

**RESOLUTION NO. 20-R0617-3**

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT  
COMMISSION OF THE CITY OF OCEANSIDE APPROVING  
A TENTATIVE MAP (RT19-00002), DEVELOPMENT PLAN  
(RD19-00003), CONDITIONAL USE PERMIT (RCUP20-00003)  
FOR THE DEVELOPMENT OF A MIXED-USE PROJECT  
LOCATED ON THE NORTHWEST CORNER OF  
SPORTSFISHER DRIVE AND NORTH FREEMAN STREET**

**(ALLYKAT DEVELOPMENT LLC- APPLICANT)**

WHEREAS, on October 7, 2020, the Community Development Commission held a duly noticed public hearing to consider an application by Allykat Development LLC for a Tentative Map (RT19-00002), Development Plan (RD19-00003), Conditional Use Permit (RCUP20-00003), to allow the demolition of two residential structures on site and construct a mixed-use development with five residential condominium units and two commercial units totaling 887 square-feet all within a freestanding three-story building located on approximate 7,500 square-foot lot at 513 North Freeman;

WHEREAS, on July 22, 2020, the Downtown Advisory Committee (DAC) was presented with the project and after due consideration took action in took action in a 6- vote with one member absent to recommend approval Tentative Map (RT19-00002), Development Plan (RD19-00003), Conditional Use Permit (RCUP20-00003), to the Community Development Commission to allow the demolition of two residential structures on site and construct a mixed-use development with five residential condominium units and two commercial units totaling 887 square-feet all within a freestanding three-story building located on approximate 7,500 square-foot lot at 513 North Freeman; and,

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15332 "In-Fill Development," as it involves the to allow the demolition of two residential structures on site and construct a mixed-use development with five residential condominium units and two commercial units totaling 887 square-feet all within a freestanding three-story building located on approximate 7,500 square-foot lot at 513 North Freeman and,

1 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS HEREBY GIVEN  
2 that the Project is subject to certain fees, dedications, reservations and other exactions as provided  
3 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

25 WHEREAS, the fees listed above have been identified by the City as being applicable to  
26 the project as proposed. Failure by the City to list an applicable fee above does not alleviate the  
27 developer from paying all applicable fees at the time when such fees become due;  
28

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

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

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

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

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 Development Services Department Planning Division, 300 North Coast Highway, Oceanside,  
17 California 92054.

18 WHEREAS, studies and investigations made by the Community Development  
19 Commission reveal the following facts:

20 FINDINGS:

21 For Tentative Map (RT19-00002):

- 22 1. That the proposed Tentative Map is consistent with the General Plan of the City in that the  
23 proposed 29 dwelling units per acre density would be consistent with the allowable High  
24 Density Residential and applicable provisions of the Zoning Ordinance and Subdivision  
25 Ordinance. The subject property bears a zoning designation of Subdistrict 9 of the (D)  
26 Downtown District. The existing project site would consist of one lot approximately 0.17  
27 acres in size and allowing high density residential as part of mixed-use development to be  
28 established consistent with the intent of the Subdistrict 9, which allows multi-family  
developments, commercial uses, and mixed-use developments in which the site is located.

2. That the site is physically suitable for the type and proposed density of development by providing lot areas consistent with the Townsite Neighborhood Planning Area. The surrounding area is characterized by a mix office and commercial uses to the south and west with multi-family and single-family homes to the east and north and the proposed mixed-use development would be compatible and complimentary to the existing uses.
3. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is located in an urbanized and developed area and contains no sensitive habitat.
4. The design of the subdivision or proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the subdivision. There are no easements, acquired by the public at large, for access through or the use of the subject property.
5. The subdivision complies with all other applicable ordinances, regulations and guidelines of the City of Oceanside. The proposed tentative map exhibit accords with the form and content requirements of the City's Subdivision Ordinance (Section 401).

For the Development Plan (RD19-00003):

1. The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of Sub-district 9 in which the site is located. The site plan and physical design of the project as proposed is consistent with the purposes of the City's Zoning Ordinance and the "D" Downtown District in that the architectural design of the proposed structure and the proposed landscaping meets or exceeds the minimum development standards of the "D" Downtown District. The proposed project meets the minimum setbacks, landscape, open space, height and parking spaces as stipulated within the "D" Downtown District development standards.
2. The Development Plan as proposed conforms to the Downtown Zoning Ordinance and General Plan of the City in that the mixed-use development is consistent with the land uses of the ordinance and the project meets the minimum setbacks, landscape, open space, height and parking spaces as stipulated within the "D" Downtown District

development standards. In addition, the project is compatible with the newer development located within the surrounding neighborhood.

3. That the area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities, and public facilities because the project site is situated within an urbanized area now served by existing public services, utilities, and public facilities and the proposal to the commercial units and the five condominium residential units would have no significant adverse impacts on these services and facilities. The project will connect to existing public utilities and services located adjacent to the site and will not require any additional services or utilities beyond what exist as part of the overall development.

4. That the site plan and physical design of the project is consistent with the policies contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan and the Development Guidelines for Hillside, because the site is relatively flat and has been previously developed with two residential buildings and the lot contains no qualifying slopes. Hillside guidelines are not applicable to this site. The proposed mixed-use project would be compatible with the surrounding Downtown area and is consistent with the pattern of redevelopment occurring throughout the area.

5. The location of the mixed-use project that will create five (5) residential units and 887 sq. ft. of commercial space and proposed conditions under which this use will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of said use and will not be detrimental to properties or improvements in the vicinity or the general welfare of the City. The redevelopment of the site into a mixed-use project in a highly urbanized area will not create any impacts to the general public or persons working or residing in the area.

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1 For the Conditional Use Permit (RCUP20-00003):

- 2 1. The proposed location of the use is in accord with the objectives of the Zoning Ordinance  
3 and the purposes of the district in which it is located. The proposed multi-family portion of  
4 the development is consistent with the purpose of the Mixed-Use Residential (D-9) zone  
5 and the Transit Oriented Development (TOD) Overlay District by introducing a project that  
6 incorporates positive design characteristics that complements the site and neighborhood.
- 7 2. The site for the proposed use is adequate in size and is so shaped as to accommodate said  
8 use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other  
9 features necessary to adjust said use with the land and uses in the neighborhood and make  
10 it compatible thereto. The proposed mixed-use development is located within the  
11 boundaries of the TOD overlay district and the project provides means for alternative  
12 modes of transportation, while ensuring adequate parking for the development is available.  
13 The proposed electronic vehicle charging, bicycle parking, and proximity to transit will  
14 promote the use of alternate modes of transit and establish a more pedestrian focused infill  
15 project that will not be detrimental to the health, safety, peace or general welfare of persons  
16 residing or working in the vicinity.
- 17 3. The proposed conditional use is subject to compliance with the Zoning Ordinance  
18 provisions as incorporated into the Mixed-Use Plan; as well as, with the specific conditions  
19 of project approval and additional regulations/licensing as deemed necessary by other  
20 regulatory or permit authorities. All necessary licenses/permits will be obtained prior to  
21 initiating operation of the commercial aspects of the Mixed-Use project.

22 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes  
23 effective upon its adoption.

24 NOW, THEREFORE, the Community Development Commission of the City of Oceanside  
25 does resolve as follows:

26 SECTION 1. That Tentative Map (RT19-00002), Development Plan (RD19-00003),  
27 Conditional Use Permit (RCUP20-00003) are hereby approved subject to the following  
28 conditions:

**Building:**

1. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all Current State and local building codes.
2. The building plans for this project shall be prepared by a licensed architect or engineer.
3. Separate/unique addresses may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division shall accompany the Building Permit application.
4. Exterior Stairways must comply with CBC 1027.5.
5. All electrical, communication, CATV, etc. service lines within the exterior lines of the property shall be underground (City Code Sec. 6.30).
6. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the plans.
7. A complete set of Soil Reports, Structural Calculations, Energy Calculations, & California Title 24 Energy Form(s) shall be required at time of plans submittal to the Building Division for plan check.
8. Project shall comply with Building Division Procedure I-10 Survey requirement-Coastal Zone. A California Licensed Surveyor shall perform verification of construction in progress at the following points of construction: foundation, each floor, roof and final (prior to final building inspection approval)
9. Rodent proofing: Annular spaces around pipes, electric cables, conduits or other openings in sole/bottom plates at exterior walls shall be protected against the passage of rodents by closing such openings with cement mortar, concrete masonry or a similar method acceptable to the city building inspector.
10. Site development, parking, access into buildings and building interiors shall comply WITH ALL CURRENT State of California Accessibility requirements. 2016 California Building Code.

- 1 11. A demolition permit for the existing structures must be obtained and a final inspection  
2 must be approved by the Building Division.
- 3 12. The 2016 California Energy Code requires rooftop solar zones. The requirements for  
4 solar ready buildings are mandatory measures for newly constructed single-family  
5 residences and low-rise multifamily residential buildings. Plans must be submitted with  
6 the minimum required solar zones indicated on each required structure. 2016 California  
7 Energy Code, Section 110.10 A-D.
- 8 13. The requirements for solar ready buildings are all mandatory, so there are no  
9 prescriptive and performance compliance paths. Since the provisions are mandatory,  
10 there are also no tradeoffs allowed, and applicants must demonstrate compliance with  
11 each measure.
- 12 14. A form or foundation survey shall be required prior to the placement of concrete to show  
13 the location of the new structure in respect to the property lines, known easements, and  
14 known setback lines. By obtaining a form survey the location of the foundation is  
15 checked prior to the placement of concrete, and can save costly corrective measures in  
16 case of an encroachment of a property line.
- 17 15. Construction waste management. Recycle and/or salvage for reuse a minimum of 65%  
18 of the nonhazardous construction and demolition waste in accordance with either CAL  
19 Green Section 4.408.2 Waste Management Plan, 4.408.3 Waste Management Company  
20 or 4.408.4 Waste Stream Reduction Alternative. A City approved waste management  
21 company/hauler shall be used for recycling of construction waste. Documentation of  
22 compliance with Section 4.408.1 shall be provided to the Authority Having Jurisdiction  
23 prior to project final approval. 4.410.1 Operation and maintenance manual. At the time  
24 of final inspection, an operation and maintenance manual shall be provided to the  
25 building occupant or owner.
- 26 16. The developer shall monitor, supervise and control all building construction and supportive  
27 activities so as to prevent these activities from causing a public nuisance, including, but not  
28 limited to, strict adherence to the following:



- 1 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
2 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
3 work that is not inherently noise-producing. Examples of work not permitted on  
4 Saturday are concrete and grout pours, roof nailing and activities of similar noise-  
5 producing nature. No work shall be permitted on Sundays and Federal Holidays  
6 (New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, and  
7 Christmas Day) except as allowed for emergency work under the provisions of  
8 the Oceanside City Code Chapter 38. (Noise Ordinance)
- 9 b) The construction site shall be kept reasonably free of construction debris as  
10 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
11 approved solid waste containers shall be considered compliance with this  
12 requirement. Small amounts of construction debris may be stored on-site in a  
13 neat, safe manner for short periods of time pending disposal.

14 **Engineering:**

- 15 17. For the demolition of any existing structure or surface improvements; grading plans shall  
16 be submitted and erosion control plans be approved by the City Engineer prior to the  
17 issuance of a demolition permit. No demolition shall be permitted without an approved  
18 erosion control plan.
- 19 18. Design and construction of all improvements shall be in accordance with the City of  
20 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard  
21 engineering and specifications of the City of Oceanside and subject to approval by the  
22 City Engineer.
- 23 19. All right-of-way alignments, street dedications, exact geometrics and width shall be  
24 dedicated and constructed or replaced as required by the City Engineer.
- 25 20. The tract shall be recorded and developed as one. The City Engineer shall require the  
26 dedication and construction of necessary utilities, streets and other improvements  
27 outside the area of any particular map, if such is needed for circulation, parking, access  
28 or for the welfare or safety of future occupants of the development. The boundaries of  
any multiple final map increments shall be subject to the approval of the City Engineer.

- 1 21. Prior to the issuance of a Certificate of Occupancy permit, all improvements, including  
2 landscaping, landscaped medians, frontage improvements shall be completed to the  
3 satisfaction of the City Engineer.
- 4 22. Prior to approval of the map, provide the City of Oceanside with certification from each  
5 public utility and each public entity owning easements within the proposed project  
6 stating that: (a) they have received from the owner/developer a copy of the proposed  
7 map; (b) they object or do not object to the filing of the map without their signature; (c)  
8 in case of a street dedication affected by their existing easement, they will sign a  
9 "subordination certificate" or "joint-use certificate" on the map when required by the  
10 governing body. In addition, the owner/developer shall furnish proof to the satisfaction  
11 of the City Engineer that no new encumbrances have been created that would  
12 subordinate the City's interest over areas to be dedicated for public road purposes since  
13 submittal of the project.
- 14 23. The approval of the tentative map shall not mean that closure, vacation, or abandonment  
15 of any public street, right of way, easement, or facility is granted or guaranteed to the  
16 owner/developer. The owner/developer is responsible for applying for all closures,  
17 vacations, and abandonments as necessary. The application(s) shall be reviewed and  
18 approved or rejected by the City of Oceanside under separate process (es) per codes,  
19 ordinances, and policies in effect at the time of the application. The City of Oceanside  
20 retains its full legislative discretion to consider any application to vacate a public street  
21 or right of way.
- 22 24. Pursuant to the Subdivision Map Act, improvements shall be required at the time of  
23 development. A covenant, reviewed and approved by the City Attorney, shall be recorded  
24 attesting to these improvement conditions, and a statement setting forth the recordation  
25 shall be placed on the parcel map.
- 26 25. All public improvement requirements, within such increment or outside of it, if required by  
27 the City Engineer, shall be covered by a Subdivision Improvement Agreement and secured  
28 with sufficient improvement securities or bonds guaranteeing performance and payment for

1 labor and materials, setting of survey monuments, and warranties against defective  
2 materials and workmanship.

3 26. Obtain approval from SDGE concerning the removal of any existing easements or  
4 infrastructure, and any new proposed easements.

5 27. A traffic control plan shall be prepared according to the City traffic control guidelines  
6 and approved to the satisfaction of the City Engineer prior to the start of work within the  
7 public Right-of-Way. Traffic control during construction of streets that have been  
8 opened to public traffic shall be in accordance with construction signing, marking and  
9 other protection as required by the Caltrans Traffic Manual and City Traffic Control  
10 Guidelines. Traffic control plan implementation and hours shall be in accordance with  
11 the approved traffic control plans.

12 28. Vehicular access rights to Sportsfisher Drive and North Freeman Street shall be  
13 relinquished to the City from all abutting lots except at the two proposed driveways on  
14 North Freeman Street.

15 29. Sportsfisher Drive and North Freeman Street shall be constructed with new curb and gutter  
16 and sidewalk.

17 30. Sportsfisher Drive and North Freeman Street shall be provided with a 10-foot minimum  
18 parkway between the face of curb and Right-of-Way line. Sidewalk improvements  
19 (construct/replace) shall comply with current ADA requirements.

20 31. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be  
21 entirely located within the public Right-of-Way. If necessary, provide the ROW dedication  
22 on the map or through a separate instrument. Minimum curb return radius shall comply  
23 with the City of Oceanside Engineers Design and Processing Manual.

24 32. Sight distance requirements at the project driveway(s) or street shall conform to the corner  
25 sight distance criteria as provided by Caltrans. The owner/developer shall provide a plan  
26 and profile of the line of sight for each direction of traffic, and shall provide a certified  
27 sight distance letter signed by a California-licensed Civil Engineer.  
28

- 1 33. Proposed public improvements located within the City's ROW or onsite shall be displayed  
2 on separate public improvement plans in accordance with the City's Engineer's Design and  
3 Processing Manual.
- 4 34. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian  
5 ramps and sidewalk within the project, or adjacent to the project boundary that are already  
6 damaged or damaged during construction of the project, shall be repaired or replaced as  
7 directed by the City Engineer.
- 8 35. The existing, partially-exposed pipe drainage system that traverses Freeman Street shall be  
9 removed and constructed with a new cross-gutter per San Diego Regional Standard  
10 Drawing, G-12.
- 11 36. Two new ramps shall be constructed at the northwest and northeast corner of the  
12 intersection of Sportfisher Drive and Freeman Street in accordance with San Diego  
13 Regional Standard Drawings and ADA Standards.
- 14 37. At the initial submittal package during the Final Engineering Phase, a pavement evaluation  
15 report shall be submitted for the proposed onsite pavement. Pavement sections for all  
16 public and private roadways, driveways and parking areas shall be based upon approved  
17 soil tests and traffic indices. The pavement design is to be prepared by the  
18 owner/developer's soils engineer, and shall follow the City of Oceanside Engineers Design  
19 and Processing Manual, and be approved by the City Engineer. Roadway alignments and  
20 geometric layouts shall be in conformance with the City of Oceanside Engineers Design  
21 and Processing Manual.
- 22 38. At the initial submittal package during the Final Engineering Phase, a pavement evaluation  
23 report shall be submitted for offsite street and/or alley pavements. The owner/developer  
24 shall contract with a geotechnical engineering firm to perform a field investigation of the  
25 existing pavement on all streets adjacent to the project boundary. The limits of the study  
26 shall be half-street width along the project's (Sportfisher Drive and North Freeman Street)  
27 frontage. The field investigation shall be performed according to a specific boring plan  
28 prepared by a licensed Geotechnical Engineer and approved by the City Engineer. In the

1 absence of such approved boring plan, the field investigation shall include a minimum of  
2 one pavement boring per every fifty (50) linear feet of street frontage.

3 39. Should the study conclude that the pavement does not meet current pavement thickness  
4 requirements, the Owner/developer shall remove and reconstruct the pavement section in  
5 accordance with City requirements. Otherwise, the City Engineer shall determine whether  
6 the Owner/developer shall: 1) Repair all failed pavement sections, 2) header cut and grind  
7 per the direction of the City Engineer, and construct a two (2) inch thick rubberized AC  
8 overlay; or 3) Perform R-value testing and submit a study that determines if the existing  
9 pavement meets current City standards/traffic indices.

10 40. Maintenance responsibilities for the private driveways and roadways, used as access to  
11 the land being divided, shall be clearly identified in the project's CC&Rs or  
12 management plan, and shall be included in the grant deed title of the owner/developer.

13 41. A precise grading plan, which includes proposed onsite improvements, shall be prepared,  
14 reviewed, secured and approved prior to the issuance of any building permits. The plan  
15 shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters,  
16 medians, striping, and signage, footprints of all structures, walls, drainage devices and  
17 utility services. Parking lot striping and any on site traffic calming devices shall be shown  
18 on all precise grading plans.

19 42. Prior to the issuance of a grading permit, owner/developer shall develop and distribute a  
20 neighborhood-notification flier to area residents, property owners, and business owners  
21 located within a 500-foot radius of the project site, to inform them of the grading and  
22 construction schedule, and to answer questions. Developer shall provide a copy of the  
23 notification flier sheet for the project file.

24 43. Where proposed off-site improvements, including but not limited to slopes, public utility  
25 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his  
26 own expense, obtain all necessary easements or other interests in real property and shall  
27 dedicate the same to the City of Oceanside as required. The owner/developer shall provide  
28 documentary proof satisfactory to the City of Oceanside that such easements or other  
interest in real property have been obtained prior to the approval of a map (or) /issuance of

any grading, building or improvement permit for this development/project. Additionally, the City of Oceanside, may at its sole discretion, require that the owner/developer obtain at his sole expense a title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Oceanside or the owner/ developer, as applicable.

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

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

- a) Dirt, debris and other construction material shall not be deposited on any public street or within the City's storm water conveyance system.
- b) All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering-related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."
- c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. An alternate parking site can

be considered by the City Engineer in the event that the lot size is too small and cannot accommodate parking of all motor vehicles.

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

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

47. The approval of the tentative map 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 owner/developer. The owner/developer is responsible for obtaining written permission to grade to construct on adjacent properties. Should such permission be denied, the tentative map shall be subject to going back to the public hearing or subject to a substantial conformity review.

48. Prior to any grading of any part of the tract or project, a comprehensive soil and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance is approved by the City Engineer. The soils report shall be submitted as part of the first submittal package.

49. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed for all proposed stages of construction, shall be reviewed, secured by the owner/developer with cash securities or a letter of credit and approved by the City Engineer; Certificates of Deposit will not be accepted for this security.

- 1 50. Landscaping plans, including plans for the construction of walls, fences or other structures  
2 at or near intersections, must conform to intersection sight distance requirements.  
3 Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer  
4 prior to the issuance of a grading permit and approved by the City Engineer prior to the  
5 issuance of building permits. Frontage and median landscaping shall be installed and  
6 established prior to the issuance of any certificates of occupancy. Securities shall be  
7 required only for landscape items in the public right-of-way. Any project fences, sound or  
8 privacy walls and monument entry walls/signs shall be shown on, bonded for and built  
9 from the landscape plans. These features shall also be shown on the precise grading plans  
10 for purposes of location only. Plantable, segmental walls shall be designed, reviewed and  
11 constructed by the grading plans and landscaped/irrigated through project landscape plans.  
12 All plans must be approved by the City Engineer and a pre-construction meeting held,  
13 prior to the start of any improvements.
- 14 51. The drainage design shown on the tentative parcel map, site plan or grading plan, and the  
15 drainage report for this tentative parcel map/development plan is conceptual only. The  
16 final drainage report and design shall be based upon a hydrologic/hydraulic study that is in  
17 accordance with the latest San Diego County Hydrology and Drainage Manual, and is to be  
18 approved by the City Engineer during the Final Engineering phase. All drainage picked up  
19 in an underground system shall remain underground until it is discharged into an approved  
20 channel, or as otherwise approved by the City Engineer.
- 21 52. The project's drainage system shall not connect or discharge to another private stormdrain  
22 system without first obtaining written permission from the owner of the system. The  
23 written permission letter shall be provided to the City prior to the issuance of a grading  
24 permit. The owner/developer shall be responsible for obtaining any off-site easements for  
25 storm drainage facilities.
- 26 53. All public storm drains shall be shown on City standard plan and profile sheets. All storm  
27 drain easements shall be dedicated where required.  
28



- 1 54. Drainage facilities shall be designed and installed to adequately accommodate the local  
2 storm water runoff; and shall be in accordance with the San Diego County Hydrology  
3 Manual and the City of Oceanside Engineers Design and Processing Manual to the  
4 satisfaction of the City Engineer.
- 5 55. Storm drain facilities shall be designed and constructed to allow inside travel lanes of  
6 streets classified as a Collector or above, to be passable during a 100-year storm event.
- 7 56. Sediment, silt, grease, trash, debris, and pollutants shall be collected on-site and disposed  
8 of in accordance with all state and federal requirements, prior discharging of stormwater  
9 into the City drainage system.
- 10 57. The project is categorized as a stormwater-Standard Development Project (SDP). A final  
11 Storm Water Quality Management Plan (SWQMP) shall be submitted to the City for  
12 review at the final engineering phase. Approval of this document is required prior to the  
13 issuance of a grading permit.
- 14 58. Open space areas, down-sloped areas visible from a collector-level or above roadway  
15 classification, and improvements within the common areas that are not maintained by the  
16 property owner, shall be maintained by a homeowners' association or management group  
17 that will ensure operation and maintenance of these items in perpetuity. These areas shall  
18 be indicated on the final map and reserved for an association. Future buyers shall be made  
19 aware of any estimated monthly maintenance costs. The disclosure, together with the  
20 CC&Rs, shall be submitted to the City Engineer for review prior to the recordation of the  
21 final map.
- 22 59. All existing overhead utility lines located within the project development property and/or  
23 within any full width street or Right-of-Way abutting a new development, and all new  
24 extension services for the development of the project, including but not limited to,  
25 electrical, cable and telephone, shall be placed underground per Section 901.G. of the  
26 Subdivision Ordinance (R91-166), and as required by the City Engineer and current City  
27 policies.  
28

- 1 60. The owner/developer shall obtain all necessary permits and clearances from public  
2 agencies having jurisdiction over the project due to its type, size, or location, prior to the  
3 issuance of a grading permit. The list of public agencies includes, but is not limited to, the  
4 California Department of Transportation (Caltrans), the City of Carlsbad, the U. S. Army  
5 Corps of Engineers, the California Department of Fish & Game, the U. S. Fish and  
6 Wildlife Service and/or the San Diego Regional Water Quality Control Board (including  
7 NPDES), and the San Diego County Health Department
- 8 61. The owner/developer shall comply with all the provisions of the City's cable television  
9 ordinances, including those relating to notification as required by the City Engineer.
- 10 62. Approval of this development project is conditioned upon payment of all applicable impact  
11 fees and connection fees in the manner provided in chapter 32B of the Oceanside City  
12 Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,  
13 reimbursements, and other applicable charges, fees and deposits shall be paid prior to  
14 recordation of the map or the issuance of any building permits, in accordance with City  
15 Ordinances and policies. Payment of drainage impact fees are required prior to docketing  
16 the map for City Council hearing and the recording of the Final Map. The  
17 owner/developer shall also be required to join into, contribute, or participate in any  
18 improvement, lighting, or other special district affecting or affected by this project.
- 19 63. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire  
20 project will be subject to prevailing wage requirements as specified by Labor Code  
21 section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging  
22 the prevailing wage requirements prior to the granting of any fee reductions or waivers.
- 23 64. In the event that there are discrepancies in information between the conceptual plan and  
24 the conditions set forth in the project's City Council/Community Development  
25 Commission Resolution, the project's Planning Commission Resolution shall prevail.

26 /////

27 /////

28 /////

**Fire:**

65. If applicable, buildings four or more stories in height must comply with the Oceanside Mid-Rise Ordinance:
- Sec. 11.19. - Mid-rise buildings.
66. In addition to other applicable provisions of the California Fire Code, the City Code, other laws and regulations, and any policies of the Fire Code Official, the provisions of this article apply to every newly constructed mid-rise building of any type construction, or any mid-rise building which undergoes a complete renovation that requires the complete vacancy of the building to complete the renovation.
67. If the California Building Code determines this building four stories the City of Oceanside Mid-Rise Ordinance will apply.
68. Fire Sprinklers must be installed per chapter 5 of the California Building Code.
69. Every mid-rise building must be provided with a class I standpipe system that is interconnected with the fire sprinkler system. The system must consist of two and one-half-inch (2½") hose valves that must be located in each stair enclosure on every floor level. Two (2) hose outlets must also be located on the roof, outside of each stair shaft enclosure that penetrates the roof. The standpipe system must be designed, installed, and tested in accordance with the adopted edition of NFPA
70. *Smoke detection.* Smoke detectors must be provided in accordance with this section. Smoke detectors must be connected to an automatic fire alarm system installed in accordance with the adopted edition of NFPA 72. The actuation of any detector required by this section will operate the emergency voice alarm signaling system and will place into operation all equipment necessary to prevent the circulation of smoke through air return and exhaust ductwork. Smoke detectors must be located as follows:
- a) In every mechanical equipment, electrical, transformer, telephone equipment, unmanned computer equipment, elevator machinery or similar room and in all elevator lobbies. Elevator lobby detectors must be connected to an alarm verification zone or be listed as a releasing device.

- 1           b)     In the main return-air and exhaust-air plenum of each air-conditioning system  
2               having a capacity greater than 2,000 cubic feet per minute. Such devices must be  
3               located in a serviceable area downstream of the last duct inlet.
- 4           c).    At each connection to a vertical duct or riser serving two (2) or more stories from  
5               a return-air duct or plenum of an air conditioning system. In Group R-1 and R-2  
6               occupancies, a smoke detector is allowed to be used in each return-air riser  
7               carrying not more than five thousand (5,000) cubic feet per minute and serving  
8               not more than ten (10) air inlet openings.
- 9           d)     In all corridors serving as a means of egress.

10       *Fire alarm system.* An approved and listed, automatic and manual, fully addressable and  
11               electronically supervised fire alarm system must be provided in conformance with  
12               the California Fire Code and California Building Code.

13       *Emergency voice alarm communication system.* An emergency voice alarm  
14               communication system shall be designed and installed in accordance with NFPA 72 and  
15               California Building Code 907.5.2.2, and its subsections, and 11B-215.

16       *Locking of stairway doors.* All stairway doors that are locked to prohibit access from the  
17               interior of the stairway must have the capability of being unlocked simultaneously,  
18               without unlatching, upon a signal from the main fire panel area. Upon failure of normal  
19               electrical service, or activation of any fire alarm, the locking mechanism must  
20               automatically retract to the unlocked position. (Ord. No. 08-OR0369-1, § 5, 6-11-08;  
21               Ord. No. 13-OR0752-1, § 2, 12-4-2013; Ord. No. 16-OR0848-1 , § 3, 12-21-2016)

22   71. Fire Master Plan required at the time of building permit application. Fire Master Plan to be  
23       prepared based on approved fire access plan dated 11-05-19.

24   **Landscaping:**

25   72. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and  
26       Specifications for Landscape Development (latest revision), Water Conservation Ordinance  
27       No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and ordinances,  
28       including the maintenance of such landscaping shall be submitted, reviewed and approved  
      by the City Engineer prior to the issuance of building permits. Landscaping shall not be

1 installed until bonds have been posted, fees paid, and plans signed for final approval. In  
2 addition, a refundable cash deposit for the preparation of the final As-built/ Maintenance  
3 Guarantee shall be secured with the City prior to the final approval of the landscape  
4 construction plan. A landscape pre-construction meeting shall be conducted by the  
5 landscape architect of record, Public Works Inspector, developer or owner's representative  
6 and landscape contractor prior to commencement of the landscape and irrigation  
7 installation. The following landscaping items shall be required prior to plan approval and  
8 certificate of occupancy:

- 9 a) Final landscape plans shall accurately show placement of all plant material such  
10 as but not limited to trees, shrubs, and groundcovers.
- 11 b) Landscape Architect shall be aware of all utility, sewer, water, gas and storm  
12 drain lines and utility easements and place planting locations accordingly to meet  
13 City of Oceanside requirements.
- 14 c) Final landscape plans shall be prepared under the direct supervision of a  
15 Registered Landscape Architect (State of California), with all drawings bearing  
16 their professional stamp and signature.
- 17 d) All required landscape areas both public and private (including trees and palms in  
18 the public rights-of-way) shall be maintained by owner, project association or  
19 successor of the project. The landscape areas shall be maintained per City of  
20 Oceanside requirements.
- 21 e) The As-built/ Maintenance Guarantee (refundable cash deposit) shall not be  
22 released until the as-built drawings have been approved on the original approved  
23 Mylar landscape plan and the required maintenance period has been successfully  
24 terminated.
- 25 f) Proposed landscape species shall fit the site and meet climate changes indicative  
26 to their planting location. The selection of plant material shall also be based on  
27 cultural, aesthetic, and maintenance considerations. In addition proposed  
28 landscape species shall be low water users as well as meet all fire department  
requirements.

- g) All planting areas shall be prepared and implemented to the required depth with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site.
- h) Ground covers or bark mulch shall fill in between the shrubs to shield the soil 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.
- i) The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.
- j) Root barriers shall be installed adjacent to all paving surfaces where a paving surface is located within 6 feet of a tree trunk on site (private) and within 10 feet of a tree trunk in the right- of-way (public). Root barriers shall extend 5 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.
- k) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain Planning Division approval for these items in the conditions or application stage prior to 1st submittal of working drawings.
- l) 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.
- m) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.
- n) 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.

- o) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- p) The landscape plans shall match all plans affiliated with the project.
- q) Landscape construction drawings are required to implement approved Fire Department regulations, codes, and standards at the time of plan approval.
- r) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with Storm Water Management Plan (SWMP), Hydromodification Plan, or Best Management Practices and meet the satisfaction of the City Engineer.
- s) 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.
- t) All pedestrian paving (both decorative and standard) shall comply with the most current edition of the American Disability Act.

73. 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 (including interior trees and street trees) c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) maintenance of parking lots, walkways, enhanced hardscape, trash enclosures, walls, fences, etc. f) pruning standards for street trees shall comply with the International Society of Arboriculture (ISA) Standard Practices for Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines, Appendix F (most current edition). 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.

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

**Planning:**

75. This Tentative Map (RT19-00002), Development Plan (RD19-00003), Conditional Use Permit (RCUP20-00003) shall expire 36 months from its approval (October 7, 2023), unless this time period is extended by the provisions of Section 409 of the Subdivision Ordinance.

76. This Tentative Map (RT19-00002), Development Plan (RD19-00003), Conditional Use Permit (RCUP20-00003) approves only the demolition of two residential structures on site and construct a mixed-use development with five residential condominium units and two commercial units totaling 887 square-feet all within a freestanding three-story building located on approximate 7,500 square-foot lot at 513 North Freeman as shown on the plans and exhibits presented to the Community Development Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the Tentative Map, Development Plan and Conditional Use Permit or a new Tentative Map, Development Plan and Conditional Use Permit.

77. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Tentative Map (RT19-00002), Development Plan (RD19-00003), Conditional Use Permit (RCUP20-00003). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.



- 1 78. Prior to Building Permit issuance the applicant shall submit and obtain final approval of  
2 the Construction Management Plan from the City Planner or their designee. The  
3 Construction Management Plan shall be implemented during the entire duration of  
4 construction of the Mixed-Use Project.
- 5 79. Prior to the issuance of building permits, compliance with the applicable provisions of  
6 the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be  
7 reviewed and approved by the Planning Division. These requirements, including the  
8 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be  
9 noted on the Landscape Plan and shall be recorded in the form of a covenant affecting  
10 the subject property.
- 11 80. Outdoor lighting shall be low emission, shielded, and directed away from neighboring  
12 properties.
- 13 81. A covenant or other recordable document approved by the City Attorney shall be  
14 prepared by the property owner and recorded prior to the approval of the final map. The  
15 covenant shall provide that the property is subject to this resolution, and shall generally  
16 list the conditions of approval.
- 17 82. 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 83. Failure to meet any conditions of approval shall constitute a violation of the Tentative  
22 Map, Development Plan, Conditional Use Permit.
- 23 84. Unless expressly waived, all current zoning standards and City ordinances and policies  
24 in effect at the time building permits are issued. The approval of this project constitutes  
25 the applicant's agreement with all statements in the Description and Justification and  
26 other materials and information submitted with this application, unless specifically  
27 waived by an adopted condition of approval.
- 28

- 1 85. The developer's construction of all fencing and walls associated with the project shall be  
2 in conformance with the approved Development Plan. Any substantial change in any  
3 aspect of fencing or wall design from the approved Development Plan shall require a  
4 revision to the Development Plan or a new Development Plan.
- 5 86. If any aspect of the project fencing and walls is not covered by an approved  
6 Development Plan, the construction of fencing and walls shall conform to the  
7 development standards of the City Zoning Ordinance. In no case, shall the construction  
8 of fences and walls (including combinations thereof) exceed the limitations of the  
9 zoning code, unless expressly granted by a Variance or other development approval.
- 10 87. Elevations, siding materials, colors, roofing materials, and floor plans shall be  
11 substantially the same as those approved by the Community Development Commission.  
12 These shall be shown on plans submitted to the Building Division and Planning  
13 Division.
- 14 88. All mechanical rooftop and ground equipment shall be screened from public view as  
15 required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen and  
16 vents shall be painted with non-reflective paint to match the roof. This information shall  
17 be shown on the building plans.
- 18 89. Any project entrance signs shall meet the requirements of the Sign Ordinance and be  
19 approved by the City Planner.
- 20 90. The developer is prohibited from entering into any agreement with a cable television  
21 franchisee of the City, which gives such franchisee exclusive rights to install, operate,  
22 and or maintain its cable television system in the development.
- 23 91. A letter of clearance from the affected school district in which the property is located  
24 shall be provided as required by City policy at the time building permits are issued.
- 25 92. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water  
26 Conservation Ordinance No. 91-15, including the maintenance of such landscaping,  
27 shall be reviewed and approved by the City Engineer and City Planner prior to the  
28 issuance of building permits. Landscaping shall not be installed until bonds have been  
posted, fees paid, and plans signed for final approval.

93. Construction of the proposed project shall comply with the California Administrative Code. The building must be for a minimum exterior-to-interior noise reduction resulting in interior noise levels, due to exterior sources, of 45 dBA CNEL or less. This noise reduction could be achieved using standard construction methods, including but not limited to mechanical ventilation, double-paned windows and acoustically insulated doors where they face roadways.

94. Any trash, debris, or waste material found onsite during grading or cleanup operations shall be disposed of off-site in accordance with local, state, and federal regulations. Any buried trash/debris or materials containing petroleum encountered shall be evaluated prior to removal and disposal.

**Water Utilities:**

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

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

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

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

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

- 1 100. Each new residential dwelling unit or commercial suite shall be metered individually.
- 2 101. For new buildings with multiple residential dwelling units; the City recommends and has  
3 accepted, as an alternative, a public master meter for each building provided there is a  
4 private sub-meter for each individual dwelling unit. The Home Owner's Association would  
5 be responsible for the ownership, maintenance, reading, and replacement of the private  
6 sub-meters. There shall be a shared agreement for the shared water supply line and private  
7 water and sewer facilities among the owners. This should be addressed in the CC&Rs or  
8 maintenance agreement.
- 9 102. Provide a separate irrigation water meter with reduced pressure principle backflow device  
10 for common area landscaping. Meter shall be managed and paid for by the Homeowner's  
11 Association for the development. Irrigation meter may be a dedicated water meter, or a  
12 private sub-meter.
- 13 103. Per the latest approved California Fire Code, all new residential units shall be equipped  
14 with fire sprinkler system.
- 15 104. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire  
16 protection shall have a dedicated fire service connection to a public water main with a  
17 double check detector backflow assembly. Location of the backflow assembly must be  
18 approved by Fire Department.
- 19 **The following conditions shall be met prior to the approval of engineering design plans.**
- 20 105. All public water and/or sewer facilities not located within the public right-of-way shall be  
21 provided with easements sized according to the *Water, Sewer, and Recycled Water Design*  
22 *and Construction Manual*. Easements shall be constructed for all weather access.
- 23 106. Any water and/or sewer improvements required to develop the proposed property will need  
24 to be included in the improvement plans and designed in accordance with the *Water,*  
25 *Sewer, and Recycled Water Design and Construction Manual*.
- 26 107. No trees, structures or building overhang shall be located within any water or wastewater  
27 utility easement.
- 28

- 1 108. All lots with a finish pad elevation located below the elevation of the next upstream  
2 manhole cover of the public sewer shall be protected from backflow of sewage by  
3 installing and maintaining an approved type backwater valve, per the latest adopted  
4 California Plumbing Code.
- 5 109. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a recycled  
6 water impact fee since the proposed project is not within 75 feet of a recycled water main.  
7 The impact fee shall be established by submitting a formal letter requesting the City to  
8 determine this fee, which is based on 75% of the design and construction cost to construct a  
9 recycled water line fronting the property in Sportfisher Drive.
- 10 110. Connections to public sewer main with 6-inch or larger sewer lateral will require a new  
11 sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and Recycled*  
12 *Water Design and Construction Manual*.
- 13 111. A separate irrigation meter and connection with an approved backflow prevention device is  
14 required to serve common landscaped areas and shall be displayed on the plans.
- 15 112. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter and  
16 reduced pressure principle backflow device on Landscape Plans.
- 17 113. Provide stationing and offsets for existing and proposed water service connections and  
18 sewer laterals on plans.
- 19 114. When an existing water meter is to be upsized, the water service line from the main must  
20 be at least the same size as the meter. If the existing water service connection is less than  
21 the proposed meter size, then the Owner/Developer may be required to abandon the  
22 existing water service and show on engineering and building plans the location and size of  
23 the new service connection to public main.
- 24 115. Each parcel shall have a separate sewer lateral connection.
- 25 116. For new buildings with multiple residential dwelling units; the City recommends  
26 minimizing the number of sewer laterals by sharing laterals between tenants.
- 27 117. Where private sewer system is shared with other tenants, a Homeowner's Association or  
28 Property Management Company and CC&Rs should address the maintenance, repair, and  
replacement of "shared" sewer lateral or facilities.

- 1 118. Any unused water services or sewer laterals by the proposed development or  
2 redevelopment, shall be abandoned in accordance with Water Utilities requirements.
- 3 119. Provide a plan and profile design for the proposed sewer main in Freeman St. and  
4 Sportfisher Dr. Design shall conform to the most recent edition of the *Water, Sewer, and*  
5 *Recycled Water Design and Construction Manual*.
- 6 120. The parking structure shall be designed with a drainage system that conveys runoff to the  
7 City's Storm Drain System.
- 8 121. If the parking structure is equipped with a hose down setup or wash rack then runoff  
9 related to the parking structure must enter an Oil and Sand Interceptor before  
10 discharging to the sewer.
- 11 122. Connection to the existing sewer main in Sportfisher Dr. shall be made with a new  
12 manhole with 8-inch stub outs (north & south) for future upsizing and eccentric reducers  
13 to connect the existing 6" VCP main to the 8-inch stub outs.
- 14 **The following conditions of approval shall be met prior to building permit issuance.**
- 15 123. Show location and size of existing and proposed water meter(s) on site plan of building  
16 plans. Show waterline from proposed meter to connection point to building or residence.
- 17 124. Show location and size of existing and proposed sewer lateral(s) from property line or  
18 connection to sewer main to connection point at building or residence.
- 19 125. Provide table of fixture count and flow calculations per the latest adopted California  
20 Plumbing Code to size water meter and service lines on site plan of building plans.
- 21 126. If a larger water meter is required, then the incremental increase in water and sewer buy-in  
22 fees between the existing and proposed meter size will be charged. If the existing water  
23 service connection is less than the proposed meter size, then the Owner/Developer will be  
24 required to abandon the existing water service and show on engineering and building plans  
25 the location and size of the new service connection to public main.
- 26 127. Provide drainage fixture unit count per the latest adopted California Plumbing Code to size  
27 sewer lateral for property.
- 28

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

3 **Solid Waste:**

4 129. The project demonstrates adequate solid waste service and storage for all three streams  
5 (solid waste, recycling and organics). This property will use residential carts for each  
6 unit and the carts must be placed on private property and screened from public view by a  
7 solid fence or wall.

8 130. The City of Oceanside Municipal Code Chapter 13 requires that Oceanside residents,  
9 businesses and multifamily projects are to separate all recyclable material from other  
10 solid waste. The City of Oceanside reserves the right to review program and services  
11 levels and request increases if deemed necessary.

12 PASSED AND ADOPTED by the Community Development Commission of the City of  
13 Oceanside, California, this 7<sup>th</sup> day of October, 2020 by the following vote:

14 AYES: WEISS, FELLER, KEIM, RODRIGUEZ, SANCHEZ

15 NAYS: NONE

16 ABSENT: NONE

17 ABSTAIN: NONE

18  
19   
20 CHAIRMAN

21  
22 ATTEST:

23 APPROVED AS TO FORM:  
24 OFFICE OF THE CITY ATTORNEY

25   
26 SECRETARY

27   
28 GENERAL COUNSEL