

EXHIBIT B

REVISED 10/4/04

PLANNING COMMISSION
RESOLUTION NO. 2004-P41

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF OCEANSIDE, CALIFORNIA APPROVING A ZONE
AMENDMENT (PD PLAN), TENTATIVE MAP,
DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND
HISTORIC PERMIT ON CERTAIN REAL PROPERTY IN THE
CITY OF OCEANSIDE

APPLICATION NO: ZA-9-02, T-16-02, D-31-02, C-42-02, H-2-02

APPLICANT: Pelican Homes

LOCATION: Western terminus of San Dimas Driven, north of San Ramon Drive and
west of Rancho Del Oro Road

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

WHEREAS, there was filed with this Commission a verified petition on the forms
prescribed by the Commission requesting a Zone Amendment (PD Plan), Tentative Map,
Development Plan, Conditional Use Permit and Historic Permit under the provisions of Articles
10, 17, 21, 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

29-units single-family residential subdivision;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 13th
day of September, 2004 conduct a duly advertised public hearing as prescribed by law to consider
said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the
mitigation measures are met there will not be an adverse impact upon the environment;

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

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

| <u>Description</u> | <u>Authority for Imposition</u> | <u>Current Estimate Fee or Calculation Formula</u> |
|-----------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Parkland Dedication/Fee | Ordinance No. 91-10 Resolution No. R91-38 | \$2,200 per unit |
| Drainage Fee | Ordinance No. 85-23 Resolution No. 89-231 | \$9,575 per acre |
| Public Facility Fee | Ordinance No. 91-09 Resolution No. R91-39 | \$1,301 per unit |
| School Facilities Mitigation Fee | Ordinance No. 91-34 | \$2.14 per square foot |
| Traffic Signal Fee | Ordinance No. 87-19 | \$13.70 per vehicle trip |
| Thoroughfare Fee | Ordinance No. 83-01 | \$177 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG) |
| Water System Buy-in Fees | Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 02-OR-332-1 | Fee based on meter size Typical fee is \$3,360 |
| Wastewater System Buy-in fees | Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1 | Based on meter size Typical fee is \$4,114 |
| San Diego County Water Authority Capacity Fees | SDCWA Ordinance No. 2000-3 | Based on meter size. Typical fee is \$2,004 per unit |
| Inclusionary housing in lieu fees—Residential only. | Chapter 14-C of the City Code | \$1,000 per development project + \$100 per unit plus \$10,275 per unit |

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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

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

11 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
12 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

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

15 FINDINGS:

16 For the Zone Amendment (PD District):

- 17 1. Granting the PD Overlay Zone is consistent with the purposes of the Zoning Ordinance.
- 18 2. The PD Plan, as described in Exhibit "B", is consistent with the Land Use Element of the
19 General Plan and other applicable policies and is compatible with the surrounding land
20 uses.
- 21 3. The design aspects of the PD Plan will enhance the potential for high quality urban
22 development in comparison with development that might otherwise occur if the PD Plan
23 were not approved.
- 24 4. Deviations from the base district regulations that otherwise would apply are justified by
25 compensating benefits of the PD Plan.
- 26 5. The PD Plan includes adequate provisions for utilities, services, and emergency vehicle
27 access; and public service demands will not exceed the capacity of existing and planned
28 systems.

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1 For the Tentative Map:

- 2 1. The proposed subdivision creates parcels that are consistent and exceed the requirements
3 of the RM-A-H zoning designation. The subdivision map is consistent with the General
4 Plan of the City.
- 5 2. The proposed building pads on the site will conform to the topography of the site,
6 therefore, making it suitable for residential development. The 16.8-acre site is physically
7 suitable to allow for the development of 29-residential lots.
- 8 3. The subdivision complies with all other applicable ordinances, regulations and
9 guidelines of the City.
- 10 4. The design of the subdivision or proposed improvements will not conflict with
11 easements, acquired by the public at large, for access through the use of property within
12 the subdivision.
- 13 5. That the design of the subdivision or the proposed improvements with the proposed
14 mitigation will not cause substantial environment damage or substantially and
15 avoidably injure fish or wildlife or their habitat.

16 For the Development Plan:

- 17 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
18 and the underlying Medium Density Residential zone (RM-A-H).
- 19 2. The Development Plan conforms to the General Plan of the City.
- 20 3. The project site can be adequately served by existing public facilities, services and
21 utilities.
- 22 4. The project, as proposed, is compatible with the existing and potential development on
23 adjoining properties or in the surrounding neighborhood.
- 24 5. The site plan and physical design of the project is consistent with the policies contained
25 within Section 1.24 and 1.25 of the Land Use Element of the General Plan.

26 For the Conditional Use Permit Panhandle Access:

- 27 1. The proposed use of a panhandle access design on 7-lots and the proposed location of
28 the access on the lots are in accord with the objectives of the Zoning Ordinance and
29 purposes of the districts in which it is located.

- 1 2. The use of panhandle access design, and the proposed conditions under which the
2 panhandle would be established or maintained will be consistent with the General Plan;
3 will not be detrimental to the public health, safety or welfare of persons residing or
4 working in or adjacent to the neighborhood of such use; and will not be detrimental to
5 properties or improvements in the vicinity or to the general welfare of the City.

6 For the Historic Permit:

- 7 1. The proposed architectural design of the units is consistent with the design criteria of the
8 Mission San Luis Rey Historic Area Development Program and Design Guidelines.

9 For the Hillside Development Plan:

- 10 1. The project, as designed, is consistent with Hillside Development Regulations and
11 conforms to the City of Oceanside General Plan.
12 2. The project is consistent with the zoning and development regulations for the Residential
13 Medium-Density (RM-A-H) zone and with all other applicable ordinances regulations
14 and guidelines of the City of Oceanside.
15 3. The project site can be adequately served by existing public facilities, services and
16 utilities.

17 WHEREAS, the Mitigated Negative Declaration together with any comments received,
18 and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the
19 conditions of approval for the project, were presented to the Planning Commission, and the
20 Planning Commission reviewed and considered the information contained in these documents
21 prior to making a decision on the project.

22 WHEREAS, the Mitigated Negative Declaration and Mitigation and Monitoring and
23 Reporting Program (MMRP) have been determined to be accurate and adequate documents,
24 which reflect the independent judgment and analysis of the Planning Commission. On the basis
25 of the entire record before it, the Planning Commission finds that there is no substantial
26 evidence that the project, with implementation of the mitigation measures proposed, will have a
27 significant impact on the environment.

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1 WHEREAS, the documents or other material which constitutes the record of
2 proceedings upon which the decision is based will be maintained by the City of Oceanside
3 Planning Department, 300 North Coast Highway, Oceanside, California 92054.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
5 approve the Mitigated Negative Declaration and recommends approval of the Zone Amendment
6 (ZA-9-02), Tentative Map (T-16-02), Development Plan (D-31-02), Conditional Use Permit (C-
7 42-02) and Historic Permit (H-2-02) subject to the following conditions:

8 **Building:**

- 9 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
10 Building Department plan check.
- 11 2. The granting of approval under this action shall in no way relieve the applicant/project
12 from compliance with all State and local building codes.
- 13 3. Site development, common use areas, access and adaptability of apartments and
14 condominiums shall comply with Title 24, C.C.R. Part 2 (Disabled Access & Adaptability
15 - HCD). The condominiums shall meet all state and federal guidelines for the disabled.
- 16 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
17 property shall be underground (City Code Sec. 6.30).
- 18 5. The building plans for this project are required by State law to be prepared by a licensed
19 architect or engineer and must be in compliance with this requirement prior to submittal
20 for building plan review.
- 21 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
22 and shall be shielded appropriately. Where color rendition is important high-pressure
23 sodium, metal halide or other such lights may be utilized and shall be shown on final
24 building and electrical plans.
- 25 7. The developer shall monitor, supervise and control all building construction and supportive
26 activities so as to prevent these activities from causing a public nuisance, including, but not
27 limited to, strict adherence to the following:
 - 28 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
29 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
work that is not inherently noise-producing. Examples of work not permitted on

1 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
2 producing nature. No work shall be permitted on Sundays and Federal Holidays
3 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
4 Christmas Day) except as allowed for emergency work under the provisions of the
5 Oceanside City Code Chapter 38 (Noise Ordinance).

- 6 b) The construction site shall be kept reasonably free of construction debris as
7 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
8 approved solid waste containers shall be considered compliance with this
9 requirement. Small amounts of construction debris may be stored on site in a neat,
10 safe manner for short periods of time pending disposal.

11 **Engineering:**

- 12 8. The project shall install a traffic signal on Rancho del Oro Road at San Ramon and will
13 be reimbursed 85 percent of the cost of the traffic signal. The traffic signal shall be
14 interconnected to the existing traffic signal on Rancho del Oro Road at Via Rancho
15 Road. The traffic signal shall be designed and installed to the satisfaction of the
16 Transportation Manager.
- 17 9. San Dimas Avenue shall be constructed with a 56-foot right-of-way, with a 36-foot wide
18 street section.
- 19 10. Five-foot wide (not including top of curb) sidewalks shall be installed along San Dimas
20 Avenue within the project, in accordance with ADA specifications.
- 21 11. American Disability Act-compliant handicapped access shall be provided within the
22 project.
- 23 12. Curb radii at the cul-de-sac turnaround on San Dimas Avenue shall be 40 feet with
24 minimum 50-foot radii at right-of-way lines.
- 25 13. Parking for construction and employee vehicles shall be limited to on-site. No
26 construction vehicles or employee parking shall be allowed on adjacent residential streets.
- 27 14. A traffic control plan shall be prepared according to the City traffic control guidelines and
28 be submitted to and approved by the Transportation Manager at least 10 days prior to the
29 start of work within open City rights-of-way. Traffic control during construction of streets
that have been opened to public traffic shall be in accordance with construction signing.

1 marking and other protection as required by the Caltrans Traffic Manual and City Traffic
2 Control Guidelines in effect at the time of construction.

3 15. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved
4 otherwise.

5 16. Streetlights shall be installed on San Dimas Avenue within the project. The system shall
6 be designed to provide uniform lighting to roadway and pedestrian areas and be secured
7 prior to recordation of the map. The developer shall pay all applicable fees, energy
8 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights
9 and shall also agree to the formulation of, or the annexation to, any appropriate street
10 lighting district.

11 17. A haul route shall be obtained at least 7 days prior to the start of hauling operations and
12 must be approved by the Transportation Manager. Hauling operations shall be from 8:00
13 a.m. to 3:30 p.m. unless approved otherwise. Hauling access into the project shall be from
14 San Dimas Avenue.

15 18. Separate rough and precise grading plans, as well as public improvement plans shall be
16 prepared, reviewed, secured and approved prior to the issuance of any building permits.
17 The plans shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs,
18 gutters, medians, striping, signage, footprints of all structures, walls, drainage devices and
19 utility services. Parking lot striping and any on-site traffic calming devices shall be shown
20 on all Precise Grading and Private Improvement Plans.

21 19. All existing overhead utility lines within the subdivision and within any full width street or
22 right-of-way abutting a new subdivision, and all new extension services for the
23 development of the project, including but not limited to, electrical, cable and telephone,
24 shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166)
25 and as required by the City Engineer and current City policy. In accordance with Section
26 901.G. of the Subdivision Ordinance (R91-166), all poles within 100 feet of the
subdivision boundary constitute the limits of the underground conversion.

27 20. The exact alignments, geometrics, and widths of all rights-of-way and street improvements
28 shall be as required by the City Engineer and the Transportation Manager.
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- 1 21. Design and construction of all improvements shall be in accordance with standard plans
2 and specifications of the City of Oceanside and subject to approval by the City Engineer
3 and the Transportation Manager.
- 4 22. Prior to approval of any engineering plans, the developer shall host a community meeting
5 with all area residents potentially affected by construction activities to inform them of the
6 construction schedule and answer questions to the satisfaction of the City Engineer and the
7 Transportation Manager.
- 8 23. The approval of the tentative map shall not mean that any proposed, required, or
9 necessary closure, vacation, or abandonment of any public street, right-of-way,
10 easement, or facility indicated on the tentative map is granted or guaranteed to the
11 developer. The developer is responsible for applying for all closures, vacations, and
12 abandonments as necessary. The application(s) shall be reviewed and approved or
13 rejected by the City under separate process(es) per codes, ordinances, and policies in
14 effect at the time of the application.
- 15 24. Prior to approval of any building permit, final map or any increment, all improvement
16 requirements, within such increment or outside of it if required by the City Engineer, shall
17 be covered by a subdivision agreement and secured with sufficient improvement securities
18 or bonds guaranteeing performance and payment for labor and materials, setting of
19 monuments, and warranty against defective materials and workmanship.
- 20 25. Prior to approval of any engineering plans a phasing plan for the construction of public and
21 private improvements including landscaping, streets, arterials and signal modifications
22 shall be approved by the City Engineer and the Transportation Manager. All
23 improvements shall be in construction prior to the issuance of any building permits to the
24 satisfaction of the City Engineer and the Transportation Manager.
- 25 26. The tract shall be recorded as one. The tract may be developed in phases. A construction-
26 phasing plan for the construction of on-site public and private improvements shall be
27 reviewed and approved by the City Engineer prior to the recordation of the final map.
28 Prior to the issuance of any building permits all off-site improvements including
29 landscaping, landscaped medians, frontage improvements shall be constructed to the
satisfaction of the City Engineer. The City Engineer shall require the dedication and

1 construction of necessary utilities, arterials and streets and other improvements outside the
2 area of any particular final map, if such is needed for circulation, parking, access or for the
3 welfare or safety of future occupants of the development. The boundaries of any multiple
4 final map increment shall be subject to the approval of the City Engineer.

5 27. Prior to the issuance of any grading, improvement or building permits for a model
6 complex, a construction-phasing plan for the entire project shall be reviewed and
7 approved by the Planning Director, City Engineer, Building Director, and Transportation
8 Manager. All public and private improvements including landscaping and off-site streets
9 or arterials that are found to be required to serve the model complex shall be completed
10 prior to the issuance of any building permit.

11 28. Where proposed, required, or necessary off-site improvements, including but not limited to
12 slopes, public utility facilities, and drainage facilities, are to be constructed, the developer
13 shall, at his own expense, obtain all necessary easements or other interests in real property
14 and shall dedicate the same to the City as required. The developer shall provide
15 documentary proof satisfactory to the City that such easements or other interest in real
16 property have been obtained prior to the approval of the final map. Acquisition of some
17 easements or other interests in real property might be required prior to issuance of any
18 grading, building or improvement permit at the discretion of the City Engineer.
19 Additionally, the City, may at its sole discretion, require that the developer obtain at his
20 sole expense a title policy insuring the necessary title for the easement or other interest in
21 real property to have vested with the City of Oceanside or the developer, as applicable.

22 29. Pursuant to the State Map Act, improvements shall be required at the time of development.
23 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to
24 these improvement conditions and a certificate setting forth the recordation shall be placed
25 on the map.

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

- 29 a) Dirt, debris and other construction material shall not be deposited on any public
street or within the City's storm water conveyance system.

b) All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing unless otherwise extended by the City and all work should utilize the latest technology for quiet equipment. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive, or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

31. All traffic signal contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to the issuing of any building permits, in accordance with City Ordinances and policies. The developer shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative map shall constitute the developer's approval of such payments, and his agreement to pay for any other similar assessments or charges in effect when any increment is submitted for final map or building permit approval, and to join, contribute, and/or participate in such districts.

32. The improvements on all public streets shall include concrete curbs and gutters, streetlights, and pavement, providing a parkway width of at least 10 feet, unless altered by the City Engineer.

33. The project's internal streets shall remain public and no access gates shall be permitted unless expressly granted by the Planning Commission.

34. Rights-of-way and improvements for public streets shall satisfy the following requirements:

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- 1 a) San Dimas Avenue (extension) shall satisfy city standard requirements for a Cul-
2 de-Sac Street with 56-foot right-of-way improvements and a 36-foot wide, curb-to-
3 curb street sections and a traffic index of 5.0.
- 4 35. The exact alignment, width and design of all median islands, turning lanes, travel lanes,
5 driveways, striping, and traffic control devices and measures, including turnouts, bike
6 lanes, and width/length transitions and other measures shall be approved by the
7 Transportation Manager at the time of final design.
- 8 36. Pavement sections for all streets, driveways and parking areas shall be based upon
9 approved soil tests and traffic indices. The pavement design is to be prepared by the
10 developer's soil engineer and must be approved by the City Engineer, prior to paving.
- 11 37. Public road structural sections shall be a minimum of three inches (3") of asphalt
12 concrete over six inches (6") of approved base. Grades shall be a minimum of one
13 percent and a maximum of 12 percent. Public roads shall be built per the City Street
14 Design Criteria.
- 15 38. All streets shall be improved with street name signs and traffic control devices, as directed
16 by the City Engineer and the Transportation Manager.
- 17 39. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
18 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 19 40. The developer shall comply with all the provisions of the City's cable television ordinances
20 including those relating to notification as required by the City Engineer.
- 21 41. Grading and drainage facilities shall be designed to adequately accommodate the local
22 storm water runoff and shall be in accordance with the City's Engineers Manual and as
23 directed by the City Engineer.
- 24 42. The development shall comply with all applicable regulations established by the United
25 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
26 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
27 storm water discharge. Further, the developer may be required to file a Notice of Intent
28 with the State Water Resources Control Board to obtain coverage under the N.P.D.E.S.
29 General Permit for Storm Water Discharges Associated with Construction Activity and

1 shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the
2 commencement of grading activities.

3 43. The developer shall obtain any necessary permits and clearances from all public agencies
4 having jurisdiction over the development due to its type, size, or location, including but not
5 limited to the U. S. Army Corps of Engineers, California Department of Fish and Game,
6 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board,
7 and the San Diego County Health Department, prior to the issuance of grading permits.

8 44. Prior to any grading of any part of the tract, a comprehensive soils and geologic
9 investigation shall be conducted of the soils, slopes, and formations in the project. All
10 necessary measures shall be taken and implemented to assure slope stability, erosion
11 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
12 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
13 the City Engineer.

14 45. This development shall provide year-round erosion control including measures for the site
15 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
16 control plan, designed for all proposed stages of construction, shall be reviewed, secured
17 by the developer with cash securities and approved by the City Engineer.

18 46. Landscaping plans, including plans for the construction of walls, fences or other structures
19 at or near intersections, must conform to intersection sight distance requirements.
20 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
21 prior to the issuance of a preliminary grading permit and approved by the City Engineer
22 prior to the issuance of building permits. Frontage and median landscaping shall be
23 installed prior to the issuance of any building permits. Project fences, sound or privacy
24 walls and monument entry walls/signs shall be designed, reviewed and constructed by the
25 landscape plans and shown for location only on grading plans. Plantable, segmental walls
26 shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated
27 through project landscape plans. All plans must be approved by the City Engineer and a
28 pre-construction meeting held, prior to the start of any improvements.

29 47. Open space areas and down-sloped areas visible from a collector-level or above roadway
and not readily maintained by the property owner, shall be maintained by a homeowners'

1 association that will insure installation and maintenance of landscaping in perpetuity.
2 These areas shall be indicated on the final map and reserved for an association. Future
3 buyers shall be made aware of any estimated monthly costs. The disclosure, together with
4 the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of
5 final map. In the event the homeowner's association dissolves, responsibility for irrigation
6 and maintenance of the slopes and open space areas adjacent to each property shall become
7 that of the individual property owner.

8 48. All storm drain systems shall be designed and installed to the satisfaction of the City
9 Engineer. The drainage design on the tentative map conceptual only. The final design
10 shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer
11 during final engineering. All drainage picked up in an underground system shall remain
12 underground until it is discharged into an approved channel, or as otherwise approved by
13 the City Engineer. All public storm drains shall be shown on City standard plan and
14 profile sheets. All storm drain easements shall be dedicated where required. The
15 developer shall be responsible for obtaining any off-site easements for storm drainage
16 facilities.

17 49. Storm drain facilities shall be designed and located such that the inside travel lanes shall be
18 passable during conditions of a 100-year frequency storm.

19 50. Side yard drains and retaining wall sub-drains shall not discharge directly to the
20 curb/gutter. The curb/gutter shall only carry stormwater discharges.

21 51. Grading and drainage facilities shall be designed to adequately accommodate the local
22 storm water runoff and shall be in accordance with the City's Engineers Manual and as
23 directed by the City Engineer.

24 52. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
25 disposed of in accordance with all state and federal requirements, prior to stormwater
26 discharge either off-site or into the City drainage system.

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

- 1 54. The Developer shall submit an Operations and Maintenance (O&M) Plan and Manual to
2 the Engineering Division with the first submittal of engineering plans. The developer's
3 Civil Engineer shall prepare the Plan and the Manual. It shall be directly based on the
4 development's Storm Water Mitigation Plan (SWMP) previously approved by the
5 Planning Commission (or City Council on appeal). It shall be approved by the City
6 Engineer prior to approval of any plans by the Engineering Division. At a minimum the
7 O&M Plan and Manual shall describe the designated responsible parties to manage the
8 storm water BMPs, employees' training program and duties, operating schedule,
9 maintenance frequency, routine service schedule, specific maintenance activities, copies
10 of resource agency permits, and any other necessary activities. Construction-phase
11 requirements proposed in the Plan and Manual shall be incorporated in and referenced by
12 the project's Erosion Control Plans to the satisfaction of the City Engineer prior to
13 approval of any construction plans for the development.
- 14 55. The Developer shall enter into a City-Standard Stormwater Facilities Maintenance
15 Agreement with the City obliging the developer to maintain, repair and replace the storm
16 water Best Management Practices (BMPs) identified in the development's approved
17 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan and Manual into
18 perpetuity.
- 19 56. The Agreement shall be approved by the City Attorney prior to issuance of any precise
20 grading permit and shall be recorded at the County Recorder's Office prior to issuance of
21 any building permit. Security in the form of certificate of deposit (CD), cash or an
22 irrevocable letter of credit shall be required prior to issuance of a precise grading permit.
23 The amount of the security shall be equal to 10 years of maintenance costs. The O&M
24 cost estimate shall be prepared by the developer's Civil Engineer. The O&M cost
25 estimate shall be approved by the City Engineer prior to approval of any engineering
26 plans for the project. The City requires that a copy of the Operation and Maintenance
27 (O&M) Plan and Manual approved by the City Engineer be attached to the approved
28 Maintenance Agreement prior to its review by the City Attorney. At a minimum,
29 maintenance agreements shall require the inspection and servicing of all BMPs on an
annual basis. The developer shall complete and maintain O&M forms to document all

1 maintenance requirements. Parties responsible for the O&M plan shall retain records for
2 at least 5 years. These documents shall be made available to the City for inspection upon
3 request at any time. The Agreement shall include a copy of executed on-site and off-site
4 access easements necessary for the operation and maintenance of BMPs that shall be
5 binding on the land throughout the life of the development to the benefit of the party
6 responsible for the O&M of BMPs, until such time that the storm water BMP requiring
7 access is replaced, satisfactory to the City Engineer.

8 57. The type, model, or dimensions of the BMPs described in the development's approved
9 Storm Water Mitigation Plan (SWMP) shall not be altered in any way, shape or form
10 without formal approval by the Planning Commission (or City Council on appeal) at a
11 public hearing.

12 **Fire:**

13 58. A minimum fire flow of 1,000 gallons per minute shall be provided.

14 59. The size of fire hydrant outlets shall be 2 1/2" X 2 1/2 X 4.

15 60. The fire hydrants shall be installed and tested prior to placing any combustible materials on
16 the job site.

17 61. All-weather access roads shall be installed and made serviceable prior to and during time
18 of construction (Section 902 Uniform Fire Code).

19 62. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per City
20 Vehicle Code Section 22500.1.

21 63. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval
22 prior to the issuance of building permits.

23 64. Buildings shall meet Oceanside Fire Department current adopted codes at the time of
24 building permit application.

25 65. All open areas that are not needed for biological resources shall be landscaped with
26 approved fire retardant/anti-erosion type plants with an approved permanent irrigation
27 system and maintenance program.

28 66. In accordance with the Uniform Fire Code Sec. 901.4.4, approved addresses, for
29 Residential Occupancies, shall be placed on the structure in such a position as to be plainly

1 visible and legible from the street or roadway fronting the property. Numbers shall
2 contrast with their background.

3 67. Single-Family dwellings require 4-inch address numbers (with a 1/4-inch wide stroke).

4 68. Blue hydrant identification markers shall be placed in the center of the street, adjacent to
5 the street hydrants.

6 **Planning:**

7 69. This Zone Amendment (PD Plan), Tentative Map, Development Plan, Conditional Use
8 Permit and Historic Permit shall expire on September 13, 2006, unless the Planning
9 Commission grants a time extension.

10 70. 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 Zone Amendment (PD Plan) (ZA-9-02),
14 Tentative Map (T-16-02), Development Plan (D-31-02), Conditional Use Permits (C-42-
15 02) and Historic Permit (H-2-02). The City will promptly notify the applicant of any
16 such claim, action or proceeding against the City and will cooperate fully in the defense.
17 If the City fails to promptly notify the applicant of any such claim action or proceeding
18 or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
19 responsible to defend, indemnify or hold harmless the City.

20 71. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
21 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
22 be reviewed and approved by the City Engineer and Planning Director prior to the issuance
23 of building permits. Landscaping shall not be installed until bonds have been posted, fees
24 paid, and plans signed for final approval. The following special landscaping requirements
25 shall be met:

- 26 a) The developer shall be responsible for irrigating and landscaping all embankments
27 within the project, and all slopes along major streets.
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- 2 b) Street/parkway trees (minimum 15 gallon) shall be planted at a minimum of one
- 3 tree per unit or lot and two trees per corner lot. Approved root barriers shall be
- 4 incorporated.
- 5 c) Local street trees in parkways shall be planted at a minimum of 30 feet on center,
- 6 each side of street, as a solitary planting. Approved root barriers shall be
- 7 incorporated.
- 8 d) To mitigate the loss of landmark and/or mature existing trees on-site the
- 9 determination of replacement shall be based on tree number, type, and caliper
- 10 (caliper measured 2 1/2 feet from the base of the tree at existing grade). The total
- 11 number of tree caliper lost shall be equal to the total number of caliper replaced.
- 12 Replacement trees shall be a minimum of 15-gallon container stock. A field survey
- 13 shall be performed under the supervision of the City Landscaping Section to
- 14 evaluate the existing tree population and the replacement requirements. The
- 15 existing trees to remain or proposed for removal shall be identified on the
- 16 Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing
- 17 tree type, location, and caliper shall be shown on the above plans. Replacement
- 18 trees shall be identified and shown on the Landscape Plan and shall be subject to
- 19 review and approval by the City Engineer and Planning Director.

- 20 72. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in
- 21 any adjoining public parkways shall be permanently maintained by the owner, his assigns
- 22 or any successors-in-interest in the property. The maintenance program shall include
- 23 normal care and irrigation of the landscaping; repair and replacement of plant materials;
- 24 irrigation systems as necessary; and general cleanup of the landscaped and open areas,
- 25 parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result
- 26 in the City taking all appropriate enforcement actions by all acceptable means including
- 27 but not limited to citations and/or actual work with costs charged to or recorded against the
- 28 owner. This condition shall be recorded with the covenant required by this Resolution.
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- 1 73. Model Landscape plans and Front Yard Landscape plans, designed in compliance with
2 Water Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and
3 shall be approved and signed by the Engineering Department and the Planning Department
4 prior to the issuance of building permits. No bonding shall be required. Precise Grading
5 Plans for model homes shall be prepared by a Civil Engineer and shall be approved by the
6 City Engineer prior to the issuance of building permits. Prior to the issuance of occupancy
7 permits, the City's Landscape Technician/Inspector shall review each unit requested for
8 occupancy to ensure that the installation of planting and irrigation has occurred in
9 conformance with the approved schematic drawings. The irrigation system will also be
10 tested to ensure adequate operation and coverage.
- 11 74. All single-family dwelling units projects shall dispose of or recycle solid waste in a
12 manner provided in City Ordinance 13.3.
- 13 75. A covenant or other recordable document approved by the City Attorney shall be prepared
14 by the subdivider and recorded prior to the approval of the final map. The covenant shall
15 provide that the property is subject to this Resolution, and shall generally list the conditions
16 of approval.
- 17 76. Prior to the issuance of building permits, compliance with the applicable provisions of the
18 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
19 and approved by the Planning Department. These requirements, including the obligation to
20 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
21 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
22 property.
- 23 77. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
24 written copy of the applications, staff report and resolutions for the project to the new
25 owner and or operator. This notification's provision shall run with the life of the project
26 and shall be recorded as a covenant on the property.

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- 1 78. Failure to meet any conditions of approval for this development shall constitute a violation
2 of the Zone Amendment (PD Plan), Tentative Map, Conditional Use Permit, Development
3 Plan and Historic Permit.
- 4 79. Unless expressly waived, all current zoning standards and City ordinances and policies in
5 effect at the time building permits are issued as required to be met by this project. The
6 approval of this project constitutes the applicant's agreement with all statements in the
7 Description and Justification, and other materials and information submitted with this
8 application, unless specifically waived by an adopted condition of approval.
- 9 80. The developer's construction of all fencing and walls associated with the project shall be in
10 conformance with the approved Development Plan. Any substantial change in any aspect
11 of fencing or wall design from the approved Development Plan shall require a revision to
12 the Development Plan or a new Development Plan.
- 13 81. If any aspect of the project fencing and walls is not covered by an approved Development
14 Plan, the construction of fencing and walls shall conform to the development standards of
15 the City Zoning Ordinance. In no case, shall the construction of fences and walls
16 (including combinations thereof) exceed the limitations of the zoning code, unless
17 expressly granted by a Variance or other development approval.
- 18 82. All rear wood fences adjacent to public right-of-way and/or visible from the public right-
19 of-way will be stained or otherwise finished with a waterproof material.
- 20 83. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's)
21 shall provide for the maintenance of all common open space, medians and commonly
22 owned fences and walls and adjacent parkways. The maintenance shall include normal
23 care and irrigation of landscaping, repair and replacement of plant material and irrigation
24 systems as necessary; and general cleanup of the landscaped and open area, parking lots
25 and walkways. The C.C. & R's shall be subject to the review and approval of the City
26 Attorney prior to the approval of the final map. The C.C. & R's are required to be recorded
27 prior to or concurrently with the final map. Any amendments to the C.C. & R's in which
28 the association relinquishes responsibility for the maintenance of any common open space
29 shall not be permitted without the specific approval of the City of Oceanside. Such a

1 clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for
2 the following:

- 3 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 4 b) Provisions regulating individual patio covers, room additions and other
5 appurtenances.
- 6 c) Maintenance of median landscaping by the Association.
- 7 d) Provisions for the maintenance of all common open space and open space
8 easements on private lots, including provisions establishing mechanisms to ensure
9 adequate and continued monetary funding for such maintenance by the
10 homeowners' association.
- 11 e) Provisions that restrict any private use of open space easement areas. Restrictions
12 shall include, but are not limited to, removing retaining walls, installing structures
13 such as trellises, decks, retaining walls and other hardscape and any individual
14 landscape improvements.
- 15 f) Provisions prohibiting the homeowners association from relinquishing its
16 obligation to maintain the common open space and open space easement areas
17 without prior consent of the City of Oceanside.
- 18 g) An acknowledgement that the City of Oceanside does not have a view preservation
19 ordinance and that views may be subject to change with maturing off-site landscape
20 and the potential for future off-site building.
- 21 h) The HOA C.C. & R's for the Rancho Hermosa homeowners association shall be
22 amended to annexed and incorporate this project. Such annexation and
23 incorporation shall not adversely affect the Rancho Hermosa HOA. Such
24 amendments shall be subject to the review and approval of the City Attorney.
- 25 i) Should a conflict arise between the current Rancho Hermosa C.C. & R's and the
26 proposed C.C. & R's, the proposed C.C. & R's shall be brought back to the
27 Planning Commission at a public hearing for review and approval.
- 28 j) The project including the HOA and C.C. & R's shall comply with the State and
29 Federal law, including but not limited to Civil Code section 51.3 and 42 USCS
3607 (b)(2).

1 84. All street names shall be approved by the Planning Department prior to the approval of the
2 final map for each phase of development.

3 85. Any project entrance signs shall meet the requirements of the Sign Ordinance and be
4 approved by the Planning Director.

5 86. The new panhandle access driveway shall have a minimum of 16-feet of pavement.

6 87. Panhandle access ways shall have recorded joint maintenance agreements and cross
7 easements for use. The developer is prohibited from entering into any agreement with a
8 cable television franchisee of the City, which gives such franchisee exclusive rights to
9 install, operate, and/or maintain its cable television system in the development.

10 88. The following unit type and floor plan mix, as approved by the Planning Commission,
11 shall be indicated on plans submitted to the Building Department and Planning
12 Department for building permit:

| | Sq.Ft. | # Bedrms. | # Baths | # Stories | #Garage | # Units | % |
|--------|--------|-----------|---------|-----------|---------|---------|----|
| Plan 1 | 1,275 | 2 | 2 | 1 | 2 | 10 | 34 |
| Plan 2 | 1,675 | 3 | 3 | 2 | 2 | 19 | 66 |

15 89. Side and rear elevations and window treatments shall be trimmed to substantially match
16 the front elevations. A set of building plans shall be reviewed and approved by the
17 Planning Department prior to the issuance of building permits.

18 90. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially
19 the same as those approved by the Planning Commission. These shall be shown on plans
20 submitted to the Building Department and Planning Department.

21 91. This project is subject to the provisions of Chapter 14C of the City Code regarding
22 Inclusionary Housing.

23 92. This project shall comply with all provisions of the City's Affirmative Fair Housing
24 Marketing Agreement policy. Such agreement shall be submitted to and approved by the
25 Housing and Neighborhood Services Director prior to the recordation of a final map or the
26 issuance of a building permit for the project, whichever comes first.

27 93. Prior to the issuance of grading permits, the developer shall provide proof that 2.55-acres
28 of existing coastal sage scrub has been preserved at a location acceptable to the City and
29 Wildlife Agencies to compensate for the loss of .85-acre of coastal sage scrub.

- 1 94. Prior to issuance of grading permits, the developer shall provide proof that 2.86-acres of
2 non-native grassland or equivalent habitat has been preserved at a location acceptable to
3 the City and Wildlife Agencies to compensate for the loss of 5.72-acres of non-native
4 grassland habitat.
- 5 95. Prior to issuance of building permits, all disturbed dirt areas situated outside the
6 development and brush management footprint shall be disked and hydroseeded with a
7 non-irrigated Diegan coastal sage scrub mix.
- 8 96. Prior to occupancy of the units, portions of the site containing native habitat shall be
9 placed under a conservation easement for habitat purposes and shall be managed by a
10 qualified open space management organization in such a manner satisfactory to the City
11 and Wildlife Agencies and consistent with management policies in the Multiple Habitat
12 Conservation Program. The open space easement and management mechanism shall be
13 in place prior to subdivision of the open space area into a separate lot or occupancy of
14 any residential units, whichever occurs first.
- 15 97. Prior to commencement of grading, an erosion barrier, such as silt fencing or plastic
16 tarping shall be placed on the edge of the habitat to be protected. A qualified biologist
17 shall flag the construction limits for grading in sensitive areas and shall monitor initial
18 grading activities.
- 19 98. If construction occurs during the raptor breeding season of February 1st to August 30th, a
20 pre-construction survey for nesting Cooper's hawks and other raptors is required to
21 avoid impacts to these species. If an active raptor nest is located on-site during
22 construction, mitigation measures to avoid impacting the nest shall include the
23 following: avoidance of the nest area during construction by allowing a 500-foot buffer
24 between the construction and the nest, having a biological monitor present to assure that
25 nesting activities are not interrupted and consultation with CDFG. Removal of
26 vegetation from the site will occur outside the bird breeding season (March 1st to August
27 1st) to avoid impacts to nesting birds. Vegetation may be removed during this time only
28 if a qualified biologist conducts a survey of nesting birds within 24 hours of the
29 vegetation removal and ensures no nesting birds shall be impacted by the project. Work
may occur during the bird breeding season (February 15th to August 31st) if a qualified

1 biologist conducts a survey for nesting birds within tree days prior to the work in the
2 area, and ensures no nesting birds are impacted by the project. If an active nest is
3 identified, a buffer shall be established between the construction activities and the nest
4 so that nesting activities are not interrupted. The buffer shall be a minimum width of
5 300 feet (500 feet for raptors), shall be delineated by temporary fencing and shall remain
6 in effect as long as construction is occurring or until the nest is no longer active. No
7 habitat removal or any other work shall occur within the fenced nest zone, until the
8 young have fledged, are no longer being fed by the parents, have left the nest, and will
9 no longer be impacted by the project. Mapped survey results shall be submitted to the
10 Wildlife Agencies for review and approval prior to vegetation removal to ensure full
11 avoidance measures are in place.

12 99. Removal of coastal sage scrub, disturbed coastal sage scrub, or non-native
13 grassland/coastal sage scrub shall not occur during the coastal California gnatcatcher-
14 breeding season (February 15th through August 31st). Furthermore, construction activity
15 shall not occur within 500-feet of an active gnatcatcher nest or 500-feet of an active
16 raptor nest.

17 100. Noise impacts to the California gnatcatcher shall be minimized during construction as
18 follows: from February 15th through August 31st, no construction activities shall occur
19 within any portion of the site (or area off-site near the off-site water connection) where
20 they would result in noise levels exceeding 60 dBA hourly average at the edge of
21 occupied gnatcatcher habitat. An analysis showing that noise generated by construction
22 would not exceed 60 dBA hourly average of the edge of occupied habitat shall be
23 completed by a qualified acoustician at least two weeks prior to the commencement of
24 construction activities during the breeding season. Areas restricted from such activities
25 shall be staked or fenced under the supervision of a qualified biologist.

26 101. If construction is to occur in the vicinity of gnatcatchers during the breeding season, at
27 least two weeks prior to the commencement of construction activities, under the
28 direction of a qualified acoustician, noise attenuation measures (e.g. berms, walls,
29 limitations on construction equipment placement and/or simultaneous use of equipment)
shall be implemented to ensure that noise levels resulting from construction will not

1 exceed 60 dBA hourly average at the edge of occupied habitat. Noise monitoring shall
2 be conducted to ensure the limit is not exceeded. Monitoring shall occur twice weekly
3 on varying days, or more frequently depending on the construction activity. The
4 implementation of any noise attenuation measures (e.g. construction of berms, walls)
5 shall also not exceed noise levels of 60 dBA hourly average at the edge of occupied
6 habitat during the breeding season. If noise attenuation measures are not adequate, then
7 the construction activities shall be scaled back or stopped until adequate noise
8 attenuation is achieved or the end of the breeding season (August 31st) is reached.

9 102. All lighting installed along the outer edge of the development shall be shielded to prevent
10 light over spill. Shielding shall consist of the installation of fixtures that physically direct
11 light away from the habitat preserve area to prevent light over spill.

12 103. The on-site natural open space area shall be posted with signage containing information
13 regarding habitat sensitivity and citing dumping, vehicular activity, or disturbance of
14 habitat are prohibited. Additional measures to minimize or prohibit human activity shall
15 be included in the City and Wildlife Agency approved management plan for the on-site
16 open space.

17 104. All natural open space areas shall be protected by a minimum 6-foot high fence. The fence
18 shall have ¾-inch vertical picket railings spaced at three inches on center, allowing a 2 ½ -
19 inch gap.

20 105. Prior to issuance of grading permits, the applicant shall confirm to the City of Oceanside
21 that a qualified paleontologist has been retained to carry out an appropriate mitigation
22 program. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in
23 paleontological or geology who is familiar with paleontologist procedures and
24 techniques). The paleontologist shall attend pre-grade meetings to consult with grading
25 and excavation contractors.

26 106. A paleontological monitor shall be on-site during grading operations to evaluate the
27 presence of fossils within previously undisturbed sediments of highly sensitive geologic
28 formations (i.e., Santiago Formation) and moderately sensitive formations (river terrace
29 deposits) to inspect cuts for contained fossils (a paleontological monitor is defined as an

individual who has experience in the collection and salvage of fossil materials). The paleontological monitor shall work under the direction of a qualified paleontologist.

107. When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossils specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances to set up a screen-washing operation on the site.

108. Prepared fossils along with copies of all pertinent field notes, photographs and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected and significance of recovered fossils.

Water Utilities:

109. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the City's Engineers Manual. Easements shall be constructed for an all weather access.

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

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

112. A separate irrigation meter is required and approved backflow prevention device is required.

113. The developer shall construct a public reclamation water system that will serve each lot and or parcels that are located in the proposed project in accordance with the City of Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located in the public streets or in a public utility easement.

- 1 114. The developer shall be responsible for developing all water and sewer facilities necessary
2 to develop the property. Any relocation of water and/or sewer lines is the responsibility of
3 the developer and shall be done by an approved licensed contractor at the developer's
4 expense.
- 5 115. All lots with a finish pad elevation located below the elevation of the next upstream
6 manhole cover of the public sewer shall be protected from backflow of sewage by
7 installing and maintaining an approved type backwater valve, per of the Uniform Plumbing
8 Code.
- 9 116. The water and wastewater buy-in fees and the San Diego County Water Authority Fees are
10 to be paid to the City and collected by the Water Utilities Department at the time of
11 building permit issuance.
- 12 117. All water and wastewater construction shall conform to the most recent edition of the
13 City's Engineers Manual, or as approved by the Water Utilities Director.
- 14 118. All new development of single-family and multi-family residential units shall include hot
15 water pipe insulation and installation of a hot water recirculation device or design to
16 provide hot water to the tap within 15 seconds in accordance with City of Oceanside
Ordinance No. 02-OR126-1.

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1 119. Prior to approval of the project improvement plans, written documentation shall be
2 submitted to the Water Utilities Department indicating an agreement between the
3 developer and the River Oaks Apartments for the offsite improvements, as stipulated in the
4 terms of the September 3, 2002, utility agreement letter.

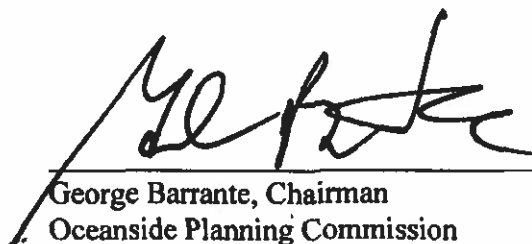
5 PASSED AND ADOPTED Resolution No. 2004-P41 on September 13, 2004 by the
6 following vote, to wit:

7 AYES: Barrante, Chadwick, Schaffer, Neal and Todd

8 NAYS: Parker

9 ABSENT: Nack

10 ABSTAIN: None

11 
12 George Barrante, Chairman
Oceanside Planning Commission

13 ATTEST

14 
15 Gerald S. Gilbert, Secretary

16 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2004-P41.

18
19 Dated: September 13, 2004
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RECEIVED
DEC 11 2002
Planning Department

**Pelican Homes
Rancho Vista
Seniors Age-Restricted
Single Family**

Legal Description

PARCEL 3 OF PARCEL MAP NO. 18668, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY APRIL 2, 2001, AS DOCUMENT NO. 2001-0195187 OF OFFICIAL RECORDS.