of material involved in public nuisances shall be carried forth in a legal manner.

(v) A statement advising that if the required work is not commenced within the time specified, the building official will proceed to cause the work to be done, and bill the persons named in the notice for the abatement costs and/or assess the costs against the property.

(vi) A statement advising any person having any interest or record title in the property of the appeal process provided in this section.

(vii) A statement advising that the notice and order will be recorded against the property in the office of the county recorder, unless the violation(s) are corrected.

(2) The notice and order, and any amended notice and order shall be mailed by certified mail, postage prepaid, to each person as required pursuant to the provisions of subsection (a) of this section at the address as it appears on the last equalized assessment roll of the county or as known to the building official. The address of owners shown on the assessment roll shall be conclusively deemed to be the proper address for the purpose of mailing such notice. The failure of the building official to make or attempt service on any person required in this section to be served shall not invalidate any proceedings hereunder as to any other person duly served. Service by mailing shall be effective on the date of mailing. The failure of any person entitled to receive such notice shall not affect the validity of any proceedings taken under this article.

(3) Proof of service of the notice and order shall be documented at the time of service by a declaration under penalty of perjury executed by the person effecting service, declaring the time and manner in which service was made.

(4) If the violations are not corrected within a reasonable time, the building official shall file in the office of the county recorder a certificate legally describing the property and certifying that a public nuisance exists on the property and the owner has been so notified. The building official shall file a new certificate with the county recorder that the nuisance has been abated whenever the corrections ordered shall have been completed so that there no longer exists a public nuisance on the property described in the certificate; or the notice and order is rescinded by the planning commission upon appeal; or whenever the city abates the nuisance and the abatement costs have been paid. Such certificate shall be filed within five working days of the date of completion of such corrections.

(b) Extension of time to perform work. Upon receipt of a written request from any person required to comply with the order, the building official may grant an extension of time within which to complete said abatement, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The building official shall have the authority to place reasonable conditions on any such extensions.

(c) Appeal.

(1) Any person aggrieved by the action of the building official in issuing a notice and order

pursuant to the provisions of this article may appeal to the planning commission within 10 calendar days of service of the notice and order. Notwithstanding section 6 of the building official's notice and order states a violation is dangerous to life or property and must be abated within seven calendar days, then the appeal shall be filed with the city manager within five calendar days of service. If no appeal is filed within the time prescribed, the action of the building official will be final. Item 7.

- (2) All appeals must be in writing, and must be accompanied by a filing fee, which will be established by resolution of the city council. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for the appeal.
- (3) Appeals must be filed with the city clerk. The filing of an appeal will immediately stay the action proposed in the notice and order, until the planning commission has acted upon the appeal. Violations deemed dangerous to life or property will be promptly resolved by the city manager or designee ("city manager") based upon the written appeal. The city manager's decision shall be final.
- (4) Within 10 calendar days of the decision of the planning commission, any individual member of the city council may request review of the decision of the planning commission. Such review must be requested in writing, and must be filed with the city clerk. There is no appeal fee payable upon a request for a review by a member of the city council.
- (5) Planning commission appeals will be placed on the next available agenda. The planning commission, by a majority vote, may approve, modify or disapprove the decision of the building official. The city council by a majority vote may approve, modify or disapprove the decision of the planning commission, by requesting a review pursuant to subsection (c)(4) of this section.

(Ord. No. 85-44, § 1, 7-10-85; Ord. No. 88-28, § 1, 5-18-88; Ord. No. 96-29, § 1, 9-4-96; Ord. No. 98-17, § 1, 9-16-98; Ord. No. 2020-18 §§ 1—7, 8-26-20)

§ 6-489 Performance of abatement.

Abatement of the nuisance may, in the discretion of the building official, be performed by city forces or by a contractor retained pursuant to the provisions of this code.

(Ord. No. 85-44, § 1, 7-10-85)

§ 6-490 Entry on private property.

The building official may enter upon private property between the hours of 7:00 a.m. and 5:00 p.m. Mondays through Fridays, except holidays, to abate the nuisance pursuant to the provisions of this article. No person shall obstruct, impede, or interfere with any officer, employee, contractor or authorized representative of the city whenever such person is engaged in the work of abatement, pursuant to the provisions of this article, or in performing any necessary act preliminary to or incidental to such work as authorized or directed pursuant to this article.

(Ord. No. 85-44, § 1, 7-10-85)

§ 6-491 Additional proceedings for abatement of imminently dangerous public nuisances.

Notwithstanding any provision of this article to the contrary, whenever the building official determines that a public nuisance is so imminently dangerous to life or adjacent property that such condition must be immediately corrected, or isolated, the building official may institute the following procedures:

- (a) Notice. The building official shall attempt to make contact through a personal interview by telephone with the landowner or the person, if any, occupying or otherwise in apparent charge and control thereof. In the event contact is made, the building official shall notify such person, or persons, of the danger involved and require that such condition be immediately removed, repaired or isolated so as to preclude harm to any person or property.
- (b) Abatement. In the event the building official is unable to make contact as hereinabove noted, or if the appropriate persons, after notification by the building official, do not take action as specified by such official, within 24 hours, then the building official may, with the approval of the city manager, take all steps deemed necessary to remove or isolate such dangerous condition, or conditions, with the use of city forces or a contractor retained pursuant to the provisions of this article.
- (c) Cost. The building official shall keep an itemized account of the costs incurred by the city in removing or isolating such condition, or conditions. Such costs may be recovered in the same manner that abatement costs are recovered pursuant to this article.
- (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 98-5, § 1, 3-4-98)

§ 6-492 Account of abatement costs.

- (a) The building official shall keep an itemized account of the costs incurred by the city in the abatement of any public nuisance. Such costs may include, but shall not be limited to, the cost of relocating individuals to other suitable housing in accordance with applicable state or local law, demolishing buildings, grading land or accomplishing any other work reasonable and necessary to abate the public nuisance, together with any and all administrative costs, including reinspection fees.
- (b) Upon completion of the abatement work, the building official shall prepare a report specifying the work done and the services performed, as well as the itemized costs of the work for each property, including direct and indirect costs, together with interest on all amounts expended by the city for such abatement. The report shall include a description of the real property and the names and addresses of any persons entitled to service pursuant to section 6-487.
- (c) Each person named in the report shall be jointly and severally liable for all abatement costs and the amount of such costs shall be a debt owed to the city.
- (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 89-19, § 2, 5-3-89; Ord. No. 2000-03, § 5, 2-16-00)

§ 6-493 Procedure for special assessment.

- (a) City clerk. When any charges levied pursuant to this article remain unpaid for a period of 60 days or more after the date on which they were billed, the building official shall forward the report of abatement costs specified in section 6-492 to the city clerk.
- (b) Hearing notice. Upon receipt of the abatement costs report, the clerk shall fix a time and place for hearing and passing upon the report. The clerk shall cause notice of the amount of the proposed assessment, shown in this report, to be given in the manner and to the persons specified in section 6-488. Such notice shall contain a description of the property sufficient to enable the persons served to identify it, and shall specify the day, hour, and place when the council will hear and pass upon the report, together with any objections or protests which may be raised by any landowner liable to be assessed for the costs of such abatement. Notice of the hearing shall be given not less than 15 days prior to the time fixed by the clerk for the hearing, and shall also be published once, at least 15 days prior to the date of the hearing, in a newspaper of general circulation published in the County of San Diego.

- (c) Protests. Any interested person may file a written protest with the city clerk at any time to the time set for the hearing on the report of the building official. Each such protest Item 7. contain a description of the property in which the person signing the protest is interested and the grounds of such protest. The city clerk shall endorse on every such protest the date and time of filing, and shall present such protest to the council at the time set for hearing.
- (Ord. No. 85-44, § 1, 7-10-85)

§ 6-494 Hearing on proposed assessment, personal obligation or assessment on real property.

- (a) At the hearing, the city council shall consider the report of the building official, and any protests which have been filed with the city clerk. The council may make any revision, correction or modification in the report as it deems just, and when the council is satisfied with the correctness of the assessment, it shall confirm the assessment. The decision of the council shall be final.
- (b) The city council may thereupon order that the assessment be made a personal obligation of the property owner, or assess the charge against the property involved.
- (c) If the city council orders that the charge shall be a personal obligation of the property owner, it shall direct the city attorney to collect the same on behalf of the city by use of all appropriate legal remedies.
- (d) If the city council orders that the charge shall be assessed against the property, it shall confirm the assessment, and cause the assessment to be recorded as described in section 6-496.

(Ord. No. 85-44, § 1, 7-10-85; Ord. No. 89-19 § 4, 5-3-89)

§ 6-495 Contest of assessment.

The validity of any assessment levied under the provisions of this article shall not be contested in any action or proceeding unless such action or proceeding is commenced within 30 days after the assessment is confirmed by the council.

(Ord. No. 85-44, § 1, 7-10-85)

§ 6-496 Notice of lien; form and contents.

- (a) Notice of lien. Immediately upon the confirmation of the assessment by the council, the building official shall execute and file in the office of the county recorder a certificate in substantially the following form:

NOTICE OF LIEN

Pursuant to the authority vested in the Building Official by the provisions of Article 20, Chapter 6 of the Escondido Municipal Code, said Building Official on or about the ____ day of _____, 20____, caused the abatement of a nuisance on real property, and the Council for the City of Escondido, on the ____ day of _____, 20____, assessed the cost of such abatement upon said real property and the same has not been paid nor any part thereof, and the City of Escondido does hereby claim a lien on said real property for the net expense of the doing of said abatement in the amount of \$_____, and this amount shall be a lien upon said real property until the sum has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land in the City of Escondido, County of San Diego, State of California, and particularly described as follows:

Dated: This _____ day of _____, 20_____.

BUILDING OFFICIAL
OF THE CITY OF ESCONDIDO

(ACKNOWLEDGEMENT)

- (b) Recordation. Immediately upon the recording of the notice of lien the assessment shall constitute a lien on the real property assessed. Such lien shall, for all purposes, be upon a parity with the lien of state and local taxes.
(Ord. No. 85-44, § 1, 7-10-85)

§ 6-497 Collection with regular taxes; procedure.

- (a) Assessment book. The notice of lien, after recording, shall be delivered to the auditor of San Diego County, who shall enter the amount on the county assessment book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The notice of lien shall be delivered to the auditor before the date fixed by law for the delivery of the assessment book to the county board of equalization.
- (b) Collection. Thereafter the amount set forth in the notice of lien shall be collected at the same time and in the same manner as ordinary city taxes are collected, and shall be subject to the same penalties and interest and to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary city taxes. All laws applicable to the levy, collection and enforcement of city taxes are hereby made applicable to such assessment.
- (c) Refunds. The council may order a refund of all or part of a tax paid pursuant to this article if it finds that all or part of the tax has been erroneously levied. A tax or part thereof shall not be refunded unless a claim is filed with the city clerk on or before November 1st after the tax became due and payable. The claim shall be verified by the person who paid the tax, or the legal representative of such person.
(Ord. No. 85-44, § 1, 7-10-85)

§ 6-498 Remedies of private parties.

The provisions of this article shall in no way adversely affect the right of the owner, lessee, or occupant of any such lot to recover all costs and expenses required by this article from any person causing such nuisance.
(Ord. No. 85-44, § 1, 7-10-85)

§ 6-499 Severability.

The city council of the City of Escondido hereby declares that should any section, paragraph, sentence or word of this article of the Code hereby adopted be declared for any reason to be invalid, it is the intent of the council that it would have passed all other portions of this article independent of the elimination herefrom of any such portion as may be declared invalid.
(Ord. No. 85-44, § 1, 7-10-85)

§ 6-500 Savings clause.

Neither the adoption of this article nor the repeal hereby of any other ordinance of this city shall in any manner affect the prosecution for violations of ordinances, which violations were

committed prior to the effective date hereof, nor be construed as a waiver of any license penalty or the penal provisions applicable to any violation thereof. The provisions of this Item 7., insofar as they are substantially the same as ordinance provisions previously adopted by the city relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

(Ord. No. 85-44, § 1, 7-10-85)

§ 6-501 Declaration of purpose.

- (a) The city council finds there is a need to recover costs incurred by the city for the time and expense of reinspecting properties throughout Escondido as part of the city's effort to ensure compliance with the Escondido Municipal Code or applicable state codes.
- (b) The council further finds that the assessment of a reinspection fee is an appropriate method to recover costs incurred for reinspections made by city personnel which become necessary because the city's initial enforcement efforts have been ignored. The assessment and collection of reinspection fees shall not preclude the imposition of any administrative or judicial civil penalties or fines for violations of the Municipal Code or applicable state codes.

(Ord. No. 2000-03, § 6, 2-16-00)

§ 6-502 Authorization.

- (a) Whenever a city enforcement officer reinspects a property to determine compliance with provisions of the Municipal Code and applicable state codes that have been listed in a notice and order to the responsible person, the enforcement official may assess a reinspection fee against the responsible person.
- (b) Reinspection fees may be assessed for each inspection of the property after the issuance of a notice of violation to the responsible person.

(Ord. No. 2000-03, § 6, 2-16-00)

§ 6-503 Assessment of reinspection fee.

The amount of the reinspection fee shall be based on the city's costs of conducting reinspections, and shall be established by periodic resolution of the city council, and shall be listed on the city's annual fee inventory.

(Ord. No. 2000-03, § 6, 2-16-00)

§ 6-504 Notification of assessment of reinspection fee.

Notification of the reinspection fee shall be made in a written notice to the responsible person. The responsible person's refusal to receive notice of a reinspection fee shall not affect the validity of any fees imposed under this code.

(Ord. No. 2000-03, § 6, 2-16-00)

§ 6-505 Failure to pay reinspection fee.

The failure of any person to pay the assessed reinspection fee by the deadline specified in the written notice described in section 6-504 shall result in the assessment of an additional late fee, which shall be established periodically by resolution of the city council.

(Ord. No. 2000-03, § 6, 2-16-00)

§ 6-506 Collection of reinspection fee.

The building official shall collect the assessed reinspection and late fee(s) by the use of all

appropriate legal means, including but not limited to civil action imposing a special assessment against the property.

Item 7.

(Ord. No. 2000-03, § 6, 2-16-00)

Attachment # 2
Item 7.



Code Compliance Division
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4650 Fax: 760-432-6819

**NOTICE AND ORDER
TO ABATE A PUBLIC NUISANCE
(Substandard Building)
AMENDED**

October 31, 2024

TTRLFG LLC
C/O Owner Rick Zeiler
PO Box 27198
San Diego CA 92198

Unknown Occupants
325-333 N Beech Street – Units 1, 2, 5, 6, 7, 8 & 9
Escondido CA 92025

CASE NUMBER: C23-0994
SUBJECT: 325-333 N Beech Street, Escondido, CA 92025
DESCRIPTION: Assessors' Parcel Number 230-121-0600

Pursuant to the Escondido Municipal Code, a Code Compliance Officer, the Building Official, a Fire Inspector/Investigator, and an Environmental Compliance Officer inspected the exterior and Units 1, 5, 6, 7, and 8 at the above referenced property on September 3 and 19, 2024. City staff also inspected Unit 2 on October 17, 2024, and the garage area identified as Unit 9, on October 21, 2024. The inspections were in response to a complaint received by the City of Escondido Code Compliance Division. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code ("EMC") sections 1-14, 6-12.2, 6-485, and 33-1312, a substandard building, as defined by California Health & Safety Code ("HSC") sections 17920.3 and 17980.6, and an unsafe structure, as defined by California Building Code ("CBC") section 116.1 and California Fire Code ("CFC") section 114, is being maintained on the property. Numerous violations of the EMC, CBC, Escondido Zoning Code ("EZC"), CFC, and HSC were found on the property.

325-333 N Beech Street
October 31, 2024
Page 2

The Following Violations Were Found:

1. Up to five residential units (accessory dwelling units) and a storage room were constructed without the required Building Department review and permits. **EMC §§ 6-12, 6-12.2, 6-13.1; CBC §§ 105.1, 114.1; HSC §§ 17920.3(c), (n).**
2. Accessory dwelling units ("ADU") and additions were built without required Planning Department review, approval via an approved ADU permit or "Major Plot Plan" submittal, and permits. **EZC §§ 33-1210, 33-1472, 33-1476, 33-1313, 33-1314; HSC §§ 17920.3(c), (n).**
3. The walls that separate the dwelling units from each other and the walls that separate the garage and sleeping units were constructed without the required fire-resistance rated partitions. **CFC § 901.4.4; CBC §§ 420.2, 708; HSC § 17920.3(h), (m).**
4. False wall installed in the hallway to Units 7 and 9, which blocks access to the electrical panels and meters. **CFC § 901.3.**
5. Multiple areas missing fire-resistive construction (drywall and stucco). **CFC § 901.4.4; HSC §§ 17920.3(h), (m).**
6. There is a gas leak at the meter in the walkway leading to the garage. **CEBC101.8.1; HSC §§ 17920.3(a)14.**
7. Property lacks a Fire Sprinkler system and Fire Alarm system, which is required based on the number of residential units. **CFC §§ 901.3, 901.4, 903.2.8, 907.2.9; CBC § 420.5; HSC § 17920.3(h), (m).**
8. Sleeping windows do not meet height requirement for egress windows. **CFC §§ 1031.2, 1031.3; CBC §§ 1031.2, 1031.3; HSC § 17920.3(l).**
9. Fire extinguishers not located every 75 feet. **CFC §§ 906.1, 906.2, 906.3.**
10. Smoke detectors not located in every sleeping room and every egress hallway. **CFC § 907.2.11.2; CBC § 420.5; HSC § 17920.3(m).**
11. No CO2 detectors in any of the units. **CFC § 915.1; CBC § 420.5.**

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October 31, 2024
Page 3

12. Multiple outlets missing outlet covers and exposing wires to the elements. **CFC § 603.2.2; HSC § 17920.3(d).**
13. The side egress gate is locked and does not swing in the path of travel. Gate must be operable at all times and swing in the path of travel. **CFC § 1017.**
14. There is a tree touching the roof on the west side of the building. Tree will need to be limbed up. **CFC § 4906; HSC § 17920.3(h).**
15. There is an accumulation of trash and debris throughout the property in an area open to public view. **EMC §§ 6-484(a)(1), (a)(2); HSC §§ 17920.3(a)(16), (c).**
16. The property additions do not include the required trash bin enclosure. **EMC § 22-26(d)(1). HSC § 17920.3(j).**

AS THE RESPONSIBLE PERSON AND/OR OWNER OF RECORD, YOU ARE HEREBY ORDERED WITHIN THREE (3) DAYS OF THIS NOTICE TO:

1. Vacate all tenants from Units 1, 2, 5, 6, and 9, and secure the aforementioned units from unauthorized entry, pursuant to California Health and Safety Code sections 17920.3, 17980, and 17980.6. You shall keep the aforementioned units vacant and secured until the required repairs have been made and the dwelling is deemed habitable by the City of Escondido and brought into compliance with all state and local code regulations.

YOU ARE ALSO ORDERED WITHIN TEN (10) DAYS OF THE RECEIPT OF THIS NOTICE TO:

1. Submit an application, plans, and designs to the City of Escondido Planning and Building Departments to legalize the improvements and address all violations OR obtain a demolition permit from the City of Escondido Building Department, remove all unpermitted construction and alterations, and return the property to its last approved intended use. All work done under a building/demolition permit must be finalized within 30 days of receiving this notice.
2. Remove all trash and debris from the property.
3. Comply with the attached Notice of Inspection issued by Environmental Compliance Officer Marcus Leso on September 3, 2024.
4. Trim the tree touching the roof on the west side of the building.

325-333 N Beech Street
October 31, 2024
Page 4

Please Note: You must bring this or a copy of this notice with you when applying for the required permits. Failure to do so may result in the permits not being issued until the officer handling this case can be reached.

Disposal of material involved in public nuisances shall be carried forth in a legal manner. If you fail to comply with this notice in abating all violations as required, within the time allotted, the Building Official may order the building vacated, secured against trespass, and posted to prevent further occupancy until the work is completed. The Building Official may also proceed to cause the work to be done and charge the costs thereof against the property and/or its owner.

Moreover, reinspection fees may be assessed and/or administrative citations may be issued. The first citation has a mandatory fine of \$100.00, the second citation is \$250.00 and each subsequent citation is \$500.00. Each day a violation exists is a separate violation and may be cited. Additionally, the case may be referred to the City Attorney's Office for other appropriate legal action. The City may amend this Notice and Order upon discovery of additional violations at the Property.

Any person having any interest or record title in the property may appeal the Building Official's action in issuing this notice to the Planning Commission **within ten (10) days** of the date of this notice, pursuant to EMC section 6-488. Appeals must be filed with the City Clerk, be in writing, and be accompanied by the established filing fee. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for appeal.

IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

This notice will be recorded against the property in the office of the San Diego County Recorder, unless the violations are corrected.

FOR NON-OWNER OCCUPIED DWELLINGS

TAX LIABILITY

California Revenue and Taxation Code, sections 17274 and 24436.5, require that this agency report all substandard rental units which do not comply with the State Housing Law or local codes dealing with health, safety, or building within six (6) months of this notice to the State Franchise Tax Board. If compliance is not met within 6 months of this notice, this agency will report such noncompliance to the State Franchise Tax Board,

325-333 N Beech Street
October 31, 2024
Page 5

which will disallow any State Income Tax deductions for interest, depreciation, taxes, or amortization for this (these) dwelling unit(s).

RELOCATION MAY BE REQUIRED

Pursuant to California Health and Safety Code section 17975, an owner must pay relocation benefits to any tenant who is displaced or subject to displacement from a residential unit as a result of an order to vacate or an order requiring the vacation of a residential unit by a local enforcement agency as a result of a violation so extensive and of such a nature that the immediate health and safety of the residents is endangered. The local enforcement agency shall determine the eligibility of tenants for benefits and the amount of the benefit.

RETALIATION PROHIBITED

California Civil Code section 1942.5 prohibits a lessor of rental housing from retaliating against a lessee because of the exercise by the lessee of his or her rights under Civil Code section 1940 *et seq.* or because of a lessee's complaint to an enforcement agency as to the tenability of a dwelling. (See California Health and Safety Code section 17980.6).

MAY BE UNLAWFUL FOR LANDLORD TO DEMAND OR COLLECT RENT OR ISSUE NOTICE

Pursuant to California Civil Code section 1942.4(a), a landlord of a dwelling may not demand rent, collect rent, issue a notice of rent increase, or issue a three-day notice to pay rent or quit pursuant to Code of Civil Procedure section 1161(2), if all of the following conditions exist prior to the landlord's demand or notice:

- The dwelling substantially lacks any of the affirmative standard characteristics listed in section 1941.1 or violates section 17920.10 of the Health and Safety Code, or is deemed and declared substandard as set forth in section 17920.3 of the Health and Safety Code because conditions listed in that section exist to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants of the dwelling;
- A public officer or employee who is responsible for the enforcement of any housing law, after inspecting the premises, has notified the landlord or the landlord's agent in writing of his or her obligations to abate the nuisance or repair the substandard conditions; and

325-333 N Beech Street
October 31, 2024
Page 6

- The conditions have existed and have not been abated 35 days beyond the date of service of the notice specified in paragraph (2) and the delay is without good cause, and the conditions were not caused by an act or omission of the tenant or lessee in violation of section 1929 or 1941.2.

If you have any questions regarding this case, please contact me at (760) 839-6374 between 7:30 a.m. and 5:30 p.m., Monday through Thursday.

Sincerely,


Stephen Jacobson
Code Compliance Officer II



**City of Escondido
Environmental Programs**
Hale Avenue Resource Recovery Facility
1521 S Hale Avenue, Escondido, CA 92029
Telephone (760) 839-6290 Fax (760) 489-1132

Date :
9/3/2024

Inspector: LESO, MARCUS
Inspector's #: 760.839.6290 Ext. 7092

W/O Report#: 1061477

Onsite Contact Name & Phone #	TTRLFG, LLC c/o Rick Zeiler
Business Name & Ph# or N/A:	TTRLFG, LLC 619-857-0411
Address/Bus/Res:	325-333 N Beech St, Escondido CA 92027
Property Mgr. Address, Ph# or N/A:	TTRLFG, LLC c/o Rick Zeiler PO Box 27198, San Diego, CA 92198

STORMWATER BMPs (BEST MANAGEMENT PRACTICES) RESULTS	SC-10-Non-Storwater Discharge Control: NO BMP ISSUES -	SC-11-Spill Prevention: NO BMP ISSUES -	SC-20-Vehicle&Equip / Fuelling: NOT APPLICABLE AT SITE	SC-21-Vehicle&Equip /Cleaning: NO BMP ISSUES -
SC-22-Vehicle&Equip / Repair: NO BMP ISSUES -	SC-30 Outdoor Load/Unload: NOT APPLICABLE AT SITE	SC-31-Outdoor Lig.Contl.Strg: NOT APPLICABLE AT SITE	SC-32-Outdoor Equip.Ops: NOT APPLICABLE AT SITE	SC-33-Outdoor Storage/Raw Mat: NOT APPLICABLE AT SITE
SC-34-Waste Hand / Disp: BMP ISSUES - Trash is over flowing and is on the ground	S&E-Sediment & Erosion Cont: NO BMP ISSUES -	SC-41-Bldg.& Ground Maint: BMP ISSUES - Not enough trash and recycling	SC-43-Parking/Storage / Maint: NO BMP ISSUES -	SC-44-Storm Drain Sys Maint: NO BMP ISSUES -
TC-Treatment Controls: NOT APPLICABLE AT SITE	Employee Training: NOT APPLICABLE AT SITE	Note Corrective Actions: NOT APPLICABLE AT SITE		Reinspection Date: 10/1/2024 12:00:00

Report:
9/3/24 2:35 p <https://www.escondido.gov/DocumentCenter/View/1977/Trash-Enclosure-Guidelines-PDF2>
9/3/24 2:21 p During a joint inspection of a warrant issued to the City of Escondido for an unpermitted building structure at 325-333 N Beech Street, I was called out for any sewer and stormwater issues. I was not able to inspect all units, but there were no sewer issues in the ones that I could inspect. There were no signs of an illegal connection to the City's sewer main on the street. There was one dumpster and a green organic residential bin with no recycling bin or dumpster. There was a lot of trash on the floor, and the green organic bin was also filled with trash, which can't be properly disposed of when it is processed at Escondido Disposal. TTRLFG, LLC is being issued a Notice of Correction under municipal code section 22-26 (d)(1) to build a proper dumpster enclosure. The dumpster enclosure shall meet the City's standards. The link below is the City of Escondido Trash Enclosure Guidelines. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Violation(s): NOC Number: 240903-01 NOC Extension: Administrative Citation:

A2.22-26. (a-k) Reduction of pollutants in stormwater

Build a dumpster enclosure that meets City's standards. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Comp?
NO

ORDER TO COMPLY: You are hereby ordered to abate the preceding violations.
Failure to comply may subject you to penalties and/or administrative fines, up to \$1000.00 per violation per day, as provided by law.

TTRLFG, LLC c/o Rick Zeiler 9/3/2024 2:42:20PM

LESO, MARCUS
760.839.6290 Ext. 7092

9/3/2024 2:42:20PM

Attachment 3
3
Item 7.

From: Stephen Jacobson <Stephen.Jacobson@escondido.gov>

Date: October 31, 2024 at 11:16: 0AM PDT

To: Rick Zeiler <rickzeiler@gmail.com>

Subject: 325-333 N Beech Street- Notice and Order

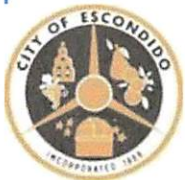
Rick

Enclosed is a copy of our amended "Notice and Order" that was posted on the property today. The notice is also being mailed to you and your tenants. The document has appeal instructions and an "Order to Vacate". I spoke to our Deputy City Attorney Brenna Miller and she has not heard from you or your representative. As I mentioned before, our goal is for you to obtain compliance for the illegal additions and alterations to the property via Planning and Building department plan approval and the permit process.

See emails from DCA Brenna Miller on 10/16/24 and Senior Legal Assistant Maria Rocamora on 10/17/24

Sincerely

Stephen Jacobson



Stephen Jacobson
Code Compliance Officer II
Code Compliance- City of Escondido
Direct: (760) 839-6374 | Mobile: 760 802-0620
www.escondido.gov

Attention: Beginning July 26, 2024, the Development Services Department will close its public counters for Planning, Building, and Engineering every Friday. The hours on Monday through Thursday will remain unchanged.



Outlook

Re: 325 and 333 North Beech St

From tony nacdi.com <tony@nacdi.com>
Date Wed 10/30/2024 2:36 PM
To Maria Rocamora <Maria.Rocamora@escondido.gov>
Cc Brenna Miller <Brenna.Miller@escondido.gov>; ricklzeiler@gmail.com <ricklzeiler@gmail.com>

Still have not heard back as to a meeting date. As we understood it the city feels this is an urgent and emergency need. If so, why is it taking weeks to get a meeting set up? when can we meet?

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

From: tony nacdi.com <tony@nacdi.com>
Sent: Friday, October 18, 2024 2:10 PM
To: Maria Rocamora <Maria.Rocamora@escondido.gov>
Cc: Brenna Miller <Brenna.Miller@escondido.gov>; ricklzeiler@gmail.com <ricklzeiler@gmail.com>
Subject: Re: 325 and 333 North Beech St

What day have you come up with that works for her?

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

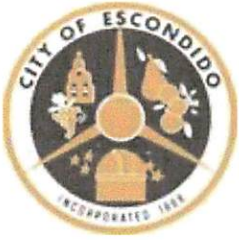
From: Maria Rocamora <Maria.Rocamora@escondido.gov>
Sent: Thursday, October 17, 2024 2:56 PM
To: tony nacdi.com <tony@nacdi.com>
Cc: Brenna Miller <Brenna.Miller@escondido.gov>; ricklzeiler@gmail.com <ricklzeiler@gmail.com>
Subject: RE: 325 and 333 North Beech St

Hello Tony,

Let me check with Brenna to see who from the City she wants to include in the meeting. She will be back in the office on Monday. I will reach out to you with a date and time then.

Thank you.

Item7.



Maria G. Rocamora
 Senior Legal Assistant
 City Attorney's Office | City of Escondido
 Direct: 760-839-4325 | Admin: 760-839-4608
www.escondido.gov

Confidentiality Statement: This communication contains information that may be confidential, and it may also be legally privileged or otherwise exempt from required disclosure. If you are not the intended recipient, please do not read, distribute or copy this communication and please delete the message from your computer.

From: tony nacdi.com <tony@nacdi.com>
Sent: Thursday, October 17, 2024 2:49 PM
To: Maria Rocamora <Maria.Rocamora@escondido.gov>
Cc: Brenna Miller <Brenna.Miller@escondido.gov>; Rick Zeiler <ricklzeiler@gmail.com>
Subject: 325 and 333 North Beech St

Good afternoon Maria,

Brenna said to contact you to set up a meeting with her. I would like to meet as soon as possible. I am free almost anyday at anytime. What is the soonest day she has available to meet?

From: Brenna Miller <Brenna.Miller@escondido.gov>
Sent: Wednesday, October 16, 2024 3:31 PM
To: John Moot <JMoot@fmglaw.com>
Cc: Maria Rocamora <Maria.Rocamora@escondido.gov>
Subject: Re: 325 and 333 North Beach St

Caution: This email originated from outside of the FMG organization. **Do not click links or open attachments** unless you recognize the sender and know the content is safe. John,

Yes, I received your emails and sent a response email. Let me know if you did not receive it. The City has evidence and believes that the garage is being used as 2 residential units (3 and 4), so officials will move forward with inspecting them.

I am out the rest of the week but am happy to meet next week if you would like. Please coordinate with Maria Rocamora (cc'ed) to schedule a meeting.

Thank you,

Brenna Miller
 Deputy City Attorney

City Attorney's Office | City of Escondido
Direct: 760-839-6367 | Mobile: 760-703-9573
www.escondido.org

Item 7.

Confidentiality Statement: This communication contains information that may be confidential, and it may also be legally privileged or otherwise exempt from required disclosure. If you are not the intended recipient, please do not read, distribute or copy this communication and please delete the message from your computer.

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

ATTACHMENT #5

Item 7.



Code Compliance Division
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4650 Fax: 760-432-6819

**NOTICE AND ORDER
TO ABATE A PUBLIC NUISANCE
(Substandard Building)**

September 26, 2024

TTRLFG LLC
C/O Owner Rick Zeiler
PO Box 27198
San Diego CA 92198

Unknown Occupants
325-333 N Beech Street – Units 1, 2, 3, 4, 5, 6, 7 & 8
Escondido CA 92025

CASE NUMBER: C23-0994
SUBJECT: 325-333 N Beech Street, Escondido, CA 92025
DESCRIPTION: Assessors' Parcel Number 230-121-0600

Pursuant to the Escondido Municipal Code, a Code Compliance Officer, the Building Official, a Fire Inspector/Investigator, and an Environmental Compliance Officer inspected Units 1, 5, 6, 7, and 8 at the above referenced property on September 3, 2024, & September 19, 2024. The inspections were in response to a written complaint received by the City of Escondido Code Compliance Division. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code ("EMC") sections 1-14, 6-10.4, 6-12.2, 6-485, and 33-1312, a substandard building, as defined by California Health & Safety Code ("HSC") section 17920.3, and an unsafe structure, as defined by California Building Code ("CBC") section 116.1 and California Fire Code ("CFC") section 114, is being maintained on the property. Numerous violations of the EMC, CBC, Escondido Zoning Code ("EZC"), CFC, and HSC were found on the property.

325-333 N Beech Street
September 26, 2024
Page 2

The Following Violations Were Found:

1. There is new construction, additions and alterations added to the property to include up to eight residential units and a storage room that were built without the required Building and Planning Department review and the required building permits. **EMC §§ 6-12, 6-12.2, 6-13.1; EZC §§ 1210; CBC §§ 105.1, 114.1; HSC §§ 17920.3(c), (i), (k), (l), (m), (n).**
2. The "Accessory Dwelling" units and additions were built without Planning Department review or approval via an approved "Major Plot Plan." **EZC §§ 33-1313-1317.**
3. The dwelling unit walls that separate the dwelling units from each other and the garage and sleeping units were constructed without the required fire-resistance rated partitions, which constitutes a danger to life and property. **CFC § 901.4.4; CBC §§ 420.2, 708; HSC § 17920.3(m).**
4. False wall was installed in the hallway to Units 6 and 7 blocking access to the electrical panels and meters. **CFC § 901.3.**
5. Multiple areas missing drywall and stucco. Restore fire resistive constructure to prevent the spread of fire. **CFC § 901.4.4; HSC §§ 17920.3(h), (m).**
6. Change of use to residential and number of units require that the building have a Fire Sprinkler system and a Fire Alarm System. More requirements may be needed during the plan check process. This will require plan submittals, approvals, and inspections. **CFC §§ 901.3, 901.4, 903.2.8, 907.2.9; CBC § 420.5; HSC § 17920.3(m).**
7. Sleeping windows do not meet height requirement for egress windows. **CFC § 1031; CBC §§ 1031.2, 1031.3; HSC § 17920.3(l).**
8. No Fire extinguishers on site. There needs to be one every 75ft and serviced annually. **CFC §§ 906.1, 906.2, 906.3.**
9. Smoke detectors need to be located in every sleeping room and in any egress hallways. **CFC § 907.2.11.2; CBC § 420.5; HSC § 17920.3(m).**
10. No CO2 detectors in any of the units. **CFC § 915.1; CBC § 420.5.**

325-333 N Beech Street
 September 26, 2024
 Page 3

11. Multiple outlets missing outlet covers exposing wires to the elements. **CFC § 603.2.2; HSC § 17920.3(d).**
12. No address or unit numbers. Numbers must be in approved locations, contrasting color, and clearly legible from the street. **CFC § 505.1.**
13. The side egress gate is locked and does not swing in the path of travel. Gate must be operable at all times and swing in the path of travel. **CFC § 1017.**
14. Where the washer and dryer were installed, there is a lint buildup posing a fire hazard. **CFC §§ 603.2, 603.4; HSC § 17920.3(h).**
15. There is a tree touching the roof on the west side of the building. Tree will need to be limbed up. **CFC § 4906; HSC § 17920.3(h).**
16. There is an accumulation of trash and debris throughout the property in an area open to public view. **EMC §§ 6-484(a)(1), (a)(2); HSC §§ 17920.3(a)(16), (c).**
17. The property additions do not include the required trash bin enclosure. **EMC § 22-26(d)(1).**

AS THE RESPONSIBLE PERSON AND/OR OWNER OF RECORD, YOU ARE HEREBY ORDERED TO IMMEDIATELY:

1. Repair the fire wall separation between the dwelling units and between the garage and sleeping units.
2. Provide the required fire extinguishers, smoke detectors, and CO2 detectors.

YOU ARE ALSO ORDERED WITHIN TEN (10) DAYS OF THE RECEIPT OF THIS NOTICE TO:

1. Submit a Major Plot Plan application to the City of Escondido Planning Department including plans and supporting documentation that addresses all violations OR submit plans to the City of Escondido Building Department to obtain a demolition permit and remove all unpermitted construction. All work done under a building/demolition permit must be finalized within 30 days of receiving this notice.
2. Remove all trash and debris from the property.
3. Trim the tree touching the roof on the west side of the building.

325-333 N Beech Street
September 26, 2024
Page 4

YOU ARE ALSO ORDERED TO:

1. Comply with the attached Notice of Inspection issued by Environmental Compliance Officer Marcus Leso on September 3, 2024.

Please Note: You must bring this or a copy of this notice with you when applying for the required permits. Failure to do so may result in the permits not being issued until the officer handling this case can be reached.

If you fail to comply with this notice in abating all violations as required, within the time allotted, this office may order the building vacated, secured against trespass, and posted to prevent further occupancy until the work is completed. This office may also proceed to cause the work to be done and charge the costs thereof against the property and/or its owner. Additionally, reinspection fees may be assessed, a citation may be issued, and/or the case may be referred to the City Attorney's Office for appropriate legal action. The City may amend this Notice and Order upon discovery of additional violations at the Property.

WARNING

The California Revenue and Taxation Code, Sections 17274 and 24436.5 requires that this agency report all substandard rental units which do not comply with the State Housing Law or local codes dealing with health, safety, or building within six (6) months of this notice to the State Franchise Tax Board. If compliance is not met, this agency will report such noncompliance to the State Franchise Tax Board which will disallow any State Income Tax deductions for interest, depreciation, or taxes for this (these) dwelling unit(s).

Any person having any interest or record title in the property may appeal the Building Official's action in issuing this notice to the Planning Commission **within ten (10) days** of the date of this notice. Appeals must be filed with the City Clerk, be in writing, and be accompanied by the established filing fee. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for appeal. Appeals of a violation which is dangerous to life or property and must be abated within seven (7) days shall be filed with the City Manager **within five (5) days** of the date of this notice.

IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

325-333 N Beech Street
September 26, 2024
Page 5

This notice will be recorded against the property in the office of the San Diego County Recorder, unless the violations are corrected.

If you have any questions regarding this case, please contact me at (760) 839-6374 between 7:30 a.m. and 5:30 p.m., Monday through Thursday.

Sincerely,

A handwritten signature in black ink that reads "Stephen Jacobson". The signature is written in a cursive, slightly slanted style.

Stephen Jacobson
Code Compliance Officer II

From: Stephen Jacobson <Stephen.Jacobson@escondido.gov>
Date: October 4, 2024 at 10:25:49 AM PDT
To: Rick Zeiler <rickzeiler@gmail.com>, Brenna Miller <Brenna.Miller@escondido.gov>, doug.moody@escondido.gov
Cc: Maria Rocamora <Maria.Rocamora@escondido.gov>, Anthony Mullins <Anthony.Mullins@escondido.gov>
Subject: Appeal for 325-333 N Beech st

Rick
We have received your appeal and will process your request. Staff will be in touch with you in the near future.

Sincerely

Stephen Jacobson



Stephen Jacobson
Code Compliance Officer II
Code Compliance- City of Escondido
Direct: (760) 839-6374 | Mobile: 760 802-0620
www.escondido.gov

Attention: Beginning July 26, 2024, the Development Services Department will close its public counters for Planning, Building, and Engineering every Friday. The hours on Monday through Thursday will remain unchanged.

From: Rick Zeiler <rickzeiler@gmail.com>
Sent: Thursday, October 3, 2024 5:49 PM
To: Brenna Miller <Brenna.Miller@escondido.gov>; Stephen Jacobson <Stephen.Jacobson@escondido.gov>; doug.moody@escondido.gov
Subject: Fwd: Appeal for 325-333 N Beech st

Hi,

Since I sent this many times with no confirmation or response I will bring a copy into the city tomorrow.

Rick Zeiler
619-857-0411

Begin forwarded message:

From: Rick Zeiler <rickzeiler@gmail.com>
Date: October 3, 2024 at 8:50:11 AM PDT
To: Stephen Jacobson <Stephen.Jacobson@escondido.gov>, Brenna Miller <Brenna.Miller@escondido.gov>
Subject: Fwd: Appeal for 325-333 N Beech st

Rick Zeiler
619-857-0411

Begin forwarded message:

From: Rick Zeiler <rickzeiler@gmail.com>
Date: October 3, 2024 at 8:36:23 AM PDT
To: Brenna Miller <Brenna.Miller@escondido.gov>, Stephen Jacobson <Stephen.Jacobson@escondido.gov>
Subject: Appeal for 325-333 N Beech st

Dear Stephen:
Attached is the appeal. Please confirm receipt today. Our attorney will be in touch with the you, the city and Breanna. Based on this letter and approach we have to believe that all 40-60 year old buildings in Escondido must be retrofitted to 2024 building codes and standards, please advise. Photos coming soon
Rick

Rick Zeiler
619-857-0411



Michael R. McGuinness, City Attorney
Gary J. McCarthy, Assistant City Attorney
Brenna C. Miller, Deputy City Attorney
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4608 Fax: 760-739-7070
brenna.miller@escondido.gov

October 9, 2024

Via Electronic Mail

TTRLFG LLC
c/o Rick Zeiler
PO Box 27198
San Diego, CA 92198
rickzeiler@gmail.com

Re: 325-333 N. Beech Street, Escondido, CA 92025

Dear Mr. Zeiler,

I write regarding the email you sent to Code Compliance Officer Stephen Jacobson and I on October 3, 2024, titled "Appeal for 325-333 N Beech St." In order to appeal the Building Official's action in issuing the Notice and Order to Abate a Public Nuisance, as explained in the attached Notice and Order, per Escondido Municipal Code section 6-488, you were required to file your appeal in writing with the City Clerk and pay the associated filing fee of \$3,150 for Appeal of Administrative Decision within 10 calendar days of service of the Notice and Order, and within 5 calendar days to the City Manager's Office for any violation dangerous to life or property. The Notice and Order is dated September 26, 2024. Consequently, the deadline to file an appeal was October 1, 2024, for any violation dangerous to life or property, and October 7, 2024, for all other violations. You did not file your appeal for violations dangerous to life or property with the City Manager's Office within the required timeframe, nor did you meet the requirements of filing your appeal with the City Clerk within the required timeframe. Accordingly, the action of the Building Official in issuing the Notice and Order is final.

This letter is also to notify you that the City of Escondido has obtained an inspection warrant for Units 2, 3, and 4, at 325-333 N. Beech Street, as the City has been unable to access these units through the consent of the tenants or during the first inspection on September 3, 2024, which was conducted pursuant to an inspection warrant. Notice will be provided to you and the tenants at least 24 hours prior to the inspection. The warrant allows for forcible entry if necessary.

Further, in your response and appeal letter, you indicate that you would like the City to provide you certain documents. You also request specific documents under the California Public Records Act. The City Clerk's Office manages and fulfills public records requests. I have passed along your requests to the City Clerk's Office to process and they will be

325-333 N. Beech Street
October 9, 2024
Page 2

in touch with you shortly. Please contact the City Clerk's Office at (760) 839-4617 if you have any questions.

As you requested, I am happy to meet with you and discuss this matter further. Please reach out to Maria Rocamora at (760) 839-4608 to schedule a meeting. If you are represented by an attorney in this matter, please let me know and have him or her contact me.

Sincerely,



Brenna C. Miller,
Deputy City Attorney

BCM:mgr
Enclosures

cc: Stephen Jacobson, Code Compliance Officer II
Anthony Mullins, Interim Code Compliance Manager
Douglas Moody, Building Official
Veronica Morones, City Planner



Code Compliance Division
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4650 Fax: 760-432-6819

**NOTICE AND ORDER
TO ABATE A PUBLIC NUISANCE
(Substandard Building)**

September 26, 2024

TTRLFG LLC
C/O Owner Rick Zeiler
PO Box 27198
San Diego CA 92198

Unknown Occupants
325-333 N Beech Street – Units 1, 2, 3, 4, 5, 6, 7 & 8
Escondido CA 92025

CASE NUMBER: C23-0994
SUBJECT: 325-333 N Beech Street, Escondido, CA 92025
DESCRIPTION: Assessors' Parcel Number 230-121-0600

Pursuant to the Escondido Municipal Code, a Code Compliance Officer, the Building Official, a Fire Inspector/Investigator, and an Environmental Compliance Officer inspected Units 1, 5, 6, 7, and 8 at the above referenced property on September 3, 2024, & September 19, 2024. The inspections were in response to a written complaint received by the City of Escondido Code Compliance Division. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code ("EMC") sections 1-14, 6-10.4, 6-12.2, 6-485, and 33-1312, a substandard building, as defined by California Health & Safety Code ("HSC") section 17920.3, and an unsafe structure, as defined by California Building Code ("CBC") section 116.1 and California Fire Code ("CFC") section 114, is being maintained on the property. Numerous violations of the EMC, CBC, Escondido Zoning Code ("EZC"), CFC, and HSC were found on the property.

325-333 N Beech Street
September 26, 2024
Page 2

The Following Violations Were Found:

1. There is new construction, additions and alterations added to the property to include up to eight residential units and a storage room that were built without the required Building and Planning Department review and the required building permits. **EMC §§ 6-12, 6-12.2, 6-13.1; EZC §§ 1210; CBC §§ 105.1, 114.1; HSC §§ 17920.3(c), (i), (k), (l), (m), (n).**
2. The "Accessory Dwelling" units and additions were built without Planning Department review or approval via an approved "Major Plot Plan." **EZC §§ 33-1313-1317.**
3. The dwelling unit walls that separate the dwelling units from each other and the garage and sleeping units were constructed without the required fire-resistance rated partitions, which constitutes a danger to life and property. **CFC § 901.4.4; CBC §§ 420.2, 708; HSC § 17920.3(m).**
4. False wall was installed in the hallway to Units 6 and 7 blocking access to the electrical panels and meters. **CFC § 901.3.**
5. Multiple areas missing drywall and stucco. Restore fire resistive constructure to prevent the spread of fire. **CFC § 901.4.4; HSC §§ 17920.3(h), (m).**
6. Change of use to residential and number of units require that the building have a Fire Sprinkler system and a Fire Alarm System. More requirements may be needed during the plan check process. This will require plan submittals, approvals, and inspections. **CFC §§ 901.3, 901.4, 903.2.8, 907.2.9; CBC § 420.5; HSC § 17920.3(m).**
7. Sleeping windows do not meet height requirement for egress windows. **CFC § 1031; CBC §§ 1031.2, 1031.3; HSC § 17920.3(l).**
8. No Fire extinguishers on site. There needs to be one every 75ft and serviced annually. **CFC §§ 906.1, 906.2, 906.3.**
9. Smoke detectors need to be located in every sleeping room and in any egress hallways. **CFC § 907.2.11.2; CBC § 420.5; HSC § 17920.3(m).**
10. No CO2 detectors in any of the units. **CFC § 915.1; CBC § 420.5.**

325-333 N Beech Street
 September 26, 2024
 Page 3

11. Multiple outlets missing outlet covers exposing wires to the elements. **CFC § 603.2.2; HSC § 17920.3(d).**
12. No address or unit numbers. Numbers must be in approved locations, contrasting color, and clearly legible from the street. **CFC § 505.1.**
13. The side egress gate is locked and does not swing in the path of travel. Gate must be operable at all times and swing in the path of travel. **CFC § 1017.**
14. Where the washer and dryer were installed, there is a lint buildup posing a fire hazard. **CFC §§ 603.2, 603.4; HSC § 17920.3(h).**
15. There is a tree touching the roof on the west side of the building. Tree will need to be limbed up. **CFC § 4906; HSC § 17920.3(h).**
16. There is an accumulation of trash and debris throughout the property in an area open to public view. **EMC §§ 6-484(a)(1), (a)(2); HSC §§ 17920.3(a)(16), (c).**
17. The property additions do not include the required trash bin enclosure. **EMC § 22-26(d)(1).**

AS THE RESPONSIBLE PERSON AND/OR OWNER OF RECORD, YOU ARE HEREBY ORDERED TO IMMEDIATELY:

1. Repair the fire wall separation between the dwelling units and between the garage and sleeping units.
2. Provide the required fire extinguishers, smoke detectors, and CO2 detectors.

YOU ARE ALSO ORDERED WITHIN TEN (10) DAYS OF THE RECEIPT OF THIS NOTICE TO:

1. Submit a Major Plot Plan application to the City of Escondido Planning Department including plans and supporting documentation that addresses all violations OR submit plans to the City of Escondido Building Department to obtain a demolition permit and remove all unpermitted construction. All work done under a building/demolition permit must be finalized within 30 days of receiving this notice.
2. Remove all trash and debris from the property.
3. Trim the tree touching the roof on the west side of the building.

325-333 N Beech Street
September 26, 2024
Page 4

YOU ARE ALSO ORDERED TO:

1. Comply with the attached Notice of Inspection issued by Environmental Compliance Officer Marcus Leso on September 3, 2024.

Please Note: You must bring this or a copy of this notice with you when applying for the required permits. Failure to do so may result in the permits not being issued until the officer handling this case can be reached.

If you fail to comply with this notice in abating all violations as required, within the time allotted, this office may order the building vacated, secured against trespass, and posted to prevent further occupancy until the work is completed. This office may also proceed to cause the work to be done and charge the costs thereof against the property and/or its owner. Additionally, reinspection fees may be assessed, a citation may be issued, and/or the case may be referred to the City Attorney's Office for appropriate legal action. The City may amend this Notice and Order upon discovery of additional violations at the Property.

WARNING

The California Revenue and Taxation Code, Sections 17274 and 24436.5 requires that this agency report all substandard rental units which do not comply with the State Housing Law or local codes dealing with health, safety, or building within six (6) months of this notice to the State Franchise Tax Board. If compliance is not met, this agency will report such noncompliance to the State Franchise Tax Board which will disallow any State Income Tax deductions for interest, depreciation, or taxes for this (these) dwelling unit(s).

Any person having any interest or record title in the property may appeal the Building Official's action in issuing this notice to the Planning Commission **within ten (10) days** of the date of this notice. Appeals must be filed with the City Clerk, be in writing, and be accompanied by the established filing fee. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for appeal. Appeals of a violation which is dangerous to life or property and must be abated within seven (7) days shall be filed with the City Manager **within five (5) days** of the date of this notice.

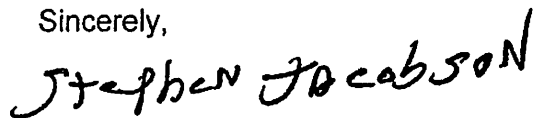
IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

325-333 N Beech Street
September 26, 2024
Page 5

This notice will be recorded against the property in the office of the San Diego County Recorder, unless the violations are corrected.

If you have any questions regarding this case, please contact me at (760) 839-6374 between 7:30 a.m. and 5:30 p.m., Monday through Thursday.

Sincerely,

A handwritten signature in black ink that reads "Stephen Jacobson". The signature is written in a cursive, slightly slanted style.

Stephen Jacobson
Code Compliance Officer II



Attachment "2"
CITY OF ESCONDIDO
 Planning Division Fees

effective 9/1

Item 7.

Item	Legal Notice Fees*	Mailing List Fee* ₂	Imaging Fees	City Fees	TOTAL Fee
A. GENERAL SERVICES AND APPLICATIONS					
1. Appeal Admin Decision (hearing)	\$160	\$60	\$50	\$2,880	\$3,150
2. Determination of Use (hearing)	\$160	\$60	\$150	\$1,260	\$1,630
3. Non-Conforming Use Determination Letter	--	--	--	\$720	\$720
4. Pre-Application Consultation or Preliminary Application (no charge for initial meeting)	--	--	--	\$2,080	\$2,080
5. Public Hearing Fee	\$160	\$60	\$150	\$1,260	\$1,630
6. Public Hearing Continuance (applicant cause for items at ZA, HPC, PC, or CC)	\$160	\$60	--	\$1,920	\$2,140
7. Research Fee (per hour)	--	--	--	\$440	\$440
8. Third Review Fee (or continuing/recurring review cycles)	--	--	--	**33% of Original Permit Fee Type(s)	
9. Zoning Consistency Letter	--	--	--	\$600	\$600
10. Misc Fee: Any service with no fee listed shall be estimated at an hourly rate for full cost recovery at the discretion of the City Planner	--	--	--	\$160/hr	Full Cost Recovery
B. LAND USE REVIEW - AGREEMENTS					
1. Agricultural Operations Permit	--	--	--	\$920	\$920
2. Development Agreement	\$320	\$60	\$150	\$3,920 Plus Deposit	
3. Lot Tie or Recission	--	--	--	\$640	\$640
4. Model Home Permit (or home sales trailer or trailer agreement)	--	--	--	\$720	\$720
5. All other cases (e.g. off-site construction staging area, improvement agreement, etc.)	--	--	--	\$840	\$840
C. LAND USE REVIEW - BUILDING OR SITE DESIGN					
2. Administrative Adjustment	\$160	\$60	\$50	\$2,200	\$2,470
3. Design Review - Minor	--	--	--	\$1,120	\$1,120
4. Design Review - Major	--	--	--	\$1,600	\$1,600
5. Grading Exemption - Single Family	\$160	\$60	\$150	\$2,040	\$2,410
6. Grading Exemption - All Other Cases	\$160	\$60	\$150	\$2,400	\$2,770



Attachment "2"
CITY OF ESCONDIDO
 Planning Division Fees

effective 9/7

Item 7.

Item	Legal Notice Fees*	Mailing List Fee* ₂	Imaging Fees	City Fees	TOTAL Fee
7. Mobilehome Park Conversion	--	--	--	\$14,240	\$14,240
8. Other Minor Projects - Minor Development Application (e.g. cargo containers, etc)	--	--	--	\$1,520	\$1,520
9. Parking Reduction Modification (with TDM / parking study)	--	--	--	\$2,440	\$2,440
9. Planned Development - Master Plan	\$320	\$60	\$150	\$13,120 Plus Deposit	
10. Planned Development - Precise Plan	--	--	\$150	\$8,160 Plus Deposit	
11. Plot Plan Review - Minor	--	--	\$50	\$5,760	\$5,810
12. Plot Plan Review - Major	--	--	\$50	\$14,480	\$14,530
13. Variance - Single-Family	\$160	\$60	\$150	\$6,000	\$6,370
14. Variance - All Other Cases	\$160	\$60	\$150	\$6,160	\$6,530
D. LAND USE REVIEW - HISTORICAL RESOURCES OR DOWNTOWN PROJECTS					
1. Mills Act	--	--	--	\$2,640	\$2,640
2. Local Register	--	--	--	\$2,320	\$2,320
3. Certificate of Appropriateness	--	--	--	\$360	\$360
4. Certificate of Appropriateness - Design Review	--	--	--	\$160	\$160
E. LAND USE REVIEW - MINOR PERMIT					
1. Accessory Dwelling Units (ADUs or JADUs)	--	--	\$50	\$4,120	\$4,170
2. Small Cell Counter Review	--	--	\$50	\$1,320	\$1,370
F. LAND USE REVIEW - SIGNS					
1. Comprehensive Sign Program	--	--	--	\$1,880	\$1,880
2. Regional Market Sign	\$320	\$60	\$150	\$2,960	\$3,490
3. Sign Permit	--	--	--	\$520	\$520
4. Temporary Banner (special event signs)	--	--	--	\$120	\$120
G. LAND USE REVIEW - SPECIAL USE REVIEW					
1. Administrative Permit - Above Ground Tanks (includes DRB fee)	--	--	--	\$520	\$520
2. Administrative Permit - Art and Craft Shows	\$160	\$60	--	\$360	\$580
3. Administrative Permit - Security Gates	--	--	--	\$1,280	\$1,280



Attachment "2"
CITY OF ESCONDIDO
 Planning Division Fees

effective 9/1

Item 7.

Item	Legal Notice Fees*	Mailing List Fee* ₂	Imaging Fees	City Fees	TOTAL Fee
4. Administrative Permit - All Other Cases (outdoor display, RV, etc.)	--	--	--	\$520	\$520
5. Conditional Use Permit - Minor, Animals or Residential Care	\$160	\$60	\$150	\$6,800	\$7,170
6. Conditional Use Permit - Major	\$160	\$60	\$150	\$12,880	\$13,250
7. Temporary Use Permit	--	--	--	\$880	\$880
H. LAND USE REVIEW - WIRELESS COMMUNICATION FACILITIES					
1. Annual Site Administration Fee (year 1 due at time of submittal, with Micro Cells on City Infrastructure only)	--	--	--	\$395	\$395
2. Encroachment WCF Permit < 50 FT (plus Traffic Control Plan)	--	--	--	\$1,390 Plus Traffic Control Plan	
3. Encroachment WCF Permit > 50 FT (plus Traffic Control Plan)	--	--	--	Submittal required through Engineering	
4. Master License Fee (per carrier, one time fee / 5 years)	--	--	--	\$1,140	\$1,140
5. Small Cell Counter Review	--	--	\$50	\$1,320	\$1,370
6. WCF Permit - Minor Conditional Use Permit (Small Cell)	\$160	\$60	\$150	\$2,668	\$3,038
7. WCF Major Permit - Plot Plan Permit (Macro Cell)	--	--	\$50	\$3,325	\$3,375
8. WCF Major Permit - Major Conditional Use Permit (Macro Cell)	\$160	\$60	\$150	\$6,475	\$6,845
I. SUBDIVISION REVIEW AND STREET RELATED REQUESTS					
1. Condominium Permit	--	--	--	\$11,440	\$11,440
2. Specific Alignment Plan	\$320	\$60	\$150	\$13,200 Plus Deposit	
3. Street Name Application - Street Name Change (Hearing)	\$160	\$60	\$150	\$1,788	\$2,158
4. Street Name Application - TPM or TSM New Street Name (no hearing)	--	--	\$50	\$1,200	\$1,250
5. Subdivision - Adjustment Plat	--	--	\$50	\$2,840	\$2,890
6. Subdivision - Certificate of Compliance	--	--	\$50	\$1,360	\$1,410
7. Subdivision - TPM (Parcel Map)	\$160	\$60	\$50	\$12,640	\$12,910



Attachment "2"
CITY OF ESCONDIDO
 Planning Division Fees

effective 9/1/17 Item 7.

Item	Legal Notice Fees*	Mailing List Fee* ₂	Imaging Fees	City Fees	TOTAL Fee
8. Subdivision - TSM (5-25 Homes)	\$160	\$60	\$150	\$17,040	\$17,410
9. Subdivision - TSM (26-50 Homes)	\$160	\$60	\$150	\$19,920	\$20,290
10. Subdivision - TSM (>50 Homes)	\$160	\$60	\$150	\$40,080 Plus Deposit	
J. POLICY AND ORDINANCE DEVELOPMENT - INITIATION REQUESTS					
1. Annexation Request for Initiation	--	--	--	\$2,960	\$2,960
2. Amendment Authorization - GP or SP	--	--	--	\$1,840	\$1,840
K. POLICY AND ORDINANCE DEVELOPMENT - ANNEXATIONS					
1. Annexation - <10 Acres	\$320	\$120	\$150	\$16,240 Plus Deposit	
2. Annexation - 10 or More Acres	\$320	\$120	\$150	\$18,560 Plus Deposit	
3. Annexation - Emergency Sewer (applies to fully developed properties under DEH order)	\$320	\$60	\$150	\$7,360	\$7,890
4. Sphere of Influence Amendment	\$320	\$60	\$150	\$24,000 Plus Deposit	
L. POLICY AND ORDINANCE DEVELOPMENT - MAP OR TEXT CHANGES					
1. General Plan Map Amendment	\$320	\$120	\$150	\$17,400 Plus Deposit	
2. General Plan Text Amendment	\$320	\$120	\$150	\$13,360 Plus Deposit	
3. Specific Plan (new specific plan or amend existing)	\$320	\$120	\$150	\$18,240 Plus Deposit	
4. Rezone / Prezone (Zoning Map Amendment)	\$320	\$120	\$150	\$10,800 Plus Deposit	
5. Zoning Code Text Amendment	\$4,320	\$120	\$150	\$7,040 Plus Deposit	
5. Fiscal Impact Analysis (for uses not studied in CityWide FIA)	--	--	--	\$10,000 Deposit	
M. ENVIRONMENTAL REVIEW - DOCUMENT AND PREPARATION FEES					
1. CEQA Environmental Review - Initial Study Assessment	--	--	--	\$4,560	\$4,560
2. CEQA Environmental Review - EIR	\$180	\$120	\$150	\$18,880 Plus Deposit	
3. CEQA Environmental Review - ND/MND (Consultant Prepared)	\$180	\$60	\$150	\$2,880 Plus Deposit	
4. CEQA Environmental Review - ND/MND (Staff Prepared)	\$180	\$60	\$150	\$3,200 Plus Deposit	



Attachment "2"
CITY OF ESCONDIDO
 Planning Division Fees

effective 9/1/17

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Item	Legal Notice Fees*	Mailing List Fee* ₂	Imaging Fees	City Fees	TOTAL Fee
5. CEQA Environmental Review - Study Addendum (EIR or ND/MND)	--	--	\$50	\$2,960	\$3,010
6. Technical Studies - Storm Water Quality Management Plan	--	--	--	\$2,400	\$2,400
7. Technical Studies - Traffic (LOS or VMT)	--	--	--	\$2,360	\$2,360
8. Technical Studies - Traffic with Mitigation Measures	--	--	--	\$5,680	\$5,680
9. Technical Studies - All Other	--	--	--	\$1,480	\$1,480
N. ENVIRONMENTAL REVIEW - POST CERTIFICATION AND ADOPTION FEES					
1. CEQA Notice of Exemption	--	--	--	\$280 Plus County Clerk Processing Fee	
2. CEQA Notice of Determination	--	--	--	\$440 Plus County Clerk Processing Fee	
3. Daley Ranch Credit Agreement Administration	--	--	--	\$1,120	\$1,120
4. Vegetation Removal Permit - <5 Acres	--	--	--	\$880	\$880
5. Vegetation Removal Permit - 5 or more Acres	--	--	--	\$1,240	\$1,240
O. REVIEW FOR AMENDMENT, CONFORMANCE, MODIFICATION OR EXTENSION					
1. Certification of Map or Project (Changes)	--	--	--	\$800	\$800
3. Extension of Time - Subdivision	--	--	--	**33% of Original Permit Fee Type(s)	
4. Extension of Time - Minor Projects	--	--	--	**33% of Original Permit Fee Type(s)	
5. Extension of Time - All Other Cases	--	--	--	**33% of Original Permit Fee Type(s), Plus Public Hearing, Legal Notice, Mailing List and Notice Sign Fees (if any applicable)	
6. Modifications / Amendments - Comprehensive Sign Program	--	--	--	\$1,360	\$1,360
7. Modifications / Amendments - All Other Cases	--	--	--	**33% of Original Permit Fee Type(s), Plus Public Hearing, Legal Notice, Mailing List and Notice Sign Fees (if any applicable)	
8. Substantial Conformance - Parcel Map	--	--	\$50	\$2,880	\$2,930
9. Substantial Conformance - TSM (5-25 Homes)	--	--	\$50	\$4,000	\$4,050
10. Substantial Conformance - TSM (26-50 Homes)	--	--	\$50	\$4,640	\$4,690
11. Substantial Conformance - TSM (>50 Homes)	--	--	\$50	\$6,960	\$7,010
12. Substantial Conformance - All Other Cases	--	--	\$50	\$1,120	\$1,170



Attachment "2"
CITY OF ESCONDIDO
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Item	Legal Notice Fees*	Mailing List Fee* ₂	Imaging Fees	City Fees	TOTAL Fee
P. FEES FOR DOCUMENTS AND DUPLICATION					
1. Copies from Microfilm	--	--	--		\$1.00 Each
2. Legal Notice Fees (per Notice)	--	--	--		\$120
3. Microfilm/Imaging Fee - Major Cases (Hearing)	--	--	--		\$150
4. Microfilm/Imaging Fee - Minor Cases (No Hearing)	--	--	--		\$50
5. Public Hearing Notice Sign (per sign)*	--	--	--		\$20
6. Sale of Maps or Publications	--	--	--		Cost Recovery

*Legal notice, mailing and sign fees are subject to cost recovery based on the specific noticing requirements of the project.

**33% of Original Fee Type(s) equals 33% of the current fee amount for the original fee type.

September 30th, 2024

Response and appeal to NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE Letter dated September 26th, 2024.

Case # C23-0994

Assessor parcel # 230-121-0600

We are requesting an appeal of this notice and a hearing. We are again requesting to meet with city attorneys to go over the legal actions they have filed.

Below are the responses to the Notice and order of THE FOLLOWING VIOLATIONS WERE FOUND:

1. This is a factually incorrect statement. No construction, additions or alterations have been added in an estimated 40-50 years.
2. Same as #1.
3. Please clarify. Are you saying that the city approved plans, issued permits and (we assumed) inspected the construction of the property. They did not catch this at that time and have allowed hundreds of individuals to live, as you stated "A danger to life and property" for the last 40-50 years? It took the city 50 years to figure out their mistake and risk everyone's lives for the entire time? We would like to know the history of inspections the city has done on this building for the last 50 years. This includes building, fire health safety and ANY and ALL city inspections.
4. I do not understand what is being referenced here. What false wall?
5. Where is this? Please be specific as to what areas you're referring to so that we can immediately address them.
6. Incorrect statement. There is no change of use. Same use for 40-50 years. What are you referring to? Are you saying all 50-year-old buildings must be brought to current code?
7. What windows are you referring to? All sleeping windows? Please be more specific.
8. Incorrect, There were fire extinguishers, but we have added more. This has been done.
9. This has been verified that they are in each of those areas. See attached photos.
10. Incorrect, This has been verified that they are there. See attached photos.
11. We will try and see what we can find but since you have an inspection please indicate where these situations exist.
12. We will be happy to change and update addressing that the city is requiring. Please let us know exactly what you want done. See attached photos and let us know if this is what you wanted.

13. What gate are you referring to? We are unaware of any locked gates on the property. The only gate is a 50 year old metal gate that can NOT be locked. There is an old rusty padlock in the locking hole so that no one can place a lock and lock the gate. See attached photo. Is this the gate you're referring to? If So how could it have been locked?
14. We have done an additional cleaning to remove any excess lint.
15. Done
16. The only trash we were aware of was at the trash cans when someone came, and illegally dumped trash before trash pick-up. It was cleaned the same day we were notified.
17. Again, no additions so this does not apply. If this is a requirement for all 50-year-old multifamily properties now have to add them, please tell us when this law went into effect. Also, we are requesting a copy of all other notices issued to owners of multifamily properties in the last 10 years within the city that don't have them. Also copies of follow up letters sent to each owner. This is being requested under the (PRA) Public records act.

Also, in the letter under: **YOU ARE ALSO ORDERED WITHIN 10 DAYS OF THE RECEIPT OF THIS NOTICE TO:**

1. Please tell us why we would be required to do this. This is incorrect and not required. If you still feel that there is some reason, we will need to do this then we are requesting a hearing.
2. Done
3. Done

YOU ARE ALSO ORDERED TO:

1. Same as #17. Does not apply to us. Says again **UNPERMITTED BUILDING STRUCTURE**. There are no unpermitted building structures on the property.

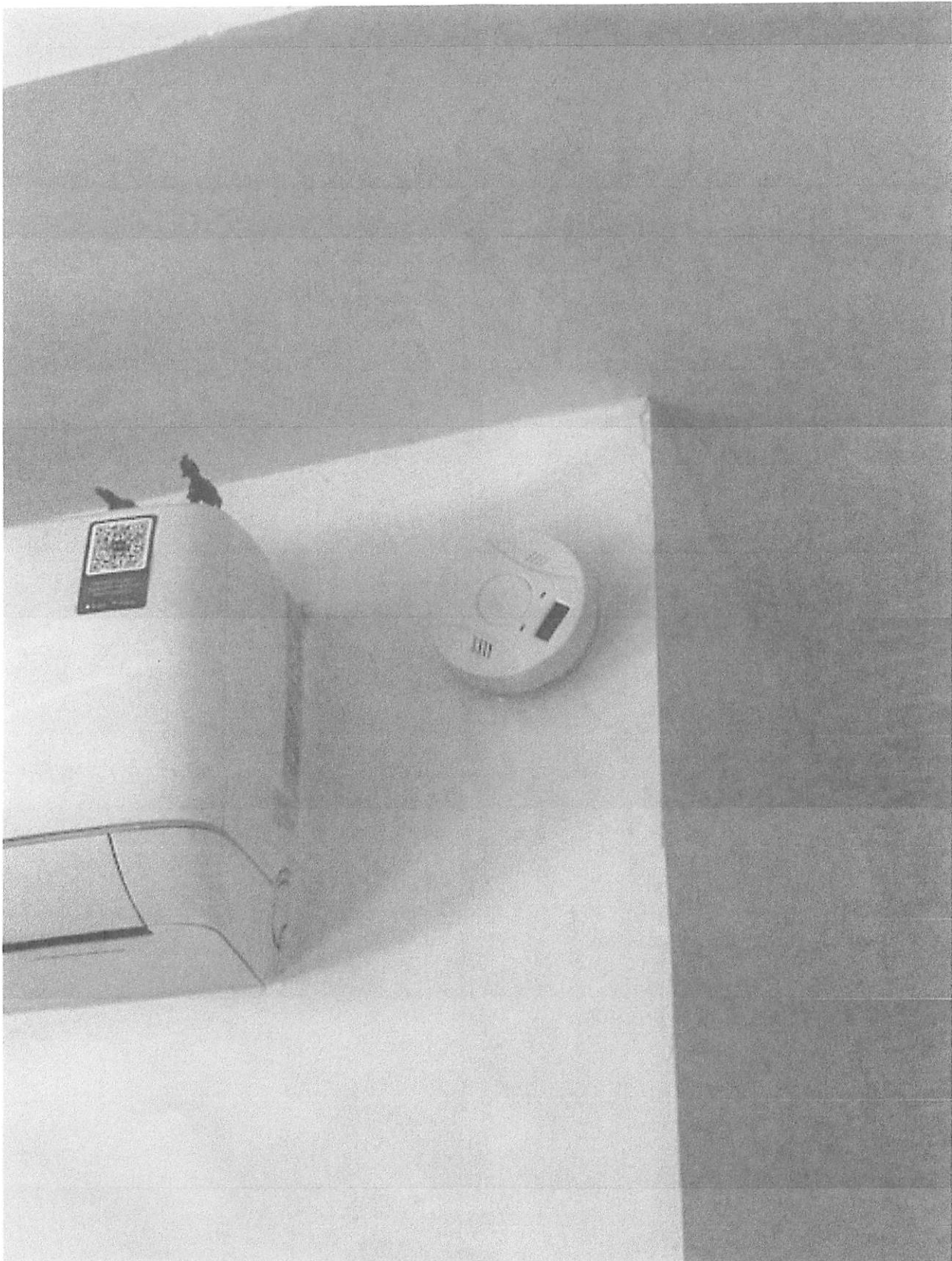
Your letter says all of this was brought on by a written complaint filed with the city. Please provide a copy of that written complaint.

In closing, your report is and continues to be damaging to us. It is factually inaccurate and has caused us substantial financial costs and continues to do so. Personally, and emotion tolls this is taking on us are beyond imaginable. We met with the city before we ever bought this property and went over several things including that there were 7 residential units in addition to the commercial units there. We went over with staff as to would this be an issue in ANYWAY for us in the future. We were assured it would not be unless we did over 25% improvement to the property (which we have not). For whatever reason we believe we are being singled out and maliciously attacked. We have asked numerous times to meet with the city attorneys to try and make this stop and the attacks and harassment against us from city employees. There has been no response from any legal official at the city. The only thing that has happened is it has increased the harassment and false statements against

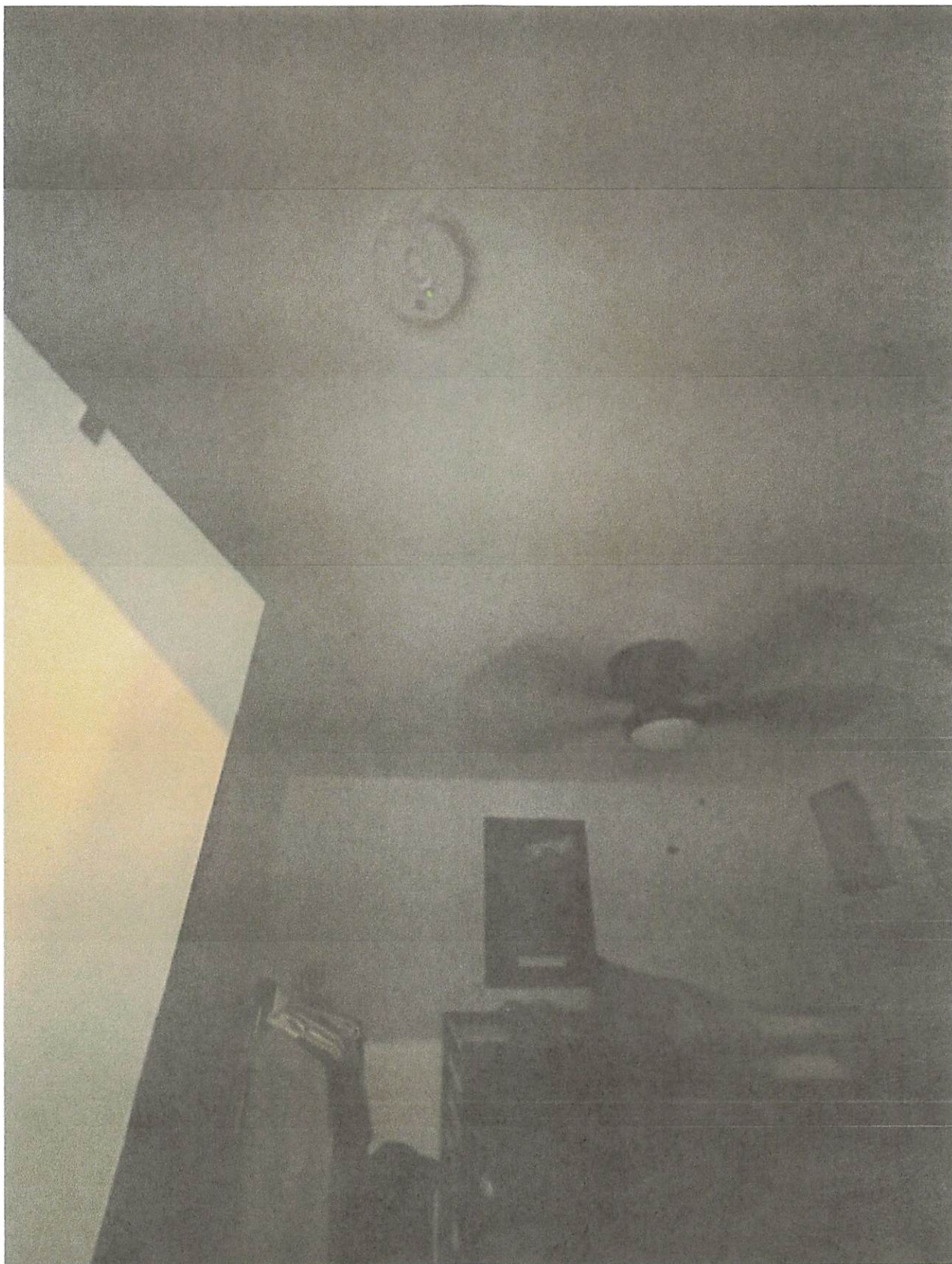
us by city employees. We have tried everything to make this harassment stop so we can have quiet peaceful enjoyment of our property. It is only getting worse. At this point our costs are getting out of control and the emotional toll is affecting the health of at least 2 of us. The cost of that you cannot compensate us for. But we are at the point that we really have no choice but to file a lawsuit against the city if this does not immediately get resolved and all harassment stopped.

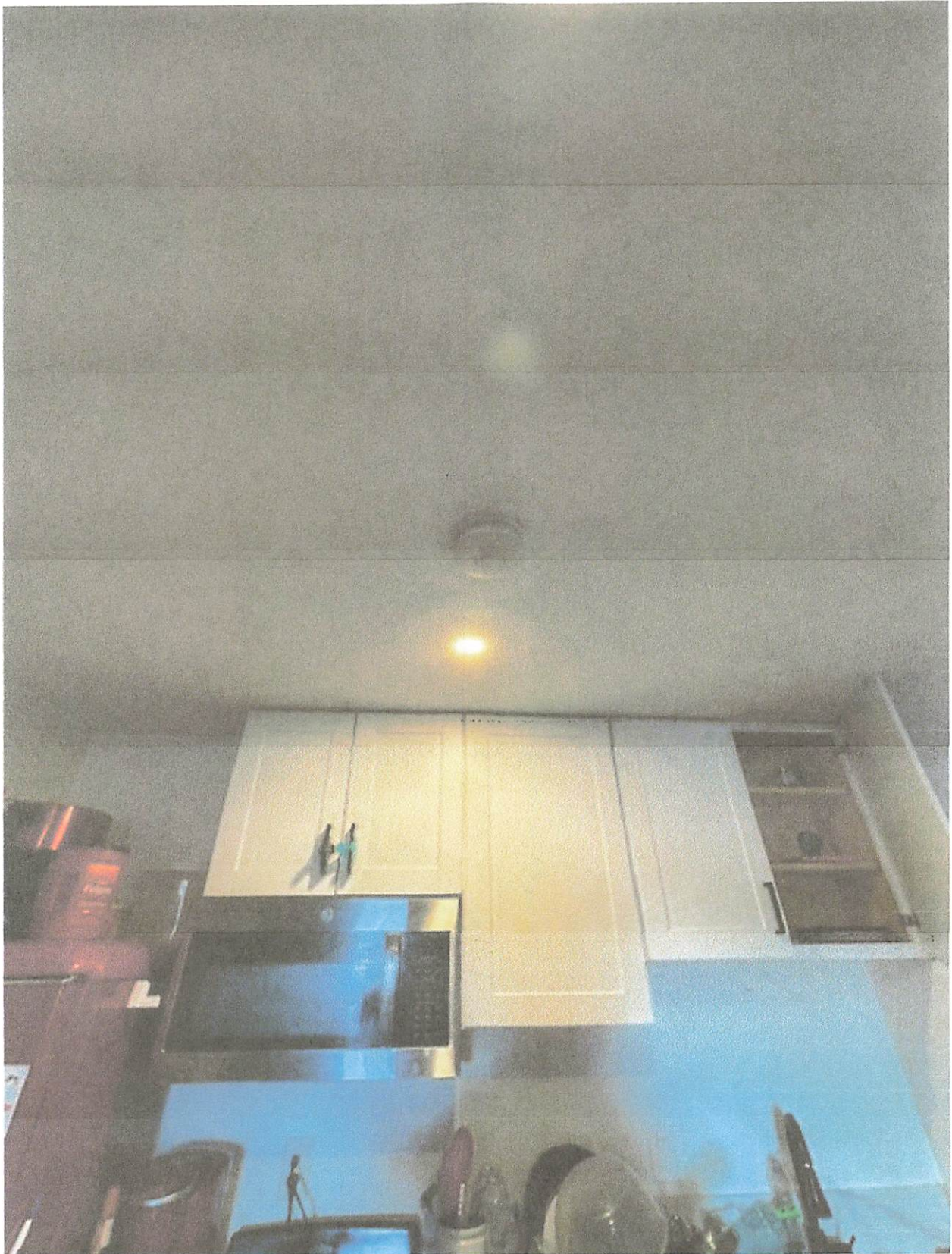
Sincerely.

Rick Zeiler
TTRLFG LLC

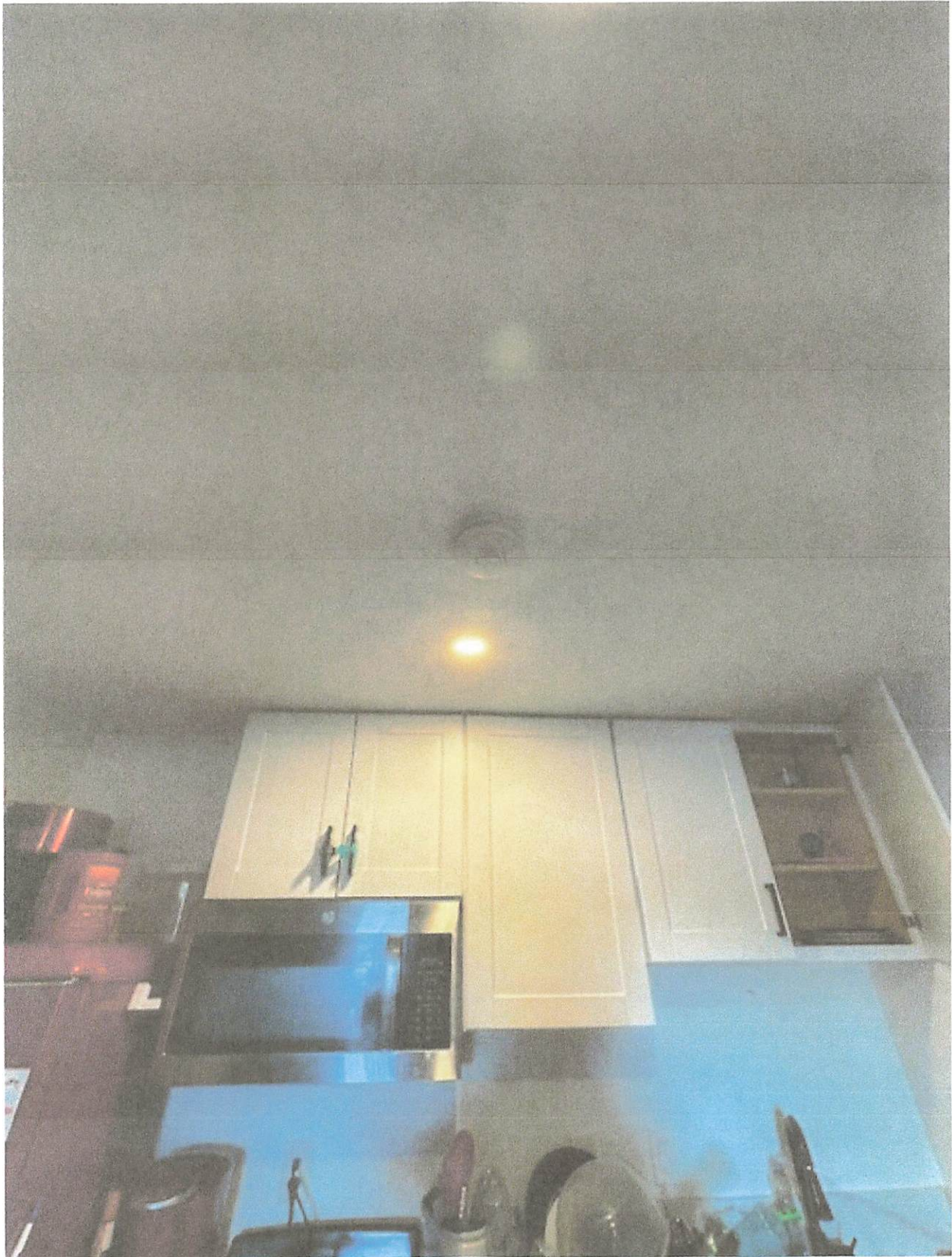






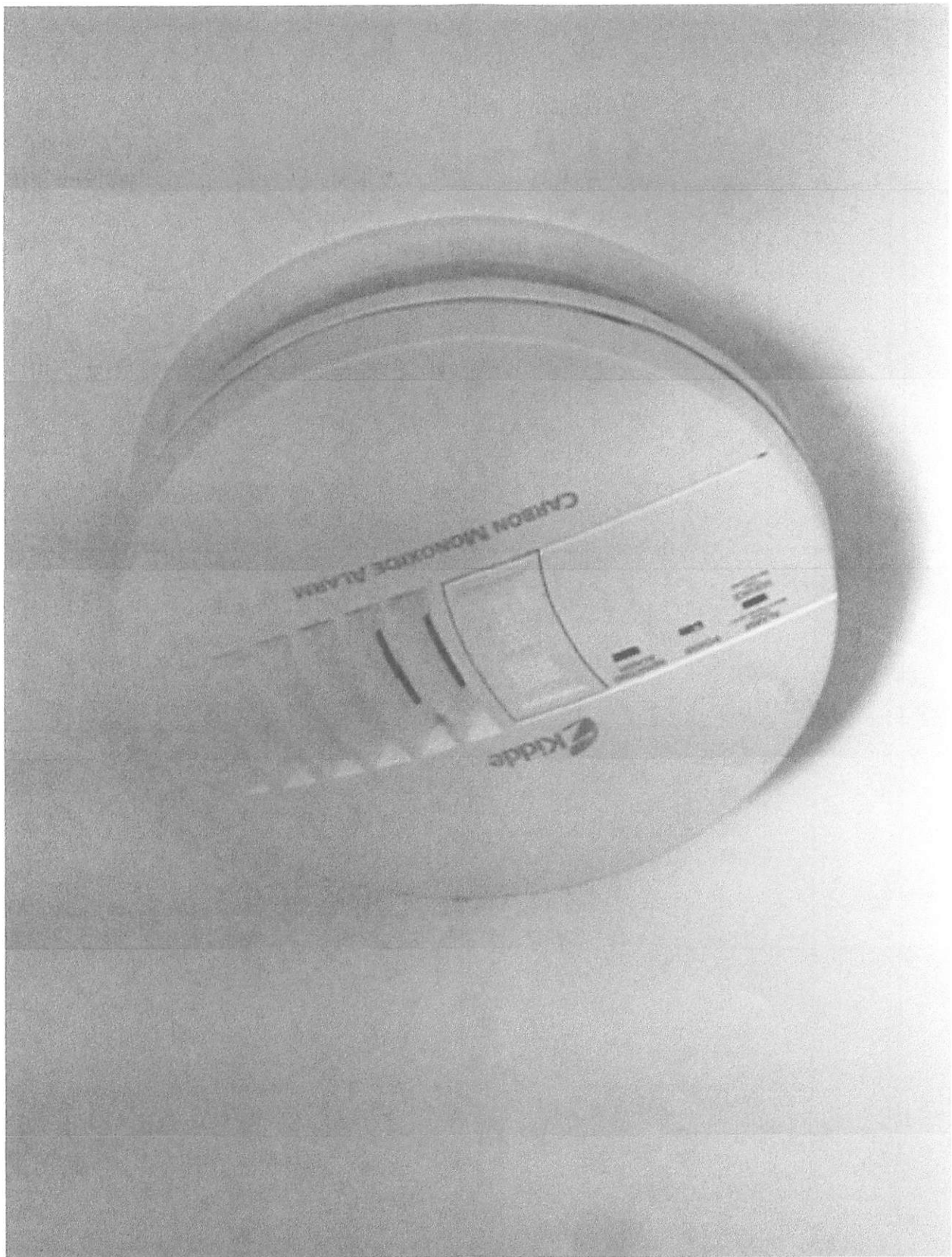


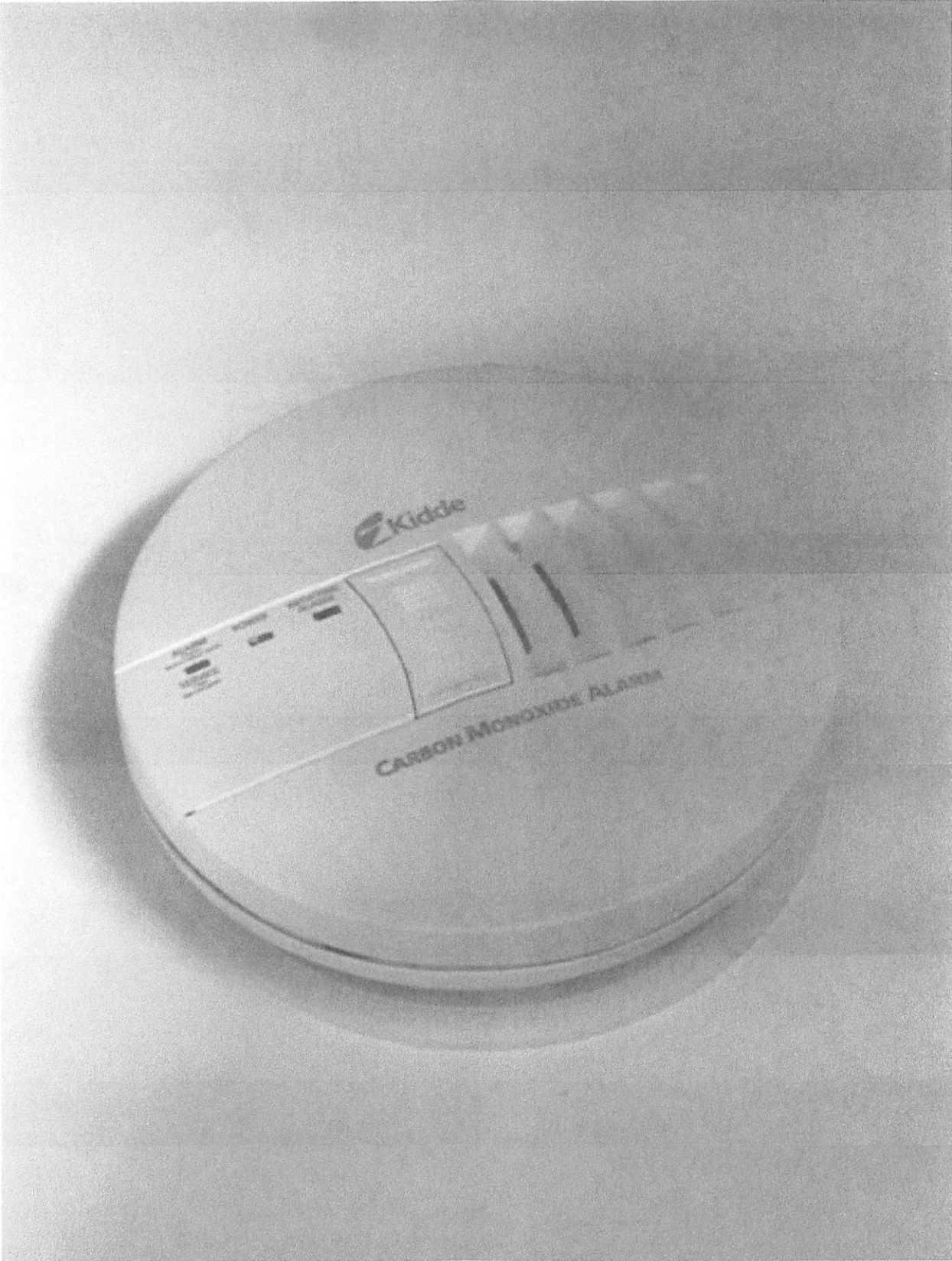




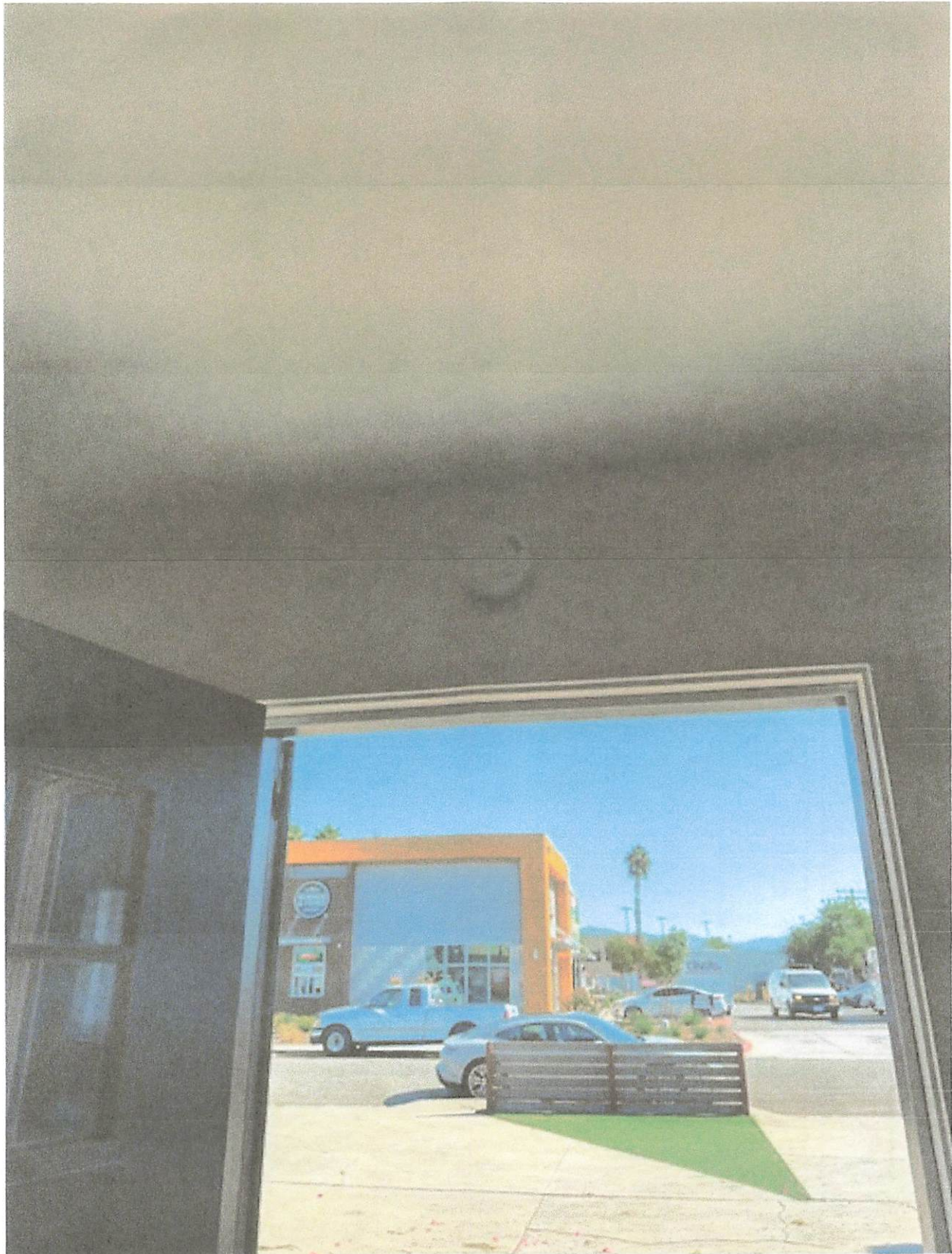


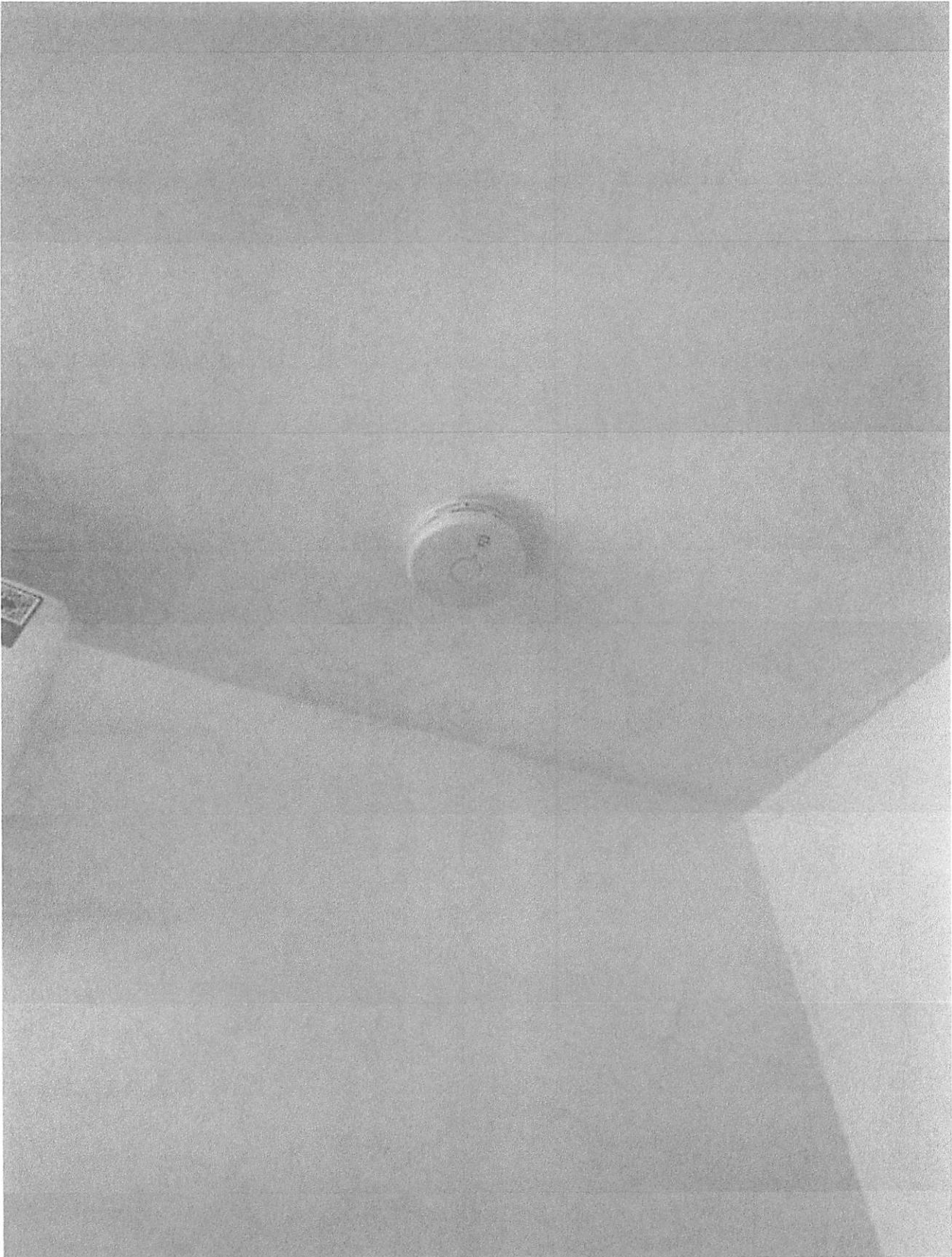
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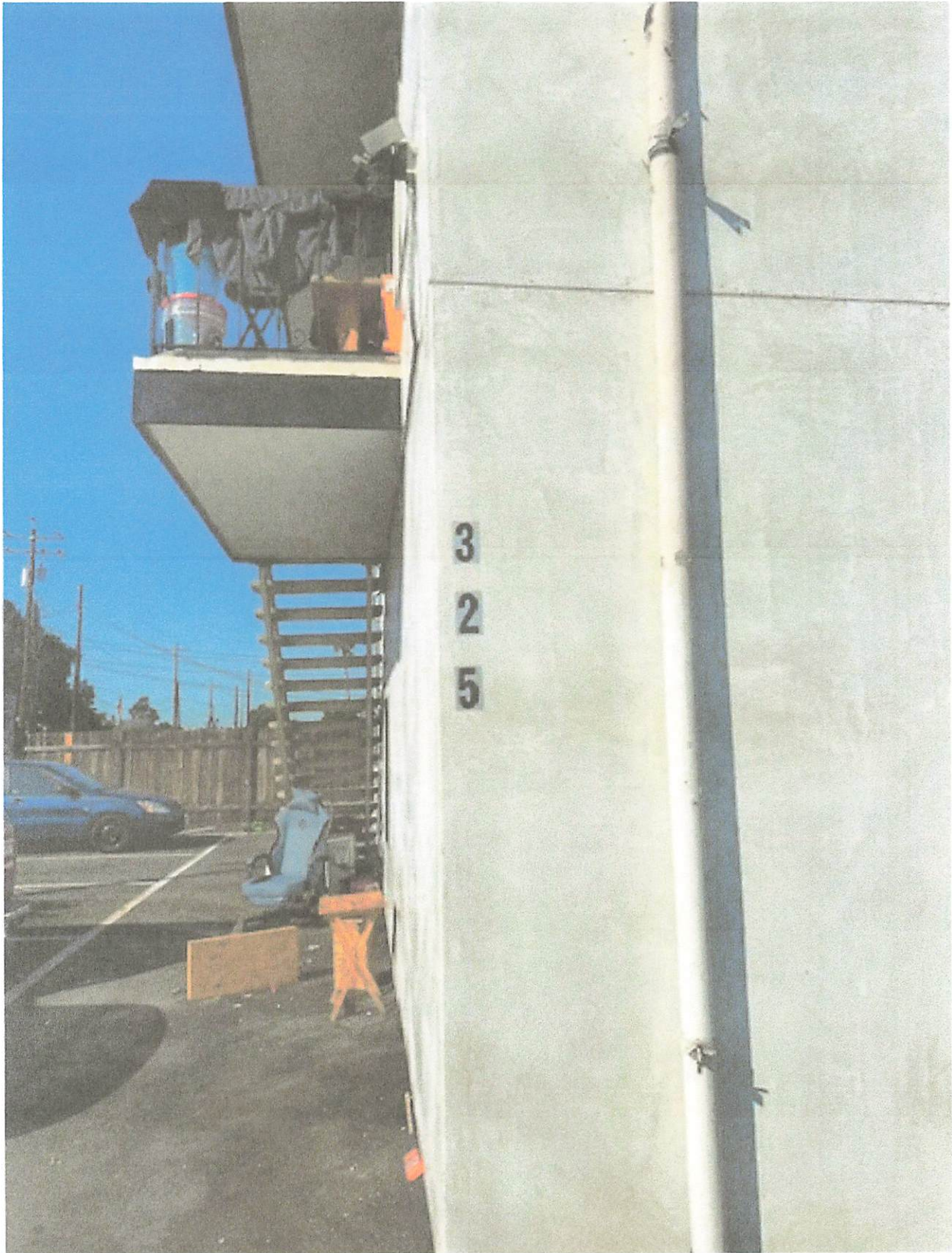


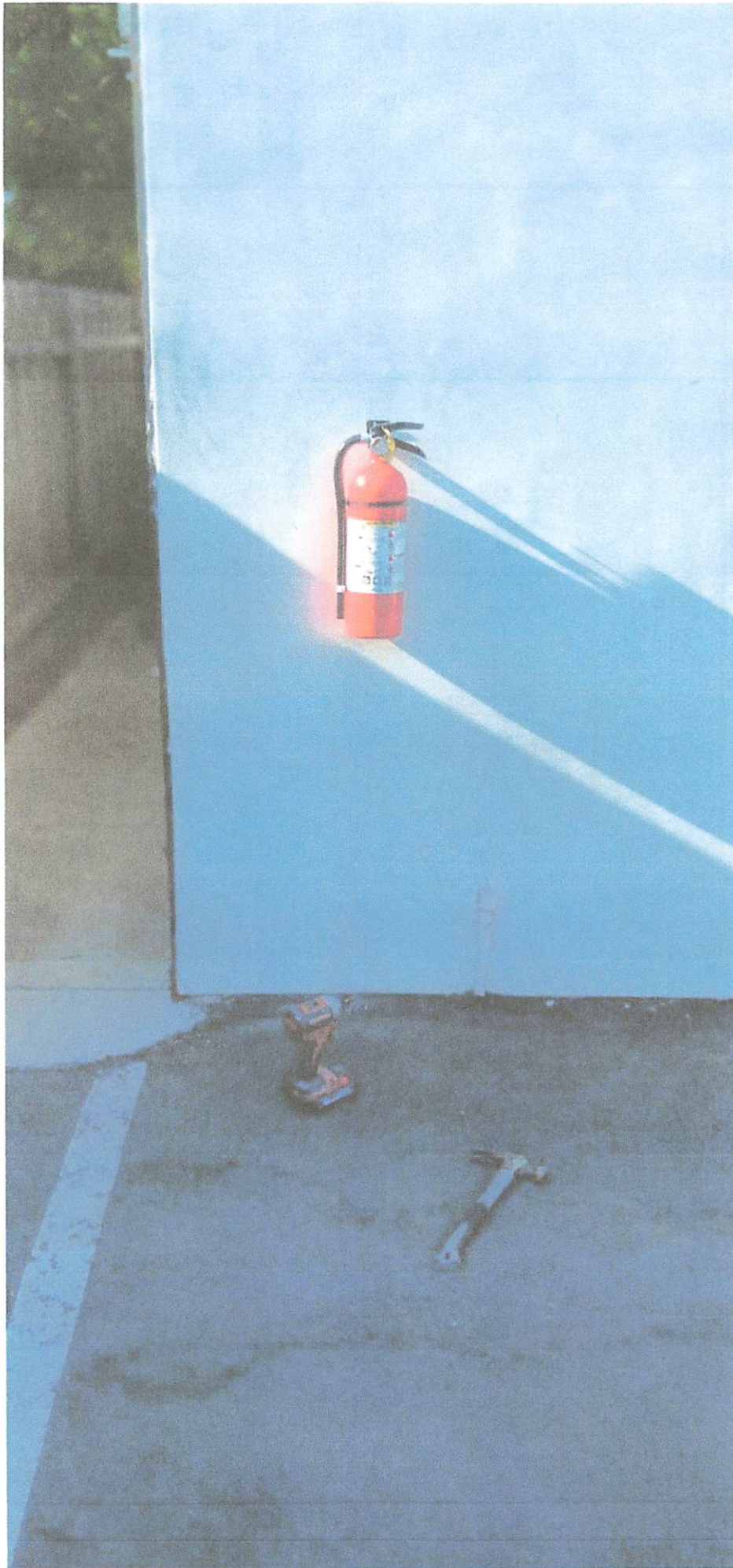






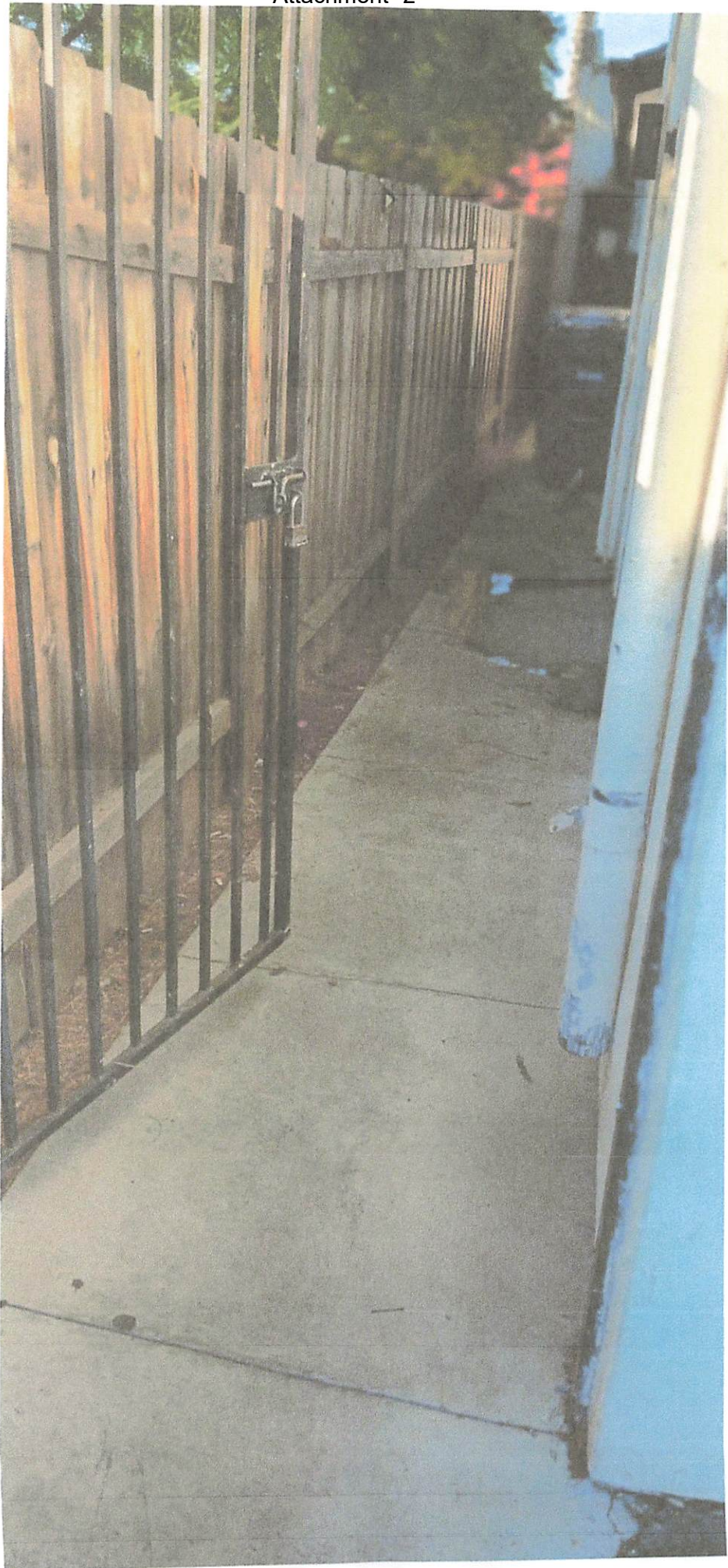
















**AB-2221 Accessory dwelling units.** (2021-2022)SHARE THIS:  

Date Published: 09/29/2022 02:00 PM

Assembly Bill No. 2221

CHAPTER 650

An act to repeal and amend Section 65852.2 of the Government Code, relating to land use.

[Approved by Governor September 28, 2022. Filed with Secretary of State September 28, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2221, Quirk-Silva. Accessory dwelling units.

The Planning and Zoning Law, among other things, provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Existing law requires a local ordinance to require an accessory dwelling unit to be either attached to, or located within, the proposed or existing primary dwelling, as specified, or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

This bill would specify that an accessory dwelling unit that is detached from the proposed or existing primary dwelling may include a detached garage.

Existing law requires a permitting agency to act on an application to create an accessory dwelling unit or a junior accessory dwelling unit within specified timeframes.

This bill would require a permitting agency to approve or deny an application to serve an accessory dwelling unit or a junior accessory dwelling unit within the same timeframes. If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit, the bill would require a permitting agency to return in writing a full set of comments to the applicant with a **list of items that are defective or deficient and a description of how the application can be remedied by the applicant within the same timeframes**. The bill would define "permitting agency" for its purposes.

Existing law authorizes a local agency to establish minimum and maximum unit size requirements for attached and detached accessory dwelling units, subject to certain exceptions, including that a local agency is prohibited from establishing limits on lot coverage, floor area ratio, open space, and minimum lot size, that do not permit the construction of at least an 800 square foot accessory dwelling unit, as specified.

This bill would additionally prohibit a local agency from establishing limits on front setbacks, as described above.

This bill would incorporate additional changes to Section 65852.2 of the Government Code proposed by SB 897

to be operative only if this bill and SB 897 are enacted and this bill is enacted last.

By imposing additional duties on local governments in the administration of the development of accessory dwelling units, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 65852.2 of the Government Code, as amended by Section 1 of Chapter 343 of the Statutes of 2021, is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not

converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall approve or deny an application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation or service of an accessory dwelling unit.

(B) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit

or a use permit under this subdivision.

(6) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(7) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(8) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, except that, subject to subparagraphs (B) and (C), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant.

(B) (i) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit before January 1, 2025.

(ii) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit that was permitted between January 1, 2020, and January 1, 2025.

(C) Notwithstanding subparagraphs (A) and (B), a local agency may require that an accessory dwelling unit be used for rentals of terms longer than 30 days.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(2) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to paragraph (1), the permitting agency shall, within the time period described in subparagraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

Attachment "2"

Item 7.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When onstreet parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

- (4) A local agency may require owner-occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (8) of subdivision (a).
- (5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.
- (6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.
- (7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.
- (f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).
- (2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.
- (3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.
- (B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.
- (4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling.
- (5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.
- (g) This section shall supersede a conflicting local ordinance. This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.
- (h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.
- (2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

Item 7.

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(8) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(9) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(10) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(11) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to,

applicable planning departments, building departments, utilities, and special districts.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

SEC. 1.5. Section 65852.2 of the Government Code, as amended by Section 1 of Chapter 343 of the Statutes of 2021, is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this clause shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the

60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(B) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(4) The ordinance shall require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(5) The ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

(6) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(7) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(8) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, except that, subject to subparagraphs (B) and (C), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant.

(B) (i) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit before January 1, 2025.

(ii) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit that was permitted between January 1, 2020, and January 1, 2025.

(C) Notwithstanding subparagraphs (A) and (B), a local agency may require that an accessory dwelling unit be used for rentals of terms longer than 30 days.

(9) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(10) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on

the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multi-family dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(2) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to paragraph (1), the permitting agency shall, within the time period described in subparagraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(D) Any height limitation that does not allow at least the following, as applicable:

(i) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(ii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(iii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(iv) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(d) Notwithstanding any other law, and whether or not the local agency has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), all of the following shall apply:

(1) The local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

(A) Where the accessory dwelling unit is located within one-half mile walking distance of public transit.

(B) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.

(C) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(D) When onstreet parking permits are required but not offered to the occupant of the accessory dwelling unit.

(E) When there is a car share vehicle located within one block of the accessory dwelling unit.

(F) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.

(2) The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation as provided in clause (i), (ii), or (iii) as applicable, of subparagraph (D) of paragraph (2) of subdivision (c).

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) (i) Not more than two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation in clause (i), (ii), or (iii), as applicable, of subparagraph (D) of paragraph (2) of subdivision (c) and rear yard and side setbacks of no more than four feet.

(ii) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this subparagraph.

- (2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.
- (3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.
- (4) A local agency may require owner-occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (8) of subdivision (a).
- (5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.
- (6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.
- (7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose objective standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.
- (f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).
- (2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.
- (3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.
- (B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.
- (4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling.
- (5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.
- (g) This section shall supersede a conflicting local ordinance. This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.
- (h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the

Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to applicable planning departments, building departments, utilities, and special districts.

(10) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(11) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

- (1) The accessory dwelling unit was built before January 1, 2020.
- (2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

SEC. 2. Section 65852.2 of the Government Code, as amended by Section 2 of Chapter 343 of the Statutes of 2021, is repealed.

SEC. 3. Section 1.5 of this bill incorporates amendments to Section 65852.2 of the Government Code proposed by both this bill and Senate Bill 897. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2023, (2) each bill amends Section 65852.2 of the Government Code, and (3) this bill is enacted after Senate Bill 897, in which case Section 1 of this bill shall not become operative.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



ATTACHMENT # 10

SB-897 Accessory dwelling units: junior accessory dwelling units. (2021-2022)

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Date Published: 09/29/2022 02:00 PM

Senate Bill No. 897

CHAPTER 664

An act to amend Section 65852.22 of, to add Section 65852.23 to, and to repeal and amend Section 65852.2 of, the Government Code, and to amend Section 17980.12 of the Health and Safety Code, relating to land use.

[Approved by Governor September 28, 2022. Filed with Secretary of State September 28, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 897, Wieckowski. Accessory dwelling units: junior accessory dwelling units.

(1) Existing law, the Planning and Zoning Law, authorizes a local agency, by ordinance or ministerial approval, to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Existing law authorizes a local agency to impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, and maximum size of a unit.

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This bill would require that the standards imposed on accessory dwelling units be objective. For purposes of this requirement, the bill would define "objective standard" as a standard that involves no personal or subjective judgment by a public official and is uniformly verifiable, as specified. The bill would also prohibit a local agency from denying an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

This bill would require a local agency to review and issue a demolition permit for a detached garage that is to be replaced by an accessory dwelling unit at the same time as it reviews and issues the permit for the accessory dwelling unit. The bill would prohibit an applicant from being required to provide written notice or post a placard for the demolition of a detached garage that is to be replaced by an accessory dwelling unit, as specified.

Existing law provides that an accessory dwelling unit may either be an attached or detached residential dwelling unit, and prescribes the minimum and maximum unit size requirements, height limitations, and setback requirements that a local agency may establish, including a 16-foot height limitation and a 4-foot side and rear setback requirement.

This bill would increase the maximum height limitation that may be imposed by a local agency on an accessory dwelling unit to 18 feet if the accessory dwelling unit is within 1/2 mile walking distance of a major transit stop or

a high-quality transit corridor, as those terms are defined, or if the accessory dwelling unit is detached and on a lot that has an existing multifamily, multistory dwelling, as specified. The bill would increase the maximum height limitation that may be imposed by a local agency on an accessory dwelling unit to 25 feet if the accessory dwelling unit is attached to a primary dwelling, except as specified.

Existing law requires an ordinance that provides for the creation of an accessory dwelling unit to require accessory dwelling units to comply with local building code requirements that apply to detached dwellings, as appropriate. Existing law also prohibits an ordinance from requiring an accessory dwelling unit to provide fire sprinklers if they are not required for the primary residence.

This bill would provide that the construction of an accessory dwelling unit does not constitute a Group R occupancy change under the local building code, except as specified. The bill would prohibit the construction of an accessory dwelling unit from triggering a requirement that fire sprinklers be installed in the existing primary dwelling.

Existing law provides that a local agency must ministerially approve an application for a building permit within a residential or mixed-use zone to create not more than 2 accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation of 16 feet and a 4-foot side and rear setback requirement.

This bill would change the height limitation applicable to an accessory dwelling unit subject to ministerial approval to 18 feet if the accessory dwelling unit is within $\frac{1}{2}$ mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined, or if the accessory dwelling unit is detached and on a lot that has an existing multifamily, multistory dwelling, as specified. The bill would change the height limitation applicable to an accessory dwelling unit subject to ministerial approval to 25 feet if the accessory dwelling unit is attached to a primary dwelling, except as specified. The bill, if the existing multifamily dwelling exceeds applicable height requirements or has a rear or side setback of less than 4 feet, would prohibit a local agency from requiring any modification to the existing multifamily dwelling to satisfy these requirements. The bill would prohibit a local agency from rejecting an application for an accessory dwelling unit because the existing multifamily dwelling exceeds applicable height requirements or has a rear or side setback of less than 4 feet.

Existing law prohibits a local agency from imposing parking standards on certain accessory dwelling units, including those that are located within $\frac{1}{2}$ -mile walking distance of public transit.

This bill would also prohibit a local agency from imposing any parking standards on an accessory dwelling unit that is included in an application to create a new single-family dwelling unit or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit meets other specified requirements.

Existing law, when a local agency has not adopted an ordinance governing accessory dwelling units, requires a permitting agency to act on an application to create an accessory dwelling unit or a junior accessory dwelling unit within specified timeframes.

This bill would require a permitting agency to return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant, if the permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit.

(2) Existing law also provides for the creation of junior accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Existing law requires an ordinance that provides for the creation of a junior accessory dwelling unit to, among other things, (A) require that the unit be constructed within the walls of the proposed or existing single-family residence, (B) require that the unit include a separate entrance from the main entrance to the proposed or existing single-family residence, and (C) require owner-occupancy in the single-family residence in which the junior accessory dwelling unit is permitted.

This bill would specify that enclosed uses within the proposed or existing single-family residence, such as attached garages, are considered a part of the proposed or existing single-family residence. The bill would require a junior accessory dwelling unit that does not include a separate bathroom to include a separate entrance from the main entrance to the structure, with an interior entry to the main living area. The bill would also prohibit a local agency from denying an application for a permit to create a junior accessory dwelling unit due to

the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the junior accessory dwelling unit.

(3) Existing law requires a local agency, in enforcing building standards applicable to accessory dwelling units, to delay enforcement for up to 5 years upon the owner submitting an application requesting the delay on the basis that correcting the violation is not necessary to protect health and safety.

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This bill would prohibit a local agency from denying a permit for an unpermitted accessory dwelling unit that was constructed before January 1, 2018, because, among other things, the unit is in violation of building standards or state or local standards applicable to accessory dwelling units, unless the local agency makes a finding that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure. This bill would specify that this prohibition does not apply to a building that is deemed substandard under specified provisions of law.

(4) Existing law requires the Department of Housing and Community Development to administer various programs intended to promote the development of housing, including the Multifamily Housing Program, pursuant to which the department provides financial assistance in the form of deferred payment loans to pay for the eligible costs of development for specified activities.

This bill would state the intent of the Legislature that accessory dwelling unit grant programs provide funding for predevelopment costs and facilitate accountability and oversight, as specified.

(5) This bill would incorporate additional changes to Section 65852.2 of the Government Code proposed by AB 2221 to be operative only if this bill and AB 2221 are enacted and this bill is enacted last.

(6) By imposing new duties on local governments with respect to the approval of accessory dwelling units and junior accessory dwelling units, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. It is the intent of the Legislature to ensure that grant programs that fund the construction and maintenance of accessory dwelling units undertake both of the following:

- (a) Provide funding for predevelopment costs, such as development of plans and permitting of accessory dwelling units.
- (b) Facilitate accountability and oversight, including annual reporting on outcomes to the Legislature.

SEC. 2. Section 65852.2 of the Government Code, as amended by Section 1 of Chapter 343 of the Statutes of 2021, is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

Attachment "2"

Item 7.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this clause shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

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(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

5 (3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall either approve or deny the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) The ordinance shall require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(5) The ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

6 (6) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

7 (7) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(8) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, except that, subject to subparagraphs (B) and (C), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant.

(B) (i) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit before January 1, 2025.

(ii) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit that was permitted between January 1, 2020, and January 1, 2025.

(C) Notwithstanding subparagraphs (A) and (B), a local agency may require that an accessory dwelling unit be used for rentals of terms longer than 30 days.

(9) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with

the limitations of this subdivision.

(10) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family dwelling or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(2) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to paragraph (1), the permitting agency shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

8 (2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(D) Any height limitation that does not allow at least the following, as applicable:

(i) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(ii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(iii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed

(iv) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(d) Notwithstanding any other law, and whether or not the local agency has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), all of the following shall apply:

(1) The local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

(A) Where the accessory dwelling unit is located within one-half mile walking distance of public transit.

(B) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.

(C) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(D) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(E) When there is a car share vehicle located within one block of the accessory dwelling unit.

(F) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.

9 (2) The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation as provided in clause (i), (ii), or (iii) as applicable, of subparagraph (D) of paragraph (2) of subdivision (c).

10 (C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways,

attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) (i) Not more than two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to the applicable height limitation in clause (i), (ii), or (iii), as applicable, of subparagraph (D) of paragraph (2) of subdivision (c) and rear yard and side setbacks of no more than four feet.

(ii) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this subparagraph.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(4) A local agency may require owner-occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (8) of subdivision (a).

(5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose objective standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does

not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

(10) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(11) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) **In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:**

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

SEC. 2.5. Section 65852.2 of the Government Code, as amended by Section 1 of Chapter 343 of the Statutes of 2021, is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose objective standards on accessory dwelling units that include, but are not limited to, parking height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this clause shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(B) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(4) The ordinance shall require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(5) The ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

(6) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(7) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(8) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, except that, subject to subparagraphs (B) and (C), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant.

(B) (i) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement

on an accessory dwelling unit before January 1, 2025.

(ii) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit that was permitted between January 1, 2020, and January 1, 2025.

(C) Notwithstanding subparagraphs (A) and (B), a local agency may require that an accessory dwelling unit be used for rentals of terms longer than 30 days.

(9) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(10) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(2) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to paragraph (1), the permitting agency shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(D) Any height limitation that does not allow at least the following, as applicable:

(i) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(ii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(iii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(iv) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(d) Notwithstanding any other law, and whether or not the local agency has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), all of the following shall apply:

(1) The local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

(A) Where the accessory dwelling unit is located within one-half mile walking distance of public transit.

(B) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.

(C) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(D) When onstreet parking permits are required but not offered to the occupant of the accessory dwelling unit.

(E) When there is a car share vehicle located within one block of the accessory dwelling unit.

(F) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.

(2) The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear

yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation as provided in clause (i), (ii), or (iii) as applicable, of subparagraph (D) of paragraph (2) of subdivision (c).

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) (i) Not more than two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation in clause (i), (ii), or (iii), as applicable, of subparagraph (D) of paragraph (2) of subdivision (c) and rear yard and side setbacks of no more than four feet.

(ii) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this subparagraph.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(4) A local agency may require owner-occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (8) of subdivision (a).

(5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose objective standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section shall supersede a conflicting local ordinance. This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

(10) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(11) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

SEC. 3. Section 65852.2 of the Government Code, as amended by Section 2 of Chapter 343 of the Statutes of 2021, is repealed.

SEC. 4. Section 65852.22 of the Government Code is amended to read:

65852.22. (a) Notwithstanding Section 65852.2, a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(1) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

(2) Require owner-occupancy in the single family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(3) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

(4) Require a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence. For purposes of this paragraph, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.

(5) (A) Require a permitted junior accessory dwelling unit to include a separate entrance from the main entrance to the proposed or existing single-family residence.

(B) If a permitted junior accessory dwelling unit does not include a separate bathroom, the permitted junior accessory dwelling unit shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

(6) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(A) A cooking facility with appliances.

(B) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(b) (1) An ordinance shall not require additional parking as a condition to grant a permit.

(2) This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine if the junior accessory dwelling unit complies with applicable building standards.

(c) (1) An application for a permit pursuant to this section shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. The permitting agency shall either approve or deny the application to create or serve a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot. If the permit application to create or serve a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family dwelling on the lot, the permitting agency may delay approving or denying the permit application for the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family dwelling, but the application to create or serve the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.

(2) If a permitting agency denies an application for a junior accessory dwelling unit pursuant to paragraph (1),

the permitting agency shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(d) A local agency shall not deny an application for a permit to create a junior accessory dwelling unit pursuant to this section due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and that are not affected by the construction of the junior accessory dwelling unit.

(e) For purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(f) For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(g) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation related to a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

(h) If a local agency has not adopted a local ordinance pursuant to this section, the local agency shall ministerially approve a permit to construct a junior accessory dwelling unit that satisfies the requirements set forth in subparagraph (A) of paragraph (1) of subdivision (e) of Section 65852.2 and the requirements of this section.

(i) For purposes of this section, the following terms have the following meanings:

(1) "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

(3) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

SEC. 5. Section 65852.23 is added to the Government Code, to read:

65852.23. (a) Notwithstanding any other law, and except as otherwise provided in subdivision (b), a local agency shall not deny a permit for an unpermitted accessory dwelling unit that was constructed before January 1, 2018, due to either of the following:

(1) The accessory dwelling unit is in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code.

(2) The accessory dwelling unit does not comply with Section 65852.2 or any local ordinance regulating accessory dwelling units.

(b) Notwithstanding subdivision (a), a local agency may deny a permit for an accessory dwelling unit subject to subdivision (a) if the local agency makes a finding that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure.

(c) The section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

SEC. 6. Section 17980.12 of the Health and Safety Code is amended to read:

17980.12. (a) (1) An enforcement agency, until January 1, 2030, that issues to an owner of an accessory dwelling unit described in subparagraph (A) or (B) below, a notice to correct a violation of any provision of any building standard pursuant to this part shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to this subdivision:

(A) The accessory dwelling unit was built before January 1, 2020.

(B) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(2) The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in paragraph (1) may, in the form and manner prescribed by the enforcement agency, submit an application to the enforcement agency requesting that enforcement of the violation be delayed for five years on the basis that correcting the violation is not necessary to protect health and safety.

(3) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of a violation on the primary dwelling unit, provided that correcting the violation is not necessary to protect health and safety.

(4) The enforcement agency shall grant an application described in paragraph (2) if the enforcement agency determines that correcting the violation is not necessary to protect health and safety. In making this determination, the enforcement agency shall consult with the entity responsible for enforcement of building standards and other regulations of the State Fire Marshal pursuant to Section 13146.

(5) The enforcement agency shall not approve any applications pursuant to this section on or after January 1, 2030. However, any delay that was approved by the enforcement agency before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the initial approval of the application pursuant to paragraph (4).

(b) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in Section 65852.2.

(c) This section shall remain in effect only until January 1, 2035, and as of that date is repealed.

SEC. 7. Section 2.5 of this bill incorporates amendments to Section 65852.2 of the Government Code proposed by both this bill and Assembly Bill 2221. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2023, (2) each bill amends Section 65852.2 of the Government Code, and (3) this bill is enacted after Assembly Bill 2221, in which case Section 2 of this bill shall not become operative.

SEC. 8. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



SB-1226 Building standards: building permits. (2017-2018)

SHARE THIS:  

Date Published: 10/01/2018 09:00 PM

Senate Bill No. 1226

CHAPTER 1010

An act to add Section 17958.12 to the Health and Safety Code, relating to housing.

[Approved by Governor September 30, 2018. Filed with Secretary of State September 30, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1226, Bates. Building standards: building permits.

Existing law, the Planning and Zoning Law, provides for the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities.

The State Housing Law requires the housing or building department or, if there is no building department, the health department, of every city, county, or city and county, or a specified environmental agency to enforce within its jurisdiction all of the State Housing Law, the building standards published in the California Building Standards Code, and other specified rules and regulations. The State Housing Law prohibits the application of rules and regulations promulgated pursuant to the State Housing Law and building standards published in the State Building Standards Code, relating to the erection or construction of buildings or structures, to existing buildings or structures, or to buildings or structures as to which construction is commenced or approved prior to the effective date of the rules, regulations, or building standards, except by act of the Legislature. If there is a violation of these provisions or any order or notice that gives a reasonable time to correct that violation, or if a nuisance exists, an enforcement agency is required, after 30 days' notice to abate the nuisance, to institute appropriate action or proceedings to prevent, restrain, correct, or abate the violation or nuisance.

The State Housing Law requires local ordinances or regulations governing alterations and repair of existing buildings to permit the replacement, retention, and extension of original materials and the use of original methods of construction for any building or accessory structure subject to this law, including a dwelling or portions thereof, as long as the portion of the building and structure subject to the replacement, retention, or extension of original materials and the use of original methods of construction complies with the building code provisions governing that portion of the building or accessory structure at the time of construction, and the other rules and regulations of the department or alternative local standards governing that portion at the time of its construction and adopted pursuant to provisions of existing law regarding fire safety, and the building or accessory structure does not become or continue to be a substandard building, as defined.

The California Building Standards Law requires that only those building standards approved by the California Building Standards Commission, and that are effective at the local level at the time an application for a building

permit is submitted, apply to the construction performed under that building permit.

This bill would require the department to propose the adoption of a building standard to the California Building Standards Commission pursuant to existing law that would authorize, when a record of the issuance of a building permit for the construction of an existing residential unit does not exist, the above-described enforcement officials to determine when the residential unit was constructed and then apply the State Housing Law, the building standards published in the California Building Standards Code, and other specified rules and regulations in effect on that date and issue a retroactive building permit for that construction. This bill would declare that the provisions of the bill are declaratory of existing law.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 17958.12 is added to the Health and Safety Code, to read:

17958.12. (a) The Legislature hereby finds and declares the following:

(1) Building officials, pursuant to this code and the California Building Standards Code, have broad authority as part of their enforcement authority to render interpretations of the code and to adopt policies and procedures to clarify the application of its provisions.

(2) A building official has the discretion to apply the building standards that were in effect at the time a residential unit was constructed. This is permissible under the authority to grant modifications on a case-by-case basis and the authority of a building department to approve a material, appliance, installation, device, arrangement, or method if it finds that the design is satisfactory and equivalent to the building standards code. Several jurisdictions were not aware of this existing authority.

(3) It is the intent of the Legislature to clarify that when a building permit for a residential unit does not exist, the appropriate enforcement official may make a determination of when a residential unit was constructed and then apply the California Building Standards Code and other specified rules and regulations in effect when the residential unit was determined to be constructed for purposes of issuing a building permit for the residential unit.

(b) The department shall propose the adoption of a building standard to the California Building Standards Commission pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 to authorize, when a record of the issuance of a building permit for the construction of an existing residential unit does not exist, a local enforcement official to determine the date of construction of that residential unit, apply this part, the building standards in the California Building Standards Code, and other specified rules and regulations in effect on that date of construction to that residential unit, and issue a retroactive building permit for that construction. This authorization shall be consistent with the findings and declarations of subdivision (a).

(c) This section is declaratory of existing law.

Attachment #12A

Item 7.

Escondido
November 14 11:40 AM

Edit



From Rick >



1 hour
Fire
Wall
Separating
Units #1
#2
Have
Video

Double
5/8"
Drywall



Item7.



Escondido
November 14 11:40 AM

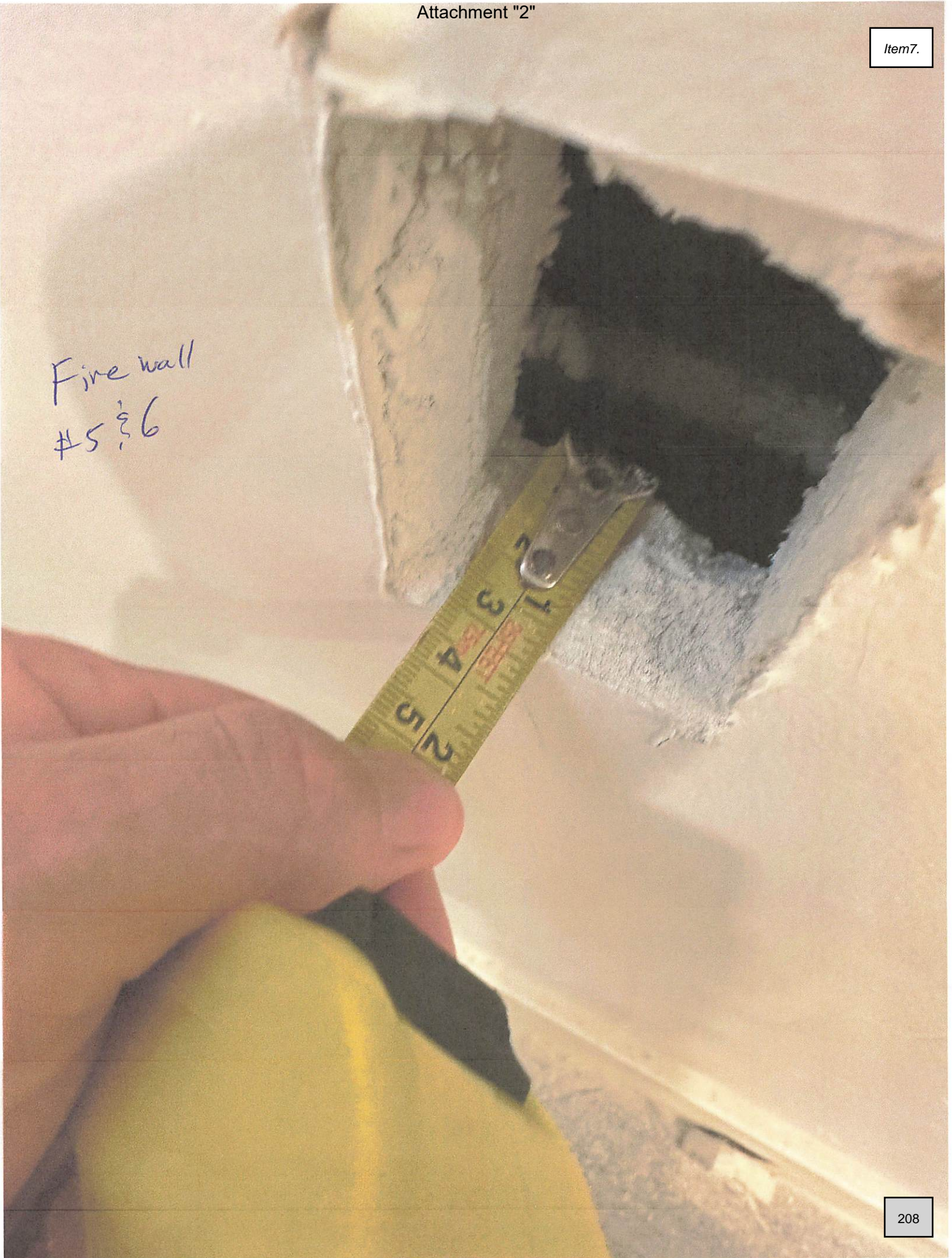
Edit



RZ From Rick >



Fire wall
#5 3/6







Escondido
November 14 11:43 AM



RZ From Rick >



8"
Block
wall
Separates
units
9 & 7
1 hour
fire
Rating

00:04



Item 7.



Attachment 12 B
 Item 7.

Search Reddit

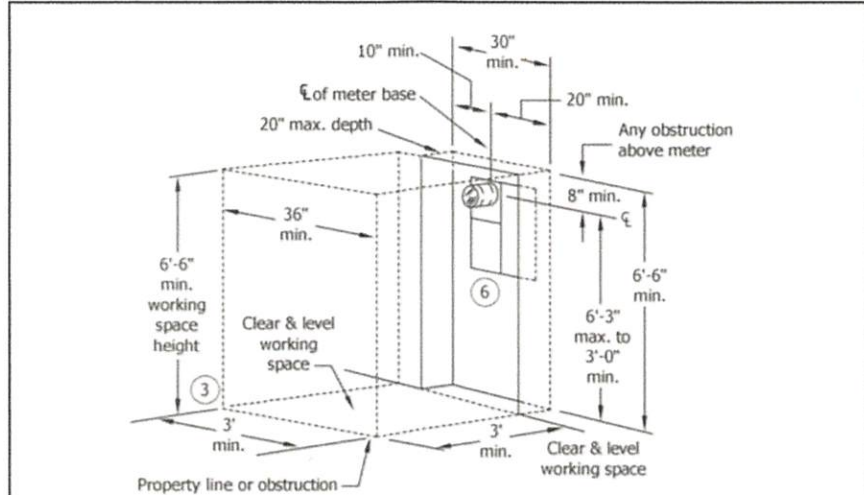


FIGURE 3
 Recess Single Meter "Residential Application Only"

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Notes to Figures 1 - 3:

- ① The 10" and 26" dimensions may vary depending on site conditions and equipment configuration, but in no case shall the left or right side clearance from centerline of the meter socket to an obstruction be less than 10", and the overall width of working space must be 36" minimum.
- ② For hardscape working space requirements, refer to Notes 6, 7, 10 and 11 on page SG 504.5.
- ③ For barrier requirements see page SG 505.
- ④ Residential equipment shown, however, this standard is also applicable to commercial equipment (not shown).
- ⑤ This standard also applies to wall-mounted and free-standing switchboards (not shown).
- ⑥ See pages SG 508.1 - 508.2 for additional Meter Cabinet Recess requirements.
- ⑦ See page SG 504.5, Note 8 for 480-volt service, and Note 9 for medium-voltage switchgear.

36"

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REV	CHANGE	BY	DSGN	APPV	DATE	REV	CHANGE	BY	DSGN	APPV	DATE
A	Editorial Changes	LSM	DPJ	TPH	11/01/17	D					
B						E					
C						F					

<input checked="" type="checkbox"/>	Indicates Latest Revision	<input type="checkbox"/>	Completely Revised	<input type="checkbox"/>	New Page	<input type="checkbox"/>	Information Removed
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SHEET 2 OF 2

SDG&E SERVICE STANDARDS & GUIDE

**SINGLE OR MULTIPLE METER INSTALLATIONS
 COMMERCIAL OR RESIDENTIAL APPLICATIONS**

SG 507.2

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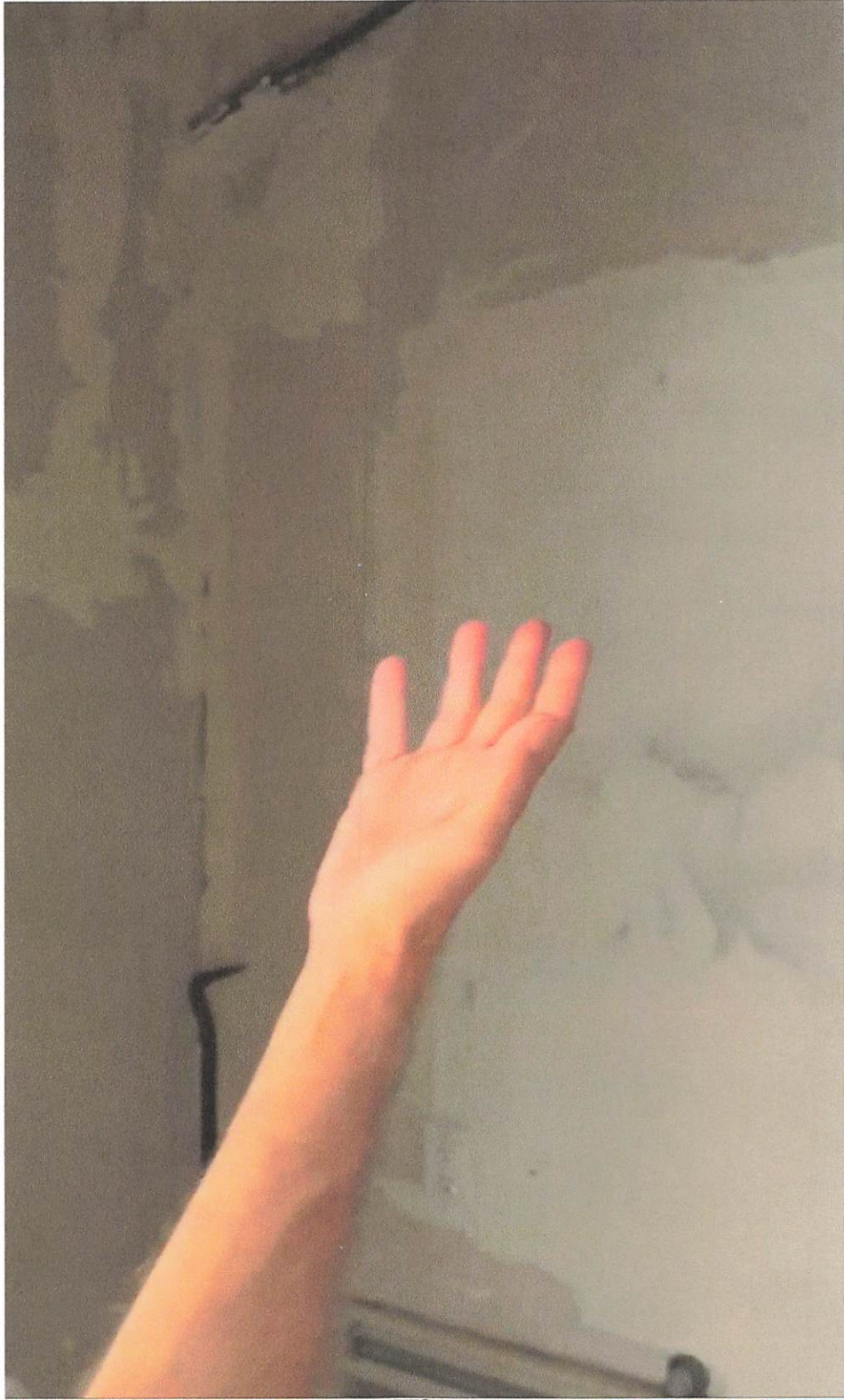
Handwritten red mark resembling the number '4'.





Attachment 13
Item 7.

Escondido
November 14 11:43 AM





Inspection Report

Tony Struyk

Property Address:
325 - 333 N Beech St
Escondido CA 92025



Odin Home Inspection Services

Item7.

**Magnus Bludworth
1360 Conejo Court
El Cajon, CA. 92021**

Date: 11/15/2024	Time: 01:00:00 PM	Report ID: 111524MB1	Item7.
Property: 325 - 333 N Beech St Escondido CA 92025	Customer: Tony Struyk	Real Estate Professional:	

SCOPE OF WORK

IMPORTANT: A Home Inspection is NOT intended to reveal minor defects. Please familiarize yourself with the Standards-Of-Practice for home inspections and read the Inspection agreement for limitations.

You have contracted with **Odin Home Inspection Services** to perform a generalist inspection in accordance with the Standards of Practice of InterNACHI. This home inspection is limited to a visual inspection. This means that we can only evaluate what we can see. There may be defects behind walls, under floor coverings, or which have been concealed from view by paint, personal items, or wall coverings.

Inspectors working for **Odin Home Inspection Services** inspect properties in accordance with the [Standards of Practice](http://www.odinhomeinspectionsservices.com) of InterNACHI and our Inspection Agreement which are listed on our website at www.odinhomeinspectionsservices.com. Items that are not listed in this report were not inspected. The observations and opinions expressed within the report take precedence over any verbal comments. It should be understood that the inspector is only on-site for a few hours and will not comment on insignificant deficiencies, but confine the observations to truly significant defects or deficiencies that significantly affect the value, desirability, habitability or safety of the structure.

A home inspection is limited in scope and lower in cost than many individual inspections. Client is hereby informed that exhaustive inspections are available from specialists in a multitude of disciplines such as roofing, plumbing, pools, heating and air conditioning, decking, electrical, fenestration (windows and doors) and environmental quality among others. Additional inspections by specialists in a particular field will be more exhaustive and thorough, and likewise cost significantly more than a home inspection. A home inspection is intended to identify evidence of problems which exist. Since home inspections are non-destructive, the home inspector can only report on the evidence that is observable at the time of the inspection. A home inspection is specifically not exhaustive in nature, and therefore cannot identify defects that may be discovered only through more rigorous testing than a home inspection allows. A generalist inspection is essentially visual and does not include the dismantling of any component, or the sampling of air and inert materials. Consequently, a generalist inspection and report will not be as comprehensive or technically exhaustive as that by a specialist, and it is not intended to be.

We are specifically prohibited by state law from commenting on damage caused by termites and other wood-destroying organisms, which is the responsibility of a state-licensed pest control expert and commonly mandated as a condition of sale and usually scheduled and paid for by the sellers. More importantly, a home inspection does not include mold, air, contaminate, radon, asbestos, lead, drug residue or other sampling unless otherwise agreed to. Mold testing services are available by this company and other companies for an additional fee. **DO NOT RELY ON THIS REPORT FOR IDENTIFICATION OF MOLD OR OTHER ALLERGENS UNLESS CLIENT AUTHORIZES THE COLLECTION AND TESTING OF AREAS OF CONCERN. ODIN HOME INSPECTION SERVICES SPECIFICALLY DISCLAIMS ANY MOLD RELATED ISSUES UNLESS SAMPLES AND TESTING ARE AUTHORIZED BY PAYMENT OF ADDITIONAL MOLD SAMPLING FEES.**

Components and systems shall be operated with normal user controls, and not forced or modified to work. Those components or systems that are found not to work at time of inspection will be reported, and those items should be inspected and repaired or replaced by a qualified specialist in that field.

A Visual Mold Assessment is performed to determine the presence of observable areas of concern, or conditions conducive to mold growth. Detached structures such as patio covers, palapas and decks are not inspected. A Visual Mold Assessment is valid for the date of the inspection and cannot predict future mold growth. Because conditions conducive to mold growth in a building can vary greatly over time, the results of the Visual Mold Assessment can only be relied upon for the point in time at which the inspection was conducted.

- Client must obtain estimates for any items noted in the report that require further evaluation or

- repair.
- The inspector cannot know what expense would be considered significant by client, as everyone's budget is different.
- It is client's responsibility to obtain quotations prior to the end of the contingency period.
- CLIENT SHOULD CONSIDER ALL DEFECTS IDENTIFIED IN THE REPORT AS SIGNIFICANT.
- It is client's responsibility to call a licensed professional immediately and provide them with a copy of this report.

HOW TO READ THIS REPORT

During the course of a home inspection verbal interaction occurs between the parties who are present. It is important to understand that spoken comments cannot be relied upon since there is no transcription of conversations. Therefore, no one relying on the findings of this inspection should consider any oral statements made during the inspection. Only the written comments in this inspection report should be relied upon regardless of any oral comments made during the inspection appointment. If you have any questions about the content in this report, or wish to have clarification on any comment, you must contact the inspector within 3 days of the inspection.

Each item that is inspected has four check boxes to categorize observations and defects.

A "tic" mark in the corresponding column means:

[IN] Inspected = Inspector visually observed the item, component or unit and if no other comments were made then it appeared to be functioning as intended allowing for normal wear and tear.

[NI] Not Inspected = Inspector did not inspect this item, component or unit and made no representations of whether or not it was functioning as intended and will state a reason for not inspecting.

[NP] Not Present = This item, component or unit is not in this home or building.

[RR] Repair or Replace = The item, component or unit is not functioning as intended or needs further inspection by a qualified contractor. Items, components or units that can be repaired to satisfactory condition may not need replacement.

- When a "Repair or Replace" action is indicated, you should consider having a [licensed expert](#) in that field perform a further evaluation of that entire system. For example, if a failed window is noted in the report, this may indicate that other windows may have failed. All windows should be checked **BEFORE THE END OF YOUR CONTINGENCY PERIOD**.
- Numerous digital photographs have been taken of the house to document the flaws noted or defects observed when possible. Sometimes it is not possible to take a photograph of a defect due to location, lighting, or other obstructions. Numerous pictures may be taken of a house but not all photographs will necessarily be included with the report.
- If similar defects are found at several locations throughout the house, only a representative number of photos may be shown in the report. Repair should not be limited to only those areas, but at all instances of the defect (such as aged angle stop valves, failed GFCI, failed windows, worn rollers, etc.)

A word about Home Warranties: You should not regard this inspection and report as being a guarantee or warranty of the property and its components. It is not. It is simply a report on the general condition of the property on the day of inspection. Furthermore, as a homeowner, you should expect problems to occur, roofs will leak, drain pipes will become blocked, and components and systems will fail without warning. For these reasons, you should take into consideration the age of the house and its components and keep a comprehensive insurance/warranty policy current. If you have been provided with a home protection/warranty policy, read it carefully. Such policies usually only cover insignificant cost, such as that of a roofer service, and the representatives of some insurance/warranty companies are very likely to charge you for a service call and then deny coverage on the grounds that a given condition was pre-existing or not covered because of an alleged code violation or a manufacturer's defect. Therefore, you should read such policies very carefully, and depend upon Odin Home Inspection Services for any assistance and consultation that you may need.

Due to personal items such as towels, clothing, personal items, hygiene and/or cleaning products, a full

Item 7.

evaluation of the cabinets and closets could not be made. I recommend you carefully inspect the cabinets and closets prior to close of escrow. The home inspector does not move personal items, panels, furniture, equipment, plant life, soil, or debris that obstructs access or visibility.

Style of Home:

Multi Unit

Year Built (According to MLS or Agent):

1975

Parties present:

Owner's Representative(s), Tenant(s)

Weather:

Cloudy

Temperature at start of inspection: Rain in last 3 days:

67

Yes, Light

Occupied:

Yes*

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1(A) . PLUMBING / UNIT1

Home inspectors check for functional flow at fixtures and drains by running water at all fixtures for an extended period of time. The test is to operate each serviceable fixture (faucets, toilets, and a representative number of hose spigots) and observe the associated drains, and allow adequate water to run to determine adequate flow rate, adequacy of the drain, and the draw of the drain (absence of blockage). However, inasmuch as significant portions of drainpipes are concealed, inspectors can only infer their condition by observing the draw at drains. Nonetheless, blockages and leaks will occur in the life of any system. Shower pans leak and must be flood-tested, but this is the responsibility of licensed pest-control inspectors and beyond the scope of the inspection. Regardless, blockages and leaks in main sewer pipes are common and are costly to repair or replace, and for this reason we sensibly disclaim responsibility for evaluating the concealed portions and strongly recommend that buyers arrange to have the main sewer pipe video-scanned, or accept the risk of any damage that might occur.

Home inspectors do not operate (turn) any water supply shut off valves such as angle stops (the type under sinks), laundry hose spigots, water heater supply valves, or main water shut off valves at the meter. Home inspectors do not test clothes washer drains or stand pipes, or flood test the over-flow drains at tubs and sinks in accordance with industry [Standards of Practice](#). If you have questions about these exclusions, please contact your home inspector.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

1.0.A GAS STORAGE AND DISTRIBUTION SYSTEMS (Interior fuel storage, piping, venting, supports, leaks)

GAS DISTRIBUTION: IRON PIPE

Comments:

Note: During the inspection a gas leak test was performed using a hand held combustible gas leak detector. Readily accessible gas fittings/appliances were tested. No gas leaks were observed.



1.0.A Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

1(B) . PLUMBING / UNIT 2

Home inspectors check for functional flow at fixtures and drains by running water at all fixtures for an extended period of time. The test is to operate each serviceable fixture (faucets, toilets, and a representative number of hose spigots) and observe the associated drains, and allow adequate water to run to determine adequate flow rate, adequacy of the drain, and the draw of the drain (absence of blockage). However, inasmuch as significant portions of drainpipes are concealed, inspectors can only infer their condition by observing the draw at drains. Nonetheless, blockages and leaks will occur in the life of any system. Shower pans leak and must be flood-tested, but this is the responsibility of licensed pest-control inspectors and beyond the scope of the inspection. Regardless, blockages and leaks in main sewer pipes are common and are costly to repair or replace, and for this reason we sensibly disclaim responsibility for evaluating the concealed portions and strongly recommend that buyers arrange to have the main sewer pipe video-scanned, or accept the risk of any damage that might occur.

Home inspectors do not operate (turn) any water supply shut off valves such as angle stops (the type under sinks), laundry hose spigots, water heater supply valves, or main water shut off valves at the meter. Home inspectors do not test clothes washer drains or stand pipes, or flood test the over-flow drains at tubs and sinks in accordance with industry [Standards of Practice](#). If you have questions about these exclusions, please contact your home inspector.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

●			
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1.0.B GAS STORAGE AND DISTRIBUTION SYSTEMS (Interior fuel storage, piping, venting, supports, leaks)

GAS DISTRIBUTION: IRON PIPE

Comments:

Note: During the inspection a gas leak test was performed using a hand held combustible gas leak detector. Readily accessible gas fittings/appliances were tested. No gas leaks were observed.



1.0.B Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

1(C) . PLUMBING / UNIT 5

Home inspectors check for functional flow at fixtures and drains by running water at all fixtures for an extended period of time. The test is to operate each serviceable fixture (faucets, toilets, and a representative number of hose spigots) and observe the associated drains, and allow adequate water to run to determine adequate flow rate, adequacy of the drain, and the draw of the drain (absence of blockage). However, inasmuch as significant portions of drainpipes are concealed, inspectors can only infer their condition by observing the draw at drains. Nonetheless, blockages and leaks will occur in the life of any system. Shower pans leak and must be flood-tested, but this is the responsibility of licensed pest-control inspectors and beyond the scope of the inspection. Regardless, blockages and leaks in main sewer pipes are common and are costly to repair or replace, and for this reason we sensibly disclaim responsibility for evaluating the concealed portions and strongly recommend that buyers arrange to have the main sewer pipe video-scanned, or accept the risk of any damage that might occur.

Home inspectors do not operate (turn) any water supply shut off valves such as angle stops (the type under sinks), laundry hose spigots, water heater supply valves, or main water shut off valves at the meter. Home inspectors do not test clothes washer drains or stand pipes, or flood test the over-flow drains at tubs and sinks in accordance with industry [Standards of Practice](#). If you have questions about these exclusions, please contact your home inspector.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

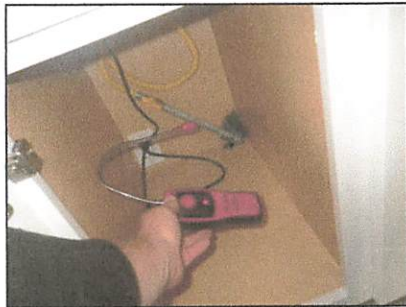
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1.0.C GAS STORAGE AND DISTRIBUTION SYSTEMS (Interior fuel storage, piping, venting, supports, leaks)

GAS DISTRIBUTION: IRON PIPE

Comments:

Note: During the inspection a gas leak test was performed using a hand held combustible gas leak detector. Readily accessible gas fittings/appliances were tested. No gas leaks were observed.



1.0.C Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

1(D) . PLUMBING / UNIT 6

Home inspectors check for functional flow at fixtures and drains by running water at all fixtures for an extended period of time. The test is to operate each serviceable fixture (faucets, toilets, and a representative number of hose spigots) and observe the associated drains, and allow adequate water to run to determine adequate flow rate, adequacy of the drain, and the draw of the drain (absence of blockage). However, inasmuch as significant portions of drainpipes are concealed, inspectors can only infer their condition by observing the draw at drains. Nonetheless, blockages and leaks will occur in the life of any system. Shower pans leak and must be flood-tested, but this is the responsibility of licensed pest-control inspectors and beyond the scope of the inspection. Regardless, blockages and leaks in main sewer pipes are common and are costly to repair or replace, and for this reason we sensibly disclaim responsibility for evaluating the concealed portions and strongly recommend that buyers arrange to have the main sewer pipe video-scanned, or accept the risk of any damage that might occur.

Home inspectors do not operate (turn) any water supply shut off valves such as angle stops (the type under sinks), laundry hose spigots, water heater supply valves, or main water shut off valves at the meter. Home inspectors do not test clothes washer drains or stand pipes, or flood test the over-flow drains at tubs and sinks in accordance with industry [Standards of Practice](#). If you have questions about these exclusions, please contact your home inspector.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

1.0.D GAS STORAGE AND DISTRIBUTION SYSTEMS (Interior fuel storage, piping, venting, supports, leaks)

GAS DISTRIBUTION: IRON PIPE

Comments:

Note: During the inspection a gas leak test was performed using a hand held combustible gas leak detector. Readily accessible gas fittings/appliances were tested. No gas leaks were observed.

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

1(E) . PLUMBING / UNIT 7

Home inspectors check for functional flow at fixtures and drains by running water at all fixtures for an extended period of time. The test is to operate each serviceable fixture (faucets, toilets, and a representative number of hose spigots) and observe the associated drains, and allow adequate water to run to determine adequate flow rate, adequacy of the drain, and the draw of the drain (absence of blockage). However, inasmuch as significant portions of drainpipes are concealed, inspectors can only infer their condition by observing the draw at drains. Nonetheless, blockages and leaks will occur in the life of any system. Shower pans leak and must be flood-tested, but this is the responsibility of licensed pest-control inspectors and beyond the scope of the inspection. Regardless, blockages and leaks in main sewer pipes are common and are costly to repair or replace, and for this reason we sensibly disclaim responsibility for evaluating the concealed portions and strongly recommend that buyers arrange to have the main sewer pipe video-scanned, or accept the risk of any damage that might occur.

Home inspectors do not operate (turn) any water supply shut off valves such as angle stops (the type under sinks), laundry hose spigots, water heater supply valves, or main water shut off valves at the meter. Home inspectors do not test clothes washer drains or stand pipes, or flood test the over-flow drains at tubs and sinks in accordance with industry [Standards of Practice](#). If you have questions about these exclusions, please contact your home inspector.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

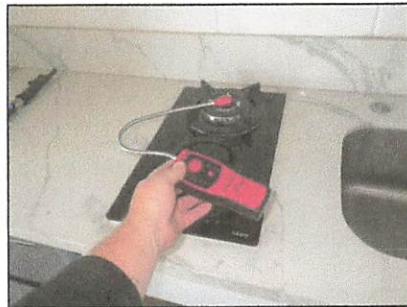
IN NI NP RR Items

1.0.E GAS STORAGE AND DISTRIBUTION SYSTEMS (Interior fuel storage, piping, venting, supports, leaks)

GAS DISTRIBUTION: IRON PIPE

Comments:

Note: During the inspection a gas leak test was performed using a hand held combustible gas leak detector. Readily accessible gas fittings/appliances were tested. No gas leaks were observed.



1.0.E Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

1(F) . PLUMBING / UNIT 8

Home inspectors check for functional flow at fixtures and drains by running water at all fixtures for an extended period of time. The test is to operate each serviceable fixture (faucets, toilets, and a representative number of hose spigots) and observe the associated drains, and allow adequate water to run to determine adequate flow rate, adequacy of the drain, and the draw of the drain (absence of blockage). However, inasmuch as significant portions of drainpipes are concealed, inspectors can only infer their condition by observing the draw at drains. Nonetheless, blockages and leaks will occur in the life of any system. Shower pans leak and must be flood-tested, but this is the responsibility of licensed pest-control inspectors and beyond the scope of the inspection. Regardless, blockages and leaks in main sewer pipes are common and are costly to repair or replace, and for this reason we sensibly disclaim responsibility for evaluating the concealed portions and strongly recommend that buyers arrange to have the main sewer pipe video-scanned, or accept the risk of any damage that might occur.

Home inspectors do not operate (turn) any water supply shut off valves such as angle stops (the type under sinks), laundry hose spigots, water heater supply valves, or main water shut off valves at the meter. Home inspectors do not test clothes washer drains or stand pipes, or flood test the over-flow drains at tubs and sinks in accordance with industry [Standards of Practice](#). If you have questions about these exclusions, please contact your home inspector.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

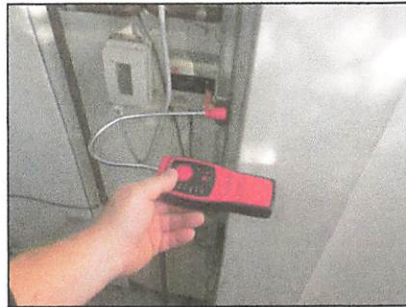
IN NI NP RR Items

1.0.F GAS STORAGE AND DISTRIBUTION SYSTEMS (Interior fuel storage, piping, venting, supports, leaks)

GAS DISTRIBUTION: IRON PIPE

Comments:

Note: During the inspection a gas leak test was performed using a hand held combustible gas leak detector. Readily accessible gas fittings/appliances were tested. No gas leaks were observed.



1.0.F Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

1(G) . PLUMBING / UNIT 9

Item7.

Home inspectors check for functional flow at fixtures and drains by running water at all fixtures for an extended period of time. The test is to operate each serviceable fixture (faucets, toilets, and a representative number of hose spigots) and observe the associated drains, and allow adequate water to run to determine adequate flow rate, adequacy of the drain, and the draw of the drain (absence of blockage). However, inasmuch as significant portions of drainpipes are concealed, inspectors can only infer their condition by observing the draw at drains. Nonetheless, blockages and leaks will occur in the life of any system. Shower pans leak and must be flood-tested, but this is the responsibility of licensed pest-control inspectors and beyond the scope of the inspection. Regardless, blockages and leaks in main sewer pipes are common and are costly to repair or replace, and for this reason we sensibly disclaim responsibility for evaluating the concealed portions and strongly recommend that buyers arrange to have the main sewer pipe video-scanned, or accept the risk of any damage that might occur.

Home inspectors do not operate (turn) any water supply shut off valves such as angle stops (the type under sinks), laundry hose spigots, water heater supply valves, or main water shut off valves at the meter. Home inspectors do not test clothes washer drains or stand pipes, or flood test the over-flow drains at tubs and sinks in accordance with industry [Standards of Practice](#). If you have questions about these exclusions, please contact your home inspector.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

1.0.G GAS STORAGE AND DISTRIBUTION SYSTEMS (Interior fuel storage, piping, venting, supports, leaks)**GAS DISTRIBUTION: IRON PIPE****Comments:**

Note: During the inspection a gas leak test was performed using a hand held combustible gas leak detector. Readily accessible gas fittings/appliances were tested. No gas leaks were observed.



1.0.G Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

2(A) . ELECTRICAL / UNIT 1

The electrical system is evaluated for proper installation, functionality of fixtures and polarity of accessible receptacles. This is not an exhaustive test, and home inspectors do not determine the proper distribution of receptacles per circuit, or the effectiveness of each breaker. This requires specialized tools which are outside the scope of a general home inspection.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

2.0.A JUNCTION BOXES (Observable)

2.1.A OPERATION OF GFCI (GROUND FAULT CIRCUIT INTERRUPTERS)

Comments:

(1) All accessible GFCI receptacles were tested and were functioning properly unless otherwise noted.



2.1.A Item 1 (Picture)

(2) **Definition:** A ground-fault is an unintentional electrical path between a source of electrical current and a grounded surface. Electrical shock can occur if a person comes into contact with an energized part. GFCI's (ground-fault circuit-interrupters) can greatly reduce the risk of shock by immediately shutting off an electrical circuit when that circuit represents a shock hazard (i.e., a person comes in contact with a faulty appliance together with a grounded surface). GFCI's can be installed in a circuit breaker panel board or directly in a receptacle outlet. For a chart listing GFCI installation requirements, please visit our website at www.OdinHomeInspectionServices.com

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

2(B) . ELECTRICAL / UNIT 2

The electrical system is evaluated for proper installation, functionality of fixtures and polarity of accessible receptacles. This is not an exhaustive test, and home inspectors do not determine the proper distribution of receptacles per circuit, or the effectiveness of each breaker. This requires specialized tools which are outside the scope of a general home inspection.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

2.0.B JUNCTION BOXES (Observable)

2.1.B OPERATION OF GFCI (GROUND FAULT CIRCUIT INTERRUPTERS)

Comments:

(1) All accessible GFCI receptacles were tested and were functioning properly unless otherwise noted.



2.1.B Item 1 (Picture)

(2) **Definition:** A ground-fault is an unintentional electrical path between a source of electrical current and a grounded surface. Electrical shock can occur if a person comes into contact with an energized part. GFCI's (ground-fault circuit-interrupters) can greatly reduce the risk of shock by immediately shutting off an electrical circuit when that circuit represents a shock hazard (i.e., a person comes in contact with a faulty appliance together with a grounded surface). GFCI's can be installed in a circuit breaker panel board or directly in a receptacle outlet. For a chart listing GFCI installation requirements, please visit our website at www.OdinHomeInspectionServices.com

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

2(C) . ELECTRICAL / UNIT 5

The electrical system is evaluated for proper installation, functionality of fixtures and polarity of accessible receptacles. This is not an exhaustive test, and home inspectors do not determine the proper distribution of receptacles per circuit, or the effectiveness of each breaker. This requires specialized tools which are outside the scope of a general home inspection.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

2.0.C JUNCTION BOXES (Observable)

2.1.C OPERATION OF GFCI (GROUND FAULT CIRCUIT INTERRUPTERS)

Comments:

- (1) All accessible GFCI receptacles were tested and were functioning properly unless otherwise noted.
- (2) **Definition:** A ground-fault is an unintentional electrical path between a source of electrical current and a grounded surface. Electrical shock can occur if a person comes into contact with an energized part. GFCI's (ground-fault circuit-interrupters) can greatly reduce the risk of shock by immediately shutting off an electrical circuit when that circuit represents a shock hazard (i.e., a person comes in contact with a faulty appliance together with a grounded surface). GFCI's can be installed in a circuit breaker panel board or directly in a receptacle outlet. For a chart listing GFCI installation requirements, please visit our website at www.OdinHomeInspectionServices.com

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

2(D) . ELECTRICAL / UNIT 6

Item 7.

The electrical system is evaluated for proper installation, functionality of fixtures and polarity of accessible receptacles. This is not an exhaustive test, and home inspectors do not determine the proper distribution of receptacles per circuit, or the effectiveness of each breaker. This requires specialized tools which are outside the scope of a general home inspection.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

2.0.D JUNCTION BOXES (Observable)

2.1.D OPERATION OF GFCI (GROUND FAULT CIRCUIT INTERRUPTERS)

Comments:

(1) All accessible GFCI receptacles were tested and were functioning properly unless otherwise noted.



2.1.D Item 1 (Picture)

(2) **Definition:** A ground-fault is an unintentional electrical path between a source of electrical current and a grounded surface. Electrical shock can occur if a person comes into contact with an energized part. GFCI's (ground-fault circuit-interrupters) can greatly reduce the risk of shock by immediately shutting off an electrical circuit when that circuit represents a shock hazard (i.e., a person comes in contact with a faulty appliance together with a grounded surface). GFCI's can be installed in a circuit breaker panel board or directly in a receptacle outlet. For a chart listing GFCI installation requirements, please visit our website at www.OdinHomeInspectionServices.com

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

2(E) . ELECTRICAL / UNIT 7

The electrical system is evaluated for proper installation, functionality of fixtures and polarity of accessible receptacles. This is not an exhaustive test, and home inspectors do not determine the proper distribution of receptacles per circuit, or the effectiveness of each breaker. This requires specialized tools which are outside the scope of a general home inspection.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

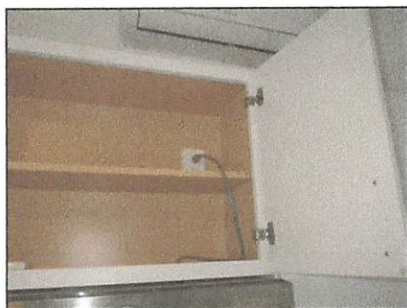
IN NI NP RR Items

IN NI NP RR grid with first cell checked

2.0.E JUNCTION BOXES (Observable)

Comments:

No open junction boxes noted.



2.0.E Item 1 (Picture)

IN NI NP RR grid with first cell checked

2.1.E OPERATION OF GFCI (GROUND FAULT CIRCUIT INTERRUPTERS)

Comments:

(1) All accessible GFCI receptacles were tested and were functioning properly unless otherwise noted.

(2) Definition: A ground-fault is an unintentional electrical path between a source of electrical current and a grounded surface. Electrical shock can occur if a person comes into contact with an energized part. GFCI's (ground-fault circuit-interrupters) can greatly reduce the risk of shock by immediately shutting off an electrical circuit when that circuit represents a shock hazard (i.e., a person comes in contact with a faulty appliance together with a grounded surface). GFCI's can be installed in a circuit breaker panel board or directly in a receptacle outlet. For a chart listing GFCI installation requirements, please visit our website at www.OdinHomeInspectionServices.com

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our Standards of Practice for a detailed list of what is inspected and what is not inspected.

2(F) . ELECTRICAL / UNIT 8

Item 7.

The electrical system is evaluated for proper installation, functionality of fixtures and polarity of accessible receptacles. This is not an exhaustive test, and home inspectors do not determine the proper distribution of receptacles per circuit, or the effectiveness of each breaker. This requires specialized tools which are outside the scope of a general home inspection.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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2.0.F JUNCTION BOXES (Observable)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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2.1.F OPERATION OF GFCI (GROUND FAULT CIRCUIT INTERRUPTERS)
Comments:

(1) All accessible GFCI receptacles were tested and were functioning properly unless otherwise noted.



2.1.F Item 1 (Picture)

(2) **Definition:** A ground-fault is an unintentional electrical path between a source of electrical current and a grounded surface. Electrical shock can occur if a person comes into contact with an energized part. GFCI's (ground-fault circuit-interrupters) can greatly reduce the risk of shock by immediately shutting off an electrical circuit when that circuit represents a shock hazard (i.e., a person comes in contact with a faulty appliance together with a grounded surface). GFCI's can be installed in a circuit breaker panel board or directly in a receptacle outlet. For a chart listing GFCI installation requirements, please visit our website at www.OdinHomeInspectionServices.com

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

2(G) . ELECTRICAL / UNIT 9

The electrical system is evaluated for proper installation, functionality of fixtures and polarity of accessible receptacles. This is not an exhaustive test, and home inspectors do not determine the proper distribution of receptacles per circuit, or the effectiveness of each breaker. This requires specialized tools which are outside the scope of a general home inspection.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

2.0.G JUNCTION BOXES (Observable)

2.1.G OPERATION OF GFCI (GROUND FAULT CIRCUIT INTERRUPTERS)

Comments:

(1) All accessible GFCI receptacles were tested and were functioning properly unless otherwise noted.



2.1.G Item 1 (Picture)

(2) **Definition:** A ground-fault is an unintentional electrical path between a source of electrical current and a grounded surface. Electrical shock can occur if a person comes into contact with an energized part. GFCI's (ground-fault circuit-interrupters) can greatly reduce the risk of shock by immediately shutting off an electrical circuit when that circuit represents a shock hazard (i.e., a person comes in contact with a faulty appliance together with a grounded surface). GFCI's can be installed in a circuit breaker panel board or directly in a receptacle outlet. For a chart listing GFCI installation requirements, please visit our website at www.OdinHomeInspectionServices.com

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

3(A) . FIRE EQUIPMENT/SAFETY / UNIT 1

Smoke detector should be tested upon moving into home, and every six months. We recommend replacing all smoke detectors when they become 10 years old. Smoke detectors that are 10 years old or older may have a failure rate as high as 30%, and smoke detectors that are 15 years old or older may have a failure rate as high as 50% according to the National Fire Protection Association www.nfpa.org. We also recommend that a smoke alarm be installed in each bedroom, and at least one on each level outside of bedrooms. It is further recommended that all smoke detectors be inter-connected with a signal wire to sound all alarms if one is activated. Wireless smoke detectors are available.

Important new Smoke Alarm Law SB 745: A new law took effect which will impact every homeowner in California. These are the new requirements that you should be aware of. For more details, please see our article "[When and Where are Smoke Alarms Required?](#)"

- July 1, 2014 - Any smoke alarm installed that is solely powered by a battery **MUST** be a sealed unit with a 10-year non-removable battery. You must write the date of installation on the unit.
- July 1, 2015 ALL old smoke alarms that are solely powered by batteries **MUST** be replaced with those that contain a sealed battery that is rated to last 10 years.
- July 1, 2015 ALL smoke alarms powered by 120 VAC and/or battery must comply with the provisions of having a 10 year non-removable battery.
- From now on, any repairs, alterations or additions greater than \$1,000 or requiring a permit will require upgrading (and installing additional alarms) that meet the new requirements.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

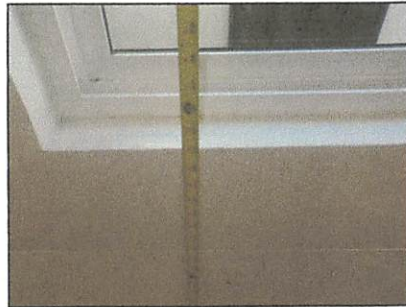
IN NI NP RR Items

3.0.A FIRE WALL

3.1.A BEDROOM EGRESS

Comments:

Bedroom egress OK.



3.1.A Item 1 (Picture)

3.2.A SMOKE DETECTORS

Comments:

Smoke detectors noted in the hallway/main living area and in each bedroom; operable at the time of the inspection unless otherwise noted.



3.2.A Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items **3.3.A CARBON MONOXIDE DETECTOR(S)****Comments:**

Carbon Monoxide detectors are required as of July 1, 2011, in homes with any gas burning appliances (furnace, range, water heater), fireplaces, or wood burning stoves and/or an attached garage. Please see the [new law regarding Carbon Monoxide detectors](#). This house has CO detector(s) installed as required.



3.3.A Item 1 (Picture)

 3.4.A FIRE EXTIQUISHERS PRESENT**Comments:**

Fire extinguishers present at exterior.



3.4.A Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

3(B) . FIRE EQUIPMENT/SAFETY / UNIT 2

Smoke detector should be tested upon moving into home, and every six months. We recommend replacing all smoke detectors when they become 10 years old. Smoke detectors that are 10 years old or older may have a failure rate as high as 30%, and smoke detectors that are 15 years old or older may have a failure rate as high as 50% according to the National Fire Protection Association www.nfpa.org. We also recommend that a smoke alarm be installed in each bedroom, and at least one on each level outside of bedrooms. It is further recommended that all smoke detectors be inter-connected with a signal wire to sound all alarms if one is activated. Wireless smoke detectors are available.

Important new Smoke Alarm Law SB 745: A new law took effect which will impact every homeowner in California. These are the new requirements that you should be aware of. For more details, please see our article " When and Where are Smoke Alarms Required?"

- July 1, 2014 - Any smoke alarm installed that is solely powered by a battery MUST be a sealed unit with a 10-year non-removable battery. You must write the date of installation on the unit.
- July 1, 2015 ALL old smoke alarms that are solely powered by batteries MUST be replaced with those that contain a sealed battery that is rated to last 10 years.
- July 1, 2015 ALL smoke alarms powered by 120 VAC and/or battery must comply with the provisions of having a 10 year non-removable battery.
- From now on, any repairs, alterations or additions greater than \$1,000 or requiring a permit will require upgrading (and installing additional alarms) that meet the new requirements.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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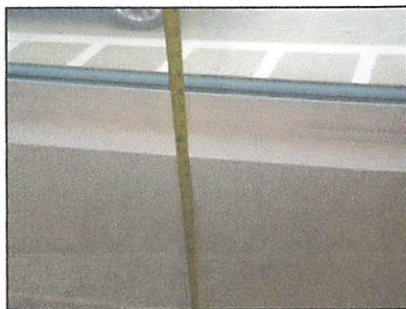
3.0.B FIRE WALL

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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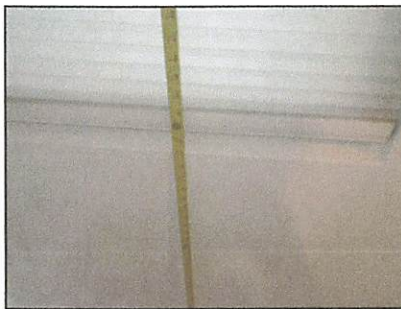
3.1.B BEDROOM EGRESS

Comments:

Bedroom egress OK.



3.1.B Item 1 (Picture)



3.1.B Item 2 (Picture)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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3.2.B SMOKE DETECTORS

Comments:

Smoke detectors noted in the hallway/main living area and in each bedroom; operable at the time of the inspection unless otherwise noted.



3.2.B Item 1 (Picture)

IN NI NP RR Items

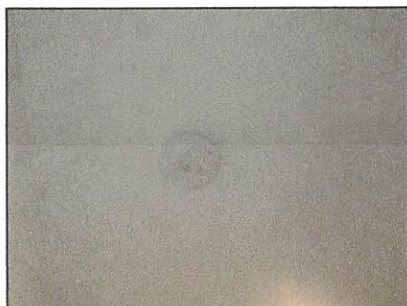
IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

3.3.B CARBON MONOXIDE DETECTOR(S)

Comments:

Carbon Monoxide detectors are required as of July 1, 2011, in homes with any gas burning appliances (furnace, range, water heater), fireplaces, or wood burning stoves and/or an attached garage. Please see the [new law regarding Carbon Monoxide detectors](#). This house has CO detector(s) installed as required.



3.3.B Item 1 (Picture)

3.4.B FIRE EXTIQUISHERS PRESENT

Comments:

Fire extinguishers present at exterior.



3.4.B Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

3(C) . FIRE EQUIPMENT/SAFETY / UNIT 5

Smoke detector should be tested upon moving into home, and every six months. We recommend replacing all smoke detectors when they become 10 years old. Smoke detectors that are 10 years old or older may have a failure rate as high as 30%, and smoke detectors that are 15 years old or older may have a failure rate as high as 50% according to the National Fire Protection Association www.nfpa.org. We also recommend that a smoke alarm be installed in each bedroom, and at least one on each level outside of bedrooms. It is further recommended that all smoke detectors be inter-connected with a signal wire to sound all alarms if one is activated. Wireless smoke detectors are available.

Important new Smoke Alarm Law SB 745: A new law took effect which will impact every homeowner in California. These are the new requirements that you should be aware of. For more details, please see our article "[When and Where are Smoke Alarms Required?](#)"

- July 1, 2014 - Any smoke alarm installed that is solely powered by a battery **MUST** be a sealed unit with a 10-year non-removable battery. You must write the date of installation on the unit.
- July 1, 2015 ALL old smoke alarms that are solely powered by batteries **MUST** be replaced with those that contain a sealed battery that is rated to last 10 years.
- July 1, 2015 ALL smoke alarms powered by 120 VAC and/or battery must comply with the provisions of having a 10 year non-removable battery.
- From now on, any repairs, alterations or additions greater than \$1,000 or requiring a permit will require upgrading (and installing additional alarms) that meet the new requirements.

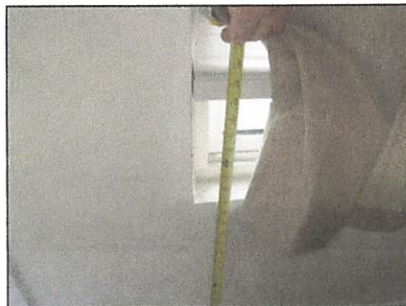
IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

3.0.C FIRE WALL

3.1.C BEDROOM EGRESS

Comments:
Bedroom egress OK.



3.1.C Item 1 (Picture)



3.1.C Item 2 (Picture)

3.2.C SMOKE DETECTORS

Comments:
Smoke detectors noted in the hallway/main living area and in each bedroom; operable at the time of the inspection unless otherwise noted.



3.2.C Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

3.3.C CARBON MONOXIDE DETECTOR(S)

Comments:

Carbon Monoxide detectors are required as of July 1, 2011, in homes with any gas burning appliances (furnace, range, water heater), fireplaces, or wood burning stoves and/or an attached garage. Please see the [new law regarding Carbon Monoxide detectors](#). This house has CO detector(s) installed as required.



3.3.C Item 1 (Picture)

3.4.C FIRE EXTIQUISHERS PRESENT

Comments:

Fire extinguishers present at exterior.



3.4.C Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

3(D) . FIRE EQUIPMENT/SAFETY / UNIT 6

Smoke detector should be tested upon moving into home, and every six months. We recommend replacing all smoke detectors when they become 10 years old. Smoke detectors that are 10 years old or older may have a failure rate as high as 30%, and smoke detectors that are 15 years old or older may have a failure rate as high as 50% according to the National Fire Protection Association www.nfpa.org. We also recommend that a smoke alarm be installed in each bedroom, and at least one on each level outside of bedrooms. It is further recommended that all smoke detectors be inter-connected with a signal wire to sound all alarms if one is activated. Wireless smoke detectors are available.

Important new Smoke Alarm Law SB 745: A new law took effect which will impact every homeowner in California. These are the new requirements that you should be aware of. For more details, please see our article "[When and Where are Smoke Alarms Required?](#)"

- July 1, 2014 - Any smoke alarm installed that is solely powered by a battery **MUST** be a sealed unit with a 10-year non-removable battery. You must write the date of installation on the unit.
- July 1, 2015 ALL old smoke alarms that are solely powered by batteries **MUST** be replaced with those that contain a sealed battery that is rated to last 10 years.
- July 1, 2015 ALL smoke alarms powered by 120 VAC and/or battery must comply with the provisions of having a 10 year non-removable battery.
- From now on, any repairs, alterations or additions greater than \$1,000 or requiring a permit will require upgrading (and installing additional alarms) that meet the new requirements.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

3.0.D FIRE WALL

3.1.D BEDROOM EGRESS

Comments:

Bedroom egress OK.



3.1.D Item 1 (Picture)



3.1.D Item 2 (Picture)

3.2.D SMOKE DETECTORS

Comments:

Smoke detectors noted in the hallway/main living area and in each bedroom; operable at the time of the inspection unless otherwise noted.



3.2.D Item 1 (Picture)



3.2.D Item 2 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items **3.3.D CARBON MONOXIDE DETECTOR(S)****Comments:**

Carbon Monoxide detectors are required as of July 1, 2011, in homes with any gas burning appliances (furnace, range, water heater), fireplaces, or wood burning stoves and/or an attached garage. Please see the [new law regarding Carbon Monoxide detectors](#). This house has CO detector(s) installed as required.



3.3.D Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

3(E) . FIRE EQUIPMENT/SAFETY / UNIT 7

Smoke detector should be tested upon moving into home, and every six months. We recommend replacing all smoke detectors when they become 10 years old. Smoke detectors that are 10 years old or older may have a failure rate as high as 30%, and smoke detectors that are 15 years old or older may have a failure rate as high as 50% according to the National Fire Protection Association www.nfpa.org. We also recommend that a smoke alarm be installed in each bedroom, and at least one on each level outside of bedrooms. It is further recommended that all smoke detectors be inter-connected with a signal wire to sound all alarms if one is activated. Wireless smoke detectors are available.

Important new Smoke Alarm Law SB 745: A new law took effect which will impact every homeowner in California. These are the new requirements that you should be aware of. For more details, please see our article "[When and Where are Smoke Alarms Required?](#)"

- July 1, 2014 - Any smoke alarm installed that is solely powered by a battery **MUST** be a sealed unit with a 10-year non-removable battery. You must write the date of installation on the unit.
- July 1, 2015 ALL old smoke alarms that are solely powered by batteries **MUST** be replaced with those that contain a sealed battery that is rated to last 10 years.
- July 1, 2015 ALL smoke alarms powered by 120 VAC and/or battery must comply with the provisions of having a 10 year non-removable battery.
- From now on, any repairs, alterations or additions greater than \$1,000 or requiring a permit will require upgrading (and installing additional alarms) that meet the new requirements.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

3.0.E FIRE WALL

3.1.E BEDROOM EGRESS

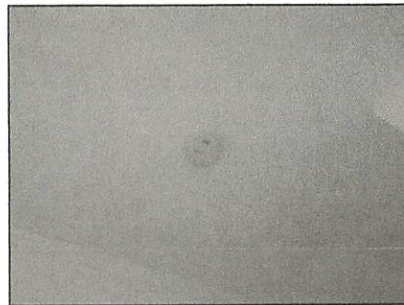
Comments:
Bedroom egress OK.



3.1.E Item 1 (Picture)

3.2.E SMOKE DETECTORS

Comments:
Smoke detectors noted in the hallway/main living area and in each bedroom; operable at the time of the inspection unless otherwise noted.



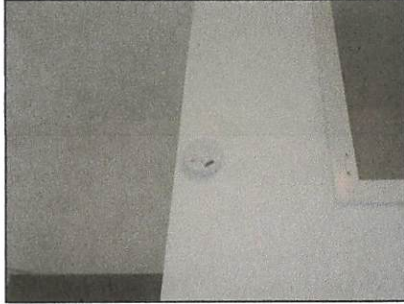
3.2.E Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items **3.3.E CARBON MONOXIDE DETECTOR(S)****Comments:**

Carbon Monoxide detectors are required as of July 1, 2011, in homes with any gas burning appliances (furnace, range, water heater), fireplaces, or wood burning stoves and/or an attached garage. Please see the [new law regarding Carbon Monoxide detectors](#). This house has CO detector(s) installed as required.



3.3.E Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

3(F) . FIRE EQUIPMENT/SAFETY / UNIT 8

Smoke detector should be tested upon moving into home, and every six months. We recommend replacing all smoke detectors when they become 10 years old. Smoke detectors that are 10 years old or older may have a failure rate as high as 30%, and smoke detectors that are 15 years old or older may have a failure rate as high as 50% according to the National Fire Protection Association www.nfpa.org. We also recommend that a smoke alarm be installed in each bedroom, and at least one on each level outside of bedrooms. It is further recommended that all smoke detectors be inter-connected with a signal wire to sound all alarms if one is activated. Wireless smoke detectors are available.

Important new Smoke Alarm Law SB 745: A new law took effect which will impact every homeowner in California. These are the new requirements that you should be aware of. For more details, please see our article " [When and Where are Smoke Alarms Required?](#)"

- July 1, 2014 - Any smoke alarm installed that is solely powered by a battery **MUST** be a sealed unit with a 10-year non-removable battery. You must write the date of installation on the unit.
- July 1, 2015 ALL old smoke alarms that are solely powered by batteries **MUST** be replaced with those that contain a sealed battery that is rated to last 10 years.
- July 1, 2015 ALL smoke alarms powered by 120 VAC and/or battery must comply with the provisions of having a 10 year non-removable battery.
- From now on, any repairs, alterations or additions greater than \$1,000 or requiring a permit will require upgrading (and installing additional alarms) that meet the new requirements.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

3.0.F FIRE WALL

Comments:
Firewall intact.



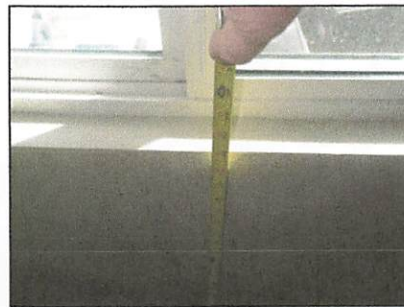
3.0.F Item 1 (Picture)

3.1.F BEDROOM EGRESS

Comments:
Bedroom egress OK.



3.1.F Item 1 (Picture)



3.1.F Item 2 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace



3.1.F Item 3 (Picture)

3.2.F SMOKE DETECTORS

Comments:

Smoke detectors noted in the hallway/main living area and in each bedroom; operable at the time of the inspection unless otherwise noted.



3.2.F Item 1 (Picture)



3.2.F Item 2 (Picture)



3.2.F Item 3 (Picture)

3.3.F CARBON MONOXIDE DETECTOR(S)

Comments:

Item 7.

IN NI NP RR Items

Carbon Monoxide detectors are required as of July 1, 2011, in homes with any gas burning appliances (furnace, range, water heater), fireplaces, or wood burning stoves and/or an attached garage. Please see the [new law regarding Carbon Monoxide detectors](#). This house has CO detector(s) installed as required.



3.3.F Item 1 (Picture)

3.4.F FIRE EXTIQUISHERS PRESENT

Comments:
Fire extinguishers present at exterior.



3.4.F Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

3(G) . FIRE EQUIPMENT/SAFETY / UNIT 9

Smoke detector should be tested upon moving into home, and every six months. We recommend replacing all smoke detectors when they become 10 years old. Smoke detectors that are 10 years old or older may have a failure rate as high as 30%, and smoke detectors that are 15 years old or older may have a failure rate as high as 50% according to the National Fire Protection Association www.nfpa.org. We also recommend that a smoke alarm be installed in each bedroom, and at least one on each level outside of bedrooms. It is further recommended that all smoke detectors be inter-connected with a signal wire to sound all alarms if one is activated. Wireless smoke detectors are available.

Important new Smoke Alarm Law SB 745: A new law took effect which will impact every homeowner in California. These are the new requirements that you should be aware of. For more details, please see our article "[When and Where are Smoke Alarms Required?](#)"

- July 1, 2014 - Any smoke alarm installed that is solely powered by a battery **MUST** be a sealed unit with a 10-year non-removable battery. You must write the date of installation on the unit.
- July 1, 2015 ALL old smoke alarms that are solely powered by batteries **MUST** be replaced with those that contain a sealed battery that is rated to last 10 years.
- July 1, 2015 ALL smoke alarms powered by 120 VAC and/or battery must comply with the provisions of having a 10 year non-removable battery.
- From now on, any repairs, alterations or additions greater than \$1,000 or requiring a permit will require upgrading (and installing additional alarms) that meet the new requirements.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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3.0.G FIRE WALL

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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3.1.G BEDROOM EGRESS

Comments:

Bedroom egress OK.



3.1.G Item 1 (Picture)



3.1.G Item 2 (Picture)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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3.2.G SMOKE DETECTORS

Comments:

Smoke detectors noted in the hallway/main living area and in each bedroom; operable at the time of the inspection unless otherwise noted.



3.2.G Item 1 (Picture)

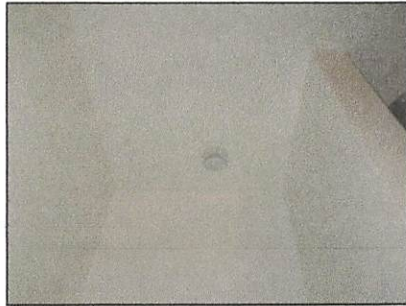


3.2.G Item 2 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

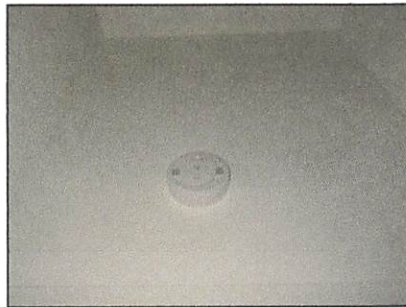
IN NI NP RR Items



3.2.G Item 3 (Picture)

**3.3.G CARBON MONOXIDE DETECTOR(S)****Comments:**

Carbon Monoxide detectors are required as of July 1, 2011, in homes with any gas burning appliances (furnace, range, water heater), fireplaces, or wood burning stoves and/or an attached garage. Please see the [new law regarding Carbon Monoxide detectors](#). This house has CO detector(s) installed as required.



3.3.G Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

4(A) . INTERIOR / UNIT 1

Note: reported items at the interior surfaces can be evidence of more significant defects. Stains at ceilings may be evidence of roof or plumbing leaks. Stains at walls may be evidence that windows or doors are leaking. Determining the exact cause of staining based on evidence that is only observable at the interior surface is beyond the scope of a home inspection due to its concealed nature.

Stains that are reported may require more destructive testing to determine the exact source of the stain. It is the client's responsibility to arrange for additional testing which may be required by a specialist (fenestration, plumbing, roof, etc).

Determining the presence of RODENTS or the extent of a rodent infestation is NOT part of a home inspection. Level II pest inspectors must be licensed by the State of California. Home inspectors are not licensed pest inspectors, and do not lift insulation or investigate possible rodent infestation.

Home inspectors do NOT comment on cosmetic items such as wall, window and floor coverings, stains at counters, etc.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

Grid of checkboxes for item tracking: IN checked, NI, NP, RR empty.

4.0.A INTERIORS (general)

CEILING & WALL MATERIALS: SHEETROCK, WOOD

VISUAL MOLD ASSESSMENT: No Areas Of Concern*, Moisture Meter Used - No

Elevated Readings*

Comments:

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.

(2) Note: A representative sampling for moisture was performed at interior walls, ceilings and cabinets using a moisture meter. (areas prone to moisture, such as kitchens, bathrooms, interior below grade walls, exterior walls with doors/windows) No elevated moisture was detected at time of inspection unless otherwise noted. This is not an exhaustive test and only represents the conditions on the day of inspection.



4.0.A Item 1 (Picture)

Grid of checkboxes for item tracking: IN checked, NI, NP, RR empty.

4.1.A INFRARED INSPECTION FINDINGS

Comments:

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

(1)

IMPORTANT INFORMATION ABOUT THERMAL IMAGING

Odin Home Inspection Services has chosen to exceed the [Standards of Practice](#) by using Infrared Thermal Imaging cameras (IR Cameras) on all home inspections (except for some limited scope inspections). This technology is not required by the industry standards for home inspectors. We feel that by implementing the use of IR Cameras, we can detect defects that may go unnoticed otherwise. For example, it is not practical to inspect every inch of a freshly painted ceiling with a moisture meter to find evidence of moisture. This would require substantial time with the use of a ladder or scaffolding in some cases. There may not be any observable evidence of a leak by looking at the ceiling with the naked eye. By using an IR camera, the whole ceiling can be scanned for evidence of a leak or other anomalies.

Limitations of Thermal Imaging

IR Cameras do not "see" moisture, and they are not x-ray vision cameras. An IR camera only sees the surface temperature. It cannot help to determine where an old leak existed if the area has dried. It also cannot predict or help us find leaks that may happen in the future, or under conditions that are different than the time of inspection. For example, we cannot find roof leaks in the middle of summer. We cannot find small leaks that are present under normal use but have not been leaking due to the house being vacant. An example may be a small leak under a toilet that has not been used. We may not find this leak, but it may show up after the toilet is flushed regularly. And we may not be able to determine leaking windows unless rain and wind conditions are causing a leak at the time of inspection.

In the end, IR Cameras are just another tool in our tool bag which we use to provide you with as much information as possible. While we go above and beyond the industry standards, we still cannot see hidden defects or predict events. We can only report on the evidence present at the time of inspection.

(2) An infrared scan was performed in the house. No anomalies were found unless otherwise noted.



4.1.A Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

4(B) . INTERIOR / UNIT 2

Note: reported items at the interior surfaces can be evidence of more significant defects. Stains at ceilings may be evidence of roof or plumbing leaks. Stains at walls may be evidence that windows or doors are leaking. Determining the exact cause of staining based on evidence that is only observable at the interior surface is beyond the scope of a home inspection due to its concealed nature.

Stains that are reported may require more destructive testing to determine the exact source of the stain. It is the client's responsibility to arrange for additional testing which may be required by a specialist (fenestration, plumbing, roof, etc).

Determining the presence of RODENTS or the extent of a rodent infestation is NOT part of a home inspection. Level II pest inspectors must be licensed by the State of California. Home inspectors are not licensed pest inspectors, and do not lift insulation or investigate possible rodent infestation.

Home inspectors do NOT comment on cosmetic items such as wall, window and floor coverings, stains at counters, etc.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

4.0.B INTERIORS (general)

CEILING & WALL MATERIALS: SHEETROCK, WOOD

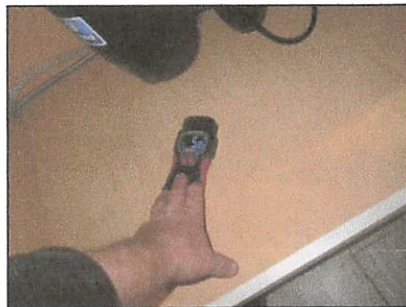
VISUAL MOLD ASSESSMENT: No Areas Of Concern*, Moisture Meter Used - No

Elevated Readings*

Comments:

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

(2) *Note:* A representative sampling for moisture was performed at interior walls, ceilings and cabinets using a moisture meter. *(areas prone to moisture, such as kitchens, bathrooms, interior below grade walls, exterior walls with doors/windows)* No elevated moisture was detected at time of inspection unless otherwise noted. This is not an exhaustive test and only represents the conditions on the day of inspection.



4.0.B Item 1 (Picture)

4.1.B INFRARED INSPECTION FINDINGS

Comments:

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

(1)

IMPORTANT INFORMATION ABOUT THERMAL IMAGING

Odin Home Inspection Services has chosen to exceed the [Standards of Practice](#) by using Infrared Thermal Imaging cameras (IR Cameras) on all home inspections (except for some limited scope inspections). This technology is not required by the industry standards for home inspectors. We feel that by implementing the use of IR Cameras, we can detect defects that may go unnoticed otherwise. For example, it is not practical to inspect every inch of a freshly painted ceiling with a moisture meter to find evidence of moisture. This would require substantial time with the use of a ladder or scaffolding in some cases. There may not be any observable evidence of a leak by looking at the ceiling with the naked eye. By using an IR camera, the whole ceiling can be scanned for evidence of a leak or other anomalies.

Limitations of Thermal Imaging

IR Cameras do not "see" moisture, and they are not x-ray vision cameras. An IR camera only sees the surface temperature. It cannot help to determine where an old leak existed if the area has dried. It also cannot predict or help us find leaks that may happen in the future, or under conditions that are different than the time of inspection. For example, we cannot find roof leaks in the middle of summer. We cannot find small leaks that are present under normal use but have not been leaking due to the house being vacant. An example may be a small leak under a toilet that has not been used. We may not find this leak, but it may show up after the toilet is flushed regularly. And we may not be able to determine leaking windows unless rain and wind conditions are causing a leak at the time of inspection.

In the end, IR Cameras are just another tool in our tool bag which we use to provide you with as much information as possible. While we go above and beyond the industry standards, we still cannot see hidden defects or predict events. We can only report on the evidence present at the time of inspection.

(2) An infrared scan was performed in the house. No anomalies were found unless otherwise noted.



4.1.B Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

4(C) . INTERIOR / UNIT 5

Note: reported items at the interior surfaces can be evidence of more significant defects. Stains at ceilings may be evidence of roof or plumbing leaks. Stains at walls may be evidence that windows or doors are leaking. Determining the exact cause of staining based on evidence that is only observable at the interior surface is beyond the scope of a home inspection due to its concealed nature.

Stains that are reported may require more destructive testing to determine the exact source of the stain. It is the client's responsibility to arrange for additional testing which may be required by a specialist (fenestration, plumbing, roof, etc).

Determining the presence of RODENTS or the extent of a rodent infestation is NOT part of a home inspection. Level II pest inspectors must be licensed by the State of California. Home inspectors are not licensed pest inspectors, and do not lift insulation or investigate possible rodent infestation.

Home inspectors do NOT comment on cosmetic items such as wall, window and floor coverings, stains at counters, etc.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

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4.0.C INTERIORS (general)

CEILING & WALL MATERIALS: SHEETROCK, OCCUPIED*, WOOD

VISUAL MOLD ASSESSMENT: No Areas Of Concern*, Moisture Meter Used - No

Elevated Readings*

Comments:

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

(2) **Note:** A representative sampling for moisture was performed at interior walls, ceilings and cabinets using a moisture meter. *(areas prone to moisture, such as kitchens, bathrooms, interior below grade walls, exterior walls with doors/windows)* No elevated moisture was detected at time of inspection unless otherwise noted. This is not an exhaustive test and only represents the conditions on the day of inspection.



4.0.C Item 1 (Picture)

(3) **Note:** Due to stored personal items not all areas throughout the house and garage were visible and accessible at the time of the inspection. Several areas were obstructed from view and could not be inspected. We recommend a careful evaluation during final walk-through to ensure that there are no hidden defects.

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4.1.C INFRARED INSPECTION FINDINGS

Comments:

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

(1)

IMPORTANT INFORMATION ABOUT THERMAL IMAGING

Odin Home Inspection Services has chosen to exceed the [Standards of Practice](#) by using Infrared Thermal Imaging cameras (IR Cameras) on all home inspections (except for some limited scope inspections). This technology is not required by the industry standards for home inspectors. We feel that by implementing the use of IR Cameras, we can detect defects that may go unnoticed otherwise. For example, it is not practical to inspect every inch of a freshly painted ceiling with a moisture meter to find evidence of moisture. This would require substantial time with the use of a ladder or scaffolding in some cases. There may not be any observable evidence of a leak by looking at the ceiling with the naked eye. By using an IR camera, the whole ceiling can be scanned for evidence of a leak or other anomalies.

Limitations of Thermal Imaging

IR Cameras do not "see" moisture, and they are not x-ray vision cameras. An IR camera only sees the surface temperature. It cannot help to determine where an old leak existed if the area has dried. It also cannot predict or help us find leaks that may happen in the future, or under conditions that are different than the time of inspection. For example, we cannot find roof leaks in the middle of summer. We cannot find small leaks that are present under normal use but have not been leaking due to the house being vacant. An example may be a small leak under a toilet that has not been used. We may not find this leak, but it may show up after the toilet is flushed regularly. And we may not be able to determine leaking windows unless rain and wind conditions are causing a leak at the time of inspection.

In the end, IR Cameras are just another tool in our tool bag which we use to provide you with as much information as possible. While we go above and beyond the industry standards, we still cannot see hidden defects or predict events. We can only report on the evidence present at the time of inspection.

(2) An infrared scan was performed in the house. No anomalies were found unless otherwise noted.



4.1.C Item 1 (Picture)

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

4(D) . INTERIOR / UNIT 6

Note: reported items at the interior surfaces can be evidence of more significant defects. Stains at ceilings may be evidence of roof or plumbing leaks. Stains at walls may be evidence that windows or doors are leaking. Determining the exact cause of staining based on evidence that is only observable at the interior surface is beyond the scope of a home inspection due to its concealed nature.

Stains that are reported may require more destructive testing to determine the exact source of the stain. It is the client's responsibility to arrange for additional testing which may be required by a specialist (fenestration, plumbing, roof, etc).

Determining the presence of RODENTS or the extent of a rodent infestation is NOT part of a home inspection. Level II pest inspectors must be licensed by the State of California. Home inspectors are not licensed pest inspectors, and do not lift insulation or investigate possible rodent infestation.

Home inspectors do NOT comment on cosmetic items such as wall, window and floor coverings, stains at counters, etc.

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

4.0.D INTERIORS (general)

CEILING & WALL MATERIALS: SHEETROCK, OCCUPIED*, WOOD

VISUAL MOLD ASSESSMENT: No Areas Of Concern*, Moisture Meter Used - No

Elevated Readings*

Comments:

- (1) **Note:** Due to stored personal items not all areas throughout the house and garage were visible and accessible at the time of the inspection. Several areas were obstructed from view and could not be inspected. We recommend a careful evaluation during final walk-through to ensure that there are no hidden defects.
- (2) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*
- (3) **Note:** A representative sampling for moisture was performed at interior walls, ceilings and cabinets using a moisture meter. *(areas prone to moisture, such as kitchens, bathrooms, interior below grade walls, exterior walls with doors/windows)* No elevated moisture was detected at time of inspection unless otherwise noted. This is not an exhaustive test and only represents the conditions on the day of inspection.



4.0.D Item 1 (Picture)

4.1.D INFRARED INSPECTION FINDINGS

Comments:

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

(1)

IMPORTANT INFORMATION ABOUT THERMAL IMAGING

Odin Home Inspection Services has chosen to exceed the [Standards of Practice](#) by using Infrared Thermal Imaging cameras (IR Cameras) on all home inspections (except for some limited scope inspections). This technology is not required by the industry standards for home inspectors. We feel that by implementing the use of IR Cameras, we can detect defects that may go unnoticed otherwise. For example, it is not practical to inspect every inch of a freshly painted ceiling with a moisture meter to find evidence of moisture. This would require substantial time with the use of a ladder or scaffolding in some cases. There may not be any observable evidence of a leak by looking at the ceiling with the naked eye. By using an IR camera, the whole ceiling can be scanned for evidence of a leak or other anomalies.

Limitations of Thermal Imaging

IR Cameras do not "see" moisture, and they are not x-ray vision cameras. An IR camera only sees the surface temperature. It cannot help to determine where an old leak existed if the area has dried. It also cannot predict or help us find leaks that may happen in the future, or under conditions that are different than the time of inspection. For example, we cannot find roof leaks in the middle of summer. We cannot find small leaks that are present under normal use but have not been leaking due to the house being vacant. An example may be a small leak under a toilet that has not been used. We may not find this leak, but it may show up after the toilet is flushed regularly. And we may not be able to determine leaking windows unless rain and wind conditions are causing a leak at the time of inspection.

In the end, IR Cameras are just another tool in our tool bag which we use to provide you with as much information as possible. While we go above and beyond the industry standards, we still cannot see hidden defects or predict events. We can only report on the evidence present at the time of inspection.

(2) An infrared scan was performed in the house. No anomalies were found unless otherwise noted.

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

Please refer to our [Standards of Practice](#) for a detailed list of what is inspected and what is not inspected.

4(E) . INTERIOR / UNIT 7

Note: reported items at the interior surfaces can be evidence of more significant defects. Stains at ceilings may be evidence of roof or plumbing leaks. Stains at walls may be evidence that windows or doors are leaking. Determining the exact cause of staining based on evidence that is only observable at the interior surface is beyond the scope of a home inspection due to its concealed nature.

Stains that are reported may require more destructive testing to determine the exact source of the stain. It is the client's responsibility to arrange for additional testing which may be required by a specialist (fenestration, plumbing, roof, etc).

Determining the presence of RODENTS or the extent of a rodent infestation is NOT part of a home inspection. Level II pest inspectors must be licensed by the State of California. Home inspectors are not licensed pest inspectors, and do not lift insulation or investigate possible rodent infestation.

Home inspectors do NOT comment on cosmetic items such as wall, window and floor coverings, stains at counters, etc.

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IN NI NP RR Items

4.0.E INTERIORS (general)

CEILING & WALL MATERIALS: SHEETROCK, WOOD

VISUAL MOLD ASSESSMENT: No Areas Of Concern*, Moisture Meter Used - No

Elevated Readings*

Comments:

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

(2) *Note:* A representative sampling for moisture was performed at interior walls, ceilings and cabinets using a moisture meter. *(areas prone to moisture, such as kitchens, bathrooms, interior below grade walls, exterior walls with doors/windows)* No elevated moisture was detected at time of inspection unless otherwise noted. This is not an exhaustive test and only represents the conditions on the day of inspection.



4.0.E Item 1 (Picture)

4.1.E INFRARED INSPECTION FINDINGS

Comments:

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

(1)

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Limitations of Thermal Imaging

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4(F) . INTERIOR / UNIT 8

Note: reported items at the interior surfaces can be evidence of more significant defects. Stains at ceilings may be evidence of roof or plumbing leaks. Stains at walls may be evidence that windows or doors are leaking. Determining the exact cause of staining based on evidence that is only observable at the interior surface is beyond the scope of a home inspection due to its concealed nature.

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IN NI NP RR Items

4.0.F INTERIORS (general)

CEILING & WALL MATERIALS: SHEETROCK, OCCUPIED*

VISUAL MOLD ASSESSMENT: No Areas Of Concern*, Moisture Meter Used - No Elevated Readings*

Comments:

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

(2) *Note:* A representative sampling for moisture was performed at interior walls, ceilings and cabinets using a moisture meter. *(areas prone to moisture, such as kitchens, bathrooms, interior below grade walls, exterior walls with doors/windows)* No elevated moisture was detected at time of inspection unless otherwise noted. This is not an exhaustive test and only represents the conditions on the day of inspection.



4.0.F Item 1 (Picture)

(3) *Note:* Due to stored personal items not all areas throughout the house and garage were visible and accessible at the time of the inspection. Several areas were obstructed from view and could not be inspected. We recommend a careful evaluation during final walk-through to ensure that there are no hidden defects.

4.1.F INFRARED INSPECTION FINDINGS

Comments:

IN NI NP RR Items

IN= Inspected, NI= Not Inspected, NP= Not Present, RR= Repair or Replace

IN NI NP RR Items

(1)

IMPORTANT INFORMATION ABOUT THERMAL IMAGING

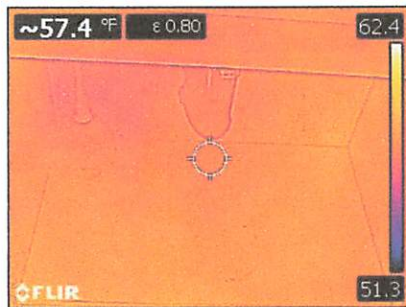
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Limitations of Thermal Imaging

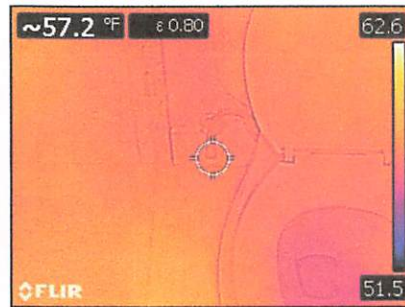
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4.1.F Item 1 (Picture)



4.1.F Item 2 (Picture)

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4(G) . INTERIOR / UNIT 9

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IN NI NP RR Items

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4.0.G INTERIORS (general)

CEILING & WALL MATERIALS: SHEETROCK, OCCUPIED*

VISUAL MOLD ASSESSMENT: No Areas Of Concern*, Moisture Meter Used - No Elevated Readings*

Comments:

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.

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4.0.G Item 1 (Picture)

(3) Note: Due to stored personal items not all areas throughout the house and garage were visible and accessible at the time of the inspection. Several areas were obstructed from view and could not be inspected. We recommend a careful evaluation during final walk-through to ensure that there are no hidden defects.

•

4.1.G INFRARED INSPECTION FINDINGS

Comments:

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(1)

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4.1.G Item 1 (Picture)



4.1.G Item 2 (Picture)

IN NI NP RR Items

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Summary



Odin Home Inspection Services

**1360 Conejo Court
El Cajon, CA. 92021**

Customer
Tony Struyk

Address
325 - 333 N Beech St
Escondido CA 92025

The following items or discoveries indicate that these systems or components do not function as intended or adversely affects the habitability or value of the dwelling; or appear to warrant further investigation by a specialist, or requires subsequent observation before the close of your contingency period to obtain estimates of repair. This summary shall not contain recommendations for routine upkeep or maintenance of a system or component to keep it in proper functioning condition or recommendations to upgrade or enhance the function, efficiency, or safety of the home.

This Summary is not the entire report. The complete report may include additional information of concern to the customer. It is recommended that the customer read the complete report.
Note: Visual Mold Assessment items or discoveries will be listed in the "VMA" summary below.

4(A) . INTERIOR / UNIT 1

VISUAL MOLD ASSESSMENT

4.0.A INTERIORS (general)

Inspected

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold

without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

4(B) . INTERIOR / UNIT 2

VISUAL MOLD ASSESSMENT

4.0.B INTERIORS (general)

Inspected

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

4(C) . INTERIOR / UNIT 5

VISUAL MOLD ASSESSMENT

4.0.C INTERIORS (general)

Inspected

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

4(D) . INTERIOR / UNIT 6

VISUAL MOLD ASSESSMENT

4.0.D INTERIORS (general)

Inspected

(2) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

4(E) . INTERIOR / UNIT 7

VISUAL MOLD ASSESSMENT

4.0.E INTERIORS (general)

Inspected

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If

you wish to, samples can be taken by this company to confirm this assessment is accurate and that mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

4(F) . INTERIOR / UNIT 8

VISUAL MOLD ASSESSMENT

4.0.F INTERIORS (general)

Inspected

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

4(G) . INTERIOR / UNIT 9

VISUAL MOLD ASSESSMENT

4.0.G INTERIORS (general)

Inspected

(1) The Visual Mold Assessment found no observable areas of concern during the home inspection. It is important to understand that the Visual Mold Assessment cannot determine the presence of mold without the benefit of air and surface sampling due to the microscopic nature of mold in the home. If you wish to, samples can be taken by this company to confirm this assessment is accurate and that no mold is present. *Note: Areas of concern are defined as: moisture intrusion, water damage, musty odors, apparent mold growth, and conditions conducive to mold growth.*

Odin Home Inspection Services
OdinHomeInspectionServices.com

Prepared Using HomeGauge <http://www.HomeGauge.com> : Licensed To Magnus Bludworth



Odin Home Inspection Services

Magnus Blutworth

**1360 Conejo Court
El Cajon, CA. 92021**



Fire Extinguisher





Escondido
October 17 8:38 AM

Edit



HDR



TITLE 19, DIVISION 1, SECTION 568, TABLE 2

	Light (Low) Hazard Occupancy	Ordinary (Moderate) Hazard Occupancy	Extra (High) Hazard Occupancy
Minimum rated single extinguisher	2-A	2-A	4-A*
Maximum floor area per unit of A	3,000 square feet	1,500 square feet	1,000 square feet
Maximum floor area for extinguisher	11,250 square feet	11,250 square feet	11,250 square feet
Maximum travel distance to extinguisher	75 feet	75 feet	75 feet

* Two 2¹/₂-gallon (9.46 L) water-type extinguishers can be used to fulfill the requirement of one 4-A rated extinguisher.

Note: 1 foot = 0.305 m, 1 square foot = 0.0929 m².

[California Code of Regulations, Title 19, Division 1, §569(a) through (c)] Fire Extinguisher Size and Placement for Class B Fires Other than for Fires in Flammable Liquids of Appreciable Depth.

- a. Minimum sizes of fire extinguishers for the listed grades of hazard shall be provided on the basis of California Code of Regulations, Title 19, Division 1, Section 569, Table 3. Extinguishers shall be located so that the maximum travel distances from anywhere in the building shall not exceed those specified in the table used.

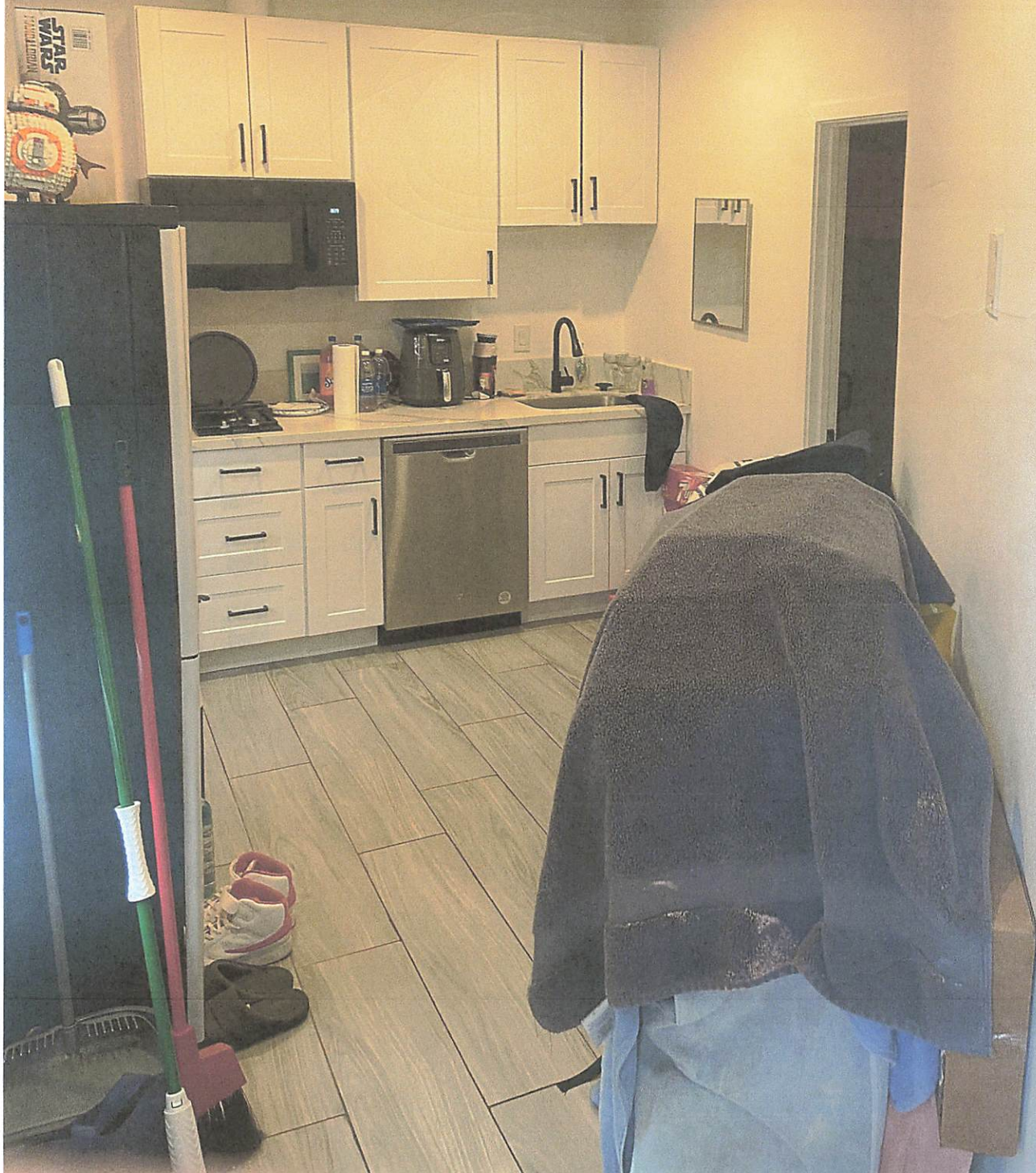
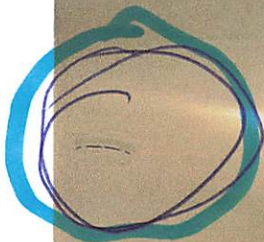
Exception: Extinguishers of lesser rating, desired for small specific hazards within the general hazard area, may be used, but shall not be considered as fulfilling any part of the requirements of California Code of Regulations, Title 19, Division 1, Section 569, Table 3.

- b. Two or more extinguishers of lower rating shall not be used to fulfill the protection requirements of California Code of Regulations, Title 19, Division 1, Section 569, Table 3.
- c. The protection requirements may be fulfilled with extinguishers of high ratings, provided the travel distance to such larger extinguishers shall not exceed 50 feet (15.25 m), as shown in California Code of Regulations, Title 19, Division 1, Section 569, Table 3.





Item 7.



ATTACHMENT # 18

Item 7.

Failed Items Inspection Report

Module: Section 8
Inspection: 176002
Inspector: Griselda Escamilla
Resident:
Address: 333 N BEECH ST 6
 ESCONDIDO, CA 92025

Type: New Lease
Move In:
Move Out: No Current Move Out Record
Owner: TTRLFG LLC
Census Tract:

Results: PASS

Inspection Summary

Inspection Date: 09/06/2023 1:28 pm

Results: PASS

Line	Description	Location	Area Location	Resolve By	EMG	Reinsp. Days	Result
01.1.1	Living Room Present				No	28	Pass
01.1.2	Electricity				No	28	Pass
01.1.3	Electrical Hazards				No	28	Pass
01.1.4	Security				No	28	Pass
01.1.5	Window Condition				No	28	Pass
01.1.6	Ceiling Condition				No	28	Pass
01.1.7	Wall Condition				No	28	Pass
01.1.8	Floor Condition				No	28	Pass
01.1.9A	Lead-Based Paint - Are all painted surfaces free of deteriorated paint?				No	28	Pass
01.1.9B	Lead-Based Paint - If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?				No	28	Pass
02.2.1	Kitchen Area Present				No	28	Pass
02.2.10	Stove or Range with Oven				No	28	Pass
02.2.11	Refrigerator				No	28	Pass
02.2.12	Sink				No	28	Pass
02.2.13	Space for Storage, Preparation, and Serving of Food				No	28	Pass
02.2.2	Electricity				No	28	Pass
02.2.3	Electrical Hazards				No	28	Pass
02.2.4	Security				No	28	Pass
02.2.5	Window Condition				No	28	Pass
02.2.6	Ceiling Condition				No	28	Pass
02.2.7	Wall Condition				No	28	Pass
02.2.8	Floor Condition				No	28	Pass
02.2.9A	Lead-Based Paint - Are all surfaces free of deteriorated paint?				No	28	Pass
02.2.9B	Lead-Based Paint - If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?				No	28	Pass
03.3.1	Bathroom Present				No	28	Pass
03.3.10	Flush Toilet in Enclosed Room in Unit				No	28	Pass
03.3.11	Fixed Wash Basin or Lavatory in Unit				No	28	Pass
03.3.12	Tub or Shower in Unit				No	28	Pass
03.3.13	Ventilation				No	28	Pass
03.3.2	Electricity				No	28	Pass
03.3.3	Electrical Hazards				No	28	Pass
03.3.4	Security				No	28	Pass
03.3.5	Window Condition				No	28	Pass
03.3.6	Ceiling Condition				No	28	Pass

Failed Items Inspection Report

Inspection Summary

Inspection Date: 09/06/2023 1:28 pm

Results: PASS

Line	Description	Location	Area Location	Resolve By	EMG	Reinsp. Days	Result
03.3.7	Wall Condition				No	28	Pass
03.3.8	Floor Condition				No	28	Pass
03.3.9A	Lead-Based Paint - Are all painted surfaces free of deteriorated paint?				No	28	Pass
03.3.9B	Lead-Based Paint - If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?				No	28	Pass
05.5.2	Security				No	28	Pass
05.5.3	Electrical Hazards				No	28	Pass
05.5.4	Other Potentially Hazardous Features in these Rooms				No	28	Pass
06.6.1	Condition of foundation				No	28	Pass
06.6.2	Condition of Stairs, Rails, and Porches				No	28	Pass
06.6.3	Condition of Roof/Gutters				No	28	Pass
06.6.4	Condition of Exterior Surfaces				No	28	Pass
06.6.5	Condition of Chimney				No	28	Pass
06.6.6A	Lead Paint: Are all painted surfaces free of deteriorated paint?				No	28	Pass
06.6.6B	Lead Paint: If not, do deteriorated surfaces exceed 20 square feet of total exterior surface area?				No	28	Pass
06.6.7	Manufactured Home: Tie Downs				No	28	Pass
07.7.1	Adequacy of Heating Equipment				No	28	Pass
07.7.2	Safety of Heating Equipment				No	28	Pass
07.7.3	Ventilation/Cooling				No	28	Pass
07.7.4	Water Heater				No	28	Pass
07.7.5	Approvable Water Supply				No	28	Pass
07.7.6	Plumbing				No	28	Pass
07.7.7	Sewer Connection				No	28	Pass
08.8.1	Access to Unit				No	28	Pass
08.8.10	Site and Neighborhood Conditions				No	28	Pass
08.8.11	Lead-Based Paint: Owner's Certification				No	28	Pass
08.8.2	Fire Exits				No	28	Pass
08.8.3	Evidence of Infestation				No	28	Pass
08.8.4	Garbage and Debris				No	28	Pass
08.8.5	Refuse Disposal				No	28	Pass
08.8.6	Interior Stairs and Common Halls				No	28	Pass
08.8.7	Other Interior Hazards				No	28	Pass
08.8.8	Elevators				No	28	Pass
08.8.9	Interior Air Quality				No	28	Pass

End of Report

Failed Items Inspection Report

Module: Section 8
Inspection: 182063
Inspector: Griselda Escamilla
Resident: Hunt, Mervin
Address: 333 N Beech st 5
 ESCONDIDO, CA 92025

Type: New Lease
Move In: 06/01/2024
Move Out: No Current Move Out Record
Owner: TTRLFG LLC
Census Tract:

Results: PASS

Inspection Summary

Inspection Date: 05/30/2024 2:55 pm

Results: PASS

Line	Description	Area Location	Resolve By	EMG	Reinsp. Days	Result
01.1.1	Living Room Present			No	28	Pass
01.1.2	Electricity			No	28	Pass
01.1.3	Electrical Hazards			No	28	Pass
01.1.4	Security			No	28	Pass
01.1.5	Window Condition			No	28	Pass
01.1.6	Ceiling Condition			No	28	Pass
01.1.7	Wall Condition			No	28	Pass
01.1.8	Floor Condition			No	28	Pass
01.1.9A	Lead-Based Paint - Are all painted surfaces free of deteriorated paint?			No	28	Pass
01.1.9B	Lead-Based Paint - If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?			No	28	Pass
02.2.1	Kitchen Area Present			No	28	Pass
02.2.10	Stove or Range with Oven			No	28	Pass
02.2.11	Refrigerator			No	28	Pass
02.2.12	Sink			No	28	Pass
02.2.13	Space for Storage, Preparation, and Serving of Food			No	28	Pass
02.2.2	Electricity			No	28	Pass
02.2.3	Electrical Hazards			No	28	Pass
02.2.4	Security			No	28	Pass
02.2.5	Window Condition			No	28	Pass
02.2.6	Ceiling Condition			No	28	Pass
02.2.7	Wall Condition			No	28	Pass
02.2.8	Floor Condition			No	28	Pass
02.2.9A	Lead-Based Paint - Are all surfaces free of deteriorated paint?			No	28	Pass
02.2.9B	Lead-Based Paint - If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?			No	28	Pass
03.3.1	Bathroom Present			No	28	Pass
03.3.10	Flush Toilet in Enclosed Room in Unit			No	28	Pass
03.3.11	Fixed Wash Basin or Lavatory in Unit			No	28	Pass
03.3.12	Tub or Shower in Unit			No	28	Pass
03.3.13	Ventilation			No	28	Pass
03.3.2	Electricity			No	28	Pass
03.3.3	Electrical Hazards			No	28	Pass
03.3.4	Security			No	28	Pass
03.3.5	Window Condition			No	28	Pass
03.3.6	Ceiling Condition			No	28	Pass

Failed Items Inspection Report**Inspection Summary**

Inspection Date: 05/30/2024 2:55 pm

Results: PASS

Line	Description	Location	Area Location	Resolve By	EMG	Reinsp. Days	Result
03.3.7	Wall Condition				No	28	Pass
03.3.8	Floor Condition				No	28	Pass
03.3.9A	Lead-Based Paint - Are all painted surfaces free of deteriorated paint?				No	28	Pass
03.3.9B	Lead-Based Paint - If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?				No	28	Pass
05.5.2	Security				No	28	Pass
05.5.3	Electrical Hazards				No	28	Pass
05.5.4	Other Potentially Hazardous Features in these Rooms				No	28	Pass
06.6.1	Condition of foundation				No	28	Pass
06.6.2	Condition of Stairs, Rails, and Porches				No	28	Pass
06.6.3	Condition of Roof/Gutters				No	28	Pass
06.6.4	Condition of Exterior Surfaces				No	28	Pass
06.6.5	Condition of Chimney				No	28	Pass
06.6.6A	Lead Paint: Are all painted surfaces free of deteriorated paint?				No	28	Pass
06.6.6B	Lead Paint: If not, do deteriorated surfaces exceed 20 square feet of total exterior surface area?				No	28	Pass
06.6.7	Manufactured Home: Tie Downs				No	28	Pass
07.7.1	Adequacy of Heating Equipment				No	28	Pass
07.7.2	Safety of Heating Equipment				No	28	Pass
07.7.3	Ventilation/Cooling				No	28	Pass
07.7.4	Water Heater				No	28	Pass
07.7.5	Approvable Water Supply				No	28	Pass
07.7.6	Plumbing				No	28	Pass
07.7.7	Sewer Connection				No	28	Pass
08.8.1	Access to Unit				No	28	Pass
08.8.10	Site and Neighborhood Conditions				No	28	Pass
08.8.11	Lead-Based Paint: Owner's Certification				No	28	Pass
08.8.2	Fire Exits				No	28	Pass
08.8.3	Evidence of Infestation				No	28	Pass
08.8.4	Garbage and Debris				No	28	Pass
08.8.5	Refuse Disposal				No	28	Pass
08.8.6	Interior Stairs and Common Halls				No	28	Pass
08.8.7	Other Interior Hazards				No	28	Pass
08.8.8	Elevators				No	28	Pass
08.8.9	Interior Air Quality				No	28	Pass

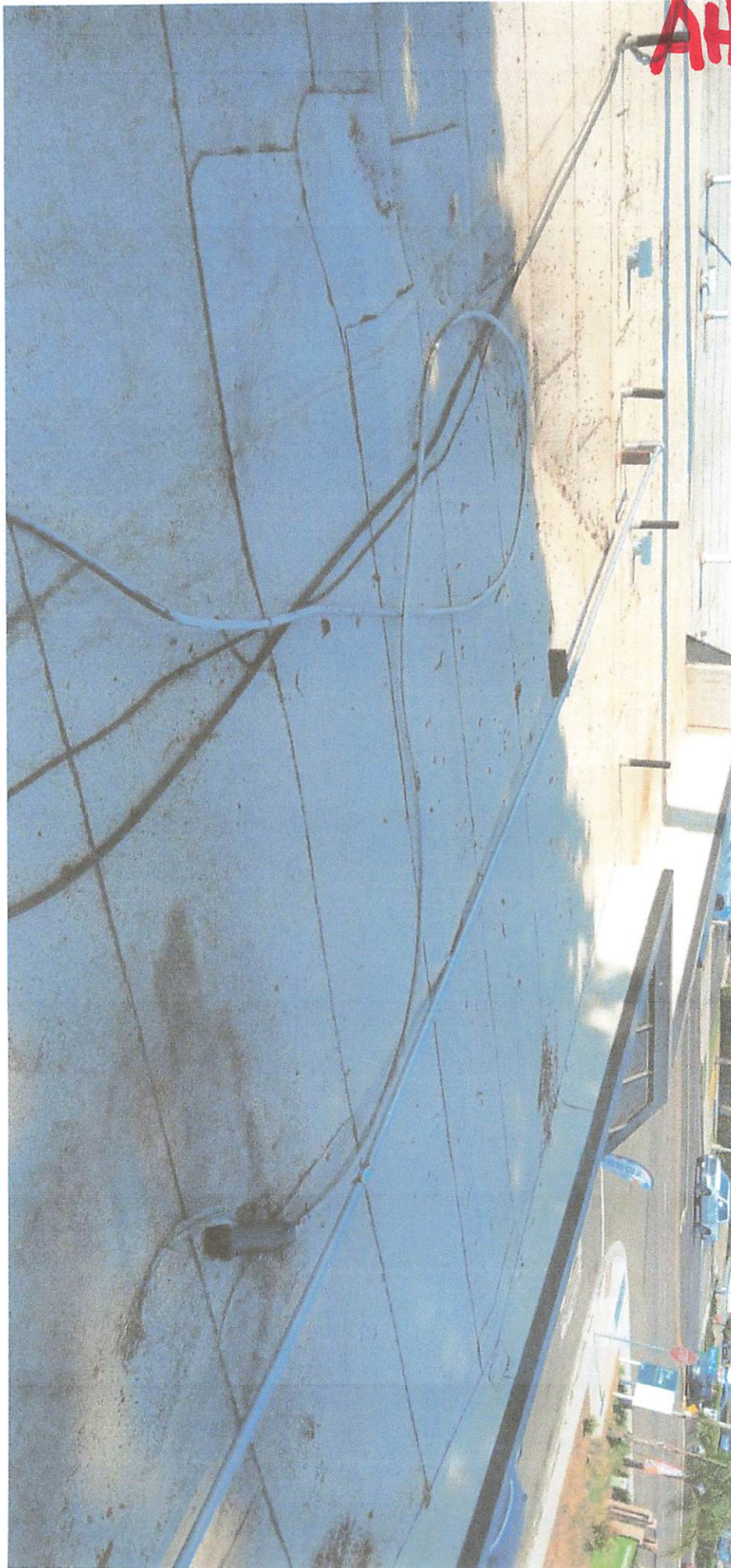
End of Report

Attachment

19







AHACHA

20

Item 7.

Attachment #
21

Item 7.

3

3

3



Item 7.



Item 7.



Item 7.

5 2 3



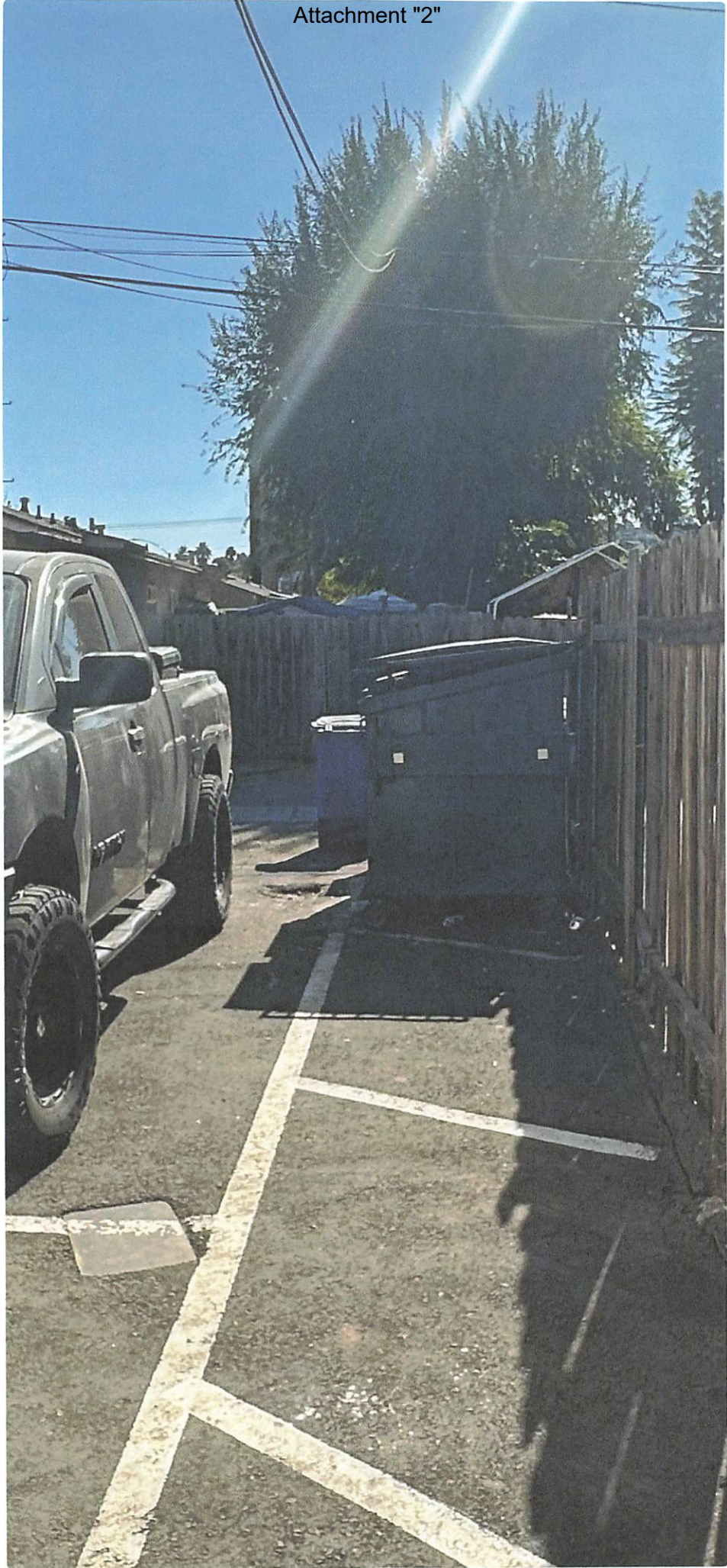


Item 7.



3
2
5





Attachment # 25 23
Item 7.

Request Visibility: Unpublished

Request 24-946 Open



Dates

Received

November 06, 2024 via web

Requester

Tony Struyk

tony@nacdi.com

1262 scott st san diego ca 92106, san diego, CA, 92106

8587051995

Request

All communications, notes, statements, affidavits, photos, records, emails and discussion records for the property at 325-333 W. Beech street From Jan 1965-Nov 6th 2024.

The request is for any and all of the above including between, but limited to, Douglas Moody, Andrew Modglin, Marcus Leso, Anthony Mullins. Also including any and all the same from planning, zoning, building environment and code compliance departments.

In addition I am requesting all notes, dates, times and place of any and all meetings regarding the same property from Jan 1st 2020-Nov 6th 2024

Additional information

APN - Assessor Parcel Number(s)

No data entered

Report/Case Number(s)

No data entered

Staff assigned

Departments

City Attorney

City Clerk

Timeline

Documents

Message to requester

Requester + Staff

The City of Escondido is in receipt of your public records request.

Please note that the City is continuing to research and review material responsive to this request.

Thank you for your patience. Please let us know if there is anything else we can do to be of assistance to you.

Sincerely,

Building

Engineering

Planning

Utilities

Information Systems

Point of contact

City Clerk Records Staff

City Clerk's Office

November 18, 2024, 4:52pm by Staff

Item 7.

 **Message from requester** 

Requester + Staff

Request 24-946

No links to attachments came through.
Nothing to open or view

November 8, 2024, 3:27pm by the requester

 **Message to requester** 

Requester + Staff

The City of Escondido is in receipt of your public records request. After research and analysis, staff identified responsive records that are attached to this message.

Please note that the City is continuing to research and review material responsive to this request.

Thank you for your patience. Please let us know if there is anything else we can do to be of assistance to you.

Sincerely,

City Clerk's Office

November 8, 2024, 3:01pm by Staff

 **Document(s) released** 

Public

- 94-08-CUP - 325 BEECH STREET NORTH PC RES 4929.pdf
- 94-08-CUP - 325 BEECH STREET NORTH - SITE PLAN.pdf
- 94-08-CUP - 325 BEECH STREET NORTH - Staff Report.pdf
- 94-08-CUP - 325 BEECH STREET NORTH PC MINUTES.pdf

November 8, 2024, 3:01pm by Staff

 **Message from requester** 

Requester + Staff

Correction. Address is 325-333 N. Beech

303

Attachment "2"

St NOT W.

November 6, 2024, 1:27pm by the requester

Item 7.

Requester + Staff

 **Message to requester** 

The City of Escondido is in receipt of your public records request. Discovery has now begun. We will contact you within 10 days in response to your request.

Thank you for contacting the City Clerk's Office with your record request needs. Please let us know if there is anything else we can do to be of assistance to you.

Sincerely,

City Clerk's Office

November 6, 2024, 11:29am by Staff

 **Request opened**

Public

Request received via web

November 6, 2024, 8:18am by the requester

ATTACHMENT # 24

Item 7.

Request Visibility: Unpublished

Request 24-868 Open



Dates

Received

October 18, 2024 via web

Request

request the following information and documentation for the period January 1, 2018, through October 18, 2024.

Copies of all Laws, Ordinances, and Enactments adopted by the City of Escondido and any direction provided by the City of Escondido and its Administration to employees regarding the implementation of the following Senate Bills:

- SB897
- SB2533
- SB1211
- SB1226
- SB3182
- SB13
- SB2221
- SB881
- SB68
- SB345
- SB100...

Show more

Requester

 Tony Struyk

 tony@nacdi.com

 1262 scott st san diego ca 92106, san diego, CA, 92106

 8587051995

Additional information

APN - Assessor Parcel Number(s)

No data entered

Report/Case Number(s)

No data entered

Staff assigned

Departments

City Attorney

City Clerk

Timeline

Documents

Building

Planning

Information Systems

Housing & Neighborhood Services

Point of contact

City Clerk Records Staff

 **Message to requester** 

Request **Item 7.**

The City of Escondido is in receipt of your public records request. After research and analysis, staff identified responsive records that are accessible at the links below:

Housing Element:

<https://www.escondido.gov/DocumentCenter/View/2499/Chapter-IV---Housing-amended-as-of-March-22-2023-PDF>

Housing Element Annual Progress Reports:

<https://www.escondido.gov/1106/Policy-and-Regulatory-Documents>

Article 70, EZC:

<https://ecode360.com/43269708#43269708>

Please note that the City is continuing to research and review material responsive to this request.

Thank you for your patience. Please let us know if there is anything else we can do to be of assistance to you.

Sincerely,

City Clerk's Office

November 12, 2024, 4:23pm by Staff

 **Message to requester** 

The City of Escondido is in receipt of your public records request. At this time, documents have been requested from the appropriate Departments; however, no documents have been received. Additional time is needed, pursuant to Government Code section 7922.535(c)(2) to search for, collect, and appropriately examine a voluminous amount of separate and distinct records demanded in a single request.

Thank you for your patience. We will contact you as soon as the document discovery is complete on or before 14 days. Please let us know if there is anything else we can do to be of assistance to you.

Sincerely,

City Clerk's Office

October 28, 2024, 4:55pm by Staff

 **Message from requester** 

Is this the additional information you needed? All the bill have to do with ADU laws SB897 [Approved by Governor September 28, 2022. Filed with Secretary of State September 28, 2022.] Senate Bill No. 897 CHAPTER 664 An act to amend Section 65852.22 of, to add Section 65852.23 to, and to repeal and amend Section 65852.2 of, the Government Code, and to amend Section 17980.12 of the Health and Safety Code, relating to land use. SB1211 [Approved by Governor September 19, 2024. Filed with Secretary of State September 19, 2024.] Senate Bill No. 1211 CHAPTER 296 An act to amend Sections 66313, 66314, and 66323 of the Government Code, relating to land use. [Approved by Governor September 19, 2024. Filed with Secretary of State September 19, 2024.] Senate Bill No. 1226 CHAPTER 1010 An act to add Section 17958.12 to the Health and Safety Code, relating to housing. [Approved by Governor September 30, 2018. Filed with Secretary of State September 30, 2018.] Assembly Bill No. 2533 CHAPTER 834 An act to amend Section 66332 of the Government Code, relating to land use. [Approved

Attachment "2"
by Governor September 28, 2024. Filed with Secretary of State September 28, 2024.] Assembly Bill No. 3182 CHAPTER 198 An act to amend Section 4740 of, and to add Section 4741 to, the Civil Code, and to amend Section 65852.2 of the Government Code, relating to housing. [Approved by Governor September 28, 2020. Filed with Secretary of State September 28, 2020.] Senate Bill No. 13 CHAPTER 653 An act to amend, repeal, and add Section 65852.2 of the Government Code, and to add and repeal Section 17980.12 of the Health and Safety Code, relating to land use. [Approved by Governor October 09, 2019. Filed with Secretary of State October 09, 2019.] Assembly Bill No. 2221 CHAPTER 650 An act to repeal and amend Section 65852.2 of the Government Code, relating to land use. [Approved by Governor September 28, 2022. Filed with Secretary of State September 28, 2022.] AB 881 was signed by the governor on 10/9/2019 Assembly Bill No. 68 CHAPTER 655 An act to amend Sections 65852.2 and 65852.22 of the Government Code, relating to land use. [Approved by Governor October 09, 2019. Filed with Secretary of State October 09, 2019.] Assembly Bill No. 345 CHAPTER 343 An act to amend Sections 65852.2 and 65852.26 of the Government Code, relating to land use. [Approved by Governor September 28, 2021. Filed with Secretary of State September 28, 2021.] Senate Bill No. 1077 CHAPTER 454 An act to add Section 30500.5 to the Public Resources Code, relating to coastal resources. [Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.] In March 2024, the California Legislature enacted Senate Bill 477 as an urgency measure. SB 477 was signed by Governor Newsom on March 26, 2024, and it took effect immediately. The bill's purpose is to make state law governing Accessory Dwelling Units ("ADUs") and Junior Accessory Dwelling Units ("JADUs") easier to read and navigate. It does so by relocating numerous Government Code sections into a new chapter, and, within that chapter, key regulations are divided into smaller sections by topic area. SB 477's changes to state law are only organizational; none is substantive. Noteworthy features from SB 477 are summarized below. SB 477 Overview SB 477 adds a new Chapter 13 to Division 1 of Title 7 of the Government Code. The new Chapter 13 is divided

Attachment "2"

into four articles and each article is further divided into various sections. The articles are organized as follows: Tony Struyk 1262 Scott Street San Diego CA 92106 (858)705-1995 Cell tony@nacdi.com

Item7.

October 24, 2024, 7:49am by the requester via email

Message to requester

Requester + Staff

Thank you for contacting the City Clerk's Office with your record request needs. Further information is needed to identify responsive documents from the appropriate departments.

Please provide title and/or description of each senate bill stated in the request.

Thank you,

City Clerk's Office

October 23, 2024, 9:41am by Staff

Message to requester

Requester + Staff

The City of Escondido is in receipt of your public records request. Discovery has now begun. We will contact you within 10 days in response to your request.

Thank you for contacting the City Clerk's Office with your record request needs. Please let us know if there is anything else we can do to be of assistance to you.

Sincerely,

City Clerk's Office

October 18, 2024, 4:45pm by Staff

Request opened

Public

Request received via web

October 18, 2024, 4:13pm by the requester

Item 7.

Article 70

ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

25

§ 33-1470 Purpose and intent.

The purpose of this article is to provide regulations for the establishment of accessory dwelling units and junior accessory dwelling units. The intent of the article is to provide additional housing opportunities in areas where adequate public facilities and services are available, and where impacts upon the residential neighborhoods directly affected would be minimized. Notwithstanding the intent of California Government Code section 65852.2 or section 65852.22, should any provision of this article be found not to be in compliance with state law, that provision should be severed and stricken from Article 70 as if it had never been adopted.

(Ord. No. 2020-07, § 6, 5-6-20)

§ 33-1471 Permitted zones.

Accessory dwelling units and junior accessory dwelling units shall be permitted in areas zoned to allow single-family or multifamily dwelling residential uses, subject to section 33-1472 of this article.

(Ord. No. 2023-06, §, 3-8-23)

§ 33-1472 Permit required.

- (a) Accessory dwelling units on properties with legally established multifamily residential dwellings are subject to the approval of an accessory dwelling unit permit.
- (b) Accessory dwelling units and junior accessory dwelling units on properties with legally-established single-family residential dwellings are subject to the approval of a building permit, unless additional requirements apply as described under section 33-1475, Other regulations.

(Ord. No. 2020-07, § 6, 5-6-20; Ord. No. 2023-06, § 3, 3-8-23)

§ 33-1473 Occupancy limitations.

- (a) Allowed use.

- (1) One attached or detached accessory dwelling unit may be permitted in conjunction with an existing or proposed single-family residence on a lot zoned for single-family or multifamily residential use.
 - (A) The accessory dwelling unit is either attached to, or located within, the proposed or existing main building or attached garages, storage areas, or similar use; or a detached accessory structure and located on the same lot as the proposed or existing single-family home.
 - (B) An accessory dwelling unit may be permitted on a lot where a junior accessory dwelling unit exists or is proposed.
- (2) One junior accessory dwelling unit may be permitted in conjunction with an existing or proposed single-family residential use.
 - (A) The junior accessory dwelling unit is located within the proposed or existing main building or attached garages, storage areas, or similar use.

(B) A junior accessory dwelling unit may be permitted on a lot where an accessory dwelling unit exists or is proposed. Item 7.

(3) Number of accessory dwelling units on legal lots with existing multifamily dwelling units.

(A) Shall be permitted to construct at least one accessory dwelling unit within portions of existing multifamily dwelling structures that are existing non-habitable space, and shall allow up to 25% of the units in each existing multifamily dwelling structure, in accordance with Government Code section 65852.2(e). Existing detached accessory structures cannot be attached to a multifamily dwelling structure for the purposes of creating an accessory dwelling unit; and

(B) Not more than two accessory dwelling units are permitted that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling.

(C) For purposes of this article, "multifamily dwelling structure" or "multifamily dwelling" is defined as a structure with two or more attached dwellings on a single lot.

(b) Owner-occupied.

(1) The owner-occupancy requirement shall not be applied to any accessory dwelling unit.

(2) A junior accessory dwelling unit may be used as habitable space, only so long as either the remaining portion of the main dwelling unit, or the newly created junior accessory dwelling unit is occupied by the owner of record of the property, unless otherwise exempted by this section.

(A) Owner-occupancy for a junior accessory dwelling unit shall not be required if the owner is an agency, land trust, or housing organization.

(3) Deed restriction. The city shall require the recordation of a deed restriction if owner-occupancy is required pursuant to this section.

(A) Prior to issuance of a building permit, the property owner shall execute a deed restriction setting forth the owner-occupancy requirements, in a form and substance satisfactory to the director of community development and city attorney's office, which shall be recorded in the office of the county recorder. The covenant shall also include the following terms and limitations:

(i) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, and shall not be subdivided in any manner that would authorize such sale or ownership;

(ii) A statement that the deed restriction may be enforced against future purchasers and the restrictions shall be bindings upon any successor in ownership of the property;

(iii) The junior accessory dwelling unit shall be a legal unit, and may be used as habitable space, only so long as the owner of record of the property occupies the premises;

(iv) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section, and if applicable the occupancy limitations of the California Health and Safety Code section 17958.1.

(c) All local building and fire code requirements apply, as appropriate, to accessory dwelling units.

units and junior accessory dwelling units.

Item 7.

- (1) A certificate of occupancy shall not be issued for the accessory dwelling unit and/or junior accessory dwelling unit until the building official issues a certificate of occupancy for the main building.
 - (2) Prior to approval on properties with a private sewage system, approval by the county of San Diego department of environmental health, or any successor agency, may be required.
- (d) The accessory dwelling unit and/or junior accessory dwelling unit is not intended for sale, except in conjunction with the sale of the primary residence and property.
 - (e) The accessory dwelling unit and junior accessory dwelling unit may be rented separate from the primary residence, but only with a rental agreement and with terms greater than 30 days.
 - (f) The accessory dwelling unit and/or junior accessory dwelling unit shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the premises.
 - (1) The accessory dwelling unit and/or junior unit shall be deemed to be a legal unit and permit such accessory use of property, which use is specifically identified by the accessory use regulations for the underlying zone and per Government Code sections 65852.2 and 65852.22; and shall allow such other accessory uses which are necessarily and customarily associated with such principal residential use of the premises, except as otherwise provided by this subsection.
 - (2) An accessory dwelling unit and/or junior accessory dwelling unit shall be deemed an independent dwelling unit for the sole purpose of establishing a home occupation permit within the accessory dwelling unit and junior accessory dwelling unit, subject to the terms and limitations of Article 44. The limitations for home occupations shall be shared with the principal use and/or main building.
 - (B) No more than the quantities of animals specifically listed in Table 33-95(a) of Article 6 or section 33-1116 of Article 57 is permitted on the premises. The limitations for animal keeping and household pets shall be shared with the principal use and/or main building.
 - (C) For all other accessory use of property, the accessory dwelling units and/or junior accessory dwelling unit shall be controlled in the same manner as the principal use within each zone, and shall not expand or be conveyed separately from the primary use. When provided by these regulations, it shall be the responsibility of the director of community development to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, accessory dwelling unit, and/or junior accessory dwelling unit, based on the director's evaluation of the resemblance of the proposed accessory use and the relationship between the proposed accessory use and the principal use.

(Ord. No. 2020-07, § 6, 5-6-20; Ord. No. 2020-31R, § 6, 1-13-21; Ord. No. 2021-10, § 6, 10-27-21; Ord. No. 2023-06, § 3, 3-8-23)

§ 33-1474 Development standards.

- (a) Accessory dwelling units shall be subject to all development standards of the zone in which the property is located, except as modified below. Notwithstanding, this section shall be interpreted liberally in favor of accessory dwelling unit construction. Furthermore, any

property development standard provided herein that regulates the minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings shall permit at least an 850 square foot accessory dwelling unit to be constructed in compliance with all other local development standards and building code requirements.

Item 7.

- (1) Number of bedrooms. There is no allowed limit on the number of bedrooms provided that the accessory dwelling unit and/or junior accessory dwelling unit complies with local building and fire code requirements.
- (2) The accessory dwelling unit shall be provided with a separate exterior entry. The accessory dwelling unit shall not have direct, interior access into the main building.
- (3) The accessory dwelling unit shall include separate bath/sanitation facilities and include a separate kitchen.
- (4) Setbacks. An attached or detached accessory dwelling unit, including a detached accessory unit that is attached to another accessory structure, shall be required to maintain minimum side and rear yard setbacks of at least four feet, and shall comply with front yard setbacks for the underlying zone. For attached accessory structures, whether attached to the primary unit or another detached accessory structure, the portion of the structure which does not include the habitable floor area of the accessory dwelling unit shall comply with setback requirements for the underlying zone. Roof eaves and other architectural projections for accessory dwelling units shall comply with section 33-104.
 - (A) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit. The accessory dwelling unit may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress, subject to the terms and limitations of this article.
- (5) Maximum unit size. The maximum accessory dwelling unit size is determined by the size of the lot as provided in Table 33-1474.
 - (A) If authorized by the underlying zoning, an accessory dwelling unit may be attached to a guest house provided that the overall combined floor area of the combined building or structure does not exceed 75% of the main unit.
 - (B) When an accessory dwelling unit is attached to other accessory building(s) or structure(s), such as a garage, carport, or patio cover, the overall combined building area of the structure(s) shall not exceed the existing floor area of the main residence.

Table 33-1474

Maximum Permitted Accessory Dwelling Unit Size

Lot Size	1 bedroom or less	More than 1 bedroom
Less than 20,000 sq. ft.	850 sq. ft.	1,000 sq. ft.
20,000 sq. ft. or more	1,000 sq. ft.	1,000 sq. ft.

- (6) Minimum unit size. The minimum permitted size of an accessory dwelling unit shall be the size of an efficiency unit as defined by the California Health and Safety Code section 17958.1. The minimum unit size of the residential zone shall not apply to the accessory dwelling unit that is built on the same legal lot as the primary residence in compliance with all local development standards. Item 7.
- (7) Height. Accessory dwelling units shall conform to the height limits of the zone, except that an accessory dwelling unit 16 feet in height shall be allowed regardless of the applicable height limit.
- (8) Lot coverage. The combined area of all structures on a lot shall conform to the lot coverage limitation of the zone in which the property is located.
- (9) Number of accessory dwelling units on properties with more than one detached single-family dwelling. One ADU shall be permitted through conversion of space within proposed or existing space of a single-family dwelling or existing structure, and through construction of a new detached ADU.
- (b) Junior accessory dwelling units, as constructed within the existing or proposed single-family residence, shall be subject to all development standards of the zone in which the property is located, except as modified below.
- (1) Number of bedrooms. There is no allowed limit on the number of bedrooms provided that the accessory dwelling unit and/or junior accessory dwelling unit complies with local building and fire code requirements.
- (2) The junior accessory dwelling unit shall be provided with a separate exterior entry and may have direct, interior access into the main building.
- (3) A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.
- (4) The junior accessory dwelling unit shall include an efficiency kitchen.
- (5) Maximum unit size. The maximum junior accessory dwelling unit size shall not exceed 500 square feet in total floor area and shall be contained entirely within an existing or proposed single-family residence and may include an expansion of not more than 150 square feet beyond the same physical dimensions of the existing residence to accommodate ingress and egress.
- (6) Minimum unit size. The minimum permitted size of a junior accessory dwelling unit shall be the size of an efficiency unit as defined by the California Health and Safety Code section 17958.1. The minimum unit size of the residential zone shall not apply to the junior accessory dwelling unit that is built on the same legal lot as the primary residence in compliance with all local development standards.
- (7) Except as provided herein, a junior accessory dwelling unit shall comply with all other zoning code standards, including, but not limited to, setbacks, building height, floor area ratio, and lot coverage.
- (8) Number of junior accessory dwelling units on properties with more than one detached single-family dwelling. No JADUs shall be permitted on properties with multiple detached single-family dwellings.
- (c) Parking requirements.
- (1) Notwithstanding any other law, the city will not impose parking standards for an

accessory dwelling unit or junior accessory dwelling unit.

Item 7.

- (2) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, replacement parking is not required.

(d) Design of the unit.

- (1) Access doors and entry for the accessory dwelling unit shall not be oriented to the nearest adjacent property line or create a second "front door" that is comparable to the main entrance.
- (2) The accessory dwelling unit's color and materials must match those of the primary residence. The director shall review accessory dwelling unit applications to ensure the addition is integrated with the primary structure with respect to roof design, height, compatible materials, color, texture, and design details. If the accessory dwelling unit is an addition to a site with known historic resources or has been determined to have historic value by the director, all improvements shall retain the historical and/or architectural value and significance of the landmark, historical building, or historical district as specified by section 33-1475. The improvements shall be compatible with and retain the texture and material of the primary building(s) and/or structure(s) or its appurtenant fixtures, including signs, fences, parking, site plan, landscaping and the relationship of such features to similar features of other buildings within an historical district.

- (e) Addresses. The addresses of both units shall be displayed in such a manner that they are clearly seen from the street.

- (f) Fire sprinklers. Accessory dwelling units and junior accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.
(Ord. No. 2020-07, § 6, 5-6-20; Ord. No. 2020-31R, § 6, 1-13-21; Ord. No. 2021-10, § 6, 10-27-21; Ord. No. 2023-15, 10/25/2023)

§ 33-1475 Other regulations.

(a) Historic buildings.

- (1) An accessory dwelling unit and/or junior accessory dwelling unit proposed for any lot that includes a building listed in the National Register of Historic Places, California Register of Historic Places, or the local historic inventory shall conform to the requirements for the historic structure.
- (2) An accessory dwelling unit and/or junior accessory dwelling unit proposed for a property under a Mills Act Contract must comply with all Mills Act guidelines, including design conformance with the United States Secretary of the Interior Standards.
- (3) An accessory dwelling unit and/or junior accessory dwelling unit proposed for any lot that includes a building listed in the National Register of Historic Places, California Register of Historic Places, or the local historic inventory are encouraged to comply with any historic preservation plans as may be approved by the city council. Notwithstanding the foregoing, if the city council acts to establish mandatory design standards for historically classified structures, the accessory dwelling unit and/or junior accessory dwelling unit shall conform to the mandatory standards.

- (b) Guest house. An attached guest house may be converted to an accessory dwelling unit provided all provisions of this article and the building code and zoning code are met. A guest house and an accessory dwelling unit and/or a junior accessory dwelling unit may occur on

the same lot provided the guest house does not contain kitchen facilities and is not Item 7. No more than one accessory dwelling unit or no more than one guest house is permitted on a lot. Nothing in this section shall be construed to prohibit the construction of an accessory dwelling unit and/or junior accessory dwelling unit in compliance with this article.

- (c) The city may not require a new or separate utility connection for any accessory dwelling units that meets the criteria in Government Code section 65852.2(e)(1)(A). Accessory dwelling units and junior accessory dwelling units that do not meet the criteria in Government Code section 65852.2(e)(1)(A) may be required to obtain a new or separate utility connection.

(Ord. No. 2020-07, § 6, 5-6-20; Ord. No. 2021-10, § 6, 10-27-21)

§ 33-1476 Existing nonpermitted accessory units.

This article shall apply to all accessory dwelling units or junior accessory dwelling units which exist on the date of passage of the ordinance. All units which do not have a permit, or cannot receive a permit, upon passage of the ordinance codified herein shall be considered in violation and shall be subject to code enforcement action.

- (a) Existing nonconforming units. Accessory dwelling units or junior accessory dwelling units that exist as of the effective date of this section that have previously been legally established may continue to operate as legal nonconforming units. Any unit that exists as of the effective date of this section, and has not previously been legally established, is considered an unlawful use, unless the director of community development determines that the unit meets the provisions of this section and a permit is approved and issued.

- (1) Conversion of legally established structures. The conversion of legally established structures shall require that the unit meet the provisions of this code. Any legally established waivers or nonconformities that existed when this section first went into effect may continue, provided that in no manner shall such waiver or nonconformity be expanded.

- (2) Administration and enforcement of any nonconforming building standard shall be conducted in accordance with California Health and Safety Code section 17980.12.

(Ord. No. 2020-07, § 6, 5-6-20; Ord. No. 2020-31R, § 6, 1-13-21; Ord. No. 2021-10, § 6, 10-27-21)

§ 33-1477 Application and procedure.

The director shall approve or disapprove an application for an accessory dwelling unit, ministerially, within 60 days after receiving a complete application. If the applicant requests a delay, the 60 day time period shall be tolled for the period of the delay. Only accessory dwelling units associated with existing multifamily dwelling units shall be required to obtain an accessory dwelling unit permit.

(Ord. No. 2020-07, § 6, 5-6-20; Ord. No. 2020-31R, § 6, 1-13-21; Ord. No. 2023-06, § 3, 3-8-23)

§ 33-1478 Findings for approval and denial.

The decision to deny an application shall be in writing and shall state the reasons therefor. A permit for an accessory dwelling unit shall be issued upon a finding that all of the following have been established:

- (a) Adequate public facilities and services are available;
- (b) All requirements of this article and the zoning code are met;
- (c) The project will not create a second front entrance;

- (d) The unit is integrated with the primary structure with respect to roof design, compatible materials, color, texture, and design details; and Item 7.
- (e) The accessory dwelling unit does not create any adverse impact on any real property that is listed in the local, state, or federal Register of Historic Places.
- (Ord. No. 92-42, § 1, 11-4-92; Ord. No. 2002-15R, § 5, 5-1-02; Ord. No. 2003-15, § 4, 6-4-03; Ord. No. 2017-06, § 8, 8-16-17)

§ 33-1479 Appeal.

- (a) Upon denial of an application, the applicant may appeal the decision to the planning commission.
- (b) Upon receipt of a written request for a hearing anytime prior to the effective date of a decision on the permit, the director shall notice a public hearing before the planning commission in accordance with the provisions of section 33-1300 of this chapter.
- (c) The appeal hearing shall be conducted in accordance with the provisions of sections 33-1303 and 33-1304 of the Escondido Zoning Code, and shall be acted upon in accordance with the determination and findings specified in section 33-1478 of this article.
- (Ord. No. 92-42, § 1, 11-4-92; Ord. No. 2002-15R, § 5, 5-1-02; Ord. No. 2003-15, § 4, 6-4-03)

§ 33-1480 Fees.

- (a) Upon the filing of a permit for an accessory dwelling unit, a fee in an amount to be established by resolution of the city council shall be paid by the applicant to the city.
- (b) Any party who appeals a determination made by the director of community development shall submit an appeal processing fee as determined by the city council.
- (c) The city may require a new or separate utility connection directly between the accessory dwelling unit and the utility. The connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system.
- (Ord. No. 92-42, § 1, 11-4-92; Ord. No. 2002-15R, § 5, 5-1-02; Ord. No. 2003-15, § 4, 6-4-03; Ord. No. 2017-06, § 8, 8-16-17)

§ 33-1481 through § 33-1489. (Reserved)



Re: 325-333 N beech building codes.

From tony nacdi.com <tony@nacdi.com>
Date Wed 11/20/2024 10:06 AM
To douglas.moody@escondido.gov <douglas.moody@escondido.gov>
Cc Rick Zeiler <ricklzeiler@gmail.com>

Doug, another week has gone by. When can I come see you?

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

From: tony nacdi.com <tony@nacdi.com>
Sent: Sunday, November 17, 2024 3:36 PM
To: douglas.moody@escondido.gov <douglas.moody@escondido.gov>
Cc: Rick Zeiler <ricklzeiler@gmail.com>
Subject: Re: 325-333 N beech building codes.

Please give me a date I can come in and review with you please

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

From: tony nacdi.com <tony@nacdi.com>
Sent: Tuesday, November 12, 2024 2:07 PM
To: douglas.moody@escondido.gov <douglas.moody@escondido.gov>
Cc: Rick Zeiler <ricklzeiler@gmail.com>
Subject: Re: 325-333 N beech building codes.

Did not hear from you so I assume today does not work. Is there a day that does work for you? Please let me know

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell

tony@nacdi.com

Item7.

From: tony nacdi.com <tony@nacdi.com>
Sent: Tuesday, November 12, 2024 7:45 AM
To: douglas.moody@escondido.gov <douglas.moody@escondido.gov>
Cc: Rick Zeiler <rickzeiler@gmail.com>
Subject: Re: 325-333 N beech building codes.

Are you available today?

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

From: tony nacdi.com
Sent: Friday, November 8, 2024 9:38 AM
To: douglas.moody@escondido.gov <douglas.moody@escondido.gov>
Cc: Rick Zeiler <rickzeiler@gmail.com>
Subject: 325-333 N beech building codes.

Doug,

I received all the building records. There are more than what had previously been provided.

Do you have time to meet Monday to go over some of the things we have been discussing and reference the code books? Looks like we will be looking at the years 1967 and 1970. Is there a difference in code from these years?

1130AM would be great for us. If not can you suggest a time that works for you please.

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com



STAFF REPORT

November 21, 2024

Agenda Item No.: 3

SUBJECT: 325-333 N Beech Street – Appeal of Building Official’s Issuance of Amended Notice and Order to Abate a Public Nuisance (Substandard Building) and Order to Vacate by Appellant TTRLFG LLC

APPEAL SUMMARY:

Location: 325-333 N Beech Street, Escondido, California 92025; Assessor’s Parcel Number 2301210600.

Appellants: Rick Zeiler for TTRLFG LLC

Description: On October 31, 2024, the City issued an Amended Notice and Order to Abate a Public Nuisance (Substandard Building) and Order to Vacate Units 1, 2, 5, 6 and 9. Attachment 1. A timely appeal was filed on November 4, 2024.

BACKGROUND:

Clearly shows residential unit

On or about July 26, 2023, Code Compliance opened a case based on a complaint regarding possible unpermitted construction at 325-333 N Beech Street (“Property”). Code Compliance Officer Stephen Jacobson inspected the exterior of the Property and observed that there appeared to be eight residential units and three commercial units at the Property. Attachment 2.

Officer Jacobson spoke with City staff in the Planning Division and determined that the Property is in a mixed use overlay that allows for some residential use. The last Conditional Use Permit (“CUP”) for the Property was approved by the City in 1994. Attachment 3. According to the approved permits, the Property is legally permitted for the following uses:

- A commercial building with space for three tenants;
- An office building;
- A building for an ambulance services business, with an office and temporary rest quarters for ambulance service employees;
- A second-story two-bedroom residential unit above the garage; and
- A first-floor studio residential unit.

No document says that anywhere

Officer Jacobson obtained similar records for the Property from the San Diego County Assessor’s Office. Attachment 4. The City has no record of any permits or approvals for alterations, additions, or changes of use at the Property beyond the uses described in the 1994 CUP.

Actually shows no changes in structure since before 1970. Which is what we keep saying.

On July 27, 2023, Officer Jacobson issued a Notice of Violation ("NOV") to the Property owner, TTRLFG LLC ("TTRLFG"), for violations of the Escondido Municipal Code and California Building Code for unpermitted construction or alteration of a building or structure. Attachment 5. The NOV ordered TTRLFG to submit an application and plans to the City within 14 days to legalize the alterations to the Property. Officer Jacobson directed the managers/members of TTRLFG, Rick Zeiler and Tony Struyk, to speak with the City's Building and Planning Divisions to address the code violations.

In August 2023, Mr. Struyk met with staff from the City's Building and Planning Divisions. Planning provided him with application documents and explained the process for TTRLFG to obtain the proper permits and approvals to legalize the Property. On November 16, 2023, Officer Jacobson issued a pre-citation notice due to non-compliance with the NOV. Attachment 6. On November 30, 2023, Officer Jacobson asked to inspect the Property to ensure the existing residential units meet building and safety code requirements. Mr. Struyk refused, told him the City does not have permission to be on the Property, and accused the City of harassment and of making unreasonable demands.
 ~~inspect the Property to ensure the existing residential units meet building and safety code requirements.~~
 ~~Mr. Struyk refused, told him the City does not have permission to be on the Property, and accused the City of harassment and of making unreasonable demands.~~
 — Not true, see email.

On February 12, 2024, TTRLFG's contractor submitted plans to the Planning Division as part of its pre-application review process for a proposed project to convert the carport into two residential units. Attachment 7. The Planning Division notified the contractor that it could not intake a formal application for the carport conversion because the plans showed that there were four existing unpermitted residential units on the Property and because the requested conversion would not be permitted per the 1994 CUP. Attachment 8. Planning explained that TTRLFG would need to legalize the Property prior to adding additional residential units. On April 3, 2024, Officer Jacobson issued an Administrative Citation due to non-compliance with the NOV. Attachment 9.

After numerous unsuccessful attempts to obtain consent to inspect the residential units at the Property, the City obtained an inspection warrant from the San Diego County Superior Court on August 20, 2024, based on the affidavit of Officer Jacobson, authorizing it to conduct an inspection of the exterior of the Property and the interior of all residential units. Attachment 10. After properly notifying the tenants and TTRLFG of the inspection, Officer Jacobson conducted the scheduled inspection on September 3, 2024, with the Building Official and staff from Code Compliance, Environmental Compliance, the Fire Department, and the City Attorney's Office. Several Escondido police officers were also present. City staff was only able to access and inspect the exterior of the Property and Units 1, 6, and 7. The inspection revealed numerous violations of the Escondido Municipal Code ("EMC"), Escondido Zoning Code ("EZC"), California Building Code ("CBC"), California Fire Code ("CFC"), and California Health and Safety Code ("CHSC"). Attachment 11. Environmental Compliance issued a Notice of Correction ("NOC") for an EMC violation regarding a required dumpster enclosure. Attachment 12. On September 19, 2024, the tenants of Units 5 and 8 voluntarily consented to an inspection of their units. City staff discovered similar EMC, EZC, CBC, CFC, and CHSC violations as Units 1, 6, and 7. Attachment 13.

How can a letter dated 9/26/24 say "all", when they were never in some of the units and are now inspecting these units for the first time?

On September 26, 2024, the City issued a Notice and Order to Abate a Public Nuisance (Substandard Building) for the Property and a Notice of Tenant Relocation Benefits. Attachment 14. The Notice and Order listed the violations at the Property and ordered TTRLFG to submit an application and plans to the City to legalize the Property and to comply with the NOC. Mr. Zeiler attempted to appeal the Notice and Order. The City Attorney's Office sent a letter on October 9, 2024, explaining that the appeal was not timely or properly filed. Attachment 15.

On October 8, 2024, the City obtained a second inspection warrant to inspect Units 2, 3, and 4. Attachment 16. Based on information gathered during previous inspections, City staff suspected the garage had been illegally converted into residential units 3 and 4. After giving proper notice, Officer Jacobson, the Building Official, and staff from Code Compliance and the Fire Department conducted the inspection on October 17, 2024, and discovered that a number 9 had recently been placed on the door to the garage. Accordingly, the City was only able to inspect Unit 2. Attachment 17. On October 21, 2024, Mr. Zeiler allowed the City to inspect Unit 9, which revealed the garage had been converted into a two-bedroom residential unit. Attachment 18. In Units 2 and 9, City staff discovered similar EMC, EZC, CBC, CFC, and CHSC violations as the previously inspected units.

The City confirmed after fully inspecting the Property that there are a total of seven residential units at the Property:

These documents show as permitted since 1970.

See City Attachments 3 & 4

- The office building has been converted into Units 1 and 2 without the required permits;
- The ambulance services building has been converted into Units 5 and 6 without the required permits;
- The garage has been converted into Unit 9 without the required permits; and
- Units 7 and 8 are legally permitted per City records

On October 31, 2024, the City issued an Amended Notice and Order to Abate a Public Nuisance (Substandard Building) and Order to Vacate. Attachment 1. The Notice and Order lists the violations at the Property and ordered TTRLFG to vacate all tenants from Units 1, 2, 5, 6, and 9 within three days of the date of the Notice and Order pursuant to CHSC sections 17920.3 and 17980, as the conditions at the Property constitute an immediate danger to life, limb, health, property, safety, or welfare of the occupants. The Notice and Order also required TTRLFG to submit an application and plans to the City to legalize the Property, to comply with the NOC, clean trash and debris from the Property, and trim the tree touching the building within 10 days of the date of the Notice and Order.

CODE VIOLATIONS:

Applicable technical code sections are attached as Attachment 19.

RESPONSE TO APPEAL:

Per EMC section 6-11.8.2, only those grounds stated in the written appeal may be considered by the board. Appellant protests the entire Notice and Order and requests that the Board set it aside. The City recommends that the Board deny the appeal because Appellant has provided no grounds to support an appeal.

Appellant states several times in his appeal documents that there have been no additions, alterations, construction, or change of use at the Property "in an estimated 40-50 years." He also asserts that there are no unpermitted structures on the Property. However, the City's records and multiple inspections revealed that the legally permitted office building, ambulance services building, and garage have been converted into five residential units without permits or City approval. Appellant also appears uncertain as to the location of several violations, including the false wall, areas missing fire-resistive construction, and egress windows.

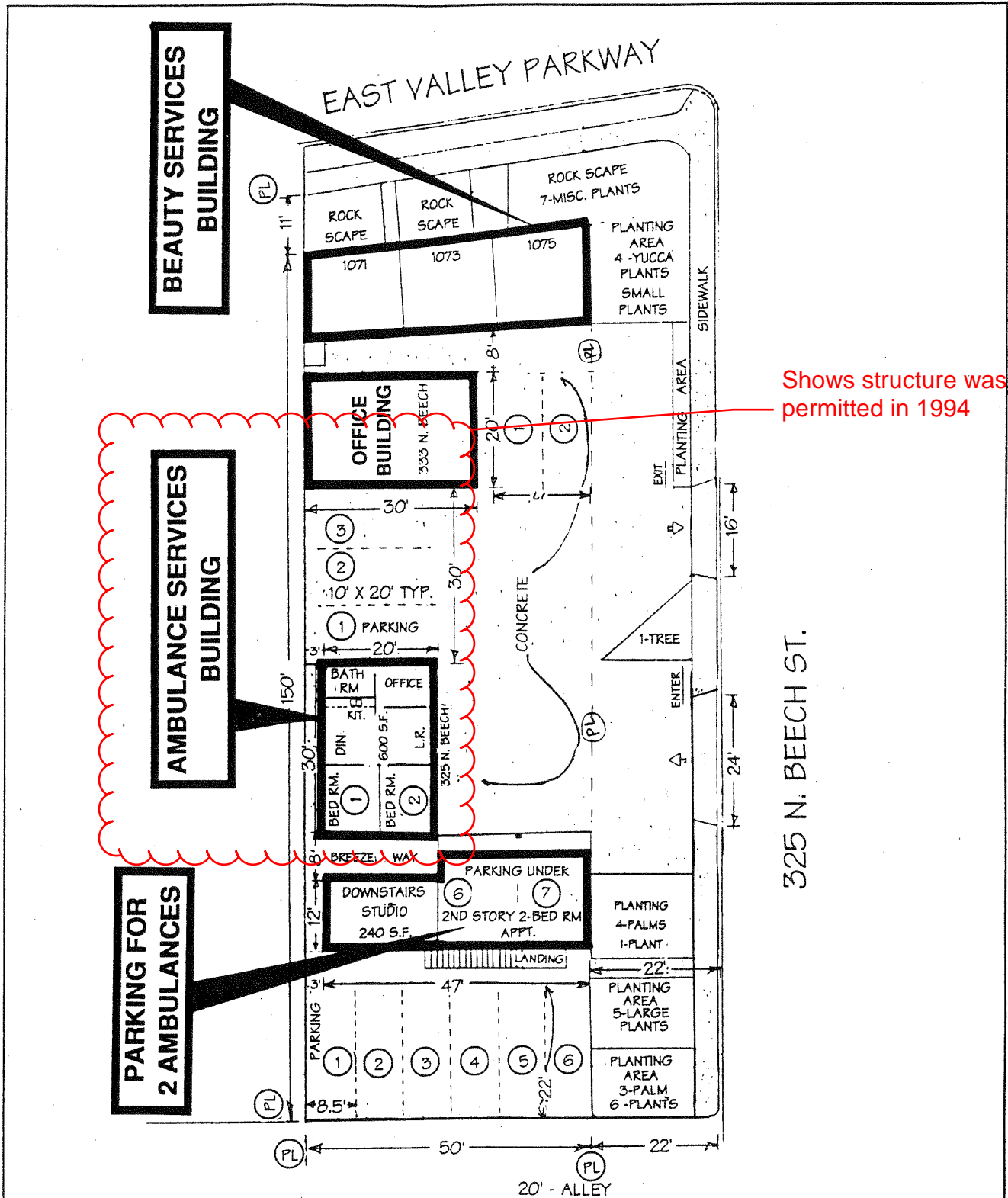
This was done in February 2024 by TTRLFG. City is not following State law by refusing to accept our application. See Attachment 28.

Based upon the various codes and the qualifications of the inspection team, the City determined the building is substandard and a public nuisance. Appellant has been notified several times that to correct the violations, he must first submit an application and plans to legalize the Property. Appellant and his business partner have been instructed to submit a formal application and plans to the City's Planning Department as an initial step to determine the legal uses of the Property and address the violations in the process.

The City ordered that Appellant vacate the unpermitted units because the fire code violations, including the lack of sprinkler system and alarm system and the lack of fire wall separation, constitute an immediate danger to life, limb, health, property, safety, or welfare of the occupants under the Health and Safety Code. The City is requesting that the Board uphold the Building Official's action in issuing this Notice and Order and Order to Vacate.

Appellant has been aware since July 2023 that he is required to submit a formal application and plans to the City. He and his business partner have refused to do so, refused to cooperate when the City sought to inspect the Property to ensure compliance with safety and building codes, and have continued to denigrate City staff throughout the code enforcement process. Appellant should be required to follow the same process and rules as every other property owner in the City of Escondido to ensure that all uses and any residential and commercial units on the Property are safe and legally permitted.

This was done in February 2024 by TTRLFG. City is not following State law by refusing to accept our application. See Attachment 28.



Shows structure was permitted in 1994

**PROPOSED CONDITIONAL USE PERMIT
94-08-CUP**



SITE PLAN

ASSESSOR, SAN DIEGO COUNTY ADDRESS **1071, 73, 75 VALLEY PKWY** SHEET **1** OF **3**

CLASS & SHAPE	FRAME	TRUSSES		EXT. FINISH		ROOF		LIGHTING		FRONT		NUMBER OF ROOMS					INTERIOR CONSTRUCTION MATERIALS										
		Wood	Concrete Reinf.	Light	Heavy	Flurb	Stucco	Flat	Shed	Arch	Gable	Standard	Below Standard	Type	Desc.	B	M	1	2	3	FLOORS	GD	WALLS	GD	CEILING	GD	
SM, OFF	Concrete Reinf.	Steel	Span Spaced	Stucco	Arch	Flat	Shed	Standard	Below Standard	Type	All																
C.H.O.B	No Frame	Steel	FLOORS	Wood	Wood	Wood	Wood	Fluorescent	Incandescent	Glass in																	
Garage	FLR WALLS	Wood	Concrete	Wood	Glass	Wood	Wood	Fluorescent	Incandescent	Metal	Wood																
Store	Wood	Wood	Sub-Floor	Unfinished	Concrete	Concrete	Concrete	Quality	Quantity	Auto No.	Office																
Office	Brick	Conc. Blk	Elevation	PAINT	WOOD COVER	Composition	PLUMBING	Quantity	Quantity	Bulkhead	Lobby																
Factory	Metal	Metal	FOUNDATION	WINDOWS	Composition	Drop Ceiling	Drop Ceiling	PLUMBING	Drop Ceiling	Drop Ceiling	Hall																
Warehouse	Tilt Up	Pilasters	Concrete Reinf.	Metal	Wood	Quality	Quality	Quality	Quality	Disp. Platform	Bath																
	Party	Masonry	Masonry	Wood	Wood	Sprinklers	Sprinklers	Sprinklers	Sprinklers	Rest room	Rest room																

CONSTRUCTION RECORD	Permit No.	For	Amount	Date	EFFEC. YEAR	APPR. YEAR	NORM. % GOOD	RATING (E,G,A,F,P)	ITEM	SPECIAL FEATURES				
										NO. CAPACITY	MATERIAL OR TYPE	QUAL.	NO. CAPACITY	MATERIAL OR TYPE
OFFICES	7467	OFFICES	6425	3-1-68	69	69	845	G-A	Air Cond.	3	COOLING UNITS (FEDBERS)			
WHD BRD	1209	WHD BRD	1200	2/9/70	1968	1971	98	G	Doors	3	WALL			
WHD BRD		WHD BRD							Sky-Lites					
									Elevator					

Appraiser and Date	UNIT	AREA/UNIT	UNIT COST	COST	YEAR	APPR. YEAR	EFFEC. YEAR	NORM. % GOOD	RATING (E,G,A,F,P)	ITEM	SPECIAL FEATURES				
											NO. CAPACITY	MATERIAL OR TYPE	QUAL.	NO. CAPACITY	MATERIAL OR TYPE
OFFICE	850	915	7777	1300	11050	11050	2560	21760	G-A	Air Cond.	3	COOLING UNITS (FEDBERS)			
A.C.			1200	1700	1700	1700	1800								
TOTAL			8977	11250	23560	23560	90								
NORMAL % GOOD			100	98	21204	21204									
R.C.L.N.D.			8977	12005	12005	12005									
CHECKED															
REVIEWED															

Item 7.

Scale: 1" = Ft.

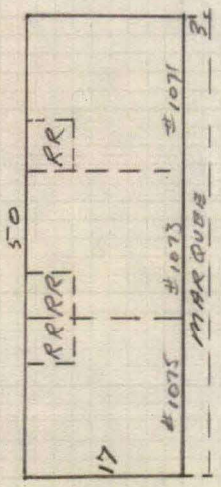
MISCELLANEOUS STRUCTURES

STRUCTURE	FOUND.	FLOOR	CONST.	EXT.	ROOF	DIM.	AREA/JOINT
UNDER GAS GAS TANK	-	-	550 GAL		1500.00		

COMPUTATIONS

$12450 = 850$
 $P = 134$
 $\frac{169}{82}$
 $\frac{H.A.}{A.B.} = \frac{1.02}{1.13} \times 6.20 = 1.13$
 2.01
 $PART. + .47$
 $PLBG + 1.30$
 $MARQUEE + .35$
 9.13
 $71/DF = 13.00$
 $HT ADJ. = .82$
 14.18
 $PART = .47$
 $+ PLBG = 1.30$
 $+ MARQUEE = .35$
 14.30
 $- FRONT = 1.30$
 13.00

REMARKS: DOWNER REBASED COST OF BLDG ON TIME AND MATERIAL BASIS OF 1,000 UNITS PER TON BASIS OF 100/IN 12-XX-70 F.A.



VALLEY PKWY.

Item 7.

From: Stephen Jacobson <sjacobson@escondido.org>

Sent: Wednesday, February 14, 2024 2:47 PM

To: tony [nacdi.com](mailto:tony@nacdi.com) <tony@nacdi.com>; Rick Zeiler <rickzeiler@gmail.com>

Subject: FW: Apply for a building permit- 333 N Beech St. C23-0994

Rick & Tony

Please see the Planning Department's response to your plans contractor regarding the building and planning permits for your property.

Sincerely

Stephen Jacobson



Stephen Jacobson
Code Compliance Officer II
Code Compliance City of Escondido
Direct: (760) 839-6374 | Mobile: 760 802-0620
www.escondido.org

From: Alexander T. Rangel

Sent: Tuesday, February 13, 2024 2:12 PM

To: Ning Li <netmouse72@gmail.com>

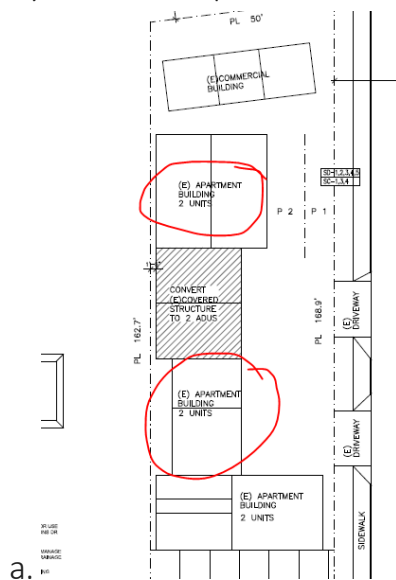
Cc: Ray Drafting <raydrafting@yahoo.com>; Stephen Jacobson <sjacobson@escondido.org>

Subject: RE: Apply for a building permit

Good afternoon, Ning,

Unfortunately, the Planning Division will not be able to intake this application, as the initial proposal and the property as it is shown on the plans is not reflective of the site as it is existing, nor would the request as shown (2-ADU conversion of carport) be permitted. The last Planning Entitlement Permit on the property, 94-08-CUP, did not permit the extent of mixed use that is shown on the property.

1. The "Apartment Buildings" circled in the following image were converted from commercial space without permits – the southern units were only temporary-stay rest quarters for the previous ambulance uses, and not permitted for long-term stay. The northern apartment units are an unpermitted conversion of office space. As these units were converted without permits, they cannot be utilized for the unit count permissions typically associated with multi-family ADU development:



- b. To comply with all existing permits, and potentially submit for an Accessory Dwelling Unit conversion, the above mentioned areas would have to be converted back to their original form (commercial space), and only **one** ADU would be permitted through the Planning ADU Permit process. Considering the scope of the existing Code Case (C23-

0994) on file, I do not believe we can begin intake of the ADU Permit request until a majority of the Code Compliance issues are handled first.

2. If the property owner/agent wishes to get additional residential structures permitted, then the property would require a **Major Plot Plan** submittal at a minimum.
 - a. The property is located within the Mixed Use Overlay of the East Valley Specific Plan (EVSP). All development standards within the EVSP would have to be met and design incorporating these standards.
https://www.escondido.org/Data/Sites/1/media/Planning/HGIS/EVSP/08.09.23_EVSP_Final.pdf
 - b. The property does not currently meet Open Space, Landscaping, or Parking requirements for the proposed unit count, and would have to be incorporated into a future design. The structures as-shown would more than likely not meet all development standards.
 - c. There may be additional Building, Engineering, Fire, Utilities requirements for the amount of units shown on site. This information would be vetted through the Major Plot Plan Process.

Please confer with all EVSP Guidelines, and Building Code requirements, and let me know how you would like to proceed with permitting.

Regards,



Alex Rangel
Assistant Planner I
Planning Division | City of Escondido
760-839-4671 (Ext. 4542)
www.escondido.org

From: Ning Li <netmouse72@gmail.com>
Sent: Monday, February 12, 2024 8:48 PM
To: Alexander T. Rangel <arangel@escondido.org>
Cc: Ray Drafting <raydrafting@yahoo.com>
Subject: Apply for a building permit

Hello, Alex

I want to apply for a building permit for ADU.

The address is 333 Beech St, Escondido, CA 92025

A.P.N 230-121-0600

Does the project have a case number of C23-0994 already?

Many thanks, and have a good day!

Please see the attached files.



Outlook

Re: 325-333 N Beech Street- Notice and Order

From Rick Zeiler <ricklzeiler@gmail.com>**Date** Thu 10/31/2024 8:07 PM**To** Stephen Jacobson <Stephen.Jacobson@escondido.gov>; Brenna Miller <Brenna.Miller@escondido.gov>; Maria Rocamora <Maria.Rocamora@escondido.gov>; tony nacdi.com <tony@nacdi.com>; Zach.Beck@escondido.gov <Zach.Beck@escondido.gov>; christian.garcia@escondido.gov <christian.garcia@escondido.gov>; joe.garcia@escondido.gov <joe.garcia@escondido.gov>; oscar.romero@escondido.gov <oscar.romero@escondido.gov>; michael.morasco@escondido.gov <michael.morasco@escondido.gov>; sean.mcglynn@escondido.gov <sean.mcglynn@escondido.gov>; cmckinney@escondido.gov <cmckinney@escondido.gov>; Dane White <Dane.White@escondido.gov>

3 attachments (919 KB)

10-31-2024 Amended Notice and Order .pdf; Response and appeal to NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE Letter dated Oct 31st.docx; Meeting request Re 325 and 333 North Beech St - tony nacdi.com - Outlook.pdf;

Mr. Jacobson,

It's hard to believe how far you are willing to go with this personal vendetta. You are blatantly lying about this entire situation and are misleading the others on your team. You've lied about our communication attempts but what's worse is the lies about the condition of the property. We have provided all the proof you need to show that this property is safe and up to code. We've given you a detailed list of all of the things we've done in response to your first complaint. You seem to have ignored the entire list of proof and photos to support what we've done to meet your requirements. Not to mention, your physical inspection came up with nothing substantial or unsafe. Should we remind you once again that people have lived at this property for 40+YEARS, including members of Mayor White's family. But now, out of the blue, after we've made it a beautiful and safe property for over 30 people, you decide to care about zoning or conditions? WE brought this property to you prior to purchasing it and there were no issues with planning or zoning. You know this.

Based on our last one-on-one interaction, you admittedly have it out for me because of our past projects and now it appears that your malicious intent to harm me and my partners is overriding your ability to see what you are doing to innocent human beings. You have also put us in a position to do a very deep dive into the laws, not only in Escondido, but in the state of California. It's safe to say you have not done the same amount of research that we have and so you continue to act recklessly on behalf of the City of Escondido.

Stephen, I know why you have it in for me but you know as well as I do that this property is more than safe, in fact, it's probably one of the safest and best-constructed in the city (right along with my others). Your hatred is clouding your judgement and you've begun to lead others into the same flawed mindset.

We are requesting an IMMEDIATE pause on all notices and actions until we can meet in a civilized manner. There is zero proof that living conditions are unsafe. The zoning issue is something that needs to be dealt with by your superiors, who don't have a personal vendetta to pursue and see this

Item 7.

clearly and reasonably for what it is.

Your next step is hopefully to help us arrange a proper meeting with your team and the city attorney. We have requested this meeting for over 2 MONTHS with zero response. Instead, you're spreading lies, ignoring facts, and photos while you come after us for no professional reasons.

I still can't get over you taking the time of your staff and multiple police officers, firefighters, and sanitation specialists...oh and let's not forget about a social services officer? For what? To help you try to snuff out perfectly working smoke detectors and drywall flaws?

We expect to hear from you right away with a plan to work on a constructive remedy in an effort to create more homes for the people of Escondido.

See below attachments for details

Regards,

Rick Zeiler

Tony Struyk

Todd McKelvie

TTRLFG LLC

On Oct 31, 2024, at 11:16 AM, Stephen Jacobson <Stephen.Jacobson@escondido.gov> wrote:

Rick

Enclosed is a copy of our amended "Notice and Order" that was posted on the property today. The notice is also being mailed to you and your tenants. The document has appeal instructions and an "Order to Vacate". I spoke to our Deputy City Attorney Brenna Miller and she has not heard from you or your representative. . As I mentioned before, our goal is for you to obtain compliance for the illegal additions and alterations to the property via Planning and Building department plan approval and the permit process.

Sincerely

Stephen Jacobson

Stephen Jacobson
Code Compliance Officer II
Code Compliance - City of Escondido
Direct: (760) 839-6374 IMobile: 760 802-0620
www.escondido.gov

Department

will close its public counters for Planning, Building, and Engineering every Friday.

The hours on Monday through Thursday will remain unchanged.

Item 7.

October 31st, 2024

Response and appeal to NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE Letter dated October 31st, 2024.

Case # C23-0994

Assessor parcel # 230-121-0600

We are requesting an appeal of this notice and a hearing. We are again requesting to meet with city attorneys to go over the legal actions they have filed. We have been requesting a meeting for over 2 months, as of today the city attorney has refused to meet with us and will not even respond. You said in your email that we have not contacted her. But yet we have been requesting a meeting for months. This includes email and phone requests. Attached is just the latest email with us requesting a meeting even as of yesterday. In just this email it show our request for meeting on October 16, 17th , 28th and 30th. This is just one of numerous emails. It is just another false statement from you.

Below are the responses to the Notice and order of THE FOLLOWING VIOLATIONS WERE FOUND, may were already send to you and answered in our response in the letter dated September 30th. Most of the items you list are similar to the ones in your September 26th letter. You just have changed some of the wording. I will again list our responses and questions. To date you have not responded to anything we asked and needed clarification on. You are still stating inaccurate facts even when undisputable evidence has been presented to you. This is a lie that you are spreading and causing actions to happen based on your continued lies. Great harm has already come to us and you continue to compound the problem and continue with the lies.

Items 1-5 are the same as September 26th letter just worded differently. None of which you have responded to our questions on nor have you addressed the fact that you are mistaken even though we have supplied you with responses and the fact that you know what you are stating is incorrect.

#5. It is my understanding that on your 2nd inspection by warrant, Tony went to the hallway by units 8 and 9 and asked you is this the only area you were referring to about this? What are the other areas? You said no that is it. You also saw that it was repaired that day and certainly saw it when you went back the following week and inspected again and yet you still say there are multiple areas as of Today October 31st. Again, we ask where. Please immediately tell us and we will have them repaired immediately.

See new #6 below

Old #7 below now #8. When Tony met you at the 2nd warrant inspection the fire person said the windows did not meet code. One of the other city people there corrected him to say he was looking at it incorrectly. He then insisted on getting a tape measure and it was determined to be legal and compliant even under todays codes let alone 50 year old codes

when it was constructed. SO again we are asking what your referring to and why you would again make an know false statement.

New #9. Worded different, Incorrect and a lie.

New #10 and #11. Why state this again. You were already provided proof by way of photos that they are there.

New # 12 same as #11 before. There are none that exist.

New #14. Lie and incorrect

New 15. And 16 samer as old 16 and 17. Your stating the same trash is still there? Please identify where.

1. This is a factually incorrect statement. No construction, additions or alterations have been added in an estimated 40-50 years.
2. Same as #1.
3. We sent the below to you over a month ago and no response back from you other than to now say the same thin g in a new letter. This does not help solve the proble4m or the danger that you say exists. Please clarify. Are you saying that the city approved plans, issued permits and (we assumed) inspected the construction of the property. They did not catch this at that time and have allowed hundreds of individuals to live, as you stated "A danger to life and property" for the last 40-50 years? It took the city 50 years to figure out their mistake and risk everyone's lives for the entire time? We would like to know the history of inspections the city has done on this building for the last 50 years. This includes building, fire health safety and ANY and ALL city inspections.
4. I do not understand what is being referenced here. What false wall?
5. Where is this? Please be specific as to what areas you're referring to so that we can immediately address them.

New #6. There is no walkway leading to the garage. We called SDGE on an emergency request as soon as we got the letter today. We assume its out of precaution because I am sure a gas leak you must have called SDGE on the spot and had them come out immediately to not endanger anyone? Is this correct?

6. Now #7 in new letter. Incorrect statement. There is no change of use. Same use for 40-50 years. What are you referring to? Are you saying all 50-year-old buildings must be brought to current code?
7. Now #8. What windows are you referring to? All sleeping windows? Please be more specific.
8. Incorrect, There were fire extinguishers, but we have added more. This has been done.
9. Now new #10. This has been verified that they are in each of those areas. See attached photos.

10. Now new #11. Incorrect, This has been verified that they are there. See attached photos.
11. Now #12 We will try and see what we can find but since you have an inspection please indicate where these situations exist.
12. We will be happy to change and update addressing that the city is requiring. Please let us know exactly what you want done. See attached photos and let us know if this is what you wanted.

13. What gate are you referring to? We are unaware of any locked gates on the property. The only gate is a 50 year old metal gate that can NOT be locked. There is an old rusty padlock in the locking hole so that no one can place a lock and lock the gate. See attached photo. Is this the gate you're referring to? If So how could it have been locked?
14. We have done an additional cleaning to remove any excess lint.
15. Done
16. The only trash we were aware of was at the trash cans when someone came, and illegally dumped trash before trash pick-up. It was cleaned the same day we were notified.
17. Again, no additions so this does not apply. If this is a requirement for all 50-year-old multifamily properties now have to add them, please tell us when this law went into effect. Also, we are requesting a copy of all other notices issued to owners of multifamily properties in the last 10 years within the city that don't have them. Also copies of follow up letters sent to each owner. This is being requested under the (PRA) Public records act.

Was in the previous letter as well and you still have not responded...Also, in the letter under: YOU ARE ALSO ORDERED WITHIN 10 DAYS OF THE RECEIPT OF THIS NOTICE TO:

1. Please tell us why we would be required to do this. This is incorrect and not required. If you still feel that there is some reason, we will need to do this then we are requesting a hearing.
2. There is none. Lie
3. Done
4. Lie there is not a tree touching the property.

YOU ARE ALSO ORDERED TO:

1. Same as #17. Does not apply to us. Says again UNPERMITTED BUILDING STRUTURE. There are no unpermitted building structures on the property.

Your letter says all of this was brought on by a written complaint filed with the city. Please provide a copy of that written complaint.....

This was asked of you more than a month ago Under the PRA to supply this. You legally had 10 days and can have 14 days with a notice of extended time needed. It has never been supplied. We believe it does not exist. If it does exist and you have not provided with in the legally allotted time limit, that is an other violation of State law. You obviously do not care about state law because you continue to violate state law and our rights on a daily basis.

The below paragraph was sent over a month ago and no response at all from the city accept to continue harassing us , making and continuing lies and slandering us. The city continues to break and violate state laws with no regard whatsoever. We have requested a meeting with the city attorney for months. We have informed them of your bad actions. Yet no one will meet with us and the city continues to allow you to attack us. We are in complete disbelief as to the city's continued actions and harm they are doing to us. Why you continue your personal vendetta and why the city allows you to continue this is unfathomable to us. The liability that you personally have created for the city is unbelievable and the damages you personally have caused.

This was from last month:

In closing, your report is and continues to be damaging to us. It is factually inaccurate and has caused us substantial financial costs and continues to do so. Personally, and emotion tolls this is taking on us are beyond imaginable. We met with the city before we ever bought this property and went over several things including that there were 7 residential units in addition to the commercial units there. We went over with staff as to would this be an issue in ANYWAY for us in the future. We were assured it would not be unless we did over 25% improvement to the property (which we have not). For whatever reason we believe we are being singled out and maliciously attacked. We have asked numerous times to meet with the city attorneys to try and make this stop and the attacks and harassment against us from city employees. There has been no response from any legal official at the city. The only thing that has happened is it has increased the harassment and false statements against us by city employees. We have tried everything to make this harassment stop so we can have quiet peaceful enjoyment of our property. It is only getting worse. At this point our costs are getting out of control and the emotional toll is affecting the health of at least 2 of us. The cost of that you cannot compensate us for. But we are at the point that we really have no choice but to file a lawsuit against the city if this does not immediately get resolved and all harassment stopped.

Sincerely.

Rick Zeiler
TTRLFG LLC



Code Compliance Division
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4650 Fax: 760-432-6819

**NOTICE AND ORDER
TO ABATE A PUBLIC NUISANCE
(Substandard Building)
AMENDED**

October 31, 2024

**TTRLFG LLC
C/O Owner Rick Zeiler
PO Box 27198
San Diego CA 92198**

**Unknown Occupants
325-333 N Beech Street – Units 1, 2, 5, 6, 7, 8 & 9
Escondido CA 92025**

**CASE NUMBER: C23-0994
SUBJECT: 325-333 N Beech Street, Escondido, CA 92025
DESCRIPTION: Assessors' Parcel Number 230-121-0600**

Pursuant to the Escondido Municipal Code, a Code Compliance Officer, the Building Official, a Fire Inspector/Investigator, and an Environmental Compliance Officer inspected the exterior and Units 1, 5, 6, 7, and 8 at the above referenced property on September 3 and 19, 2024. City staff also inspected Unit 2 on October 17, 2024, and the garage area identified as Unit 9, on October 21, 2024. The inspections were in response to a complaint received by the City of Escondido Code Compliance Division. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code ("EMC") sections 1-14, 6-12.2, 6-485, and 33-1312, a substandard building, as defined by California Health & Safety Code ("HSC") sections 17920.3 and 17980.6, and an unsafe structure, as defined by California Building Code ("CBC") section 116.1 and California Fire Code ("CFC") section 114, is being maintained on the property. Numerous violations of the EMC, CBC, Escondido Zoning Code ("EZC"), CFC, and HSC were found on the property.

325-333 N Beech Street
October 31, 2024
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The Following Violations Were Found:

1. Up to five residential units (accessory dwelling units) and a storage room were constructed without the required Building Department review and permits. **EMC §§ 6-12, 6-12.2, 6-13.1; CBC §§ 105.1, 114.1; HSC §§ 17920.3(c), (n).**
2. Accessory dwelling units ("ADU") and additions were built without required Planning Department review, approval via an approved ADU permit or "Major Plot Plan" submittal, and permits. **EZC §§ 33-1210, 33-1472, 33-1476, 33-1313, 33-1314; HSC §§ 17920.3(c), (n).**
3. The walls that separate the dwelling units from each other and the walls that separate the garage and sleeping units were constructed without the required fire-resistance rated partitions. **CFC § 901.4.4; CBC §§ 420.2, 708; HSC § 17920.3(h), (m).**
4. False wall installed in the hallway to Units 7 and 9, which blocks access to the electrical panels and meters. **CFC § 901.3.**
5. Multiple areas missing fire-resistive construction (drywall and stucco). **CFC § 901.4.4; HSC §§ 17920.3(h), (m).**
6. There is a gas leak at the meter in the walkway leading to the garage. **CEBC101.8.1; HSC §§ 17920.3(a)14.**
7. Property lacks a Fire Sprinkler system and Fire Alarm system, which is required based on the number of residential units. **CFC §§ 901.3, 901.4, 903.2.8, 907.2.9; CBC § 420.5; HSC § 17920.3(h), (m).**
8. Sleeping windows do not meet height requirement for egress windows. **CFC §§ 1031.2, 1031.3; CBC §§ 1031.2, 1031.3; HSC § 17920.3(l).**
9. Fire extinguishers not located every 75 feet. **CFC §§ 906.1, 906.2, 906.3.**
10. Smoke detectors not located in every sleeping room and every egress hallway. **CFC § 907.2.11.2; CBC § 420.5; HSC § 17920.3(m).**
11. No CO2 detectors in any of the units. **CFC § 915.1; CBC § 420.5.**

325-333 N Beech Street

October 31, 2024

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12. Multiple outlets missing outlet covers and exposing wires to the elements. **CFC § 603.2.2; HSC § 17920.3(d).**
13. The side egress gate is locked and does not swing in the path of travel. Gate must be operable at all times and swing in the path of travel. **CFC § 1017.**
14. There is a tree touching the roof on the west side of the building. Tree will need to be limbed up. **CFC § 4906; HSC § 17920.3(h).**
15. There is an accumulation of trash and debris throughout the property in an area open to public view. **EMC §§ 6-484(a)(1), (a)(2); HSC §§ 17920.3(a)(16), (c).**
16. The property additions do not include the required trash bin enclosure. **EMC § 22-26(d)(1). HSC § 17920.3(j).**

AS THE RESPONSIBLE PERSON AND/OR OWNER OF RECORD, YOU ARE HEREBY ORDERED WITHIN THREE (3) DAYS OF THIS NOTICE TO:

1. Vacate all tenants from Units 1, 2, 5, 6, and 9, and secure the aforementioned units from unauthorized entry, pursuant to California Health and Safety Code sections 17920.3, 17980, and 17980.6. You shall keep the aforementioned units vacant and secured until the required repairs have been made and the dwelling is deemed habitable by the City of Escondido and brought into compliance with all state and local code regulations.

YOU ARE ALSO ORDERED WITHIN TEN (10) DAYS OF THE RECEIPT OF THIS NOTICE TO:

1. Submit an application, plans, and designs to the City of Escondido Planning and Building Departments to legalize the improvements and address all violations OR obtain a demolition permit from the City of Escondido Building Department, remove all unpermitted construction and alterations, and return the property to its last approved intended use. All work done under a building/demolition permit must be finalized within 30 days of receiving this notice.
2. Remove all trash and debris from the property.
3. Comply with the attached Notice of Inspection issued by Environmental Compliance Officer Marcus Leso on September 3, 2024.
4. Trim the tree touching the roof on the west side of the building.

325-333 N Beech Street
October 31, 2024
Page 4

Please Note: You must bring this or a copy of this notice with you when applying for the required permits. Failure to do so may result in the permits not being issued until the officer handling this case can be reached.

Disposal of material involved in public nuisances shall be carried forth in a legal manner. If you fail to comply with this notice in abating all violations as required, within the time allotted, the Building Official may order the building vacated, secured against trespass, and posted to prevent further occupancy until the work is completed. The Building Official may also proceed to cause the work to be done and charge the costs thereof against the property and/or its owner.

Moreover, reinspection fees may be assessed and/or administrative citations may be issued. The first citation has a mandatory fine of \$100.00, the second citation is \$250.00 and each subsequent citation is \$500.00. Each day a violation exists is a separate violation and may be cited. Additionally, the case may be referred to the City Attorney's Office for other appropriate legal action. The City may amend this Notice and Order upon discovery of additional violations at the Property.

Any person having any interest or record title in the property may appeal the Building Official's action in issuing this notice to the Planning Commission **within ten (10) days** of the date of this notice, pursuant to EMC section 6-488. Appeals must be filed with the City Clerk, be in writing, and be accompanied by the established filing fee. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for appeal.

IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

This notice will be recorded against the property in the office of the San Diego County Recorder, unless the violations are corrected.

FOR NON-OWNER OCCUPIED DWELLINGS

TAX LIABILITY

California Revenue and Taxation Code, sections 17274 and 24436.5, require that this agency report all substandard rental units which do not comply with the State Housing Law or local codes dealing with health, safety, or building within six (6) months of this notice to the State Franchise Tax Board. If compliance is not met within 6 months of this notice, this agency will report such noncompliance to the State Franchise Tax Board,

325-333 N Beech Street
October 31, 2024
Page 5

which will disallow any State Income Tax deductions for interest, depreciation, taxes, or amortization for this (these) dwelling unit(s).

RELOCATION MAY BE REQUIRED

Pursuant to California Health and Safety Code section 17975, an owner must pay relocation benefits to any tenant who is displaced or subject to displacement from a residential unit as a result of an order to vacate or an order requiring the vacation of a residential unit by a local enforcement agency as a result of a violation so extensive and of such a nature that the immediate health and safety of the residents is endangered. The local enforcement agency shall determine the eligibility of tenants for benefits and the amount of the benefit.

RETALIATION PROHIBITED

California Civil Code section 1942.5 prohibits a lessor of rental housing from retaliating against a lessee because of the exercise by the lessee of his or her rights under Civil Code section 1940 *et seq.* or because of a lessee's complaint to an enforcement agency as to the tenability of a dwelling. (See California Health and Safety Code section 17980.6).

MAY BE UNLAWFUL FOR LANDLORD TO DEMAND OR COLLECT RENT OR ISSUE NOTICE

Pursuant to California Civil Code section 1942.4(a), a landlord of a dwelling may not demand rent, collect rent, issue a notice of rent increase, or issue a three-day notice to pay rent or quit pursuant to Code of Civil Procedure section 1161(2), if all of the following conditions exist prior to the landlord's demand or notice:

- The dwelling substantially lacks any of the affirmative standard characteristics listed in section 1941.1 or violates section 17920.10 of the Health and Safety Code, or is deemed and declared substandard as set forth in section 17920.3 of the Health and Safety Code because conditions listed in that section exist to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants of the dwelling;
- A public officer or employee who is responsible for the enforcement of any housing law, after inspecting the premises, has notified the landlord or the landlord's agent in writing of his or her obligations to abate the nuisance or repair the substandard conditions; and

325-333 N Beech Street
October 31, 2024
Page 6

- The conditions have existed and have not been abated 35 days beyond the date of service of the notice specified in paragraph (2) and the delay is without good cause, and the conditions were not caused by an act or omission of the tenant or lessee in violation of section 1929 or 1941.2.

If you have any questions regarding this case, please contact me at (760) 839-6374 between 7:30 a.m. and 5:30 p.m., Monday through Thursday.

Sincerely,


Stephen Jacobson
Code Compliance Officer II



**City of Escondido
Environmental Programs
Hale Avenue Resource Recovery Facility
1521 S Hale Avenue, Escondido, CA 92029
Telephone (760) 839-6290 Fax (760) 489-1132**

Date :
9/3/2024

Inspector: LESO, MARCUS
Inspector's #: 760.839.6290 Ext. 7092

W/O Report#: 1061477

Onsite Contact Name & Phone #	TTRLFG, LLC c/o Rick Zeiler
Business Name & Ph# or N/A:	TTRLFG, LLC 619-857-0411
Address/Bus/Res:	325-333 N Beech St, Escondido CA 92027
Property Mgr. Address, Ph# or N/A:	TTRLFG, LLC c/o Rick Zeiler PO Box 27198, San Diego, CA 92198

STORMWATER BMPs (BEST MANAGEMENT PRACTICES) RESULTS	SC-10-Non-Storwater Discharge Control: NO BMP ISSUES -	SC-11-Spill Prevention: NO BMP ISSUES -	SC-20-Vehicle&Equip / Fueling: NOT APPLICABLE AT SITE -	SC-21-Vehicle&Equip /Cleaning: NO BMP ISSUES -
SC-22-Vehicle&Equip / Repair: NO BMP ISSUES -	SC-30 Outdoor Load/Unload: NOT APPLICABLE AT SITE -	SC-31-Outdoor Lig.Cont.Strg: NOT APPLICABLE AT SITE -	SC-32-Outdoor Equip.Ops: NOT APPLICABLE AT SITE -	SC-33-Outdoor Storage/Raw Mat: NOT APPLICABLE AT SITE -
SC-34-Waste Hand / Disp: BMP ISSUES - Trash is over flowing and is on the ground	S&E-Sediment & Erosion Cont: NO BMP ISSUES -	SC-41-Bldg.& Ground Maint: BMP ISSUES - Not enough trash and recycling	SC-43-Parking/Storage / Maint: NO BMP ISSUES -	SC-44-Storm Drain Sys Maint: NO BMP ISSUES -
TC-Treatment Controls: NOT APPLICABLE AT SITE -	Employee Training: NOT APPLICABLE AT SITE -	Note Corrective Actions: NOT APPLICABLE AT SITE -		Reinspection Date: 10/1/2024 12:00:00

Report:
9/3/24 2:35 p <https://www.escondido.gov/DocumentCenter/View/1977/Trash-Enclosure-Guidelines-PDF2>
9/3/24 2:21 p During a joint inspection of a warrant issued to the City of Escondido for an unpermitted building structure at 325-333 N Beech Street, I was called out for any sewer and stormwater issues. I was not able to inspect all units, but there were no sewer issues in the ones that I could inspect. There were no signs of an illegal connection to the City's sewer main on the street. There was one dumpster and a green organic residential bin with no recycling bin or dumpster. There was a lot of trash on the floor, and the green organic bin was also filled with trash, which can't be properly disposed of when it is processed at Escondido Disposal. TTRLFG, LLC is being issued a Notice of Correction under municipal code section 22-26 (d)(1) to build a proper dumpster enclosure. The dumpster enclosure shall meet the City's standards. The link below is the City of Escondido Trash Enclosure Guidelines. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Violation(s): NOC Number: 240903-01 NOC Extension: Administrative Citation:

A2.22-26. (a-k) Reduction of pollutants in stormwater

Build a dumpster enclosure that meets City's standards. The dumpster enclosure shall be permitted through the building permit and shall be submitted by 9/30/24.

Comp?
NO

ORDER TO COMPLY: You are hereby ordered to abate the preceding violations.

Failure to comply may subject you to penalties and/or administrative fines, up to \$1000.00 per violation per day, as provided by law.

TTRLFG, LLC c/o Rick Zeiler 9/3/2024 2:42:20PM

LESO, MARCUS

9/3/2024 2:42:20PM

760.839.6290 Ext. 7092



Re: 325 and 333 North Beech St

From tony nacdi.com <tony@nacdi.com>
Date Wed 10/30/2024 2:36 PM
To Maria Rocamora <Maria.Rocamora@escondido.gov>
Cc Brenna Miller <Brenna.Miller@escondido.gov>; ricklzeiler@gmail.com <ricklzeiler@gmail.com>

Still have not heard back as to a meeting date. As we understood it the city feels this is an urgent and emergency need. If so, why is it taking weeks to get a meeting set up? when can we meet?

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

From: tony nacdi.com <tony@nacdi.com>
Sent: Friday, October 18, 2024 2:10 PM
To: Maria Rocamora <Maria.Rocamora@escondido.gov>
Cc: Brenna Miller <Brenna.Miller@escondido.gov>; ricklzeiler@gmail.com <ricklzeiler@gmail.com>
Subject: Re: 325 and 333 North Beech St

What day have you come up with that works for her?

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com

From: Maria Rocamora <Maria.Rocamora@escondido.gov>
Sent: Thursday, October 17, 2024 2:56 PM
To: tony nacdi.com <tony@nacdi.com>
Cc: Brenna Miller <Brenna.Miller@escondido.gov>; ricklzeiler@gmail.com <ricklzeiler@gmail.com>
Subject: RE: 325 and 333 North Beech St

Hello Tony,

Let me check with Brenna to see who from the City she wants to include in the meeting. She will be back in the office on Monday. I will reach out to you with a date and time then.

Thank you.

Item7.



Maria G. Rocamora
 Senior Legal Assistant
 City Attorney's Office | City of Escondido
 Direct: 760-839-4325 | Admin: 760-839-4608
www.escondido.gov

Confidentiality Statement: This communication contains information that may be confidential, and it may also be legally privileged or otherwise exempt from required disclosure. If you are not the intended recipient, please do not read, distribute or copy this communication and please delete the message from your computer.

From: tony nacdi.com <tony@nacdi.com>
Sent: Thursday, October 17, 2024 2:49 PM
To: Maria Rocamora <Maria.Rocamora@escondido.gov>
Cc: Brenna Miller <Brenna.Miller@escondido.gov>; Rick Zeiler <rickzeiler@gmail.com>
Subject: 325 and 333 North Beech St

Good afternoon Maria,

Brenna said to contact you to set up a meeting with her. I would like to meet as soon as possible. I am free almost anyday at anytime. What is the soonest day she has available to meet?

From: Brenna Miller <Brenna.Miller@escondido.gov>
Sent: Wednesday, October 16, 2024 3:31 PM
To: John Moot <JMoot@fmglaw.com>
Cc: Maria Rocamora <Maria.Rocamora@escondido.gov>
Subject: Re: 325 and 333 North Beach St

Caution: This email originated from outside of the FMG organization. **Do not click links or open attachments** unless you recognize the sender and know the content is safe.

John,

Yes, I

received your emails and sent a response email. Let me know if you did not receive it. The City has evidence and believes that the garage is being used as 2 residential units (3 and 4), so officials will move forward with inspecting them.

I am out the rest of the week but am happy to meet next week if you would like. Please coordinate with Maria Rocamora (cc'ed) to schedule a meeting.

Thank you,

Brenna Miller
 Deputy City Attorney

City Attorney's Office | City of Escondido

Direct: 760-839-6367 | Mobile: 760-703-9573

www.escondido.org

Item 7.

Confidentiality Statement: This communication contains information that may be confidential, and it may also be legally privileged or otherwise exempt from required disclosure. If you are not the intended recipient, please do not read, distribute or copy this communication and please delete the message from your computer.

Tony Struyk
1262 Scott Street
San Diego CA 92106
(858)705-1995 Cell
tony@nacdi.com



State of California

HEALTH AND SAFETY CODE

Section 17980.12

17980.12. (a) (1) An enforcement agency, until January 1, 2030, that issues to an owner of an accessory dwelling unit described in subparagraph (A) or (B) below, a notice to correct a violation of any provision of any building standard pursuant to this part shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to this subdivision:

(A) The accessory dwelling unit was built before January 1, 2020.

(B) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(2) The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in paragraph (1) may, in the form and manner prescribed by the enforcement agency, submit an application to the enforcement agency requesting that enforcement of the violation be delayed for five years on the basis that correcting the violation is not necessary to protect health and safety.

(3) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of a violation on the primary dwelling unit, provided that correcting the violation is not necessary to protect health and safety.

(4) The enforcement agency shall grant an application described in paragraph (2) if the enforcement agency determines that correcting the violation is not necessary to protect health and safety. In making this determination, the enforcement agency shall consult with the entity responsible for enforcement of building standards and other regulations of the State Fire Marshal pursuant to Section 13146.

(5) The enforcement agency shall not approve any applications pursuant to this section on or after January 1, 2030. However, any delay that was approved by the enforcement agency before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the initial approval of the application pursuant to paragraph (4).

(b) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in subdivision (a) of Section 66313 of the Government Code.

(c) This section shall remain in effect only until January 1, 2035, and as of that date is repealed.

(Amended by Stats. 2024, Ch. 494, Sec. 8. (SB 1514) Effective January 1, 2025. Repealed as of January 1, 2035, by its own provisions.)

Building Advisory and Appeals Board

Hearing Date: January 22, 2025

BUILDING ADVISORY AND APPEALS BOARD RESOLUTION NO. 2024-01

A RESOLUTION OF THE BUILDING ADVISORY AND APPEALS BOARD OF THE CITY OF ESCONDIDO, CALIFORNIA, DENYING THE APPEAL OF BUILDING OFFICIAL'S ISSUANCE OF AMENDED NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (SUBSTANDARD BUILDING) AND ORDER TO VACATE AT 325-333 N BEECH STREET, REAL PROPERTY OWNED BY TTRLFG LLC

APPELLANT: TTRLFG, LLC

CASE NO:

WHEREAS, the Building Advisory and Appeals Board of the City of Escondido did, on January 16, 2025, hold an appeal hearing to consider the appeal of the Building Official's issuance of a Notice and Order to Abate a Public Nuisance and Order to Vacate at 325-333 N Beech Street, APN 2301210600, real property owned by TTRLFG LLC. Said Notice and Order to Abate a Public Nuisance and Order to Vacate is more particularly described in Exhibit A.

WHEREAS, the following determinations were made:

1. That the appeal hearing was properly noticed as required by Escondido Municipal Code and applicable State law.
2. That a staff report was presented discussing the issues in the matter.
3. That a hearing was held and that all persons desiring to speak did so.

NOW, THEREFORE, BE IT RESOLVED by the Building Advisory and Appeals Board of the City of Escondido:

1. That the above recitations are true and correct.

2. That the Building Advisory and Appeals Board certifies that it has reviewed and considered the staff report, the appeal document dated January 16, 2025, signed by Rick Zeiler on behalf of TTRLFG, LLC, and all evidence presented by all parties.

3. That, after considering all evidence, argument, and applicable law, the Building Advisory and Appeals Board hereby denies the appeal of the Building Official's issuance of a Notice and Order to Abate a Public Nuisance and Order to vacate at 325-333 N Beech Street, real property owned by TTRLFG, LLC.

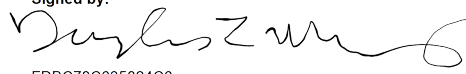
PASSED, ADOPTED, AND APPROVED by a unanimous vote of the Building Advisory and Appeals Board of the City of Escondido, California, at a regular meeting held on the 22nd day of January, 2025, by the following vote, to wit:

AYES:	BOARD MEMBERS: DELANY, GORNY, KHOURY, MCCOLL, SPEER
NOES:	BOARD MEMBERS:
ABSTAINED:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS: ABRAMSON, CORNBLUM


Signed by:

 B4230A8A8F9D447...
 BARRY SPEER, Chair
 Building Advisory and Appeals Board

ATTEST:

Signed by:

 FDBC78C635824C6...
 DOUGLAS MOODY, Staff Liaison
 Building Advisory and Appeals Board

I hereby certify that the foregoing Resolution No. 2024-01 was passed at the time and by the vote above stated.

DocuSigned by:

 A58535D0BDC1430
 ZACK BECK, Minutes Clerk
 Building Advisory and Appeals Board

Decision may be appealed to City Council pursuant to Escondido Municipal Code section 6-11.9

Date Filed 4-14-94Effective Date 4-25-94

RESOLUTION NO. 4929

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH AN AMBULANCE SERVICE WITHIN AN EXISTING 600 SF BUILDING ON A 7,500 SF LOT IN THE CG (GENERAL COMMERCIAL) ZONE.

APPLICANT: American Medical Services

CASE NO.: 94-08-CUP

WHEREAS, the Planning Commission of the City of Escondido did, on April 12, 1994, hold a noticed public hearing to consider a request for a Conditional Use Permit to establish an ambulance service within an existing 600 SF building on a 7,500 SF lot in the CG (General Commercial) zone on property located on the west side of Beech Street between East Valley Parkway and East Pennsylvania Avenue, addressed as 325 North Beech Street, more particularly described in the legal description, attached as Exhibit "C."

WHEREAS, the following determinations were made:

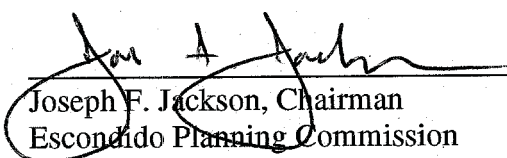
1. That a notice was published and mailed as required by the Escondido Zoning Code and applicable State Law.
2. That the application was assessed in conformance with the California Environmental Quality Act and that the proposed development is exempt from the requirements of CEQA pursuant to Section 15301 (operation of existing structures).
3. That a staff report was presented discussing the issues in the matter.
4. That a public hearing was held and that all persons desiring to speak did so.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido:

1. That the above recitations are true and correct.
2. That the Planning Commission certifies that it has reviewed and considered the environmental review and determined that it is complete and adequate for this project, and there are no significant environmental effects which are not mitigated.
3. That the Findings of Fact, attached as Exhibit "A," were made by said Commission.
4. That, considering the Findings and applicable law, the Planning Commission hereby makes a motion to approve said Conditional Use Permit, subject to the Conditions of Approval attached as Exhibit "B."

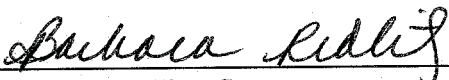
PASSED, ADOPTED AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 12th day of April, 1994, by the following vote, to wit:

AYES:	COMMISSIONERS:	Bateman, Beatty, Drake, Hassinger, Jackson, and Quinn.
NOES:	COMMISSIONERS:	None.
ABSTAINED:	COMMISSIONERS:	None.
ABSENT:	COMMISSIONERS:	Santurro.




 Joseph F. Jackson, Chairman
 Escondido Planning Commission

ATTEST:



 Barbara Redlitz, Secretary
 Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.



 Ty Paulson, Minutes Clerk
 Escondido Planning Commission

Decision may be appealed to City Council pursuant to Zoning Code Sections 33-1265 and 33-1304.

**FINDINGS OF FACT
94-08-CUP
EXHIBIT "A"**

1. The granting of the Conditional Use Permit would be based on sound principles of land use since the building was originally developed to house an ambulance service, adequate parking has been provided for all of the uses on the site, no new lighting is proposed, and no additional driveways are proposed.
2. The Conditional Use Permit would not cause a deterioration of surrounding land uses or create special problems in the area since adequate parking and circulation have been provided and the siren will be restricted from use until the ambulance has reached East Valley Parkway.
3. The granting of the Conditional Use Permit has been considered in relationship to its effect on the community plan and has been found to be in conformance with the General Plan and zoning since the use will not be detrimental to the surrounding neighborhood and will provide necessary emergency services for the community.

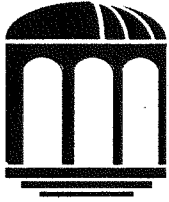
**CONDITIONS OF APPROVAL
94-08-CUP
EXHIBIT "B"**

General

1. All existing landscape improvements shall be maintained in an established, flourishing manner. The existing landscaped areas shall be free of all foreign matter and weeds.
2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
3. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
4. The holder of this Conditional Use Permit shall make the premises available for inspection by City staff during operating hours and shall provide such business records, licenses, and other materials necessary to evidence compliance with the conditions of this permit.
5. As proposed, a maximum of two ambulances and four crew members shall be stationed at the site.
6. As proposed, exiting ambulances shall use sirens only when necessary and only when the City Fire Dispatch Center has been notified. At no time shall an ambulance turn on its siren prior to reaching East Valley Parkway.
7. To ensure adequate parking is provided, a minimum of 12 spaces shall be provided for the uses on the site. All parking spaces shall be unobstructed and available for both tenants and customers utilizing services provided on the site.
8. No signs are approved as part of this permit. Any sign proposed for the site shall be consistent with the Sign Ordinance and shall require a separate permit from the Planning and Building Department, subject to approval from the Design Review Board.
9. As proposed, no outdoor maintenance or washing of vehicles shall be permitted on the site.

EXHIBIT "C"
LEGAL DESCRIPTION
94-08-CUP

LOT 9, BLOCK 26, OF ESCONDIDO, CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.



CITY OF ESCONDIDO
Planning Commission

Agenda Item No.: G.1Date: April 12, 1994

CASE NUMBER: 94-08-CUP

APPLICANT: American Medical Services

LOCATION: On the west side of Beech Street between E. Valley Parkway and E. Pennsylvania Avenue, addressed as 325 N. Beech Street.

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A Conditional Use Permit to establish an ambulance service within an existing 600 SF building on a 7,500 SF lot in the CG (General Commercial) Zone.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: GC (General Commercial); Tier 1, Central Subarea

ZONING: CG (General Commercial)

BACKGROUND/SUMMARY OF ISSUES: In 1962 the property was developed, in part, to house Superior Ambulance service. At the time, there was no Conditional Use Permit requirement for the establishment of an ambulance service in a commercial zone. Since that time a succession of ambulance companies have operated from the site as legal nonconforming uses. However, the most recent ambulance tenant (Sterling) occupied the site after nonconforming status had lapsed due to the use being discontinued for longer than six months. Sterling Ambulance was informed that they needed to obtain a CUP and they subsequently vacated the site.

It was in April of 1993 that the Planning Division determined that the operation of an ambulance service on the site had been discontinued for a period of six months causing a loss of the entitlements associated with continuous operation of a nonconforming use. Since the nonconforming status had been forfeited, it was further determined that any future ambulance service tenant on the site would be subject to the approval of a CUP. American Medical Services is now seeking approval of a CUP to operate an ambulance service from the site. Other existing uses on the site include a building with several beauty service tenants, a small office building, a two bedroom upstairs apartment and a first floor studio apartment.

Staff feels that the issue is as follows:

1. Appropriateness of the proposed use for the site with respect to circulation, parking and noise.

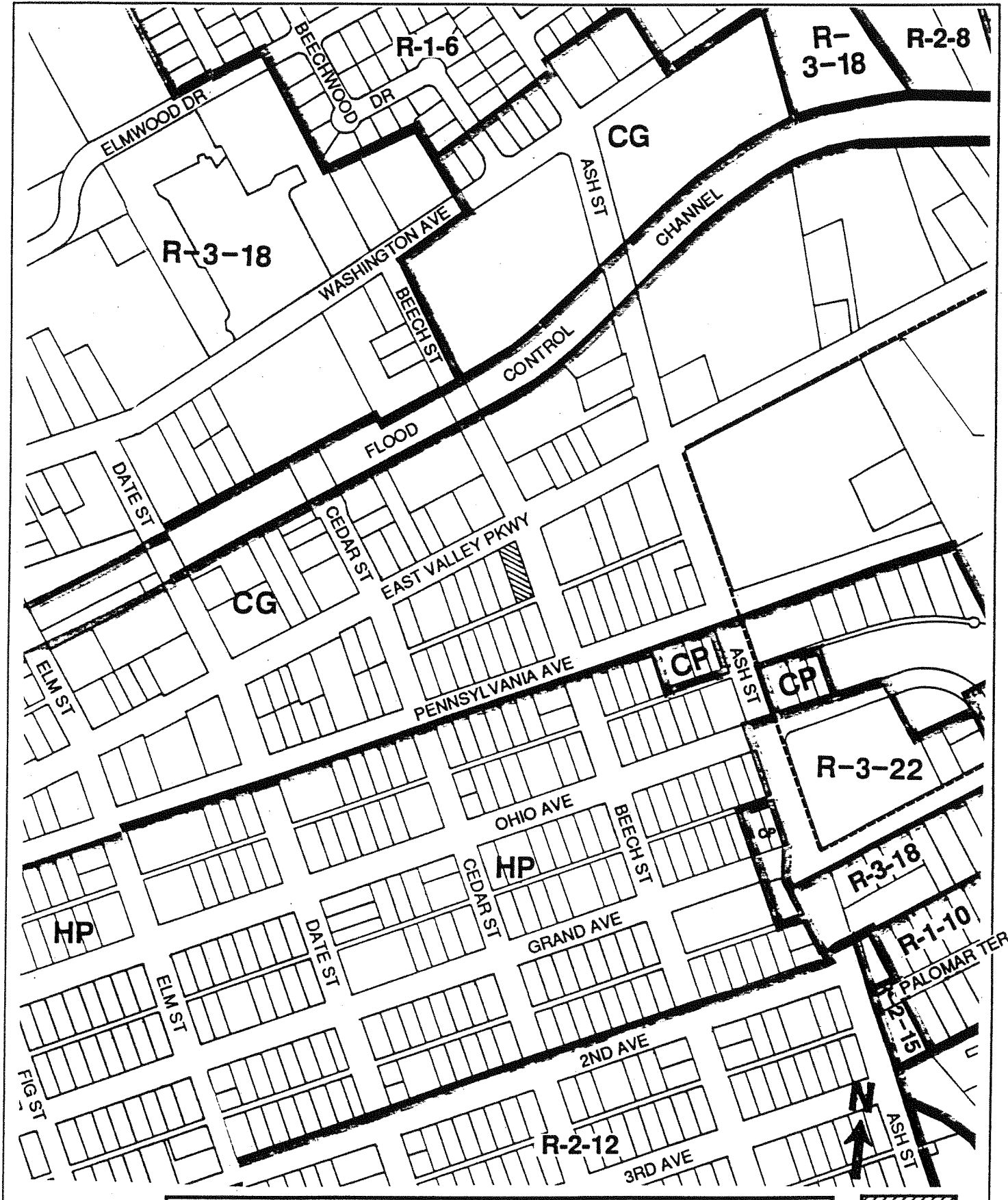
REASON FOR STAFF RECOMMENDATION:

1. Staff feels that the ambulance service use is appropriate for the proposed site since the site was developed for this type of use and has accommodated the use intermittently for over 30 years. In addition, there is viable access to the site through an established commercial area, adequate parking can be provided, and noise impacts will be minimal since the applicant has agreed to refrain from using the siren prior to reaching East Valley Parkway.

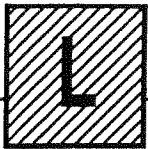
Respectfully submitted,



Bill Martin
Associate Planner

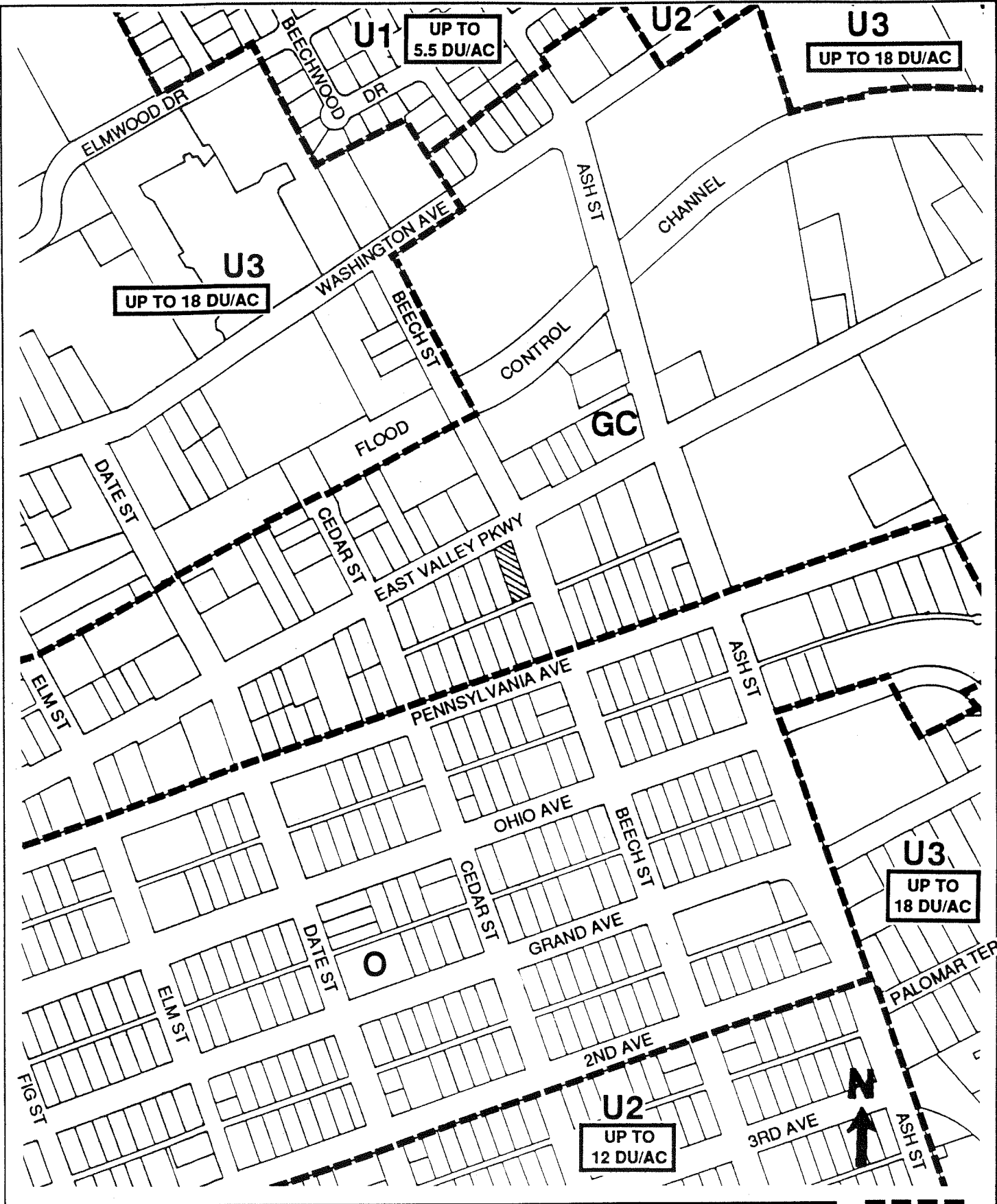


**PROPOSED CONDITIONAL USE PERMIT
94-08-CUP**



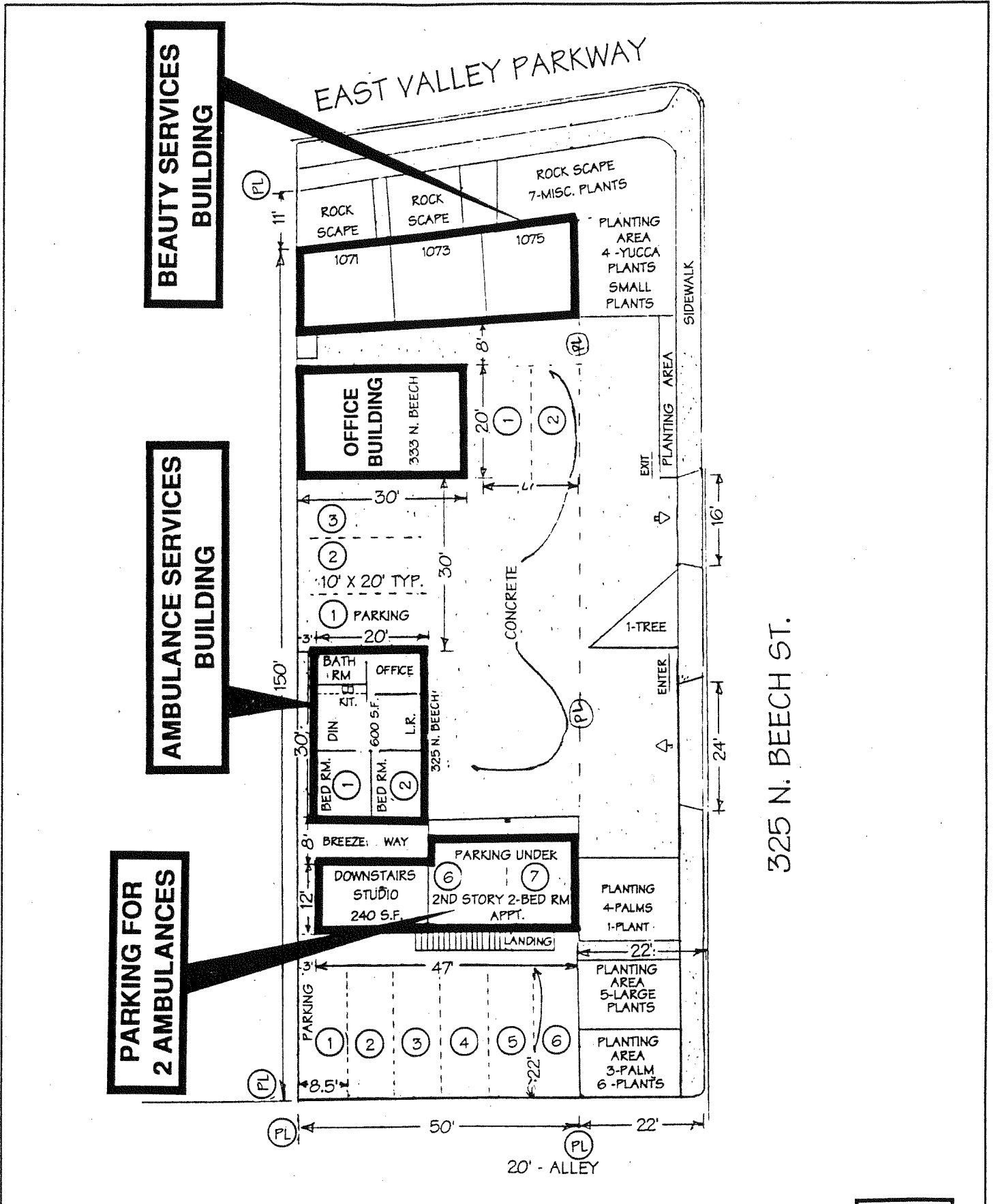
372

LOCATION/ZONING



PROPOSED CONDITIONAL USE PERMIT
94-08-CUP





PROPOSED CONDITIONAL USE PERMIT
94-08-CUP



ANALYSIS**A. LAND USE COMPATIBILITY/SURROUNDING ZONING**

NORTH - CG (General Commercial) zoning/ Commercial auto repair related uses.

SOUTH - CG zoning/ Single-family residences on lots approximately 7,000 SF in size.

EAST - CG zoning/ Vacant commercial building.

WEST - CG zoning/ Commercial uses and residential four-plex on an approximately 7,000 SF lot.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department has expressed no concern regarding its ability to provide service to the site.
2. Effect on Fire Service -- The Fire Department has expressed no concern regarding its ability to provide service to the site. Fire service will be provided from Station No. 3 (Midway) which is within the mandated five-minute response time.
3. Traffic -- No significant change in trip generation would result.
4. Utilities -- No significant change in public utilities would result.
5. Drainage -- There are no unimproved drainage courses within or adjacent to the property. Runoff from the project will be directed to the adjoining public street or other improved drainage facility.

C. ENVIRONMENTAL STATUS

1. The proposed development is exempt from the requirements of the California Environmental Quality Act pursuant to CEQA Section 15301 (Operation of existing structures).
2. In staff's opinion, no significant environmental issues remain unresolved through compliance with code requirements and the recommended conditions of approval.

D. CONFORMANCE WITH CITY POLICY**Appropriateness of the Proposed Use for the Site with respect to Circulation, Parking and Noise**

The applicant is proposing to utilize a 600 SF building on the site to serve as crew quarters for two ambulances that would be stationed on the site. Each ambulance has two crew members with one ambulance on duty around the clock and the other on a 12-hour shift during daytime hours (7am to 7pm). The two crew members working the night shift would each have a bedroom in the building which also contains a living room, kitchen, and bathroom. There are no office facilities in the ambulance building since all dispatching comes from a central dispatching office in San Diego. The ambulances will be parked on-site in a carport area under the upstairs two-bedroom apartment.

The site is located on the corner of a Major Road (East Valley Parkway) and an unclassified street (Beech Street). Access to and from the site is provided by two driveways on Beech Street, to include a 24-foot wide entry-only driveway and a 16-foot wide exit-only driveway. Although residences are located south of the site, staff feels that the site's location on East Valley Parkway means that the ambulance units would typically not have to travel through a residential neighborhood to respond to a call. In addition, the driveway locations on Beech Street reduce the potential for conflict when the ambulances enter and leave the site since Beech Street has far less traffic than East Valley Parkway. It should also be noted that staff does not feel that siren noise will be a problem in the neighborhood to the south since the applicant has indicated that sirens will be used only when necessary and never prior to reaching East Valley Parkway. This policy is similar to that of previous ambulance tenants on the site and a check with the Code Enforcement Division reveals that there have historically been no noise complaints filed in response to operations on the project site. In addition, staff feels that the ambulance service will be compatible with other uses on the site since there is minimal traffic and adequate circulation on the site, parking spaces for each use are typically located adjacent to the use, and the ambulance service will not create any additional noise on the site.

The Zoning Code does not include standards for the amount of parking to be provided for ambulance services. Staff has previously recommended that ambulance services provide one parking space for each ambulance and one parking space for each employee. This calculation would require six spaces to serve the ambulance service. Since the combined other uses on the site only require six spaces, and 13 spaces are provided on the site, staff feels that parking on the site will be adequate to accommodate the ambulance use.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The site is level and has been completely developed with both commercial and residential

B. SUPPLEMENTAL DETAILS OF REQUEST

- 1. Property Size: 7,500 SF
- 2. Existing Building Sizes:
 - Ambulance service building: 600 SF
 - Beauty services building: 850 SF for three tenants
 - Office building: 600 SF
 - 2 Bedroom apartment: 925 SF
 - Studio apartment: 240 SF
- 3. Number of Ambulances: 2
- 4. Number of Ambulance Service Employees: 4
- 5. Ambulance Hours of Operation:
 - 1 @ 24 Hours/Day
 - 1 @ 12 hrs/Day (7am - 7pm)

C. CODE COMPLIANCE ANALYSIS

- 1. Conformance to Tree Preservation Ordinance: No trees are proposed to be removed from the site.

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>
2. Setbacks:			
Front (north):	11 feet	No change	5 feet
Street Side (east):	0 feet	No change	5 feet*
Side (west):	0 feet	No change	0 feet
Rear (south):	4 feet	No change	0 feet

* Existing non-conforming structure and parking area. No modifications are proposed that will increase the degree of nonconformity.

	<u>Required</u>	<u>Proposed</u>
3. Parking:	12 spaces	13 spaces
Ambulance: (4 employees + 2 ambulances)	6 spaces	

Office: (600 SF @ 1:300)	2 spaces
Beauty services: (850 SF @ 1:600)	1.4 spaces
2 Bdrm apartment:	1.75 spaces
Studio apartment:	<u>1 space</u>
Total	12 spaces

D. GENERAL PLAN COMPLIANCE

1. General Plan:

- | | |
|----------------------------------|---|
| a. Land Use Element Designation: | The site is in the General Commercial designation of the General Plan which permits a broad range of retail and service activities. |
| b. Circulation Element: | East Valley Parkway is classified as a Major Road (102' R/W). Beech Street is an unclassified street. |
| c. Noise Element: | The site is located within a projected 1990 noise contour of 60 dB. |
| d. Ridgeline: | The site is not located on or near any intermediate or skyline ridgelines. |
| e. Trails: | There are no trail dedications required at this site. |

**FINDINGS OF FACT
94-08-CUP
EXHIBIT "A"**

1. The granting of the Conditional Use Permit would be based on sound principles of land use since the building was originally developed to house an ambulance service, adequate parking has been provided for all of the uses on the site, no new lighting is proposed, and no additional driveways are proposed.
2. The Conditional Use Permit would not cause a deterioration of surrounding land uses or create special problems in the area since adequate parking and circulation have been provided and the siren will be restricted from use until the ambulance has reached East Valley Parkway.
3. The granting of the Conditional Use Permit has been considered in relationship to its effect on the community plan and has been found to be in conformance with the General Plan and zoning since the use will not be detrimental to the surrounding neighborhood and will provide necessary emergency services for the community.

**CONDITIONS OF APPROVAL
94-08-CUP
EXHIBIT "B"**

General

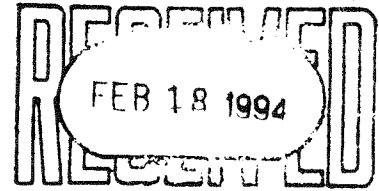
1. All existing landscape improvements shall be maintained in an established, flourishing manner. The existing landscaped areas shall be free of all foreign matter and weeds.
2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
3. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
4. The holder of this Conditional Use Permit shall make the premises available for inspection by City staff during operating hours and shall provide such business records, licenses, and other materials necessary to evidence compliance with the conditions of this permit.
5. As proposed, a maximum of two ambulances and four crew members shall be stationed at the site.
6. As proposed, exiting ambulances shall use sirens only when necessary and only when the City Fire Dispatch Center has been notified. At no time shall an ambulance turn on its siren prior to reaching East Valley Parkway.
7. To ensure adequate parking is provided, a minimum of 12 spaces shall be provided for the uses on the site. All parking spaces shall be unobstructed and available for both tenants and customers utilizing services provided on the site.
8. No signs are approved as part of this permit. Any sign proposed for the site shall be consistent with the Sign Ordinance and shall require a separate permit from the Planning and Building Department, subject to approval from the Design Review Board.
9. As proposed, no outdoor maintenance or washing of vehicles shall be permitted on the site.



Item 7.

Medical Services

CITY OF ESCONDIDO



PLANNING DEPT.

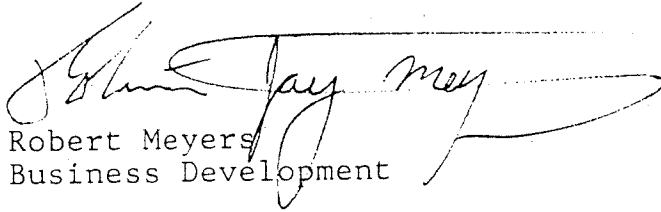
February 16, 1994

Willard Steelman
Steelman Realty
333 North Beech Street
Escondido, CA 92025

Dear Mr. Steelman,

We will comply with the City of Escondido's request to the property owner of 325 North Beech Street that at no time will an ambulance turn on the siren prior to being on East Valley Parkway, Escondido. Also our ambulance service will not run Code 3 unless necessary and the City Fire Dispatch Center has been notified.

Sincerely,


Robert Meyers
Business Development

CC: City of Escondido Planning Commission

From: [Rick Zeiler](#)
To: [Stephen Jacobson](#)
Cc: [tony.nacdi.com](#)
Subject: Re: Apply for a building permit - 333 N Beech St. C23-0994
Date: Wednesday, February 14, 2024 2:53:38 PM

You don't often get email from rickzeiler@gmail.com. [Learn why this is important](#)

Stephen,
Thank you. We will begin preparing a response in the coming weeks/months.

Rick Zeiler
619-857-0411

On Feb 14, 2024, at 2:47 PM, Stephen Jacobson <sjacobson@escondido.org> wrote:

Rick & Tony

Please see the Planning Department's response to your plans contractor regarding the building and planning permits for your property.

Sincerely

Stephen Jacobson

<[image003.jpg](#)>

Stephen Jacobson
Code Compliance Officer II
Code Compliance City of Escondido
Direct: (760) 839-6374 | Mobile: 760 802-0620
www.escondido.org

From: [Stephen Jacobson](#)
To: [tony.nacdi.com](#); [Rick Zeiler](#)
Subject: FW: Apply for a building permit - 333 N Beech St. C23-0994
Date: Wednesday, February 14, 2024 2:47:43 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.jpg](#)

Rick & Tony

Please see the Planning Department's response to your plans contractor regarding the building and planning permits for your property.

Sincerely

Stephen Jacobson



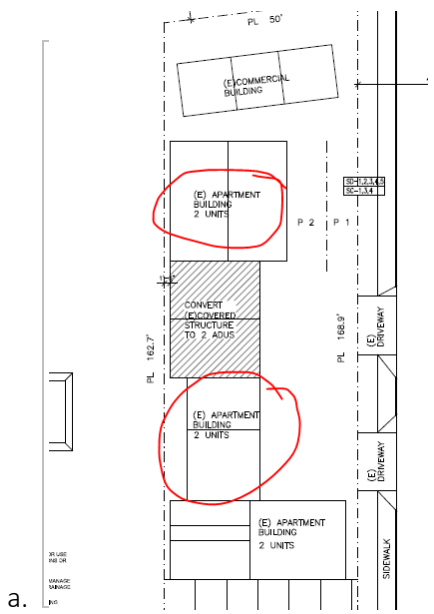
Stephen Jacobson
 Code Compliance Officer II
 Code Compliance City of Escondido
 Direct: (760) 839-6374 | Mobile: 760 802-0620
www.escondido.org

From: Alexander T. Rangel
Sent: Tuesday, February 13, 2024 2:12 PM
To: Ning Li <netmouse72@gmail.com>
Cc: Ray Drafting <raydrafting@yahoo.com>; Stephen Jacobson <sjacobson@escondido.org>
Subject: RE: Apply for a building permit

Good afternoon, Ning,

Unfortunately, the Planning Division will not be able to intake this application, as the initial proposal and the property as it is shown on the plans is not reflective of the site as it is existing, nor would the request as shown (2-ADU conversion of carport) be permitted. The last Planning Entitlement Permit on the property, 94-08-CUP, did not permit the extent of mixed use that is shown on the property.

1. The "Apartment Buildings" circled in the following image were converted from commercial space without permits – the southern units were only temporary-stay rest quarters for the previous ambulance uses, and not permitted for long-term stay. The northern apartment units are an unpermitted conversion of office space. As these units were converted without permits, they cannot be utilized for the unit count permissions typically associated with multi-family ADU development:



- a.
- b. To comply with all existing permits, and potentially submit for an Accessory Dwelling Unit conversion, the above mentioned areas would have to be converted back to their original form (commercial space), and only **one** ADU would be permitted through the Planning ADU Permit process. Considering the scope of the existing Code Case (C23-0994) on file, I do not believe we can begin intake of the ADU Permit request until a majority of the Code Compliance issues are handled first.
- 2. If the property owner/agent wishes to get additional residential structures permitted, then the property would require a **Major Plot Plan** submittal at a minimum.
 - a. The property is located within the Mixed Use Overlay of the East Valley Specific Plan (EVSP). All development standards within the EVSP would have to be met and design incorporating these standards.
https://www.escondido.org/Data/Sites/1/media/Planning/HGIS/EVSP/08.09.23_EVSP_Final.pdf
 - b. The property does not currently meet Open Space, Landscaping, or Parking requirements for the proposed unit count, and would have to be incorporated into a future design. The structures as-shown would more than likely not meet all development standards.
 - c. There may be additional Building, Engineering, Fire, Utilities requirements for the amount of units shown on site. This information would be vetted through the Major Plot Plan Process.

Please confer with all EVSP Guidelines, and Building Code requirements, and let me know how you would like to proceed with permitting.

Regards,



Alex Rangel
 Assistant Planner I
 Planning Division | City of Escondido
 760-839-4671 (Ext. 4542)
www.escondido.org

From: Ning Li <netmouse72@gmail.com>
Sent: Monday, February 12, 2024 8:48 PM
To: Alexander T. Rangel <arangel@escondido.org>
Cc: Ray Drafting <raydrafting@yahoo.com>
Subject: Apply for a building permit

Hello, Alex

I want to apply for a building permit for ADU.

The address is 333 Beech St, Escondido, CA 92025

A.P.N 230-121-0600

Does the project have a case number of C23-0994 already?

Many thanks, and have a good day!

Please see the attached files.



STAFF REPORT

March 26, 2025
File Number 0875-70

SUBJECT

PL25-0043 – 2024 HOUSING ELEMENT ANNUAL PROGRESS REPORT

DEPARTMENT

Development Services - Planning Division

RECOMMENDATION

Request for the City Council to receive and file the 2024 calendar year annual progress report for the General Plan Housing Element (“Housing Element APR”).

Staff Recommendation: Receive and file (Development Services: Christopher W. McKinney, Deputy City Manager)

Presenter: Pricila Roldan, Associate Planner

ESSENTIAL SERVICE – Yes, Land Use/Development

COUNCIL PRIORITY – Encourage Housing Development

FISCAL ANALYSIS

The Housing Element APR has no direct fiscal impact to the City budget.

PREVIOUS ACTION

On March 11, 2025, the Planning Commission received and filed the 2024 calendar year Housing Element APR (Attachment “1”– March 11, 2025 Planning Commission Staff Report). Comments from the Planning Commission prompted staff to modify information regarding the 10-unit affordable development on 245 E. El Norte Parkway (Habitat for Humanity) since the project was completed in the summer of 2024 and is not under construction as previously reported.

BACKGROUND

The City Council adopted the 2021-2029 Sixth Cycle Housing Element on August 11, 2021, and subsequently adopted an amendment to the Housing Element on March 22, 2022. The Department of Housing and Community Development (“HCD”) certified the City’s Housing Element in December 2023, affirming its compliance with state housing element law.



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Government Code section 65400 and 65700 mandates that cities and counties submit annual progress reports (“APR”) to their legislative body, HCD, and the Governor’s Office of Land Use and Climate Innovation (“LCI”) (formerly known as the Office of Planning and Research or “OPR”) by April 1st of each year to maintain housing element compliance throughout the planning period (2021 - 2019). The Housing Element APR provides information on advancements to meet the City’s regional housing needs allocation (“RHNA”), the number of units a local jurisdiction must plan for and aim to build by the end of the planning period, and efforts to remove governmental constraints that hinder housing development.

As of the 2024 Calendar Year (“CY”), the City’s total RHNA is 1,930, with 1,496 of those units coming from units permitted for construction beginning April 30, 2021, and 434 units that are credits received pursuant to Housing Element law. In the 2024 CY, the City issued 408 building permits which count toward the City’s RHNA. Refer to Attachment “2” for a summary of the City’s 2024 progress in meeting the City’s RHNA, by income category, and implementing the Housing Element’s programs.

After presenting to City Council, staff will submit the Housing Element APR to HCD, LCI, and the San Diego’s Regional Council of Governments, SANDAG, to support regional planning efforts and maintain compliance with state law.

ATTACHMENTS

- a) Attachment 1– March 11, 2025 Planning Commission Staff Report
- b) Attachment 2 – 2024 Housing Element Annual Progress Report



STAFF REPORT

DATE: 03/11/2025

PL25-0043– 2024 Housing Element Annual Progress Report

PROJECT NUMBER / NAME: PL25-0043– 2024 Housing Element Annual Progress Report

REQUEST: A request to receive and file the 2024 calendar year annual progress report for the Housing Element of the General Plan (“Housing Element APR”).

PROPERTY SIZE AND LOCATION: CityWide

APPLICANT: City of Escondido, Development Services Department

GENERAL PLAN / ZONING: N/A

PRIMARY REPRESENTATIVE: Pricila Roldan, Associate Planner

DISCRETIONARY ACTIONS REQUESTED: N/A

PREVIOUS ACTIONS: The Planning Commission received and filed the 2023 calendar year Housing Element APR on April 19, 2024.

CEQA RECOMMENDATION: This effort is not considered a “project” under CEQA, as defined in section 15378(b)(5) of the State CEQA Guidelines.

STAFF RECOMMENDATION: Receive and file

REQUESTED ACTION: None

CITY COUNCIL HEARING REQUIRED: YES NOREPORT APPROVALS: Dare DeLano, Assistant City Attorney Veronica Morones, City Planner



CITY of ESCONDIDO

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BACKGROUND

The City of Escondido’s General Plan provides a vision for the future development of its communities by setting citywide goals and policies. The General Plan consists of seven different elements that focus on, and address, various matters including but not limited to land use, housing, transportation and safety. The Housing Element is one of the General Plan’s elements whose focus is to facilitate housing development and construction. Since 1969, The California Department of Housing and Community Development (“HCD”) has worked with regional, city, and county governments to determine how much housing is needed throughout the state. HCD and regional councils of governments (“COGs”) like SANDAG are responsible for determining and allocating the number of housing units (i.e., Regional Housing Needs Assessment/Allocation – “RHNA”) that will meet future population growth and demand. Cities are then charged with incorporating their assigned RHNA into their housing element with policy, projects, and programs that further support achieving their RHNA. Every eight-years, state and regional partners reassess California’s housing needs, adjust the statewide RHNA, and begin a new cycle of programming. The state is currently in the sixth cycle of RHNA allocations, beginning April 2021 and ending April 2029 (“planning period”). Table 1 provides Escondido’s RHNA allocations for the sixth cycle planning period.

Table 1: City of Escondido’s Sixth Cycle RHNA Numbers

	<i>Income level</i>				
	<i>Above Moderate</i>	<i>Moderate</i>	<i>Low</i>	<i>Very Low</i>	<i>Total</i>
<i>RHNA Allocation</i>	4,967 units	1,527 units	1,249 units	1,864 units	9,607 units

Note: The term “unit” refers to a dwelling unit. A dwelling unit can be a home, an apartment, condominium, and/or an accessory dwelling unit.

Every year, City staff provide an update on the General Plan’s implementation through a series of three annual planning reports (“APRs”): 1) the General Plan APR, which covers the entire General Plan’s implementation progress; 2) the Climate Action Plan APR, which covers progress on the City’s efforts to reduce greenhouse gas emissions; and 3) the Housing Element APR, which provides an update on City’s trajectory in meeting its state mandated RHNA. Updates allow Escondido leadership and the public to reflect and evaluate the progress and implementation approaches of the General Plan. State Government Code section 65400 requires cities and counties to present and submit their Housing Element APR to their legislative body, HCD, and the Governor’s Office of Planning and Research (“OPR”) by April 1st of each year. In the interest of meeting state mandated deadlines for the Housing Element APR, the information provided within this report only covers the 2024 Housing Element APR. Staff will report on the General Plan and Climate Action APRs at a later time.

The Housing Element APR is provided to the Planning Commission for informational purposes. The same report will be provided to City Council for review pursuant to Government Code.

SUMMARY OF REQUEST

Receive and file the Housing Element APR, documenting the City’s progress on implementing a component of the General Plan; refer to Attachment 1.

SUPPLEMENTAL DETAILS OF REQUEST



CITY of ESCONDIDO

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The Housing Element APR provides an annual summary of residential planning and building activities for the 12-month calendar year and highlights accomplishments regarding the Housing Element’s programming. It is important to note that only issued building permits count toward the City’s progress in meeting its RHNA. Table 2 exhibits Escondido’s progress toward meeting the planning period’s RHNA allocations.

Note: The City has received other types of credits toward the City’s sixth cycle RHNA. For the purposes of this report, the numbers are not shown below but are denoted within Attachment 1, Table B (see Projection Period 06/30/2020-04/29/2021).

Table 2: Summary of the City of Escondido’s Progress to meet the Sixth Cycle RHNA Numbers

RHNA Allocation (2021- 2029)	Income level				Total
	Above Moderate	Moderate	Low	Very Low	
	4,967 units	1,527 units	1,249 units	1,864 units	9,607 units
Year 1 (2021)	168 units	16 units	38 units	27 units	249 units
Year 2 (2022)	154 units	13 units	39 units	25 units	231 units
Year 3 (2023)	521 units	11 units	34 units	42 units	608 units
Year 4 (2024)	303 units	8 units	42 units	55 units	408 units
SubTotal (%)	1,146 units (23%)	48 units (3%)	153 units (12%)	149 units (8%)	1,496 units (15%)

Note: Units on the table are reflective of building permits issued for the respective calendar year.

Housing developments undergo a thorough review process to make sure projects follow safety rules and local regulations. Generally, the process can be broken down into three main stages: (1) Entitlement, where a developer works with planning staff to ensure the project meets local design and zoning standards; (2) Construction Permit Issuance (e.g., grading and building), where a developer receives approval from the engineering and building divisions to begin construction; (3) Final Building Inspection, where the building division ensures that the constructed unit meets approved plans and safety codes, and releases the development for final occupancy. The entitlement stage gives an early estimate of how many RHNA units are in the development pipeline and might be built in the future, whereas the construction permit issuance (i.e., building permit issuance) marks the official start of construction and when the City may count the unit towards its RHNA goals. The Final Building Inspection occurs once construction is complete. If the development passes inspection, it may be occupied by tenants or owners.

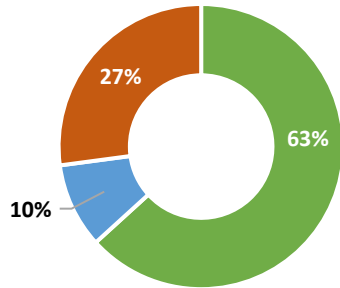
The following charts summarize housing data for 2024 at each stage in the housing development process: Entitlement, Construction Permit Issuance, and Final Building Inspection. It is important to note that the numbers shown on each graph do not reflect all projects the Development Services Department is working on. In 2024, the City entitled a total of 166 units consisting of 105 multifamily residential units (63%), 16 single family detached units (10%) and 45 Accessory Dwelling Units (“ADUs”) (27%). The City’s building division issued construction permits for a total of 408 units consisting of 228 multifamily residential units (56%), 71 single family detached units (17%), and 109 ADUs (27%). Finally, a total of 245 units received final inspection approval resulting in occupancy of 144 multifamily residential units (59%), 33 single family detached units (13%), and 68 ADUs (28%).



CITY of ESCONDIDO

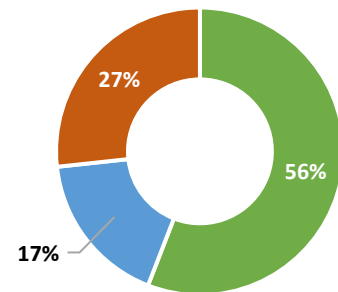
STAFF REPORT

2024 Units Entitled



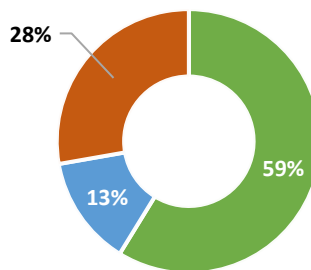
- Multifamily Units
- Single Family Units
- Accessory Dwelling Units

2024 Units Construction Permit Issuance



- Multifamily Units
- Single Family Units
- Accessory Dwelling Units

2024 Units Final Building Inspection



- Multifamily Units
- Single Family Units
- Accessory Dwelling Units

Staff will continue motoring progress for the 2025 year. After Planning Commission receives and files this report, staff will present to City Council. Thereafter, staff will submit the APR to the necessary reporting agencies: OPR, HCD, and SANDAG. The APR will provide regional and state partners the opportunity to identify trends in land use and housing which will in turn give them a better understanding on local development activities.

FISCAL ANALYSIS

There are no direct fiscal impacts associated with this progress report.



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ENVIRONMENTAL ANALYSIS

The Housing Element Annual Progress Report is a reporting document, and does not create or alter policy. The content is provided for informational purposes only, and is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5), which exempts from the definition of a "project" organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. This informational item provides a means to monitor the success of implementing the Housing Element and review what was implemented during the 12-month reporting period. All counties and cities in the state are required to submit the annual report pursuant to Government Code section 65400.

PUBLIC INPUT

As of the writing of this report, City staff received no public comment on this item.

CONCLUSION AND RECOMMENDATION

Receive and file.

ATTACHMENTS

1. 2024 Housing Element Annual Progress Report

Jurisdiction	Escondido	
Reporting Year	2024	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	04/30/2021 - 04/30/2029

**ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation**

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
		1	Projection Period	2									3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 06/30/2020-04/29/2021	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	1,864	-	25	-	-	4	-	-	-	-	-	162	1,702
	Non-Deed Restricted		13	2	25	42	51	-	-	-	-	-		
Low	Deed Restricted	1,249	-	25	10	-	-	-	-	-	-	-	156	1,093
	Non-Deed Restricted		3	13	29	34	42	-	-	-	-	-		
Moderate	Deed Restricted	1,527	-	-	-	-	-	-	-	-	-	-	84	1,443
	Non-Deed Restricted		36	16	13	11	8	-	-	-	-	-		
Above Moderate		4,967	382	168	154	521	303	-	-	-	-	-	1,528	3,439
Total RHNA		9,607												
Total Units			434	249	231	608	408	-	-	-	-	-	1,930	7,677
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5										6	7	
		Extremely low-Income Need		2021	2022	2023	2024	2025	2026	2027	2028	2029	Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		932		-	5	18	-	-	-	-	-	-	23	909

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Please Note: Table B does not currently contain data from Table F or Table F2 for prior years. You may login to the APR system to see Table B that contains this data.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

VLI Deed Restricted
VLI Non Deed Restricted

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction	Escondido	
Reporting Year	2024	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
<p>1.1 Sites Inventory and No Net Loss/Replacement Housing Monitoring.</p>	<p>New housing opportunities for homeownership and rental for all households by supporting construction of new housing for homeownership and rental units on vacant and nonvacant sites identified in the sites inventory.</p>	<p>Ongoing/ Monthly</p>	<p>Underway.</p> <p>1. In 2023 the City of Escondido developed and implemented a procedure to track No Net Loss and Replacement Requirement (AB 1397 and SB 166). The No Net Loss process tracks unit count and income/affordability assumed on parcels in SSI; actual units constructed and income/affordability, and net change in capacity and RHNA on a monthly basis. For the SB 166 Replacement Requirement, a secondary process for tracking has been implemented through the City's Cityworks software. Planners register the number of units demolished on an ongoing basis. In 2024, Planners continued to monitor progress in a month to month basis.</p> <p>2. The East Valley Specific Plan was adopted July 19, 2023. The plan rezoned approximately 191 acres into mixed use, meeting the 124 above moderate and 44 moderate shortfall of the Housing Element's adequate sites.</p> <p>3. As of 2023, a Sites Inventory has been published on the City's webpage.</p> <p>4. In 2025, planning staff will amend the Zoning Code to require replacement of existing deed restricted or occupied units by lower income households as a condition of project approval, pursuant to AB 139. Even though there is no ordinance a place at the local level, City staff defer to state regulation.</p>

1.2 Density Transfer Programs	Efficient use of land resources by increasing the residential capacity of a project. The program ensures that capacity in the Downtown and East Valley will never be lost if a property is developed with fewer residential units allowed by the zoning.	2023	<p>Underway.</p> <p>The East Valley Specific Plan was adopted by Escondido City Council July 19, 2023, and as a part of the plan's adoption, the Density Transfer Program was created. In 2024, the City developed an administrative mechanism to implement and track the EVSP density transfer program. In 2025, the City will analyze and transfer any density from City-owned sites into the credit pool consistent with the Housing Element and EVSP.</p> <p>The City anticipates applying to SANDAG's SGIP funding program in Q2 of 2025 to fund the establishment of an affordable housing trust fund and associated in-lieu fee.</p>
1.3 By-Right Approval of Projects with 20% Affordable Units on "Reuse" Sites and Sites Rezoned	Facilitate housing development for lower income households by allowing for by-right approval of housing development that includes 20% of the units as housing affordable to lower income households in line with AB 1397.	Within 1-year of Housing Element Adoption	<p>Not yet Started.</p> <p>In 2024, the City worked on developing a Pre-Approved ADU program in accordance with AB1332 and LEAP grant deadlines. The City will begin implementation of programs which include developing and adopting a by-right ordinance in 2025.</p>
1.4 City-Owned Sites	Facilitate the redevelopment/development of affordable housing on City-owned sites.	Annually	<p>Underway.</p> <p>The City's current policies are aligned with state's requirements for the Surplus Land Act. In 2024, the city hired a new Real Property manager. The City has begun coordination and inventory of potential Surplus Land Act sites, which is the first step in facilitating redevelopment of City-owned sites.</p>

1.5 Lot Consolidation	Efficient use of land resources through consolidation of small lots to achieve economies of scale and offer opportunity for improved site design and amenities.	Ongoing and action in 2023	<p>Underway.</p> <ol style="list-style-type: none"> 1. As part of the Housing Element Update, the City included a Sites Inventory to facilitate development. 2. City staff continue to assist developers with identification of parcels for consolidation and partnership opportunities between interested property owners, as available. 3. The City continues to use a streamlined process for lot consolidation purposes. 4. The City anticipates hiring a new long range planner to further implementation of the City's adopted Housing Element, including processing a zoning ordinance update that will include incentives for lot consolidation by end of 2025.
1.6 Density Bonus	Facilitate affordable housing development.	2022	Completed. The City amended the Density Bonus ordinance in 2021 and 2022 to comply with AB 2345.
1.7 Removal of Constraints to Development	Facilitate housing development by removing potential constraints to development.	2021-2022	<p>Underway.</p> <p>In 2023, the City began working with SANDAG to develop objective design standards and a procedure to qualify projects under SB 35. Coordination will continue throughout 2025 to ensure that the new standards are effective in supporting new housing and reducing development constraints.</p>
1.8 Monitoring of Growth Management Measure	Increased public awareness of the City's housing needs and obligations under State law.	Ongoing	<p>Underway.</p> <p>The City continues to monitor Proposition S and potential impacts to development in the City</p>

<p>2.1 Accessory Dwelling Units</p>	<p>Additional housing opportunities for lower and moderate income households through ADU construction.</p>	<p>Throughout planning period, as well as actions in 2022.</p>	<p>Underway.</p> <p>1. In 2024, the City worked with RRM Design Group to develop pre-approved ADU (PAADU) floor and architectural plans. With reallocation of LEAP funding, the City also developed a public-facing ADU guidebook and complementary resources that can help guide homeowners through the ADU permitting process. In 2024, the City held 2 community outreach and engagement events to raise awareness of the program. In 2025, City staff will hold a workshop with the City's elected leaders so they, too, are aware of the PAADU program.</p> <p>2. ADU submittals are continuing to increase annually. Staff continues to facilitate ADU submittals through personal interactions with the public and developer community. The City's ADU ordinance was updated in 2024 to ensure compliance with State Law and consistency with the Escondido Zoning Code.</p> <p>3. An ADU ordinance allowing religious institutions to construct ADUs has yet to be developed.</p> <p>4. The City monitors ADU construction annually and monthly as a part of the RHNA tracking process. Trends during the 6th cycle thus far show the City is on track to meeting its 360 ADU estimate.</p>
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2.2 First-Time Homebuyer Assistance	Additional housing opportunities for lower income households by helping at least one household annually (8 over the planning period).	Ongoing/annually	<p>Ongoing.</p> <p>The City of Escondido's First-time Homebuyer program served one individual for the 2024 calendar year.</p> <p>Housing and Neighborhood Services staff continues to provide information about the First-time Home Buyer program to residents. Although there is public interest in the program, San Diego's exorbitant housing prices and increasing interest rates make it impossible for individuals to afford a home. HUD's maximum purchase price limits also prevent individuals from pursuing home purchases. The median list price of a home in Escondido, according to Zillow, is \$846,281 which is almost \$148,281 more than the maximum purchase price set by HUD, \$698,000.</p> <p>City staff are currently experiencing gridlock in administering the First-time Homebuyer Program since families that meet the program's income limits are not able to afford a monthly mortgage, typically around \$5,100 a month.</p>
2.3 Essential Middle Income Rental Housing Program	Additional housing opportunities for lower and moderate income household.	Ongoing	<p>Underway.</p> <p>In 2023, the City did not receive inquiries to convert properties to affordable housing.</p>
2.4 Housing Choice Vouchers	Rental Assistance for extremely low /very low income households – 1,000 households with Housing Choice Vouchers; 30 senior/disabled households for rent sub	Ongoing	<p>Underway.</p> <p>In 2023, 829 Escondido residents received Housing Choice Vouchers from the San Diego County Housing Authority. There are 4,370 households on the wait list.</p> <p>The City continues to market the Housing Choice Voucher Program and other rental assistance programs on the City's website and public counters.</p> <p>The City continues to assist 19 seniors with an ongoing rent subsidy ranging from \$75 - \$125 per month. All rent subsidy awardees are on the waiting list for Section 8 vouchers.</p>

2.5 Mobile Home Park Conversion	Housing stabilization and home ownership opportunities for lower and moderate income households	Ongoing/annually	<p>Underway.</p> <p>No mobile home park conversions occurred in 2023. No city-sponsored workshops or technical assistance was provided to the residents to meet this goal; however, an appraisal of 23 City-owned mobilehome park lots was conducted in 2024 with the goal of selling these lots, providing home ownership opportunities. Additionally, Housing staff are working with the Real Property Division to provide educational materials to mobilehome on that process. Housing staff are also working with Real Property to finalize sale process for two spaces.</p>
2.6 Mobile Home Rent Review	Stabilized rents for mobile home residents, many of whom are lower income.	Ongoing	<p>Underway.</p> <p>The City continues to review and process applications in adherence with local and State law.</p> <p>In 2024, 4 short applications were presented to the Rent Review Board. As of February, 2025, Housing staff is in the process of reviewing 4 active short-form applications. There are no pending long-form applications at the moment.</p>
2.7 Special Needs Housing	Increased housing opportunities for households with special needs.	2022	<p>Underway.</p> <p>In 2024, the City began collaboration with SANDAG's Housing Acceleration Technical Assistance Program (HAP TA) to develop Zoning Code amendments that will address provisions of special needs housing including transitional housing, emergency shelters, employee housing, reasonable accommodation for persons with disabilities, residential care facilities, and manufactured homes. The City hopes to finalize this effort in 2025.</p>
2.8 Affordable Housing Development	Acquisition, rehabilitation, preservation, or construction of affordable housing for lower and moderate income households.	Annually	<p>Underway.</p> <p>1. The construction of 10 new affordable homeownership units at less than 80% AMI located at 245 E. El Norte Parkway, Escondido, CA were finalized on various dates between 2/6/2024 and 4/29/2024. The Deeds, Promissory Notes, and Regulatory Agreements were all executed in June, 2024.</p> <p>2. In 2023, the City completed Valley Senior Village, a 50-unit multifamily development for seniors 62+. Valley Senior Village will provide 24 units for individuals experiencing homelessness and 25 units for 30-60% AMI using recycled RDA Funds. One unit will be reserved for the onsite manager.</p>

2.9 Inclusionary Housing Assessment (not yet adopted)	Education of City Officials and general public on inclusionary housing mechanisms; potential adoption on an inclusionary housing ordinance.	2022 and prior to 7th cycle	<p>Not yet Started Program 2.9 requires the City to conduct a Residential Sector Feasibility Study (RSFS) in the event affordable units are not numerically on track with projected RHNA allocations after two consecutive APR years. The 2023 numbers for affordable units (i.e., very-low, low, and moderate incomes) since 2021 are not keeping pace with the City's RHNA for such incomes; therefore, Program 2.9 is triggered with the 2023 calendar year's reporting. In the next 12-18 months the City will work toward identifying funding and procuring a consultant to lead the RSFS. Results will help the City meet all of the 6th cycle housing element's RHNA allocations.</p>
2.10 SB 9 Ordinance	Increase housing opportunities and densities throughout the City's low density residential zones.	2022	<p>Underway In 2023, the City adopted an SB 9 ordinance. Since, the City has received requests for urban lot splits. Applications are in the review process. We have yet to receive any SB 9 requests 2 family unit subdivisions. If SB 9 family unit subdivisions are requested, the City will monitor affordability.</p>
3.1 Housing Rehabilitation	Improved housing conditions for lower income households.	Annually	<p>Not yet implemented. No housing rehabilitation programs were initiated by the City in the 2024 FY. In FY 25, The City of Escondido plans to allocate \$50,000 in CDBG funding to provide a Minor Home Repair Program to seniors. Staff are working to plan and implement that program.</p>

<p>3.2 Focus on Neighborhoods</p>	<p>A place-based strategy for neighborhood improvements and the opportunity for significant community impact both in physical improvement and improvement in quality of life for neighborhood residents.</p>	<p>Annually</p>	<p>Underway.</p> <p>In 2023, The City of Escondido approved 4 CDBG neighborhood improvement projects within Disadvantaged Communities. Projects include: (1) multiple community clean ups, (2) upgrades to light fixtures in Old Escondido, (3) graffiti eradication, and (4) upgrades to the Washington Pool at Washington Park. Additionally, the City funded a splash pad in at Grove Park. The City continues to implement the second phase of the Old Escondido Neighborhood Lighting project through CDBG funds.</p> <p>In 2023, the City leveraged CDBG-CV funds to develop a Request for Proposal (RFP) for homeless prevention and utility assistance. In 2024, Housing and Neighborhood Services staff worked with FORWARD to finalize contracting and implement both programs, however, FORWARD decided to continue contracting. In 2025, staff will re-release a Request for Proposal (RFP) to award a new organization.</p> <p>In the calendar year 2023, project NEAT worked on 131 cases total and referred 17 cases to the City's Code Compliance Division for enforcement. In calendar year 2024, Project NEAT worked on 111 cases total and referred 0 cases to the City's Code Compliance Division for enforcement.</p> <p>Housing and Neighborhood Services staff continues to work with the engineering department on the safe routes to school program. In the 2025 calendar year, staff will explore the possibility of providing sidewalks for residents from the South Tulip Neighborhood (CT 205.03) since there are safety concerns for children who walk to Felicita Elementary School.</p>
<p>3.3 Preservation of At-Risk Housing</p>	<p>Continued affordability of subsidized housing developments.</p>	<p>Annually</p>	<p>Underway.</p> <p>City staff are in the process of finalizing an agreement with Community HousingWorks to extend the affordability of 21 units at Daybreak Grove (13 units) and Sunrise Place (8 units) for an additional 45 years. The updated agreement is currently under legal review. Execution is expected in Q1 of 2025. Once finalized, the contract will ensure continued affordability restrictions and compliance with funding requirements.</p>



STAFF REPORT

March 26, 2025
File Number 0865-60

SUBJECT

FEASIBILITY STUDY FOR THE DEVELOPMENT OF THE AGTECH INNOVATION CENTER IN ESCONDIDO, CALIFORNIA

DEPARTMENT

Economic Development

RECOMMENDATION

Request the City Council Receive and File the feasibility study created by the Vine Institute analyzing the potential for the development of the AgTech Innovation Center in Escondido

Staff Recommendation: Receive and File (Economic Development Department: Jennifer Schoeneck, Director of Economic Development)

Presenter: Jennifer Schoeneck, Director of Economic Development

ESSENTIAL SERVICE – Yes, Land Use/Development

COUNCIL PRIORITY – Increase Retention and Attraction of People and Businesses to Escondido

FISCAL ANALYSIS

The feasibility study estimates the total cost for the full buildout of the AgTech Innovation Center at 455 North Quince Street to be approximately \$7.5 million. This figure includes the costs of construction, equipment, and necessary renovations to transform the facility into a regional hub for AgTech innovation, entrepreneurship, and workforce development. Key cost components include:

- Outfitting the Food Hub (\$3.48 million); and
- AgTech Incubator (\$1.15 million); and
- Consumer-Packaged Goods (CPG) Lab (\$880,000); and
- Test Kitchens (\$750,000); and
- Office spaces (\$517,500)

Once fully operational, the Center is projected to have annual operating costs of approximately \$2 million. These expenses account for staffing (a director, program staff, and food hub workers), utilities, maintenance, and professional services. The study projects that the Center can generate \$2.03 million in annual revenue, primarily from tenant lease agreements, food hub operations, agritourism subscriptions, and corporate sponsorships



CITY of ESCONDIDO

STAFF REPORT

Funding Mechanisms:

To fund the buildout and ensure financial sustainability, the City can pursue a combination of federal, state, corporate, and philanthropic funding sources:

Federal Grants:

- Economic Development Administration (“EDA”) Build to Scale Program – Supports technology innovation and regional economic growth; and
- United States Department of Agriculture (“USDA”) Urban Agriculture and Innovative Production Grants – Funds urban and innovative agricultural initiatives; and
- USDA Agricultural Innovation Center Program – Provides support for agricultural technology and business development.

State Programs:

- California Jobs First, Regional Investment Initiative – Supports sustainable food systems as a priority industry in San Diego County; and
- California Department of Food and Agriculture (CDFA) Specialty Crop Block Grant Program – Funds specialty crop-related projects, including AgTech initiatives; and
- Farm to Community Food Hubs Program – Provides grants for regional food hubs.

Corporate & Philanthropic Partnerships:

Potential sponsors include local private companies and philanthropic entities.

PREVIOUS ACTION

On August 24, 2022, staff presented the concept of a Pilot AgTech Incubator at the city-owned property at 455 N. Quince Street. The presentation outlined potential short-term and long-term uses of the site and the City Council requested a comprehensive financial analysis to understand the fiscal implications of the proposed uses. On December 7, 2023, staff presented to the City Council Economic Development Subcommittee on the City’s AgX initiative, which supports Agriculture and AgTech efforts aligned with the priorities outlined in the City’s Comprehensive Economic Development Strategy (“CEDS”). As part of this presentation, staff recommended entering into a contract with the University of California Agricultural and Natural Resources (“UCANR”) department to conduct a feasibility study for an AgX Innovation Center on a City-owned vacant property. The Subcommittee approved including the proposal in the American Rescue Plan Act (“ARPA”) reallocation exercise scheduled for the January 31, 2024, City Council meeting.

On January 31, 2024, City staff proposed reallocating ARPA funding to support City Council’s priorities. Among the approved projects, \$115,000 was allocated to fund a contract with UCANR and the VINE to conduct a feasibility study for an AgTech Innovation Center in support of the City’s AgX initiative.



CITY of ESCONDIDO

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BACKGROUND

The County of San Diego has the greatest number of small farms of any County in the United States. Agriculture remains an economic priority industry in the City of Escondido according to the City's CEDS. Agricultural small businesses in Escondido (farmers and suppliers) were disproportionately affected by the COVID-19 pandemic as restaurant and venue closures decreased demand for locally supplied produce and agricultural goods.

To support small-scale agricultural operations and bring forward a brighter future for the local agriculture industry, the City of Escondido partnered with the UCANR department and the VINE to conduct a feasibility study for an AgX Innovation Center. The study identified 455 N. Quince Street, a city-owned 3.48-acre property with 40,680 square feet of existing warehouse and office space, as the ideal location for this center. The proposed facility would serve as a regional hub for agricultural technology and innovation that includes:

- An **incubator space for AgTech startups**; and
- Serve as a **regional food hub for local produce distribution**; and
- House a **consumer-packaged goods (“CPG”) lab and test kitchen**; and
- Serve as an **agritourism coordinating center**; and
- Further grow the **“Grown in San Diego”** brand

The study also assessed the financial feasibility, estimating that full buildout and program implementation would require significant investment, with potential funding opportunities identified to support phased development. The AgX Innovation Center aims to position Escondido as a leader in sustainable agriculture, entrepreneurship, and workforce development in Southern California.

ATTACHMENTS

- a) Attachment “1”—Feasibility Study for the Development of the AgX Innovation Center in Escondido, California



FEASIBILITY STUDY FOR THE DEVELOPMENT OF THE AG X INNOVATION CENTER IN ESCONDIDO, CALIFORNIA

October 2024

PREPARED BY



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I. EXECUTIVE SUMMARY

FEASIBILITY STUDY FOR THE DEVELOPMENT OF THE AG X INNOVATION CENTER IN ESCONDIDO, CALIFORNIA

SUMMARY OF KEY FINDINGS

The Ag X Innovation Center Feasibility Study was conducted to determine the best use for the existing city-owned property and buildings at 455 N. Quince Street in Escondido, California. Based upon key findings developed as a result of extensive data analysis, independent research and review, individual stakeholder interviews, and targeted group discussions, the following goals are set forth:

1. Create a shared vision for the Ag X Incubator and Program
2. Identify the current market landscape for agricultural technology innovation in California, the United States, and across the globe
3. Evaluate various design alternatives and technical needs of the incubator
4. Identify building and program requirements and specifications
5. Develop an operating proforma model and phase 1 business plan

The Vine Institute, a California nonprofit public benefit corporation created to support innovators and entrepreneurs working in agriculture, food systems, and related technology, was retained by the City of Escondido, California to perform an independent and objective feasibility analysis for the establishment of an agricultural innovation center at the City owned property at 455 N. Quince Street. The City of Escondido has a long history of agricultural production and heritage with the potential to blossom further into a modern hub for agricultural technology and innovative practices. Escondido has long been a fertile ground for diverse agricultural endeavors. Historically, the

area was known for its citrus groves and vineyards, which laid a strong foundation for a thriving agricultural economy. Over the years, the focus has expanded to include a variety of crops, especially avocados, and innovative farming techniques, responding to the evolving demands of both markets, climate, and evolving demographics within San Diego County and Southern California.

We have endeavored to: (1) create a shared vision for the Ag X Innovation Center; (2) analyze the current agricultural technology market situation across San Diego County, California, the United States and around the world; (3) evaluate possible design alternatives and technical needs of the Ag X Incubator; (4) identify building and program requirements and specifications for the proposed uses for 455 N. Quince Street in Escondido; and (5) provide a sustainable operating proforma model and phase 1 business plan.

A. METHODOLOGY

To identify and develop recommendations for the practical creation of the Ag X Innovation Center in Escondido, California, we began by analyzing the need for agricultural technology innovation and the current and future trends across California, the United States, and around the world. We considered the current socio-economic makeup of the City of Escondido and the surrounding areas of San Diego County's agricultural production and processing and the region's role in creating opportunities for future food and agricultural production and related technology development.

Second, we solicited stakeholder input targeting agricultural industry leaders, processors, Ag X current and potential stakeholders, trade associations, agricultural technology startups, local government, and university officials, as well as complementary professionals, including economic development directors from neighboring communities in San Diego County. We also interviewed individuals who have experience with the technology sector generally in the San Diego region.

Third, we reviewed and analyzed potential agricultural innovation options to be included in the Escondido Ag X Innovation Center. These options emanated from our extensive review and analysis of existing technology innovation centers across the country and around the world

as well as a review of the greatest needs for agricultural technology advancements now and into the future, especially those beneficial to San Diego County and the surrounding region.

Finally, we performed a financial analysis to develop an initial business plan/proforma to ensure the feasibility, long-term viability, and sustainability of the Escondido Ag X Innovation Center. This was based upon existing market conditions, presumptive costs and expenses, projected revenue streams, and other relevant criteria. We also recommended various potential funding opportunities for consideration.

B. KEY FINDINGS AND RECOMMENDATIONS

KEY FINDINGS

- **The City of Escondido and San Diego County is home to a diverse agricultural community.**
- **Local and regional agricultural production is threatened by increasing costs of production, conversion of agricultural land, and international competitive pressures.**
- **The City of Escondido has prioritized Agriculture and AgTech Development through its five-year Community Economic Development Strategy (CEDS).**
- **The San Diego Border Region through the California Jobs First Program has also determined that Agriculture and Sustainable Food Systems are a top priority.**
- **The City of Escondido has a dedicated property to develop an Ag X Innovation Center and Incubator.**
- **Development of an Ag X Innovation Center can become an economic driver and job creator for the City of Escondido and the surrounding region.**

RECOMMENDATIONS

Based upon the aforementioned analysis and consideration, the following recommendations for the creation of an Escondido Ag X Innovation Center are set forth:

- 1. Develop a Regional Food Hub for aggregation and distribution of locally produced agricultural products.**
- 2. Develop a Business Incubator to nurture existing agricultural technology companies and to develop start-up opportunities for innovative and regional applicable technologies.**
- 3. Create a Consumer-Packaged Goods (CPG) Laboratory along with appropriate Test Kitchen facilities to support local and regional emerging CPG food companies and entrepreneurs focused on the emerging local and regional market demands.**
- 4. Support local AgriTourism efforts through the development of collaborative practices, applications, and land use partnerships within the region.**
- 5. Build upon the "Grown in San Diego" brand with the goal to further develop intentional placemaking, marketing, and differentiation of locally grown products.**

C. CONCLUSIONS

Through its long history of agricultural production and strong cultural heritage, the City of Escondido has the potential to emerge as a modern hub for agricultural innovation and sustainable creative practices. Escondido is uniquely positioned to be a leader in the region for this economic cluster, offering existing land, supply chain resources, and infrastructure such as the Membrane Filtration and Reverse Osmosis (MFRO) water facility, a rail spur, and especially, the property at 455 N. Quince Street.

As this extensive feasibility analysis concludes and given the aforementioned attributes of the City of Escondido, we recommend

the creation of the Ag X Innovation Center at 455 N. Quince Street. The creation of the Ag X Innovation Center would be a unique proposition and catalytic venue to spur agricultural development appropriate for Escondido and the San Diego/Southern California region for the next several decades.

The overall foundational need and vision for the creation of an Ag X Innovation Center is based in the City's CEDS, San Diego County's Jobs First priority, and the current status of agriculture across San Diego County, and most specifically within the City of Escondido. For agriculture to remain viable and vibrant, an Ag X Innovation Center is essential for the continued development of creative and innovative practices for food and agricultural production into the future.

Today, the spirit of innovation continues with the integration of AgTech into various aspects of agriculture. AgTech is the use of technology in agriculture with the aim of improving yield, efficiency, and profitability. Not all AgTech needs to be cutting edge or breakthrough but should be readily applicable to the specific needs of the local and regional community, industry, and marketplace. Creative practices that maximize a locality's specialties and strengths are just as important for the long-term sustainability of the food and agricultural sector.

Therefore, the mix of recommended programs and activities in a newly created Ag X Innovation Center at 455 N. Quince Street in Escondido, CA will provide the necessary epicenter for local and regional agricultural and economic development.



II.

THE NEED AND VISION FOR AN AG X INNOVATION CENTER IN ESCONDIDO, CALIFORNIA

A. OVERVIEW

Settled in a long valley in the coastal mountains of Southern California, Escondido, which means “hidden” in Spanish, lies about 18 miles inland, 100 miles south of Los Angeles, and 30 miles northeast of San Diego. Surrounded by avocado and citrus groves, the City is a diverse, vibrant community. More and more people are making Escondido their “City of Choice.” As the heart of San Diego North, it is one of the few remaining communities where people of all income levels can enjoy the Southern California lifestyle. It offers attractive homes in a wide range of prices, two lakes, several parks, a sports center, golf courses, restaurants, wineries, shopping centers, comprehensive healthcare, and the nearby San Diego Zoo Safari Park. In addition, the California Center for the Arts, Escondido, brings world-class entertainment to the area along with Queen Califia’s Magical Circle, a sculpture garden in Kit Carson Park donated by late internationally renowned artist Niki de Saint Phalle. In recent years Escondido was named by Money Magazine as the Best Place in the West in which to retire and, at the other end of the spectrum, was named a Kid-Friendly City for its broad range of youth programs. Ladies Home Journal also ranked Escondido number eight among the Top Ten Cities for Government.¹

Established in 1888, the city’s rich past brings charm and stability to the community. Integrated with Escondido’s treasured heritage is a progressive future, bright and brimming with promise. New jobs, new cultural amenities, new entertainment venues, new choices for residential living, and a new vision for Escondido’s future, make Escondido a city to consider with potential opportunities to grow its economic base into the future.

In addition, Escondido also has a long history of agricultural production and strong heritage with the potential to blossom further into a modern hub for agricultural technology and innovative practices. The City of Escondido has long been a fertile ground for diverse agricultural endeavors. Historically, the area was known for its citrus groves and vineyards, which laid a strong foundation for a thriving agricultural economy. Over the years, the focus has expanded to include a variety of crops, especially avocados, and innovative farming techniques, responding to the evolving demands of both markets and climate.²

¹ <https://www.escondido.gov/>

² <https://freshbrewedtech.com/cultivating-innovation-escondidos-thriving-agricultural-sector-and-its-future-in-agtech/>

B. CITY OF ESCONDIDO COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AND CALIFORNIA JOBS FIRST – GUIDING PRINCIPLES FOR AGRICULTURAL INNOVATION

In 2023, the City of Escondido updated its five-year Comprehensive Economic Development Strategy (CEDS) for 2023-2028. The CEDS is a strategic plan intended to guide and inform local policymaking over a five-year period. In addition to bringing together place-based analysis, community feedback and strategic guidance, it also qualifies communities for partnership with federal agencies such as the U.S. Department of Commerce's Economic Development Administration (EDA), to apply for and receive infrastructure grants and other forms of funding. It is updated every five years, with annual reports on the local jurisdiction's progress in achieving the action plan outlined in the document. The City of Escondido's previous CEDS was completed in 2018.

Escondido's CEDS recommends that the City pursue an economic development strategy that is focused on improving four community fundamentals, including:

- **Fundamental 1** - Balancing of Population Growth Rates
- **Fundamental 2** - Development of More Economic Opportunities
- **Fundamental 3** - Actively Maximize the Value of Land
- **Fundamental 4** - Development of Intentional Placemaking and Marketing

From these four community fundamentals, Escondido's CEDS further recommends strategic priorities and initiatives across three thematic areas, including:

- **Thematic Area 1:** Streamlined Industry Targeting
- **Thematic Area 2:** Promotion of Entrepreneurship and Commercialization
- **Thematic Area 3:** Creation of a Downtown Destination District

Most specifically, the need and vision for the development of an Ag X Innovation Center within the City of Escondido emanates from these basic community fundamentals (especially Fundamentals 2 through 4) and focused thematic areas (i.e., 1 and 2 as noted below).

Under *Thematic Area 1*, Escondido's CEDS recommends that the first targeted cluster is Agriculture and AgTech. These related areas evolve from the city's historical strengths in farming and ranching, and aim to preserve and grow existing agriculture operations, food packaging, and food production companies. Escondido is uniquely positioned to be a leader in the region for this cluster, offering existing land, supply chain resources, and infrastructure such as the Membrane Filtration and Reverse Osmosis (MFRO) water facility, a rail spur, the property at 455 N. Quince Street, and the San Diego County Farm Bureau. The city's growing professional services and technology industry coupled with historical strengths in agriculture and food offer the opportunity to grow as an Agriculture and AgTech hub for Southern California, conveniently located between Los Angeles and Imperial Counties.³

Moreover, Escondido's CEDS recommends that another targeted cluster is Tourism or Agritourism, including food and beverage businesses. Escondido can offer niche tourism experiences that take advantage of the area's excellent agriculture, wineries, and breweries, including emerging Agritourism opportunities locally and nearby in north San Diego County.

Additionally, under *Thematic Area 2*, Escondido's CEDS further recommends the promotion of entrepreneurship and early-stage scaling including AgTech development, testing, prototyping, and low-scale manufacturing, and processing.⁴ The relevant environments for these activities are home offices and laboratories, small office buildings, and small warehouses that might have formerly accommodated local services like auto repair and storage. In other words, Escondido should seek to foster the kinds of manufacturing activities that can fit in the spaces it has available.

The overarching goal of all these fundamentals and themes outlined under Escondido's CEDS is job creation and workforce development

³ City of Escondido Comprehensive Economic Development Strategy (CEDS) 2023-2028, pg. 57, Beacon Economics.

⁴ City of Escondido Comprehensive Economic Development Strategy (CEDS) 2023-2028, pg. 61, Beacon Economics.

with higher paying jobs generated within the City of Escondido. This important goal is also highlighted in California's Jobs First Initiative. San Diego County and the City of Escondido are part of the California Jobs First Southern Border Coalition, including San Diego and Imperial Counties. The Coalition aims to foster long-term economic resilience across San Diego and Imperial Counties, and coordinates competitive applications for additional funding from the state government. The Coalition is comprised of community of environmental justice organizations, regional economic development entities, labor unions, community-based organizations (CBOs), local governments, educational institutions, and Indigenous Tribes working together to create an equitable economic development plan for the region.

The Southern Border Coalition of California Jobs First submitted its Regional Plan Part 2 at the end of August 2024. In this Regional Plan, priority industry sector strategies were identified, and the highest priority within the San Diego County Subregion was Agriculture + Sustainable Food Systems.⁵ More specifically, the Plan⁶ highlights the importance of cultivating an equitable and sustainable agricultural and food system sector in San Diego County through⁷:

1. Preserving agricultural land and soils and committing to long-term production
2. Increasing the viability of local farms, fisheries, and food businesses
3. Scaling up local, sustainable, and equitable food value chains
4. Elevating wages and working conditions, and improving career pathways
5. Improving community food environments

⁵ <https://cajobsfirst.sdsu.edu/#:-:text=The%20Southern%20Border%20Coalition%20is%20part%20of%20California's%20California%20Jobs>

⁶ California Jobs First Southern Border Coalition, *Regional Plan Part 2*, submitted August 31, 2024.

⁷ San Diego Agriculture + Sustainable Food Systems Industry Sector Form, submitted August 31, 2024.

C. SAN DIEGO COUNTY AND ESCONDIDO AGRICULTURAL CHARACTERISTICS

In San Diego County, agriculture contributes \$2.88 billion to the economy and supports nearly 17,000 jobs. Agriculture in San Diego County has exceptional diversity that provides economic stability within agriculture and to the broader county economy.⁸ In 2022, the total number of acres grown in the San Diego region was 214,438 acres, while the total value of production was \$1,776,799,614. Nursery and crop flower products made up 69% of the region's total crop production in 2022, while fruit and nut crops were the second most prominent crop group, making up 17% of total crop production. More specifically, the top 10 crops in the region in 2022, as well as associated acres harvested and economic value for each, is outlined in **Table 1**, Top 10 Crops, Acres Harvested, and Economic Value.

TABLE 1: TOP 10 CROPS IN SAN DIEGO COUNTY, 2022

Crop	Acres Harvested	Economic Value
Bedding plants	1,927	\$445,359,543
Ornamental trees and shrubs	4,662	\$375,080,420
Indoor flowering and foliage	870	\$310,568,221
Avocados	12,597	\$122,828,221
Vegetables	2,526	\$113,080,084
Livestock and poultry	–	\$94,389,528
Lemons	2,847	\$73,922,314
Oranges	3,728	\$38,203,806
Other cut fruit and bulbs	830	\$32,437,482
Citrus, avocado, and subtropical fruit trees	216	\$22,352,065

Source: <https://awmsdcropreport.com> and <https://www.sdfarmbureau.org/top-crops/>

⁸ <https://www.sandiegocounty.gov/content/dam/sdc/awm/docs/SDAgImpact.pdf>

Additionally, there were approximately 4,031 farms across San Diego County in 2022, with the median size of farms of 5 acres.⁹ **Table 2** highlights the number farms by size across the county:

TABLE 2: FARMS BY SIZE, SAN DIEGO COUNTY, 2022

Farms by Size	Number
1 to 9 acres	2,790
10 to 49 acres	849
50 to 179 acres	260
180 to 499 acres	107
500 to 999 acres	20
1,000 acres or more	35

Source: United States Census of Agriculture, 2022

More specifically, the Escondido agricultural sector reflects the importance of avocado production across the county. A recent study prepared for the California Avocado Commission by ERA Economics highlights the changes and impacts of avocado production on Escondido and San Diego County.¹⁰

As recently as 2006, the majority of avocados consumed in the U.S. came from California. Now less than 10% of U.S. consumed avocados are grown in the state. Avocado acreage in San Diego County has decreased substantially, by 35% from 2012 to 2022. Acreage for the 2022-2023 season is down 14% more. The causes of this decline are many but mainly due to the increasing cost of farming and increasing competition from Mexican avocado imports.

Additionally, avocado growers operate in a competitive market and have limited ability to pass on higher input costs. As water, labor, and material input costs increase this reduces income for Escondido area

⁹ United States Census of Agriculture, 2022, https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_2_County_Level/California/st06_2_001_001.pdf

¹⁰ "Economic Contribution and Ecosystem Service Value of Avocados in the Escondido Area," prepared for the California Avocado Commission by ERA Economics, September 2024.

growers, forcing some to exit the industry.¹¹ Avocado producers in Mexico have lower costs, which offers an advantage over Escondido area growers and threatens U.S. food security and the ability to produce domestically within San Diego County. Every avocado produced at the farm generates additional local economic activity. The total economic impact contribution of San Diego County agriculture exceeds \$2.8 billion per year, creates directly and indirectly nearly 30,000 part-time and seasonal jobs, and supports more than 7,000 other jobs in local industries. Of this, around 700 jobs and \$40 million in output value are from avocado growers in Escondido.¹²

In summary, the overall foundational need and vision for the creation of an Ag X Innovation Center is based in the City's CEDS, San Diego County's Jobs First priority, and the current status of agriculture across San Diego County, and most specifically within the City of Escondido. In order for agriculture to remain viable and vibrant, an Ag X Innovation Center is essential for the continued development of creative and innovative practices for food and agricultural production into the future.

The following feasibility analysis explores several recommended programs for an ideal Ag X Innovation Center in the City of Escondido and outlines several leading innovative agricultural technological solutions that will make Escondido a hub for leading-edge agricultural innovation into the 21st century and beyond.

¹¹ "Economic Contribution and Ecosystem Service Value of Avocados in the Escondido Area," prepared for the California Avocado Commission by ERA Economics, September 2024, pg.3.

¹² Ibid.



III.

CONSIDERATION OF AGRICULTURAL TECHNOLOGY USES FOR THE ESCONDIDO AG X INNOVATION CENTER

Agricultural Technology (AgTech) is the application of innovative technologies to enhance various agricultural processes, including plant, animal, and aquaculture farming. In ancient times, simple tools such as hoes made from sticks and stones, or forked sticks used to create trenches for planting seeds¹³, represented significant technological advances that improved agricultural practices and, by extension, the human condition.

Today, the spirit of innovation continues with the integration of AgTech into various aspects of agriculture. AgTech is the use of technology in agriculture with the aim of improving yield, efficiency, and profitability. This includes, but is not limited to, new products, services, applications, and often more specifically, biotechnology, regenerative agriculture, controlled environment agricultural practices (CEA), and the Internet of Things (IoT).¹⁴ However, not all AgTech needs to be cutting edge or breakthrough but should be readily applicable to the specific needs of the local and regional community, industry, and marketplace. Creative practices that maximize a locality's specialties and strengths are just as important for the long-term sustainability of the food and agricultural sector.

We have focused our analysis on several programs and innovative practices that are most appropriate for the City of Escondido and San Diego County. We conducted over sixty stakeholder interviews and four focus groups, targeting agricultural industry leaders, growers, processors, City of Escondido stakeholders, trade associations, agricultural technology startups, local government officials, as well as other San Diego-area complementary professionals and industries.

Overall, the proposed project received a positive impression, with growers, economic development entities, and local government leaders expressing the most enthusiasm. Interviewees showed positivity about the city's proposed location and overall direction.

¹³ <https://www.tstar.com/blog/history-of-agriculture-equipment-important-developments-and-examples#:~:text=The%20earliest%20innovations%20involve%20the.emerged%20over%205000%20years%20BC.>

¹⁴ <https://www.startus-insights.com/innovators-guide/agriculture-trends-innovation/>

As a result, through this interactive process we have identified the following coordinated five prong approach to deliver and develop a sustainable model for San Diego and Escondido agriculture:

1. Develop a Regional Food Hub for aggregation and distribution of locally produced agricultural products.
2. Develop a Business Incubator to nurture existing agricultural technology companies and to develop start-up opportunities for innovative and regional applicable technologies.
3. Create a Consumer-Packaged Goods (CPG) Laboratory along with appropriate Test Kitchen facilities to support local and regional emerging CPG food companies and entrepreneurs focused on the emerging local and regional market demands.
4. Support local AgriTourism efforts through the development of collaborative practices, applications, and land use partnerships within the region.
5. Build upon the "Grown in San Diego" brand with the goal to further develop intentional placemaking, marketing, and differentiation of locally grown products.

The following analysis discusses each of these programmatic areas in detail and highlights their interconnected and collaborative relevance to the vision and need of the City of Escondido in creating an Ag X Innovation Center. These programs also directly reflect the importance of Escondido's CEDS and the Southern Border Region Jobs First priorities.



Attachment "1"

Item9.

IV.

RECOMMENDED PROGRAMS AND SPECIFICATIONS OF AN ESCONDIDO AG X INNOVATION CENTER AND INCUBATOR AT 455 N. QUINCE STREET

The City of Escondido-owned site at 455 N. Quince Street (see **Figure 1** below) is the proposed location for the Ag X Innovation Center. The parcel is approximately 3.48 acres, and the existing buildings are approximately 40,680 square feet. The buildings are a mix of high ceiling warehouse space with roll-up doors and one-story offices appropriate for mixed uses as projected. The site also includes a large parking area that can be utilized for off-loading products and preparation of deliveries as well as enough space to develop alternative uses related to the proposed programs.



Figure 1: 455 N. Quince Street, Escondido, CA with approximate square footage.

A. Regional Food Hub

Across the United States over the last several years, many communities have identified the need for expanded regional “agricultural infrastructure” to strengthen the local and regional food system and the region’s many agricultural producing communities. Agricultural infrastructure commonly is defined to encompass aggregation, packing, processing, marketing and distribution capacity and facilities, including “Food Hubs.” Overall, agricultural infrastructure:

- Improves the efficiency and sustainability of the local food system
- Increases access to healthy foods in underserved communities
- Supports the viability of agriculture
- Creates new jobs and economic opportunities
- Helps preserve valuable farmlands

The food hub movement is growing rapidly across the nation as a strategy to support and strengthen local and regional food systems. While the term “food hub” has a diversity of meanings, a common current usage describes an enterprise that provides aggregation, distribution, and marketing services and sometimes processing services to small and medium regional growers. It connects growers to larger markets they could not otherwise serve, and provides a source of fresh, sustainably grown locally produced food for regional institutional, wholesale and retail customers at a scale required to meet their needs.

Agriculture has deep roots in San Diego County and the City of Escondido. The region has existing aggregation, processing, and distribution capacity, mostly focused upon the primary agricultural products such as nursery crops, avocados, and citrus. Although unevenly distributed, the San Diego region also has direct market assets including farmers’ markets, Community Supported Agriculture (CSA subscription food box programs), farm stands, and agritourism. It is also home to growers who have pioneered more efficient conventional, organic, and sustainable practices on space-limited sites across the County.

This analysis focuses primarily on food hubs and their expanding networks as an integral element in the region’s local market infrastructure, which includes assessing the potential for food banks to support food hub operations and opportunities to increase access to fresh produce in underserved communities and to better serve the needs of institutional buyers and consumers. A key focus is to provide market channels and support for small to medium-sized growers – including new farmers, economically disadvantaged farmers, BIPOC farmers, and veterans entering agriculture among others – but the food hub can be a market resource for growers of any scale. Participation of larger growers, especially in the initial phase of the food hub, could help provide the product volumes necessary to achieve economies of scale that would in turn create the capacity to serve larger customers with cost-competitive pricing and reliability of supply, and establish a solid market base.

In the long-term, a financially sustainable business will be the best way to provide market opportunities for small and medium-sized growers, working with a wide range of partners to address additional community and social benefit goals. A core aspect of the approach is to leverage existing resources within the region, including existing food hubs, and the food banks which are leaders in the local food system movement and have transportation, logistics and other capacity to help incubate a regional food hub network. Other options include partnerships with existing fresh produce distribution companies and wholesalers which have a strong presence in the region, to provide them with a new market channel for locally sourced and identified produce and value-added products.

1. Local Partnership with Foodshed Cooperative

In order to quickly develop a successful food hub at the Ag X Innovation Center, we propose to establish a working partnership with *Foodshed Cooperative*. *Foodshed* works directly with farmers, eaters, and entrepreneurs to cultivate an equitable food system in San Diego while addressing the challenges posed by the climate crisis. Founded in March 2020, *Foodshed* increases access to healthy food, addresses food insecurity in low-income communities, and empowers small farms to produce quality harvests. To bring healthy, nutritious, and affordable produce to local families, *Foodshed* connects its network of small and urban regenerative farms directly to communities that need it most.¹⁵

Foodshed sustains communities by meeting people where they are and works tirelessly to build and sustain healthy families. *Foodshed* connects local farmers with local communities to provide families with clear pathways to healthy, nutritious, and affordable fruits and vegetables. The impact on the local economy could be huge: if San Diegans spent only 5% of their food budget on locally grown products, the region could sustain approximately 6,000 small farms. These purchases would, in turn, have an additional \$2.7 billion economic multiplier effect to recirculate in local communities.¹⁶

¹⁵ <https://www.foodshedcooperative.com/about-us>

¹⁶ *Ibid.*

Foodshed is working directly with farmers to build thriving farms that produce quality food that is good for the people and the environment, by developing a mutual aid support network to empower local BIPOC, new, and seasoned farmers to farm regeneratively. Foodshed is cultivating economic viability by cooperating with farmers and creating a multi-faceted support network that is committed to fighting climate change, using the concept of carbon farming and regenerative agriculture practices to restore and rehabilitate the approach to food and farming systems. This approach could allow farms to offset 100% their greenhouse gas emission.¹⁷

Currently, Foodshed aggregates the freshest, most ethically produced products you can find from farmers whose practices include regenerative, organic, pasture-raised, and climate-smart production. They serve customers who are committed to investing in these farmers through Community Supported Agriculture (CSA) subscriptions.



Foodshed Cooperative can be the leader and assist in the initial development of food hub services for the Ag X Innovation Center. As the food hub facilities mature and the volume of available locally grown food increases, additional services and markets can be developed as outlined in the following table:

¹⁷ <https://www.foodshedcooperative.com/about-us>

POSSIBLE RECOMMENDED FOOD HUB SERVICES/ACTIVITIES		
Operation Services	Producer Services	Community/ Environmental Services
Pre-cooling, sorting, grading, culling, washing, cooling	Actively linking producers and buyers, contracting for product	Increasing community awareness of "buy local" benefits
Producer aggregation	On-farm pick-up, crate system, delivery	Distributing to nearby "food deserts"
Packaging and re-packaging	Production and post-harvest handling training	Food bank donations
Light processing (trimming, cutting, freezing, drying)	Management services, business, and crop planning	Youth and community employment opportunities
Brokering	Value-added product development	Recycling and composting programs and renewable energies
Branding and market promotion	Food safety and Good Agricultural Practices (GAP) training and certification	Contact with growers & distributors with existing receiving & cleaning stations as mini-aggregation sites
Cold and dry storage, extending seasonality	Liability insurance	Partnering with food banks on logistics and transportation
Distribution	Facilitating access to capital	Education on policy barriers, including local procurement issues

Source: *The Role of Food Hubs in Local Food Marketing, The USDA Regional Food Hub Resource Guide, and Sacramento Region Food Hub Feasibility Analysis – Sacramento Valley Food Hub Business Plan*, August 2014.

As an initial phase of development for a regional food hub, we recommend the conversion of a portion of the existing 455 N. Quince Street site building into useable space for the operation of aggregation and distribution facilities. The proposed food hub will be designed to undergo several phases of operations, from basic aggregation, packing, packaging and distribution activities during the start-up and early expansion phases, to gradually put in place increased value-added activities such as light processing that will position the hub to develop a viable regional market niche for fresh produce.

There are five primary functions that will be targeted for the proposed food hub facility model at full build out. It will be important to select products for this venture that can be marketed either fresh or frozen,

to provide flexibility for changing market conditions, and to extend seasonality and shelf life. The anticipated primary functions are as follows:

- Receiving and aggregating the produce
- Pre-cooling
- Packaging, packing, and/or adding value such as through peeling or cutting
- Processing
- Storing and shipping

As discussed below in Sections V and VI, the cost estimates for the creation and operation of the food hub will be based upon the development of the existing building to include refrigeration/cold storage, production equipment, produce handling/storage, fire protection, auxiliary systems and equipment, mobilization, engineering and management, and any additional contingency.

B. Incubator Space for AgTech Companies

Company incubation facilities, also known as business incubators, are specialized programs designed to support the development and growth of startup companies. Agricultural technology incubation facilities, also known as AgriTech incubators, are specifically designed to support the development and growth of startups in the agricultural sector. These facilities provide a range of resources and services to help new businesses overcome challenges and succeed in the AgriTech industry. Below is a list of attributes commonly associated with AgriTech incubators:

- *Physical Space:* Incubators offer office space, meeting rooms, and sometimes laboratory and field facilities.
- *Shared Services:* Access to shared services such as internet, phone lines, and administrative support.
- *Mentorship and Training:* Guidance from experienced mentors and training programs to help entrepreneurs develop their business skills, particularly in agricultural technology.
- *Access to Funding:* Assistance in securing funding through investor connections, grants, and other financial resources.

- *Business Development*: Nurturing and accelerating the growth of new businesses by providing essential resources and support tailored to the agricultural technology sector.
- *Cost Savings*: Reducing the initial costs for startups by offering shared services and facilities at lower rates.
- *Skill Enhancement*: Providing training and mentorship that helps entrepreneurs develop the skills needed to run a successful AgriTech business.
- *Networking*: Creating opportunities for startups to connect with investors, partners, and other key stakeholders in the agricultural industry.
- *Economic Growth*: Contributing to the local and national economy by creating jobs and fostering innovation in agriculture.

1. Business Incubator Space/Convening Space

The AgriTech business incubator space will provide office, conference, and other amenities that a startup company needs to be housed within the facility. The design of this space will allow for both private and communal areas. Private office spaces will give incubator tenants the privacy needed for their business operations. Communal spaces will enable the sharing of common equipment (copiers, printers, etc.) and other office amenities, relieving tenant startups from investing in capital business equipment costs that they might not need initially. Additionally, the communal space will encourage an open, collegial, and collaborative working environment. Conference rooms associated with the business incubator spaces will vary in size to accommodate intimate and larger group gatherings as needed for the AgriTech incubator tenants. State-of-the-art technology will be incorporated into the facility to help enable the success of the incubator tenants (e.g., video conferencing, high-speed internet and intranet, cloud computing, AI R&D, etc.).

2. Wet Laboratory

A BSL2 level wet laboratory on-site will allow for a versatile setup to meet the research and development needs of most tenants. A BSL2 wet laboratory will enable the study of most items that may be of interest to an AgriTech startup while providing a safe environment for laboratory personnel to

perform their experiments. Adding a chemical hood to the laboratory would allow tenants to perform proper chemical handling/experiments in the hood. The general setup of a wet laboratory should include benchtop space with chemical-resistant countertops (e.g., slate or epoxy, typically six benches per lab), sinks, chemistry hoods, cabinetry, lighting, plumbing, gas lines (natural gas, nitrogen, air, etc.), vacuum lines, electrical (110V and 220V), and emergency backup power hookups, both tap H₂O and di-H₂O lines to the sinks, etc. In addition to these, a wet laboratory should also include space for computers, at least one biological safety cabinet, refrigerator(s), freezer(s), and incubator spaces.

A lab of this type could service most tenants of the incubator facility (including AgriTech and Consumer-Packaged Goods labs and Test Kitchens, as needed).

3. Initial AgTech Stakeholder/Company - AZENTIVE

As described previously, an AgTech startup incubator can support early-stage agricultural technology companies by offering funding, training, mentorship, networking opportunities, and resources for day-to-day operations. These resources help startups grow by providing financial assistance, educational programs to develop business and technical skills, guidance from experienced entrepreneurs and industry experts, and connections with potential investors, partners, and customers. This comprehensive support system enables “agripreneurs” to build their businesses from the ground up and advance to the next stage of development.

An example of an interested AgTech business within the greater Escondido, CA area that has expressed a desire to locate to the proposed AgTech incubator facility is AZENTIVE¹⁸. AZENTIVE is a “wellness, regenerative systems, and emerging technology company.” They focus on creating positive social, environmental, health, and community impacts through “Biomimicry Science solutions.” Their initiatives aim to produce nutrient-dense foods and plant-based medicines by mimicking natural processes.

¹⁸ <https://www.azentive.com/>

AZENTIVE's flagship technology is based on replicating the full spectrum of sunlight to allow plants to grow indoors as if under natural sunlight. Their "Sun On-Demand™ (aRadiant Sun™)" technology supports both indoor and outdoor plant cultivation. AZENTIVE emphasizes the importance of local, regenerative farming and collaborates with small farmers to promote healthy heirloom and legacy genetics. This technology supports the regenerative cultivation of plants, promoting healthier growth, stronger immune systems, and higher compound-density in plants. It is particularly beneficial for growing plant-based medicines and nutrient-dense foods, as it helps plants achieve full genetic expression.

AZENTIVE emphasizes that they are not just a lighting company, but a wellness and sustainability company focused on creating symbiotic systems that benefit plants, people, and the planet.

A review of AZENTIVE's plans indicates a vision for an "impactive, integrative, regenerative circular economy" with wellness, education, and circular regeneration as the core guiding principles. Within their vision are anticipated five foundational core facilities focusing on:

- i. Sunlighting and soil facility
- ii. Nursery facility for trees, seeds, pollen, and exotic and medicinal plants
- iii. A commercial kitchen, café, and apothecary for their produce
- iv. E-waste metal recovery facility
- v. Education and innovation sandbox facility

As a foundational tenet of the Ag X Innovation Center, AZENTIVE could utilize multiple aspects of the proposed facility, including the AgTech incubator, wet lab, CPG and test kitchen, and food hub, while also branding their products as "Grown in San Diego Brand."

Additional phased development of the Ag X Innovation Center could see expanded growth into available space in the current back parking area. For instance, this space could be developed to include growth facilities for controlled environmental agriculture (CEA) and other greenhouse facilities, revolutionizing growth, and innovation to foster entrepreneurship in the regional AgTech industry, with AZENTIVE taking an early lead in this development.

C. Consumer-Packaged Goods Food and Beverage Lab and Test Kitchen

Consumer-Packaged Goods (CPG) are items used daily by average consumers that need to be replaced or replenished regularly. These include goods such as food, beverages, clothes, and healthcare and beauty products. In a world transformed by the post-pandemic era, consumer interests reflect a shift toward healthier more natural ingredients in everyday products and a rising demand for sustainable options. This global trend signals a pressing need for change, urging CPG companies to adapt quickly. To stay competitive, CPG companies need to consistently deliver meaningful pioneering and innovative products faster than ever before. To highlight the importance of the CPG market, the following facts are most informative¹⁹:

- The global CPG industry is predicted to add \$3.18 trillion in value in 2024.
- In the United States, that amounts to \$821 billion in value added.
- The industry value is projected to reach \$18.94 trillion by 2031.
- 67 of the top 100 CPG companies are in the food and beverage industry.
- Compared to 2021, the average American household makes 10+ more trips to buy food and beverages.
- Approximately \$1.4 trillion is spent on food each month.

San Diego County and the City of Escondido stand poised to deliver a new array of food and beverage products suited for today's demanding consumers, especially with the creation of innovative CPG products targeted to local and regional markets produced from local and regional agricultural crops. San Diego County already has a built-in economy and consumer base with a population of nearly 3.3 million people.²⁰ The City of Escondido has a population of just over 150,000, the third largest city within the County.²¹ Furthermore, San Diego County's population is increasingly diverse with 34% Hispanic/Latino, 12.5% Asian, 4.7% Black/African American, and

¹⁹ <https://explodingtopics.com/blog/cpg-industry>

²⁰ <https://dof.ca.gov/forecasting/demographics/estimates-e1/>

²¹ Ibid.

15.8% two or more races.²² The population base and its diversity are ripe markets for creative and innovative CPG food and beverage products grown and produced in San Diego. However, in order for locally produced CPG items to flourish, a locally and regionally focused innovative laboratory for new food products and packaging needs to be established as an important foundation of the Escondido Ag X Innovation Center.

1. Collaborative Relationship with Naturally San Diego

As part of our stakeholder outreach within the region and local community, we solicited the input of Naturally San Diego, an organization established to bring together entrepreneurs, investors, brands, retailers, and industry experts for the purpose of making San Diego the best place to launch and scale a natural products company.²³ Kierstin Rielly, Executive Director of *Naturally San Diego* informed us that their focus is not primarily on agricultural products, food, or beverages, but many of the consumer health and beauty brands that they work with do have connections to the regional agricultural community.

More specifically, *Naturally San Diego* surveyed its membership regarding the needs of food and beverage CPG companies and emerging start-up firms and their responses were informative for the creation of a CPG Lab and Test Kitchen space as follows:

- Need for FDA approved clean space for production
- Need for packaging line for snacks or beverage powders
- Need for commercial kitchen facilities for bottling or canning of ready-to-drink beverages
- Need for commercial kitchen facilities for snacks or other food products
- Need for dehydrators, dehumidifiers, or other drying equipment

²² <https://www.census.gov/library/stories/state-by-state/california-population-change-between-census-decade.html#:~:text=See%20how%20California's%20population%20and%20housing%20changed%20from>

²³ <https://naturallysandiego.org/>

- Need for batch laboratory for prototyping or quick turnaround samples and the ability to create comparable products
- Need for representative manufacturing and packaging equipment, especially for natural products, including high shear mixers and hot filling capabilities for balms, creams, and high viscosity products
- Need for affordable clinical trials/claims testing/research with the ability to expand to focus groups and market research
- Need for small studio photo space to showcase new products
- Need for separate commercial kitchen space for individualized operation and activity

As a result of this instructive feedback, we recommend that the CPG Lab and Test Kitchen be designed to accommodate multiple client companies at the same time. The lab should also include various storage rooms including ambient storage for at least two levels of humidity and refrigerated storage for both low and medium temperatures. The lab will be divided into two areas, first being a “gray” area where raw materials and supplies are received and handled, and the second being a “clean” area (not to be confused with clean rooms for biopharmaceutical industry), where in process and finished products are being handled/produced in a sanitary environment. To facilitate the physical separation of the two areas, not only will a dividing wall be required, but also consideration will need to be given to maintaining positive air balance in the “clean” room and slightly negative air balance in the “gray” room. For personnel access to the “clean” room, a special entrance (anteroom) is strongly encouraged. The anteroom shall have positive air pressure, but less than that of the clean room and shall be equipped with a handwash sink with a no touch faucet and a no-touch hand air dryer; a shoe sanitizer mat; accommodation for the donning of smocks, hair, and beard nets, etc. (important to guard against cross contamination). Once in the “clean” side of the lab, it is important that each client company has a dedicated sink and counter so that these functions do not have to be shared. The lab should also include the following shared equipment:

- Blanching equipment
- Grinders, choppers
- Fermenters
- Product pumps
- Decanter
- Ultrafiltration system
- Cooking operations such as a couple of Rational-type ovens, a heated tunnel cooker and various kettles

- Tunnel for drying
- Various means for the use of refrigerant including a CO₂ crust freezer, a nitrogen freezing tunnel, an individually quick frozen (IQF) tunnel, and a cooling tunnel
- Conveyors for separating raw material by size, color and by quality
- Container fillers and closures
- Slicers, dicers, and peelers
- Pouch fillers and sealers (most likely using preformed flexible pouches)
- Nitrogen flushing of packages
- Cold box (refrigerated built-in storage) and/or commercial refrigerators and freezers for in-process or finished product storage

Additionally, within the total area of the CPG Lab and Test Kitchen, we further recommend that three separate commercial kitchens (approximately 1,000 sq. ft. each) be created to allow multiple client companies to work independently to maintain proprietary activity and prevent cross-contamination of product.

D. Agritourism Coordinating Center

Agriculture in San Diego County has exceptional diversity that provides economic stability within agriculture and to the broader county economy. Nursery and greenhouse production have generated the majority of agricultural sales since the 1990s. San Diego County is also the top avocado and fresh tomato producer in the country, and has 545 organic farms, the most of any county.²⁴

As noted above, the primary commodities grown in San Diego, including avocados, vegetables, and citrus, are losing acreage annually as international imports of the same commodities continue to saturate the market. Additional threats to farming in San Diego County includes the high cost of inputs (primarily water) and the shrinking margins of specialty crops grown in the region.

²⁴ https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/st06_1_001_001.pdf

Due to farming threats discussed above, growers in San Diego County need additional revenue streams to keep up with the rising costs of their inputs. A collective Agritourism strategy for San Diego County growers could capitalize on the significant tourism in the region and provide added income and revenues.

Allowance of Agritourism relies strongly on land use, which is determined locally by City Councils (for jurisdictions within city limits) and Boards of Supervisors (for non-incorporated areas).²⁵ The majority of farms in San Diego County are located within unincorporated areas. San Diego has a large number of farms less than 5 acres, which are largely situated in rural to semi-rural regions that provide larger plots of land and appropriate zoning necessary for agriculture. The County of San Diego has incentivized Agritourism uses through its land use planning. For example, on March 28, 2012, the County Board of Supervisors approved an amendment to the County's Zoning Ordinance to establish Agricultural Tourism as an accessory use to Commercial Agriculture uses.²⁶ This Zoning Ordinance update initiated the Agricultural Promotion Program, which supports and promotes agricultural tourism. On March 15, 2017, the County Board of Supervisors amended the Zoning Ordinance language pertaining to the Agriculture Promotion Program which adds and clarifies agricultural use definitions; supplements agricultural opportunities to include new agri-tourism accessory uses including wineries and animal uses. Uses that are regulated by these Zoning Ordinance amendments include creameries, microbreweries, micro-distilleries, and agricultural stores.²⁷

Since the implementation of the Agricultural Promotion Program in 2012, more than 100 companies in the County now participate in some form of Agritourism. A 1999 study estimated that over 200,000 people annually visit the Carlsbad Flower Fields, and those numbers may have risen significantly since then. Tourism is the third-largest economic driver in San Diego – generating \$23.4 billion in regional economic impact in FY 2023, contributing to more than \$1 billion in transient occupancy taxes, sales taxes and property taxes to government entities, and supporting more than 200,000 tourism-related jobs in the County.²⁸ As a result, great opportunities exist to expand agricultural tourism in the region.

²⁵ https://sarep.ucdavis.edu/sites/g/files/dgvnsk5751/files/inline-files/byrne-tourism_0.pdf

²⁶ <https://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/formfields/PDS-PLN-207.pdf>

²⁷ <https://www.sandiegocounty.gov/pds/advance/agriculturepromotion.html>

²⁸ <https://sdtmd.org/case-study-san-diego-tourism-authority/#:~:text=Tourism%20is%20the%20third-largest%20economic%20driver%20in%20San,more%20than%20200%2C000%20tourism-related%20jobs%20in%20the%20County>

The University of California Agriculture and Natural Resources (UC ANR), in partnership with the UC Cooperative Extension, has put in significant effort and resources into developing agritourism in the San Diego region.²⁹ For instance, UC ANR has developed the Getting Started in California Agritourism program, which helps potential agritourism enterprises get started. More specifically, it provides resources, access to potential regulations and requirements, networking opportunities, assistance with developing a business and marketing plan.^{30,31} Marketing resources and workshops on agritourism are also available to farmers and ranchers through UC ANR.³²

1. Creation of Digital Interactive Application

The agritourism strategy for San Diego County would include the development of a digital app, featuring information about each agritourism location, along with marketing efforts in airports and on digital platforms such as Uber. There will need to be an innovative assessment model created for program sustainability. As a part of this project, there will be an opportunity to receive funding to update and make the UCANR interactive map more user-friendly. We propose to contract out the development and support of an interactive San Diego Agritourism digital application with a local software firm.

2. Develop Agritourism Technical Assistance Center

Technical assistance for growers wanting to adopt an Agritourism strategy for their business is critical. As discussed above, UC ANR provides a variety of resources assisting farmers and growers with agritourism ventures at the state level as well as county specific. The San Diego UCANR Team received a grant to provide networking opportunities for those interested in agritourism activities and those currently in operation. The grant also supports technical assistance and connection to UCANR statewide resources. The funding runs

²⁹ https://ucanr.edu/sites/OAR/Resource_Directory/Marketing_285/AgriTourism_-_Direct_Marketing/

³⁰ <https://ucanr.edu/sites/agritourism/files/384252.pdf>

³¹ <https://ucanr.edu/sites/agritourism/>

³² <https://ucanr.edu/sites/agritourism/Teaching/>

out in the first quarter of 2025 and an additional investment will be required to continue creating the ecosystem. People will need help navigating the regulation related to zoning and permitting. Access to grant funding and assistance with submission would be helpful especially during the permitting process. Insurance, standard liability specifically, is a factor as well and folks can use help there. There is an opportunity to invest in capacity building at the UCANR San Diego Office and/or staffing at the Ag X Innovation Center.

3. Focus on Agritourism Highlighting San Diego County Viticulture

Although there are 115 wineries in the San Diego area, the region is not well known for its wine production.³³ In 2023, San Diego County wineries generated \$54.5 million in gross sales, an 11% increase over 2022 sales (\$49.1 million), reaching a new all-time record. For a second year in a row, newer and expanding wineries led job growth in the sector, which rose to an estimated 802 jobs in 2023, a 13% increase over 2022 totals of 709.5.³⁴ There is an opportunity to expand the viticulture industry in San Diego County with a collective county-wide wine ordinance that allows for more agritourism opportunities.

Based on discussions with Kim Murray of Beach House Winery, there is currently a lack of technical assistance and knowledge available to wine grape growers in the region. In addition, as part of the winery ordinance in San Diego, there is a maximum capacity of 12-14 persons in a vehicle to visit county wineries and they cannot have amplified noise (music, etc.).

The proposed agritourism strategy outlined above will also promote agritourism in the winery space. Although resources in the region allocated to viticulture are limited, the San Diego Viticulture and Enology Technician Apprenticeship Program (VETAP)³⁵ offers a two-year program for aspiring individuals seeking careers in viticulture and enology, which includes a

³³ <https://sandiegowineries.org/sd-wine-country/sdcva-story>

³⁴ https://sandiegowineries.org/wp-content/uploads/2024/05/SDCVA_Economic-Impact-of-SD-Wineries-Report-2024_FINAL-2.pdf

³⁵ <https://www.sdvtap.org/>

registered apprenticeship with both paid on-the-job training and supplemental coursework. This program provides opportunities to expand on the viticulture workforce in the San Diego region and could be collocated within the Ag X Innovation Center in Escondido.

E. ***“Grown in San Diego”* Brand Re-emphasis**

In the past, the San Diego Farm Bureau has initiated a “Grown in San Diego” brand to market to consumers products grown in the San Diego region. As a part of this strategy, growers participating in this platform were allowed to use the “Grown in San Diego” brand that the San Diego Farm Bureau has rights to promote and identify products grown in the San Diego region. The brand must be updated and revitalized to become something of value in the eyes of the consumer.

The strategy proposed under this plan will expand on San Diego Farm Bureau’s “Grown in San Diego” brand by providing the necessary marketing support with sustainable financial investment. This also emphasizes an important component of the City of Escondido CEDS, Fundamental 4 – Intentional Placemaking and Marketing. By re-emphasizing the “Grown in San Diego” brand it will not only allow San Diego but the Escondido growers the opportunity to tell their own story, highlighting the area’s key strengths and distinctive qualities, including superior amenities and comfortable quality of life along with unique growing environments and outstanding products.

The “Grown in San Diego” brand ties all the programs proposed for the Ag X Innovation Center together – it allows the marketing of food hub agricultural commodities and CPG products to be labeled and identified as uniquely “Grown in San Diego,” and it will also highlight the virtues of San Diego Agritourism sites and attractions. Additionally, it will afford all programs the ability to support one another financially through the sharing of personnel and potential revenue sources for long-term sustainability and viability.

Moreover, the "Grown in San Diego" program should work closely with the state's *California Grown Program* and strive to execute a variety of marketing programs including retail, foodservice, and national promotions, owned and paid digital advertising, public relations campaigns and San Diego-focused agritours and special events highlighting the Escondido Ag X Innovation Center.





V.
PROPOSED DESIGN
ALTERNATIVES AND
TECHNICAL NEEDS OF
AN ESCONDIDO AG X
INNOVATION CENTER
AND INCUBATOR AT
455 N. QUINCE STREET



Figure 2: Proposed lay-out of Programmatic Areas of the Escondido Ag X Innovation Center at 455 N. Quince Street.

Based upon the discussion throughout Section IV above of the proposed programs to be included in the Escondido Ag X Innovation Center, **Figure 2** highlights the break-out of each of the recommended areas of innovative agricultural opportunities. We have attempted to maximize the existing building footprint with conversion to useable programmatic space. We have also anticipated the need for future growth by identifying space for potential sequential expansion.

1. Regional Food Hub (15,400 sq. ft.)

The regional food hub as previously described will act as a centrally located facility that actively manages the aggregation, distribution, and marketing of Grown in San Diego Brand agricultural products. Serving as a crucial link between small and medium-sized farmers and larger markets, such as grocery stores, restaurants, schools, and hospitals, helping farmers focus more on farming by handling the logistics of getting their products to market. In addition, food hubs also provide education

and training on sustainable production, food safety, and other relevant topics, technical assistance in areas like certification, branding, and post-harvest handling, and community engagement through educational programs, health-awareness campaigns, and donations to local communities. Typically, a food hub includes a variety of equipment to support its operations, such as commercial kitchens for food processing and preparation, food processing equipment for tasks like washing, cutting, and packaging produce, cold storage for perishable items, dry storage for non-perishable items, packaging and labeling equipment for preparing products for sale, and transportation vehicles for distributing products to buyers. The proposed 15,400 sq. ft. size will provide the ability to perform these functions.

2. AgTech Business Incubator (12,000 sq. ft.)

The AgTech business incubator space will function as a socio-technological connector to create a networking bridge and marketing systems that will accelerate industry and society toward solutions for food and health resilience. Specifically focused entrepreneur services and support, joint research and development across industry, government and academia, educational sessions, such as micro-credentialing for agriculture or biotechnology, networking events, and hosting visiting interested parties globally will create a culture that will be a dynamic platform for inspiration and change. Displaying the innovation by inviting the public, lawmakers and other industry and community stakeholders in to view the work that is being done will create a framework for understanding the work at the center, paving the way for critical partnerships and access to capital providers. In addition to the AgTech Business Incubator a sub portion will house an BSL2 Wet Lab to aid in the developing of new products and devices that will be complementary to the other components that will make up the Ag X Innovation Center. The general lack of availability of labs that offer flexibility in ag-food-bio product development for start-up businesses or those looking to expand is often an insurmountable hurdle. Having essential elements such as a basic wet lab connected within the facility is an important model of efficacy and is advantageous for tenants of the incubator space. The Ag X BSL2 Wet Lab should not require more than ~2,000 sq. ft. leaving ~10,000 sq. ft. for the rest of the AgTech Business Incubator space to perform its purposes.

3. CPG & Test Kitchen (8,500 sq. ft.)

The CPG and Test Kitchen will include everyday items like food, beverages, clothes, and healthcare products that need regular replenishment. Post-pandemic, there is a shift towards healthier, natural ingredients and sustainable options, urging CPG companies to innovate quickly. San Diego County and Escondido aim to create innovative CPG products from local crops, leveraging their diverse population.

To support this, a proposed CPG Lab and Test Kitchen in Escondido will include FDA-approved clean spaces, commercial kitchen facilities, and various specialized equipment. The lab will feature areas for raw material handling and sanitary production, with positive and negative air balance systems to prevent contamination. Shared equipment will include blanching equipment, grinders, fermenters, product pumps, ultrafiltration systems, ovens, drying tunnels, freezing tunnels, conveyors, container fillers, slicers, and nitrogen flushing systems. Additionally, three separate commercial kitchens will allow multiple client companies to work independently, maintaining proprietary activity and preventing cross-contamination. These specific lab and processing areas will be important for demonstration and to translate ideas into real products for education and to attract critical investment. The 8,500 sq. ft. allocated will provide space for both the CPG and Test Kitchen with subspace divided into three individual 1,000 sq. ft. test kitchens, leaving ~5,500 sq. ft. for the CPG and remainder Test Kitchen needs.

4. Agritourism (2,050 sq. ft.)

The Agritourism office will be a regional hub connecting visitors with agricultural experiences and activities in the greater Escondido, California area. The office should highlight local agricultural heritage with decor that includes farm tools, local produce, and informational displays about the area's farming history.

Services provided by the Agritourism office should include organizing and scheduling farm tours, vineyard visits, and other agricultural experiences. They can offer workshops, classes, and demonstrations on topics such as sustainable farming,

organic gardening, and animal husbandry. The office will host events like harvest festivals, farm-to-table dinners, and seasonal celebrations. They will provide maps, brochures, and guides about local attractions, accommodations, and dining options.

The office will sell local produce, handmade crafts, and other farm-related products. They will arrange hands-on activities like fruit picking, cheese making, and planting workshops based on local Escondido Agriculture heritage. The office will coordinate transportation for visitors to and from various regional agritourism sites. They will assist with reservations for farm stays, bed and breakfasts, and other rural accommodations. The office will partner with local schools, businesses, and organizations to promote agricultural education and community involvement.

Agritourism offices play a crucial role in promoting local agriculture, educating the public, and providing unique, memorable experiences for visitors. The site should be well served by the proposed 2,050 sq. ft. which will function synergistically with the "Grown in San Diego" brand housed in the same front section of the facility.

5. Grown in San Diego Brand (2,050 sq. ft.)

The "Grown in San Diego" brand section of the facility will aim to market and label local products as "Grown in San Diego" which will serve to help San Diego and Escondido growers showcase their strengths and unique qualities of their farms and produce. The brand will unify programs at the Ag X Innovation Center, promoting agricultural commodities, CPG products, and Agritourism. It will also support financial sustainability through shared resources. The program will collaborate with California Grown to execute various marketing initiatives, including retail, foodservice, digital advertising, public relations, and Agritourism. The 2,050 sq. ft. office housing this initiative will feature collaborative workspaces, meeting rooms, and state-of-the-art technology to support marketing efforts and foster innovation with the Agritourism section as well as the rest of the Ag X Innovation Center.



VI. FINANCIAL PROFORMA AND PHASED BUSINESS PLAN & POTENTIAL FUNDING SOURCES

The financial proforma initially describes a scenario under full buildout and operation of the AgX Innovation Center. The proforma assumes a scenario in which there is a single operator for the Innovation Center ("Operator"), and the various elements of the center are considered tenants. As the owner of the building, the City of Escondido could be the Operator, but for purposes of this analysis we assume the Operator is an independent organization and that the City would receive lease revenues as landlord of the building. As further planning occurs for the Innovation Center, other organizational models may prove more appropriate, and the analysis can be adjusted as needed.

We estimate that the Center would cost about \$7.5 million to build and furnish, and about \$2 million per year to operate (2024\$). **Table 3** details the operational costs and potential revenues to achieve breakeven operations (including a long-term capital recovery fund). The discussion below describes the methodology for the cost and revenue estimates, which draws in part from experience of the consulting team in designing other food hubs and innovation centers in the Sacramento region.

A. Cost Items

Building Lease Rates. The lease rates per sq. ft. shown as cost items in **Table 3** represent what the Operator would pay to the City for use of the building. We obtained asking rent data for 48 office and industrial spaces in Escondido through LoopNet. Office rents are fairly consistent at about \$21.00 per sq. ft., with a few properties ranging from \$11.88 to \$33.60. Industrial space averages \$17.61 for spaces less than 10,000 sq. ft. and 14.46 for spaces 10,000 sq. ft. and larger. For this analysis we have used a base rate of \$15.00 per sq. ft. for the food hub and incubator space.

TABLE 3: ANNUAL OPERATIONAL COST/REVENUE ESTIMATES AT FULL OPERATION

Escondido AgX	Quantity	Units	Value		Annual Total
Cost Items					\$2,026,500
Building Shell/Land lease	44,500	sq. ft.			
Food Hub Space	15,400	sq. ft.	\$3.75	annual rent	\$57,800
Incubator Space	12,000	sq. ft.	\$3.75	annual rent	\$45,000
Consumer Packaging Lab	8,500	sq. ft.	\$4.50	annual rent	\$38,300
Ag-Tourism Offices	2,050	sq. ft.	\$5.25	annual rent	\$10,800
Grown in San Diego Brand	2,050	sq. ft.	\$5.25	annual rent	\$10,800
Communal Space	4,500	sq. ft.	\$4.50	annual rent	\$20,300
Utilities					
Electricity	1,050,330	kWh	See	Table 2	\$506,800
Gas	25,007	therms	\$0.87	\$/therm	\$21,800
Internet/Communications	44,500	sq. ft.	\$1.50	per sq. ft. annual	\$66,800
Water	1,664	000's gal.	\$9.82	per 1,000 gal./month	\$16,400
Wastewater	1,331	000's gal.	\$13.23	per 1,000 gal./month	\$17,600
Solid Waste	1	acct.	\$317.90	Monthly service	\$3,800
Staff					
Director	1		\$100,000.00	Salary	\$100,000
Program Staff	7		\$65,000.00	Salary	\$468,000
Food Hub Workers	22		\$30.00	Hourly wage	\$165,000
Programmer	1		\$50,000.00	Contract App Cost	\$50,000
Insurance			\$0.02	per \$ revenue	\$40,500
Professional Services			\$0.02	per \$ revenue	\$40,500
Maintenance/Custodial			\$1.00	per sq. ft.	\$44,500
Capital Recovery Fund	\$7,546,000	Capital	Cost	25-year replacement	\$301,800
Revenue Items					\$2,027,200
Food Hub Space Rental	15,400	sq. ft.	\$15.00	\$/sq. ft./yr	\$231,000
Incubator Rentals	10,000	sq. ft.	\$14.00	\$/sq. ft./yr	\$140,000
Wet Lab Rental	2,000	sq. ft.	\$15.00	\$/sq. ft./yr	\$30,000
CPG Lab Rentals	5,500	sq. ft.	\$15.00	\$/sq. ft./yr	\$82,500
Test Kitchens Rentals	3,000	sq. ft.	\$15.00	\$/sq. ft./yr	\$45,000
Food Hub Sales Less COGs	\$7,664,800	sales	\$0.15	Gross Profit Ratio	\$918,700
Ag-Tourism Farm Subscriptions	150		\$200.00	Annual subscription	\$30,000
SD Brand Subscriptions	1,000		\$100.00	Annual subscription	\$100,000
Corporate Sponsorships					\$400,000
Program Grants					\$50,000

The analysis assumes the City would accept a rate at 25% of market value (NNN) in order to create a subsidy for the program elements in the Innovation Center. This results in rates of \$3.75 per sq. ft. for the food hub and incubator and \$5.25 for the office space. The CPG Lab and Communal Area are treated as hybrid spaces at \$4.50 per sq. ft. These rates would result in total lease revenues for the City of \$182,800. This revenue would be unencumbered, as the Operator would pay utilities and all other operating expenses for the Center.

Utilities. The Food Hub, the CPG Lab, and Incubator space will be relatively heavy energy users, with industrial equipment, cold storage, and the test kitchens in operation. We have estimated electricity use by kilowatt hours (kWh) and natural gas use in 1000's of BTUs (kBTU), as shown in **Table 4**.

TABLE 4: ESTIMATED ANNUAL ENERGY USE, ESCONDIDO AGX INNOVATION CENTER

Program Element	Electricity (kWh/sq.ft./yr)	Gas (kBTU/sq.ft./yr)	Annual Electricity	Annual Gas
Food Hub Space	19.55	5.30	\$301,070	\$81,620
Incubator Space	25.80	23.20	\$309,600	\$278,400
Consumer Packaging Lab	41.00	228.30	\$348,500	\$1,940,550
Ag-Tourism Offices	10.60	23.20	\$21,730	\$47,560
Grown in SD Brand Offices	10.60	23.20	\$21,730	\$47,560
Communal Space	10.60	23.20	\$47,700	\$104,400
Total			\$1,050,330	\$2,500,090

Source: California Energy Commission, 2022 California Commercial End-use Survey, Final Report, February 2024, Pg. 80.

For mid-size commercial and industrial customers, San Diego Gas & Electric (SDG&E) charges \$0.44 per kWh, which would total about \$462,000 per year in electricity charges for the Center. In addition, SDG&E adds basic service fees and demand charges that would add another \$42,300 for a total estimated electric power bill of about \$507,000.³⁶

³⁶ SDGE, Available Rates for Medium and Large Commercial Customers, Schedule AL-TOU2-EECC.

The estimated natural gas use for the Center, mainly for test kitchen stoves and cold storage, equates to about 15,000 therms per year. SDG&E charges \$0.87 per therm, for a total annual gas bill of \$21,800 for the Center.³⁷

The City of Escondido provides water and wastewater services. The test kitchens and the cold storage space in the Center would likely have higher water demands than the other activities.³⁸ Assuming a 1" meter at the site, the monthly water service charge is \$82.86 plus \$9.92 per 1,000 gallons of use. Sewer rates are higher at \$13.23 per 1,000 gallons. We estimate water use for the Center at 1.66 million gallons per year, of which 80% would leave the site as wastewater. The annual water bill is estimated at \$16,400 and \$17,600 for wastewater.

EDCO Disposal Service provides solid waste disposal in Escondido. The minimum commercial rate is \$317 per month, which includes trash and recycling dumpsters as well as organics pick-up.³⁹ We have used this rate for this analysis, but further analysis is necessary to determine if the mix of organics and other waste is adequate for the Food Hub and test kitchen uses in the Center.

The Innovation Center will require a high level of broadband capacity. Based on analysis of other similar facilities, we estimate the necessary service could cost as much as \$1.50 per sq. ft. per year.⁴⁰ When the project design is further refined, quotes can be obtained from local internet providers.

Staffing. Based on the size of the spaces allocated for various uses in the Center, we estimate staffing requirements at full operation to include a Director and 7 program staff occupying the office space, and up to 22 workers in the Food Hub. This does not include employees of the tenants of the incubator or the CPG Lab. We have also included a partial FTE for a programmer to create the Agritourism App, although we expect that function to be contracted to an off-site vendor. Total salaries for operating the Center are estimated at \$783,000.

³⁷ SDGR, Natural Gas Service For Core Non-Residential Customers, Schedule GN-3.

³⁸ EPA. Energy Star Property Manager, U.S. Water Use Intensity by Property Type, Technical Reference, June 2023; Alliance for Water Efficiency, Commercial Kitchen Water Use Efficiency and Best Practices Guide. March 2017.

³⁹ Noemi Rivera, Lead Customer Service Representative, personal communication, October 4, 2024.

⁴⁰ UCANR. The Plant @ California: Feasibility Study.

Other Services/Costs. Insurance, professional services (legal, accounting, etc.) and maintenance/custodial services are estimated as functions of the level of business activity (revenue) at the Center or the physical space, as shown in **Table 3**. These costs could add more than \$126,000 per year to the Center operating budget.

Capital Recovery Fund (CRF). The operating cost analysis assumed that funds are obtained from other sources to build and equip the Center. However, it is important to allocate funds from operating revenues to pay for long-term maintenance and replacement of equipment and furnishings as they complete their useful life. Our preliminary estimate of the capital cost to build and equip the Center is about \$7.5 million, as shown in **Table 5**.

TABLE 5: PRELIMINARY CAPITAL COST ESTIMATE FOR ESCONDIDO AGX INNOVATION CENTER

Costs	Size	Units	Unit Cost	Total Cost
Food Hub Equipment	15,400	sq. ft.	\$226.00	\$3,478,500
AgTech Incubator Space	10,000	sq. ft.	\$115.00	\$1,150,000
Incubator Wet Lab	2,000	sq. ft.	\$160.00	\$320,000
Consumer Packaging Goods Lab	5,500	sq. ft.	\$160.00	\$880,000
CPG Test Kitchens	3,000	sq. ft.	\$250.00	\$750,000
Office Space	4,500	sq. ft.	\$115.00	\$517,500
Communal Space	4,500	sq. ft.	\$100.00	\$450,000
	44,900			\$7,546,000

The Capital Recovery cost shown in **Table 3** reflects a 25-year useful life for the improvements estimated in **Table 5**. This is a static proforma analysis and escalation factors would need to be incorporated into the year-to-year budgeting process to ensure that the CRF is sufficiently funded when equipment and building systems need to be replaced.

B. Revenues

The AG X Innovation Center needs to generate more than \$2 million per year to breakeven at full operation. The lower part of **Table 3** itemizes a number of revenue sources that can contribute to this total.

Space Rent. Certain of the program elements would pay space rent to the Operator, at below market rates. In this analysis, we propose the Food Hub, the Incubator Wet Lab, and the CPG Lab, including the test kitchens, would pay \$15/sq. ft./yr. This is the average rate for bare industrial shell space in Escondido, but these Center spaces would be fully equipped, and the Operator would cover utilities and all other building costs. For the non-lab incubator spaces, we propose a rent at two-thirds of the office market rate, \$14.00 compared to \$21.00. These rent levels in aggregate would generate about \$529,200 per year.

Program Revenues. The Incubator and CPG Lab tenants are assumed to be independent businesses who would support their own operations through outside sales or capital investments. In contrast, the Food Hub, Agritourism and marketing program elements are assumed to generate program revenues that would help support operation of the Center.

In terms of the Food Hub, Foodshed operates on the principle that it retains only 20% of its gross revenue for operations and research and returns 80% to the farmers from whom it purchases the food. Foodshed also endeavors to invest 5% of revenues into agricultural research to benefit its farmers. Based on the size of the Food Hub operation planned for the Center, we estimate gross revenues should be about \$7.66 million per year at full operation. Assuming 15% is available for operating costs, this would generate about \$1,149,800, of which \$231,000 is allocated to space rent in **Table 3**.

The Agritourism and Grown in San Diego marketing efforts would generate subscription revenues from participating farmers. Further research is needed to determine what subscription rates would be acceptable to the participants but for the present analysis we proposed that Agritourism Farms would pay \$200 per year and Grown in San Diego participants would pay \$100. There are currently 100 Agritourism participants. If that number could be increased to 150 through marketing the App and other efforts, it would generate \$30,000 per year in subscription revenues. Similarly, if 25% of the farms in the County (about 1,000) paid into the marketing program at \$100 per year, it would generate \$100,000 in program revenues.

These program revenues do not necessarily support the staffing levels included in the cost analysis above. However, it is anticipated the program would receive grants and corporate sponsorship revenues to help support the full program operations. As the programs are implemented, it will be necessary to adjust staffing and subscription levels to create a viable cost/revenue balance for these programs. For purposes of this analysis, we have assumed the Center could attract \$400,000 in annual corporate sponsorships and also a \$50,000 grant to produce the Agritourism app.

C. Additional Potential Funding Sources

As noted above, the Ag X Innovation Center will need to rely upon multiple funding sources at start-up and continuing sustainability to assist in the development of the necessary equipment, infrastructure, and program delivery. These funding sources can come from a mix of federal, state, corporate, and philanthropic sources as noted below:

Federal:

- **United States Department of Commerce, Economic Development Administration (EDA) “Build to Scale Program (B2S) –** The EDA B2S Program aims to:
 - build capacity for entrepreneurs and innovators to invent, improve, and bring to market new technology products and services;
 - accelerate the growth of regional economies focused on industries of the future;
 - empower communities to enable technology innovators and entrepreneurs to pilot and test their products and services; and
 - equitably and inclusively increase access to capital for technology-enabled entrepreneurs.

- **United States Small Business Administration, Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs**

- **United States Department of Agriculture (USDA), Urban Agriculture and Innovative Production grants**
- **USDA, Agriculture Innovation Center Program (pending funding availability)**
- **USDA, Agricultural Marketing Service (AMS), Federal State Marketing Improvement Program through the California Food and Agriculture Department or UCANR**
- **USDA, Rural Energy for America Program (REAP)**

California State:

- **California Jobs First, Regional Investment Initiative** – As noted above, the City of Escondido is part of the Southern Border Region, where Agriculture + Sustainable Food systems is the top priority in San Diego County.
- **California Department of Food and Agriculture (CDFA), Specialty Crop Block Grant Program**
- **CDFA, California Underserved and Small Producers Program (CUSP)**
- **CDFA, Farm to Community Food Hubs Program**
- **CDFA, Farm to School Incubator Grant Program**
- **CDFA, Resilient Food Systems Infrastructure Program**

Philanthropic sources:

- **San Diego Foundation**
- **Jacobs Family Foundation**
- **Gary and Mary West Foundation**
- **Rady Family Foundation**

Select San Diego-Area Potential Corporate Sponsors:

- **Sempra**
- **Albertsons**
- **Ralphs**
- **Vons**

This is far from a complete list of potential funders but an initial list of collaborative partners to support the first phase of development of the Ag X Innovation Center in the City of Escondido. We would anticipate this list to expand as program successes increase and positive community response grows.



VII. CONCLUSIONS

Through its long history of agricultural production and strong cultural heritage, the City of Escondido has the potential to emerge as a modern hub for agricultural innovation and sustainable creative practices. Escondido is uniquely positioned to be a leader in the region for this economic cluster, offering existing land, supply chain resources, and infrastructure such as the Membrane Filtration and Reverse Osmosis (MFRO) water facility, a rail spur, and especially, the property at 455 N. Quince Street.

As this extensive feasibility analysis concludes and given the aforementioned attributes of the City of Escondido, we recommend the creation of the Ag X Innovation Center at 455 N. Quince Street. The creation of the Ag X Innovation Center would be a unique proposition and catalytic venue to spur agricultural development appropriate for Escondido and the San Diego/Southern California region for the next several decades.

The overall foundational need and vision for the creation of an Ag X Innovation Center is based in the City's CEDS, San Diego County's Jobs First priority, and the current status of agriculture across San Diego County, and most specifically within the City of Escondido. In order for agriculture to remain viable and vibrant, an Ag X Innovation Center is essential for the continued development of creative and innovative practices for food and agricultural production into the future.

Today, the spirit of innovation continues with the integration of AgTech into various aspects of agriculture. AgTech is the use of technology in agriculture with the aim of improving yield, efficiency, and profitability. Not all AgTech needs to be cutting edge or breakthrough but also readily applicable to the specific needs of the local and regional community, industry, and marketplace. Creative practices that maximize a locality's specialties and strengths are just as important for the long-term sustainability of the food and agricultural sector.

Therefore, the mix of recommended programs and activities in a newly created Ag X Innovation Center at 455 N. Quince Street in Escondido, CA will provide the necessary epicenter for local and regional agricultural and economic development.



VIII. APPENDICES

Appendix A – Bios of Vine Institute team



Lon Hatamiya is the President of the *Vine Institute* in Woodland, California. Lon specializes in international, national, and regional economic analysis, with an emphasis on technology, food, and agriculture. He has extensive government management experience serving at both the state and federal levels. He was the first Asian American cabinet member in the history of the state of California, serving as Secretary of the California Technology, Trade and Commerce Agency, when he was appointed by Governor Gray Davis in 1999. He was also the first Asian American Administrator at the United States Department of Agriculture, where he headed up the Agricultural Marketing Service and then the Foreign Agricultural Service under President Bill Clinton. Mr. Hatamiya practiced law with the international firm of Orrick, Herrington and Sutcliffe, and worked for The Procter and Gamble Company in Cincinnati, Ohio, The Sony Corporation in Tokyo, Japan, and H.B. Orchards, Inc. in Marysville, California. He also served as a Director for the international consulting firms of LECG, LLC. and Navigant Consulting.

Mr. Hatamiya graduated from Harvard College with an A.B. in Economics. He also obtained his JD and MBA degrees from UCLA. In addition, he is native of Marysville, California, where he grew up on his three-generation family farm.



J. Kent Morgan, Ph.D. is a Primary Consultant to the *Vine Institute*, and the Owner and President of *J. Kent Morgan Consulting, LLC*, a scientific and regulatory consulting company based in Port Saint Lucie, Florida. Kent specializes in consulting with national and international clientele for scientific product research and development from proof of concept through IP/licensing, federal registration, and the marketing/sales of the final product. He has authored multiple reports for US federal regulatory agencies including both the US EPA and FDA and has secured funding from granting agencies for his clients. He has authored multiple peer reviewed scientific journal articles and holds both US and international patents. He has worked as Chief Science Officer and Acting Chief Science Officer for

multiple start-up companies and provided guidance to assess the value of scientific IP and has negotiated exclusive licensing agreements of multiple technologies. He has contracted and advised clients in varying scientific fields including (but not limited to), molecular biology, microbiology, cell biology, immunology, genetics, proteomics, bioinformatics, plant pathology, vector entomology, and agricultural chemicals for plant disease management.

Dr. Morgan graduated from Brigham Young University in Provo, UT with a B.S. in Microbiology. He obtained his Ph.D. in Microbiology/Cell and Molecular Biology from Oklahoma State University, and he performed his Postdoctoral training at the United State Department of Agriculture with the Agricultural Research Services in Fort Pierce, FL. Kent grew up in Utah and California and has lived both nationally and internationally.



Hannah Johnson McAbee, is the owner of GYV, a philanthropy and impact management firm specializing in agriculture and rural investment. She also serves as the industry engagement lead for The Vine, UC Agriculture & Natural Resources commercialization program and the *Vine Institute*. Hannah came to the *Vine Institute* with over 16 years of experience in philanthropy and strategic grantmaking and 25 years working in or around agriculture. Hannah's life has been steeped in the nuances of a family-operated enterprise, having grown up on her family's ranch in underserved, Laton, California. This formative experience laid the groundwork for her career, focusing on creating opportunities for all Californians while remaining true to her passion for agriculture. Hannah has led eight-figure capital raises for multiple organizations in California, created and managed targeted grant programs that catalyzed lifesaving impact for underserved rural communities, notably the creation of the Healthy Harvest Program alongside CDFA, and been unwavering in her dedication to the sustainable future of agriculture. Hannah's role with the *Vine Institute*, is to lead stakeholder engagement and ensure that the agricultural industry, producers, and partners of all sizes, have the tools, tech, and information they need to continue their work.

Hannah earned a bachelor's degree in business administration from California State University Fresno and resides in Fresno with her husband and two sons.



Iulia Roman is a consultant to the *Vine Institute*, bringing a diverse skillset that includes analytical expertise, project management, and stakeholder engagement, with a focus on the environment and sustainability. With extensive experience in environmental impact analysis and project management, Iulia has successfully managed large environmental impact reports for clients across sectors such as residential development, renewable energy, and utility infrastructure. As a consultant with the *Vine Institute*, she currently supports stakeholder outreach and project management for feasibility studies focused on agriculture and food production.

Iulia holds a BA in Environmental Studies with a minor in Professional Writing from the University of California, Santa Barbara and resides in San Diego, California.



Doug Svensson is a planner and economist with forty-five years' experience in economic development. He has been a Principal at Applied Development Economics since 1987 and its President for the past 20 years. Mr. Svensson has worked with a variety of public and private clients including the State of California, regional air quality districts, city and county governments, and nonprofit community development corporations.

Mr. Svensson has prepared economic strategic plans for communities throughout California. He has worked with diverse cities in urban metropolitan areas, including a range of urbanizing and more newly incorporated communities, to distinguish their economic niche and develop strategies to thrive in a competitive environment. He has also worked with small communities in rural economies, helping them to build on their agricultural and resource base as well as networking with regional efforts for economic diversification. Mr. Svensson specializes in public finance as well as his practice in economic development strategic planning. He has prepared more than 50 fiscal and public finance studies for a wide range of project types, including general and specific plans, long range development plans for major universities, and major mixed-use developments. In the agricultural economy space, he has prepared feasibility studies for food hubs, research centers and value-added processing facilities.

Mr. Svensson obtained his bachelor's degree from the University of California, Santa Barbara, where he was a Regent Scholar and he holds a master's degree in city and regional planning from the University of California, Berkeley with an emphasis in housing and economic development.

Appendix B – List of Stakeholder

Name	Organization	Title
Scott Hancock	Agrarian Institute	Board Member
Marcos Mujica	Agrarian Institute	Founder, Director of Programs
Mario DeMatteo	Agrarian Institute/Bonsall Berry Farm	Executive Director/Co-Founder
MyPhuong Le	Aquillius	President
Leah Villegas	Aquillius	Vice President of Operations
Kat Donnelly	Azentive	CEO and Founder
Kim Murray	Beach House Winery	Owner
Brian Dawson	Biome Capital Partners	Partner and Founder
Ryan Simpson	Bonsall Berry Farm	Co-Founder
Valerie Mellano	Cal Poly Pomona	Chair Emeritus, Plant Science Department
K.C. Cornwell	California Grown	Digital Marketing Director
Matt Sanford	City of Carlsbad	Economic Development Manager
Michelle Geller	City of Oceanside	Economic Development Manager
Rob Dhohowski	City of Oceanside	Principal Planner
Louise Balma	City of Oceanside	Planning Commissioner
Tess Sangster	City of San Marcos	Community and Economic Development Director
Gary Shuster	Coleman & Horowitz	Inventor and Tech Attorney
Christe Marcella	Connect	COO
Scott Gross	CSU San Marcos	AVP, Industry Partnerships
James Sly	East County EDC	President and CEO
Angela Nagel	East County EDC	Communications Manager
Dana Groot	FloraBunda Farms/San Diego Farm Bureau	Founder and President
Ellee Igoe	Food Shed Cooperative	Director
Frank Konyon	Frank Konyon Dairy	Owner
Neal Bloom	Fresh Brewed Tech	Founder
Cassandra Shaeg	Fresh Glass Productions	Founder
Chris Burroughs	Garden 31	Founder
Danna Stroud	GoBiz, State of California	Associate Deputy Director
Ramiro Contreras	GoGreen Agriculture	Plant Manager, San Marcos
Kevin Grangetto	Grangetto's Farm and Garden Supply	Owner
Eddie Grangetto	Grangetto's Farms	PCA and Farmer
Chuck Samuelson	Heal the Earth	Founder

Mike Mellano	Mellano and Company	CEO
Maria Mellano	Mellano Coffee	Founder
Erika Mikolich	Mikolich Honey	Founder
Kierstin Rielly	Naturally San Diego	Executive Director
Brian Grover	Nolen Communities/Fox Point Farms	Managing Partner
Eric Bulvold	North County EDC	CEO
Gus Skinner	Nutrien Agriculture	Director of Precision Ag.
Leslee Gaul	Oceanside Visitors Bureau	CEO and President
Ari Raz	Once Upon a Farm	Founder
Tony Fekini	Plantable Foods	Founder
Wesley Burt	Plus Box	Founder and Executive Director
Lauren Browning	QAI	Senior Business Development Manager
Michael Blackmun	Salk 2.0, San Diego County	Environmental Planner
Kimberly Greene	San Diego County Office of Sustainability and Environmental Justice, Food System Initiative	Program Manager
Taylor Reese	San Diego Farm Bureau	Director
Katie Byrne	San Diego Farm Bureau	Member and Policy
Connie Winterstein	San Diego Food System Alliance	Land Access and Infrastructure Director
Eduardo Velasquez	San Diego Regional EDC	Sr. Director, Research and Economic Development
Emily Irion	San Diego Regional EDC	Manager, Economic Development
John McMillan	San Diego State	CA Jobs First Southern Border Region
Craig Kolodge	San Pasqual Valley Soils	Business Development and Sustainability
Carl Ribaud	SMG Consulting	Founder
Greg Horowitz	UC San Diego Innovation Design	Director
Janis Gonzales	UCANR	Community Education Supervisor
Darlene Ruiz	UCANR	Small Farms Network
Jerry Spinelli	UCANR	Production Horticulture Advisor
Rachel Callahan	UCANR	Statewide Agritourism Coordinator
Ramiro Lobo	UCANR, San Diego	Small Farms & Agricultural Economics Advisor
Barney Rubin	Union Kitchen	Founder
Rep. Scott Peters	U.S. Congress	Congressmember
Kerri Leslie	Verity	CEO

KEY-

CONSENT CALENDAR CURRENT BUSINESS
PUBLIC HEARING WORKSHOP PROCLAMATION

Item 10.



CITY of ESCONDIDO

FUTURE AGENDA

4/2/2025

CONSENT CALENDAR - (A. MORROW) - CHANGE ORDER NO. 1 TO PURCHASE ORDER AGREEMENT NO. 39822 INCREASING THE ANNUAL PURCHASE AMOUNT OF FERRIC SULFATE FOR THE WATER TREATMENT PLANT - It is requested that the City Council adopt Resolution No. 2025-17, authorizing the Finance Department, Purchasing Division, to execute a change order increasing the annual purchase order for Ferric Sulfate by \$570,000.

CONSENT CALENDAR - (A. MORROW) - CHANGE ORDER NO. 4 TO PURCHASE ORDER AGREEMENT NO. 39330 INCREASING THE ANNUAL PURCHASE AMOUNT FOR HAULING AND BENEFICIAL REUSE OF BIOSOLIDS BY \$160,000 AND APPROVE THE FIRST ONE YEAR OPTION TO RENEW FOR FISCAL YEAR 25/26. It is requested that the City Council adopt Resolution No. 2025-18, authorizing the Finance Department, Purchasing Division, to execute a change order increasing the annual purchase order for the hauling and beneficial reuse of the Hale Avenue and Resource Recovery Facility (HARRF) biosolids by \$160,000 and authorizing the Mayor to execute an amendment to the Public Service Agreement with Tule Ranch/Western Express Transporter's, Inc./Ag Tech LLC, to exercise the first one-year option to renew for the hauling and beneficial reuse of biosolids for the HARRF for fiscal year 2025-26.

CONSENT CALENDAR - (A. MORROW) - CONTINUING REPAIR OF THE EMERGENCY REPAIR OF THE ESCONDIDO TRUNK SEWER MAIN - It is requested that the City Council adopt Resolution No. 2025-19 declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency repair of the Escondido Trunk Sewer Main. The resolution, which must be passed by four-fifths vote, also declares that public interest and necessity demand the immediate expenditure to safeguard life, health, or property.

CONSENT CALENDAR - (C. MCKINNEY) - FOXLEY DRIVE ACCEPTANCE OF THE PREVIOUSLY OFFERED ROW DEDICATION

CONSENT CALENDAR - (C. MCKINNEY) - AWARD CONSTRUCTION CONTRACT FOR TRAFFIC SIGNAL IMPROVEMENTS AT WASHINGTON AVE AND ROSE ST

CONSENT CALENDAR - (C. MCKINNEY) - AWARD CONSTRUCTION CONTRACT FOR THE 2025 STREET REHABILITATION AND MAINTENANCE PROJECT

CONSENT CALENDAR - (M. MCGUINNESS) - PROPERTY EASEMENT

4/9/2025

PROCLAMATION: Earth Day

PUBLIC HEARING - (C. MCKINNEY) - PL24-0258 2024 OMNIBUS ZONING CODE AMENDMENT - It is requested that the City Council approve the 2024 Omnibus Zoning Code Amendment.

CURRENT BUSINESS - (J. SCHOENECK) - TEMPORARY RELOCATION OF LIBRARY SERVICES - Request the City Council approve funding for the expenses associated with the temporary relocation of Library Services during the Library infrastructure construction project.