

PLANNING COMMISSION
RESOLUTION NO. 2026-P02

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF OCEANSIDE, CALIFORNIA, RECOMMENDING
APPROVAL OF A CONDITIONAL USE PERMIT ON CERTAIN
REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: CUP25-00003
APPLICANT: SOUTH MORRO HILLS 47 LLC
LOCATION: 1319 SLEEPING INDIAN ROAD

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Conditional Use Permit for a Regulated Use under the provisions of Articles 14, 36 and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

A cannabis cultivation facility within twenty-five hoop houses consisting of 43,375 square-feet on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd day of March, 2026, conduct a duly-advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto, it has determined that this project is categorically exempt from environmental review pursuant to Article 19, Categorical Exemptions, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines;

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

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

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Description	Authority for Imposition
Public Facility (Commercial/Industrial)	Ord. No. 91-09 Reso. No. 15-R0638-1
School District Fee (Commercial/Industrial)	Ord. No. 91-34 OUSD Res. 13(12-13) CUSD Res. 21-1314
Traffic Signal & Thoroughfare (Commercial/Industrial)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Ord. No. 85-23 Reso. No. 15-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

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

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

27
28 WHEREAS, the City expressly reserves the right to establish, modify or adjust any
29 fee, dedication, reservation or other exaction to the extent permitted and as authorized by
30 law;

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

1 exaction described in this resolution begins on the effective date of the Oceanside City
2 Council resolution approving the project, and any such protest must be in a manner that
3 complies with Section 66020;

4 WHEREAS, the documents or other material which constitute the record of
5 proceedings upon which the decision is based will be maintained by the City of
6 Oceanside Planning Department, 300 North Coast Highway, Oceanside, California
7 92054.

8 WHEREAS, studies and investigations made by this Commission and on its behalf
9 reveal the following facts:

10 Findings for the Conditional Use Permit:

- 11
- 12 1. The proposed location of the use is in accord with the objectives of the Zoning
13 Ordinance and the purposes of Agricultural (A) district.

14 The use is an agricultural activity consistent with existing agricultural uses in
15 the area.

16 All activity will be conducted within the project site in conformance with
17 applicable development standards.

- 18 2. The proposed location of the conditional use and the proposed conditions under
19 which it would be operated or maintained will be consistent with the General
20 Plan; will not be detrimental to the public health, safety or welfare of persons
21 residing or working in or adjacent to the neighborhood of such use; and will
22 not be detrimental to properties or improvements in the vicinity or to the
23 general welfare of the City.

24 The use will continue to operate as an agricultural use with the addition of
25 cannabis, but will continue to not generate customer traffic, will add 24-hour
26 security measures, and will properly mitigate noise, light, and odor as required
27 by the local license.

- 28 3. The proposed conditional use will comply with the provisions of the Zoning
29 Ordinance, including any specific condition required for the proposed
30 conditional use in the district in which it would be located.
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1 The project involves activities consistent with the purpose and intent of the
2 Agricultural zoning district and conforms to all applicable development
3 standards.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
5 hereby RECOMMEND APPROVAL of Conditional Use Permit CUP25-00003 subject to
6 the following conditions:
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8 **Building:**

- 9 1. The CUP documents that were submitted for the existing agricultural hoop houses
10 do not appear to include items requiring a building permit and none are being asked
11 for at this time. To obtain written confirmation that all of the proposed work items
12 would be exempt from requiring a building permit, a Permit Exemption Application
13 may be submitted to the Building Division.
- 14 2. When and if plans are submitted for anything that requires a permit for the proposed
15 project they will need to show compliance with the applicable code that is in effect
16 at the time of permit application. Please note on the first plan sheet that the applicable
17 Code for this project is the 2025 edition of the California Code of Regulations (CCR);
18 Title 24 (California Building Standards Code), and the amendments to the City of
19 Oceanside Administrative Code for Building Regulations Chapter 6 Building
20 Construction Regulations Municipal Code.
- 21 3. The 2025 triennial edition of the California Code of Regulations, Title 24 (California
22 Building Standards Code) applies to all occupancies that applied for a building permit
23 on or after January 1, 2026, and remains in effect until the effective date of the 2028
24 triennial edition which will be January 1, 2029. More information about the
25 CALIFORNIA BUILDING STANDARDS CODE can be obtained at the Building
26 Standards Commission website: <https://www.dgs.ca.gov/BSC/Codes>.
- 27 4. All architects, engineers, designers, developers, owners and contractors MUST be
28 familiar with the codes in effect at the time of plan submittal. Oceanside
29 Development Services department (ODS), as required by State law, CANNOT
30 approve projects that do not comply with the codes in effect at the time of plan
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1 submittal.

2 **Engineering:**

- 3 5. Within six (6) months of CUP approval, the applicant shall obtain an approved
4 grading permit addressing all onsite undocumented grading and associated
5 stormwater requirements, including corrective grading, drainage, erosion control,
6 and permanent stormwater best management practices, to the satisfaction of the City
7 Engineer. If grading plans are not approved within the 6-month timeframe, the
8 Conditional Use Permit (CUP25-00003) will be subject to revocation. Grading plans
9 may be submitted under the existing incomplete grading permit for the site.
10 6. Following approval of the grading permit, the applicant shall complete all approved
11 remedial grading and stormwater improvements within one (1) year. If the remedial
12 grading and stormwater improvements are not complete within the one-year
13 timeframe, the Conditional Use Permit (CUP25-00003) will be subject to revocation.

15 **Planning:**

- 16 7. The Conditional Use Permit shall lapse three years after the effective date of approval
17 by City Council unless implemented in accordance with the City of Oceanside
18 Zoning Ordinance or unless a time extension is granted.
19 8. The Conditional Use Permit grants the following use only: a cannabis cultivation
20 (mixed-light) facility within twenty-five hoop houses located at 1319 Sleeping Indian
21 Road. Any change in the use of the premises that is not in substantial conformance
22 with this approval will require a revision to the Conditional Use Permit or a new
23 Conditional Use Permit approved by the City Council.
24 9. The Conditional Use Permit is subject to review by the City Council from the date
25 of commencement of operations to determine the business compatibility with
26 surrounding land uses. The City Council may add new conditions and/or delete
27 and/or modify existing conditions as it deems necessary to protect the general
28 health, safety and welfare of residents in the area or surrounding land uses.
29 10. Failure to meet any conditions of approval for this use shall constitute a violation of
30 the Conditional Use Permit.
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- 1 11. The Conditional Use Permit may be called for review by the City Council if
2 complaints are filed and verified as valid by the Code Enforcement Office or
3 Oceanside Police Department concerning the violation of any of the approved
4 conditions or assumptions made by the application.
- 5 12. The Conditional Use Permit approves only a cannabis cultivation facility as shown
6 on the plans and exhibits presented to the Planning Commission for review and
7 recommendation to the City Council. No deviation from these approved plans and
8 exhibits shall occur without Planning Division approval. Substantial deviations shall
9 require a revision to the Conditional Use Permit.
- 10 13. Prior to the transfer of ownership and/or operation of the site the owner shall provide
11 a written copy of the applications, staff report and resolutions for the project to the
12 new owner and or operator. This notification provision shall run with the life of the
13 business.
- 14 14. Unless expressly waived, compliance with all current zoning standards and City
15 ordinances and policies are required of this use. This approval constitutes the
16 applicant's agreement with all statements contained within the Description and
17 Justification and materials submitted with this application, unless specifically waived
18 by a condition of approval.
- 19 20 15. The applicant, permittee or any successor-in-interest shall defend, indemnify and
21 hold harmless the City of Oceanside, its agents, officers or employees from any
22 claim, action or proceeding against the City, its agents, officers, or employees to
23 attack, set aside, void or annul an approval of the City, concerning Conditional Use
24 Permits CUP25-00003. The City will promptly notify the applicant of any such
25 claim, action or proceeding against the city and will cooperate fully in the defense.
26 If the City fails to promptly notify the applicant of any such claim action or
27 proceeding or fails to cooperate fully in the defense, the applicant shall not,
28 thereafter, be responsible to defend, indemnify or hold harmless the City.
- 29 30 16. The permittee shall be responsible for trash abatement on the site, and shall keep
31 the site free of litter, trash and other nuisances.
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- 1 17. The building floor plans and business operation shall be substantially the same as
2 those reviewed by the Planning Commission and approved by the City Council.
- 3 18. All signs associated with this business shall be subject to the provisions of the
4 Zoning Ordinance. The site shall not be allowed any advertising signage.
- 5 19. The hours-of-operation for this business operation are limited to 6:00 a.m. to 10:00
6 p.m. These hours may be further limited by the City Council upon review of any
7 valid issues or complaints pertaining to the hours of operation.
- 8 20. Pursuant to Chapter 7, Article XIII, deliveries shall occur only between 8:00am to
9 9:00pm.
- 10 21. A covenant or other recordable document approved by the City Attorney shall be
11 prepared by the developer and recorded prior to issuance of a business license. The
12 covenant shall provide that the property is subject to this resolution, and shall
13 generally list the conditions of approval.
- 14 22. The project shall comply with the provisions of the City's anti-graffiti (Ordinance
15 No. 93-19/Section 20.25 of the City Code). These requirements, including the
16 obligation to remove or cover with matching paint all graffiti within 24 hours.
- 17 23. Business owner shall maintain a current Local License in full compliance with
18 Chapter 7, Article XIII of the City Code.
- 19 24. Facility must be in full compliance with Chapter 7, Article XIII of the City Code.
- 20 25. Prior to issuance of a business license, applicant must submit copy of state license
21 application and approval. Any inconsistencies between City and State approval
22 may be called for review by the City Council.
- 23 26. Applicant shall make the cannabis facility premises, books, records all other
24 documents related to its operation available for inspection by any City officer or
25 official for purposes of determining compliance with all applicable legal
26 requirements.
- 27 27. Applicant shall ensure cannabis maintained at the facility is kept and stored in a
28 secured manner within a limited access area or restricted access area at all times
29 in compliance with the approved site plan.
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- 1 28. On-site smoking, ingestion, or consumption of cannabis shall be prohibited.
- 2 29. Alcohol sales, distribution, or consumption is prohibited.
- 3 30. A copy of the Local License and Conditional Use Permit shall be displayed in a
- 4 conspicuous place at the entrance to the facility.
- 5 31. Odor control provisions must be provided as shown on the plans and exhibits
- 6 presented to the Planning Commission for review and recommendation to the City
- 7 Council.
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9 **Solid Waste:**

- 10 32. The plans must include an area for storage of landfill, recycling, and food
- 11 scraps/organics within an enclosure and/or storage area screened from public view.
- 12 Plans should also label service bins for each stream. For additional information or
- 13 questions on bin/cart dimensions, servicing, or compactor service design standards
- 14 please refer to the City of Oceanside Enclosure Guidelines and the City's website.
- 15 In Oceanside, food scraps and green waste are collected separately. All customers
- 16 must subscribe and store for landfill, recycling, and food scraps. Green waste
- 17 recycling may be accommodated through the franchise provider, by a third party,
- 18 or waived for green waste only if there is no green waste onsite. Documentation is
- 19 required by the city annually for management of green waste services.
- 20 33. The City of Oceanside Enclosure Guidelines establish a minimum number of
- 21 enclosures required based on square footage in order to establish adequate service
- 22 levels. Adjustments to the amount of enclosures required may be permitted if the
- 23 applicant can indicate adequate servicing (same cubic yard requirements) through
- 24 increased frequency of service.
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- 26 34. Enclosure location(s) cannot block the alleyway, public right of way, or create
- 27 public nuisance. Plans should provide the traffic pathway for service vehicles to
- 28 ensure adequate access. Refer to the City of Oceanside Enclosure Guidelines for
- 29 enclosure location and hauler access requirements.
- 30 35. The City of Oceanside reserves the right to review program and services levels and
- 31 request increases if deemed necessary. The City of Oceanside Municipal Code
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1 Chapter 13 requires that Oceanside residents, businesses and multifamily projects
2 are to separate all recyclable material from other solid waste. Additionally, the
3 State of California

4 **Water:**

- 5 36. For developments requiring new water service or increased water service to a
6 property, the landowner must enter into an agreement with the City providing for
7 landowner's assignment of any rights to divert or extract local groundwater supplies
8 for the benefit of the property to receive new or increased water service, in return for
9 water service from the City, upon such terms as may be provided by the Water
10 Utilities Director.
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- 12 37. All existing active and non-active groundwater wells must be shown on conceptual,
13 grading, and improvement plans.
- 14 38. The developer will be responsible for developing all water and sewer utilities
15 necessary to develop the property. Any relocation of water and/or sewer utilities is
16 the responsibility of the developer and shall be done by an approved licensed
17 contractor at the developer's expense.
- 18 39. All Water and Wastewater construction shall conform to the most recent edition of
19 the *Water, Sewer, and Recycled Water Design and Construction Manual* or as
20 approved by the Water Utilities Director.
- 21 40. The property owner shall maintain private water and wastewater utilities located on
22 private property.
- 23 41. Water services and sewer laterals constructed in existing right-of-way locations are
24 to be constructed by an approved and licensed contractor at developer's expense.
- 25 42. There is an existing 14-inch CCP water main and an existing 16-inch AC water main
26 that traverse the property and are located within a City easement. The water mains
27 shall be protected at all times at the Developer's expense. On-site locations with
28 unpaved roads where heavy grading equipment and trucks will cross over the existing
29 pipelines shall be reinforced with steel plates to protect the water mains.
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- 1 43. All water meters shall be equipped with an RP Backflow device per City standard
2 drawings.
- 3 44. Structures requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire
4 protection shall have a dedicated fire service connection to a public water main with
5 a double check detector backflow assembly. Location of the backflow assembly must
6 be approved by Fire Department.
- 7 45. Any water and/or sewer improvements required to develop the proposed property
8 will need to be included in the improvement plans and designed in accordance with
9 the *Water, Sewer, and Recycled Water Design and Construction Manual*.
- 10 46. All public water and/or sewer facilities not located within the public right-of-way
11 shall be provided with easements sized according to the *Water, Sewer, and Recycled*
12 *Water Design and Construction Manual*. Easements shall be constructed for all
13 weather access.
- 14 47. No trees, structures or building overhang shall be located within any water or
15 wastewater utility easement.
- 16 48. Show location of existing and proposed septic system & leach fields. Reference
17 County document number approving the existing or proposed system.
- 18 49. Provide stationing and offsets for existing and proposed water service connections.
- 19 50. Any unused water services or sewer laterals by the proposed development or
20 redevelopment, shall be abandoned in accordance with Water Utilities
21 requirements. If an existing water meter is abandoned then a credit will be applied
22 towards future buy-in fees in the amount of the current buy-in fee of the existing
23 meter.
- 24 51. The Comparative Water Use Analysis for the proposed Cannabis Cultivation in
25 the City of Oceanside was reviewed by the Water Utilities Department. The
26 analysis shows that the proposed transition from hemp to cannabis cultivation
27 results in no increase to water demand at the property and no impact to the City's
28 public water system.
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1 PASSED AND ADOPTED Resolution No. 2026-P02 on March 23, 2026, by the
2 following vote, to wit:

3 AYES: Rosales, Morrissey, Anthony, Redgate, Gonzales

4 NAYS:

5 ABSENT: Balma & Dodds

6 ABSTAIN:

7 

8 _____
9 Tom Morrissey, Chairperson
10 Oceanside Planning Commission

11 ATTEST:

12 

13 _____
14 Oscar Romero, Secretary

15 I, OSCAR ROMERO, Secretary of the Oceanside Planning Commission, hereby certify
16 that this is a true and correct copy of Resolution No. 2026-P02.

17 Dated: March 23, 2026