

**RESOLUTION NO.****A RESOLUTION OF THE COMMUNITY DEVELOPMENT  
COMMISSION OF THE CITY OF OCEANSIDE APPROVING A  
REGULAR COASTAL PERMIT (RRP24-00001) TO PERMIT TWO  
ROOFTOP DECKS AT 151 SOUTH MYERS STREET****(NEEL PUJARA – APPLICANT)**

WHEREAS, on October 23, 2024, the Downtown Advisory Committee was presented with the project and after due consideration voted unanimously (7-0 vote) to recommend Community Development Commission approval of a Regular Coastal Permit (RRP24-00001); and,

WHEREAS, on February 5, 2025, the Community Development Commission held a duly-noticed public hearing to consider an application by Neel Pujara for a Regular Coastal Permit (RRP24-00001) to permit two rooftop decks totaling approximately 300 square feet at 151 South Myers Street; and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt pursuant to Article 19 Categorical Exemptions, Section 15303 “New Construction or Conversion of Small Structures Projects” of the CEQA Guidelines as the project would permit appurtenance structures to an existing multifamily structure and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2; 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 Regular Coastal Permit (RRP24-00001):**

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 5 of the Downtown District.
2. 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 decks would not encroach into the public Right-of-Way and the property does not abut the beach or hinder existing beach access points.

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

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

5 SECTION 1. That Regular Coastal Permit (RRP24-00001) is hereby approved subject to the  
6 following conditions:

7 **Planning:**

- 8 1. This Regular Coastal Permit (RRP24-00001) shall expire on February 05, 2028, unless  
9 implemented as required by the Zoning Ordinance.
- 10 2. This Regular Coastal Permit (RRP24-00001) permits two existing, unpermitted rooftop decks  
11 (Deck 1: west-facing, approximately 275 square feet; Deck 2: east-facing, approximately 20  
12 square feet) at 151 South Myers Street as shown on the plans and exhibits presented to the  
13 Community Development Commission for review and approval. No deviation from these  
14 approved plans and exhibits shall occur without Planning Division approval. Substantial  
15 deviations shall require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.
- 16 3. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold harmless  
17 the City of Oceanside, its agents, officers or employees from any claim, action or proceeding  
18 against the City, its agents, officers, or employees to attack, set aside, void or annul an approval  
19 of the City, concerning Regular Coastal Permit (RRP24-00001). The City will promptly notify  
20 the applicant of any such claim, action or proceeding against the City and will cooperate fully in  
21 the defense. If the City fails to promptly notify the applicant of any such claim action or  
22 proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be  
23 responsible to defend, indemnify or hold harmless the City.
- 24 4. A covenant or other recordable document approved by the City Attorney shall be prepared by the  
25 property owner and recorded prior to the issuance of a certificate of occupancy. The covenant  
26 shall provide that the property is subject to this resolution, and shall generally list the conditions  
27 of approval.
- 28 5. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written  
copy of the applications, staff report and resolutions for the project to the new owner and or

operator. This notification's provision shall run with the life of the project and shall be recorded as a covenant on the property.

6. Failure to meet any conditions of approval shall constitute a violation of the Regular Coastal Permit.

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

8. A building permit must be obtained for this scope of work, and the final inspection must be passed prior to use of the rooftop decks. Elevations, siding materials, colors, and floor plans shall be substantially the same as those approved by the Community Development Commission.

PASSED AND ADOPTED by the Community Development Commission of the City of Oceanside, California, this 5th day of February, 2025 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
CHAIRPERSON

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

  
\_\_\_\_\_  
GENERAL COUNSEL