



DATE: April 24, 2023

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department-Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D22-00011) AND NINE CONDITIONAL USE PERMITS (CUP22-00013/14/15/18/19/21/22/23/24) TO ALLOW THE CONSTRUCTION OF A 533,700 SF DEVELOPMENT PROJECT CONSISTING OF 497,900 SF OF RESEARCH AND DEVELOPMENT FACILITIES AND 35,800 SF OF COMMERCIAL SPACE (COMPRISED OF FOUR DRIVE-THRU RESTAURANTS, A GAS STATION AND CARWASH, AND RETAIL STORES) LOCATED AT THE NORTHWEST CORNER OF RANCHO DEL ORO DRIVE AND OCEANSIDE BOULEVARD (EL CORAZON OBC PROJECT) (APPLICANT: SUDBERRY DEVELOPMENT, INC.)**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Adopt Planning Commission Resolution No. 2023- P09 approving Development Plan (D22-00011) and nine Conditional Use Permits (CUP22-00013/14/15/18/19/21/22/23/24) with findings and conditions of approval attached herein.

BACKGROUND AND PROJECT DESCRIPTION:

In 1994, approximately 465 acres of vacant property once utilized as an aggregate mine was sold to the City and subsequently named "El Corazon" ("the heart" in Spanish). Located in the center of Oceanside, El Corazon is bounded by Rancho del Oro Drive on the east, Oceanside Boulevard on the south, El Camino Real on the west, and Mesa Drive on the north.

Following an extensive planning process initiated in 2003, the El Corazon Specific Plan (ECSP) was adopted by the City Council on June 3, 2009 with Resolution No. 09-R0333-1 and Ordinance No. 09-OR0397-1. The ECSP encompasses 465 acres and includes a mixture of proposed land uses: parks and recreation, habitat, civic services, Oceanside Boulevard Commercial (OBC), Village Commercial (VC), and Hotel (H). Commercial and hotel, uses such as those provided within the OBC and VC Districts, are included in the ECSP as a funding mechanism to help support the public land uses and development of

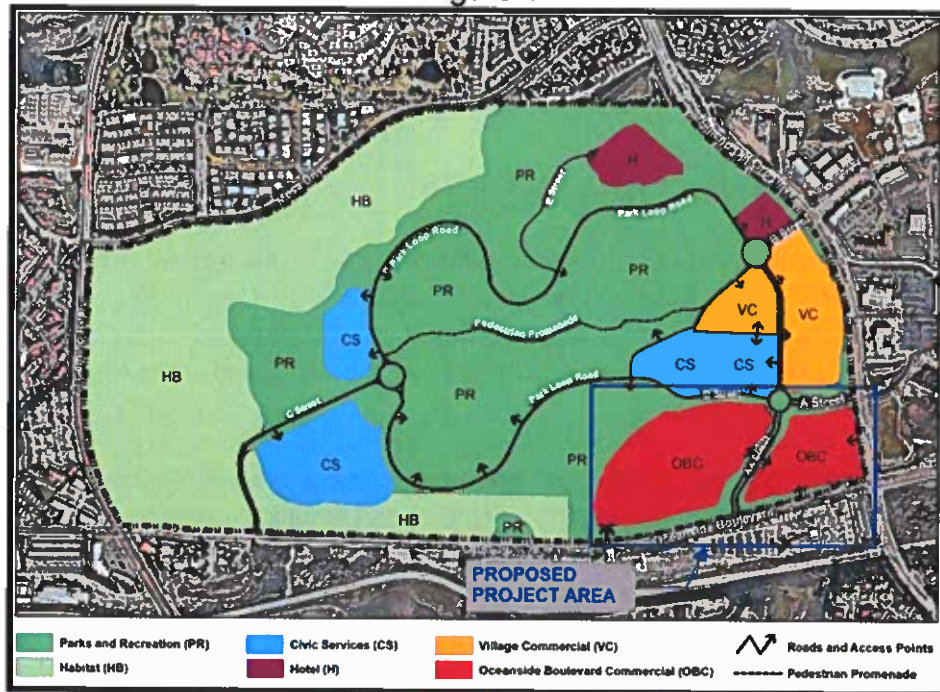
parkland through the collection of property taxes and sales taxes. Multiple amendments have been approved to change provisions of the ECSP since it was adopted, with two of the amendments (described below) directly affecting the proposed project.

In 2016, the City Council approved a Zone Amendment (ZA14-00001) amending the ECSP, which allowed for the transfer of non-residential development square footage between the VC and OBC Districts. Per the amended ECSP, the total non-residential square footage allowed for the VC and OBC Districts (combined) is 580,000 square feet.

In 2019, the City Council approved a Zone Amendment (ZA17-00004) further amending the ECSP in order to adjust the land use area acreages consistent with actual buildout data and shift "AA" street to the east so that the street transects the OBC District instead of running along the western edge of the OBC District boundary. As part of that action, the City Council approved a Tentative Map (T17-00004) and Development Plan (D18-00017) for the VC and OBC Districts; these actions allowed the subdivision of land into 19 numbered lots and 16 lettered lots along with phased mass grading and development of public infrastructure.

The approximately 51.1-acre (including open space lots and street lots) OBC project site is located at the northwest corner of Oceanside Boulevard and Rancho Del Oro Road. Designated as OBC per the ECSP (Figure 1), the project site is currently undeveloped and considered disturbed as a result of prior site reclamation work and past silica mining operations. Surrounding land uses include a combination of industrial land uses to the south, commercial retail uses and visitor-serving hotels to the east, civic facilities (senior center and aquatic center) and mixed-use development to the north, and future habitat to the west.

Figure 1



The ECSP identifies the OBC District as an area planned for commercial and office development that would provide financial support for the public land uses envisioned for El Corazon. The ECSP states, “As this site is topographically isolated from the core of the El Corazon property, the future uses are not planned to necessarily be directly related to the public uses” and “the site is available for **traditional commercial retail and services** uses that will serve the surrounding areas” and “the site may also contain offices and light industrial (technical) uses.”

Project Description:

The proposed project requires approval of 10 separate entitlements: a Development Plan (D22-00011) and nine (9) Conditional Use Permits (CUP22-00013/14/15/18/19/21/22/23/24) as follows:

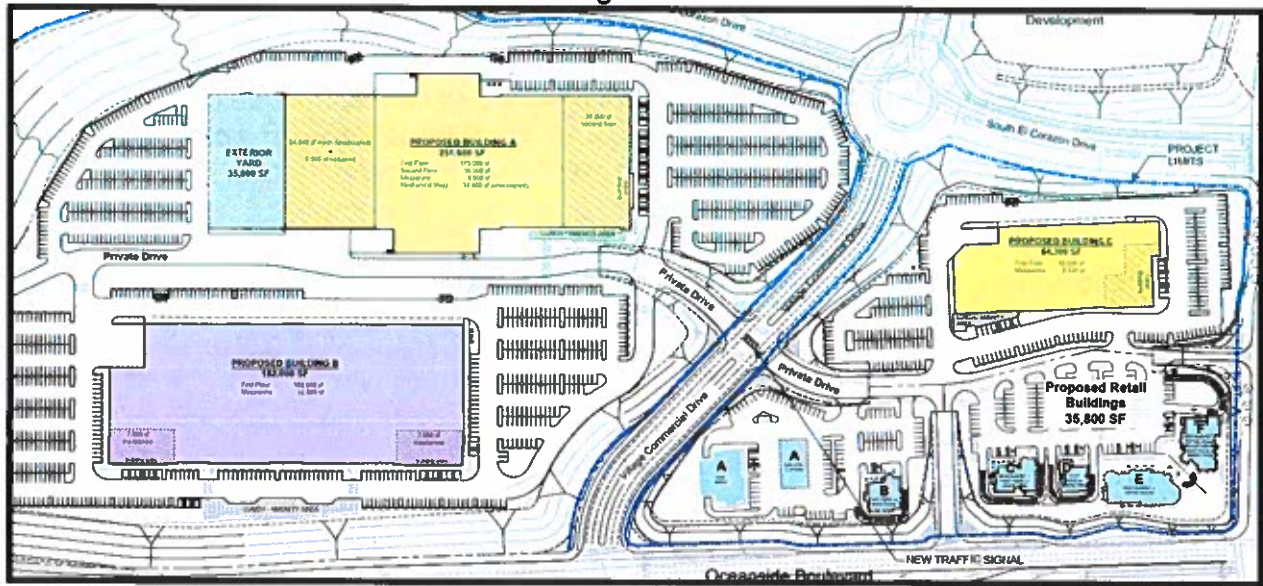
Development Plan (D22-00011) represents a request to allow the construction of a 533,700 SF development project comprised of three separate research and development (R&D) buildings totaling 497,900 SF and 35,800 SF of commercial buildings to include a 3,500 SF gas station and convenience store with a 1,733 SF carwash tunnel (Building Pad 'A'), a 3,705 SF drive-thru restaurant (Building Pad 'B'), a 2,434 SF restaurant and 1,733 SF drive-thru restaurant (Building Pad 'C'), a 2,392 SF drive-thru restaurant (Building Pad 'D'), a 5,127 SF restaurant and 3,137 SF retail sales (Building Pad 'E'), and a 4,735 SF drive-thru restaurant and 5,823 SF retail sales (Building Pad 'F').

Table 1 provides a summary of the building area and description for each component of the Development Plan and Figure 2 illustrates the proposed site layout.

Table 1

	Gross Building Area	Description
R&D Building A (Orange)	251,600 SF	R&D Facility w/limited warehouse and distribution. Build-to-suit pharmaceutical facility. Includes lab, manufacturing, office, and warehouse space
R&D Building B (Purple)	182,000 SF	R&D Facility w/limited warehouse and distribution. Spec building for future R&D tenant
R&D Building C (Yellow)	64,300 SF	R&D Facility w/limited warehouse and distribution. Spec building for future R&D tenant
Commercial Buildings (Blue)	35,800 SF	Retail sales, restaurant, fast food w/drive-thru, gas station, convenience store, and carwash
Total Building Area	533,700 SF	Includes 34,600 SF unoccupied mechanical mezzanine space in Building A

Figure 2



As shown in Figure 2, the R&D buildings are located on the west and northeast of Village Commercial Drive and the commercial buildings are located at the southeast portion of the OBC District. Primary access to the project site will occur from South El Corazon Drive and Village Commercial Drive, which will connect Oceanside Boulevard on the south to South El Corazon Drive to the north. New traffic signals would be installed at the intersection of Oceanside Boulevard and Village Commercial Drive and at the intersection of Village Commercial Drive and "Private Drive." Internal circulation through the project site would consist of a system of private vehicular drives and pedestrian walkways. Parking spaces are distributed throughout the site with the parking lots proposed pursuant to the design standards provided in the ECSP.

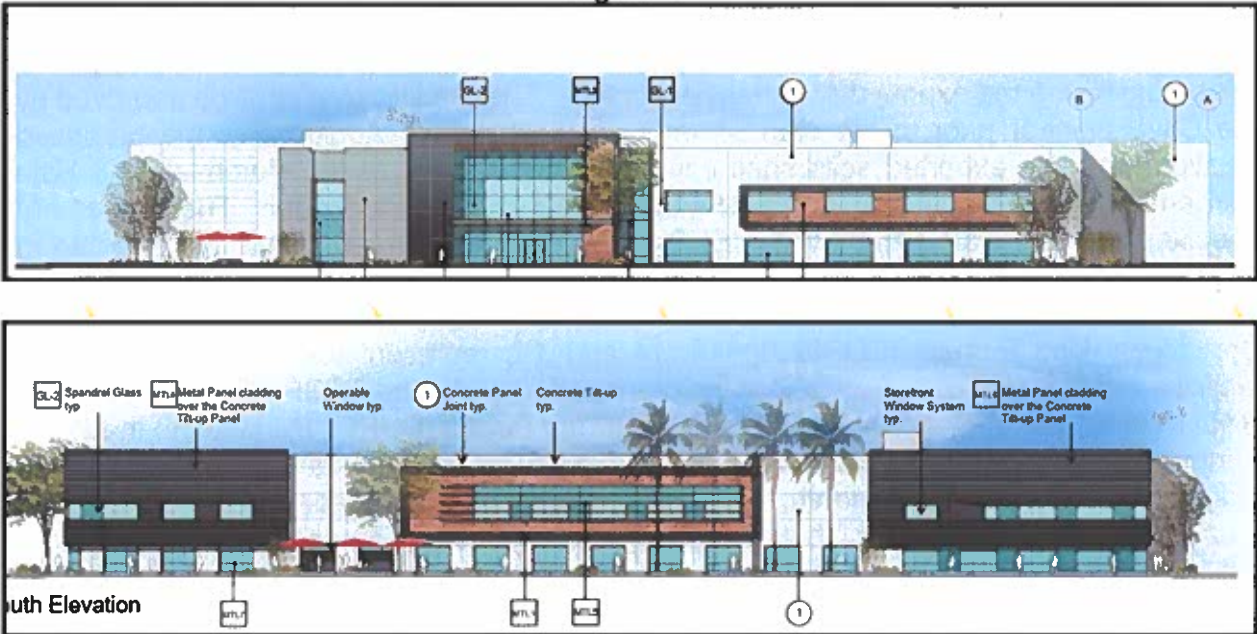
The commercial buildings, which combine Irving Gill architectural design elements with Mission style rooflines and decorative Spanish tiles, are oriented towards the street and provide vertical elements, including tower features that extend to a maximum height of 40 feet, six inches (40'6"). Consistent with the design guidelines provided in the ECSP for the OBC District, the commercial area provides pedestrian walkways through the parking lots and a pedestrian court area with patio dining, shade trellis, and enhanced landscaping, which are located at the southeast corner of the project site.

Figure 3



The three R&D buildings are designed in a contemporary architectural style that utilizes glazed windows, metal accents, horizontal siding, tilt concrete panels, and roll up doors. As illustrated in Figure 4, the buildings will have varied materials and colors to help break up the façade. Building A, which is located at the northwest portion of the project site, is a 251,600 SF building that will be occupied by a pharmaceutical research and development and manufacturing facility. The building includes laboratory, manufacturing, office, and warehouse space and an exterior equipment yard. The top of the building parapet is 50 feet from finished grade. HVAC and other mechanical equipment would be located on the rooftop behind screen walls that extend to a maximum height of 60 feet. Buildings B and C are both spec buildings for future R&D tenants. Each building has a maximum allowable building height of 50 feet with an additional 10 feet provided for mechanical rooftop screening materials. Building B is located at the southwest portion of the site and includes 182,000 SF. Building C is located on the northeast portion of the site and includes 64,300 SF. Each R&D building has a parking lot designed to the standards provided in the ECSP. Due to its close proximity to the commercial areas, there will be a shared parking agreement between the commercial site and Building C. In total, the project provides 1,647 parking spaces, with 230 of those parking spaces available to commercial customers.

Figure 4



As shown in Figure 5, extensive landscaping is proposed along the project boundary and there will be a landscaped median and parkways along Village Commercial Drive. The landscaped median, ranging from 11' to 21' wide will be planted with City approved street trees including Tipuana Tipu and Gold Medallion. The 5' wide parkways will also be lushly planted with trees pursuant to the City approved street tree list and may include Marina Strawberry, Gold Medallion, and Jacaranda. The proposed site landscaping is consistent with the ECSP and will feature native and low water use plants throughout the site.

Figure 5



As shown on the preliminary grading plan (Attachment 2), the project requires approximately 56,247 cubic yards of soil export. During the precise grading phase, there is indication that up to an estimated 1.8 million cubic yards of soil would be exported and deposited in other areas of El Corazon. Engineering staff will confirm the amount of soil export during the final engineering phase. The project has been conditioned to provide a detailed grading plan illustrating where the exported soil shall be located. The grading plan shall be approved by the City Engineer prior to the start of work on the project. Additionally, the proposed location(s) of the exported soils shall comply with the terms of the Purchase and Sale Agreement (Agreement) executed between the City and the developer. The Agreement specifies two designated areas within El Corazon that the developer shall be permitted to dispose the extracted soil.

Conditional Use Permits (CUP22-00013, 14 and 15) represent requests to allow R&D facilities within Buildings A, B, and C of the proposed project. The ECSP allows Commercial R&D facilities with the approval of a Conditional Use Permit (CUP). Pursuant to the City's Zoning Ordinance, Commercial R&D facilities include establishments engaged primarily in industrial and scientific research, including pharmaceutical research laboratories and medical testing and analysis, but excludes manufacturing. Since the proposed R&D facilities include a manufacturing component, the use classification for these buildings per the Zoning Ordinance is "Industry, Research and Development." This use classification is not listed in the ECSP Allowable Uses Table. The ECSP has a provision that the City Planner may determine that a proposed use is similar and compatible to a listed use and may be allowed. The City Planner has reviewed the materials provided for the proposed R&D facilities and has determined the characteristics of and activities associated with the proposed "Industry, R&D" use are similar to one or more of the allowed uses and will not involve substantially greater intensity than the uses listed for the OBC District, which include "Limited Industry" and "Custom Industry."

Conditional Use Permit (CUP22-00018) represents a request to allow the onsite

manufacture, handling, and storage of hazardous materials associated with the operations of the pharmaceutical tenant occupying R&D Building A. Pursuant to Section 3026 of the Zoning Ordinance, a CUP is required for a new commercial or industrial use that involves the manufacture, storage, handling, or processing of hazardous substances in quantities exceeding certain thresholds. The applicant has provided an Environmental Controls Narrative that lists the applicable regulations and requirements that will be in place to ensure compliance with CalOSHA standards.

Conditional Use Permit (CUP22-00019) represents a request to allow the construction and operation of a gas station with six pumps and twelve fueling positions, a convenience store and car wash tunnel on building pad A. Pursuant to the ECSP, service stations and automobile washing are allowed within the OBC District with the approval of a CUP.

Conditional Use Permits (CUP22-00021, 22, 23, and 24): represent requests to allow drive-thru restaurants on pads B, C, D, and F. Although "Eating and Drinking Establishments with Takeout Service" are a permitted use in the OBC District, the Zoning Ordinance requires a CUP for drive-thru service.

ANALYSIS

The proposed project has been reviewed for compliance with the General Plan, ECSP, Zoning Ordinance, and the California Environmental Quality Act (CEQA).

1. General Plan Conformance:

The property is designated as "Specific Plan" per the City's General Plan Land Use Map. Since the ECSP was adopted by the City Council in 2009, land uses that are allowed pursuant to the ECSP are in conformance with the General Plan. The proposed project is consistent with the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.11 Balanced Land Use

Objective: To develop and use lands for the long-term provision of a balanced, self-sufficient, and efficient community.

Policy B: The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community.

The proposed project provides commercial retail and service uses as well as industrial uses that will contribute to the balanced land uses allowed within El Corazon. The commercial uses would provide additional commercial and service options that are both resident and visitor-serving, including the residents of the mixed-use housing project north of the project site, as well as visitors going to and from the other land uses within El Corazon.

The project will provide jobs, fuel and car washing services, retail stores, and multiple dining establishments. Additionally, the R&D facilities and commercial space would provide significant tax revenue to the City.

Goal 1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related land uses.

Policy A: Adequate setbacks, buffering and/or innovative site design shall be required for land uses that are contiguous to and incompatible with existing land uses.

Policy B: The use of land shall not create negative visual impacts to surrounding land uses.

The proposed project was designed pursuant to the ECSP. The ECSP ensures the project provides significant landscaped buffers and well-articulated buildings that are aesthetically pleasing. The R&D buildings are proposed with a variety of building materials that provide visual interest and the commercial buildings utilize Irving Gill and Mission style architecture elements that will complement the existing buildings in El Corazon. Thus, the project would serve to visually enhance the project site and surrounding area.

2. El Corazon Specific Plan Conformance

As stated earlier, the OBC District is intended for commercial retail and service uses that would serve the surrounding areas. The ECSP also states the OBC District may contain offices and light industrial uses. As part of a 2016 Specific Plan Amendment, additional amounts of nonresidential development square footage were transferred from the VC District to the OBC District, allowing for a total non-residential square footage of 580,000 square feet.

As the following table demonstrates, the square footage proposed as part of the OBC project is within the allowable total square footage for the VC and OBC Districts.

Table 2: Square Footage Allocation

Description	Allowable Area for Commercial and Office Uses per the ECSP (1)	Existing Built Out Area (2)	Area Available for Commercial and Office Uses	Proposed OBC Project combined Commercial and Office Uses	Undeveloped Area
VC District	248,000 SF	8,000 SF	240,000 SF	0	0
OBC District	332,000 SF	0	332,000 SF	533,700 SF	0
Total VC + OBC	580,000 SF	8,000 SF	572,000 SF	533,700 SF	38,300 SF

Notes: (1): The ECSP allows for the transfer of square footage from the VC District to the OBC District. (2) Includes Sudberry Retail and ShopOff retail. Does not include Arena.

Additionally, the project was reviewed for compliance with the development standards provided for the OBC District. As indicated in Table 3 below, the project, as proposed, is consistent with the applicable development standards for the OBC District.

Table 3: OBC Development Standards

Development Standard	ECSP- OBC District	Proposed Development
Floor Area Ratio	1.0 (Max)	0.32
'A' Street (South El Corazon Drive) Setback	25' (Minimum)	50' to 125'
Oceanside Blvd. Setback	25' (Minimum)	35' to 150'
Rancho Del Oro Drive Setback	25' (Minimum)	35' to 100'
Building Height	50' (Maximum height of building structure)	50' (60' to top of roof equipment screen) *
Building Form	Portions of upper stories shall be recessed 360-degree architecture	Building articulation provided for commercial and R&D buildings
Building Placement	Loading areas shall be located between the buildings	Loading areas located between R&D buildings
Signs	Per City standards	A Comprehensive Sign Program shall be submitted at a later date that complies
Landscaping	15% (Minimum)	16%
Parking	Per City Standards= 1,324 parking spaces (based on required parking/use)	1,647 parking spaces

**Pursuant to Section 3018 (Exceptions to Height Limits) of the City's Zoning Ordinance, HVAC and similar mechanical equipment may be allowed to exceed applicable base zoning district limits by no more than 10'.*

The ECSP establishes planned commercial and industrial development as mechanisms to create the economic activity and generate the necessary local tax revenues that would help fund the maintenance of El Corazon's public facilities. The OBC District was identified in the ECSP as an area, due to its topography, that would provide uses that are not directly related to public uses but instead would serve the surrounding areas. Uses including retail sales and services, fast food restaurants, and industrial and office uses were identified as appropriate land uses in the OBC District. The OBC project includes land uses that are permitted, with the approval of CUPs, within the OBC District. Therefore, the OBC project meets the intent of the ECSP by providing retail and service uses as well as industrial and office uses to financially support the public land uses within El Corazon.

3. Zoning Ordinance Conformance

Service stations and automobile washing are allowed within the OBC District with the approval of a CUP. Since the ECSP does not establish criteria for service stations or automobile washing, the project was reviewed for compliance with Section 3011 (Service Stations and Automobile Washing) of the Zoning Ordinance.

- A. Minimum Separation. Minimum separation between site boundaries shall be 500 feet, except that one such use may be located at each corner of a street intersection.

The proposed gas station and car wash is located approximately 1.5 miles from the nearest gas station, which is located at the northeast corner of College Boulevard and Oceanside Boulevard. The City recently approved plans for a new gas station located at Rancho Del Oro Drive and Seagate Way. Although closer to the project site, this future gas station is located approximately 900 feet from the project site. Thus, the project complies with Criterion A, as the nearest service station is over 500 feet from the project boundaries.

- B. Site Layout. Conditions of approval of a use permit may require buffering, screening, planting areas, or hours of operation necessary to avoid adverse impacts on properties in the surrounding area.

The site is surrounded by industrial land uses to the south, future commercial retail uses to the east, and future R&D buildings to the north and west. There is no residential development directly adjacent to the property. Proposed landscaping along Oceanside Boulevard provides visual buffering from the public right-of-way and the building utilizes decorative architectural elements to avoid creating an adverse impact on surrounding properties. The proposed site design and conditions of approval will help ensure adverse impacts on surrounding properties are avoided as required by Criterion B.

- C. Planting Areas. Perimeter planting areas shall be as required for parking lots by Article 31, except where a building adjoins an interior property line. Required interior planting areas may adjoin perimeter-planting areas.

The project site has enhanced landscaping pursuant to the ECSP and exceeds the planting area requirements of the Zoning Ordinance. Thus, the project complies with the perimeter planting area requirements of Criterion C.

- D. Storage of Materials and Equipment. The provisions of Section 3020 Outdoor Facilities shall apply, except that a display rack for automobile products no more than 4 feet wide may be maintained at each pump island of a service station. If display racks are not located on pump islands, they shall be placed within 3 feet of the principal building, and shall be limited to one per street frontage. Storage of inoperative vehicles is prohibited. The location of display racks and vending machines shall be specified by the use permit.

The applicant has not proposed any display racks or vending machines for the proposed fueling facility nor are they proposing the outdoor storage of any materials. Should the applicant wish to store materials outdoors, the provisions of Section 3020 would be applicable. As proposed, the project complies with Criterion D.

Since a component of the R&D Building A includes the manufacture and storage of hazardous materials, the project was reviewed for compliance with Section 3026 (Hazardous Materials Storage) of the Zoning Ordinance. Pursuant to Section 3026, a CUP is required for any new industrial use that involves the manufacture, storage, handling, or processing of hazardous substances in excess of 120 gallons of corrosive liquids or 1,000 pounds of oxidizing materials. The applicant provided a Hazardous Materials Narrative (Attachment 5) that was reviewed by the Building Division and Fire Department. Conditions of approval have been placed on the project to address the storage and use of hazardous materials, building construction features, and required fire safety protection systems. Additionally, all hazardous materials will be stored and handled in accordance with the City of Oceanside Fire Department requirements and the County Department of Environmental Health regulations.

The project was also reviewed for compliance with the City's Climate Action Plan (CAP) Zoning Ordinances, including renewable energy facilities, electric vehicle parking and charging facilities, urban forestry program, and transportation demand management (TDM). Pursuant to the Article 30, Section 3050 of the City's Zoning Ordinance, all new non-residential development that generates more than 50 daily employee trips must prepare and implement a TDM plan that results in a minimum alternative employee commute share of 20 percent. The project has been conditioned to provide a TDM plan for each of the R&D facilities. If the commercial buildings generate more than 50 daily employee trips, a TDM plan shall be required prior to issuance of a business license. A comprehensive TDM plan for the entire El Corazon development is not required at this time, but is something staff will pursue once all the buildings are occupied.

The project complies with each of the CAP ordinances as indicated in the table below:

Table 4: CAP Compliance

CAP Ordinance	Requirement	Proposed
Renewable Energy	Install renewable energy facilities to supply 50% of forecasted electricity demand	Photovoltaic will be installed on roofs of R&D buildings.
EV Parking and Charging	15% of total parking	15% of total parking
Urban Forestry	12% Tree Canopy 22% Permeable Surface Area	19.32% Tree Canopy 16%* Permeable Surface Area.
TDM	TDM Plan	TDM Plan will be submitted with the tenant improvement plans for each of the R&D buildings.

**Pursuant to Section 3049 (Urban Forestry Program), in the event a project site cannot feasibly accommodate the minimum permeable surface area required, additional tree canopy, in excess of the minimum requirement, can be credited to meet the minimum permeable surface area requirement.*

The project requests the approval of a Development Plan and nine (9) separate CUPs: three (3) stand-alone R&D facilities, one (1) onsite manufacture, handling, and storage of hazardous materials associated with Building A, one (1) gas station with convenience store and car wash, and four (4) drive-thru restaurants. Articles 41 and 43 of the City's Zoning Ordinance establish specific findings which must be made in order for the City to approve a Development Plan and CUP. The required findings pursuant to Article 41, Section 4105 and Article 43, Section 4306 are provided in the Planning Commission Resolution No. 2023-09 (Attachment No. 1).

The uses that include the sale/service of alcohol will need to obtain their license from the California Department of Alcoholic Beverage Control and will be reviewed by the Police Department. If there are any issues or valid complaints filed with the Code Enforcement Office regarding the proposed hours of operation (in particular for the car wash and the service station/convenience store), the project may called for review by the Planning Commission.

4. California Environmental Quality Act Conformance

Staff reviewed the proposed project pursuant to Section 15162(a) of the California Environmental Quality Act (CEQA) Guidelines. Based on substantial evidence, including review of the 2009 certified Final Environmental Impact Report (FEIR) and 2019 FEIR Addendum, the City of Oceanside, as Lead Agency, determined that the project would not cause new significant impacts or result in a substantial increase in the severity of the previously identified significant impacts already identified in the previously certified FEIR and FEIR Addendum.

COMMISSION OR COMMITTEE REPORT

On February 23, 2023, the project was brought before the El Corazon Standing Committee (ECSC). The ECSC voted 3-0 recommending Planning Commission approval of the project.

ENVIRONMENTAL DETERMINATION

The FEIR (SCH No. 1998091006) for the ECSP was certified by the City Council in 2009. The FEIR assessed the environmental impacts associated with implementation of the ECSP and proposed mitigation measures, where required, to reduce significant impacts. The FEIR analyzed a project encompassing 465 acres consisting of a variety of park, habitat and open space, hotel, commercial, and residential uses within the ECSP Planning Area.

In 2019, an Addendum to the 2009 FEIR was approved by City Council. The FEIR Addendum analyzed potential new environmental impacts associated with a Specific Plan Amendment, Development Plan and Tentative Map ("Project") to address adjustments to various land uses and circulation elements in the ECSP. The FEIR Addendum concluded that there were no new significant environmental effects attributed to the Project that would require preparation of a subsequent EIR.

A FEIR Consistency Review and Environmental Checklist Form (FEIR Checklist) was submitted as part of the OBC project materials. The FEIR Checklist (Attachment 3) includes findings as to the environmental effects of the OBC project as compared with the findings of the FEIR and FEIR Addendum. The FEIR Checklist indicates the proposed OBC project would not result in any additional increase in environmental impacts that were not already identified in the FEIR and FEIR Addendum and therefore no additional documentation is required pursuant to CEQA.

PUBLIC NOTIFICATION

Legal notice was published in the newspaper and notices of the Planning Commission Public Hearing were sent to property owners of record within a 1,500-foot radius of the subject property, tenants within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant, and other interested parties.

In accordance with City Council Policy 300-14 "Enhanced Notification Program", a "Notice of Application" sign was posted and maintained on site and the City mailed a letter to the property owners within a 1,500-foot radius and tenants within a 100-foot radius of the property boundary. Additionally, the applicant mailed a flyer to all property owners and tenants included on the project notification mailing list. The flyer provided an overview of the project and invited people to attend a community outreach meeting. The community outreach meeting was held on September 22, 2022. There were 12 members of the public in attendance. The project team was available to answer questions from the public and provided detailed information regarding the operations of the pharmaceutical facility that will occupy Building A. The applicant's Community Outreach Plan is appended to this staff report in Attachment 7.

To date, staff has received 15 emails regarding the proposed project. Concerns and issues raised by the public include the following: export soil location, greenhouse gas emissions attributed to the project, increase in traffic, compatibility of the proposed research and development facilities to existing residential uses, the project is not a transit-oriented development, compatibility with the City's Climate Action Plan, and the lack of a comprehensive transportation demand management plan for El Corazon. The public comments received to date are included as Attachment 6.

SUMMARY

Staff finds that the Development Plan and nine Conditional Use Permits are consistent with the requirements of the General Plan, the El Corazon Specific Plan, and Zoning Ordinance.

Therefore, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions of approval contained in the attached Resolution. Staff recommends that the Planning Commission by motion:

- (1) Adopt Planning Commission Resolution No. 2023-P09 approving Development Plan (D22-00011) and nine Conditional Use Permits (CUP22-00013/14/15/18/19/21/22/23/24) with findings and conditions of approval attached herein.

PREPARED BY:



Shannon Vitale
Senior Planner

SUBMITTED BY:



Sergio Madera
City Planner

Attachments:

1. Planning Commission Resolution No. 2023-P09
2. Plans (online)
3. FEIR Consistency Checklist (online)
4. Transportation Assessment (dated 10/12/22) prepared by Linscott, Law & Greenspan (online)
5. Hazardous Materials Report and FAQ (online)
6. Public Comments (online)
7. Other Attachments – Application Page, Description and Justification, Community Outreach Plan, and Legal Description (online)

PLANNING COMMISSION
RESOLUTION NO. 2023-P09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A DEVELOPMENT PLAN AND NINE CONDITIONAL USE PERMITS ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: D22-00011, CUP22-00013/14/15/18/19/21/22/23/24
APPLICANT: SUDBERRY DEVELOPMENT, INC.
LOCATION: NORTHWEST CORNER OF RANCHO DEL ORO DRIVE AND OCEANSIDE BOULEVARD

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting approval of a Development Plan and nine Conditional Use Permits under the provisions of Articles 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

The construction of a 533,700 SF development project consisting of 497, 900 SF of research and development facilities (including Building A: 251,600 SF build-to-suit pharmaceutical facility with laboratory, manufacturing, office, warehouse space, and hazardous materials storage; Building B: 182,300 SF research and development building; and Building C: 64,300 SF research and development building) and 35,800 SF of commercial space (comprised of four drive-thru restaurants, a gas station/convenience store/carwash, and flexible retail space).

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 24th day of April 2023 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, on February 23,2023, the El Corazon Standing Committee was presented with the project and after due consideration took action in a 3-0 vote to recommend approval of the project to the Planning Commission for final action;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) of 1970, and the State Guidelines; and more specifically, the provisions of Sections 15162 and 15164 of the

1 CEQA Guidelines, the City has certified an Environmental Impact Report (EIR) and EIR Addendum
2 for this project (SCH No. 1998091006);

3 WHEREAS, pursuant to Section 15162(a) of the California Environmental Quality Act
4 (CEQA) Guidelines, substantial changes are not proposed to the project which would require major
5 revisions of the previous EIR or EIR Addendum due to the involvement of new significant
6 environmental effects or a substantial increase in the severity of previously identified significant
7 effects;

8 WHEREAS, an Environmental Impact Report Consistency Checklist was submitted for the
9 proposed project that indicates none of the conditions described in Section 15162(a) of the CEQA
10 Guidelines calling for preparation of a subsequent EIR have occurred;

11 WHEREAS, the FEIR and FEIR Addendum prepared for the El Corazon Specific Plan
12 adequately addressed the proposed project and therefore no additional CEQA documentation is
13 required;

14 WHEREAS, there is hereby imposed on the subject development project certain fees,
15 dedications, reservations and other exactions pursuant to state law and city ordinance;

16 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the
17 project is subject to certain fees, dedications, reservations and other exactions as provided below:

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
Schools (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
Traffic Signal & Thoroughfare (Single-Family Residential)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Reso. #15-R0638-1 Ord #85-23

Description	Authority for Imposition
Wastewater System Capacity Buy-In Fee(Single-Family Res)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37
San Diego County Water Authority (Residential and Non-Residential)	SDCWA Ord. 2017
Inclusionary Housing In-Lieu fees (Residential)	Chapter 14C of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

WHEREAS, the fees listed above have been identified by the City as being applicable to the project as proposed. Failure by the City to list an applicable fee above does not alleviate the developer from paying all applicable fees at the time when such fees become due;

WHEREAS, the fee amount to be paid for each category referenced above shall be the amount listed on the schedule of fees published by the Development Services Department at the time when such fees become due and payable;

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

WHEREAS, the City expressly reserves the right to establish, modify, or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law;

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020;

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10 days from its adoption in the absence of the timely filing of an appeal or call for review;

1 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
2 the following facts:

3 FINDINGS:

4 For the Development Plan (D22-00011):

- 5 1. That the site plan and physical design of the project as proposed is consistent with the
6 purposes of the Zoning Ordinance in that the layout and design of the proposed project is
7 consistent with the Zoning Ordinance and El Corazon Specific Plan (ECSP) development
8 criteria. The project has been designed pursuant to the ECSP design guidelines and will
9 complement its existing surroundings and planned uses within El Corazon.
- 10 2. That the Development Plan as proposed conforms to the General Plan of the City. The
11 proposed project will provide a balanced land use that will contribute to the community by
12 providing jobs and services.
- 13 3. That the area covered by the Development Plan can be adequately, reasonably, and
14 conveniently served by existing and planned public services, utilities, and public facilities.
15 The proposed project includes the installation of public infrastructure necessary to develop
16 the OBC District and will extend public utilities into El Corazon.
- 17 4. That the project as proposed is compatible with existing and potential development on
18 adjoining properties or in the surrounding neighborhood. The project would also provide
19 landscaping and buffering along all property lines, and would introduce a viable commercial
20 business that would provide jobs, fuel and car washing services, retail stores and multiple
21 eating establishments.
- 22 5. The site plan and physical design of the project is exempt from the policies contained within
23 Section 1.24 and 1.25 of the Land Use Element of the General Plan, the Development
24 Guidelines for Hillside, and Section 3039 of the Zoning Ordinance because the project site
25 possesses no natural slopes and the slopes that do exist are part of previous reclamation
26 activities that occurred during the silica mining operations.

27 For the Conditional Use Permits (CUP22-00013/14/15)- Research and Development (R&D)
28 Facilities

- 29 1. That the proposed location of the use is in accord with the objectives of this ordinance and
30 the purposes of the district in which the site is located. The ECSP allows commercial R&D
31 facilities with the approval of a CUP. The proposed R&D facilities include a manufacturing
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1 component which makes the use classification “Industry, R&D facilities”. This use
2 classification is not listed in the ECSP Allowable Uses Table. Per the ECSP, the City
3 Planner may determine a proposed use is similar and compatible to a listed use and may be
4 allowed. The City Planner has determined the characteristics of and activities associated
5 with the proposed R&D facilities are similar to one or more of the allowed uses and will not
6 involve substantially greater intensity than the uses listed for the OBC District.

- 7 2. That the proposed location of the conditional use and the proposed conditions under which
8 it would be operated or maintained will be consistent with the General Plan; will not be
9 detrimental to the public health, safety or welfare of persons residing or working in or
10 adjacent to the neighborhood of such use; and will not be detrimental to properties or
11 improvements in the vicinity or to the general welfare of the city. The project conditions of
12 approval will ensure the project is constructed and operated in a manner so that it will not
13 become a detriment to the public health, safety, or general welfare.
- 14 3. That the proposed conditional use will comply with the provisions of this ordinance,
15 including any specific condition required for the proposed conditional use in the district in
16 which it would be located. The R&D facilities are conditioned to comply with all applicable
17 regulations of the Zoning Ordinance and ECSP.

18 For the Conditional Use Permit (CUP22-00018)- Onsite manufacture, handling, and storage of
19 hazardous materials

- 20 1. The proposed location of the use is in accord with the objectives of this ordinance and the
21 purposes of the district in which the site is located. The storage, handling, or processing of
22 hazardous substances in excess of the thresholds of Article 30 Section 3026 of the Zoning
23 Ordinance is allowed with the approval of a Conditional Use Permit. A condition of approval
24 has been placed on this project to obtain an Alternate Outdoor Storage Permit for the storage
25 of any hazardous materials outside the existing building prior to the issuance of a business
26 license.
- 27 2. The location for the use and the conditions under which it will be operated are consistent
28 with the General Plan, will not be detrimental to public health, safety or welfare of persons
29 residing or working in or adjacent to the neighborhood; and will not be detrimental to
30 properties or improvements in the vicinity or to the general welfare of the City. All corrosive
31 and oxidizing materials will be stored and handled in accordance with the City of Oceanside
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1 Fire Department requirements and the County Department of Environmental Health
2 regulations.

- 3 3. The proposed conditional use will comply with the provisions of this ordinance, including
4 any specific condition required for the proposed conditional use in the district in which it
5 would be located. The project conditions of approval will ensure the project is constructed
6 and operated in a manner so that it will not become a detriment to the public health, safety,
7 or general welfare. The proposed project is subject to any additional regulations deemed
8 necessary by other regulatory or permit authorities.

9 For the Conditional Use Permit (CUP22-00019)- Gas station with convenience store and car wash
10 tunnel

- 11 1. That the proposed location of the use is in accord with the objectives of this ordinance and
12 the purposes of the district in which the site is located. Pursuant to the ECSP, service stations
13 and automobile washing are allowed in the OBC district with the approval of a CUP.
- 14 2. That the proposed location of the conditional use and the proposed conditions under which
15 it would be operated or maintained will be consistent with the General Plan; will not be
16 detrimental to the public health, safety or welfare of persons residing or working in or
17 adjacent to the neighborhood of such use; and will not be detrimental to properties or
18 improvements in the vicinity or to the general welfare of the city. The project is designed to
19 be compatible with surrounding industrial and commercial uses and would locate the fueling
20 facility to avoid traffic circulation conflicts with surrounding businesses. The business will
21 obtain proper licenses/approval from the California Department of Alcoholic Beverage
22 Control and the project conditions of approval will ensure the project is constructed and
23 operated in a manner that it will not become a detriment to the public health, safety, or
24 general welfare.
- 25 3. That the proposed conditional use will comply with the provisions of this ordinance,
26 including any specific condition required for the proposed conditional use in the district in
27 which it would be located. The proposed project has been designed to comply with all the
28 relevant provisions of the El Corazon Specific Plan and the Zoning Ordinance.

29 For the Conditional Use Permits (CUP22-00021/22/23/24) – Drive-thru restaurants

- 30 1. That the proposed location of the use is in accord with the objectives of this ordinance and
31 the purposes of the district in which the site is located. Eating and drinking establishments
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1 with takeout service are allowed in the OBC District. A CUP for the drive-thru component
2 is required pursuant to the Zoning Ordinance.

- 3 2. That the proposed location of the conditional use and the proposed conditions under which
4 it would be operated or maintained will be consistent with the General Plan; will not be
5 detrimental to the public health, safety or welfare of persons residing or working in or
6 adjacent to the neighborhood of such use; and will not be detrimental to properties or
7 improvements in the vicinity or to the general welfare of the city. The project conditions of
8 approval will ensure the project is constructed and operated in a manner so that it will not
9 become a detriment to the public health, safety, or general welfare.
- 10 3. That the proposed conditional use will comply with the provisions of this ordinance,
11 including any specific condition required for the proposed conditional use in the district in
12 which it would be located.

13 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
14 approve Development Plan (D22-00011) and Conditional Use Permits (CUP22-
15 00013/14/15/18/19/21/22/23/24) subject to the following conditions:

16 **Planning:**

- 17 1. This resolution approves the following entitlements:
- 18 a. A Development Plan (D22-00011) to construct a 533,700 SF development project
19 comprised of three separate research and development buildings (Building A: 251,600
20 SF, Building B: 182,000 SF, and Building C: 64,300 SF) and 35,800 SF of commercial
21 buildings consisting of car wash/convenience store/gas station, four drive-thru
22 restaurants, and flexible commercial space.
- 23 b. Nine Conditional Use Permits as follows:
- 24 a. CUP22-00013: 251,600 SF Research and Development Facility in Building A
25 b. CUP22-00014: 182,000 SF Research and Development Facility in Building B
26 c. CUP22-00015: 64,300 SF Research and Development Facility in Building C
27 d. CUP22-00018: Onsite manufacture, handling, and storage of hazardous
28 materials associated with Building A
29 e. CUP22-00019: 3,500 SF Gas station with a 1,733 SF car wash tunnel and
30 convenience store on building pad 'A'
31 f. CUP22-00021: 3,705 SF Drive-thru restaurant on building pad 'B'

- g. CUP22-00022: 1,733 SF Drive-thru restaurant on building pad ‘C’
- h. CUP22-00023: 2,932 SF Drive-thru restaurant on building pad ‘D’
- i. CUP22-00024: 4,735 SF Drive-thru restaurant on building pad ‘F’

- 2. This Development Plan and Conditional Use Permit shall expire 36 months from its approval, on April 21, 2026, unless this time period is extended by the provisions of Article 1 of the Zoning Ordinance.
- 3. This development project approval shall become effective and final at the expiration of the appeal period without the filing of a valid appeal. The filing of a valid appeal during the appeal period shall state the Planning Commission’s decision pending review and final decision by the City Council on the appeal. At such time that the development project approval becomes effective and final, the applicant/developer shall either secure a grading permit, a building permit, or timely file a time extension request prior to the expiration of the development approval. Failure by the applicant/developer to do so will result in the expiration of the development approval and a new development project application(s) submittal and approval will be required for the project to move forward.
- 4. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul the City’s approval of this development project. The City will promptly notify the applicant of any challenge, claim, suit, action or legal proceeding against the City. The City will cooperate fully with the applicant, permittee or any successor-in-interest in the legal defense of the City’s approving action.
- 5. Prior to the issuance of any grading or building permit, the grading permit plans and building permit plans shall be reviewed for consistency with the Planning Commission approved discretionary application plans and exhibit. No deviation from the approved plans and exhibits may occur without prior Planning Department approval. Minor deviations from the approved plans and exhibits may be processed as a Substantial Conformity application subject to determination by the City Planner. Major deviations from the approved project plans and exhibits shall require a revision to the project application or a new project application.
- 6. Prior to the issuance of any building permit, the building permit plans shall be reviewed for

1 consistency with the Planning Commission approved discretionary application plans and
2 exhibit. Building elevations, siding materials, colors, roofing materials and floor plans shall
3 be in substantial compliance with those plans and exhibits approved by the Planning
4 Commission. The building permit plans shall include design details and sections
5 demonstrating that all mechanical (HVAC) rooftop and ground-mounted equipment will be
6 completed screened from public view as required by the Zoning Ordinance and that all
7 mechanical HVAC equipment, screens and/or vents (if allowed by manufacturer) shall be
8 painted with non-reflective paint to match the roof.

9 7. Prior to the issuance of any building permit for project fencing and walls not covered by an
10 approved Development Plan, the building permit plans shall include design plans and details
11 that shall conform to the development standards of the City Zoning Ordinance. In no case,
12 shall the construction of fences and walls, including combinations thereof, exceed the
13 limitations of the Zoning Ordinance, unless expressly granted by a Variance or other
14 development approval.

15 8. Prior to the issuance of any building permit, the applicant/developer shall submit building
16 permit plans demonstrating that any proposed utility lines and/or towers or modifications to
17 any existing utility lines and/or towers have been designed to preclude or minimize harm to
18 raptors, migratory birds, and other avian wildlife due to collisions or electrocution consistent
19 with design guidelines established by the U.S. Fish and Wildlife Service (USFWS) (refer to
20 www.migratorybirds.fws.gov/issues/towers).

21 9. Project signage was not approved as part of this project. The developer/owner shall submit
22 a Comprehensive Sign Program to the Planning Division, which will be subject to City
23 review and approval. Signage for the site shall be processed via separate permits and shall
24 comply with the El Corazon Specific Plan and Oceanside Zoning Ordinance. Separate sign
25 programs shall be submitted for the industrial and commercial components of the project.

26 10. All proposed signage shall be reviewed and approved in conformance with the El Corazon
27 Specific Plan and Article 33 of the Zoning Ordinance prior to the issuance of any sign permit.

28 11. Prior to issuance of a Certificate of Occupancy (C of O), the project shall prepare a Security
29 and Management Plan (SMP) that shall be subject to the review and approval of the City
30 Planner and Oceanside Police Department (OPD). The SMP shall be recorded with the
31 CC&Rs or as a supplement to previously recorded CC&Rs. The SMP shall include the
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1 following provisions:

- 2 a. Security: The SMP will address on-site security, site management, hours-of-
3 operation, and specific security measures that will provide appropriate
4 security for all employees and visitors.
- 5 b. Maintenance: The SMP shall address, but not be limited to, anti-graffiti
6 measures for the building exterior, landscaping, parking lots, sidewalks,
7 walkways, and overall site maintenance measures. The SMP shall ensure that
8 a high standard of maintenance is maintained on the project site at all times.
9 Maintenance provisions shall include periodic sweeping/cleaning of parking
10 lots, sidewalks and other concrete surfaces at sufficient intervals to maintain a
11 clean appearance. Wastewater, sediment, trash or other pollutants shall be
12 collected on an as-needed basis and shall be properly disposed, and shall not
13 be discharged off the property or into the City's storm drain system.
- 14 c. Any graffiti within the project shall be removed within 24 hours of discovery
15 of the occurrence by property management staff. Any new paint used to cover
16 graffiti shall match the existing color.
- 17 d. The SMP will include an acknowledgement that the City of Oceanside has not
18 adopted a view preservation ordinance and that views may be subject to
19 change with maturing off-site trees/landscaping and future off-site building.

20 12. Unless expressly waived, all current zoning standards and City ordinances and policies in
21 effect at the time building permits are issued are required to be met by this project. The
22 approval of this project constitutes the applicant's agreement with all statements in the
23 Description and Justification, Management Plan and other materials and information
24 submitted with this application, unless specifically waived by an adopted condition of
25 approval.

26 13. A covenant or other recordable document approved by the City Attorney shall be prepared
27 by the applicant and recorded prior to the issuance of any business license. The covenant
28 shall provide that the property is subject to this resolution, and shall generally list the
29 conditions of approval.

30 14. Prior to the issuance of building permits, compliance with the applicable provisions of the
31 City's anti- graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
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1 and approved by the Development Services Department. These requirements, including the
2 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted
3 on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject
4 property.

5 15. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
6 written copy of the applications, staff report and resolutions for the project to the new owner
7 and/or operator. This notification's provision shall run with the life of the project and shall
8 be recorded as a covenant on the property.

9 16. Failure to meet any conditions of approval for this development shall constitute a violation
10 of the Development Plan and Conditional Use Permit.

11 17. Parking spaces shall be kept available and useable for the parking of vehicles at all times.

12 18. Outdoor lighting shall be low emission, shielded, and directed away from neighboring
13 properties.

14 19. All fencing and walls constructed with the project shall be in conformance with the approved
15 Development Plan.

16 20. Renewable Energy Facilities (Zoning Ordinance Article 30, Section 3047): The project shall
17 install and maintain renewable energy facilities (e.g. solar photovoltaic systems) that supply
18 at least 50 percent of forecasted electricity demand. Industry standard methods such as
19 EnergyStar shall be used to determine the forecasted electricity for shell buildings with
20 typical science/technology, office and warehouse uses. In the event that installing a
21 renewable energy facility is not feasible, applicants can purchase an energy portfolio
22 comprising at least 75% renewable, emissions-free energy, if available via the local electric
23 utility provider. Installation shall be completed prior to building occupancy or through the
24 issuance of a bond with timing of installation to be approved by the City Planner.

25 21. Electric Vehicle Parking and Charging Facilities (Zoning Ordinance Article 30, Section
26 3048): Prior to issuance of building permits, the project shall comply with non-residential
27 electric vehicle (EV) parking and charging facility requirements as provided in Table 2 of
28 Article 30, Section 3048 of the Zoning Ordinance.

29 22. Urban Forestry Program (Zoning Ordinance Article 30, Section 3049): Prior to issuance of
30 building permits, the project shall comply with the urban forestry standards outlined in Table
31 1 of Article 30, Section 3049 of the Zoning Ordinance. The project must also provide a
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1 Landscape and Tree Canopy Management Plan (LTCMP). The LTCMP shall include
2 information regarding regular, seasonal, and emergency maintenance, trash abatement,
3 irrigation, tree/plant care, tree replacement, insect and disease infestation prevention,
4 integrated pest management, and appropriate response process etc. Projects that do not
5 maintain landscape in a manner consistent with the approved LTCMP shall be subject to
6 code enforcement action.

7 23. Transportation Demand Management (TDM) (Zoning Ordinance Article 30, Section 3050):
8 Prior to building occupancy, the project shall prepare and implement a transportation
9 demand management (TDM) plan that shall comply with the TDM standards outlined in
10 Article 30, Section 3050 of the Zoning Ordinance. A TDM plan shall be provided for each
11 individual R&D building and for the commercial component of the project.

12 24. Applicant shall install the southerly roundabout prior to the construction of the portion of
13 Village Commercial Drive (previously “AA” Street) connecting Senior Center Drive to
14 Oceanside Boulevard.

15 25. All mitigation measures identified as part of the approved Environmental Impact Report
16 (EIR) (SCH No. 1998091006) and EIR Addendum and certified as part of the El Corazon
17 Specific Plan Amendment (ZA17-00004) shall remain in full force and effect and shall be
18 complied with as stated in the EIR. A Mitigation and Monitoring Reporting Program
19 (MMRP) shall be submitted to the Planning Division for review and approval prior to the
20 issuance of any permits for the project. The MMRP shall list all mitigation measures (MM),
21 the timing for each MM to be completed, and whom is responsible for ensuring the MM is
22 completed.

23 *Conditions 26 through 40 shall apply for grading activities in native undisturbed soil only*
24 *and are not applicable to previously disturbed area or areas of fill. Such areas shall be*
25 *determined by the Applicant/Owner and verified by City Staff prior to the issuance of a*
26 *Grading Permit.*

27 26. In the event any subsurface archaeological or cultural resources are encountered during
28 grading or construction activities, such activities in the locality of the find shall be halted
29 immediately. An archaeologist, certified by the Society of Professional Archaeologists
30 (SOPA) and a Luiseño Native American Monitor, shall be brought in to determine the
31 significance of the archaeological or cultural resources and implement appropriate
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1 mitigations prior to commencement of earthwork.

2 27. Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-
3 excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and
4 Tribal Monitoring Agreement with the “Traditionally and Culturally Affiliated (TCA)
5 Native American Monitor associated with a TCA Luiseño Tribe”. A copy of the agreement
6 shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this
7 agreement shall be to formalize protocols and procedures between the Applicant/Owner and
8 the “Traditionally and Culturally Affiliated (TCA) Native American Monitor associated
9 with a TCA Luiseño Tribe” for the protection and treatment of, including but not limited to,
10 Native American human remains, funerary objects, cultural and religious landscapes,
11 ceremonial items, traditional gathering areas and tribal cultural resources, located and/or
12 discovered through a monitoring program in conjunction with the construction of the
13 proposed project, including additional archaeological surveys and/or studies, excavations,
14 geotechnical investigations, grading, and all other ground disturbing activities. At the
15 discretion of the Luiseño Native American Monitor, artifacts may be made available for 3D
16 scanning/printing, with scanned/printed materials to be curated at a local repository meeting
17 the federal standards of 36CFR79.

18 28. Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading Contractor shall
19 29. provide a written and signed letter to the City of Oceanside Planning Division stating that a
20 Qualified Archaeologist and Luiseño Native American Monitor have been retained at the
21 Applicant/Owner or Grading Contractor’s expense to implement the monitoring program,
22 as described in the pre- excavation agreement.

23 30. The Qualified Archaeologist shall maintain ongoing collaborative consultation with the
24 Luiseño Native American monitor during all ground disturbing activities. The requirement
25 for the monitoring program shall be noted on all applicable construction documents,
26 including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor
27 shall notify the City of Oceanside Planning Division of the start and end of all ground
28 disturbing activities.

29 31. The Qualified Archaeologist and Luiseño Native American Monitor shall attend all
30 applicable pre-construction meetings with the General Contractor and/or associated
31 Subcontractors to present the archaeological monitoring program. The Qualified
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1 Archaeologist and Luiseño Native American Monitor shall be present on-site full-time
2 during the grading of native soils to a depth that would exclude paleontological deposits,
3 which is typically up to 6 feet. As the project site is capped by fill that is likely devoid of
4 any cultural resources, there will be no monitoring of fill unless sensitive archaeological
5 finds are observed in the matrix.

6 32. In the event of potentially significant archaeological artifact deposits and/or cultural
7 resources to be readily detected during mitigation monitoring of native soils, a written
8 “Controlled Grade Procedure” shall be prepared by a Qualified Archaeologist, in
9 consultation with the Luiseño Native American monitor, other TCA Luiseño Tribes that
10 have participated in the state-prescribed process for this project, and the Applicant/Owner,
11 subject to the approval of City representatives. The Controlled Grade Procedure shall
12 establish requirements for any ground disturbing work with machinery occurring in and
13 around areas the Qualified Archaeologist and Luiseño Native American monitor determine
14 to be sensitive through the cultural resource mitigation monitoring process. The Controlled
15 Grade Procedure shall include, but not be limited to, appropriate operating pace, increments
16 of removal, weight and other characteristics of the earth disturbing equipment. A copy of
17 the Controlled Grade Procedure shall be included in the Grading Plan Submittals for the
18 Grading Permit.

19 33. The Qualified Archaeologist or the Luiseño Native American monitor may halt ground
20 disturbing activities if unknown tribal cultural resources, archaeological artifact deposits or
21 cultural features are discovered. Ground disturbing activities shall be directed away from
22 these deposits to allow a determination of potential importance. Isolates and clearly non-
23 significant deposits will be minimally documented in the field, and before grading proceeds
24 these items shall be secured until they can be repatriated. If items cannot be securely stored
25 on the project site, they may be stored in off-site facilities located in San Diego County. If
26 the Qualified Archaeologist and Luiseño Native American monitor determine that the
27 unearthed tribal cultural resource, artifact deposits or cultural features are considered
28 potentially significant TCA Luiseño Tribes that have participated in the state- prescribed
29 consultation process for this project shall be notified and consulted regarding the respectful
30 and dignified treatment of those resources. The avoidance and protection of the significant
31 tribal cultural resource and/or unique archaeological resource is the preferable mitigation.
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1 If, however, it is determined by the City that avoidance of the resource is infeasible, and it
2 is determined that a data recovery plan is necessary by the City as the Lead Agency under
3 CEQA, TCA Luiseño Tribes that have participated in the state-prescribed consultation
4 process for this project shall be notified and consulted regarding the drafting and finalization
5 of any such recovery plan. For significant tribal cultural resources, artifact deposits or
6 cultural features that are part of a data recovery plan, an adequate artifact sample to address
7 research avenues previously identified for sites in the area will be collected using
8 professional archaeological collection methods. The data recovery plan shall also
9 incorporate and reflect the tribal values of the TCA Luiseño Tribes that have participated in
10 the state-prescribed consultation process for this project. If the Qualified archaeologist
11 collects such resources, the Luiseño Native American monitor must be present during any
12 testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not
13 collect the tribal cultural resources that are unearthed during the ground disturbing activities,
14 the Luiseño Native American monitor, may at their discretion, collect said resources and
15 provide them to the appropriate TCA Luiseño Tribe, as determined through the appropriate
16 process, for respectful and dignified treatment in accordance with the Tribe's cultural and
17 spiritual traditions. Ground disturbing activities shall not resume until the Qualified
18 Archaeologist, in consultation with the Luiseño Native American Monitor, deems the
19 cultural resource or feature has been appropriately documented and/or protected.

20 34. The landowner shall relinquish ownership of all tribal cultural resources unearthed during
21 the cultural resource mitigation monitoring conducted during all ground disturbing
22 activities, and from any previous archaeological studies or excavations on the project site to
23 the appropriate TCA Luiseño Tribe, as determined through the appropriate process, for
24 respectful and dignified treatment and disposition, including reburial at a protected location
25 on-site, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials
26 that are associated with burial and/or funerary goods will be repatriated to the Most Likely
27 Descendant as determined by the Native American Heritage Commission per California
28 Public Resources Code Section 5097.98. No tribal cultural resources shall be subject to
29 curation.

30 35. Prior to the release of the grading bond, a monitoring report and/or evaluation report, if
31 appropriate, which describes the results, analysis and conclusions of the archaeological
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1 monitoring program (e.g., data recovery plan) shall be submitted by the Qualified
2 Archaeologist, along with the Luiseño Native American monitor's notes and comments, to
3 the City of Oceanside Planning Division for approval.

4 36. As specified by California Health and Safety Code Section 7050.5, if human remains are
5 found on the project site during construction or during archaeological work, the person
6 responsible for the excavation, or his or her authorized representative, shall immediately
7 notify the San Diego County Office of the Medical Examiner by telephone. No further
8 excavation or disturbance of the site or any nearby area reasonably suspected to overlie
9 adjacent remains shall occur until the Medical Examiner has made the necessary findings as
10 to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery
11 occurs, a temporary construction exclusion zone shall be established surrounding the area of
12 the discovery so that the area would be protected, and consultation and treatment could occur
13 as prescribed by law. If suspected Native American remains are discovered, the remains
14 shall be kept in-situ, or in a secure location in close proximity to where they were found, and
15 the analysis of the remains shall only occur on-site in the presence of a Luiseño Native
16 American monitor. By law, the Medical Examiner will determine within two working days
17 of being notified if the remains are subject to his or her authority. If the Medical Examiner
18 identifies the remains to be of Native American ancestry, he or she shall contact the Native
19 American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a
20 determination as to the Most Likely Descendent.

21 37. Prior to the release of the grading bond, the Qualified Archaeologist will have submitted a
22 monitoring report and/or evaluation report, if appropriate, which describes the results,
23 analysis and conclusions of the archaeological monitoring program (e.g., data recovery
24 plan), along with the Luiseño Native American Monitor's notes and comments, to the City
25 of Oceanside Planning Division for review and acceptance.

26 38. The Qualified Archaeologist shall maintain ongoing collaborative consultation with the
27 Luiseño Native American monitor during all ground disturbing activities of native soils (i.e.,
28 grubbing, clearing, grading, cutting, filling, trenching, and/or boring). The requirement for
29 the monitoring program shall be noted on all applicable construction documents, including
30 demolition plans, grading plans, etc. The Applicant/Owner shall not begin any ground
31 disturbing activities until they have provided the City of Oceanside Planning Division with
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1 a schedule of ground disturbing activities, and the Qualified Archaeologist and Luiseño
2 Native American Monitor shall be on-site to conduct monitoring of all ground disturbing
3 activities for native soils that preclude paleontological deposits.

4 39. The City will invite the Qualified Archaeologist and the Luiseño Native American Monitor
5 to attend all applicable pre-construction meetings with the General Contractor and/or
6 associated Subcontractors to present the archaeological monitoring program. The Qualified
7 Archaeologist and Luiseño Native American Monitor shall be present on-site full-time
8 during any ground disturbing activities of native soils, to identify any evidence of potential
9 archaeological or tribal cultural resources. If warranted, fill materials shall be subject to
10 appropriate and reasonable testing or sampling by the Qualified Archaeologist and Luiseño
11 Native American Monitor to assure the recovery of any and all tribal cultural resources.

12 40. Discovery and Treatment of Cultural Resources shall follow the protocols below:

13 a. The Qualified Archaeologist or the Luiseño Native American monitor may
14 halt ground disturbing activities if unknown archaeological artifact deposits
15 or cultural features are discovered. Ground disturbing activities shall be
16 directed away from these deposits to allow a determination of potential
17 importance. Isolates and clearly non-significant deposits will be minimally
18 documented in the field, and before grading proceeds these items shall be given
19 to the San Luis Rey Band so that they may be repatriated at the site on a later
20 date. If the Qualified Archaeologist or Luiseño Native American Monitor
21 determine that the unearthed artifact deposits or cultural features are
22 considered potentially significant, they shall notify and consult with the San
23 Luis Rey Band of Mission Indians to determine the respectful and dignified
24 treatment of those resources. The avoidance and protection of the significant
25 cultural resource and/or unique archaeological resource is the preferable
26 mitigation.

27 b. If the Qualified Archaeologist recommends and the City requires a data
28 recovery plan, the San Luis Rey Band shall be notified and consulted
29 regarding the preparation and scope of any such recovery plan. If the Qualified
30 Archaeologist collects any artifact deposit samples as part of the data recovery
31 plan, the Luiseño Native American Monitor shall be present during any testing
32

1 or cataloging of those resources. Moreover, if the Qualified Archaeologist
2 does not collect any artifact deposit samples that are unearthed during the
3 ground disturbing activities, the Luiseño Native American monitor may, at
4 their discretion, collect said resources and provide them to the San Luis Rey
5 Band for respectful and dignified treatment in accordance with the Tribe's
6 cultural and spiritual traditions.

7 c. If cultural material is repatriated rather than curated, the project archaeologist
8 shall be permitted to obtain 3D scans of any items (other than human remains
9 or associated burial items) of particular interest. Those scans shall be validated
10 by making prints, and the scan files and prints shall be curated at an
11 appropriate repository.

12 d. Any and all uncovered tribal cultural resources of Native American
13 importance shall be returned to the San Luis Rey Band of Mission Indians,
14 and/or the Most Likely Descendant.

15 e. As mandated by California Health and Safety Code Section 7050.5, if human
16 remains are found on the project site during construction or during
17 archaeological work, the person responsible for the excavation, or his or her
18 authorized representative, or the Qualified Archaeologist shall immediately
19 notify the San Diego County Coroner's office by telephone. No further
20 excavation or disturbance of the site or any nearby area reasonably suspected
21 to overlie adjacent remains shall occur until the Coroner has made the
22 necessary findings as to the origin and disposition pursuant to Public
23 Resources Code 5097.98. If such a discovery occurs, a temporary construction
24 exclusion zone shall be established surrounding the area of the discovery so
25 that the area would be protected, and consultation and treatment could occur
26 as prescribed by law. By law, the Coroner will determine within two working
27 days of being notified if the remains are subject to his or her authority. If the
28 Coroner determines that the remains are Native American, he or she shall
29 contact the Native American Heritage Commission (NAHC) within 24 hours.
30 The NAHC will then make a determination as to the Most Likely Descendent.
31 Any Native American remains discovered on the project site shall be kept in-

1 situ, or in a secure location in close proximity to where they were found, and
2 any analysis of the remains shall occur on-site in the presence of a Luiseño
3 Native American Monitor. At the conclusion of any analysis, any Native
4 American remains shall be repatriated to the Most Likely Descendent for re-
5 burial, in accordance with PRC 5097.98

6 41. To avoid attracting predators of the target species of concern, the project site for the mass
7 grading operation and landscape implementation shall be kept clean of debris as possible.
8 All food related trash items shall be enclosed in sealed containers and regularly removed
9 from the site. Pets of project personnel shall not be allowed on-site where they may come in
10 contact with any listed species.

11 42. Construction employees shall strictly limit their activities, vehicles, equipment, and
12 construction materials to the proposed footprint and designated staging areas and routes of
13 travel. The construction area(s) shall be the minimal area necessary to complete the project
14 and shall be specified in the construction plans. Construction limits shall be fenced with
15 orange snow screen. Exclusion fencing shall be maintained until the completion the
16 completion of all construction activities. All employees shall be instructed that their
17 activities are restricted to the construction areas. Areas adjacent to any public right-of-way
18 or visible to the public shall be screened from public view.

19 43. Any planting stock to be brought onto the site for landscaping or ecological restoration shall
20 be first inspected by a qualified pest inspector to ensure it is free of pest species that could
21 invade natural areas, including but not limited to Argentine ants, fire ants, and other insect
22 pests. Any planting stock found to be infested with such pests shall not be allowed on the
23 project site, and shall be quarantined, treated and/or disposed of according to best
24 management principles by qualified experts.

25 44. All exterior site fixtures and furniture shall be consistent with the El Corazon Specific Plan,
26 or as approved by the City Planner, and shall not detract from the design standards
27 established for the project and overall general design standards for El Corazon. The Planning
28 Division project manager shall conduct a final walkthrough of the site prior to issuance of
29 any certificate of occupancy to ensure that the development is consistent with the Planning
30 Commission approvals.

31 45. An outdoor dining area permit shall be required for outdoor dining areas.
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- 1 46. Outdoor lighting shall be low emission, shielded, and directed away from the perimeter
2 property lines for the Mixed-Use project and shall be consistent with the El Corazon Specific
3 Plan guidelines for parking lot lighting.
- 4 47. Prior to issuance of any permit for grubbing and/or grading of the site, a comprehensive
5 Construction Management Plan shall be prepared for review and approval by the City
6 Planner or their designee.
- 7 48. Adjacent property owners/ businesses within 300' shall be notified of planned construction
8 activities and times approximately one month prior to the start of any work.
- 9 49. All required Resource Agency permits shall be obtained prior to any grubbing or ground
10 disturbance activities for the development of the site up to and including any related
11 improvements associated with the project. Hard copies of these permits must be submitted
12 to the Planning Division for review and acceptance.
- 13 50. A covenant or other recordable document approved by the City Attorney shall be prepared
14 by the property owner and recorded prior to the issuance of any permit. The covenant shall
15 provide that the property is subject to this resolution, and shall generally list the conditions
16 of approval.
- 17 51. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
18 written copy of the applications, staff report, and resolutions for the project to the new owner
19 and/or builder. This notification's provision shall run with the life of the project and shall be
20 recorded as a covenant on the property.
- 21 52. The approval does not relieve the applicant from an obligation to obtain an alcohol license
22 from the State Department of Alcoholic Beverage Control (ABC). Any license and permit
23 conditions imposed by the ABC and the City Police Chief shall be in addition to the
24 conditions of this approval and in the event of any conflict between conditions, the most
25 restrictive conditions shall apply.
- 26 53. Prior to the issuance of building permits, compliance with the applicable provisions of the
27 City's anti- graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
28 and approved by the Planning Division. These requirements, including the obligation to
29 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
30 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
31 property.

- 1 54. The developer is prohibited from entering into any agreement with a cable television
2 franchisee of the City, which gives such franchisee exclusive rights to install, operate, and
3 or maintain its cable television system in the development.
- 4 55. Trash enclosure(s) shall be provided as required by Chapter 13 of the Municipal Code and
5 shall accommodate solid waste, recyclable materials, and/or green waste as required by the
6 Solid Waste Disposal Division. Trash enclosure(s) shall conform to the City's design
7 requirements as determined by the Water Utilities Department.
- 8 56. The project shall reduce vehicular emissions by implementing TDM strategies, including
9 but not limited to:
- 10 a. Provide shuttle service from the El Corazon project site to the SPRINTER station located
11 at the southwest corner of Oceanside Boulevard and Rancho Del Oro Drive to encourage
12 the use of public transportation.
- 13 b. Provide sidewalks along all project roadways, particularly to the bus shelter and transit
14 station.
- 15 c. Provide bike lanes on all major internal roadways connecting to the nearby major
16 roadways. A bikeway plan shall be maintained and promoted.; and
- 17 d. Promote TDM principles such as peak hour trip reduction, staggered work hours, ride
18 sharing, telecommuting, and the use of public transportation or other measures, as
19 appropriate.
- 20 57. Identify activity centers that would benefit from increased transit access and work with
21 North County Transit District (NCTD) to enhance service to these centers.
- 22 58. Prior to building occupancy, the project shall establish a carpool/vanpool program, including
23 preferential parking for carpools and vanpools.
- 24 59. Prior to building occupancy, the project shall implement a parking fee program or a parking
25 cash-out program for non-driving employees.
- 26 60. The project shall use energy efficient and automated controls for air conditioning.
27 Additionally, the project shall use lighting controls and energy efficiency interior lighting
28 and built-in energy-efficient appliances.
- 29 61. The project shall use double-paned windows and low emission water heaters.
- 30 62. This Development Plan and Conditional Use Permits shall be called for review by the
31 Planning Commission if complaints are filed and verified as valid by the Code Enforcement
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1 Office concerning the violation of any of the approved conditions or does not conform with
2 the information contained in or representations made in the application, any supporting
3 material submitted to the City or during any hearing on the application. This includes any
4 issues with the proposed hours of operation.

5 *Conditions 63 through 67 apply to the Conditional Use Permits (CUP22-00013/14/15) for the R&D*
6 *buildings.*

7 63. There shall be a shared parking agreement between Building C and the commercial center.

8 64. All operations shall occur within the building footprints with the exception of Building A
9 which shall submit an Alternative Outdoor Storage Permit prior to issuance of a building
10 permit.

11 65. All mechanical rooftop and ground equipment shall be screened from public view on all four
12 sides and as required by the Zoning Ordinance. The roof jacks, mechanical equipment,
13 screen and vents shall be painted (if allowed by manufacturer) with non-reflective paint to
14 match the roof. This information shall be shown on the building plans.

15 66. The hours-of-operation are not limited, but shall be reviewed and may be limited by the
16 Planning Commission when valid issues or complaints pertaining to the hours-of-operation
17 arise after occupancy of each building.

18 67. Any of these Conditional Use Permits may be called for review by the Planning Commission
19 if complaints are filed and verified as valid by the Code Enforcement Office concerning the
20 violation of any of the approved conditions or the project does not conform with the
21 information contained in or representations made in the application, any supporting material
22 submitted to the City or during any hearing on the application.

23 *Conditions 68 through 72 apply to the Conditional Use Permit for the onsite storage and handling*
24 *of hazardous materials associated with Building A (CUP22-00018).*

25 68. This Conditional Use Permit approves the storage, handling, processing, and distribution of
26 the substances listed in the Hazardous Materials Inventory attachment in association with
27 the new pharmaceutical facility located in Building A and as depicted on the plans and
28 exhibits presented to the Planning Commission for review and approval. No deviation from
29 these approved plans and exhibits shall occur without the approval of the City Planner or
30 Planning Commission. Substantial deviations shall require a revision to the Conditional Use
31 Permit, or a new Conditional Use Permit, as determined by the City Planner.

1 69. The applicant shall obtain approval of an Alternate Outdoor Storage Permit prior to the
2 issuance of a business license.

3 70. Any outdoor storage will be screened from public view by vegetation and screening
4 provided as part of this project.

5 71. The proposed storage and handling of hazardous materials is subject to any additional
6 regulations deemed necessary by other regulatory or permit authorities.

7 72. This Conditional Use Permit may be called for review by the Planning Commission if
8 complaints are filed and verified as valid by the Code Enforcement Office concerning the
9 violation of any of the approved conditions or the project does not conform with the
10 information contained in or representations made in the application, any supporting material
11 submitted to the City or during any hearing on the application.

12 *Conditions 73 through 76 apply to the Conditional Use Permits for the drive-thru restaurants*
13 *(CUP22-00021/22/23/24)*

14 73. No alcohol sales shall be allowed within the drive-through tenant spaces.

15 74. Bicycle parking shall be provided per Article 31, Section 3108 in an appropriate area within
16 the commercial center.

17 75. The approval does not relieve the applicant from an obligation to obtain alcohol licenses
18 from the State Department of Alcoholic Beverage Control (ABC). Any license and permit
19 conditions imposed by the ABC and the City Police Chief shall be in addition to the
20 conditions of this approval and the most restrictive conditions shall apply.

21 76. Any of these Conditional Use Permits may be called for review by the Planning Commission
22 if complaints are filed and verified as valid by the Code Enforcement Office concerning the
23 violation of any of the approved conditions or the project does not conform with the
24 information contained in or representations made in the application, any supporting material
25 submitted to the City or during any hearing on the application.

26 *Conditions 77 through 83 apply to the Conditional Use Permit for the gas station/convenience*
27 *store/carwash (CUP22-00019).*

28 77. The car wash hours of operation shall be limited to 6AM to 10PM.

29 78. Parking spaces shall be kept available and useable for the parking of vehicles at all times.

30 79. The parking or storage of recreational vehicles, trailers or boats within the parking spaces is
31 prohibited.

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1 80. Outdoor storage or display of merchandise of materials shall meet the requirements of the
2 Zoning Ordinance.

3 81. The volume on any outdoor speakers associated with the fuel center shall be set at a level
4 that would prohibit any noise from emanating beyond the development pad's boundaries in
5 excess of the City's Noise Ordinance.

6 82. An Operations and Management (O&M) Plan for the convenience store and fueling facility
7 shall be prepared and submitted to the Planning Division for review and approval of the City
8 Planner prior to the occupancy of the project, and shall be recorded as CC&R's against the
9 property. The O&M Plan shall, at a minimum, cover the following:

10 a) Security - The Management Plan, at a minimum, shall address on-site management,
11 hours-of- operation and measures for providing appropriate security for the project site.

12 b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti and
13 site and exterior building, landscaping, parking lots, sidewalks, walkways and overall site
14 maintenance measures and shall ensure that a high standard of maintenance at this site exists
15 at all times. The maintenance portion of the management plan shall include a commitment
16 for the sweeping and cleaning of parking lots, sidewalks and other concrete surfaces at
17 sufficient intervals to maintain a "like new" appearance. Wastewater, sediment, trash or
18 other pollutants shall be collected on-site and properly disposed of and shall not be
19 discharged off the property or into the City's storm drain system.

20 c) Any graffiti within the development shall be removed by the operator or its designated
21 representative within 24 hours of occurrence. Any new paint used to cover graffiti shall
22 match the existing color scheme.

23 83. The Conditional Use Permits shall be called for review by the Planning Commission if
24 complaints are filed and verified as valid by the Code Enforcement Office concerning
25 violation of any of the approved conditions or assumptions made by the application. This
26 includes any issues with the proposed hours of operation proposed for the car wash (6:00
27 a.m. to 10:00 p.m., 7 days per week) and service station/convenience store (24 hours/day, 7
28 days per week).

29 **Building:**

30 84. The following conditions will be required for all Industrial Buildings, Retail Buildings, and
31 Restaurant Buildings at this location. The granting of approval under this action shall in no
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1 way relieve the applicant/project from compliance with all Current State and local building
2 codes.

3 85. This development review checklist is not intended to be a complete review for any project.
4 Further review will be required during a Building permit application and plan submittal.
5 This checklist is intended to address any significant design considerations based on the type
6 of Building, location of building, and proposed use of a Building.

7 86. The 2022 triennial edition of the California Code of Regulations, Title 24 (California
8 Building Standards Code) applies to all occupancies that applied for a building permit on or
9 after January 1, 2023, and remains in effect until the effective date of the 2022 triennial
10 edition which will be January 1, 2026.

11 87. Beginning on January 1, 2023, Oceanside Development Services (ODS) is required by State
12 law to enforce the 2022 Edition of California Building Standards Codes (a.k.a., Title 24 of
13 the California Codes of Regulations). Every three years, the State adopts new model codes
14 (known collectively as the California Building Standards Code) to establish uniform
15 standards for the construction and maintenance of buildings, electrical systems, plumbing
16 systems, mechanical systems, and fire and life safety systems.

17 88. Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require that
18 the latest edition of the California Building Standards code and Uniform Housing Code
19 apply to local construction 180 days after publication.

20 • Part 2: The 2022 California Building Code (CBC).

21 • Part 2.5: The 2022 California Residential Code (CRC).

22 • Part 3: The 2022 California Electrical Code (CEC).

23 • Part 4: The 2022 California Mechanical Code (CMC).

24 • Part 5: The 2022 California Plumbing Code (CPC).

25 • Part 6: The 2022 California Energy Code

26 • Part 9: The 2022 California Fire Code (CFC)

27 • Part 11: The 2022 California Green Building Standards Code (CAL Green Code) This Part
28 is known as the California Green Building Standards Code, and it is intended that it shall
29 also be known as the CAL Green Code.

30 89. Building Occupancy must be identified for the Use of the Building per CBC Chapter 3.

- 1 90. Exiting must be shown for each Building including, maximum distance to an exit, exit
2 access, exit discharge, etc. Per the California Building Code (CBC).
- 3 91. Area analysis must be calculated to show the Area of the Building is shown within the
4 allowable area of Table 506.2. Calculations must be shown how the Allowable Area was
5 obtained.
- 6 92. The Type of Construction must be shown for each Building including Fire Resistive
7 Construction per CBC Table 601 and Table 602.
- 8 93. Exterior Walls must meet CBC requirements of Section 705 including Exterior wall
9 openings per Table 705.8
- 10 94. Occupancy Separations must be shown to meet Table 508.4 Fire Resistive construction.
- 11 95. New Buildings must have Structural plans with structural calculations.
- 12 96. Exterior Lighting must be shown to meet City of Oceanside Lighting Ordinance and El
13 Corazon Specific Plan requirements.
- 14 97. Current Green Building Standards must be noted on the plans and shown to comply with
15 Sustainable codes.
- 16 98. The Soils report must be updated for each Building.
- 17 99. Energy Calculations based on 2022 California Energy Code must be completed with all the
18 Energy code changes.
- 19 100. All Buildings must have Solar Ready roofs.
- 20 101. All Buildings must have approval from the County of San Diego Hazardous Material
21 Division, and APCD Division.
- 22 102. All restaurants must have approval from the County of San Diego Health Department.
- 23 103. The building plans for this project are required to be prepared by a licensed architect or
24 engineer. Project must be built per Building Division approved plans.
- 25 104. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the plans.
- 26 105. All electrical, communication, CATV, etc. service lines within the exterior lines of the
27 property shall be underground (City Code Sec. 6.30).
- 28 106. A complete set of Soil Reports, Structural Calculations, Energy Calculations, & California
29 Title 24 Energy Form(s) shall be required at time of plans submittal to the Building Division
30 for plan check.
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- 1 107. The specific requirements of the Soil Report must be incorporated into the plans and the Geo
2 Technical Engineer must in writing indicate that the plans that have been submitted to the
3 Building Division have been reviewed and meet the Soils Report recommendations.
- 4 108. A form or foundation survey shall be required prior to the placement of concrete to show the
5 location of the new structure in respect to the property lines, known easements, and known
6 setback lines. By obtaining a form survey the location of the foundation is checked prior to
7 the placement of concrete, and can save costly corrective measures in case of an
8 encroachment of a property line.
- 9 109. Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of
10 the nonhazardous construction and demolition waste in accordance with either CAL Green
11 Section 4.408.2 Waste Management Plan, 4.408.3 Waste Management Company or 4.408.4
12 Waste Stream Reduction Alternative.
- 13 110. The City of Oceanside has adopted the latest version of California's Green Building
14 Standards Code (CALGreen) and requires waste diversion of C&D materials from new
15 construction, commercial renovation, and most residential additions/alterations. To comply
16 with the City of Oceanside's requirements, you must submit a Waste Management Plan
17 before permits are issued and construction begins.
- 18 111. Demonstrate how your project will fulfill the CAL Green waste diversion requirement.
- 19 112. Include an estimate of the amount of waste produced during construction and demolition,
20 the actual amount of waste produced, and the ways the different materials will be diverted.
- 21 113. After construction is completed and during the final inspection, you will be required to
22 sign an affidavit stating that your project met the C&D diversion requirement in your
23 Waste Management Plan. By diverting C&D materials, you are reusing resources,
24 helping the City of Oceanside reach its city-wide waste diversion goal of 75-90% by
25 2020, and potentially saving money on your project.
- 26 114. Electric Vehicle Charging for New Construction. Show electric vehicle charging wiring
27 and panels per the requirements found in CGC 4.106.4.
- 28 115. Water conserving plumbing fixtures. Plumbing fixtures (water closets and urinals) shall
29 comply with the following:
30 1. The effective flush volume of all water closets shall not exceed 1.28 gal/flush (CGC
31 403.1.1).
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- 1 2. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gal/flush. The
2 effective flush volume for all other urinals shall not exceed 0.5 gal/flush (CGC 403.1.2).
- 3 116. Operation and maintenance manual. An operation and maintenance manual will be provided
4 to the building occupant or owner per CGC 4.410.1.
- 5 117. Duct and mechanical systems protection. At the time of rough installation, during storage
6 on the construction site and until final startup of the heating, cooling and ventilating
7 equipment, all duct and other related air distribution components openings shall be covered
8 with tape, plastic, sheet metals, or other methods acceptable to the enforcing agency to
9 reduce the amount of water, dust or debris, which may enter the system per CGC 4.504.1.
- 10 118. Concrete slab foundations. A capillary break shall be installed if a slab on grade foundation
11 system is used. The use of a 4" thick base of ½" or larger clean aggregate under a 6-mil
12 vapor retarder with joint lapped not less than 6" will be provided per CGC 4.505.2 and CRC
13 R506.2.3.
- 14 119. The roof plan must indicate that it is Solar ready.
- 15 120. The manufacturing products and all raw materials must be shown to meet Building Code
16 requirements for use and storage in quantities that meet Table 307.1(1) of the Building Code.
17 A Report will be required by an approved Fire Engineer for Hazardous Materials.
- 18 121. The mechanical plans must show exhaust fans for all areas of hazardous fumes.
- 19 122. The plans must clearly show Hazardous materials that will be used.
- 20 123. Plumbing plans must show the correct disposal of manufacturing waste.
- 21 124. Electrical plans must show compliance with all equipment to be listed by a Nationally
22 Recognized Testing Agency or have third party review and approval.
- 23 125. The developer must show compliance with the 2022 CBC 11B for Disabled Access
24 including:
- 25 126. Site development, parking, access into buildings and building interiors shall comply WITH
26 ALL CURRENT State of California Accessibility Code where required.
- 27 127. Buildings or portions of buildings and facilities within the scope of this chapter shall be
28 accessible to persons with disabilities. Each building on a building site shall be considered
29 separately when determining the requirements contained in this chapter.
- 30 128. The location of accessible parking spaces shall comply with the following:
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- a. Accessible parking spaces shall be located on the shortest possible accessible route to an accessible building, or covered multifamily dwelling unit entrance. Please illustrate compliance on the plans.
- b. When parking facilities are located adjacent to a building with multiple accessible entrances, accessible parking spaces shall be dispersed and located near the accessible building entrances.
- c. When practical, the accessible route shall not cross lanes for vehicular traffic. When crossing vehicle traffic lanes is necessary, the accessible route shall be designated and marked as a crosswalk.
- d. Parking facilities that do not serve a particular building shall have accessible parking spaces located on the shortest possible accessible route to an accessible pedestrian entrance of the parking facility.
- e. Accessible parking spaces shall be located so that persons with disabilities are not compelled to wheel or walk behind parked cars other than their own.
- f. Exception: When the enforcement agency determines that compliance with this section or providing equivalent facilitation would create an unreasonable hardship, parking spaces may be provided which would require a person with physical disabilities to wheel or walk behind other than accessible parking spaces.

129. Fire Sprinklers must meet all requirements of the 2022 CBC Chapter 9 for each occupancy.

130. Plumbing, Electrical, and Mechanical, requirements of the 2022 California Codes.

131. The developer shall monitor, supervise and control all building construction and supportive activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:

Sec. 6.25. - Construction hour limitations.

(a) It shall be unlawful to operate equipment or perform any construction in the erection, demolition, alteration, or repair of any building or structure or the grading or excavation of land during the following hours:

(1) Before 7:00 a.m. and after 7:00 p.m. Monday through Saturday.

(2) All day on Sunday; and

(3) On any federal holiday.

(b) Exceptions.

1 (1) An owner/occupant or resident/tenant of residential property may engage in a home
2 improvement project between the hours of 9:00 a.m. and 5:00 p.m. on Sundays and holidays
3 provided the project is for the benefit of said residential property and is personally carried
4 out by said owner/occupant or resident/tenant.

5 (2) The building official may authorize extended or alternate hours of construction for the
6 following circumstances:

7 a. Emergency work.

8 b. Adverse weather conditions.

9 c. Compatibility with store business hours.

10 d. When the work is less objectionable at night than during daylight hours.

11 e. Per direction of the city manager's office for projects that have been determined that rapid
12 completion is in the best interest of the general public.

13 **Engineering:**

14 132. Prior to the demolition of any existing structure or surface improvements on site, a grading
15 plan application shall be submitted to the Engineering Division and erosion control plans
16 shall be approved by the City Engineer. No demolition shall be permitted without an
17 approved erosion control plan.

18 133. Design and construction of all improvements shall be in accordance with the City of
19 Oceanside's Engineers Design and Processing Manual, City Ordinances, standard
20 engineering and specifications of the City of Oceanside, and subject to approval by the City
21 Engineer.

22 134. All right-of-way alignments, street dedications, exact geometrics and widths shall be
23 designed, dedicated, and constructed or replaced in accordance with the City of Oceanside
24 Engineers Design and Processing Manual, and as required by the City Engineer.

25 135. Owner/developer shall provide an updated Title Report dated within 6 months of the grading
26 plan application submittal.

27 136. Proposed private reciprocal access easement for future conveyance over lots 1-13 will be
28 shown on the final map

29 137. The project's final map shall be recorded as one, and development may occur in phases. A
30 construction-phasing plan for the construction of onsite and offsite public and private
31 improvements shall be reviewed and approved by the Engineering Division, Water Utilities
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1 Department, and Fire Department prior to the issuance of a grading permit. All
2 improvements shall be under construction to the satisfaction of the City Engineer prior to
3 the issuance of any building permits. All improvements serving each individual parcel shall
4 be completed prior to issuance of Certificate of Occupancy permit for the respective
5 building/s.

6 138. Prior to the issuance of any building permits, a construction phasing plan detailing the
7 construction schedule for all public improvement items, such as landscaping, landscaped
8 medians and frontage improvements shall be submitted and approved by the City Engineer.

9 139. Prior to the issuance of a Certificate of Occupancy permit, all improvements, including
10 landscaping, landscaped medians, frontage improvements, as indicated on City approved
11 construction phasing plan and shown on the approved improvement plans, shall be
12 completed to the satisfaction of the City Engineer.

13 140. Prior to approval of the map, provide the City of Oceanside with certification from each
14 public utility and each public entity owning easements within the proposed project stating
15 that: (a) they have received from the owner/developer a copy of the proposed map; (b)
16 they object or do not object to the filing of the map without their signature; (c) in case of a
17 street dedication affected by their existing easement, they will sign a "subordination
18 certificate" or "joint-use certificate" on the map when required by the governing body.

19 141. The approval of the conceptual development plan shall not mean that closure, vacation, or
20 abandonment of any public street, right of way, easement, or facility is granted or guaranteed
21 to the owner/developer. The owner/developer is responsible for applying for all closures,
22 vacations, and abandonments as necessary. The application(s) shall be reviewed and
23 approved or rejected by the City of Oceanside under separate process(es) per codes,
24 ordinances, and policies in effect at the time of the application. The City of Oceanside retains
25 its full legislative discretion to consider any application to vacate a public street or right of
26 way.

27 142. Owner/developer shall submit to the City for processing a covenant attesting to the project's
28 development conditions. The approved covenant shall be recorded at the County prior to the
29 issuance of a grading permit.

30 143. All public improvement requirements shall be covered by a Subdivision Improvement
31 Agreement and secured with sufficient improvement securities or bonds guaranteeing
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1 performance and payment for labor and materials, setting of survey monuments, and
2 warranties against defective materials and workmanship before the approval of the public
3 improvement plans.

4 144. Owner/developer shall provide necessary ROW dedications along Oceanside Boulevard to
5 accommodate required roadway geometric design and minimum 10- foot parkway widths
6 per approved public improvement plans. This ROW dedication shall be in fee, and shown
7 on the map and improvement plans.

8 145. A traffic control plan shall be prepared in accordance with the City's traffic control
9 guidelines and approved by the City Engineer prior to the start of work within the public
10 Right-of-Way. Traffic control safety and implementation for construction or re-construction
11 of streets shall be in accordance with construction signing, marking, and other protection as
12 required by Caltrans' Traffic Manual and City Traffic Control Guidelines. Traffic control
13 plan implementation and hours shall be in accordance with the approved traffic control
14 plans.

15 146. Vehicular access rights to Village Commercial Drive, Rancho Del Oro Drive, and Oceanside
16 Boulevard shall be relinquished to the City from all abutting lots except at the proposed
17 driveway(s).

18 147. An Encroachment Removal Agreement (ERA) application shall be submitted to the City for
19 proposed private improvements located within the City's ROW or over any city easement.
20 The ERA shall be submitted for review prior to the issuance of a grading permit and
21 approved and recorded at the County prior to improvement plan AS-Built.

22 148. Oceanside Blvd shall be constructed with new ADA-compliant sidewalk along the property
23 boundary. Areas of existing sidewalk along the Oceanside Blvd property boundary shall
24 have the panels evaluated for ADA compliancy prior to the approval of the public
25 improvement plans, and replaced as necessary to comply with ADA requirements prior to
26 issuance of any Certificate of Occupancy.

27 149. The existing pedestrian ramp at the northwest intersection of RDO and Oceanside Blvd shall
28 be reconstructed to meet current ADA requirements.

29 150. ADA-compliant pedestrian ramps shall be constructed at the corner of all street, road, and
30 drive way intersections, as shown on the conceptual development plan, and at other
31 locations as required by the City Engineer.

- 1 151. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be
2 located entirely within the public right-of-way (ROW). Pedestrian ramps not located entirely
3 within the City's ROW shall be provided with a ROW dedication on the map and shown on
4 the improvement plans.
- 5 152. Minimum curb return radius at pedestrian ramps and driveway locations shall comply with
6 the City of Oceanside Engineers Design and Processing Manual.
- 7 153. Sight distance requirements at the project driveway(s) or street shall conform to the sight
8 distance criteria as provided by Caltrans. The owner/developer shall provide a plan and
9 profile of the line of sight for each direction of traffic at each proposed driveway on the
10 grading plans.
- 11 154. Proposed public improvements located within the City's ROW or onsite shall be displayed
12 on separate public improvement plans in accordance with the City's Engineer's Design and
13 Processing Manual.
- 14 155. Any existing public or private improvements that are being joined to and that are already
15 damaged or damaged during construction of the project, shall be repaired or replaced as
16 necessary by the developer to provide a competent and stable connection, and to the City's
17 satisfaction.
- 18 156. A pavement evaluation report shall be submitted for the proposed onsite pavement with the
19 grading plan application. Pavement sections for all public and private roadways, driveways
20 and parking areas shall be based upon approved soil test requirements and traffic indices
21 identified within the City of Oceanside Engineers Design and Processing Manual. The
22 pavement design is to be prepared by the owner/developer's geotechnical engineering firm
23 and be approved by the City Engineer prior to the issuance of a grading permit. Roadway
24 alignments and geometric layouts shall be in conformance with the City of Oceanside
25 Engineers Design and Processing Manual.
- 26 157. A pavement evaluation report shall be submitted for offsite street and/or alley pavements
27 with the grading plan application. The owner/developer shall contract with a geotechnical
28 engineering firm to perform a field investigation of the existing pavement on all streets
29 adjacent to the project boundary. The limits of the study shall be half-street width along the
30 project's Oceanside Boulevard frontage. The field investigation shall be performed
31 according to a specific boring plan prepared by a licensed Geotechnical Engineer and
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1 approved by the City Engineer prior to the issuance of a grading permit. In the absence of
2 an approved boring plan, the field investigation shall include a minimum of one pavement
3 boring per every one hundred (100) linear feet of street frontage.

4 Should the study conclude that the existing road pavement section does not meet current
5 pavement section requirements set forth in the City of Oceanside Engineers Design and
6 Processing Manual, the Owner/developer shall remove and reconstruct the existing
7 pavement section in accordance with City requirements. Otherwise, the City Engineer shall
8 determine whether the Owner/developer shall: 1) Repair all failed pavement sections, 2)
9 header cut and grind per the direction of the City Engineer, or 3) Perform R-value testing
10 and submit a study that determines if the existing pavement meets current City
11 standards/traffic indices.

12 This work shall be shown on separate public improvement plans and designed in accordance
13 with the City of Oceanside Engineers Design and Processing Manual.

14 158. Maintenance responsibilities for the private driveways and roadways, used as access to the
15 land being divided, shall be clearly identified in the project's CC&Rs or other recorded
16 document.

17 159. A precise grading plan, which includes proposed onsite private improvements, shall be
18 prepared, reviewed, secured and approved prior to the issuance of any building permit. The
19 plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters,
20 medians, striping, and signage, footprints of all structures, walls, drainage devices and utility
21 services. Parking lot striping and any on site traffic calming devices shall be shown on the
22 precise grading plans.

23 160. Owner/developer shall develop and submit a draft neighborhood-notification flier to the
24 City for review. The flier shall contain information on the project, construction
25 schedule, notification of anticipated construction noise and traffic, and contact information.
26 Prior to the issuance of a grading permit, the approved flier shall be distributed to area
27 residents, property owners, and business owners located within a 500-foot radius area of the
28 project.

29 161. Where proposed off-site improvements, including but not limited to slopes, public utility
30 facilities, and drainage facilities, are to be constructed, owner/developer shall, at his own
31 expense, obtain all necessary easements or other interests in real property and shall dedicate
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1 the same to the City of Oceanside as required. Owner/developer shall provide documentary
2 proof satisfactory to the City of Oceanside that such easements or other interest in real
3 property have been obtained prior to the issuance of any grading, building or improvement
4 permit for this development/project. Additionally, the City of Oceanside, may at its sole
5 discretion, require that the owner/developer obtain at his sole expense a title policy insuring
6 the necessary title for the easement or other interest in real property to have vested with the
7 City of Oceanside or the owner/ developer, as applicable.

8 162. Use of adjacent properties for construction without permission is prohibited. Developer is
9 required to obtain written permission from adjacent property owners allowing access onto
10 their site. There shall be no trespassing, grading, or construction of any kind on adjacent
11 properties without permission. Failure to comply will result in the revocation of the grading
12 permit. This written permission shall be provided to the City prior to the issuance of a
13 grading permit.

14 163. Owner/developer shall monitor, supervise and control all construction and construction-
15 supportive activities, so as to prevent these activities from causing a public nuisance,
16 including but not limited to, ensuring strict adherence to the following:

17 164. Dirt, debris and other construction material shall not be deposited on any public street or
18 into the City's storm water conveyance system.

19 a. All grading and related site preparation and construction activities shall be limited to the
20 hours of 7 AM to 6 PM, Monday through Friday. No engineering- related construction
21 activities shall be conducted on Saturdays, Sundays or legal holidays unless written
22 permission is granted by the City Engineer with specific limitations to the working hours
23 and types of permitted operations. All on-site construction staging areas shall be located
24 as far as possible (minimum 100 feet) from any existing residential development. As
25 construction noise may still be intrusive in the evening or on holidays, the City of
26 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise
27 which causes discomfort or annoyance to reasonable persons of normal sensitivity."

28 b. The construction site shall accommodate the parking of all motor vehicles used by
29 persons working at or providing deliveries to the site. An alternate parking site can be
30 considered by the City Engineer in the event that the lot size is too small and cannot
31 accommodate parking of all motor vehicles.

1 c. Owner/developer shall complete a haul route permit application (for import/export of
2 dirt to areas outside the El Corazon Specific Plan area) and submit to the City of
3 Oceanside Transportation Engineering Section forty-eight hours (48) in advance of
4 beginning of work. Hours of hauling operations shall be dictated by the approved haul
5 route permit.

6 165. It is the responsibility of the owner/developer to evaluate and determine that all soil imported
7 and exported as part of this development is free of hazardous and/or contaminated material
8 as defined by the City and the County of San Diego Department of Environmental Health.
9 Exported or imported soils shall be properly screened, tested, and documented regarding
10 hazardous contamination. Soil identified as being hazardous and/or contaminated shall be
11 properly disposed of offsite in accordance with all regulatory requirements.

12 166. The approval of the development plan shall not mean that proposed grading or
13 improvements on adjacent properties (including any City properties/right-of-way or
14 easements) is granted or guaranteed to the owner/developer. The owner/developer is
15 responsible for obtaining written permission to grade or construct on adjacent properties
16 prior to the issuance of a grading permit. Should such permission be denied, the development
17 plan shall be subject to going back to public hearing or subject to a substantial conformity
18 review.

19 167. Prior to the issuance of a grading permit, a comprehensive soil and geologic investigation
20 shall be conducted for the project site. The existing approved Geocon Soils Reports dated
21 March 23, 2017, April 5, 2022, January 5, 2022, and January 6, 2022 shall be used as basis
22 for this report. All necessary measures shall be taken and implemented to assure slope
23 stability, erosion control, and soil integrity; and these measures shall be incorporated as part
24 of the grading plan design by referencing the approved Soils Reports on the cover sheet of
25 the grading plans. No grading shall occur at the site without a grading permit.

26 168. The project shall provide and maintain year-round erosion control for the site. Prior to the
27 issuance of a grading permit, an approved erosion control plan, designed for all proposed
28 stages of construction, shall be secured by the owner/developer with cash securities or a
29 Letter-of-Credit and approved by the City Engineer; a Certificate of Deposit will not be
30 accepted for this security.
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- 1 169. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
2 prior to the issuance of a grading permit and approved by the City Engineer prior to the
3 issuance of building permits. Landscaping plans, including plans for the construction of
4 walls, fences or other structures at or near intersections, must conform to intersection
5 sight distance requirements. Frontage and median landscaping shall be installed and
6 established prior to the issuance of any certificates of occupancy. Securities shall be required
7 only for landscape items in the public right-of-way. Any project fences, sound or privacy
8 walls and monument entry walls/signs shall be shown on, bonded for and built from the
9 approved landscape plans. These features shall also be shown on the precise grading plans
10 for purposes of location only. Plantable, segmental walls shall be designed, reviewed and
11 constructed from grading plans and landscape/irrigation design/construction shall be from
12 landscape plans. All plans must be approved by the City Engineer and a pre-construction
13 meeting held prior to the start of any improvements.
- 14 170. Unless an appropriate barrier is approved on a landscape plan, a minimum 42- inch high
15 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose height
16 exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to any streets, an arterial
17 street or state highway.
- 18 171. The drainage design shown on the conceptual grading/site plan, and the drainage report for
19 this development plan is conceptual only. The final drainage report and design shall be based
20 upon a hydrologic/hydraulic study that is in accordance with the latest San Diego County
21 Hydrology and Drainage Manual, and is to be approved by the City Engineer prior to the
22 issuance of a grading permit. All drainage picked up in an underground system shall remain
23 underground until it is discharged into an approved channel, or as otherwise approved by
24 the City Engineer.
- 25 172. The project's drainage system shall not connect or discharge to another private stormdrain
26 system without first obtaining written permission from the owner of the system. The written
27 permission letter shall be provided to the City prior to the issuance of a grading permit. The
28 owner/developer shall be responsible for obtaining all off-site easements for storm drainage
29 facilities.
- 30 173. All public storm drains shall be shown on separate public improvement plans. Public storm
31 drain easements shall be dedicated to the City where required.
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- 1 174. Drainage facilities shall be designed and installed to adequately accommodate the local
2 storm water runoff, and shall be in accordance with the San Diego County Hydrology
3 Manual and the City of Oceanside Engineers Design and Processing Manual, and to the
4 satisfaction of the City Engineer.
- 5 175. Owner/developer shall place a covenant on the non-title sheet of the grading plan agreeing
6 to the following: “The present or future owner/developer shall indemnify and save the City
7 of Oceanside, its officers, agents, and employees harmless from any and all liabilities, claims
8 arising from any flooding that may occur on this site, and any flooding that is caused by this
9 site impacting adjacent properties”.
- 10 176. Storm drain facilities shall be designed and constructed to allow inside travel lanes of streets
11 classified as a Collector or above, to be passable during a 100-year storm event.
- 12 177. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and disposed of
13 in accordance with all state and federal requirements, prior to discharging of stormwater into
14 the City drainage system.
- 15 178. Owner/developer shall comply with the provisions of the National Pollution Discharge
16 Elimination System (NPDES) General Permit for Storm Water Discharges Associated with
17 Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The General
18 Permit continues in force and effect until a new General Permit is issued or the SWRCB
19 rescinds this General Permit. Only those owner/developers authorized to discharge under
20 the expiring General Permit are covered by the continued General Permit. Construction
21 activity subject to the General Permit includes clearing, grading, and disturbances to the
22 ground such as stockpiling, or excavation that results in land disturbances of equal to or
23 greater than one acre.
- 24 The owner/developer shall obtain coverage under the General Permit by submitting a Notice
25 of Intent (NOI) and obtaining a Waste Discharge Identification Number (WDID#) from the
26 State Water Resources Control Board (SWRCB). In addition, coverage under the General
27 Permit shall not occur until an adequate SWPPP is developed for the project as outlined in
28 Section A of the General Permit. The site specific SWPPP shall be maintained on the project
29 site at all times. The SWPPP shall be provided, upon request, to the United States
30 Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control
31 Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies.
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1 The SWPPP is considered a report that shall be available to the public by the RWQCB under
2 section 308(b) of the Clean Water Act. The provisions of the General Permit and the site
3 specific SWPPP shall be continuously implemented and enforced until the owner/developer
4 obtains a Notice of Termination (NOT) for the SWRCB.

5 Owner/developer is required to retain records of all monitoring information, copies of all
6 reports required by this General Permit, and records of all data used to complete the NOT
7 for all construction activities to be covered by the General Permit for a period of at least
8 three years from the date generated. This period may be extended by request of the SWRCB
9 and/or RWQCB.

10 179. The project is categorized as a stormwater-Priority Development Project (PDP). A final
11 Storm Water Quality Management Plan (SWQMP) and Operation & Maintenance (O&M)
12 Plan shall be submitted to the City for review at the final engineering phase. Both documents
13 are to be approved prior to the issuance of a grading permit.

14 The project is categorized as a stormwater-Standard Development Project (SDP). A final
15 Storm Water Quality Management Plan (SWQMP) shall be submitted to the City for review
16 at the final engineering phase. Approval of this document is required prior to the issuance of
17 a grading permit.

18 180. The O&M Plan shall include an approved and executed Maintenance Mechanism pursuant
19 to the City of Oceanside BMP Design Manual (BDM). At a minimum, the O&M Plan shall
20 include the designated responsible party to manage the storm water BMP(s), employee
21 training program and duties, operating schedule, maintenance frequency, routine service
22 schedule, specific maintenance activities, copies of resource agency permits, cost estimate
23 for implementation of the O&M Plan, a non-refundable cash security to provide
24 maintenance funding in the event of noncompliance to the O&M Plan, and any other
25 necessary elements. The owner/developer shall complete and maintain O&M forms to
26 document all operation, inspection, and maintenance activities. The owner/developer shall
27 retain records for a minimum of 10 years. The records shall be made available to the City
28 upon request.

29 181. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
30 Agreement (SWFMA) with the City, obliging the owner/developer to maintain, repair and
31 replace the Storm Water Best Management Practices (BMPs) structures identified in the
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1 project's approved SWQMP, as detailed in the O&M Plan, in perpetuity. Furthermore, the
2 SWFMA will allow the City with access to the site for the purpose of BMP inspection and
3 maintenance, if necessary. The Agreement shall be approved by the City Attorney's Office
4 and City Engineer and recorded at the County Recorder's Office prior to the issuance of a
5 precise grading permit. A non-refundable Security in the form of cash shall be required prior
6 to issuance of a precise grading permit. The amount of the non-refundable security shall be
7 equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed a
8 total of \$25,000. The owner/developer's civil engineer shall prepare the O&M cost estimate.

9 182. The BMPs described in the project's approved SWQMP shall not be altered in any way,
10 unless reviewed and approved by the City Engineer. The determination of whatever action
11 is required for changes to a project's approved SWQMP shall be made by the City Engineer.

12 183. Prior to receiving a temporary or permanent occupancy permit, the project shall demonstrate
13 that all structural BMPs, including Storm Water Pollutant Control BMPs and
14 Hydromodification Management BMPs, are constructed and fully operational, are consistent
15 with the approved SWQMP and the approved Precise Grading Plan, and are in accordance
16 with San Diego RWQCB Order No. R9-2013- 0001 §E.3.e. (1)(d).

17 184. Open space areas, down-sloped areas visible from a collector-level or above roadway
18 classification, and improvements within any common areas that are not maintained by the
19 property owner, shall be maintained by a commercial association or other property owners'
20 association, to ensure operation and maintenance of these items in perpetuity. These areas
21 shall be indicated on the map and reserved for an association. Future buyers shall be made
22 aware of any estimated monthly maintenance costs. CC&Rs or other recorded document
23 evidencing these maintenance obligations shall be submitted and approved by the City prior
24 to the recordation of the map.

25 185. All new extension services for the development of the project, including but not limited to,
26 electrical, cable and telephone, shall be placed underground as required by the City Engineer
27 and current City policies.

28 186. Prior to the approval of plans and the issuance of a grading permit, owner/developer shall
29 obtain all necessary permits and clearances from public agencies having jurisdiction over
30 the project due to its type, size, location, or infrastructure impact. The list of public agencies
31 includes, but is not limited to, Public Utility Companies, the California Department of
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1 Transportation (Caltrans), the City of Carlsbad, the City of Vista, Fallbrook, the County of
2 San Diego, the U. S. Army Corps of Engineers, the California Department of Fish & Game,
3 the U. S. Fish and Wildlife Service, the San Diego Regional Water Quality Control Board,
4 and the San Diego County Health Department.

5 187. Owner/developer shall comply with all the provisions of the City's cable television
6 ordinances, including those relating to notification as required by the City Engineer.

7 188. As part of the City's Opportunistic Beach Fill Permit, this project has been conditioned to
8 test proposed excavated material to determine suitability for deposit on city beaches as part
9 of the Beach Sand Replenishment program. Test results shall be provided as part of the
10 project geotechnical report which is required prior to approval of the grading plan and
11 issuance for the grading permit.

12 Suitable beach replenishment material shall be at least 75% sand with no more than a 10%
13 difference in sand content between material at the source and discharge site.
14 Replenishment material shall contain only clean construction materials suitable for use in
15 the oceanic environment; no debris, silt, soil, sawdust, rubbish, cement or concrete washings,
16 oil or petroleum products hazardous/toxic/radioactive/munitions from construction or
17 dredging or disposal shall be allowed to enter into or be placed where it may be washed by
18 rainfall or runoff into waters of the United States. Any and all excess or unacceptable
19 material shall be completely removed from the site/work area and disposed of in an
20 appropriate upland site.

21 If the soil to be exported is determined to be suitable beach replenishment material, the
22 developer's contractor will coordinate with the City's Public Works Department to
23 determine the location for acceptance of the excavated material for spreading by Public
24 Works staff. **Coordination is required to occur a minimum of two weeks in advance** of
25 the need to place approved excavated material on the beach.

26 189. If shoring is required for the construction of the proposed development, the shoring design
27 plans shall be included within the grading plan set, and the structural design calculations
28 shall be submitted with the grading plan application.

29 190. All stormdrain systems that serve private lots, and not the general public, are considered
30 privately owned and shall be privately maintained.

- 1 191. The location of the proposed stormwater basin adjacent to the west of the project site, along
2 Oceanside Boulevard, shall not be used as a soil disposal site in an interim basis during
3 construction.
- 4 192. Developer is responsible for identifying and determining a suitable soil disposal location for
5 the Oceanside Boulevard Commercial (OBC) development in accordance with the Purchase
6 and Sales Agreement. The proposed soil disposal location will require prior City approval
7 before use. Developer is responsible for obtaining a separate grading permit for this activity,
8 and all tasks and costs associated with the design, construction, and processing and security
9 fees for this activity shall be the sole responsibility of the developer.
- 10 193. Developer shall be responsible for the maintenance of the proposed stormwater basin located
11 adjacent to the west of the project site, along Oceanside Boulevard. Maintenance costs shall
12 be shared equally between the City and the Developer per approved cost sharing agreement.
- 13 194. Developer shall enter into an agreement with the City for the shared maintenance costs of
14 the proposed stormwater basin located adjacent to the west of the project site, along
15 Oceanside Boulevard. This agreement shall be initiated prior to the issuance of any grading
16 permit for the Oceanside Boulevard Commercial (OBC) development and executed prior to
17 the completion and functioning of the stormwater basin.
- 18 195. Village Commercial Drive, South El Corazon Drive, and other public streets proposed to be
19 developed or reconstructed as part of the project's development requirements shall be
20 designed and constructed per the approved development plan and latest version of the El
21 Corazon Specific plan. Street design modifications may be necessary in the final design
22 phase to mitigate for design challenges, roadway geometric design, and health and safety
23 concerns, but the design intent shall remain.
- 24 196. Developer shall analyze all existing stormwater systems that the project will connect to in
25 order to determine the existing stormwater system's operational capacity to accept and safely
26 convey the project's anticipated stormwater discharge flows. If the existing stormdrain
27 system is determined to be inadequate to safely accept the project's anticipated stormwater
28 discharge flows, and developer desires to connect to this system, developer will be required
29 to improve the existing stormwater system to mitigate for any negative impacts the project's
30 stormwater flows will have on the existing system.
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- 1 197. Design and construction of “Green Street” elements for stormwater management along
2 Oceanside Boulevard shall be in accordance with US EPA Green Streets Guidance within
3 Appendix K of the City’s BMP Design Manual.
- 4 198. Hydromodification susceptibility ratings shall be analyzed and submitted to the City for
5 review and approval at all point-of-compliance junctures.
- 6 199. Each stormwater retention system shall meet the minimum PDP stormwater retention design
7 requirements of the City’s BMP Design Manual, and shall be independent of other systems
8 and construction phasing.
- 9 200. All property corners, survey monuments that control public rights-of-way, and City
10 benchmarks shall be protected in place or perpetuated in conformance with Greenbook
11 Standard 400-2 and Business and Professions Code 8771.
- 12 201. City of Oceanside Geodetic Control Monument No. 1059 lies within the boundary of the
13 proposed development and shall be protected in place. If, for any reason this monument
14 cannot be protected in place, the monument shall be perpetuated in compliance with the
15 Federal Geographic Data Committee (FGDC) and the Federal Geodetic Control
16 Subcommittee (FGCS) geodetic control accuracy standards. If monument requires
17 perpetuation, a record shall be filed with the County Surveyor in compliance with Business
18 and Professions Code 8771 and a copy provided to the City of Oceanside Engineering
19 Department.
- 20 202. Approval of this development project is conditioned upon payment of all applicable impact
21 fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code.
22 All traffic signal fees and contributions, highway thoroughfare fees, park fees,
23 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
24 recordation of the map or the issuance of any building permits, in accordance with City
25 Ordinances and policies. Payment of drainage impact fees are required prior to docketing
26 the map for City Council hearing and the recording of the Final Map. The owner/developer
27 shall also be required to join into, contribute, or participate in any improvement, lighting, or
28 other special district affecting or affected by this project.
- 29 203. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
30 will be subject to prevailing wage requirements as specified by Labor Code section 1720(b)
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1 (4). The owner/developer shall agree to execute a form acknowledging the prevailing wage
2 requirements prior to the granting of any fee reductions or waivers.

3 204. In the event that there are discrepancies in information between the conceptual plan and the
4 conditions set forth in the project's entitlement resolution (Conditions of Approval), the
5 project's entitlement resolution shall prevail.

6 **Fire:**

7 205. Project will comply with the 2022 California Fire Code and all applicable and referenced
8 Standards along with the currently adopted City of Oceanside Municipal Code.

9 a. This includes areas such as but not limited to:

- 10 i. Water Supply (hydrants, hydrant outlets, hydrant spacing, minimum fire
11 flow required for building, fire flow report/test, etc.)
- 12 ii. Fire Apparatus Access Roads (widths, dead end lengths, turn-arounds, etc.)
- 13 iii. Fire Protection Systems (automatic fire sprinkler system requirements,
14 automatic fire alarm requirements, standpipes, FDC location, etc.)

15 206. In addition to the comments provided by the Building Department, several items will be
16 asked for on the plans to provide detail and analysis of the building including:

- 17 a. Egress plan with occupant load per room or space
- 18 b. Egress *and* emergency lighting must match between electrical sheets and egress sheet
- 19 c. Location of fire suppression equipment:
 - 20 i. FDC on exterior of the building (on the address side of the building within 40' of a
21 fire hydrant) *Alternate locations/designs are subject to Fire Marshal approval*
 - 22 ii. Standpipe connections/outlets in the stairwells and on roof
 - 23 iii. Fire extinguisher locations throughout the building
- 24 d. Deferred submittal block will include the following but not limited to;
 - 25 i. Fire Underground Systems per the 2022 ed. NFPA 24
 - 26 ii. Automatic Fire Sprinkler System per the 2022 ed. NFPA 13
 - 27 iii. Automatic Fire Alarm System per the 2022 ed. NFPA 72
 - 28 iv. Fire Master Plan
 - 29 v. Geo-Reference Building Plan
 - vi. Tennant Improvement (as applicable)

30 207. In addition to the above notated requirements, the below are items that also pertain to this
31 project. Please refer to the 2022 California Fire Code, 2022 California Building Code,
32 Chapter 11 of the City of Oceanside Municipal Code, and all other adopted and approved

1 codes and standards for further explanation and requirements. Please note that this project
2 includes but is not limited to the following:

3 Fire Department Apparatus Access Roadways:

- 4 i. All roadways shall be a minimum of 28ft in width with no street parking. All
5 roadways serving buildings 35ft or taller shall be a minimum of 35ft in width with
6 no street parking.
- 7 ii. A minimum vertical clearance of 13'6" shall be provided and maintained.
- 8 iii. Access roadways shall be provided with a 50 foot outside and 30 foot inside
9 turning radius.
- 10 iv. Grade shall not exceed 12%.
- 11 v. An approved turnaround shall be provided for all access roadways exceeding 150'
12 in length.
- 13 vi. All fire department access roadways shall be painted/striped as Fire Lanes.
- 14 vii. Prior to delivery of combustible materials or start of combustible construction,
15 paved vehicle access roads capable of supporting vehicle loading (78,000 lbs.)
16 must be installed. In addition, the approved, permanent water supply (fire
17 hydrants) must be installed, tested and placed in service prior to delivery of
18 combustible materials or start of combustible construction.

19 Fire Underground Systems:

- 20 i. Fire hydrants shall be within 400' of all exterior walls of all structures. This is
21 measured by means of unobstructed route around the exterior of the building.
- 22 ii. All hydrants will need to be identified as Public or Private.
- 23 iii. All private hydrants shall be painted RED.
- 24 iv. Because private hydrants are to be installed, the fire underground system shall be
25 looped.
- 26 v. Each FDC shall be located within 40' of a hydrant and be located on the same side
27 of the street.

28 Building Access:

- 29 i. All buildings shall have premise identification per the Oceanside Fire Master Plan.
30 All industrial buildings shall have minimum 12" numbers with contrasting colors.
31 Commercial buildings must be a minimum of 6".
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- 1 ii. A Knox Box shall be provided on each building.
- 2 iii. Any electronic vehicle gate will require a Knox key switch. Any manual vehicle
- 3 gate will require a Knox padlock.
- 4 iv. All utility rooms, such as mechanical, electrical, fire sprinkler riser, etc, shall be
- 5 labeled accordingly. Keys to these rooms shall be provided inside of the Knox
- 6 box on the building.

7 General:

- 8 i. Fire extinguishers are required to be installed in accordance with the 2022
- 9 California Fire Code.
- 10 ii. Emergency egress requirements and emergency egress lighting shall be provided
- 11 and maintained in accordance with the 2022 California Fire Code and 2022
- 12 California Building Code.
- 13 iii. A HAZ-MAT tech report is required to be obtained and provided for all buildings
- 14 with an occupancy classification of an H. This report shall be conducted by a third-
- 15 party consultant.
- 16 iv. An approved fire sprinkler system must be installed throughout all buildings that
- 17 are required. The system shall be designed per NFPA 13. The sprinkler system
- 18 requires 24-hour supervision.
- 19 v. All fire alarm systems shall be installed in all buildings that are sprinklered and
- 20 where required and be designed and installed per NFPA 72.
- 21 vi. A Pre-Con meeting will be required prior to any lumber drops.
- 22 vii. All underground tanks shall require a separate Operational Permit from the
- 23 Oceanside Fire Department.
- 24 viii. All fuel operations shall be designed and in compliance with Chapter 23 of the
- 25 2022 CFC.
- 26 ix. EMERGENCY RESPONSE MAPS - Geo- Referenced Preplans: Any new
- 27 development, which necessitates updating of emergency response maps by virtue
- 28 of new structures, hydrants, roadways or similar features, shall be required to
- 29 provide map updates. Provide geo-referenced building plan in CAD (.dwg) format
- 30 using the following coordinate system:
- 31 NAD_1983_StatePlan_California_VI_FIPS_0406_Feet. Produce a fire preplan in
- 32

1 (ESRI) GIS format. A completed fire preplan shall include the GIS data and output
2 PDF. Data deliverables (CAD and GIS) shall specifically include a site plan,
3 building plan, all Utility shut-offs, fire sprinkler risers and shut-off valves, the fire
4 department connection for sprinkler and class-I standpipe, all standpipe hose
5 outlets, all stairwells, retail spaces, living units -numbers /locations, fire alarm
6 panels, elevators, fire hydrants and all Knox boxes and key switch locations.

7 x. Where approved by the building official and the fire code official, a wired
8 communication system in accordance with Section 907.2.12.2 shall be permitted
9 to be installed or maintained instead of an approved radio coverage system.

10 xi. Where it is determined by the fire code official that the radio coverage system is
11 not needed.

12 Emergency Responder Radio Coverage in New Buildings:

13 i. New buildings shall have approved radio coverage for emergency responders
14 within the building based on the existing coverage levels of the public safety
15 communication systems utilized by the jurisdiction, measured at the exterior of the
16 building. This section shall not require improvement of the existing public safety
17 communication systems.

18 Exceptions:

19 i. Where approved by the building official and the fire code official, a wired
20 communication system in accordance with Section 907.2.12.2 shall be permitted
21 to be installed or maintained instead of an approved radio coverage system.

22 ii. Where it is determined by the fire code official that the radio coverage system is
23 not needed.

24 iii. In facilities where emergency responder radio coverage is required and
25 such systems, components or equipment required could have a negative impact on
26 the normal operations of that facility, the fire code official shall have the authority
27 to accept an automatically activated emergency responder radio coverage system.

28 208. A "Fire Master Plan" will be required as a deferred submittal. (Usually done after grading
29 permit is issued).

- 1 209. Any new development, which necessitates updating of emergency response maps by virtue
2 of new structures, hydrants, roadways or similar features, shall be required to provide map
3 updates.
- 4 210. Provide geo-referenced building plan in CAD (.dwg) format using the following coordinate
5 system: NAD_1983_StatePlan_California_VI_FIPS_0406_Feet. Produce a fire preplan in
6 (ESRI) GIS format. A completed fire preplan shall include the GIS data and output PDF.
7 Data deliverables (CAD and GIS) shall specifically include a site plan, building plan, all
8 Utility shut-offs, fire sprinkler risers and shut-off valves, the fire department connection for
9 sprinkler and class-I standpipe, all standpipe hose outlets, all stairwells, retail spaces, living
10 units -numbers /locations, fire alarm panels, elevators, fire hydrants and all Knox boxes and
11 key switch locations.
- 12 211. Changes to the previously issued Fire comments made on 3/3/23 to reflect items discussed
13 in the developer meeting on 3/2/2023. Other than the notated items below, no other items
14 have been updated or changed.
- 15 212. All codes updated to the 2022 code year cycle. All portions of the project shall now comply
16 with the 2022 codes due to the codes updating and being adopted on January 1st, 2023.
- 17 213. This excludes the Shell Building Permit for Building "A" that was submitted under the 2019
18 codes, per Building and Safety.
- 19 214. Added note under item 2-C regarding FDC's to now additionally state "*Alternate
20 locations/designs are subject to Fire Marshal approval*".

21 **Landscaping:**

- 22 215. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and
23 Specifications for Landscape Development (latest revision), Water Conservation Ordinance
24 No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and ordinances,
25 including the maintenance of such landscaping shall be submitted, reviewed and approved
26 by the City Engineer prior to the issuance of building permits. Landscaping shall not be
27 installed until bonds have been posted, fees paid, and plans signed for final approval. In
28 addition, a refundable cash deposit for the preparation of the final As-built/ Maintenance
29 Guarantee shall be secured with the City prior to the final approval of the landscape
30 construction plan. A landscape pre-construction meeting shall be conducted by the
31 landscape architect of record, Public Works Inspector, developer or owner's representative
32

1 and landscape contractor prior to commencement of the landscape and irrigation installation.
2 The following landscaping items shall be required prior to plan approval and certificate of
3 occupancy:

- 4 a. Final landscape plans shall accurately show placement of all plant material
5 such as but not limited to trees, shrubs, and groundcovers.
- 6 b. Landscape Architect shall be aware of all utility, sewer, water, gas and storm
7 drain lines and utility easements and place planting locations accordingly to
8 meet City of Oceanside requirements.
- 9 c. Final landscape plans shall be prepared under the direct supervision of a
10 Registered Landscape Architect (State of California), with all drawings
11 bearing their professional stamp and signature.
- 12 d. ROW, Roundabouts and Medians Interior to the El Corazon Project
 - 13 1. For all new development moving forward, within the ROW on all
14 public streets inside the El Corazon project: Sudberry Development
15 Inc. shall design, plant and irrigate all ROW, roundabouts and
16 median(s) to the City of Oceanside standards.
 - 17 2. For all new development moving forward, within the ROW on all
18 public streets inside the El Corazon project: Sudberry Development
19 Inc. shall be responsible to provide a separate potable water
20 irrigation meter, potable water irrigation system, and all landscape
21 plant material in the ROW's, roundabouts, and median(s) to the
22 City of Oceanside standards.
 - 23 3. For all new development moving forward, within the ROW on all
24 public streets inside the El Corazon project: Sudberry Development
25 Inc. shall be responsible for the irrigation and planting maintenance
26 of the ROW's, and median(s) inside the El Corazon project with
27 the exception of Village Commercial Drive from Oceanside
28 Boulevard through Dr. Hugh LaBounty Drive.
 - 29 4. The City of Oceanside will take over maintenance of the public
30 ROW along Village Commercial Drive from Oceanside Boulevard
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1 through Dr. Hugh LaBounty Drive which includes the ROW,
2 medians and both north and south roundabouts.

3 e. ROW and Medians Along Oceanside Blvd.

- 4 1. Sudberry Development Inc. shall design, plant and irrigate the
5 required median(s) on Oceanside Blvd. along the El Corazon OBC
6 project frontage to the City of Oceanside standards.
- 7 2. Sudberry Development Inc. shall provide for a separate potable
8 water irrigation meter, potable water irrigation system, and all
9 landscape plant material in the median(s) and the north ROW on
10 Oceanside Blvd. along the El Corazon OBC project frontage.
- 11 3. Sudberry Development Inc. shall be responsible for the irrigation
12 and planting maintenance of the median(s) and the northern ROW
13 on Oceanside Blvd. along the El Corazon OBC project frontage.

14 f. The As-built/ Maintenance Guarantee (refundable cash deposit) shall not be
15 released until the as-built drawings have been approved on the original
16 approved Mylar landscape plan and the required maintenance period has
17 been successfully terminated.

18 g. Proposed landscape species shall fit the site and meet climate changes
19 indicative to their planting location. The selection of plant material shall
20 also be based on cultural, aesthetic, and maintenance considerations. In
21 addition proposed landscape species shall be low water users as well as meet
22 all fire department requirements.

23 h. All planting areas shall be prepared and implemented to the required depth
24 with appropriate soil amendments, fertilizers, and appropriate supplements
25 based upon a soils report from an agricultural suitability soil sample taken
26 from the site.

27 i. Ground covers or bark mulch shall fill in between the shrubs to shield the
28 soil from the sun, evapotranspiration and run-off. All the flower and shrub
29 beds shall be mulched to a 3" depth to help conserve water, lower the soil
30 temperature and reduce weed growth.

- 1 j. The shrubs shall be allowed to grow in their natural forms. All landscape
2 improvements shall follow the City of Oceanside Guidelines.
- 3 k. Root barriers shall be installed adjacent to all paving surfaces where a
4 paving surface is located within 6 feet of a tree trunk on site (private) and
5 within 10 feet of a tree trunk in the right-of-way (public). Root barriers shall
6 extend 5 feet in each direction from the centerline of the trunk, for a total
7 distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a
8 root barrier around the tree's root ball is unacceptable.
- 9 l. All fences, gates, walls, stone walls, retaining walls, and plantable walls
10 shall obtain Planning Division approval for these items in the conditions or
11 application stage prior to 1st submittal of working drawings.
- 12 m. For the planting and placement of trees and their distances from hardscape
13 and other utilities/ structures the landscape plans shall follow the City of
14 Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 15 n. An automatic irrigation system shall be installed to provide coverage for all
16 planting areas shown on the plan. Low volume equipment shall provide
17 sufficient water for plant growth with a minimum water loss due to water
18 run-off.
- 19 o. Irrigation systems shall use high quality, automatic control valves,
20 controllers and other necessary irrigation equipment. All components shall
21 be of non-corrosive material. All drip systems shall be adequately filtered
22 and regulated per the manufacturer's recommended design parameters.
- 23 p. All irrigation improvements shall follow the City of Oceanside Guidelines
24 and Water Conservation Ordinance.
- 25 q. The landscape plans shall match all plans affiliated with the project.
- 26 r. Landscape construction drawings are required to implement approved Fire
27 Department regulations, codes, and standards at the time of plan approval.
- 28 s. Landscape plans shall comply with Biological and/or Geotechnical reports, as
29 required, shall match the grading and improvement plans, comply with Storm
30 Water Management Plan (SWMP), Hydromodification Plan, or Best
31 Management Practices and meet the satisfaction of the City Engineer.
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- t. Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.
- u. All pedestrian paving (both decorative and standard) shall comply with the most current edition of the American Disability Act.
- v. All landscape plan items are to meet or exceed the requirements of the El Corazon Specific Plan (ECSP) for landscape plan approval(s).

216. In conjunction with a grading plan, an erosion control plan shall be required to meet/ provide the following:

- a. All slopes existing and/ or created within the project limits, or adjacent to, from grading activity, shall be required to meet or exceed all erosion control measures for slope stabilization.
- b. Slopes facing Oceanside Blvd. and Rancho Del Oro Blvd. shall require a higher aesthetic level of plant material for public view.
- c. At project build out, all slopes shall be required to be maintained through a master association for consistency and continuity.
- d. All development within the proposed project shall be required to submit a Conceptual Landscape Plan to be approved through entitlement.
- e. All development within the proposed project once approved through entitlement shall submit and work through approval of a landscape improvement plan.
- f. All required landscape slopes shall be maintained by owner, project association or successor of the project. The landscape areas shall be maintained per City of Oceanside requirements.
- g. Landscape architect shall be aware and work with established maintenance companies and areas currently under contract and being maintained adjacent to the project as well as on site.
- h. Proposed landscape species shall fit the site and meet climate changes indicative to their planting location. The selection of plant material shall also be based on cultural, aesthetic, and maintenance considerations. In addition proposed landscape species shall be low water users as well as meet all fire department requirements.

- 1 i. All planting areas shall be prepared and implemented to the required depth
2 with appropriate soil amendments, fertilizers, and appropriate supplements
3 based upon a soils report from an agricultural suitability soil sample taken
4 from the site.
- 5 j. Ground covers or bark mulch shall fill in between the plant material to shield
6 the soil from the sun, evapotranspiration and run-off. All the flower and shrub
7 beds shall be provided with shredded bark mulch to a 3” depth to help
8 conserve water, lower the soil temperature and reduce weed growth.
- 9 k. If rock or gravel is used within the landscaped planters, the decorative rock or
10 gravel provided shall be no more than 25% overall in the planters designated
11 for landscape. No decorative rock or gravel shall be permitted in the public
12 rights-of-way unless specifically approved by the City Engineer.
- 13 l. When shrubs are proposed they shall be allowed to grow in their natural forms.
14 All landscape improvements shall follow the City of Oceanside Guidelines.
- 15 m. When trees are proposed, root barriers shall be installed adjacent to all paving
16 surfaces where a paving surface is located within 6 feet of a tree trunk on site
17 (private) and within 10 feet of a tree trunk in the right-of-way (public). Root
18 barriers shall extend 5 feet in each direction from the centerline of the trunk,
19 for a total distance of 10 feet. Root barriers shall be 24 inches in
20 depth. Installing a root barrier around the tree’s root ball is unacceptable.
- 21 n. The number of trees required on slopes shall meet a minimum of 60 trees per
22 acre. Trees shall be planted from a combination of 5-gallon and 15-gallon
23 container sizes.
- 24 o. The number of shrubs required on slope shall meet a minimum of 10 shrubs
25 per 1000 square ft. Shrubs shall be planted from a combination of 1-gallon
26 and 5 gallon containers sizes.
- 27 p. All fences, gates, walls, stone walls, retaining walls, plantable walls, and
28 decorative enhanced concrete shall obtain Planning Division approval for
29 these items in the conditions or application stage prior to 1st submittal of
30 working drawings.
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- 1 q. For the planting and placement of trees and their distances from hardscape and
- 2 other utilities/ structures the landscape plans shall follow the City of
- 3 Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 4 r. All slopes shall be required to provide irrigation to maintain plant material for
- 5 slope stabilization. An automatic irrigation system shall be installed to provide
- 6 coverage for all slope areas shown on the plan. Low volume equipment shall
- 7 provide sufficient water for plant growth with a minimum water loss due to
- 8 water run-off.
- 9 s. Irrigation systems shall use high quality, automatic control valves, controllers
- 10 and other necessary irrigation equipment. All components shall be of non-
- 11 corrosive material. All drip systems shall be adequately filtered and regulated
- 12 per the manufacturer's recommended design parameters.
- 13 t. All irrigation improvements shall follow the City of Oceanside Guidelines and
- 14 Water Conservation Ordinance.
- 15 u. The erosion control plans shall match all plans affiliated with the project.
- 16 v. Plans are required to implement approved Fire Department regulations, codes,
- 17 and standards at the time of plan approval.
- 18 w. Plans shall comply with Biological and/or Geotechnical reports, as required,
- 19 shall match the grading and improvement plans, comply with Storm Water
- 20 Management Plan (SWMP), Hydromodification Plan, or Best Management
- 21 Practices and meet the satisfaction of the City Engineer.
- 22 x. Existing landscaping on and adjacent to the site shall be protected in place and
- 23 supplemented or replaced to meet the satisfaction of the City Engineer.

24 217. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and
25 within any adjoining public parkways shall be permanently maintained by the owner, his
26 assigns or any successors-in-interest in the property. The maintenance program shall
27 include: a) normal care and irrigation of the landscaping b) repair and replacement of plant
28 materials (including interior trees and street trees) c) irrigation systems as necessary d)
29 general cleanup of the landscaped and open areas e) maintenance of parking lots, walkways,
30 enhanced hardscape, trash enclosures, walls, fences, etc. f) pruning standards for street trees
31 shall comply with the International Society of Arboriculture (ISA) Standard Practices for
32

1 Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix
2 H; and Tree Pruning Guidelines, Appendix F (most current edition). Failure to maintain
3 landscaping shall result in the City taking all appropriate enforcement actions including but
4 not limited to citations. This maintenance program condition shall be recorded with a
5 covenant as required by this resolution.

6 218. In the event that the conceptual landscape plan (CLP) does not match the conditions of
7 approval, the resolution of approval shall govern.

8 **Police:**

9 219. Specific Conditions of Approvals will be clearly defined at a later time. Conditions put in
10 place may differ depending on the type of ABC license that is issued. Conditions put in
11 place may include, but is not limited to; the hours of operation, restrictions on products sold
12 based on their alcohol by volume, restrictions of sale of single containers, size of products
13 which can be sold, percentage of square footage which can be used for sale of alcoholic
14 beverages, percentage of gross alcoholic beverages sales, restrictions of public pay phones,
15 requirement of video surveillance cameras and security guards, location of alcoholic
16 beverages displays, types of displays for alcoholic beverages, access for patrons, required
17 signage, required lighting for the property, and the abatement of trash and graffiti.

18 **Solid Waste:**

19 220. Plans are approved on the condition that the location for the future compactor also accounts
20 for the food scraps and recycling streams in the same area to ensure access to all three
21 streams within the storage area.

22 221. The City of Oceanside reserves the right to review program and services levels and request
23 increases if deemed necessary. The City of Oceanside Municipal Code Chapter 13 requires
24 that Oceanside residents, businesses and multifamily projects are to separate all recyclable
25 material from other solid waste. Additionally, the State of California regulations requires all
26 California businesses participate in Mandatory Recycling (AB 341) and Mandatory
27 Commercial Organics Recycling (AB 1826 & SB 1383) as outlined in the Oceanside Solid
28 Waste code.

29 **Transportation:**

30 222. All public improvements (streets, crosswalks, streetlights, sidewalks, etc.) shall be
31 constructed per the El Corazon Specific Plan, as shown on the approved Tentative Map,
32

1 T17-00004, and D22-00011 with the understanding that there will be some transitions in the
2 travel lanes to accommodate the signalized intersections and the roundabout at Village
3 Commercial Drive and Senior Center Drive. Such improvements shall be constructed to the
4 satisfaction of the City Engineer and City Traffic Engineer prior to the issuance of a
5 Certificate of Occupancy.

6 223. All crosswalks shall be continental crosswalks. All crosswalks at controlled and
7 uncontrolled locations shall be continental crosswalks. A crosswalk at an uncontrolled
8 location shall be supplemented with rectangular rapid flashing beacons. The work shall be
9 constructed prior to the issuance of a Occupancy and to the satisfaction of the City Engineer
10 and City Traffic Engineer.

11 224. Sight visibility for uncontrolled crosswalks shall be provided (meets City standards) for
12 motorist's approaching the uncontrolled crosswalks and for pedestrian's view of vehicles
13 approaching the uncontrolled crosswalk. The work shall be completed prior to the issuance
14 of Occupancy and to the satisfaction of the City Engineer and City Traffic Engineer.

15 225. The project shall install a new traffic signal at the intersection of Private Drive F and Village
16 Commercial Drive with northbound and southbound designated left turn pockets on Village
17 Commercial Drive; 3-inch interconnect conduit with 72 SMFO (single mode fiber optics)
18 cable that shall be installed on Village Commercial Drive between Private Drive F and
19 Oceanside Boulevard; the traffic signal with all related hardware shall be integrated into the
20 City's communication system; install an audible pedestrian system; and all traffic signal
21 hardware shall meet the City's traffic signal standards. Such improvements shall be
22 constructed to the satisfaction of the City Engineer and City Traffic Engineer prior to the
23 issuance of a Certificate of Occupancy.

24 226. The project shall install a new traffic signal at the intersection of Oceanside Boulevard and
25 Village Commercial Drive with southbound and eastbound dual left turn pockets; to be
26 located approximately 1200 feet west of the intersection of Oceanside Boulevard and
27 Rancho del Oro Road; with a westbound right-turn pocket; install a 3-inch interconnect
28 conduit with 72 SMFO (single mode fiber optics) cable that shall be installed on Oceanside
29 Boulevard between Village Commercial Drive and Rancho del Oro Road; install a CCTV
30 camera with appropriate hardware to provide communication to the City's Transportation
31 Management Center; the traffic signal with all related hardware shall be integrated into the
32

1 City's communication system; install an audible pedestrian system; and all traffic signal
2 hardware shall meet the City's traffic signal standards. Such improvements shall be
3 constructed to the satisfaction of the City Engineer and City Traffic Engineer prior to the
4 issuance of a Certificate of Occupancy.

5 227. Streetlights shall be maintained and installed on all public streets (street name required) per
6 City Standards and the El Corazon Specific Plan. The system shall provide uniform lighting,
7 and be secured prior to occupancy. The owner/developer shall pay all applicable fees,
8 energy charges, and/or assessments associated with City-owned (LS-2 rate schedule)
9 streetlights and shall also agree to the formulation of, or the annexation to, any appropriate
10 street lighting district. All street lights within the El Corazon development shall meet El
11 Corazon Specific Plan requirements. All street lights on Oceanside Boulevard and Rancho
12 del Oro Road shall meet the City of Oceanside street lighting standards. The work shall be
13 constructed prior to the issuance of Occupancy and to the satisfaction of the City Engineer
14 and City Traffic Engineer.

15 228. The project shall install raised medians on Oceanside Boulevard along the entire frontage of
16 the project site on Oceanside Boulevard and provide appropriate striping leading up to the
17 ends of the raised medians. The work shall be constructed prior to the issuance of a
18 Occupancy and to the satisfaction of the City Engineer and City Traffic Engineer.

19 229. All sidewalk on Village Commercial Drive between Oceanside Boulevard and Senior Center
20 Drive shall be noncontiguous. Such improvements shall be constructed to the satisfaction
21 of the City Engineer and City Traffic Engineer prior to the issuance of a Certificate of
22 Occupancy.

23 230. Private Drive "F" at Oceanside Boulevard and Private Drive "H" at Oceanside Boulevard
24 will only be right-in/right-out only driveways, both with westbound right-turn pockets.
25 Private Drive G at Rancho del Oro Road will be a right-in only driveway with a southbound
26 right-turn pocket. Such improvements shall be completed to the satisfaction of the City
27 Engineer and City Traffic Engineer prior to the issuance of a Certificate of Occupancy.

28 231. Bus turnout on north side of Oceanside Boulevard, west of Rancho del Oro Road, shall be
29 maintained.

30 232. Village Commercial Drive's (between Oceanside Boulevard and Senior Center Drive) lane
31 configuration (for motorists and bicyclists) may be modified from what is proposed in the
32

1 El Corazon Tentative Map and Specific Plan in order to accommodate the needs of the three
2 intersections of Village Commercial Drive at “FF” Street (signalized with northbound and
3 southbound left turn pockets), at Oceanside Boulevard (signalized with dual southbound left
4 turn pockets), and at Senior Center Drive/”D” Street (a one lane roundabout). The work shall
5 be completed prior to the issuance of Occupancy and to the satisfaction of the City Engineer
6 and City Traffic Engineer in accordance with Engineering Condition 131.

7 233. All items below (as also noted in the EIR mitigation measures) shall be completed to the
8 satisfaction of the City Engineer and City Traffic Engineer prior to the issuance of a
9 Certificate of Occupancy:

10 a. SR-76/Rancho del Oro Road: Provide right turn overlap signal phasing on both the
11 eastbound and westbound approaches, The traffic signal is owned and operated by
12 Caltrans and shall be processed and approved by Caltrans, along with the City.

13 b. Developer shall contribute a fair share towards the following projects:

14 ii. College Boulevard:

15 1. The City of Oceanside shall take the lead on the design and the
16 construction of the improvements between Waring Road and Old
17 Grove Road.

18 2. College Boulevard (Old Grove to Olive Drive): Construct to its
19 proposed Circulation Element standard of 6-lane Major Road
20 including bike lanes and sidewalk.

21 3. College Boulevard (Waring Road to Olive):

22 a. Provide three northbound through lanes on the south-leg of the
23 intersection of Waring Road/Barnard Drive/College
24 Boulevard, while maintaining the northbound bike lane.

25 b. Provide a four-lane roadway with bike lanes and sidewalk.
26 Allow for on-street parallel parking on both sides of the street
27 where residential homes are fronting College Boulevard.

28 iii. Rancho del Oro Road/Cameo Drive: Developer shall pay fair share towards
29 the already installed traffic signal based on the costs at the time of installation.

30 iv. The fair share dollar amounts shall be paid by the Developer at the time of
31 building permits.
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1 v. All fair share calculations shall include the “soccer field” ADT of 5,150.

2 vi. All fair share calculations shall be approved by City Traffic Engineer and City
3 Engineer prior to issuing building permits.

4 c. Implement measures from the Transportation Demand Management (TDM)
5 Program (documents that Sudberry is responsible to produce and maintain) for the
6 following locations which shall address items such as, but not limited to, providing
7 shuttle service from the El Corazon project site to the Sprinter station located at the
8 southwest corner of Oceanside Boulevard and Rancho del Oro Road to encourage
9 the use of public transportation; provide sidewalks along all project roadways,
10 particularly to the bus shelter and transit station; provide bike lane on all major
11 internal roadways connecting to the nearby major roadways; bikeway plan shall be
12 maintained and promoted; promote TDM principles such as peak hour trip reduction,
13 staggered work hours, ride sharing, telecommuting, and the use of public
14 transportation or other measures, as appropriate:

15 vii. Intersections:

- 16 1. El Camino Real at SR-78 westbound ramps (The traffic signal is
17 owned and operated by Caltrans and shall be processed and approved
18 by Caltrans, along with the City.)
- 19 2. El Camino Real at SR-78 eastbound ramps (The traffic signal is owned
20 and operated by Caltrans and shall be processed and approved by
21 Caltrans, along with the City.)
- 22 3. Oceanside Boulevard at I-5 Northbound ramps (The traffic signal is
23 owned and operated by Caltrans and shall be processed and approved
24 by Caltrans, along with the City.)
- 25 4. Oceanside Boulevard at El Camino Real
- 26 5. Oceanside Boulevard at Crouch Street

27 viii. Street Segments

- 28 1. Oceanside Boulevard from I-5 Southbound Ramps to El Camino Real
- 29 2. El Camino Real from Vista Way to SR-78
- 30 3. Mesa Drive from Foussat Road to El Camino Real
- 31 4. College Boulevard from Oceanside Boulevard to SR-78

- 1 234. South El Corazon Drive (formerly "D" Street) shall be the west leg of the roundabout at the
2 intersection of South El Corazon Drive / Village Commercial Drive / Senior Center Drive
3 and shall provide a safe transition for pedestrian circulation in the vicinity of the roundabout
4 which includes a raised median. The design of the South El Corazon Drive shall
5 accommodate a 12-foot wide multi-use path with 4-foot unpaved multi-use path on the north
6 side of the street, except in the immediate vicinity of the roundabout there shall be a
7 noncontiguous sidewalk on the north and south side of the west leg to the pedestrian crossing
8 at the roundabout. The pedestrian crossing shall be designed with rapid flashing beacons
9 and continental crosswalks. Developer shall acquire the appropriate right-of-way width to
10 accommodate this design. Such improvements shall be constructed to the satisfaction of the
11 City Engineer and City Traffic Engineer prior to the issuance of a Certificate of Occupancy.
- 12 235. The sidewalk on both sides of Village Commercial Drive between Oceanside Boulevard and
13 Senior Center Drive / "D" Street shall be non-contiguous sidewalk. Such improvements
14 shall be constructed to the satisfaction of the City Engineer and City Traffic Engineer prior
15 to the issuance of a Certificate of Occupancy.
- 16 236. Install, splice, and terminate 24 SMFOC fiber in existing conduit on west side of Rancho
17 del Oro Road between Oceanside Boulevard and Ocean Ranch Road with splice tray and
18 EWAN fiber optic switches at all intersections as needed. Such improvements shall be
19 constructed to the satisfaction of the City Engineer and City Traffic Engineer prior to the
20 issuance of a Certificate of Occupancy.

21 **Water Utilities:**

- 22 237. The developer will be responsible for developing all water and sewer utilities necessary to
23 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
24 the developer and shall be done by an approved licensed contractor at the developer's
25 expense.
- 26 238. All Water and Wastewater construction shall conform to the most recent edition of the
27 Water, Sewer, and Recycled Water Design and Construction Manual or as approved by the
28 Water Utilities Director.
- 29 239. The property owner shall maintain private water and wastewater utilities located on private
30 property.
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- 1 240. Water services and sewer laterals constructed in existing right-of-way locations are to be
2 constructed by an approved and licensed contractor at developer's expense.
- 3 241. Each commercial building shall be equipped with its own sewer lateral and water meter.
4 Each commercial water meter will be billed based on the predominant sewer classification
5 usage-type within the building.
- 6 242. Each building site and the retail site shall have its own separate irrigation meter with reduced
7 pressure principle backflow assembly for landscaped areas. The irrigation meters shall be
8 located as such, so that a future connection to the recycled water system will be possible. An
9 address assignment will need to be completed for irrigation meters, and can be processed
10 through the City Planning Department.
- 11 243. Buildings requiring an NFPA 13 automatic sprinkler system for fire protection shall have a
12 dedicated fire service connection to a public water main with a double check detector
13 backflow assembly. Location of the backflow assembly must be approved by Fire
14 Department.
- 15 244. Any proposed private on-site fire hydrants shall be served by a private fire main that is
16 looped on-site with two connections to an existing public water main. Each connection shall
17 have a double check detector assembly for backflow protection.
- 18 245. Hot tap connections will not be allowed for size on size connections, and connections that
19 are one (1) pipe size smaller than the water main. These connections shall be cut-in tees with
20 three valves for each end of the tee. Provide a connection detail on the improvement plans
21 for all cut-in tee connections.
- 22 246. The on-site sewer collection system shall be private and designed in accordance with the
23 most recent edition of the Water, Sewer, and Recycled Water Design and Construction
24 Manual. A manhole shall be constructed behind the property line prior to connection to the
25 public sewer system.
- 26 247. The following conditions shall be met prior to the approval of engineering design plans.
- 27 248. Any water and/or sewer improvements required to develop the proposed property will need
28 to be included in the improvement plans and designed in accordance with the Water, Sewer,
29 and Recycled Water Design and Construction Manual.
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- 1 249. All public water and/or sewer facilities not located within the public right-of-way shall be
2 provided with easements sized according to the Water, Sewer, and Recycled Water Design
3 and Construction Manual. Easements shall be constructed for all weather access.
- 4 250. All public water and sewer mains not located within the public right-of-way shall be
5 provided with a minimum 20-foot wide water or sewer easement. Where water and sewer
6 mains are located within the same easement, the minimum easement size shall be 30 feet
7 wide. In some cases, a wider easement may be required, as determined by the Water Utilities
8 Director.
- 9 251. No trees, structures or building overhang shall be located within any water or wastewater
10 utility easement.
- 11 252. Recycled water is anticipated to be supplied through a 10” PVC main in Senior Center Drive
12 in the near future. When recycled water becomes available, this development shall be
13 required to convert its irrigation supply to recycled water. The irrigation system shall be
14 designed in anticipation of a future recycled water service and meter off Senior Center Drive.
15 The recycled water main may need to be extended in ‘AA Street’ from Senior Center Dr. to
16 a location suitable to serve Lots 1 and 2 with irrigation water.
- 17 253. Developer shall prepare and submit recycled water irrigation plans to the Water Utilities
18 Department for an independent review and pay a separate recycled water review fee. The
19 review shall include the processing, plan submittal, permitting, inspection, and testing of the
20 proposed irrigation system for approval by the State Water Resources Control Board / San
21 Diego County Department of Environmental Health and Quality for on-site recycled water
22 use.
- 23 254. If Development is responsible for the irrigation or maintenance of any landscaping in the
24 right-of-way, then a separate/dedicated recycled irrigation meter and service shall be
25 required for this irrigation system. Local regulations do not permit a single irrigation meter
26 to service landscaping areas across property lines.
- 27 255. A water study and sewer study must be prepared by the developer at the developer’s expense
28 and approved by the Water Utilities Department. The water study shall demonstrate that
29 adequate fire flows and pressures can be delivered to the development. The sewer study shall
30 demonstrate that the collection system on-site and off-site has adequate capacity for the
31 development. Sewer flow monitoring downstream of the proposed development may be
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1 required by a City approved flow monitoring company for at least a one-week period to
2 confirm existing sewer capacity. Off-site improvements may be required as a result of the
3 studies and flow monitoring. Off-site improvements may include replacing sewer
4 infrastructure that is in poor condition that would be exacerbated by the development.

5 256. An inspection manhole for industrial and commercial waste as described by the Water,
6 Sewer, and Recycled Water Design and Construction Manual, shall be on each building
7 sewer lateral and the location shall be called out on the approved engineering plans.

8 257. The Developer shall provide a description of the laboratory and manufacturing processes,
9 the waste associated with the processes, the base materials on site, and the waste proposed
10 to be discharged into the public sewer system. The discharges shall meet the City's sanitary
11 use limits. The Developer shall coordinate with the City's Pollution Prevention and
12 Pretreatment Program Representatives to determine what conditions and requirements will
13 be necessary for the proposed sanitary discharges.

14 258. An Oil and Sand Interceptor, as described by the latest adopted California Plumbing Code
15 Chapter 10, relating to garages, gasoline stations, wash racks or when deemed necessary
16 shall be shown on building plans at each building sewer in an appropriate location and shall
17 be maintained in accordance with the Fats, Oil, and Grease permit. The location shall be
18 shown on the approved Engineering Plans with reference to Building Plans for design and
19 detail.

20 259. A Grease Interceptor, as required per City of Oceanside Ordinance 07-OR0021-1 & 18-
21 OR0021-1 relating to food service establishments shall be on each building sewer when
22 deemed necessary in an appropriate outside location and shall be maintained by the property
23 owner. The grease interceptor shall be shown on Engineering Plans with reference to
24 Building Plans for design and detail.

25 260. Connections to a public sewer main with a 6-inch or larger sewer lateral will require a new
26 sewer manhole for connection to main per Section 3.3 of Water, Sewer, and Recycled Water
27 Design and Construction Manual.

28 261. Connection to an existing sewer manhole will require rehabilitation of the manhole per City
29 standards. Rehabilitation may include, but not be limited to, re-channeling of the manhole
30 base, surface preparation and coating the interior of the manhole, and replacing the manhole
31 cone with a 36" opening and double ring manhole frame and lid.

- 1 262. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter and
2 reduced pressure principle backflow device on Landscape Plans.
- 3 263. All existing and proposed on-site sewer manholes shall be accessible by an access road, turf
4 block, or pavement that can support H-20 loading for sewer vactor truck. Access road or
5 pavement must allow a minimum turning radius of 46-feet (outer wheel) for curb clearance
6 and a wall clearance of 46'-11". Truck length is 41'-6".
- 7 264. Provide stationing and offsets for existing and proposed water service connections and sewer
8 laterals on plans.
- 9 265. Any unused water services or sewer laterals by the proposed development or redevelopment,
10 shall be abandoned in accordance with Water Utilities requirements.

11 **The following conditions of approval shall be met prior to building permit issuance.**

- 12 266. Show location and size of existing and proposed water meter(s) on site plan of building
13 plans. Show waterline from proposed meter to connection point at the building. Water
14 meters shall have a RP backflow assembly per City Standard Drawing W-12 or W-13.
- 15 267. Show location and size of existing and proposed sewer lateral(s) from property line or
16 connection to sewer main to connection point at the building.
- 17 268. Provide a fixture unit count table and supply demand estimate per the latest adopted
18 California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).
- 19 269. Provide drainage fixture unit count per the latest adopted California Plumbing Code to size
20 sewer lateral for property.
- 21 270. If a Grease Interceptor is required per City of Oceanside Ordinance 07-OR0021-1, then
22 building plans must show sizing calculations per the latest California Plumbing Code, the
23 location, the make and model, and plumbing schematic showing the required appurtenances
24 at each building sewer lateral.
- 25 271. If a Sand and Oil Separator is required, then building plans must show drainage fixture unit
26 count and calculations per the latest California Plumbing Code to size oil and sand separator
27 and show on plans the location, make and model of separator, inlet/outlet piping, and a
28 plumbing schematic of the separator along with the required appurtenances at each building
29 sewer lateral.
- 30 272. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees are to
31 be paid to the City at the time of Building Permit issuance per City Code Section 32B.7.
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PASSED AND ADOPTED Resolution No. 2023-P09 on April 24, 2023 by the following

vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Tom Rosales, Chairperson
Oceanside Planning Commission

ATTEST:

Sergio Madera, Secretary

Dated: April 24, 2023

I, SERGIO MADERA, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2023-P09.