



DATE: October 12, 2026

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division within the Development Services Department

SUBJECT: **CONSIDERATION OF A VESTING TENTATIVE MAP (T25-00004), DEVELOPMENT PLAN (D25-00014), HISTORIC PERMIT (H26-00001) AND DENSITY BONUS (DB25-00009) FOR THE DEVELOPMENT OF A MIXED USE PROJECT CONSISTING OF A CONDOMINIUM SUBDIVISION AND THE CONSTRUCTION OF 88 ATTACHED RESIDENTIAL UNITS PROVIDED WITHIN 17 BUILDINGS WITH TEN UNITS PROPOSED AS LIVE-WORK UNITS AND 13 UNITS RESERVED FOR MODERATE INCOME HOUSEHOLDS ON A 4.7 ACRE SITE LOCATED AT THE NORTHEAST CORNER OF DOUGLAS DRIVE AND HIGHWAY 76. MISSION FLATS – APPLICANT: MISSION FLATS, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission adopt Planning Commission Resolution No. 2026-P16 recommending that the City Council:

- 1) Confirm a Statutory Exemption per California Public Resources Code Section 21080.66; and
- 2) Approve Vesting Tentative Map (T25-00004), Development Plan (D25-00014), Historic Permit (H26-00001) and Density Bonus (DB25-00009) to develop a mixed-use project with 88 dwelling units (13 affordable units) including ten live-work units.

BACKGROUND AND PROJECT DESCRIPTION

The project site is a 4.7-acre triangular shaped parcel located at the northeast corner of Douglas Drive and Highway 76 within the San Luis Rey Neighborhood Planning Area. The site has a land use designation of Special Commercial (SC) and is zoned Special Commercial Limited with a Historic Overlay (CS-L-H). Surrounding land uses include the Mission Douglas Plaza Shopping Center and Mission View Manor mobile home park to the north, Highway 76 and open space to the south, undeveloped property and Caltrans right of way to the east and the Mission Plaza Real Shopping Center and Caltrans right-of-way to the west.

In October of 2020, the city approved a mixed-use project at the subject property consisting of 137 apartments and 3,500 square feet of commercial area also named Mission Flats. At the time of that proposal there were a number of buildings remaining on the site that were once part of the Jones Ranch. The Jones Ranch was a resource that

included three buildings over 50 years of age. A historic assessment prepared for the project reviewed the subject site under the historic significance criteria in Article 21 and found that none of the criteria were met. The study further examined the historic integrity of the structures and indicated they were not historic resources and that their removal would not result in a significant impact. Since the 2020 approval, all the original Jones Ranch buildings have been removed from the project site.

Figure 1 - Location Map



PROJECT DESCRIPTION

The project is comprised of a four part request for a Vesting Tentative Map, Development Plan, Historic Permit and Density Bonus. Collectively the applications propose a mixed-use development consisting of 88 residential units (13 affordable units) including ten live-work units on the 4.7-acre site as described in more detail below.

Vesting Tentative Map (T25-00004) proposes a condominium subdivision of 4.7 acres for 88 units, private roadways and other common areas. The vesting map provides an additional level of certainty for the applicant as it generally limits the City to applying only those ordinances, policies, and standards in effect on the date the application is determined to be complete.

Development Plan (D25-00014) proposes a mixed-use project with 88 residential units

(townhome) ten of which are designed as live-work (office) units. Section 3042 of the Zoning Ordinance requires the submission of a “Mixed-Use Development Plan” for any proposal to establish commercial and residential together as a single project. The submitted plans (architecture, grading, landscaping) and Description and Justification document together comprise the Mixed-Use Plan for the project.

Project Layout and Design

The layout of the project is largely driven by the site’s shape with a majority of units found on the west half of the property. Homes are laid out in two rows of buildings with each building containing between three to seven homes. A majority of the units are positioned around a common courtyard that connect to individual private courtyards at the front of each residence. The development includes five distinct floor plans ranging from approximately 1,471 to 1,892 square feet, all configured as three-story units with two-car garages. Plans 1 and 2 provide three-bedroom layouts, while Plans 4 and 5 offer larger four-bedroom configurations with additional bathrooms.

Site Plan



There is one point of ingress/egress to the project site located on Douglas Drive. Vehicular access to the site is restricted by existing medians on Douglas Drive to permit only right turns in and out of the project site. Internal circulation through the project site consists of one main corridor with a turnaround terminus and smaller drive aisles to individual buildings with vehicular drives and pedestrian walkways. A new sidewalk along Douglas Drive will link the project site to adjacent commercial centers and nearby bus stops located on Mission Avenue. Each home will have a 2-car garage with 20 additional open stalls provided along the main driveway running through the center of the site.

The commercial component of the mixed-use project consists of 10 of the Plan 3 units which are proposed as live-work units supporting flexible occupancy and small business activity within the residential setting. The unit mix for the project, square footage per unit and percentage breakdown are provided in Table 1 below.

Table 1: Floor Unit Mix Summary

Plan Type	Square feet	Bedrooms	Unit Count	Unit Percentage
1	1,471	3	12	13.6%
2	1,540	3	12	13.6%
3	1,628	3	13	14.7%
3 Live Work	1,628	3	10	11.3%
4	1,730	4	22	25%
5	1,892	4	19	21.5%

Three open space areas are provided for the future residents with locations having a combined area of 9,701 square feet. The largest of these areas is located at the eastern corner of the project site having an area 6,455 square feet. This area will be improved with an outdoor dining area with barbeque and shade structure, outdoor seating, and lawn area.

Parking

The parking requirement for residences is not based on the Zoning Code due to the applicants invocation of California Government Code 65915, State Density Bonus Law (SDBL). Per the SDBL standards two-bedroom units require one and a half parking spaces and four or more bedroom units require two and a half parking spaces. The commercial/office space is subject to the zoning code Article 31, parking is required at a rate of one (1) space for every 300 square feet. Based on these standards the project is required to provide a total of 183 stalls as shown in the table below.

Table 2: Parking Summary

Use	Unit Count	Parking Ratio	Required Parking	Provided Parking
3 BR units	47	1.5 space per unit	70.5	94
4 BR units	41	2.5 space per unit	102.5	82
Guest or unreserved	NA	No Requirement	0	10
Live Work - Office	10	1.0 space per 300 SF	10	10
		Total	183	196

Architectural Design

The applicant proposed a 17-building residential (mixed-use) community with Spanish style architecture designed to be consistent with the Mission San Luis Rey Design Guidelines utilizing materials, colors, accent elements, and façade details. The architectural design is comprised of sand finished stucco building walls in white and soft pastel earthtone colors, 4:12 shallow pitched “s” tiled roofs, recessed varied standard and arched front entrances with decorative light fixtures, wrought iron balcony railings and wood accents at bay windows and exposed wood rafter tails. Additionally, a majority of

buildings include enclosed individual front courtyards with vinyl courtyard fences within the interior of the project. The varied combination of elevations - floor plan between building types provides for building articulation through the stepping and recessing of wall surfaces, especially along front elevations. Building articulation, and the use of accent materials is carried over to the other elevations providing 360-degree architectural treatment to all sides of buildings. The buildings also provide vertical and horizontal articulation in the roof lines following the stepped and recessed building surfaces-through alternating use of gable shed, and hipped roofs.

Building Facing Douglas Drive



Buildings 14,15,16



Landscaping:

The conceptual landscape plan is not subject to a specific landscape type but will include the following trees: California sycamores, western redbuds, crape myrtle, coast live oaks and southern magnolias all in 24-inch box size. Trees are dispersed throughout the project site along the northern and southern property lines, shared courtyards and common open space areas. The project also benefits from the significant number of mature trees found immediately to the south along the Highway 76 right-of-way that will remain in place and allow for natural screening of the Highway from within the project. All landscape and irrigation improvements as shown on the conceptual plan have been reviewed by the City's landscape architect and found to be consistent with City standards. The existing site to the south contains a number of mature trees that will remain in place.

The landscape plan also includes a conceptual wall and fence plan for the project. Perimeter walls and fencing consist of six-foot high masonry walls with a stucco finish along most of the northern and western boundary of the project site and a combination retaining wall with wrought iron fencing of varying heights along the south property line and a portion of the north property line. In some locations the height of retaining walls and fencing exceed allowable limits for which density bonus waivers are being requested. Along the west property line, the six-foot high masonry wall is permitted through the mixed-use application request as the provisions of Mixed-Use Plan regulations allow for deviations from development regulations based upon the merits of the proposal. In the case of the proposed wall along Douglas Drive, the Mission San Luis Rey Design Guidelines grant an exception, that walls may be higher (to a maximum of eight feet) only when used as an entry wall, sign wall or if necessary to screen street traffic noise or conceal parking or utilities. The proposed wall serves as an entry wall that would screen the project from the busy Douglas Drive roadway. Because this proposed wall meets the specific intent of the Guidelines staff recommends that the height exception be granted.



Project Grading

The topography of the project site slopes downward from the northeast corner to the south west. Grading for the proposed project would create a flat buildable area through the use of manufactured 2:1 sloping and retaining walls placed along the north and south boundaries of the project site. The continuous retaining wall along the southerly boundary reaches a maximum height of ten feet and results in a finished grade that sits lower than the adjoining Highway 76 right-of-way. Grading along the northern boundary primarily utilizes 2:1 manufactured slopes and relies less on retaining walls as the graded topography transitions from the project site to the adjoining shopping center located to the north. The grading plan estimates earthwork quantities of 15,134 cubic yards of cut and 9,825 cubic yards of fill, thereby resulting in an export of approximately 5,309 cubic yards of material from the project site.

Density Bonus (DB25-00009) per California Government Code 65915 is being invoked as part of the project, and as such, the applicant proposes to reserve 13 dwelling units for moderate-income households in exchange for obtaining waivers from applicable development standards for the proposed project. California's State Density Bonus Law (SDBL) promotes the construction of affordable housing units by allowing for increased residential density in exchange for reserving a percentage of dwelling units for very-low, low, or moderate-income households. Density bonus projects are also entitled to unlimited waivers from development standards that would physically preclude the project at the density being proposed if the standard were applied. Similarly, a limited number of incentives/concessions are available to the applicant to utilize in a manner that will result in identifiable and actual cost reductions to a project.

With an area of 4.7 acres and a base density of 29 dwelling units per acre the applicant may develop 134 dwelling units by right. In this case the applicant is proposing only 88 units and will reserve 15% of the units (13 units) for moderate-income households. In exchange the applicant is requesting an incentive-concession in the form of relief from affordable unit mix requirements standards and eight waivers including relief from landscaping standards, active open space standards, maximum wall height standards. Pursuant to the density bonus statute the applicant is not required to develop beyond the maximum density under the General Plan, but is allowed to make use of the incentives/concession and waivers available.

Article 30 of the Oceanside Zoning Ordinance (OZO) provides additional standards on Density Bonus affordable units requiring that affordable units must be proportional to the project's market rate units in terms of unit mix, floor plan/bedroom count and square footage, and must be reasonably dispersed throughout the development. In addition, the project's income restricted units must be at least 80 percent of the average square footage of all market rate units with the same bedroom count.

The developer is entitled to all benefits of SDBL including incentives and/or concessions, waivers from development standards that would physically preclude the development of the project at the density proposed, and reduced parking ratios. The granting of waivers

does not reduce the number of incentives/concessions allowed for a project, and the number of waivers that may be requested and granted is not limited. State Law prohibits the City from denying any requested incentives/concessions or waivers unless findings are made that granting the requested incentive/concession or waiver would result in a *“Specific Adverse Impact.”* State law defines this term as *“a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.”* State law also provides that “the receipt of a density bonus, incentive, concession, waiver, or reduction of development standards shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision . . .”

The project is entitled to one incentive/concession by reserving 15% of the project units for moderate-income households. The applicant is requesting for its incentive/concession relief from OZO Article 30 density bonus standards for a proportional mix of three and four-bedroom affordable units. The project consists of 47 (53%) three-bedroom units and 41 (47%) four-bedroom units. Instead of providing the proportional required mix of seven three-bedroom units (53%) and six four-bedroom units (47%), the applicant is proposing thirteen affordable moderate-income three-bedroom units.

An incentive-concession must result in an identifiable and actual cost reduction to a project. For density bonus projects, there is a cost to a project for providing affordable units in the form of lost revenue from a reduced sales price. This cost to the project has to be absorbed by the overall project and can determine if a development is economically viable and worth pursuing. Each affordable unit contributes to this cost with larger units constituting a larger loss in revenue based on a higher market rate price versus the limited affordable unit price. Additionally, there is a cost per square foot associated with each unit. Inherently, larger units with more square footage will cost more to build and constitute a larger unrecovered cost over the cost of affordable units.

As explained by the applicant the average three-bedroom unit will have an estimated market price of \$740,000 to \$750,000 and the four-bedroom units will have an estimated market price of \$900,000. The affordable price for the three-bedroom units is estimated to be \$445,000 resulting in a subsidy of \$295,000 that has to be absorbed by the developer per three-bedroom unit. The moderate-income four-bedroom unit is estimated to be \$484,000 resulting in a subsidy of \$416,000 that would be absorbed by the developer. The difference between the three-bedroom subsidy and four-bedroom subsidy is \$121,000 with the concession resulting in a savings of \$726,000 ($\$121,000 \times 6 = \$726,000$) to the project by providing only three-bedroom affordable units. The savings can also be quantified on a cost per square foot basis. Market rate units sell for \$500 to \$510 per square foot. Because four-bedroom units are 250 to 270 square feet larger than three-bedroom units the additional cost to construct four-bedroom units ranges from \$125,000 to \$137,700 per unit. The savings based on the average cost per square foot ranges from \$750,000 ($\$125,000 \times 6 = \$750,000$) to \$826,200 ($\$137,700 \times 6 = \$826,200$) for the project. As such, the concession requested would result in

identifiable and actual savings in the form of reduced loss of revenue to the project.

The Department of Housing and Community Development (HCD) has provided technical assistance to the City of El Cajon on this topic of proportional affordable units. In the letter they note that *SDBL does not contain an across-the-board requirement that the design quality or attributes of the affordable units match those of the market-rate units (i.e., a comparability requirement pertaining to floor area, bedroom count, interior finishes, etc.), nor does it require that the affordable units be physically dispersed among the market-rate units (i.e., a dispersal requirement) for new and existing units.* As such, the request for relief from local proportionality requirements does not violate state law.

Although affordable units will consist of solely three-bedroom units, the proposed project still complies with 80 percent average square footage requirements. The three-bedroom units proposed for the project consist of Plan 1 (1,471 square feet), Plan 2 (1,540 square feet), and Plan 3 (1,628 square feet) homes. All three plans will be used for both market rate and moderate-income units having an average size of 1,546 square feet. The project will reserve two Plan 1 homes and eleven Plan 2 homes for moderate-income households. With an area of 1,471 square feet, the Plan 1 home is 95% of the average size of market rate homes and the Plan 2 home is essentially equal to the average market rate home size. In addition, the affordable units would be dispersed throughout the project as shown on the site plan. In conclusion, the requested concession will result in a substantial saving to the project while still providing affordable units of sizes proportional to market rate units meeting the general intent of the City's local density bonus standard.

Waivers: In order to accommodate the proposed mixed-use project, the applicant has requested eight waivers from the following development standards pursuant to Density Bonus law:

1. Minimum required yard landscaping
2. Minimum number of large common open space areas
3. Maximum residential space within live/work unit
4. Maximum retaining wall height
5. Minimum usable open space requirements
6. Minimum common open space requirements
7. Courtyard requirements next to windows
8. Maximum fence or wall height

Table 4 below provides further details regarding the proposed waivers:

Table 4 Proposed Waivers from Development Standards

Development Standard	Regulation per Zoning Ordinance	Project as Proposed	Notes
Minimum Setbacks			
Front – Douglas Dr.	15 feet	18 feet	Complies with Code

Development Standard	Regulation per Zoning Ordinance	Project as Proposed	Notes
Corner - HW 76 Side Rear	10 feet 0 feet 0 feet	10 feet	Complies with Code
Minimum Required Yard Landscaping OZO §1130 (F)	Corner yard - HW 76 50% (5,350 square feet)	3,500 square feet	Waiver Requested to accommodate development at density proposed
Large Common Open Space Requirement OZO §1050 (Q)(3)	Projects with more than 75 units to provide at least 2 common area of 4,000 SF	3 common areas of: 6,455 SF 1,878 SF 1,368 SF	Required open space would reduce developable area and would preclude ability to develop at the density proposed
Live Work Residential Percentage OZO §3035 C.3.	No more than 33% of unit floor area for residential purposes	No maximum limit for residential purposes	Limiting residential floor area would result in less units precluding the ability to accommodate development at density proposed
Maximum Retaining Wall Height OZO §1050 (U)	Maximum height 6 feet	10 feet	Adhering to wall height limits in required yards abutting a street and in other areas of the site would reduce developable area and would preclude ability to develop at the density proposed
Useable Open Space per unit OZO §1050 (Q)(1)	Minimum 300 sf/unit	290 sf/unit	Required open space would reduce developable area and would preclude ability to develop at the density proposed
Useable Common Open Space OZO §1050 (Q)(3)	50% of usable open space to be common open space $26,400/2 = 13,200$ sf	9,701 sf (38%)	Required open space would reduce developable area and would preclude ability to develop at the density proposed

Development Standard	Regulation per Zoning Ordinance	Project as Proposed	Notes
Courts Opposite Windows OZO §1050 (N)	Courts provided with minimum depth of 10 feet and 12 feet wide, 6 feet on either side of required windows	None	Required court would reduce developable area and would preclude ability to develop at the density proposed
Maximum Fence or Wall Height OZO §1130 (N)	Maximum height 6 feet	Maximum 16 feet tall combined retaining wall with wrought iron fencing	Adhering to wall height limits in required yards abutting a street and in other areas of the site would reduce developable area and would preclude ability to develop at the density proposed

Historic Permit (H25-00001) proposal to develop a mixed-use project with 88 residential units (townhomes) with ten of the residences designed as live-work units within the Mission San Luis Rey Historic District. The Historic Permit is required pursuant to Chapter 14A of the Municipal Code (Historic Preservation) and Chapter 21 of the Zoning Ordinance (Historic Overlay District), which establishes that proposed entitlements for properties located within designated historic areas are subject to review by the Oceanside Historic Preservation Advisory Commission (OHPAC).

The project site is designated with the Historic Overlay District and is located within the Mission San Luis Rey Historic Area, but outside of the Historic Core Area. Mixed-use development is permitted in the Historic Area with the approval of the Development Plan and compliance with the Mission San Luis Rey Development Program and Design Guidelines. These guidelines establish policy direction for development and architectural design of project proposals.

The Historic Permit application was presented to the Oceanside Historic Preservation Advisory Commission on June 30, 2026 and recommended City Council approval of the Development Plan and Historic Permit. The Cultural Resources Inventory Report prepared for the previous Mission Flats project dated October 2019 is provided for the Commission's Reference (Attachment 7).

After the project was presented to the OHPAC, the applicant requested staff evaluation of cost reducing changes to project architecture. The request included the elimination of

decorative wrought iron pot shelves to building elevations and replacing masonry and wrought iron courtyard fencing with vinyl fencing. The renderings provided below give an example of how the proposed changes compare with the original proposal.

Current Proposal



Original Proposal



The removal of wrought iron pot shelves would not be considered a substantive change as the building maintains its attractive overall design and may also be considered an improvement by toning down the “busyness” of building elevations. As for courtyard walls, while staff prefers the original design, these walls will not be visible from outside of the project and will therefore not detract from the Historic District. Moreover, the project is providing 13 moderate-income townhouses at a substantially discounted price that has to be absorbed by the project as a whole. Given the absence of any impact to the appearance of the Historic District and the benefit provided by the project to the community, staff is not opposed to the change and would have recommended approval of the updated elevations had they been proposed prior to the project being presented to the OHPAC.

ANALYSIS

The project site and the proposed project are subject to policies, principles, guidelines, and standards enumerated in the General Plan, Subdivision Ordinance, Zoning Ordinance, and the California Environmental Quality Act (CEQA).

1. General Plan Consistency

The proposed mixed-use project is consistent with the goals and policies of the General Plan as follows:

A. Land Use Element

Goal 1.33 Historic Areas and Sites

Policy A: The City shall utilize adopted criteria, such as the “Mission San Luis Rey Historic Area Development Program and Design Guidelines,” to preserve and further enhance designated historic or cultural resources.

This policy establishes the basis for the City to adopt and administer the Mission San Luis Rey Historic Area Development Program and Design Guidelines. These guidelines serve to assure that the development within the Mission Historic District respects and complements the Mission’s historic setting. The proposed lands use has been reviewed and analyzed to assure the project would be consistent with the development program and would not conflict with surrounding land uses and is therefore consistent with this policy.

B. Housing Element

The Regional Housing Needs Assessment (RHNA) for the Sixth Housing Element Cycle (2021-2029) estimates that the City of Oceanside would experience demand for 5,443 new dwelling units, including 883 moderate-income units, over the next eight years. By contributing 88 dwelling units, including 13 units reserved for moderate-income households, to the City’s existing housing stock, the proposed project would help to meet

the projected housing demand and provide an opportunity for much needed work force housing. The project is consistent with the following goals and policies of the Housing Element:

Goal 1: Produce opportunities for decent and affordable housing for all of Oceanside's citizens.

The proposed project would develop 88 new townhouses, with 13 units reserved for moderate-income households. The proposed 13 moderate-income units would be comprised of thirteen three-bedroom units. Although the project is requesting a concession/incentive for relief from the City's Density Bonus Ordinance proportionality requirement for bedroom count, the affordable units will still be proportional to the overall project in terms of being at least 80 percent of the average size of market rate three-bedroom units. There is no distinction between the design of market and affordable units, thus size requirements are met and decent and affordable housing will be provided.

Policy 3.7 Encourage the disbursement of lower and moderate-income housing opportunities throughout all areas of the City.

The proposed project would aid in the disbursement new moderate-income housing opportunities for all age groups in the San Luis Rey Neighborhood. By proposing townhouses and by including affordable units, the project would provide new moderate-income townhouses in an area of the City (north of Highway 76) that is largely developed with aged mobile home parks.

2. Zoning Ordinance Compliance

The project site is zoned Special Commercial Limited with a Historic Overlay (CS-L-H) and is subject to the land use and development standards within Article 11 of the Zoning Ordinance. Mixed-Use developments are permitted in this district as well as residential uses as part of the mixed-use development project. Per Article 11, dwelling units shall be subject to the standards for height limits, maximum density, court provisions, and outdoor living areas for the RM-A District, as prescribed by Section 1050 of Article 10 of the Zoning Ordinance. The proposed mixed-use development of 88 townhouses including ten (10) live-work units is consistent with the provisions of CS-L-H district. The project also complies with the development standards of the City's Zoning Ordinance, except for the requested concession and where the applicant is proposing to use a waiver of the development standards consistent with State Density Bonus Law, as previously highlighted in Table 4 of this report.

ENVIRONMENTAL REVIEW

The project is eligible for a Statutory Exemption under CEQA as recently enacted as part of California Assembly Bill 130. Public Resource Code section 21080.66 provides

a statutory exemption from CEQA where, as here: (a) The site is not more than 20 acres; (b) The project is located in the incorporated municipality of the City of Oceanside; (c) The project has been developed with an urban use; (d) The project is consistent with the applicable general plan and zoning ordinance as well as any applicable local coastal program; (e) The project will be at least one half of the applicable density specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 of the Government Code; (f) The project satisfies the requirements specified in paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code; (g) The project does not require the demolition of a historic structure that was placed on a national, state, or local historical register; and (h) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging.

PUBLIC NOTIFICATION

In accordance with City Council Policy 300-14 “Enhanced Notification Program,” a “Notice of Application” sign was posted and maintained on site and the City mailed a “Notice of Application” letter to the property owners within a 1,500-foot radius and tenants within a 100-foot radius of the property boundary. Notices were also sent to individuals and/or organizations requesting notification, the applicant and other interested parties.

In addition to satisfying notification requirements, an outreach meeting was held at the El Corazón Senior Center September 15, 2026. No public comments have been received on the project during processing of the entitlement (Attachment 5).

SUMMARY

In summary, staff finds that the Vesting Tentative Map, Development Plan, Historic Permit and Density Bonus are consistent with the requirements of the General Plan and Zoning Ordinance.

Therefore, staff recommends that the Planning Commission approve by motion:

- 1) Adopt Planning Commission Resolution No. 2026-P16

PREPARED BY:


for Manuel Baeza
Principal Planner

SUBMITTED BY:


for Oscar Romero
City Planner

Attachments:

1. Planning Commission Resolution No. 2026-P16
2. Project Plans
3. Description & Justification
4. Incentive/Concession Letters
5. Community Outreach Summary
6. Notice of Exemption
7. Cultural Resources Inventory Report

PLANNING COMMISSION
RESOLUTION NO. 2026-P16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA, RECOMMENDING APPROVAL OF A VESTING TENTATIVE MAP, DEVELOPMENT PLAN, HISTORIC PERMIT AND DENSITY BONUS ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: T25-00004, D25-00014, H26-00001, AND DB25-00009
APPLICANT: MISSION FLATS, LLC
LOCATION: NORTHEAST CORNER OF DOUGLAS DRIVE AND HIGHWAY 76

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

WHEREAS, there was filed November 18, 2025 with the City's Development Services Department a verified petition on the forms prescribed by the City requesting approval of a Vesting Tentative Map, Development Plan, Historic Permit, and Density Bonus under the provisions of Articles 10 (Residential Districts), 30 (Site Regulations), 31 (Off-Street Parking), 40 (Environmental Review), and 43 (Development Plan Review) of the Zoning Ordinance of the City of Oceanside to permit the following:

A mixed-use project consisting of a condominium subdivision and the construction of 88 attached residential units provided within 17 buildings with ten units proposed as live-work units and 13 units reserved for moderate income households within the Mission San Luis Rey Historic District on certain real property described in the project description

WHEREAS, the Oceanside Historic Preservation Advisory Commission, did on the 30th day of June, conduct a duly-advertised public hearing as prescribed by law and recommended City Council approval of the Development Plan and Historic Permit;

WHEREAS, the Planning Commission, after giving the required notice as prescribed

1 under City Council Policy 300-14 providing a published notice in a newspaper of general
2 circulation within 15 days of the public hearing and mailing of notices to all property owners
3 within 1,500 feet from a project site as well as the mailing of notices to all occupants/tenants
4 within 100 feet from the project site, did on the 12th day of October, 2026, conduct a duly-
5 advertised public hearing as prescribed by law to consider said application.
6

7 WHEREAS, the proposed project is statutorily exempt from further review under the
8 California Environmental Quality Act (CEQA) pursuant to California Public Resources
9 Code Section 21080.66 where, as here (a) The site is not more than 20 acres; (b) The project
10 is located within the boundaries of the incorporated municipality of the City of Oceanside;
11 (c) The project has been previously developed with an urban use; (d) The project is
12 consistent with the applicable general plan and zoning ordinance and is not subject to a local
13 coastal program; (e) The project will be at least one half of the applicable density specified
14 in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 of the
15 Government Code; (f) The project satisfies the requirements specified in paragraph (6) of
16 subdivision (a) of Section 65913.4 of the Government Code; (g) The project does not
17 require the demolition of a historic structure that was placed on a national, state, or local
18 historical register; and (h) No portion of the project is designated for use as a hotel, motel,
19 bed and breakfast inn, or other transient lodging; and,
20

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

23 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN
24 that the project is subject to certain fees, dedications, reservations and other exactions as
25 provided below:
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Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
Schools (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
Traffic Signal & Thoroughfare (Single-Family Residential)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Reso. #15-R0638-1 Ord #85-23
Wastewater System Capacity Buy-In Fee (Single-Family Res)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37
San Diego County Water Authority (Residential and Non-Residential)	SDCWA Ord. 2017
Inclusionary Housing In-Lieu fees (Residential)	Chapter 14C of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

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

5
6 WHEREAS, a complete SB 330 Preliminary Application was submitted for the
7 project on December 18, 2025 pursuant to the Housing Crisis Act of 2019 and freezes
8 fees and development standards as of December 18, 2025, unless exceptions per
9 Government Code Section 65889.5(o) are triggered.

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

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

17
18 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN
19 that the 90-day period to protest the imposition of any fee, dedication, reservation, or other
20 exaction described in this resolution begins on the effective date of the Oceanside City
21 Council resolution approving the project, and any such protest must be in a manner that
22 complies with Section 66020;

23 WHEREAS, the documents or other material which constitute the record of
24 proceedings upon which the decision is based will be maintained by the City of
25 Oceanside Planning Department, 300 North Coast Highway, Oceanside, California
26 92054.

27 WHEREAS, studies and investigations made by this Commission and on its behalf
28 reveal the following facts:
29

1 FINDINGS:

2 For Vesting Tentative Map (25-00004):

- 3 1. The proposed Vesting Tentative Map is consistent with the General Plan and
4 provisions of the Subdivision Ordinance of the City. The General Plan Land Use
5 designation of Special Commercial (SC) Policy 2.24C calls for uses and
6 development standards to be established through special policies and identified
7 guidance systems to protect the unique characteristics of the externality (Mission
8 San Luis Rey). The project has been designed for consistency with the Mission
9 San Luis Rey Development Program and Design Guidelines and is therefore
10 consistent with Policy 2.24 C. In addition, the project is consistent with Goal 1.16
11 of the Land Use Element as it would provide home ownership opportunities in an
12 area of the city where no for sale homes exist, and would produce decent more
13 affordable housing in the form of townhouses including reserving 13 homes for
14 moderate income households. The project is also consistent with Policies 2.2, 3.5,
15 3.7, and 3.8 of the Housing Element as it provides affordable housing, in an area
16 of the city with nearby access to employment opportunities, community facilities
17 and public services.
18
- 19 2. The site is physically suitable for the type and proposed density of development
20 because the 4.7-acre project site is not significantly constrained by geology,
21 hydrologic hazards, sensitive or protected habitat, easements or other limiting
22 features based on the proposed project design. The proposed density of the project
23 at 18.72 dwelling units per acre is lower than the allowable base residential density
24 of 29 dwelling units per acre.
25
- 26 3. The design of the subdivision or the proposed improvements will not cause
27 substantial environmental damage or substantially and avoidably injure fish or
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wildlife or their habitat as the project site is located in an urbanized and developed area of the City with very little potential for biological resources.

4. The design of the subdivision or the type of improvements meet City standards and will not conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision as the project provides a new internal roadways that connect to Douglas Drive and grants new easements for public water, sewer, general utilities and City emergency vehicle access and avoids conflict with any existing easement. All roadway improvements for public and private streets are subject to City review and approval thus, City standards will be met.
5. The subdivision complies with all other applicable ordinances, regulations and guidelines of the City of Oceanside because the proposed vesting tentative map conforms to the applicable requirements of Article VII of the City's Subdivision Ordinance (Vesting Tentative Map).

For the Development Plan (D26-00014):

1. The site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance. The project site is located in the Special Commercial Limited Historic district and is subject to the land use and development standards within Article 11 of the Zoning Ordinance. Because the project complies with all applicable development standards of the CS-L-H zone district except for those for which relief is sought through the granting of a density bonus waiver and the design guidelines of the Mission San Luis Rey Historic Area. The proposed buildings will be architecturally compatible with the Mission and surrounding commercial uses.
2. The Development Plan, as proposed, conforms to the General Plan of the City. The General Plan Land Use designation of Special Commercial (SC) Policy 2.24C

states that, “*uses and development standards shall be established through special policies and identified guidance systems to protect the unique characteristics of the externality,*” (Mission San Luis Rey). The project has been designed for consistency with the Mission San Luis Rey Development Program and Design Guidelines and is therefore consistent with Policy 2.24 C. Similarly, Land Use Policy 1.33A , Historic Areas and Sites provides that, “*The City shall utilize adopted criteria, such as the "Mission San Luis Rey Historic Area Development Program and Design Guidelines," to preserve and further enhance designated historic or cultural resources,*” because the project has been designed consistent with the development standards and design guidelines established by that document it is consistent with Policy 1.33A.

Per the RHNA of the Sixth Housing Element Cycle (2021-2029) it is estimated that the City of Oceanside would experience demand for 5,443 new dwelling units, including 883 moderate-income units. By contributing 88 townhouse units including 13 units reserved for moderate-income households, to the City’s existing housing stock, the proposed project would help to meet the projected housing demand and provide an opportunity for work force housing. Additionally, Goal 1 of the Housing Element calls for the City to produce opportunities for decent and affordable housing for all of citizens. The project would develop 88 new townhouses through a density bonus. The City’s Density Bonus Ordinance ensures quality by requiring that units must be proportional to the overall project in terms of unit mix, and square footage. There is no distinction between the design of market and affordable units thus, the project will provide new decent and affordable housing for Oceanside citizens. The project would also satisfy Policy 3.7 which directs the City to encourage the disbursement of lower and moderate-income housing opportunities throughout all areas of the City. The proposed

1 project would aid in the disbursement of moderate-income housing opportunities
2 for all age groups in the San Luis Rey Neighborhood. By proposing townhouses
3 and by including affordable units, the project would provide new moderate-income
4 townhouses in an area of the City (north of Highway 76) that contains mostly
5 commercial development with mobile home park residential units north of Mission
6 Avenue. The site can be adequately, reasonably and conveniently served by
7 existing and planned public services, utilities and public facilities. The project site
8 is located within an urbanized area served by existing public services, utilities and
9 public facilities.

- 10
11 3. The project, as proposed, is compatible with existing and potential development
12 within the surrounding area because the project would constitute an in-fill
13 development that will complement the existing commercial development while
14 contributing to Oceanside's housing inventory.

15 For the Mixed Use Development Plan

- 16 1. The Mixed-Use Development Plan is consistent with the adopted Land Use
17 Element of the General Plan and other applicable policies and is compatible with
18 surrounding development. The General Plan Land Use designation of Special
19 Commercial (SC) Policy 2.24C states that, "*uses and development standards shall*
20 *be established through special policies and identified guidance systems to protect*
21 *the unique characteristics of the externality,*" (Mission San Luis Rey), which is
22 accomplished per adherence of the guidelines. The project has been designed for
23 consistency with the Mission San Luis Rey Development Program and Design
24 Guidelines and is therefore consistent with Policy 2.24 C. Similarly, Land Use
25 Policy 1.33A , Historic Areas and Sites provides that, "*The City shall utilize adopted*
26 *criteria, such as the "Mission San Luis Rey Historic Area Development Program and*
27 *Design Guidelines," to preserve and further enhance designated historic or cultural*
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resources,” because the project has been designed consistent with the development standards and design guidelines established by that document it is consistent with Policy 1.33A. With respect to the Housing Element, the project would be consistent with the Regional Housing Needs Assessment (RHNA), its Goals and its Policies. Per the RHNA of the Sixth Housing Element Cycle (2021-2029) it is estimated that the City of Oceanside would experience demand for 5,443 new dwelling units, including 883 moderate-income units. By contributing 88 townhouse units including 13 units reserved for moderate-income households, to the City’s existing housing stock, the proposed project would help to meet the projected housing demand and provide an opportunity for work force housing. Additionally, Goal 1 of the Housing Element calls for the City to produce opportunities for decent and affordable housing for all of citizens. The project would develop 88 new townhouses through a density bonus. The City’s Density Bonus Ordinance ensures quality by requiring that units must be proportional to the overall project in terms of unit mix, and square footage. There is no distinction between the design of market and affordable units thus, the project will provide new decent and affordable housing for Oceanside citizens. The project would also satisfy Policy 3.7 which directs the City to encourage the disbursement of lower and moderate-income housing opportunities throughout all areas of the City. The proposed project would aid in the disbursement of moderate-income housing opportunities for all age groups in the San Luis Rey Neighborhood. By proposing townhouses and by including affordable units, the project would provide new moderate-income housing in an area of the City (north of Highway 76) that contains mostly commercial development with mobile home park residential units north of Mission Avenue.

1 In addition, General Plan Land Use Compatibility Objective 1.12 calls for
2 minimizing conflicts with adjacent or related land uses. The site is bordered by
3 commercial development to the north, west, and east. SR-76 is located to the south.
4 The project does not propose a use or density that is incompatible with surrounding
5 uses, but instead will provide a compatible residential use that implements the
6 General Plan's goals regarding promoting walkability in the area. Thus, the project
7 is consistent with General Plan Objective 1.12,
8

9 2. The Mixed-Use Development Plan will enhance the potential for superior urban
10 design in comparison with the development under the base district regulations that
11 would apply if they were not approved. The most likely alternative to a mixed-use
12 project at this site would be a commercial development. Access to a commercial
13 development is critical to future success of businesses, however access to this site
14 is extremely limited as ingress and egress to and from the site can only come from
15 Douglas Drive. In addition, the Douglas Drive frontage contains a center median
16 and only allows for right turn movements into and out of the property severely
17 diminishing the commercial viability of the site. Moreover, the current climate for
18 commercial development is uncertain, particularly with respect to retail spaces and
19 vacancies. For these reasons, commercial development is not a realistically viable
20 option for the project site. On the other hand, future residents of the proposed
21 mixed-use project will most likely frequent existing nearby businesses and will
22 contribute to the pedestrian-friendly, vibrant and walkable urban environment.
23 Therefore, the Mixed-Use Development Plan enhances the potential for superior
24 urban design in comparison with the development under the base district
25 regulations that would apply if they were not approved
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27 3. Deviations from the base district regulations that otherwise would apply are
28 justified by compensating benefits of the Mixed-Use Development Plan. The
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project is subject to the Density Bonus Law, which entitles it to deviations from applicable development standards, and the Housing Accountability Act, which provides for approval of projects that are consistent with objective standards. Apart from Density Bonus waivers, only 1 deviation for wall height along Douglas Drive is requested. As explained in the staff report, this deviation is consistent with the Mission San Luis Rey Design Guidelines which grants a height exception for walls when used as an entry wall, sign wall or if necessary to screen street traffic noise or conceal parking or utilities. The proposed wall serves as an entry wall that would screen the project from the busy Douglas Drive roadway. Because this proposed wall meets the specific intent of the Guideline, the deviation can be justified. Moreover, the project's mixed-use nature is a benefit to the site/area, as discussed above. It is compatible with existing and potential development within the surrounding area because the project is an in-fill development that will complement existing commercial development while contributing to the City of Oceanside's housing inventory. The project's introduction of residential units in the area will also facilitate functioning of the Mission San Luis Rey Historic Area as a walkable, pedestrian-friendly area of the City.

4. The Mixed-Use Development Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems. The project will not exceed capacity of existing and planned utilities or public facilities, including roadways. The project proposes 88 dwelling units. That number of dwelling units, including associated population, vehicular trips, and utility demand are within the planned capacities of the City's General Plan and buildout assumptions. The project site is located in an urbanized area served by existing public services, utilities, and public

1 facilities. The project is designed consistent with all applicable standards related
2 to emergency vehicle access/services.

3 For the Historic Permit (H26-00001)

- 4 1. The proposed project would not detrimentally destroy, or adversely affect any
5 architectural or landscape feature within the Mission San Luis Rey Historic Area,
6 in that the project site contains no significant architectural or landscape features.
- 7 2. The proposed architectural design of the project, utilizing Spanish architecture,
8 will be compatible with and complimentary to the Mission San Luis Rey as viewed
9 from on-site and off-site; and,
- 10 3. The project does not compromise existing views of Mission San Luis Rey or
11 conflict with the applicable goals, objectives, and guidelines of the Mission San
12 Luis Rey Historic Area Development Program and Design Guidelines.
- 13 4. The proposed project complies with the applicable design guidelines of the
14 Mission San Luis Rey Historic Area Development Program and Design Guidelines
15 as determined by the City's detailed review and helps to achieve the purposes of
16 the Historic District.

17 For the Density Bonus (DB25-00009):

- 18 1. Thirteen (13) of the affordable units will be reserved for households within the
19 Moderate-Income category.
- 20 2. The affordable units have been designed to be proportional to the project's market
21 rate units in terms of floor plan, square footage, and exterior design. The
22 affordable units are at least 80% of the floor area of the average of the market rate
23 units. The affordable units are dispersed throughout the project site and will have
24 the same external appearance to the market rate units.
- 25 3. The restrictive covenant associated with the affordable units will be for a period
26 of 55 years.

- 1 4. The project's moderate-income affordable units will be available at affordable
2 housing costs, as defined in Health and Safety Code Section 50052.5.
- 3 5. An Affordable Housing Regulatory Agreement that will be prepared for the project will
4 outline the reporting requirements consistent with Section 3032(M)(7) of the Zoning
5 Ordinance.

6 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
7 hereby recommend approval of Vesting Tentative (T25-00004), Development Plan (D25-
8 00014), Historic Permit (H26-00001) and Density Bonus (DB25-00009), subject to the
9 following conditions:
10

11 **Planning**

- 12 1. This Vesting Tentative Map (T25-00004), Development Plan (D25-00014), Density
13 Bonus (DB25-00009) and Historic Permit (26-00001) shall expire 36 months from
14 its approval, unless this time period is extended by the provisions of Article 1 of
15 the Zoning Ordinance and the provisions of Section 408 and 409 of the Subdivision
16 Ordinance.
- 17 2. This Vesting Tentative Map (T25-00004), Development Plan (D25-00014), Density
18 Bonus (DB25-00009) and Historic Permit (26-00001) allows the construction of a
19 mixed-use development project comprised of 88 condominium residential units,
20 including ten live-work units and 13-moderate income household units located at
21 the northeast corner of Douglas Drive and Highway 76 as shown on the plans and
22 exhibits presented to the City Council for review and approval. No deviation from
23 these approved plans and exhibits shall occur without Planning Division approval.
24 Substantial deviations shall require a revision to the Vesting Tentative Map,
25 Development Plan, Density Bonus, and Historic Permit or a new Tentative Map,
26 Development Plan, Density Bonus, and Historic Permit.
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3. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Vesting Tentative Map (T25-00004), Development Plan (D25-00014), Density Bonus (DB25-00009) and Historic Permit (26-00001) and the CEQA exemption for this Project. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
4. A covenant or other recordable document approved by the City Attorney shall be prepared by the property owner and recorded prior to the issuance of a certificate of occupancy. The covenant shall provide that the property is subject to this resolution, and shall list the conditions of approval.
5. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and or operator. This notification shall run with the life of the project and shall be recorded as a covenant on the property.
6. Failure to meet any conditions of approval shall constitute a violation of the Vesting Tentative Map, Development Plan, Density Bonus and Historic Permit.
7. Unless expressly waived, the project shall adhere to all current zoning standards and City ordinances and policies in effect at the time the complete SB330 Preliminary Application was submitted (December 18, 2025). The approval of this project constitutes the applicant's agreement with all statements in the

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

3 8. Prior to Building Permit issuance, the applicant shall submit and obtain final
4 approval of the Construction Management Plan from the City Planner or their
5 designee. The Construction Management Plan shall be implemented during the
6 entire duration of construction of the Mixed-Use Project.

7 9. The developer's construction of all fencing and walls associated with the project
8 shall be in conformance with the approved Development Plan. Any substantial
9 change in any aspect of fencing or wall design from the approved Development
10 Plan shall require a revision to the Development Plan or a new Development Plan.

11 10. If any aspect of the project fencing and walls is not covered by an approved
12 Development Plan, the construction of fencing and walls shall conform to the
13 development standards of the City Zoning Ordinance. In no case, shall the
14 construction of fences and walls (including combinations thereof) exceed the
15 limitations of the zoning code, unless expressly granted by a Density Bonus
16 Waiver or other development approval.

17 11. The project is subject to compliance with the City's anti-graffiti provisions
18 (Ordinance No. 93-19/Section 20.25 of the City Code). These requirements,
19 including the obligation to remove or cover with matching paint all graffiti within
20 24 hours, shall be noted on the Landscape Plan and shall be recorded in the form
21 of a covenant affecting the subject property.

22 12. Outdoor lighting shall be low emission, shielded, and directed away from
23 neighboring property lines, so that 0 foot candles is achieved at the property
24 boundary.
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13. Elevations, siding materials, colors, and floor plans shall be substantially the same as those approved by the City Council. These shall be shown on plans submitted to the Building Division and Planning Division.
14. All lighting showcasing building architecture shall be shown on the building plans.
15. All dwelling units shall dispose of or recycle solid waste in a manner provided in City Code Section 13.3.
16. Prior to the issuance of building permits, the applicant shall submit an exterior lighting plan for the entire site. The plan shall contain details as to the type of fixtures that will be used and placement.
17. All mechanical rooftop and ground equipment shall be screened from public view as required by the Zoning Ordinance.
18. No project signage is approved with this application. All project signage shall be subject to a separate sign permit and be in compliance with the Mission San Luis Rey Development Program and Design Guidelines and Article 33, Signs, of the Zoning Ordinance.
19. The developer is prohibited from entering into any agreement with a cable television franchisee of the City, which gives such franchisee exclusive rights to install, operate, and or maintain its cable television system in the development.
20. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing Agreement policy. Such agreement shall be submitted to and approved by the Housing and Neighborhood Services Director prior to the recordation of a Final Map or at least six (6) months before the issuance of a Certificate of Occupancy for the first unit for the project whichever comes first.
21. This project is subject to the provisions of Chapter 14C of the City Code regarding Inclusionary Housing.

- 1 22. Prior to issuance of any building permit, the Director of Housing and
2 Neighborhood Services shall certify that the proposed development has complied
3 with the requirements for inclusionary housing and all provisions of Chapter 14C.
4 23. In accordance with Density Bonus requirements, fifteen (15) percent of the
5 residential units [thirteen (13) housing units] shall be reserved for sale to moderate
6 income households. The city shall determine the eligibility of the moderate-
7 income households. A deed restriction, covenant, and/or other instrument
8 enforceable by the city and approved by the City Attorney and Director of Housing
9 and Neighborhood Services, limiting the sale of such units to eligible moderate-
10 income households shall be recorded against the title of the property. The duration
11 of such sale restrictions shall be in effect for a minimum of fifty-five (55) years.
12 24. The required "Affordable Housing Regulatory Agreement" shall be recorded
13 against the project site prior to approval of any final map or the issuance of any
14 building permits for the project.
15 25. Income restricted units shall consist of thirteen (13) three-bedroom units.
16 26. A letter of clearance from the affected school district in which the property is
17 located shall be provided as required by City policy at the time building permits
18 are issued.
19 27. Any trash, debris, or waste material found onsite during grading or cleanup
20 operations shall be disposed of off-site in accordance with local, state, and federal
21 regulations. Any buried trash/debris or materials containing petroleum
22 encountered shall be evaluated prior to removal and disposal.
23 28. Landscape plans, meeting the criterial of the City's Landscape Guidelines and
24 Water Conservation Ordinance No. 91-15, including the maintenance of such
25 landscaping, shall be reviewed and approved by the City Engineer and City
26 Planner prior to the issuance of building permits. Landscaping shall not be
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1 installed until bonds have been posted, fees paid, and plans signed for final
2 approval.

3 29. Parking spaces shall be kept available and usable for the parking of tenants'
4 vehicles at all times.

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

7 31. The project shall comply with the requirements of Section 3048, Electric Vehicle
8 and Charging Facilities, of the Zoning Ordinance.

9 32. The project shall comply with the requirements of Section 3049, Urban Forestry
10 Program, of the Zoning Ordinance. The project must also provide a Landscape
11 and Tree Canopy Management Plan (LTCMP). The LTCMP shall include
12 information regarding regular, seasonal, and emergency maintenance, trash
13 abatement, irrigation, tree/plant care, tree replacement, insect and disease
14 infestation prevention, integrated pest management, and appropriate response
15 process etc. Projects that do not maintain landscape in a manner consistent with
16 the approved LTCMP shall be subject to code enforcement action.

17
18 33. For the purposes of determining the applicability of the Citywide Public Safety
19 Community Facilities District (CFD) to residential occupancies, any new
20 development or change in occupancy classified as an R occupancy in the most
21 recently adopted California Building and/or California Fire codes with 16 or more
22 dwelling or sleeping units (not intended for use as a hotel or motel where Transient
23 Occupancy Taxes [TOT] will be collected) will be required to annex into the CFD
24 as a condition of development. Additionally, for properties converted from a
25 facility where TOT has been previously collected, the property will be required to
26 annex into the CFD as a condition of development. These projects include
27 residential projects over 16 units in size that meet the following criteria:
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- a. Projects which are subject to a General Plan Amendment necessary to accommodate residential uses
 - b. Mixed-Use project proposed on commercially-zone land, including mixed-use project in the Downtown District.
 - c. Residential projects exceeding base density allowances
 - d. Assisted living or Skilled Nursing facilities of any size.
34. Prior to application for a building permit the applicant shall apply for annexation into the City Public Safety Community Facilities District (CFD). A one-time CFD Annexation Processing Fee of \$5,000 shall be paid to recover costs associated with consultant services, preparation of annexation documents, coordination with the County Assessor and Tax Collector, and other administrative costs related to the annexation process.
35. Prior to Certificate of Occupancy the project shall be fully annexed into the City Public Safety Community Facilities District.
36. The project shall comply with any enforceable agreements reached during the project consultation between the City, the applicant and or any Native American tribe.
- "Enforceable agreement" means an agreement between the local government, project proponent, and any California Native American tribe that has engaged in consultation pursuant to this subdivision regarding the methods, measures, and conditions for tribal cultural resource identification, treatment, and protection, including consideration of avoidance. Compliance with the enforceable agreement shall be a required condition of approval for the project and its terms must be enforceable against the project proponent by the local government and the California Native American tribe.

1 37. Tribal monitoring of ground disturbing activities will be required. Prior to
2 issuance of a grading permit the applicant shall enter into a tribal monitoring
3 agreement with the Rincon Band of Luiseno Indians. The tribal monitor shall
4 comply with the project's site access and workplace safety requirements. The
5 applicant shall compensate the tribal monitor at a reasonable rate, determined in
6 good faith, that aligns with customary compensation for cultural resource
7 monitoring, taking into account factors such as the scope and duration of the
8 project.
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10
11 Tribal monitoring of ground disturbing activities will be required. Prior to
12 issuance of a grading permit the applicant shall enter into a tribal monitoring
13 agreement with the San Luis Rey Band of Luiseno Indians. The tribal monitor
14 shall comply with the project's site access and workplace safety requirements. The
15 applicant shall compensate the tribal monitor at a reasonable rate, determined in
16 good faith, that aligns with customary compensation for cultural resource
17 monitoring, taking into account factors such as the scope and duration of the
18 project.
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21 38. Tribal cultural resources shall be avoided where feasible, in accordance with
22 subdivision (a) of Section 2 1084.3. In furtherance of this requirement, where
23 feasible, the project applicant shall provide deference to tribal preferences
24 regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal
25 traditional knowledge in the protection and sustainable use of tribal cultural
26 resources and landscapes.
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1 A pre-disturbance survey shall be conducted prior to any ground disturbance. The
2 project shall comply with Pubic Resources Code section 21084.3. Where feasible,
3 the applicant will defer to tribal preference/recommendations regarding treatment
4 of resources. If there is a disagreement between a monitoring tribe and the
5 applicant, the City shall make the final determination as to what action shall be
6 taken.
7

8 "Tribal cultural resource" means a site, feature, place, cultural landscape, sacred
9 place, including a Native American sanctified cemetery, Indian cemetery, or
10 Indian burial area, or an object with cultural value to a California Native American
11 tribe that is any of the following:
12

13 (i) Included or eligible for inclusion in the California Register of Historical
14 Resources or the National Register of Historic Places.

15 (ii) Included in a local register of historical resources as defined in subdivision (k)
16 of Section 5020.1 .

17 (iii) Identified by the Native American Heritage Commission as a sacred place
18 pursuant to Section 5097.94 or 5097.96.

19 (iv) Included in a local tribal register.
20

21 39. The applicant will comply with State Law for the treatment and documentation of
22 Tribal Cultural Resources in a culturally appropriate manner. Construction
23 activities will halt within 100 feet of the find until the Tribe(s) provides treatment
24 recommendations. The Tribe(s) shall inspect the potential resource within three
25 business days and make its treatment recommendation within three days.

26 40. A California Historical Resources Information System archaeological records
27 search and a tribal cultural records search shall be completed for the project site.

28 41. A Sacred Lands Inventory request shall be submitted to the Native American
29

Heritage Commission.

42. The project shall comply with Section 7050.5 of the Health and Safety Code and Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law and in consultation with the affected California Native American tribe.
43. The project shall utilize the application of tribal ecological knowledge into habitat restoration efforts undertaken by the project as applicable to the specific environmental context and conditions of the project.
44. A minimum 10'-0" x 10'-0" area shall be provided for the reburial of tribal artifacts inadvertently discovered during ground disturbing activities. The applicant, Rincon Tribe and City shall agree to the location of the reburial area.
45. The applicant shall complete a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.
46. If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.
47. If a release of a hazardous substance is found to exist on the site, the release shall be removed or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.
48. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated

to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

49. For any housing on the site located within 500 feet of a freeway, all of the following shall apply:

(A) The building shall have a centralized heating, ventilation, and air-conditioning system.

(B) The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway.

(C) The building shall provide air Filtration media for outside and return air that provides a minimum efficiency reporting value of 16.

(D) The air Filtration media shall be replaced at the manufacturer's designated interval.

(E) The building shall not have any balconies facing the freeway.

50. Consistent with the Oceanside Subarea Plan Habitat Conservation Plan/Natural Community Plan Implementation Guideline 5.2.8, should construction commence during the bird nesting season (generally February 1 through August 30), a pre-construction nesting bird survey shall be conducted by a qualified biologist within 10 days prior to construction activities to determine the presence/absence of nesting birds within the study area. If nesting birds are discovered during pre-construction surveys, then the biologist should identify an appropriate buffer where no project activities are allowed to occur until after the birds have fledged from the nest. Construction activities may take place in other areas on the project site, outside of the nest avoidance buffer, as authorized by the biologist.

Building

51. Building Permits Required:

1 All proposed construction shall comply with the requirements of Title 24 of the
2 California Code of Regulations and all applicable local ordinances. No building,
3 structure, or tenant improvement shall be constructed, altered, or occupied without
4 first obtaining the required building permits from the Building Division.

5 52. Construction Document Submittal:

6 Complete construction documents shall be submitted for plan review prior to
7 permit issuance. Plans shall demonstrate full compliance with applicable
8 provisions of the California Building Code (CBC), California Electrical Code
9 (CEC), California Mechanical Code (CMC), California Plumbing Code (CPC),
10 California Energy Code, and California Green Building Standards Code
11 (CALGreen).
12

13 53. Fire and Life Safety:

14 All buildings and structures shall comply with fire and life safety provisions of the
15 CBC and California Fire Code (CFC). Fire-resistance-rated assemblies, fire
16 protection systems, and means of egress shall be provided as required by code. All
17 fire department requirements shall be satisfied prior to final inspection.

18 54. Structural Design Criteria:

19 The design of all buildings and structures shall comply with current seismic, wind,
20 and structural design criteria applicable to the project site, as determined by the
21 Building Official based on current adopted codes and local amendments.
22

23 55. Energy Code Compliance:

24 The project shall demonstrate compliance with the current California Energy Code
25 (Title 24, Part 6). Energy compliance documentation (Compliance forms) shall be
26 provided at plan submittal.

27 56. Green Building Requirements:
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1 The project shall comply with all applicable provisions of the California Green
2 Building Standards Code (CALGreen), including construction waste management,
3 water efficiency, and indoor air quality requirements.

4 57. Construction Waste Management:

5 A construction waste management plan shall be provided in accordance with
6 CALGreen Section 4.408 or 5.408. Documentation of compliance shall be
7 submitted to the Building Division prior to final inspection.

8 58. Deferred Submittals:

9 Any deferred submittals (e.g., truss calculations, fire sprinkler systems,
10 photovoltaic systems, etc.) shall be identified at the time of permit application and
11 approved by the Building Official prior to installation.

12 59. Special Inspections:

13 Special inspections and testing shall be performed as required by CBC Chapter 17.
14 The owner shall employ an approved special inspection agency, and reports shall
15 be submitted to the Building Division prior to final inspection.

16 60. Floodplain / Site-Specific Requirements (if applicable):

17 If the site is located within a designated flood hazard area, all construction shall
18 comply with applicable floodplain management regulations. Site-specific
19 geotechnical, soils, or grading requirements shall be satisfied prior to final
20 inspection.

21 61. Final Inspection and Certificate of Occupancy:

22 No building shall be occupied until all required inspections have been approved
23 and a Certificate of Occupancy or final approval has been issued by the Building
24 Official.

25 62. Applicable Fees:

1 All plan review, inspection, and impact fees required by the Building Division and
2 other applicable departments or agencies shall be paid prior to permit issuance or
3 final inspection, as applicable.

4 63. The building plans for this project are required to be prepared by a licensed
5 architect or engineer.

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

8 65. The City of Oceanside Building Division staff doesn't perform plan reviews or
9 inspections of Civil Drawings, Precise Grading, or Landscape plans since they are
10 reviewed by the City of Oceanside Engineering Division and are reviewed by other
11 regulations and standards than those used by the Building Division staff. The
12 Building Division does require site plans that have specific required details for
13 plan review and inspections associated with foundations, setbacks, and
14 accessibility compliance that must be made part of the Building Division plans in
15 order to be able to conduct and approve those inspections from a Building Division
16 approved set of plans. It may be acceptable to include site plans from the Civil
17 Drawings in the Building Division plan set if they are marked as "For Reference
18 Only" for items that are only reviewed and inspected by the City of Oceanside
19 Engineering Division staff. See the attached copy of the City of Oceanside
20 Building Division Procedure PC-22 Landscape Plans for additional information.
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24 66. The developer shall monitor, supervise and control all building construction and
25 supportive activities to prevent these activities from causing a public nuisance,
26 including, but not limited to, strict adherence to the following:

27 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
28 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
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work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

- b) The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste containers shall be considered compliance with this requirement. Small amounts of construction debris may be stored on-site in a neat, safe manner for short periods of time pending disposal.

Engineering

67. Prior to the demolition of any existing structure or surface improvements on site, a grading plan application shall be submitted to the Engineering Division and erosion control plans shall be approved by the City Engineer. No demolition shall be permitted without an approved erosion control plan.
68. Design and construction of all improvements shall be in accordance with the City of Oceanside's Engineers Design and Processing Manual, City Ordinances, standard engineering and specifications of the City of Oceanside, and subject to approval by the City Engineer.
69. All right-of-way alignments, street dedications, exact geometrics and widths shall be designed, dedicated, and constructed or replaced in accordance with the City of Oceanside Engineers Design and Processing Manual, and as required by the City Engineer.
70. Owner/developer shall provide an updated Title Report dated within 6 months of the grading plan application submittal.

- 1 71. The approval of the tentative map shall not mean that closure, vacation, or
2 abandonment of any public street, right of way, easement, or facility is granted
3 or guaranteed to the owner/developer. The owner/developer is responsible for
4 applying for all closures, vacations, and abandonments as necessary. The
5 application(s) shall be reviewed and approved or rejected by the City of
6 Oceanside under separate process-(es) per codes, ordinances, and policies in
7 effect at the time of the application. The City of Oceanside retains its full
8 legislative discretion to consider any application to vacate a public street or right
9 of way.
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- 11 72. Owner/developer shall submit to the City for processing a covenant attesting to the
12 project's development conditions. The approved covenant shall be recorded at the
13 County prior to the issuance of a grading permit.
- 14 73. All public improvement requirements shall be covered by a Subdivision
15 Improvement Agreement and secured with sufficient improvement securities or
16 bonds guaranteeing performance and payment for labor and materials, setting of
17 survey monuments, and warranties against defective materials and workmanship
18 before the approval of the public improvement plans.
- 19 74. Prior to the issuance of any building permits, all improvements including
20 landscaping, landscaped medians, frontage improvements shall be under
21 construction to the satisfaction of the City Engineer.
- 22 75. Prior to the issuance of a Certificate of Occupancy permit, all improvements,
23 including landscaping, landscaped medians, frontage improvements shall be
24 completed to the satisfaction of the City Engineer.
- 25 76. Prior to approval of the map, provide the City of Oceanside with certification
26 from each public utility and each public entity owning easements within the
27 proposed project stating that: (a) they have received from the owner/developer a
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copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body.

77. The project's final map shall be recorded as one, and development may occur in phases. A construction-phasing plan for the construction of onsite and offsite public and private improvements shall be reviewed and approved by the Engineering Division, Water Utilities Department, and Fire Department prior to the issuance of a grading permit. All improvements shall be under construction to the satisfaction of the City Engineer prior to the issuance of any building permits. All improvements shall be completed prior to issuance of any Certificate of Occupancy permit.

78. All property corners, survey monuments that control public rights-of-way, and City benchmarks shall be protected in place or perpetuated in conformance with Greenbook Standard 400-2 and Business and Professions Code 8771.

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

80. Proposed public improvements located within the City's ROW or onsite shall be displayed on separate public improvement plans in accordance with the City's Engineer's Design and Processing Manual.

- 1 81. Any existing public or private improvements that are being joined to and that are
2 already damaged or damaged during construction of the project, shall be repaired or
3 replaced as necessary by the developer to provide a competent and stable
4 connection, and to the City's satisfaction.
- 5 82. An Encroachment Removal Agreement (ERA) application shall be submitted to the
6 City for proposed private improvements located within the City's ROW along
7 Douglas Drive or over any City easement. The ERA shall be submitted for review
8 prior to the issuance of a grading permit and recorded at the County prior to
9 improvement plan As-Built.
- 10 83. Douglas Drive shall be constructed with new curb and gutter and sidewalk.
11 Sidewalk improvements (construct/replace) shall comply with current ADA
12 requirements.
- 13 84. Public ADA ramps shall be constructed at all intersections, and other locations as
14 required by the City Engineer.
- 15 85. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must
16 be located entirely within the public right-of-way (ROW). Pedestrian ramps not
17 located entirely within the City's ROW shall be provided with a ROW dedication on
18 the final map and shown on the improvement plans and grading plans. The ROW
19 dedication shall be submitted prior to the approval of the grading plans and
20 recorded prior to the grading plan As-Built.
- 21 86. Minimum curb return radius at pedestrian ramps and driveway locations shall
22 comply with the City of Oceanside Engineers Design and Processing Manual.
- 23 87. The proposed public pedestrian ramp at the northwest corner edge of the property
24 along Douglas Drive will need to be evaluated and designed for pedestrian crossing
25 safety.
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1 88. Douglas Drive shall be provided with a 10-foot minimum parkway between the face
2 of curb and Right-of-Way line, and the design shall be displayed on the
3 improvement plans.

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

8 90. A pavement evaluation report shall be submitted for offsite street and/or alley
9 pavements with the grading plan application. The owner/developer shall contract
10 with a geotechnical engineering firm to perform a field investigation of the existing
11 pavement on all streets adjacent to the project boundary. The limits of the study
12 shall be half-street width along the project's Douglas Drive frontage. The field
13 investigation shall be performed according to a specific boring plan prepared by a
14 licensed Geotechnical Engineer and approved by the City Engineer prior to the
15 issuance of a grading permit. In the absence of an approved boring plan, the field
16 investigation shall include a minimum of one pavement boring per every fifty (50)
17 linear feet of street frontage.

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19 Should the study conclude that the existing road pavement does not meet current
20 pavement thickness requirements set forth in the City of Oceanside Engineers
21 Design and Processing Manual, the Owner/developer shall remove and reconstruct
22 the existing pavement section in accordance with City requirements. Otherwise, the
23 City Engineer shall determine whether the Owner/developer shall: 1) Repair all failed
24 pavement sections, 2) header cut and grind per the direction of the City Engineer, or
25 3) Perform R-value testing and submit a study that determines if the existing pavement
26 meets current City standards/traffic indices.
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- 1 91. Maintenance responsibilities for the private driveways and roadways, used as
2 access to the land being divided, shall be clearly identified in the project's
3 CC&Rs.
- 4 92. A precise grading plan, which includes proposed onsite private improvements, shall
5 be prepared, reviewed, secured and approved prior to the issuance of any building
6 permit. The plan shall reflect all pavement, flatwork, landscaped areas, special
7 surfaces, curbs, gutters, medians, striping, and signage, footprints of all structures,
8 walls, drainage devices and utility services. Parking lot striping and any on site
9 traffic calming devices shall be shown on the precise grading plans.
- 10 93. The approval of the development plan shall not mean that proposed grading or
11 improvements on adjacent properties (including any City properties/right-of-way
12 or easements) is granted or guaranteed to the owner/developer. The
13 owner/developer is responsible for obtaining written permission to grade or
14 construct on adjacent properties prior to the issuance of a grading permit.
15 Should such permission be denied, the development plan shall be subject to going
16 back to public hearing or subject to a substantial conformity review.
- 17 94. Where proposed off-site improvements, including but not limited to slopes, public
18 utility facilities, and drainage facilities, are to be constructed, owner/developer
19 shall, at his own expense, obtain all necessary easements or other interests in real
20 property and shall dedicate the same to the City of Oceanside as required.
21 Owner/developer shall provide documentary proof satisfactory to the City of
22 Oceanside that such easements or other interest in real property have been
23 obtained prior to the issuance of any grading, building or improvement permit for
24 this development/project. Additionally, the City of Oceanside, may at its sole
25 discretion, require that the owner/developer obtain at his sole expense a title
26 policy insuring the necessary title for the easement or other interest in real
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property to have vested with the City of Oceanside or the owner/ developer, as applicable.

95. Use of adjacent properties for construction without permission is prohibited.

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

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

97. Prior to the issuance of a grading permit, a comprehensive soil and geologic investigation shall be conducted for the project site. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity; and these measures shall be incorporated as part of the grading plan design. No grading shall occur at the site without a grading permit.

98. It is the responsibility of the owner/developer to evaluate and determine that all soil imported as part of this development is free of hazardous and/or contaminated material as defined by the City and the State Water Resources

Control Board. Exported or imported soils shall be properly screened, tested, and documented regarding hazardous contamination.

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

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

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

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

b) All grading and related site preparation and construction activities shall be limited to the hours of 7AM to 6PM, Monday through Friday. No engineering related construction activities shall be conducted on Saturdays, Sundays, or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be located as far as possible (minimum 100 feet) from any existing residential development. As construction noise may still be

- intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits “any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity.”
- c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. An alternate parking site can be considered by the City Engineer in the event that the lot size is too small and cannot accommodate parking of all motor vehicles.
 - d) Owner/developer shall complete a haul route permit application (if required for import/export of dirt) and submit to the City of Oceanside Transportation Engineering Section forty-eight hours (48) in advance of beginning of work. Hours of hauling operations shall be dictated by the approved haul route permit.
102. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer prior to the issuance of a grading permit and approved by the City Engineer prior to the issuance of building permits. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Frontage and median landscaping shall be installed and established prior to the issuance of any certificates of occupancy. Securities shall be required only for landscape items in the public right-of-way. Any project fences, sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and built from the approved landscape plans. These features shall also be shown on the precise grading plans for purposes of location only. Plantable, segmental walls shall be designed, reviewed and constructed from grading plans and landscape/irrigation design/construction shall be from landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held prior to the start of any improvements.

- 1 103. Unless an appropriate barrier is approved on a landscape plan, a minimum 42- inch-
2 high barrier, approved by the City Engineer, shall be provided at the top of all slopes
3 whose height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to any
4 streets, an arterial street or state highway.
- 5 104. The drainage design shown on the conceptual grading/site plan, and the drainage report
6 for this development plan is conceptual only. Conceptual approval of the entitlement-
7 level report shall not be construed as approval of any specific engineering design
8 or construction method, and modifications may be required during the final
9 engineering review to ensure compliance with applicable standards and construction
10 plans. The final drainage report and design shall be based upon a hydrologic/hydraulic
11 study that is in accordance with the latest San Diego County Hydrology and Drainage
12 Manual, and is to be approved by the City Engineer prior to the issuance of a grading
13 permit. All drainage picked up in an underground system shall remain underground
14 until it is discharged into an approved channel, or as otherwise approved by the City
15 Engineer.
- 16 105. The project's drainage system shall not connect or discharge to another private
17 stormdrain system without first obtaining written permission from the owner of the
18 system. The written permission letter shall be provided to the City prior to the issuance
19 of a grading permit. The owner/developer shall be responsible for obtaining any
20 off-site easements for storm drainage facilities.
- 21 106. The applicant shall provide a complete detention analysis as part of the final drainage
22 report. The analysis shall demonstrate that the project will not increase 100-year storm
23 peak flows to downstream drainage facilities. The final construction plans shall
24 include any onsite detention facilities needed to meet this requirement.
- 25 107. All public storm drain improvements shall be shown on separate public
26 improvement plans. Public storm drain easements shall be dedicated to the City where
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1 required.

2 108. Drainage facilities shall be designed and installed to adequately accommodate the local
3 storm water runoff, and shall be in accordance with the San Diego County Hydrology
4 Manual and the City of Oceanside Engineers Design and Processing Manual, and
5 to the satisfaction of the City Engineer.

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

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

11 111. Elevation adjustments and flood proofing shall be in accordance with City of
12 Oceanside Floodplain Management Regulations and Federal Emergency
13 Management Agency (FEMA) and National Flood Insurance Program (NFIP)
14 requirements.

15 112. The owner/developer shall submit a finished construction elevation certificate on
16 current FEMA forms for each structure proposed in the development project. The
17 finished construction elevation certificate(s) shall be completed with surveyed
18 information of post construction conditions and shall be submitted to the Engineering
19 Division for review and acceptance prior to Occupancy or Final Building Inspection.

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

23 113. Owner/developer shall comply with the provisions of the National Pollutant
24 Discharge Elimination System (NPDES) General Permit for Storm Water
25 Discharges Associated with Construction and Land Disturbance Activities
26 (General Permit) Water Quality Order 2022-0057-DWQ. The General Permit
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continues in force and effect until the effective date of a new General Permit adopted the State Water Board or the State Water Board rescinds this General Permit. Dischargers that obtain coverage under the expiring General Permit prior to the effective date of this permit, may continue coverage under the previous permit up to two years after the effective date of this General Permit (September 1, 2023). Construction activity subject to the General Permit includes, but not limited to, clearing, demolition, grading, excavation and other land disturbance activities that results in one or more acre of land surface, or that are part of common plan of development or sale.

The discharger shall obtain a Waste Discharge Identification (WDID) number prior to the commencement of construction activity by electronically certifying and submitting the Permit Registration Documents from Section III of the General Permit through the State Water Board Stormwater Multiple Application and Report Tracking System (SMARTS). In addition, coverage under the General Permit shall not occur until an adequate SWPPP is developed for the project as outlined in Section A of the General Permit. The site specific SWPPP shall be maintained on the project site at all times. The SWPPP shall be provided, upon request, to the United States Environmental Protection Agency (USEPA), State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered a report that shall be available to the public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall be continuously implemented and enforced until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

Owner/developer is required to retain records of all monitoring information, copies of all reports required by this General Permit, and records of all data used to complete the

1 NOT for all construction activities to be covered by the General Permit for a period of
2 at least three years from the date generated. This period may be extended by request of
3 the SWRCB and/or RWQCB.

4 114. The project is categorized as a stormwater-Priority Development Project (PDP). A
5 final Storm Water Quality Management Plan (SWQMP) and Operation &
6 Maintenance (O&M) Plan shall be submitted to the City for review at the final
7 engineering phase. Both documents are to be approved prior to the issuance of a
8 grading permit.
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10 115. The O&M Plan shall include an approved and executed Maintenance Mechanism
11 pursuant to the City of Oceanside BMP Design Manual (BDM). At a minimum, the
12 O&M Plan shall include the designated responsible party to manage the storm water
13 BMP(s), employee training program and duties, operating schedule, maintenance
14 frequency, routine service schedule, specific maintenance activities, copies of
15 resource agency permits, cost estimate for implementation of the O&M Plan, a non-
16 refundable cash security to provide maintenance funding in the event of
17 noncompliance to the O&M Plan, and any other necessary elements. The
18 owner/developer shall complete and maintain O&M forms to document all operation,
19 inspection, and maintenance activities. The owner/developer shall retain records for a
20 minimum of 10 years. The records shall be made available to the City upon request.
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22 116. The owner/developer shall enter into a City-Standard Stormwater Facilities
23 Maintenance Agreement (SWFMA) with the City, obliging the owner/developer to
24 maintain, repair and replace the Storm Water Best Management Practices (BMPs)
25 structures identified in the project's approved SWQMP, as detailed in the O&M Plan,
26 in perpetuity. Furthermore, the SWFMA will allow the City with access to the
27 site for the purpose of BMP inspection and maintenance, if necessary. The
28 Agreement shall be approved by the City Attorney's Office and recorded at the
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County Recorder's Office prior to the issuance of a precise grading permit. A non-refundable Security in the form of cash shall be required prior to issuance of a precise grading permit. The amount of the non-refundable security shall be equal to 10 years of maintenance costs, as identified by 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.

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

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

119. Open space areas, down-sloped areas visible from a collector-level or above roadway classification, and improvements within the common areas that are not maintained by the property owner, shall be maintained by a homeowners' association that will ensure operation and maintenance of these items in perpetuity. These areas shall be indicated on the map and reserved for an association. Future buyers shall be made aware of any estimated monthly maintenance costs. The CC&R's shall be submitted and approved by the City prior to the recordation of the map.

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

121. Prior to the approval of plans and the issuance of a grading permit,

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

122. Obtain all necessary permits and written approval from Caltrans for proposed work in their ROW and easements, respectively; and provide the City with a copy of the Caltrans permit and approving document prior to the issuance of a grading permit or approval of the street improvement plans, whichever occurs first.

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

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

125. Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of the map or the issuance of any building permits, in accordance with City Ordinances and policies. Payment of drainage impact fees are required prior to docketing the map for City Council hearing and the recording of the final map. The owner/developer shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or

1 affected by this project.

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

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

9 128. Prior to approval of grading or improvement plans or construction changes, CAD
10 drawing files of all proposed utilities (water/sewer/storm) and other
11 improvements shall be provided to City. CAD files shall conform to the standards as
12 set forth in the Water Utilities Design & Construction manual Appendix 2. Prior to
13 release of bonds, final CAD drawings that reflect as-built conditions shall be provided
14 to the City upon resubmittal of record drawings (As-Built).

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16 **Fire**

17 129. EMERGENCY RESPONSE MAPS - Geo- Referenced Preplans: Any new
18 development, which necessitates updating of emergency response maps by virtue of
19 new structures, hydrants, roadways or similar features, shall be required to provide
20 map updates. Provide geo-referenced building plan in CAD (.dwg) format using the
21 following coordinate system:

22 NAD_1983_StatePlan_California_VI_FIPS_0406_Feet. Data deliverables (CAD and
23 GIS) shall specifically include a site plan, building plan, all Utility shut-offs, fire
24 sprinkler risers and shut-off valves, the fire department connection for sprinkler and
25 class-I standpipe, all standpipe hose outlets, all stairwells, retail spaces, living units -
26 numbers /locations, fire alarm panels, elevators, fire hydrants and all Knox boxes and
27 key switch locations.
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1 130. For the purposes of determining the applicability of the Citywide Public Safety
2 Community Facilities District (CFD) to residential occupancies, any new development
3 or change in occupancy classified as an R occupancy in the most recently adopted
4 California Building and/or California Fire codes with 16 or more dwelling or sleeping
5 units (not intended for use as a hotel or motel where Transient Occupancy Taxes [TOT]
6 will be collected) will be required to annex into the CFD as a condition of development.
7 Additionally, for properties converted from a facility where TOT has been previously
8 collected, the property will be required to annex into the CFD as a condition of
9 development.
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11 131. A Construction Site safety plan, per CFC Chapter 33 & NFPA 241, shall be submitted
12 and approved prior to the delivery of combustible materials.

13 132. MATERIALS on SITE: Prior to delivery of combustible building construction
14 materials to the project site; the following conditions shall be completed to the
15 satisfaction of the Fire Dept.:

16 (1) Fire hydrant(s) shall be installed, approved, and usable

17 (2) Fire lane or access roads shall be in place and provide a permanent all-weather
18 surface.
19

20 133. Deferred Submittals:

21 -Automatic Fire Sprinkler, CFC & NFPA 13D or 13R

22 -Fire Alarm System, CFC & NFPA 72 (If applicable)

23 -Private Underground Fire Mains per CFC & NFPA 24 (If applicable)

24 -Fire Master Plan

25 134. Fire apparatus access roads shall have an unobstructed improved width of not less than
26 28 feet; curb line to curb line, and an unobstructed vertical clearance of not less than
27 13 feet 6 inches. Access roads shall be all weather surface and designed to support
28 imposed loads of not less than 78,000 pounds.
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- 1 135. Fire Truck access plan to be approved by the Oceanside Fire Department. Provide
2 turning template plan showing turning radius of all Oceanside engines and ladder
3 trucks.
- 4 136. Signs reading “NO PARKING FIRE LANE” are required. The number of, placement,
5 and wording for all fire lane signs and/or red curbs shall be as required by CA. Vehicle
6 Code, section 22500.1, 22658(a) and Oceanside Fire Department Standards.
- 7 137. Install residential fire hydrant. Minimum GPM shall be per CFC Appendix B.
8 Residential fire hydrant shall have One 4-inch port and one 2.5-inch port. Installation
9 shall be as per Oceanside Water Department specifications. Maximum spacing from
10 one hydrant to another cannot exceed 400 feet.
- 11 138. All automatic gates shall be provided with Knox Key switch with cover and an
12 approved emergency traffic strobe sensor(s), which opens the gate on approach of
13 emergency vehicles. Gates shall have battery back-up or manual means of disconnect
14 in case of power failure.
- 15 139. A directory map shall be installed at each driveway entrance.

16 **Housing**

- 17 140. Density Bonus/Inclusionary Housing Requirements: In order to obtain the density
18 bonus, incentives/concessions, and waivers under the City’s [Comprehensive Zoning](#)
19 [Ordinance Section 3032](#) and [California Government Code Section 65915](#)
20 (collectively known as “Density Bonus” law) and to satisfy the reserved affordable
21 housing requirements for low and moderate-income households under Oceanside
22 City Code [Chapter 14C](#), the occupancy of 13 of the ownership dwelling units shall
23 be restricted for sale to and as the primary residence for Moderate-Income
24 Households, Thirteen units, as defined in California Health and Safety Code Section
25 [50093](#) at an Affordable Housing Cost for a household size appropriate for the unit
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size, as set forth in Sections [50052.5](#) of the California Health and Safety Code for a period of not less than 55 years.

141. In accordance with City's Comprehensive Zoning Ordinance Section 3032 M.2, a minimum of nine (9) dwelling units shall be reserved for ownership to Moderate-Income Households. An additional four (4) dwelling units are being reserved for Moderate-Income Households, for a total of thirteen (13) dwelling units, and all thirteen (13) dwelling units satisfy Oceanside City Code Chapter 14C Inclusionary Housing, consistent with Conditions 140 and 145. Units shall be provided proportional to the overall project in unit size, dispersed throughout the project, and have access to all amenities available to other residents based upon the same terms. Notwithstanding the foregoing, pursuant to the incentive granted under Government Code Section 65915(d), the thirteen (13) dwelling units shall be three-bedroom units, consistent with Condition 25, and shall be reserved and affordable to Moderate-Income Households.

142. To demonstrate compliance with [Density Bonus law](#) and [Chapter 14C](#) of the OCC, an Affordable Housing Agreement and a deed of trust securing such covenants, as approved by the City Attorney and the Housing and Neighborhood Services Director, shall be recorded against the title of the property and the relevant terms and conditions recorded as a deed restriction, regulatory agreement or other enforceable instrument. The Agreement will be recorded prior to the approval of any final or parcel map or issuance of a grading permit or the building permit for the first dwelling unit of the Project, whichever occurs first. The Agreement shall be binding to all future owners and successors in interest.

143. In accordance with [California Assembly Bill 686](#), as codified in [Government Code Section 8899.50](#), Applicant shall take meaningful actions to combat housing discrimination, promote housing opportunities throughout the community, and

1 foster inclusive communities free from barriers that restrict access to opportunity
2 based on protected characteristics. Applicant shall implement an affirmative
3 marketing strategy that includes: (i) advertising and outreach in multiple languages
4 as needed to reach eligible populations; (ii) utilizing diverse media outlets and
5 community organizations to ensure broad dissemination of information about
6 housing opportunities; (iii) partnering with fair housing organizations, community-
7 based organizations, and social service providers that serve protected classes; (iv)
8 maintaining records of all marketing efforts and their effectiveness in reaching
9 underserved populations; and (v) taking proactive steps to address any patterns of
10 segregation or lack of diversity in tenant selection. This affirmative marketing
11 strategy shall be developed in consultation with the City and submitted for approval
12 at least six months prior issuance of the Certificate of Occupancy for the initial lease-
13 up and updated as necessary to ensure continued compliance with fair housing
14 objectives.
15

16 144. Prior to the approval and/or issuance of a grading permit, building permit or final or
17 parcel map for the residential project, whichever comes first, the Project applicant
18 shall make payment of the applicable Inclusionary Housing Administrative fees
19 (\$1,000 per development and \$100 per unit for all units) related to the administration
20 and implementation OCC Chapter 14C-Inclusionary Housing and to ensure the
21 residential project's compliance with all requirements and provisions thereof.
22

23 145. Inclusionary Housing Requirements: In order to satisfy in full or in part the
24 requirements to reserve a minimum of 15 percent of the dwelling units (13.2
25 dwelling units) within the Project as affordable and occupied by Moderate-Income
26 households under Oceanside City Code [Chapter 14C](#), thirteen (13) of the units shall
27 be reserved for sale and occupancy by Moderate-Income Households and the
28 fractional 0.2 units shall be satisfied through payment of the applicable Inclusionary
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Housing In-Lieu fees prior to the approval of any final or parcel map or issuance of a grading permit or the building permit for the first dwelling unit, for the residential project, whichever occurs first.

Landscaping

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

- a. Final landscape plans shall accurately show placement of all plant material such as but not limited to trees, shrubs, and groundcovers.
- b. Landscape Architect shall be aware of all utility, sewer, water, gas and storm drain lines and utility easements and place planting locations accordingly to meet City of Oceanside requirements.
- c. Final landscape plans shall be prepared under the direct supervision of a Registered Landscape Architect (State of California), with all drawings bearing their professional stamp and signature.

- 1 d. All required landscape areas both public and private (including trees and palms
2 in the public rights-of-way) shall be maintained by owner, project association or
3 successor of the project (including public rights-of-way along Douglas Drive).
4 The landscape areas shall be maintained per City of Oceanside requirements.
- 5 e. The project has a large wall adjacent to Cal Trans ROW. The wall side facing
6 the 76 Highway shall be maintained to provide a pleasant visual experience by
7 adding vines and shrubs where possible. All graffiti shall be removed from the
8 wall within 24 hours of occurrence.
- 9 f. The As-built/ Maintenance Guarantee (refundable cash deposit) shall not be
10 released until the as-built drawings have been approved on the original approved
11 Mylar landscape plan and the required maintenance period has been successfully
12 terminated.
- 13 g. Proposed landscape species shall fit the site and meet climate changes indicative
14 to their planting location. The selection of plant material shall also be based on
15 cultural, aesthetic, and maintenance considerations. In addition proposed
16 landscape species shall be low water users as well as meet all fire department
17 requirements.
- 18 h. All planting areas shall be prepared and implemented to the required depth with
19 appropriate soil amendments, fertilizers, and appropriate supplements based
20 upon a soils report from an agricultural suitability soil sample taken from the
21 site.
- 22 i. Ground covers or bark mulch shall fill in between the shrubs to shield the soil
23 from the sun, evapotranspiration and run-off. All the flower and shrub beds shall
24 be mulched to a 3" depth to help conserve water, lower the soil temperature and
25 reduce weed growth.
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- 1 j. The shrubs shall be allowed to grow in their natural forms. All landscape
2 improvements shall follow the City of Oceanside Guidelines.
- 3 k. Root barriers shall be installed adjacent to all paving surfaces where a paving
4 surface is located within 6 feet of a tree trunk on site (private) and within 10 feet
5 of a tree trunk in the right-of-way (public). Root barriers shall extend 5 feet in
6 each direction from the centerline of the trunk, for a total distance of 10 feet.
7 Root barriers shall be 24 inches in depth. Installing a root barrier around the
8 tree's root ball is unacceptable.
- 9 l. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
10 obtain Planning Division approval for these items in the conditions or application
11 stage prior to 1st submittal of working drawings.
- 12 m. For the planting and placement of trees and their distances from hardscape and
13 other utilities/ structures the landscape plans shall follow the City of Oceanside's
14 (current) Tree Planting Distances and Spacing Standards.
- 15 n. An automatic irrigation system shall be installed to provide coverage for all
16 planting areas shown on the plan. Low volume equipment shall provide
17 sufficient water for plant growth with a minimum water loss due to water run-
18 off.
- 19 o. Irrigation systems shall use high quality, automatic control valves, controllers
20 and other necessary irrigation equipment. All components shall be of non-
21 corrosive material. All drip systems shall be adequately filtered and regulated
22 per the manufacturer's recommended design parameters.
- 23 p. All irrigation improvements shall follow the City of Oceanside Guidelines and
24 Water Conservation Ordinance.
- 25 q. The landscape plans shall match all plans affiliated with the project.
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- 1 r. Landscape construction drawings are required to implement approved Fire
2 Department regulations, codes, and standards at the time of plan approval.
- 3 s. Landscape plans shall comply with Biological and/or Geotechnical reports, as
4 required, shall match the grading and improvement plans, comply with Storm
5 Water Management Plan (SWMP), Hydromodification Plan, or Best
6 Management Practices and meet the satisfaction of the City Engineer.
- 7
- 8 t. Existing landscaping on and adjacent to the site shall be protected in place and
9 supplemented or replaced to meet the satisfaction of the City Engineer.
- 10
- 11 u. All pedestrian paving (both decorative and standard) shall comply with the most
12 current edition of the American Disability Act.
- 13 147. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-
14 way and within any adjoining public parkways shall be permanently maintained by the
15 owner, his assigns or any successors-in-interest in the property. The maintenance
16 program shall include: a) normal care and irrigation of the landscaping b) repair and
17 replacement of plant materials (including interior trees and street trees) c) irrigation
18 systems as necessary d) general cleanup of the landscaped and open areas e)
19 maintenance of parking lots, walkways, enhanced hardscape, trash enclosures, walls,
20 fences, etc. f) pruning standards for street trees shall comply with the International
21 Society of Arboriculture (ISA) *Standard Practices for Tree Care Operations – ANSI*
22 *A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning*
23 *Guidelines, Appendix F* (most current edition). Failure to maintain landscaping shall
24 result in the City taking all appropriate enforcement actions including but not limited
25 to citations. This maintenance program condition shall be recorded with a covenant as
26 required by this resolution.
- 27
- 28 148. In the event that the conceptual landscape plan (CLP) does not match the conditions of
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approval, the resolution of approval shall govern.

Water

149. For developments requiring new water service or increased water service to a property, the landowner must enter into an agreement with the City providing for landowner's assignment of any rights to divert or extract local groundwater supplies for the benefit of the property to receive new or increased water service, in return for water service from the City, upon such terms as may be provided by the Water Utilities Director.

150. All existing active and non-active groundwater wells must be shown on conceptual, grading, and improvement plans.

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

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

153. All proposed private backflow devices shall be located on Private Property and not on Public Right-Of-Way. Any proposed public water meters within private property shall be provided with an easement, easement size shall be approved by the Water Utilities Department.

154. The property owner shall maintain private water and wastewater utilities located on private property.

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

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

157. Water facilities, backflows or meters, shall have a minimum 10' separation from trees.

- 1 Palm tree minimum separation is lowered to 5' from water facilities.
- 2 158. No public water and/or sewer facilities shall be located within, or underneath onsite
- 3 BMPs.
- 4 159. Each new residential dwelling unit or commercial suite shall be equipped with a
- 5 separate individual water meter, and a separate sewer lateral connection.
- 6 160. The commercial spaces that are associated with and support the residential units may
- 7 be served by the domestic water meter(s). Any commercial space that will operate as
- 8 a separate business and serve the public shall have its own separate dedicated
- 9 commercial water meter.
- 10
- 11 161. For new buildings with multiple residential dwelling units; the City has accepted, as
- 12 an alternative, a public master meter for each building provided there is a private sub-
- 13 meter for each individual dwelling unit. The Home Owner's Association would be
- 14 responsible for the ownership, maintenance, reading, and replacement of the private
- 15 sub-meters. There shall be a shared agreement for the shared water supply line and
- 16 private water and sewer facilities among the owners. This should be addressed in the
- 17 CC&Rs or maintenance agreement.
- 18 162. Based on the water study provided, the proposed private domestic water system shall
- 19 be served by a minimum of two 3-inch water meters or one 4-inch water meter to meet
- 20 the maximum daily demand of 400 gpm. Water meters sized 3-inch and above shall
- 21 be constructed within an underground vault. Each water meter configuration shall be
- 22 equipped with an approved backflow device to be located on private property. Should
- 23 the proposed public meters be located on private property, an easement cut-out shall
- 24 be provided for the meter vault. The easement cut out shall be 3-feet all around the
- 25 edge of the vault.
- 26
- 27 163. The Water Utilities Department has a planned Capital Improvement Project to relocate
- 28 the existing sewer main in Mission Avenue, the Developer will be required to design,
- 29

1 permit, and construct a new 8-inch PVC public sewer main along Douglas Drive,
2 beginning at a location approved by the Water Utilities Department and extending to
3 Mission Avenue. This new main shall then connect to the existing 10-inch VCP sewer
4 main that crosses Mission Avenue west of the Mission Avenue/Douglas Drive
5 intersection. The portion of sewer constructed within Mission Avenue shall be upsized
6 to 10-inch PVC and tied into the existing 8-inch PVC sewer lateral serving the Mission
7 & Douglas Center. A new public sewer manhole shall be constructed at this connection
8 point to join the new 10-inch sewer main with the existing 8-inch sewer lateral. Upon
9 completion and acceptance of the improvements, the City of Oceanside will assume
10 ownership and maintenance responsibility for the downstream segment of the existing
11 8-inch PVC private sewer lateral, which will become public sewer infrastructure.
12

13 164. Provide a dedicated irrigation water meter with a reduced pressure principle backflow
14 device for on-site common area landscaping. Meter shall be managed and paid for by
15 the Homeowner's Association for the development. An address assignment will need
16 to be completed for the meter, and can be processed through the City Planning
17 Department.
18

19 165. Per the latest approved California Fire Code, all new residential units shall be equipped
20 with fire sprinkler system.
21

22 166. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire
23 protection shall have a dedicated fire service connection to the private fire water main
24 with a double check detector backflow assembly. Location of the backflow assembly
must be approved by Fire Department.

25 167. Hot tap connections will not be allowed for size on size connections, and connections
26 that are one (1) pipe size smaller than the water main. These connections shall be cut-
27 in tees with three valves for each end of the tee. Provide a connection detail on the
28 improvement plans for all cut-in tee connections.
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The following conditions shall be met prior to the approval of engineering design plans.

168. Any water and/or sewer improvements required to develop the proposed property will need to be included in the improvement plans and designed in accordance with the *Water, Sewer, and Recycled Water Design and Construction Manual*.
169. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the *Water, Sewer, and Recycled Water Design and Construction Manual*. Easements shall be constructed for all weather access.
170. No trees, structures or building overhang shall be located within any water or wastewater utility easement.
171. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the latest adopted California Plumbing Code.
172. Per City of Oceanside Ordinance No. 21-OR0475-1, the developer shall pay a recycled water impact fee since the proposed project is not within 75 feet of a recycled water main. The impact fee shall be established by submitting a formal letter requesting the City to determine this fee, which is based on 75% of the design and construction cost to construct a recycled water line fronting the property in Douglas Drive.
173. The proposed sewer collection system shall be private and designed in accordance with the Oceanside's *Water, Sewer, and Recycled Water Design and Construction Manual*. The Homeowner's Association would be responsible for the ownership, maintenance, and replacement of the proposed sewer collection system. A manhole will be required at the terminus of the collection system before connecting to public

sewer in Douglas Drive.

174. The proposed connection, from Mission & Douglas Center's private sewer manhole to the proposed public sewer manhole, must be verified with the private property owner. Prior to approval, the applicant shall provide documentation confirming that the connection between the private sewer manhole and the proposed public sewer manhole is authorized, feasible, and supported by recorded access rights or easements.
175. Show sewer main improvements from the property to Douglas Drive, and where the proposed sewer will discharge into the existing 8" PVC main bisecting Mission Ave. The proposed alignment in Douglas Drive shall be located in the slow lane of south bound traffic. Alignment in Mission Ave. shall be located in the fast lane of west bound traffic.
176. Connections to a public sewer main with a 6-inch or larger sewer lateral will require a new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and Recycled Water Design and Construction Manual*.
177. Connection to an existing sewer manhole will require rehabilitation of the manhole per City standards. Rehabilitation may include, but not be limited to, re-channeling of the manhole base, surface preparation and coating the interior of the manhole, and replacing the manhole cone with a 36" opening and double ring manhole frame and lid.
178. A separate irrigation meter and connection with an approved backflow prevention device is required to serve common landscaped areas and shall be displayed on the plans.
179. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter and reduced pressure principle backflow device on Landscape Plans.
180. Provide stationing and offsets for existing and proposed water service connections and sewer laterals on plans.

1 181. Any proposed private onsite fire hydrants shall be served by a private fire main that
2 is looped onsite with two connections to an existing public water main. Each
3 connection shall have a double check detector assembly for backflow protection. Size-
4 on-size hot taps are not acceptable and cut-in tees shall have gate valves on all three
5 ends. If onsite fire hydrant will be served by a single feed, then Developer must show
6 that the hydrant can meet all flow and pressure requirements.

7
8 182. The proposed water main shall have a fire hydrant every 300 feet. Final location and
9 quantity of fire hydrants shall be approved by the Fire Department.

10 183. Each lot shall have a separate sewer lateral connection.

11 184. Where private sewer system is shared with other tenants, a Homeowner's Association
12 or Property Management Company and CC&Rs should address the maintenance,
13 repair, and replacement of "shared" sewer lateral or facilities.

14 185. Any unused water services or sewer laterals by the proposed development shall be
15 abandoned in accordance with Water Utilities requirements.

16 **The following conditions of approval shall be met prior to building permit**
17 **issuance**

18 186. Show location and size of existing and proposed water meter(s) on site plan of building
19 plans.

20 187. Show waterline from proposed meter to connection point to building or residence.

21 188. If a master meter with private sub-meters is proposed, then provide calculations to
22 size sub-meters and show their location on the building plans. Private sub-meters must
23 be located such that they can be read and maintained without entering the residential
24 unit.
25

26 189. Show location and size of existing and proposed sewer lateral(s) from property line or
27 connection to sewer main to connection point at building or residence.

28 190. Provide a fixture unit count table and supply demand estimate per the latest adopted
29

- 1 California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).
- 2 191. Provide drainage fixture unit count per the latest adopted California Plumbing Code
- 3 to size sewer lateral for property.
- 4 192. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees
- 5 are to be paid to the City at the time of Building Permit issuance per City Code Section
- 6 32B.7.

7 **Traffic**

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- 9 193. The project shall comply with the City' Thoroughfare and Traffic Signal Fee
- 10 Ordinance. All appropriate fees shall be paid prior to the issuance of occupancy and to
- 11 the satisfaction of the City Traffic Engineer.
- 12 194. The project driveway off of Douglas Drive shall be constructed to only allow for a right
- 13 turn-in and right turn-out movement, and supplemented with the appropriate
- 14 signage/stripping/legends. The easterly raised median of the northbound left turn pocket
- 15 for the Mission Real Plaza, located on Douglas Drive between SR-76 and Mission
- 16 Avenue, shall be lengthened an additional of 35 feet minimum per the improvement
- 17 plans. This improvement shall be completed prior to the issuance of occupancy and to
- 18 the satisfaction of the City Traffic Engineer.
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- 20 195. That project driveway off of Douglas Drive shall be constructed to only allow for a right
- 21 turn-in and right turn-out movement. The easterly raised median of the northbound left
- 22 turn pocket for the Mission Real Plaza (located on the southwest corner of Douglas
- 23 Drive and Mission Avenue), located on Douglas Drive between SR-76 and Mission
- 24 Avenue, shall be lengthened an additional of 35 feet minimum. Regulatory signs
- 25 indicating the right turn only movement shall be installed in the median on Douglas
- 26 Drive. Also, on the private driveway, right turn only signs and legends are to be
- 27 installed. This improvement shall be completed prior to the issuance of occupancy and
- 28 to the satisfaction of the City Traffic Engineer.
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1 196. For both northbound lanes on Douglas Drive, at the project driveway, "KEEP CLEAR"
2 legends shall be painted with thermoplastic. This improvement shall be completed prior
3 to the issuance of occupancy and to the satisfaction of the City Traffic Engineer.

4 197. Five-foot-wide sidewalk shall be constructed in front of the project site between SR-76
5 and the south side of the entrance into the shopping center located just north of the
6 project site, and shall include ADA ramps at the driveway and updated ADA ramp on
7 the northeast corner of SR-76 and Douglas Drive. This improvement shall be completed
8 prior to the issuance of occupancy and to the satisfaction of the City Traffic Engineer.
9

10 **Solid Waste**

11 198. The plans must include an area for storage of landfill, recycling, and food
12 scraps/organics within an enclosure and/or storage area screened from public view.
13 Plans should include separate enclosure or storage areas for commercial tenants and
14 residential tenants to ensure proper use of services and mitigate dumping. Plans should
15 also label service bins for each stream.

16 199. The City of Oceanside reserves the right to review program and services levels and
17 request increases if deemed necessary. The City of Oceanside Municipal Code Chapter
18 13 requires that Oceanside residents, businesses and multifamily projects are to
19 separate all recyclable material from other solid waste. Additionally, the State of
20 California regulations requires all California businesses participate in Mandatory
21 Recycling (AB 341) and Mandatory Commercial Organics Recycling (AB 1826 & SB
22 1383) as outlined in the Oceanside Solid Waste code.
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3 PASSED AND ADOPTED Resolution No. 2026-P16 on September 28, 2026, by
4 the following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10
11
12 ATTEST:

Emily Gonzales, Chairperson
Oceanside Planning Commission

13
14 Oscar Romero, Secretary

15 I, OSCAR ROMERO, Secretary of the Oceanside Planning Commission, hereby certify
16 that this is a true and correct copy of Resolution No. 2026-P16.

17 Dated: October 12, 2026
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