



CITY *of* ESCONDIDO

BUILDING ADVISORY AND APPEALS BOARD

January 22, 2025 at 5:00 PM
Mitchell Room: 201 North Broadway, Escondido, CA 92025

WELCOME TO YOUR BOARD MEETING

We welcome your interest and involvement in the legislative process of Escondido. This agenda includes information about topics coming before the board.

CHAIR

Barry Speer

VICE CHAIR

Scott McColl

COMMISSIONERS

Mirek Gorney
George Khoury
Sean Abramson
Shir Cornblum
Michael Delaney

CITY CLERK

Zack Beck

HOW TO WATCH

The City of Escondido provides the following way to watch a board meeting:

In Person



201 N. Broadway, Escondido, CA 92025



CITY of ESCONDIDO

BUILDING ADVISORY AND APPEALS BOARD

HOW TO PARTICIPATE

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

In Person



Fill out Speaker Slip and Submit to City Clerk

In Writing



<https://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

BUILDING ADVISORY AND APPEALS BOARD

AGENDA

ROLL CALL

ORAL COMMUNICATION

APPROVAL OF MINUTES

- [1.](#) Review and Approve the minutes from the November 21, 2024 meeting

ITEMS

- [2.](#) **325-333 N BEECH STREET – APPEAL OF AMENDED NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (SUBSTANDARD BUILDING) AND ORDER TO VACATE BY TTRLFG LLC (CONTINUED FROM NOVEMBER 21, 2024)**

Request the Building Advisory and Appeals Board adopt Resolution No. 2024-01, denying the 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

- a) Building Advisory and Appeals Board Resolution No. 2024-01

ADJOURNMENT



CITY of ESCONDIDO

BUILDING ADVISORY AND APPEALS BOARD

November 21, 2024 at 5:00 PM
Council Chambers: 201 North Broadway, Escondido, CA 92025

WELCOME TO YOUR BOARD MEETING

We welcome your interest and involvement in the legislative process of Escondido. This agenda includes information about topics coming before the board.

BOARD MEMBERS

Barry Speer
Mirek Gorney
George Khoury
Scott McColl
Sean Abramson
Shir Cornblum
Michael Delaney

CITY CLERK

Zack Beck

HOW TO WATCH

The City of Escondido provides the following way to watch a board meeting:

In Person



201 N. Broadway, Escondido, CA 92025



CITY of ESCONDIDO

BUILDING AND ADVISORY APPEALS BOARD

Item 1.

THURSDAY, NOVEMBER 21, 2024

AGENDA

CALL TO ORDER

ROLL CALL

Members Present: Speer, Gorny, McColl, Khoury

Members Absent: Abramson, Cornblum, Delayney

ORAL AND WRITTEN COMMUNICATIONS

None

CURRENT BUSINESS

1. **Election of chairperson of the Building Advisory and Appeals Board**

Motion to appoint Speer as Chair: Gorny; Second: McColl; Approved: 4-0 (Abramson, Cornblum, Delaney – Absent)

2. **Election of vice-chairperson of the Building Advisory and Appeals Board**

Motion to appoint McColl as Vice-Chair: Speer; Second: Gorny; Approved: 4-0 (Abramson, Cornblum, Delaney – Absent)

3. **325-333 N Beech Street – Appeal of Amended Notice and Order to Abate a Public Nuisance (Substandard Building) and Order to Vacate by TTRLFG LLC**

Request the Building Advisory and Appeals Board adopt Resolution No. 2024-01, denying the 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

a) Building Advisory and Appeals Board Resolution No. 2024-01

Motion to continue the appeal: Speer; Second: McColl; Approved: 4-0 (Abramson, Cornblum, Delaney – Absent)

ORAL COMMUNICATIONS

None

BOARD MEMBER DISCUSSION



CITY of ESCONDIDO

BUILDING AND ADVISORY APPEALS BOARD

THURSDAY, NOVEMBER 21, 2024

ADJOURNMENT

Chair Speer adjourned the meeting at 6:17 p.m.

HOW TO PARTICIPATE

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

In Person



Fill out Speaker Slip and Submit to City Clerk

In Writing



<https://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.





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:

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.

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.



CITY of ESCONDIDO

STAFF REPORT

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.

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.



CITY of ESCONDIDO

STAFF REPORT

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:

- 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.



CITY *of* ESCONDIDO

STAFF REPORT

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.

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.



CITY of ESCONDIDO

STAFF REPORT

RECOMMENDATION:

Staff recommends that the Board deny Appellant's appeal, uphold the Building Official's action in issuing the Amended Notice and Order to Abate a Public Nuisance (Substandard Building) and Order to Vacate, and adopt Resolution No. 2024-01.

RESOLUTIONS:

Resolution No. 2024-01

ATTACHMENTS:

- Attachment 1 – Amended Notice and Order to Abate a Public Nuisance (Substandard Building) and Order to Vacate Units 1, 2, 5, 6, and 9.
- Attachment 2 – Photographs from inspection on July 26, 2023
- Attachment 3 – 1994 Conditional Use Permit Documents
- Attachment 4 – San Diego County Assessor's Office Documents
- Attachment 5 – Notice of Violation dated July 27, 2023
- Attachment 6 – Pre-citation notice letter
- Attachment 7 – Site plan submitted to City by TTRLFG LLC's contractor
- Attachment 8 – Planning response regarding pre-screen review
- Attachment 9 - Administrative Citation
- Attachment 10 – Affidavit and Inspection Warrants dated September 20, 2024
- Attachment 11 – Photographs of Units 1, 6, and 7 from inspection on September 3, 2024
- Attachment 12 – Notice of Correction dated September 3, 2024
- Attachment 13 – Photographs of Units 5 and 8 from inspection on September 19, 2024
- Attachment 14 – Notice and Order to Abate a Public Nuisance (Substandard Building) and Notice of Tenant Relocation Benefits dated September 26, 2024
- Attachment 15 – Letter from City Attorney's Office concerning initial appeal
- Attachment 16 – Affidavit and Inspection Warrant dated October 8, 2024
- Attachment 17 – Photographs of Unit 2 and door to Unit 9 from inspection on October 17, 2024
- Attachment 18 – Photographs of Unit 9 from inspection on October 21, 2024
- Attachment 19 – Code sections

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.



CITY OF ESCONDIDO
Building Division
201 North Broadway
Escondido, CA 92028-2798
(760) 839-4647

FOR INTERNAL USE ONLY	
Date received by Board of Appeals secretary	
Date of Hearing	(10 days notice required)
Date sent to appellant	

Item 2.

REQUEST FOR APPEAL HEARING
BUILDING ADVISORY AND APPEALS BOARD

Escondido Municipal Code Section 6-11.8.1: "Appeals to the Board must be initiated within 10 days from the act, decision or interpretation which is the subject of the appeal."

Appeal of TTRLF6 LLC 325-333 N. Beech St.
Name of appellant

PO Box 27198 SAN Diego, CA 92198 6198570411
Address and telephone number of appellant

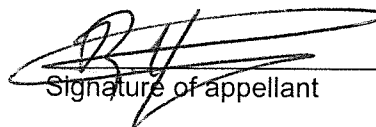
For the property located at 325-333 N. Beech St Escondido, CA

Legal interest of appellant in this property Owner

State specifically what is being protested with any material facts supporting your contention. (Attach additional sheets of data, if necessary.) Everything in notice to Abate in the letter dated Oct 31, 2024. Supporting documents have been sent in. See Attached letter.
SEE Emails sent Oct 31, 2024 @ 8:07pm

State specific relief sought and why you feel the protested order should be reversed, modified, or set aside.

Want order set aside ^{and voided} IT is in correct. misstates true facts. is incorrect. voided.
Also need city to acknowledge 7 legal residential units and stop all other actions.
pay for all economic losses and damages.


Signature of appellant

11-4-24
Date

Building Advisory and Appeals Hearing will be held 10-60 days after appeal is filed.
Appeal to Council must be made within 10 days from final Building Advisory and Appeals Board Action. A \$100 filing fee will be charged.



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

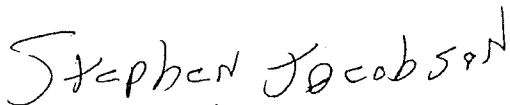
October 31, 2024

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,

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



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 Liq.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
9/3/24 2:21 p

<https://www.escondido.gov/DocumentCenter/View/1977/Trash-Enclosure-Guidelines-PDF2>

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

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 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.....

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 within 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.

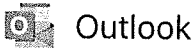
The below paragraph was sent over a month ago and no response at all from the city accept to continue harassing us , making and continuing lies and slandering us. The city continues to break and violate state laws with no regard whatsoever. We have requested a meeting with the city attorney for months. 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



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.



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

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

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.

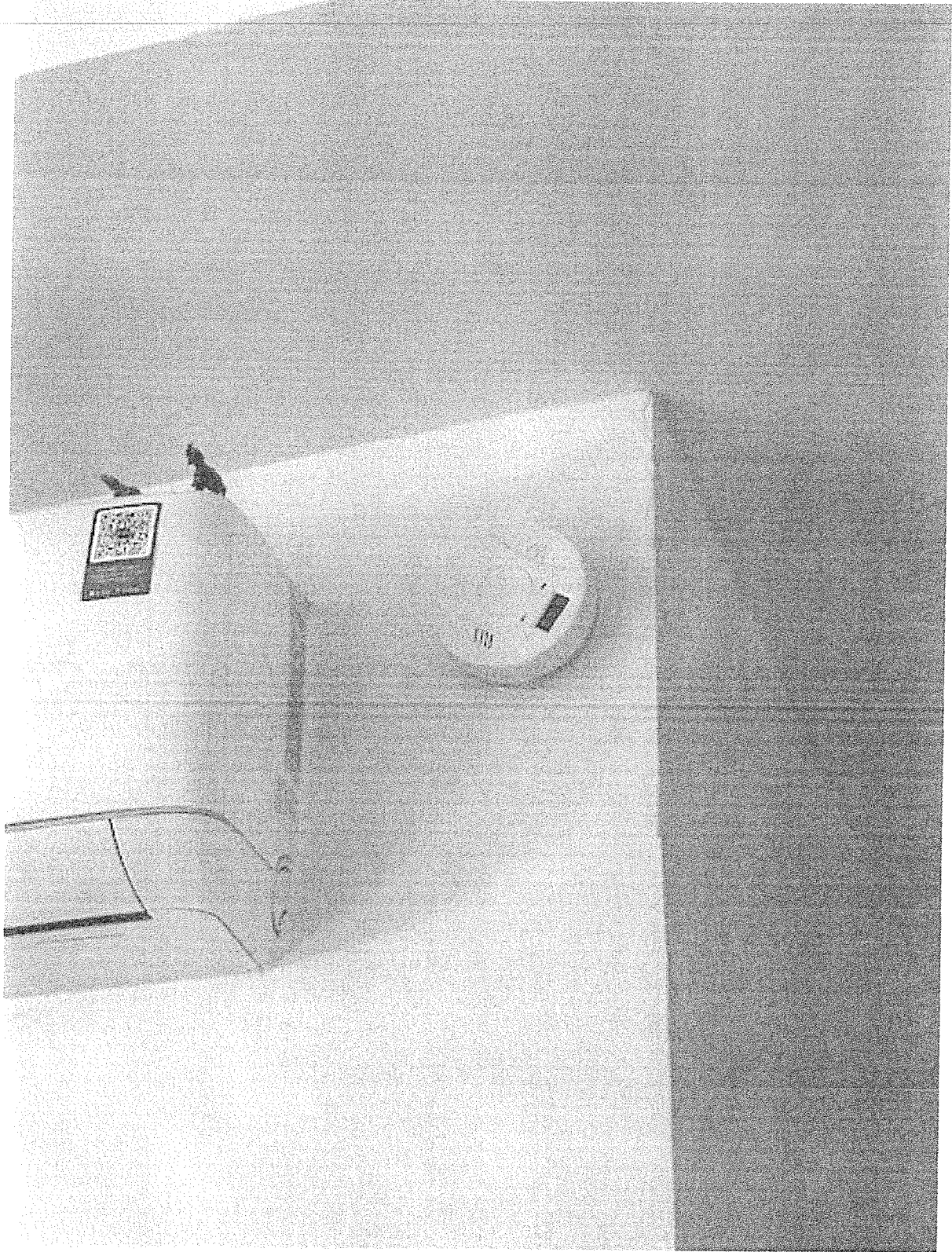
Your letter says all of this was brought on by a written complaint filed with the city. Please provide a copy of that written complaint.

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 tells 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

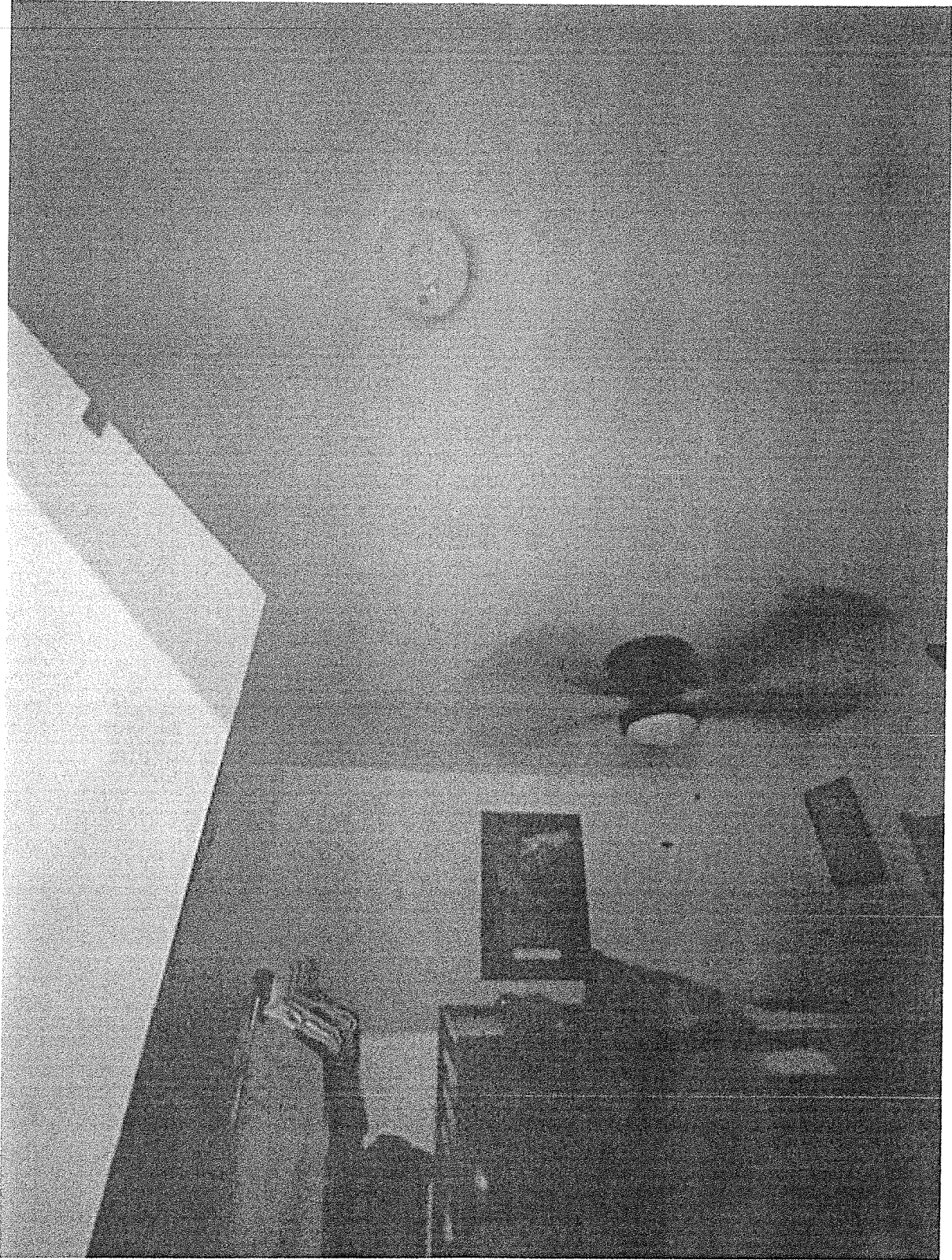
of our property. It is only getting worse. At this point our costs are getting out of control and the emotional toll is affecting the health of at least 2 of us. The cost of that you cannot compensate us for. But we are at the point that we really have no choice but to file a lawsuit against the city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

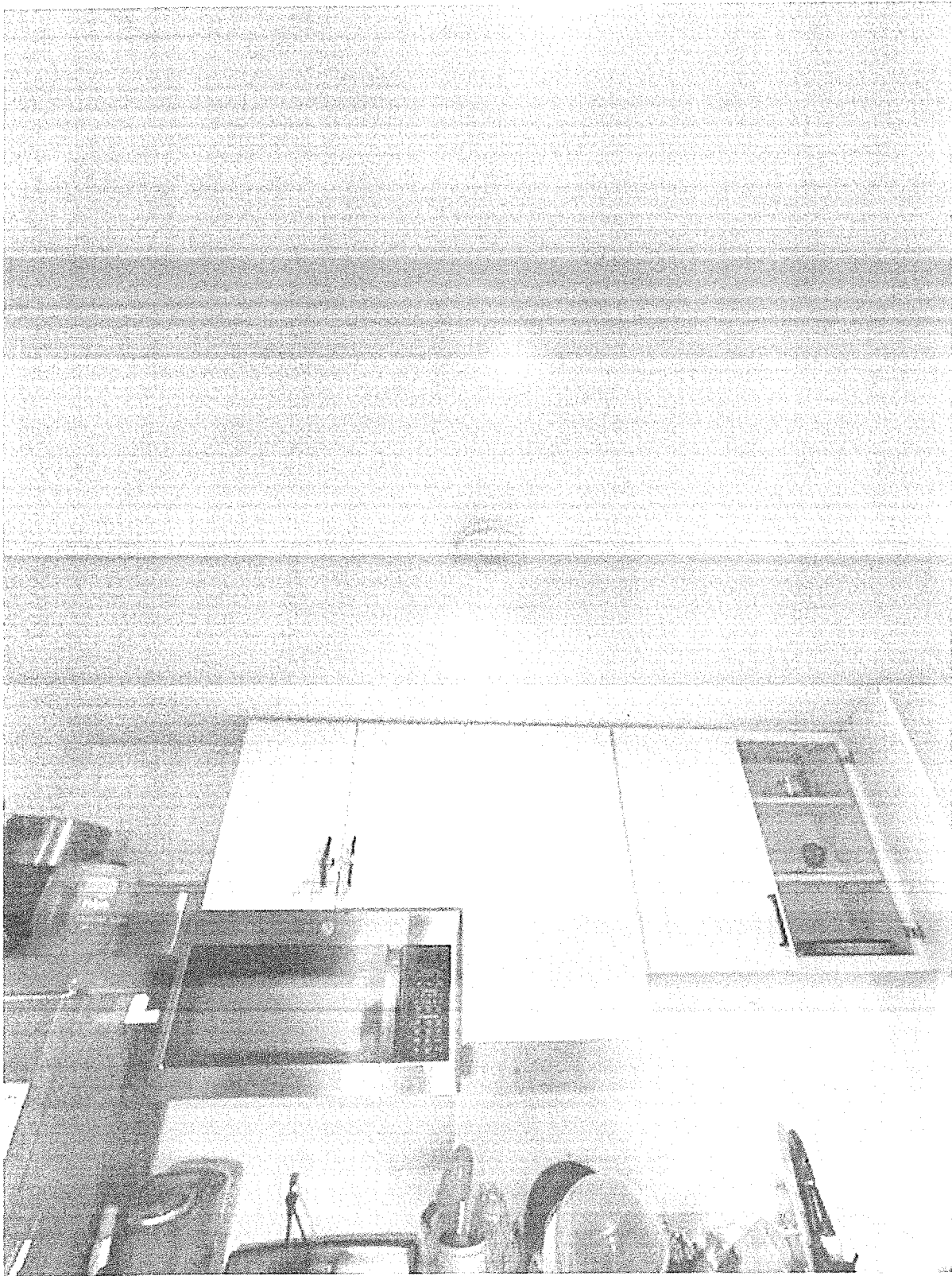
Sincerely,

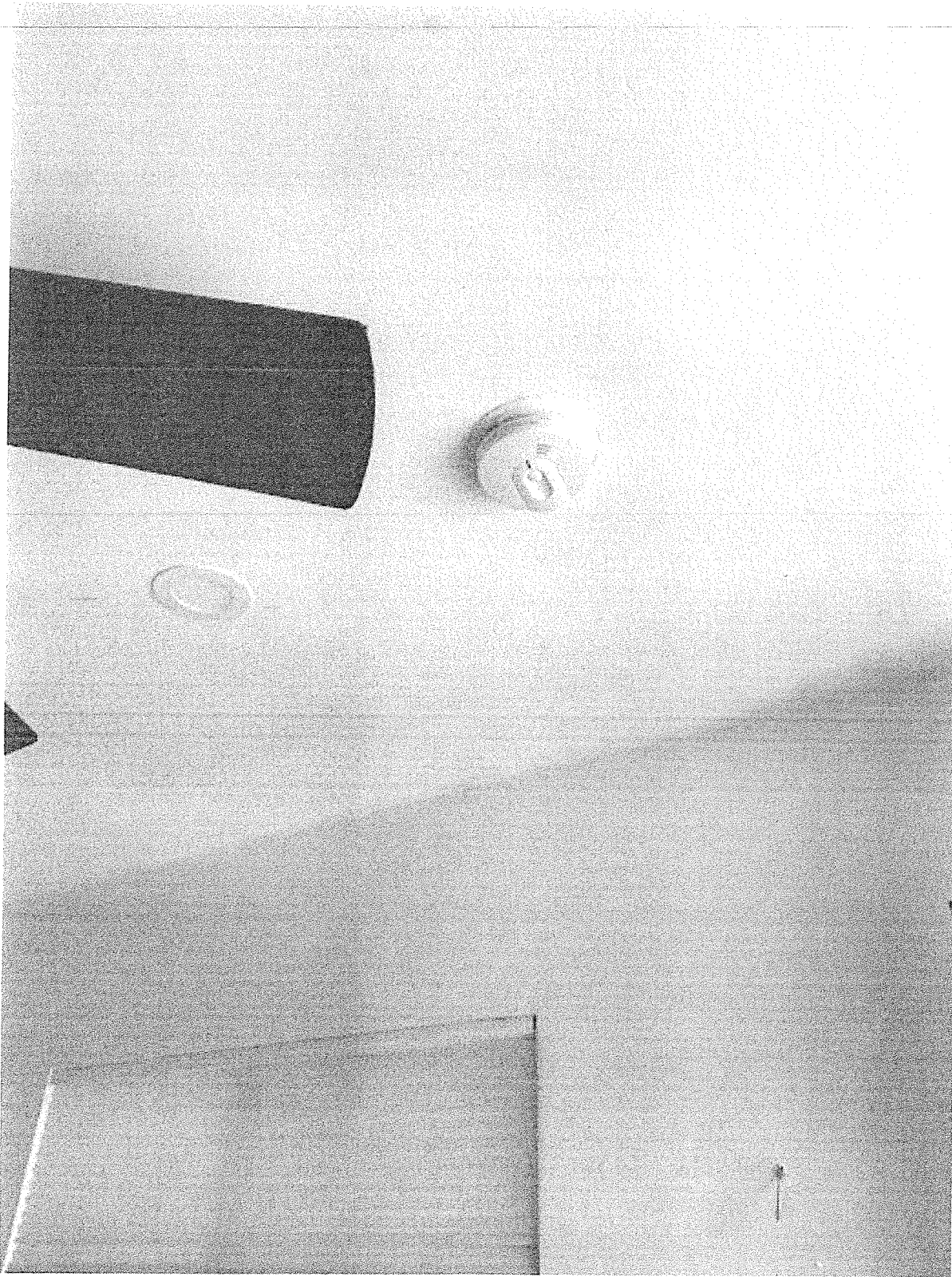
Rick Zeiler
TTRLFG LLC

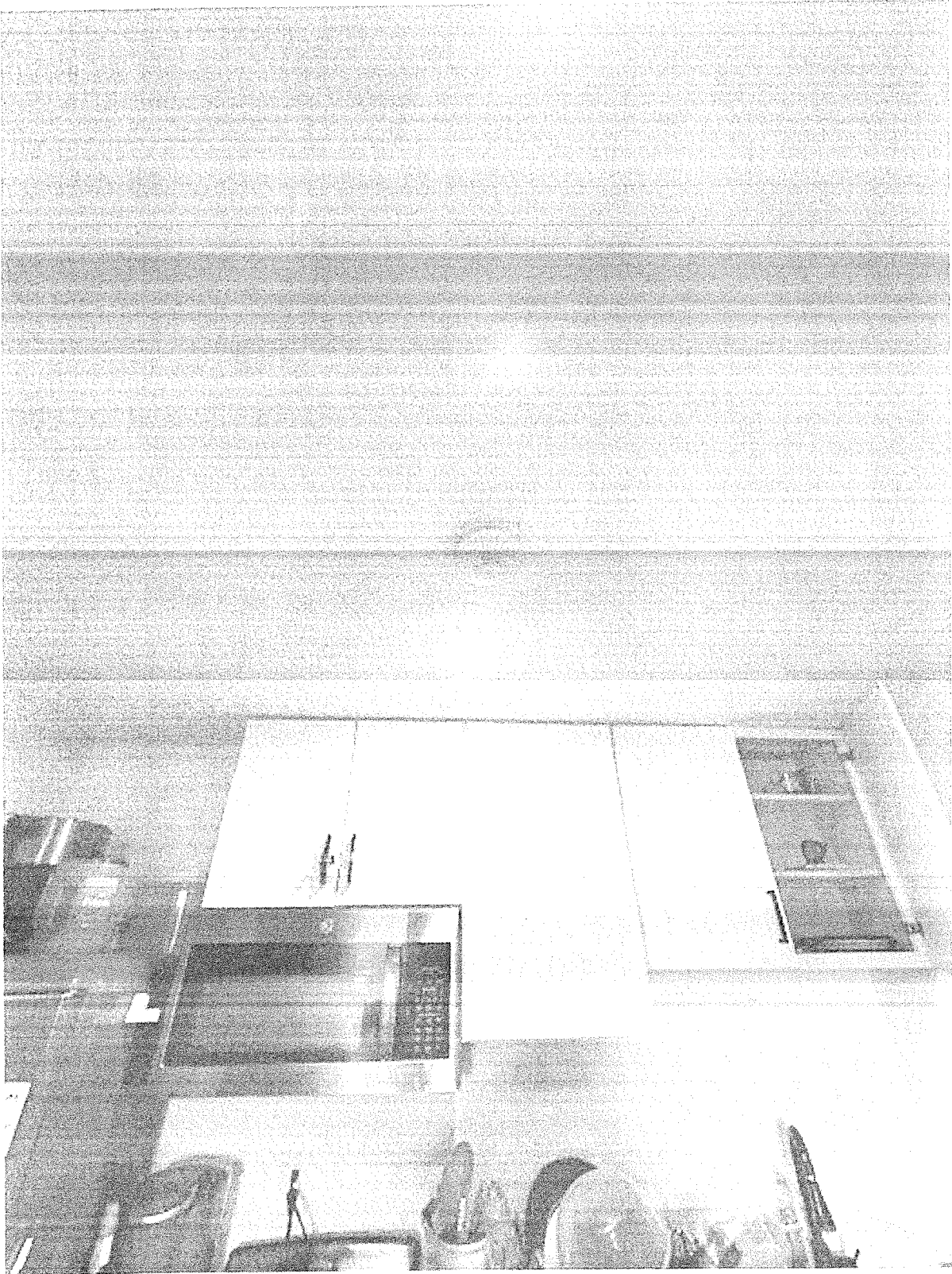


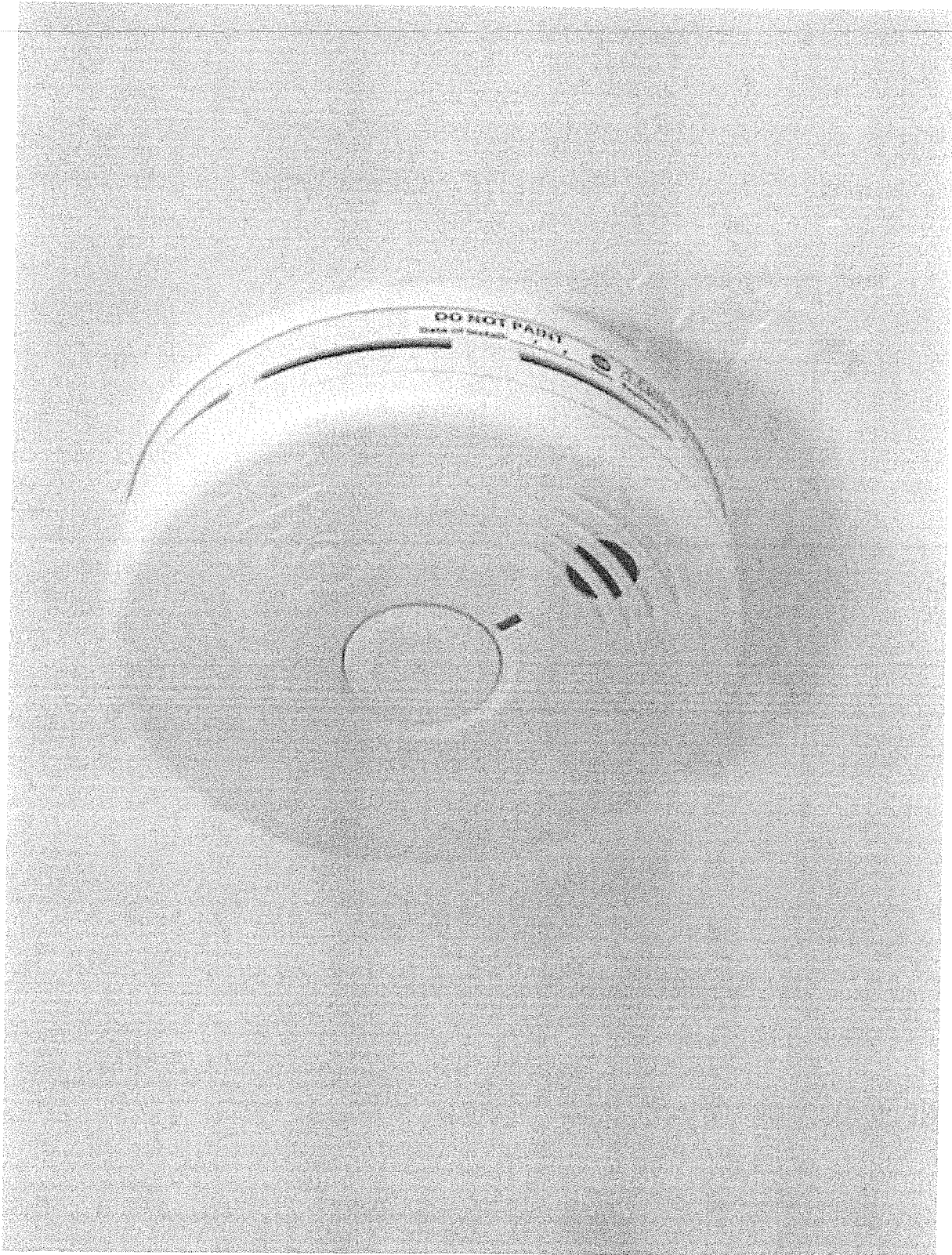


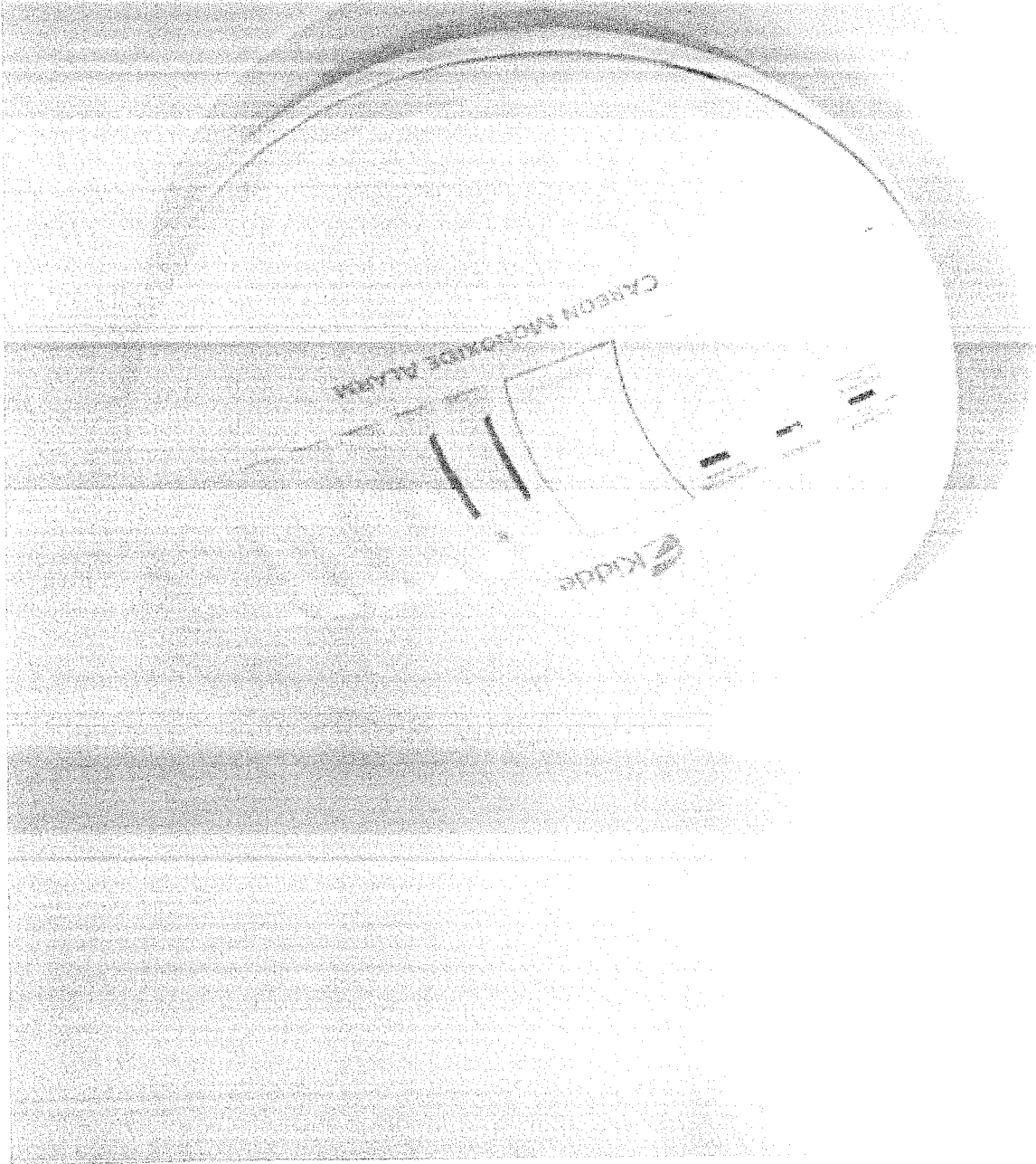


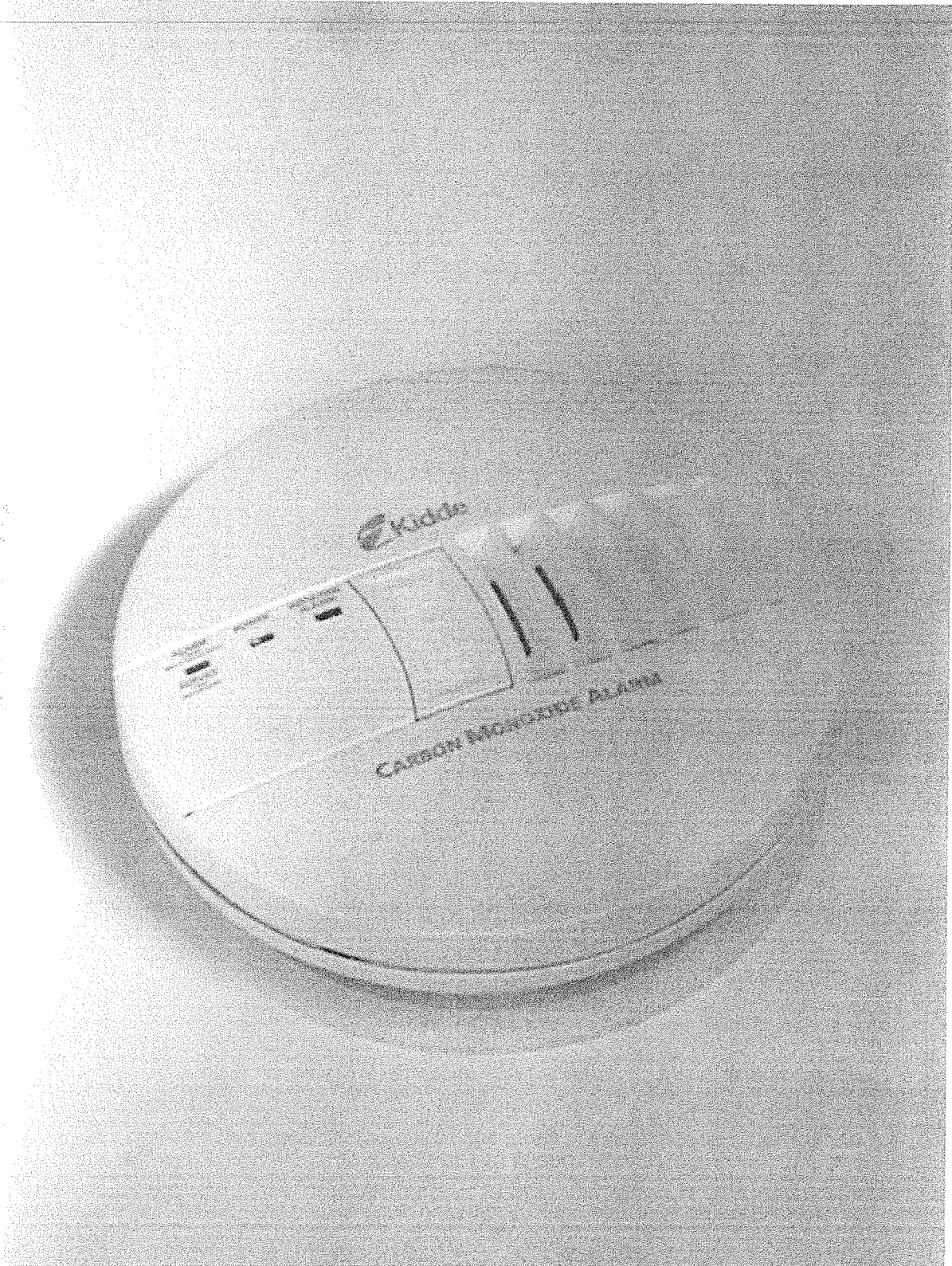


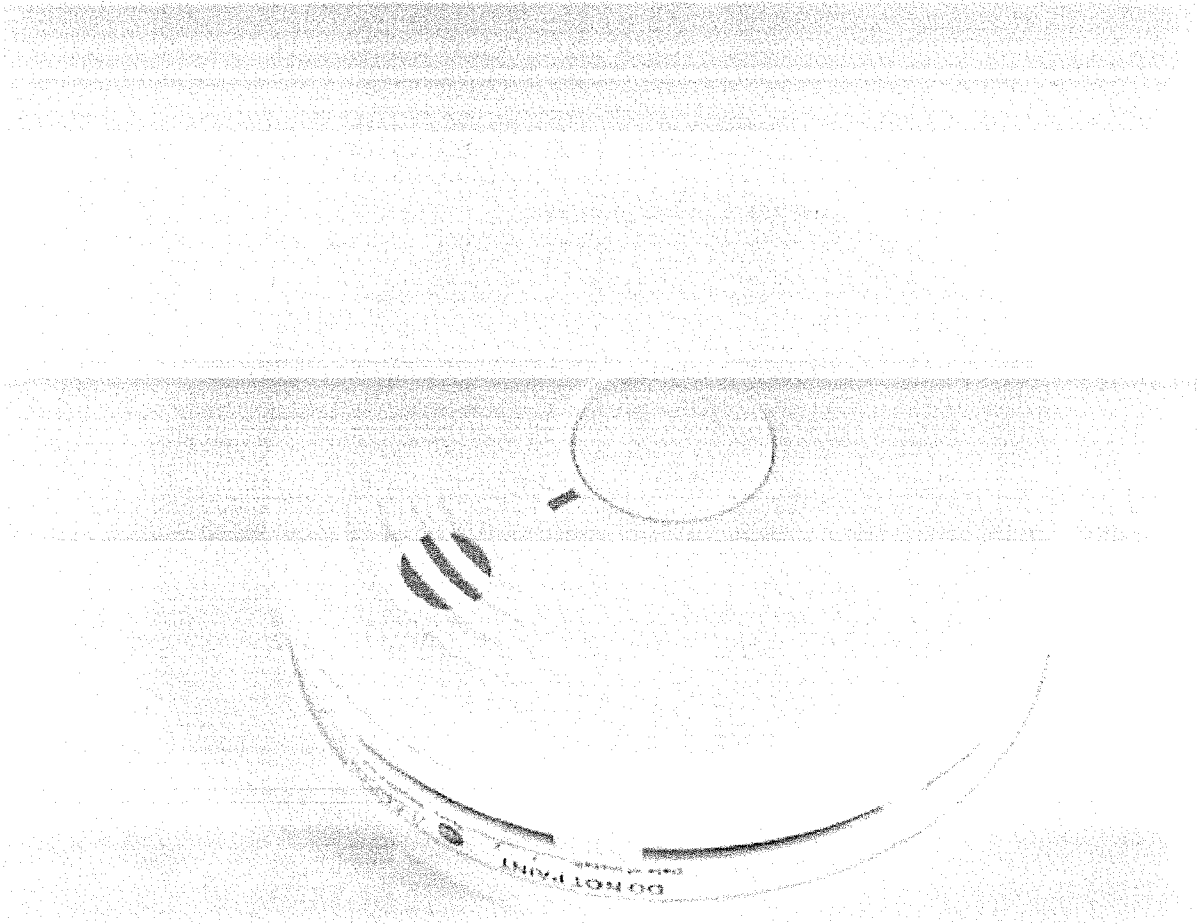


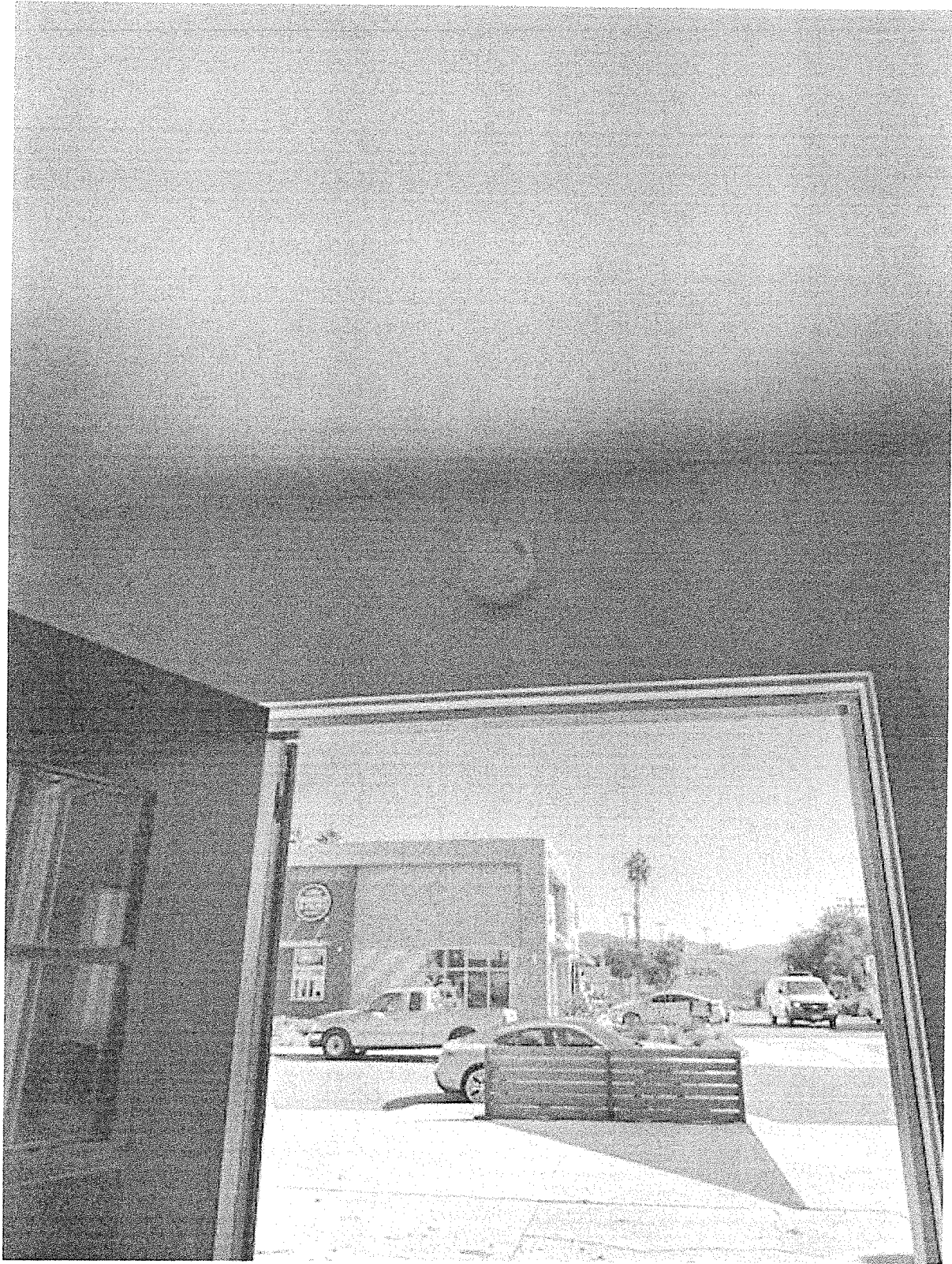


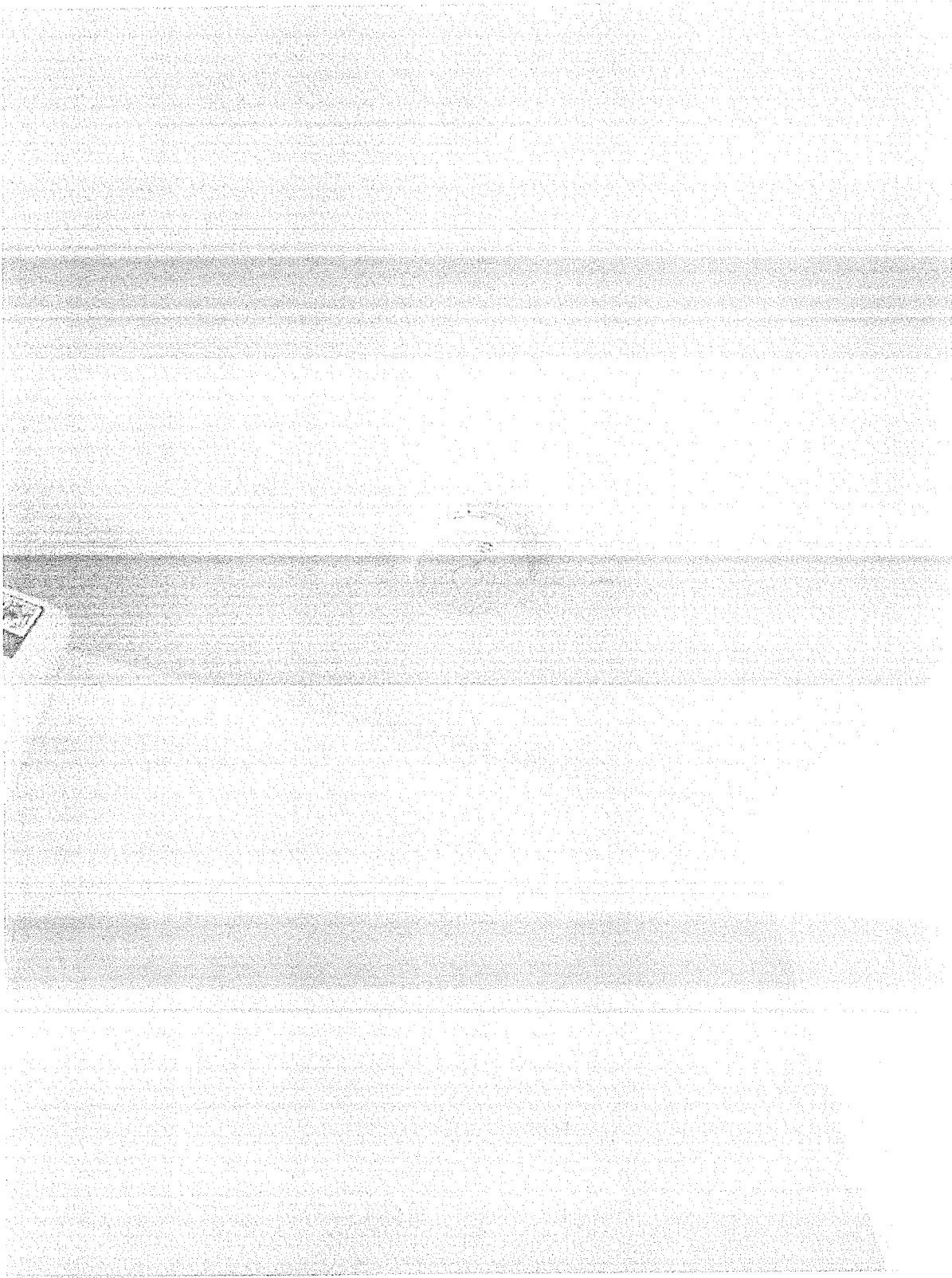


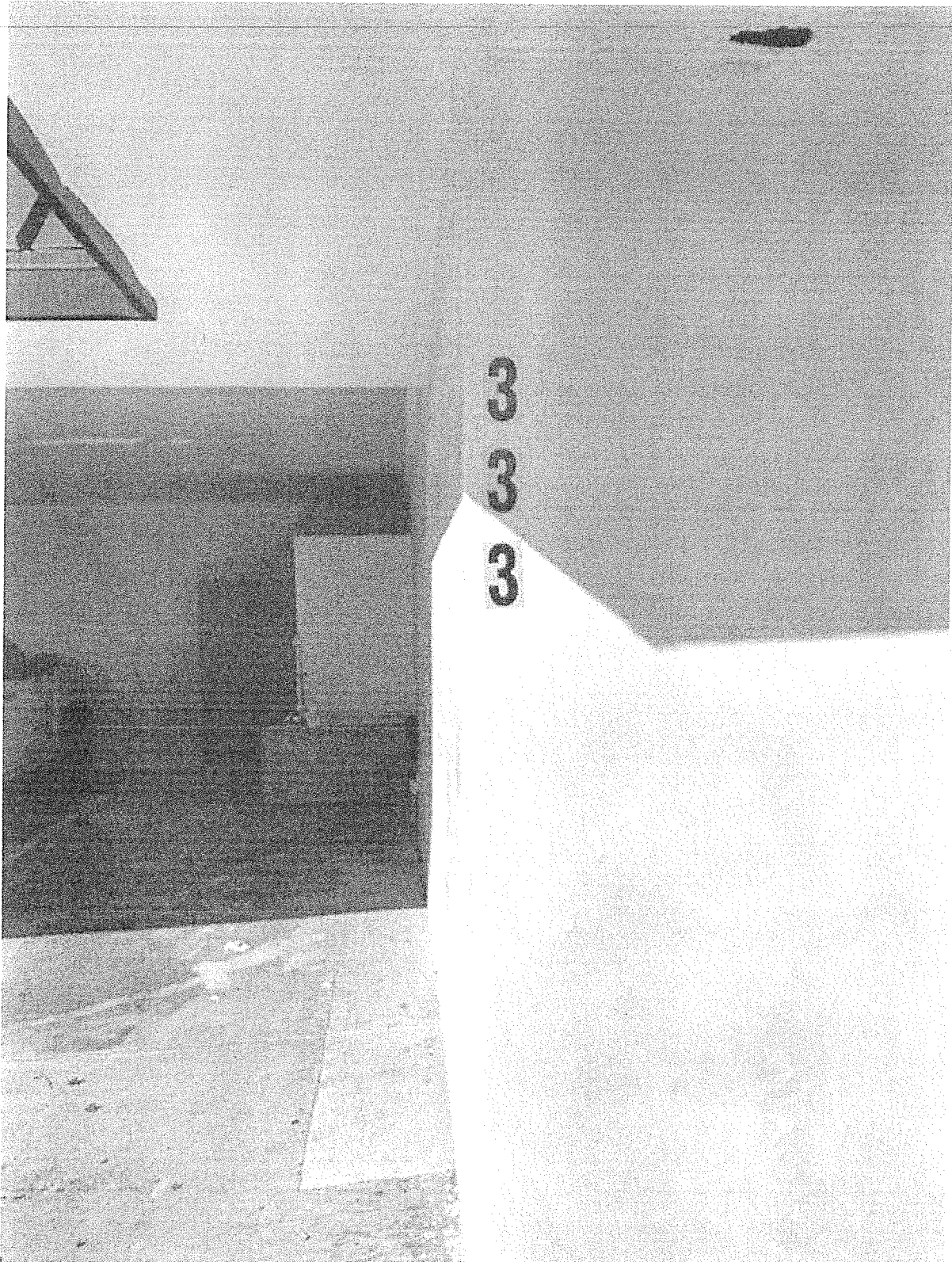


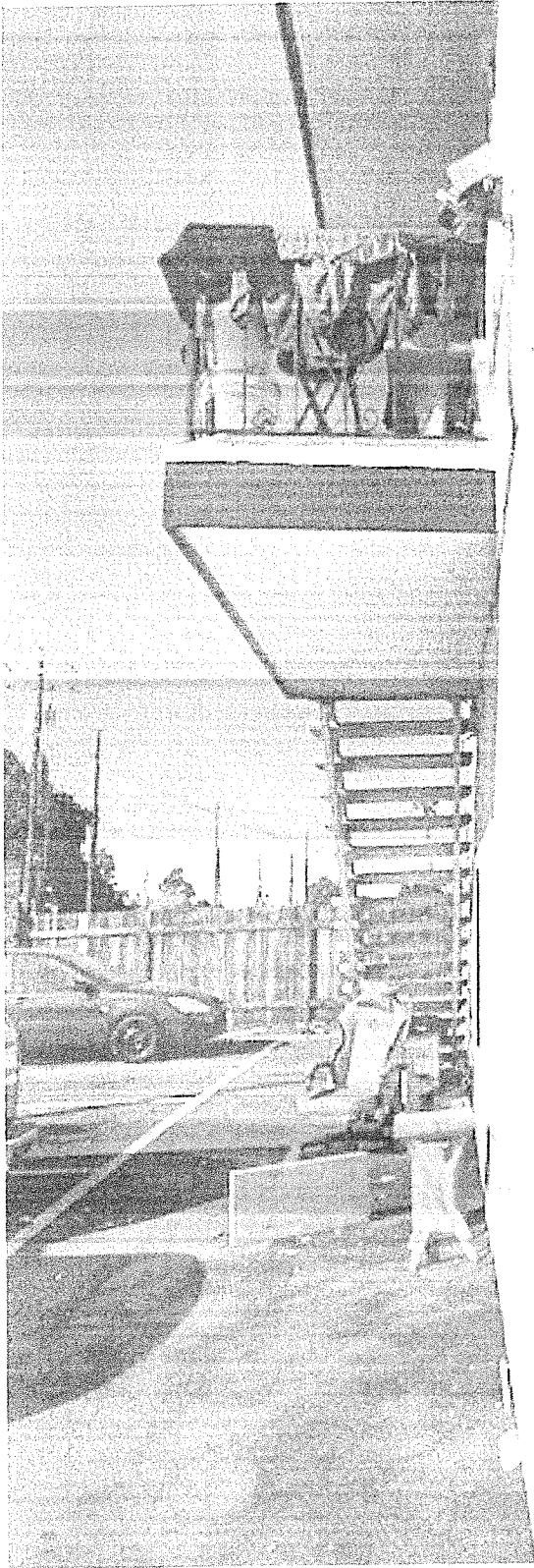






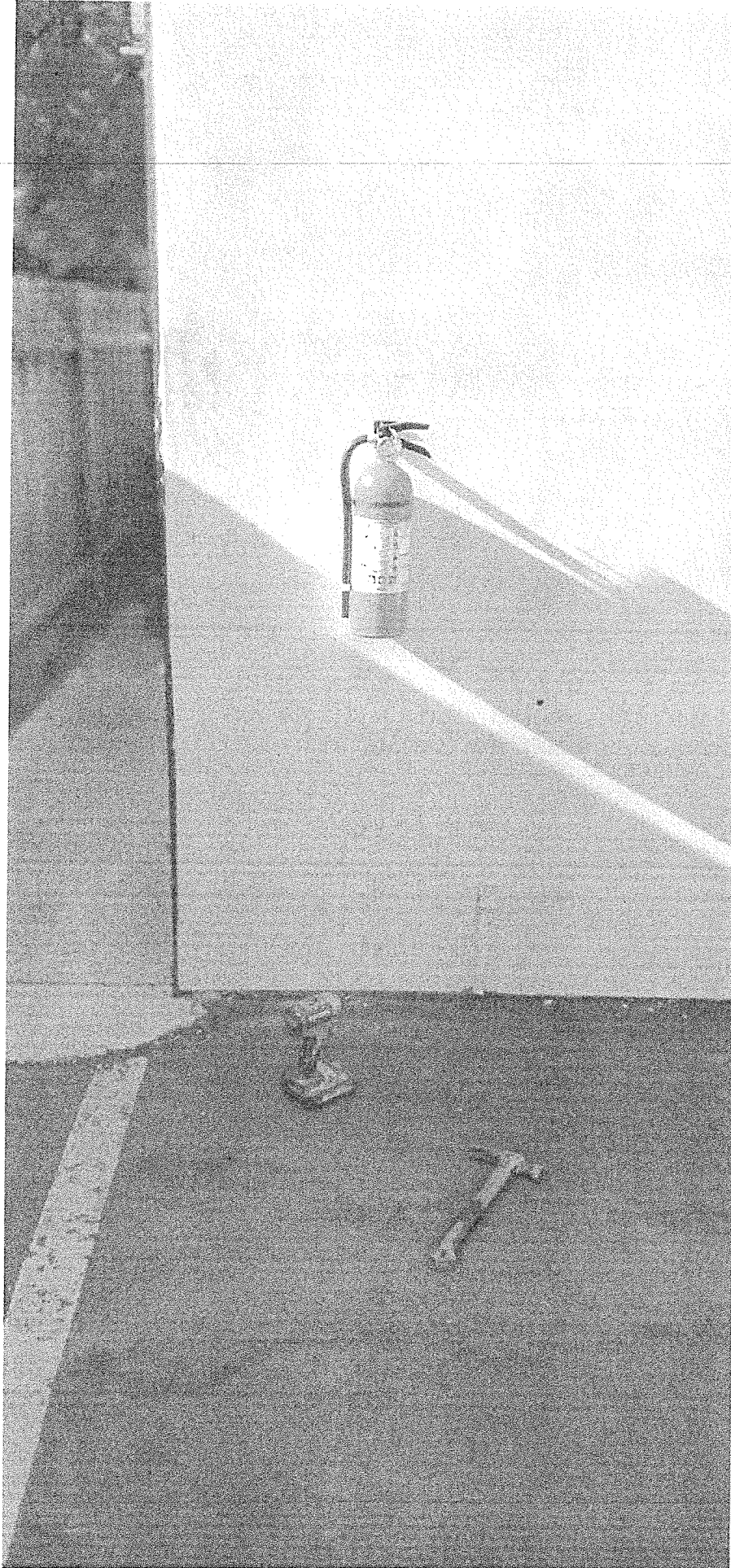






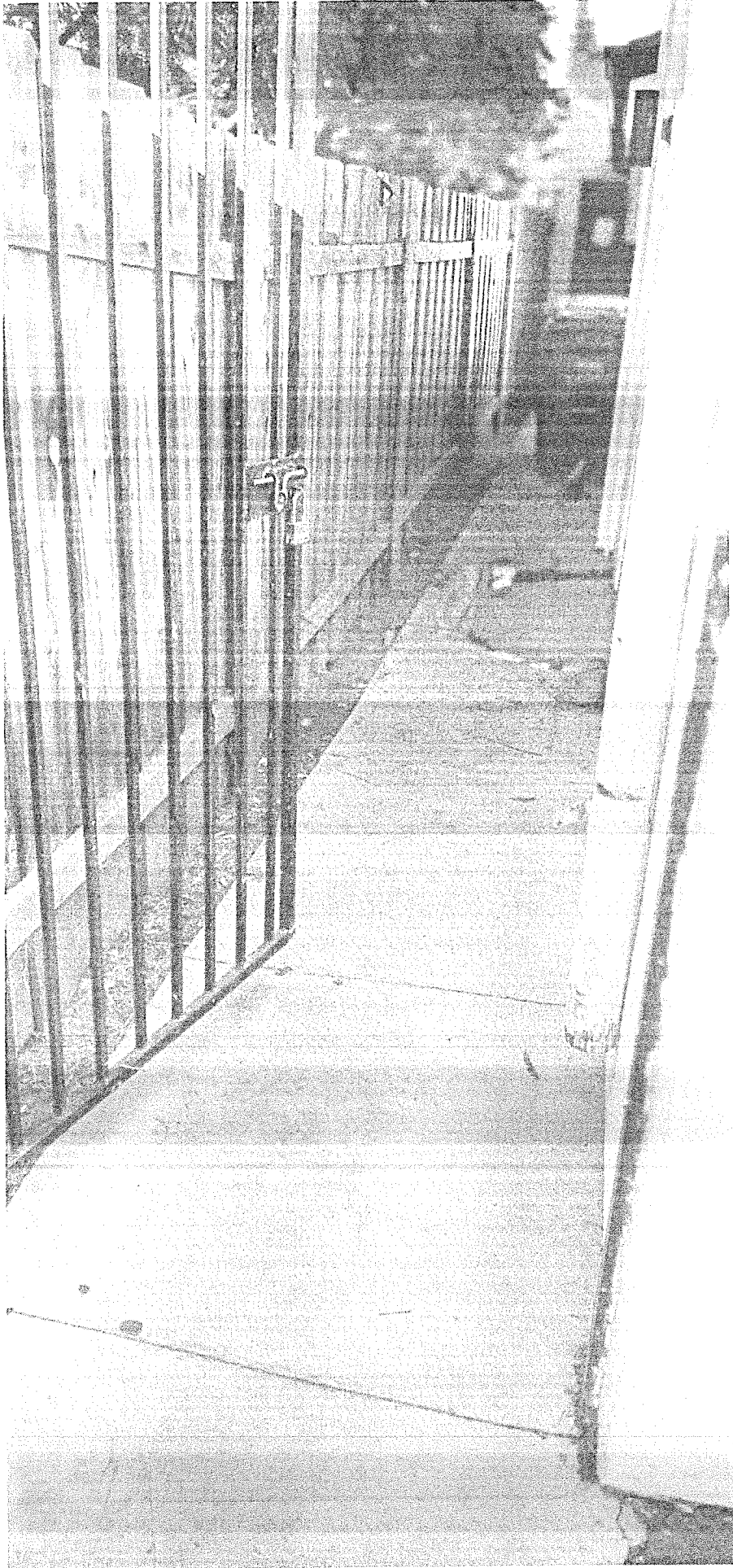
3
2
5

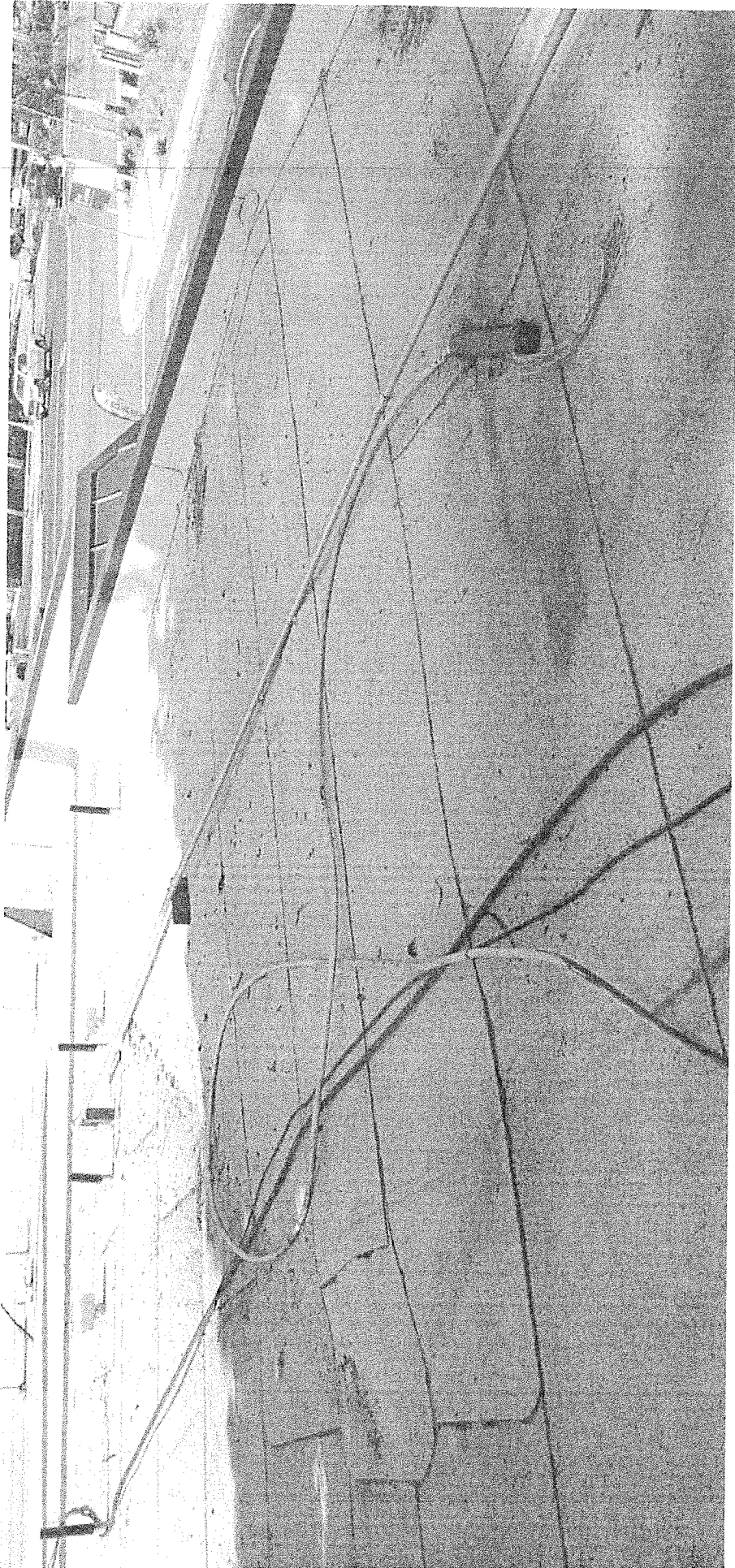












Department	Fee Description	Current Fee / Charge	Unit Basis	Deposit Required	Effective Date	Reso / Ord Number
GENERAL GOVERNMENT FEES						
All	Blueprint Copying Fee	\$3.00	page	-	7/1/1996	1996-216
All	Copies from Microfilm	\$1.00	each	-	8/25/1999	1999-200
All	Copying - Full Plan	\$3.00	page	-	7/1/1995	1995-179
All	Copying - Letter size	\$0.15	page	-	9/1/2008	2008-171
All	Copying - Legal size and 11 x 17	\$0.25	page	-	9/1/2008	2008-171
All	Copying - 18 x 24	\$3.00	sheet	-	8/20/2007	2007-115(RR)
All	Copying - 24 x 36	\$5.00	sheet	-	8/20/2007	2007-115(RR)
All	Late Penalty: not paid within 30 days of billing (excludes Utilities)	\$0.10	billied amount	-	7/1/1997	1997-103R
All	Other Commissions Agenda + Minutes Subscription	\$50.00	year	-	7/1/1992	1992-130
All	Other Commissions Agenda Subscription	\$15.00	year	-	7/1/1992	1992-130
Business License	Business License List	\$100.00	report	-	8/25/1999	1999-200
Business License	Business License Processing Fee for Change of Address & Reprint	\$20.00	each	-	7/1/2004	2004-128R
Business License	One-Day Temporary Business License Fee	\$25.00	day	-	4/1/2015	2015-26
City Attorney	Shopping Cart Containment Fee	\$45.00	each	-	11/1/2006	2006-212
City Clerk	Agenda Packet - Full	\$600.00	year	-	7/1/2003	2003-89
City Clerk	Agenda Subscription	\$100.00	year	-	7/1/2003	2003-89
City Clerk	Appeal - Bldg. Adv. Board Decision	\$40.00	appeal	-	8/1/2010	2010-92R
City Clerk	Appeal - Board / Commission Decisions, other (w/o public notice)	\$40.00	appeal	-	8/1/2010	2010-92R
City Clerk	Appeal - Board / Commission Decisions, other (with public notice)	\$75.00	appeal	-	8/1/2010	2010-92R
City Clerk	Appeal - Curbs, Gutters, Sidewalks, Streets	\$300.00	appeal	-	8/1/1997	ORD 1997-14
City Clerk	Appeal - Legal Notice	\$160.00	appeal	-	8/1/2010	2010-92R
City Clerk	Appeal - News Racks	\$75.00	appeal	-	8/1/2010	2010-92R
City Clerk	Appeal - Order Abatement Water Wells	\$40.00	appeal	-	8/1/2010	2010-92R
City Clerk	Appeal - Planning Commission Decision - Other	\$1,535.00	appeal + notice fees	-	7/1/2004	2004-132
City Clerk	Appeal - Planning Commission Decision - Single Family	\$1,210.00	appeal + notice fees	-	7/1/2004	2004-132
City Clerk	Appeal - Public Nuisance (w/o public notice)	\$40.00	appeal	-	8/1/2010	2010-92R
City Clerk	Appeal - Public Nuisance (with public notice)	\$75.00	appeal + notice fees	-	8/1/2010	2010-92R
City Clerk	Appeal - Street Dedication / Improvement	\$300.00	appeal	-	8/1/1997	ORD 1997-14
City Clerk	Audio CD / Council Meetings	\$10.00	disk	-	8/1/2002	2010-92R
City Clerk	Candidate Filing Fee	\$25.00	election	-	7/1/2002	2002-19
City Clerk	Certified Copies	\$5.00	copy	-	7/1/1992	1992-130
City Clerk	Certified Copy Mailing	\$3.50	mailing	-	8/1/2010	2010-92R
City Clerk	Charge for CD / DVD used to copy records	\$5.00	per CD/DVD	-	9/1/2008	2008-171
City Clerk	Confirmed Agenda	\$75.00	annual	-	7/1/2009	2009-75
City Manager	DVD / Council Meetings	\$25.00	DVD	-	8/25/1999	1999-200
City Clerk	FPPC Copies	\$0.10	page	-	7/1/1992	1992-130
City Clerk	Minutes (Council Mtgs.)	\$100.00	annual	-	7/1/2009	2009-75



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 Liq.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

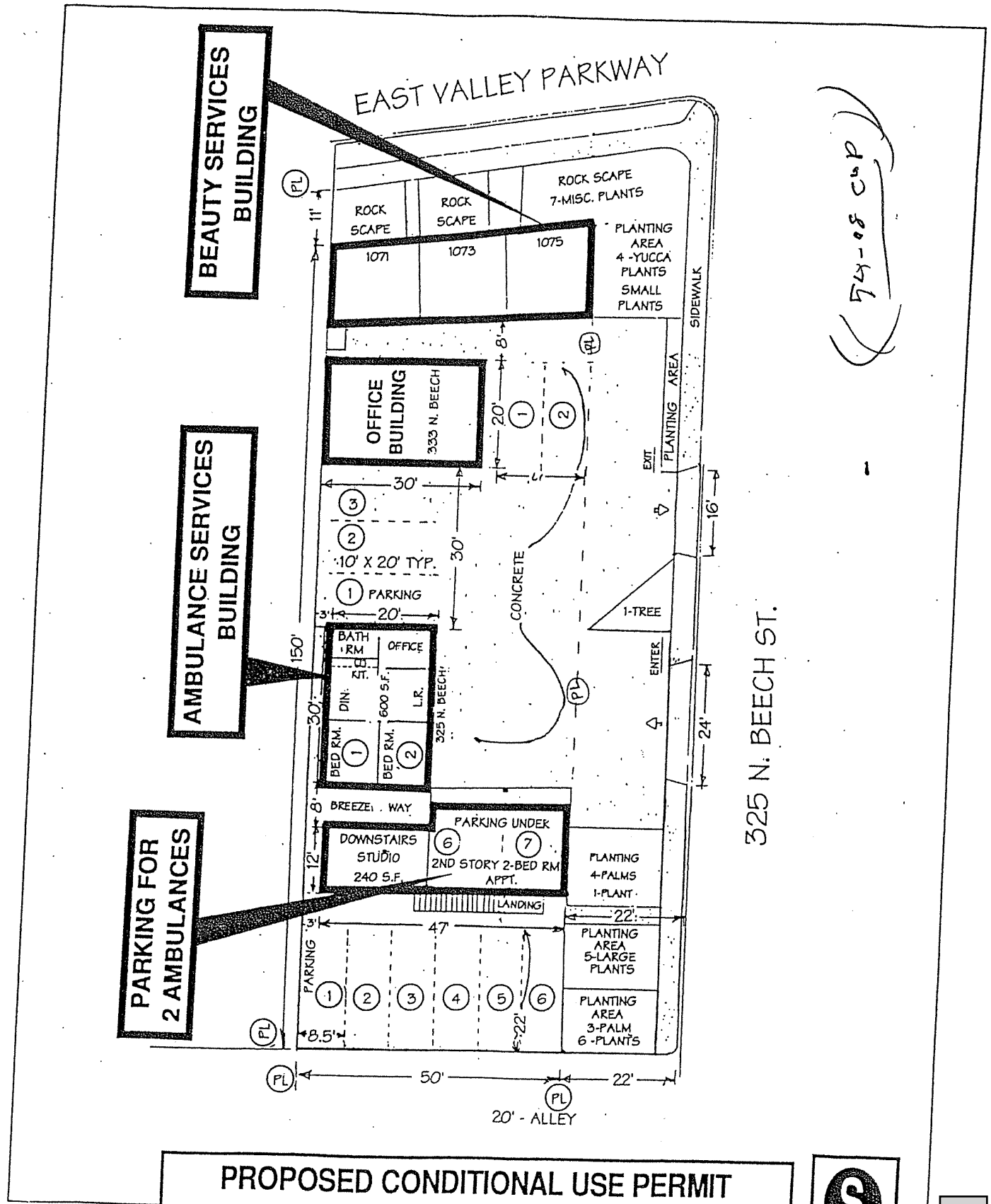
LESO, MARCUS
760.839.6290 Ext. 7092

9/3/2024
2:42:20PM









(74-08 CUP)

PROPOSED CONDITIONAL USE PERMIT



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:

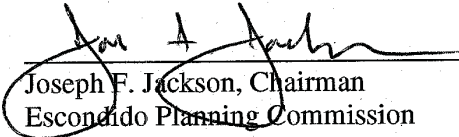
1. That a notice was published and mailed as required by the Escondido Zoning Code and applicable State Law.
2. That the application was assessed in conformance with the California Environmental Quality Act and that the proposed development is exempt from the requirements of CEQA pursuant to Section 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:

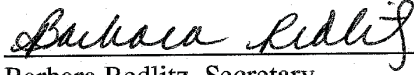
1. That the above recitations are true and correct.
2. That the Planning Commission certifies that it has reviewed and considered the environmental review and determined that it is complete and adequate for this project, and there are no significant environmental effects which are not mitigated.
3. That 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"

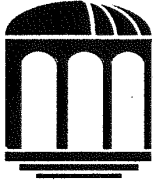
1. The granting of the Conditional Use Permit would be based on sound principles of land use since the building was originally developed to house an ambulance service, adequate parking has been provided for all of the uses on the site, no new lighting is proposed, and no additional driveways are proposed.
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.1

Date: 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.

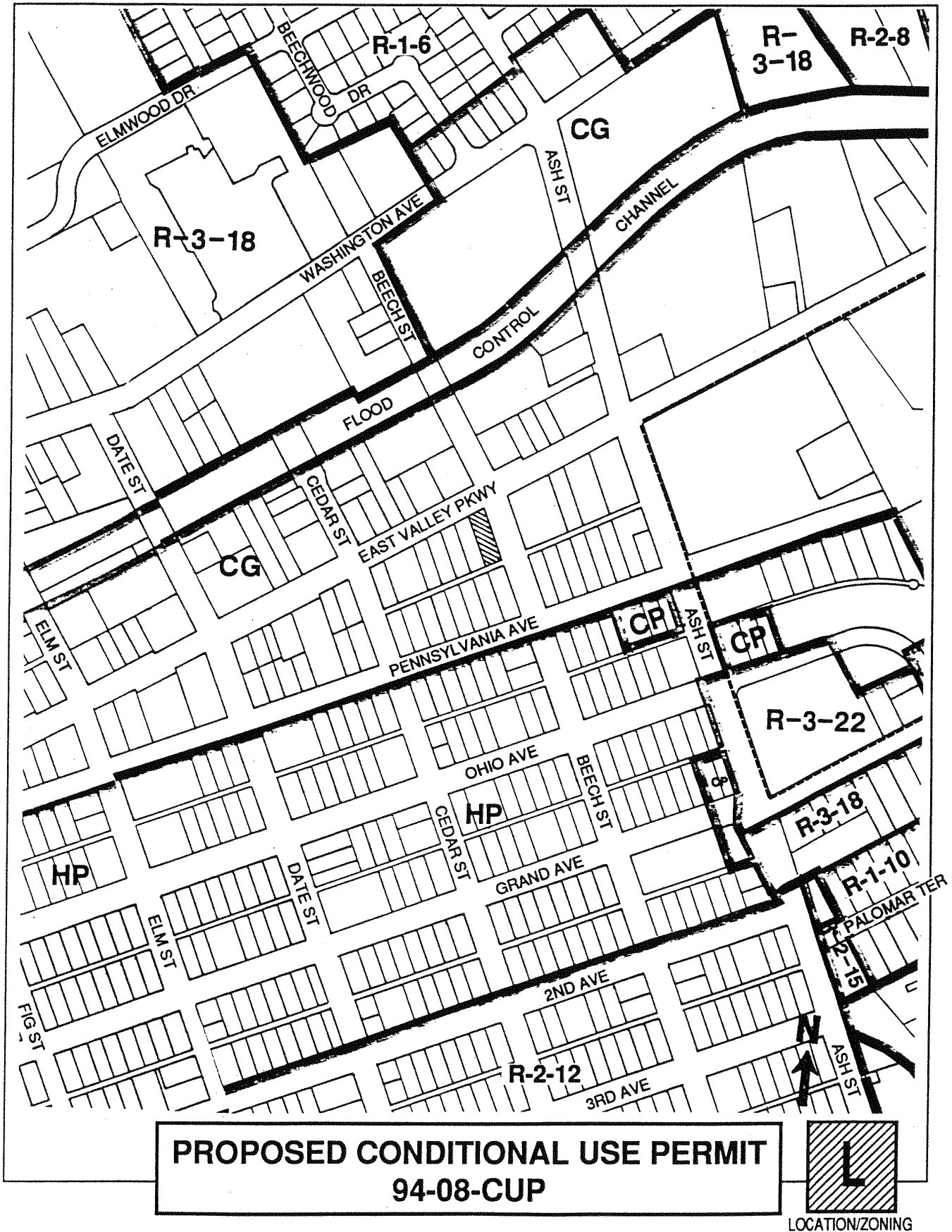
REASON FOR STAFF RECOMMENDATION:

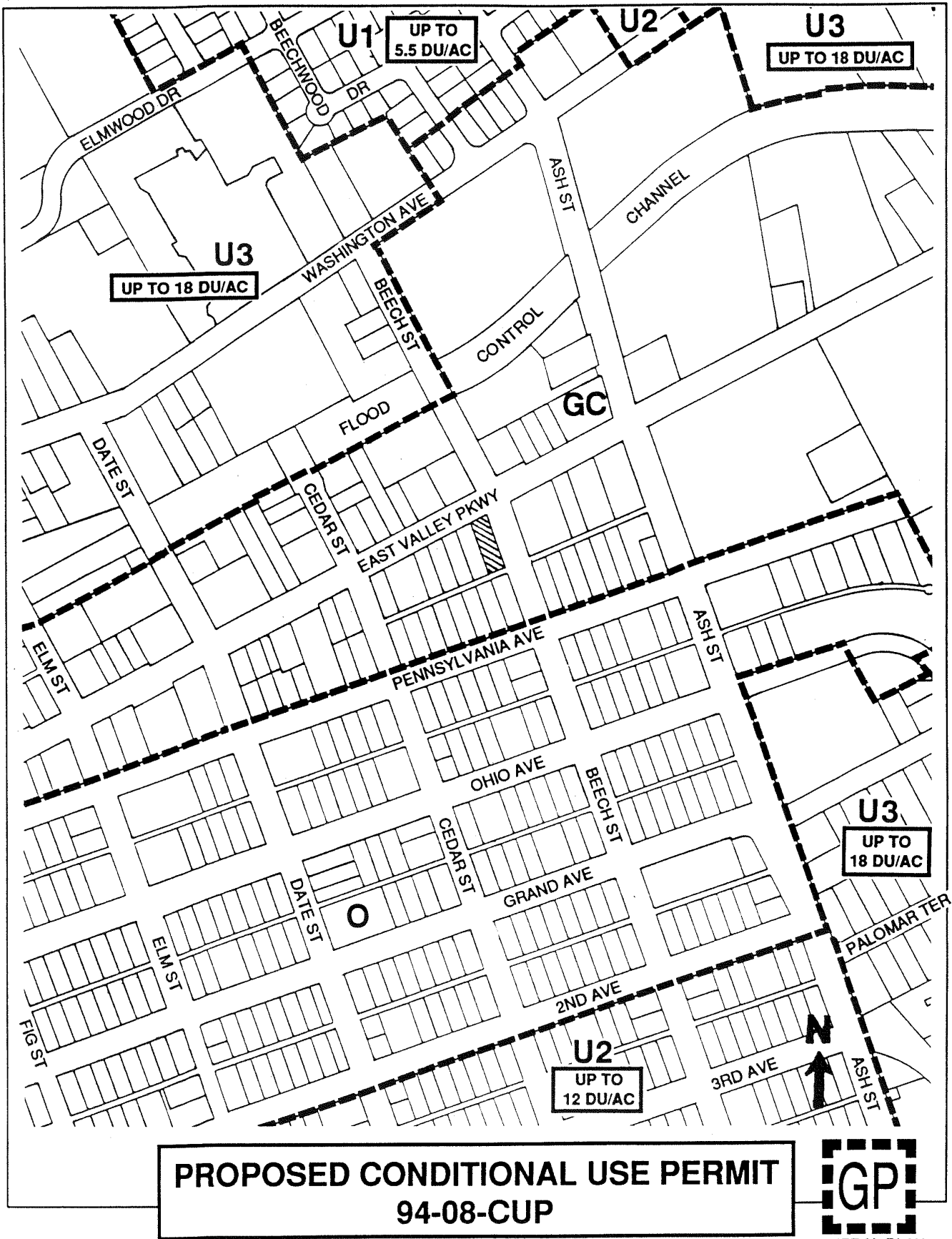
1. Staff feels that the ambulance service use is appropriate for the proposed site since the site was developed for this type of use and has accommodated the use intermittently for over 30 years. In addition, there is viable access to the site through an established commercial area, adequate parking 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.

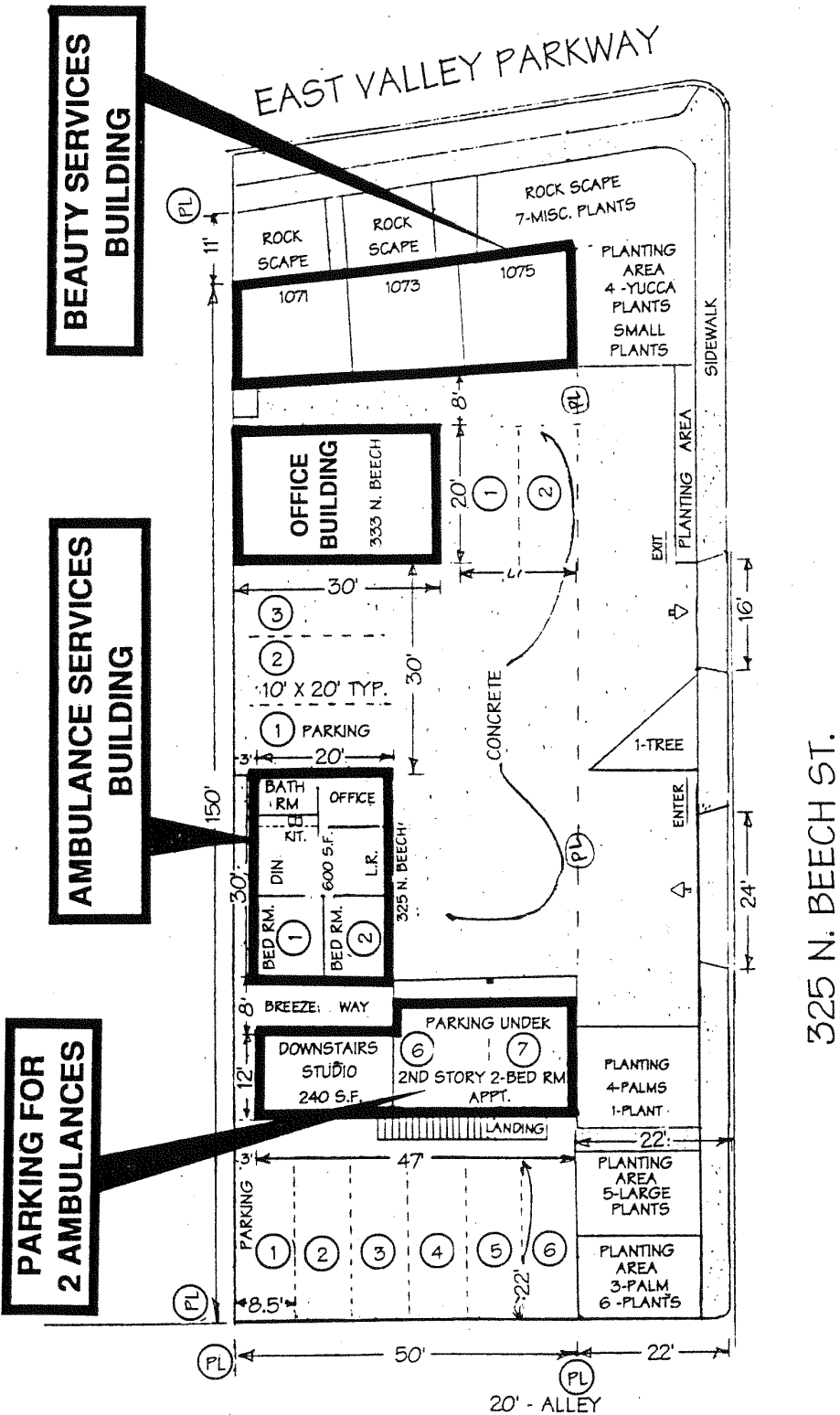
Respectfully submitted,



Bill Martin
Associate Planner







**PROPOSED CONDITIONAL USE PERMIT
94-08-CUP**



SITE PLAN

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:	6 spaces	
(4 employees + 2 ambulances)		

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.

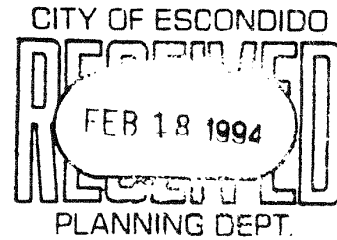
CONDITIONS OF APPROVAL
94-08-CUP
EXHIBIT "B"

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.



Medical Services



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,

A handwritten signature in cursive script, appearing to read 'Robert Meyers', written over a horizontal line.

Robert Meyers
Business Development

CC: City of Escondido Planning Commision

Scale: 1" = Ft.

MISCELLANEOUS STRUCTURES

STRUCTURE	FOUND.	FLOOR	CONST.	EXT.	ROOF	DIM.	AREA/JUNIT
UNDER GRS GAS TANK	-	-	550 GAL		1500.00		

COMPUTATIONS

12450 = 850
P = 134

169
82
H.A. + .02 } X 6.20
A.A. + .11 } X 1.13

PART. + .47
PLBG + 1.30
MARQUEE + .35
9.13

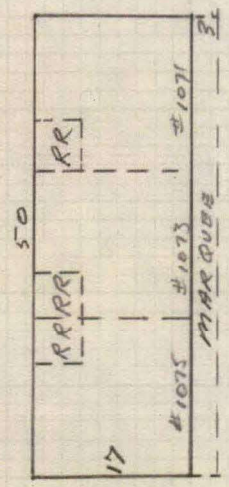
71 DF 13.00

HT ABS. .82
14.18

PART .47
+ PLBG 1.30
+ MARQUEE .35
14.30

- FRONT 1.30

REMARKS: DOWNER DELIVERED COST OF BLDG ON TIME
AND MATERIAL BASIS OF 11,000 UNITS. REBID ON BASIS
OF 100/m 12-22-70 FINE



VALLEY PKWY.

Item 2.

COMMERCIAL-INDUSTRIAL BUILDING RECORD

Account No.

Parcel No. 230-121-06

ASSESSOR, SAN DIEGO COUNTY

Community ESCROWED

NAME Superior Ambulance Co ADDRESS 325 N. BEECH

SHEET 27 OF 33

CLASS & SHAPE	FRAME		TRUSSES		EXT. FINISH		ROOF		LIGHTING		FRONT		NUMBER OF ROOMS					INTERIOR CONSTRUCTION						
	Wood	Concrete Reinf.	Light	Heavy FLRB	Steel	Stucco etc	Flat	GAR.	X Standard	Below Standard	Type	Desc.	B	M	1	2	3	FLOORS	GD	WALLS	GD	CEILING	GD	
Office/GAR	X				X	X	X	X	X	X														
Stories 1	Steel				X	X	X	Shed																
Bsm't Mezz	X				X	X	X	Arch																
USE DESIGN	FLR WALLS 10				X	X	X	Gable																
X Garage	X				X	X	X	Wood																
Store	X				X	X	X	Metal																
X Office	X				X	X	X	Unfinished																
Factory	X				X	X	X	Paint																
Warehouse																								

No.	Permit	CONSTRUCTION RECORD			EFFECT. APPR.			NORMAL % GOOD			RATING (E,G,A,F,P)			ITEM	SPECIAL FEATURES			QUAL.
		Amount	Date	YEAR	YEAR	Age	Rem. Life	Table	%	Cond.	Arch. Attr.	Func. Plan	Wkm. ship		NO-CAPACITY	MATERIAL OR TYPE		
6417	GAR.	1625	12/14/58	1968	1	39	OR 60	99	(A)									
	Remod + GAR.	2840	12/14/63	1967	4	41	OR 45	97										
				1978	11	34	OR 45	89										

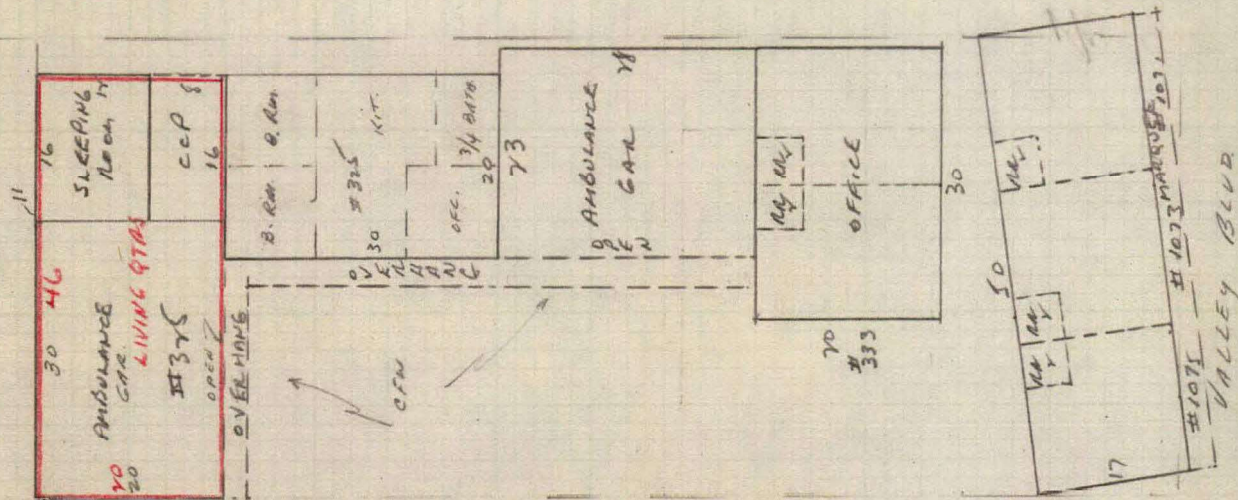
Appraiser and Date	UNIT	AREA/UNIT	UNIT COST		EFFECT. APPR.	NORMAL % GOOD		RATING (E,G,A,F,P)		ITEM	SPECIAL FEATURES			QUAL.
			Amount	Date		YEAR	Age	Rem. Life	Table		%	Cond.	Arch. Attr.	
OFFICE	600	900	5400	9.00	5400	5400	22.00	13200						
AC	844	510	150	300	300	300	6.20	3992						
GAR.	800	510	3000	4.00	7576	1400								
Misc. Imps.			1400											
TOTAL			10010		9676	17692								
NORMAL % GOOD			97		89									
P.C.L.N.D.			9386		15745									
CHECKED														
REVIEWED														

Item 2.

Scale: 1" = 20 Ft.

PAVED ALLEY

FLAT ASP.



N.
B
E
C
H
S.

MISCELLANEOUS STRUCTURES

STRUCTURE	FOUND.	FLOOR	CONST.	EXT.	ROOF	DIM.	AREA/UNIT
GAR.	CONC.	8" C.C.	FT.	FLAT/CONC.			
CFW	± 2200	± 50					1100.
FLAT ASP.	± 1500	± 20					300.
							8 1400.

COMPUTATIONS

OFF. 20x30 = 600	BF (By Appr.)	900
P = 100		
GAR. 20x30 = 600	GAR. C-GAR/SLAP	
P = 100	BF	3.90
	MT. ADJ.	X .94
		3.65
	AP	X 1.40
		5.10

REMARKS:

Item 2.

Account No.

Parcel No. V30-121-06

ASSESSOR, SAN DIEGO COUNTY

SHEET 3 OF 3

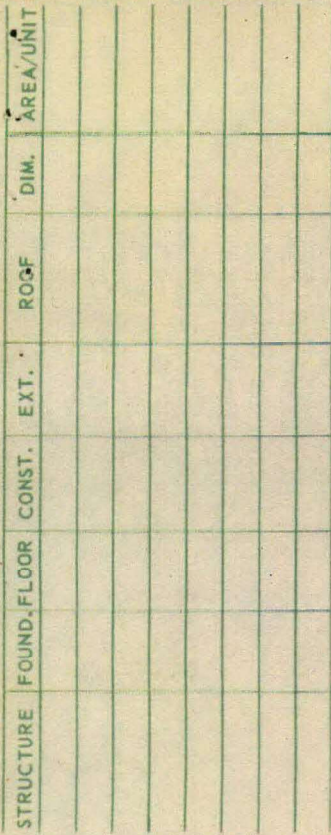
333 N. BEECH ST.

ADDRESS:

[illegible][illegible][illegible]

Item 2.

MISCELLANEOUS STRUCTURES



COMPUTATIONS

B/F	10.40
-----	-------

10.40

REMARKS: ① DELETED COST OF OFFICE 8000. COST OF GARAGE, WHICH WAS EXISTING REMODELED 4 APARTMENT OVER GARAGE 15,000 15-YY-20 Jan.

Item 2.

E. VALLEY PARKWAY



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

NOTICE OF VIOLATION

July 27, 2023

TTRLFG
C/o Rick Zeiler
PO Box 27198
San Diego, CA 92198

CASE NUMBER: C23-0994

SUBJECT: 325-333 N Beech Street

DESCRIPTION: Assessor's Parcel Number 230-121-0600

Pursuant to the Escondido Municipal Code, a Code Enforcement Officer inspected the above referenced property on July 26, 2023. The property was found to be in violation of the Escondido Municipal Code (EMC); California Building Code, 2022 edition (CBC);

The violations noted are as follows:

1. There are new construction additions and alterations to the property to include up to eight residential units that were built without the required Building & Planning Department review and permits. EMC 6-12; 6-12.2; 6-13.1; CBC 105.1; CBC 114.1.
2. The property owner is maintaining the multi-family residential and commercial property without the required business license. EMC 16-17a.

AS THE OWNER OF RECORD, YOU ARE HEREBY ORDERED WITHIN FOURTEEN (14) DAYS OF THE DATE OF THIS NOTICE TO:

1. Submit a set of plans to the City of Escondido Planning and Building Department to legalize all additions and modifications to the property to include multi-family accessory dwelling units and obtain the finalized building permits.
2. Obtain your required business license for managing a multi-family residential and commercial property.
3. The building permits (B23-276 Reroof & B22-1785 Solar) are on hold.

All work done under permit must be completed, all corrections required by the building official made, and the permits must be finalized within **30 days** of receiving this notice.

Page 2

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, reinspection fees may be assessed and, or you may be issued an administrative citation. 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 Attorneys Office for other appropriate legal action.

If you have any questions regarding this case, please contact me at (760)839-6374. My work days are Monday through Friday and my work hours are from 8:00AM to 5:00PM. If I am not available, please leave me a message and I will return your phone call as quickly as possible.

Sincerely,



Stephen Jacobson

Code Enforcement Officer II



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

PRE-CITATION NOTICE

November 16, 2023

TTRLFG
C/o Rick Zeiler & Tony Struyk
PO Box 27198
San Diego CA 92198

SUBJECT: 325-323 N Beech Street

CASE NUMBER: C23-0994

A recent inspection of the subject property revealed the violation listed in the Notice of Violation dated July 27, 2023 has not been corrected as required. (Obtain Planning and Building approval and a building permit for all alterations and additions to the property. (ADU'S)

The lack of action to resolve the violations on this property leaves me little alternative but to take additional action to obtain compliance. The property will be reinspected on November 27, 2023 to verify the violation has been corrected. Each time a violation is observed you will be issued an administrative citation. 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. The issuance of administrative citations does not limit the ability of the City to pursue other, additional legal remedies if necessary.

The City requests your voluntary compliance in correcting these violations to avoid the need for further enforcement action. Please contact me at (760) 839-6374 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Stephen Jacobson". The signature is written in a cursive, flowing style.

Stephen Jacobson
Code Compliance Officer II

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



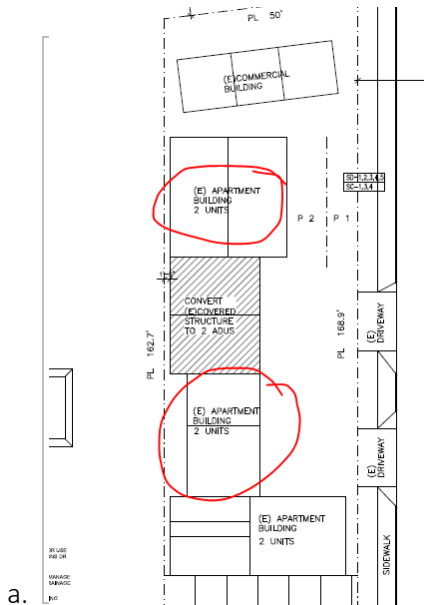
Stephen Jacobson
 Code Compliance Officer II
 Code Compliance City of Escondido
 Direct: (760) 839-6374 | Mobile: 760 802-0620
www.escondido.org

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.



CITY OF ESCONDIDO
Code Enforcement Division
201 North Broadway
Escondido, CA 92025-2798
(760) 839-4650

AC# 4255
CASE # 0994

ADMINISTRATIVE CITATION

(PLEASE SEE INSTRUCTIONS ON BACK OF CITATION)

DATE OF VIOLATION 4-8-2024	TIME 12:45 PM	PENALTY AMOUNT \$100
ADDRESS OF VIOLATION(S) 325-333 N. Beach Street		
RESPONSIBLE PERSON OR PROPERTY OWNER OR LESSEE Tyrone E. Bickler		
DATE OF BIRTH 00-00-2798		ZIP CODE 92025

OR

If you dispute the underlying facts of this citation, you may file a written appeal within 10 calendar days from the issuance of this citation. The appeal must be accompanied by the penalty amount, must include a return address, and specify in detail the basis for the appeal.

REPEATED VIOLATIONS

Each and every day a violation of any provision of the Municipal Code exists constitutes a separate and distinct offense. Each section of the Code violated constitutes a separate violation for any day at issue.

FAILURE TO ANSWER OR PAY PENALTY FOR VIOLATION(S)
(City of Escondido Municipal Code Section 1A-11(e),(f) and (g))

The failure of any person to pay a penalty assessed by administrative citation within the time specified on the citation constitutes a debt to the city. To enforce that debt, the city may file a civil action, impose a special assessment, or pursue any other legal remedy to collect such money.

Any administrative penalty assessed under this chapter may also include a re-inspection fee, as defined in section 1A-4.

CODE SECTION	DESCRIPTION OF VIOLATION
ENC	New construction activities
6-12, 6-12.2	and additions were
6-18.1	built on the property
FE	without the required
145.1 to 114.1	guidance and planning Dept
	review and permits.

CORRECTIVE ACTION REQUIRED: IN FEBRUARY OF 2023
PLANNING STAFF INFORMED YOU A NOTICE
PLOT PLAN APPLICATION TO RE-REVIEW AS WELL
AS PERMITTING PERMITS

I ACKNOWLEDGE RECEIPT OF THIS NOTICE

PRINTED NAME Sent via 1st class mail	SIGNATURE <i>Stephen Jacobson</i>
SERVED BY: <input checked="" type="checkbox"/> MAIL <input type="checkbox"/> PERSONAL SERVICE <input type="checkbox"/> POSTED ON PROPERTY <input type="checkbox"/>	
ISSUED BY: <i>Stephen Jacobson</i>	ISSUE DATE: 4-8-24

EX186 (Rev. 10/16)

WHITE - FILE

YELLOW - ADMIN

PINK - RESPONSIBLE PARTY OR POST ON PROPERTY



CITY OF ESCONDIDO
 Code Enforcement Division
 201 North Broadway
 Escondido, CA 92025-2798
 (760) 839-4650

C23-0994 # 325-333 N. Birch St
 Case Number Address

DECLARATION OF SERVICE BY MAIL

I, Stephen Jacobson, am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to the action; and I am employed in the County of San Diego, California, in which county the within-mentioned mailing occurred. My business address is 201 North Broadway, Escondido, California 92025. I served the following document(s):

ADMIN CTR # 4255 - 1st

by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

TRIPLE C/O RICH ZEILER

PO BOX 27198

SAN DIEGO CA 92198

I then sealed each envelope and, with the postage thereon fully prepaid, deposited each in the United States mail at Escondido, California, on 4-8-2024.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: 4-8-2024

Date

[Signature]

Signature

Stephen Jacobson

Typed Name

FILED
Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

24CU006765N

In the Matter of the Application for an
Inspection Warrant for the Premises at
325 and 333 N. Beech Street, Escondido,
California, 92025; Assessor's Parcel No.
2301210600.

CASE NO.:

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
ITS BUILDING OFFICIAL, AND HIS/HER AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection,
as authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido
Municipal Code section 6-9, of the property described as 325 and 333 N. Beech Street, Escondido,
California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
and back of the Property, any accessory structures on the Property, as well as the interior of the
Property, including all residential units. The inspection in the interior will include all rooms in the
Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as
2 possible on the normal operations of the Property. The inspection shall include the observation, taking
3 of photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code, California Building Code, and/or California Health & Safety Code exist
6 on the property.

7 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
8 be returned to the Judge whose signature is affixed below.

9
10 DATED: August 20, 2024, at 3:45 a.m./p.m.

11
12 **Earl H. Meas III**

13 JUDGE OF THE SUPERIOR COURT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

In the Matter of the Application for an
Inspection Warrant for the Premises at
325 and 333 N. Beech Street, Escondido,
California, 92025; Assessor's Parcel No.
2301210600.

CASE NO.: 24CU006765N

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
ITS BUILDING OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 1, Escondido,
California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
and back of the Property, any accessory structures on the Property, as well as the interior of the
Property, including all residential units. The inspection in the interior will include all rooms in the
Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.

10
11
12 Carl H. Mass III
13 JUDGE OF THE SUPERIOR COURT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

24CU006765N

In the Matter of the Application for an
Inspection Warrant for the Premises at
325 and 333 N. Beech Street, Escondido,
California, 92025; Assessor's Parcel No.
2301210600.

CASE NO.:

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
ITS BUILDING OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 2, Escondido,
California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
and back of the Property, any accessory structures on the Property, as well as the interior of the
Property, including all residential units. The inspection in the interior will include all rooms in the
Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.)

10
11
12 Earl H. Maas III
13 JUDGE OF THE SUPERIOR COURT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

In the Matter of the Application for an
Inspection Warrant for the Premises at
325 and 333 N. Beech Street, Escondido,
California, 92025; Assessor's Parcel No.
2301210600.

CASE NO.: 24CU006765N

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
ITS BUILDING-OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 3, Escondido,
California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
and back of the Property, any accessory structures on the Property, as well as the interior of the
Property, including all residential units. The inspection in the interior will include all rooms in the
Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.

10
11
12 Earl H. Maas III
13 JUDGE OF THE SUPERIOR COURT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

24CU006765N

In the Matter of the Application for an
Inspection Warrant for the Premises at
325 and 333 N. Beech Street, Escondido,
California, 92025; Assessor's Parcel No.
2301210600.

CASE NO.:

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
ITS BUILDING OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 4, Escondido,
California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
and back of the Property, any accessory structures on the Property, as well as the interior of the
Property, including all residential units. The inspection in the interior will include all rooms in the
Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.

10
11
12 Earl H. Meas III
13 JUDGE OF THE SUPERIOR COURT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
 Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

In the Matter of the Application for an
 Inspection Warrant for the Premises at
 325 and 333 N. Beech Street, Escondido,
 California, 92025; Assessor's Parcel No.
 2301210600.

CASE NO.: 24CU006765N

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
 ITS BUILDING OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
 authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
 Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 5, Escondido,
 California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
 violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
 Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
 p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
 and back of the Property, any accessory structures on the Property, as well as the interior of the
 Property, including all residential units. The inspection in the interior will include all rooms in the
 Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.

10
11
12 Earl H. Maas II
13 JUDGE OF THE SUPERIOR COURT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
 Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

24CU006765N

In the Matter of the Application for an
 Inspection Warrant for the Premises at
 325 and 333 N. Beech Street, Escondido,
 California, 92025; Assessor's Parcel No.
 2301210600.

CASE NO.:

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
 ITS BUILDING OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
 authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
 Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 6, Escondido,
 California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
 violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
 Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
 p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
 and back of the Property, any accessory structures on the Property, as well as the interior of the
 Property, including all residential units. The inspection in the interior will include all rooms in the
 Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.

10
11
12 Earl H. Maas III
13 JUDGE OF THE SUPERIOR COURT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

24CU006765N

CASE NO.:

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

In the Matter of the Application for an
Inspection Warrant for the Premises at
325 and 333 N. Beech Street, Escondido,
California, 92025; Assessor's Parcel No.
2301210600.

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
ITS BUILDING OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 7, Escondido,
California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
and back of the Property, any accessory structures on the Property, as well as the interior of the
Property, including all residential units. The inspection in the interior will include all rooms in the
Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.

Earl H. Maas III

JUDGE OF THE SUPERIOR COURT

FILED
 Clerk of the Superior Court

AUG 20 2024

By: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

24CU006765N

In the Matter of the Application for an
 Inspection Warrant for the Premises at
 325 and 333 N. Beech Street, Escondido,
 California, 92025; Assessor's Parcel No.
 2301210600.

CASE NO.:

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
 ITS BUILDING OFFICIAL, AND THEIR AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
 authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
 Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 8, Escondido,
 California, 92029; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
 violations of the Escondido Municipal Code and the California Building Code.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
 Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00
 p.m. The inspection shall include the exterior of the Property, including the curtilage around the front
 and back of the Property, any accessory structures on the Property, as well as the interior of the
 Property, including all residential units. The inspection in the interior will include all rooms in the
 Property.

1 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
2 on the normal operations of the Property. The inspection shall include the observation, taking of
3 photographs, taking of video photography, taking samples, and questioning of or conferring with
4 persons present on the Property privately to obtain information bearing on whether violations of the
5 Escondido Municipal Code and California Building Code exist on the property.

6 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
7 be returned to the Judge whose signature is affixed below.

8
9 DATED: August 20, 2024, at 3:45 a.m./p.m.

Earl H. Maas III

JUDGE OF THE SUPERIOR COURT

1 MICHAEL R. MCGUINNESS, City Attorney/SBN 132646
 2 GARY J. MCCARTHY, Assistant City Attorney/SBN 236943
 3 BRENNAN C. MILLER, Deputy City Attorney/SBN 355609
 4 OFFICE OF THE CITY ATTORNEY
 5 201 N. Broadway
 Escondido, California 92025
 6 (760) 839-4608 Tel.
 (760) 741-7541 Fax
 7 brenna.miller@escondido.gov

8 Attorneys for City of Escondido

Exempt from filing fees- Gov't Code § 6103

9 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**
 10 **NORTH COUNTY DIVISION**

11 In the Matter of the Application for an
 12 Inspection Warrant for the Premises at
 13 325 and 333 N. Beech Street, Escondido,
 California, 92025; Assessor's Parcel No.
 2301210600.

CASE NO.:

**AFFIDAVIT OF STEPHEN JACOBSON IN
 SUPPORT OF APPLICATION FOR
 INSPECTION WARRANT**

(Code Civ. Proc. § 1822.50, et seq.)

14 I, STEPHEN JACOBSON, HEREBY AFFIRM AND DECLARE:

15
 16 1. I make this declaration of my own personal knowledge and can testify under oath to the
 17 same, except as to those matters I state upon information and belief.

18
 19 2. I am a Code Compliance Officer II employed by the City of Escondido ("City"). I am a
 20 public employee and have worked as a Code Compliance Officer since 1996.

21 3. As part of my duties, I document significant events in the City's information management
 22 system, Cityworks. Cityworks records are made by and within the scope of employment of a public
 23 employee, and are written at or near the time of the act, condition, or event. I routinely manage individual
 24 cases and Cityworks entries to ensure the sources of information and method and time of preparation are
 25 such as to indicate the trustworthiness of the data entered.

26 4. During the course of my duties, I learned the following information based upon my
 27 personal observations, discussions with witnesses, and my personal conversations with Rick Zeiler and
 28 Tony Struyk, the owners of 325 and 333 N. Beech Street, Escondido, California 92025 ("Property").

1 5. On July 26, 2023, I was assigned a case regarding possible unpermitted construction at the
2 Property.

3 6. On July 26, 2023, I inspected the Property from the outside and observed that there
4 appeared to be at least eight (8) residential rental units at the Property.

5 7. I took photographs of my observations. (Attached hereto as Exhibit 1.)

6 8. I posted business cards at the Property.

7 9. I requested and received a copy of San Diego County Assessor's Office records, which
8 included a description and plans for the Property.

9 10. I spoke with the City's Planning Division and determined that the Property is located in a
10 mixed-use zoning area, which allows for limited residential use. The Property is a commercial building
11 which was previously used for office space, ambulance storage, and temporary sleeping quarters related
12 to the ambulance storage. The City has no record of any permits for alterations or additions to the Property.

13 11. The City's Utilities Division informed me that there is one water meter for the Property.

14 12. On July 27, 2023, I issued a Notice of Violation ("NOV") for violations of Escondido
15 Municipal Code ("EMC") sections 6-12, 6-12.2, 6-13.1, and California Building Code sections 105.1 and
16 114.1, for unpermitted construction of a building or structure. I sent the owner of the Property, Rick Zeiler,
17 the NOV via mail and email.

18 13. I am familiar with Mr. Zeiler through my position as a Code Compliance Officer, have had
19 Code cases with him in the past, and have known him for over ten (10) years.

20 14. I received an email from Mr. Zeiler stating the NOV was "not right" and that the residential
21 units were there when he bought the Property.

22 15. On August 10, 2023, I spoke with Mr. Zeiler and told him he should speak with the City's
23 Building and Planning Divisions to address the code violations. He yelled at me and said he had made the
24 Property "beautiful" after he purchased it.

25 16. On August 11, 2023, I received an email from Mr. Zeiler introducing me to his business
26 partner Tony Struyk. I informed Mr. Struyk that I pulled the County Assessor's records that show the
27 commercial building was built in 1970 and that there are no permits for the conversion of the Property to

28 ///

1 Accessory Dwelling Units ("ADU"). I suggested that Mr. Struyk obtain the San Diego County Assessor's
2 records and meet with the City's Planning Division.

3 17. On August 23, 2023, Mr. Struyk met with the Building and Planning Divisions. Planning
4 explained the Planned Development Permit and ADU permit process to him and he was given an
5 application for the permits.

6 18. On September 26, 2023, I emailed Mr. Struyk a copy of the property records the City has
7 for the Property. I informed him that he needed to submit the plans for all modifications and additions to
8 the Property in order to obtain the proper permits.

9 19. On November 16, 2023, no plans had been submitted. I mailed Mr. Zeiler and Mr. Struyk
10 a pre-citation notice.

11 20. On November 30, 2023, I emailed Mr. Struyk asking to inspect the Property to ensure the
12 residential units meet building and safety requirements. He responded that he would not be there and that
13 the City does not have permission to be on the Property. He accused the City of harassing him and making
14 unreasonable demands.

15 21. On January 23, 2024, Mr. Zeiler came to City Hall and met with me. He informed me that
16 his plans contractor had completed the plans and would submit them soon.

17 22. On February 12, 2024, I sent an email to Mr. Zeiler, Mr. Struyk, and their plans contractor
18 informing them that Planning staff had not received the plans yet.

19 23. The plans contractor responded that he had emailed them to the City. However, the email
20 address he sent them to was not the correct email address. I told him to resubmit the plans and provided
21 him with the correct email address. He emailed the plans to the City.

22 24. On February 13, 2024, the Planning Division denied the Property owners' permit
23 application. Assistant Planner Alex Rangel explained in an email to the plans contractor that the City was
24 denying the application because the property as shown on the submitted plans did not reflect the site as it
25 currently exists and because the requested alterations are not permitted. He stated that the most recent
26 Planning permit on the Property (attached hereto as Exhibit 2) does not permit the extent of mixed use
27 that currently exists on the Property, as shown in the submitted plans (attached hereto as Exhibit 3).

28 ///

1 25. Alex informed the plans contractor that the residential units were converted from
2 commercial space without permits. He stated that to comply with existing permits and to apply for an
3 ADU conversion permit, the residential units would need to be converted back to their original form
4 (commercial space) and only one ADU would be permitted. Alex also stated that a majority of the Code
5 Compliance-related issues would need to be resolved before an ADU permit request could be approved.

6 26. On February 15, 2024, Mr. Zeiler responded to me and stated that he would be preparing
7 a response to the Planning Division's permit denial. I did not receive that response.

8 27. On April 3, 2024, I issued an Administrative Citation for \$100 and mailed it to Mr. Zeiler
9 and Mr. Struyk. I also mailed them a Notice of Intent to Assess Re-Inspection Fees.

10 28. On April 10, 2024, I received an email from Mr. Zeiler requesting a copy of the
11 Administrative Citation. I sent it to him with a timeline of my enforcement action. He responded to me
12 and Mr. Struyk that "since this case is going to court, let's have a judge decide."

13 29. I informed them that the case is not going to court yet and that the City wanted to continue
14 working with them to get the required permits.

15 30. On April 10, 2024, I received an email from Mr. Zeiler suggesting we meet. I responded
16 that he should work with the Building and Planning Divisions because they handle permitting processes.

17 31. On June 10, 2024, I inspected the Property from the outside and found no change. I took
18 photos of my observations. (Attached hereto as Exhibit 4).

19 32. I attempted to contact the tenants of the residential units but was unsuccessful.

20 33. On June 24, 2024, I received a copy of payment from Mr. Zeiler for his \$100 citation. On
21 his receipt he wrote "Let's Go to Court." (Attached hereto as Exhibit 5).

22 34. On July 24, 2024, I inspected the Property from outside and found no change.

23 35. On July 25, 2024, I went to the Property and attempted to contact the tenants of the
24 residential units but was unsuccessful. One tenant saw me knock but did not answer the door. I posted my
25 business cards on the front doors of the units.

26 36. As of July 30, 2024, no tenants had contacted me.

27 ///

28 ///

Executed this 30 day of July, 2024, at Escondido, California.

Stephen Jacobson

STEPHEN JACOBSON
Code Compliance Officer II

EXHIBIT 1













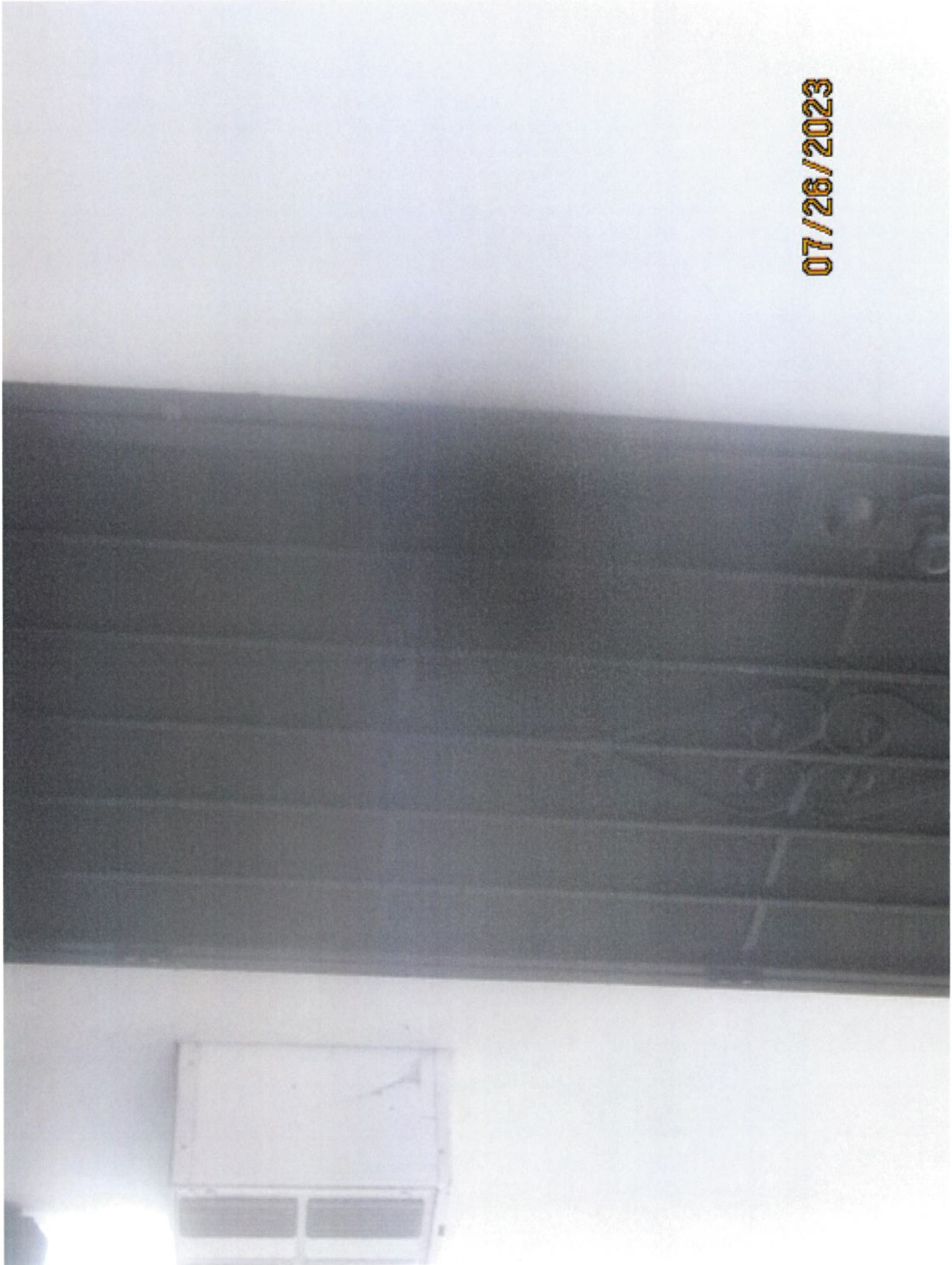
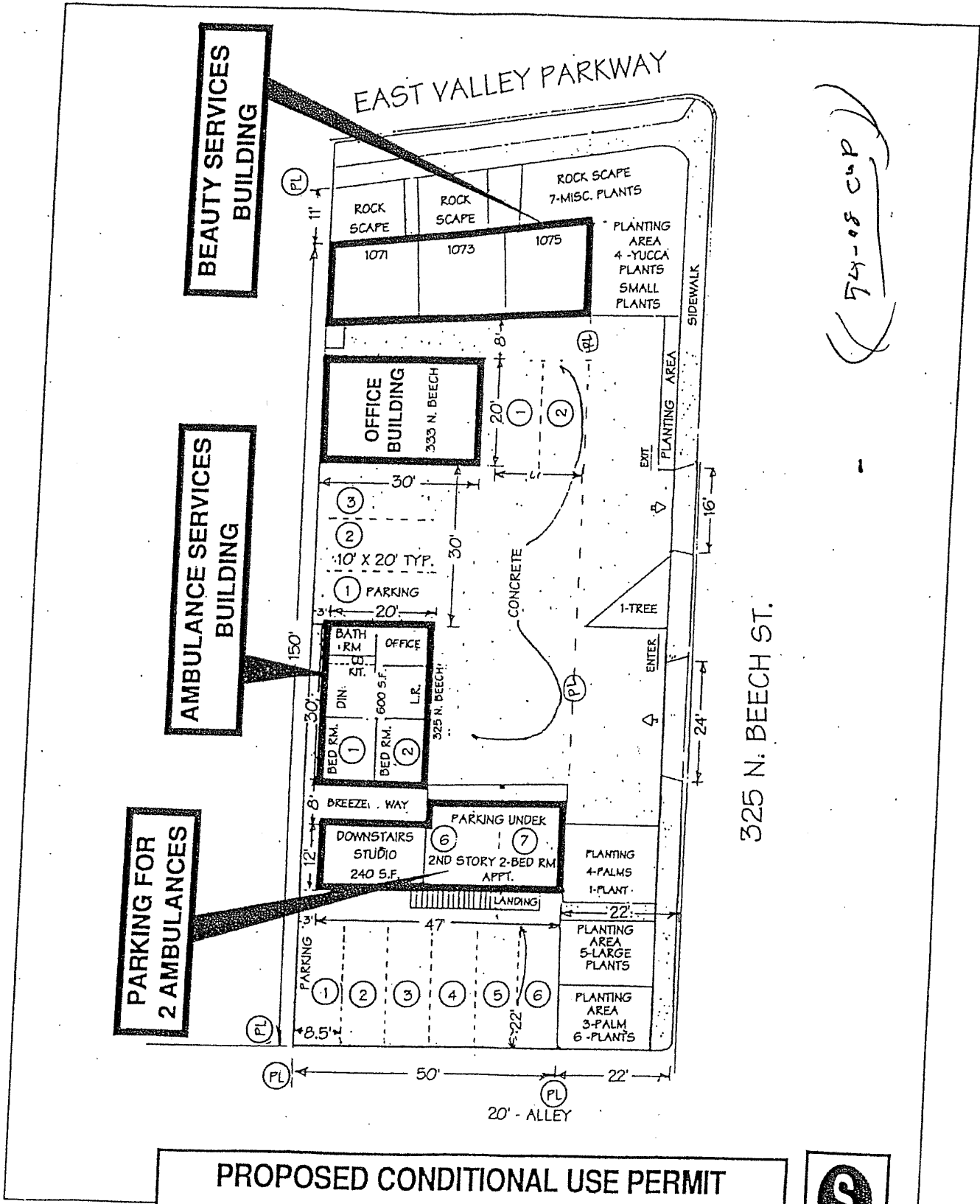




EXHIBIT 2



(74-08 CUP)

PROPOSED CONDITIONAL USE PERMIT



EXHIBIT 3

EXHIBIT 4



325 N Beech





333 N Beech





333 N Beech



EXHIBIT 5

City of Escondido
Code Compliance Division
Citation Processing Center
201 N. Broadway
Escondido, CA 92025



Date 06/12/2024

Case Number: C23-0994

TO: TTRLFG LLC c/o Rick Zeiler
PO Box 27198
San Diego, CA 92198

333 N. Beech St

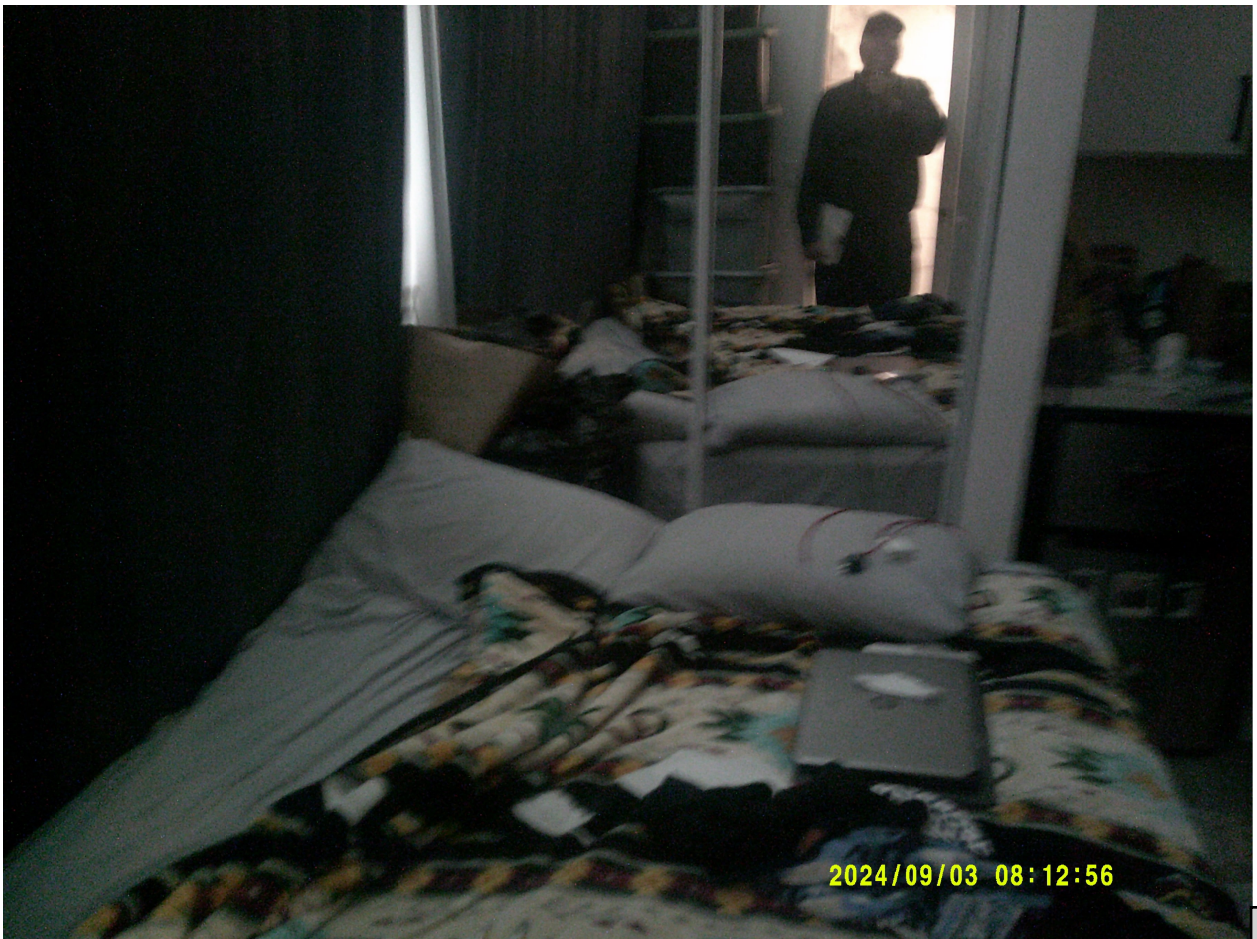
IMPORTANT NOTICE:

Our records indicate that citation #4255, issued to you on 04/03/2024 has not been paid. The total amount due immediately is \$100.00 (EMC §1A-11(e)).

This amount constitutes a debt to the City and will be forwarded to the Collections Office for further action if payment is not received by 06/30/2024. Please submit your payment by mail using the enclosed return envelope, or by visiting the Code Compliance counter at City Hall. If you have any questions, please call the Code Compliance Division at (760) 839-6373.

TTRLFG CHALLENGES
THIS FINE. LETS GO TO
COURT!

THX,
Rick















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











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 NUM BER: 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 ("EYC"), 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.

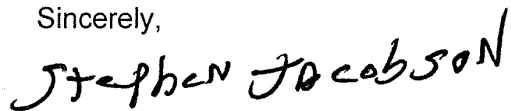
IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

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



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

NOTICE OF ELIGIBILITY FOR TENANT RELOCATION BENEFITS

September 24, 2024

***Via Regular U.S. Mail and
Certified Mail, Return Receipt Requested***

TTRLFG
Property Owner
c/o Rick Zeiler
Po Box 27198
San Diego, CA 92198

All Unknown Tenants
325-333 N Beech Street, Unit 1
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street, Unit 2
Escondido, CA 92025

All Unknown Tenants
325- 333 N Beech Street, Unit 3
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 4
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 5
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 6
Escondido, CA 92025

All Unknown Tenants
325-333 N Beach Street Unit 7
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 8
Escondido, CA 92025

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

The attached Notice and Order identifies current technical code violations at the above referenced property. The Notice and Order does not currently include an order to vacate. However, the City may amend the Notice and Order upon discovery of additional violations at the property and may include an order to vacate. Any tenant who is displaced or subject to displacement from a residential rental unit as a result of violations so extensive and of such a nature that the immediate health and safety of the residents is

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

endangered SHALL BE ENTITLED TO RECEIVE RELOCATION BENEFITS FROM THE OWNER. (Health & Safety. Code, § 17975.) The relocation benefits shall be paid within 10 days after the date the Notice and Order was mailed and posted on the premises, or at least 20 days prior to the vacation date set forth in the Notice and Order, whichever occurs later. (Health & Safety. Code, § 17975.1(a).) If there are fewer than 10 days between the first posting and mailing of the Notice and Order and the vacation date, the relocation benefits shall be paid within 24 hours after the Notice and Order was posted and mailed. (Health & Safety. Code, § 17975.1(b).) The relocation payment shall be made available by the owner to the tenant in each residential unit and SHALL BE A SUM EQUAL TO TWO MONTHS OF THE ESTABLISHED FAIR MARKET RENT FOR THE AREA. (Health & Safety. Code, § 17975.2.) Any owner, who does not make a timely payment, shall be liable to the tenant for an amount equal to 1 ½ times the relocation benefits owed. (Health & Safety. Code, § 17975.3.)

If you have any questions regarding this case, please contact me at (760) 839-6374 between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Sincerely,

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

Stephen Jacobson
Code Compliance Officer II



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
ricklzeiler@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.

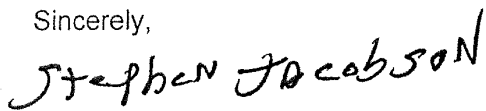
IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

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



CITY OF ESCONDIDO
Planning Division Fees

effective 9/15/2024

Item 2.

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

1

Item	Legal Notice Fees*	Mailing List Fee**	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



CITY OF ESCONDIDO
Planning Division Fees

effective 9/15/2024

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



CITY OF ESCONDIDO
Planning Division Fees

effective 9/15/2024

Item	Legal Notice Fees*	Mailing List Fee**	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	

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



CITY OF ESCONDIDO
Planning Division Fees

effective 9/15/2024

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.

FILED
Clerk of the Superior Court

OCT - 8 2024

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

In the Matter of the Application for an
Inspection Warrant for the Premises at
325 and 333 N. Beech Street, Escondido,
California, 92025; Assessor's Parcel No.
2301210600.

CASE NO.: 24CU015669N

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
ITS BUILDING OFFICIAL, FIRE INSPECTOR, ENVIRONMENTAL INSPECTOR, AND THEIR
AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 2, Escondido,
California, 92025; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
violations of the Escondido Municipal Code, California Building Code, California Fire Code,
California Health and Safety Code, and any other applicable building, fire, safety, plumbing,
electrical, health, labor, or zoning laws.


Notice shall be given to the owner or occupant of the premises at least 24 hours before this
Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00 p.m.
The inspection shall include the exterior of the Property and the interior of residential Unit 2.

1 You are hereby authorized to proceed with said inspection in the absence of an owner or
2 occupant of the Property. You are hereby authorized to use such force as may be reasonably necessary
3 to gain entry into the Property.

4 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
5 on the normal operations of the Property. The inspection shall include the observation, taking of
6 photographs, taking of video photography, taking samples, and questioning of or conferring with
7 persons present on the Property privately to obtain information bearing on whether violations of the
8 above listed code violations exist on the property.

9 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
10 be returned to the Judge whose signature is affixed below.

11
12 DATED: 10-8, 2024, at 11:10 a.m./p.m.

13
14
15 
16 JUDGE OF THE SUPERIOR COURT
17 **Earl H. Maas III**
18
19
20
21
22
23
24
25
26
27
28

FILED
 Clerk of the Superior Court

OCT - 8 2024

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

In the Matter of the Application for an
 Inspection Warrant for the Premises at
 325 and 333 N. Beech Street, Escondido,
 California, 92025; Assessor's Parcel No.
 2301210600.

CASE NO.: 24CU015669N

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
 ITS BUILDING OFFICIAL, FIRE INSPECTOR, ENVIRONMENTAL INSPECTOR, AND THEIR
 AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
 authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
 Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 3, Escondido,
 California, 92025; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
 violations of the Escondido Municipal Code, California Building Code, California Fire Code,
 California Health and Safety Code, and any other applicable building, fire, safety, plumbing,
 electrical, health, labor, or zoning laws.

Notice shall be given to the owner or occupant of the premises at least 24 hours before this
 Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00 p.m.
 The inspection shall include the exterior of the Property and the interior of residential Unit 3.

1 You are hereby authorized to proceed with said inspection in the absence of an owner or
2 occupant of the Property. You are hereby authorized to use such force as may be reasonably necessary
3 to gain entry into the Property.

4 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
5 on the normal operations of the Property. The inspection shall include the observation, taking of
6 photographs, taking of video photography, taking samples, and questioning of or conferring with
7 persons present on the Property privately to obtain information bearing on whether violations of the
8 above listed code violations exist on the property.

9 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
10 be returned to the Judge whose signature is affixed below.

11
12 DATED: 10-8, 2024, at 11:40 a.m./p.m.

13
14
15 
16 JUDGE OF THE SUPERIOR COURT
17 **Earl H. Mass III**
18
19
20
21
22
23
24
25
26
27
28

FILED
 Clerk of the Superior Court

OCT - 8 2024

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

In the Matter of the Application for an
 Inspection Warrant for the Premises at
 325 and 333 N. Beech Street, Escondido,
 California, 92025; Assessor's Parcel No.
 2301210600.

CASE NO.: 24CU015669N

INSPECTION WARRANT

(Code Civ. Proc. § 1822.50, *et seq.*)

THE PEOPLE OF THE STATE OF CALIFORNIA TO THE CITY OF ESCONDIDO AND
 ITS BUILDING OFFICIAL, FIRE INSPECTOR, ENVIRONMENTAL INSPECTOR, AND THEIR
 AUTHORIZED REPRESENTATIVES:

Upon good cause shown to the Court, you are hereby commanded to conduct an inspection, as
 authorized by California Code of Civil Procedure section 1822.50, *et seq.* and Escondido Municipal
 Code section 6-9, of the property described as 325 and 333 N. Beech Street, Unit 4, Escondido,
 California, 92025; Assessor's Parcel No. 2301210600 ("Property"), for the purpose of investigating
 violations of the Escondido Municipal Code, California Building Code, California Fire Code,
 California Health and Safety Code, and any other applicable building, fire, safety, plumbing,
 electrical, health, labor, or zoning laws.


Notice shall be given to the owner or occupant of the premises at least 24 hours before this
 Warrant is executed. Said inspection shall be made only between the hours of 8:00 a.m. and 6:00 p.m.
 The inspection shall include the exterior of the Property and the interior of residential Unit 4.

1 You are hereby authorized to proceed with said inspection in the absence of an owner or
2 occupant of the Property. You are hereby authorized to use such force as may be reasonably necessary
3 to gain entry into the Property.

4 The inspection shall be reasonably conducted so as to effect as minimal an intrusion as possible
5 on the normal operations of the Property. The inspection shall include the observation, taking of
6 photographs, taking of video photography, taking samples, and questioning of or conferring with
7 persons present on the Property privately to obtain information bearing on whether violations of the
8 above listed code violations exist on the property.

9 This Warrant is effective from the date hereof for a period not to exceed 14 days and it shall
10 be returned to the Judge whose signature is affixed below.

11
12 DATED: 10-8, 2024, at 11:40 a.m./p.m.

13
14
15 
16 JUDGE OF THE SUPERIOR COURT
17 **Earl H. Maas III**
18
19
20
21
22
23
24
25
26
27
28

1 MICHAEL R. MCGUINNESS, City Attorney/SBN 132646
 2 GARY J. MCCARTHY, Assistant City Attorney/SBN 236943
 3 BRENNAN C. MILLER, Deputy City Attorney/SBN 355609
 4 OFFICE OF THE CITY ATTORNEY
 5 201 N. Broadway
 Escondido, California 92025
 (760) 839-4608 Tel.
 (760) 741-7541 Fax
 brenna.miller@escondido.gov

FILED
 Clerk of the Superior Court

OCT - 8 2024

6 Attorneys for City of Escondido

Exempt from filing fees- Gov't Code § 6103

7
 8 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**
 9 **NORTH COUNTY DIVISION**

10
 11 In the Matter of the Application for an
 12 Inspection Warrant for the Premises at
 13 325 and 333 N. Beech Street, Escondido,
 California, 92025; Assessor's Parcel No.
 2301210600.

CASE NO.: 24CU015669N

**AFFIDAVIT OF STEPHEN JACOBSON IN
 SUPPORT OF APPLICATION FOR
 INSPECTION WARRANT**

(Code Civ. Proc. § 1822.50, *et seq.*)

15
 16 I, STEPHEN JACOBSON, HEREBY AFFIRM AND DECLARE:

17 1. I make this declaration of my own personal knowledge and can testify under oath to the
 18 same, except as to those matters I state upon information and belief.

19 2. I am a Code Compliance Officer II employed by the City of Escondido ("City"). I am a
 20 public employee and have worked as a Code Compliance Officer since 1996.

21 3. As part of my duties, I document significant events in the City's information management
 22 system, Cityworks. Cityworks records are made by and within the scope of employment of a public
 23 employee, and are written at or near the time of the act, condition, or event. I routinely manage individual
 24 cases and Cityworks entries to ensure the sources of information and method and time of preparation are
 25 such as to indicate the trustworthiness of the data entered.

26 4. During the course of my duties, I learned the following information based upon my
 27 personal observations, discussions with witnesses, and my personal conversations with Rick Zeiler and
 28 Tony Struyk, the owners of 325 and 333 N. Beech Street, Escondido, California 92025 ("Property").

1
 DECLARATION OF STEPHEN JACOBSON IN SUPPORT OF INSPECTION WARRANT

1 5. On July 26, 2023, I was assigned a case regarding possible unpermitted construction at the
2 Property. I inspected the Property from the outside and observed that there appeared to be at least eight
3 (8) residential rental units at the Property.

4 6. I spoke with the City's Planning Division and determined that the Property is located in a
5 mixed-use zoning area, which allows for limited residential use. The Property is a commercial building
6 which was previously used for office space, ambulance storage, and temporary sleeping quarters related
7 to the ambulance storage. The City has no record of any permits for alterations or additions to the Property.

8 7. On July 27, 2023, I issued a Notice of Violation ("NOV") for violations of Escondido
9 Municipal Code ("EMC") sections 6-12, 6-12.2, 6-13.1, and California Building Code sections 105.1 and
10 114.1, for unpermitted construction of a building or structure. I sent the owner of the Property, TTTLFG
11 LLC c/o Rick Zeiler, the NOV via mail and email.

12 8. On August 23, 2023, Mr. Zeiler's business partner, Tony Struyk, met with the Building
13 and Planning Divisions. Planning explained the Planned Development Permit and ADU permit process
14 to him and he was given an application for the permits.

15 9. On November 16, 2023, no plans had been submitted. I mailed Mr. Zeiler and Mr. Struyk
16 a pre-citation notice.

17 10. On November 30, 2023, I emailed Mr. Struyk asking to inspect the Property to ensure the
18 residential units meet building and safety requirements. He responded that he would not be there and that
19 the City does not have permission to be on the Property. He accused the City of harassing him and making
20 unreasonable demands.

21 11. On January 23, 2024, Mr. Zeiler informed me that his plans contractor had completed the
22 required plans and would submit them soon.

23 12. On February 12, 2024, I sent an email to Mr. Zeiler, Mr. Struyk, and their plans contractor
24 informing them that Planning staff had not received the plans yet. He emailed the plans to the City.

25 13. On February 13, 2024, the Planning Division denied the Property owners' permit
26 application. An Assistant Planner explained in an email to the plans contractor that the City was denying
27 the application because the property as shown on the submitted plans did not reflect the site as it currently
28 exists and because the requested alterations are not permitted.

1 14. On April 3, 2024, I issued an Administrative Citation for \$100 and mailed it to Mr. Zeiler
2 and Mr. Struyk. I also mailed them a Notice of Intent to Assess Re-Inspection Fees.

3 15. On April 10, 2024, I received an email from Mr. Zeiler requesting a copy of the
4 Administrative Citation. I sent it to him with a timeline of my enforcement action. He responded to me
5 and Mr. Struyk that "since this case is going to court, let's have a judge decide."

6 16. After several unsuccessful attempts to obtain consent from the Property owner and the
7 tenants to inspect the residential units to assess the extent of the code violations, the Escondido City
8 Attorney's office obtained a signed inspection warrant for the Property on August 20, 2024.

9 17. In accordance with the inspection warrant and the required 24-hour notice of execution, on
10 the afternoon of August 29, 2024, I posted the Notice of Execution of Inspection Warrant on the doors
11 of the Property, notifying the occupants of the scheduled inspection on September 3, 2024, at 8:30
12 a.m. I also emailed the Notice and copies of the inspection warrants to Mr. Zeiler.

13 18. On September 3, 2024, I commenced the inspection at 8:30 a.m. with the support of two
14 Escondido Police Department officers. I was accompanied by Building Official Douglas Moody, Fire
15 Inspector/Investigator Andrew Modglin, Environmental Compliance Supervisor Marcus Leso, Code
16 Compliance Supervisor Anthony Mullins, Deputy City Attorney Brenna Miller, and two Fire Prevention
17 Specialists.

18 19. We were only able to gain access to and inspect Units 1, 6, and 7, as well as the exterior of
19 the Property. I documented numerous violations of the Escondido Municipal Code, California Building
20 Code, and California Health and Safety Code. Environmental Compliance Supervisor Marcus Leso
21 documented a violation of the Escondido Municipal Code. Fire Inspector/Investigator Andrew Modglin
22 documented numerous California Fire Code violations.

23 20. I took photographs of my observations. (Attached as Exhibit 1.)

24 21. I observed that the two garage doors are sealed to the ground.

25 22. The tenant in Unit 1 told me that Mr. Zeiler directed him to not allow the City to inspect
26 his unit.

27 23. City staff and I left the Property at approximately 9:30 a.m.

28 ///

EXHIBIT 1



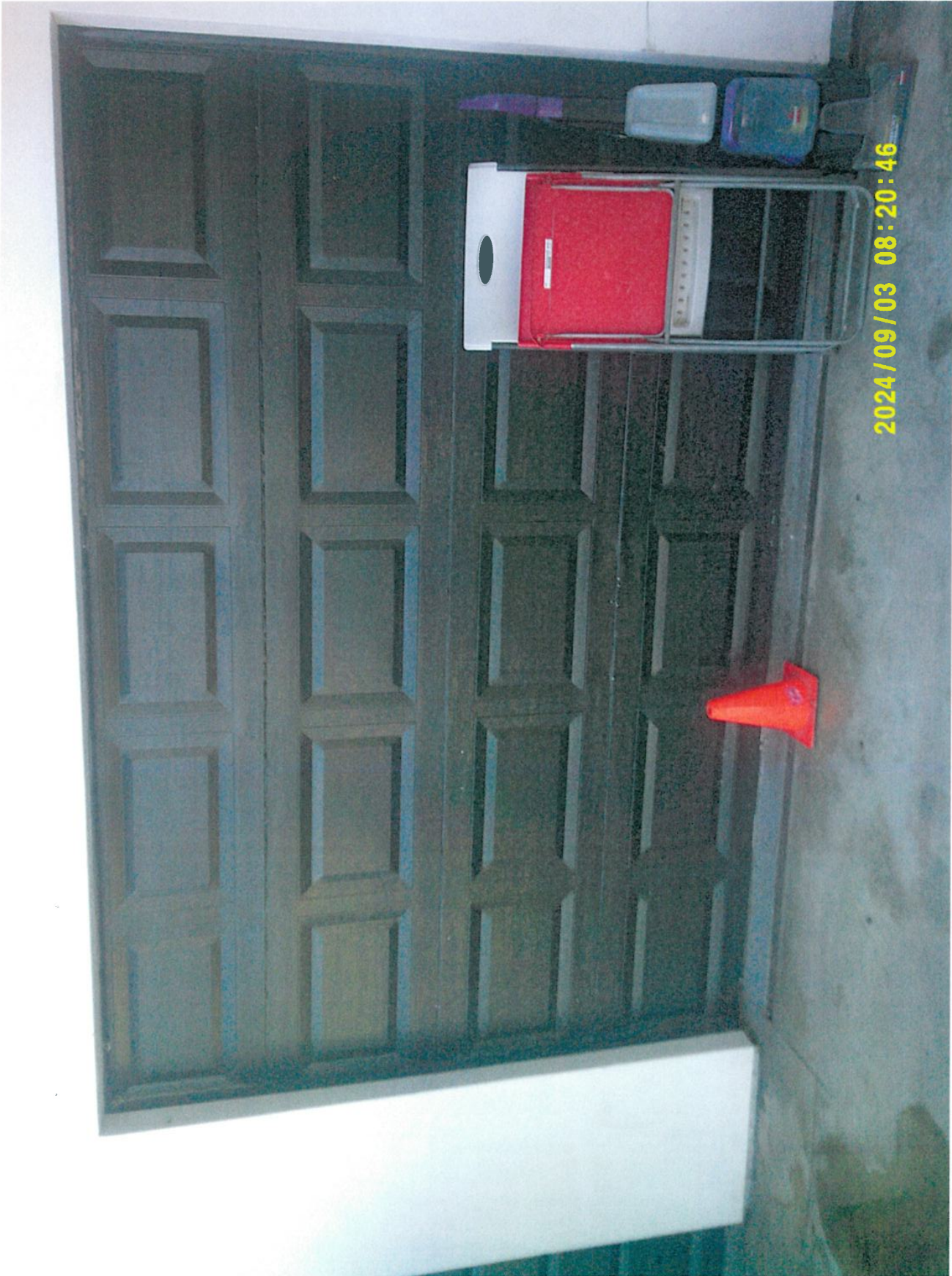
























EXHIBIT 2



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 NUM BER: 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.

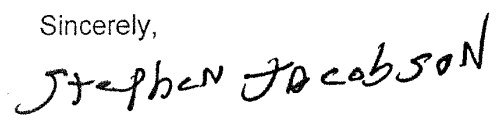
IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.

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



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

**NOTICE OF ELIGIBILITY
FOR TENANT RELOCATION BENEFITS**

September 24, 2024

***Via Regular U.S. Mail and
Certified Mail, Return Receipt Requested***

TTRLFG
Property Owner
c/o Rick Zeiler
Po Box 27198
San Diego, CA 92198

All Unknown Tenants
325-333 N Beech Street, Unit 1
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street, Unit 2
Escondido, CA 92025

All Unknown Tenants
325- 333 N Beech Street, Unit 3
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 4
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 5
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 6
Escondido, CA 92025

All Unknown Tenants
325-333 N Beach Street Unit 7
Escondido, CA 92025

All Unknown Tenants
325-333 N Beech Street Unit 8
Escondido, CA 92025

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

The attached Notice and Order identifies current technical code violations at the above referenced property. The Notice and Order does not currently include an order to vacate. However, the City may amend the Notice and Order upon discovery of additional violations at the property and may include an order to vacate. Any tenant who is displaced or subject to displacement from a residential rental unit as a result of violations so extensive and of such a nature that the immediate health and safety of the residents is

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

endangered SHALL BE ENTITLED TO RECEIVE RELOCATION BENEFITS FROM THE OWNER. (Health & Safety. Code, § 17975.) The relocation benefits shall be paid within 10 days after the date the Notice and Order was mailed and posted on the premises, or at least 20 days prior to the vacation date set forth in the Notice and Order, whichever occurs later. (Health & Safety. Code, § 17975.1(a).) If there are fewer than 10 days between the first posting and mailing of the Notice and Order and the vacation date, the relocation benefits shall be paid within 24 hours after the Notice and Order was posted and mailed. (Health & Safety. Code, § 17975.1(b).) The relocation payment shall be made available by the owner to the tenant in each residential unit and SHALL BE A SUM EQUAL TO TWO MONTHS OF THE ESTABLISHED FAIR MARKET RENT FOR THE AREA. (Health & Safety. Code, § 17975.2.) Any owner, who does not make a timely payment, shall be liable to the tenant for an amount equal to 1 ½ times the relocation benefits owed. (Health & Safety. Code, § 17975.3.)

If you have any questions regarding this case, please contact me at (760) 839-6374 between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Sincerely,

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

Stephen Jacobson
Code Compliance Officer II







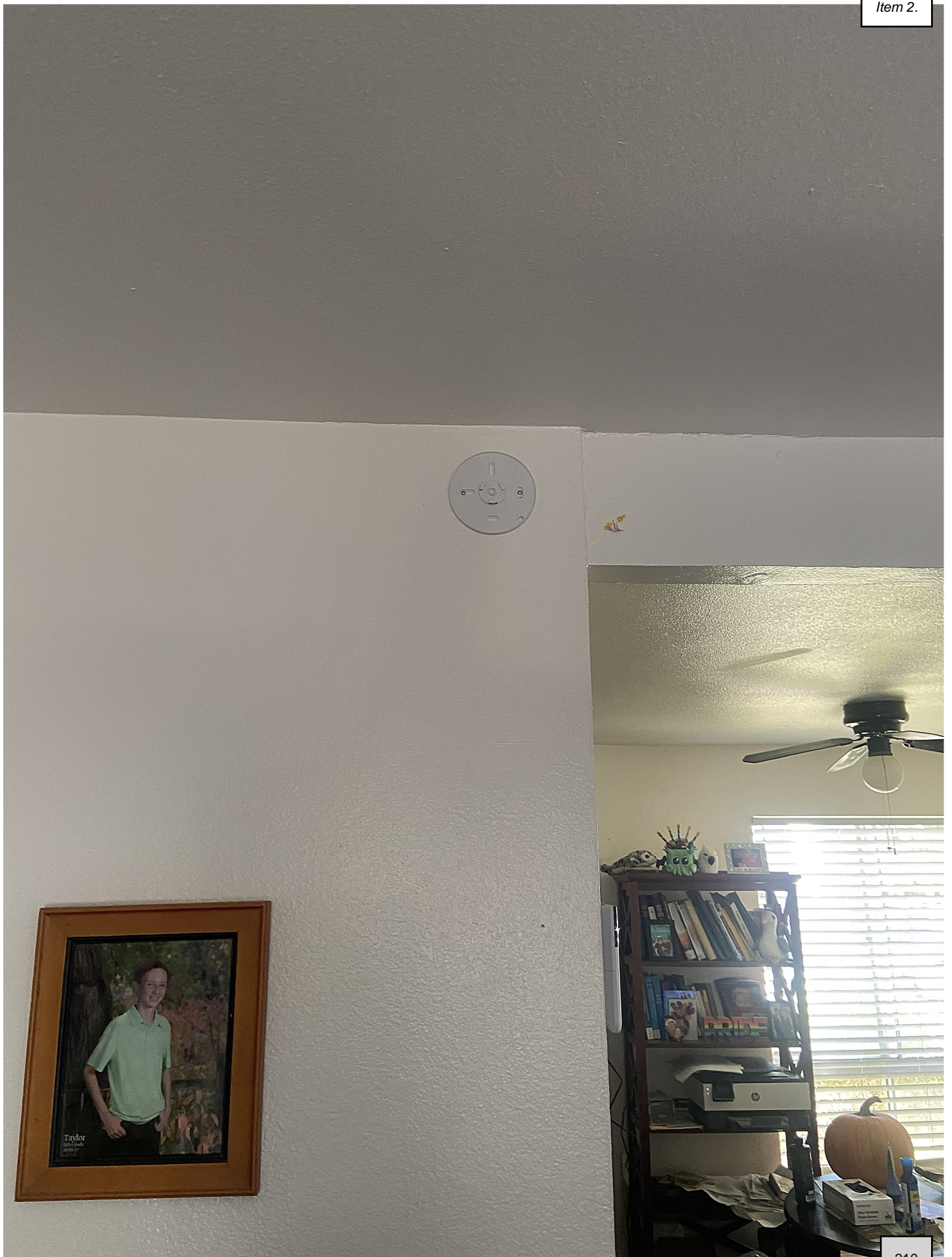








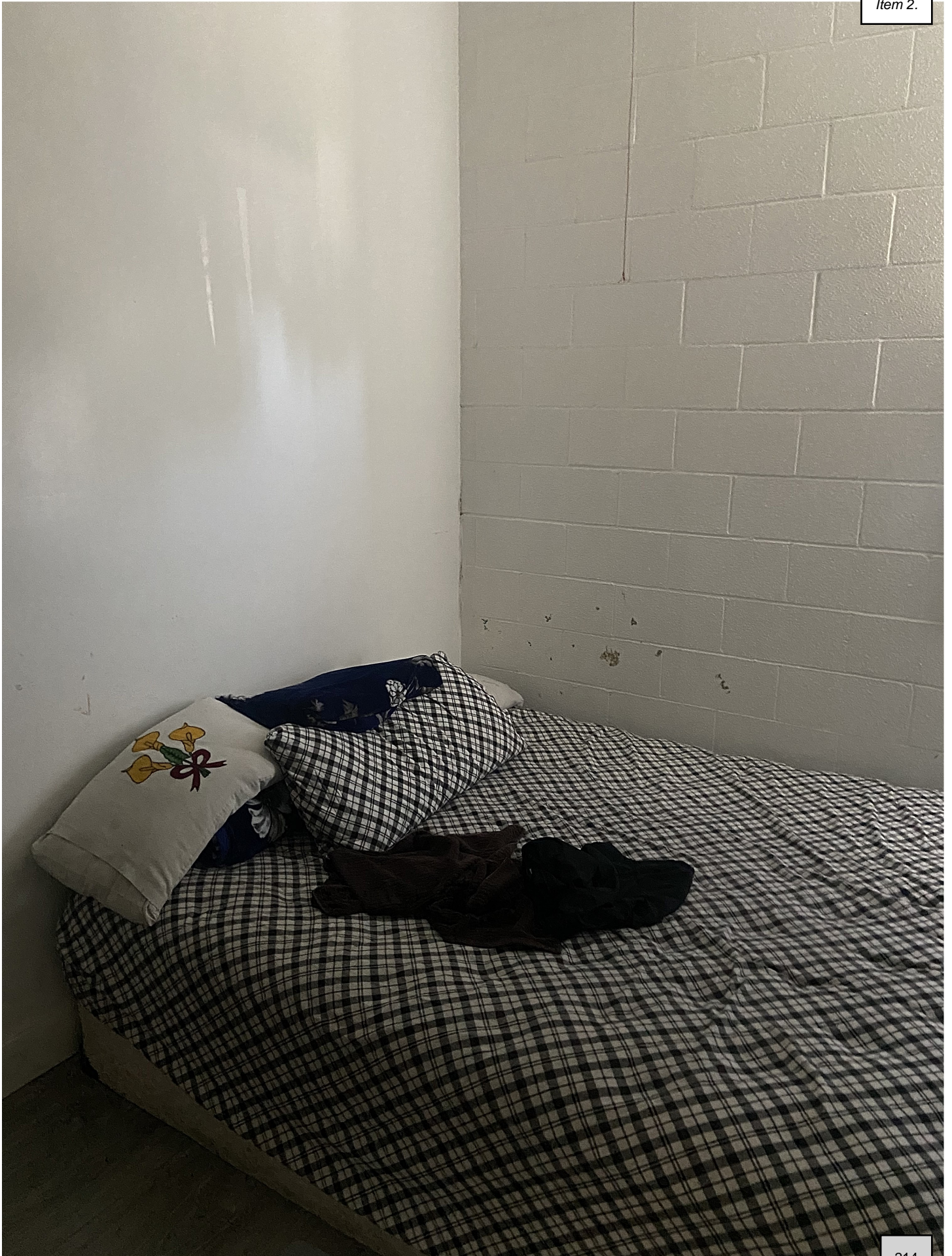














Escondido Municipal Code

Chapter 1. General Provisions

Sec. 1-14 Violations of Code a nuisance.

In addition to the penalties provided in section **1-13**, any condition caused or permitted to exist in violation of any of the provisions of this code shall be deemed a public nuisance, and may be, by the city, summarily abated as such; and each day that such condition continues shall be regarded as a new and separate offense.

Chapter 6. Buildings and Building Regulations

Sec. 6-11 Building Advisory and Appeals Board

Appeal procedures. The procedures for making appeals to the building advisory and appeals board shall be as follows:

Sec. 6-11.8.1.

Time for making appeal. Appeals to the board must be initiated within 10 days from the act, decision or interpretation which is the subject of the appeal.

Sec. 6-11.8.2.

Form of appeal; contents. An appeal to the board must be in the form of a written statement delivered to the clerk of the board within the time prescribed by subsection (1) of this section. The written appeal must contain the name, address and telephone number of the appellant and a statement of the act, decision or interpretation being appealed. The appeal must contain a brief statement of the basis for the appellant's contention that the act, decision or interpretation in dispute was erroneous. Only those grounds stated in the written appeal may be considered by the board.

Sec. 6-11.8.3.

When to consider, hear an appeal. The board shall consider an appeal at its next regular meeting after the filing of the appeal, unless the next regular meeting of the board is less than 10 days from the date of filing the appeal. If an appeal is filed less than 10 days prior to the next regular meeting of the board, the appeal shall be heard at the next succeeding regular meeting of the board, but, in no event, shall more than 60 days elapse from the filing of an appeal and the hearing thereon, without consent of the appellant to the later date.

Sec. 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.

Sec. 6-11.8.5.

Expert testimony. The board may require an appellant to present the reports of experts bearing on the subject matter of the appeal. The responsibility for, and the expense of obtaining and presenting expert reports is that of the appellant. The hearing on appeal may be continued from time to time pending the receipt of the reports of experts required to be presented by the board.

Sec. 6-11.8.6.

Board to reach, report decision. At the conclusion of a hearing on appeal, the board shall deliberate in public meeting and reach a decision on the merits of the appeal. The decision of the board, together with such reasons as the board cares to express, shall be reported in the form of a formal resolution.

Sec. 6-12. Violations.

It shall be a misdemeanor for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code or the incorporated technical codes. Each responsible person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted.

A violation of this chapter shall be treated as a strict liability offense regardless of intent.

Sec. 6-12.2.

Public nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, equipped, used, occupied, or maintained contrary to the provisions of this code shall be and the same is hereby declared to be unlawful and a public nuisance. The city attorney shall, upon order of the city council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law.

Any failure, refusal or neglect to obtain a permit as required by this code shall be prima facie evidence of the fact that a public nuisance has been committed in connection with the erection construction, enlargement, alteration, repair, movement, improvement, removal, conversion or demolition, equipment, use, occupation or maintenance of a building or structure erected, constructed, enlarged altered, repaired, moved, improved, removed, converted or demolished, used, occupied, or maintained contrary to the provisions of this code or the technical codes.

Sec. 6-13.1.

Permits required. Except as specified in section 6-13.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate, appropriate permit for each building, structure or building service equipment has first been obtained from the building official.

Sec. 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.

Sec. 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.

Sec. 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 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.

Chapter 22. Wastewaters, Stormwaters, and Related Matters

Sec. 22-26. Reduction of pollutants in stormwater.

Any person engaged in activities that may result in pollutants entering a MS4 shall, to the maximum extent practicable, undertake all measures to reduce the risk of non-stormwater or pollutant discharges. At the discretion of the director, the following requirements shall be applied to any persons engaged in such activities:

(d) Trash areas.

(1) Trash, recycling, and organic waste storage areas shall be located in a roofed, four sided enclosure. The enclosure may not include any storm drain inlets. These storage facilities must have a grade-break at the entrance or be otherwise designed to prevent liquids draining from the enclosure.

Chapter 33. Zoning

Sec. 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.

Sec. 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.

Sec. 33-1210. Violation—Penalty.

In addition to modification or revocation as provided in section 33-1207 of this division, the violation of any condition of a conditional use permit is unlawful and may be punished as provided

in section 33-1313 of this article. A violation of any condition of a conditional use permit may also result in the imposition of civil penalties as provided in section 1-20 et seq., of Chapter 1 of the Escondido Municipal Code.

Sec. 33-1313. Penalty provisions.

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any portion of this chapter, including the use of land or structures contrary to this chapter, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$1,000, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Such person, firm or corporation is guilty of a separate offense for each and every day during any portion of which any violation of this chapter is committed or continued by such person, firm or corporation.

Sec. 33-1314. Definition, purpose, and applicability.

(a) Plot plan means a zoning instrument used primarily to review the location and site development of certain permitted land uses. The plot plan review process is required when any of the following are proposed in a multifamily, commercial, or industrial zone:

- (1) A new building, structure, or addition;
- (2) A new permitted use of land or existing structure that may require additional off-street parking;
- (3) A modification of an existing development affecting the building area, parking (when a reduction in parking spaces is proposed), outdoor uses, or on-site circulation. Changes to parking areas that do not result in a reduction in parking spaces are exempt from plot plan review, but require design review, as provided in section 33-1355(b)(2);
- (4) As may otherwise be required by this chapter.

Plot plan review is not required for residential development created by a planned development or residential subdivision of single-family lots.

(b) Minor plot plan may include, but shall not be limited to, a change in use with no additional floor area, minor building additions, outdoor storage as an accessory use in the industrial zones, or other site plan changes affecting site circulation and parking, as determined by the director.

(c) Major plot plan may include, but shall not be limited to, new construction, reconstruction and additions of facilities permitted in the underlying zone, or other projects that exceed thresholds for a minor plot plan, as determined by the director. All two-family dwelling projects proposed pursuant to section 33-115 shall be subject to the approval of a major plot plan.

(d) Pursuant to AB 1397, rezoning of sites for the RHNA past the April 15, 2021 statutory deadline is subject to by-right approval of housing projects that include 20% of lower income units. Select sites identified in the city's adopted Suitable Sites Inventory (Appendix B of the City's Housing Element) are subject to the required by-right provisions of AB 1397 (Government Code section 65583.2). The select sites identified in the city's adopted Suitable Sites Inventory provide by-right approval through the plot plan review process for multi-family housing consistent with the densities and development standards established for the specific plan areas. To be consistent with AB 1397, this

section further specifies that housing projects setting aside 20% of the units for lower income households are permitted by-right, without discretionary review.

California Existing Building Code

101.8.1 Maintenance.

Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protections and safety systems and devices in existing structures.

California Fire Code

Sec. 603.2 - Abatement of Insafe conditions and electrical hazards

Conditions that constitute an electrical shock or fire hazard shall be abated.

Sec. 603.2.2 – Open electrical terminations.

Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

Sec. 901.3

Permits shall be required as set forth in Sections 105.5 and 105.6.

Sec. 901.4 – Fire protection and life safety systems

Fire protection and life safety systems shall be installed, repaired, operated, and maintained in accordance with this code and the *California Building Code*.

Sec. 901.4.4 – Fire Areas

Where buildings or portions thereof are divided into fire areas so as not to exceed the limits established for requiring a fire protection system in accordance with this chapter, such fire areas shall be separated by fire barriers constructed in accordance with Section 707 of the *California Building Code*, or both, having a fire-resistance rating of not less than determined in accordance with Section 707.3.10 of the *California Building Code*.

903.2.8 – Group R

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Sec. 906 Portable Fire Extinguishers

Sec. 906.1 – Where required

Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, L, M, R-1 R-2, R-2.1, R-2.2, R-3.1. and S occupancies.

Sec. 906.2

Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and *California Code of Regulations, Title 19, Division 1, Chapter 3*.

Exceptions:

1. The distance of travel to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.
2. Thirty-day inspections shall not be required *for* portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:
 - 2.1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
 - 2.2. Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
 - 2.3. The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
 - 2.4. Electronic monitoring devices and supervisory circuits shall be tested when extinguisher maintenance is performed.
 - 2.5. A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by *California Code of Regulations, Title 19, Division 1, Chapter 3*.
3. In Group I-3, *and in mental health areas of Group I-2*, portable fire extinguishers shall be permitted to be located at staff locations.

[California Code of Regulations, Title 19, Division 1, §565.1(a) through (c)] Classification of Hazards.

- a. Light (Low) Hazard. Locations where the total amounts of Class A combustible materials, including furnishings, decorations and contents, is of minor quantity. These shall include buildings or rooms occupied as offices, classrooms, churches, assembly halls, etc. This classification anticipates that the majority of the contents are either noncombustible or so arranged that a fire is not likely to spread rapidly. Small amounts of Class B flammables used for duplicating machines, art departments, etc., are included provided that they are kept in closed containers and safely stored.

- b. Ordinary (Moderate) Hazard. Locations where the total amounts of Class A combustibles and Class B flammables are present in greater amounts than expected under Light (Low) Hazard occupancies. These occupancies could consist of offices, classrooms, mercantile shops and allied storage, light manufacturing, research operations, auto showrooms, parking garages, workshop or support service areas of Light (Low) Hazard occupancies, and warehouses containing Class I or Class II commodities.
- c. Extra (High) Hazard. Locations where the total amount of Class A combustibles and Class B flammables are present, in storage, production use, and/or finished product over and above those expected and classed as Ordinary (Moderate) Hazards. These occupancies could consist of woodworking, vehicle repair, aircraft and boat servicing, individual product display showrooms, product convention center displays, storage and manufacturing processes such as painting, dipping, coating, including flammable liquid handling. Also, included in warehousing of, or in-process storage of other Class I and Class II commodities.

[California Code of Regulations, Title 19, Division 1, §565.2(a) through (e)] Selection by Hazard.

- a. Extinguishers shall be selected for the specific class or classes of hazards to be protected in accordance with the following subdivisions (b), (c), (d) and (e).
- b. Extinguishers for protecting Class A hazards shall be selected from the following: Water-type, halogenated agent types, multipurpose dry chemical and wet chemical type.
- c. Extinguishers for protection of Class B hazards shall be selected from the following: carbon dioxide, dry chemical types, halogenated agent types and water-type and water chemical extinguishers rated for Class B hazards.
- d. Extinguishers for protection of Class C hazards shall be selected from the following: carbon dioxide, dry chemical types, halogenated agent types and water mist types rated for Class C. Carbon dioxide extinguishers equipped with metal horns are not considered safe for use on fires in energized electrical equipment and, therefore, are not classified for use on Class C hazards.
- e. Extinguishers and extinguishing agents for the protection of Class D hazards shall be of types approved for use on the specific combustible metal hazard.

[California Code of Regulations, Title 19, Division 1, §566(a) through (f)] Application for Specific Hazards.

- a. Class B Fire Extinguishers for Pressurized Flammable Liquids and Pressurized Gas Fires. Fires of this nature are considered to be a special hazard. Class B fire extinguishers containing agents other than dry chemical are relatively ineffective on this type of hazard due to stream and agent characteristics. Selection of extinguishers for this type of hazard shall be made on the basis of recommendations by manufacturers of this specialized equipment. The system used to rate extinguishers on Class B fires (flammable liquids in depth) is not applicable to these types of hazards. It has been determined that special nozzle design and rates of agent application are required to cope with such hazards.

Caution: It is undesirable to attempt to extinguish this type of fire unless there is reasonable assurance that the source of fuel can be promptly shut off.

- b. Fire extinguishers provided for the protection of cooking appliances that use combustible cooking media (vegetable or animal oils and fats) shall be listed and labeled Class K fires.
- c. Three-dimensional Class B Fires. A three-dimensional Class B fire involves Class B materials in motion such as pouring, running or dripping flammable liquids and generally includes vertical as well as one or more horizontal surfaces. Fires of this nature are considered to be a special hazard. Selection of extinguishers for this type of hazard shall be made on the basis of recommendations by manufacturers of this specialized equipment. The system used to rate extinguishers on Class B fires (flammable liquids in depth) is not directly applicable to this type of hazard.
- d. Water Soluble Flammable Liquid Fires (Polar Solvents). Extinguishers used for the protection of water soluble flammable liquids, such as alcohols, acetones, esters, ketones, etc., shall be selected in accordance with Section 565.2. AFFF-type and FFFP-type fire extinguishers shall not be used for the protection of water soluble flammable liquids, such as alcohols, acetone, esters, ketones, etc., unless specifically referenced on the extinguisher nameplate.
- e. Electronic Equipment Fires. Extinguishers for the protection of delicate electronic equipment shall be selected from the following: carbon dioxide type or a halogenated agent type, or a distilled water mist type with a minimum Class A:C Rating.
- f. In patient care areas and sleeping rooms of health care facilities, fire extinguishers, including the agents and expelling means, should be selected and utilized that would not be detrimental to patients and are appropriate for the type of fire expected, such as distilled water mist type fire extinguishers with a minimum 2-A:C rating.

California Code of Regulations, Title 19, Division 1, §567.8] Installation Temperatures.

Water-type (water, AFFF, FFFP) extinguishers shall not be installed in areas where temperatures are outside the range of 40°F to 120°F (4°C to 49°C). Other types shall not be installed in areas where temperatures are outside the range of -40°F to 120°F (-40°C to 49°C). Fire extinguishers shall not be exposed to temperatures outside of the range shown on the fire extinguisher label.

Exceptions:

- 1. Where fire extinguishers are installed in locations subject to temperatures outside these ranges, they shall be of a type approved and listed for the temperature to which they are exposed, or they shall be placed in an enclosure capable of maintaining the stipulated temperature range.
- 2. Fire extinguishers containing plain water only can be protected to temperatures as low as -40°F (-40°C) by the addition of an antifreeze stipulated on the extinguisher nameplate. Calcium chloride solutions shall not be used in stainless steel fire extinguishers.

3. Some fire extinguishers are approved or listed for use at temperatures as low as -65°F (-54°C).

[California Code of Regulations, Title 19, Division 1, §574.1] Frequency of Inspection.

Fire extinguishers shall be manually inspected when initially placed in service. Thereafter, extinguishers shall be manually inspected at least monthly by the building owner, occupant or his/her authorized agent, or electronically monitored. Fire extinguishers shall be inspected at more frequent intervals when circumstances require, as determined by the Authority Having Jurisdiction.

[California Code of Regulations, Title 19, Division 1, §574.2] Inspection Procedures.

- a. In addition to California Code of Regulations, Title 19, Division 1, Section 574.1, fire extinguishers shall be manually inspected in accordance with this section if they are located where any of the following conditions exist:
 1. High frequency of fires in the past.
 2. Extra (high) hazard areas.
 3. Location that makes fire extinguishers susceptible to mechanical or physical damage.
 4. Exposure to abnormal temperatures or corrosive atmospheres.
- b. Manual inspection of extinguishers shall include a check of at least the following items:
 1. Located in designated place.
 2. No obstruction to access or visibility.
 3. Operating instructions on nameplate legible and facing outward.
 4. Safety seals and tamper indicators not broken or missing.
 5. Examine for obvious physical damage, corrosion, leakage or clogged nozzle.
 6. Pressure gauge reading or indicator in the operable range or position.
 7. Fullness determined by weighing or hefting.
 8. For wheeled units, the condition of tires, wheels, carriage, hose and nozzle shall also be checked.
 9. For nonrechargeable extinguishers using push-to-test pressure indicators, test the indicator.
- c. Electronic monitoring shall include monitoring of the following items:
 1. Located in the designated place.
 2. No obstruction to access or visibility.
 3. Pressure gauge reading or indicator in the operable range or position.

[California Code of Regulations, Title 19, Division 1, §567.1] Operating Conditions.

Portable extinguishers shall be maintained in a fully charged and operable condition, and kept in their designated places at all times when they are not being used.

[California Code of Regulations, Title 19, Division 1, §574.3] Corrective Action.

When an inspection of any extinguisher reveals a deficiency in any of the conditions listed in Title 19, Division 1, Sections 574.2(b)(c), immediate corrective action shall be taken.

[California Code of Regulations, Title 19, Division 1, §574.4] Nonrechargeable Extinguishers.

When an inspection of any nonrechargeable fire extinguisher reveals a deficiency in any of the conditions listed in (3), (4), (5), (6), (7) or (9) of Title 19, Division 1, Section 574.2(b), it shall be discharged and removed from service.

Exception: Nonrechargeable extinguishers containing a halon agent shall be removed from service, not discharged, and returned to the manufacturer or local fire extinguisher distributor having the capability of recovering the halon agent.

[California Code of Regulations, Title 19, Division 1, §575.10] Out of Service.

Fire extinguishers removed from service for maintenance or recharge shall be replaced by fire extinguishers suitable for the type of hazard protected and shall be of at least equal rating.

[California Code of Regulations, Title 19, Division 1, §591.5] Replacement Extinguishers.

Portable fire extinguishers shall not be removed from the premises for hydrostatic testing or any other purpose, without first replacing the extinguisher with a unit rated for the hazard being protected. The customer's original unit shall be returned within 60 calendar days.

[California Code of Regulations, Title 19, Division 1, §596.7(a) and (b)] Removal of Tag.

- a. No person shall remove any tag, collar or label required by Title 19, Division 1, Chapter 3, Article 9 from a portable fire extinguisher except when service is performed.
- b. No person shall deface, modify or alter any tag collar or label required by California Code of Regulations, Title 19, Division 1, Chapter 3, Article 9 to be attached to any portable fire extinguisher.

[California Code of Regulations, Title 19, Division 1, §574.5(a) through (c)] Inspection Record Keeping.

- a. The fire extinguisher owner shall maintain records of all fire extinguishers inspected, including those extinguishers that were found to require corrective actions. Records shall be maintained until next required maintenance.
- b. At least monthly, the date the manual inspection was performed and the initials of the person performing the inspection shall be recorded on a tag or label attached to the fire extinguisher, or an inspection checklist maintained on file, or an electronic system (e.g., bar coding) that provides a permanent record.

- c. Fire extinguishers being inspected via electronic monitoring, whereby the extinguisher causes a signal at a control unit when a deficiency in any of the conditions listed in California Code of Regulations, Title 19, Division 1, Section 574.2(c) occurs, shall provide record keeping in the form of an electronic event log at the control panel.

Sec. 906.3 - Size and Distribution

The size and distribution of portable fire extinguishers shall be in accordance with Sections 906.3.1 through 906.3.4.

[California Code of Regulations, Title 19, Division 1, §567(a) through (k)] Distribution of Fire Extinguishers.

- a. The minimum number of fire extinguishers needed to protect a property shall be determined as outlined in this section. Additional extinguishers may be installed to provide more suitable protection.
- b. Fire extinguishers shall be provided for the protection of both the building structure and the occupancy hazards contained therein.
- c. Required building protection shall be provided by fire extinguishers suitable for Class A fires.
- d. Occupancy hazard protection shall be provided by fire extinguishers suitable for such Class A, B, C, D or K fire potentials as may be present.
- e. Extinguishers provided for building protection may be considered also for the protection of occupancies having a Class A fire potential.
- f. Buildings having an occupancy hazard subject to Class B and/or Class C fires shall have a standard complement of Class A fire extinguishers for building protection, plus additional Class B and/or Class C extinguishers. Where fire extinguishers have more than one letter classification (such as 2-A:20-B:C), they may be considered to satisfy the requirements of each letter class. When using multipurpose extinguishers for the protection of Class B hazards, the maximum travel distances described in California Code of Regulations, Title 19, Division 1, Section 568, Table 2 must be observed.
- g. Rooms or areas shall be classified generally as light (low) hazard, ordinary (moderate) hazard or extra (high) hazard. Limited areas of greater or lesser hazard shall be protected as required.
- h. On each floor level, the area protected and the travel distances shall be based on fire extinguishers installed in accordance with California Code of Regulations, Title 19, Division 1, Section 568, Tables 2 and 3.
- i. Fire extinguishers shall not be obstructed or obscured from view.

Exception: In large rooms, and in certain locations where visual obstruction cannot be completely avoided, means shall be provided to indicate the fire extinguisher's location.

- j. Fire extinguishers shall be conspicuously located along normal paths of travel where they will be readily accessible and immediately available in the event of a fire.
- k. Where wheeled extinguishers are installed, aisles and doorways through which such extinguishers are to be moved shall have a clear and unobstructed width not less than one foot wider than the overall width of the extinguisher.

[California Code of Regulations, Title 19, Division 1, §568(a) through (e)] Fire Extinguisher Size and Placement for Class A Hazards.

- a. Minimum sizes of fire extinguishers for the listed grades of hazards shall be provided on the basis of California Code of Regulations, Title 19, Division 1, Section 568, Table 2, except as modified by California Code of Regulations, Title 19, Division 1, Section 568(d).
Extinguishers shall be located so that the maximum travel distances shall not exceed those specified in California Code of Regulations, Title 19, Division 1, Section 568, Table 2, except as modified by California Code of Regulations, Title 19, Division 1, Section 568(d).
- b. Certain smaller fire extinguishers which are charged with a multipurpose dry chemical or halogenated agent are rated on Class B and Class C fires, but having insufficient effectiveness to earn the minimum 1-A rating even though they have value in extinguishing smaller Class A fires. They shall not be used to meet the requirements of California Code of Regulations, Title 19, Division 1, Section 568, Table 2.
- c. Extinguishers as specified in California Code of Regulations, Title 19, Division 1, Section 568, Table 2 may be replaced by uniformly spaced 1½ inch (3.810 cm) hose stations for use by the occupants of the building. When hose stations are so provided, they shall conform to Part 9, Title 24, California Code of Regulations, Chapter 9. The location of hose stations and the placement of fire extinguishers shall be in such a manner that the hose stations do not replace more than every other extinguisher.
- d. Where the floor area of a building is less than that specified in California Code of Regulations, Title 19, Division 1, Section 568, Table 2, at least one extinguisher of the minimum size recommended shall be provided.
- e. The protection requirements may be fulfilled with extinguishers of a higher rating provided the travel distance from anywhere in the building to such larger extinguishers shall not exceed 75 feet (22.7 m), as shown in California Code of Regulations, Title 19, Division 1, Section 568, Table 2 above.

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.

TITLE 19, DIVISION 1, SECTION 569, TABLE 3

Type of Hazard	Basic Minimum Extinguisher Rating	Maximum Travel Distance to Extinguishers (in feet)	(in meters)
Light (low)	5B 10B	30 50	9.15 15.25
Ordinary (moderate)	10B 20B	30 50	9.15 15.25
Extra (high)	40B 80B	30 50	9.15 15.25

Note 1. The specified rating does not imply that fires of the magnitudes indicated by these ratings will occur, but rather to give the operators more time and agent to handle difficult spill fires that may occur.

Note 2. For fires involving water-soluble flammable liquids, see California Code of Regulations, Title 19, Division 1, Section 566(d).

Note 3. For specific hazard applications, see California Code of Regulations, Title 19, Division 1, Section 566.

[California Code of Regulations, Title 19, Division 1, §570(a) through (e)] Fire Extinguisher Size and Placement for Class B Fires in Flammable Liquids of Appreciable Depth.

- a. Portable fire extinguishers shall not be installed as the sole protection for flammable liquid hazards of appreciable depth [greater than $\frac{1}{4}$ inch (0.64 cm)] where the surface area exceeds 10 square feet (0.93 m²).

Exception: Where personnel who are trained in extinguishing fires in the protected hazards are available on the premises, the maximum surface area shall not exceed 20 square feet. (1.86 m²).

- b. For flammable liquid hazards of appreciable depth, a Class B fire extinguisher shall be provided on the basis of at least two numerical units of Class B extinguishing potential per square foot (0.0929 m²) of flammable liquid surface of the largest hazard area. For fires involving cooking grease or water-soluble flammable liquids, see California Code of Regulations, Title 19, Division 1, Section 566(b) and 566(d).

Exception: AFFF- or FFFP-type extinguishers may be provided on the basis of a 1B rating of protection per square foot of hazard.

- c. Two or more extinguishers of lower ratings shall not be used in lieu of the extinguisher required for the largest hazard area.

Exception: Up to three AFFF or FFFP extinguishers may be used to fulfill the requirements provided the sum of the Class B ratings meets or exceeds the value required for the largest hazard area.

- d. Travel distances for portable extinguishers shall not exceed 50 feet (15.25 m) as shown in California Code of Regulations, Title 19, Division 1, Section 569, Table 3.
- e. Scattered or widely separated hazards shall be individually protected. An extinguisher in the proximity of a hazard shall be carefully located to be accessible in the presence of a fire without undue danger to the operator.

[California Code of Regulations, Title 19, Division 1, §571(a)] Fire Extinguisher Size and Placement for Class C Hazards.

- a. Fire extinguishers with Class C ratings shall be required where energized electrical equipment can be encountered which would require a nonconducting extinguishing medium. This requirement includes situations where fire either directly involves or surrounds electrical equipment. Since the fire itself is a Class A or Class B hazard, the fire extinguishers shall be sized and located on the basis of the anticipated Class A or Class B hazard.

Note: Electrical equipment should be de-energized as soon as possible to prevent reigniting.

TABLE 906.3(1)

FIRE EXTINGUISHERS FOR CLASS A FIRE HAZARDS

	LIGHT (Low) HAZARD OCCUPANCY	ORDINARY (Moderate) HAZARD OCCUPANCY	EXTRA (High) HAZARD OCCUPANCY
Minimum-rated single extinguisher	2-A ^c	2-A	4-A ^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 ^b	11,250 square feet	11,250 square feet	11,250 square feet
Maximum distance of travel to extinguisher	75 feet	75 feet	75 feet

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m², 1 gallon = 3.785 L.

- a. Two 2½-gallon water-type extinguishers shall be deemed the equivalent of one 4-A rated extinguisher.
- b. *California Code of Regulations, Title 19, Division 1, Chapter 3* concerning application of the maximum floor area criteria.
- c. Two water-type extinguishers, each with a 1-A rating, shall be deemed the equivalent of one 2-A rated extinguisher for Light (Low) Hazard Occupancies.

TABLE 906.3(2)

FIRE EXTINGUISHERS FOR FLAMMABLE OR COMBUSTIBLE LIQUIDS WITH DEPTHS OF LESS THAN OR EQUAL TO 0.25 INCH^a

TYPE OF HAZARD	BASIC MINIMUM EXTINGUISHER RATING	MAXIMUM DISTANCE OF TRAVEL TO EXTINGUISHERS (feet)
Light (Low)	5-B	30
	10-B	50
Ordinary (Moderate)	10-B	30
	20-B	50
Extra (High)	40-B	30
	80-B	50

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- a. For requirements on water-soluble flammable liquids and alternative sizing criteria, see *California Code of Regulations, Title 19, Division 1, Chapter 3*.

Sec. 907.2.9

Fire alarm systems and smoke alarms shall be installed in Group R-2 and R-2.1 occupancies as required in Sections 907.2.9.1 and 907.2.9.3 through 907.2.10.2.1.1. Group R-2.2 shall be equipped throughout with an automatic fire alarm system and shall have a manual fire alarm pull station at the 24-hour staff watch office.

Sec. 907.2.11.2 — Groups R-2, R-2.1, R-2.2, R-3, R-3.1 and R-4

Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-2.1, R-2.2, R-3, R-3.1 and R-4 regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
4. In a Group R-3.1 occupancies, in addition to the above, smoke alarms shall be provided throughout the habitable areas of the dwelling unit except kitchens.

See Section 907.2.10.8 for specific location requirements.

Sec. 915.1

Carbon monoxide detection shall be installed in new buildings in accordance with Sections 915.1.1 through 915.7. Carbon monoxide detection shall be installed in existing buildings in accordance with this section and Chapter 11 of the California Fire Code.

Pursuant to Health and Safety Code Section 17926, carbon monoxide detection shall be installed in all existing Group R buildings as required in this section.

Sec. 1017 Exit Travel DistanceSection 1017.1

Travel distance within the exit portion of the means of egress system shall be in accordance with this section.

Sec. 1031.2

In addition to the means of egress required by this chapter, emergency escape and rescue openings shall be provided in *Group R* occupancies:

Basements and sleeping rooms below the fourth story above grade plane shall have not fewer than one emergency escape and rescue opening in accordance with this section.

Where basements contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a public way or to a yard or court that opens to a public way.

Exceptions:

1. *In Groups R-1 and R-2 occupancies constructed of Type I, Type IIA, Type IIIA or Type IV construction equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1.*
2. *Group R-2.1 occupancies meeting the requirements for delayed egress in accordance with Section 1010.2.13 may have operable windows that are breakable in sleeping rooms permanently restricted to a maximum of 4-inch open position.*
3. Basements with a ceiling height of less than 80 inches (2032 mm) shall not be required to have emergency escape and rescue openings.
4. Emergency escape and rescue openings are not required from basements or sleeping rooms that have an exit door or exit access door that opens directly into a public way or to a yard, court or exterior egress balcony that opens to a public way.
5. Basements without habitable spaces and having not more than 200 square feet (18.6 m²) in floor area shall not be required to have emergency escape and rescue openings.
6. Storm shelters are not required to comply with this section where the shelter is constructed in accordance with ICC 500.

7. Within individual dwelling and sleeping units in Groups R-2 and R-3, where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:

7.1. One means of egress and one emergency escape and rescue opening.

7.2. Two means of egress.

8. *In Group R-2.2 occupancies a certified fire escape is acceptable as a secondary means of egress of existing buildings for this section of the code.*

Sec. 1031.3

Emergency escape and rescue openings shall comply with Sections 1031.3.1 through 1031.3.3.

Sec. 1031.3.1 Minimum Size

Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.53 m²).

Sec. 1031.3.2

The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm). The net clear opening dimensions shall be the result of normal operation of the opening.

Sec. 1031.3.3

Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.53 m²).

Sec. 4906 Vegetation Management

4906.1 General

Planting of vegetation for new landscaping shall be selected to reduce non-fire-resistant vegetation in proximity to a structure and to maintain vegetation as it matures.

4906.4 Vegetation

All new vegetation shall be fire-resistant vegetation in accordance with this section.

Exception: Trees classified as non-fire-resistant vegetation complying with Section 4906.4.2.1.

To be considered fire-resistant vegetation, it must meet at least one of the following:

1. *Be identified as fire-resistant vegetation in an approved book, journal or listing from an approved organization.*

2. *Be identified as fire-resistant vegetation by a licensed landscape architect with supporting justification.*
3. *Plants considered fire-resistant vegetation and approved by the local enforcing agency.*

4906.4.2 Trees

Trees shall be managed as follows within the 30-foot (9144 mm) zone of a structure:

1. *New trees shall be planted and maintained so that the tree's drip line at maturity is a minimum of 10 feet (3048 mm) from any combustible structure.*
2. *The horizontal distance between crowns of new trees and crowns of adjacent trees shall not be less than 10 feet (3048 mm).*
3. *Existing trees shall be trimmed to provide a minimum separation of 10 feet (3048 mm) away from chimney and stovepipe outlets per Title 14, Section 1299.03.*

4906.4.2.1 Non-Fire-Resistant Vegetation

New trees not classified as fire-resistant vegetation, such as conifers, palms, pepper trees and eucalyptus species, shall be permitted provided the tree is planted and maintained so that the tree's drip line at maturity is a minimum 30 feet (9144 mm) from any combustible structure.

California Building Code

Sec. 105.1 Permits - Required

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Sec. 114.1 Violations – Unlawful Acts

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

Sec. 116.1 Unsafe Structures and Equipment – Unsafe Conditions

Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

Sec. 420.2 Separation Walls

Walls separating dwelling units in the same building, walls separating sleeping units in the same building and walls separating dwelling or sleeping units from other occupancies contiguous to them in the same building shall be constructed as fire partitions in accordance with Section 708.

Sec. 420.5 Fire Alarm Systems and Smoke Alarms

Fire alarm systems and smoke alarms shall be provided in Group R-1, R-2 *and R-2.1* occupancies in accordance with Sections 907.2.6, 907.2.8 and 907.2.9 *and 907.2.10*, respectively. Single- or multiple-station smoke alarms shall be provided in Groups R-2, R-2.1, R-3 and R-4 in accordance with Section 907.2.11. Group R-2.2 shall be equipped throughout with an automatic fire alarm systems per 907.2.9.2 and shall have a manual fire alarm pull station at the 24-hour staff watch office.

Sec. 708 - Fire Partitions

The following wall assemblies shall comply with this section:

1. Separation walls as required by Section 420.2 for Group R occupancies.
2. Walls separating tenant spaces in covered and open mall buildings as required by Section 402.4.2.1.
3. Corridor walls as required by Section 1020.3 *and in Group I-2 and I-2.1 as required by Section 407.3.*
4. Enclosed elevator lobby separation as required by Section 3006.3.
5. Egress balconies as required by Section 1021.2
6. Walls separating ambulatory care facilities from adjacent spaces, corridors or tenant as required by Section 422.2.
7. Walls separating dwelling and sleeping units in Groups R-1 and R-2 in accordance with Sections 907.2.8.1 and 907.2.9.1.
8. Vestibules in accordance with Section 1028.2.
9. Walls separating enclosed tenant spaces in high-rise buildings and in buildings of Types I, IIA, IIIA, IV or VA construction of Group A, E, H, I, L and R-2.1 occupancies and other applications listed in Section 1.11 regulated by the Office of the State Fire Marshal.

1031.2 Where Required

In addition to the means of egress required by this chapter, emergency escape and rescue openings shall be provided in *Group R* occupancies.

Basements and sleeping rooms below the fourth story above grade plane shall have not fewer than one emergency escape and rescue opening in accordance with this section. Where basements contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a public way or to a yard or court that opens to a public way.

Exceptions:

1. In Groups R-1 and R-2 occupancies constructed of Type I, Type IIA, Type IIIA or Type IV construction equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1.

2. Group R-2.1 occupancies meeting the requirements for delayed egress in accordance with Section 1010.2.13 may have operable windows that are breakable in sleeping rooms permanently restricted to a maximum of 4-inch open position.
3. Basements with a ceiling height of less than 80 inches (2032 mm) shall not be required to have emergency escape and rescue openings.
4. Emergency escape and rescue openings are not required from basements or sleeping rooms that have an exit door or exit access door that opens directly into a public way or to a yard, court or exterior egress balcony that opens to a public way.
5. Basements without habitable spaces and having not more than 200 square feet (18.6 m²) in floor area shall not be required to have emergency escape and rescue openings.
6. Storm shelters are not required to comply with this section where the shelter is constructed in accordance with ICC 500.
7. Within individual dwelling and sleeping units in Groups R-2 and R-3, where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:
 1. One means of egress and one emergency escape and rescue opening.
 2. Two means of egress.
8. In Group R-2.2 occupancies a certified fire escape is acceptable as a secondary means of egress for existing buildings for this section of the code.

Sec. 1031.3 Emergency Escape and Rescue Openings

Emergency escape and rescue openings shall comply with Sections 1031.3.1 through 1031.3.3.

Sec. 103.3.1

Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.53 m²).

Sec. 1031.3.2

The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm). The net clear opening dimensions shall be the result of normal operation of the opening.

Sec. 1031.3.3

Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.53 m²).

California Health & Safety Code § 17920.3. Substandard building; conditions

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:

(14) General dilapidation or improper maintenance.

(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.

(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.

(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.

(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.

(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.

When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(m) 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.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

California Health & Safety Code section 17980

(a) If a building is constructed, altered, converted, or maintained in violation of any provision of, or in violation of any order or notice that gives a reasonable time to correct that violation issued by an enforcement agency pursuant to this part, the building standards published in the California Building Standards Code, or other rules and regulations adopted pursuant to this part, or if a nuisance exists in a building or upon the lot on which it is situated, the enforcement agency shall, after 30 days' notice to abate the nuisance or violation, or a notice to abate with a shorter period of time if deemed necessary by the enforcement agency to prevent or remedy an immediate threat to the health and safety of the public or occupants of the structure, institute appropriate action or proceeding to prevent, restrain, correct, or abate the violation or nuisance. Notwithstanding the above, if a person has purchased and is in the process of diligently abating any violation at a residential property that had been foreclosed on or after January 1, 2008, an enforcement agency shall not commence an action or proceeding until at least 60 days after the person takes title to the property, unless a shorter period of time is deemed necessary by the enforcement agency, in its sole discretion, to prevent or remedy an immediate threat to the health and safety of the neighboring community, public, or occupants of the structure.

(b) If an entity releases a lien securing a deed of trust or mortgage on a property for which a notice of pendency of action, as defined in Section 405.2 of the Code of Civil Procedure, has been recorded against the property by an enforcement agency pursuant to subdivision (a) of Section 17985 of the Health and Safety Code or Section 405.7 or 405.20 of the Code of Civil Procedure, it shall notify in writing the enforcement agency that issued the order or notice within 30 days of releasing the lien.

(c) (1) Whenever the enforcement agency has inspected or caused to be inspected a building and has determined that the building is a substandard building or a building described in Section 17920.10, the enforcement agency shall commence proceedings to abate the violation by repair, rehabilitation, vacation, or demolition of the building. The enforcement agency shall not require the vacating of a residential building unless it concurrently requires expeditious demolition or repair to comply with this part, the building standards published in the California Building Standards Code, or other rules and regulations adopted pursuant to this part. The owner shall have the choice of repairing or demolishing. However, if the owner chooses to repair, the enforcement agency shall require that the building be brought into compliance according to a reasonable and feasible schedule for expeditious repair. The enforcement agency may require vacation and demolition or may itself vacate the building, repair, demolish, or institute any other appropriate action or proceeding, if any of the following occur:

(A) The repair work is not done within the period required by the notice.

(B) The owner does not make a timely choice of repair or demolition.

(C) The owner selects an option which cannot be completed within a reasonable period of time, as determined by the enforcement agency, for any reason, including, but not limited to, an outstanding judicial or administrative order.

(2) In deciding whether to require vacation of the building or to repair as necessary, the enforcement agency shall give preference to the repair of the building whenever it is economically feasible to do so without having to repair more than 75 percent of the dwelling, as

determined by the enforcement agency, and shall give full consideration to the needs for housing as expressed in the local jurisdiction's housing element.

(d) (1) Notwithstanding subdivision (c) and notwithstanding local ordinances, tenants in a residential building shall be provided copies of any of the following:

(A) The notice of a violation described in subdivision (a) that affects the health and safety of the occupants and that causes the building to be substandard pursuant to Section 17920.3 or in violation of Section 17920.10.

(B) An order of the code enforcement agency issued after inspection of the premises declaring the dwelling to be in violation of a provision described in subdivision (a).

(C) The enforcement agency's decision to repair or demolish.

(D) The issuance of a building or demolition permit following the abatement order of an enforcement agency.

(2) Each document provided pursuant to paragraph (1) shall be provided to each affected residential unit by the enforcement agency that issued the order or notice, in the manner prescribed by subdivision (a) of Section 17980.6.

(e) All notices issued by the enforcement agency to correct violations or to abate nuisances shall contain a provision notifying the owner that, in accordance with Sections 17274 and 24436.5 of the Revenue and Taxation Code, a tax deduction may not be allowed for interest, taxes, depreciation, or amortization paid or incurred in the taxable year.

(f) The enforcement agency may charge the owner of the building for its postage or mileage cost for sending or posting the notices required to be given by this section.

(g) If the enforcement agency determines that there is an infestation pursuant to paragraph (12) of subdivision (a) of Section 17920.3 or Section 116130, the enforcement agency's abatement order shall require the abatement of any other conditions listed in Section 17920.3 that the enforcement agency determines to have caused the infestation.

California Health & Safety Code section 17980.6

If any building is maintained in a manner that violates any provisions of this part, the building standards published in the State Building Standards Code relating to the provisions of this part, any other rule or regulation adopted pursuant to the provisions of this part, or any provision in a local ordinance that is similar to a provision in this part, and the violations are so extensive and of such a nature that the health and safety of residents or the public is substantially endangered, the enforcement agency may issue an order or notice to repair or abate pursuant to this part. Any order or notice pursuant to this subdivision shall be provided either by both posting a copy of the order or notice in a conspicuous place on the property and by first-class mail to each affected residential unit, or by posting a copy of the order or notice in a conspicuous place on the property and in a prominent place on each affected residential unit. The order or notice shall include, but is not limited to, all of the following:

(a) The name, address, and telephone number of the agency that issued the notice or order.

(b) The date, time, and location of any public hearing or proceeding concerning the order or notice.

(c) Information that the lessor cannot retaliate against a lessee pursuant to Section 1942.5 of the Civil Code.