

RESOLUTION NO.**A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A TENTATIVE MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE****(Applicant: 217 S Myers, LLC)**

WHEREAS, on August 5, 2026, the Community Development Commission of the City of Oceanside held a duly noticed public hearing as prescribed by law to consider an application for a Tentative Map (RT26-00001), Development Plan (RD24-00008), Conditional Use Permit (RCUP24-00004), and Regular Coastal Permit (RRP24-00006) to allow the demolition of a 556 square foot cottage and the construction of five condominium units at certain real property described in Exhibit A; and,

WHEREAS, on August 20, 2025, the Downtown Advisory Committee (DAC) was presented with the project and after due consideration took action in a 5-0 vote to recommend approval of Tentative Parcel Map (RP24-00002), Development Plan (RD24-00008), Conditional Use Permit (RCUP24-00004), and Regular Coastal Permit (RRP24-00006) to demolish the existing cottage and construct four condominiums to the Community Development Commission for final action; and,

WHEREAS, after coordination with the City's Housing and Neighborhood Services Department, staff determined that the cottage is considered a protected unit under Government Code Section 66300.6 which requires equivalent replacement at an affordable cost;

WHEREAS, the applicant decided to modify the project to include a fifth unit into the proposed project which would be restricted to very low income households as defined by Health and Safety Code Section 50105;

WHEREAS, on April 22, 2026, the Downtown Advisory Committee (DAC) was presented with the revised project and after due consideration took action in a 4-1 vote to recommend approval of Tentative Map (RT26-00001), Development Plan (RD24-00008), Conditional Use Permit (RCUP24-00004), and Regular Coastal Permit (RRP24-00006) to demolish the existing cottage and construct five condominiums to the Community Development Commission for final action;

1 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
2 Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15332
3 "In-Fill Development Projects," as the project is located at an infill site and is consistent with the
4 applicable zoning and land use designations and would not result in impacts to air quality, water
5 quality, noise, or traffic; and,

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

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

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

4 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be
5 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside
6 City Code and the City expressly reserves the right to amend the fees and fee calculations subject
7 to applicable law including Government Code Section 65589.5(o); and

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

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

14 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
15 effective upon its adoption; and

16 WHEREAS, based on such evidence and testimony, including but not limited to the report
17 of the Planning Division, the Community Development Commission finds as follows:

18 For the Tentative Map (RT26-00001):

- 19 1. The proposed Tentative Map is consistent with the General Plan and provisions of the
20 Subdivision Ordinance of the City. The proposed density of approximately 43 dwelling units
21 per acre is within the density range allowed for the D land use designation and the RH Local
22 Coastal Program Land Use Plan designation.
- 23 2. The site is physically suited for the type of development in that the site is disturbed and
24 located in an established neighborhood.
- 25 3. The site is physically suitable for the proposed density of development as the site is located
26 within an urbanized area and surrounded by residential uses. The site is served by existing
27 public services, utilities, and public facilities.

- 1 4. The design of the subdivision or the proposed improvements would not cause substantial
2 environmental damage or substantially injure fish or wildlife or their habitat. The
3 subject property is located in an urbanized area and was previously developed.
- 4 5. The design of the subdivision or the type of improvements meet City standards and will
5 not conflict with easements, acquired by the public at large, for access through or the use
6 of property within the proposed subdivision.
- 7 6. The subdivision complies with all other applicable ordinances, regulations and guidelines of
8 the City of Oceanside. The proposed tentative map exhibit accords with the form and content
9 requirements of the City's Subdivision Ordinance (Section 401).

10 For the Development Plan (RD24-00008):

- 11 1. The site plan and physical design of the project as proposed is consistent with the purposes
12 of the Zoning Ordinance. The proposed project and site improvements, as conditioned,
13 will be consistent with the underlying multifamily district (D-5).
- 14 2. The Development Plan as proposed conforms to the General Plan of the City. The
15 proposed project is within the allowable density range for the General Plan and Local
16 Coastal Land Use Plan designations and is consistent with multiple policies throughout
17 the Land Use Element, Housing Element, and Energy and Climate Action Element
18 regarding smart growth and infill housing.
- 19 3. The area covered by the Development Plan can be adequately, reasonably, and
20 conveniently served by existing and planned public services, utilities, and public facilities.
21 The project constitutes an infill development within an existing established neighborhood
22 in an urbanized part of the City. The project site is adequately served by existing public
23 facilities, public services, and utilities and adding five units would not exceed the capacity
24 of existing and planned systems.
- 25 4. The project as proposed is compatible with existing and potential development on
26 adjoining properties and in the surrounding neighborhood. The proposed project site is
27 located in an eclectic neighborhood with single and multi-family development. The
28 proposed building will incorporate a contemporary style architectural design consistent

1 with the current redevelopment occurring within the Downtown area and larger Townsite
2 Neighborhood Planning Area.

3 5. The proposed three-story, five-unit project would conform to the goals, objectives, and
4 policies of the General Plan, as it contributes to a proper balance of land uses within the
5 community, provides for necessary off-site improvements, and accommodates additional
6 housing opportunities within a multifamily district.

7 6. The proposed project is consistent with the policies Local Coastal Program as the project
8 is compatible with surrounding properties in terms of height, scale, color, and form.

9 For the Conditional Use Permit (RCUP24-00004):

10 1. The proposed location of the use is in accord with the objectives of the Zoning Ordinance
11 as the project proposes multifamily residential development in a multifamily residential
12 district.

13 2. The proposed use will not be detrimental to the health, safety, peace or general welfare of
14 persons residing or working in the vicinity as the project proposes a residential use within
15 the allowable density range for the underlying district.

16 3. The site for the proposed use is adequate in size and is so shaped as to accommodate said
17 use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other
18 features necessary to adjust said use with the land and uses in the neighborhood and make
19 it compatible thereto.

20 4. The proposed use will comply with the Zoning Ordinance and all required conditions of
21 approval located herein.

22 5. The proposed use will be consistent with all applicable policies of the Local Coastal
23 Program Land Use Plan.

24 For the Regular Coastal Permit (RRP24-00006):

25 1. The proposed project is consistent with the policies of the Local Coastal Program Land
26 Use Plan as the project is consistent with the surrounding neighborhood in terms of height,
27 scale, color, and form, while meeting the development standards of the D-5 Subdistrict.
28 In addition, the project will not substantially alter or impact existing public views of the
coast or remove public parking west of the train tracks.

2. The proposed project conforms to the public access and recreation policies of the Coastal Act as the project would not obstruct an existing or planned public access to the coast.

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

SECTION 1. Tentative Map (RT26-00001), Development Plan (RD24-00008), Conditional Use Permit (RCUP24-00004), and Regular Coastal Permit (RRP24-00006) are hereby approved subject to the following conditions:

Building:

1. When plans are submitted for a building permit 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. Plans cannot be approved if they contain any references to non-applicable outdated codes or ordinances from jurisdictions other than the City of Oceanside.

2. The 2022 triennial edition of the California Code of Regulations, Title 24 (California Building Standards Code) applies to all occupancies that applied for a building permit on or after January 1, 2023, and remains in effect until the effective date of the 2025 triennial edition which will be January 1, 2026. More information about the CALIFORNIA BUILDING STANDARDS CODE can be obtained at the Building Standards Commission website: <https://www.dgs.ca.gov/BSC/Codes>.

3. The City of Oceanside Building Division staff doesn't perform plan reviews or inspections of Civil Drawings, Precise Grading, or Landscape plans since they are reviewed by the City of Oceanside Engineering Division and are reviewed by other regulations and standards than those used by the Building Division staff. The Building Division does require site plans that have specific required details for plan review and inspections associated with foundations, setbacks, and accessibility compliance that must be made part of the Building Division plans in order to be able to conduct and approve those

1 inspections from a Building Division approved set of plans. It may be acceptable to
2 include site plans from the Civil Drawings in the Building Division plan set if they are
3 marked as "For Reference Only" for items that are only reviewed and inspected by the
4 City of Oceanside Engineering Division staff. See the attached copy of the City of
5 Oceanside Building Division Procedure PC-22 Landscape Plans for additional
6 information.

- 7 4. Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require that
8 the latest edition of the California Building Standards code and Uniform Housing Code
9 apply to local construction 180 days after publication
- 10 5. All architects, engineers, designers, developers, owners and contractors MUST be familiar
11 with the codes in effect at the time of plan submittal. Oceanside Development Services
12 (ODS) CANNOT approve projects that do not comply with the codes in effect at the time
13 of plan submittal as required by State law.
- 14 6. Plans for proposed R-2 occupancy group buildings that are apartments with 3 or more
15 dwelling units and condominiums with 4 or more dwelling units must include accessibility
16 details per the 2022 California Building Code (CBC) under section 102A Building
17 Accessibility; section 1102A.1 Where required items 1 & 2. The proposed design
18 drawings appear to show two separate buildings with only two dwelling units and three
19 dwelling units each which would qualify as an R-3 occupancy group not subject to
20 building accessibility per the CBC but requirements of the 2022 California Residential
21 Code (CRC) section R327 Aging-in-Place Design and Fall Prevention.
- 22 7. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the
23 plans.
- 24 8. The scope of work on the building permit application and plans can include the demolition
25 of the existing structures but demolition work cannot be performed until the plans are
26 approved and a permit is issued. A separate demolition permit may be obtained prior to
27 approval of permits for new construction if it is more desirable to perform demolition
28 work sooner. Proof of approval from the County of San Diego Department of
Environmental Health (DEH) Hazardous Materials Division will be required before

demolition permits can be issued.

9. For separate demolition permit requirements please check the Building Division Plan Check Plan Check webpage and select Demolition Plan Submittal Requirements under the Submittal Requirements heading.
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 website page.
11. After a permit is issued the developer shall monitor, supervise and control all building construction and supportive activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:
12. Building construction work hours shall be limited to between 7 a.m. and 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
13. The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste containers shall be considered compliance with this requirement. Small Amounts of construction debris may be stored on site in a neat, safe manner for short periods of time pending disposal

Engineering:

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

- 1 22. Prior to the issuance of a Certificate of Occupancy permit, all improvements, including
2 landscaping, landscaped medians, frontage improvements shall be completed to the
3 satisfaction of the City Engineer.
- 4 23. Prior to approval of the map, provide the City of Oceanside with certification from each
5 public utility and each public entity owning easements within the proposed project stating
6 that: (a) they have received from the owner/developer a copy of the proposed map; (b) they
7 object or do not object to the filing of the map without their signature; (c) in case of a street
8 dedication affected by their existing easement, they will sign a "subordination certificate" or
9 "joint-use certificate" on the map when required by the governing body.
- 10 24. The tract shall be recorded and developed as one. The City Engineer shall require the
11 dedication and construction of necessary utilities, streets and other improvements outside the
12 area of any particular map, if such is needed for circulation, parking, access or for the welfare
13 or safety of future occupants of the development. The boundaries of any multiple final map
14 increments shall be subject to the approval of the City Engineer.
- 15 25. Vehicular access rights to Myers St shall be relinquished to the City from abutting lot. The
16 relinquishment shall be shown on the map or processed as a separate instrument with an
17 access relinquishment application with the City prior to the issuance of a grading permit. The
18 relinquishment shall be approved and recorded prior to the grading plan As-Built.
- 19 26. All property corners, survey monuments that control public rights-of-way, and City
20 benchmarks shall be protected in place or perpetuated in conformance with Greenbook
21 Standard 400-2 and Business and Professions Code 8771.
- 22 27. A traffic control plan shall be prepared in accordance with the City's traffic control
23 guidelines and approved by the City Engineer prior to the start of work within the public
24 Right-of-Way. Traffic control safety and implementation for construction or re-construction
25 of streets shall be in accordance with construction signing, marking, and other protection as
26 required by Caltrans' Traffic Manual and City Traffic Control Guidelines. Traffic control
27 plan implementation and hours shall be in accordance with the approved traffic control plans.
28

- 1 28. Proposed public improvements located within the City's ROW or onsite shall be displayed
2 on separate public improvement plans in accordance with the City's Engineer's Design and
3 Processing Manual.
- 4 29. Any existing public or private improvements that are being joined to and that are already
5 damaged or damaged during construction of the project, shall be repaired or replaced as
6 necessary by the developer to provide a competent and stable connection, and to the City's
7 satisfaction.
- 8 30. Myers St shall be constructed with new curb and gutter and sidewalk. Sidewalk
9 improvements (construct/replace) shall comply with current ADA requirements.
- 10 31. Full width and depth alley improvements, including the installation of a longitudinal concrete
11 ribbon gutter, shall be shown on separate public improvement plans and designed in
12 accordance with the City of Oceanside Engineers Design and Processing Manual.
- 13 32. Proposed vertical improvements adjacent to alley roadways at a height greater than 30 inches
14 and that would have the potential to obstruct the driver's line-of-sight are not allowed.
15 Existing vertical obstructions should be removed or lowered, if practical. Such obstructions
16 may include buildings, hedges, trees, bushes, un-mowed grass, tall crops, walls, fences, and
17 terrain itself.
- 18 33. A pavement evaluation report shall be submitted for offsite street and/or alley pavements
19 with the grading plan application. The owner/developer shall contract with a geotechnical
20 engineering firm to perform a field investigation of the existing pavement on all streets
21 adjacent to the project boundary. The limits of the study shall be half-street width along the
22 project's (Myers St) frontage. The field investigation shall be performed according to a
23 specific boring plan prepared by a licensed Geotechnical Engineer and approved by the City
24 Engineer prior to the issuance of a grading permit. In the absence of an approved boring plan,
25 the field investigation shall include a minimum of one pavement boring per every fifty linear
26 feet (50) of street frontage.
- 27 34. Should the study conclude that the existing road pavement does not meet current pavement
28 thickness requirements set forth in the City of Oceanside Engineers Design and Processing
Manual, the Owner/developer shall remove and reconstruct the existing pavement section in

accordance with City requirements. Otherwise, the City Engineer shall determine whether the Owner/developer shall: 1) Repair all failed pavement sections, 2) header cut and grind per the 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.

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

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

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

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

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

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

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

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

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

43. The project shall provide and maintain year-round erosion control for the site. Prior to the issuance of a grading permit, an approved erosion control plan, designed for all proposed stages of construction, shall be secured by the owner/developer with cash securities or a

Letter-of-Credit and approved by the City Engineer; a Certificate of Deposit will not be accepted for this security.

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

- a. Dirt, debris and other construction material shall not be deposited on any public street or into the City's storm water conveyance system.
- b. All grading and related site preparation and construction activities shall be limited to the hours of 7 AM to 6 PM, Monday through Friday. No engineering-related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be located as far as possible (minimum 100 feet) from any existing residential development. As construction noise may still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."
- c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. An alternate parking site can be considered by the City Engineer in the event that the lot size is too small and cannot accommodate parking of all motor vehicles.
- d. Owner/developer shall complete a haul route permit application (if required for import/export of dirt) and submit to the City of Oceanside Transportation Engineering Section forty-eight hours (48) in advance of beginning of work. Hours of hauling operations shall be dictated by the approved haul route permit.

45. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer prior to the issuance of a grading permit and approved by the City Engineer prior to the issuance of building permits. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight

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

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

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

22 48. All public storm drains shall be shown on separate public improvement plans. Public storm
23 drain easements shall be dedicated to the City where required.

24 49. Drainage facilities shall be designed and installed to adequately accommodate the local storm
25 water runoff, and shall be in accordance with the San Diego County Hydrology Manual and
26 the City of Oceanside Engineers Design and Processing Manual, and to the satisfaction of
27 the City Engineer.

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

- 1 51. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and disposed of
2 in accordance with all state and federal requirements, prior to discharging of stormwater into
3 the City drainage system.
- 4 52. The project is categorized as a stormwater-Standard Development Project (SDP). A final
5 Storm Water Quality Management Plan (SWQMP) shall be submitted to the City for review
6 at the final engineering phase. Approval of this document is required prior to the issuance of
7 a grading permit.
- 8 53. Open space areas, down-sloped areas visible from a collector-level or above roadway
9 classification, and improvements within the common areas that are not maintained by the
10 property owner, shall be maintained by a homeowners' association that will ensure operation
11 and maintenance of these items in perpetuity. These areas shall be indicated on the map and
12 reserved for an association. Future buyers shall be made aware of any estimated monthly
13 maintenance costs. The CC&R's shall be submitted and approved by the City prior to the
14 recordation of the map.
- 15 54. All new extension services for the development of the project, including but not limited to,
16 electrical, cable and telephone, shall be placed underground as required by the City Engineer
17 and current City policies.
- 18 55. Prior to the approval of plans and the issuance of a grading permit, owner/developer shall
19 obtain all necessary permits and clearances from public agencies having jurisdiction over the
20 project due to its type, size, location, or infrastructure impact. The list of public agencies
21 includes, but is not limited to, Public Utility Companies, the California Department of
22 Transportation (Caltrans), the City of Carlsbad, the City of Vista, Fallbrook, the County of
23 San Diego, the U. S. Army Corps of Engineers, the California Department of Fish & Game,
24 the U. S. Fish and Wildlife Service, the San Diego Regional Water Quality Control Board,
25 and the San Diego County Health Department.
- 26 56. Owner/developer shall comply with all the provisions of the City's cable television
27 ordinances, including those relating to notification as required by the City Engineer.
- 28 57. 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.

1 All traffic signal fees and contributions, highway thoroughfare fees, park fees,
2 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
3 recordation of the map or the issuance of any building permits, in accordance with City
4 Ordinances and policies. Payment of drainage impact fees are required prior to docketing the
5 map for City Council hearing and the recording of the final map. The owner/developer shall
6 also be required to join into, contribute, or participate in any improvement, lighting, or other
7 special district affecting or affected by this project.

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

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

15 60. Prior to approval of grading or improvement plans or construction changes, CAD drawing
16 files of all proposed utilities (water/sewer/storm) and other improvements shall be provided
17 to City. CAD files shall conform to the standards as set forth in the Water Utilities Design &
18 Construction manual Appendix 2. Prior to release of bonds, final CAD drawings that reflect
19 as-built conditions shall be provided to the City upon resubmittal of record drawings (As-
20 Built).

21 **Water Utilities:**

22 **General Conditions:**

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

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

63. The property owner shall maintain private water and wastewater utilities located on private property.
64. Water services and sewer laterals constructed in existing right-of-way locations are to be constructed by an approved and licensed contractor at developer's expense.
65. Each new residential dwelling unit or commercial suite shall be metered individually.
66. For new buildings with multiple residential dwelling units; the City has accepted, as an alternative, a public master meter for each building provided there is a private sub-meter for each individual dwelling unit. The Building Owner would be responsible for the ownership, maintenance, reading, and replacement of the private sub-meters. There shall be a shared agreement for the shared water supply line and private water and sewer facilities among the owners. This should be addressed in the CC&Rs or maintenance agreement.
67. Per the latest approved California Fire Code, all new residential units shall be equipped with fire sprinkler system.
68. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire protection shall have a dedicated fire service connection to a public water main with a double check detector backflow assembly. Location of the backflow assembly must be approved by Fire Department.
69. 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.
70. One separate meter service shall be installed to each lot and a "W" will be stamped on the curb face at the lateral location.
71. Per Ordinance Sec. 29.3, No sanitary sewer connection shall serve more than one ownership nor more than one parcel of land.
- The following conditions shall be met prior to the approval of engineering design plans.
72. 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.

- 1 73. All public water and/or sewer facilities not located within the public right-of-way shall be
2 provided with easements sized according to the Water, Sewer, and Recycled Water Design
3 and Construction Manual. Easements shall be constructed for all weather access.
- 4 74. No trees, structures or building overhang shall be located within any water or wastewater
5 utility easement.
- 6 75. Minimum separation between water services and sewer laterals shall be 10 feet.
- 7 76. Water facilities, backflows or meters, shall have a minimum 10' separation from trees. Palm
8 tree minimum separation is lowered to 5' from water facilities.
- 9 77. Per City of Oceanside Ordinance No. 21-OR0475-1, the developer shall pay a recycled water
10 impact fee since the proposed project is not within 75 feet of a recycled water main. The
11 impact fee shall be established by submitting a formal letter requesting the City to determine
12 this fee, which is based on 75% of the design and construction cost to construct a recycled
13 water line fronting the property in S Myers Street.
- 14 78. Connections to the public sewer main with a 6-inch or larger sewer lateral will require a new
15 sewer manhole for connection at the main per Section 3.3 of Water, Sewer, and Recycled
16 Water Design and Construction Manual.
- 17 79. Connection to an existing sewer manhole will require rehabilitation of the manhole per City
18 standards. Rehabilitation may include, but not be limited to, re-channeling of the manhole
19 base, surface preparation and coating the interior of the manhole, and replacing the manhole
20 cone with a 36" opening and double ring manhole frame and lid.
- 21 80. A separate irrigation meter and connection with an approved backflow prevention device is
22 required to serve common landscaped areas and shall be displayed on the plans. Meter shall
23 be managed and paid for by the Home Owner's Association or Property Manager
- 24 81. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter and
25 reduced pressure principle backflow device on Landscape Plans.
- 26 82. Provide stationing and offsets for existing and proposed water service connections and sewer
27 laterals on the plans.
- 28 83. City records indicate the property has a single 4-inch sewer lateral and a 5/8-inch domestic
water meter. Any unused water mains and services or sewer mains and laterals by the

proposed development, shall be abandoned in accordance with Water Utilities requirements. If an existing water meter is abandoned then a credit will be applied towards future buy-in fees in the amount of the buy-in fee of the existing meter.

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

84. Show location and size of existing and proposed water meter(s) on site plan of building plans. Show waterline from proposed meter to connection point to building.
85. Indicate the size and location of the private water sub-meters.
86. Show location and size of existing and proposed sewer lateral(s) from property line or connection to sewer main to connection point at building.
87. Provide a fixture unit count table and supply demand estimate per the latest adopted California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).
88. Provide drainage fixture unit count per the latest adopted California Plumbing Code to size sewer lateral for property.
89. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid to the City at the time of Building Permit issuance per City Code Section 32B.7.

Landscape:

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

- a. Final landscape plans shall accurately show placement of all plant material such as but not limited to trees, shrubs, and groundcovers.
- b. Landscape Architect shall be aware of all utility, sewer, water, gas and storm drain lines and utility easements and place planting locations accordingly to meet City of Oceanside requirements.
- c. Final landscape plans shall be prepared under the direct supervision of a Registered Landscape Architect (State of California), with all drawings bearing their professional stamp and signature.
- d. All required landscape areas both public and private (including trees and palms in the public rights-of-way) shall be maintained by owner, project association or successor of the project (including public rights-of-way along South Myers Street). The landscape areas shall be maintained per City of Oceanside requirements.
- e. The As-built/ Maintenance Guarantee (refundable cash deposit) shall not be released until the as-built drawings have been approved on the original approved Mylar landscape plan and the required maintenance period has been successfully terminated.
- f. Proposed landscape species shall fit the site and meet climate changes indicative to their planting location. The selection of plant material shall also be based on cultural, aesthetic, and maintenance considerations. In addition proposed landscape species shall be low water users as well as meet all fire department requirements.
- g. All planting areas shall be prepared and implemented to the required depth with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site.
- h. Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.
- i. The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.

- j. Root barriers shall be installed adjacent to all paving surfaces where a paving surface is located within 6 feet of a tree trunk on site (private) and within 10 feet of a tree trunk in the right-of-way (public). Root barriers shall extend 5 feet in each direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.
- k. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain Planning Division approval for these items in the conditions or application stage prior to 1st submittal of working drawings.
- l. For the planting and placement of trees and their distances from hardscape and other utilities/ structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.
- m. An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.
- n. Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.
- o. All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- p. The landscape plans shall match all plans affiliated with the project.
- q. Landscape construction drawings are required to implement approved Fire Department regulations, codes, and standards at the time of plan approval.
- r. Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with Storm Water Management Plan (SWMP), Hydromodification Plan, or Best Management Practices and meet the satisfaction of the City Engineer.
- s. Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.

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

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

Fire:

93. EMERGENCY RESPONSE MAPS - Geo- Referenced Preplans: Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates. Provide geo-referenced building plan in CAD (.dwg) format using the following coordinate system: NAD_1983_StatePlan_California_VI_FIPS_0406_Feet. Data deliverables (CAD and GIS) shall specifically include a site plan, building plan, all Utility shut-offs, fire sprinkler risers and shut-off valves, the fire department connection for sprinkler and class-I standpipe, all standpipe hose outlets, all stairwells, retail spaces, living units -numbers /locations, fire alarm panels, elevators, fire hydrants and all Knox boxes and key switch locations.
94. Deferred Submittals:

1 -Automatic Fire Sprinkler, CFC & NFPA 13, 13R or 13D (Depending on final occupancy
2 classification)

3 -Class-I Wet Standpipe, CFC & NFPA 14

4 -Fire Alarm System, CFC & NFPA 72 (Depending on type of fire sprinkler system)

5 95. Fire Extinguishers size, type and rating shall comply with 2022 CFC. Provide extinguishers
6 rated at 2A-10BC. Four will be required (One per building).

7 96. Knox Key Box shall be provided. A master key for entry to all gates, enclosures and
8 equipment rooms or areas is required. Knox box shall be mounted in area approved by fire
9 dept. at height of 60 to 66 inches above grade. Knox Box shall be type with side hinged
10 door.

11 97. Buildings shall have approved address numbers placed in position that is contrasting in color
12 and plainly visible from street or road fronting the property. Numbers shall be 6" inches
13 high with

14 **Housing:**

15 98. Inclusionary Housing Requirements: In order to satisfy in full or in part the requirements to
16 reserve a minimum of 10 percent of the dwelling units (five dwelling units) within the Project
17 as affordable and occupied by low- or moderate-income households under Oceanside City
18 Code Chapter 14C, Project shall make payment of the applicable Inclusionary Housing In-
19 Lieu fees at \$8.92 per square foot of livable space of all of the unrestricted dwelling units
20 within the Project prior to the approval of any final or parcel map or building permit for the
21 residential project or restrict one (1) dwelling unit for sale to and as the primary residence
22 for a Low or Moderate-income Households, as defined in California Health and Safety Code
23 Sections 50105, 50079.5 and 50093, respectively, at an Affordable Housing Cost for a
24 household size appropriate for the unit size, as set forth in Sections 50052.5 of the California
25 Health and Safety Code for a period of not less than 55 years.

26 99. To demonstrate compliance with Chapter 14C, and any housing and occupant protection
27 obligations under Housing Element law, the Housing Crisis Act of 2019 or the Mello Act,
28 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

1 against the title of the property and the relevant terms and conditions recorded as a deed
2 restriction, regulatory agreement or other enforceable instrument. The Agreement will be
3 recorded prior to the approval of any final or parcel map or issuance of a grading permit or
4 the building permit for the first dwelling unit of the Project. The Agreement shall be binding
5 to all future owners and successors in interest.

6 100. Replacement Housing/Occupant Protections. In compliance with State laws, any proposed
7 housing development in which residential units are proposed for demolition, have been
8 demolished within five years, or have been withdrawn from rent or lease pursuant to the Ellis
9 Act is subject to affordable housing replacement obligations and applicable occupant
10 protections. Therefore, as a condition of development, as required by State Housing Element
11 law and the Housing Crisis Act of 2019, the proposed housing development project must
12 demonstrate to the satisfaction of the Housing and Neighborhood Services Director that the
13 project:

- 14 a. Creates at least as many residential units as demolished (one residential unit) (CA
15 Govt Code Section 66300.6 (a));
- 16 b. Creates as many restricted affordable units of equivalent size (1 bedroom/1 bath) and
17 of the same or lower income category as will be demolished determined to be one
18 very low-income residential unit (CA Govt Code Section 66300.6 (b)(1));

19 Replacement units may be counted towards satisfaction of set-aside units for the purposes of
20 meeting the State Density Bonus (California Govt Code Section 65915) or Oceanside City
21 Code Chapter 14C requirements.

22 101. Affirmative Fair Housing Marketing Plan (AFHMP). In accordance with California
23 Assembly Bill 686, as codified in Government Code Section 8899.50, Applicant shall take
24 meaningful actions to combat housing discrimination, promote housing opportunities
25 throughout the community, and foster inclusive communities free from barriers that restrict
26 access to opportunity based on protected characteristics. Applicant shall implement an
27 affirmative marketing strategy that includes: (i) advertising and outreach in multiple
28 languages as needed to reach eligible populations; (ii) utilizing diverse media outlets and
community organizations to ensure broad dissemination of information about housing

opportunities; (iii) partnering with fair housing organizations, community-based organizations, and social service providers that serve protected classes; (iv) maintaining records of all marketing efforts and their effectiveness in reaching underserved populations; and (v) taking proactive steps to address any patterns of segregation or lack of diversity in tenant selection. This affirmative marketing strategy shall be developed in consultation with the City and submitted for approval prior to initial lease-up and updated as necessary to ensure continued compliance with fair housing objectives.

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

Solid Waste:

103. Each unit must have landfill, recycling, and organics services (residential carts). The carts must be stored on private property and screened from public view by a solid fence, wall or garage. The plans need to show where the storage for each stream of residential carts will be located. Label the three carts in their storage area to ensure service and proper storage for all three streams for each single-family residence.
104. The plans must demonstrate where servicing will occur for the residential carts to ensure adequate access by service vehicles. For cart dimensions and service vehicle requirements, including street turning radius and minimum road lengths, please reference the City of Oceanside Enclosure Guidelines.
105. The City of Oceanside reserves the right to review program and services levels and request increases if deemed necessary. The City of Oceanside Municipal Code Chapter 13 requires that Oceanside residents, businesses and multifamily projects are to separate all recyclable material from other solid waste.

Planning:

- 1 106. This Tentative Map, Development Plan, Conditional Use Permit, and Regular Coastal Permit
2 shall expire on August 5, 2029 unless implemented as required by the Zoning Ordinance or
3 a time extension is granted pursuant to Article 1 of the Zoning Ordinance.
- 4 107. This Tentative Map, Development Plan, Conditional Use Permit, and Regular Coastal Permit
5 approves only the development of a three-story, five-unit condominium development as
6 shown on the plans and exhibits presented to the Community Development Commission for
7 review and approval. No deviation from these approved plans and exhibits shall occur
8 without City Planner approval. Substantial deviations shall require a revision to the Tentative
9 Map, Development Plan, Conditional Use Permit, and Regular Coastal Permit.
- 10 108. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
11 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
12 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
13 annul an approval of the City, concerning Tentative Map (RT26-00001), Development Plan
14 (RD24-00008), Conditional Use Permit (RCUP24-00004), and Regular Coastal Permit
15 (RRP24-00006). The City will promptly notify the applicant of any such claim, action or
16 proceeding against the City and will cooperate fully in the defense. If the City fails to
17 promptly notify the applicant of any such claim action or proceeding or fails to cooperate
18 fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify
19 or hold harmless the City.
- 20 109. Tentative Map (RT26-00001), Development Plan (RD24-00008), Conditional Use Permit
21 (RCUP24-00004), and Regular Coastal Permit (RRP24-00006) may be called for review by
22 the Community Development Commission if complaints are filed and verified as valid by
23 the City Planner or the Code Enforcement Officer concerning the violation of any of the
24 approved conditions or the project assumptions demonstrated under the application
25 approval.
- 26 110. A covenant or other recordable document approved by the City Attorney shall be prepared
27 by the applicant and recorded prior to the approval of the final map. The covenant shall
28 provide that the property is subject to this Resolution, and shall generally list the conditions
of approval.

- 1 111. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new
3 owner and or operator. This notification's provision shall run with the life of the project
4 and shall be recorded as a covenant on the property.
- 5 112. Failure to meet any conditions of approval shall constitute a violation of the Tentative
6 Map, Development Plan, Conditional Use Permit and/or the Regular Coastal Permit.
- 7 113. The developer's construction of all fencing and walls associated with the project shall be
8 in conformance with the approved Development Plan. Any substantial change in any
9 aspect of fencing or wall design from the approved Development Plan shall require a
10 revision to the Development Plan or a new Development Plan.
- 11 114. If any aspect of the project fencing and walls is not covered by an approved Development
12 Plan, the construction of fencing and walls shall conform to the development standards of
13 the City Zoning Ordinance. In no case, shall the construction of fences and walls
14 (including combinations thereof) exceed the limitations of the zoning code, unless
15 expressly granted by a Variance or other development approval.
- 16 115. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially
17 the same as those approved by the Community Development Commission. These shall
18 be shown on plans submitted to the Building Division and Planning Division.
- 19 116. Garages shall be kept available and useable for the parking of tenant's automobiles at all
20 times.
- 21 117. A letter of clearance from the affected school district in which the property is located shall
22 be provided as required by City policy at the time building permits are issued.
- 23 118. In the event any subsurface archaeological resources are encountered during grading or
24 construction activities, such activities in the locality of the find shall be halted
25 immediately. An archaeologist, certified by the Society of Professional Archaeologists
26 (SOPA), shall be brought in to determine the significance of the archaeological resources
27 and implement appropriate mitigations prior to recommencing earthwork.
- 28 119. Unless expressly waived, all current zoning standards and City ordinances and policies in
effect at the time building permits are issued are required to be met by this project. The

1 approval of this project constitutes the applicant's agreement with all statements in the
2 Description and Justification, and other materials and information submitted with this
3 application, unless specifically waived by an adopted condition of approval.

4 120. The developer is prohibited from entering into any agreement with a cable television
5 franchisee of the City, which gives such franchisee exclusive rights to install, operate, and/or
6 maintain its cable television system in the development.

7 121. Outdoor lighting shall be low emission, shielded, and directed away from all property
8 lines.

9 122. All units shall be prohibited for use as a "short-term vacation rental" as such term is defined
10 in Chapter 24 of the City of Oceanside City Code, as may be amended from time to time.

11 123. All mechanical rooftop and ground equipment shall be screened from public view as required
12 by the Zoning Ordinance. The roof jacks, mechanical equipment, screens, and vents shall be
13 painted with non-reflective paint to match the roof. This information shall be shown on the
14 building plans.

15 124. The project shall install and maintain electric vehicle parking and charging facilities as
16 outlined in Section 3048 of the Zoning Ordinance.

17 125. An association shall be formed and Covenants, Conditions and Restrictions (CC&Rs)
18 shall provide for the maintenance of all common open space and commonly owned fences
19 and walls. The maintenance shall include normal care and irrigation of landscaping; repair
20 and replacement of plant material and irrigation systems as necessary; and general clean-
21 up of the landscaped and open area, parking lots and walkways. The CC&Rs shall be
22 subject to review and approval of the City Attorney prior to the approval of the Final Map.
23 The CC&Rs are required to be recorded prior to, or concurrently with, the Final Map. Any
24 amendments to the CC&Rs in which the association relinquishes responsibility for the
25 maintenance of any common open space shall not be permitted without the specific
26 approval of the City of Oceanside. Such a clause shall be a part of the CC&Rs. The
27 CC&Rs shall also contain provisions for the following:

28 a. Prohibition of parking or storage of recreational vehicles, trailers or boats.

- 1 b. Provision that garages shall be kept available and useable for the parking of tenant's
2 automobiles at all times.
- 3 c. Provisions regulating individual patio covers, prohibiting room additions or other
4 appurtenances.
- 5 d. Provisions for the maintenance of all common open space including provisions
6 establishing mechanisms to ensure adequate and continued monetary funding for
7 such maintenance by the homeowners' association.
- 8 e. Provisions that restrict any private use of open space areas. Restrictions shall
9 include, but are not limited to, removing retaining walls, installing structures such
10 as trellises, decks, retaining walls and other hardscape and any individual landscape
11 improvements.
- 12 f. Provisions prohibiting the homeowners' association from relinquishing its
13 obligation to maintain the common open space areas without prior consent of the
14 City of Oceanside.
- 15 g. An acknowledgement that the City of Oceanside does not have a view preservation
16 ordinance and that views may be subject to change with maturing off-site landscape
17 and the potential for future off-site building.
- 18 126. Prior to issuance of any building or grading permit, the director of housing and neighborhood
19 services shall certify that the proposed development has complied with the requirements for
20 inclusionary housing and all provisions of Chapter 14C.
- 21 127. A parking easement shall be provided between parcels 150-074-04 and 150-074-05 (Block
22 13 Lots 4 and 5 of Tysons Addition Map No. 218) prior to recording of the condominium
23 map. The easement shall be abutting the alley with dimensions of 19 feet deep and 9 feet
24 wide, centered on the shared property line.

25 \\\

26 PASSED and ADOPTED by the Community Development Commission of the City of
27 Oceanside, California this 6th day of August, 2026, by the following vote:

28 AYES:

NAYS:

1 ABSENT:

2 ABSTAIN:

3
4 _____
Mayor of the City of Oceanside

5 ATTEST:

APPROVED AS TO FORM:

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8 _____
9 City Clerk

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City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 5, BLOCK 13 OF TYSON'S ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 218](#), FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 26, 1885.

[APN: 150-074-05-00](#)