

AGENDA NO. 4

PLANNING COMMISSION



CITY OF OCEANSIDE

DATE: September 27, 2021

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T20-00005), DEVELOPMENT PLAN (D20-00016), COASTAL DEVELOPMENT PERMIT (RC20-00010) AND DENSITY BONUS (DB20-00001) TO CONSTRUCT A 4-STORY MIXED-USE DEVELOPMENT CONSISTING OF 54 CONDOMINIUM UNITS AND 3,244 SQUARE- FEET OF GROUND FLOOR COMMERCIAL SPACE LOCATED ON AN APPROXIMATE 0.91-ACRE SITE AT 1602 SOUTH COAST HIGHWAY WITHIN THE SOUTH OCEANSIDE NEIGHBORHOOD PLANNING AREA – 1602 S. COAST HIGHWAY MIXED-USE DEVELOPMENT– APPLICANT: HALLMARK DEVELOPMENT CORP.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T20-00005), Development Plan (D20-00016), Coastal Development Permit (RC20-00010) and Density Bonus (DB20-00001) by adopting Planning Commission Resolution No. 2021-P30 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review and Background: The project site is located at 1602 South Coast Highway within the South Oceanside Neighborhood Planning Area. The project site consists of six (6) legal lots under one assessor parcel number (APN 153-112-01-00) totaling 0.91 acres in size. The site currently has a 10,255 square-foot automotive service center, showroom, garage and warehouse along with a 3,896 square-foot service bay and an asphalt parking lot. Per the submitted historic analysis prepared by Kristi Hawthorne, the commercial structures do not meet the criteria to be classified as holding any historical significance.

The property has a General Plan land use designation of General Commercial under the coastal land use plan and a corresponding zoning designation of General Commercial Coastal (C-2/CZ). The property is within an urbanized area and is surrounded by multi-family three-story townhomes to the North, a commercial building to the South, single-family homes and a commercial professional office to the East, and commercial/motel to the West.



The project is located in the non-appealable area of the Coastal Zone and the proposed development will require a Coastal Development Permit. The site is located less than a half mile south of the Coast Highway Sprinter Station and a little over a mile south from the Oceanside Transit Center. On December 16, 2020, an application for a Tentative Map (T20-00005),

Development Plan (D20-00016), Coastal Development Permit (RC20-00010) and Density Bonus (DB20-00001) was received by staff for review and consideration by the Planning Commission.

Project Description: The proposed project requires four separate entitlements: a Tentative Map (T20-00005), Development Plan (D20-00016), Coastal Development Permit (RC20-00010) and Density Bonus (DB20-00001) as described below.

Tentative Map (T20-00005) represents a request to:

Create a one-lot subdivision for a 54-unit airspace condominium development with 3,244 square-feet of ground floor commercial space and various common areas pursuant to Article IV of the Oceanside Subdivision Ordinance. The landscaping and exterior open spaces would be managed by a homeowners association and included as a part of the common areas pursuant to the Subdivision Ordinance. The undergrounding of electrical utilities is required within the public right-of-way for this project because the Subdivision Ordinance, Section 901G, requires undergrounding for projects with four or more units. The tentative map includes an irrevocable offer of dedication of two (2) feet of additional right-of-way along the South Coast Highway frontage of the project site to provide for the ultimate right-of-way of 84 feet for South Coast Highway.

Development Plan (D20-00016) represents a request to:

Demolish an existing automotive service center with several associated outbuildings in order to develop a 54-unit mixed-use condominium development with 3,244 square-feet of ground floor commercial space designed within one large four story building. The proposed development would include three (3) ground floor commercial suites fronting along South Coast Highway, and three (3) levels of residential condominium units on top of the proposed common parking garage for the fifty-four (54) condominium units. Direct access to the commercial space is designed within individual walkways along South Coast Highway. In addition to the commercial space, the first (1st) floor of the building will include the covered open parking garage with a total of 77 spaces, two (2) trash enclosures, a utility room, machine room, electrical room, lobby/entrance, bike/storage space, two (2) elevators and two (2) common stairwells. The second (2nd) thru fourth (4th) floors of the building contain the fifty-four (54) condominium units, common open walkways, common stairs, common elevators, and private decks on each of the units. Additionally, a common area courtyard is located on the second (2nd) floor, atop the garage podium. A common view deck is located on the fourth (4th) floor at the corner of South Coast Highway and Morse Street that provides a resident amenity and an architectural design feature at this corner. The common area courtyard and rooftop view deck will have amenities designed for social interaction amongst the future residents that include but are not limited to outdoor sofas, lounge chairs, fire pits, umbrellas, and BBQ's with details determined during the final design of the project. Bicycle/storage areas for future residents are an important feature of this transit-priority project, and ample areas will be provided on the ground floor as well as in locations on the second (2nd) thru fourth (4th) floors. The flat rooftop areas will be utilized for utility installations, including condensers, vents, and solar panels to provide service to the units in the building. Air conditioning units shall be located on the rooftop of in the areas shown on the architectural plans and shall be screened accordingly.

See Table 1 below for a detailed analysis of the unit data:

Table 1: Unit data

Unit #'s	Type*/Plan Type	Unit Size (sq. ft.)	Bedrooms/Baths (BR/Ba)
3,4,15,22,23,34,41,42,51	R/1	1,001 sq. ft.	2 BR / 2 BA
8,9,12,13,27,28,31,32,46,47	R/2	1,026 sq. ft.	2 BR / 2 BA
5,6,16,17,18,24,25,35,36,37,43,44,52,53,54	R/3	1,229 sq. ft.	2 BR / 2 BA
1,2,10,11,14,20,21,29,30,33,39,40,48,49,50	R/4	1,336 sq. ft.	3 BR / 2 BA
7,26,45	R/5	1,543 sq. ft.	3 BR+Office / 2 BA

Unit #'s	Type*/Plan Type	Unit Size (sq. ft.)	Bedrooms/Baths (BR/Ba)
19,38	R/6	1,629 sq. ft.	3 BR +Office/2 BA
1	C/1	1,200 sq. ft.	NA
2	C/2	1,005 sq. ft.	NA
3	C/3	1,039 sq. ft.	NA

*Residential (R), Commercial (C)

The subject development plan has been prepared pursuant to Articles 11C, 30, 31, 41 and 43 of the Oceanside Zoning Ordinance. As attached (Attachment No. 3), the subject mixed-use development meets the Section 1140C(Q) regulations and findings as specified within the Zoning Ordinance compliance section within this report.

Parking and Vehicle Circulation

Per Article 30 Site Regulations Section 3032 (L)(2), Affordable Housing Density Bonus Vehicular Parking Ratios are applied to projects that incorporate an affordable housing component into the development. The Oceanside Zoning Ordinance requires a maximum parking ratio inclusive of handicapped and guest parking for the condominium units to provide 0.5 spaces per bedroom. As specified in the table below (Table 2), the density bonus residential parking requirement of 0.5 spaces per bedroom will require sixty-four (64) spaces for the proposed thirty-four (34) 2 Bedroom units and twenty (20) 3 bedroom units which is met with the sixty-six 66 spaces provided. The additional eleven (11) parking spaces are required for the commercial spaces. A total of 77 parking spaces have been provided.

Type Of Use	Number Of Units/Sf	Parking Required (Per State Density Bonus Rates For Residential Units)	Space Per Use	Project Parking Provided
2 Bedroom Unit	34	0.5 space per bedroom	34	34
3 Bedroom Unit	20	0.5 space per bedroom	30	30
Residential		0	0	2 (Guest)
Commercial*	3,244 sf	1/300 sf	11	11
	TOTAL		75	77**

*A reciprocal parking arrangement will be included to allow for residents and visitors to use the eleven (11) commercial parking spaces during non-business hours with language being added into the project CC&Rs for this parking arrangement.

**The project will be installing ten (10) EV charging stations in the residential parking spaces and one (1) EV charging station for the commercial parking spaces.

The project meets the requirements of Section 3032(L)(2) as follows:

- The project includes the maximum percentage of low-income or very low income units (i.e. 11% very low income)
- The site is located within one-half mile of a major transit stop (i.e. Coast Highway Sprinter Station 0.4 miles)
- Unobstructed access exists to the major transit stop from the development (i.e. public sidewalk) as there is no natural or constructed impediments from the proposed project to the Coast Highway Sprinter Station.

A more detailed analysis showing compliance with the parking regulations is with the project description and attached (Attachment No. 3) to this report.

Landscape

The Conceptual Landscape Plan (CLP) provides a plant palate that embraces the coastal environment by utilizing a planting design that balances compliance with stormwater management requirements, while enhancing the neighborhood, creating curb appeal and establishing walkability along all three frontages.

The plan features landscape ground cover, low lined shrubs and trees within the perimeter of the site, as well as within the raised decorative stone veneer BMP Stormwater Planters along S. Coast Highway, Morse Street, and the southern property line which is to function as stormwater treatment and to provide visual separation from the street to the project. The frontage landscaping provides an aesthetically pleasing buffer from the street. The building and the landscaping would assist in physically enhancing the site and the neighborhood.

Regular Coastal Permit (RC20-00010) represents a request to:

Create a vertical Mixed-Use project within the LCP City-jurisdictional boundaries. A Regular Coastal Permit is required to be processed due to the location of the property within the non-appealable area of the Local Coastal Program, and the requirement by the City's Zoning Ordinance to submit a Tentative Subdivision Map and Development Plan for Planning Commission review and approval. The proposed project complies with the objectives and policies of the City's Local Coastal Program and is compatible with the Local Coast Program Land Use Plan. The site is subject to the public access and recreation policies of Chapter 3 of the Coastal Act. Consistent with these policies, the proposed project would not impede public access to the coast or diminish opportunities for visitor-serving recreation uses with the Coastal Zone. The proposed commercial spaces would likely serve visitors as well as local users. The proposed project would be contiguous with the existing developed areas with adequate public services and would enhance the scenic and visual qualities of the Coastal Zone.

Density Bonus (DB20-00001) represents a request to:

Allow an increase in density by 35% above the maximum density of one unit per 1,000 square feet. The maximum potential density for the site is 40 units (39.64 units rounded up). In exchange for reserving 11% (or 5 very low-income units), the project is allowed a 35% density bonus that would provide 14 additional units above the maximum allowed, which equals a total of 54 total units. 49 of the units will be sold for market rate, while the remaining five units will be allocated as affordable to very-low income households, per the State Density Bonus Law. The affordable units will be proportional to the overall project in unit size, will be and dispersed throughout the project and will have access to all amenities available to market rate units.

State Density Bonus Law requires local governments to provide density bonuses and other incentives to developers of affordable housing who commit to providing a certain percentage of dwelling units to persons whose incomes do not exceed specific thresholds. Essentially, "Density Bonus" was established in order to allow more dwelling units than otherwise allowed on the site by the applicable General Plan Land Use designation. In addition, the density bonus provisions permit local municipalities to establish city requirements for density bonus, which the project is subject to and is highlighted in the analysis section of this report.

In addition to the density bonus, State Law entitles projects to a specific number of incentives or concessions that allow the provision of the affordable units to be financially feasible; and requires the local jurisdiction provide an unlimited number of "waivers" of development standards that would physically preclude projects that qualify for a density bonus. State Law prohibits the City from denying any waiver unless findings are made that an adverse impact on public health or safety will result, based on an objective, written standard. The developer is not requesting any of its allowable incentives or concessions under the State Density Bonus Law. They are however requesting two waivers from the City's Zoning Ordinance development standards. The project waivers are described as follows:

Waiver No. 1: A request for relief from the fifteen 15-foot front yard setback requirement on South Freeman Street. The project proposes a waiver of the front yard and landscape setback area requirement on South Freeman Street to allow a 0-foot setback.

The property is considered a double frontage lot per Oceanside Zoning Ordinance Section 330 (Definitions) and Section 1140(O) because of the two shorter frontages along a public street. The site would otherwise be required to provide a fifteen 15-foot front yard setback along South Freeman Street along with a minimum five 5-foot deep landscape setback area. Based on the development pattern of the area, South Freeman Street functions as a minor through street or an alley access to many of the adjacent residential homes located to the east and acts as minor rear access for the adjacent business to the south. Essentially South Freeman Street has been functioning as an alley for years based on the development pattern. The existing uses along this portion of South Freeman Street commonly have treated South Freeman Street as their rear yard, with 0-

foot setbacks for garages and other structures. This includes both the commercial uses along the west side of South Freeman Street, which front on South Coast Highway and the residential lots on the east side of South Freeman Street, which front on Alvarado Street. The existing automotive/service building on the project site has a 0-foot setback along South Freeman Street currently as well. This waiver is necessary, due to the constraints that limit development from the double frontage front yard setback on South Freeman Street and landscape setback area would require a reduction in the buildable site area, parking and number of residential units. This would physically preclude the construction of the project with the number of units allowed under the Density Bonus provisions. With the other building setbacks, landscaping, design and architectural features and other elements of the project shown in the project plans, the granting of this waiver would not result in specific, adverse impacts on public health and safety per an objective written standard or the physical environment or a registered historic resource and is not contrary to state or federal law.

Waiver 2: A waiver request for relief from Oceanside Zoning Ordinance Section 1140(C) and Section 3015(B)(e) for planting boxes or masonry planters to extend more than two (2) feet into the required front yard and corner side setbacks along South Coast Highway & Morse Street. The project design includes podium construction with residential units above the ground level parking garage. In order to allow the number of units allotted under the Density Bonus provisions to be built and comply with the City of Oceanside Storm Water Regulations, the project is proposing to construct raised BMP Planters that do not exceed forty-two (42) inches in height along South Coast Highway, Morse Street, and the southern property line. Due to the required BMP treatment areas needed for the proposed project, the raised BMP planters will need to encroach more than the two (2) feet into the front-yard and corner side yard setbacks as permitted under OZO Section 3015(B)(e). The raised BMP Planters would be architecturally enhanced with stone veneer and would be planted and irrigated with complimentary and attractive landscaping as permitted by the City of Oceanside Landscape and Storm Water guidelines for BMP planters. This waiver is necessary because compliance with the projection into yards standard for planting boxes or masonry planters would physically preclude the construction of the project with the number of units allowed under the Density Bonus provisions. With the other building setbacks, landscaping, design and architectural features and other elements of the project shown in the project plans, the granting of this waiver would not result in specific, adverse impacts on public health and safety per an objective written standard or the physical environment or a registered historic resource and is not contrary to state or federal law.

The project is subject to the following ordinances and City policies:

1. General Plan Land Use Element
2. Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act (CEQA)
5. Local Coastal Program

ANALYSIS

1. General Plan Conformance

The General Plan Land Use Map designation on the subject property is (C2) General Commercial. Staff has evaluated the request to allow for the construction of a vertical mixed-use project consisting of a four-story freestanding development with 54 residential condominium units and 3,244 square-feet of ground floor commercial space. Staff has determined that the proposed development is consistent with the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related uses.

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

The proposed mixed-use development would create a 54 unit residential condominium units and 3,244 square feet of ground floor commercial space and would implement the goals and objectives specified in the General Plan and be in compliance with the State Density Bonus goals of maximizing density. The project meets all required development standards of the C-2/CZ zoning district, with the exception of the two (2) requested waivers of the aforementioned development standards as permitted under State Density Bonus Law. This proposed development would be compatible with surrounding developments in terms of land use, density, and lot size. The proposed four (4) story mixed use development is consistent with many of the existing and proposed mixed-use developments along South Coast Highway. The existing developments within the neighborhood range from one to two-story single-family and two to three story multi-family complexes, commercial and office developments. The Morse Street Townhome project located directly north from the project site along Morse Street was recently developed as a three-story condominium project and is similar in terms of density, scale, and architectural features, materials, and enhancements as the proposed development. Given the wide range of aforementioned developments within the area, the proposed development provides an additional eclectic and aesthetic design to the neighborhood and is consistent with the goals of the Coast Highway Corridor Study and Coast Highway Vision and Strategic Plan for development along South Coast Highway. The project is a high-density in-fill residential and commercial development on under-utilized property along South Coast Highway, within 0.4 miles of mass transit, and consistent with the expectations of the Coast Highway Vision Plan and Corridor Study.

Goal 1.16 Housing

Objective: To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

Policy A: The City shall strive to maintain a reasonable balance between rental and ownership housing opportunities, between senior and family housing, and encourage a variety of individual choices of tenure, type and location of housing throughout Oceanside.

The proposed four-story freestanding mixed-use development with 54 residential condominium units and 3,244 square-feet of ground floor commercial space would provide for individual ownership of the residential units within the City of Oceanside. The project would add to the variety of existing housing types available within the area, which includes single-family homes and condominiums.

The Regional Housing Needs Assessment (RHNA) for the Sixth Housing Element Cycle (2021-2029) estimates that the City of Oceanside will experience demand for more than 5,443 new dwelling units over the eight-year period. By contributing 49 new market-rate dwelling units to the City's existing housing stock, the proposed project would assist in meeting the projected housing demand. In addition, the site will provide 5 very low income units, that would add to the City's affordable housing stock.

Goal 1.23 Architecture

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

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

The project would enhance its surroundings through landscaping, architectural design, and the use of high-quality materials. The contemporary architectural design draws from many of the eclectic and recently developed in-fill Urban Beach architecture design projects within the City. Staff received comments regarding the architecture and the applicant worked with staff to design a product that would address the public's concerns and enhance the development.

There are detailed architectural features on each of the four (4) building elevations. The architecture is designed with a combination of flat roofs & pitched roofs to accommodate utility features (including solar and condenser units) with a view deck on the 4th level at the corner of South Coast Highway/Morse Street, architectural pop outs (1st floor to 4th floor), varied windows, varied vertical roof & parapet projections, and common stairways and elevators from the ground floor to the common 4th floor view deck area.

The elevations are detailed with numerous pop outs, such as decks, decorative metal railing, horizontal fiber cement lap siding, vertical metal siding, stucco details, varied window trims, metal awnings, metal roofs, outlookers, as well as recessed openings and windows. In addition, the architect has used differing color schemes and textures on elevations to create a unique design complimentary to the Urban Beach style of architecture on all four (4) sides of the building. Building materials utilized by the project include stucco, fiber cement lap siding, metal siding, stone veneer, trim, decorative decking and railing, and fascia. The varied use of colors on all units creates an attractive and varying street scene from all four (4) sides of the building. Large windows and details at the commercial spaces and lobby further enhance the building as well along with the two (2) proposed enhanced entry tower elements on South Coast Highway & South Freeman Street. The overall design, form, and materials will contribute toward improving the visual image of the surrounding neighborhood and City image.

2. Zoning Ordinance Conformance

The project site is located within the General Commercial Coastal (C-2/CZ) zoned area of Oceanside, which allows for commercial, office uses, and mixed-use developments with the approval of a Conditional Use Permit. The Conditional Use Permit is not required, because of State Density Bonus Law Section 65915(f)(5) that states the granting of a density bonus shall not require, or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. As such, the additional approval of a Conditional Use Permit to allow for residential construction within the C-2/CZ as part of the State Density Bonus application would constitute a further approval not required by state law which would restrict the use of a density bonus provisions under Chapter 4.3 Density Bonuses and Other Incentives [65915-65918] of California law.

The applications associated with the proposed project include a request for approval of a Tentative Subdivision Map, Development Plan, a Coastal Permit, and Density Bonus. The proposed mixed-use development project is subject to the regulations and provisions within Zoning Ordinance Section 1140C(Q). Table 2 below has been provided to illustrate the development standards per Zoning Ordinance Article 11C, based on the proposed mixed-use development plan application.

TABLE 2: DEVELOPMENT STANDARDS

Development Standard	Required	Proposed
Lot Area	NA	0.91 acres or 39,639.6 sq. ft. (existing)
Density	1 DU/1000 SF Lot AREA	59.34 DU/AC (54 Units)*
Front Yard Setback	50 ft. from Centerline of S. Coast Highway	52 ft. from Centerline of S. Coast Highway
Side Yard Setback	0 ft.	5 ft.
Corner Side Yard (Morse St)	10 ft.	10 ft.
Rear Yard/Double Front Setback (S. Freeman Street)	15 ft.	0 ft. (Per Requested Waiver)
Maximum Height**	45' to ceiling/4 stories	4 Stories (Roof Top for Condensers, Vents, & Solar)
Minimum Landscaping	N/A	12%
Lot Coverage	N/A	86%
Off-Street Parking***	Residential: 64 spaces Commercial: 11 spaces Total: 75 spaces	77 Spaces

*See Zoning Ordinance Section 3032 Affordable Housing Density Bonus and State Density Bonus Law Discussion below.

**Section 3018 Exceptions to Height Limits Item B(1)(4) Structures Subject to Discretionary Review allows for certain structures to exceed applicable base zoning district limits by no more than 10 feet if determined to be in compliance with section 3018.B provisions. The proposed elevator and architectural building design elements and articulation meets the criteria and do not provide any living area or accessible rooftop deck that can be occupied.

*** The total required parking for the residential units and commercial spaces for the project is seventy-five (75) parking spaces. The common parking garage will provide a total of seventy-seven (77) parking spaces consisting of eleven (11) commercial parking spaces, sixty-six (66) residential parking spaces. Three (3) handicap/van accessible parking spaces have been included to service both the residential and commercial uses as well. Bicycle parking/storage on both the ground floor parking garage and on the upper levels will be provided to comply with Section 3108.

To ensure the proposed development does not overburden the surrounding circulation system beyond design capacity, a traffic analysis was prepared that analyzed existing and proposed conditions in the project vicinity and the project's impacts regarding vehicle miles traveled. The project is calculated to generate 390 additional daily trips (ADT), which is less than the 1,000 ADT threshold for a full VMT Analysis. Therefore,

the project is screened out and further VMT Analysis is not required. In addition, the project is located within a TPA (Transit Priority Area) and within ½ mile walking distance (i.e. 0.4 miles) from the Coast Highway Sprinter Station and meets the definition of a Transit Priority Project and therefore a transportation VMT CEQA Analysis is not required.

The proposed mixed-use development meets the Oceanside Zoning Oceanside regulations and the developer has proposed two waivers to development standards as allowed under the State Density Bonus Law. Staff finds the project consistent with the proposed development standards within Zoning Ordinance Section 1140C(Q), which regulates mixed-use developments in the Coastal Zone.

Please see Planning Commission Resolution No. 2021-P30 for the required findings for Tentative Map (T20-00005), Development Plan (D20-00016), Coastal Development Permit (RC20-00010) and Density Bonus (DB20-00001) (Attachment No. 1).

Zoning Ordinance Section 3032 Affordable Housing Density Bonus and State Density Bonus Law

The following is a brief synopsis of the City’s Density Bonus Provisions and the State Density Bonus Law (Density Bonus) and includes a discussion about how Density Bonus has been implemented with the project. Staff utilizes the term Density Bonus throughout the discussion in reference to both the City’s adopted density bonus provisions and State Density Bonus Law. The Density Bonus offers incentives to developers who provide on-site affordable housing. Three categories of benefits (described in detail below) are included in the Density Bonus to incentivize the provision of on-site affordable housing.

First, the Density Bonus allows developers a maximum 50% density increase above the maximum allowable density allowed under a given General Plan Land Use category. Density Bonus provides a clear and non-negotiable metric for determining the permitted density bonus, up to 50% above a given site’s maximum potential density. Table 3 below summarizes the density bonus based on the level of affordability for this project.

Table 3: Density Bonus by Income Category

Restricted Affordable Units or Category	Minimum % of Restricted Affordable Units	% of Density Bonus Granted
Very Low Income 50% AMI or below	11%	35%

The applicant is proposing to reserve 11% of the proposed units for the Very Low Income category in return for a 35% increase in density above the otherwise potential density of 39.64 units rounded up to 40 units for the site. This would permit a density bonus of (35% above the allowable 40 units at the site) 14 additional units for a total of 54 units (40 units + 14 units). The density calculations for the project are as follows:

Base Density Calculation: Gross Site Area x Maximum Potential Density of the zoning district = Base Density (note Density Bonus requires the rounding up of any fraction to the next whole number when calculating density).

0.91 acres x (1 unit/1000sf) 39.64 = 39.64, Rounded up is **40** dwelling units.

Affordable Homes Calculation: The project proposes to provide 11% of the units as affordable to Very-Low Income households. Per State Density Bonus Law, affordable unit percentage is calculated excluding units added by a Density Bonus. (The Density Bonus requires that the % of income restricted units be based on the base density calculation and does not include the additional units afforded by Density Bonus).

11% x 40 units (base allowable) = 4.4 Rounded up to **5 Very-Low-Income units**

Density Bonus Calculation: Under Density Bonus Law, the provision of 11% very-low-income units allows the applicant to receive a maximum density bonus of 35%, allowing 14 additional market-rate units to be constructed.

Base Density x % of Density Bonus granted = # of density bonus units

40 units x 0.35 (density bonus) = Additional market-rate total of 14 units

The applicant is proposing **54** total dwelling units, with **5** of these dwelling units reserved for sale or rent to persons meeting the income criteria for the Very Low-income category. The density proposed is consistent with the allowances of Density Bonus.

In addition, the Density Bonus allows developers to request waivers from any development standard in order to physically accommodate their project – with the increased density – on a site. Density Bonus offers project sponsors an unlimited number of waivers from development standards if they are necessary to achieve the increased density permitted under Density Bonus and with the concessions or incentives requested. The proposed waivers are described on page 6 of this report. There are very limited circumstances where the City may deny a waiver. Under Density Bonus, a waiver may only be denied if it would have a “specific, adverse impact upon health, safety, or the physical environment” per a written objective standard (as defined in Government Code Section 65589.5(d)(2) [see Attachment 3]) or it would have an “adverse impact on any property listed in the California Register of Historical Resources.”

The City does not have any other discretion or rationale for denying requested waivers if they are necessary to physically accommodate additional density in a proposed project.

Staff finds that the project as proposed complies with all applicable provisions of the Zoning Ordinance and recommends that the Planning Commission approve the project subject to the conditions of approval contained in Resolution 2021-P30 included as Attachment No. 2 to the staff report.

3. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance. Pursuant to Section 401 of the Subdivision Ordinance, this proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Division. The property is a legally subdivided lot with the minimum lot area and dimensions. The new lots will meet the minimum lot size and meet the requirements of the Subdivision Ordinance.

4. Environmental Determination

Planning Division staff has completed a preliminary review of the proposed project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA) of 1970. Based upon this review, staff finds the proposed project is categorically exempt pursuant to Article 19 Categorical Exemptions, Section 15332 "In-Fill Development." The site is less than 5 acres and is located in an urbanized area, and would not result in any significant environmental effects on air, water, noise or traffic.

5. Local Coastal Program (LCP) Conformance

The project is located in the Non-Appealable Jurisdiction area of the *LCP Certification Permit and Appeal Jurisdiction Map*. The proposed Tentative Map, Development Plan, Regular Coastal Permit and Density Bonus would conform to the Local Coastal Program (LCP), including policies that require development to maintain the character of the existing neighborhood. Staff's analysis centered on the project's compatibility with the surrounding neighborhood in terms of product type, density, and scale.

The LCP requires that the visual qualities of the coastal zone be protected and that new development be sited and designed to be visually compatible with the character of surrounding areas. The proposed condominium development would not impact public coastal views, because the site is not within a public coastal viewing area.

The project would not impact public coastal access, because the site is not located within a public coastal access pathway and is not 300 feet from the coastal shoreline, as per LCP Section Public Coastal Access (I.C). Thus, access to the coast would not be impacted by the development.

Lastly, public coastal parking would not be removed by the development of the project. Access to the site would be via S. Freeman Street, which meets the City requirements for driveway access. In addition, on-street public parking would be introduced and added along Morse Street as a result of the removal of the two (2) existing driveways. The proposed development would provide curb, gutter and sidewalk along South Freeman Street for additional on-street parking areas. Therefore, the parking impacts would be improved with the proposed development and additional parking would be provided for public use.

The proposed project complies with applicable components of the LCP, including those that speak to public coastal views, access to the shoreline, and the provision of adequate parking.

DISCUSSION

Issue: Will the proposed mixed-used development be compatible with the existing neighborhood and surrounding properties. How will the project improve the quality of the neighborhood and quality of life?

The proposed mixed-use development is comprised of 54 condominium units with an attached 3,244 square-foot ground floor commercial space with the South Oceanside Neighborhood.

Staff finds that the proposed development would be compatible in bulk and scale with the surrounding built environment along South Coast Highway. The project will exhibit an architectural style that is complementary to the mix of single-family, multi-family, commercial, and office in the neighborhood and will provide a height and overall scale that is consistent with the pattern of redevelopment along S. Coast Highway. The project is a high-density in-fill residential and commercial development on under-utilized property along South Coast Highway, within 0.4 miles of mass transit, and consistent with the expectations of the Coast Highway Vision Plan and Corridor Study. The project will provide additional housing and commercial options for the community and visitors.

PUBLIC NOTIFICATION

Legal notice was published in the newspaper and notices were sent to property owners of record within a 1,500-foot radius and to occupants/tenants within a 100-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. As of the date of completion of this staff report, several letters and emails opposing the subject project have been received in response to the notice of public hearing. A response to the community emails, community concerns and comments are provided in the attached (Attachment No. 3) Community Outreach Plan and Summary of Responses as detailed by the Lightfoot Planning Group.

In accordance with City Council Policy 300-14 "Enhanced Notification Program", a "Notice of Application" sign was posted and maintained on the project site.

Due to Executive Order N-33-20 issued by the Governor of the State of California in regards to COVID-19, all public or private "gatherings," the applicant sent out a mailer to all of the owners and occupants within 1,500 feet of the project site along with the City's interested parties describing project features, a site plan, a rendered elevation, a link to the City's eTrakit site, and another online location such as Dropbox where all application materials can be viewed. All parties were given a name, phone number, and email to contact the applicant's representative in order to make comments, ask questions, request additional information, and to discuss the project in general, and were asked to do so within a 30-day comment period. Comments letters were received directly by the City and reviewed by the applicant, and calls received directly by the applicant representative from the community were responded to and questions answered.

South Oceanside neighborhood groups expressed an interest in having a meeting and presentation for their members. Because of Covid-19 protocols, this was held as an online presentation during one of their regular meetings over Zoom on April 14, 2021. A list of participant names is not available because this was held through the neighborhood group's Zoom account, but there were approximately 25-30 participants. The neighbors felt that someone representing the City needed to be at the meeting so a second Zoom meeting was held on May 4, 2021 with City participation. A letter in response to some of the first meeting comments and questions was sent to the head of the neighborhood group ahead of the second meeting for their review. As with the previous meeting, we do not have access to a list of attendees but the number of was similar to the first meeting. Based on comments from the meeting and from Staff, the proposed building colors were lightened on all four (4) sides of the building. A varied roof plane created via a combination of flat and pitched roof articulation was added and additional enhancements and articulation to the two (2) project entry towers were provided. For reference, a copy of the mailer and the response letter are attached.

SUMMARY

Staff finds that the Tentative Map, Development Plan, Coastal Development Permit and Density Bonus are consistent with the requirements of the General Plan, Local Coastal Program, Zoning Ordinance and Subdivision Ordinance. Therefore, staff recommends that the Planning Commission, by motion:

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map, Development Plan, Coastal Development Permit and Density Bonus by adopting Planning Commission Resolution No. 2021-P30 with findings and conditions of approval attached herein.

PREPARED BY:

SUBMITTED BY:


Scott Nightingale
Senior Planner


Jeff Hunt
City Planner

JH/SN/fil

Attachments:

1. Planning Commission Resolution No. 2021-P30
2. Project Plans (Online)
3. Other Attachments – Application Page, Description and Justification with Mixed Used Development Plan and Density Bonus Calculations, Community Outreach Plan and Summary of Responses Legal Description, Notice of Exemption (Online)

ATTACHMENT 1

1 PLANNING COMMISSION
2 RESOLUTION NO. 2021-P30

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 TENTATIVE MAP, DEVELOPMENT PLAN, COASTAL
6 DEVELOPMENT PERMIT AND DENSITY BONUS ON CERTAIN
7 REAL PROPERTY IN THE CITY OF OCEANSIDE

8 APPLICATION NO: T20-00005, D20-00016, RC20-00010, DB20-00001

9 APPLICANT: Hallmark Development Corp.

10 LOCATION: 1602 S. Coast Hwy. APN: 153-112-01

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms
14 prescribed by the Commission requesting a Tentative Map, Development Plan, Coastal
15 Development Permit and Density Bonus to construct a 4-story mixed-use development consisting
16 of 54 condominium units with five of the units dedicated to Very Low Income housing and 3,244
17 square-feet of ground floor commercial space located on an approximate 0.91-acre site at 1602
18 south coast highway within the south Oceanside neighborhood planning area;

19 WHEREAS, the Planning Commission, after giving the required notice, did on the
20 27th day of September 2021 conduct a duly-advertised public hearing as prescribed by law to
21 consider said application;

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

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

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

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Public Facility (Commercial/Industrial)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
School District Fee (Residential)	Ord. No. 91-34 OUSD Res. 13(12-13) CUSD Res. 21-1314
School District Fee (Commercial/Industrial)	Ord. No. 91-34 OUSD Res. 13(12-13) CUSD Res. 21-1314
Traffic Signal & Thoroughfare (Multi-Family Residential)	Reso. No. 16-R0324-1 Reso. No. 12-R0626-1
Traffic Signal & Thoroughfare (Commercial/Industrial)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Ord. No. 85-23 Reso. No. 16-R0638-1
Wastewater System Capacity Buy-in Fee (Non-Residential and Multi-Family Residential)	Reso. No. 87-97 Ord. No. 15-OR0479-1 City Code 37.7.37
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37
San Diego County Water Authority (Residential and Non-Residential)	SDWA Ord. 2017
Inclusionary Housing Administration Fee	Chapter 14C.9 of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

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

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

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

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

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

11 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603(D), this resolution
12 becomes effective 20 days from its adoption in the absence of the filing of an appeal or call
13 for review;

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

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

19 FINDINGS:

20 For Tentative Map (T20-00005):

- 21 1. That the proposed Tentative Map is consistent with the General Plan of the City by
22 meeting and exceeding lot size requirements and other applicable provisions of the
23 Zoning Ordinance, Subdivision Ordinance, and Local Coastal Program. The
24 subject property bears a zoning designation of General Commercial Coastal (C-
25 2/CZ), which does not have a minimum lot size requirement. The property would
26 consist of one lot of approximately 0.91 acres. In addition, the project is consistent
27 with Goal 1.16 of the Land Use Element and Goal 3 of the Housing Element as it
28 relates to the provision of affordable housing.

- 1 2. The site is physically suitable for the type and proposed density of development
2 because the 0.91-acre project site is not significantly constrained by geology,
3 hydrologic hazards, sensitive or protected habitat, easements or other limiting
4 features based on the proposed project design. The site of the proposed mixed-use
5 condominium residential subdivision is located within an area that includes
6 commercial and residential. The proposed density of the project at 59.34 dwelling
7 units per acre is comparable with residential densities in many mixed-use
8 developments throughout the city.
- 9 3. That the design of the subdivision or the proposed improvements will not cause
10 substantial environmental damage or substantially and avoidably injure fish or
11 wildlife or their habitat. The subject property is located in a highly urbanized area,
12 has been previously graded and contains no sensitive habitat.
- 13 4. That the design of the subdivision or the type of improvements meets City standards and
14 will not conflict with easements, acquired by the public at large, for access through or the
15 use of property within the proposed subdivision. There are no easements, acquired by the
16 public at large, for access through or the use of the subject property.
- 17 5. The subdivision complies with all other applicable ordinances, regulations and
18 guidelines of the City of Oceanside because the proposed tentative tract map
19 conforms to the requirements of the City's Subdivision Ordinance (Section 401).

20 For the Development Plan (D20-00016):

- 21 1. That the site plan and physical design of the project as proposed is consistent with
22 the purposes of the Zoning Ordinance. All project design elements and
23 development standards conform to the Zoning Ordinance and the project will create
24 additional housing stock for individual home ownership within the City.
- 25 2. The Development Plan as proposed conforms to the General Plan of the City. The
26 proposed mixed-use development includes 54-residential condominiums with an
27 attached ground floor commercial space is consistent with the adopted Land Use
28 Element of the General Plan and other applicable policies, and is compatible with

1 surrounding development consisting primarily of single-family homes, multi-
2 family dwelling units and commercial land uses surrounding the site.

3 3. That the area covered by the Development Plan can be adequately, reasonably and
4 conveniently served by existing and planned public services, utilities and public
5 facilities. All water, wastewater, and electrical service will be provided within
6 existing public streets to the site. The Development Plan includes adequate
7 provisions for utilities, services, and public service demands will not exceed the
8 capacity of existing and planned systems.

9 4. That the project as proposed is compatible with existing and potential development
10 on adjoining properties or in the surrounding neighborhood. The approval of the
11 proposed project will be subject to conditions that, in view of the present zoning
12 and use of the subject property, provide the same degree of protection to adjoining
13 properties, including protection from unreasonable interference with the use and
14 enjoyment of said properties and any potentially adverse impacts on the public
15 peace, health, safety and welfare. The siting and architecture of the proposed
16 project would minimize potential adverse massing impacts on adjacent properties
17 through the use of adequate setbacks, articulated facades and high-quality finish
18 materials. The project has provided on-site private parking within a parking garage
19 for each unit accessed by the way of South Freeman Street, which eliminates
20 multiple curb cuts and retains on-street parking opportunities along Morse Street.
21 To further ensure parking is properly used by the residents and tenants, the project
22 has been conditioned to only utilize the enclosed garage for parking purposes. To
23 accommodate additional parking opportunities, the designated commercial spaces
24 will be available for residents and guest outside of the commercial operating hours
25 as specified in the operational management plan.

26 5. That the site plan and physical design of the project is consistent with the
27 Objectives 1.24 and 1.25 of the General Plan Land Use Element Community
28 Development Goals. Additionally, the proposal is consistent with Section 3039

1 Hillside Development Provisions of the Zoning Ordinance, because the
2 developable site area is a relatively flat lot, so the hillside provisions are not
3 applicable.

4 For the Regular Coastal Permit (RC20-00010):

- 5 1. The proposed project is consistent with the policies of the Local Coastal Program as
6 implemented through the Zoning Ordinance. The placement and design of the proposed
7 project would be visually compatible with the character of surrounding areas. The
8 proposed project would not substantially alter or impact existing public views of the
9 coastline.
- 10 2. The proposed project would not obstruct any existing or planned public beach access,
11 thereby conforming to the policies of Chapter 3 of the Coastal Act.

12 For the Density Bonus (DB20-00001):

- 13 1. The affordable units will be reserved for tenancy by persons within the Very Low
14 income category as outlined in the Affordable Housing Regulatory Agreement
15 prepared for the project.
- 16 2. The affordable units have been designed to be proportional to the project's market
17 rate units in terms of floor plan, square footage, and exterior design. The five (5)
18 designated affordable units consist of three units with 2 bedrooms and two units
19 with 3 bedrooms residences in the same architectural vernacular as the market rate
20 units. The affordable units have been interspersed throughout the condominium
21 complex project site and will have a similar appearance as the market rate units.
- 22 3. The restricted covenant associated with the affordable units will be for a period of 55 years
23 as described in the Affordable Housing Regulatory Agreement prepared for the project.
- 24 4. The maximum allowable rent for the project's affordable units comply with the law
25 for the Very Low-income category and are outlined in the Affordable Housing
26 Regulatory Agreement prepared for the project.
- 27 5. The project's affordable units are intended to be part of the City's Affordable
28 Housing rental stock. Therefore, availability at affordable housing costs, as defined

1 in Health and Safety Code Section 50053.

2 6. The project's affordable units will be for sale and/or rented. The units will be sold or
3 rented to individuals that meet the criteria for the specified very low-income rate as
4 defined in Health and Safety Code section 50053.

5 7. Affordable Housing Regulatory Agreement prepared for the project outlines the
6 reporting requirements consistent with Section 3032(M)(7) of the Zoning Ordinance.

7 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
8 hereby approve Tentative Parcel Map (T20-00005), Development Plan (D20-
9 00016), Regular Coastal Permit (RC20-00010), and Density Bonus (DR20-00001)
10 subject to the following conditions:

11 **Building:**

12 1. The granting of approval under this action shall in no way relieve the applicant/project
13 from compliance with all Current State and local building codes.

14 2016 Triennial Edition of CCR, Title 24. The 2016 triennial edition of the California
15 Code of Regulations, Title 24 (California Building Standards Code) applies to all
16 occupancies that applied for a building permit on or after January 1, 2017, and
17 remains in effect until the effective date of the 2019 triennial edition which will be
18 January 1, 2020. Beginning on January 1, 2020, Oceanside Development Services
19 (ODS) is required by State law to enforce the 2019 Edition of California Building
20 Standards Codes (a.k.a., Title 24 of the California Codes of Regulations). Every
21 three years, the State adopts new model codes (known collectively as the California
22 Building Standards Code) to establish uniform standards for the construction and
23 maintenance of buildings, electrical systems, plumbing systems, mechanical
24 systems, and fire and life safety systems. Sections 17922, 17958 and 18941.5 of
25 the California Health and Safety Code require that the latest edition of the
26 California Building Standards code and Uniform Housing Code apply to local
27 construction 180 days after publication. All architects, engineers, designers,
28 developers, owners and contractors MUST be familiar with the codes in effect at

1 the time of plan submittal. ODS, as required by State law, CANNOT approve
2 projects that do not comply with the codes in effect at the time of plan submittal.
3 All projects submitted before or on December 31, 2019 are permitted to comply
4 with the 2016 Edition of the California Building Standards Code.

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

6 a. Clearly identify on plans whether there are any incidental use areas that are
7 separated from other portions of the building pursuant to CBC.

8 b. The protection used for incidental use areas may include automatic fire
9 sprinklers, fire-resistance rated construction, or both. Identify such
10 protection in the incidental use areas on each floor plan.

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

12 a. Clearly identify on plans whether nonseparated uses will be utilized
13 pursuant to CBC 508.3.

14 b. Clearly acknowledge on the plans that the use of nonseparated occupancies
15 requires the most restrictive provisions of CBC 403 and Chapter 9 to apply
16 to the entire building.

17 c. The adjoining nonseparated uses must be clearly identified on all floor
18 plans, including the boundary of such areas

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

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

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

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

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

- 1 5. Where mixed occupancy buildings contain accessory areas, the aggregate area of
2 all accessory areas within a single occupancy shall not exceed 10% of the floor
3 area of the primary occupancy. (CBC 508.2.3)
- 4 6. Clearly label and identify on plans (fire walls, fire barriers, fire partitions, shafts,
5 smoke barriers, and smoke partitions), along with their fire-resistance ratings.
6 Provide a legend.
- 7 7. Submit an exit analysis plan that labels and clearly shows compliance with all
8 required egress features such as, but not limited to, common path of travel,
9 required number of exits, occupant load, required width, continuity, travel
10 distance, etc. (CBC 1001.1)
- 11 8. Means of egress doors shall be readily distinguishable from the adjacent
12 construction and finishes such that the doors are easily recognizable as doors.
13 Mirrors or similar reflecting materials shall not be used on means of egress doors.
14 Means of egress doors shall not be concealed by curtains, drapes, decorations or
15 similar materials. (CFC 1010.1)
- 16 9. The building plans for this project are required by State law to be prepared by a
17 licensed architect or engineer.
- 18 10. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the
19 plans.
- 20 11. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution
21 Ordinance) and shall be shielded appropriately.
- 22 12. Separate/unique addresses may be required to facilitate utility releases.
23 Verification that the addresses have been properly assigned by the City's
24 Planning Division shall accompany the Building Permit application.
- 25 13. A form or foundation survey shall be required prior to the placement of concrete
26 to show the location of the new structure in respect to the property lines, known
27 easements, and known setback lines. By obtaining a form survey the location of
28 the foundation is checked prior to the placement of concrete, and can save costly

- 1 corrective measures in case of an encroachment of a property line
- 2 14. The 2019 California Energy Code requires rooftop solar zones. Solar ready
3 rooftop required. Low-rise and High-rise Multi-family Buildings, Hotel/Motel
4 Occupancies, and Nonresidential Buildings. The solar zone shall be located on
5 the roof or overhang of the building or on the roof or overhang of another
6 structure located within 250 feet of the building or on covered parking installed
7 with the building project and have a total area no less than 15 percent of the total
8 roof area of the building excluding any skylight area.
- 9 15. The requirements for solar ready buildings are all mandatory, so there are no
10 prescriptive and performance compliance paths. Since the provisions are
11 mandatory, there are also no tradeoffs allowed, and applicants must demonstrate
12 compliance with each measure.
- 13 16. Exterior walls of all buildings shall comply with CBC table 705.2, CBC 705.5
14 Exterior Walls shall be fire resistance rated in accordance with Tables 601 and
15 602.
- 16 17. CBC 705.6 Structural elements that brace the exterior wall but are located
17 outside of the exterior wall or within the plane of the exterior wall shall have the
18 minimum fire-resistance rating required in Tables 601 and 602 for the exterior
19 wall.
- 20 18. CBC 1027.5 Location. Exterior exit stairways and ramps shall have a minimum
21 fire separation distance of 10 feet (3048 mm) measured at right angles from the
22 exterior edge of the stairway or ramps, including landings, to:
- 23 a. Adjacent lot lines
- 24 b. Other portions of the building.
- 25 c. Other buildings on the same lot unless the adjacent building exterior walls and
26 openings are protected in accordance with Section 705 based on fire separation
27 distance. For the purposes of this section, other portions of the building shall be
28 treated as separate buildings.

- 1 19. 1023.7 Interior Exit Stairway and Ramp Exterior Walls, Exterior walls of the
2 interior exit stairway or ramp shall comply with the requirements of Section 705
3 for exterior walls. Where nonrated walls or unprotected openings enclose the
4 exterior of the stairway or ramps and the walls or openings are exposed by other
5 parts of the building at an angle of less than 180 degrees (3.14 rad), the building
6 exterior walls within 10 feet (3048 mm) horizontally of a nonrated wall or
7 unprotected opening shall have a fire-resistance rating of not less than 1 hour.
8 Openings within such exterior walls shall be protected by opening protectives
9 having a fire protection rating of not less than 3/4 hour. This construction shall
10 extend vertically from the ground to a point 10 feet (3048 mm) above the topmost
11 landing of the stairway or ramp, or to the roof line, whichever is lower.
- 12 20. Site development, parking, access into buildings and building interiors shall comply
13 WITH ALL CURRENT State of California Accessibility Code where required.
- 14 21. A complete set of Soil Reports, Structural Calculations, Energy Calculations, &
15 California Title 24 Energy Form(s) shall be required at time of plans submittal to
16 the Building Division for plan check.
- 17 22. City of Oceanside Enforces the 2019 California Green Building Standards Code.
18 A Construction Waste Management Plan shall be required at time of plans
19 submittal to the Building Division for plan check.
- 20 23. 5.408.1 Construction waste diversion. Recycle and/or salvage for reuse a
21 minimum of 65 percent of the nonhazardous construction and demolition waste
22 in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local
23 construction and demolition waste management ordinance, whichever is more
24 stringent. A construction and demolition waste management ordinance that is
25 more stringent, submit a construction waste management plan that:
- 26 a. Identifies the construction and demolition waste materials to be diverted
27 from disposal by efficient usage, recycling, reuse on the project or salvage
28 for future use or sale.

- 1 b. Indicates if construction and demolition waste materials will be sorted on-
2 site (source-separated) or bulk mixed (single stream).
- 3 c. Identifies diversion facilities where construction and demolition waste
4 material collected will be taken.
- 5 d. Specifies that the amount of construction waste and demolition materials
6 diverted shall be calculated by weight or volume, but not by both.
- 7 24. Plans must specify, as applicable, the type of automatic sprinkler system – NFPA
8 13, NFPA 13R, or NFPA 13D – installed in each building.
- 9 25. San Diego County Department of Environmental Health approval is required for
10 all new food businesses and public pools.
- 11 26. The construction documents and/or site plan should indicate the location and
12 required number of designated parking stalls. These parking spaces should be
13 marked “CLEAN AIR/VANPOOL/EV.” The markings should be visible when
14 a clean air vehicle is parked. In other words, if the front of the vehicle goes into
15 the parking stall first, the markings should be visible at the back end of the
16 vehicle. Lettering should be at least 8 inches high. The CLEAN
17 AIR/VANPOOL/EV parking stalls may be located anywhere on the site and do
18 not require a preferential location. Refer to Table 5.106.5.2 in CAL Green to
19 ensure that the correct number of designated parking stalls is provided. Include all
20 parking spaces in the calculation. 2019 Cal Green Section 5.106.5.2
- 21 27. All electrical, communication, CATV, etc. service lines within the exterior lines
22 of the property shall be underground (City Code Sec. 6.30).
- 23 28. Buildings four or more stories in height must comply with City of Oceanside
24 Mid-Rise Ordinance.
- 25 29. Elevator car must be sized to accommodate an emergency gurney sized 84 x 24
26 inches in the horizontal position.
- 27 30. An enclosed elevator lobby – separating the elevator shaft enclosure doors from
28 each floor with fire partitions. – shall be provided at each floor where an elevator

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

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

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

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

20 **Engineering:**

21 32. For the demolition of any existing structure or surface improvements; grading plans
22 shall be submitted and erosion control plans approved by the City Engineer prior
23 to the issuance of a demolition permit. No demolition shall be permitted without
24 an approved erosion control plan.

25 33. Design and construction of all improvements shall be in accordance with the City
26 of Oceanside Engineers Design and Processing Manual, City Ordinances, and
27 standard engineering and specifications of the City of Oceanside and subject to
28 approval by the City Engineer.

- 1 34. All Right-of-Way alignments, street dedications, exact geometrics and width shall
2 be dedicated and constructed or replaced as required by the City Engineer.
- 3 35. Prior to approval of the Tentative Map, a phasing plan for the construction of public
4 and private improvements including landscaping, and streets shall be approved by the
5 City Engineer. All improvements shall be under construction to the satisfaction of
6 the City Engineer prior to the issuance of any building permits. All improvements
7 shall be completed prior to issuance of any certificates of occupancy.
- 8 36. The tract shall be recorded and developed as one. The City Engineer shall require the
9 dedication and construction of necessary utilities, streets and other improvements
10 outside the area of the Tentative Map, if such is needed for circulation, parking, access
11 or for the welfare or safety of future occupants of the development.
- 12 37. Prior to the issuance of any grading, improvement or building permits for a model
13 complex, a construction-phasing plan for the entire project shall be reviewed and
14 approved by the City Planner, City Engineer and Building Official. All improvements
15 shall be under construction to the satisfaction of the City Engineer prior to the issuance of
16 any building permits. All public and private improvements including landscaping and
17 offsite streets that are found to be required to serve the model complex shall be completed
18 prior to the issuance of any certificates of occupancy.
- 19 38. Provide the City of Oceanside with a certification from each public utility and each
20 public entity owning easements within the proposed project stating that: (a) they
21 have received from the owner/developer a copy of the proposed map; (b) they
22 object or do not object to the filing of the map without their signature; (c) in case
23 of a street dedication affected by their existing easement, they will sign a
24 "subordination certificate" or "joint-use certificate" on the map when required by
25 the governing body. In addition, the owner/developer shall furnish proof to the
26 satisfaction of the City Engineer that no new encumbrances have been created that
27 would subordinate the City's interest over areas to be dedicated for public road
28 purposes since submittal of the project.

- 1 39. Pursuant to the State Map Act, improvements shall be required at the time of
2 development. A covenant, reviewed and approved by the City Attorney, shall be
3 recorded attesting to these improvement conditions and a certificate setting forth the
4 recordation shall be placed on the map.
- 5 40. Prior to approval of the Tentative Map or any increment, all improvement
6 requirements, within such increment or outside of it if required by the City Engineer,
7 shall be covered by a Subdivision Improvement Agreement and secured with
8 sufficient improvement securities or bonds guaranteeing performance and payment
9 for labor and materials, setting of monuments, and warranty against defective
10 materials and workmanship.
- 11 41. The owner/developer shall provide two feet public street dedication on Coast
12 Highway along the property frontage. Dedication shall be in fee for public purposes
- 13 42. A traffic control plan shall be prepared according to the City traffic control guidelines and
14 approved to the satisfaction of the City Engineer and City Transportation Engineer prior
15 to the start of work within the public right-of-way. Traffic control during construction of
16 streets that have been opened to public traffic shall be in accordance with construction
17 signing, marking and other protection as required by the Caltrans Traffic Manual and City
18 Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30
19 p.m. unless approved otherwise.
- 20 43. Vehicular access rights to Coast Highway, Morse Street and Freeman Street shall
21 be relinquished to the City from all abutting lots except for the project driveway on
22 Freeman Street.
- 23 44. Coast Highway, Morse Street and Freeman Street shall provide a minimum of 10 feet
24 parkway between the face of curb and the right of way line. Sidewalk improvements
25 shall comply with ADA requirements. Publicly maintained pedestrian ramps
26 maintained by the City of Oceanside must be fully located within public right-of-way.
27 Minimum curb return radius shall comply with the City of Oceanside Engineers
28 Design and Processing Manual.

- 1 45. Sight distance requirements at the intersection of project driveway and Freeman
2 Street for each direction of traffic shall conform to the corner sight distance criteria
3 as provided by the City of Oceanside Engineers Design Standards (T-1) or San Diego
4 County Design Standard (DS-20).
- 5 46. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
6 ramps and sidewalk within the project, or adjacent to the project boundary that are
7 already damaged or damaged during construction of the project, shall be repaired or
8 replaced as directed by the City Engineer.
- 9 47. The owner/developer shall pay all applicable fees, energy charges, and/or assessments
10 associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the
11 formulation of, or the annexation to, any appropriate street lighting district.
- 12 48. The pavement sections, traffic indices shall be based on approved geotechnical report
13 and in compliance with the City of Oceanside Engineers Design and Processing
14 Manual. The driveway alignments and geometric layouts shall meet the City of
15 Oceanside Engineers Design and Processing Manual.
- 16 49. Coast Highway along the property frontage shall be grinded 2-inch and constructed
17 with 2-inch asphalt pavement. Limits of grind and overlay are to Coast Highway
18 center line from south project boundary to centerline of Morse Street with minimum
19 3-foot taper transition area outside of the property boundary to match the existing
20 asphalt pavement.
- 21 50. Morse Street shall be slurry sealed (type II) along the project property to center line
22 of Morse Street from cross gutter at Coast Highway to Freeman Street centerline.
- 23 51. Freeman Street asphalt pavement along the project property to centerline shall be
24 replaced with 3-inch asphalt over 10-inch class II aggregate base. New curb, gutter
25 and sidewalk shall be constructed along Freeman Street project property line and
26 match the existing sidewalk, curb and gutter. The existing concrete cross gutter at
27 intersection of Morse Street and Freeman Street must be replaced with new cross
28 gutter per SDRSD, G-12.

- 1 52. The existing ped ramps located at southeast corner of Coast Hwy and Morse Street
2 and southeast and southwest of Morse Street at intersection of Freeman Street shall
3 be replaced per the current ADA standards. The existing property frontage sidewalks
4 along Coast Hwy, Morse Street shall be repaired per the City Engineer satisfaction.
5 Sidewalk improvements shall comply with ADA requirements and standards.
- 6 53. The project driveway and all common areas including parkways along the property
7 frontage within the public right of way shall be maintained by a homeowner
8 association. The responsibility of private driveway and common areas maintenance
9 shall be included in the CC&R of the Tentative Map.
- 10 54. A precise grading and public improvement plans shall be prepared, reviewed, secured
11 and approved prior to the issuance of any building permits. The plans shall reflect all
12 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians,
13 striping, and signage, footprints of all structures, walls, drainage devices and utility
14 services. Parking lot striping and any on site traffic calming devices shall be shown
15 on precise grading plan.
- 16 55. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
17 neighborhood meeting with all of the area residents located within 300 feet of the project
18 site, to inform them of the grading and construction schedule, and to answer questions.
- 19 56. Where proposed off-site improvements, including but not limited to slopes, public
20 utility facilities, and drainage facilities, are to be constructed, the owner/developer
21 shall, at his own expense, obtain all necessary easements or other interests in real
22 property and shall dedicate the same to the City of Oceanside as required. The
23 owner/developer shall provide documentary proof satisfactory to the City of
24 Oceanside that such easements or other interest in real property have been obtained
25 prior to the approval of the Tentative Map (or) issuance of any grading, building or
26 improvement permit for this development. Additionally, the City of Oceanside, may
27 at its sole discretion, require that the owner/developer obtain at his sole expense a title
28 policy insuring the necessary title for the easement or other interest in real property

1 to have vested with the City of Oceanside or the owner/developer, as applicable.

2 57. The owner/developer shall monitor, supervise and control all construction and
3 construction-supportive activities, so as to prevent these activities from causing a public
4 nuisance, including but not limited to, insuring strict adherence to the following:

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

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

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

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

24 58. It is the responsibility of the owner/developer to evaluate and determine that all
25 soil imported and or exported as part of this development is free of hazardous
26 and/or contaminated material as defined by the City and the County of San Diego
27 Department of Environmental Health. Exported or imported soils shall be
28 properly screened, tested, and documented regarding hazardous contamination.

- 1 59. The approval of the Tentative Map shall not mean that proposed grading or
2 improvements on adjacent properties (including any City properties/right-of-way or
3 easements) is granted or guaranteed to the owner/developer. The owner/developer is
4 responsible for obtaining permission to grade to construct on adjacent properties. Should
5 such permission be denied, the tentative map shall be subject to going back to the public
6 hearing or subject to a substantial conformity review.
- 7 60. Prior to any grading of any part of this development project, a comprehensive soils
8 and geologic investigation shall be conducted of the soils formations in the project.
9 All necessary measures shall be taken and implemented to assure slope stability,
10 erosion control, and soil integrity. No grading shall occur until a detailed grading
11 plan, to be prepared in accordance with the Grading Ordinance and Zoning
12 Ordinance is approved by the City Engineer.
- 13 61. The owner/developer shall place a covenant on the non-title sheet of the Final
14 Tentative Map agreeing to the following: "The present or future owner/developer
15 shall indemnify and save the City of Oceanside, its officers, agents, and
16 employees harmless from any and all liabilities, claims arising from any landslide
17 on this site."
- 18 62. This project shall provide year-round erosion control including measures for the site
19 required for the phasing of grading. Prior to the issuance of grading permit, an
20 erosion control plan, designed for all proposed stages of construction, shall be
21 reviewed, secured by the owner/developer with cash securities or a letter of credit
22 and approved by the City Engineer.
- 23 63. Landscaping plans, including plans for the construction of walls, fences or other
24 structures at or near intersections, must conform to intersection sight distance
25 requirements. Landscape and irrigation plans for landscape areas shall be
26 submitted to the City Engineer prior to the issuance of a preliminary grading permit
27 and approved by the City Engineer prior to the issuance of building permits.
28 Frontage landscaping shall be installed and established prior to the issuance of any

1 certificates of occupancy. Securities shall be required only for landscape items in
2 the public right-of-way. Any project fences, sound or privacy walls and monument
3 entry walls/signs shall be shown on, bonded for and built from the landscape plans.
4 These features shall also be shown on the precise grading plans for purposes of
5 location only. Plan-table, segmental walls shall be designed, reviewed and
6 constructed by the grading plans and landscaped/irrigated through project landscape
7 plans. All plans must be approved by the City Engineer and a pre-construction
8 meeting held, prior to the start of any improvements.

9 64. The drainage design shown on the Tentative Map, site plan or preliminary grading
10 plan, and the drainage report for this Tentative Map/Development plan is conceptual
11 only. The final drainage report and drainage design shall be based upon a
12 hydrologic/hydraulic study that is in compliance with the latest San Diego County
13 Hydrology and Drainage Manual to be approved by the City Engineer during final
14 engineering. All drainage picked up in an underground system shall remain
15 underground until it is discharged into an approved channel, or as otherwise
16 approved by the City Engineer. All public storm drains shall be shown on City
17 standard plan and profile sheets. All storm drain easements shall be dedicated
18 where required. The owner/developer shall be responsible for obtaining any off-site
19 easements for storm drainage facilities.

20 65. Drainage facilities shall be designed and installed to adequately accommodate the
21 local storm water runoff and shall be in accordance with the San Diego County
22 Hydrology and Design Manual and in compliance with the City of Oceanside
23 Engineers Design and Processing Manual to the satisfaction of the City Engineer.
24 Storm drain facilities shall be designed and located such that the inside travel lanes
25 on streets with collector or above design criteria shall be passable during conditions
26 of a 100-year frequency storm.

27 66. The owner/developer shall place a covenant on the non-title sheet of the Final
28 Tentative Map agreeing to the following: "The present or future owner/developer

1 shall indemnify and save the City of Oceanside, its officers, agents, and
2 employees harmless from any and all liabilities, claims arising from any flooding
3 that occurs on this site, and any flooding that is caused by this site impacting
4 adjacent properties.”

5 67. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
6 disposed of in accordance with all state and federal requirements, prior to
7 stormwater discharge either off-site or into the City drainage system.

8 68. The owner/developer shall comply with the provisions of National Pollution
9 Discharge Elimination System (NPDES) General Permit for Storm Water
10 Discharges Associated with Construction Activity (General Permit) Water
11 Quality Order number R9-2013-0001. The General Permit continues in force and
12 effect until a new General Permit is issued or the SWRCB rescinds this General
13 Permit. Only those owner/developers authorized to discharge under the expiring
14 General Permit are covered by the continued General Permit. Construction
15 activity subject to the General Permit includes clearing, grading, and disturbances
16 to the ground such as stockpiling, or excavation that results in land disturbances
17 of equal to or greater than one acre. The owner/developer shall obtain coverage
18 under the General Permit by submitting a Notice of Intent (NOI) and obtaining a
19 Waste Discharge Identification Number (WDID#) from the State Water
20 Resources Control Board (SWRCB). In addition, coverage under the General
21 Permit shall not occur until an adequate SWPPP is developed for the project as
22 outlined in Section A of the General Permit. The site specific SWPPP shall be
23 maintained on the project site at all times. The SWPPP shall be provided, upon
24 request, to the United States Environmental Protection Agency (USEPA),
25 SWRCB, Regional Water Quality Control Board (RWQCB), City of Oceanside,
26 and other applicable governing regulatory agencies. The SWPPP is considered a
27 report that shall be available to the public by the RWQCB under section 308(b) of
28 the Clean Water Act. The provisions of the General Permit and the site specific

1 SWPPP shall be continuously implemented and enforced until the
2 owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The
3 owner/developer is required to retain records of all monitoring information,
4 copies of all reports required by this General Permit, and records of all data used
5 to complete the NOT for all construction activities to be covered by the General
6 Permit for a period of at least three years from the date generated. This period
7 may be extended by request of the SWRCB and/or RWQCB.

8 69. Following the City Engineer's determination that Storm Water Quality Mitigation
9 Plan (SWQMP) is deemed complete and prior to issuance of grading permits, the
10 owner/developer shall submit and obtain approval of an Operation &
11 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The
12 O&M Plan shall include an approved and executed Maintenance Mechanism
13 pursuant to Chapter 7 of the City of Oceanside BMP Design Manual. At a
14 minimum the O&M Plan shall include the designated responsible party to manage
15 the storm water BMP(s), employee training program and duties, operating
16 schedule, maintenance frequency, routine service schedule, specific maintenance
17 activities, copies of resource agency permits, cost estimate for implementation of
18 the O&M Plan, a non-refundable cash security to provide maintenance funding in
19 the event of noncompliance to the O&M Plan, and any other necessary elements.
20 The owner/developer shall provide the City with access to site for the purpose of
21 BMP inspection and maintenance by entering into an Access Rights Agreement
22 with the City. The owner/developer shall complete and maintain O&M forms to
23 document all operation, inspection, and maintenance activities. The
24 owner/developer shall retain records for a minimum of 5 years. The records shall
25 be made available to the City upon request.

26 70. The owner/developer shall enter into a City-Standard Stormwater Facilities
27 Maintenance Agreement (SWFMA) with the City obliging the owner/developer
28 to maintain, repair and replace the Storm Water Best Management Practices

1 (BMPs) identified in the project's deemed complete SWQMP, as detailed in the
2 O&M Plan into perpetuity. The Agreement shall be approved by the City
3 Attorney prior to issuance of any precise grading permit and shall be recorded at
4 the County Recorder's Office prior to issuance of any building permit. A non-
5 refundable Security in the form of cash shall be required prior to issuance of a
6 precise grading permit. The amount of the non-refundable security shall be equal
7 to 10 years of maintenance costs, as identified by the O&M Plan, but not to
8 exceed a total of \$25,000. The owner/developer's civil engineer shall prepare the
9 O&M cost estimate.

10 71. At a minimum, maintenance agreements shall require the staff training,
11 inspection and maintenance of all BMPs on an annual basis. The owner/developer
12 shall complete and maintain O&M forms to document all maintenance activities.
13 Parties responsible for the O&M plan shall retain records at the subject property
14 for at least 5 years. These documents shall be made available to the City for
15 inspection upon request at any time.

16 72. The Agreement shall include a copy of executed onsite and offsite access
17 easement and or access rights necessary for the operation and maintenance of
18 BMPs that shall be binding on the land throughout the life of the project to the
19 benefit of the party responsible for the O&M of BMPs, satisfactory to the City
20 Engineer. The agreement shall also include a copy of the deemed complete O&M
21 Plan.

22 73. The BMPs described in the project's deemed complete SWQMP shall not be
23 altered in any way, unless reviewed and approved to the satisfaction of the City
24 Engineer. The determination of whatever action is required for changes to a
25 project's deemed complete SWQMP shall be made by the City Engineer.

26 74. Prior to receiving a temporary or permanent occupancy permit, the Project shall
27 demonstrate that all structural BMPs, including Storm Water Pollutant Control
28 BMPs and Hydromodification Management BMPs, are constructed and fully

1 operational, consistent with the deemed complete SWQMP and the approved
2 Precise Grading Plan, in accordance with San Diego RWQCB Order No. R9-
3 2013-0001 §E.3.e. (1)(d).

4 75. Open space and common areas visible from a collector-level or above roadway and
5 not readily maintained by the property owner, shall be maintained by a
6 homeowners' association that will insure installation and maintenance of
7 landscaping in perpetuity. These areas shall be indicated on the Tentative Map and
8 reserved for an association. Future buyers shall be made aware of any estimated
9 monthly costs. The disclosure, together with the CC&R's, shall be submitted to the
10 City Engineer for review prior to the recordation of Tentative Map.

11 76. All existing overhead utility lines within this subdivision property and/or within any
12 full width street or right-of-way abutting this new subdivision, and all new
13 extension services for the development of the project, including but not limited to,
14 electrical, cable and telephone, shall be placed underground per Section 901.G. of
15 the Subdivision Ordinance (R91-166) and as required by the City Engineer and
16 current City policy.

17 77. The owner/developer shall obtain any necessary permits and clearances from all
18 public agencies having jurisdiction over the project due to its type, size, or location,
19 including but not limited to the U. S. Army Corps of Engineers, California
20 Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego
21 Regional Water Quality Control Board (including NPDES), San Diego County
22 Health Department, prior to the issuance of grading permits.

23 78. The owner/developer shall comply with all the provisions of the City's cable television
24 ordinances including those relating to notification as required by the City Engineer.

25 79. Approval of this development project is conditioned upon payment of all applicable
26 impact fees and connection fees in the manner provided in chapter 32B of the
27 Oceanside City Code. The drainage impact fee shall be paid prior to issuance of a
28 grading permit. All traffic signal fees and contributions, highway thoroughfare fees,

1 park fees, reimbursements, and other applicable charges, fees and deposits shall be
2 paid prior to recordation of the Map or the issuance of any building permits, in
3 accordance with City Ordinances and policies. The owner/developer shall also be
4 required to join into, contribute, or participate in any improvement, lighting, or other
5 special district affecting or affected by this project. Approval of the Tentative Map
6 shall constitute the owner/developer's approval of such payments, and his agreement
7 to pay for any other similar assessments or charges in effect when any increment is
8 submitted for the Tentative Map or building permit approval, and to join, contribute,
9 and/or participate in such districts.

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

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

23 82. In the event that the conceptual plan does not match the conditions of approval,
24 the resolution of approval shall govern.

25 **Landscaping:**

26 83. Landscape plans, shall meet the criteria of the City of Oceanside Landscape
27 Guidelines and Specifications for Landscape Development (latest revision), Water
28 Conservation Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering

1 criteria, City code and ordinances, including the maintenance of such landscaping
2 shall be submitted, reviewed and approved by the City Engineer prior to the
3 issuance of building permits. Landscaping shall not be installed until bonds have
4 been posted, fees paid, and plans signed for final approval. In addition, a refundable
5 cash deposit for the preparation of the final As-built/ Maintenance Guarantee shall
6 be secured with the City prior to the final approval of the landscape construction
7 plan. A landscape pre-construction meeting shall be conducted by the landscape
8 architect of record, Public Works Inspector, developer or owner's representative
9 and landscape contractor prior to commencement of the landscape and irrigation
10 installation. The following landscaping items shall be required prior to plan
11 approval and certificate of occupancy:

- 12 a) Final landscape plans shall accurately show placement of all plant material
13 such as but not limited to trees, shrubs, and groundcovers.
- 14 b) Landscape Architect shall be aware of all utility, sewer, water, gas and storm
15 drain lines and utility easements and place planting locations accordingly to
16 meet City of Oceanside requirements.
- 17 c) Final landscape plans shall be prepared under the direct supervision of a
18 Registered Landscape Architect (State of California), with all drawings
19 bearing their professional stamp and signature.
- 20 d) All required landscape areas both public and private (including trees and
21 palms in the public rights-of-way) shall be maintained by owner, project
22 association or successor of the project (including public rights-of-way along
23 S. Coast Hwy, Morse St. and Freeman St.). The landscape areas shall be
24 maintained per City of Oceanside requirements.
- 25 e) The As-built/Maintenance Guarantee (refundable cash deposit) shall not be
26 released until the as-built drawings have been approved on the original
27 approved Mylar landscape plan and the required maintenance period has
28 been successfully terminated.

- 1 f) Proposed landscape species shall fit the site and meet climate changes
2 indicative to their planting location. The selection of plant material shall
3 also be based on cultural, aesthetic, and maintenance considerations. In
4 addition, proposed landscape species shall be low water users as well as
5 meet all fire department requirements.
- 6 g) All planting areas shall be prepared and implemented to the required depth
7 with appropriate soil amendments, fertilizers, and appropriate supplements
8 based upon a soils report from an agricultural suitability soil sample taken
9 from the site.
- 10 h) Ground covers or bark mulch shall fill in between the shrubs to shield the
11 soil from the sun, evapotranspiration and run-off. All the flower and shrub
12 beds shall be mulched to a 3" depth to help conserve water, lower the soil
13 temperature and reduce weed growth.
- 14 i) The shrubs shall be allowed to grow in their natural forms. All landscape
15 improvements shall follow the City of Oceanside Guidelines.
- 16 j) Root barriers shall be installed adjacent to all paving surfaces where a
17 paving surface is located within 6 feet of a tree trunk on site (private) and
18 within 10 feet of a tree trunk in the right-of-way (public). Root barriers shall
19 extend 5 feet in each direction from the centerline of the trunk, for a total
20 distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a
21 root barrier around the tree's root ball is unacceptable.
- 22 k) All fences, gates, walls, stone walls, retaining walls, and plan table walls
23 shall obtain Planning Division approval for these items in the conditions or
24 application stage prior to 1st submittal of working drawings.
- 25 l) For the planting and placement of trees and their distances from hardscape
26 and other utilities/ structures the landscape plans shall follow the City of
27 Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 28 m) An automatic irrigation system shall be installed to provide coverage for all

1 planting areas shown on the plan. Low volume equipment shall provide
2 sufficient water for plant growth with a minimum water loss due to water
3 run-off.

4 n) Irrigation systems shall use high quality, automatic control valves,
5 controllers and other necessary irrigation equipment. All components shall
6 be of non-corrosive material. All drip systems shall be adequately filtered
7 and regulated per the manufacturer's recommended design parameters.

8 o) All irrigation improvements shall follow the City of Oceanside Guidelines
9 and Water Conservation Ordinance.

10 p) The landscape plans shall match all plans affiliated with the project.

11 q) Landscape construction drawings are required to implement approved Fire
12 Department regulations, codes, and standards at the time of plan approval.

13 r) Landscape plans shall comply with Biological and/or Geotechnical reports,
14 as required, shall match the grading and improvement plans, comply with
15 Storm Water Management Plan (SWMP), Hydromodification Plan, or Best
16 Management Practices and meet the satisfaction of the City Engineer.

17 s) Existing landscaping on and adjacent to the site shall be protected in place
18 and supplemented or replaced to meet the satisfaction of the City Engineer.

19 t) All pedestrian paving (both decorative and standard) shall comply with the
20 most current edition of the American Disability Act.

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

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

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

9 **Planning:**

10 86. This Tentative Map (T20-00005), Development Plan (D20-00016), Regular
11 Coastal Permit (RC20-00010) and Density Bonus (DB20-00001) to construct a 4-
12 story mixed-use development consisting of 54 condominium units with five of the
13 units dedicated to Very Low Income housing and 3,244 square-feet of ground floor
14 commercial space located on an approximate 0.91-acre site at 1602 south coast
15 highway within the south Oceanside neighborhood planning area; and shall expire
16 on three years from the final approval date of the Planning Commission's approval,
17 unless this time period is extended by the provisions of Section 408 or 409 of the
18 Subdivision Ordinance and provisions of the Zoning Ordinance.

19 87. No deviation from these approved plans and exhibits shall occur without Planning
20 Division approval. Substantial deviations shall require a revision to the Tentative
21 Map, Development Plan, Regular Coastal Permit and Density Bonus or a new
22 Tentative Map, Development Plan, Regular Coastal Permit and Density Bonus.

23 88. The applicant, permittee, or any successor-in-interest shall defend, indemnify and
24 hold harmless the City of Oceanside, its agents, officers or employees from any
25 claim, action or proceeding against the City, its agents, officers, or employees to
26 attack, set aside, void or annul an approval of the City, concerning Tentative Map
27 (T20-00005), Development Plan (D20-00016), Regular Coastal Permit (RC20-
28 00010) and Density Bonus (DB20-00001). The City will promptly notify the

1 applicant of any such claim, action or proceeding against the City and will cooperate fully
2 in the defense. If the City fails to promptly notify the applicant of any such claim action
3 or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter,
4 be responsible to defend, indemnify or hold harmless the City.

5 89. All dwelling units shall dispose of or recycle solid waste in a manner provided in
6 City Code Section 13.3.

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

11 91. Prior to the issuance of building permits, compliance with the applicable provisions
12 of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code)
13 shall be reviewed and approved by the Planning Division. These requirements,
14 including the obligation to remove or cover with matching paint all graffiti within
15 24 hours, shall be noted on the Landscape Plan and shall be recorded in the form
16 of a covenant affecting the subject property.

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

19 93. A covenant or other recordable document approved by the City Attorney shall be
20 prepared by the property owner and recorded prior to the approval of the final map.
21 The covenant shall provide that the property is subject to this resolution, and shall
22 generally list the conditions of approval.

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

27 95. Failure to meet any conditions of approval shall constitute a violation of the
28 Tentative Map, Development Plan, Regular Coastal Permit and Density Bonus.

- 1 96. Unless expressly waived, all current zoning standards and City ordinances and
2 policies in effect at the time building permits are issued. The approval of this
3 project constitutes the applicant's agreement with all statements in the Description
4 and Justification and other materials and information submitted with this
5 application, unless specifically waived by an adopted condition of approval.
- 6 97. The developer's construction of all fencing and walls associated with the project
7 shall be in conformance with the approved Development Plan. Any substantial
8 change in any aspect of fencing or wall design from the approved Development
9 Plan shall require a revision to the Development Plan or a new Development Plan.
- 10 98. If any aspect of the project fencing and walls is not covered by an approved
11 Development Plan, the construction of fencing and walls shall conform to the
12 development standards of the City Zoning Ordinance. In no case, shall the
13 construction of fences and walls (including combinations thereof) exceed the
14 limitations of the zoning code, unless expressly granted by a Variance or other
15 development approval.
- 16 99. Elevations, siding materials, colors, roofing materials, and floor plans shall be
17 substantially the same as those approved by the Planning Commission. These shall
18 be shown on plans submitted to the Building Division and Planning Division.
- 19 100. All mechanical rooftop and ground equipment shall be screened from public view
20 as required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen
21 and vents shall be painted with non-reflective paint to match the roof. This
22 information shall be shown on the building plans.
- 23 101. Any project entrance signs shall meet the requirements of the Sign Ordinance and
24 be approved by the City Planner.
- 25 102. Parking spaces shall be kept available and useable for the parking of vehicles at all times.
- 26 103. The parking or storage of recreational vehicles, trailers or boats within the parking
27 spaces is prohibited.

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- 1 104. This project is subject to the provisions of Chapter 14C of the City Code regarding
2 Inclusionary Housing
- 3 105. The developer is prohibited from entering into any agreement with a cable
4 television franchisee of the City, which gives such franchisee exclusive rights to
5 install, operate, and or maintain its cable television system in the development.
- 6 106. A letter of clearance from the affected school district in which the property is
7 located shall be provided as required by City policy at the time building permits
8 are issued.
- 9 107. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
10 Conservation Ordinance No. 91-15, including the maintenance of such
11 landscaping, shall be reviewed and approved by the City Engineer and City Planner
12 prior to the issuance of building permits. Landscaping shall not be installed until
13 bonds have been posted, fees paid, and plans signed for final approval.
- 14 108. Construction of the proposed project shall comply with the California
15 Administrative Code. The building must be for a minimum exterior-to-interior
16 noise reduction resulting in interior noise levels, due to exterior sources, of 45 dBA
17 CNEL or less. This noise reduction could be achieved using standard construction
18 methods, including but not limited to mechanical ventilation, double-paned
19 windows and acoustically insulated doors where they face roadways.
- 20 109. Any trash, debris, or waste material found onsite during grading or cleanup
21 operations shall be disposed of off-site in accordance with local, state, and federal
22 regulations. Any buried trash/debris or materials containing petroleum encountered
23 shall be evaluated prior to removal and disposal.
- 24 110. This project shall comply with all provisions of the City's Affirmative Fair Housing
25 Marketing Agreement policy. Such agreement shall be submitted to and approved by
26 the Housing and Neighborhood Services Director prior to the recordation of a Final
27 Map or the issuance of a building permit for the project, whichever comes first.
- 28 111. In accordance with Density Bonus requirements, eleven (11) percent of the

1 residential units or five (5) housing units shall be reserved for sale or for rental to
2 very-low income households. The city shall determine the eligibility of such
3 households. A deed restriction, covenant, and/or other instrument enforceable by
4 the city and approved by the City Attorney and Director of Housing and
5 Neighborhood Services, limiting the sale or rental of such units to eligible very-
6 low income households shall be recorded against the title of the reserved units. The
7 duration of such sale or rental restrictions on the reserved units shall run with life
8 of the project and/or a minimum of fifty-five (55) years.

9 112. An "Affordable Housing Regulatory Agreement" shall be recorded against the
10 project site prior to the issuance of any permits for the project.

11 113. Prior to issuance of any building permit, the director of housing and neighborhood
12 services shall certify that the proposed development has complied with the
13 requirements for inclusionary housing and all provisions of Chapter 14C.

14 114. In the event any subsurface archaeological resources are encountered during
15 grading or construction activities, such activities in the locality of the find shall be
16 halted immediately. An archaeologist, certified by the Society of Professional
17 Archaeologist (SOPA), shall be brought into determine the significance of the
18 archaeological resources and implement appropriate mitigations prior to
19 recommencing earthwork.

20 115. Prior to issuance of any demolition permits, the applicant shall photo document the
21 existing structures on site and in compliance with OHAPC Policy 1.

22 116. An association shall be formed and Covenants, Conditions and Restrictions (C.C. &
23 R's) shall provide for the maintenance of all common open space and commonly
24 owned fences and walls. The maintenance shall include normal care and irrigation of
25 landscaping, repair and replacement of plant material and irrigation systems as
26 necessary; and general cleanup of the landscaped and open area, parking lots and
27 walkways. The C.C. & R's shall be subject to the review and approval of the City

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1 Attorney prior to the approval of the Final Map. The C.C. & R's are required to be
2 recorded prior to or concurrently with the Final Map. Any amendments to the C.C.
3 & R's in which the association relinquishes responsibility for the maintenance of any
4 common open space shall not be permitted without the specific approval of the City
5 of Oceanside. Such a clause shall be a part of the C.C. & R's. The C.C. & R's shall
6 also contain provisions for the following:

- 7 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 8 b) Provisions regulating individual patio covers, prohibiting room additions, and
9 other appurtenances.
- 10 c) Provisions for the maintenance of all common open space and open space
11 easements on private lots, including provisions establishing mechanisms to
12 ensure adequate and continued monetary funding for such maintenance by the
13 homeowners' association.
- 14 d) Provisions that restrict any private use of open space easement areas.
15 Restrictions shall include, but are not limited to, removing retaining walls,
16 installing structures such as trellises, decks, retaining walls and other
17 hardscape and any individual landscape improvements.
- 18 e) Provisions prohibiting the homeowners association from relinquishing its
19 obligation to maintain the common open space and open space easement areas
20 without prior consent of the City of Oceanside.
- 21 f) An acknowledgement that the City of Oceanside does not have a view
22 preservation ordinance and that views may be subject to change with maturing
23 off-site landscape and the potential for future off-site building.

24 **Waste Management:**

25 117. The City of Oceanside Municipal Code Chapter 13 requires that Oceanside residents,
26 businesses and multifamily projects are to separate all recyclable, greenwaste, and
27 food waste materials from other solid waste. Additionally, the State of California
28 regulations requires all California businesses participate in Mandatory Recycling (AB

341) and Mandatory Commercial Organics Recycling (AB 1826 & SB 1383) as outlined in the Oceanside Solid Waste code. The City of Oceanside reserves the right to review program and services levels and request increases if deemed necessary

Fire:

118. Prior to delivery of combustible materials or start of combustible construction, paved vehicle access roads capable of supporting vehicle loading (78,000 lbs.) must be installed. In addition, the approved, permanent water supply (fire hydrants) must be installed, tested and placed in service prior to delivery of combustible materials or start of combustible construction.
119. In buildings required to have standpipes, not less than one standpipe shall be provided for use during construction. Standpipes shall be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department vehicle access. Fire department hose connections shall be provided at accessible locations adjacent to usable stairs. Standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.
120. An approved fire sprinkler system must be installed throughout the building. The system shall be designed per NFPA 13.
121. Provide a fire alarm system as required per NFPA 72.
122. The fire department connection shall be located on the address side of the building – unless otherwise determined by the Fire Department.
123. FDC must be within 40' of a hydrant.
124. Riser room and FACP must have direct access from the exterior of the building.
125. At least one elevator car shall be of such size and arrangement to accommodate a 24 inch by 84-inch ambulance gurney or stretcher with not less than 5-inch radius corners, in the horizontal, open position. Elevator must be designated as a medical emergency elevator by the international symbol (Star of Life) for emergency medical services.
126. Addresses must be visible from South Coast Highway.

- 1 127. Extinguishers shall accessible for all occupant. 2A,10BC shall not exceed 75' of
2 travel. Parking structure shall also be equipped with extinguishers.
- 3 128. Knox Box is required for emergency access.
- 4 129. Two hydrants will meet the required fire flow.
- 5 130. All building that are four stories or more must meet our Mid-Rise ordinance Section
6 11.19 – Mid Rise Buildings listed below.
- 7 131. In addition to other applicable provisions of the California Fire Code, the City Code,
8 other laws and regulations, and any policies of the Fire Code Official, the provisions
9 of this article apply to every newly constructed mid-rise building of any type
10 construction, or any mid-rise building which undergoes a complete renovation that
11 requires the complete vacancy of the building to complete the renovation. *Exception:*
12 Vehicle parking garages, towers, steeples and other similar occupancies that are not
13 used for continuous human occupancy.
- 14 132. Building access. Building access must be provided and approved by the Fire Code
15 Official.
- 16 133. Automatic fire sprinklers/standpipes. Every mid-rise building must be protected
17 throughout by an automatic fire sprinkler system that is designed and installed in
18 conformance with the adopted edition of NFPA 13 and in accordance with the following:
- 19 a. Shutoff valves and a water-flow alarm device must be provided for each
20 floor. Each shutoff valve and flow device must be electronically supervised.
- 21 b. Every mid-rise building must be provided with a class I standpipe system
22 that is interconnected with the fire sprinkler system. The system must
23 consist of two and one-half-inch (2½") hose valves that must be located in
24 each stair enclosure on every floor level. Two (2) hose outlets must also be
25 located on the roof, outside of each stair shaft enclosure that penetrates the
26 roof. The standpipe system must be designed, installed, and tested in
27 accordance with the adopted edition of NFPA 14.

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1 134. Smoke detection. Smoke detectors must be provided in accordance with this section.
2 Smoke detectors must be connected to an automatic fire alarm system installed in
3 accordance with the adopted edition of NFPA 72. The actuation of any detector
4 required by this section will operate the emergency voice alarm signaling system and
5 will place into operation all equipment necessary to prevent the circulation of smoke
6 through air return and exhaust ductwork. Smoke detectors must be located as follows:

7 a. In every mechanical equipment, electrical, transformer, telephone
8 equipment, unmanned computer equipment, elevator machinery or similar
9 room and in all elevator lobbies. Elevator lobby detectors must be connected
10 to an alarm verification zone or be listed as a releasing device.

11 b. In the main return-air and exhaust-air plenum of each air-conditioning system
12 having a capacity greater than 2,000 cubic feet per minute. Such devices must be
13 located in a serviceable area downstream of the last duct inlet.

14 c. At each connection to a vertical duct or riser serving two (2) or more stories
15 from a return-air duct or plenum of an air conditioning system. In Group R-
16 1 and R-2 occupancies, a smoke detector is allowed to be used in each
17 return-air riser carrying not more than five thousand (5,000) cubic feet per
18 minute and serving not more than ten (10) air inlet openings.

19 d. In all corridors serving as a means of egress.

20 135. Fire alarm system. An approved and listed, automatic and manual, fully addressable
21 and electronically supervised fire alarm system must be provided in conformance
22 with the California Fire Code and California Building Code.

23 136. Emergency voice alarm communication system. An emergency voice alarm
24 communication system shall be designed and installed in accordance with NFPA 72
25 and California Building Code 907.5.2.2, and its subsections, and 11B-215.

26 137. Locking of stairway doors. All stairway doors that are locked to prohibit access from
27 the interior of the stairway must have the capability of being unlocked
28 simultaneously, without unlatching, upon a signal from the main fire panel area. Upon

1 failure of normal electrical service, or activation of any fire alarm, the locking
2 mechanism must automatically retract to the unlocked position. (Ord. No. 08-
3 OR0369-1, § 5, 6-11-08; Ord. No. 13-OR0752-1, § 2, 12-4-2013; Ord. No. 16-
4 OR0848-1, § 3, 12-21-2016)

5 **Water Utilities:**

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

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

13 140. The property owner shall maintain private water and wastewater utilities located on
14 private property.

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

17 142. Each new residential dwelling unit or commercial suite shall be metered individually.

18 143. For new developments with multiple residential dwelling units; the City has accepted,
19 as an alternative, a public master meter for the development provided there is a private
20 sub-meter for each individual dwelling unit, and office space. The Home Owner's
21 Association would be responsible for the ownership, maintenance, reading, and
22 replacement of the private sub-meters. There shall be a shared agreement for the
23 shared water supply line and private water and sewer facilities among the owners.
24 This should be addressed in the CC&Rs or maintenance agreement.

25 144. A public master meter may be utilized for the proposed commercial units. The
26 commercial master meter shall be billed based on the predominant (highest) sewage
27 strength classification within the building. The use of a commercial master meter is
28 based on the units having a low strength non-residential sewer classification. If this

1 classification were to change, then a separate public water meter and service
2 connection may be required for the commercial units. The Homeowner's Association
3 or Building Owner would be responsible for the ownership, maintenance, reading,
4 and replacement of the private sub-meters. There shall be a shared agreement for the
5 shared water supply line and private water and sewer facilities among the tenants.

6 145. Provide a separate irrigation water meter. Meter shall be managed and paid for by the
7 Homeowner's Association for the development. An address assignment will need to
8 be completed for the meter, and can be processed through the City Planning
9 Department.

10 146. Per the latest approved California Fire Code, all new residential units shall be
11 equipped with fire sprinkler system.

12 147. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire
13 protection shall have a dedicated fire service connection to a public water main with
14 a double check detector backflow assembly. Location of the backflow assembly must
15 be approved by Fire Department.

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

17 148. Any water and/or sewer improvements required to develop the proposed property will
18 need to be included in the improvement plans and designed in accordance with the
19 *Water, Sewer, and Recycled Water Design and Construction Manual*.

20 149. All public water and/or sewer facilities not located within the public right-of-way
21 shall be provided with easements sized according to the *Water, Sewer, and Recycled*
22 *Water Design and Construction Manual*. Easements shall be constructed for all
23 weather access.

24 150. No trees, structures or building overhang shall be located within any water or
25 wastewater utility easement.

26 151. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a
27 recycled water impact fee since the proposed project is not within 75 feet of a recycled
28 water main. The fee shall be established by submitting a formal letter requesting the

- 1 City to determine this fee, which is based on 75% of the design and construction cost
2 to construct a recycled water line fronting the property in S. Coast Highway.
- 3 152. An inspection manhole as described by the *Water, Sewer, and Recycled Water Design*
4 *and Construction Manual*, shall be on the shared sewer lateral and the location shall
5 be called out on the approved engineering plans.
- 6 153. An Oil and Sand Interceptor, as described by the latest adopted California Plumbing
7 Code Chapter 10, relating to garages, gasoline stations, wash racks or when deemed
8 necessary shall be shown on building plans at each building sewer in an appropriate
9 location and shall be maintained in accordance with the Fats, Oil, and Grease permit.
10 The location shall be shown on the approved Engineering Plans with reference to
11 Building Plans for design and detail.
- 12 154. A Grease Interceptor, as required per City of Oceanside Ordinance 07-OR0021-1 &
13 18-OR0021-1 relating to food service establishments shall be on each building sewer
14 when deemed necessary in an appropriate outside location and shall be maintained by
15 the property owner. The grease interceptor shall be shown on Engineering Plans with
16 reference to Building Plans for design and detail.
- 17 155. Connections to a public sewer main with a 6-inch or larger sewer lateral will require
18 a new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and*
19 *Recycled Water Design and Construction Manual*.
- 20 156. Connection to an existing sewer manhole will require rehabilitation of the manhole per
21 City standards. Rehabilitation may include, but not be limited to, re-channeling of the
22 manhole base, surface preparation and coating the interior of the manhole, and replacing
23 the manhole cone with a 36" opening and double ring manhole frame and lid.
- 24 157. A separate irrigation meter and connection with an approved backflow prevention device
25 is required to serve common landscaped areas and shall be displayed on the plans.
- 26 158. Provide peak irrigation flows per zone or control valve to verify size of irrigation
27 meter and reduced pressure principle backflow device on Landscape Plans.
- 28 159. Provide stationing and offsets for existing and proposed water service connections

1 and sewer laterals on plans.

2 160. Subterranean parking structures shall be designed with a drainage system that
3 conveys runoff to the City's Storm Drain System and shall comply with the California
4 Regional Water Quality Control Board Order No. 2013-0001.

5 161. Sewer flows from the Development shall connect to the existing sewer main located
6 in Morse Street.

7 162. The commercial units will require a separate sewer lateral from the residential units,
8 but sewage from both the commercial and residential units may combine on site
9 before entering the public sewer system. The commercial sewage shall be capable of
10 being isolated and sampled on site.

11 163. 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.

14 164. Any unused water services or sewer laterals by the proposed development or
15 redevelopment, shall be abandoned in accordance with Water Utilities requirements.
16 If an existing water meter is abandoned then a credit will be applied towards future
17 buy-in fees in the amount of the buy-in fee of the existing meter.

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

19 165. Show location and size of existing and proposed water meter(s) on site plan of
20 building plans. Show waterline from proposed meter to connection point to building.

21 166. Show location and size of existing and proposed sewer lateral(s) from property line
22 or connection to sewer main to connection point at building.

23 167. Provide a fixture unit count table and supply demand estimate per the latest adopted
24 California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).

25 168. Provide drainage fixture unit count per the latest adopted California Plumbing Code
26 to size sewer lateral for property.

27 169. If a Grease Interceptor is required per City of Oceanside Ordinance 07-OR0021-1,
28 then building plans must show sizing calculations per the latest California Plumbing

1 Code, the location, the make and model, and plumbing schematic showing the
2 required appurtenances at each building sewer lateral.

3 170. If a Sand and Oil Separator is required, then building plans must show drainage
4 fixture unit count and calculations per the latest California Plumbing Code to size oil
5 and sand separator and show on plans the location, make and model of separator,
6 inlet/outlet piping, and a plumbing schematic of the separator along with the required
7 appurtenances at each building sewer lateral.

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

10 PASSED AND ADOPTED Resolution No. 2021-P30 on September 27, 2021, by
11 the following vote, to wit:

12 AYES:

13 NAYS:

14 ABSENT:

15 ABSTAIN:

16
17 _____
Tom Rosales, Chairperson
Oceanside Planning Commission

18 ATTEST:

19
20 _____
21 Jeff Hunt, Secretary

22 I, JEFF HUNT, Secretary of the Oceanside Planning Commission, hereby certify that this
23 is a true and correct copy of Resolution No. 2021-P30.

24 Dated: September 27, 2021
25
26
27
28