

RESOLUTION NO.

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A DEVELOPMENT PLAN (RD24-00005), CONDITIONAL USE PERMIT (RCUP24-00002), AND REGULAR COASTAL PERMIT (RRP24-00003) TO ALLOW THE DEMOLITION OF THE EXISTING STRUCTURE AND CONSTRUCTION OF A FULL-SERVICE ELECTRIC VEHICLE CHARGING STATION WITH UP TO 51 ELECTRIC VEHICLE CHARGERS, TWO TESLA BATTERY ENERGY STORAGE SYSTEMS (BESS), AND A 3,457-SQUARE-FOOT CONVENIENCE MARKET LOCATED AT 1501 NORTH COAST HIGHWAY – APPLICANT: ROVE OPERATING, LLC.

(ROVE OPERATING, LLC. – APPLICANT)

WHEREAS, on October 22, 2025, the Downtown Advisory Committee was presented with the project and after due consideration voted 5-0-4 (Abril, Marshall, Manley & Rosales absent) to recommend Community Development Commission approval of a Development Plan (RD24-00005), Conditional Use Permit (RCUP24-00002), and Regular Coastal Permit (RRP24-00003); and,

WHEREAS, on February 4, 2026, the Community Development Commission held a duly-noticed public hearing to consider an application by Rove Operating LLC. for a Development Plan (RD24-00005), Conditional Use Permit (RCUP24-00002), and Regular Coastal Permit (RRP24-00003) to allow the demolition of the existing structure and construction of a full-service electric vehicle (EV) charging station with up to 51 EV chargers, two Tesla battery energy storage systems (BESS) and a 3,457-square-foot convenience market located at 1501 North Coast Highway; and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt pursuant to Article 19 Categorical Exemptions, Section 15332 “In-Fill Development” of the CEQA Guidelines as the project site is an urbanized area and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15332; and,

WHEREAS, the documents or other material which constitute the record of proceedings upon which the decision is based will be maintained by the City of Oceanside Development Services Department Planning Division, 300 North Coast Highway, Oceanside, California 92054; and

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

FINDINGS:

For the Development Plan (RD24-00005):

1. The site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance as the project complies with all applicable development standards of the Downtown Subdistrict 6A (D-6A). The project, as proposed, would also provide adequate vehicle circulation and customer parking, as well as exceed urban forestry requirements.
2. The Development Plan, as proposed, conforms to the General Plan of the City in that it complies with Goal 1.12 (Land Use Compatibility) of the Land Use Element, Policies ECAE-2f-1 and ECAE-5a-7 of the Energy and Climate Action Element, and Policy EDE-2f-1 of the Economic Development Element. The proposed project is a redevelopment project in the downtown area that would support the Energy and Climate Action Element through the installation of EV charging facilities and planting of 15 shade trees. The project would also provide a commercial use that serves the needs of residents, commuters, and visitors.
3. The area covered by the Development Plan can be adequately, reasonably, and conveniently served by the existing and planned public services, utilities, and public facilities. The project constitutes infill development, and the project site is located within an urbanized area with existing utilities available to the property.
4. The project, as proposed, is compatible with existing and potential development on adjoining properties or in the surrounding neighborhood. The project site is located adjacent to Interstate 5 which allows for highway-oriented development and visitor serving uses related to Interstate 5.
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 of Element of the General Plan and the Hillside development standards are not applicable.
6. The project, as proposed, is consistent with all applicable policies of the Local Coastal Program. The project site is located mid-block and would not impact public view corridors, and the proposed building is consistent in scale, color, and form to surrounding commercial uses.

For the Conditional Use Permit (RCUP24-00002):

1. The proposed location of the use is in accord with the objectives of this ordinance and the purposes of the district in which the site is located. The proposed project is zoned D-6A, which permits highway-oriented commercial businesses and visitor serving uses related to the harbor and Interstate 5 and convenience markets with the approval of a Conditional Use Permit.
2. The proposed use will not be detrimental to the public health, safety, peace, or general welfare of persons residing or working in the vicinity. The proposed use is allowed with the approval of a

Conditional Use Permit and conditions of approval are placed on the project to ensure the proposed use operates in a manner consistent with the purpose of the zoning district and surrounding uses.

3. The proposed conditional use will comply with the provisions of the Zoning Ordinance and all required conditions of approval herein.
4. The proposed use will be consistent with all applicable policies of the Local Coastal Program Land Use Plan.

For the Regular Coastal Permit (RRP24-00003):

1. The proposed project conforms to the policies of the Local Coastal Program in that the project would be compatible with the surrounding community in terms of height, scale, color, and form, while also conforming to all applicable development standards for Subdistrict 6A of the Downtown District.
2. The proposed project would contribute to the City's existing Climate Action Plan (CAP) goals and policies to help reduce local greenhouse gas emissions by promoting EV infrastructure installation by providing local charging infrastructure.
3. The proposed project will not impact or obstruct any existing public views or planned public beach access, consistent with the policies of Chapter 3 of the Coastal Act. The proposed use is located midblock and would not impact public view corridors.

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

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

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

SECTION 1. That Development Plan (RD24-00005), Conditional Use Permit (RCUP24-00002), and Regular Coastal Permit (RRP24-00003) are hereby approved subject to the following conditions:

Planning:

1. This Development Plan (RD24-00005), Conditional Use Permit (RCUP24-00002), and Regular Coastal Permit (RRP24-00003) shall expire on December 17, 2028, unless implemented as required by the Zoning Ordinance.
2. The Development Plan (RD24-00005), Conditional Use Permit (RCUP24-00002), and Regular Coastal Permit (RRP24-00003) approves only the following: demolition of the existing structure

1 and construction of a full-service EV charging station with up to 51 EV chargers, two Tesla BESS
2 and a 3,457 square-foot convenience market located at 1501 North Coast Highway as shown on
3 the plans and exhibits presented to the Community Development Commission for review and
4 approval. No deviation from these approved plans and exhibits shall occur without Planning
5 Division approval. Substantial deviations shall require a revision to the Development Plan,
6 Conditional Use Permit and Regular Coastal Permit.

7 3. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold harmless
8 the City of Oceanside, its agents, officers or employees from any claim, action or proceeding
9 against the City, its agents, officers, or employees to attack, set aside, void or annul an approval
10 of the City, concerning Development Plan (RD24-00005), Conditional Use Permit (RCUP24-
11 00002), and Regular Coastal Permit (RRP24-00003). The City will promptly notify the applicant
12 of any such claim, action or proceeding against the City and will cooperate fully in the defense.
13 If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to
14 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend,
15 indemnify or hold harmless the City.

16 4. Development Plan (RD24-00005), Conditional Use Permit (RCUP24-00002), and Regular Coastal
17 Permit (RRP24-00003) may be called for review by the Community Development Commission if
18 complaints are filed and verified as valid by the City Planner or the Code Enforcement Officer
19 concerning the violation of any of the approved conditions or the project assumptions demonstrated
20 under the application approval.

21 5. Unless expressly waived, all current zoning standards and City ordinances and policies in effect
22 at the time building permits are issued are required to be met by this project. The approval of this
23 project constitutes the applicant's agreement with all statements in the Description and
24 Justification and other materials and information submitted with this application, unless
25 specifically waived by an adopted condition of approval.

26 6. Elevations, materials, colors, roofing materials, fencing materials and floor plans shall be
27 substantially the same as those approved by Community Development Commission. These shall
28 be shown on plans submitted to the Building and Planning Division.

- 1 7. No project signage is approved with this application. All project signage shall be subject to a
2 separate sign permit and be in compliance with the Zoning Ordinance.
- 3 8. Parking spaces and EV chargers shall be kept available and useable for the parking and charging
4 of vehicles at all times.
- 5 9. The parking and storage of recreational vehicles, trailers, and boats within parking spaces or at
6 EV chargers unless actively charging is prohibited.
- 7 10. Outdoor storage or display of merchandise or materials shall meet the requirements of the Zoning
8 Ordinance.
- 9 11. The volume on any outdoor speakers associated with the EV chargers and/or the building housing
10 the convenience market shall be set at a level that would prohibit noise from emanating beyond
11 the development pad's boundaries in excess of the City's Ordinance.
- 12 12. EV chargers shall be accessible 24 hours a day, seven days a week.
- 13 13. The lounge is restricted to customers utilizing EV chargers and shall be open daily between the
14 hours of 6:00 AM and 10:00 PM.
- 15 14. The convenience market shall be available for customers utilizing the EV charges and the general
16 public daily between the hours of 6:00 AM and 10:00 PM.
- 17 15. The site shall remain accessible from both North Coast Highway and Carmelo Drive.
- 18 16. A covenant or other recordable document approved by the City Attorney shall be prepared by the
19 property owner and recorded prior to the issuance of a certificate of occupancy. The covenant
20 shall ensure that the property is subject to this resolution and shall generally list the conditions of
21 approval.
- 22 17. An Operations and Management (O&M) Plan for the convenience store and EV charging facility
23 shall be prepared and submitted to the Planning Division for review and approval of the City Planner
24 or their designee prior to the occupancy of the project, and shall be recorded as CC&R's against the
25 property. The O&M Plan shall, at a minimum, cover the following:
26 a) Security - The Management Plan, at a minimum, shall address on-site management, hours-of-
27 operation and measures for providing appropriate security for the project site.
28 b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti and site and
exterior building, landscaping, parking lots, sidewalks, walkways and overall site maintenance
measures and shall ensure that a high standard of maintenance at this site exists at all times. The

1 maintenance portion of the management plan shall include a commitment for the sweeping and
2 cleaning of parking lots, sidewalks and other concrete surfaces at sufficient intervals to maintain a
3 "like new" appearance. Wastewater, sediment, trash or other pollutants shall be collected on-site
4 and properly disposed of and shall not be discharged off the property or into the City's storm drain
5 system.

6 c) Any graffiti within the development shall be removed by the operator or its designated
7 representative within 24 hours of occurrence. Any new paint used to cover graffiti shall match the
8 existing color scheme.

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

13 19. Failure to meet any conditions of approval shall constitute a violation of the Development Plan,
14 Conditional Use Permit, and Regular Coastal Permit.

15 **Building:**

16 20. Plans shall be prepared in accordance with the currently adopted California Code of Regulations
17 (Title 24) at the time of application submission. The applicable codes include: The California
18 Administrative Code, The California Building Code, The California Electrical Code, The
19 California Mechanical Code, The California Plumbing Code, The California Energy Code, The
20 California Green Building Standards Code, and The California Fire Code.

21 21. Plans shall be designed in accordance with the City of Oceanside Municipal Code which includes
22 amendments to the adopted California Codes of Regulations.

23 22. Building Permit Applications received on or after January 1, 2026, shall be subject to the 2025
24 edition of the California Codes of Regulations.

25 23. Complete construction plans shall be provided at the time of submission. Progress plans will not
26 be accepted or reviewed.

27 24. Plans and supplemental documents shall be prepared, stamped, and signed by a licensed design
28 professional in accordance with the California Business & Professions Code and California
Health & Safety Code.

- 1 25. All outdoor lighting shall meet Chapter 39 of the Oceanside Municipal Code (Light Pollution
2 Ordinance) and shall be shielded appropriately.
- 3 26. Separate/unique addresses may be required to facilitate utility releases. Verification that the
4 addresses have been properly assigned by the City's Planning Division shall accompany the
5 Building Permit application.
- 6 27. A foundation form board location and elevation certification shall be provided to the Building
7 Division prior to placement of slabs, footings, and shoring. The certification shall be provided in
8 the form of an exhibit detailing the location of the foundations in relation to the property lines.
- 9 28. All supplemental documents such as soils reports, energy calculations, and truss packages are
10 required at the time of plan submittal.
- 11 29. Requests for deferred submittals of supplemental documents shall require the completion of
12 Information Bulletin 133 (I.B. 133), and the Deferred Submittal Agreement.
- 13 30. Special inspectors shall be designated by the Engineer of Record prior to plan approval. Special
14 inspectors must be registered with the City of Oceanside Building Division prior to permit
15 issuance.
- 16 31. Site development, parking, access into buildings and building interiors shall comply with all
17 current State of California Accessibility Codes and standards where applicable.
- 18 32. Compliance with all California accessibility requirements shall be demonstrated prior to the
19 issuance of a Certificate of Occupancy. A CASp report prepared by a California Access Specialist
20 (CASp) showing compliance and non-compliance with all California accessibility requirements
21 may be required to be submitted to the Building Official for review.
- 22 33. A demolition and construction waste management plan shall be provided to the Building Division
23 for review and approval prior to permit issuance.
- 24 34. Plans must specify, as applicable, the type of automatic sprinkler system installed in each
25 building.
- 26 35. All electrical, communication, CATV, etc. service lines within the exterior lines of the property
27 shall be underground (City Code Sec. 6.30).
- 28 36. Construction hours shall conform to the City of Oceanside Municipal Code Section 6.25.

Engineering

- 1 37. Prior to the demolition of any existing structure or surface improvements on site, a grading plan
2 application shall be submitted to the Engineering Division and erosion control plans shall be
3 approved by the City Engineer. No demolition shall be permitted without an approved erosion
4 control plan.
- 5 38. Design and construction of all improvements shall be in accordance with the City of Oceanside's
6 Engineers Design and Processing Manual, City Ordinances, standard engineering and
7 specifications of the City of Oceanside, and subject to approval by the City Engineer.
- 8 39. All alignments, street dedications, exact geometrics and widths shall be designed, dedicated, and
9 constructed or replaced in accordance with the City of Oceanside Engineers Design and
10 Processing Manual, and as required by the City Engineer.
- 11 40. Owner/developer shall provide an updated Title Report dated within 6 months of the grading plan
12 application submittal.
- 13 41. The approval of the development plan/project shall not mean that closure, vacation, or
14 abandonment of any public street, right of way, easement, or facility is granted or guaranteed to
15 the owner/developer. The owner/developer is responsible for applying for all closures, vacations,
16 and abandonments as necessary. The application(s) shall be reviewed and approved or rejected
17 by the City of Oceanside under separate process (es) per codes, ordinances, and policies in effect
18 at the time of the application. The City of Oceanside retains its full legislative discretion to
19 consider any application to vacate a public street or right of way.
- 20 42. Owner/developer shall submit to the City for processing a covenant attesting to the project's
21 development conditions. The approved covenant shall be recorded at the County prior to the
22 issuance of a grading permit.
- 23 43. All public improvement requirements shall be covered by a Development Improvement
24 Agreement and secured with sufficient improvement securities or bonds guaranteeing
25 performance and payment for labor and materials, setting of survey monuments, and warranties
26 against defective materials and workmanship before the approval of the public improvement
27 plans.
28

- 1 44. Prior to the issuance of any building permits, all improvements including landscaping, landscaped
2 medians, and frontage improvements shall be under construction to the satisfaction of the City
3 Engineer.
- 4 45. Prior to the issuance of a Certificate of Occupancy permit, all improvements, including
5 landscaping, landscaped medians, frontage improvements shall be completed to the satisfaction
6 of the City Engineer.
- 7 46. Owner/developer shall process a separate Right-of-Way dedication application to provide a 5-
8 foot ROW dedication along west North Coast Highway to provide for a 5-foot parkway and a 5-
9 foot sidewalk. All ROW dedications are to be in fee, and the application shall be approved prior
10 to the issuance of a grading permit.
- 11 47. A traffic control plan shall be prepared in accordance with the City's traffic control guidelines
12 and approved by the City Engineer prior to the start of work within the public Right-of-Way.
13 Traffic control safety and implementation for construction or re-construction of streets shall be in
14 accordance with construction signing, marking, and other protection as required by Caltrans'
15 Traffic Manual and City Traffic Control Guidelines. Traffic control plan implementation and
16 hours shall be in accordance with the approved traffic control plans.
- 17 48. Vehicular access rights to North Coast Highway and Carmelo Drive shall be relinquished to the
18 City from all abutting lots except at the proposed driveway(s). Process a Vehicular Access
19 Relinquishment application with the City prior to the issuance of a grading permit, and record the
20 approved document prior to the grading plan As-Built.
- 21 49. North Highway and Carmelo Drive shall be constructed with new curb and gutter and sidewalk
22 along the property boundaries. Sidewalk improvements shall comply with current ADA
23 requirements.
- 24 50. Minimum curb return radius at pedestrian ramp and driveway locations shall comply with the
25 City of Oceanside Engineers Design and Processing Manual.
- 26 51. North Coast Highway and Carmelo Drive shall be provided with a 10-foot minimum parkway
27 between the face of curb and Right-of-Way line, and the design shall be displayed on the
28 improvement plans.

- 1 52. Sight distance requirements at the project driveway(s) or street shall conform to the sight distance
2 criteria as provided by Caltrans. The owner/developer shall provide a plan and profile of the line
3 of sight for each direction of traffic at each proposed driveway on the grading plans.
- 4 53. North Coast Highway and Carmelo Drive are subject to street pavement rehabilitation
5 requirements. The extent of the street pavement rehabilitation will be determined by the project's
6 pavement evaluation report.
- 7 54. A pavement evaluation report shall be submitted for the proposed onsite pavement with the
8 grading plan application. Pavement sections for all public and private roadways, driveways and
9 parking areas shall be based upon approved soil test requirements and traffic indices identified
10 within the City of Oceanside Engineers Design and Processing Manual. The pavement design is
11 to be prepared by the owner/developer's geotechnical engineering firm and be approved by the
12 City Engineer prior to the issuance of a grading permit. Roadway alignments and geometric
13 layouts shall be in conformance with the City of Oceanside Engineers Design and Processing
14 Manual.
- 15 55. A pavement evaluation report shall be submitted for offsite street and/or alley pavements with the
16 grading plan application. The owner/developer shall contract with a geotechnical engineering
17 firm to perform a field investigation of the existing pavement on all streets adjacent to the project
18 boundary. The limits of the study shall be half-street width along North Coast Highway and
19 Carmelo Drive. The field investigation shall be performed according to a specific boring plan
20 prepared by a licensed Geotechnical Engineer and approved by the City Engineer prior to the
21 issuance of a grading permit. In the absence of an approved boring plan, the field investigation
22 shall include a minimum of one pavement boring per every fifty linear feet (50) of street frontage.
23 Should the study conclude that the existing road pavement does not meet current pavement
24 thickness requirements set forth in the City of Oceanside Engineers Design and Processing
25 Manual, the Owner/developer shall remove and reconstruct the existing pavement section in
26 accordance with City requirements. Otherwise, the City Engineer shall determine whether the
27 Owner/developer shall: 1) Repair all failed pavement sections, 2) header cut and grind per the
28 direction of the City Engineer, or 3) Perform R-value testing and submit a study that determines
if the existing pavement meets current City standards/traffic indices

- 1 56. Proposed public improvements located within the City's ROW or onsite shall be displayed on
2 separate public improvement plans in accordance with the City's Engineers Design and
3 Processing Manual.
- 4 57. Any private improvements that are being joined to and that are already damaged or damaged
5 during construction of the project, shall be repaired or replaced as necessary by the developer to
6 provide a competent and stable connection, and to the City's satisfaction.
- 7 58. A precise grading plan, which includes proposed onsite private improvements, shall be prepared,
8 reviewed, secured and approved prior to the issuance of any building permit. The plan shall
9 reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians,
10 striping, and signage, footprints of all structures, walls, drainage devices and utility services.
11 Parking lot striping and any on site traffic calming devices shall be shown on the precise grading
12 plans.
- 13 59. The project shall provide and maintain year-round erosion control for the site. Prior to the
14 issuance of a grading permit, an approved erosion control plan, designed for all proposed stages
15 of construction, shall be secured by the owner/developer with cash securities or a Letter-of-Credit
16 and approved by the City Engineer; a Certificate of Deposit will not be accepted for this security.
- 17 60. Owner/developer shall develop and submit a draft neighborhood-notification flier to the City for
18 review. The flier shall contain information on the project, construction schedule, notification of
19 anticipated construction noise and traffic, and contact information. Prior to the issuance of a
20 grading permit, developer shall distribute the approved flier to area residents, property owners,
21 and business owners located within a 300-foot radius area of the project.
- 22 61. Owner/developer shall monitor, supervise and control all construction and construction-
23 supportive activities, so as to prevent these activities from causing a public nuisance, including
24 but not limited to, ensuring strict adherence to the following:
- 25 a. Dirt, debris and other construction material shall not be deposited on any public street or
26 into the City's storm water conveyance system.
- 27 b. All grading and related site preparation and construction activities shall be limited to the
28 hours of 7 AM to 6 PM, Monday through Friday. No engineering-related construction
activities shall be conducted on Saturdays, Sundays or legal holidays unless written

1 permission is granted by the City Engineer with specific limitations to the working hours
2 and types of permitted operations. All on-site construction staging areas shall be located
3 as far as possible (minimum 100 feet) from any existing residential development. As
4 construction noise may still be intrusive in the evening or on holidays, the City of
5 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise
6 which causes discomfort or annoyance to reasonable persons of normal sensitivity."

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

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

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

19 63. The approval of the development plan shall not mean that proposed grading or improvements on
20 adjacent properties (including any City properties/right-of-way or easements) is granted or
21 guaranteed to the owner/developer. The owner/developer is responsible for obtaining written
22 permission to grade or construct on adjacent properties prior to the issuance of a grading permit.

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

27 65. Use of adjacent properties for construction without permission is prohibited. Developer is
28 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

1 without permission. "Failure to comply will result in the revocation of the grading permit." This
2 written permission shall be provided to the City prior to the issuance of a grading permit.

3 66. Prior to the issuance of a grading permit, landscape and irrigation plans for disturbed areas shall
4 be submitted to the city for review and approved by the City Engineer prior to the issuance of
5 building permits. Landscaping plans, including plans for the construction of walls, fences or other
6 structures at or near intersections, must conform to intersection sight distance requirements.
7 Frontage and median landscaping shall be installed and established prior to the issuance of any
8 certificates of occupancy. Securities shall be required only for landscape items in the public
9 right-of-way. Any project fences, sound or privacy walls and monument entry walls/signs shall
10 be shown on, bonded for and built from the approved landscape plans. These features shall also
11 be shown on the precise grading plans for purposes of location only. Plantable, segmental walls
12 shall be designed, reviewed and constructed from grading plans and landscape/irrigation
13 design/construction shall be from landscape plans. All plans must be approved by the City
14 Engineer and a pre-construction meeting held prior to the start of any improvements.

15 67. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high barrier,
16 approved by the City Engineer, shall be provided at the top of all slopes whose height exceeds 20
17 feet or where the slope exceeds 4 feet and is adjacent to any streets, an arterial street or state
18 highway.

19 68. The drainage design shown on the conceptual grading/site plan, and the drainage report for this
20 development plan is conceptual only. The final drainage report and design shall be based upon a
21 hydrologic/hydraulic study that is in accordance with the latest San Diego County Hydrology and
22 Drainage Manual, and is to be approved by the City Engineer prior to the issuance of a grading
23 permit. All drainage picked up in an underground system shall remain underground until it is
24 discharged into an approved channel, or as otherwise approved by the City Engineer.

25 69. The project's drainage system shall not connect or discharge to another private stormdrain system
26 without first obtaining written permission from the owner of the system. The written permission
27 letter shall be provided to the City prior to the issuance of a grading permit. The owner/developer
28 shall be responsible for obtaining any off-site easements for storm drainage facilities.

- 1 70. All public storm drains shall be shown on separate public improvement plans. Public storm drain
2 easements shall be dedicated to the City where required.
- 3 71. Drainage facilities shall be designed and installed to adequately accommodate the local storm
4 water runoff and shall be in accordance with the San Diego County Hydrology Manual and the
5 City of Oceanside Engineers Design and Processing Manual, and to the satisfaction of the City
6 Engineer.
- 7 72. Storm drain facilities shall be designed and constructed to allow inside travel lanes of streets
8 classified as a Collector or above to be passable during a 100-year storm event.
- 9 73. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and disposed of in
10 accordance with all state and federal requirements, prior to discharging of stormwater into the
11 City drainage system.
- 12 74. Owner/developer shall comply with the provisions of the National Pollution Discharge
13 Elimination System (NPDES) General Permit for Storm Water Discharges Associated with
14 Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The General
15 Permit continues in force and effect until a new General Permit is issued or the SWRCB rescinds
16 this General Permit. Only those owner/developers authorized to discharge under the expiring
17 General Permit are covered by the continued General Permit. Construction activity subject to the
18 General Permit includes clearing, grading, and disturbances to the ground such as stockpiling, or
19 excavation that results in land disturbances of equal to or greater than one acre.
- 20 The owner/developer shall obtain coverage under the General Permit by submitting a Notice of
21 Intent (NOI) and obtaining a Waste Discharge Identification Number (WDID#) from the State
22 Water Resources Control Board (SWRCB). In addition, coverage under the General Permit shall
23 not occur until an adequate SWPPP is developed for the project as outlined in Section A of the
24 General Permit. The site specific SWPPP shall be maintained on the project site at all times. The
25 SWPPP shall be provided, upon request, to the United States Environmental Protection Agency
26 (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of Oceanside, and
27 other applicable governing regulatory agencies. The SWPPP is considered a report that shall be
28 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.

75. 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.

76. 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.

77. 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

1 identified by the O&M Plan, but not to exceed a total of \$25,000. The owner/developer's civil
2 engineer shall prepare the O&M cost estimate.

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

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

11 80. Project shall remove the two existing light poles on the property and place the existing overhead
12 service lines underground.

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

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

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

25 84. As part of the City's Opportunistic Beach Fill Permit, this project has been conditioned to test
26 proposed excavated material to determine suitability for deposit on city beaches as part of the
27 Beach Sand Replenishment program. Test results shall be provided as part of the project
28 geotechnical report which is required prior to approval of the grading plan and issuance for the
grading permit.

1 Suitable beach replenishment material shall be at least 75% sand with no more than a 10%
2 difference in sand content between material at the source and discharge site. Replenishment
3 material shall contain only clean construction materials suitable for use in the oceanic
4 environment; no debris, silt, soil, sawdust, rubbish, cement or concrete washings, oil or petroleum
5 products hazardous/toxic/radioactive/munitions from construction or dredging or disposal shall
6 be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of
7 the United States. Any and all excess or unacceptable material shall be completely removed from
8 the site/work area and disposed of in an appropriate upland site.

9 If the soil to be exported is determined to be suitable beach replenishment material, the
10 developer's contractor will coordinate with the City's Public Works Department to determine the
11 location for acceptance of the excavated material for spreading by Public Works staff.
12 Coordination is required to occur a minimum of two weeks in advance of the need to place
13 approved excavated material on the beach.

14 85. Approval of this development project is conditioned upon payment of all applicable impact fees
15 and connection fees in the manner provided in chapter 32B of the Oceanside City Code. All
16 traffic signal fees and contributions, highway thoroughfare fees, park fees, reimbursements,
17 drainage impact fees, and other applicable charges, fees and deposits shall be paid prior to the
18 issuance of any building permits, in accordance with City Ordinances and policies. The
19 owner/developer shall also be required to join into, contribute, or participate in any improvement,
20 lighting, or other special district affecting or affected by this project.

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

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

28 **Fire**

- 1 88. Energy storage systems (ESS) shall comply with the 2025 California Fire Code (CFC), section
2 1207, National Fire Protection Association (NFPA) 855, and Underwriters Laboratories (UL)
3 9540A, including but not limited to:
- 4 a. Location and layout diagram of the room or area in which the ESS is to be installed.
 - 5 b. Details of the hourly fire resistance rating and assemblies enclosing the ESS.
 - 6 c. The quantities and types of ESS to be installed.
 - 7 d. Manufacturers' specifications, ratings, and listings of each ESS.
 - 8 e. Description of energy (battery) management systems and their operation.
 - 9 f. Location and content of required signage.
 - 10 g. Details of fire suppression, smoke or fire detection, thermal management, ventilation,
11 exhaust, and deflagration venting systems, if provided.
 - 12 h. Support management associated with the installation, including any required seismic
13 restraint.
 - 14 i. A commissioning plan complying with Section 1207.2.1.
 - 15 j. A decommissioning plan complying with Section 1207.2.3.
 - 16 k. A life safety and evacuation plan in accordance with Section 404 (CFC).
- 17 89. A failure modes and effects analysis (FMEA) or other approved hazard mitigation analysis shall
18 be provided in accordance with Section 104.2.2 under any of the following conditions:
- 19 a. Where ESS technology not specifically identified in Table 1207.1.3 are provided.
 - 20 b. More than one ESS technology is provided in a single fire area where there is a potential
21 for adverse interaction between technologies.
 - 22 c. Where allowed as a basis for increasing maximum allowable quantities. See Section
23 1207.5.2.
 - 24 d. Where required by the fire code official to address a potential hazard with an ESS
25 installation that is not addressed by existing requirements.
- 26 90. The hazard mitigation analysis shall evaluate the consequences of the following failure modes.
27 Only a single-failure modes shall be considered.
- 28 a. A thermal runaway condition in a single electrochemical ESS unit.
 - b. A mechanical failure of a non-electrochemical ESS unit.

- c. Failure of any battery (energy) management system or fire protection system within the ESS equipment that is not covered by the product listing failure mode effects analysis (FMEA).
 - d. Failure of any required protection system external to the ESS, including but not limited to ventilation (HVAC), exhaust ventilation, smoke detection, fire detection, gas detection or fire suppression system. (Material based on NPA 855).
91. The fire code official is authorized to approve the hazardous mitigation analysis provided that the consequences of the hazard mitigation analysis demonstrate:
 - a. Fire will be contained within unoccupied ESS rooms or areas for the minimum duration of fire resistance-rated separations identified in Section 1207.7.4.
 - b. Fires involving the ESS will allow occupants or the general public to evacuate to a safe location.
92. Large scale fire testing shall be conducted on a representative ESS in accordance with UL9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for the duration of the test. The test report shall be provided to the fire department for review and approval.
93. Commissioning of newly installed ESS shall be conducted prior to the ESS being placed in service in accordance with a commissioning plan that has been approved prior to initiating commissioning. The plan shall include:
 - a. A narrative description of the activities that will be accomplished during each phase of commissioning, include the personnel intended to accomplish each of the activities.
 - b. A listing of the specific ESS and associated components, controls and safety-related devices to be tested, a description of the tests to be performed and the functions to be tested.
 - c. Conditions under which all testing will be performed, which are representative of the conditions during the normal operation of the system.

- d. Documentation of the owner's project requirements and the basis of design necessary to understand the installation and operation of the ESS.
 - e. Verification that required equipment and systems are installed in accordance with the approved plans and specifications.
 - f. Integrate testing for all fire and safety systems.
 - g. Testing for any required thermal management, ventilation or exhaust systems associated with the ESS installation.
 - h. Preparation and delivery of operation and maintenance documentation.
 - i. Training of facility operating and maintenance staff.
 - j. Identification and documentation of the requirements for maintaining system performance to meet the original design intent during the operation phase.
 - k. Identification and documentation of personnel who are qualified to service, maintain and decommission the ESS, and respond to incidents involving the ESS, including documentation that such service has been contracted for.
 - l. A decommissioning plan for removing the ESS for service, and from the facility in which it is located. The plan shall include details on providing a safe, orderly shutdown of energy storage and safety systems with notification to the code officials prior to the actual decommission of the system. The decommissioning plan shall include contingencies for removing an intact operational ESS from service, and for removing an ESS from service that has been damaged by a fire or other event.
94. An operation and maintenance manual shall be provided to both the ESS owner or authorized agent and the ESS operator before the ESS is put into operation and shall include:
- a. Manufacturers' operation manuals and maintenance manuals for the entire ESS, or for each component of the system requiring maintenance, that clearly identify the required routine maintenance actions.
 - b. Name, address and phone number of a service agency that has been contracted to service the ESS and its associated safety systems.

- c. Maintenance and calibration information, including wiring diagrams, control drawing, schematics, system programming instructions and control sequence descriptions, for all energy storage control systems.
 - d. Desired or field-determined control set points that are permanently recorded on control drawings at control devices or, for digital control systems, in system programming instructions.
 - e. A schedule for inspecting and recalibrating all ESS controls.
 - f. A service record log form that lists the schedule for all required servicing and maintenance actions and space for logging such actions that are completed over time and retained on-site.
95. Systems that monitor and protect the ESS installation shall be inspected and tested with the manufacturer's instructions and the operation and maintenance manual. Inspection and testing records shall be maintained in the operations and maintenance manual.
96. ESS located outdoors shall be separated by a minimum of 10 feet from the following exposures:
- a. Lot lines.
 - b. Public ways.
 - c. Buildings.
 - d. Stored combustible materials.
 - e. Hazardous materials.
 - f. High-piled stock.
 - g. Other exposure hazards.
 - h. EXCEPTION: Clearances are permitted to be reduced to 3 feet where a 1-hour free-standing fire barrier suitable for exterior use and extends 5 feet above and 5 feet beyond the physical boundary of the ESS installation is provided to protect the exposure.
97. A Knox box, 3200 series shall be required for the new building.
98. If any proposed gates are to be installed, a Knox key switch, strobe sensor and/or Knox padlock shall be required.

Solid Waste and Recycling

99. Enclosure location(s) shall not block the alleyway, public right of way, or create public nuisance.

1 100. The City of Oceanside reserves the right to review program and service levels and request
2 increases if deemed necessary. The City of Oceanside Municipal Code Chapter 13 requires that
3 Oceanside residents, businesses, and multifamily project are to separate all recyclable material
4 from other solid waste. Additionally, the State of California regulations require all California
5 businesses participate in Mandatory Recycling (AB 341) and Mandatory Commercial Organic
6 Recycling (AB 1826 and SB 1383) as outline in the Oceanside Solid Waste Code.

7 **Water Utilities**

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

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

14 103. The property owner shall maintain private water and wastewater utilities located on private
15 property.

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

18 105. All commercial services must be equipped with a reduced pressure backflow device.

19 106. Provide a separate irrigation water meter with a reduced pressure principle backflow device. An
20 address assignment will need to be completed for the meter, and can be processed through the
21 City Planning Department.

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

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

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

- 1 109. Any water and/or sewer improvements required to develop the proposed property will need to be
2 included in the improvement plans and designed in accordance with the Water, Sewer, and
3 Recycled Water Design and Construction Manual.
- 4 110. All public water and/or sewer facilities not located within the public right-of-way shall be
5 provided with easements sized according to the Water, Sewer, and Recycled Water Design and
6 Construction Manual. Easements shall be constructed for all weather access.
- 7 111. No trees, structures or building overhang shall be located within any water or wastewater
8 utility easement.
- 9 112. The Developer shall execute an Encroachment Removal Agreement with the City for any private
10 improvements constructed within the City easement.
- 11 113. Minimum separation between water services and sewer laterals shall be 10 feet.
- 12 114. Water facilities, backflows or meters, shall have a minimum 10' separation from trees. Palm tree
13 minimum separation is lowered to 5' from water facilities.
- 14 115. Proposed fire services, fire hydrant, and DCDA backflow preventer shall be minimum 10' away
15 from existing sewer main.
- 16 116. Show all existing water and irrigation meters on the plans. Indicate if meters/services will remain
17 or be abandoned. There shall be no meters located within sidewalks or driveways. New meters
18 located on private property shall be provided with a cutout easement. Show all water services
19 from the meters to the connection points at the buildings. Private water lines shall be located on
20 private property. The Developer shall verify the owners and locations of all active water lines on
21 the property. If the water lines serving adjacent properties will remain on the development
22 property, provide documentation of the private utility easements.
- 23 117. Show all existing sewer laterals on the plans. City records show two (2) active sewer laterals that
24 connect to the existing easement sewer main immediately downstream of the mid-parcel manhole.
25 Preliminary investigation indicates that one of the sewer laterals is owned by Denny's and is
26 located within the proposed project parcel. The Developer shall verify the owners and locations
27 of all active sewer laterals on the property. If the sewer laterals serving adjacent properties will
28 remain on the development property, the Developer shall provide documentation of the private
utility easements.

- 1 118. All lots with a finish pad elevation located below the elevation of the next upstream manhole
2 cover of the public sewer shall be protected from backflow of sewage by installing and
3 maintaining an approved type backwater valve, per the latest adopted California Plumbing Code.
- 4 119. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a recycled water
5 impact fee since the proposed project is not within 75 feet of a recycled water main. The impact
6 fee shall be established by submitting a formal letter requesting the City to determine this fee,
7 which is based on 75% of the design and construction cost to construct a recycled water line along
8 the frontage of the property in North Coast Highway.
- 9 120. The Developer shall conduct a fire flow test and provide calculations demonstrating that the
10 existing 4" AC water main in North Coast Hwy can meet the design fire flow requirements for
11 the development while maintaining a minimum residual pressure of 20 psi. Off-site improvements
12 may be required as a result of the fire flow test.
- 13 121. If a property goes through a zone change and an increase in density occurs, a water and sewer
14 study will be required to be prepared by the developer at the developer's expense and reviewed
15 and approved by the Water Utilities Department.
- 16 122. An inspection manhole for commercial waste as described by the Water, Sewer, and Recycled
17 Water Design and Construction Manual, shall be on the building sewer lateral and the location
18 shall be called out on the approved engineering plans.
- 19 123. An Oil and Sand Interceptor, as described by the latest adopted California Plumbing Code Chapter
20 10, relating to garages, gasoline stations, wash racks or when deemed necessary shall be shown
21 on building plans at each building sewer in an appropriate location and shall be maintained in
22 accordance with the Fats, Oil, and Grease permit. The location shall be shown on the approved
23 Engineering Plans with reference to Building Plans for design and detail.
- 24 124. A Grease Interceptor, as required per City of Oceanside Ordinance 07-OR0021-1 & 18-OR0021-
25 1 relating to food service establishments shall be on each building sewer when deemed necessary
26 in an appropriate outside location and shall be maintained by the property owner. The grease
27 interceptor shall be shown on Engineering Plans with reference to Building Plans for design and
28 detail.

- 1 125. Connection to a public sewer main with a 6-inch or larger sewer lateral will require a new sewer
2 manhole for connection to main per Section 3.3 of Water, Sewer, and Recycled Water Design and
3 Construction Manual.
- 4 126. Connection to an existing sewer manhole will require rehabilitation of the manhole per City
5 standards. Rehabilitation may include, but not be limited to, re-channeling of the manhole base,
6 surface preparation and coating the interior of the manhole, and replacing the manhole cone with
7 a 36" opening and double ring manhole frame and lid.
- 8 127. A separate irrigation meter and connection with an approved backflow prevention device is
9 required to serve landscaped areas and shall be displayed on the plans.
- 10 128. Provide stationing and offsets for existing and proposed water service connections and sewer
11 laterals on plans.
- 12 129. Any unused water services or sewer laterals by the proposed redevelopment, shall be abandoned
13 in accordance with Water Utilities requirements. If an existing water meter is abandoned then a
14 credit will be applied towards future buy-in fees in the amount of the current buy-in fee of the
15 existing meter.
- 16 **The following conditions of approval shall be met prior to building permit issuance.**
- 17 130. Show location and size of existing and proposed water meter(s) on site plan of building plans.
18 Show waterline from proposed meter to connection point to building.
- 19 131. Show location and size of existing and proposed sewer lateral(s) from property line or connection
20 to sewer main to connection point at building.
- 21 132. Provide a fixture unit count table and supply demand estimate per the latest adopted California
22 Plumbing Code (Appendix A) to size the water meter(s) and service line(s).
- 23 133. Provide drainage fixture unit count per the latest adopted California Plumbing Code to size sewer
24 lateral for property.
- 25 134. If a Grease Interceptor is required per City of Oceanside Ordinance 07-OR0021-1, then building
26 plans must show sizing calculations per the latest California Plumbing Code, the location, the
27 make and model, and plumbing schematic showing the required appurtenances at each building
28 sewer lateral.

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

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

8 PASSED AND ADOPTED by the Community Development Commission of the City of Oceanside,
9 California, this 4th day of February, 2026 by the following vote:

10
11 AYES:

12 NAYS:

13 ABSENT:

14 ABSTAIN:

15
16 ATTEST:

17
18 SECRETARY

CHAIRPERSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY


GENERAL COUNSEL