

RESOLUTION NO.

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE CONFIRMING ISSUANCE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT CATEGORICAL EXEMPTION AND APPROVING A DEVELOPMENT PLAN (RD22-00004), VESTING TENTATIVE MAP (RT22-00001), AND DENSITY BONUS (DB22-00008) TO ALLOW THE CONSTRUCTION OF A MIXED-USE PROJECT WITH 206 DWELLING UNITS, INCLUDING 31 OF THE UNITS (15 PERCENT) RESERVED AS AFFORDABLE HOUSING AND 5 LIVE-WORK UNITS WITH GROUND FLOOR COMMERCIAL SPACE, ON A 1.42-ACRE SITE LOCATED AT 810 MISSION AVENUE

(TOLL BROTHERS APARTMENT LIVING – APPLICANT)

WHEREAS, on October 7, 2025, the Community Development Commission held a duly-noticed public hearing to consider an application by Toll Brothers Apartment Living and adopt a resolution confirming issuance of a Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Article 19, Section 15332 (In-fill Development Projects) and approving a Development Plan (RD22-00004), Vesting Tentative Map (RT22-00001), and Density Bonus (DB22-00008) to allow the construction of a proposed mixed-use development project comprised of 206 dwelling units, including 31 units reserved for low- and moderate-income households and 5 live-work units with ground floor commercial space on a 1.42-acre site at 810 Mission Avenue; and,

WHEREAS, at a Special Meeting of the Downtown Advisory Committee (DAC) on August 20, 2025, the DAC was presented with the project and after due consideration, took action in an 5-0 vote to recommend Community Development Commission approval of a Development Plan (RD22-00004), Vesting Tentative Map (RT22-00001), and Density Bonus (DB22-00008) to the Community Development Commission for final action; and

WHEREAS, the proposed project is categorically exempt from further review under the California Environmental Quality Act (“CEQA”). Title 14 California Code of Regulations Section 15332 “In-fill Development Projects” of the CEQA Guidelines provides a categorical

1 CEQA exemption where, as here, (a) the project is consistent with the applicable general plan
2 designation and all applicable general plan policies as well as with applicable zoning designation
3 and regulations; (b) the proposed development occurs within city limits on a project site of no
4 more than five acres substantially surrounded by urban uses; (c) the project site has no value, as
5 habitat for endangered, rare or threatened species; (d) approval of the project would not result in
6 any significant effects relating to traffic, noise, air quality, or water quality and (e) the site can be
7 adequately served by all required utilities and public services; and

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

10 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS HEREBY GIVEN
11 that the Project is subject to certain fees, dedications, reservations and other exactions as provided
12 below:

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Public Facility (Commercial/Industrial)	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
School District Fee (Commercial/Industrial)	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
Traffic Signal & Thoroughfare (Commercial/Industrial)	Reso. No. 16-R0324-1

Description	Authority for Imposition
Drainage and Flood Control Fee	Ord. No. 85-23 Reso. No. 16-R0638-1
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

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

WHEREAS, an SB 330 Preliminary Application was submitted for the project on August 24, 2022 pursuant to the Housing Crisis Act of 2019 and freezes fees and development standards, unless exceptions per Government Code Section 65889.5(o) are triggered.

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

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

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction

1 described in this resolution begins on the effective date of this resolution and any such protest
2 must be in a manner that complies with Section 66020; and

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

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

9 FINDINGS:

10 For the Development Plan (RD23-00005):

- 11 1. The site plan and physical design of the project, as proposed, is consistent with the
12 objectives of the Zoning Ordinance and the purposes of Downtown District 2 in which the
13 site is located. The proposed development will further the long-term viability and
14 rejuvenation of the Downtown District by redeveloping the existing North County Transit
15 District offices site with a mix of residential housing and commercial live-work units.
16 Downtown District 2 allows residential uses as part of mixed-use development and this
17 project will provide housing, including 31 low- and moderate-income deed restricted units,
18 for a range of income levels within the downtown area. The site plan and physical design
19 of the project meet or exceed the applicable development standards contained within the
20 Zoning Ordinance, except where the applicant has requested waivers consistent with State
21 Density Bonus Law.
- 22 2. The Development Plan, as proposed, conforms to the General Plan of the City because the
23 project is consistent with the Land Use and Housing Elements. The Regional Housing
24 Needs Allocation (RHNA) for the Sixth Housing Element Cycle (2021-2029) estimates
25 that the City of Oceanside will experience demand for 5,443 new dwelling units, including
26 718 low-income units. By contributing 206 rental dwelling units, including 31 reserved for
27 low- and moderate-income households, to the City's existing housing stock, the proposed
28 project would help to meet the projected RHNA housing demand.
3. The area covered by the Development Plan can be adequately, reasonably and

1 conveniently served by existing and planned public services, utilities, and public
2 facilities. The project constitutes an infill development within an existing established
3 neighborhood in an urbanized part of the City.

- 4 4. The project, as proposed, is compatible with existing and potential development within
5 the surrounding area in that the vertical mixed-use multi-family development is
6 consistent with the pattern of redevelopment in the downtown area. In keeping with
7 smart growth principles, the current trend of redevelopment in Oceanside is to bring
8 forward high density vertically-oriented mixed-use development in order to
9 accommodate the City's regional fair share of housing growth, support commercial
10 establishments in the downtown area, enhance walkability, and support transit service.
11 The project would include a modern style of architecture with quality materials and
12 design in keeping with the vast variety of architectural designs in the surrounding
13 downtown area. The project is in a highly urbanized area consisting of commercial land
14 uses. The project, as designed and sited, would be consistent with the surrounding built
15 environment and would enhance the area for pedestrians.
- 16 5. The site plan and physical design of the project is consistent with the policies contained
17 within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the
18 Development Guidelines for Hillside, and Section 3039 of the Zoning Ordinance
19 because the property does not have slopes subject to the Hillside Ordinance.
- 20 6. the property does not have slopes subject to the Hillside Ordinance.

21
22 For the Mixed Use Development Plan

- 23 1. The Mixed-Use Development Plan will enhance the potential for superior urban design
24 in comparison with development under the regulations that exist if the Development
25 Plan were not approved. The 810 Mission Mixed-Use Development Plan will allow for
26 a pedestrian-friendly mixed-use development project that maximizes the amount of
27 much-needed rental housing units to help activate the downtown area with full-time
28 residents. The plan's live-work units introduce and active ground floor program along

Mission Avenue, while the main entrance and building lobby off Pier View Way is emphasized through solid corner massing and an attractive entry porch.

2. The Mixed-Use Development Plan is consistent with the adopted Land Use Element of the Redevelopment Plan and other applicable policies, and that it is compatible with development in the area it will directly affect. The project is consistent with the General Plan Land Use Downtown designation.

3. The Mixed-Use Development Plan includes adequate provisions for utilities, services, and emergency access, and public service demands will not exceed the capacity of existing systems. The area covered by the Mixed-Use Development Plan is an already developed downtown location and can be adequately and conveniently served by existing and planned public services, utilities and public facilities. All water, wastewater, and electrical services are available within the surrounding developed public roadway systems and within existing public utility easements.

4. The traffic expected to be generated by development in accord with the Mixed-Use Development Plan will not exceed the capacity of affected streets. The 810 Mission Mixed Use project trip generation is consistent with the City's General Plan and within a Transit Priority Area.

5. The Mixed-Use Development Plan will not significantly increase shading of adjacent land in comparison with shading from development under regulations that would exist if the Mixed-Use Development Plan were not approved.

6. The benefits derived from the Mixed-Use Development Plan include but are not limited to traffic capture and pedestrian activity, by way of "active" street frontages and provision of flexible nonresidential use spaces at street level, where appropriate. The Mixed-Use Development Plan incorporates design features to create street-level commercial character from live-work units situated along Mission Avenue with ground floor pedestrian orientation, connectivity, and activation through design and use, consistent with other mixed-use development in downtown.

For the Density Bonus (DB23-00008):

1. The affordable units will be reserved for tenancy by persons within the low- and moderate-

1 income categories.

- 2 2. The affordable units have been designed to be proportional to the project's market-rate
3 units in terms of floor plan, square footage, and exterior design. The thirty-one (31)
4 designated affordable units consist of eight (8) studio units, fifteen (15) one-bedroom units,
5 six (6) two-bedroom units, and two (2) three-bedroom units and have the same or similar
6 floor area as all market-rate units. The affordable units will be interspersed throughout the
7 building and will have the same appearance as the market-rate units.
- 8 3. The restrictive covenant associated with the affordable units will be for a period of 55
9 years.
- 10 4. The maximum allowable rent for the project's affordable units comply with State Law for
11 the low- and moderate-income categories.
- 12 5. The project's affordable units are intended to be part of the City's Affordable Housing
13 rental stock, available at affordable housing costs, as defined in Health and Safety Code
14 Section 50053.
- 15 6. The project's affordable units will be for rent. The units will be rented to individuals that
16 meet the criteria for the specified low-income households as defined in Health and Safety
17 Code Section 50053.
- 18 7. An Affordable Housing Regulatory Agreement that will be prepared for the project will
19 outline the reporting requirements consistent with Section 3032(M)(7) of the Zoning
20 Ordinance.

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

23 SECTION 1. That Development Plan (RD23-00005) and Density Bonus (DB23-00008) is
24 hereby approved subject to the following conditions:

25 **Planning:**

- 26 1. This Development Plan (RD22-00004), Vesting Tentative Map (RT22-00001), and
27 Density Bonus (DB22-00008) shall expire 36 months from its approval (October 7,
28 2028), unless this time period is extended by the provisions of Article 1 of the Zoning
Ordinance.

2. This Development Plan (RD22-00004), Vesting Tentative Map (RT22-00001), and Density Bonus (DB22-00008) allows the construction of a mixed-use development project comprised of 206 dwelling units, including 31 low- and moderate-income household units, and 5 live-work units located at 810 Mission Avenue as shown on the plans and exhibits presented to the Community Development Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the Development Plan, Vesting Tentative Map, and Density Bonus or a new Development Plan, Vesting Tentative Map, and Density Bonus.
3. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Development Plan (RD22-00004), Vesting Tentative Map (RT22-00001), and Density Bonus (DB22-00008) and the CEQA exemption for this Project. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
4. A covenant or other recordable document approved by the City Attorney shall be prepared by the property owner and recorded prior to the issuance of a certificate of occupancy. The covenant shall provide that the property is subject to this resolution, and shall list the conditions of approval.
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 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 Development Plan, Vesting Tentative Map, and Density Bonus.

- 1 7. Unless expressly waived, the project shall adhere to all current zoning standards and
2 City ordinances and policies in effect at the time the SB330 Application was submitted
3 on August 24, 2022. The approval of this project constitutes the applicant's agreement
4 with all statements in the Description and Justification and other materials and
5 information submitted with this application, unless specifically waived by an adopted
6 condition of approval.
- 7 8. Prior to building permit issuance, the applicant shall submit and obtain final approval of
8 the Construction Management Plan from the City Planner or their designee. The
9 Construction Management Plan shall be implemented during the entire duration of
10 construction of the project.
- 11 9. The project is subject to compliance with the City's anti-graffiti provisions (Ordinance
12 No. 93-19/Section 20.25 of the City Code). These requirements, including the obligation
13 to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
14 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
15 property.
- 16 10. Outdoor lighting shall be low emission, shielded, and directed away from neighboring
17 properties.
- 18 11. All multiple family dwelling units proposed as part of this project shall be rented for no
19 less than 31-days.
- 20 12. Elevations, siding materials, colors, and floor plans shall be substantially the same as
21 those approved by the Community Development Commission. These shall be shown on
22 plans submitted to the Building Division and Planning Division.
- 23 13. All lighting showcasing building architecture shall be shown on the building plans.
- 24 14. All dwelling units shall dispose of or recycle solid waste in a manner provided in City
25 Code Section 13.3.
- 26 15. Prior to the issuance of building permits, the applicant shall submit a lighting plan for
27 the entire site. The plan shall contain details as to the type of fixtures that will be used
28 and placement.
16. Electrical outlets visible to the public should be secured with locking tamperproof boxes.

- 1 17. All mechanical rooftop and ground equipment shall be screened from public view as
2 required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen and
3 vents shall be painted with non-reflective paint to match the roof. This information shall
4 be shown on the building plans.
- 5 18. No project signage is approved with this application. All project signage shall be subject
6 to a separate sign permit and be in compliance with Article 33, Signs, of the Zoning
7 Ordinance.
- 8 19. This project shall comply with all provisions of the City's Affirmative Fair Housing
9 Marketing Agreement policy. Such agreement shall be submitted to and approved by the
10 Housing and Neighborhood Services Director prior to the recordation of a Final Map or
11 at least six (6) months before the issuance of a Certificate of Occupancy for the first unit
12 for the project whichever comes first.
- 13 20. A letter of clearance from the affected school district in which the property is located
14 shall be provided as required by City policy at the time building permits are issued.
- 15 21. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
16 Conservation Ordinance No. 91-15, including the maintenance of such landscaping,
17 shall be reviewed and approved by the City Engineer and City Planner prior to the
18 issuance of building permits. Landscaping shall not be installed until bonds have been
19 posted, fees paid, and plans signed for final approval.
- 20 22. Construction of the proposed project shall comply with the California Administrative
21 Code. The building must be for a minimum exterior-to-interior noise reduction resulting
22 in interior noise levels, due to exterior sources, of 45 dBA Community Noise Equivalent
23 Level or less. This noise reduction could be achieved using standard construction
24 methods, including but not limited to mechanical ventilation, double-paned windows
25 and acoustically insulated doors where they face roadways.
- 26 23. Any trash, debris, or waste material found onsite during grading or cleanup operations
27 shall be disposed of off-site in accordance with local, state, and federal regulations. Any
28 buried trash/debris or materials containing petroleum encountered shall be evaluated
prior to removal and disposal.

- 1 24. In accordance with Density Bonus requirements, ten percent (10%) of the residential
2 units [twenty-one (21) housing units] shall be reserved for rental to low-income
3 households, and five percent (5%) of the residential units [10 housing units] shall be
4 reserved for rental to moderate-income households. These affordable units shall be
5 provided proportional to the overall project in unit size, dispersed throughout the project,
6 and have access to all amenities available to other residents. The City shall determine the
7 eligibility of the low- and moderate-income households. A deed restriction, covenant,
8 and/or other instrument enforceable by the City and approved by the City Attorney and
9 Director of Housing and Neighborhood Services, limiting the rental of such units to
10 eligible low- and moderate-income households shall be recorded against the title of the
11 property. The duration of such rental restrictions shall run with the life of the project
12 and/or a minimum of fifty-five (55) years. Additionally, the property shall be so restricted
13 as to prohibit the conversion of the restricted units for the term of the rent restriction to a
14 condominium, stock cooperative, community dwelling unit, or such other form of
15 ownership which would eliminate the restricted units as rental units.
- 16 25. The required "Affordable Housing Regulatory Agreement" shall be recorded against the
17 project site prior to the issuance of any grading permits for the project.
- 18 26. This project is subject to the provisions of Chapter 14C of the City Code regarding
19 Inclusionary Housing.
- 20 27. Prior to issuance of any building permit, the Director of Housing and Neighborhood
21 Services shall certify that the proposed development has complied with the requirements
22 for inclusionary housing and all provisions of Chapter 14C .
- 23 28. The parking or storage of recreational vehicles, trailers or boats within the parking
24 spaces is prohibited.
- 25 29. The applicant shall comply with the requirements of Section 3047, Renewable Energy
26 Facilities, of the Zoning Ordinance. If supplying 50 percent of the project's anticipated
27 energy demand on-site proves infeasible, the applicant shall work with staff to come up
28 with an acceptable alternative. The applicant shall work with staff to ensure that the

requirements of Section 3047(A) are met prior to issuance of a Certificate of Occupancy and/or the final inspection for the project or to the satisfaction of the City Planner.

30. The project shall comply with the requirements of Section 3048, Electric Vehicle and Charging Facilities, of the Zoning Ordinance.

31. The project shall comply with the requirements of Section 3049, Urban Forestry Program, of the Zoning Ordinance. The project must also provide a Landscape and Tree Canopy Management Plan (LTCMP). The LTCMP shall include information regarding regular, seasonal, and emergency maintenance, trash abatement, irrigation, tree/plant care, tree replacement, insect and disease infestation prevention, integrated pest management, and appropriate response process etc. Projects that do not maintain landscape in a manner consistent with the approved LTCMP shall be subject to code enforcement action.

32. The residential and commercial aspects of this project shall be developed simultaneously as a single Mixed-Use project. No deferral of the commercial use shall be permitted as the project's approval for a Mixed-Use project.

33. Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement with the "Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe". A copy of the agreement shall be included in the Grading Plan Submittals for the Grading Permit. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the "Traditionally and Culturally Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe" for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and tribal cultural resources, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities. At the discretion of the Luiseño Native

American Monitor, artifacts may be made available for 3D scanning/printing, with scanned/printed materials to be curated at a local repository meeting the federal standards of 36CFR79.

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

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

36. In the event any subsurface archaeological or cultural resources are encountered during grading or construction activities, such activities in the locality of the find shall be halted immediately. A Qualified archaeologist, certified by the Society of Professional Archaeologists (SOPA) and a Luiseño Native American Monitor, shall be brought in to determine the significance of the archaeological or cultural resources and implement appropriate mitigations prior to recommencement of earthwork.

37. Construction-related ground-disturbing activities (e.g., clearing/grubbing, grading, and other intensive activities) that occur during the breeding season (typically February 1 through September 15) shall require a one-time biological survey for nesting bird species to be conducted within the limits of grading and a 500-foot buffer within 72 hours prior to construction. If any active nests are detected, the area shall be flagged and mapped on the construction plans or a biological resources figure, and the information provided to the construction supervisor and any personnel working near the nest buffer. Active nests will have buffers established around them by the project biologist. The project biologist may adjust the setback at his or her discretion depending on the species

1 and the location of the nest. Once the nest is no longer occupied for the season,
2 construction may proceed in the setback areas.

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

12 a. These projects include residential projects over 16 units in size that meet the
13 following criteria:

- 14 i. Projects which are subject to a General Plan Amendment necessary to
15 accommodate residential uses.
- 16 ii. Mixed-Use projects proposed on commercially-zoned land, including mixed-
17 use projects in the Downtown District.
- 18 iii. Residential projects exceeding base density allowances.
- 19 iv. Assisted Living or Skilled Nursing facilities of any size.

20 39. To satisfy the City's Renewable Energy requirements, the project includes the purchase
21 an energy portfolio comprised of at least 75% renewable, emission-free electricity.

22 **Building:**

23 40. The granting of approval under this action shall in no way relieve the applicant/project
24 from compliance with all Current State and local building codes.

25 41. The 2022 triennial edition of the California Code of Regulations, Title 24 (California
26 Building Standards Code) applies to all occupancies that applied for a building permit on
27 or after January 1, 2023, and remains in effect until the effective date of the 2022
28 triennial edition which will be January 1, 2026.

- 1 42. Beginning on January 1, 2023, Oceanside Development Services (ODS) is required by
2 State law to enforce the 2022 Edition of California Building Standards Codes (a.k.a.,
3 Title 24 of the California Codes of Regulations).
- 4 43. Every three years, the State adopts new model codes (known collectively as the
5 California Building Standards Code) to establish uniform standards for the construction
6 and maintenance of buildings, electrical systems, plumbing systems, mechanical
7 systems, and fire and life safety systems.
- 8 44. Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require
9 that the latest edition of the California Building Standards code and Uniform Housing
10 Code apply to local construction 180 days after publication.
- 11 • Part 2: The 2022 California Building Code (CBC).
 - 12 • Part 3: The 2022 California Electrical Code (CEC).
 - 13 • Part 4: The 2022 California Mechanical Code (CMC).
 - 14 • Part 5: The 2022 California Plumbing Code (CPC).
 - 15 • Part 6: The 2022 California Energy Code
 - 16 • Part 9: The 2022 California Fire Code (CFC)
 - 17 • Part 11: The 2022 California Green Building Standards Code (CALGreen Code) This
18 Part is known as the California Green Building Standards Code, and it is intended that it
19 shall also be known as the CALGreen Code.
- 20 45. Where mixed occupancy buildings contain incidental use areas, the following shall
21 apply:
- 22 a. Clearly identify on plans whether there are any incidental use areas that are separated
23 from other portions of the building pursuant to CBC.
 - 24 b. The protection used for incidental use areas may include automatic fire sprinklers,
25 fire-resistance rated construction, or both. Identify such protection in the incidental use
26 areas on each floor plan.
- 27 46. Where mixed occupancy buildings contain nonseparated uses, the following shall apply:
- 28 a. Clearly identify on plans whether nonseparated uses will be utilized pursuant to CBC
508.3.

- b. Clearly acknowledge on the plans that the use of nonseparated occupancies requires the most restrictive provisions of CBC 403 and Chapter 9 to apply to the entire building.
- c. The adjoining nonseparated uses must be clearly identified on all floor plans, including the boundary of such areas
- d. The project must be designed to meet the requirements of the more restrictive occupancy for the following: (Area) (Height) (Egress) (Fire Sprinklers) (Other)
- e. Per Table 504.4 the Type of construction may not be less than Type I or Type II construction per 2019 CBC.
- f. Per Table 705.8 Walls 3 to 5 feet from the PL must not have opening of more than 15%, walls 5 to 10 not less than 25%, walls 10 to 15 feet not more than 45%.
47. Where mixed occupancy buildings contain separated uses, the following shall apply:
- a. Clearly identify on plans the boundary of each adjoining occupancy that will be separated pursuant to CBC 508.4
- b. Fire-resistance rated walls used to separate adjoining occupancies shall be constructed as fire barriers in accordance with Section 707; fire partitions shall not be allowed. (CBC 508.4.4.1)
- c. Fire-resistance rated floor-ceiling assemblies used to separate adjoining occupancies shall comply with CBC 711. (CBC 711.2.4.1)
48. Where mixed occupancy buildings contain accessory areas, the aggregate area of all accessory areas within a single occupancy shall not exceed 10% of the floor area of the primary occupancy. (CBC 508.2.3)
49. Clearly label and identify on plans (fire walls, fire barriers, fire partitions, shafts, smoke barriers, and smoke partitions), along with their fire-resistance ratings. Provide a legend.
50. Submit an exit analysis plan that labels and clearly shows compliance with all required egress features such as, but not limited to, common path of travel, required number of exits, occupant load, required width, continuity, travel distance, etc. (CBC 1001.1)
51. Means of egress doors shall be readily distinguishable from the adjacent construction and finishes such that the doors are easily recognizable as doors. Mirrors or similar reflecting materials shall not be used on means of egress doors. Means of egress doors

shall not be concealed by curtains, drapes, decorations or similar materials. (CFC 1010.1)

52. The building plans for this project are required by State law to be prepared by a licensed architect or engineer.

53. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the plans.

54. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall be shielded appropriately.

55. Separate/unique addresses may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division shall accompany the Building Permit application.

56. A form or foundation survey shall be required prior to the placement of concrete to show the location of the new structure in respect to the property lines, known easements, and known setback lines. By obtaining a form survey the location of the foundation is checked prior to the placement of concrete, and can save costly corrective measures in case of an encroachment of a property line

57. The 2022 California Energy Code requires rooftop solar zones. Solar ready rooftop required. Low-rise and High-rise Multi-family Buildings, Hotel/Motel Occupancies, and Nonresidential Buildings. The solar zone shall be located on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project and have a total area no less than 15 percent of the total roof area of the building excluding any skylight area.

58. The requirements for solar ready buildings are all mandatory, so there are no prescriptive and performance compliance paths. Since the provisions are mandatory, there are also no tradeoffs allowed, and applicants must demonstrate compliance with each measure.

59. Exterior walls of all buildings shall comply with CBC table 705.2

705.2 Projections

60. Cornices, eave overhangs, exterior balconies and similar projections extending beyond the exterior wall shall conform to the requirements of this section and Section 1406.

Exterior egress balconies and exterior exit stairways and ramps shall comply with Sections 1021 and 1027, respectively. Projections shall not extend any closer to the line used to determine the fire separation distance than shown in Table 705.2.

61. CBC 1027.5 Location. Exterior exit stairways and ramps shall have a minimum fire separation distance of 10 feet (3048 mm) measured at right angles from the exterior edge of the stairway or ramps, including landings, to:

1. Adjacent lot lines.

2. Other portions of the building.

3. Other buildings on the same lot unless the adjacent building exterior walls and openings are protected in accordance with Section 705 based on fire separation distance. For the purposes of this section, other portions of the building shall be treated as separate buildings.

62. 1023.7 Interior Exit Stairway and Ramp Exterior Walls

Exterior walls of the interior exit stairway or ramp shall comply with the requirements of Section 705 for exterior walls. Where nonrated walls or unprotected openings enclose the exterior of the stairway or ramps and the walls or openings are exposed by other parts of the building at an angle of less than 180 degrees (3.14 rad), the building exterior walls within 10 feet (3048 mm) horizontally of a nonrated wall or unprotected opening shall have a fire-resistance rating of not less than 1 hour. Openings within such exterior walls shall be protected by opening protectives having a fire protection rating of not less than 3/4 hour. This construction shall extend vertically from the ground to a point 10 feet (3048 mm) above the topmost landing of the stairway or ramp, or to the roof line, whichever is lower.

63. Site development, parking, access into buildings and building interiors shall comply WITH ALL CURRENT State of California Accessibility Code where required. No Accessible parking shown on current plans. You must clearly show compliance on the plans.

• Buildings or portions of buildings and facilities within the scope of this chapter shall be accessible to persons with disabilities. Each building on a building site shall be considered

1 separately when determining the requirements contained in this chapter, except when
2 calculating the number of units which must comply with Section 1102A.3.1. Dwelling units
3 within a single structure separated by firewalls do not constitute separate buildings.

4 • Newly-constructed covered multifamily dwellings as defined in this chapter, include, but are
5 not limited to, the following:

6 • Apartment buildings with 3 or more dwelling units including timeshare apartments not
7 considered a place of public accommodation or transient lodging as defined in Health and
8 Safety Code Section 19955 (a), and Chapter 2 of the California Building Code.

9 • Condominiums with 4 or more dwelling units including timeshare condominiums not
10 considered a place of public accommodation or transient lodging as defined in Health and
11 Safety Code Section 19955 (a), and Chapter 2 of the California Building Code.

12 • Lodging houses, as defined in Chapter 2 of the California Building Code, used as a residence
13 with more than 3 but not more than 5 guest rooms.

14 • Congregate residences, as defined in Chapter 2 of the California Building Code, with 3 or
15 more sleeping units.

16 • Dwellings with 3 or more efficiency units, as defined in Chapter 2 of this code, or Section
17 17958.1 of the California Health and Safety Code.

18 • Shelters for homeless persons, not otherwise subject to the disabled access provisions of the
19 Division of the State Architect-Access Compliance (DSA-AC).

20 • Dormitories, as defined in Chapter 2 of this code, with 3 or more guest rooms as defined in
21 Chapter 2 of the California Building Code.

22 • Timeshare dwellings with 3 or more units, not considered a place of public accommodations
23 or transient lodging as defined in Health and Safety Code Section 19955 (a), and Chapter 2 of
24 the California Building Code.

25 • Other Group R occupancies in covered multifamily dwellings which are regulated by the
26 Office of the State Fire Marshal. See Section 1.11.

27 • Public housing as defined in Chapter 2 of this code is subject to provisions of the Division of
28 the State Architect (DSA-AC) in Chapter 11B. Newly constructed covered multifamily

1 dwellings, which can also be defined as public housing, shall be subject to the requirements of
2 Chapter 11A and Chapter 11B.

3 **1102A.3.2 Multistory dwelling units in buildings with one or more elevators**

4 Multistory dwelling units contained in buildings with elevators shall comply with this section.

5 For multistory dwelling units in buildings with elevators, the story of the unit that is served by
6 the building elevator is considered a ground floor and the primary entry floor to the unit and
7 shall comply with the following:

- 8 • At least 1 powder room or bathroom shall be located on the primary entry level.
- 9 • At least 1 kitchen shall be located on the primary entry level.
- 10 • All rooms or spaces located on the primary entry level shall be served by an accessible route
11 and shall comply with Division IV.

12 **1109A.3 Required accessible parking spaces**

13 Accessible parking spaces shall be provided at a minimum rate of 2 percent of the covered
14 multifamily dwelling units. At least one space of each type of parking facility shall be made
15 accessible even if the total number exceeds 2 percent.

16 **1109A.7 Location of accessible parking spaces**

17 The location of accessible parking spaces shall comply with the following:

- 18 • Accessible parking spaces shall be located on the shortest possible accessible route to an
19 accessible building, or covered multifamily dwelling unit entrance. All van accessible spaces
20 may be grouped on one level of a multilevel parking facility. Please illustrate compliance on
21 the plans.
- 22 • When parking facilities are located adjacent to a building with multiple accessible entrances,
23 accessible parking spaces shall be dispersed and located near the accessible building entrances.
- 24 • When practical, the accessible route shall not cross lanes for vehicular traffic. When crossing
25 vehicle traffic lanes is necessary, the accessible route shall be designated and marked as a
26 crosswalk.
- 27 • Parking facilities that do not serve a particular building shall have accessible parking spaces
28 located on the shortest possible accessible route to an accessible pedestrian entrance of the
parking facility.

1 • Accessible parking spaces shall be located so that persons with disabilities are not compelled
2 to wheel or walk behind parked cars other than their own.

3 Exception: When the enforcement agency determines that compliance with this section or
4 providing equivalent facilitation would create an unreasonable hardship, parking spaces may be
5 provided which would require a person with physical disabilities to wheel or walk behind other
6 than accessible parking spaces.

7 64. A complete set of Soil Reports, Structural Calculations, Energy Calculations, &
8 California Title 24 Energy Form(s) shall be required at time of plans submittal to the
9 Building Division for plan check.

10 65. City of Oceanside Enforces the 2022 California Green Building Standards Code. A
11 Construction Waste Management Plan shall be required at time of plans submittal to the
12 Building Division for plan check.

13 5.408.1 Construction waste diversion. Recycle and/or salvage for reuse a minimum of
14 65 percent of the nonhazardous construction and demolition waste in accordance with
15 Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition
16 waste management ordinance, whichever is more stringent.

17 5.408.1.1 Construction waste management plan. Where a local jurisdiction does not have
18 a construction and demolition waste management ordinance that is more stringent,
19 submit a construction waste management plan that:

- 20 1. Identifies the construction and demolition waste materials to be diverted from disposal
21 by efficient usage, recycling, reuse on the project or salvage for future use or sale.
- 22 2. Indicates if construction and demolition waste materials will be sorted on-site (source-
23 separated) or bulk mixed (single stream).
- 24 3. Identifies diversion facilities where construction and demolition waste material
25 collected will be taken.
- 26 4. Specifies that the amount of construction waste and demolition materials diverted
27 shall be calculated by weight or volume, but not by both.

28 66. Plans must specify, as applicable, the type of automatic sprinkler system – NFPA 13,
NFPA 13R, or NFPA 13D – installed in each building.

- 1 67. San Diego County Department of Environmental Health approval is required for all new
2 food businesses and public pools.
- 3 68. The construction documents and/or site plan should indicate the location and required
4 number of designated parking stalls. These parking spaces should be marked "CLEAN
5 AIR/VANPOOL/EV." The markings should be visible when a clean air vehicle is
6 parked. In other words, if the front of the vehicle goes into the parking stall first, the
7 markings should be visible at the back end of the vehicle. Lettering should be at least 8
8 inches high. The CLEAN AIR/VANPOOL/EV parking stalls may be located anywhere
9 on the site and do not require a preferential location. Refer to Table 5.106.5.2 in CAL
10 Green to ensure that the correct number of designated parking stalls is provided. Include
11 all parking spaces in the calculation. 2019 Cal Green Section 5.106.5.2
- 12 69. All electrical, communication, CATV, etc. service lines within the exterior lines of the
13 property shall be underground (City Code Sec. 6.30).
- 14 70. Buildings four or more stories in height must comply with City of Oceanside Mid-Rise
15 Ordinance.
- 16 71. Elevator car must be sized to accommodate an emergency gurney sized 84 x 24 inches in
17 the horizontal position.
- 18 72. An enclosed elevator lobby – separating the elevator shaft enclosure doors from each
19 floor with fire partitions. – shall be provided at each floor where an elevator shaft
20 enclosure connects more than two stories in A, E, H, I, L, R-1, R-2, and R-2.1
21 occupancies and more than three stories in all other occupancies (CBC 3006.2, CBC
22 3006.3).
- 23 73. Electric vehicle (EV) charging. [N] Construction shall comply with Section 5.106.5.3.1
24 or 5.106.5.3.2 to facilitate future installation of electric vehicle supply equipment
25 (EVSE) in compliance with California Building Code (CBC) and California Electrical
26 Code (CEC).
- 27 Multiple charging space requirements. [N] When multiple charging spaces are required
28 per Table 56.106.5.3.3, raceway(s) is/are required to be installed at the time of

construction and shall be installed in accordance with CEC. Construction plans and specifications shall comply with CGBSC 5.106.5.3.2

74. 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:

Construction hour limitations.

It shall be unlawful to operate equipment or perform any construction in the erection, demolition, alteration, or repair of any building or structure or the grading or excavation of land during the following hours:

(1) Before 7:00 a.m. and after 7:00 p.m. Monday through Saturday.

(2) All day on Sunday; and

(3) On any federal holiday.

(b) *Exceptions.*

(1) An owner/occupant or resident/tenant of residential property may engage in a home improvement project between the hours of 9:00 a.m. and 5:00 p.m. on Sundays and holidays provided the project is for the benefit of said residential property and is personally carried out by said owner/occupant or resident/tenant.

(2) The building official may authorize extended or alternate hours of construction for the following circumstances:

a. Emergency work.

b. Adverse weather conditions.

c. Compatibility with store business hours.

d. When the work is less objectionable at night than during daylight hours.

e. Per direction of the city manager's office for projects that have been determined that rapid completion is in the best interest of the general public.

Engineering:

75. 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.

76. Design and construction of all improvements shall be in accordance with the City of Oceanside's Engineers Design and Processing Manual, City Ordinances, standard engineering and specifications of the City of Oceanside, and subject to approval by the City Engineer.

77. All right-of-way alignments, street dedications, exact geometrics and widths shall be designed, dedicated, and constructed or replaced in accordance with the City of Oceanside Engineers Design and Processing Manual, and as required by the City Engineer.

78. Owner/developer shall provide an updated Title Report dated within 6 months of the grading plan application submittal.

79. The approval of the tentative map shall not mean that closure, vacation, or abandonment of any public street, right of way, easement, or facility is granted or guaranteed to the owner/developer. The owner/developer is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) shall be reviewed and approved or rejected by the City of Oceanside under separate process-(es) per codes, ordinances, and policies in effect at the time of the application. The City of Oceanside retains its full legislative discretion to consider any application to vacate a public street or right of way.

80. Owner/developer shall submit to the City for processing a covenant attesting to the project's development conditions. The approved covenant shall be recorded at the County prior to the issuance of a grading permit.

81. All public improvement requirements shall be covered by a Subdivision Improvement Agreement and secured with sufficient improvement securities or bonds guaranteeing performance and payment for labor and materials, setting of survey monuments, and warranties against defective materials and workmanship before the approval of the public improvement plans.

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

other protection as required by Caltrans' Traffic Manual and City Traffic Control Guidelines. Traffic control plan implementation and hours shall be in accordance with the approved traffic control plans.

89. Proposed public improvements located within the City's ROW or onsite shall be displayed on separate public improvement plans in accordance with the City's Engineer's Design and Processing Manual.

90. Any existing public or private improvements that are being joined to and that are already damaged or damaged during construction of the project, shall be repaired or replaced as necessary by the developer to provide a competent and stable connection, and to the City's satisfaction.

91. N. Clementine Street, Pier View Way and Nevada Street shall be constructed with new curb and gutter and sidewalk. Sidewalk improvements (construct/replace) shall comply with current ADA requirements.

92. An ADA-compliant pedestrian ramp shall be constructed at the corner of the N. Clementine Street and Pier View Way intersection and at the corner of Pier View Way and Nevada Street Intersection, and other locations as required by the City Engineer.

93. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be located entirely within the public right-of-way (ROW). Pedestrian ramps not located entirely within the City's ROW shall be provided with a ROW dedication on the final map and shown on the improvement plans and grading plans. The ROW dedication shall be submitted prior to the approval of the grading plans and recorded prior to the grading plan As-Builts.

94. Minimum curb return radius at pedestrian ramps and driveway locations shall comply with the City of Oceanside Engineers Design and Processing Manual.

95. Sight distance requirements at the project driveway(s) or street shall conform to the sight distance criteria as provided by Caltrans. The owner/developer shall provide a plan and profile of the line of sight for each direction of traffic at each proposed driveway on the grading plans.

1 96. A pavement evaluation report shall be submitted for offsite street pavements with the
2 grading plan application. The owner/developer shall contract with a geotechnical
3 engineering firm to perform a field investigation of the existing pavement on all streets
4 adjacent to the project boundary. The limits of the study shall be half-street width along the
5 project's (Nevada Street, Pier View Way and N. Clementine) frontage. The field
6 investigation shall be performed according to a specific boring plan prepared by a licensed
7 Geotechnical Engineer and approved by the City Engineer prior to the issuance of a
8 grading permit. In the absence of an approved boring plan, the field investigation shall
9 include a minimum of one pavement boring per every fifty linear feet (50) of street
10 frontage.

11 Should the study conclude that the existing road pavement does not meet current pavement
12 thickness requirements set forth in the City of Oceanside Engineers Design and Processing
13 Manual, the Owner/developer shall remove and reconstruct the existing pavement section
14 in accordance with City requirements. Otherwise, the City Engineer shall determine
15 whether the Owner/developer shall: 1) Repair all failed pavement sections, 2) header cut
16 and grind per the direction of the City Engineer, or 3) Perform R-value testing and submit a
17 study that determines if the existing pavement meets current City standards/traffic indices.

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

24 98. The approval of the development plan shall not mean that proposed grading or
25 improvements on adjacent properties (including any City properties/right-of-way or
26 easements) is granted or guaranteed to the owner/developer. The owner/developer is
27 responsible for obtaining written permission to grade or construct on adjacent properties
28 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.

99. 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.

100. 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.

101. 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.

102. 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.

103. 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.

104. 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.

105. 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.

106. 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.

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

108. The drainage design shown on the conceptual grading/site plan, and the drainage report for this development plan is conceptual only. The final drainage report and design shall be based upon a hydrologic/hydraulic study that is in accordance with the latest San Diego County Hydrology and Drainage Manual, and is to be approved by the City Engineer prior to the issuance of a grading permit. All drainage picked up in an underground system shall

1 remain underground until it is discharged into an approved channel, or as otherwise
2 approved by the City Engineer.

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

8 110. All public storm drains shall be shown on separate public improvement plans. Public storm
9 drain easements shall be dedicated to the City where required.

10 111. Drainage facilities shall be designed and installed to adequately accommodate the local
11 storm water runoff, and shall be in accordance with the San Diego County Hydrology
12 Manual and the City of Oceanside Engineers Design and Processing Manual, and to the
13 satisfaction of the City Engineer.

14 112. The drainage report shall demonstrate no increase in 100-year peak flow rate. If the project
15 will increase the unmitigated 100-year peak flow rate, a detention routing analysis shall be
16 completed to demonstrate that any potential increase is mitigated to a level that does not
17 exceed the pre-project 100-year peak flow rate.

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

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

23 115. Owner/developer shall comply with the provisions of the National Pollutant Discharge
24 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
25 with Construction and Land Disturbance Activities (General Permit) Water Quality
26 Order 2022-0057-DWQ. The General Permit continues in force and effect until the
27 effective date of a new General Permit adopted the State Water Board or the State Water
28 Board rescinds this General Permit. Dischargers that obtain coverage under the expiring
General Permit prior to the effective date of this permit, may continue coverage under

1 the previous permit up to two years after the effective date of this General Permit
2 (September 1, 2023). Construction activity subject to the General Permit includes, but
3 not limited to, clearing, demolition, grading, excavation and other land disturbance
4 activities that results in one or more acre of land surface, or that are part of common plan
5 of development or sale.

6 The discharger shall obtain a Waste Discharge Identification (WDID) number prior to
7 the commencement of construction activity by electronically certifying and submitting
8 the Permit Registration Documents from Section III of the General Permit through the
9 State Water Board Stormwater Multiple Application and Report Tracking System
10 (SMARTS). In addition, coverage under the General Permit shall not occur until an
11 adequate SWPPP is developed for the project as outlined in Section A of the General
12 Permit. The site specific SWPPP shall be maintained on the project site at all times. The
13 SWPPP shall be provided, upon request, to the United States Environmental Protection
14 Agency (USEPA), State Water Resources Control Board (SWRCB), Regional Water
15 Quality Control Board (RWQCB), City of Oceanside, and other applicable governing
16 regulatory agencies. The SWPPP is considered a report that shall be available to the
17 public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of
18 the General Permit and the site specific SWPPP shall be continuously implemented and
19 enforced until the owner/developer obtains a Notice of Termination (NOT) for the
20 SWRCB.

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

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

- 1 117. The O&M Plan shall include an approved and executed Maintenance Mechanism
2 pursuant to the City of Oceanside BMP Design Manual (BDM). At a minimum, the
3 O&M Plan shall include the designated responsible party to manage the storm water
4 BMP(s), employee training program and duties, operating schedule, maintenance
5 frequency, routine service schedule, specific maintenance activities, copies of resource
6 agency permits, cost estimate for implementation of the O&M Plan, a non-refundable
7 cash security to provide maintenance funding in the event of noncompliance to the
8 O&M Plan, and any other necessary elements. The owner/developer shall complete and
9 maintain O&M forms to document all operation, inspection, and maintenance activities.
10 The owner/developer shall retain records for a minimum of 10 years. The records shall
11 be made available to the City upon request.
- 12 118. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
13 Agreement (SWFMA) with the City, obliging the owner/developer to maintain, repair
14 and replace the Storm Water Best Management Practices (BMPs) structures identified in
15 the project's approved SWQMP, as detailed in the O&M Plan, in perpetuity.
16 Furthermore, the SWFMA will allow the City with access to the site for the purpose of
17 BMP inspection and maintenance, if necessary. The Agreement shall be approved by the
18 City Attorney's Office and recorded at the County Recorder's Office prior to the
19 issuance of a precise grading permit. A non-refundable **Security in the form of cash**
20 shall be required prior to issuance of a precise grading permit. The amount of the non-
21 refundable security shall be equal to 10 years of maintenance costs, as identified by the
22 O&M Plan, but not to exceed a total of \$25,000. The owner/developer's civil engineer
23 shall prepare the O&M cost estimate.
- 24 119. The BMPs described in the project's approved SWQMP shall not be altered in any way,
25 unless reviewed and approved by the City Engineer. The determination of whatever
26 action is required for changes to a project's approved SWQMP shall be made by the City
27 Engineer.
- 28 120. Prior to receiving a temporary or permanent occupancy permit, the project shall
demonstrate that all structural BMPs, including Storm Water Pollutant Control BMPs

and Hydromodification Management BMPs, are constructed and fully operational, are consistent with the approved SWQMP and the approved Precise Grading Plan, and are in accordance with San Diego RWQCB Order No. R9-2013-0001 §E.3.e. (1)(d).

121. Open space areas, down-sloped areas visible from a collector-level or above roadway classification, and improvements within the common areas that are not maintained by the property owner, shall be maintained by a homeowners' association that will ensure operation and maintenance of these items in perpetuity. These areas shall be indicated on the map and reserved for an association. Future buyers shall be made aware of any estimated monthly maintenance costs. The CC&R's shall be submitted and approved by the City prior to the recordation of the map.

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

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

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

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

1 Fish & Game, the U. S. Fish and Wildlife Service, the San Diego Regional Water Quality
2 Control Board, and the San Diego County Health Department.

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

5 127. As part of the City's Opportunistic Beach Fill Permit, this project has been conditioned
6 to test proposed excavated material to determine suitability for deposit on city beaches
7 as part of the Beach Sand Replenishment program. Preliminary soil test results shall be
8 provided as part of the project geotechnical report which is required prior to approval of
9 the grading plan and issuance of the grading permit.

10 Suitable beach replenishment material shall be at least 75% sand with no more than a
11 10% difference in sand content between material at the source and discharge site.
12 Replenishment material shall contain only clean construction materials suitable for use
13 in the oceanic environment; no debris, silt, soil, sawdust, rubbish, cement or concrete
14 washings, oil or petroleum products, hazardous/toxic/radioactive/munitions from
15 construction or dredging or disposal shall be allowed to enter into or be placed where it
16 may be washed by rainfall or runoff into waters of the United States. Any and all excess
17 or unacceptable material shall be completely removed from the site/work area and
18 disposed of in an appropriate upland site.

19 If the sediment to be exported is determined to be suitable beach replenishment material
20 and is approved by the regulatory agencies, the developer's contractor will coordinate
21 with the City's Coastal Zone Administrator for further discussion and direction on
22 placement.

23 **Coordination is required to occur a minimum of eight weeks in advance** of the need
24 to place approved excavated material on the beach.

25 128. If shoring is required for the construction of the proposed development, the shoring
26 design plans shall be included within the grading plan set, and the structural design
27 calculations shall be submitted with the grading plan application. All temporary shoring
28 shall be within property lines.

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

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

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

18 **Engineering/Land Survey**

19 132. Vehicular access rights to Mission Avenue, N. Clementine Street, Pier View Way, and
20 Nevada Street shall be relinquished to City from all abutting lots except at the proposed
21 driveways.

22 133. The mid-block alley shall be by vacated by separate document after all public utilities
23 have been relocated to the satisfaction of the City Engineer.

24 134. All existing onsite and offsite survey monuments shall be perpetuated by a licensed land
25 surveyor, or registered civil engineer authorized to practice land surveying, in
26 compliance with Business and Professions Code 8771.

27 **Fire:**

1 **Access and Water Supply:**

2 135. An approved path will be provided to each opening (doors and rescue windows) of the
3 building as determined by the fire code official.

4 136. A fire flow test to determine adequate fire fighting water supply will be obtained and
5 submitted with the architectural drawings at the Building permit phase.

6 **Fire Protection Features:**

7
8 137. *Automatic fire sprinklers/standpipes.* Every mid-rise building must be protected
9 throughout by an automatic fire sprinkler system that is designed and installed in
10 conformance with the adopted edition of NFPA 13 and in accordance with the
11 following:

12 a. A control valve and a water-flow alarm device must be provided for each floor.

13 Each control valve and flow device must be electronically supervised.

14 b. Every mid-rise building must be provided with a class I standpipe system that is
15 interconnected with the fire sprinkler system. The system must consist of two and
16 one-half-inch (2½") hose valves that must be located in each stair enclosure on
17 every floor level. First floor outlets are optional only with approval of the fire code
18 official. Two (2) hose outlets must also be located on the roof, outside of each stair
19 shaft enclosure that penetrates the roof. The standpipe system must be designed,
20 installed, and tested in accordance with the adopted edition of NFPA 14.

21 138. *Smoke detection.* Smoke detectors must be provided in accordance with this section.
22 Smoke detectors shall be connected to an automatic fire alarm system installed in
23 accordance with the adopted edition of NFPA 72. The actuation of any detector required
24 by this section shall operate the emergency voice alarm signaling system and shall
25 operate all equipment necessary to prevent the circulation of smoke through air return
26 and exhaust ductwork. Smoke detectors must be located as follows:

27
28 a. In every mechanical equipment, electrical, transformer, telephone equipment,
unmanned computer equipment, elevator machinery or similar room and in all

- elevator lobbies. Elevator lobby detectors must be connected to an alarm verification zone or be listed as a releasing device.
- b. In the main return-air and exhaust-air plenum of each air-conditioning system having a capacity greater than two thousand (2,000) cubic feet per minute. Such devices must be located in a serviceable area downstream of the last duct inlet.
 - c. At each connection to a vertical duct or riser serving two (2) or more stories from a return-air duct or plenum of an air conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return-air riser carrying not more than five thousand (5,000) cubic feet per minute and serving not more than ten (10) air inlet openings.
 - d. In all corridors serving as a means of egress.
139. *Fire alarm system.* An approved and listed, automatic and manual, fully addressable and electronically supervised fire alarm system shall be provided in conformance with the California Fire Code and California Building Code. Fire alarm control and emergency voice alarm communication panel must be located in either a dedicated fire alarm control panel room with exterior access or in the main lobby, or as approved by the fire code official.
140. *Emergency voice alarm communication system.* An emergency voice alarm communication system shall be designed and installed in accordance with NFPA 72 and California Building Code 907.5.2.2 and its subsections, and 11B-215 and its subsections.
141. *Locking of stairway doors.* All stairway doors that are locked to prohibit access from the interior of the stairway must have the capability of being unlocked simultaneously, without unlatching, upon a signal from the main fire panel area. Upon failure of normal electrical service, or activation of any fire alarm, the locking mechanism must automatically retract to the unlocked position.
142. *Location of fire suppression equipment.*
- c. Fire department connection must be on the address side of the building within 40' of a fire hydrant.

- d. The Fire Riser and Fire Alarm Control Unit will be in the same space with adequate working space and in a room that is accessible from the exterior.
- e. There will be at least one Fire Alarm Annunciator Panel inside of the front entrance of the building.

143. Fire Protection Systems will be deferred submittals along with the following:

- o *Geo-reference pre-plan.* **geo-referenced building plan** in CAD (.dwg) format using the following coordinate system:
NAD_1983_StatePlan_California_VI_FIPS_0406_Feet. Produce a fire preplan in (ESRI) GIS format. A completed fire preplan shall include the GIS data and output PDF. 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.
- o *Construction site safety plan.* The owner or owner's authorized agent shall be responsible for the development, implementation and maintenance of an approved, written site safety plan establishing a fire prevention program at the project site applicable throughout all phases of the construction, repair, alteration or demolition work. The plan shall address the requirements of this California Fire Code Chapter 33 and other portions of the CFC, the duties of staff and staff training requirements. The plan shall be submitted and approved before a building permit is issued. Any changes to the plan shall be submitted for approval.

Other:

144. As a residential project with more than 16 dwelling units, the project shall be required to annex into the Citywide Public Safety Community Facilities District (CFD) once it is formed and annual rates are established by the City Council. Annexation into the Citywide Public Safety CFD shall occur prior to occupancy of the first dwelling unit. In the event that the City Council elects not to form a CFD in its discretion, this condition is satisfied. If staff has not brought the CFD to the City Council for formation by the

time a certificate of occupancy is ready to be issued, this condition is satisfied and no units within the project will be subject to this CFD.

Housing:

145. In order to obtain the density bonus, incentives/concessions, and waivers under the City's [Comprehensive Zoning Ordinance Section 3032](#) and [California Government Code Section 65915](#) (collectively known as "Density Bonus" law) and to satisfy the reserved affordable housing requirements for low and moderate-income households under Oceanside City Code [Chapter 14C](#), the occupancy of thirty-one (31) of the 206 rental units shall be restricted for occupancy by Low and Moderate-income Households, 21 units and 10 units respectively, as defined in [California Health and Safety Code Section 50079.5](#), at an Affordable Housing Cost for a household size appropriate for the unit size, as set forth in Sections [50053](#) and [50052.5](#) of the California Health and Safety Code for a period of not less than 55 years. The property shall be so restricted as to prohibit the conversion of the restricted units for the term of the rent restriction to a condominium, stock cooperative, community apartment, or such other form of ownership which would eliminate the restricted units as rental units.

146. In accordance with City's [Comprehensive Zoning Ordinance Section 3032 M.2](#), 31 dwelling units reserved for rental to Low and Moderate-income Households units shall be provided proportional to the overall project in unit size, dispersed throughout the project, and have access to all amenities available to other residents based upon the same terms. Specifically, of the 31 dwelling units, 8 studio units, 16 one-bedroom units, 6 two-bedroom units, and 1 three-bedroom units shall be reserved and affordable Low and Moderate-income households.

147. To demonstrate compliance with [Density Bonus law](#), [Chapter 14C](#), and any housing and occupant protection obligations under [Housing Element law](#), [Density Bonus law](#), the [Housing Crisis Act of 2019](#) or the [Mello Act](#), an Affordable Housing Agreement and a deed of trust securing such covenants, as approved by the City Attorney and the Housing and Neighborhood Services Director, shall be recorded against the title of the property and the relevant terms and conditions recorded as a deed restriction, regulatory

1 agreement or other enforceable instrument. The Agreement will be recorded prior to the
2 approval of any final or parcel map or issuance of a grading permit or the building
3 permit for the first dwelling unit of the Project. The Agreement shall be binding to all
4 future owners and successors in interest.

- 5 148. Occupancy & Monitoring of Affordability Covenants: Compliance with the applicable
6 restrictions of the Affordable Housing Agreement and/or the Regulatory Agreement will
7 be subject annually to a regulatory audit and such restrictions must be maintained for the
8 full applicable compliance period. A monitoring fee will be required for the total number
9 of restricted units. An initial set up fee of \$500 will be required at the time of the
10 Certificate of Occupancy is issued for the first housing unit and \$80 per affordable unit
11 for the first year for the project, and increased annually by one percent (1%). Such fee
12 covers the costs of software, third-party vendors, and for monitoring compliance with
13 the applicable restrictions on an annual basis. The City also reserves the right to
14 periodically inspect the restricted units to ensure compliance with the health and safety
15 standards associated with the restricted units.

16 **Affirmative Fair Housing Marketing Plan (AFHMP)**

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

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

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

9 **Landscaping:**

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

- 23 a. Final landscape plans shall accurately show placement of all plant material such as but
24 not limited to trees, shrubs, and groundcovers.
- 25 b. Landscape Architect shall be aware of all utility, sewer, water, gas and storm drain lines
26 and utility easements and place planting locations accordingly to meet City of Oceanside
27 requirements.
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- 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 Mission Ave, N. Clementine St., Pier View Way, and N. Nevada St.). The landscape areas shall be maintained per City of Oceanside requirements.
- e. be maintained per City of Oceanside requirements.
- f. 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.
- g. 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.
- h. be low water users as well as meet all fire department requirements.
- i. 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.
- j. 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.
- k. The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.
- l. 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.
- m. Installing a root barrier around the tree's root ball is unacceptable.
- n. 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.
- o. 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.
- p. 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.
- q. 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.
- r. rameters.
- s. All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- t. The landscape plans shall match all plans affiliated with the project.
- u. Landscape construction drawings are required to implement approved Fire Department regulations, codes, and standards at the time of plan approval.
- v. 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.

1 w. Existing landscaping on and adjacent to the site shall be protected in place and
2 supplemented or replaced to meet the satisfaction of the City Engineer.

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

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

19 153. In the event that the conceptual landscape plan (CLP) does not match the conditions of
20 approval, the resolution of approval shall govern.

21 **Solid Waste:**
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1 154. The project must demonstrate adequate solid waste service and storage for all three
2 streams (solid waste, recycling and organics). Please ensure plans reflect adequate levels
3 of service for all three streams (landfill, recycling and organics) within the designated
4 enclosure area/room. It is recommended that plans indicate separate areas for
5 commercial tenants vs. the residential/rental tenants to ensure services are properly
6 secured for each use type/customer.

7 155. The Enclosure Guidelines establish a minimum number of enclosures required based on
8 the amount of dwelling units and commercial square footage. At least one separate
9 enclosure for the commercial usage is required per the standard. Adjustments to the
10 amount of enclosures required may be permitted if the applicant can indicate adequate
11 servicing (same cubic yard requirements) through increased frequency of service.

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16 156. If trash chutes are planned for the residential/rental units on each floor, a trash chute for
17 each stream (recycling, organics, and landfill) will need to be demonstrated on the plans
18 for each floor.

19 157. Enclosure location(s) cannot block the alleyway, public right of way, or create public
20 nuisance. Refer to the City of Oceanside Enclosure Guidelines for enclosure location
21 and hauler access requirements.

22 158. The City of Oceanside reserves the right to review program and services levels and
23 request increases if deemed necessary. The City of Oceanside Municipal Code Chapter
24 13 requires that Oceanside residents, businesses and multifamily projects are to separate
25 all recyclable material from other solid waste. Additionally, the State of California
26 regulations requires all California businesses participate in Mandatory Recycling (AB
27 341) and Mandatory Commercial Organics Recycling (AB 1826 & SB 1383) as outlined
28 in the Oceanside Solid Waste code.

Transportation:

1 159. The project shall be responsible for the fair share payment to the City, which shall be
2 \$64,414 to be paid to the City's Thoroughfare and Signal Account. The funds will be
3 used at the City's discretion for projects that will improve traffic safety and mobility in
4 the City of Oceanside. The \$64,414 shall be paid in full prior to issuance of any permit
5 (precise grading, building or otherwise) for any phase or any component of the project.
6 The \$64,414 fair share payment only satisfies the offsite improvement obligations. All
7 other onsite improvements such as roadway, sidewalk, bike trail/lane, etc, that is
8 contiguous to the project, or needed to provide access to the project shall be done at the
9 project developer's cost.

10 160. Project driveways width shall be 28 feet wide. This improvement shall be completed
11 prior to the issuance of occupancy and to the satisfaction of the City Traffic Engineer.
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14 161. All sidewalk ramps along the project frontage shall be ADA compliant. This
15 improvement shall be completed prior to the issuance of occupancy and to the
16 satisfaction of the City Traffic Engineer.

17 162. Any existing driveways closed as part of the proposed project shall be replaced with
18 sidewalk, curb and gutter to match with the existing conditions. This improvement shall
19 be completed prior to the issuance of occupancy and to the satisfaction of the City
20 Traffic Engineer.

21 163. Streetlights shall be maintained and installed on all public streets (street name required)
22 per City Standards. The system shall provide uniform lighting, and be secured prior to
23 occupancy. The owner/developer shall pay all applicable fees, energy charges, and/or
24 assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also
25 agree to the formulation of, or the annexation to, any appropriate street lighting district.
26 This improvement shall be completed prior to the issuance of occupancy and to the
27 satisfaction of the City Traffic Engineer.

28 **Water Utilities:**

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

5 165. All Water and Wastewater construction shall conform to the most recent edition of the
6 Water, Sewer, and Recycled Water Design and Construction Manual or as approved by
7 the Water Utilities Director.

8 166. The property owner shall maintain private water and wastewater utilities located on
9 private property.

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

15 168. Minimum separation between water services and sewer laterals shall be 10 feet.

16 169. Water facilities, backflows or meters, shall have a minimum 10' separation from trees.
17 Palm tree minimum separation is lowered to 5' from water facilities.

18 170. Each new residential dwelling unit or commercial suite shall be metered individually.

19 171. For new buildings with multiple residential dwelling units; the City has accepted, as an
20 alternative, a public master meter for each building provided there is a private sub-meter
21 for each individual dwelling unit. The Building Owner would be responsible for the
22 ownership, maintenance, reading, and replacement of the private sub-meters. There shall be
23 a shared agreement for the shared water supply line and private water and sewer facilities
24 among the owners. This should be addressed in the CC&Rs or a maintenance agreement.

25 172. Provide a separate commercial water meter for the proposed commercial space. If the space
26 will be divided into multiple commercial suites, then a commercial master meter may be
27 utilized. The commercial master meter shall be billed based on the predominant (highest)
28 sewage strength classification within the building. The use of a commercial master meter is
based on the units having a low strength non-residential sewer classification. If this

1 classification were to change, then separate public water meters and service connections,
2 and sewer connections may be required for each commercial unit. The Building Owner
3 would be responsible for the ownership, maintenance, reading, and replacement of the
4 private sub-meters. There shall be a shared agreement for the shared water supply line and
5 private water and sewer facilities among the tenants.

6 173. Provide a separate irrigation water meter. Meter shall be managed and paid for by the
7 Building Owner. An address assignment will need to be completed for the meter, and can
8 be processed through the City Planning Department. Meter shall be located such that a
9 connection can be made to the City's future recycled water main in Pier View Way.

10 174. Per the latest approved California Fire Code, all new residential units shall be equipped
11 with fire sprinkler system.

12 175. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire
13 protection shall have a dedicated fire service connection to a public water main with a
14 double check detector backflow assembly. Location of the backflow assembly must be
15 approved by Fire Department.

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

20 **The following conditions shall be met prior to the approval of engineering design plans.**
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- 1 177. Any water and/or sewer improvements required to develop the proposed property will need
2 to be included in the improvement plans and designed in accordance with the Water,
3 Sewer, and Recycled Water Design and Construction Manual.
- 4 178. All public water and/or sewer facilities not located within the public right-of-way shall be
5 provided with easements sized according to the Water, Sewer, and Recycled Water Design
6 and Construction Manual. Easements shall be constructed for all weather access.
- 7 179. No trees, structures or building overhang shall be located within any water or wastewater
8 utility easement.
- 9 180. The City is currently planning to install a future 8" recycled water main located in Pier
10 View Way. If recycled water becomes available, this property shall be required to convert
11 its irrigation supply to recycled water. The irrigation system shall be designed in
12 anticipation of a future recycled water service and meter along Pier View Way. The system
13 design shall meet the recycled water requirements of the City's Water, Sewer, and
14 Recycled Water Design and Construction Manual.
- 15 181. Developer shall prepare and submit recycled water irrigation plans to the Water Utilities
16 Department for an independent review and pay a separate recycled water review fee. The
17 review shall include the processing, plan submittal, permitting, inspection, and testing of
18 the proposed irrigation system for approval by the State Water Resources Control Board /
19 San Diego County Department of Environmental Health and Quality for on-site recycled
20 water use. If Development is responsible for the irrigation or maintenance of any
21 landscaping in the right-of-way, then a separate/dedicated recycled irrigation meter and
22 service shall be required for this irrigation system. Local regulations do not permit a single
23 irrigation meter to service landscaping areas across property lines.
- 24 182. If at the time the Project's improvement plans are submitted, and the future recycled water
25 main does not look like a viable possibility, then per City of Oceanside Ordinance No. 14-
26 OR0565-1, the developer shall pay a recycled water impact fee since the proposed project
27 is not within 75 feet of a recycled water main. The impact fee shall be established by
28 submitting a formal letter requesting the City to determine this fee, which is based on 75%

of the design and construction cost to construct a recycled water line fronting the property in Pier View Way.

183. The Water and Sewer Capacity Study for the Mission Avenue Site dated February 13, 2023 was reviewed by the Water Utilities Department. The results of the water and sewer analysis showed that the existing water system and proposed improvements for the development will provide adequate domestic and fire protection service to the site. The results of the sewer analysis showed that the existing sewer collection system and proposed improvements will have adequate capacity to receive flows from the development. Therefore, the proposed off-site improvements to re-route the water and sewer lines that cross the project site shall be implemented. These include, constructing 8-inch water mains in N. Clementine Street, and Nevada Street, and constructing 8-inch sewer mains in N. Clementine Street, Pier View Way, and Nevada Street.

184. The City is planning to relocate the existing 6" VCP sewer main located on the property of 609 Pier View Way per the Downtown Water and Sewer Replacement Project Phase II. The sewer main will be relocated to N Ditmar St. and Pier View Way. This sewer relocation must be completed prior to final occupancy of the proposed development at 810 Mission Ave. If the replacement project is not complete, the Developer may elect to relocate the sewer main and request a reimbursement from the City.

185. An Oil and Sand Interceptor, as described by the latest adopted California Plumbing Code Chapter 10, relating to garages, gasoline stations, wash racks or when deemed necessary shall be shown on building plans at each building sewer in an appropriate location and shall be maintained in accordance with the Fats, Oil, and Grease permit. The location shall be shown on the approved Engineering Plans with reference to Building Plans for design and detail.

186. A Grease Interceptor, as required per City of Oceanside Ordinance 07-OR0021-1 & 18-OR0021-1 relating to food service establishments shall be on each building sewer when deemed necessary in an appropriate outside location and shall be maintained by the property owner. The grease interceptor shall be shown on Engineering Plans with reference to Building Plans for design and detail.

- 1 187. Connections to a public sewer main with a 6-inch or larger sewer lateral will require a new
2 sewer manhole for connection to main per Section 3.3 of Water, Sewer, and Recycled
3 Water Design and Construction Manual.
- 4 188. Connection to an existing sewer manhole will require rehabilitation of the manhole per
5 City standards. Rehabilitation may include, but not be limited to, re-channeling of the
6 manhole base, surface preparation and coating the interior of the manhole, and replacing
7 the manhole cone with a 36" opening and double ring manhole frame and lid.
- 8 189. The commercial space will require a separate sewer lateral from the residential units.
9 Sewage from all units (commercial, residential) may combine on site before entering the
10 public sewer system, but the commercial space sewage shall be capable of being isolated
11 and sampled on site.
- 12 190. Where private sewer system is shared with other tenants, a Homeowner's Association or
13 Property Management Company and CC&Rs should address the maintenance, repair, and
14 replacement of "shared" sewer lateral or facilities.
- 15 191. A separate irrigation meter with an approved backflow prevention device is required to
16 serve common landscaped areas and shall be displayed on the plans.
- 17 192. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter and
18 reduced pressure principle backflow device on Landscape Plans.
- 19 193. Provide stationing and offsets for existing and proposed water service connections and
20 sewer laterals on plans.
- 21 194. Subterranean parking structures shall be designed with a drainage system that conveys
22 runoff to the City's Storm Drain System and shall comply with the California Regional
23 Water Quality Control Board Order No. 2013-0001.
- 24 195. Any unused water services or sewer laterals by the proposed development, shall be
25 abandoned in accordance with Water Utilities requirements. If an existing water meter is
26 abandoned then a credit will be applied towards future buy-in fees in the amount of the
27 buy-in fee of the existing meter.

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

- 1 196. Show location and size of existing and proposed water meter(s) on site plan of building
2 plans. Show waterline from proposed meter to connection point to building.
- 3 197. Show location and size of existing and proposed sewer lateral(s) from property line or
4 connection to sewer main to connection point at building.
- 5 198. Provide a fixture unit count table and supply demand estimate per the latest adopted
6 California Plumbing Code (Appendix A) to size the water meter(s), including sub-meters,
7 and service line(s).
- 8 199. Provide drainage fixture unit count per the latest adopted California Plumbing Code to size
9 sewer lateral for property.
- 10 200. If a Grease Interceptor is required per City of Oceanside Ordinance 07-OR0021-1, then
11 building plans must show sizing calculations per the latest California Plumbing Code, the
12 location, the make and model, and plumbing schematic showing the required
13 appurtenances at each building sewer lateral.
- 14 201. If a Sand and Oil Separator is required, then building plans must show drainage fixture unit
15 count and calculations per the latest California Plumbing Code to size oil and sand
16 separator and show on plans the location, make and model of separator, inlet/outlet piping,
17 and a plumbing schematic of the separator along with the required appurtenances at each
18 building sewer lateral.
- 19 202. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees are to
20 be paid to the City at the time of Building Permit issuance per City Code Section 32B.7.

21
22 PASSED AND ADOPTED by the Community Development Commission of the City of
23 Oceanside, California, this 7th day of October, 2025 by the following vote:

24
25 AYES:

26 NAYS:

27 ABSENT:

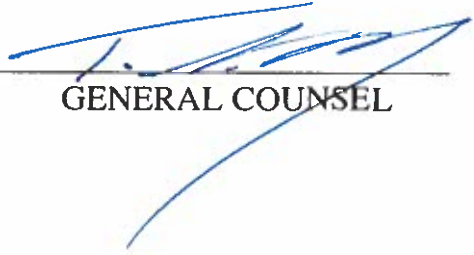
28 ABSTAIN:

CHAIRPERSON

1 ATTEST:
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5 SECRETARY
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APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



GENERAL COUNSEL