

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2025-P16 APPROVING A TENTATIVE MAP, DEVELOPMENT PLAN, AND DENSITY BONUS (T24-00005, D24-00016, & DB24-00007) TO PERMIT A 23-LOT SUBDIVISION AND DEVELOPMENT OF 19 SINGLE-FAMILY HOMES ON A 1.68-ACRE SITE LOCATED AT 240 GRACE STREET –

**(Hallmark Development Corp. – Applicant)
(Richard Kratcoski -Appellant)**

WHEREAS, on July 14, 2025, the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, approved by a vote of 5-0 (Dodds, Redgate absent) Tentative Map (T24-00005) Development Plan (D24-00016), and Density Bonus (DB24-00007), to permit a twenty-three (23) lot subdivision (four common lots, 19 numbered lots, and one remainder lot) for single-family residential purposes, with each residence provided with associated on-site parking facilities and landscaping on a 1.68-acre portion of the 6.00-acre site located 240 Grace Street; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) of 1970 and State Guidelines there to, the project qualifies for a Class 32 Categorical Exemption (In fill Development Projects); and

WHEREAS, on July 24, 2025, a timely appeal of the Planning Commission's approval of said project was filed with the City Clerk; and

WHEREAS, on October 15, 2025, the City Council of the City of Oceanside held a duly noticed public hearing and heard and considered evidence and testimony by all interested parties concerning the Planning Commission's approval of the Tentative Map, Development Plan, and Density Bonus; and

WHEREAS, based on such evidence, testimony, and staff reports, this Council has determined that the findings of fact articulated by the Planning Commission are true and correct, and therefore the Council accepts the findings of fact as set forth in Planning Commission Resolution No. 2025-P16, attached hereto as Exhibit "A," and incorporates them by reference as if fully set forth herein;

1 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

2 1. The Council affirms the Planning Commission action of July 14, 2025, confirms the approval of
3 the CEQA Class 32 Categorical Exemption and upholds the approval of Tentative Map (T24-00005),
4 Development Plan (D24-00016), and Density Bonus (DB24-00007), as specified by Planning
5 Commission Resolution No. 2025-P16, attached hereto as Exhibit "A" and incorporated herein by this
6 reference.

7 2. In addition to the Conditions of Approval included within Planning Commission Resolution No.
8 2025-P16, the following Planning Division Condition of Approval is hereby placed on the project.

9
10 Prior to final inspection on any of the proposed homes, the applicant shall install stop signs and
11 associated striping to the satisfaction of the City Traffic Engineer at the following intersections:

- 12 • Carey Road and El Monte Drive
- 13 • El Monte Drive and Foster Street
- 14 • Foster Street and Saratoga Street

15 If the City Traffic Engineer determines that no additional stop controls are warranted at one or
16 more of the specified intersections, they shall notify the property owner and relieve them, in
17 whole or in part, of this requirement.

18
19 3. Notice is hereby given that the time within which judicial review must be sought on this decision
20 is governed by Public Resources Code section 21167(d) and Code of Civil Procedure section 1094.6(b)
21 as set forth in Oceanside City Code section 1.10.

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1 PASSED and ADOPTED by the City Council of the City of Oceanside, California
2 this ____ day of _____, by the following vote:

3
4 AYES:

5 NAYS:

6 ABSENT:

7 ABSTAIN:
8

9
10 _____
Mayor of the City of Oceanside

11 ATTEST:

12 APPROVED AS TO FORM:
13 OFFICE OF THE CITY ATTORNEY

14 _____
15 City Clerk

16 _____
17 City Attorney
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PLANNING COMMISSION
RESOLUTION NO. 2025-P16

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF OCEANSIDE, CALIFORNIA APPROVING
A TENTATIVE MAP, DEVELOPMENT PLAN, AND
DENSITY BONUS ON CERTAIN REAL PROPERTY IN
THE CITY OF OCEANSIDE

APPLICATION NO: T24-00005, D24-00016, DB24-00007
APPLICANT: HALLMARK DEVELOPMENT CORP.
LOCATION: Northern 174 feet of 240 Grace Street (APN: 148-320-42)

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

WHEREAS, there was filed with the City's Development Services Department a verified petition on the forms prescribed by the City requesting approval of a Tentative Map, Development Plan, and Density Bonus under the provisions of Articles 10 (Residential Districts), 30 (Site Regulations), 31 (Off-Street Parking), 40 (Environmental Review), and 43 (Development Plan Review) of the Zoning Ordinance and Article 4 (Tentative Subdivision Maps) of the Subdivision Ordinance of the City of Oceanside to permit the following:

a subdivision comprised of nineteen (19) residential lots, four (4) lettered lots, and one (1) lot remainder lot and construction of nineteen single-family homes with associated site improvements;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 14th day of July, 2025 conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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

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

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
Schools (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
Traffic Signal & Thoroughfare (Single-Family Residential)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Reso. #16-R-0324-1 Ord #85-23
Wastewater System Capacity Buy-In Fee (Single-Family Res)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37
San Diego County Water Authority (Residential and Non-Residential)	SDCWA Ord. 2017

Description	Authority for Imposition
Inclusionary Housing In-Lieu fees (Residential)	Chapter 14C of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

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

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

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

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

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

FINDINGS:

For Tentative Map (T24-00005):

1. The proposed Tentative Map is consistent with the General Plan and provisions of the Subdivision Ordinance of the City. The underlying General Plan Land Use designation of SFD-R allows single-family residential development as proposed with the project. In addition, the project is consistent with Policies 1.16(a-e) and 1.17(d) of the Land Use Element and Policies 2.2, 3.5, 3.7, and 3.8 of the Housing Element as it relates to the provision of affordable and infill housing.

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2. The site is physically suitable for the type and proposed density of development because the 1.68-acre project site is not significantly constrained by geology, hydrologic hazards, sensitive or protected habitat, easements or other limiting features based on the proposed project design.
3. The site is physically suitable for the proposed density of the project, 11.34 dwelling units per acre, which is higher than residential densities in the immediate vicinity of the project site, but is allowed pursuant to State Density Bonus Law. Loma Alta is an established neighborhood with existing utilities and infrastructure, that can serve the project at the proposed density with the required improvements.
4. 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 as the project site is located in an urbanized and developed area of the City.
5. The design of the subdivision or the type of improvements meet City standards and will not conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision as the project maintains the existing geometry of Grace Street and would create a new private roadway connecting Grace Street with the proposed homes. All roadway improvements for public and private streets are subject to City review and approval thus, City standards will be met.
6. The subdivision complies with all other applicable ordinances, regulations and guidelines of the City of Oceanside because the proposed Tentative Map conforms to the applicable requirements of Article IV of the City's Subdivision Ordinance (Tentative Subdivision Maps).

For the Development Plan (D24-00016):

1. The site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance because the siting of residential lots is consistent with the provisions of Sections 1050 and 3032 of the Zoning Ordinance.

2. The Development Plan as proposed conforms to the General Plan of the City, in that the underlying General Plan Land Use designation of SFD-R allows single-family residential development as proposed with the project. In addition, the project is consistent with Policies 1.16(a-e) and 1.17(d) of the Land Use Element and Policies 2.2, 3.5, 3.7, and 3.8 of the Housing Element as it relates to the provision of affordable and infill housing.
3. 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.
4. The proposed project, which consists of mostly attached single-family homes, is compatible to the existing housing on adjoining properties and surrounding neighborhood. Although the proposed density of the project (11.34 dwelling units per acre) is higher than surrounding development, this density is permitted per provisions in State Density Bonus Law.
5. The site plan and physical design of the project is consistent with the policies contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan and Section 3039 of the Zoning Ordinance.

For the Density Bonus (DB24-00007):

1. Two of the affordable units will be reserved for households within the Very Low-Income category and will be subject to a restrictive covenant guaranteeing affordability for the Very Low-Income households for a period of 55 years.
2. One of the affordable units will be reserved for households within the Moderate-Income category and will be subject to a restrictive covenant guaranteeing affordability for the Moderate-Income households for a period of 55 years.
3. The affordable units have been designed to be proportional to the project's market rate units in terms of floor plan, square footage, and exterior design. The affordable units are 3 or 4 bedrooms with a garage and at least 80% of the floor area of the average of the market rate units with the same bedroom count. The affordable units

are dispersed throughout the project site and will have a similar external appearance to the market rate units.

4. The maximum allowable rent for the project's affordable units comply with the law for the Very Low-Income and Moderate-Income category.
5. The project's affordable units will be available at affordable housing costs, as defined in Health and Safety Code Section 50052.5.
6. An Affordable Housing Regulatory Agreement that will be prepared for the project will outline the reporting requirements consistent with Section 3032(M)(7) of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Tentative Map (T24-00005), Development Plan (D24-00016), and Density Bonus (DB24-00007), subject to the following conditions:

Building:

1. When plans are submitted for the proposed project they will need to show compliance with the applicable code that is in effect at the time of permit application. Please note on the first plan sheet that the applicable Code for this project is the 2022 edition of the California Code of Regulations (CCR); Title 24 (California Building Standards Code), and the amendments to the City of Oceanside Administrative Code for Building Regulations Chapter 6 Building Construction Regulations Municipal Code; see the attached copy of the City of Oceanside 2022 Building Codes and Regulations handout. There are 12 parts to CCR Title 24 and the typical applicable parts for most residential projects are listed below.

Part 2: The 2022 California Building Code (CBC)

Part 2.5: The 2022 California Residential Code (CRC)

Part 3: The 2022 California Electrical Code (CEC)

Part 4: The 2022 California Mechanical Code (CMC)

Part 5: The 2022 California Plumbing Code (CPC)

Part 6: The 2022 California Energy Code

1 Part 9: The 2022 California Fire Code (CFC)

2 Part 11: The 2022 California Green Building Standards Code (CALGreen)

- 3 2. The 2022 triennial edition of the California Code of Regulations, Title 24
4 (California Building Standards Code) applies to all occupancies that applied for a
5 building permit on or after January 1, 2023, and remains in effect until the effective
6 date of the 2025 triennial edition which will be January 1, 2026. More information
7 about the CALIFORNIA BUILDING STANDARDS CODE can be obtained at the
8 Building Standards Commission website: <https://www.dgs.ca.gov/BSC/Codes>
- 9 3. The City of Oceanside Building Division staff doesn't perform plan reviews or
10 inspections of Civil Drawings, Precise Grading, or Landscape plans since they are
11 reviewed by the City of Oceanside Engineering Division and are reviewed by other
12 regulations and standards than those used by the Building Division staff. The
13 Building Division does require site plans that have specific required details for plan
14 review and inspections associated with foundations, setbacks, and accessibility
15 compliance that must be made part of the Building Division plans in order to be
16 able to conduct and approve those inspections from a Building Division approved
17 set of plans. It may be acceptable to include site plans from the Civil Drawings in
18 the Building Division plan set if they are marked as "For Reference Only" for items
19 that are only reviewed and inspected by the City of Oceanside Engineering
20 Division staff. See the attached copy of the City of Oceanside Building Division
21 Procedure PC-22 Landscape Plans for additional information.
- 22 4. Sections 17922, 17958 and 18941.5 of the California Health and Safety Code
23 require that the latest edition of the California Building Standards code and
24 Uniform Housing Code apply to local construction 180 days after publication
- 25 5. All architects, engineers, designers, developers, owners and contractors MUST be
26 familiar with the codes in effect at the time of plan submittal. ODS, as required by
27 State law, CANNOT approve projects that do not comply with the codes in effect
28 at the time of plan submittal.
- 29

6. There is a new CRC section R327 Aging-in-place, that the proposed project will be required to provide plan details for. At least one bathroom and one bedroom on the entry level must provide doorway with a net clear opening of not less than 32-inches measured with the door positioned at a 90-degree angle; in a 2 or 3 story SFD, on the second or third floor if a bathroom or bedroom is not located on the entry level.
7. There are some updated California Energy Code sections that should be taking in to consideration depending on whether or not systems using gas or propane are going to be proposed; see sections 150.0 (n) Water heating system., 150.0 (t) Heat pump space heater ready., 150.0 (u) Electric cooktop ready., & 150.0 (v) Electric clothes dryer ready.
8. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the plans.
9. 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 be listed on Building Permit Application(s) prior to permit issuance.
10. The project must provide construction waste management per 2022 CALGreen section 5.408 Construction Waste Reduction, Disposal and Recycling. Before the plans can be approved a completed copy of the City of Oceanside "Waste Management Plan" (WMP) form must be submitted; a copy of the form can be downloaded from the Building Division Applications and Forms | Oceanside, CA website page <https://www.ci.oceanside.ca.us/government/development-services/building/applications-and-forms>

Engineering:

11. Prior to the demolition of any existing structure or surface improvements on site, a grading plan application shall be submitted to the Engineering Division and erosion control plans shall be approved by the City Engineer. No demolition shall be permitted without an approved erosion control plan.

- 1 12. Design and construction of all improvements shall be in accordance with the City
2 of Oceanside's Engineers Design and Processing Manual, City Ordinances,
3 standard engineering and specifications of the City of Oceanside, and subject to
4 approval by the City Engineer.
- 5 13. All right-of-way alignments, street dedications, exact geometrics and widths shall
6 be designed, dedicated, and constructed or replaced in accordance with the City of
7 Oceanside Engineers Design and Processing Manual, and as required by the City
8 Engineer.
- 9 14. Owner/developer shall provide an updated Title Report dated within 6 months of
10 the grading plan application submittal.
- 11 15. The approval of the tentative map shall not mean that closure, vacation, or
12 abandonment of any public street, right of way, easement, or facility is granted or
13 guaranteed to the owner/developer. The owner/developer is responsible for
14 applying for all closures, vacations, and abandonments as necessary. The
15 application(s) shall be reviewed and approved or rejected by the City of Oceanside
16 under separate process-(es) per codes, ordinances, and policies in effect at the time
17 of the application. The City of Oceanside retains its full legislative discretion to
18 consider any application to vacate a public street or right of way.
- 19 16. Owner/developer shall submit to the City for processing a covenant attesting to the
20 project's development conditions. The approved covenant shall be recorded at the
21 County prior to the issuance of a grading permit.
- 22 17. All public improvement requirements shall be covered by a Subdivision
23 Improvement Agreement and secured with sufficient improvement securities or
24 bonds guaranteeing performance and payment for labor and materials, setting of
25 survey monuments, and warranties against defective materials and workmanship
26 before the approval of the public improvement plans.
- 27 18. Prior to the issuance of any building permits, all improvements including
28 landscaping, landscaped medians, frontage improvements shall be under
29 construction to the satisfaction of the City Engineer.

1 19. Prior to the issuance of a Certificate of Occupancy permit, all improvements,
2 including landscaping, landscaped medians, frontage improvements shall be
3 completed to the satisfaction of the City Engineer.

4 20. Prior to approval of the map, provide the City of Oceanside with certification from
5 each public utility and each public entity owning easements within the proposed
6 project stating that: (a) they have received from the owner/developer a copy of the
7 proposed map; (b) they object or do not object to the filing of the map without their
8 signature; (c) in case of a street dedication affected by their existing easement, they
9 will sign a "subordination certificate" or "joint-use certificate" on the map when
10 required by the governing body.

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

19 21. Owner/developer shall process a separate easement dedication application for all
20 existing or proposed public facilities and infrastructure located on the property. The
21 application shall be submitted prior to the issuance of a grading permit, and shall
22 be recorded prior to grading plan As-Builts. Additionally, the easement shall be
23 identified on the map as "To Be Dedicated by Separate Instrument".

24 22. Prior to as-builts, the applicant shall record a private easement over the portion of
25 the lot being developed to allow for the existing driveway wing encroachment
26 serving the adjacent property. The easement shall be executed by all affected
27 property owners, recorded with the San Diego County Recorder's Office, and a
28 copy of the recorded document shall be submitted to Engineering for the project
29 file prior to final map recordation.

23. Vehicular access rights to Grace Street shall be relinquished to the City from all abutting lots except at the proposed driveway. The relinquishment shall be shown on the map. The relinquishment shall be approved and recorded prior to the grading plan As-Built.
24. All property corners, survey monuments that control public rights-of-way, and City benchmarks shall be protected in place or perpetuated in conformance with Greenbook Standard 400-2 and Business and Professions Code 8771.
25. A traffic control plan shall be prepared in accordance with the City's traffic control guidelines and approved by the City Engineer prior to the start of work within the public Right-of-Way. Traffic control safety and implementation for construction or re-construction of streets shall be in accordance with construction signing, marking, and other protection as required by Caltrans' Traffic Manual and City Traffic Control Guidelines. Traffic control plan implementation and hours shall be in accordance with the approved traffic control plans.
26. Proposed public improvements located within the City's ROW or onsite shall be displayed on separate public improvement plans in accordance with the City's Engineer's Design and Processing Manual.
27. Any existing public or private improvements that are being joined to and that are already damaged or damaged during construction of the project, shall be repaired or replaced as necessary by the developer to provide a competent and stable connection, and to the City's satisfaction.
28. The existing sidewalk along Grace Street frontage shall be evaluated for compliance with current ADA (Americans with Disabilities Act) standards. Any portions found to be non-compliant shall be removed and replaced to meet current ADA requirements.
29. Minimum curb return radius at pedestrian ramps and driveway locations shall comply with the City of Oceanside Engineers Design and Processing Manual.
30. Sight distance requirements at the project driveway(s) or street shall conform to the sight distance criteria as provided by Caltrans. The owner/developer shall provide

1 a plan and profile of the line of sight for each direction of traffic at each proposed
2 driveway on the grading plans.

3 31. A precise grading plan, which includes proposed onsite private improvements,
4 shall be prepared, reviewed, secured and approved prior to the issuance of any
5 building permit. The plan shall reflect all pavement, flatwork, landscaped areas,
6 special surfaces, curbs, gutters, medians, striping, and signage, footprints of all
7 structures, walls, drainage devices and utility services. Parking lot striping and any
8 on site traffic calming devices shall be shown on the precise grading plans.

9 32. The approval of the development plan shall not mean that proposed grading or
10 improvements on adjacent properties (including any City properties/right-of-way
11 or easements) is granted or guaranteed to the owner/developer. The
12 owner/developer is responsible for obtaining written permission to grade or
13 construct on adjacent properties prior to the issuance of a grading permit. Should
14 such permission be denied, the development plan shall be subject to going back to
15 public hearing or subject to a substantial conformity review.

16 33. Where proposed off-site improvements, including but not limited to slopes, public
17 utility facilities, and drainage facilities, are to be constructed, owner/developer
18 shall, at his own expense, obtain all necessary easements or other interests in real
19 property and shall dedicate the same to the City of Oceanside as required.
20 Owner/developer shall provide documentary proof satisfactory to the City of
21 Oceanside that such easements or other interest in real property have been obtained
22 prior to the issuance of any grading, building or improvement permit for this
23 development/project. Additionally, the City of Oceanside, may at its sole
24 discretion, require that the owner/developer obtain at his sole expense a title policy
25 insuring the necessary title for the easement or other interest in real property to
26 have vested with the City of Oceanside or the owner/ developer, as applicable.

27 34. Use of adjacent properties for construction without permission is prohibited.
28 Developer is required to obtain written permission from adjacent property owners
29 allowing access onto their site. There shall be no trespassing, grading, or

1 construction of any kind on adjacent properties without permission. "Failure to
2 comply will result in the revocation of the grading permit." This written permission
3 shall be provided to the City prior to the issuance of a grading permit.

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

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

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

23 38. Owner/developer shall develop and submit a draft neighborhood-notification flier
24 to the City for review. The flier shall contain information on the project,
25 construction schedule, notification of anticipated construction noise and traffic, and
26 contact information. Prior to the issuance of a grading permit, the approved flier
27 shall be distributed to area residents, property owners, and business owners located
28 within a 300-foot radius area of the project.
29

- 1 39. The project shall provide and maintain year-round erosion control for the site. Prior
2 to the issuance of a grading permit, an approved erosion control plan, designed for
3 all proposed stages of construction, shall be secured by the owner/developer with
4 cash securities or a Letter-of-Credit and approved by the City Engineer; a
5 Certificate of Deposit will not be accepted for this security.
- 6 40. Owner/developer shall monitor, supervise and control all construction and
7 construction-supportive activities, so as to prevent these activities from causing a
8 public nuisance, including but not limited to, ensuring strict adherence to the
9 following:
- 10 a) Dirt, debris and other construction material shall not be deposited on any public
11 street or into the City's storm water conveyance system.
- 12 b) All grading and related site preparation and construction activities shall be
13 limited to the hours of 7 AM to 6 PM, Monday through Friday. No engineering-
14 related construction activities shall be conducted on Saturdays, Sundays or legal
15 holidays unless written permission is granted by the City Engineer with specific
16 limitations to the working hours and types of permitted operations. All on-site
17 construction staging areas shall be located as far as possible (minimum 100 feet)
18 from any existing residential development. As construction noise may still be
19 intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance
20 also prohibits "any disturbing excessive or offensive noise which causes
21 discomfort or annoyance to reasonable persons of normal sensitivity."
- 22 c) The construction site shall accommodate the parking of all motor vehicles used
23 by persons working at or providing deliveries to the site. An alternate parking
24 site can be considered by the City Engineer in the event that the lot size is too
25 small and cannot accommodate parking of all motor vehicles.
- 26 d) Owner/developer shall complete a haul route permit application (if required for
27 import/export of dirt) and submit to the City of Oceanside Transportation
28 Engineering Section forty-eight hours (48) in advance of beginning of work.
29 Hours of hauling operations shall be dictated by the approved haul route permit.

- 1 41. Landscape and irrigation plans for disturbed areas shall be submitted to the City
2 Engineer prior to the issuance of a grading permit and approved by the City
3 Engineer prior to the issuance of building permits. Landscaping plans, including
4 plans for the construction of walls, fences or other structures at or near
5 intersections, must conform to intersection sight distance requirements. Frontage
6 and median landscaping shall be installed and established prior to the issuance of
7 any certificates of occupancy. Securities shall be required only for landscape items
8 in the public right-of-way. Any project fences, sound or privacy walls and
9 monument entry walls/signs shall be shown on, bonded for and built from the
10 approved landscape plans. These features shall also be shown on the precise
11 grading plans for purposes of location only. Plantable, segmental walls shall be
12 designed, reviewed and constructed from grading plans and landscape/irrigation
13 design/construction shall be from landscape plans. All plans must be approved by
14 the City Engineer and a pre-construction meeting held prior to the start of any
15 improvements.
- 16 42. The drainage design shown on the conceptual grading/site plan, and the drainage
17 report for this development plan is conceptual only. The final drainage report and
18 design shall be based upon a hydrologic/hydraulic study that is in accordance with
19 the latest San Diego County Hydrology and Drainage Manual, and is to be
20 approved by the City Engineer prior to the issuance of a grading permit. All
21 drainage picked up in an underground system shall remain underground until it is
22 discharged into an approved channel, or as otherwise approved by the City
23 Engineer.
- 24 43. The project's drainage system shall not connect or discharge to another private
25 stormdrain system without first obtaining written permission from the owner of the
26 system. The written permission letter shall be provided to the City prior to the
27 issuance of a grading permit. The owner/developer shall be responsible for
28 obtaining any off-site easements for storm drainage facilities.
29

1 44. All public storm drains shall be shown on separate public improvement plans.
2 Public storm drain easements shall be dedicated to the City where required.

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

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

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

13 48. Owner/developer shall comply with the provisions of the National Pollutant
14 Discharge Elimination System (NPDES) General Permit for Storm Water
15 Discharges Associated with Construction and Land Disturbance Activities
16 (General Permit) Water Quality Order 2022-0057-DWQ. The General Permit
17 continues in force and effect until the effective date of a new General Permit
18 adopted the State Water Board or the State Water Board rescinds this General
19 Permit. Dischargers that obtain coverage under the expiring General Permit prior
20 to the effective date of this permit, may continue coverage under the previous
21 permit up to two years after the effective date of this General Permit (September 1,
22 2023). Construction activity subject to the General Permit includes, but not limited
23 to, clearing, demolition, grading, excavation and other land disturbance activities
24 that results in one or more acre of land surface, or that are part of common plan of
25 development or sale.

26 The discharger shall obtain a Waste Discharge Identification (WDID) number prior
27 to the commencement of construction activity by electronically certifying and
28 submitting the Permit Registration Documents from Section III of the General
29 Permit through the State Water Board Stormwater Multiple Application and Report

Tracking System (SMARTS). In addition, coverage under the General Permit shall not occur until an adequate SWPPP is developed for the project as outlined in Section A of the General Permit. The site specific SWPPP shall be maintained on the project site at all times. The SWPPP shall be provided, upon request, to the United States Environmental Protection Agency (USEPA), State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered a report that shall be available to the public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall be continuously implemented and enforced until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

Owner/developer is required to retain records of all monitoring information, copies of all reports required by this General Permit, and records of all data used to complete the NOT for all construction activities to be covered by the General Permit for a period of at least three years from the date generated. This period may be extended by request of the SWRCB and/or RWQCB.

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

50. The O&M Plan shall include an approved and executed Maintenance Mechanism pursuant to the City of Oceanside BMP Design Manual (BDM). At a minimum, the O&M Plan shall include the designated responsible party to manage the storm water BMP(s), employee training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan, a non-refundable cash security to provide maintenance funding in the event of noncompliance to the O&M Plan, and any other necessary elements. The

owner/developer shall complete and maintain O&M forms to document all operation, inspection, and maintenance activities. The owner/developer shall retain records for a minimum of 10 years. The records shall be made available to the City upon request.

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

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

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

54. Open space areas, down-sloped areas visible from a collector-level or above roadway classification, and improvements within the common areas that are not

maintained by the property owner, shall be maintained by a homeowners' association that will ensure operation and maintenance of these items in perpetuity. These areas shall be indicated on the map and reserved for an association. Future buyers shall be made aware of any estimated monthly maintenance costs. The CC&R's shall be submitted and approved by the City prior to the recordation of the map.

55. All existing overhead utility lines located within the project development property and/or within any full width street or Right-of-Way abutting a new development, and all new extension services for the development of the project, including but not limited to, electrical, cable and telephone, shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166), and as required by the City Engineer and current City policies.

56. If the project is granted a waiver of undergrounding requirements by the Planning Commission or City Council, the project is still required to remove existing street lights occupying waived facilities, and new street lights shall be constructed on individual poles, per Section 901.G of the Subdivision Ordinance and City standards.

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

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

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

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

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

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

Fire:

63. For the purposes of determining the applicability of the Citywide Public Safety Community Facilities District (CFD) to residential occupancies, any new development or change in occupancy classified as an R occupancy in the most recently adopted California Building and/or California Fire codes with 16 or more dwelling or sleeping units (not intended for use as a hotel or motel where Transient Occupancy Taxes [TOT] will be collected) will be required to annex into the CFD as a condition of development. Additionally, for properties converted from a

1 facility where TOT has been previously collected, the property will be required to
2 annex into the CFD as a condition of development.

3 These projects include residential projects over 16 units in size that meet the
4 following criteria:

5 i. Projects which are subject to a General Plan Amendment necessary to
6 accommodate residential uses

7 ii. Mixed-Use projects proposed on commercially-zoned land, including mixed-
8 use projects in the Downtown District

9 iii. Residential projects exceeding base density allowances

10 iv. Assisted Living or Skilled Nursing facilities of any size

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

14 (1) Fire Hydrant(s) shall be installed, approved, and usable.

15 (2) Fire Lane or Access Roads shall be in place and provide a permanent all-
16 weather surface for emergency vehicles that support the weight of fire apparatus
17 (78,000 lbs).

18 65. Deferred Submittals:

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

20 -Fire Master Plan

21 66. Fire apparatus access roads shall have an unobstructed improved width of not less
22 than 28 feet; curb line to curb line, and an unobstructed vertical clearance of not
23 less than 13 feet 6 inches. Access roads shall be all weather surface and designed
24 to support imposed loads of not less than 78,000 pounds.

25 67. Single-family residential driveways; serving no more than two single-family
26 dwellings, shall have a minimum width of 16 feet from curb line to curb line.

27 68. Install residential fire hydrant. Minimum GPM shall be per CFC Appendix B.
28 Residential fire hydrant shall have One 4-inch port and one 2.5-inch port.
29

Installation shall be as per Oceanside Water Department specifications. Maximum spacing from one hydrant to another cannot exceed 600 feet.

69. All dead-end fire apparatus access roadways in excess of 150 feet in length shall be provided with an approved area for turning around of all Oceanside fire apparatus. A hammerhead turnaround or Cul-De-Sac will be required by the fire dept.

70. Smoke alarms and carbon monoxide alarms shall be installed in accordance with the California Residential Code Sections R314 & R315.

71. Signs reading "NO PARKING FIRE LANE" are required. The number of, placement, and wording for all fire lane signs and/or red curbs shall be as required by CA. Vehicle Code, section 22500.1, 22658(a) and Oceanside Fire Department Standards.

Housing:

72. In order to obtain the density bonus, incentives/concessions, and waivers under the City's Comprehensive Zoning Ordinance Section 3032 and California Government Code Section 65915 (collectively known as "Density Bonus" law) and to satisfy the reserved affordable housing requirements for low and moderate-income households under Oceanside City Code Chapter 14C, the sale and occupancy of three (3) of the nineteen (19) ownership units shall be restricted for occupancy by Very Low-Income and Moderate-Income Households, two units and one unit respectively, as defined in California Health and Safety Code Section 50079.5 and 50093 at an Affordable Housing Cost for a household size appropriate for the unit size, as set forth in Section 50052.5 of the California Health and Safety Code for a period of not less than 55 years.

73. In accordance with City's Comprehensive Zoning Ordinance Section 3032 M.2, three (3) dwelling units reserved for ownership to Very Low- and Moderate-Income Households units shall be provided proportional to the overall project in unit size, dispersed throughout the project, and have access to all amenities available to other residents based upon the same terms. Specifically, of the three

(3) dwelling units, two (2) three-bedroom and one (1) four-bedroom unit shall be reserved and affordable Very Low- and Moderate-Income Households, respectively.

74. To demonstrate compliance with Density Bonus law, Chapter 14C, and any housing and occupant protection obligations under Housing Element law, Density Bonus law, the Housing Crisis Act of 2019 or the Mello Act, an Affordable Housing Agreement and a deed of trust securing such covenants, as approved by the City Attorney and the Housing and Neighborhood Services Director, shall be recorded against the title of the property and the relevant terms and conditions recorded as a deed restriction, regulatory agreement or other enforceable instrument. The Agreement will be recorded prior to the approval of any final or parcel map or issuance of a grading permit or the building permit for the first dwelling unit of the Project. The Agreement shall be binding to all future owners and successors in interest.

75. Affirmatively Furthering Fair Housing: An Affirmative Fair Housing Marketing Plan (AFHMP) shall be submitted for review and acceptance by the Housing and Neighborhood Services Department at least 6 months before issuance of the Certificate of Occupancy for the first dwelling unit of the Project utilizing Form HUD-935.2B -Affirmative Fair Housing Marketing Plan (Single Family Housing). The purpose of this affirmative fair housing marketing program is to target and outreach to specific groups who may need differing efforts in order to be made aware of and apply for the available affordable housing opportunities. The affirmative fair housing marketing program should Identify the demographic groups within the housing market area which are least likely to apply for housing without special outreach efforts and an outreach program which includes special measures designed to attract those groups, in addition to other efforts designed to attract persons from the total population. All marketing materials must include the

1 applicable fair housing logos, including the Equal Housing Opportunity and
2 Accessibility logos.

- 3 76. Prior to the approval and/or issuance of a grading permit, building permit or final
4 or parcel map for the residential project, whichever comes first, the Project
5 applicant shall make payment of the applicable Inclusionary Housing
6 Administrative fees (\$1,000 per development and \$100 per unit for all units) related
7 to the administration and implementation OCC Chapter 14C-Inclusionary Housing
8 and to ensure the residential project's compliance with all requirements and
9 provisions thereof.

10 **Landscape:**

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

- 25 a) Final landscape plans shall accurately show placement of all plant material such
26 as but not limited to trees, shrubs, and groundcovers.
- 27 b) Landscape Architect shall be aware of all utility, sewer, water, gas and storm
28 drain lines and utility easements and place planting locations accordingly to
29 meet City of Oceanside requirements.

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

1 feet in each direction from the centerline of the trunk, for a total distance of 10
2 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around
3 the tree's root ball is unacceptable.

4 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
5 obtain Planning Division approval for these items in the conditions or
6 application stage prior to 1st submittal of working drawings.

7 l) For the planting and placement of trees and their distances from hardscape and
8 other utilities/ structures the landscape plans shall follow the City of
9 Oceanside's (current) Tree Planting Distances and Spacing Standards.

10 m) An automatic irrigation system shall be installed to provide coverage for all
11 planting areas shown on the plan. Low volume equipment shall provide
12 sufficient water for plant growth with a minimum water loss due to water run-
13 off.

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

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

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

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

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

27 s) Existing landscaping on and adjacent to the site shall be protected in place and
28 supplemented or replaced to meet the satisfaction of the City Engineer.
29

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

3 78. All landscaping, fences, walls, etc. on the site, in medians within the public right-
4 of-way and within any adjoining public parkways shall be permanently maintained
5 by the owner, his assigns or any successors-in-interest in the property. The
6 maintenance program shall include: a) normal care and irrigation of the landscaping
7 b) repair and replacement of plant materials (including interior trees and street
8 trees) c) irrigation systems as necessary d) general cleanup of the landscaped and
9 open areas e) maintenance of parking lots, walkways, enhanced hardscape, trash
10 enclosures, walls, fences, etc. f) pruning standards for street trees shall comply with
11 the International Society of Arboriculture (ISA) Standard Practices for Tree Care
12 Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix
13 H; and Tree Pruning Guidelines, Appendix F (most current edition). Failure to
14 maintain landscaping shall result in the City taking all appropriate enforcement
15 actions including but not limited to citations. This maintenance program condition
16 shall be recorded with a covenant as required by this resolution.

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

19 **Planning:**

20 80. This Tentative Map, Development Plan, and Density Bonus approval shall expire
21 36 months from its approval, unless this time period is extended by the provisions
22 of Article 1, section 150 of the Zoning Ordinance or of Section 409 of the
23 Subdivision Ordinance.

24 81. This Tentative Map, Development Plan, and Density Bonus approves only a 23-lot
25 subdivision (19 residential lots, four lettered lots, and one remainder lot) as shown
26 on the plans and exhibits presented to the Planning Commission for review. No
27 deviation from these plans and exhibits shall occur without Planning Division
28 approval. Substantial deviations shall require a revision to the Tentative Map
29 and/or Development Plan or a new Tentative Map and/or Development Plan.

- 1 82. The applicant, permittee or any successor-in-interest shall defend, indemnify and
2 hold harmless the City of Oceanside, its agents, officers or employees from any
3 claim, action or proceeding against the City, its agents, officers, or employees to
4 attack, set aside, void or annul an approval of the City, concerning Vesting
5 Tentative Map (T24-00005), Development Plan (D24-00016), and Density Bonus
6 (DB24-00007). The City will promptly notify the applicant of any such claim,
7 action or proceeding against the city and will cooperate fully in the defense. If the
8 City fails to promptly notify the applicant of any such claim action or proceeding
9 or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
10 responsible to defend, indemnify or hold harmless the City.
- 11 83. A covenant or other recordable document approved by the City Attorney shall be
12 prepared by the property owner and recorded prior to the issuance of the certificate
13 of occupancy. The covenant shall provide that the property is subject to this
14 resolution, and shall generally list the conditions of approval.
- 15 84. Prior to the transfer of ownership and/or operation of the site the owner shall
16 provide a written copy of the applications, staff report and resolutions for the
17 project to the new owner and or operator. This notification provision shall run with
18 the life of the project and shall be recorded as a covenant on the property.
- 19 85. Unless expressly waived, the project shall adhere to all current zoning standards
20 and City ordinances and policies in effect at the time the SB330 Application was
21 deemed complete. The approval of this project constitutes the applicant's
22 agreement with all statements in the Description and Justification and other
23 materials and information submitted with this application, unless specifically
24 waived by an adopted condition of approval.
- 25 86. Elevations, siding materials, colors, roofing materials and floor plans shall be
26 substantially the same as those approved by the Planning Commission. These shall
27 be shown on plans submitted to the Building Division and Planning Division.
- 28 87. The developer's construction of all fencing and walls associated with the project
29 shall be in conformance with the approved Development Plan. Any substantial

- change in any aspect of fencing or wall design from the approved Development Plan shall require a revision to the Development Plan or a new Development Plan.
88. If any aspect of the project fencing and walls is not covered by an approved Development Plan, the construction of fencing and walls shall conform to the development standards of the City Zoning Ordinance. In no case, shall the construction of fences and walls (including combinations thereof) exceed the limitations of the zoning code, unless expressly granted by a Density Bonus Waiver or other development approval.
89. All units proposed as part of this project shall be rented for no less than 31-days.
90. The project shall comply with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code). These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan.
91. Construction equipment must be Tier 4 rated with diesel particulate filters (DPF).
92. Outdoor lighting shall be low emission, shielded, and directed away from the property lines, so that 0 foot-candles is achieved at the property boundary.
93. Adjacent homeowners shall be notified of planned construction activities and times approximately two weeks prior to the start of work.
94. An association shall be formed and Covenants, Conditions and Restrictions (CC&Rs) shall provide for the maintenance of all commonly owned and maintained areas. The maintenance shall include normal care and irrigation of landscaping; repair and replacement of plant material and irrigation systems as necessary; and general clean-up of the landscaped and open space areas, roadways, and walkways. The CC&Rs shall be subject to review and approval of the City Attorney prior to the approval of the Final Map. The CC&Rs are required to be recorded prior to, or concurrently with, the Final Map. Any amendments to the CC&Rs in which the association relinquishes responsibility for the maintenance of any common area shall not be permitted without the specific approval of the City

1 of Oceanside. Such a clause shall be a part of the CC&Rs. The CC&Rs shall also
2 contain provisions for the following:

- 3 a) Garages shall be kept available and useable for the parking of tenant's automobiles
4 at all times.
- 5 b) Prohibition of parking or storage of recreational vehicles, trailers or boats
6 within the guest parking spaces.
- 7 c) Maintenance of all common open space including provisions establishing
8 mechanisms to ensure adequate and continued monetary funding for such
9 maintenance by the homeowners' association.
- 10 d) Provisions that restrict any private use of common areas. Restrictions shall
11 include, but are not limited to, removing retaining walls, installing structures
12 such as trellises, decks, retaining walls and other hardscape and any individual
13 landscape improvements.
- 14 e) Provisions prohibiting the homeowners' association from relinquishing its
15 obligation to maintain the common areas without prior consent of the City of
16 Oceanside.
- 17 f) An acknowledgement that the City of Oceanside does not have a view
18 preservation ordinance and that views may be subject to change with maturing
19 off-site landscape and the potential for future off-site building.

20 95. Prior to issuance of building permits, the project shall comply with the urban forestry
21 standards outlined in Table 1 of Article 30, Section 3049 of the Zoning Ordinance.
22 The project must also provide a Landscape and Tree Canopy Management Plan
23 (LTCMP). The LTCMP shall include information regarding regular, seasonal, and
24 emergency maintenance, trash abatement, irrigation, tree/plant care, tree replacement,
25 insect and disease infestation prevention, integrated pest management, and
26 appropriate response process etc. Projects that do not maintain landscape in a manner
27 consistent with the approved LTCMP shall be subject to code enforcement action.

28 96. Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a
29 pre-excavation agreement, otherwise known as a Tribal Cultural Resources

1 Treatment and Tribal Monitoring Agreement with the “Traditionally and Culturally
2 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”.
3 A copy of the agreement shall be included in the Grading Plan Submittals for the
4 Grading Permit. The purpose of this agreement shall be to formalize protocols and
5 procedures between the Applicant/Owner and the “Traditionally and Culturally
6 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe”
7 for the protection and treatment of, including but not limited to, Native American
8 human remains, funerary objects, cultural and religious landscapes, ceremonial
9 items, traditional gathering areas and tribal cultural resources, located and/or
10 discovered through a monitoring program in conjunction with the construction of
11 the proposed project, including additional archaeological surveys and/or studies,
12 excavations, geotechnical investigations, grading, and all other ground disturbing
13 activities. At the discretion of the Luiseño Native American Monitor, artifacts may
14 be made available for 3D scanning/printing, with scanned/printed materials to be
15 curated at a local repository meeting the federal standards of 36CFR79.

16 97. Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading
17 Contractor shall provide a written and signed letter to the City of Oceanside
18 Planning Division stating that a Qualified Archaeologist and Luiseño Native
19 American Monitor have been retained at the Applicant/Owner or Grading
20 Contractor’s expense to implement the monitoring program, as described in the
21 pre-excavation agreement.

22 98. The Qualified Archaeologist shall maintain ongoing collaborative consultation
23 with the Luiseño Native American monitor during all ground-disturbing activities.
24 The requirement for the monitoring program shall be noted on all applicable
25 construction documents, including demolition plans, grading plans, etc. The
26 Applicant/Owner or Grading Contractor shall notify the City of Oceanside
27 Planning Division of the start and end of all ground-disturbing activities.
28
29

1 99. The developer is prohibited from entering into any agreement with a cable television
2 franchisee of the City, which gives such franchisee exclusive rights to install, operate,
3 and or maintain its cable television system in the development.

4 100. A letter of clearance from the affected school district in which the property is
5 located shall be provided as required by City policy at the time building permits
6 are issued.

7 101. In accordance with Density Bonus requirements, two (2) single-family dwelling
8 units shall be reserved for sale to very low-income households, and one (1) single-
9 family dwelling unit shall be reserved for sale to moderate-income households.
10 This affordable unit shall be provided proportional to the overall project in unit
11 size, dispersed throughout the project per the plans approved by the Planning
12 Commission, and have access to all amenities available to other residents. The city
13 shall determine the eligibility of the very low- and moderate-income households.
14 A deed restriction, covenant, and/or other instrument enforceable by the city and
15 approved by the City Attorney and Director of Housing and Neighborhood
16 Services, limiting the sale of such units to eligible very low- and moderate-income
17 households shall be recorded against the title of the property. The duration of such
18 sale restrictions shall be in effect for a minimum of fifty-five (55) years.

19 102. The required "Affordable Housing Regulatory Agreement" shall be recorded
20 against the project site prior to the issuance of any permits for the project.

21 103. Failure to meet any conditions of approval shall constitute a violation of the
22 Tentative Map, Development Plan, and Density Bonus.

23 **Solid Waste:**

24 104. Each single-family residential property unit must have landfill, recycling, and
25 organics services (residential carts). The carts must be stored on private property and
26 screened from public view by a solid fence, wall or garage. The plans need to show
27 where the storage for each stream of residential carts will be located. Label the three
28 carts in their storage area to ensure service and proper storage for all three streams for
29 each single-family residence.

1 105. The plans must demonstrate where servicing will occur for the residential carts to
2 ensure adequate access by service vehicles. For cart dimensions and service vehicle
3 requirements, including street turning radius and minimum road lengths, the City of
4 Oceanside Enclosure Guidelines is attached.

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

9 **Water Utilities:**

10 **General Conditions:**

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

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

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

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

26 111. The property owner shall maintain private water and wastewater utilities located on
27 private property.

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

- 1 113. Each new residential dwelling unit shall be equipped with a separate individual water
2 meter, and a separate sewer lateral connection.
- 3 114. A public water main (320 HGL) shall be constructed within the private road to serve
4 the residences. The public water main shall be located a minimum 5 feet off curb face.
- 5 115. The public water main shall connect to the existing 8-inch AC water main (320 HGL)
6 in Grace Street. A fire hydrant shall be installed on the end of the new water main in
7 the new private driveway.
- 8 116. A private sewer main (min. 8-inch PVC) shall be constructed within the private road
9 to serve the residences. A manhole shall be required at the terminus (starting point).
- 10 117. The on-site sewer collection system (mains, manholes, laterals etc.) shall be private
11 and designed in accordance with the Water, Sewer, and Recycled Water Design and
12 Construction Manual. The Homeowner's Association would be responsible for the
13 ownership, maintenance, and replacement of the sewer collection system.
- 14 118. The Developer shall provide a minimum 20 foot wide easement for the water main
15 per the Water, Sewer, and Recycled Water Design and Construction Manual. The
16 public water meters and fire hydrants shall be provided with cutout easements.
- 17 119. Provide a dedicated irrigation water meter for on-site common area (HOA)
18 landscaping. Meter shall be managed and paid for by the Homeowner's Association
19 for the development. An address assignment will need to be completed for the meter,
20 and can be processed through the City Planning Department.
- 21 120. Per the latest approved California Fire Code, all new residential units shall be
22 equipped with fire sprinkler system.
- 23 121. Per the State Water Resources Control Board Cross-Connection Control Policy
24 Handbook, water meters that serve an NFPA 13D automatic fire sprinkler system
25 along with the domestic water system shall be equipped with a double check (DC)
26 backflow preventer with shut off valves and test ports.
- 27 122. Alternatively, a DC backflow device is not required if the fire protection system is
28 constructed using piping materials certified to meet NSF/ANSI Standard 61, and the
29 fire protection system is designed as a passive purge system with looped piping within

the structure and connected to one or more routinely used fixture(s) (e.g., water closet, clothes washer) to prevent stagnant water.

123. Hot tap connections will not be allowed for size on size connections, and connections that are one (1) pipe size smaller than the water main. These connections shall be cut-in tees with three valves for each end of the tee. Provide a connection detail on the improvement plans for all cut-in tee connections.

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

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

125. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the Water, Sewer, and Recycled Water Design and Construction Manual. Easements shall be constructed for all weather access and capable of withstanding a 40-ton load.

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

127. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the latest adopted California Plumbing Code.

128. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a recycled water impact fee since the proposed project is not within 75 feet of a recycled water main. The impact fee shall be established by submitting a formal letter requesting the City to determine this fee, which is based on 75% of the design and construction cost to construct a recycled water line fronting the property in Grace Street.

129. The Water System Analysis for the 240 Grace Street Project in the City of Oceanside dated December 5, 2024 was reviewed by the Water Utilities Department. The results of the water analysis showed that the existing and proposed water system for the

1 project is adequate for both domestic and fire protection service. Therefore, the
2 proposed 8" public water main shall connect to the existing 8-inch AC water main
3 (320 HGL) in Grace Street.

4 130. A new 8" PVC public sewer main shall be constructed in Grace and Dixie Streets
5 from development's point of connection to the existing sewer main in Dixie Street.
6 Approximately 400 linear feet of 6" VCP sewer main between the first two manholes
7 in Dixie Street shall be replaced with new 8" PVC sewer main. A new manhole shall
8 be constructed at the intersection of Grace Street and Dixie Street, and at least every
9 300 ft on Dixie Street. The existing manhole fronting 1836 Dixie Street shall be
10 rehabilitated per City standards. Rehabilitation may include, but not be limited to, re-
11 channeling of the manhole base, surface preparation and coating the interior of the
12 manhole, and replacing the manhole cone with a 36" opening and double ring
13 manhole frame and lid. All sewer main construction shall be designed in accordance
14 with the Water, Sewer, and Recycled Water Design and Construction Manual.

15 131. Connections to a public sewer main with a 6-inch or larger sewer lateral will require
16 a new sewer manhole for connection to main per Section 3.3 of Water, Sewer, and
17 Recycled Water Design and Construction Manual. If an existing manhole is not
18 available, then a new manhole shall be constructed.

19 132. Connection to an existing sewer manhole will require rehabilitation of the manhole
20 per City standards. Rehabilitation may include, but not be limited to, re-channeling
21 of the manhole base, surface preparation and coating the interior of the manhole, and
22 replacing the manhole cone with a 36" opening and double ring manhole frame and
23 lid.

24 133. A separate irrigation meter and connection with an approved backflow prevention
25 device is required to serve common landscaped areas and shall be displayed on the
26 plans.

27 134. Provide peak irrigation flows per zone or control valve to verify size of irrigation
28 meter and reduced pressure principle backflow device on Landscape Plans.
29

- 1 135. All existing and proposed sewer manholes shall be accessible by the City vector truck.
2 Developer shall provide access roads, turf block, or pavement that can support H-20
3 loading to support the truck. Access road or pavement must allow a minimum turning
4 radius of 46-feet (outer wheel) for curb clearance and a wall clearance of 46'-11".
5 Truck length is 41'-6".
- 6 136. A plan and profile design of the water and sewer mains shall be provided on the
7 improvement plans and designed in accordance with the Water, Sewer, and Recycled
8 Water Design and Construction Manual.
- 9 137. Provide stationing and offsets for existing and proposed water service connections
10 and sewer laterals on plans.
- 11 138. Each parcel shall have a separate sewer lateral connection.
- 12 139. Where private sewer system is shared with other tenants, a Homeowner's Association
13 or Property Management Company and CC&Rs should address the maintenance,
14 repair, and replacement of "shared" sewer lateral or facilities.
- 15 140. Any unused water services or sewer laterals by the proposed development or
16 redevelopment, shall be abandoned in accordance with Water Utilities requirements.
- 17 **The following conditions of approval shall be met prior to building permit issuance.**
- 18 141. Show location and size of proposed water meter(s) on site plan of building plans.
19 Show waterline from proposed meter to connection point at each residence.
- 20 142. Show location and size of proposed sewer lateral(s) from property line or connection
21 to sewer main to connection point at each residence.
- 22 143. Provide a fixture unit count table and supply demand estimate per the latest adopted
23 California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).
- 24 144. Provide drainage fixture unit count per the latest adopted California Plumbing Code
25 to size sewer lateral for each property.
- 26 145. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees
27 are to be paid to the City at the time of Building Permit issuance per City Code Section
28 32B.7.

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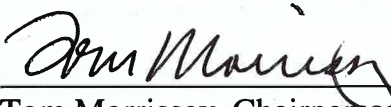
6 PASSED AND ADOPTED Resolution No. 2025-P16 on July 14, 2025, by the
7 following vote, to wit:

8 AYES: Rosales, Morrissey, Balma, Anthony, Gonzales

9 NAYS:

10 ABSENT: Dodds, Redgate

11 ABSTAIN:

12 
13 Tom Morrissey, Chairperson
14 Oceanside Planning Commission

15 ATTEST: Far

16 
17 Sergio Madera, Secretary

18 I, Sergio Madera, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2025-P16.

20
21 Dated: July 14, 2025

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