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DATE: April 8, 2024

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D22-00022) AND CONDITIONAL USE PERMIT (CUP22-00029) FOR THE DEVELOPMENT OF A MIXED-USE PROJECT, CONSISTING OF 43 AGE RESTRICTED SENIOR UNITS AND 2,529 SQ. FT. OF COMMERCIAL SPACE ON A VACANT 1.5-ACRE PARCEL LOCATED AT 1430 S. MELROSE DRIVE (APN: 169-011-44) – MELROSE SENIOR APARTMENT HOMES AT 1430 S. MELROSE DRIVE – APPLICANT: MIDEUM OCEANSIDE, LLC**

### **RECOMMENDATION**

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Development Plan (D22-00022), and Conditional use Permit (CUP22-00029) by adopting Planning Commission Resolution No. 2024-06 with findings and conditions of approval attached herein.

### **BACKGROUND**

The subject property is comprised of a vacant 1.5-acre site on the west side of South Melrose Drive north of Cannon Road. Existing surrounding uses include residential and agricultural properties to the north and east located in unincorporated San Diego County, a commercial shopping center to the west across Melrose Drive, a senior assisted living facility to the south, and multifamily apartment uses across Cannon Road.

The subject property has a General Plan Land Use designation of General Commercial (GC), has an underlying zoning of General Commercial (CG) and has a Planned Block Development Overlay known as Broadmoor Plaza (PBD-3). The project site and the surrounding area are depicted in Figure 1 below:

**Figure 1 - Location Map:**



## **PROJECT DESCRIPTION**

The proposed project requires a Development Plan and a Conditional Use Permit to allow the construction of a mixed-use project. It should be noted that the project applicant filed an SB 330 application with the City on December 18, 2023, effectively “locking in” the development standards and subject fees (development impact and inclusionary housing) in effect at that time. The entitlement application includes the following requests:

**Development Plan (D22-00022)** represents a request for:

The construction of a three-story mixed-use building with 43 age-restricted units and 2,529 sq. ft. of commercial office. The units will range between studio, 1 bedroom, and 2 bedroom units. Section 4302(F)(2) of the Zoning Ordinance requires a Development Plan for review and approval by the Planning Commission for projects in a commercial district involving structures greater than 10,000 square feet in floor area.

### ***Site Plan***

The proposed project has been designed in a manner that tiers the building and courtyard along the surface of the grade which slopes from north to south. The project will provide two 28’ wide driveways off Melrose Drive at the north and south end of the project’s frontage. The site plan is depicted in Figure 2 below.



**Figure 2 – Site Plan:**



**Architecture and Design**

As shown in the elevations, the design will incorporate features consistent with a



**Figure 3 – Building Rendering**

Mediterranean architectural style, as required under the PBD-3 architectural standards. The design features will include the use of white washed stucco, metal railings, casement windows, arched walkways, and a low pitch tile roof. Also, the commercial component of the mixed-use project will be

articulated with the use of large arched storefront windows that will be visible along Melrose Drive.

The three-story design will have three floors of residential units and amenities, and a commercial office space. As noted, the project site has a grade that falls from north to

south, the lower ground level will consist of eight (8) residential units and residential amenities in the form of a club/fitness space and an outdoor courtyard. The ground level, will include 13 residential units, 1,224 sq. ft. of leasing space, and a 2,529 sq. ft. commercial space with pedestrian access from S. Melrose Drive. The 2<sup>nd</sup> level will consist of 16 residential units, and the 3<sup>rd</sup> level will have six (6) residential units with additional residential amenities in the form of a roof top deck.

The project will consist of a mix of studio, 1 bedroom, and 2 bedroom units with associated open space and amenities noted below in Tables 1 and 2.

Table 1: Unit Summary

<b>Unit Type</b>	<b>Average Sq. Ft.</b>	<b>Total No. Units</b>
Studio	505	8
1 Bedroom – A1	680	21
1 Bedroom – A1.1	656	2
1 Bedroom – A1.2	682	2
2 Bedroom – B1	996	2
2 Bedroom – B2	1016	4
2 Bedroom – B3	1019	3
2 Bedroom – B4	1022	1
<b>Total</b>	<b>724</b>	<b>43</b>

Table 2: Open Space and Amenities

<b>Amenity Type</b>	<b>Square footage</b>
Court Yard	2,400 sq. ft.
Club/Fitness	2,370 sq. ft.
Roof Deck	1,876 sq. ft.
<b>Total</b>	<b>6,646 sq. ft.</b>

### **Landscaping**

The landscaping has been designed to enhance the site and reduce the massing of the building along Melrose Drive. The applicant has prepared a landscape plan that carefully places trees and shrubs in areas that can be enjoyed as an amenity for the residents and/or visitors and pedestrians walking along Melrose Drive, as there are a variety of trees, shrubs and ground cover proposed along Melrose Drive. There will also be similar emphasis of landscaping on the eastern property line thereby providing a decorative landscape buffer between the project and the adjacent property, and on walkways and courtyards. Additional landscaping will be provided within the parking areas by incorporating landscaped planters within the parking spaces. The northeastern portion of the project site contains a biofiltration basin that will be landscaped with ground cover, trees, and shrubs.

**Conditional Use Permit (CUP22-00029)** represents a request to:

Allow for the construction and operation of a mixed-use plan, consisting of 43 age-restricted residential units and 2,529 sq. ft. commercial office space pursuant to Article 4, 11, 30, 31, 41, and 43 and PBD-3, and to allow for a parking reduction pursuant to Section 3105.

### ***Mixed Use Plan***

As noted in PBD-3, permitted uses for this property are restricted to uses permitted in the Limited Commercial (CL) Zone. Mixed-use Development is a permitted use in the CL zone with approval of a mixed-use plan and conditional use permit.

### ***Parking***

The project is subject to multi-family residential parking standards, which would require a total of 70 parking spaces for the residential units, 10 guest parking spaces, 9 spaces for the commercial office, and one loading zone.

Section 3105 of the Zoning Ordinance allows for a reduction in parking subject to the approval of a conditional use permit. A parking analysis (Attachment 5) was prepared for the project, which determined that the proposed parking supply of 43 parking spaces is sufficient for both the senior housing component and the commercial office use for the mixed-use project. The applicant is proposing 33 residential parking spaces and 10 parking spaces for the commercial office. 15 standard parking spaces will be covered with a carport and there will be one loading zone for larger vehicles.

## **ANALYSIS**

Development on the subject property is subject to the policies and standards of the following:

1. General Plan
2. Zoning Ordinance and PBD-3
3. California Environmental Quality Act (CEQA)

### **1. General Plan Conformance**

Staff has evaluated the project for consistency with the following goals and objectives of the City's General Plan:

Land Use Element: The Land Use Element establishes the following relevant goals, objectives, and policies applicable to the proposed project.

**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 A:**     The city shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land use so as to foster a sense of neighborhood, community, and regional identity.

**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 a community or provide a significant benefit to the community.

The project's mixed-use design and land use will be compatible with existing and future developments in the surrounding areas. The project site has been vacant for several years and is located in a developed area with a variety of commercial, institutional, and residential uses in the area. The proposed mixed-use development with age-restricted housing will be an appropriate land use as there is an existing assisted living facility just south of the project site.

The commercial office will also be consistent with the surrounding land uses as west of the project site is a commercial shopping center with retail, restaurants, offices and service uses.

**Goal 1.23    Architecture**

**Objective:**    The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

**Policy A:**     Architectural form, treatments, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

The project's architecture will be of Mediterranean style which is consistent with the architecture standards required in PDB-3. As shown in the elevations, the structure's design will consist of stucco walls and tiled roof; similar to the surrounding Mediterranean style developments in the PDB-3 area. The project will also incorporate high quality architectural treatments such as, arched and casement windows, wrought iron balconies, and decorative tile vents.

The entrance to the commercial space will be visible from Melrose Drive with the use of storefront windows and a public courtyard with pedestrian access on the southern portion of the project site. The courtyards will be used as calming spaces for the residents and will enhance the streetscape along Melrose Drive.

## Housing Element

Goal 2: Encourage the development of a variety of housing opportunities, with special emphasis on providing:

- A broad range of housing types, with varied levels of amenities and number of bedrooms.
- Housing that meets the needs of the elderly.

The project will assist in providing additional housing stock to meet the growing demand for senior housing within the region and in the City.

## **2. Zoning Ordinance**

The proposed project is subject to the development standards under the PBD-3 and the Zoning Ordinance. Per PBD-3, development standards shall defer to the underlying General Commercial (CG) zoning district and permitted uses are restricted to the uses permitted in the CL District. Mixed-use development is a permitted use in the CL District subject to the approval of a mixed-use plan and conditional use permit. The project will also comply with the applicable development standards including but not limited to lot coverage, floor area ratio, building height.

Table 3 summarizes the proposed and applicable development standards for the project site:

Table 3: Development Standards

Development Standard	Required	Proposed
Residential Unit Density	29 units/acre = 43 units	43 units
Minimum Lot Size	10,000 sq. ft.	65,188 sq. ft. (1.5 acres) Existing
Front-Yard Setback	15 ft.	15 ft.
Side-Yard Setback	N/A	66 ft.
Rear-Yard Setback	N/A	76 ft.
Lot Width	N/A	452 ft.
Building Height	50 feet	44.1 ft.
Lot Coverage	50%	29%
Landscaping	10%	24%
Parking	43 with approval of CUP*	43

\*Section 3105 of the Zoning Ordinance allows for a reduction in parking subject to the approval of a Conditional Use Permit.

#### **4. CEQA Compliance/Environmental Determination**

Planning Division staff has completed a preliminary review of the proposed project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA) of 1970. Based upon this review, staff finds the proposed project is categorically exempt pursuant to Article 19 Categorical Exemptions, Section 15332 "In-Fill Development." The site is located in an urbanized area, and would not result in any significant environmental effects.

#### **PUBLIC NOTIFICATION**

A notice of application was mailed to all property owners of record within a 1,500-foot radius of the subject property, tenants within a 100-foot radius of the subject property, and other interested parties.

The applicant conducted a community outreach meeting at El Corazon Senior Center on November 15, 2023. A copy of the community outreach flier and report are included within Attachment 3.

Legal notice was published in the San Diego Union Tribune 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.

The applicant has complied with all the applicable provisions of City Council Policy 300-14.

At the time of publication of the staff report, staff had not received any correspondence either in opposition or support of the proposed project.



## **SUMMARY**

Staff finds that the proposed project is consistent with the applicable objectives and policies of the General Plan as well as the applicable standards of the Zoning Ordinance. Staff thus recommends that the Planning Commission approve the project.

Staff recommends that the Planning Commission, by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Development Plan (D22-00022), and Conditional Use Permit (CUP22-00029) by adopting Planning Commission Resolution No. 2024-P06 with findings and conditions of approval attached herein.

PREPARED BY:



Nathalie Vazquez  
Associate Planner

SUBMITTED BY:



Sergio Madera  
City Planner

Attachments:

1. Planning Commission Resolution No. 2024-P06
2. Project Plans
3. Application Page
4. Description and Justification
5. Parking Analysis
6. Notice of Exemption
7. Community Outreach Report

PLANNING COMMISSION  
RESOLUTION NO. 2024-P06

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

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APPLICATION NO: D22-00022, CUP22-00029  
APPLICANT: MIDEUM OCEANSIDE, LLC  
LOCATION: 1430 S. MELROSE DRIVE EAST OF MELROSE DRIVE  
AND NORTH OF CANNON ROAD (APN: 169-011-44)

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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 a Conditional Use Permit under the provisions of Planned Block Development – Broadmoor Plaza (PBD-3), Articles 11 (Commercial Districts), 30 (Site Regulations), 31 (Off-Street Parking), 41 (Use Permit) and 43 (Development Plan Review) of the Zoning Ordinance of the City of Oceanside to permit the following:

the development of a mixed-use project, consisting of 43 age restricted senior units and 2,529 sq. ft. of commercial space;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 8<sup>th</sup> day of April, 2024 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto (Section 15332); this project qualifies for a Class 32 categorical exemption (In-Fill Development Projects), as it involves in-fill development consistent with general plan and zoning designations;

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

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

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Public Facility (Commercial/Industrial)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
School District Fee (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
School District Fee (Commercial/Industrial)	Ord. No. 91-34 OUSD Res. 13(12-13) CUSD Res. 21-1314
Traffic Signal & Thoroughfare (Multifamily Residential)	Reso. No. 16-R0324-1 Reso. No. 12-R0626-1
Drainage and Flood Control Fee	Reso. #16-R0638-1 Ord #85-23
Wastewater System Capacity Buy-In Fee (Non-Residential and Multi-Family Residential)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29

Description	Authority for Imposition
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; and

WHEREAS, an SB 330 Preliminary Application was filed for the project on August 25, 2023 pursuant to the Housing Crisis Act of 2019 and freezes fees and development standards as of August 25, 2023, unless exceptions per Government Code Section 65889.5(o) are triggered.

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;



1 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution  
2 becomes effective 10 days from its adoption in the absence of the timely filing of an appeal  
3 or call for review prior to the expiration of the 10-day appeal period;

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

6 FINDINGS:

7 For the Development Plan (D22-00022):

- 8 1. The site plan and physical design of the project as proposed is consistent with the  
9 PBD-3 and the Zoning Ordinance. The proposal complies with requirements as it  
10 pertains to the development standards of the PBD-3 and the Zoning Ordinance.
- 11 2. The Development Plan as proposed conforms to the General Plan of the City, in  
12 that the underlying General Plan Land Use designation of General Commercial  
13 (GC), which allows for mixed-use development as proposed with the project. In  
14 addition, the project is consistent with Goal 1.11 and 1.23. as the proposed mixed-  
15 use project would be compatible with the existing and future uses of the  
16 surrounding areas and the project's design will enhance the overall neighborhood.  
17 In addition, the project is consistent with the Housing Element by encouraging the  
18 development of housing opportunities for seniors.
- 19 3. The area covered by the Development Plan can be adequately, reasonably, and  
20 conveniently served by existing and planned public services, utilities, and public  
21 facilities because the project site is situated within an urbanized area now served  
22 by existing public services, utilities, and public facilities.
- 23 4. The proposed mixed-use project is compatible with existing and future  
24 developments in the surrounding areas. The project site has been vacant for several  
25 years and is located in a developed area with a variety of commercial, residential,  
26 and multifamily uses, and an existing assisted senior living facility. The proposed  
27 senior housing facility would be an appropriate land use as there is existing assisted  
28 living facility just south of the project site, commercial to the west across South  
29 Melrose Drive, and multifamily uses across Cannon Road.

1 5. The site plan and physical design of the project is consistent with the policies  
2 contained within Section 1.24 and 1.25 of the Land Use Element of the General  
3 Plan, the Development Guidelines for Hillside, of this ordinance as the  
4 developable portions of project site is relatively flat and does not contain any  
5 qualifying slopes or topographic features that would be considered undevelopable,  
6 nor does the site contain any riparian areas.

7 For the Conditional Use Permit (CUP22-00029):

- 8 1. The proposed location of the mixed-use plan is in accord with PBD-3, the  
9 Commercial District, objectives of the Zoning Ordinances and the purposes of the  
10 CG District in which the project site is located.
- 11 2. The proposed mixed-use project, including the request for reduction in parking,  
12 and conditions under which it would be operated and maintained will be consistent  
13 with the General Plan, including Objective 1.11 Balanced Land Use; will not be  
14 detrimental to public health, safety or welfare of persons residing or working in or  
15 adjacent to the neighborhood of such use; and will not be detrimental to properties  
16 or improvements in the vicinity or to the general welfare of the city.
- 17 3. The proposed mixed-use project complies with application provisions of the  
18 Zoning Ordinance, PBD-3, and specific conditions required for the proposed land  
19 use within the CG District.

20 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does  
21 hereby approve Development Plan (D22-00022), and Conditional Use Permit (CUP22-  
22 00029), subject to the following conditions:

23 **Building:**

- 24 1. Beginning on January 1, 2023, Oceanside Development Services (ODS) is required  
25 by State law to enforce the 2022 Edition of California Building Standards Codes  
26 (a.k.a., Title 24 of the California Codes of Regulations). Every three years, the State  
27 adopts new model codes (known collectively as the California Building Standards  
28 Code) to establish uniform standards for the construction and maintenance of  
29

1 buildings, electrical systems, plumbing systems, mechanical systems, and fire and  
2 life safety systems.

- 3 • Part 2: The 2022 California Building Code (CBC).
- 4 • Part 2.5: The 2022 California Residential Code (CRC).
- 5 • Part 3: The 2022 California Electrical Code (CEC).
- 6 • Part 4: The 2022 California Mechanical Code (CMC).
- 7 • Part 5: The 2022 California Plumbing Code (CPC).
- 8 • Part 6: The 2022 California Energy Code
- 9 • Part 9: The 2022 California Fire Code (CFC)
- 10 • Part 11: The 2022 California Green Building Standards Code (CALGreen  
11 Code) This Part is known as the California Green Building Standards Code, and  
12 it is intended that it shall also be known as the CALGreen Code.
- 13 • City of Oceanside Municipal Code

14 2. Where mixed occupancy buildings contain incidental use areas, the following shall  
15 apply:

- 16 a. Clearly identify on plans whether there are any incidental use areas that are  
17 separated from other portions of the building pursuant to CBC.
- 18 b. The protection used for incidental use areas may include automatic fire  
19 sprinklers, fire-resistance rated construction, or both. Identify such protection  
20 in the incidental use areas on each floor plan.

21 3. Where mixed occupancy buildings contain nonseparated uses, the following shall  
22 apply:

- 23 a. Clearly identify on plans whether nonseparated uses will be utilized pursuant to  
24 CBC 508.3.
- 25 b. Clearly acknowledge on the plans that the use of nonseparated occupancies  
26 requires the most restrictive provisions of CBC 403 and Chapter 9 to apply to  
27 the entire building.
- 28 c. The adjoining nonseparated uses must be clearly identified on all floor plans,  
29 including the boundary of such areas.

1 d. The project must be designed to meet the requirements of the more restrictive  
2 occupancy for the following: (Area) (Height) (Egress) (Fire Sprinklers) (Other).

3 e. Per Table 504.4 the Type of construction must be per 2019 CBC for each  
4 Building.

5 f. Per Table 705.8 Walls 3 to 5 feet from the PL must not have opening of more  
6 than 15%, walls 5 to 10 not less than 25%, walls 10 to 15 feet not more than  
7 45%.

8 4. Where mixed occupancy buildings contain separated uses, the following shall  
9 apply:

10 a. Clearly identify on plans the boundary of each adjoining occupancy that will be  
11 separated pursuant to CBC 508.4

12 b. Fire-resistance rated walls used to separate adjoining occupancies shall be  
13 constructed as fire barriers in accordance with Section 707; fire partitions shall  
14 not be allowed. (CBC 508.4.4.1)

15 c. Fire-resistance rated floor-ceiling assemblies used to separate adjoining  
16 occupancies shall comply with CBC 711. (CBC 711.2.4.1)

17 5. Where mixed occupancy buildings contain accessory areas, the aggregate area of  
18 all accessory areas within a single occupancy shall not exceed 10% of the floor area  
19 of the primary occupancy. (CBC 508.2.3).

20 6. Clearly label and identify on plans (fire walls, fire barriers, fire partitions, shafts,  
21 smoke barriers, and smoke partitions), along with their fire-resistance ratings.  
22 Provide a legend.

23 7. Submit an exit analysis plan that labels and clearly shows compliance with all  
24 required egress features such as, but not limited to, common path of travel, required  
25 number of exits, occupant load, required width, continuity, travel distance, etc.  
26 (CBC 1001.1).

27 8. Means of egress doors shall be readily distinguishable from the adjacent  
28 construction and finishes such that the doors are easily recognizable as doors.  
29 Mirrors or similar reflecting materials shall not be used on means of egress doors.



1 Means of egress doors shall not be concealed by curtains, drapes, decorations or  
2 similar materials. (CFC 1010.1).

3 9. The building plans for this project are required by State law to be prepared by a  
4 licensed architect or engineer.

5 10. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on  
6 the plans.

7 11. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution  
8 Ordinance) and shall be shielded appropriately.

9 12. Separate/unique addresses may be required to facilitate utility releases. Verification  
10 that the addresses have been properly assigned by the City's Planning Division  
11 shall accompany the Building Permit application.

12 13. A form or foundation survey shall be required prior to the placement of concrete to  
13 show the location of the new structure in respect to the property lines, known  
14 easements, and known setback lines. By obtaining a form survey the location of the  
15 foundation is checked prior to the placement of concrete, and can save costly  
16 corrective measures in case of an encroachment of a property line.

17 14. The 2019 California Energy Code requires rooftop solar zones. Solar ready rooftop  
18 required. Low-rise and High-rise Multi-family Buildings, Hotel/Motel  
19 Occupancies, and Nonresidential Buildings. The solar zone shall be located on the  
20 roof or overhang of the building or on the roof or overhang of another structure  
21 located within 250 feet of the building or on covered parking installed with the  
22 building project and have a total area no less than 15 percent of the total roof area  
23 of the building excluding any skylight area. The requirements for solar ready  
24 buildings are all mandatory, so there are no prescriptive and performance  
25 compliance paths. Since the provisions are mandatory, there are also no tradeoffs  
26 allowed, and applicants must demonstrate compliance with each measure.

27 15. Exterior walls of all buildings shall comply with CBC table 705.2

28 16. 705.2 Projections - Cornices, eave overhangs, exterior balconies and similar  
29 projections extending beyond the exterior wall shall conform to the requirements

1 of this section and Section 1406. Exterior egress balconies and exterior exit  
2 stairways and ramps shall comply with Sections 1021 and 1027, respectively.  
3 Projections shall not extend any closer to the line used to determine the fire  
4 separation distance than shown in Table 705.2.

5 17. CBC 1027.5 Location. Exterior exit stairways and ramps shall have a minimum  
6 fire separation distance of 10 feet (3048 mm) measured at right angles from the  
7 exterior edge of the stairway or ramps, including landings, to:

8 1. Adjacent lot lines.

9 2. Other portions of the building.

10 3. Other buildings on the same lot unless the adjacent building exterior walls and  
11 openings are protected in accordance with Section 705 based on fire separation  
12 distance. For the purposes of this section, other portions of the building shall be  
13 treated as separate buildings.

14 18. 1023.7 Interior Exit Stairway and Ramp Exterior Walls Exterior - walls of the  
15 interior exit stairway or ramp shall comply with the requirements of Section 705  
16 for exterior walls. Where nonrated walls or unprotected openings enclose the  
17 exterior of the stairway or ramps and the walls or openings are exposed by other  
18 parts of the building at an angle of less than 180 degrees (3.14 rad), the building  
19 exterior walls within 10 feet (3048 mm) horizontally of a nonrated wall or  
20 unprotected opening shall have a fire-resistance rating of not less than 1 hour.  
21 Openings within such exterior walls shall be protected by opening protectives  
22 having a fire protection rating of not less than 3/4 hour. This construction shall  
23 extend vertically from the ground to a point 10 feet (3048 mm) above the topmost  
24 landing of the stairway or ramp, or to the roof line, whichever is lower.

25 19. Site development, parking, access into buildings and building interiors shall  
26 comply WITH ALL CURRENT State of California Accessibility Code where  
27 required. No Accessible parking shown on current plans. You must clearly show  
28 compliance on the plans.

29

- 1 • Buildings or portions of buildings and facilities within the scope of this chapter  
2 shall be accessible to persons with disabilities. Each building on a building site  
3 shall be considered separately when determining the requirements contained in  
4 this chapter, except when calculating the number of units which must comply  
5 with Section 1102A.3.1. Dwelling units within a single structure separated by  
6 firewalls do not constitute separate buildings.
- 7 • Newly-constructed covered multifamily dwellings as defined in this chapter,  
8 include, but are not limited to, the following:
- 9 • Apartment buildings with 3 or more dwelling units including timeshare  
10 apartments not considered a place of public accommodation or transient lodging  
11 as defined in Health and Safety Code Section 19955 (a), and Chapter 2 of the  
12 California Building Code.
- 13 • Condominiums with 4 or more dwelling units including timeshare  
14 condominiums not considered a place of public accommodation or transient  
15 lodging as defined in Health and Safety Code Section 19955 (a), and Chapter 2  
16 of the California Building Code.
- 17 • Lodging houses, as defined in Chapter 2 of the California Building Code, used  
18 as a residence with more than 3 but not more than 5 guest rooms.
- 19 • Congregate residences, as defined in Chapter 2 of the California Building Code,  
20 with 3 or more sleeping units.
- 21 • Dwellings with 3 or more efficiency units, as defined in Chapter 2 of this code,  
22 or Section 17958.1 of the California Health and Safety Code.
- 23 • Shelters for homeless persons, not otherwise subject to the disabled access  
24 provisions of the Division of the State Architect-Access Compliance (DSA-  
25 AC).
- 26 • Dormitories, as defined in Chapter 2 of this code, with 3 or more guest rooms  
27 as defined in Chapter 2 of the California Building Code.

- Timeshare dwellings with 3 or more units, not considered a place of public accommodations or transient lodging as defined in Health and Safety Code Section 19955 (a), and Chapter 2 of the California Building Code.
- Other Group R occupancies in covered multifamily dwellings which are regulated by the Office of the State Fire Marshal. See Section 1.11.
- Public housing as defined in Chapter 2 of this code is subject to provisions of the Division of the State Architect (DSA-AC) in Chapter 11B. Newly constructed covered multifamily dwellings, which can also be defined as public housing, shall be subject to the requirements of Chapter 11A and Chapter 11B.

20. 1102A.3.2 Multistory dwelling units in buildings with one or more elevators - Multistory dwelling units contained in buildings with elevators shall comply with this section. For multistory dwelling units in buildings with elevators, the story of the unit that is served by the building elevator is considered a ground floor and the primary entry floor to the unit and shall comply with the following:

- At least 1 powder room or bathroom shall be located on the primary entry level.
- At least 1 kitchen shall be located on the primary entry level.
- All rooms or spaces located on the primary entry level shall be served by an accessible route and shall comply with Division IV.

21. 1109A.3 Required accessible parking spaces

- Accessible parking spaces shall be provided at a minimum rate of 2 percent of the covered multifamily dwelling units. At least one space of each type of parking facility shall be made accessible even if the total number exceeds 2 percent.

22. 1109A.7 Location of accessible parking spaces

- The location of accessible parking spaces shall comply with the following:
- Accessible parking spaces shall be located on the shortest possible accessible route to an accessible building, or covered multifamily dwelling unit entrance. All van accessible spaces may be grouped on one level of a multilevel parking facility. Please illustrate compliance on the plans.



- 1 • When parking facilities are located adjacent to a building with multiple  
2 accessible entrances, accessible parking spaces shall be dispersed and located  
3 near the accessible building entrances.
- 4 • When practical, the accessible route shall not cross lanes for vehicular traffic.  
5 When crossing vehicle traffic lanes is necessary, the accessible route shall be  
6 designated and marked as a crosswalk.
- 7 • Parking facilities that do not serve a particular building shall have accessible  
8 parking spaces located on the shortest possible accessible route to an accessible  
9 pedestrian entrance of the parking facility.
- 10 • Accessible parking spaces shall be located so that persons with disabilities are  
11 not compelled to wheel or walk behind parked cars other than their own.
- 12 • Exception: When the enforcement agency determines that compliance with this  
13 section or providing equivalent facilitation would create an unreasonable  
14 hardship, parking spaces may be provided which would require a person with  
15 physical disabilities to wheel or walk behind other than accessible parking  
16 spaces.

17 23. A complete set of Soil Reports, Structural Calculations, Energy Calculations, &  
18 California Title 24 Energy Form(s) shall be required at time of plans submittal to  
19 the Building Division for plan check.

20 24. City of Oceanside Enforces the 2019 California Green Building Standards Code.  
21 A Construction Waste Management Plan shall be required at time of plans  
22 submittal to the Building Division for plan check.

23 25. 5.408.1 Construction waste diversion. Recycle and/or salvage for reuse a minimum  
24 of 65 percent of the nonhazardous construction and demolition waste in accordance  
25 with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and  
26 demolition waste management ordinance, whichever is more stringent.

27 26. 5.408.1.1 Construction waste management plan. Where a local jurisdiction does  
28 not have a construction and demolition waste management ordinance that is more  
29 stringent, submit a construction waste management plan that:

1 1. Identifies the construction and demolition waste materials to be diverted from  
2 disposal by efficient usage, recycling, reuse on the project or salvage for future use  
3 or sale.

4 2. Indicates if construction and demolition waste materials will be sorted on-site  
5 (source-separated) or bulk mixed (single stream).

6 3. Identifies diversion facilities where construction and demolition waste material  
7 collected will be taken.

8 4. Specifies that the amount of construction waste and demolition materials  
9 diverted shall be calculated by weight or volume, but not by both.

10 27. Plans must specify, as applicable, the type of automatic sprinkler system – NFPA  
11 13, NFPA 13R, or NFPA 13D – installed in each building.

12 28. The construction documents and/or site plan should indicate the location and  
13 required number of designated parking stalls. These parking spaces should be  
14 marked “CLEAN AIR/VANPOOL/EV.” The markings should be visible when a  
15 clean air vehicle is parked. In other words, if the front of the vehicle goes into the  
16 parking stall first, the markings should be visible at the back end of the vehicle.  
17 Lettering should be at least 8 inches high. The CLEAN AIR/VANPOOL/EV  
18 parking stalls may be located anywhere on the site and do not require a preferential  
19 location. Refer to Table 5.106.5.2 in CAL Green to ensure that the correct number  
20 of designated parking stalls is provided. Include all parking spaces in the  
21 calculation. 2019 Cal Green Section 5.106.5.2

22 29. All electrical, communication, CATV, etc. service lines within the exterior lines of  
23 the property shall be underground (City Code Sec. 6.30).

24 30. Buildings four or more stories in height must comply with City of Oceanside Mid-  
25 Rise Ordinance.

26 31. Elevator car must be sized to accommodate an emergency gurney sized 84 x 24  
27 inches in the horizontal position.

28 32. An enclosed elevator lobby – separating the elevator shaft enclosure doors from  
29 each floor with fire partitions. – shall be provided at each floor where an elevator

1 shaft enclosure connects more than two stories in A, E, H, I, L, R-1, R-2, and R-  
2 2.1 occupancies and more than three stories in all other occupancies (CBC 3006.2,  
3 CBC 3006.3).

4 33. Electric vehicle (EV) charging. [N] Construction shall comply with Section  
5 5.106.5.3.1 or 5.106.5.3.2 to facilitate future installation of electric vehicle supply  
6 equipment (EVSE) in compliance with California Building Code (CBC) and  
7 California Electrical Code (CEC). Multiple charging space requirements. [N]  
8 When multiple charging spaces are required per Table 56.106.5.3.3, raceway(s)  
9 is/are required to be installed at the time of construction and shall be installed in  
10 accordance with CEC. Construction plans and specifications shall comply with  
11 CGBSC 5.106.5.3.2

12 34. Construction Hours. Per City of Oceanside Municipal Code section 6.25: It shall  
13 be unlawful to operate equipment or perform any construction in the erection,  
14 demolition, alteration, or repair of any Building or structure or the grading or  
15 excavation of land during the following hours:

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

17 2. All day Sunday; and

18 3. On any federal holiday.

19 4. Exceptions

20 a. An owner/occupant or resident/tenant of residential property may engage in a  
21 home improvement project between the hours of 9:00 a.m. and 5:00 p.m. on  
22 Sundays and holidays provided the project is for the benefit of said residential  
23 property and is personally carried out said owner/occupant or resident/tenant.

24 b. The Building official may authorize extended or alternate hours of  
25 construction for the following circumstances: i. Emergency work, ii. Adverse  
26 weather conditions, iii. Compatibility with store business hours, iv. When the  
27 work is less objectionable at night than during daylight hours, v. Per the  
28 direction of the City Manager's office for projects that have been determined  
29 that rapid completion is in the best interest of the general public.

1  
2 35. Addresses for meters - The Developer must carefully submit the correct address to  
3 SDGE for meter release with addresses that are the same as what has been given  
4 for each House.

5 36. Area Analysis will be required to show compliance with chapter of 5 of the  
6 California Building Codes.

7 37. Buildings over two stories may not use ABS or PVC piping per CPC.

8 **Fire:**

9 38. Project will comply with the 2022 California Fire Code and all applicable and  
10 referenced Standards along with the currently adopted City of Oceanside Municipal  
11 Code.

12 a. This includes areas such as but not limited to: i. Water Supply (hydrants,  
13 hydrant outlets, hydrant spacing, minimum fire flow required for building, fire  
14 flow report/test, etc.), ii. Fire Apparatus Access Roads (widths, dead end  
15 lengths, turn-arounds, etc.), iii. Fire Protection Systems (automatic fire  
16 sprinkler system requirements, automatic fire alarm requirements, standpipes,  
17 FDC location, etc.).

18 39. In addition to the comments provided by the Building Department, several items  
19 will be asked for on the plans to provide detail and analysis of the building  
20 including:

- 21 a. Egress plan with occupant load per room or space  
22 b. Egress and emergency lighting must match between electrical sheets and egress  
23 sheet  
24 c. Detail of the elevator to show it will allow space for a gurney  
25 d. Location of fire suppression equipment: i. FDC on exterior of the building (on  
26 the address side of the building within 40' of a fire hydrant), ii. Standpipe  
27 connections/outlets in the stairwells and on roof, iii. Fire extinguisher locations  
28 throughout the building  
29

1 e. Dwelling units will be uniformly numbered to provide continuity on each floor  
2 for first responders. (i.e. 100, 101, 102 will be roughly, directly underneath 200,  
3 201, and 202 respectively.

4 f. Deferred submittal block will include the following but not limited to; i. Fire  
5 Underground Systems per the 2022 ed. NFPA 24, ii. Automatic Fire Sprinkler  
6 System per the 2022 ed. NFPA 13, iii. Automatic Fire Alarm System per the  
7 2022 ed. NFPA 72m, iv. Fire Master Plan, v. Geo-Reference Building Plan, vi.  
8 Emergency Responder Radio Coverage Systems, vii. Tennant Improvement (as  
9 applicable)

10 Please refer to the 2022 California Fire Code, 2022 California Building Code, the City of  
11 Oceanside Municipal Code, and all other adopted and approved codes and standards for  
12 further explanation and requirements. Please note that this project includes but is not  
13 limited to the following;

14 40. Fire Department Apparatus Access Roadways:

15 a. All roadways in this project shall be a minimum of 28ft in width with no street  
16 parking.

17 b. All roadways shall be a minimum of 10ft away from the building(s) they serve.

18 c. Roadways shall be provided within 150ft of all exterior walls of the first floor  
19 of the building. The 150ft is measured by means of unobstructed route around  
20 the exterior of the building. This measurement will be used as your hose pull  
21 distance.

22 d. A minimum vertical clearance of 13'6" shall be provided and maintained.

23 e. Access roadways shall be provided with a 50 foot outside and 30 foot inside  
24 turning radius.

25 f. Grade shall not exceed 12%.

26 g. An approved turnaround shall be provided for all access roadways exceeding  
27 150' in length.

28 h. All fire department access roadways shall be painted/striped as Fire Lanes.

29 41. Fire Underground Systems:

- 1 1. Building address shall be posted on the street side.
- 2 2. A unit directory board shall be provided at each entrance of the building.
- 3 3. All units, business suites, etc, shall have numbered/lettered identification.
- 4 4. A Knox Box shall be provided on each building.
- 5 5. Any electronic vehicle gate will require a Knox key switch. Any manual vehicle
- 6 gate will require a Knox padlock.
- 7 6. All utility rooms, such as mechanical, electrical, fire sprinkler riser, etc, shall
- 8 be labeled accordingly. Keys to these rooms shall be provided inside of the
- 9 Knox box on the building.

10 42. General:

- 11 1. Fire extinguishers are required to be installed in accordance with the 2022
- 12 California Fire Code.
- 13 2. Each dwelling unit is required to have a Smoke Alarm and Carbon Monoxide
- 14 Alarm.
- 15 3. Emergency egress requirements and emergency egress lighting shall be
- 16 provided and maintained in accordance with the 2022 California Fire Code and
- 17 2022 California Building Code.

18 43. Documentation

- 19 • A “Fire Master Plan” will be required as a deferred submittal. (Usually done
- 20 after grading permit is issued).
- 21 • Any new development, which necessitates updating of emergency response
- 22 maps by virtue of new structures, hydrants, roadways or similar features, shall
- 23 be required to provide map updates.
- 24 • Provide geo-referenced building plan in CAD (.dwg) format using the following
- 25 coordinate system: NAD\_1983\_StatePlan\_California\_VI\_FIPS\_0406\_Feet.
- 26 Produce a fire preplan in (ESRI) GIS format. A completed fire preplan shall
- 27 include the GIS data and output PDF. Data deliverables (CAD and GIS) shall
- 28 specifically include a site plan, building plan, all Utility shut-offs, fire sprinkler
- 29 risers and shut-off valves, the fire department connection for sprinkler and

1 class-I standpipe, all standpipe hose outlets, all stairwells, retail spaces, living  
2 units -numbers /locations, fire alarm panels, elevators, fire hydrants and all  
3 Knox boxes and key switch locations.

4 44. Please be aware that this project will be in the CFD. See below for more  
5 information. Otherwise, there are no comments at this time as the revision did not  
6 affect our water supply or access to the buildings in this project.

- 7 • As a residential project with more than 16 dwelling units, the project shall be  
8 required to annex into the Citywide Public Safety Community Facilities District  
9 (CFD) once it is formed and annual rates are established by the City Council.  
10 Annexation into the Citywide Public Safety CFD shall occur prior to occupancy  
11 of the first dwelling unit. In the event that the City Council elects not to form  
12 a CFD in its discretion, this condition is satisfied. If staff has not brought the  
13 CFD to the City Council for formation by the time a certificate of occupancy is  
14 ready to be issued, this condition is satisfied and no units within the project will  
15 be subject to this CFD.

16 **Planning:**

17 45. The Development Plan (D22-00022) and Conditional Use Permit (CUP22-00029)  
18 shall expire on April 08, 2027 unless implemented as required by the Zoning  
19 Ordinance. A time extension may be granted in accordance with Section 4308.C  
20 and Section 4108.B of the Zoning Ordinance.

21 46. Development Plan (D22-00022) and Conditional Use Permit (CUP22-00029),  
22 approves only the construction of a three-story mixed-use building with 43 age  
23 restricted units and 2,529 sq. ft. of commercial space. The units will range between  
24 studio, 1 bedroom, and 2-bedroom units, and associated improvements as shown  
25 on the plans and exhibits presented to the Planning Commission for review and  
26 approval. No deviation from these approved plans and exhibits shall occur without  
27 the City Planner and/or Planning Commission's approval. Substantial deviations  
28 shall require a revision to the Development Plan or a new Development Plan.  
29

1 47. The applicant, permittee or any successor-in-interest shall defend, indemnify and  
2 hold harmless the City of Oceanside, its agents, officers or employees from any  
3 claim, action or proceeding against the City, its agents, officers, or employees to  
4 attack, set aside, void or annul an approval of the City, concerning Development  
5 Plan (D22-00022) and Conditional Use Permit (CUP22-00029). The City will  
6 promptly notify the applicant of any such claim, action or proceeding against the  
7 City and will cooperate fully in the defense. If the City fails to promptly notify the  
8 applicant of any such claim action or proceeding or fails to cooperate fully in the  
9 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or  
10 hold harmless the City.

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

15 49. A trash enclosure (or trash enclosures) must be provided as required by Chapter 13  
16 of the City Code and shall include additional space for storage and collection of  
17 recyclable materials per City standards. Recycling is required by City Ordinance.  
18 The enclosure (or enclosures) must be built in a flat, accessible location as  
19 determined by the City Engineer. Trash enclosures and driveways and service  
20 access areas shall be shown on both the improvement and landscape plans  
21 submitted to the City Engineer. The specifications shall be reviewed and approved  
22 by the City Engineer. The City's waste disposal contractor is required to access  
23 private property to service the trash enclosures, a service agreement must be signed  
24 by the property owner and shall remain in effect for the life of the project.

25 50. Prior to the issuance of building permits, compliance with the applicable provisions  
26 of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code)  
27 shall be reviewed and approved by the City Planner. These requirements, including  
28 the obligation to remove or cover with matching paint all graffiti within 24 hours,  
29 shall be noted on the Landscape Plan.



- 1 51. Changes to the approved plans are subject to Section 4308.D and Section 4109 of  
2 the Zoning Ordinance.
- 3 52. Prior to the transfer of ownership and/or operation of the site the owner shall  
4 provide a written copy of the applications, staff report and resolutions for the  
5 project to the new owner and or operator. This notification's provision shall run  
6 with the life of the project and shall be recorded as a covenant on the property.
- 7 53. Unless expressly waived, all current zoning standards and City ordinances and  
8 policies in effect at the time building permits are issued are required to be met by  
9 this project. The approval of this project constitutes the applicant's agreement with  
10 all statements in the Description and Justification and other materials and  
11 information submitted with this application, unless specifically waived by an  
12 adopted condition of approval.
- 13 54. This Conditional Use Permit shall be called for review by the Planning  
14 Commission if complaints are filed and verified as valid by the Code Enforcement  
15 Office concerning the violation of any of the approved conditions or does not  
16 conform with the information contained in or representations made in the  
17 application, any supporting material submitted to the City or during any hearing on  
18 the application.
- 19 55. If any aspect of the project's fencing and walls is not covered by the approved  
20 Development Plan, the construction of fencing and walls shall conform to the  
21 development standards of the City Zoning Ordinance. In no case, shall the  
22 construction of fences and walls (including combinations thereof) exceed the  
23 limitations of the zoning code, unless expressly granted by a Variance or other  
24 development approval.
- 25 56. Project entrance signs shall meet the requirements of the Sign Ordinance and shall  
26 be approved by the City Planner.
- 27 57. Off-street parking spaces shall be kept available and useable for the parking of  
28 employee and tenant's automobiles at all times.
- 29

1 58. All loading procedures and operations shall be reviewed by the City Planner and/or  
2 City Engineer prior to approval of the occupancy permit.

3 59. A covenant or other recordable document approved by the City Attorney shall be  
4 prepared by the applicant and recorded prior to the issuance of building permits.  
5 The covenant shall provide that the property is subject to this Resolution, and shall  
6 generally list the conditions of approval.

7 60. The applicant, tenants, or successors in interest shall comply with the City's  
8 business license requirements, as necessary.

9 61. Elevations, siding materials, colors, roofing materials and floor plans shall be  
10 substantially the same as those approved by the Planning Commission. These shall  
11 be shown on plans submitted to the Building Division and Planning Division for  
12 permit plan check, prior to issuance of any building permit.

13 62. The entire project shall be restricted to senior residents 55 years old and up pursuant  
14 to Civil Code Section 51.3.

15 **Housing**

16 63. Inclusionary Housing Requirements: In order to satisfy the requirements to reserve  
17 a minimum of 10 percent of the dwelling units within the Project as affordable and  
18 occupied by low-income households under Oceanside City Code Chapter 14C,  
19 Project shall make payment of the applicable Inclusionary Housing In-Lieu fees at  
20 \$15 per square foot of livable space of all of the unrestricted dwelling units within  
21 the Project prior to the approval of any final or parcel map or building permit for  
22 the residential project.

23 **Engineering:**

24 64. Prior to the demolition of any existing structure or surface improvements on site, a  
25 grading plan application shall be submitted to the Engineering Division and erosion  
26 control plans shall be approved by the City Engineer. No demolition shall be  
27 permitted without an approved erosion control plan.

28 65. Design and construction of all improvements shall be in accordance with the City  
29 of Oceanside's Engineers Design and Processing Manual, City Ordinances,

1 standard engineering and specifications of the City of Oceanside, and subject to  
2 approval by the City Engineer.

3 66. All right-of-way alignments, street dedications, exact geometrics and widths shall  
4 be designed, dedicated, and constructed or replaced in accordance with the City of  
5 Oceanside Engineers Design and Processing Manual, and as required by the City  
6 Engineer.

7 67. Owner/developer shall provide an updated Title Report dated within 6 months of  
8 the grading plan application submittal.

9 68. The approval of the development plan/project shall not mean that closure, vacation,  
10 or abandonment of any public street, right of way, easement, or facility is granted  
11 or guaranteed to the owner/developer. The owner/developer is responsible for  
12 applying for all closures, vacations, and abandonments as necessary. The  
13 application(s) shall be reviewed and approved or rejected by the City of Oceanside  
14 under separate process(es) per codes, ordinances, and policies in effect at the time  
15 of the application. The City of Oceanside retains its full legislative discretion to  
16 consider any application to vacate a public street or right of way.

17 69. Owner/developer shall submit to the City for processing a covenant attesting to the  
18 project's development conditions. The approved covenant shall be recorded at the  
19 County prior to the issuance of a grading permit

20 70. All public improvement requirements shall be covered by a Development  
21 Improvement Agreement and secured with sufficient improvement securities or  
22 bonds guaranteeing performance and payment for labor and materials, setting of  
23 survey monuments, and warranties against defective materials and workmanship  
24 before the approval of the public improvement plans.

25 71. Prior to the issuance of any building permits, all improvements including  
26 landscaping, landscaped medians, frontage improvements shall be under  
27 construction to the satisfaction of the City Engineer.  
28  
29

- 1 72. Prior to the issuance of a Certificate of Occupancy permit, all improvements,  
2 including landscaping, landscaped medians, frontage improvements shall be  
3 completed to the satisfaction of the City Engineer.
- 4 73. Owner/developer shall process a separate easement dedication application for all  
5 existing or proposed public or private facilities and infrastructure located on the  
6 property. The application shall be submitted prior to the issuance of a grading  
7 permit, and shall be recorded prior to occupancy.
- 8 74. 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  
10 public Right-of-Way. Traffic control safety and implementation for construction or  
11 re-construction of streets shall be in accordance with construction signing,  
12 marking, and other protection as required by Caltrans' Traffic Manual and City  
13 Traffic Control Guidelines. Traffic control plan implementation and hours shall be  
14 in accordance with the approved traffic control plans.
- 15 75. For the proposed driveway on South Melrose Street process a ROW access  
16 application with the City prior to the issuance of a grading permit, and record the  
17 approved document prior to the grading plan As-Builts.
- 18 76. Sidewalk improvements (construct/replace) shall comply with current ADA  
19 requirements.
- 20 77. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must  
21 be located entirely within the public right-of-way (ROW). Pedestrian ramps not  
22 located entirely within the City's ROW shall be provided with a ROW dedication  
23 through a separate ROW dedication application and shown on the improvement  
24 plans and grading plans. The ROW dedication shall be submitted prior to the  
25 approval of the grading plans and recorded prior to the grading plan As-Builts.
- 26 78. Minimum curb return radius at pedestrian ramp and driveway locations shall  
27 comply with the City of Oceanside Engineers Design and Processing Manual.
- 28 79. Sight distance requirements at the project driveway(s) or street shall conform to the  
29 sight distance criteria as provided by Caltrans. The owner/developer shall provide

1 a plan and profile of the line of sight for each direction of traffic at each proposed  
2 driveway on the grading plans.

3 80. Maintenance responsibilities for private driveways, parking lots, and roadways are  
4 the responsibility of the property owner.

5 81. A pavement evaluation report shall be submitted for the proposed onsite pavement  
6 with the grading plan application. Pavement sections for all public and private  
7 roadways, driveways and parking areas shall be based upon approved soil test  
8 requirements and traffic indices identified within the City of Oceanside Engineers  
9 Design and Processing Manual. The pavement design is to be prepared by the  
10 owner/developer's geotechnical engineering firm and be approved by the City  
11 Engineer prior to the issuance of a grading permit. Roadway alignments and  
12 geometric layouts shall be in conformance with the City of Oceanside Engineers  
13 Design and Processing Manual.

14 82. Proposed public improvements located within the City's ROW or onsite shall be  
15 displayed on separate public improvement plans in accordance with the City's  
16 Engineers Design and Processing Manual.

17 83. Any existing public or private improvements that are being joined to and that are  
18 already damaged or damaged during construction of the project, shall be repaired  
19 or replaced as necessary by the developer to provide a competent and stable  
20 connection, and to the City's satisfaction.

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

27 85. The project shall provide and maintain year-round erosion control for the site. Prior  
28 to the issuance of a grading permit, an approved erosion control plan, designed for  
29 all proposed stages of construction, shall be secured by the owner/developer with

1 cash securities or a Letter-of-Credit and approved by the City Engineer; a  
2 Certificate of Deposit will not be accepted for this security.

3 86. Owner/developer shall develop and submit a draft neighborhood-notification flier  
4 to the City for review. The flier shall contain information on the project,  
5 construction schedule, notification of anticipated construction noise and traffic, and  
6 contact information. Prior to the issuance of a grading permit, the approved flier  
7 shall be distributed to area residents, property owners, and business owners located  
8 within a 300-foot radius area of the project.

9 87. Owner/developer shall monitor, supervise and control all construction and  
10 construction-supportive activities, so as to prevent these activities from causing a  
11 public nuisance, including but not limited to, ensuring strict adherence to the  
12 following:

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

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

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

- 1 91. Owner/developer shall complete a haul route permit application (if required for  
2 import/export of dirt) and submit to the City of Oceanside Transportation  
3 Engineering Section forty-eight hours (48) in advance of beginning of work. Hours  
4 of hauling operations shall be dictated by the approved haul route permit.
- 5 92. It is the responsibility of the owner/developer to evaluate and determine that all soil  
6 imported as part of this development is free of hazardous and/or contaminated  
7 material as defined by the City and the County of San Diego Department of  
8 Environmental Health. Exported or imported soils shall be properly screened,  
9 tested, and documented regarding hazardous contamination.
- 10 93. The approval of the development plan shall not mean that proposed grading or  
11 improvements on adjacent properties (including any City properties/right-of-way  
12 or easements) is granted or guaranteed to the owner/developer. The  
13 owner/developer is responsible for obtaining written permission to grade or  
14 construct on adjacent properties prior to the issuance of a grading permit. Should  
15 such permission be denied, the development plan shall be subject to going back to  
16 public hearing or subject to a substantial conformity review.
- 17 94. Prior to the issuance of a grading permit, a comprehensive soil and geologic  
18 investigation shall be conducted for the project site. All necessary measures shall  
19 be taken and implemented to assure slope stability, erosion control, and soil  
20 integrity; and these measures shall be incorporated as part of the grading plan  
21 design. No grading shall occur at the site without a grading permit.
- 22 95. Where proposed off-site improvements, including but not limited to slopes, public  
23 utility facilities, and drainage facilities, are to be constructed, owner/developer  
24 shall, at his own expense, obtain all necessary easements or other interests in real  
25 property and shall dedicate the same to the City of Oceanside as required.  
26 Owner/developer shall provide documentary proof satisfactory to the City of  
27 Oceanside that such easements or other interest in real property have been obtained  
28 prior to the issuance of any grading, building or improvement permit for this  
29 development/project. Additionally, the City of Oceanside, may at its sole

1 discretion, require that the owner/developer obtain at his sole expense a title policy  
2 insuring the necessary title for the easement or other interest in real property to  
3 have vested with the City of Oceanside or the owner/ developer, as applicable.

4 96. Use of adjacent properties for construction without permission is prohibited.

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

10 97. Landscape and irrigation plans for disturbed areas shall be submitted to the City  
11 Engineer prior to the issuance of a grading permit and approved by the City  
12 Engineer prior to the issuance of building permits. Landscaping plans, including  
13 plans for the construction of walls, fences or other structures at or near  
14 intersections, must conform to intersection sight distance requirements. Frontage  
15 and median landscaping shall be installed and established prior to the issuance of  
16 any certificates of occupancy. Securities shall be required only for landscape items  
17 in the public right-of-way. Any project fences, sound or privacy walls and  
18 monument entry walls/signs shall be shown on, bonded for and built from the  
19 approved landscape plans. These features shall also be shown on the precise  
20 grading plans for purposes of location only. Plantable, segmental walls shall be  
21 designed, reviewed and constructed from grading plans and landscape/irrigation  
22 design/construction shall be from landscape plans. All plans must be approved by  
23 the City Engineer and a pre-construction meeting held prior to the start of any  
24 improvements.

25 98. The drainage design shown on the conceptual grading/site plan, and the drainage  
26 report for this development plan is conceptual only. The final drainage report and  
27 design shall be based upon a hydrologic/hydraulic study that is in accordance with  
28 the latest San Diego County Hydrology and Drainage Manual, and is to be  
29 approved by the City Engineer prior to the issuance of a grading permit. All



1 drainage picked up in an underground system shall remain underground until it is  
2 discharged into an approved channel, or as otherwise approved by the City  
3 Engineer.

4 99. The project's drainage system shall not connect or discharge to another private  
5 stormdrain system without first obtaining written permission from the owner of the  
6 system. The written permission letter shall be provided to the City prior to the  
7 issuance of a grading permit. The owner/developer shall be responsible for  
8 obtaining any off-site easements for storm drainage facilities.

9 100. All public storm drains shall be shown on separate public improvement plans.  
10 Public storm drain easements shall be dedicated to the City where required.

11 101. Drainage facilities shall be designed and installed to adequately accommodate the  
12 local storm water runoff, and shall be in accordance with the San Diego County  
13 Hydrology Manual and the City of Oceanside Engineers Design and Processing  
14 Manual, and to the satisfaction of the City Engineer.

15 102. Storm drain facilities shall be designed and constructed to allow inside travel lanes  
16 of streets classified as a Collector or above, to be passable during a 100-year storm  
17 event.

18 103. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and  
19 disposed of in accordance with all state and federal requirements, prior to  
20 discharging of stormwater into the City drainage system.

21 104. Owner/developer shall comply with the provisions of the National Pollution  
22 Discharge Elimination System (NPDES) General Permit for Storm Water  
23 Discharges Associated with Construction Activity (General Permit) Water Quality  
24 Order 2009-0009-DWQ. The General Permit continues in force and effect until a  
25 new General Permit is issued or the SWRCB rescinds this General Permit. Only  
26 those owner/developers authorized to discharge under the expiring General Permit  
27 are covered by the continued General Permit. Construction activity subject to the  
28 General Permit includes clearing, grading, and disturbances to the ground such as  
29

1 stockpiling, or excavation that results in land disturbances of equal to or greater  
2 than one acre.

3 105. The owner/developer shall obtain coverage under the General Permit by submitting  
4 a Notice of Intent (NOI) and obtaining a Waste Discharge Identification Number  
5 (WDID#) from the State Water Resources Control Board (SWRCB). In addition,  
6 coverage under the General Permit shall not occur until an adequate SWPPP is  
7 developed for the project as outlined in Section A of the General Permit. The site  
8 specific SWPPP shall be maintained on the project site at all times. The SWPPP  
9 shall be provided, upon request, to the United States Environmental Protection  
10 Agency (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB),  
11 City of Oceanside, and other applicable governing regulatory agencies. The  
12 SWPPP is considered a report that shall be available to the public by the RWQCB  
13 under section 308(b) of the Clean Water Act. The provisions of the General Permit  
14 and the site specific SWPPP shall be continuously implemented and enforced until  
15 the owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

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

21 107. Project shall provide a proper stormwater design that would satisfy all water quality  
22 and hydromodification requirements, as set forth in the City's BMP Design Manual  
23 and to the City's satisfaction. Design comments that were not previously addressed  
24 in the conceptual phase shall also be satisfied in the Final Engineering Phase.

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

1 109. The O&M Plan shall include an approved and executed Maintenance Mechanism  
2 pursuant to the City of Oceanside BMP Design Manual (BDM). At a minimum, the  
3 O&M Plan shall include the designated responsible party to manage the storm  
4 water BMP(s), employee training program and duties, operating schedule,  
5 maintenance frequency, routine service schedule, specific maintenance activities,  
6 copies of resource agency permits, cost estimate for implementation of the O&M  
7 Plan, a non-refundable cash security to provide maintenance funding in the event  
8 of noncompliance to the O&M Plan, and any other necessary elements. The  
9 owner/developer shall complete and maintain O&M forms to document all  
10 operation, inspection, and maintenance activities. The owner/developer shall retain  
11 records for a minimum of 10 years. The records shall be made available to the City  
12 upon request.

13 110. The owner/developer shall enter into a City-Standard Stormwater Facilities  
14 Maintenance Agreement (SWFMA) with the City, obliging the owner/developer to  
15 maintain, repair and replace the Storm Water Best Management Practices (BMPs)  
16 structures identified in the project's approved SWQMP, as detailed in the O&M  
17 Plan, in perpetuity. Furthermore, the SWFMA will allow the City with access to  
18 the site for the purpose of BMP inspection and maintenance, if necessary. The  
19 Agreement shall be approved by the City Attorney's Office and recorded at the  
20 County Recorder's Office prior to the issuance of a precise grading permit. A non-  
21 refundable Security in the form of cash shall be required prior to issuance of a  
22 precise grading permit. The amount of the non-refundable security shall be equal  
23 to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed  
24 a total of \$25,000. The owner/developer's civil engineer shall prepare the O&M  
25 cost estimate.

26 111. The BMPs described in the project's approved SWQMP shall not be altered in any  
27 way, unless reviewed and approved by the City Engineer. The determination of  
28 whatever action is required for changes to a project's approved SWQMP shall be  
29 made by the City Engineer.

- 1 112. Prior to receiving a temporary or permanent occupancy permit, the project shall  
2 demonstrate that all structural BMPs, including Storm Water Pollutant Control  
3 BMPs and Hydromodification Management BMPs, are constructed and fully  
4 operational, are consistent with the approved SWQMP and the approved Precise  
5 Grading Plan, and are in accordance with San Diego RWQCB Order No. R9-2013-  
6 0001 §E.3.e. (1)(d).
- 7 113. All new extension services for the development of the project, including but not  
8 limited to, electrical, cable and telephone, shall be placed underground as required  
9 by the City Engineer and current City policies.
- 10 114. Prior to the approval of plans and the issuance of a grading permit, owner/developer  
11 shall obtain all necessary permits and clearances from public agencies having  
12 jurisdiction over the project due to its type, size, location, or infrastructure impact.  
13 The list of public agencies includes, but is not limited to, Public Utility Companies,  
14 the California Department of Transportation (Caltrans), the City of Carlsbad, the  
15 City of Vista, Fallbrook, the County of San Diego, the U. S. Army Corps of  
16 Engineers, the California Department of Fish & Game, the U. S. Fish and Wildlife  
17 Service, the San Diego Regional Water Quality Control Board, and the San Diego  
18 County Health Department.
- 19 115. Owner/developer shall comply with all the provisions of the City's cable television  
20 ordinances, including those relating to notification as required by the City  
21 Engineer.
- 22 116. Approval of this development project is conditioned upon payment of all applicable  
23 impact fees and connection fees in the manner provided in chapter 32B of the  
24 Oceanside City Code. All traffic signal fees and contributions, highway  
25 thoroughfare fees, park fees, reimbursements, drainage impact fees, and other  
26 applicable charges, fees and deposits shall be paid prior to the issuance of any  
27 building permits, in accordance with City Ordinances and policies. The  
28 owner/developer shall also be required to join into, contribute, or participate in any  
29 improvement, lighting, or other special district affecting or affected by this project.

1 117. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire  
2 project will be subject to prevailing wage requirements as specified by Labor Code  
3 section 1720(b) (4). The owner/developer shall agree to execute a form  
4 acknowledging the prevailing wage requirements prior to the granting of any fee  
5 reductions or waivers.

6 118. In the event that there are discrepancies in information between the conceptual plan  
7 and the conditions set forth in the project's entitlement resolution (Conditions of  
8 Approval), the project's entitlement resolution shall prevail.

9 **Landscaping:**

10 119. Landscape plans, shall meet the criteria of the City of Oceanside Landscape  
11 Guidelines and Specifications for Landscape Development (latest revision), Water  
12 Conservation Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering  
13 criteria, City code and ordinances, including the maintenance of such landscaping  
14 shall be submitted, reviewed and approved by the City Engineer prior to the  
15 issuance of building permits. Landscaping shall not be installed until bonds have  
16 been posted, fees paid, and plans signed for final approval. In addition, a refundable  
17 cash deposit for the preparation of the final As-built/ Maintenance Guarantee shall  
18 be secured with the City prior to the final approval of the landscape construction  
19 plan. A landscape pre-construction meeting shall be conducted by the landscape  
20 architect of record, Public Works Inspector, developer or owner's representative  
21 and landscape contractor prior to commencement of the landscape and irrigation  
22 installation. The following landscaping items shall be required prior to plan  
23 approval and certificate of occupancy:

24 120. Final landscape plans shall accurately show placement of all plant material such as  
25 but not limited to trees, shrubs, and groundcovers.

26 121. Landscape Architect shall be aware of all utility, sewer, water, gas and storm drain  
27 lines and utility easements and place planting locations accordingly to meet City of  
28 Oceanside requirements.

- 1 122. Final landscape plans shall be prepared under the direct supervision of a Registered  
2 Landscape Architect (State of California), with all drawings bearing their  
3 professional stamp and signature.
- 4 123. All required landscape areas shall be maintained by owner, project association or  
5 successor of the project (including public rights-of-way along South Melrose  
6 Drive). The landscape areas shall be maintained per City of Oceanside  
7 requirements.
- 8 124. The As-built/ Maintenance Guarantee (refundable cash deposit) shall not be  
9 released until the as-built drawings have been approved on the original approved  
10 Mylar landscape plan and the required maintenance period has been successfully  
11 terminated.
- 12 125. Proposed landscape species shall fit the site and meet climate changes indicative to  
13 their planting location. The selection of plant material shall also be based on  
14 cultural, aesthetic, and maintenance considerations. In addition, proposed  
15 landscape species shall be low water users as well as meet all fire department  
16 requirements.
- 17 126. All planting areas shall be prepared and implemented to the required depth with  
18 appropriate soil amendments, fertilizers, and appropriate supplements based upon  
19 a soils report from an agricultural suitability soil sample taken from the site.
- 20 127. Ground covers or bark mulch shall fill in between the shrubs to shield the soil from  
21 the sun, evapotranspiration and run-off. All the flower and shrub beds shall be  
22 mulched to a 3” depth to help conserve water, lower the soil temperature and reduce  
23 weed growth.
- 24 128. The shrubs shall be allowed to grow in their natural forms. All landscape  
25 improvements shall follow the City of Oceanside Guidelines.
- 26 129. Root barriers shall be installed adjacent to all paving surfaces where a paving  
27 surface is located within 6 feet of a tree trunk on site (private) and within 10 feet  
28 of a tree trunk in the right-of-way (public). Root barriers shall extend 5 feet in each  
29 direction from the centerline of the trunk, for a total distance of 10 feet. Root

1 barriers shall be 24 inches in depth. Installing a root barrier around the tree's root  
2 ball is unacceptable.

3 130. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall  
4 obtain Planning Division approval for these items in the conditions or application  
5 stage prior to 1<sup>st</sup> submittal of working drawings.

6 131. For the planting and placement of trees and their distances from hardscape and  
7 other utilities/ structures the landscape plans shall follow the City of Oceanside's  
8 (current) Tree Planting Distances and Spacing Standards.

9 132. An automatic irrigation system shall be installed to provide coverage for all  
10 planting areas shown on the plan. Low volume equipment shall provide sufficient  
11 water for plant growth with a minimum water loss due to water run-off.

12 133. Irrigation systems shall use high quality, automatic control valves, controllers and  
13 other necessary irrigation equipment. All components shall be of non-corrosive  
14 material. All drip systems shall be adequately filtered and regulated per the  
15 manufacturer's recommended design parameters.

16 134. All irrigation improvements shall follow the City of Oceanside Guidelines and  
17 Water Conservation Ordinance.

18 135. The landscape plans shall match all plans affiliated with the project.

19 136. Landscape construction drawings are required to implement approved Fire  
20 Department regulations, codes, and standards at the time of plan approval.

21 137. Landscape plans shall comply with Biological and/or Geotechnical reports, as  
22 required, shall match the grading and improvement plans, comply with Storm  
23 Water Management Plan (SWMP), Hydromodification Plan, or Best Management  
24 Practices and meet the satisfaction of the City Engineer.

25 138. Existing landscaping on and adjacent to the site shall be protected in place and  
26 supplemented or replaced to meet the satisfaction of the City Engineer.

27 139. All pedestrian paving (both decorative and standard) shall comply with the most  
28 current edition of the American Disability Act.  
29

1 140. All landscaping, fences, walls, etc. on the site, in medians within the public right-  
2 of-way and within any adjoining public parkways shall be permanently maintained  
3 by the owner, his assigns or any successors-in-interest in the property. The  
4 maintenance program shall include: a) normal care and irrigation of the landscaping  
5 b) repair and replacement of plant materials (including interior trees and street  
6 trees) c) irrigation systems as necessary d) general cleanup of the landscaped and  
7 open areas e) maintenance of parking lots, walkways, enhanced hardscape, trash  
8 enclosures, walls, fences, etc. f) pruning standards for street trees shall comply with  
9 the International Society of Arboriculture (ISA) *Standard Practices for Tree Care*  
10 *Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H;*  
11 *and Tree Pruning Guidelines, Appendix F* (most current edition). Failure to  
12 maintain landscaping shall result in the City taking all appropriate enforcement  
13 actions including but not limited to citations. This maintenance program condition  
14 shall be recorded with a covenant as required by this resolution.

15 141. In the event that the conceptual landscape plan (CLP) does not match the conditions  
16 of approval, the resolution of approval shall govern.

17 **Water Utilities:**

18 142. The developer will be responsible for developing all water and sewer utilities  
19 necessary to develop the property. Any relocation of water and/or sewer utilities is  
20 the responsibility of the developer and shall be done by an approved licensed  
21 contractor at the developer's expense.

22 143. All Water and Wastewater construction shall conform to the most recent edition of  
23 the Water, Sewer, and Recycled Water Design and Construction Manual or as  
24 approved by the Water Utilities Director.

25 144. The property owner shall maintain private water and wastewater utilities located  
26 on private property.

27 145. Water services and sewer laterals constructed in existing right-of-way locations are  
28 to be constructed by an approved and licensed contractor at developer's expense.

29 146. Minimum separation between water services and sewer laterals shall be 10 feet.



- 1 147. Water facilities, backflows or meters, shall have a minimum 10' separation from  
2 trees. Palm tree minimum separation is lowered to 5' from water facilities.
- 3 148. Each new residential dwelling unit shall be metered individually.
- 4 149. For new buildings with multiple residential dwelling units; the City has accepted,  
5 as an alternative, a public master meter for each building provided there is a private  
6 sub-meter for each individual dwelling unit. The Property Owner or Home Owner's  
7 Association would be responsible for the ownership, maintenance, reading, and  
8 replacement of the private sub-meters. There shall be a shared agreement for the  
9 shared water supply line and private water and sewer facilities among individual  
10 Owners. This should be addressed in the CC&Rs or maintenance agreement. The  
11 master meter shall be equipped with a reduced pressure principle backflow device.
- 12 150. Provide a separate irrigation water meter for landscaping. Meter shall be managed  
13 and paid for by the Owner for the development. An address assignment will need  
14 to be completed for the meter, and can be processed through the City Planning  
15 Department.
- 16 151. Domestic water services shall be supplied by the City's 8" water main (569 HGL)  
17 located along the west side of Melrose Drive. Water services may not connect to a  
18 fire hydrant lateral or fire service. Any existing connections to a fire line shall be  
19 abandoned per City requirements and a new service installed per the above  
20 requirements.
- 21 152. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire  
22 protection shall have a dedicated fire service connection to a public water main  
23 with a double check detector backflow assembly. Location of the backflow  
24 assembly must be approved by Fire Department.
- 25 153. The proposed private on-site fire hydrants shall be served by a private fire main  
26 that is looped on-site. The on-site fire water lines shall connect to the existing  
27 private fire lines located on 1440 S. Melrose Drive.
- 28 154. Hot tap connections will not be allowed for size on size connections, and  
29 connections that are one (1) pipe size smaller than the water main. These

1 connections shall be cut-in tees with three valves for each end of the tee. Provide a  
2 connection detail on the improvement plans for all cut-in tee connections.

3 155. The following conditions shall be met prior to the approval of engineering design  
4 plans.

5 156. Any water and/or sewer improvements required to develop the proposed property  
6 will need to be included in the improvement plans and designed in accordance with  
7 the Water, Sewer, and Recycled Water Design and Construction Manual.

8 157. All public water and/or sewer facilities not located within the public right-of-way  
9 shall be provided with easements sized according to the Water, Sewer, and  
10 Recycled Water Design and Construction Manual. Easements shall be constructed  
11 for all weather access.

12 158. No trees, structures or building overhang shall be located within any water or  
13 wastewater utility easement.

14 159. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a  
15 recycled water impact fee since the proposed project is not within 75 feet of a  
16 recycled water main. The impact fee shall be established by submitting a formal  
17 letter requesting the City to determine this fee, which is based on 75% of the design  
18 and construction cost to construct a recycled water line fronting the property in  
19 Melrose Drive.

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

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

28 162. Connection to an existing sewer manhole will require rehabilitation of the manhole  
29 per City standards. Rehabilitation may include, but not be limited to, re-channeling

1 of the manhole base, surface preparation and coating the interior of the manhole,  
2 and replacing the manhole cone with a 36” opening and double ring manhole frame  
3 and lid.

4 163. A separate irrigation meter and connection with an approved backflow prevention  
5 device is required to serve common landscaped areas and shall be displayed on the  
6 plans.

7 164. Provide peak irrigation flows per zone or control valve to verify size of irrigation  
8 meter and reduced pressure principle backflow device on Landscape Plans.

9 165. Provide stationing and offsets for existing and proposed water service connections  
10 and sewer laterals on plans.

11 166. For the private sewer lift station; provide calculations outlining capacity of the  
12 pumps, dwelling units served, capacity of the wet well, detention times, length and  
13 size of the force main, and provision of any odor control equipment shall be  
14 submitted for review to the Water Utilities Department. It shall be the responsibility  
15 of the design engineer to ensure that lift station is adequately sized, has sufficient  
16 redundant measures (dual pumps that will each handle estimated peak sewer flows,  
17 back-up power supply, emergency by-pass connection for portable pump, alarm  
18 systems, high water alarms, etc.), and complies with all applicable local, state, and  
19 federal regulations.

20 167. The Property Owner or Home Owner’s Association must be financially responsible  
21 in perpetuity of the operation and maintenance of the on-site private lift station,  
22 force main, gravity main, and sewer lateral.

23 168. Any unused water services or sewer laterals by the proposed development, shall be  
24 abandoned in accordance with Water Utilities requirements. If an existing water  
25 meter is abandoned then a credit will be applied towards future buy-in fees in the  
26 amount of the current buy-in fee of the existing meter.

27 169. The following conditions of approval shall be met prior to building permit issuance.  
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- 170. Show location and size of proposed water meter(s), including sub-meters, on site plan of building plans. Show waterline from proposed meter to connection point to building.
- 171. Show location and size of proposed sewer lateral(s) from property line or connection to sewer main to connection point at building.
- 172. Provide a fixture unit count table and supply demand estimate per the latest adopted California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).
- 173. Provide drainage fixture unit count per the latest adopted California Plumbing Code to size sewer lateral for property.
- 174. If a Grease Interceptor is required per City of Oceanside Ordinance 07-OR0021-1, then building plans must show sizing calculations per the latest California Plumbing Code, the location, the make and model, and plumbing schematic showing the required appurtenances at each building sewer lateral.

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1 175. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees  
2 are to be paid to the City at the time of Building Permit issuance per City Code  
3 Section 32B.7.

4 PASSED AND ADOPTED Resolution No. 2024-P06 on April 8, 2024, by the  
5 following vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10 \_\_\_\_\_  
11 Tom Rosales, Chair  
12 Oceanside Planning Commission

13 ATTEST:

14 \_\_\_\_\_  
15 Sergio Madera, Secretary

16 I, Sergio Madera, Secretary of the Oceanside Planning Commission, hereby certify that  
17 this is a true and correct copy of Resolution No. 2024-P06.

18  
19 Dated: April 8, 2024