

## EXHIBIT C

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2008-P68

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

7 APPLICATION NO: T-16-02, D-31-02 REV06

8 APPLICANT: Pelican Homes

9 LOCATION: Western terminus of San Dimas Driven, north of San Ramon Drive and  
west of Rancho Del Oro Road

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms  
13 prescribed by the Commission requesting a revision to a previously approved Tentative Map, and  
14 Development Plan under the provisions of Articles 10 and 43 of the Zoning Ordinance of the City  
15 of Oceanside to permit the following:

16 site area grading of 11.9 acres in order to accommodate a previously approved 29-unit  
17 single-family detached senior residential subdivision;  
18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 20th  
20 day of October, 2008 conduct a duly advertised public hearing as prescribed by law to consider  
21 said application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
23 Guidelines thereto; an Environmental Impact Report has been prepared stating that if the  
24 mitigation measures are met there will not be an adverse impact upon the environment;

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

26 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the  
27 project is subject to certain fees, dedications, reservations and other exactions as provided below:  
28  
29

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$3,746 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$4,587 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code.	\$1,000 per development project + \$100 per unit plus \$10,275 per unit.

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes 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 Oceanside  
3 City Code and the City expressly reserves the right to amend the fees and fee calculations  
4 consistent with applicable law;

5 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,  
6 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 that  
8 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction  
9 described in this resolution begins on the effective date of this resolution and any such protest must  
10 be in a manner that complies with Section 66020;

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

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

15 FINDINGS:

16 For the Tentative Map:

- 17 1. The proposed subdivision creates parcels that are consistent and exceed the requirements  
18 of the RM-A-H zoning designation and remedial grading necessary to accommodate the  
19 29 unit subdivision will not alter the projects consistency with the General Plan of the  
20 City.
- 21 2. The proposed building pads on the site will conform to the topography of the site,  
22 therefore, making it suitable for residential development. The 16.8-acre site is physically  
23 suitable to allow for the development of 29-residential lots, and subject to remedial  
24 grading of approximately 11.9 acres for soil stability will remain physically suitable to  
25 accommodate the subdivision.
- 26 3. The subdivision complies with all other applicable ordinances, regulations, and  
27 guidelines of the City, and remedial grading necessary to stabilize the previously  
28 approved project site has been designed consistent with the City's Grading Ordinance.
- 29 4. The design of the subdivision or proposed improvements will not conflict with  
easements, acquired by the public at large, for access through the use of property within

1 the subdivision, because remedial grading on and off-site will not occur along any  
2 designated access areas.

- 3 5. That the design of the subdivision or the proposed improvements including the remedial  
4 grading to stabilize the previously approved project area with the proposed mitigation  
5 will not cause substantial environmental damage or substantially and avoidably injure  
6 fish or wildlife or their habitat because all impacts identified will be mitigated to a level  
7 below significance.

8 For the Development Plan:

- 9 1. The site plan and physical design of the project is consistent with the Zoning Ordinance  
10 and the underlying Medium Density Residential zone (RM-A-H) and the policies  
11 contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan and  
12 remedial grading to provide slope stabilization will not require modifications to the  
13 previously approved project inconsistent with the projects original site planning and  
14 physical design.
- 15 2. The Development Plan conforms to the General Plan of the City because revision to the  
16 projects original approvals to provide remedial grading for slope stabilization will not  
17 conflict with any General Plan policies including the goals and objectives of Community  
18 Development Sections 2.0, 2.02, 2.3, and 2.32 of the Land Use Element of the General  
19 Plan.
- 20 3. The project site can be adequately served by existing public facilities, services and  
21 utilities.
- 22 4. The project, as proposed, is compatible with the existing and potential development on  
23 adjoining properties or in the surrounding neighborhood.

24 WHEREAS, the Environmental Impact Report together with any comments received,  
25 and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the  
26 conditions of approval for the project, were presented to the Planning Commission, and the  
27 Planning Commission reviewed and considered the information contained in these documents  
28 prior to making a decision on the project.

29 WHEREAS, the Environmental Impact Report and Mitigation and Monitoring and  
Reporting Program (MMRP) have been determined to be accurate and adequate documents. On

1 the basis of the entire record before it, the Planning Commission finds that there is no  
2 substantial evidence that the project, with implementation of the mitigation measures proposed,  
3 will have a significant impact on the environment.

4 WHEREAS, the documents or other material which constitutes the record of  
5 proceedings upon which the decision is based will be maintained by the City of Oceanside  
6 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

7 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
8 approve a Tentative Map Revision (T-16-02REV06), and Development Plan Revision (D-31-  
9 02REV06), subject to the following conditions:

10 **Planning:**

- 11 1. This Tentative Map Revision (T-16-02REV06) and Development Plan Revision (D-31-  
12 02REV06) approvals shall lapse two years on October 20, 2010 after the effective date of  
13 approval.
  - 14 a) Unless a grading permit has been issued and grading has been substantially  
15 completed and or a building permit has been issued, and construction diligently  
16 pursued; or an occupancy permit has been issued; or
  - 17 b) Unless a time extension is granted by the Planning Commission.
  - 18 c) The Development Plan (D-31-02REV06) shall be effective for an additional 24  
19 months from the date of recordation of the Final Map.
- 20 2. In addition to conditions listed herein, all of the conditions listed in Planning  
21 Commission Resolution No. 2004-P41 for Zone Amendment (ZA-9-02), Tentative Map  
22 (T-16-02), Development Plan (D-31-02), Conditional Use Permit (C-42-02) and Historic  
23 Permit (H-2-02) shall remain in effect for the subject property. If there is any  
24 inconsistency between the conditions in Resolution No. 2004-P41 and these conditions,  
25 this resolution's conditions shall prevail.
- 26 3. This Tentative Map Revision (T-16-02 REV06) and Development Plan Revision (D-31-  
27 02REV06) approves only site area grading and improvements necessary to provide  
28 geologic remediation and slope stability for an 11.9-acre site as shown on the plans and  
29 exhibits presented to the Planning Commission for review and approval. No deviation

1 from these approved plans and exhibits shall occur without Planning Division approval.  
2 Substantial deviations shall require a revision to the Tentative Map (T-16-02) and/or,  
3 Development Plan (D-31-02) or a new Tentative Map and/or Development Plan.

4 4. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
5 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
6 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
7 annul an approval of the City, concerning Tentative Map Revision (T-16-02REV06) and  
8 Development Plan Revision (D-31-02REV06). The City will promptly notify the  
9 applicant of any such claim, action or proceeding against the City and will cooperate  
10 fully in the defense. If the City fails to promptly notify the applicant of any such claim  
11 action or proceeding or fails to cooperate fully in the defense, the applicant shall not,  
12 thereafter, be responsible to defend, indemnify or hold harmless the City.

13 5. A covenant or other recordable document approved by the City Attorney shall be prepared  
14 by the subdivider and recorded prior to the approval of the final map. The covenant shall  
15 provide that the property is subject to this resolution, and shall generally list the conditions  
16 of approval.

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

21 7. Prior to issuance of any permits, the applicant shall provide the City Planner with proof  
22 that permission to grade offsite has been authorized by each of the effected property  
23 owners.

24 8. Prior to the issuance of a grading permit, the developer shall notify and host a  
25 neighborhood meeting with all of the area residents located within 300 feet of the project  
26 site, and residents of property along any residential streets to be used as a "haul route", to  
27 inform them of the grading and construction schedule, haul routes, and to answer  
28 questions.

29 9. Failure to meet any conditions of approval for this development shall constitute a violation  
of the Tentative Map and Development Plan.



- 1 10. Unless expressly waived, all current zoning standards and City ordinances and policies in  
2 effect at the time building permits are issued as required to be met by this project. The  
3 approval of this project constitutes the applicant's agreement with all statements in the  
4 Description and Justification, and other materials and information submitted with this  
5 application, unless specifically waived by an adopted condition of approval.
- 6 11. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's)  
7 shall provide for the maintenance of all common open space, medians and commonly  
8 owned fences and walls and adjacent parkways. The maintenance shall include normal  
9 care and irrigation of landscaping, repair and replacement of plant material and irrigation  
10 systems as necessary; and general cleanup of the landscaped and open area, parking lots  
11 and walkways. The C.C. & R's shall be subject to the review and approval of the City  
12 Attorney prior to the approval of the final map. The C.C. & R's are required to be recorded  
13 prior to or concurrently with the final map. Any amendments to the C.C. & R's in which  
14 the association relinquishes responsibility for the maintenance of any common open space  
15 shall not be permitted without the specific approval of the City of Oceanside. Such a  
16 clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for  
17 the following:
- 18 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
  - 19 b) Provisions regulating individual patio covers, room additions and other  
20 appurtenances.
  - 21 c) Maintenance of median landscaping by the Association.
  - 22 d) Provisions for the maintenance of all common open space and open space  
23 easements on private lots, including provisions establishing mechanisms to ensure  
24 adequate and continued monetary funding for such maintenance by the  
25 homeowners' association.
  - 26 e) Provisions that restrict any private use of open space easement areas. Restrictions  
27 shall include, but are not limited to, removing retaining walls, installing structures  
28 such as trellises, decks, retaining walls and other hardscape and any individual  
29 landscape improvements.

- 1 f) Provisions prohibiting the homeowners association from relinquishing its  
2 obligation to maintain the common open space and open space easement areas  
3 without prior consent of the City of Oceanside.
- 4 g) An acknowledgement that the City of Oceanside does not have a view preservation  
5 ordinance and that views may be subject to change with maturing off-site landscape  
6 and the potential for future off-site building.
- 7 h) The HOA C.C. & R's for the Rancho Hermosa homeowners association shall be  
8 amended to annexed and incorporate this project. Such annexation and  
9 incorporation shall not adversely affect the Rancho Hermosa HOA. Such  
10 amendments shall be subject to the review and approval of the City Attorney.
- 11 i) Should a conflict arise between the current Rancho Hermosa C.C. & R's and the  
12 proposed C.C. & R's, the proposed C.C. & R's shall be brought back to the  
13 Planning Commission at a public hearing for review and approval.
- 14 j) The project including the HOA and C.C. & R's shall comply with the State and  
15 Federal law, including but not limited to Civil Code section 51.3 and 42 USCS  
16 3607 (b)(2).

17 12. Table 4.2-3 in Section C of the Final EIR Volume 1 presents proposed mitigation for  
18 impacts to sensitive impacts on site and off site (for the geological remediation).  
19 Proposed mitigation is consistent with standards in the Draft Subarea Plan for a site that  
20 is within a Pre-approved Mitigation Area within Off-site Mitigation Zone 1. As the  
21 Draft Subarea Plan has not yet been adopted, the proposed mitigation ratios are not final;  
22 they are, however, consistent with the requirements for other recent projects in the area  
23 and have been negotiated with the Wildlife Agencies specific to this project. Impacts to  
24 1.65 acres of Diegan coastal sage scrub (including disturbed) shall be mitigated at a 3:1  
ratio via on-site preservation of 4.95 acres of Diegan coastal sage scrub.

25 13. Temporary impacts to 1.91 acres of Diegan coastal sage scrub (including disturbed) on  
26 and off-site shall be mitigated through on-site preservation of 0.17 acre of Diegan coastal  
27 scrub and on-site restoration of 3.65 acres of Diegan coastal sage scrub. The restoration  
28 plan shall include five years of maintenance and monitoring. The plan would be  
29 submitted to the USFWS, CDFG, and the City for approval prior to issuance of any



clearing, grading, or construction permit. In addition, a bond shall be posted (to the City) to cover 120 percent of any restoration costs.

14. Permanent impacts to 5.45 acres of non-native grassland shall be mitigated at a 0.5:1 ratio through on-site restoration of 0.06 acre of Diegan coastal sage scrub and type-conversion of 0.75 acre of non-native grassland to coastal sage scrub habitat and their permanent preservation and 1.92 acres of off-site, high quality, occupied Diegan coastal sage scrub in the Whelan Ranch Mitigation Bank located in the City.
15. Temporary impacts to 2.43 acres of non-native grassland on and off-site shall be mitigated with the provision of 1.22 acres of high quality, occupied Diegan coastal sage scrub in the Whelan Ranch Mitigation Bank located in the City.
16. Direct and indirect loss of gnatcatcher habitat as well as habitat of other sensitive animal species shall be mitigated through implementation of condition no. 13, above. Evidence that all applicable federally and state endangered species permits have been obtained shall be provided to the City prior to issuance of any grading permit.
17. To prevent the spread of non-native vegetation and noxious weeds, landscaping within the development area shall avoid the use of invasive non-native plants as provided in the Draft Subarea Plan Table 5-5 and/or the California Invasive Plant Inventory prepared by the California Invasive Plant Council (2006).
18. To reduce edge effects, biological open space areas shall be actively managed and monitored. A Habitat Management Plan shall be created that would ensure that access is restricted to developed areas. Preserved habitat shall be posted with signs, precluding access due to habitat sensitivity and prohibiting dumping.
19. No grubbing, clearing, and/or grading shall occur within 500 feet of occupied Diegan coastal sage scrub during the gnatcatcher breeding season (March 1 through August 31) or 300 feet of an active tree-nesting raptor nest during raptor breeding season (December through July). As such, all grading permits, improvement plans, and the final map shall state the same. If grubbing, clearing, or grading would occur during the gnatcatcher and/or raptor breeding season, a pre-construction survey shall be conducted to determine if these species occur within the areas impacted by noise. If there are no gnatcatchers or raptors nesting, including nest building or other breeding/nesting behavior, within the

1 area then development shall be allowed to proceed. However, if any of these birds are  
2 observed nesting or displaying breeding/nesting behavior within the area, (1)  
3 construction shall be postponed until all nesting (or breeding/nesting behavior) has  
4 ceased or until after July 31 (for raptors) and August 31 (for the gnatcatcher); or (2) a  
5 temporary noise barrier or berm shall be constructed at the development footprint edge  
6 (not within the proposed open space) to ensure that noise levels are reduced to below 60  
7 dB  $L_{eq}$ . Alternatively, the use of construction equipment could be scheduled to keep  
8 noise levels below 60 dB  $L_{eq}$  in lieu of or in concert with a wall or other noise barrier.  
9 To ensure MBTA compliance, native vegetation clearing shall occur outside the  
10 breeding season of most avian species (February 15 through July 31). Clearing during  
11 the breeding season of MBTA covered species could occur if it is determined that no  
12 nesting birds (or birds displaying breeding/nesting behavior) are present immediately  
13 prior to clearing. As described above, a pre-construction survey shall be conducted to  
14 determine if breeding or nesting avian species occur within areas impacted by noise.

15 The construction and construction staging area limits shall be clearly delineated with  
16 temporary construction fencing to ensure that construction activity remains within the  
17 defined limits of work. A qualified biologist shall inspect the delineated areas during  
18 regularly scheduled construction monitoring visits.

- 19 20. Impacts resulting from the construction noise shall be mitigated through the  
20 implementation of condition 19 above.  
21 21. Lighting within the development project adjacent to preserved habitat shall be of the  
22 lowest illumination allowed for human safety, selectively placed, shielded, and directed  
23 away from preserved habitat.

24 **Engineering:**

- 25 22. **Condition No. 8 of PC Resolution No. 2004-P41 shall be replaced with the following  
26 condition:**

27 The project shall pay their fair share of 15 percent toward the total cost of the new traffic  
28 signal on Rancho Del Oro Drive at San Ramon Drive with signal interconnect conduit  
29 and cable to be installed to the intersection of Rancho Del Oro Drive at Via Rancho

Road to the City of Oceanside. This fair share payment shall be paid to the City of Oceanside prior to issuance of Certificate of Occupancy.

23. **Condition No. 57 of PC Resolution No. 2004-P41 shall be replaced with the following condition:**

The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP) shall not be altered in any way, shape or form without formal approval by the City Engineer.

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

25. The subdivider shall provide the City of Oceanside with a certification from each public utility and each public entity owning easements or right-of-way within the proposed project stating that: (a) they have received from the developer a copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body. In addition, the subdivider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the project.

26. Sight distance and clear space easement requirements at intersections and vehicular access points shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B for each direction of traffic. The project's civil engineer shall submit an appropriate "Sight Distance Letter" to the City Engineer certifying compliance with this requirement.

27. The approval of the tentative map or development plan shall not mean that proposed grading or improvements on adjacent properties (including any City properties/right-of-way or easements) is granted or guaranteed to the developer. The developer is responsible for obtaining permission to grade or to construct on adjacent properties. Should such

1 permission be denied, the resulting changes to the Tentative Map/Development Plan shall  
2 be subject to a Substantial Conformity review. Changes not meeting substantial  
3 conformity requirements shall be submitted for appropriate public hearing action.

4 28. Hazardous materials may be encountered during grading of the northern boundary of the  
5 property. During the grading permit process the developer will be required to have his  
6 soil engineer prepare a remedial action plan if hazardous materials are encountered.

7 29. It is the responsibility of the property owner/developer to evaluate and determine that all  
8 soil imported as part of this development is free of hazardous and/or contaminated material  
9 as defined by the City and the County of San Diego Department of Environmental Health.  
10 Exported or imported soils shall be properly screened, tested, and documented regarding  
11 hazardous contamination.

12 30. The extent and location of the proposed grading including "overexcavation" should be  
13 clearly depicted on a grading plan. The soil engineer shall provide recommendations and  
14 the means for temporary excavations for removals during construction and the sequence of  
15 construction. Cross sections depicting the location of adjacent structures and public ways  
16 where the excavations would remove the lateral support shall be part of the excavation  
17 plans.

18 31. During earthwork operations for the 60-foot wide shear key the entire shear key will  
19 need to be geologically mapped for inspection by the project's soil engineer and the  
20 geotechnical representative for the City of Oceanside. If evidence of land sliding is  
21 encountered or suspected, the entire landslide and or suspected mass above the shear key  
22 will require complete removal. This will also apply to back scarp and/or graben areas.

23 32. An "as-built" report prepared by the project's soil engineer must be submitted to the City  
24 for review. The report must include the results of all compaction tests as well as a map  
25 depicting the limits of overexcavation, observed geologic conditions, locations of all  
26 density tests, locations and all removal bottoms, and location and elevation of all fill  
27 slope backdrains and retaining wall backdrains and outlets.

28 33. The foundation plans and foundation details shall clearly depict the embedment material  
29 and minimum depth of embedment for the foundations.

- 1 34. All foundation excavations must be observed and approved by the project's soils  
2 engineer prior to placement of reinforcing steel.
- 3 35. The final grading, drainage, and foundation plans should be reviewed, signed and wet  
4 stamped by the project's soils engineer.
- 5 36. All storm drains shall be designed and constructed per current editions of the City's  
6 *Engineers Design and Processing Manual*, the *San Diego County Hydrology and*  
7 *Drainage Design Manuals*, and *San Diego Area Regional Standard Drawings*.
- 8 37. The proposed storm drain and water quality basins and appurtenant storm drain facilities,  
9 including but not limited to pipes and outlet structures, shall all remain private and be  
10 maintained by a homeowners' association. In addition, all slope terrace drains, inlets,  
11 down drains and outlet structures shall remain private and be maintained by a  
12 homeowners' association.
- 13 38. Appurtenances associated with the water quality basins shall not encroach into public  
14 rights-of-way. If private storm drain facilities are proposed to connect the water quality  
15 basins across public right(s) of way, the developer shall secure appropriate easement and/or  
16 encroachment removal agreements by separate application(s) prior to issuance of any  
17 permits for such facilities. The application(s) shall be reviewed and approved or rejected  
18 by the City of Oceanside under independent process(es) per codes, ordinances, and  
19 policies in effect at the time of the application.
- 20 39. For any increase of stormwater flows from the development site to other properties the  
21 developer shall secure appropriate easement(s) from and maintenance agreement(s) with  
22 the owner(s) of the impacted properties to the satisfaction of the City Engineer. Upon  
23 approval by City Engineer and the City Attorney, the appropriate documents shall be  
24 recorded prior to issuance of any permits for the development. Should the developer be  
25 unable to secure such easement(s) or agreement(s), the resulting changes to the  
26 Development Plan shall be subject to a Substantial Conformity review. Changes not  
27 meeting substantial conformity requirements shall be submitted for appropriate public  
28 hearing action.
- 29 40. Upon acceptance of any fee waiver or reduction by the developer/subdivider, the entire  
project will be subject to prevailing wage requirements as specified by Labor Code

1 section 1720(b)(4). The developer/subdivider shall agree to execute a form  
2 acknowledging the prevailing wage requirements prior to the granting of any fee  
3 reductions or waivers.

4 41. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines  
5 and Specifications for Landscape Development (latest revision), Water Conservation  
6 Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the  
7 maintenance of such landscaping, shall be reviewed and approved by the City Engineer  
8 prior to the issuance of building permits. Landscaping shall not be installed until bonds  
9 have been posted, fees paid, and plans signed for final approval. The following special  
10 landscaping requirements shall be required prior to plan approval:

- 11 a) All landscape improvements shall follow the City of Oceanside Guidelines.
- 12 b) Final landscape plans shall accurately show placement of all plant material such  
13 as but not limited to trees, shrubs, and groundcovers.
- 14 c) Landscape Architect shall demonstrate on plan, all utility, sewer, storm drain  
15 easements and place planting locations accordingly to meet City of Oceanside  
16 requirements.
- 17 d) All required landscape areas shall be maintained by the owner and/ or master  
18 association. The landscape areas shall be maintained per City of Oceanside  
19 requirements.
- 20 e) Proposed landscape species shall be native or naturalized to fit the site and meet  
21 climate changes indicative to their planting location. The selection of plant  
22 material shall also be based on cultural, aesthetic, and maintenance  
23 considerations. In addition proposed landscape species shall be low water users  
24 as well as meet all fire department requirements.
- 25 f) All planting areas shall be prepared with appropriate soil amendments, fertilizers,  
26 and appropriate supplements based upon a soils report from an agricultural  
27 suitability soil sample taken from the site.
- 28 g) Ground covers or bark mulch shall fill in between the shrubs to shield the soil  
29 from the sun, evapotranspiration and run-off. All the flower and shrub beds



- shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.
- h) Shrubs shall be allowed to grow in their natural forms.
  - i) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within six feet of a trees trunk. Root barriers shall extend five feet in each direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.
  - j) All fences, gates, walls, stone walls, retaining walls and plantable walls shall obtain Planning Division approval prior to approval of working drawings.
  - k) For the planting and placement of trees and their distances from hardscape and other utilities/ structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.
  - l) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.
  - m) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.
  - n) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
  - o) The landscape plans shall match all plans affiliated with the project.
  - p) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.
  - q) Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.
42. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways shall be permanently maintained by the owner,

his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.

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

**Fire:**

44. Smoke detectors are required, and detector locations must be indicated on the plans.
45. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design and Processing Manual Standard Drawing No. M-13.
46. Future development of the property will require compliance with all applicable Fire Department Standards.

**Building:**

47. Separate/unique addresses will/may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division must accompany the Building Permit application.
48. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation will be required at time of plans submittal to the Building Division for plan check. The report must show that the hillside soils conditions are suitable to support the Buildings, Retaining walls, etc. for the project.
49. Documentation of properly recorded easements (for access and utilities) is required for plan check review of building projects on "flagpole" or "panhandle" lots.
50. Construction Plans submitted to the Building Division after January 1<sup>st</sup>, 2008 must meet all requirements of the state mandated ICC codes.

**Water Utilities:**

51. **Condition No. 109 of PC Resolution No. 2004-P41 shall be replaced with the following condition:**

1 All public water and/or sewer facilities not located within the public right-of-way shall be  
2 provided with easements sized according to the Water, Sewer, and Reclaimed Water  
3 Design and Construction Manual. Easements shall be constructed for all weather access.

4 52. **Condition No. 117 of PC Resolution No. 2004-P41 shall be replaced with the**  
5 **following condition:**

6 All Water and Wastewater construction shall conform to the most recent edition of the  
7 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by  
8 the Water Utilities Director.

9 53. No sewer main segments shall have a slope greater than 14 percent per the Water, Sewer,  
10 Reclaimed Water Design and Construction Manual.

11 PASSED AND ADOPTED Resolution No. 2008-P68 on October 20, 2008 by the  
12 following vote, to wit:

13 AYES: Troisi, Balma, Parker, Neal and Rosales

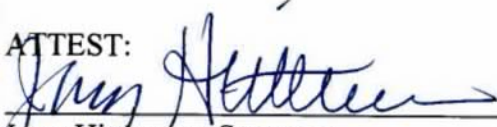
14 NAYS: Martinek, Bertheaud

15 ABSENT: None

16 ABSTAIN: None

17   
18 Claudia Troisi, Chairperson  
Oceanside Planning Commission

19 ATTEST:

20   
21 Jerry Hittleman, Secretary

22  
23 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
24 this is a true and correct copy of Resolution No. 2008-P68.

25 Dated: October 20, 2008  
26  
27  
28  
29

**Pelican Homes  
Rancho Vista  
Seniors Age-Restricted  
Single Family**

**Legal Description**

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Planning Department

PARCEL 3 OF PARCEL MAP NO. 18668, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY APRIL 2, 2001, AS DOCUMENT NO. 2001-0195187 OF OFFICIAL RECORDS.

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MAY 22 2006  
Planning Department