

AGENDA NO. 4

PLANNING COMMISSION



CITY OF OCEANSIDE

DATE: February 10, 2025

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF DEVELOPMENT PLAN (D22-00001), CONDITIONAL USE PERMIT (CUP22-00001), AND VARIANCE (V22-00001) TO ALLOW THE CONSTRUCTION OF A WAREHOUSE, MANUFACTURING, AND OFFICE FACILITY WITH FOUR SEPARATE BUILDINGS AT 250 EDDIE JONES WAY – EDDIE JONES WAREHOUSE, MANUFACTURING, AND OFFICE FACILITY PROJECT – APPLICANT: RPG OCEANSIDE EDDY JONES WAY OWNER, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

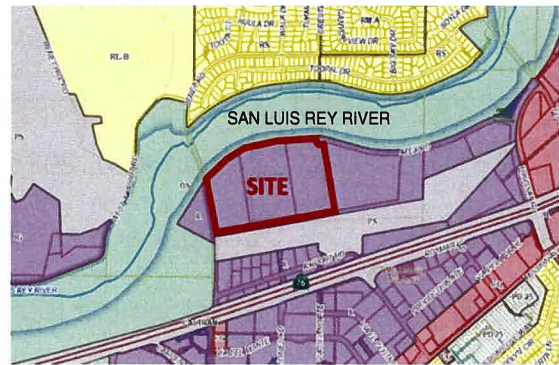
- (1) Certify the Environmental Impact Report (EIR) and adopt the associated findings of fact and Mitigation Monitoring and Reporting Program (MMRP) by adopting Planning Commission Resolution No. 2025-P05; and
- (2) Approve a Development Plan, Conditional Use Permit, and Variance for the Multi-Building and Truck Bay Reduction Alternative (MBTRA) project by adopting Planning Commission Resolution No. 2025-P04 with findings and conditions approval attached herein.

LOCATION AND BACKGROUND

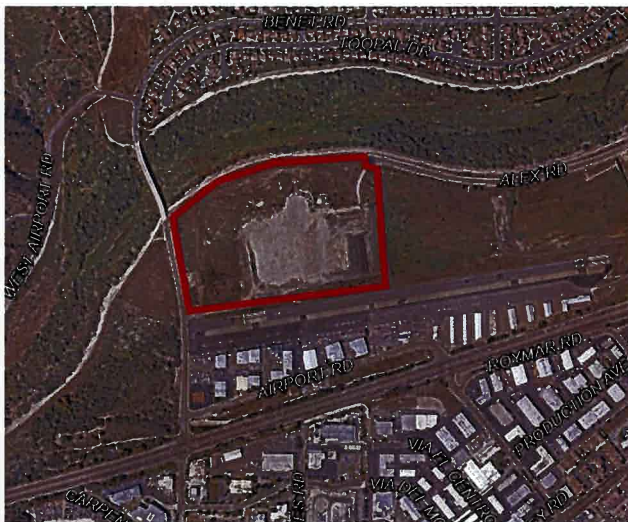
The 31.79-acre project site is located at 250 Eddie Jones Way, immediately north of the Oceanside Municipal Airport. Situated in the Airport Neighborhood Planning Area, the site has a General Plan Land Use Designation of Light Industrial (LI) and a corresponding zoning designation of Limited Industrial (IL). The project site is located within the Airport Influence Area (AIA) for the Oceanside Municipal Airport – Airport Land Use Compatibility Plan (ALUCP). Surrounding land use includes the San Luis Rey River and recreational trail to the north, the airport to the south, and vacant industrial land to the east and west. Single-family residential subdivisions, the Prince of Peace Abbey, and a variety of general industrial uses that include a concrete batching plant, scrap yard, and vehicle storage

facility, are located on the north side of the river. Additional industrial uses and Highway 76 are located further south of the site.

The Airport Neighborhood Planning Area is centered around the Oceanside Municipal Airport and bisected by the San Luis Rey River and Highway 76. Covered in thick vegetation, the river spans between 500 to 600 feet wide and divides the planning area into two distinct sections. Single-family residential subdivisions and open space are situated north of the river, and a variety of industrial, commercial, and public/semi-public uses are located to the south of the river adjacent to the Highway 76 corridor.



The project site is currently vacant and was previously developed with a 172,300 square-foot industrial facility, owned and operated by TE Connectivity, that specialized in industrial plating and electrical connector manufacturing for the defense, aerospace, and marine industry. The plant was originally constructed in 1967 by the Deutsch Company and sold to TE Connectivity in 2012. The facility was vacated and sold to the current property owner in 2021 and demolished a year later. Historical use of large quantities of hazardous substances and petroleum products in the manufacturing process has resulted in known soil contamination at the site. Soil remediation efforts have been initiated with the CA Department of Toxic Substances Control (DTSC) in accordance with the CA Land Reuse and Revitalization Act (CLRRRA).



Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared to evaluate the environmental impacts associated with implementation of the proposed development project. The “Proposed Project” described and fully analyzed in the Draft EIR (DEIR) included the development of a new 566,905 square-foot warehouse and distribution facility on the 31.79-acre project site with 590 parking spaces for employees/visitors, 60 truck trailer parking stalls, and 114 truck terminals. Pursuant to Section 15126.6 of the CEQA Guidelines, an “EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic

objectives of the project but would also avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives”.

The DEIR included an analysis of three project alternatives: No Project/No Development Alternative, Multi-Building Alternative, and Reduced Building Footprint Alternative. In response to public comments received on the DEIR, a Multi-Building and Truck Bay Reduction Alternative has been included in the Final EIR (FEIR), which is a variation on the project and Multi-Building Alternative previously evaluated in the DEIR. The City, as Lead Agency, recommends approval of the Multi-Building and Truck Bay Reduction Alternative which is considered the preferred alternative that meets all but one of the objectives of the project while lessening potentially significant impacts associated with implementation the project.

The project description, analysis, and recommendation provided below exclusively focuses on the Multi-Building and Truck Bay Reduction Alternative, which will be further referenced as the “MBTRA” project. The original project, as described in the FEIR, will be referenced as “Proposed Project.”

PROJECT DESCRIPTION

The proposed MBTRA project is comprised of three entitlement requests:

Development Plan (D22-00001):

A request for a development plan to construct an industrial warehouse, manufacturing, and office facility consisting of four separate buildings totaling 497,822 square feet. Each building would be designed to include mezzanines and truck bays to accommodate a variety of warehouse, manufacturing, distribution, and office uses. The applicant has not identified a future tenant(s) at this time. All future uses would be subject to compliance with the IL District and conditions of approval associated with this entitlement.

Site Design: The MBTRA would include the construction of four shell industrial buildings on the 31.79-acre site. This alternative would orient the proposed truck bays (dock-high doors) on the east/west side of each building and reduce the total number of truck bays to 56 (originally 114). In comparison to the initial Proposed Project, the MBTRA would also reduce the overall square footage of the proposed facility to a total of 497,822 square feet with each building allocated space for warehouse, manufacturing, and office uses as provided in Table 1.

Building	Warehouse	Manufacturing	Office	Total Building Area
1	73,508	27,025	9,127	109,660
2	89,107	32,760	10,733	132,600
3	81,591	29,997	9,959	121,547
4	90,069	33,114	10,832	134,015
TOTAL	334,275 SF	122,896 SF	40,651 SF	497,822 SF

In an effort to provide additional buffering between the project site and surrounding uses, the MBTRA would include 19 to 20-foot high screen walls adjacent to truck terminals. In addition, increased tree plantings would be incorporated along the northern perimeter of site.

Access and Circulation: Access to the site would be provided from both Benet Road and Alex Road via Highway 76 and Foussat Road. Heavy trucks would be limited to the entry point on Benet Road and would access the site from Highway 76. Passenger vehicles could access the site from either entrance. A dedicated right-hand turn lane would be constructed at the project entrance on Benet Road to allow for deceleration of trucks entering the site. This feature would ensure the north-bound travel lane remains clear for vehicles crossing the river. Onsite drive aisles would be 35-feet wide to provide adequate circulation for heavy trucks and emergency vehicles.

Pedestrian walkways would be provided throughout the site and new pedestrian connections would be provided through the construction of 600 feet of sidewalk along the Benet Road frontage that would connect to the San Luis Rey River trail. A new sidewalk would also connect to the river trail on the Alex Road frontage.

Parking: The MBTRA would provide a total of 593 parking spaces for employees and customers based on standard parking ratios for office, warehouse, and manufacturing uses. 90 stalls would be dedicated for electric vehicle charging and 30 bike racks would also be provided onsite. Other than the proposed 56 truck bays, no additional truck trailer parking spaces would be provided onsite.

Landscaping: The proposed landscape plan would provide a total landscape area of 316,366 square feet (23-percent lot coverage). A variety of trees would be planted along the perimeter including California Sycamore, Coast Live Oak, and Bay Laurel. Interior landscape areas would include Desert Willow, Chilean Mesquite, California Laurel and Willow Acacia. Tree plantings along the northern perimeter would be increased with the MBTRA to provide additional screening for the residential neighborhood located north of the river. In addition, the MBTRA would maintain the 100-foot biological buffer from the edge of the San Luis Rey River riparian habitat.

Architecture: All four buildings would be designed in a modern light industrial style incorporating concrete tilt-up panels with horizontal reveals, offset wall planes, and various window elements and façade details to create visual interest. The buildings would be painted with neutral colors, including gray and off-white, with color variations in wall panels to offset wall expanses. Office and warehouse components would be clearly distinguished with the use of large, tinted windows, metal canopies, and aluminum storefront window systems. Additionally, concrete screen walls would be located adjacent to loading bays to reduce visual impacts of the loading areas.

Grading and Drainage: The project site is located adjacent to the San Luis Rey River levee embankment and the Benet Road right-of-way, which are elevated above the site and act as a berm on the western and northern perimeter of the site. The proposed development would generally maintain the grades of the existing site. Since the development would be located below the Base Flood Elevation (BFE), a proposed flood wall would be constructed

around the perimeter to provide additional flood mitigation.

A stormwater drainage system would be designed to collect on-site runoff and convey it through the project site into existing drainage facilities. Stormwater treatment would occur onsite through the installation of inlets, storm drains, biofiltration basins, and an underground stormwater detention tank.

Conditional Use Permit (CUP20-00023):

A request for a conditional use permit to allow (A) four industrial buildings for distribution and storage purposes with a floor area greater than 50,000 square-feet; and (B) truck terminals with more than six heavy trucks on the premises at one time per Article 13 of the Zoning Ordinance. The MBTRA project would include four separate industrial buildings with a total warehouse area of 334,275 square feet and a total of 56 truck bays. Each building would have warehouse space ranging from 73,508 square feet to 90,069 square feet. As previously noted, the applicant has not identified a potential tenant or use at this time. The shell design and warehouse allocation would allow flexibility to accommodate a variety of industrial uses permitted in the IL District.

Building	Total Warehouse Area (SF)	Number of Truck Bays
1	73,508	12
2	89,107	12
3	81,591	14
4	90,069	18
SITE TOTAL	334,275 SF	56

The MBTRA project would orient the truck terminals in an east-west direction. Each building would include 12-18 truck bays situated on interior facing elevations to fully screen the truck terminals. No truck bays would be visible from the perimeter of the site. In addition, 19 to 20-foot-high concrete screen walls would be constructed at the north and south end caps of each building to further reduce visual impacts of the truck terminals on residential properties north of the river.

Based on the proposed number of truck bays, the site has the capacity to accommodate a maximum of 56 trucks and/or trailers at one time. The demand for trucking terminals would ultimately be determined by future tenants occupying the buildings.

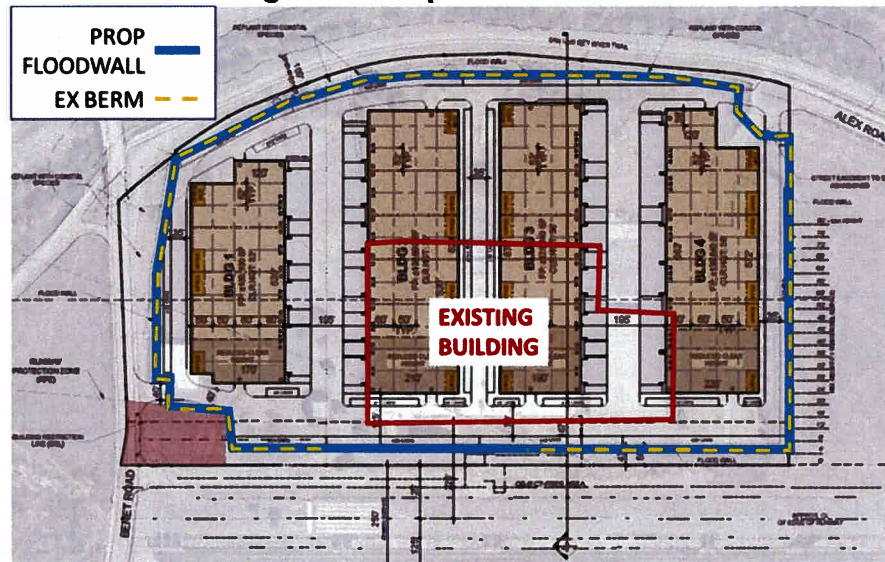
Variance (V21-00003)

A variance request to construct a flood wall around the perimeter of the site that would exceed the maximum allowable height of eight (8) feet per Article 30 of the Zoning Ordinance. As proposed, exterior facing wall elevations would range from 7.9 feet to 9.9 feet above the exterior grade. Interior facing wall elevations would extend up to approximately 9.5 feet in height. The flood wall would be constructed as a decorative masonry block wall system.

The project site is located adjacent to the San Luis Rey River and is within a Special Flood Hazard Area (Zone A99 per the FEMA Flood Insurance Map). An existing earthen flood levee was previously constructed to protect the site from flooding from the San Luis Rey River. Zone A99 designates areas within the 100-year floodplain that will be protected by a federal flood protection system under construction. However, the existing levee and other levees along the SLR have yet to be certified by FEMA. The City is currently participating in a program with the US Army Corp of Engineers aimed at evaluating and improving the levee system, as necessary, to achieve FEMA certification.

Since elevating the site above the Base Flood Elevation (BFE) would not be feasible, the applicant coordinated with the City and FEMA to provide alternative floodplain mitigation. The proposed flood wall system would extend around the perimeter of the site to protect the facility from potential flood events.

Figure 3: Proposed Floodwall



ANALYSIS

Project Comparison: In response to public input and comments received on the DEIR, the MBTRA was incorporated into the FEIR as a variation of the “Multi-building Alternative” presented in the DEIR. The MBTRA represents a reduced project intended to further mitigate potential environmental impacts and enhance compatibility with the surrounding community.

Key features that are represented in the MBTRA project include:

- Reduction in overall building square footage from 566,905 to 497,882 square feet
- Four multi-tenant buildings rather than one large building
- Reduction of truck bays from 114 to 56 and divided among all four buildings
- Re-orientation of the truck bays from north-south to east-west
- Removal of the 60 truck trailer parking spaces

- Proposed 19 to 20-foot high screen walls adjacent to truck terminals
- Increased tree plantings along the northern perimeter of site

The following Table is a comparison of the Proposed Project versus the MBTRA:

TABLE 3 – Project Comparison		
Development Standard	Proposed Project (original)	Multi-Building & Reduced Truck Bay Alternative
Number of Buildings	1	4
Total Building SF	566,905	497,882
Total Truck Bays	114	56
Truck Trailer Parking	60	0
Standard Parking	590	593
Building Height	45 feet	24-45 feet
Lot Coverage	41%	36%
Landscaping	21%	23%
Riparian Buffer	100 feet	100 feet

MBTRA



Proposed Project



Traffic Analysis: A Local Transportation Study (LTS) was prepared for the proposed project in accordance with the City’s Traffic Impact Analysis Guidelines for Vehicle Miles travelled (VMT) and Level of Service Assessment. For comparison purposes, an Alternative Memorandum for LTS was prepared for the MBTRA as Appendix I-1 of the FEIR. The memorandum compares Average Daily Trips between the proposed project consisting of a single 566,905 square-foot industrial building and the MBTRA consisting of four separate buildings totaling 497,882 square feet.

Average Daily Trips

The traffic analysis for the project included an analysis of AM peak hour, PM peak hour, and daily traffic volumes for all proposed land uses, including both car trip rates and truck trip rates. To account for the additional length of trucks, the traffic analysis includes a Passenger Car Equivalent (PCE) multiplier of two (2) applied to average daily trips (ADT) for trucks.

TABLE 4 - Trip Generation Comparison			
Proposed Project			
Trip Generation	Daily	AM Peak	PM Peak
Manufacturing			
Cars	809	116	126
Trucks	77	5	5
Warehouse			
Cars	557	32	40
Trucks	87	8	4
Total Car Trips	1,366	148	166
Total Trucks Trips PCE* (Only Daily Trips)	328		
PROJECT TOTAL	1,694	161	175
Multi-Building and Truck Bay Reduction Alternative			
Trip Generation	Daily	AM Peak	PM Peak
Manufacturing			
Cars	636	91	99
Trucks	60	4	4
Warehouse			
Cars	510	29	36
Trucks	80	7	4
Total Car Trips	1,145	120	135
Total Trucks Trips PCE* (Only Daily Trips)	281		
PROJECT TOTAL	1,286	131	143

*Passenger Car Equivalent (PCE) is a metric to assess traffic flow rate that represents a specific mode of transport (heavy trucks) compared to a single car. For example, five (5) truck trips would be the equivalent of ten (10) passenger car trips.

As provided in Table 4, the originally Proposed Project would generate a total of 1,695 ADT compared to the MBTRA at 1,286 ADT. The proposed alternative would reduce daily trips by 409 ADT representing a 24-percent reduction. Truck trips are calculated based on the proposed square footage of warehouse area utilizing the Institute of Transportation Engineers (ITE) land use code for High-Cube Transload and Short-Term Storage Warehouse (Code 154).

Based on the City's significance criteria, the LTS concluded that the project would have a transportation impact at the intersection of SR-76/Benet Road resulting from cumulative traffic being added to the intersection. Since the project would contribute traffic to a failing intersection, the project would be subject to a fair share monetary contribution towards a future improvement based on the project's proportional share of future traffic added to roadway network.

The LTS was reviewed and approved by the Transportation Section of the Public Works Department. A copy of the LTS is provided as Attachment 6.

Community Outreach: In accordance with the City's Enhanced Notification Policy (300-14), the applicant conducted community outreach throughout the entitlement process. Outreach efforts included hosting two in-person meetings and two virtual meetings, establishing a project website, sending mail and virtual notifications regarding meetings and project updates, and hosting one on one and small group meetings. A copy of the community outreach report is provided as Attachment No. 5:

The project has received a significant level of opposition from the residential community north of the San Luis Rey River. Many residents submitted comment letters and have voiced concern regarding potential impacts of the project. The following is an overview of key concerns and how those concerns have been addressed.

Traffic Impacts

Community members expressed concern that truck traffic from the project would impede traffic flow on Benet Road and lead to additional congestion on Foussat Road and Hwy 76 when combined with the Ocean Kamp Project.

As previously noted, an LTS was prepared for the Proposed Project and analyzed the ADT for both cars and trucks. The study concluded that the Proposed Project would have a traffic impact at the intersection of SR-76/Benet Road. This impact would be mitigated through a fair share payment to the City's Thoroughfare and Signal Account.

The MBTRA would reduce the overall ADT of the proposed facility and would include the construction of a dedicated right hand turn into the project site on Benet Road. Coupled with the existing through lane, the proposed turn lane would allow trucks to move out of the northbound travel lane and decelerate before entering the site. This improvement would help maintain the flow of traffic entering the neighborhood north of the river.

Future Tenant(s)

Community members commented that the applicant should have disclosed the future tenant of the project to allow the community to fully assess potential impacts of the project.

While it is common for a business to be identified with a development application, the City does not require an applicant to declare a tenant during the entitlement review process. Development plan and conditional use permit applications are reviewed based on the proposed land use in accordance with zoning regulations. All proposed uses must be consistent with use classifications defined in Article 4 of the Zoning Ordinance and permitted in the underlying zoning district. Development requirements, such as parking ratios, vary by land use type to ensure that a development plan is adequately designed to accommodate a proposed use.

According to the applicant, the MBTRA is designed to accommodate manufacturing, warehouse, and office uses based on the demand for this type of facility in the Oceanside area. Regardless, future tenants and land use would be limited to the IL use classifications authorized by this entitlement. Permitted and conditionally permitted uses would be subject to compliance with all conditions of approval provided in the attached resolution.

Any requested modifications to the conditions of approval would require consideration by the Planning Commission at a public hearing.

Pollution

Concern was expressed regarding potential air and noise pollution generated by the project from semi-trucks, service trucks, forklifts, and employee vehicles that would impact the community and San Luis Rey River.

An air quality study was prepared with the EIR to analyze potential impacts associated with the Proposed Project. The study concluded that daily operational emissions, including passenger vehicle and truck traffic associated with warehouse and manufacturing operations, would not exceed the San Diego APCD's significance thresholds for any criteria air pollutant.

Per Section 3.2.5 of the FEIR, the Proposed Project would also implement both construction-related and operational project design features (PDFs) intended to reduce emissions of air pollutants and toxic air contaminants. The applicant agreed to include applicable measures found in the California Department of Justice Warehouse Project Best Practices document (DOJ 2022). Such measures would reduce potential impacts of warehouse operations and have been incorporated as conditions of approval for the MBTRA project. As noted in the air quality memorandum (Appendix B-1 of the FEIR), the MBTRA would be subject to the same mitigation measures and PDFs of the Proposed Project. The memorandum concluded the MBTRA would further decrease emissions compared to the Proposed Project based on the reduced building square footage and reduction in vehicle trip generation.

A Noise Technical Report was prepared with the EIR that evaluated various types of noise impacts, including potential impacts on residential areas north of the river. Field measurements of noise levels and acoustical modeling concluded that the operational noise levels of the Proposed Project would be below the decibel level limits established by the City's Noise Control Ordinance. The Noise Alternative Memorandum (Appendix H-1 of FEIR) concluded that the MBTRA would further reduce stationary operations noise based on fewer loading docks and a smaller project footprint. Noise impacts of the MBTRA would be considered less than significant.

Safety and Emergency Services

Community members expressed concern that truck traffic from the project would impede vehicle access on Benet Road and pose a safety hazard for pedestrians, bicyclists, and skateboarders. There is also concern that increased traffic from the project would hinder evacuation and emergency vehicle access during a fire or other emergency.

As previously noted, the MBTRA project would construct various road improvements including a dedicated right hand turn lane and new sidewalk along the project frontage on Benet Road connecting to the river trail. Heavy trucks would be prohibited from entering

or exiting the site on Alex Road to avoid conflicts with the existing skate park and future roundabouts planned for construction with the proposed Ocean Kamp project.

In response to concerns about emergency evacuation, the applicant prepared a Wildfire Evacuation Study (WES) for the Proposed Project to evaluate the project's consistency with relevant emergency evacuation plans and emergency response plans, disclose the prevention and minimization regulations and measures applicable to the project, and determine evacuation times for the existing and post-project conditions, as well as provide emergency preparedness information and resources to increase occupant preparedness and facilitate efficient evacuation in the event of an emergency. The WES was prepared in consultation with both the Oceanside Fire Department and Oceanside Police Department.

The key finding of the WES concluded that the proposed project would not substantially impair an adopted emergency evacuation plan or emergency response plan, and impacts would be less than significant without mitigation. Further, the available roadway capacity was found sufficient to safely accommodate the number of evacuating vehicles within the relevant areas with and without the project development. Project impacts would be less than significant as the study demonstrated that evacuation times would be reasonable and in line with typical evacuation times and would allow for safe evacuations to be conducted under all evaluated scenarios.

The Proposed Project and MBTRA would not eliminate any existing evacuation routes. In an evacuation or emergency scenario, adequate emergency access would be maintained. Considering these facts and others discussed in the study, neither the Proposed Project nor the less intense MBTRA project would interfere with evacuation response planning, and would not result in inadequate emergency access.

Habitat

Concern was expressed that the project would have an impact on wildlife along the San Luis Rey River corridor.

The project site was previously developed with IL uses and consists of disturbed habitat and graded land. A biological technical report was prepared for the Proposed Project and appended to the EIR. No special-status plants were observed on the property. The study evaluated potential biological impacts of the development and included recommended mitigation measures as provided in the FEIR. Given the proximity to riparian habitat along the San Luis Rey River, a 100-foot biological buffer would be established from the edge of the riparian habitat adjacent to the site. The establishment of the buffer would avoid a substantial adverse effect on any riparian habitat or other sensitive natural community.

1. General Plan Conformance

The project site has a General Plan land use designation of LI and would be consistent with the following General Plan policies:

Land Use Element - Section 2.1 Industrial Development

Objective: To promote industries which are consistent with community enhancement and provide stable tax bases and a balance of employment opportunities.

- Policy A: Industrially designated lands shall be devoted to industrial uses for the preservation of the City's economic future, employment opportunities, and general welfare.

The MBTRA would be considered a light industrial development designed for warehousing, manufacturing, distribution, and office uses. The shell building design and multi-tenant configuration would accommodate a variety of industrial businesses that would help preserve the City's economic future and generate employment opportunities. The applicant forecasts the project generating as many as 499 jobs.

- Policy B: Industrial uses shall be compatible with surrounding land uses and available community facilities

The MBTRA was designed in compliance with the regulations of the Zoning Ordinance and is consistent with the design and scale of adjacent industrial uses in the Airport Neighborhood. The project was also designed in compliance with the Oceanside Municipal Airport – Airport Land Use Compatibility Plan (ALUCP) as documented by the determination of consistency from Airport Land Use Commission for San Diego County. Light industrial uses are compatible with the airport and align with the ALUCP objective to protect the airport from incompatible uses that may hinder airport operations.

The MBTRA would include four buildings with truck terminals oriented in an east-west direction to provide adequate screening from adjacent uses. A significant buffer would also be provided between the project site and the residential area to the north by the San Luis Rey River and perimeter landscaping. The project would be served by existing water and sewer infrastructure as well as the existing roadway network.

Land Use Element - Section 2.12 Light Industrial

Objective: To provide and protect industrial lands that can accommodate a wide range of moderate to low intensity industrial uses capable of being located adjacent to residential areas with minimal buffering and attenuation measures.

- Policy D: Light industrial developments shall place its emphasis on presenting an efficient, clean and visually appealing industrial environment. Architectural, landscape, signage and development standards shall be coordinated to provide a unified site design.

The MBTRA was designed in a modern industrial style incorporating concrete tilt-up panels and various design details to create visual interest. Proposed

landscaping would complement the building design and be dispersed throughout the site to enhance the visual quality of the project and provide additional buffering of loading and parking areas.

- Policy C: Light industrial areas shall be primarily developed as industrial parks and commerce centers providing both single-use and multi-tenant structures. Independent development for single-use projects on larger sites may also be permitted.

The MBTRA would introduce four multi-tenant structures on the 31.79-acre site to accommodate a variety of light industrial uses.

- Policy E: Each industrial use shall provide attenuating structures, devices and procedures to ensure that noise, vibration, glare, odors, heat and other emissions are not perceptible outside its boundaries by the natural senses.

The applicant prepared a Noise Impact Analysis to evaluate long-term noise impacts of the project on adjacent residential properties to the north of the site and ensure compliance with the City's Noise Control Ordinance. Site features, including enhanced landscaping and 19 to 20-foot high screen walls, would further attenuate noise, glare and other emissions beyond the project boundary. Site lighting would be fully shielded and subject to compliance with the City's light pollution regulations.

Economic Development Element

Goal: Underutilized employment land will be efficiently and profitably repurposed.

- Policy EDE-2d-1: Identify underutilized and obsolete commercial and industrial properties with the greatest potential for redeveloping into more productive use to enhance the City's competitive position in the regional economy.

The 31.79-acre project site was previously developed with a manufacturing facility that was demolished in 2022. The property is one of the last remaining vacant industrial zoned sites in the City's industrial land inventory. Due to the existing soil contamination and remediation requirements, redevelopment of the site would be subject to all terms of the CLRRRA agreement, including restrictions on future land use. Development of the site into a multi-building industrial project, in accordance with the CLLRA agreement, would optimize the redevelopment potential of the site and provide opportunities for a variety of industrial uses.

The MBTRA would also make a significant contribution towards addressing the City's jobs-to-housing ratio by introducing up to 499 permanent jobs as forecasted by the applicant and noted in the EIR.

Goal: The City will maintain a broad based local economy

- Policy EDE-3b-2: Promote base industries that export goods and services, as well

as businesses that provide goods and services to the community.

The MBTRA project would provide four shell industrial buildings suited for a variety of businesses that provide goods and services to the community.

Energy and Climate Action Element

- Policy ECAE-1a-2: Require that new development supply a portion of its energy demand through renewable sources, to the extent practical and financially feasible.

The MBTRA would include rooftop mounted solar PV systems to supply at least 50 percent of forecasted electricity demand in accordance with Article 30, Section 3047 of the Zoning Ordinance.

- Policy ECAE-5a-7: Encourage new development to incorporate shade trees, to the extent practical and financially feasible.

The proposed landscape plan would comply with the urban forestry standards outlined Article 30, Section 3049 of the Zoning Ordinance. The MBTRA project would provide a tree canopy of 14 percent, which would exceed the required 12 percent for a project site area greater than one acre.

2. Airport Land Use Compatibility Plan (ALUCP) Compliance

The project site is located within the Airport Influence Area (AIA) for the Oceanside Municipal Airport – Airport Land Use Compatibility Plan (ALUCP). The ALUCP has the basic function of promoting compatibility between the airport and surrounding land uses with the objective of protecting against constraints on airport operations and minimizing the public’s exposure to excessive noise and safety hazards.

New development within the AIA is subject to consistency review by the San Diego County Regional Airport Authority (SDCRAA) which acts as the Airport Land Use Commission (ALUC) of San Diego County. The MBTRA project was submitted to the SDCRAA for consistency review and was found to be conditionally consistent with the Oceanside Municipal Airport ALUCP as provided in the ALUC Consistency Determination dated October 8, 2024.

ALUC review focused on the project’s compatibility in terms of safety, noise, airspace protection, and overflight. The ALUC determined that the proposed manufacturing and warehouse uses are compatible with the airport, including the maximum intensity of people per acre. The MBTRA was also found consistent with the ALUCP in terms of maximum height, lot coverage, setbacks, and noise compatibility. A copy of the ALUC Consistency Determination is provided as Attachment No. 7.

3. Zoning Ordinance Compliance

Development Plan

The project site is subject to Article 13 IL zoning regulations of the Zoning Ordinance.

TABLE 5: Development Standards – Limited Industrial (IL)		
Development Standards	Required	Proposed
Minimum Lot Size	20,000 sf.	31.79 acres
Setbacks		
Front Yard	10 feet	132 feet
Side Yard (south)	0 feet	179 feet
Side Yard (north)	0 feet	80-151 feet
Rear Yard	0 feet	150 feet
Maximum Height	80 feet	24-45 feet
Maximum Lot Coverage	75%	36%
Landscaping	12%	23%
Parking	Office 1/300 sf = 136 spaces Warehouse 1/2,000 sf = 223 spaces Manufacturing 1/750 sf = 164 spaces Total = 523 spaces	593 spaces

The MBTRA project complies with all requirements of the Zoning Ordinance, except as requested through a variance. Additionally, the MBTRA has been conditioned to comply with the recently adopted Climate Action Ordinances that address renewable energy, electric-vehicle charging and tree canopy.

Conditional Use Permit

In accordance with Section 1320 of the Zoning Ordinance, a CUP is required for both storage and distribution facilities exceeding 50,000 square feet of floor area and trucking terminals accessory to storage and distribution facilities having more than six heavy trucks on the premises at one time. Trucking terminals are generally described as an area of a building where trucks load and unload cargo. Each building would have a specific number of truck bays with rollup doors and concrete ramps. The MBTRA would include a total of 56 truck bays divided among all four buildings.

The shell building design would allow flexibility for a variety of light industrial uses, including wholesaling, distribution, and storage facilities. A proposed condition of approval would limit the number of truck bays to a maximum of 56 to ensure larger scale distribution uses would not occupy the facility. No additional truck bays or truck/trailer parking spaces

would be authorized. Any proposed modifications to the number of truck bays would require a formal amendment to the CUP.

To avoid potential conflicts with surrounding land uses, the MBTRA would be subject to conditions of approval regarding trucking operations, including the following requirements:

- The applicant shall file a Traffic Management Plan for approval by the City Traffic Engineer to regulate truck routes.
- The property owner shall prepare a Facilities Management Plan (FMP) to ensure future tenants comply with all conditions of approval. The FMP shall be provided to all tenants prior to building occupancy.
- The applicant shall prepare a Good Neighbor Policy as part of the FMP to prevent and enforce nuisance issues.
- Applicable measures from the CA Department of Justice's Warehouse Project Best Management Practices have been incorporated as conditions of approval to reduce potential impacts of warehouse operations.

As previously noted, the MBTRA would incorporate various design features to reduce potential impacts of the proposed trucking terminals on adjacent properties. These features would include enhanced tree canopy along the northern perimeter and the construction of 19 to 20-foot high screen walls adjacent to the truck maneuvering areas. The trucking terminals would also be oriented in an east-west direction away from residential uses to the north.

Variance

In accordance with Article 41 of the Zoning Ordinance, a variance is intended to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape, or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other physical conditions on the site or in the immediate vicinity. The applicant is requesting to construct a flood wall around the perimeter of the site that would exceed the maximum allowable height of eight (8) feet per Article 30 of the Zoning Ordinance. As proposed, exterior facing wall elevations would range from 7.9 feet to 9.9 feet above the exterior grade.

According to the applicant, raising the site above the Base Flood Elevation (BFE) would not be feasible. The requested variance would help resolve practical difficulties of redeveloping the site by allowing increased height of the flood wall for additional flood protection and allow for proper grading. Compliance with the height limitation would reduce the effectiveness of the flood wall. As such, a variance is warranted subject to the findings for approval outlined in the resolution.

Findings

Per Article 43 of the Zoning Ordinance, the purpose of a Development Plan is to ensure that the architectural design of structures, and plans for the landscaping of open spaces conform with the requirements of the Zoning Ordinance, and with any prior conditions of

approval, as well as ensure that new development would not create public service and facility demands exceeding the capacity of existing and planned infrastructure.

Article 41 establishes review approval and disapproval procedures for conditional use permits (CUP) and variances. CUPs are typically required for use classifications having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Variances are intended to resolve practical difficulties of unnecessary physical hardships that may result from size, shape, dimensions or from geographic, topographic, or other physical design characteristics.

The Planning Commission may approve an application for a development plan, conditional use permit, and variance subject to making the required findings provided in Articles 41 and 43 on the basis of the application, plans, materials, and testimony submitted. Staff finds that the MBTRA would be consistent with the requisite findings as provided in the attached resolution, and therefore recommends approval of the MBTRA project.

ENVIRONMENTAL DETERMINATION

In accordance with CEQA, an EIR has been prepared for the proposed project due to potentially significant impacts to air quality, biological resources, cultural resources, traffic and circulation, and tribal cultural resources. As described in the DEIR, implementation of mitigation measures would reduce potential impacts to a less-than-significant level for all identified environmental topic areas.

Pursuant to CEQA Guidelines Section 15087, the DEIR was circulated for public review beginning on October 26, 2023 and ending on December 29, 2023. A total of 80 comment letters were received during the public comment period. Per CEQA Guidelines Section 15088, all comments received on the DEIR during the public review period were evaluated and responded to and are incorporated into the FEIR.

The DEIR included an analysis of three project alternatives: No Project/No Development Alternative, Multi-Building Alternative, and Reduced Building Footprint Alternative. In response to public comments received on the DEIR, a proposed MBTRA has been included in Chapter 8, Section 8.4.4 of the FEIR, which is a variation on the Proposed Project and Multi-Building Alternative previously evaluated in the DEIR. The City, as Lead Agency, recommends approval of the MBTRA which is considered the preferred alternative that meets most of the objectives of the project while lessening potentially significant impacts of the project.

The MBTRA would meet all proposed project objectives, with the exception of objective 3 to *“Maximize the allowable use of an existing industrial zoned site that is compatible with the adjacent light industrial zoned sites and Oceanside Municipal Airport”*. As provided in the EIR, the MBTRA would reduce the overall square footage of the proposed project and not maximize the allowable use of an existing industrial zoned site. However, the proposed four-building design would maintain compatibility with adjacent light industrial zoned sites and the airport.

The FEIR, including the Mitigation Monitoring and Reporting Program (MMRP), findings of fact, and responses to public comments, are available on the City's website at:

<https://www.ci.oceanside.ca.us/government/development-services/planning/ceqa/eddie-jones-warehouse-manufacturing-and-distribution-facility-project-eir>

Staff has reviewed the MBTRA and determined that with the implementation of project conditions and mitigation measures contained within the MMRP, no significant impacts are anticipated. Therefore, staff recommends that the Planning Commission certify the FEIR with the Findings of Fact and MMRP for the MBTRA project.

PUBLIC NOTIFICATION

Legal notice was published in the newspaper and notices were sent to property owners within 1,500 feet and occupants within 100 feet of the subject property, individuals/organizations requesting notification, the applicant, and interested parties. A significant amount of correspondence has been received regarding the proposed project. Letters and emails addressed to staff, the Planning Commission, and City Council are included as Attachment No. 9. Primary concerns raised by opponents regarding the proposed project include traffic, air pollution, light pollution, noise, fire evacuation, pedestrian and cyclist safety, impacts to wildlife, compatibility, and hours of operation.

SUMMARY

The proposed Development Plan (D22-00001), Conditional Use Permit (CUP22-00001), and Variance (V22-00001) for the MBTRA project are consistent with the policies of the General Plan and the requirements of the Zoning Ordinance. The proposed land use and design of the project is consistent and compatible with existing industrial development in the vicinity of Oceanside Municipal Airport and the surrounding area. As such, staff recommends that the Planning Commission approve the MBTRA project based on the findings and subject to the conditions contained in the attached Resolution.

Staff recommends that the Planning Commission by motion:

- (1) Certify the Environmental Impact Report (EIR) and adopt the associated findings of fact and Mitigation Monitoring and Reporting Program (MMRP) by adopting Planning Commission Resolution No. 2025-P05; and
- (2) Approve Development Plan, Conditional Use Permit, and Variance for the Multi-Building and Truck Bay Reduction Alternative (MBTRA) project by adopting Planning Commission Resolution No. 2025-P04 with finding and conditions approval attached herein.

PREPARED BY:



Rob Dmohowski
Principal Planner

SUBMITTED BY:



Sergio Madera
City Planner

Attachments:

1. Planning Commission Resolution No. 2025-P04 for MBTRA project
2. Planning Commission Resolution 2025-P05 for FEIR with Findings of Fact and MMRP
3. Plans/Site Map (online)
4. FEIR (online)
5. Community Outreach Report (online)
6. Local Transportation Study (LTS)(online)
7. Airport Land Use Commission Determination of Consistency
8. Other Attachments – Application Page, Description and Justification, Legal Description (online)
9. Public Correspondence

4.01 ATTACHMENT 1

PLANNING COMMISSION
RESOLUTION NO. 2025-P04

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

APPLICATION NO: D22-00001, CUP22-00001 & V22-00001
 APPLICANT: RPG OCEANSIDE EDDY JONES WAY OWNER, LLC
 LOCATION: 250 EDDIE JONES WAY (APNs: 145-021-29, 30 &32)

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 a Development Plan (D22-00001), Conditional Use Permit (CUP22-00001), and Variance (V22-00001) for the Multi-Building and Truck Bay Reduction Alternative (MBTRA) under the provisions of Articles 13, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

- a) A Development Plan for the MBTRA to construct a four-building warehouse, manufacturing, and office facility totaling approximately 497,822 square feet of building area;
- b) A Conditional Use Permit to allow for wholesaling, distribution, and storage with a floor area greater than 50,000 square-feet and to allow trucking terminals with more than six heavy trucks on the premises at one time;
- c) A Variance to allow a proposed flood wall to exceed the maximum allowable wall height of eight (8) feet.

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 10th day of February 2025 conduct a duly-advertised public hearing as prescribed by law to consider said application.

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1 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
2 Guidelines thereto; an Environmental Impact Report (EIR) was prepared and circulated for this
3 project;

4 WHEREAS, Chapter 8, Alternatives, of the Final EIR describes the potential impacts of
5 the Multi-Building and Truck Bay Reduction Alternative (MBTRA), this alternative has reduced
6 or similar less than significant impacts, with mitigation, to the proposed project.

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

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

Description	Authority for Imposition
Public Facility (Commercial/Industrial)	Ord. No. 91-09 Reso. No. 15-R0638-1
School District Fee (Commercial/Industrial)	Ord. No. 91-34 OUSD Res. 13(12-13) CUSD Res. 21-1314
Traffic Signal & Thoroughfare (Commercial/Industrial)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Ord. No. 85-23 Reso. No. 16-R0638-1
Wastewater System Capacity Buy-in Fee (Non-Residential and Multi-Family Residential)	Reso. No. 87-97 Ord. No. 15-OR0479-1 City Code 37.7.37
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)	SDWA Ord. 2017

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

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

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

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

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

9 WHEREAS, the documents or other material which constitute the record of proceedings
10 upon which the decision is based will be maintained by the City of Oceanside Planning
11 Department, 300 North Coast Highway, Oceanside, California 92054.

12 WHEREAS, studies and investigations made by this Commission and on its behalf reveal
13 the following facts:

14 FINDINGS:

15 For the Development Plan (D22-00001):

- 16 1. The site plan and physical design of the project as proposed is consistent with the
17 purposes of the Zoning Ordinance because the proposed development complies with the
18 regulations established by the Limited Industrial (IL) Zone District. The project is
19 consistent with the purpose of the IL District, which is intended to provide areas
20 appropriate for a wide range of moderate to low-intensity industrial uses capable of
21 being located adjacent to residential areas with minimal buffering and attenuation
22 measures. The multi-building design orients the buildings to adequately screen loading
23 and maneuvering areas. Perimeter landscaping, enhanced tree plantings, and a 100-foot
24 biological buffer provide additional attenuation measures to ensure compatibility with
25 surrounding land uses.
- 26 2. The Development Plan as proposed conforms to the General Plan of the City, in that the
27 project is considered a light industrial use within an established industrial area and is
28 consistent and compatible with the Light Industrial land use designation, including
industrial Land Use Policies 2.1.A, 2.1.B, 2.12.C, 2.12.D, and 2.12.E, Economic

1 Development Element Policies EDE-3b-2 and EDE-2d-1, and Energy and Climate
2 Action Element Policies ECAE-1a-2 and ECAE-5a-7. Furthermore, the project is
3 consistent with the Oceanside Municipal Airport – Airport Land Use Compatibility Plan
4 (ALUCP) which considers manufacturing, warehousing, and distribution uses highly
5 compatible with airport operations. The project will optimize the redevelopment of an
6 underutilized industrial site and provide opportunities for a variety of industrial uses.
7 The project will also make a significant contribution towards addressing the City’s jobs-
8 to-housing ratio by introducing up to 499 permanent jobs as forecasted by the applicant.

9 3. The area covered by the Development Plan can be adequately, reasonably and
10 conveniently served by existing and planned public services, utilities and public
11 Facilities. The project site is served by existing services and was previously developed
12 as a manufacturing facility. The area was designed to accommodate industrial
13 development and the project, as conditioned, would comply with all City codes and
14 regulations necessary for redevelopment of the site.

15 4. The project as proposed is compatible with existing and potential development on
16 adjoining properties or in the surrounding neighborhood because the project was
17 designed in compliance with the regulations of the Zoning Ordinance and the Oceanside
18 Municipal Airport – Airport Land Use Compatibility Plan (ALUCP). The project is
19 found compatible with the airport because light industrial uses don’t conflict with airport
20 operations. The project complies with buffer and height limitations of the ALUCP and
21 the maximum intensity of people per acre. To the north, the project provides a 100 foot
22 habitat buffer and enhanced landscaping to screen the project from residential uses north
23 of the river. The San Luis Rey River corridor provides a natural buffer between
24 industrial uses on the south side of the river and residential uses north of the river. The
25 proposed buildings are also designed to adequately screen truck maneuvering areas and
26 loading docks from the adjacent neighborhood north of the site. The design features also
27 provide additional noise attenuation.

28 5. The site plan and physical design of the project is consistent with the policies contained
within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the

1 Development Guidelines for Hillside, and Section 3039 of the Zoning Ordinance
2 because the property does not have slopes subject to the Hillside Ordinance.

3 For Conditional Use Permit (CUP22-00001):

- 4 1. The proposed location of the use is in accord with the objectives of the Zoning Ordinance
5 and the purposes of the district in which the site is located because the Limited Industrial
6 District is intended to provide areas appropriate for a wide range of moderate to low-
7 intensity industrial uses, including wholesaling, distribution and storage, located adjacent to
8 residential areas with minimal buffering and attenuation measures. The 31.79 acre site is
9 located adjacent to an airport which is an appropriate location for limited industrial projects
10 with warehouse space exceeding 50,000 square feet and a maximum of 56 truck bays. The
11 project is designed to accommodate a variety of limited industrial uses including
12 manufacturing, warehousing, distribution, and ancillary office space. The proposed
13 trucking terminals are designed with 56 truck bays divided among all four buildings. As
14 conditioned, trucks and trailers will be limited to parking at approved truck bays. All trucks
15 will access the project site from Benet Road, which is considered a secondary collector and
16 an acceptable roadway for truck traffic. Trucks will be prohibited from travelling north of
17 the San Luis Rey River on Benet Road.
- 18 2. The proposed location of the conditional use and the proposed conditions under which it
19 would be operated or maintained will be consistent with the General Plan; will not be
20 detrimental to the public health, safety or welfare of persons residing or working in or
21 adjacent to the neighborhood of such use; and will not be detrimental to properties or
22 improvements in the vicinity or to the general welfare of the city because the proposed
23 project is consistent with the Light Industrial General Plan land use designation and is
24 designed to be compatible with surrounding land uses in the area. The proposed buildings,
25 as designed, will screen truck maneuvering and loading areas from the adjacent
26 neighborhood to the north. Furthermore, a Noise Impact Analysis concluded that the
27 project's operational noise levels along the north property line will be below the maximum
28 noise level limits established by the City's Noise Control Ordinance and will not be
detrimental to persons residing in the neighborhood on the north side of the San Luis Rey

1 River. The proposed conditions of approval, mitigation measures, and project design
2 features identified in the Environmental Impact Report for the MBTRA ensure that the
3 project will not be detrimental to public health, safety, and welfare.

- 4 3. The proposed conditional use will comply with the provisions of this ordinance, including
5 any specific condition required for the proposed conditional use in the district in which it
6 would be located. The project will be conditioned to limit the number of truck bays to a
7 maximum of 56 and all heavy trucks and trailers must park at approved truck bay locations.
8 Heavy trucks will be prohibited from accessing the site on Alex Road or travelling north of
9 the river on Benet Road. The proposed project will also be conditioned to prepare a
10 Facilities Management Plan with a good neighbor policy to ensure all future tenants
11 operate in accordance with the conditions of approval and avoid any conflicts with
12 surrounding land uses.

13 For Variance (V22-00001):

- 14 1. That because of special circumstances or conditions applicable to the development site
15 including size, shape, topography, location or surroundings strict application of the
16 requirements of this ordinance deprive such property of privileges enjoyed by other
17 property in the vicinity and under identical zoning classification. The project site is located
18 adjacent to the San Luis Rey River and is located within a Special Flood Hazard Area
19 (Zone A99 per FEMA Flood Insurance Map). An existing levee was constructed to protect
20 the site from flooding, however, the levee has not been certified by FEMA and cannot be
21 viewed as an approved flood prevention system. Since elevating the entire 31.79-acre site
22 above the Base Flood Elevation (BFE) is not feasible, the applicant coordinated with the
23 City and FEMA to provide a flood wall as alternative floodplain mitigation. The proposed
24 flood wall will range in height from 7.9' to 9.9' to provide a consistent top of wall
25 elevation of 35.5' as required to exceed the BFE of 34'. Exceeding the maximum wall
26 height of eight feet in the IL District is required to provide necessary flood protection and
27 allow for proper grading of the site. Strict application of the requirements of the Zoning
28 Ordinance would deprive the project site of development privileges enjoyed by other

1 industrial zoned properties in the area. Furthermore, similar variances have been granted
2 for retaining walls exceeding maximum height for other projects in the IL District;

3 2. That granting the application will not be detrimental or injurious to property or
4 improvements in the vicinity of the development site, or to the public health, safety or
5 general welfare because the proposed flood wall has been designed specifically for the
6 subject property by a licensed engineer to ensure it will adequately function during a flood
7 event. The solid decorative masonry block wall system combined with proposed
8 landscaping will ensure an aesthetically pleasing design compatible with the project and
9 surrounding area.

10 3. That granting the application is consistent with the purposes of this ordinance and will not
11 constitute a grant of special privilege inconsistent with limitations on other properties in the
12 vicinity and in the same zoning district because flood protection mitigation is required for
13 all adjacent properties adjacent to the San Luis Rey River or in the same flood zone.
14 Similar variances for increased wall height have been approved in industrial zoning
15 districts. The proposed 7.9' to 9.9' flood wall will provide the necessary flood protection
16 for the development and is a practical solution to address a site constraint for a property
17 located in a flood zone.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
19 approve Development Plan (D22-00001), Conditional Use Permit (CUP22-00001), and Variance
20 (V22-00001), subject to the following conditions:

21 **Planning:**

- 22 1. This resolution approves the following entitlements:
- 23 a) A Development Plan to construct a four-building warehouse, manufacturing, and
24 office facility totaling approximately 497,822 square feet of building area;
 - 25 b) A Conditional Use Permit to allow for wholesaling, distribution, and storage with
26 a floor area greater than 50,000 square-feet and to allow trucking terminals with
27 more than six heavy trucks on the premises at one time with a maximum of 56
28 truck bays divided among all four buildings;

1 c) A Variance to allow a proposed flood wall to exceed the maximum allowable
2 wall height of eight (8) feet. Exterior wall elevations would range from 7.9' to
3 9.9' above the exterior grade.

4 2. The Development Plan, Conditional Use Permit, and Variance shall expire on February
5 10, 2028 unless implemented as required by Articles 41 and 43 of the Zoning Ordinance
6 or a time extension is granted.

7 3. This development project approval shall become effective and final at the expiration of
8 the appeal period without the filing of a valid appeal. The filing of a valid appeal during
9 the appeal period shall stay the Planning Commission's decision pending review and
10 final decision by the City Council on the appeal. At such time that the development
11 project approval becomes effective and final, the applicant/developer shall either secure
12 a grading permit, a building permit, or timely file of a time extension request prior to the
13 expiration of the development approval. Failure by the applicant/developer to do so will
14 result in the expiration of the development approval and a new development project
15 application(s) submittal and approval will be required for the project to move forward.

16 4. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
17 harmless the City of Oceanside, its agents, officers or employees from any claim, action
18 or proceeding against the City, its agents, officers, or employees to attack, set aside, void
19 or annul the City's approval of this development project (D22-00001, CUP22-00001,
20 and Variance V22-00001). The City will promptly notify the applicant of any challenge,
21 claim, suit, action or legal proceeding against the City. The City will cooperate fully
22 with the applicant, permittee or any successor-in-interest in the legal defense of the
23 City's approving action.

24 5. A covenant or other recordable document approved by the City Attorney shall be prepared by
25 the property owner and recorded prior to grading permit issuance. The covenant shall provide
26 that the property is subject to this resolution and all listed conditions of approval.

27 6. Unless expressly waived, all current zoning standards and City ordinances and policies
28 in effect at the time building permits are issued are required to be met by this project.
The approval of this project constitutes the applicant's agreement with all statements in

1 the Description and Justification, Application and other materials and information
2 submitted with this application, unless specifically waived by an adopted condition of approval.

3 7. Prior to the transfer of ownership and/or operation of the site, the owner shall provide
4 written copy of the application, staff report and resolution for the project to the new
5 owner and/or operator. This notifications provision shall run with the life of the project
6 and shall be recorded as a covenant on the property.

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

13 9. Failure to meet any conditions of approval for this development shall constitute a
14 violation of the Development Plan, Conditional Use Permit, and Variance.

15 10. No deviations from the approved plans and exhibits shall occur without Planning
16 Division approval. Substantial deviations shall require a revision to the Development
17 Plan or a new Development Plan.

18 11. The Development Plan and Conditional Use Permit authorize a maximum of 56 truck
19 bays at the locations shown on the approved plans. No additional truck bays shall be
20 permitted unless a revision to the Development Plan and Conditional Use Permit is
21 approved by the Planning Commission.

22 12. Elevations, materials, colors, roofing materials and floor plans shall be substantially the
23 same as those approved by the Planning Commission. These shall be shown on plans
24 submitted to the Building Division and Planning Division.

25 13. The project shall comply with the provisions of the City's anti-graffiti (Ordinance No.
26 93-19/Section 20.25 of the City Code). These requirements, including the obligation to
27 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
28 Landscape Plan.

- 1 14. Prior to the issuance of any grading or building permit, the grading or building permit
2 plans shall be reviewed for consistency with the Planning Commission approved
3 discretionary application plans and exhibit. Building elevations, siding materials, colors,
4 roofing materials and floor plans shall be in substantial compliance with those plans and
5 exhibits approved by the Planning Commission.
- 6 15. Building permit plans shall demonstrate that all mechanical (HVAC) rooftop and
7 ground-mounted equipment will be completely screened from public view as required by
8 the Zoning Ordinance and that all mechanical HVAC equipment, screens and/or vents
9 shall be painted with non-reflective paint to match the roof.
- 10 16. Project signage was not approved as part of this project. All proposed signage shall be
11 reviewed and approved in conformance with the Zoning Ordinance prior to the issuance
12 of any sign permit.
- 13 17. Parking spaces shall be kept available and useable for the parking of vehicles at all
14 times.
- 15 18. Outdoor lighting shall be low emission, shielded, and directed away from neighboring
16 properties.
- 17 19. All fencing and walls constructed with the project shall be in conformance with the
18 approved Development Plan.
- 19 20. Heavy truck and trailer parking shall only occur at the approved truck bay locations.
20 No additional truck and/or trailer parking areas shall be permitted on the premises.
- 21 21. Prior to building occupancy, the property owner shall prepare a Facilities Management
22 Plan to be reviewed and approved by the City Planner and shall cover the following:
23 a) Property management and contact information.
24 b) All future tenants shall be provided conditions of approval and operational
25 requirements as provided in this resolution.
26 c) Procedures for ensuring tenants comply with all conditions of approval.
27 d) Security management plan with proposed security measures for providing
28 appropriate security both on the premises and immediate vicinity of the site.

- 1 e) Maintenance plan with comprehensive maintenance procedures for the project site,
2 including the exterior building, landscaping areas, parking lots, sidewalks, and
3 walkways to ensure that a high standard of maintenance exists at the site at all
4 times. The maintenance plan shall include a policy for litter removal and include a
5 commitment for the sweeping and cleaning of parking lots, sidewalks and other
6 concrete surfaces at sufficient intervals to maintain a “like new” appearance.
7 Wastewater, sediment, trash or other pollutants shall be collected on site and
8 properly disposed of and shall not be discharged off the property or into the City’s
9 storm drain system.
- 10 f) Good neighbor policy with a point of contact to respond to issues regarding
11 business operations or site conditions; policies for preventing or reducing nuisances
12 including vehicle routes, number of trips, vehicle idling, backup alarms, facility
13 noise, and light spillage; protocol and anticipated response time to complaints; and
14 enforcement procedures.

15 22. Renewable Energy Facilities (Zoning Ordinance Article 30, Section 3048): The project
16 shall install and maintain renewable energy facilities (e.g. solar photovoltaic systems)
17 that supply at least 50 percent of forecasted electricity demand. Installation shall be
18 completed prior to building occupancy or through the issuance of a bond with timing of
19 installation to be approved by the City Planner.

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

24 24. Urban Forestry Program (Zoning Ordinance Article 30, Section 3049): Prior to issuance
25 of building permits, the project shall comply with the urban forestry standards outlined
26 in Table 1 of Article 30, Section 3049 of the Zoning Ordinance.

- 27 a) Project site area of one acre or more must provide a minimum tree canopy area of
28 12 percent and a minimum permeable surface area of 22 percent.

1 b) The project must also provide a Landscape and Tree Canopy Management Plan
2 (LTCMP). The LTCMP shall include information regarding regular, seasonal,
3 and emergency maintenance, trash abatement, irrigation, tree/plant care, tree
4 replacement, insect and disease infestation prevention, integrated pest
5 management, and appropriate response process etc. Projects that do not maintain
6 landscape in a manner consistent with the approved LTCMP shall be subject to
7 code enforcement action.

8 25. Transportation Demand Management (TDM) (Zoning Ordinance Article 30, Section
9 3050): Prior to building occupancy, the project shall prepare and implement a
10 transportation demand management (TDM) plan that results in a minimum alternative
11 employee commute share of 20 percent. The alternative employee commute share shall
12 include all commute trips not involving combustion engine single-occupancy vehicles
13 (SOVs). Alternative employee commute modes include ridesharing, public transit, active
14 transportation, telecommuting, and zero-emission vehicles. TDM plans shall be
15 implemented within 12 months of full occupancy.

16 26. All mitigation measures identified in the Final EIR (SCH: 2022070365) and Mitigation,
17 Monitoring, and Reporting Program (MMRP) and Project Design Features (PDF) for the
18 project shall be complied with as stated in those documents. The applicant shall submit a
19 mitigation compliance binder (digital format) to the Planning Division documenting
20 compliance with all mitigation measures.

21 27. The Department of Environmental Health and Quality (DEHQ) Well Program has
22 records indicating there are 12 monitoring wells at the site, and environmental
23 assessments have identified a septic tank at the site. The septic tank and any wells on
24 the property must be properly destroyed under DEHQ permit prior to grading for the
25 project. If the wells will be retained for ongoing groundwater monitoring in conjunction
26 with the Response Plan, they must be protected in place during grading and construction
27 activities. Any wells damaged during grading/construction must be repaired to
28 standards under DEHQ permit.

1 **Traffic Engineering:**

- 2 28. The project shall be responsible for the fair share payment to the City, which shall be
3 \$49,595 to be paid to the City’s Thoroughfare and Signal Account. The funds will be
4 used at the City’s discretion for projects that will improve traffic safety and mobility in
5 the City of Oceanside. The \$49,595 shall be paid in full prior to issuance of any permit
6 (precise grading, building or otherwise) for any phase or any component of the project.
7 The \$49,595 fair share payment only satisfies the offsite improvement obligations. All
8 other onsite improvements such as roadway, sidewalk, bike trail/lane, etc, that is
9 contiguous to the project, or needed to provide access to the project shall be done at the
10 project developer’s cost.
- 11 29. A sidewalk shall be installed along the project’s frontage on Benet Road, connecting the
12 sidewalk to the existing sidewalk on the southeast corner of Benet Road at Eddy Jones
13 Way. This improvement shall be completed prior to the issuance of occupancy and must
14 meet the satisfaction of the City Traffic Engineer.
- 15 30. ADA-compliant pedestrian curb ramps shall be installed on the northeast and southeast
16 corners of Benet Road at Eddy Jones Way, on the northeast and southeast corners of the
17 project’s driveway. This improvement shall be completed prior to the issuance of
18 occupancy and must meet the satisfaction of the City Traffic Engineer.
- 19 31. At the intersection of Eddy Jones Way and Benet Road, the project shall install a stop
20 sign, stop legend, and stop limit line on Eddy Jones. This improvement shall comply
21 with the CA-MUTCD guideline and be completed prior to the issuance of occupancy,
22 subject to the satisfaction of the City Traffic Engineer.
- 23 32. The project shall dedicate an easement on Benet Road to the City and construct the
24 proposed northbound right-turn lane onto the project access driveway. This
25 improvement shall be completed prior to the issuance of occupancy and must meet the
26 satisfaction of the City Traffic Engineer.
- 27 33. Prior to building occupancy, the project applicant shall submit a traffic management plan
28 for review and approval by the City Traffic Engineer and City Planner. The plan shall

1 include proposed long-haul truck routes, onsite/offsite vehicle circulation, and delivery
2 schedules.

3 34. Heavy truck trips to and from the project site shall be limited to the Benet Road access
4 point. All heavy trucks shall access the site from Highway 76 at Benet Road. No trucks
5 shall use Benet Road north of the San Luis Rey River. Ingress and egress of heavy
6 trucks on Alex Road shall be prohibited.

7 **Building:**

8 35. This development review checklist is not intended to be a complete review for any
9 project. Further review will be required during a Building permit application and plan
10 submittal. This checklist is intended to address any significant design considerations
11 based on the type of Building, location of building, and proposed use of a Building.

12 Beginning on January 1, 2023, Oceanside Development Services (ODS) is required by
13 State law to enforce the 2022 Edition of California Building Standards Codes (a.k.a.,
14 Title 24 of the California Codes of Regulations).

15 Every three years, the State adopts new model codes (known collectively as the
16 California Building Standards Code) to establish uniform standards for the construction
17 and maintenance of buildings, electrical systems, plumbing systems, mechanical
18 systems, and fire and life safety systems. Sections 17922, 17958 and 18941.5 of the
19 California Health and Safety Code require that the latest edition of the California
20 Building Standards code and Uniform Housing Code apply to local construction 180
21 days after publication.

- 22 • Part 2: The 2022 California Building Code (CBC).
- 23 • Part 2.5: The 2022 California Residential Code (CRC).
- 24 • Part 3: The 2022 California Electrical Code (CEC).
- 25 • Part 4: The 2022 California Mechanical Code (CMC).
- 26 • Part 5: The 2022 California Plumbing Code (CPC).
- 27 • Part 6: The 2022 California Energy Code
- 28 • Part 9: The 2022 California Fire Code (CFC)

- Part 11: The 2022 California Green Building Standards Code (CALGreen Code) This Part is known as the California Green Building Standards Code, and it is intended that it shall also be known as the CALGreen Code.

36. The building plans for this project shall be required by State law to be prepared by a licensed architect or engineer.

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

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

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

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

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

42. The specific requirements of the Soil Report must be incorporated into the plans and the Geo Technical Engineer must in writing indicate that the plans that have been submitted to the Building Division have been reviewed and meet the Soils Report recommendations.

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

44. Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with either CAL Green Section 4.408.2 Waste Management Plan, 4.408.3 Waste Management Company or 4.408.4 Waste Stream Reduction Alternative.

1 The City of Oceanside has adopted the latest version of California’s Green Building Standards
2 Code (CALGreen) and requires waste diversion of C&D materials from new construction,
3 commercial renovation, and most residential additions/alterations. To comply with the City of
4 Oceanside’s requirements, you must submit a Waste Management Plan before permits are
5 issued and construction begins. Demonstrate how your project will fulfill the CALGreen waste
6 diversion requirement. Include an estimate of the amount of waste produced during construction
7 and demolition, the actual amount of waste produced, and the ways the different materials will
8 be diverted.

9 After construction is completed and during the final inspection, you will be required to sign an
10 affidavit stating that your project met the C&D diversion requirement in your Waste
11 Management Plan.

12 By diverting C&D materials, you are reusing resources, helping the City of Oceanside reach its
13 city-wide waste diversion goal of 75-90% by 2020, and potentially saving money on your
14 project

15 45. Electric Vehicle Charging for New Construction. Show electric vehicle charging wiring and
16 panels per the requirements found in CGC 4.106.4.

17 46. Water conserving plumbing fixtures. Plumbing fixtures (water closets and urinals) shall comply
18 with the following:

19 a) The effective flush volume of all water closets shall not exceed 1.28 gal/flush (CGC
20 403.1.1).

21 b) The effective flush volume of wall-mounted urinals shall not exceed 0.125 gal/flush. The
22 effective flush volume for all other urinals shall not exceed 0.5 gal/flush (CGC 403.1.2).

23 47. Operation and maintenance manual. An operation and maintenance manual will be provided to
24 the building occupant or owner per CGC 4.410.1.

25 48. Duct and mechanical systems protection. At the time of rough installation, during storage on the
26 construction site and until final startup of the heating, cooling and ventilating equipment, all
27 duct and other related air distribution components openings shall be covered with tape, plastic,
28 sheet metals, or other methods acceptable to the enforcing agency to reduce the amount of
water, dust or debris, which may enter the system per CGC 4.504.1.

- 1 49. Concrete slab foundations. A capillary break shall be installed if a slab on grade foundation
2 system is used. The use of a 4" thick base of 1/2" or larger clean aggregate under a 6 mil vapor
3 retarder with joint lapped not less than 6" will be provided per CGC 4.505.2 and CRC
4 R506.2.3.
- 5 50. The roof plan must indicate that it is Solar ready.
- 6 51. The manufacturing products and all raw materials must be shown to meet Building Code
7 requirements for use and storage in quantities that meet Table 307.1(1) of the Building Code.
- 8 52. All Occupancies must be shown on the plan to verify Fire resistive construction, rated walls,
9 corridors, etc.
- 10 53. The mechanical plans must show exhaust fans for all areas of hazardous fumes.
- 11 54. The plans must clearly show Hazardous materials that will be used.
- 12 55. Plumbing plans must show the correct disposal of manufacturing waste.
- 13 56. Electrical plans must show compliance with all equipment to be listed by a Nationally
14 Recognized Testing Agency or have third party review and approval.
- 15 57. The developer must show compliance with the 2022 CBC for Disabled Access including: a)
16 Parking; b) Access to building; c) Exiting; d) Bathroom facilities; e) Changes in elevation
- 17 58. The developer shall monitor, supervise and control all building construction and supportive
18 activities so as to prevent these activities from causing a public nuisance, including, but not
19 limited to, strict adherence with the following:
- 20 a) Section 6.25. – Construction hour limitations. It shall be unlawful to operate equipment or
21 perform any construction in the erection, demolition, alteration, or repair of any Building
22 or structure or the grading or excavation of land during the following hours:
- 23 • Before 7:00 a.m. and after 7:00 p.m. Monday through Saturday
24 • All day Sunday; and
25 • On any federal holiday.
- 26 Exceptions:
- 27 • An owner/occupant or resident/tenant of residential property may engage in a
28 home improvement project between the hours of 9:00 a.m. and 5:00 p.m. on

1 Sundays and holidays provided the project is for the benefit of said residential
2 property and is personally carried out said owner/occupant or resident/tenant.

- 3 • The Building official may authorize extended or alternate hours of construction for
4 the following circumstances:
 - 5 i. Emergency work
 - 6 ii. Adverse weather conditions
 - 7 iii. Compatibility with store Business hours
 - 8 iv. When the work is less objectionable at night than during daylight hours
 - 9 v. Per the direction of the City Manager’s office for projects that have been
10 determined that rapid completion is in the best interest of the general public
11 (Ord. No. 19-OR0757-1, 1, 12-18-2019; Ord. No. 22-OR0685-1, 1, 10-5-
12 2022)

13 **Fire:**

- 14 59. **EMERGENCY RESPONSE MAPS - Geo- Referenced Preplans:** Any new
15 development, which necessitates updating of emergency response maps by virtue of new
16 structures, hydrants, roadways or similar features, shall be required to provide map
17 updates. Provide geo-referenced building plan in CAD (.dwg) format using the
18 following coordinate system: NAD_1983_StatePlan_California_VI_FIPS_0406_Feet.
19 Data deliverables (CAD and GIS) shall specifically include a site plan, building plan, all
20 Utility shut-offs, fire sprinkler risers and shut-off valves, the fire department connection
21 for sprinkler and class-I standpipe, all standpipe hose outlets, all stairwells, retail spaces,
22 living units -numbers /locations, fire alarm panels, elevators, fire hydrants and all Knox
23 boxes and key switch locations.
- 24 60. New structure shall be tested for Emergency responder radio coverage in accordance
25 with Section 510 of the California Fire Code.
- 26 61. The applicant shall provide and maintain 100-foot -fire/fuel breaks to the satisfaction of
27 the Oceanside Fire Department and Government Code 51182.

- 1 62. FIRE RESISTIVE CONSTRUCTION: Structure is required to be designed using state
2 fire marshal standards for fire resistive construction features per 2022 CBC, Chapter 7A
3 and/or CRC R337.
- 4 63. A fire protection plan which identifies ways to minimize and mitigate potential for loss
5 from wildfire exposure shall be submitted and reviewed by the Oceanside Fire
6 Department. Information regarding evacuation plan can be submitted within a CEQA
7 document.
- 8 64. Deferred Submittals:
- 9 • Automatic Fire Sprinkler, CFC & NFPA 13
 - 10 • -Class-I Wet Standpipe, CFC & NFPA 14
 - 11 • -Fire Alarm System, CFC & NFPA 72
 - 12 • -Emergency Responder Radio Coverage, CFC Section 510
 - 13 • -Private Underground Fire Mains per CFC & NFPA 24
- 14 65. Fire apparatus access roads shall have an unobstructed improved width of not less than
15 28 or 35 feet (Based on location); curb line to curb line, and an unobstructed vertical
16 clearance of not less than 13 feet 6 inches. Access roads shall be all weather surface and
17 designed to support imposed loads of not less than 78,000 pounds. Secondary access is
18 required and be designed per Oceanside Fire standards.
- 19 66. Install multifamily, commercial-style fire hydrant. Minimum GPM shall be per CFC
20 Appendix B. Industrial fire hydrants shall have One 4-inch port and Two 2.5-inch ports.
21 Installation shall be as per Oceanside Water Department specifications. Maximum
22 spacing from one hydrant to another cannot exceed 400 feet from another. Maximum
23 distance from a fire hydrant to any fire department connection cannot exceed 40 feet.
- 24 67. Knox Key Boxes shall be provided. A master key for entry to all gates, enclosures and
25 equipment rooms or areas is required. Knox box shall be mounted in area approved by
26 fire dept. at height of 60 to 66 inches above grade. Knox box shall be 4400 series,
27 minimum of four will be required.
- 28 68. Gates or other devices that may obstruct fire access roadways shall be provided with
Knox Key switch with cover and all drive gates shall be equipped with approved

1 emergency traffic strobe sensor(s), which opens the gate on approach of emergency
2 vehicles. Gates shall have battery back-up or manual means of disconnect in case of
3 power failure.

4 69. Provide exit plan showing travel distance and occupant load to each exit, include in plan
5 occupant load for each room.

6 70. A lighted directory map, meeting current fire department standards, shall be installed at
7 each driveway entrance

8 71. *Note: This list is not meant to be complete. Additional fire and building code*
9 *requirements may apply based on formal plan submittal, intended use of building and*
10 *occupancy classification.*

11 **Engineering:**

12 72. For the demolition of any existing structure or surface improvements; grading plans
13 shall be submitted and erosion control plans be approved by the City Engineer prior to
14 the issuance of a demolition permit. No demolition shall be permitted without an
15 approved erosion control plan.

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

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

24 75. The owner/developer shall provide an updated Title Report dated within 6 months of the
25 grading plan application submittal.

26 76. The approval of the development plan/project shall not mean that closure, vacation, or
27 abandonment of any public street, right of way, easement, or facility is granted or
28 guaranteed to the owner/developer. The owner/developer is responsible for applying for
all closures, vacations, and abandonments as necessary. The application(s) shall be

1 reviewed and approved or rejected by the City of Oceanside under separate process (es)
2 per codes, ordinances, and policies in effect at the time of the application. The City of
3 Oceanside retains its full legislative discretion to consider any application to vacate a
4 public street or right of way.

5 77. The owner/developer shall submit to the City for processing a covenant attesting to the
6 project's development conditions. The approved covenant shall be recorded at the
7 County prior to the issuance of a grading permit.

8 78. All public improvement requirements shall be covered by a Development Improvement
9 Agreement and secured with sufficient improvement securities or bonds guaranteeing
10 performance and payment for labor and materials, setting of survey monuments, and
11 warranties against defective materials and workmanship before the approval of the
12 public improvement plans.

13 79. Prior to the issuance of a grading permit, a Lot Merger application (as defined by the
14 Subdivision Map Act), along with a Certificate of Compliance application, shall be
15 processed and filed with the City of Oceanside. The Lot Merger shall not be in effect
16 until all required documents are recorded at the County, which includes a Notice of Lot
17 Merger, Certificate of Compliance, and Grant Deeds.

18 80. Prior to the issuance of any building permits, all improvements including landscaping,
19 landscaped medians, and frontage improvements shall be under construction to the
20 satisfaction of the City Engineer.

21 81. Prior to the issuance of a Certificate of Occupancy permit, all improvements, including
22 landscaping, landscaped medians, and frontage improvements shall be completed to the
23 satisfaction of the City Engineer.

24 82. The owner/developer shall process a separate Right-of-Way dedication application to
25 provide a ROW dedication along the Alex Road cul-de-sac and 10-foot on Benet Road.
26 All ROW dedications are to be in fee, and the application shall be approved prior to the
27 issuance of a grading permit.

28 83. A traffic control plan shall be prepared in accordance with the City's traffic control
guidelines and approved by the City Engineer prior to the start of work within the public

1 Right-of-Way. Traffic control safety and implementation for construction or re-
2 construction of streets shall be in accordance with construction signing, marking, and
3 other protection as required by Caltrans' Traffic Manual and City Traffic Control
4 Guidelines. Traffic control plan implementation and hours shall be in accordance with
5 the approved traffic control plans.

6 84. Vehicular access rights to Benet Rd shall be relinquished to the City from all abutting
7 lots except at the proposed driveway(s). Process an access relinquishment application
8 with the City prior to the issuance of a grading permit, and record the approved
9 document prior to grading plan as-built acceptance.

10 85. An Encroachment Removal Agreement (ERA) application shall be submitted to the City
11 for the proposed 18-inch private storm drain located within the City's ROW within
12 Benet Road. The ERA shall be submitted for review prior to the issuance of a grading
13 permit and recorded at the County prior to the improvement plan as-built acceptance.

14 86. Benet Road shall be constructed with new sidewalk. Sidewalk improvements
15 (construct/replace) shall comply with current ADA requirements.

16 87. Alex Road shall be constructed with new curb, gutter and sidewalk. Sidewalk
17 improvements (construct/replace) shall comply with current ADA requirements.

18 88. An ADA-compliant pedestrian ramp shall be constructed at the cul-de-sac of Alex Road,
19 the Eddie Jones Way and Benet Road intersection, and other locations as required by the
20 City Engineer.

21 89. If hydraulically feasible, the existing storm drain headwall, found in the northwestern
22 portion of the project site, shall be integrated into the proposed on-site storm drain
23 system. The existing 24-inch concrete pipe (Per Improvement Plan R-9919) shall be
24 removed up to the storm drain cleanout located south of Eddie Jones Way.

25 90. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be
26 located entirely within the public right-of-way (ROW). Pedestrian ramps not located
27 entirely within the City's ROW shall be provided with a ROW dedication through a
28 separate ROW dedication application and shown on the improvement plans and grading

1 plans. The ROW dedication shall be submitted prior to the approval of the grading plans
2 and recorded prior to the grading plan as-built acceptance.

3 91. Minimum curb return radius at pedestrian ramp and driveway locations shall comply
4 with the City of Oceanside Engineers Design and Processing Manual.

5 92. Benet Road and Alex Road shall be provided with a 10-foot minimum parkway between
6 the face of the curb and the Right-of-Way line, and the design shall be displayed on the
7 improvement plans.

8 93. Sight distance requirements at the project driveway(s) or street shall conform to the sight
9 distance criteria as provided by Caltrans. The owner/developer shall provide a plan and
10 profile of the line of sight for each direction of traffic at each proposed driveway on the
11 grading plans.

12 94. Maintenance responsibilities for private driveways, parking lots, and roadways are the
13 responsibility of the property owner.

14 95. A pavement evaluation report shall be submitted for the proposed onsite pavement with
15 the grading plan application. Pavement sections for all public and private roadways,
16 driveways, and parking areas shall be based upon approved soil test requirements and
17 traffic indices identified within the City of Oceanside Engineers Design and Processing
18 Manual. The pavement design is to be prepared by the owner/developer's geotechnical
19 engineering firm and be approved by the City Engineer prior to the issuance of a grading
20 permit. Roadway alignments and geometric layouts shall be in conformance with the
21 City of Oceanside Engineers Design and Processing Manual.

22 96. A pavement evaluation report shall be submitted for offsite street pavements with the
23 grading plan application. The owner/developer shall contract with a geotechnical
24 engineering firm to perform a field investigation of the existing pavement on all streets
25 adjacent to the project boundary. The limits of the study shall be half-street width along
26 the project's Benet Road and Alex Road cul-de-sac frontage. The field investigation
27 shall be performed according to a specific boring plan prepared by a licensed
28 Geotechnical Engineer and approved by the City Engineer prior to the issuance of a
grading permit. In the absence of an approved boring plan, the field investigation shall

1 include a minimum of one pavement boring per every one hundred (100) linear feet of
2 street frontage.

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

11 97. Proposed public improvements located within the City's ROW or onsite shall be
12 displayed on separate public improvement plans in accordance with the City's Engineers
13 Design and Processing Manual.

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

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

24 100. The project shall provide and maintain year-round erosion control for the site. Prior to
25 the issuance of a grading permit, an approved erosion control plan, designed for all
26 proposed stages of construction, shall be secured by the owner/developer with cash
27 securities or a Letter-of-Credit and approved by the City Engineer; a Certificate of
28 Deposit will not be accepted for this security.

1 101. The owner/developer shall develop and submit a draft neighborhood-notification flier to
2 the City for review. The flier shall contain information on the project, construction
3 schedule, notification of anticipated construction noise and traffic, and contact
4 information. Prior to the issuance of a grading permit, the approved flier shall be
5 distributed to area residents, property owners, and business owners located within a 500-
6 foot radius area of the project.

7 102. The owner/developer shall monitor, supervise, and control all construction and
8 construction-supportive activities, to prevent these activities from causing a public
9 nuisance, including but not limited to, ensuring strict adherence to the following:

10 a) Dirt, debris, and other construction material shall not be deposited on any public
11 street or into the City's storm water conveyance system.

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

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

26 d) The owner/developer shall complete a haul route permit application (if required for
27 import/export of dirt) and submit it to the City of Oceanside Transportation
28 Engineering Section forty-eight hours (48) in advance of the beginning of work.
Hours of hauling operations shall be dictated by the approved haul route permit.

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

1 107. Use of adjacent properties for construction without permission is prohibited. Developer
2 is required to obtain written permission from adjacent property owners allowing access
3 onto their site. There shall be no trespassing, grading, or construction of any kind on
4 adjacent properties without permission. “Failure to comply will result in the revocation
5 of the grading permit.” This written permission shall be provided to the City prior to the
6 issuance of a grading permit.

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

21 109. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
22 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose
23 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to any streets, an
24 arterial street or state highway.

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

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

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

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

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

14 114. The owner/developer shall place a covenant on the non-title sheet of the grading plan
15 agreeing to the following: "The present or future owner/developer shall indemnify and
16 save the City of Oceanside, its officers, agents, and employees harmless from any and all
17 liabilities, claims arising from any flooding that may occur on this site, and any flooding
18 that is caused by this site impacting adjacent properties".

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

21 116. Sediment, silt, grease, trash, debris, and pollutants shall be collected on-site and
22 disposed of in accordance with all state and federal requirements, prior to discharging
23 stormwater into the City drainage system.

24 117. Elevation adjustments and floodproofing shall be in accordance with City of Oceanside
25 Floodplain Management Regulations and Federal Emergency Management Agency
26 (FEMA) and National Flood Insurance Program (NFIP) requirements.

27 118. The owner/developer shall submit a finished construction elevation certificate on current
28 FEMA forms for each structure proposed in the development project. The finished
construction elevation certificate(s) shall be completed with surveyed information for

1 post construction and shall be submitted to the Engineering Division for review and
2 acceptance prior to Occupancy or Final Building Inspection.

3 For non-residential structures that are floodproofed, a floodproofing design certificate by
4 a California licensed civil engineer shall be submitted for review along with the finished
5 construction elevation certificate.

6 119. The project shall demonstrate compliance with all National Flood Insurance Program
7 (NFIP) regulations and City of Oceanside Floodplain Management Regulations and
8 obtain all relevant approvals from the Federal Emergency Management Agency
9 (FEMA), which may include but is not limited to Conditional Letter of Map Revision
10 (CLOMR) and Letter of Map Revision (LOMR).

11 The owner/developer shall submit an application for a Letter of Map Change (LOMC)
12 review with the City prior to, or concurrently with, the first submittal of any grading,
13 erosion, improvement, or building plan.

14 Should a CLOMR/LOMR be determined to be required by FEMA, the owner/developer
15 shall provide evidence to the City of Oceanside that a CLOMR has been obtained from
16 FEMA for the proposed revisions to the flood hazard areas prior to issuance of any
17 permit. After the grading activities or completion of flood-based improvements, the
18 owner/developer shall submit an application with FEMA and the City for a LOMR,
19 along with as-built plans, and any other documents required by FEMA to process and
20 receive the LOMR. Prior to the release of the grading bonds, the owner/developer shall
21 provide a copy of the FEMA-approved LOMR to the City of Oceanside.

22 Should approvals other than a CLOMR/LOMR be determined to be required by FEMA,
23 the owner/developer shall provide evidence of FEMA's conceptual approval of the
24 project and proposed encroachments prior to issuance of any permit as well as FEMA's
25 final approval after completion of the flood based improvements. Or, should no
26 approvals be required by FEMA, the owner/developer shall provide evidence to the City
27 prior to issuance of any permit that no such approval is required.

28 120. Development in any floodway is prohibited unless a California licensed civil engineer
prepares certification that encroachments shall not result in any increase in the base

1 flood elevation during the occurrence of the base flood discharge. A “No-Rise”
2 hydraulic analysis and certification shall be provided for any encroachments located in
3 the floodway. The analysis and certification must indicate that the base flood elevation
4 does not increase at all (greater than 0.00 feet) due to the encroachments.

5 121. The owner/developer shall comply with the provisions of the National Pollution
6 Discharge Elimination System (NPDES) General Permit for Storm Water Discharges
7 Associated with Construction Activity (General Permit) Water Quality Order 2009-
8 0009-DWQ. The General Permit continues in force and effect until a new General
9 Permit is issued or the SWRCB rescinds this General Permit. Only those
10 owners/developers authorized to discharge under the expiring General Permit are
11 covered by the continued General Permit. Construction activity subject to the General
12 Permit includes clearing, grading, and disturbances to the ground such as stockpiling, or
13 excavation that results in land disturbances of equal to or greater than one acre.

14 The owner/developer shall obtain coverage under the General Permit by submitting a
15 Notice of Intent (NOI) and obtaining a Waste Discharge Identification Number
16 (WDID#) from the State Water Resources Control Board (SWRCB). In addition,
17 coverage under the General Permit shall not occur until an adequate SWPPP is
18 developed for the project as outlined in Section A of the General Permit. The site
19 specific SWPPP shall be maintained on the project site at all times. The SWPPP shall be
20 provided, upon request, to the United States Environmental Protection Agency
21 (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of
22 Oceanside, and other applicable governing regulatory agencies. The SWPPP is
23 considered a report that shall be available to the public by the RWQCB under section
24 308(b) of the Clean Water Act. The provisions of the General Permit and the site
25 specific SWPPP shall be continuously implemented and enforced until the
26 owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

27 Owner/developer is required to retain records of all monitoring information, copies of all
28 reports required by this General Permit, and records of all data used to complete the
NOT for all construction activities to be covered by the General Permit for a period of at

1 least three years from the date generated. This period may be extended by request of the
2 SWRCB and/or RWQCB.

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

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

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

- 1 125. The BMPs described in the project’s approved SWQMP shall not be altered in any way
2 unless reviewed and approved by the City Engineer. The determination of whatever
3 action is required for changes to a project’s approved SWQMP shall be made by the City
4 Engineer.
- 5 126. Prior to receiving a temporary or permanent occupancy permit, the project shall
6 demonstrate that all structural BMPs, including Storm Water Pollutant Control BMPs
7 and Hydromodification Management BMPs, are constructed and fully operational, are
8 consistent with the approved SWQMP and the approved Precise Grading Plan, and are
9 in accordance with San Diego RWQCB Order No. R9-2013-0001 §E.3.e. (1)(d).
- 10 127. All new extension services for the development of the project, including but not limited
11 to, electrical, cable, and telephone, shall be placed underground as required by the City
12 Engineer and current City policies.
- 13 128. Prior to the approval of plans and the issuance of a grading permit, the owner/developer
14 shall obtain all necessary permits and clearances from public agencies having
15 jurisdiction over the project due to its type, size, location, or infrastructure impact. The
16 list of public agencies includes, but is not limited to, Public Utility Companies, the
17 California Department of Transportation (Caltrans), the City of Carlsbad, the City of
18 Vista, Fallbrook, the County of San Diego, the U. S. Army Corps of Engineers, the
19 California Department of Fish & Game, the U. S. Fish and Wildlife Service, the San
20 Diego Regional Water Quality Control Board, and the San Diego County Health
21 Department.
- 22 129. The owner/developer shall comply with all the provisions of the City's cable television
23 ordinances, including those relating to notification as required by the City Engineer.
- 24 130. As part of the City’s Opportunistic Beach Fill Permit, this project has been conditioned
25 to test proposed excavated material to determine suitability for deposit on city beaches
26 as part of the Beach Sand Replenishment program. Test results shall be provided as part
27 of the project geotechnical report which is required prior to approval of the grading plan
28 and issuance of the grading permit.

1 Suitable beach replenishment material shall be at least 75% sand with no more than a
2 10% difference in sand content between material at the source and discharge site.
3 Replenishment material shall contain only clean construction materials suitable for use
4 in the oceanic environment; no debris, silt, soil, sawdust, rubbish, cement or concrete
5 washings, oil or petroleum products hazardous/toxic/radioactive/munitions from
6 construction or dredging or disposal shall be allowed to enter into or be placed where it
7 may be washed by rainfall or runoff into waters of the United States. Any and all excess
8 or unacceptable material shall be completely removed from the site/work area and
9 disposed of in an appropriate upland site.

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

15 131. If shoring is required for the construction of the proposed development, the shoring
16 design plans shall be included within the grading plan set, and the structural design
17 calculations shall be submitted with the grading plan application.

18 132. This property is located in the vicinity of an airport, within what is known as an airport
19 influence area. As a result, the property may be exposed to some of the common
20 annoyances or inconveniences associated with airport operations (for example: noise,
21 vibration, or odors). An Airport Overflight Notification or Aviation Easement shall be
22 recorded per the Oceanside Municipal Airport Land Use Compatibility Plan and a copy
23 of either document shall be provided to the City prior to issuance of a grading permit.

24 133. Approval of this development project is conditioned upon payment of all applicable
25 impact fees and connection fees in the manner provided in Chapter 32B of the
26 Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare
27 fees, park fees, reimbursements, drainage impact fees, and other applicable charges,
28 fees, and deposits shall be paid prior to the issuance of any building permits, in
accordance with City Ordinances and policies. The owner/developer shall also be

1 required to join in, contribute, or participate in any improvement, lighting, or other
2 special district affecting or affected by this project.

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

7 135. If there are discrepancies in information between the conceptual plan and the conditions
8 outlined in the project's entitlement resolution (Conditions of Approval), the project's
9 entitlement resolution shall prevail.

10 **Landscaping:**

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

23 The following landscaping items shall be required prior to plan approval and certificate
24 of occupancy:

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

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

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

- 1 147. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain
2 Planning Division approval for these items in the conditions or application stage prior to
3 1st submittal of working drawings.
- 4 148. For the planting and placement of trees and their distances from hardscape and other
5 utilities/ structures the landscape plans shall follow the City of Oceanside's (current)
6 Tree Planting Distances and Spacing Standards.
- 7 149. An automatic irrigation system shall be installed to provide coverage for all planting
8 areas shown on the plan. Low volume equipment shall provide sufficient water for plant
9 growth with a minimum water loss due to water run-off.
- 10 150. Irrigation systems shall use high quality, automatic control valves, controllers and other
11 necessary irrigation equipment. All components shall be of non-corrosive material. All
12 drip systems shall be adequately filtered and regulated per the manufacturer's
13 recommended design parameters.
- 14 151. All irrigation improvements shall follow the City of Oceanside Guidelines and Water
15 Conservation Ordinance.
- 16 152. The landscape plans shall match all plans affiliated with the project.
- 17 153. Landscape construction drawings are required to implement approved Fire Department
18 regulations, codes, and standards at the time of plan approval.
- 19 154. Landscape plans shall comply with Biological and/or Geotechnical reports, as required,
20 shall match the grading and improvement plans, comply with Storm Water Management
21 Plan (SWMP), Hydromodification Plan, or Best Management Practices and meet the
22 satisfaction of the City Engineer.
- 23 155. Existing landscaping on and adjacent to the site shall be protected in place and
24 Supplemented or replaced to meet the satisfaction of the City Engineer.
- 25 156. All pedestrian paving (both decorative and standard) shall comply with the most current
26 edition of the American Disability Act.
- 27 157. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
28 and within any adjoining public parkways shall be permanently maintained by the
owner, his assigns or any successors-in-interest in the property. The maintenance

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

12 158. In the event that the conceptual landscape plan (CLP) does not match the conditions of
13 approval, the resolution of approval shall govern.

14 **Solid Waste:**

15 159. The plans demonstrate enclosures at each end of the buildings, with space for all three
16 streams of service (landfill, recycling and organics). Each bin shall be labeled for
17 landfill, recycling, and organics.

18 160. The City of Oceanside reserves the right to review program and services levels and
19 request increases if deemed necessary. The City of Oceanside Municipal Code Chapter
20 13 requires that Oceanside residents, businesses and multifamily projects are to separate
21 all recyclable material from other solid waste. Additionally, the State of California
22 regulations requires all California businesses participate in Mandatory Recycling (AB
23 341) and Mandatory Commercial Organics Recycling (AB 1826 & SB 1383) as outlined
24 in the Oceanside Solid Waste code.

25 **Water Utilities:**

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

- 1 162. All Water and Wastewater construction shall conform to the most recent edition of the
2 *Water, Sewer, and Recycled Water Design and Construction Manual* or as approved by
3 the Water Utilities Director.
- 4 163. The property owner shall maintain private water and wastewater utilities located on
5 private property.
- 6 164. Water services and sewer laterals constructed in existing right-of-way locations are to be
7 constructed by an approved and licensed contractor at developer's expense.
- 8 165. The building may be served by a commercial master meter, but each tenant space shall
9 be equipped with a separate water sub-meter.
- 10 166. Provide a separate irrigation water meter for the development. An address assignment
11 will need to be completed for the meter, and can be processed through the City Planning
12 Department.
- 13 167. Buildings requiring an NFPA 13 automatic sprinkler system for fire protection shall
14 have a dedicated fire service connection to a public water main with a double check
15 detector backflow assembly. Location of the backflow assembly must be approved by
16 Fire Department.
- 17 168. Any proposed private onsite fire hydrants shall be served by a private fire main that is
18 looped onsite with two connections to an existing public water main. Each connection
19 shall have a double check detector assembly for backflow protection. Size-on-size hot
20 taps are not acceptable and cut-in tees shall have gate valves on all three ends.
- 21 169. The onsite sewer collection system shall be private, and an inspection manhole, as
22 described by the *Water, Sewer, and Recycled Water Design and Construction Manual*,
23 shall be constructed behind the property line prior to connection to the public sewer
24 system.

25 **The following conditions shall be met prior to the approval of engineering design plans.**

- 26 170. Any water and/or sewer improvements required to develop the proposed property will
27 need to be included in the improvement plans and designed in accordance with the
28 *Water, Sewer, and Recycled Water Design and Construction Manual*.

- 1 171. All public water and/or sewer facilities not located within the public right-of-way shall
2 be provided with easements sized according to the *Water, Sewer, and Recycled Water*
3 *Design and Construction Manual*. Easements shall be constructed for all weather
4 access.
- 5 172. No trees, structures or building overhang shall be located within any water or
6 wastewater utility easement.
- 7 173. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a recycled
8 water impact fee since the proposed project is not within 75 feet of a recycled water
9 main. The impact fee shall be established by submitting a formal letter requesting the
10 City to determine this fee, which is based on 75% of the design and construction cost to
11 construct a recycled water line fronting the property in Benet Road.
- 12 174. An inspection manhole for commercial waste as described by the *Water, Sewer, and*
13 *Recycled Water Design and Construction Manual*, shall be on each building sewer
14 lateral immediately behind the property line and the location shall be called out on the
15 approved engineering plans.
- 16 175. For the private sewer lift station; provide calculations outlining capacity of the pumps,
17 dwelling units served, capacity of the wet well, detention times, length and size of the
18 force main, and provision of any odor control equipment shall be submitted for review to
19 the Water Utilities Department. It shall be the responsibility of the design engineer to
20 ensure that lift station is adequately sized, has sufficient redundant measures (dual
21 pumps that will each handle estimated peak sewer flows, back-up power supply,
22 emergency by-pass connection for portable pump, alarm systems, high water alarms,
23 etc.), and complies with all applicable local, state, and federal regulations.
- 24 176. A Grease Interceptor, as required per City of Oceanside Ordinance 07-OR0021-1 & 18-
25 OR0021-1 relating to food service establishments shall be included in the private
26 collection system, when deemed necessary, in an appropriate outside location and shall
27 be maintained by the property owner. The grease interceptor shall be shown on
28 Engineering Plans with reference to Building Plans for design and detail.

- 1 177. An Oil and Sand Interceptor, as described by the latest adopted California Plumbing
2 Code Chapter 10, relating to garages, gasoline stations, wash racks or when deemed
3 necessary shall be shown on building plans at each building sewer in an appropriate
4 location and shall be maintained in accordance with the Fats, Oil, and Grease permit.
5 The location shall be shown on the approved Engineering Plans with reference to
6 Building Plans for design and detail.
- 7 178. Connections to a public sewer main with a 6-inch or larger sewer lateral will require a
8 new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and*
9 *Recycled Water Design and Construction Manual*.
- 10 179. Connection to an existing sewer manhole will require rehabilitation of the manhole per
11 City standards. Rehabilitation may include, but not be limited to, re-channeling of the
12 manhole base, surface preparation and coating the interior of the manhole, and replacing
13 the manhole cone with a 36” opening and double ring manhole frame and lid.
- 14 180. A separate irrigation meter and connection with an approved backflow prevention device
15 is required to serve landscaped areas and shall be displayed on the plans.
- 16 181. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter
17 and reduced pressure principle backflow device on Landscape Plans.
- 18 182. Provide stationing and offsets for existing and proposed water service connections and
19 sewer laterals on plans.
- 20 183. Any water services or sewer laterals no in use by the proposed development or
21 redevelopment shall be abandoned in accordance with Water Utilities requirements.
22 Developer will be credited for any existing water meters that will be abandoned as part
23 of this development. Credit can be applied toward the purchase of any new water meters,
24 the amount of the current buy-in fee of the existing meter. Should the total credit exceed
25 proposed fees for new meters, the Developer will not be reimbursed the credit
26 monetarily.

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

- 184. Show location and size of proposed water meter(s) on site plan of building plans. Show waterline from proposed meter to connection point to building. Water service shall have a RP backflow assembly per City Standard Drawing W-12 or W-13.
- 185. Show location and size of proposed sewer lateral(s) from property line or connection to sewer main to connection point at building.
- 186. 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).
- 187. Provide drainage fixture unit count per the latest adopted California Plumbing Code to size sewer lateral for property.
- 188. If a Sand and Oil Separator is required, then building plans must show drainage fixture unit count and calculations per the latest California Plumbing Code to size oil and sand separator and show on plans the location, make and model of separator, inlet/outlet piping, and a plumbing schematic of the separator along with the required appurtenances at each building sewer lateral.
- 189. 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.
- 190. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees are to be paid to the City at the time of Building Permit issuance per City Code Section 32B.7.

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1 PASSED AND ADOPTED Resolution No. 2025-P04 on February 10, 2025, by the
2 following vote, to wit:

3 AYES:

4 NAYS:

5 ABSENT:

6 ABSTAIN:

7
8

Tom Morrissey, Chairperson
Oceanside Planning Commission

9 ATTEST:

10
11

Sergio Madera, Secretary

12 I, SERGIO MADERA, Secretary of the Oceanside Planning Commission, hereby certify that
13 this is a true and correct copy of Resolution No. 2025-P04.

14 Dated: February 10, 2025
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