

<sup>1</sup>AGENDA  
OCEANSIDE DEVELOPER'S CONFERENCE

Wednesday, September 23, 2020

**Reviewers- Please complete the Developer's Conference comment sheet template and attach to the TRAKiT record by end of day Tues, 9/22/20.**

1. 9:30 - 10:30 am SKYPE teleconference

Proposed 5-story mixed use development with ground level commercial and 70 residential units on a 1.81-acre lot located at Mission Avenue and Frontier Drive (former Caltrans property). Proposed applicability of SB 1818 (State Density Bonus), SB 35 (Streamlined Affordable Housing) and SB 330 (Housing Crisis Act of 2019). [ADM20-00059]

**Zoning: CG (General Commercial)**  
**Land Use: General Commercial**  
**Neighborhood Area: Loma Alta**  
**Assessor Parcel Number(s): 160-053-12**  
**Contact Person: Jerry Flores**  
**Email: [design.jr@peykancorp.com](mailto:design.jr@peykancorp.com)**

2. 10:30 - 11:30 am SKYPE teleconference

Discussion of status of the Cleveland Street Beach Lofts project at 314 N. Cleveland Street. The lender foreclosed on the property on 8/12/20 and wishes to confirm and understand any remaining outstanding issues with the site/project. Owner has heard there may be a potential encroachment issue (e.g. improvements built within the setback?). Originally approved under T-201-07, D-207-07, RC-210-07, C-202-07 and C-204-07 (CDC Reso No. 08-R0329-3). All permits under PermitTRAK appear to be either issued or finalized. Building permit for structure under BLDG15-3635. [ADM20-00060]

**Zoning: D-1A (Commercial Retail and Office/Historic/Residential Possible [MU])**  
**Land Use: Downtown**  
**Neighborhood Area: Townsite**  
**Assessor Parcel Number(s): 147-088-15**  
**Contact Person: Nick Harnsberger**  
**Email: [nick@empacllc.com](mailto:nick@empacllc.com)**

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<sup>1</sup> The Developer's Conference provides an informal forum for prospective applicants to receive preliminary input from City staff on conceptual plans that may or may not ultimately evolve into formal application submittals. These conferences do not constitute public meetings; consequently, conference attendance by the public is at the discretion of the prospective applicant. Interested parties may contact the prospective applicant, whose contact information is included on the conference agenda. Questions and comments can also be addressed to Planning Division staff.





# Developer's Conference (Pre-Application) Request Form

Development Services Department, Planning Division  
300 N. Coast Hwy, Oceanside, CA 92054, (760) 435-4373

## General Information

Project/Property Address: MISSION AVE & FRONTIER DRIVE

Assessor's Parcel Number: 160-053-12-00

Lot Area (acres or SF): 1.81

Existing Use: VACANT LOT

Brief Description of Proposal:

70 UNIT MULTI-FAMILY RESIDENTIAL

## Property Owner & Applicant Information

Owner Name: PAYKAN CORPORATION & DAVID GOLMAN

Phone Number & E-Mail Address: 310-493-9607

WPOURNAM@USC.EDU

Applicant Name: PAYKAN CORPORATION

Phone Number & E-Mail Address: 310-493-9607

WPOURNAM@USC.EDU

## **To be completed if the Applicant is not the Property Owner:**

I authorize the applicant indicated above to submit the application on my behalf: \_\_\_\_\_

Signature of Property Owner  
(or attach a Letter of Authorization)

## **Requested Meeting Date/Time (please provide 2 options)** - reference the Developer's Conference calendar for dates

1<sup>st</sup> choice date: 09/23/2020      Time preference:  9:30 am     10:30 am     either

2<sup>nd</sup> choice date: \_\_\_\_\_      Time preference:  9:30 am     10:30 am     either

## **Requested Divisions to Attend (Planning attends all meetings)**

Building     Fire     Water     Engineering     Transportation     Solid Waste     Other \_\_\_\_\_

## **Email the following documents in PDF to Tiffany Chen, [tchen@oceansideca.org](mailto:tchen@oceansideca.org)**

- Project description letter
- Regional and vicinity maps (e.g. Google Maps aerial)
- Conceptual site plans and elevations

## **To be completed by City staff:**

Assigned meeting date: \_\_\_\_\_ Time: \_\_\_\_\_

Assigned Project Planner: \_\_\_\_\_













# OCEANSIDE PROJECT

THIS DOCUMENT IS THE PROPERTY OF PAYKAN CORPORATION. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

PROJECT TITLE

CONTACT  
**PAYKAN CORPORATION**  
11444 ACACIA AVE.  
HAWTHORNE, CA 90250  
DESIGN: GP@PAYKANDCORP.COM  
310.478.1321

OWNER/SUBDIVIDER  
**PAYKAN CORPORATION**  
11444 ACACIA AVE.  
HAWTHORNE, CA 90250  
(310) 478-1321  
WPCOURNAM@USC.EDU

ENGINEER

SEAL

PRINTED NAME \_\_\_\_\_  
SIGNATURE \_\_\_\_\_  
DATE ISSUED \_\_\_\_\_  
REV NO \_\_\_\_\_  
PROJECT ADDRESS  
1124 S. VERMONT AVE. LOS ANGELES,  
CA 90004

PROJECT NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_  
BLDG NO: 10200193 Issue Date: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_ CHECKED BY: \_\_\_\_\_  
Author: \_\_\_\_\_ Checker: \_\_\_\_\_

SCALE: 3/32" = 1'-0"

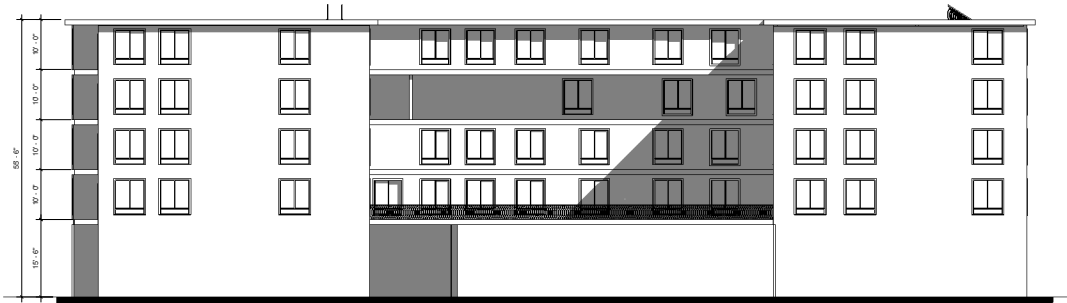
TITLE  
**ELEVATION  
PLAN**

Sheet Number:  
**A- 3.00**

8/11/2020 9:13:54 AM



1 North Elevation  
3/32" = 1'-0"

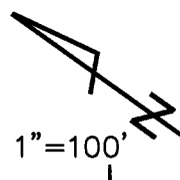


2 West Elevation Plan  
3/32" = 1'-0"





THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.



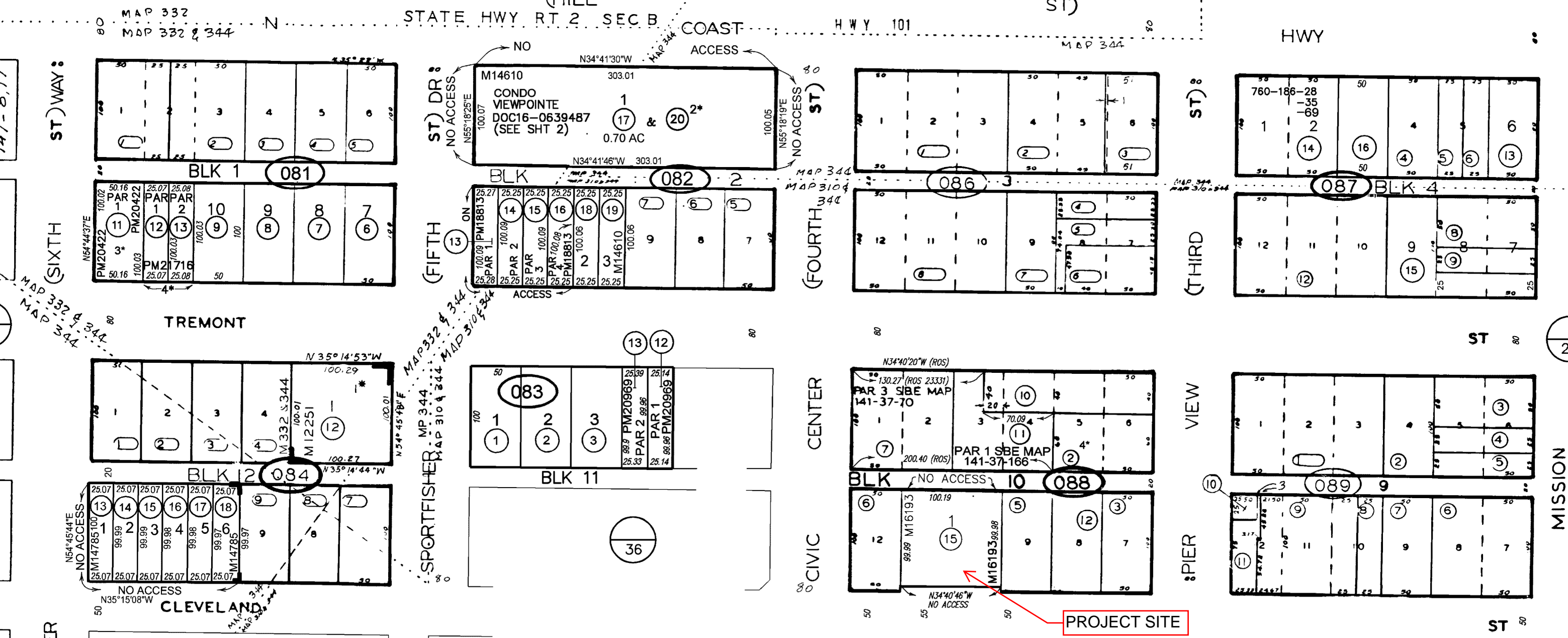
1"=100'

147-8,17

143  
24

SURFRIDER

WM  
6-20-69



11/23/2019 JGD

CHANGES	BLK	OLD	NEW	YR	CUT
	088	8	10,11	72	7457
	088	4	12	73	6238
	088	9	13,14	79	2487
	087	7	13	79	4652
	084	3	12	89	224
	084	12	CONDOM	90	625
	082	1-4	11,12	92	1524
	087	1	12	94	2108
	087	1	13	95	1470
	083	5	THRU PG	36	99 59
	085	1			
	082	9&10	13-16	02	1789
	087	10 & 11	15	03	1200
	087	2&3	16	03	1399
	082	8,11&12	17-19	04	72
	084	10&11	13-18	05	55
	081	11	CONDO	09	574
	083	4	12&13	13	1425
	082	17	CONDO	17	514
	082	17	17&20	17	514
	088	13&14	15	18	1211
	081	10	12&13	20	1269

- 1\* CONDM SILVER SURF GARDEN DOC 89-448028 (SEE SHT 2)
- 2\* COMMON AREA
- 3\* CONDO TREMONT STREET DUPLEX DOCS 08-008725 & -082971 (SEE SHT 2)
- 4\* NO ACCESS

16  
SHT 2

37

- MAP 16193 - CLEVELAND BEACH LOFTS
- MAP 14785 - SEASIDE PROPERTIES
- MAP 14610 - OCEAN VILLAGE COMPLEX
- MAP 12251 - SILVER SURF GARDENS (CONDO)
- MAP 344 - A J MYERS ADD
- MAP 332 - MYERS & MC COMBERS ADD
- MAP 310 - OCEANSIDE LOCKLING REFILED
- ROS 12553,23331



# Developer's Conference (Pre-Application) Request Form

Development Services Department, Planning Division  
300 N. Coast Hwy, Oceanside, CA 92054, (760) 435-4373

## General Information

Project/Property Address:

Assessor's Parcel Number: \_\_\_\_\_ Lot Area (acres or SF): \_\_\_\_\_

Existing Use:

Brief Description of Proposal:

## Property Owner & Applicant Information

Owner Name:

Phone Number & E-Mail Address:

Applicant Name:

Phone Number & E-Mail Address: \_\_\_\_\_

### To be completed if the Applicant is not the Property Owner:

I authorize the applicant indicated above to submit the application on my behalf: \_\_\_\_\_

Signature of Property Owner  
(or attach a Letter of Authorization)

### Requested Meeting Date/Time (please provide 2 options) - reference the Developer's Conference calendar for dates

1<sup>st</sup> choice date:  Time preference:  9:30 am  10:30 am  either

2<sup>nd</sup> choice date:  Time preference:  9:30 am  10:30 am  either

### Requested Divisions to Attend (Planning attends all meetings)

Building  Fire  Water  Engineering  Transportation  Solid Waste  Other \_\_\_\_\_

### Email the following documents in PDF to Tiffany Chen, [tchen@oceansideca.org](mailto:tchen@oceansideca.org)

- Project description letter
- Regional and vicinity maps (e.g. Google Maps aerial)
- Conceptual site plans and elevations

### To be completed by City staff:

Assigned meeting date: \_\_\_\_\_ Time: \_\_\_\_\_

Assigned Project Planner: \_\_\_\_\_

## Tiffany Chen

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**From:** Nick Harnsberger <nick@empacllc.com>  
**Sent:** Thursday, August 13, 2020 4:24 PM  
**To:** Tiffany Chen  
**Subject:** Request for Developer's Conference // 314 N. Cleveland Street  
**Attachments:** 314 N Cleveland\_Developer's Conference\_2020 08 13.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**Warning: External Source**

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Tiffany:

I am writing to request a developer's conference for 314 N. Cleveland Street in Oceanside. I am a partner and co-owner of the lender who foreclosed on this project on August 12, 2020. As the new owner, we would like to meet with the City to understand any outstanding issues with the site.

On a previous visit to the city, a planning official communicated that there was some kind of encroachment issue (perhaps improvements were built in the setback?). I was hoping we could also address any other issues or concerns the city might have. I plan to have my contractor present at the meeting so he can confirm what work has been signed off to date and what is remaining to be completed.

Please let me know if you have any questions.

Regards,

Nick Harnsberger

RESOLUTION NO. 16-R0750-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING THE FINAL MAP OF CLEVELAND STREET BEACH LOFTS

WHEREAS, the City staff indicates that the sub-divider of Cleveland Street Beach Lofts (Tentative Map) has substantially satisfied all tentative map requirements and conditions as set forth in Planning Commission Resolution 08-R0329-3.

NOW, THEREFORE, the City Council of the City of Oceanside does resolve the following:

SECTION 1: That the Final Map of Cleveland Street Beach Lofts is approved and the required City officials are authorized to execute the appropriate certificates pertaining thereto.

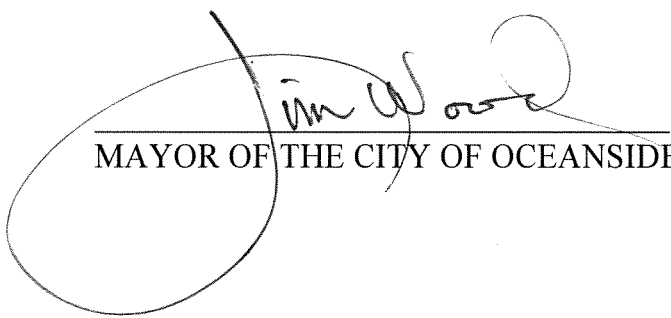
PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this 16th day of November, 2016, by the following vote:

AYES: WOOD, FELLER, KERN, LOWERY, SANCHEZ


NAYS: NONE

ABSENT: NONE


ABSTAIN: NONE

  
MAYOR OF THE CITY OF OCEANSIDE

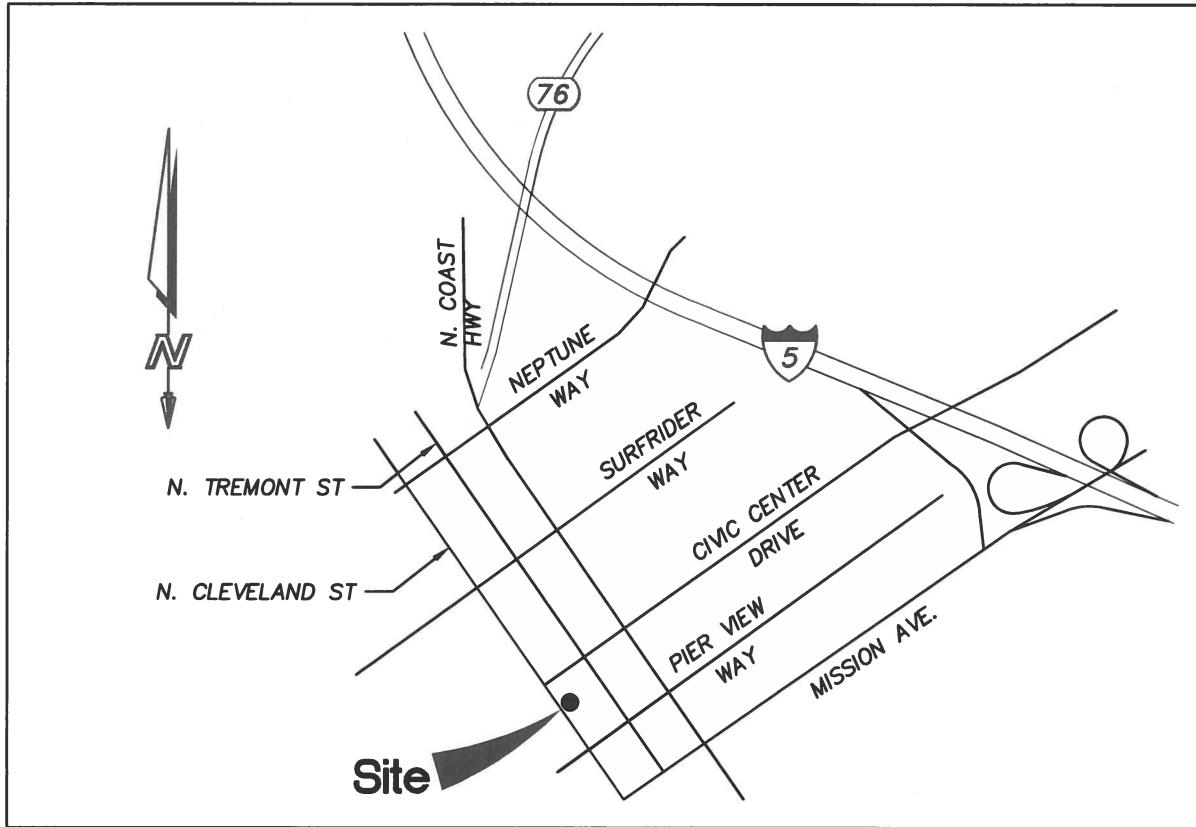
APPROVED AS TO FORM:

  
CITY ATTORNEY

ATTEST:

  
CITY CLERK

# EXHIBIT 'A'



**VICINITY MAP**  
NO SCALE

THOMAS GRID: 1086 A7

## LEGAL DESCRIPTION

LOTS 10 AND 11 IN BLOCK 10 OF OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 344, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 1, 1885

1 RESOLUTION NO. 08-R0329-3

2 A RESOLUTION OF THE COMMUNITY DEVELOPMENT  
3 COMMISSION OF THE CITY OF OCEANSIDE APPROVING  
4 A TENTATIVE MAP, DEVELOPMENT PLAN, REGULAR  
5 COASTAL PERMIT AND CONDITIONAL USE PERMITS FOR  
6 THE CONSTRUCTION OF A MIXED USE PROJECT  
7 CONSISTING OF 10 MULTIFAMILY UNITS AND 2,000  
8 SQUARE FEET OF GROUND-FLOOR OFFICE-RETAIL USES  
9 LOCATED AT 314 NORTH CLEVELAND STREET -  
10 APPLICANT: MICHAEL CHEGINI

11 WHEREAS, on May 21, 2008, the Community Development Commission held its duly  
12 noticed public hearing, considered an application for a Tentative Map (T-201-07), Development  
13 Plan (D-207-07), Regular Coastal Permit (RC-210-07) and Conditional Use Permits (C-202-07  
14 & C-204-07)) for the construction of a mixed-use project consisting of 10 multifamily units and  
15 2,000 square feet of ground-floor office/retail uses located 314 North Cleveland Street;

16 WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of  
17 Oceanside did, on February 15, 2008, review and recommend approval of Tentative Map (T-  
18 201-07), Development Plan (D-207-07), Regular Coastal Permit (RC-210-07) and Conditional  
19 Use Permits (C-202-07 & C-204-07);

20 WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside  
21 did, on March 26, 2008 review and recommend approval of Tentative Map (T-201-07),  
22 Development Plan (D-207-07), Regular Coastal Permit (RC-210-07) and Conditional Use  
23 Permits (C-202-07 & C-204-07);

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

26 WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City  
27 of Oceanside for this application pursuant to the California Environmental Quality Act of 1970  
28 and the State Guidelines implementing the Act. The project is considered an infill development  
and will not have a detrimental effect on the environment;

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

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

1 as provided below:

2	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or</u>
3			<u>Calculation Formula</u>
4	Parkland Dedication/Fee	Ordinance No. 91-10	\$3,503 per unit
5		Resolution No. 06-R0334-1	
6	Drainage Fee	Ordinance No. 85-23	\$2,843 per acre
7		Resolution No. 06-R0334-1	
8	Public Facility Fee	Ordinance No. 91-09	\$2,072 per unit
9		Resolution No. 05-R0334-1	
10	School Facilities Mitigation	Ordinance No. 91-34	\$2.63 per square foot
11	Fee		
12	Traffic Signal Fee	Ordinance No. 87-19	\$15.71 per vehicle trip
13		Resolution No. 06-R0334-1	
14	Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based
15		Resolution No. 06-R0334-1	on SANDAG trip generation
16	Water System Buy-in Fees	Oceanside City Code	Fee based on water meter
17		§37.56.1	size. Residential is typically
18		Resolution No. 87-96	\$3,746 per unit;
19		Ordinance No. 05-OR 0611-1	
20	Wastewater System Buy-in	Oceanside City Code §	Based on meter size.
21	fees	29.11.1	Residential is typically
22		Resolution No. 87-97	\$4,587 per unit;
23		Ordinance No. 05-OR 0610-1	
24	San Diego County Water	SDCWA Ordinance No.	Based on meter size.
25	Authority Capacity Fees	2005-03	Residential is typically
26			\$4,154 per unit

27 WHEREAS, the current fees referenced above are merely fee amount estimates of the  
28 impact fees that would be required if due and payable under currently applicable ordinances and

1 resolutions, presume the accuracy of relevant project information provided by the applicant, and  
2 are not necessarily the fee amounts that will be owing when such fees become due and payable;

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

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

9 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS FURTHER  
10 GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or  
11 other exaction described in this resolution begins on the effective date of this resolution and any  
12 such protest must be in a manner that complies with Section 66020; and

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

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

17 **FINDINGS:**

18 **For the Tentative Map:**

19 1. The proposed condominium meets the requirement of the Subdistrict 1A zoning  
20 designation in that the project creates a 10-unit condominium map on an existing legal lot as  
21 stipulated within Article 12 of the Downtown District development standards. The subdivision  
22 map is consistent with the General Plan, Redevelopment Plan, Article 12 of the Downtown District  
23 and the Subdivision Ordinance of the City of Oceanside by merging two existing legal lots and  
24 creating one 10,049 lot where the minimum lot size is 5,000 square feet.

25 2. The proposed building on the site will conform to the topography of the site,  
26 therefore, making it suitable for residential development. The subject site is physically suitable to  
27 allow for the development of a mixed use project consisting of 10-unit multifamily and 2,000  
28 square feet of ground floor office-retail uses.

3. The subdivision complies with all other applicable ordinances, regulations and  
guidelines of the City.

1           4.       The design of the subdivision or proposed improvements will not conflict with  
2 easements, acquired by the public at large, for access through or use of property within the  
3 subdivision.

4           5.       The design of the subdivision or the proposed improvements will not cause  
5 substantial environment damage or substantially and avoidably injure fish or wildlife or their  
6 habitat because the proposed project is an infill site that does not contain any sensitive habitat, river  
7 or blue stream, wildlife, cultural resources, riparian habitat, sensitive landforms and/or geologic  
8 formations or minerals, sensitive fauna and marine life.

**For the Development Plan:**

9           1.       The site plan and physical design of the project as proposed is consistent with the  
10 purposes of the City's Zoning Ordinance and the "D" Downtown District in that the  
11 architectural design of the proposed structure and the landscaping of the open space meets or  
12 exceeds the minimum development standards of the "D" Downtown District. The proposed  
13 project meets the minimum setbacks, landscape, open space, height and parking spaces as  
14 stipulated within the "D" Downtown District development standards. In addition, the project is  
15 consistent with the new mixed-use development such as Oceanside Terraces located within the  
16 surrounding neighborhood.

17           2.       The Development Plan as proposed conforms to the Redevelopment Plan, and  
18 General Plan of the City in that the mixed use development is consistent with the land uses of  
19 the Redevelopment Plan and the project meets the minimum setbacks, landscape, open space,  
20 height and parking spaces as stipulated within the "D" Downtown District development  
21 standards. In addition, the project is consistent with the newer development located within the  
22 surrounding neighborhood.

23           3.       The area covered by the Development Plan can be adequately, reasonably and  
24 conveniently served by existing and planned public services, utilities and public facilities. The  
25 proposed mixed use development project will not create public service and facility demands  
26 exceeding the capacity of existing and planned infrastructure.

27           4.       The proposed project, a mixed use development, is compatible with the newer  
28 development within the surrounding neighborhood in that in comparing the project's product type

1 and corresponding square footages to the unit types and square footages that exist in the area, it can  
2 be found that the proposed unit sizes are comparable in size and would have a positive effect on the  
3 area.

4 5. The site plan and physical design of the project is consistent with Section 1.24 and  
5 1.25 of the Land Use Element of the General Plan, and Section 3039 of the Oceanside Zoning  
6 Ordinance (Hillside Development Provisions), in that there is only 2.5 foot grade differentials from  
7 the highest and lowest points of the subject site and therefore the project would not be subject to  
8 the guidelines of the Land Use Element of the General Plan.

9 **For the Conditional Use Permit for a Mixed-Use Development:**

10 1. The total number of dwelling units in the Mixed-Use Development Plan (MUDP)  
11 does not exceed the maximum density (43 du. ac.) permitted under the General Plan land use  
12 regulations.

13 2. The proposed development achieved under the MUDP will contribute to an  
14 enhanced and superior urban environment in comparison to a development that might otherwise  
15 be realized apart from the proposed MUDP. The proposed ground floor commercial which  
16 provides a pedestrian feel combined with the openness of the proposed balconies and common  
17 use area for the residential component, is a quality that cannot be found for either a single use  
18 commercial and/or residential building.

19 3. The MUDP is consistent with the adopted land use policies and regulations for  
20 the Redevelopment land use area. The project proposes residential and office/retail uses which  
21 are consistent with the General Plan, Redevelopment Plan and the Downtown "D" District  
22 Zoning Ordinance.

23 4. The MUDP will be adequately served by the necessary utilities and facilities.  
24 The project connection to the existing utilities and facilities will not exceed the capacity of the  
25 existing systems.

26 5. The traffic expected to be generated by the MUDP alone which will increase the  
27 average daily trips (ADT) by 100, will not exceed the 7,000 ADT maximum capacity of North  
28 Cleveland Street.

6. The MUDP will not significantly effect "shadowing" upon the adjacent  
properties in comparison of the development shading that would otherwise be realized from a

1 development not containing a mixed-use component. The maximum height for commercial  
2 development for this zone is 45 feet and the project proposes a maximum height of 45 feet.  
3 Due to this fact, the shadowing effect to adjacent properties will not be increased by the  
4 proposed mixed-use development as opposed to a single use commercial development.

5 **Conditional Use Permit for the 10% Reduction of Parking Spaces:**

6 1. That the proposed location of the use is in accord with the objectives of this  
7 ordinance and the purposes of the district in which the site is located. The location of the mixed  
8 use development for the reduction in parking is consistent with the allowable uses within this  
9 land use district (Subdistrict 1A) of the Redevelopment Plan.

10 2. That the proposed location of the conditional use and the proposed conditions  
11 under which it would be operated or maintained will be consistent with the General Plan; will  
12 not be detrimental to the public health, safety or welfare of persons residing or working in or  
13 adjacent to the neighborhood of such use; and will not be detrimental to properties or  
14 improvements in the vicinity or to the general welfare of the city. The proposed restrictions for  
15 the conditional use permit are consistent with the Zoning Ordinance, General Plan, Local  
16 Coastal Plan and Redevelopment Plan, will not affect neighborhood compatibility. The  
17 proposed mixed use development and the conditions under which it will be allowed to operate  
18 will not be detrimental to the public health, safety or welfare of persons residing or working in  
19 or adjacent to the subject site.

20 3. That the proposed conditional use will comply with the provisions of this  
21 Ordinance, including any specific condition required for the proposed conditional use in the district  
22 in which it would be located. The proposed project will comply with all conditions of this  
23 resolution and any specific conditions established the Downtown "D" District Zoning  
24 Ordinance.

25 4. The project proposes a deficit of three (3) parking spaces than the required  
26 parking space ratio as established in Section 3103 of the Oceanside Zoning Ordinance. In  
27 accordance with the Parking Demand Analysis prepared by Owen Design (March 5, 2008),  
28 stated that the project's land use combination provides an opportunity for users to share  
available parking spaces. The retail and office uses have a peak parking demand during the day  
time when residential parking demand is minimal. Likewise, parking space demand for office

1 uses would be non-existent during the nights, and retail user's parking demand would start to  
2 diminish during the evenings. Additionally, the subject site is within walking distance of the  
3 Oceanside Transit Center which encourages office and retail users to ride trains or buses instead  
4 of driving and parking on-site. These factors would contribute to a significant reduction in the  
5 project's parking demands and requirements. The proposed project would require a total of 26  
6 parking spaces per Section 3103 of the Oceanside Zoning Ordinance, without shared parking.  
7 With shared parking, a total of 23 parking spaces are required. The parking demand could be  
8 further reduced due to location of the subject site to the transit center in addition, to the public  
9 parking lot located west of the subject site.

10 5. The long term occupancy of the building will not generate additional parking demand in  
11 that any proposed commercial or residential uses allowed by the Downtown "D" District located  
12 within Subdistrict 1A. Future tenants will be restricted to the land uses that ensure there are an  
13 adequate amount of parking spaces at the parking space ratio established by Section 3103 of the  
14 Downtown "D" District Zoning Ordinance.

15 SECTION 1. That Tentative Map (T-201-07), Development Plan (D-207-07), Regular  
16 Coastal Permit (RC-210-07) and Conditional Use Permits (C-202-07 & C-204-07)) are hereby  
17 approved subject to the following conditions:

18 **Building:**

19 1. Applicable Building Codes and Ordinances shall be based on the date of  
20 submittal for Building Department plan check (Currently the 2007 California Building Code  
21 and 2007 California Electrical Code).

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

24 3. The building plans for this project are required by State law to be prepared by a  
25 licensed architect or engineer and must be in compliance with this requirement prior to  
26 submittal for building plan review.

27 4. Site development, common use areas, access and adaptability of condominiums  
28 shall comply with the State's Disabled Accessibility Regulations (2007 California Building  
Code (CBC) Chapter 11A).

5. Site development, parking, access into buildings, and building interiors shall

1 comply with the State's Disabled Accessibility Regulations (2007 California Building Code  
2 (CBC) Chapter 11B).

3 6. All electrical, communication, CATV, etc. service lines, within the exterior lines  
4 of the property shall be underground. (City Code Sec. 6.30)

5 7. All outdoor lighting must comply with Chapter 39 of the City Code. (Light  
6 Pollution Ordinance) Where color rendition is important, high-pressure sodium, metal halide or  
7 other such lights may be utilized and shall be shown on building and electrical plans.

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

10 9. The developer shall monitor, supervise and control all building construction and  
11 supportive activities so as to prevent these activities from causing a public nuisance, including, but  
12 not limited to, strict adherence to the following:

13 a) Building construction work hours shall be limited to between 7 a.m. and  
14 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not  
15 inherently noise-producing. Examples of work not permitted on Saturday are concrete and  
16 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be  
17 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor  
18 Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the  
19 provisions of the Oceanside City Code Chapter 38. (Noise Ordinance)

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

25 10. A complete soils report, structural and energy calculations will be required at  
26 time of plans submittal to the Building Division for plan check.

27 11. A private sewer system design must be submitted to the Building Department  
28 and approved prior to the construction of the sewer system. If a gravity flow system is not used,  
an engineered mechanical system must be submitted and approved by the Redevelopment,  
Engineering, Water and Building Department.

1           12.    Separate/unique addresses will/may be required to facilitate utility releases.  
2 Verification that the addresses have been properly assigned by the City's Planning Department  
3 shall accompany the Building Permit application.

4           13.    Fire sprinklers are required for apartment, condominium and hotel buildings [CBC  
5 904.2.7].

6           14.    Wood stud walls and bearing partitions shall not support more than two (2) floors  
7 and a roof unless an analysis satisfactory to the building official shows that shrinkage of the wood  
8 framing will not have adverse affects on the structure or any plumbing, electrical or mechanical  
9 systems, or other equipment installed therein due to excessive shrinkage or differential movements  
caused by shrinkage. [CBC 2308]

10          15.    A "plat" drawing shall be submitted depicting the first floor elevations for each  
11 segment, the locations of the points where the floor level is 6 feet above grade, and the lowest  
12 elevation within 5 feet from the building for each segment.

13          16.    Plan submittal to the Building Division must include a Pedestrian Protection Plan  
14 complying with the requirements of CBC 3306 and Table 3306.1

15          17.    Tenant Improvements or other construction to the existing building requires permits  
16 (including all required Inspections and approvals, and Issuance of Certificate of Occupancy) from  
17 the Building Division.

18           **Engineering:**

19          18.    For the demolition of any existing structures or surface improvements, grading  
20 plans shall be submitted and erosion control plans be approved by the City Engineer prior to the  
21 issuance of a demolition permit. No demolition shall be permitted without an approved erosion  
control plan.

22          19.    Vehicular access rights to Cleveland Street and, with the exception of the access  
23 points approved by the City Engineer, to the Alley shall be relinquished by the property owner.

24          20.    All right-of-way alignments, street dedications, exact geometrics and widths shall  
25 be dedicated and improved as required by the City Engineer.

26          21.    Design and construction of all improvements shall be in accordance with  
27 standard plans, specifications of the City of Oceanside and subject to approval by the City  
28 Engineer.

1           22.     Prior to issuance of a building permit, unless already fully covered by an  
2 appropriately binding subdivision agreement, all improvement requirements shall be covered by  
3 a development agreement and secured with sufficient improvement securities or bonds  
4 guaranteeing performance and payment for labor and materials, setting of monuments, and  
5 warranty against defective materials and workmanship.

6           23.     The developer shall provide public street dedication along the property's frontage  
7 on Cleveland Street as required to serve the property. The dedication shall bring the half right of  
8 way width (measured from the right of way centerline of the road) to thirty (30) feet on the  
9 developer's side of the road.

10          24.     Prior to approval of the final map or any increment, all improvement requirements,  
11 within such increment or outside of it if required by the City Engineer, shall be covered by a  
12 subdivision agreement and secured with sufficient improvement securities or bonds guaranteeing  
13 performance and payment for labor and materials, setting of monuments, and warranty against  
14 defective materials and workmanship.

15          25.     The subdivision shall be recorded and developed as one. A construction-phasing  
16 plan for the construction of public and private improvements shall be reviewed and approved by  
17 the City Engineer prior to the approval of the final map or issuance of a building permit  
18 (whichever occurs first). Prior to the issuance of any building permits all improvements including  
19 landscaping, frontage improvements shall be under construction to the satisfaction of the City  
20 Engineer. Prior to issuance of any certificates of occupancy the City Engineer shall require the  
21 dedication and construction of necessary utilities, streets and other improvements outside the area  
22 of any particular final map, if such is needed for circulation, parking, access or for the welfare or  
23 safety of future occupants of the development.

24          26.     The subdivider shall provide the City of Oceanside with a certification from each  
25 public utility and each public entity owning easements within the proposed project stating that:  
26 (a) they have received from the developer a copy of the proposed map; (b) they object or do not  
27 object to the filing of the map without their signature; (c) in case of a street dedication affected  
28 by their existing easement, they will sign a "subordination certificate" or "joint-use certificate"  
on the map when required by the governing body. In addition, the subdivider shall furnish  
proof to the satisfaction of the City Engineer that no new encumbrances have been created that

1 would subordinate the City's interest over areas to be dedicated for public road purposes since  
2 submittal of the project.

3 27. Prior to the issuance of any permits for models, a construction-phasing plan for  
4 the entire project shall be reviewed and approved by the City Planner, City Engineer, and  
5 Building Official. All improvements shall be under construction to the satisfaction of the City  
6 Engineer prior to the issuance of any building permits. All public and private improvements  
7 including landscaping and offsite streets or arterials that are found to be required to serve the  
8 model complex shall be completed prior to the issuance of any certificates of occupancy.

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

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

24 30. Prior to the issuance of a grading permit, the Developer shall notify and host a  
25 neighborhood meeting with all of the area residents located within 300 feet of the project site,  
26 and residents of property along any residential streets to be used as a "haul route", to inform  
27 them of the grading and construction schedule, haul routes, and to answer questions.

28 31. The 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, insuring strict adherence to the following:

- 1 a) Dirt, debris and other construction material shall not be deposited on any public  
2 street or within the City's storm water conveyance system.
  - 3 b) All grading and related site preparation and construction activities shall be  
4 limited to the hours of 7 AM to 6 PM, Monday through Friday. No engineering  
5 related construction activities shall be conducted on Saturdays, Sundays or legal  
6 holidays unless written permission is granted by the City Engineer with specific  
7 limitations to the working hours and types of permitted operations. All on-site  
8 construction staging areas shall be as far as possible (minimum 100 feet) from  
9 any existing residential development. Because construction noise may still be  
10 intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance  
11 also prohibits "any disturbing excessive or offensive noise which causes  
12 discomfort or annoyance to reasonable persons of normal sensitivity."
  - 13 c) The construction site shall accommodate the parking of all motor vehicles used by  
14 persons working at or providing deliveries to the site.
  - 15 d) A haul route shall be obtained at least 7 days prior the start of hauling operations  
16 and must be approved by the City Engineer. Hauling operations shall be 8:00 A.M.  
17 to 3:30 P.M. unless approved otherwise.
- 18 32. A traffic control plan shall be prepared according to the City traffic control  
19 guidelines and be submitted to and approved by the City Engineer prior to the start of work  
20 within open City rights-of-way. Traffic control during construction of streets that have been  
21 opened to public traffic shall be in accordance with construction signing, marking and other  
22 protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines.  
23 Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 24 33. Approval of this development project is conditioned upon payment of all applicable  
25 impact fees and connection fees in the manner provided in chapter 32B of the Oceanside City  
26 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees, park  
27 fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to  
28 recordation of the map or the issuance of any building permits, in accordance with City Ordinances  
and policies. The developer shall also be required to join into, contribute, or participate in any  
improvement, lighting, or other special district affecting or affected by this project. Approval of

1 the tentative map and development plan shall constitute the developer's approval of such payments,  
2 and his agreement to pay for any other similar assessments or charges in effect when any increment  
3 is submitted for final map or building permit approval, and to join, contribute, and/or participate in  
4 such districts.

5 34. Cleveland Street shall be improved with port land cement concrete curb, gutter, and  
6 sidewalk.

7 35. The developer/subdivider shall provide a minimum of 10 feet parkway between the  
8 face of curb and the right of way line along the project's frontage on Cleveland Street. Sidewalk  
9 improvements shall comply with ADA requirements. A minimum four (4) feet wide continuous  
10 strip of the parkway shall be kept unpaved. All improvements, structures, including retaining  
11 wall(s), and the landscaping of the unpaved portion of the parkway shall be maintained by the  
owner of the subject property or by a Home Owners' Association in perpetuity.

12 36. Sight distance and clear space easement requirements at intersections and vehicular  
13 access points shall conform to the corner sight distance criteria as provided by SDRSD DS-20A  
14 and or DS-20B for each direction of traffic. The project's civil engineer shall submit an  
15 appropriate "Sight Distance Letter" to the City Engineer certifying compliance with this  
16 requirement.

17 37. Streetlights shall be maintained and installed on all public streets within the project  
18 and along the project's frontage per City Standards. The system shall provide uniform lighting,  
19 and be secured prior to occupancy. The developer shall pay all applicable fees, energy charges,  
20 and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also  
agree to the formulation of, or the annexation to, any appropriate street lighting district.

21 38. The alignments and all geometrics for streets, alleys, and driveways shall meet the  
22 City's applicable standards, unless alignment or geometric deviations are otherwise approved by  
23 satisfying sight distance and fire truck turning movement requirements approved with the tentative  
24 map and development plan.

25 39. Pavement sections for all streets, alleys, driveways and parking areas within the  
26 project and along the project's frontage shall be based upon approved soil tests and traffic indices.  
27 The pavement design is to be prepared by the developer's soil engineer and must be approved by  
28 the City Engineer, prior to paving.

1           40.     Prior to approval of the grading plans, the developer shall provide appropriate  
2 documentation from a geotechnical engineer on the current state of the street's structural section to  
3 the satisfaction of the City Engineer. If such documentation is not available, the developer's  
4 geotechnical engineer shall perform a field investigation of the existing pavement on all streets  
5 adjacent to the project boundary. The limits of the study shall be half-street (including median, if  
6 any) plus twelve (12) feet along the project's frontage. If required, the field investigation shall be  
7 performed according to a specific boring plan prepared by a licensed Geotechnical Engineer and  
8 approved by the City Engineer. In the absence of such approved boring plan, the field investigation  
9 shall include a minimum of one pavement boring per every one hundred (100) linear feet of street  
10 frontage. Should the existing structural section be determined to be less than the current minimum  
11 standard for AC and Class II Base as set forth in the table for City of Oceanside Pavement Design  
12 Guidelines in the City of Oceanside Engineers Manual, the Developer shall remove and reconstruct  
the pavement section as determined by the pavement analysis submittal process detailed below.

13           41.     Upon review of the pavement investigation, the City Engineer shall determine  
14 whether the Developer shall: 1) Repair all failed pavement sections, header cut and grind per the  
15 direction of the City Engineer, and construct a two (2) inch thick rubberized AC overlay; or 2)  
16 Perform R-value testing and submit a study that determines if the existing pavement meets current  
17 City standards/traffic indices. Should the study conclude that the pavement does not meet current  
18 requirements, rehabilitation/mitigation recommendations shall be provided in a pavement analysis  
19 report, and the Developer shall reconstruct the pavement per these recommendations, subject to  
20 approval by the City Engineer.

21           42.     All street improvements shall be completed to the satisfaction of the City Engineer.

22           43.     Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged  
23 during construction of the project, shall be repaired or replaced as directed by the City Engineer.

24           44.     Full width alley improvements, including the installation of a longitudinal concrete  
25 alley gutter, shall be constructed along the development's frontage with appropriate transition to  
26 the alley's access to Civic Center Drive in accordance with the standard plans and specifications of  
the City of Oceanside and as approved by the City Engineer.

27           45.     All existing overhead utility lines within the subdivision and within the full width  
28 street, alley or right-of-way abutting the new subdivision, and all new extension services for the

1 development of the project, including but not limited to, electrical, cable and telephone, shall be  
2 placed underground prior to issuance of a building permit for Parcel 2 per Section 901.G. of the  
3 Subdivision Ordinance (R91-166) and as required by the City Engineer and current City policy.

4 46. The developer shall comply with all the provisions of the City's cable television  
5 ordinances including those relating to notification as required by the City Engineer.

6 47. Grading and drainage facilities shall be designed and installed to adequately  
7 accommodate the local storm water runoff and shall be in accordance with the City's Engineers  
8 Manual and as directed by the City Engineer.

9 48. The developer shall obtain any necessary permits and clearances from all public  
10 agencies having jurisdiction over the project due to its type, size, or location, including but not  
11 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish  
12 and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES),  
13 San Diego County Health Department, prior to the issuance of grading permits.

14 49. The approval of the tentative map or development plan shall not mean that  
15 proposed grading or improvements on adjacent properties (including any City properties/Right-  
16 of-Way or easements) is granted or guaranteed to the developer. The developer is responsible  
17 for obtaining permission to grade or to construct on adjacent properties. Should such permission  
18 be denied, the resulting changes to the Tentative Map/Development Plan shall be subject to a  
19 Substantial Conformity review. Changes not meeting substantial conformity requirements shall be  
20 submitted for appropriate public hearing action.

21 50. Prior to any grading of any part of the subdivision/development, a comprehensive  
22 soils and geologic investigation shall be conducted of the soils, slopes, and formations in the  
23 project. All necessary measures shall be taken and implemented to assure slope stability, erosion  
24 control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in  
25 accordance with the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer.

26 51. The extent and location of the proposed grading including "over excavation", if  
27 any, should be clearly depicted on a grading plan. The consultant shall provide recommendations  
28 and the means for temporary excavations for removals during construction and the sequence of  
construction. Appropriate cross sections depicting the location of adjacent structures and public  
ways where the excavations would remove the lateral support shall be part of the excavation plans.

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

6           53.     This project shall provide year-round erosion control including measures for the site  
7 required for the phasing of grading. Prior to the issuance of grading permit, an erosion control  
8 plan, designed for all proposed stages of construction, shall be reviewed, secured by the developer  
9 with cash securities and approved by the City Engineer.

10          54.     Prior to issuance of a grading or building permit (with the exception of  
11 demolition permits), the developer shall submit appropriate calculations, plans, specifications,  
12 and an Operations and Maintenance (O & M) Manual for review and approval by the City  
13 Engineer and the Building Official for the construction, installation, operation, and maintenance  
14 of the non-gravity (e.g. sump pump) private storm drain system (System). The System shall be  
15 fully automated and provide sufficient redundancies and emergency backup for cases of power  
16 failures. The plans, calculations, and the O & M Manual shall be prepared by an appropriately  
17 licensed engineer to the satisfaction of the City Engineer. The operation and maintenance  
18 responsibilities for the System shall be sufficiently detailed in the Home Owners Association  
19 CC&R's and Management Plan, both of this shall adequately reference the O&M Manual. The  
20 CC&R's and the Management Plan shall be subject to the review and approval of the City  
21 Attorney and shall be recorded prior to the issuance of any certificates of occupancy or prior to  
22 the approval of the final map (whichever occurs first). Any amendments to the CC&R's or the  
23 Management Plan in which the responsibility of operation or maintenance of the System is to be  
24 changed shall not be permitted without the specific approval of the City. The System shall  
25 remain private in perpetuity. The subdivider/developer, or any successor-in interest shall  
26 defend, indemnify, and hold harmless the City, its agents, officers, or employees from any  
27 claim, action, or proceedings against the City, concerning the non-gravity private storm drain  
28 system.

          55.     Prior to issuance of a grading or building permit (with the exception of  
demolition permits), the developer shall submit appropriate calculations, plans, specifications,

1 and an Operations and Maintenance (O & M) Manual for review and approval by the City  
2 Engineer and the Building Official for the construction, installation, operation, and maintenance  
3 of the private stacked mechanical vehicle storage system. The plans, calculations, and the O &  
4 M Manual shall be prepared by an appropriately licensed engineer to the satisfaction of the City  
5 Engineer and the Building Official. The operation and maintenance responsibilities for the  
6 System shall be sufficiently detailed in the Home Owners Association CC&R's and  
7 Management Plan, both of this shall adequately reference the O&M Manual. The CC&R's and  
8 the Management Plan shall be subject to the review and approval of the City Attorney and shall  
9 be recorded prior to the issuance of any certificates of occupancy or prior to the approval of the  
10 final map (whichever occurs first). Any amendments to the CC&R's or the Management Plan  
11 in which the responsibility of operation or maintenance of the System is to be changed shall not  
12 be permitted without the specific approval of the City. The System shall remain private in  
13 perpetuity. The subdivider/developer, or any successor-in-interest shall defend, indemnify, and  
14 hold harmless the City, its agents, officers, or employees from any claim, action, or proceedings  
against the City, concerning the private stacked mechanical vehicle storage system.

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

20         57. Landscaping plans, including plans for the construction of walls, fences or other  
21 structures at or near intersections or project entrances, must conform to intersection sight distance  
22 requirements.

23         58. Landscape and irrigation plans must be submitted to the City Engineer prior to the  
24 issuance of a preliminary/rough grading permit and approved by the City Engineer prior to the  
25 issuance of occupancy permits. Frontage landscaping shall be installed prior to the issuance of  
26 any certificates of occupancy. Any project fences, sound or privacy walls and monument entry  
27 walls/signs shall be shown on, bonded for and built from the landscape plans. These features shall  
28 also be shown on the precise grading plans for purposes of location only. Plantable, segmental

1 walls shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated  
2 through project landscape plans. All plans must be approved by the City Engineer and a pre-  
3 construction meeting held, prior to the start of any improvements.

4 59. The drainage design on the development plan/tentative map is conceptual only. The  
5 final design shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer  
6 during final engineering. All drainage picked up in an underground system shall remain  
7 underground until it is discharged into an approved channel, or as otherwise approved by the City  
8 Engineer. All public storm drains shall be shown on City standard plan and profile sheets. All  
9 storm drain easements shall be dedicated where required. The developer shall be responsible for  
10 obtaining all easements for storm drainage facilities.

11 60. All storm drains shall be designed and constructed per current editions of the City's  
12 Engineers Design and Processing Manual, the San Diego County Hydrology and Drainage Design  
13 Manuals, and San Diego Area Regional Standard Drawings.

14 61. For any increase of storm water flows from the development site to other  
15 properties, the developer shall secure appropriate easement(s) from and maintenance  
16 agreement(s) with the owner(s) of the impacted properties to the satisfaction of the City  
17 Engineer. Upon approval by City Engineer and the City Attorney, the appropriate documents  
18 shall be recorded prior to issuance of any permits for the development. Should the developer be  
19 unable to secure such easement(s) or agreement(s), the resulting changes to the Development Plan  
20 shall be subject to a Substantial Conformity review. Changes not meeting substantial conformity  
21 requirements shall be submitted for appropriate public hearing action.

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

25 63. The development shall comply with all applicable regulations established by the  
26 United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant  
27 Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water  
28 discharge and any regulations adopted by the City pursuant to the NPDES. Further, the  
developer may be required to file a Notice of Intent with the State Water Resources Control  
Board to obtain coverage under the NPDES General Permit for Storm Water Discharges

1 Associated with Construction Activity and may be required to implement a Storm Water  
2 Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities.  
3 SWPPPs include both construction and post construction pollution prevention and pollution  
4 control measures and identify funding mechanisms for post construction control measures. The  
5 developer shall comply with all the provisions of the Clean Water Program during and after all  
6 phases of the development process, including but not limited to: mass grading, rough grading,  
7 construction of street and landscaping improvements, and construction of dwelling units. The  
8 developer shall design the Project's storm drains and other drainage facilities to include Best  
9 Management Practices to minimize non-point source pollution, satisfactory to the City  
10 Engineer.

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

15 65. The developer/subdivider shall prepare and submit an Operations & Maintenance  
16 (O&M) Plan to the City Engineer with the first submittal of engineering plans. The O&M Plan  
17 shall be prepared by the developer's Civil Engineer. It shall be directly based on the project's  
18 SWMP previously approved by the project's approving authority (Community Development  
19 Commission). At a minimum the O&M Plan shall include the designated responsible parties to  
20 manage the storm water BMP(s), employee's training program and duties, operating schedule,  
21 maintenance frequency, routine service schedule, specific maintenance activities, copies of  
22 resource agency permits, cost estimate for implementation of the O&M Plan and any other  
23 necessary elements.

24 66. The developer/subdivider shall enter into a City-Standard Stormwater Facilities  
25 Maintenance Agreement with the City obliging the developer/subdivider to maintain, repair and  
26 replace the Storm Water Best Management Practices (BMPs) identified in the project's  
27 approved SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be  
28 approved by the City Attorney prior to issuance of any precise grading permit and shall be  
recorded at the County Recorder's Office prior to issuance of any building permit. Security in  
the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard

1 Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of  
2 the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan, but  
3 not to exceed a total of \$25,000. The developer's Civil Engineer shall prepare the O&M cost  
4 estimate.

5 67. At a minimum, maintenance agreements shall require the staff training,  
6 inspection and maintenance of all BMPs on an annual basis. The project proponent shall  
7 complete and maintain O&M forms to document all maintenance activities. Parties responsible  
8 for the O&M plan shall retain records at the subject property for at least 5 years. These  
9 documents shall be made available to the City for inspection upon request at any time.

10 68. The Agreement shall include a copy of executed onsite and offsite access  
11 easements necessary for the operation and maintenance of BMPs that shall be binding on the  
12 land throughout the life of the project to the benefit of the party responsible for the O&M of  
13 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the O&M  
14 Plan approved by the City Engineer.

15 69. The BMPs described in the project's approved SWMP shall not be altered in any  
16 way, shape or form without formal approval by either an Administrative Substantial  
17 Conformance issued by the City Planner or the project's final approving authority (Community  
18 Development Commission) at a public hearing. The determination of whatever action is  
19 required for changes to a project's approved SWMP shall be made by the City Planner.

20 70. The developer/subdivider shall provide a copy of the title/cover page of the  
21 approved SWMP with the first engineering submittal package. The appropriate document shall  
22 be submitted for review and approval by the City Engineer. All Stormwater documents shall be  
23 in compliance with the latest edition of submission requirements.

24 71. The approval of the tentative map/development shall not mean that closure,  
25 vacation, or abandonment of any public street, right of way, easement, or facility is granted or  
26 guaranteed to the developer. The developer is responsible for applying for all closures,  
27 vacations, and abandonments as necessary. The application(s) shall be reviewed and approved  
28 or rejected by the City of Oceanside under separate process(es) per codes, ordinances, and

1 policies in effect at the time of the application. The City of Oceanside retains its full legislative  
2 discretion to consider any application to vacate a public street or right of way.

3 72. Landscape plans, shall meet the criteria of the City of Oceanside Landscape  
4 Guidelines and Specifications for Landscape Development (latest revision), Water Conservation  
5 Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the maintenance  
6 of such landscaping, shall be reviewed and approved by the City Engineer prior to the issuance  
7 of building permits. Landscaping shall not be installed until bonds have been posted, fees paid,  
8 and plans signed for final approval. The following special landscaping requirements shall be  
9 required prior to plan approval:

- 10 a. Final landscape plans shall accurately show placement of all plant material such as but  
11 not limited to trees, shrubs, and groundcovers.
- 12 b. Landscape Architect shall be aware of all utility, sewer, storm drain easement and place  
13 planting locations accordingly to meet City of Oceanside requirements.
- 14 c. All required landscape areas shall be maintained by the owner. The landscape areas  
15 shall be maintained per City of Oceanside requirements.
- 16 d. The proposed project shall meet the minimum requirements set forth by Redevelopment  
17 in all areas including landscape and setbacks.
- 18 e. Proposed landscape species shall be native or naturalized to fit the site and meet climate  
19 changes indicative to their planting location. The selection of plant material shall also  
20 be based on cultural, aesthetic, and maintenance considerations. In addition proposed  
21 landscape species shall be low water users as well as meet all fire department  
22 requirements.
- 23 f. All planting areas shall be prepared with appropriate soil amendments, fertilizers, and  
24 appropriate supplements based upon a soils report from an agricultural suitability soil  
25 sample taken from the site.
- 26 g. Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the  
27 sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to  
28 a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.

- 1 h. According to the Interim Tree Plan for the Redevelopment District at proposed project  
2 along Cleveland Street, *Pistacia chinensis* – Chinese Pistache ‘Keith Davey’ is the  
3 required street tree. Remove the *Washingtonia filifera* – California Fan Palm in the right  
4 of way and replace with min. 36” box *Pistacia chinensis* – Chinese Pistache ‘Keith  
5 Davey’ at 30’ on center.
- 6 i. Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is  
7 located within 6 feet of a trees trunk. Root barriers shall extend 5 feet in each direction  
8 from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24  
9 inches in depth. Installing a root barrier around the tree’s root ball is unacceptable.
- 10 j. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain  
11 planning department approval for these items in the conditions or application stage prior  
12 to 1<sup>st</sup> submittal of working drawings.
- 13 k. For the planting and placement of trees and their distances from hardscape and other  
14 utilities/ structures the landscape plans shall follow the City of Oceanside’s (current)  
15 Tree Planting Distances and Spacing Standards.
- 16 l. An automatic irrigation system shall be installed to provide coverage for all planting  
17 areas shown on the plan. Low precipitation equipment shall provide sufficient water for  
18 plant growth with a minimum water loss due to water run-off.
- 19 m. Irrigation systems shall use high quality, automatic control valves, controllers and other  
20 necessary irrigation equipment. All components shall be of non-corrosive material. All  
21 drip systems shall be adequately filtered and regulated per the manufacturer’s  
22 recommended design parameters.
- 23 n. All irrigation improvements shall follow the City of Oceanside Guidelines and Water  
24 Conservation Ordinance.
- 25 o. The landscape plans shall match all plans affiliated with the project.
- 26 p. Landscape plans shall comply with Biological and/or Geotechnical reports, as required,  
27 shall match the grading and improvement plans, comply with SWMP Best Management  
28 Practices and meet the satisfaction of the City Engineer.
- q. Existing landscaping on and adjacent to the site shall be protected in place and  
supplemented or replaced to meet the satisfaction of the City Engineer.

1           73. All landscaping, fences, walls, etc. on the site, in medians within the public right-  
2 of-way and within any adjoining public parkways shall be permanently maintained by the  
3 owner, his assigns or any successors-in-interest in the property. The maintenance program shall  
4 include: a) normal care and irrigation of the landscaping b) repair and replacement of plant  
5 materials c) irrigation systems as necessary d) general cleanup of the landscaped and open areas  
6 e) parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in  
7 the City taking all appropriate enforcement actions by all acceptable means including but not  
8 limited to citations and/or actual work with costs charged to or recorded against the owner. This  
9 maintenance program condition shall be recorded with a covenant as required by this resolution.

10           74. In the event that the conceptual landscape plan (CLP) does not match the  
11 conditions of approval, the resolution of approval shall govern.

12 **Fire:**

13           75. Fire Department Requirements shall be placed on plans in the notes section.

14           76. Smoke detectors are required, and detector locations must be indicated on the  
15 plans.

16           77. A minimum fire flow of 3,000 gallons per minute shall be required.

17           78. Additional hydrants may be required depending upon fire department connection  
18 locations and other building elements not shown. Hydrants must be placed within 400-feet of  
19 each other.

20           79. The size of the fire hydrant outlets shall be 2 ½", 2 ½" and 4".

21           80. In accordance with the California Fire Code Sec. 901.4.4, City approved  
22 addresses for commercial occupancies shall be placed on the structure in such a position as to be  
23 plainly visible and legible from the street or roadway fronting the property. Numbers shall be  
24 contrasting with their background.

25           81. Commercial buildings require 6 inch address numbers.

26           82. Plans shall be submitted to the Fire Prevention Bureau for plan check review and  
27 approval prior to the issuance of building permits.

28           83. Buildings shall meet Oceanside Fire Departments current codes at the time of  
building permit application.

1           84.    The fire hydrants shall be installed and tested prior to placing any combustible  
2 materials on the job site.

3           85.    Provide on-site hydrants and mains capable of supplying the required fire flow.

4           86.    All security gates shall have Knox-Box override.

5           87.    Blue hydrant identification markers shall be placed as per Oceanside's Engineers  
6 Design and Processing Manual Standard Drawing No. M-13.

7           88.    Provide standpipes as required per the 2007 C.B.C.

8           89.    Buildings four or more stories in height shall be provided with not less than one  
9 standpipe during construction. The standpipe shall be installed before the progress of  
10 construction is more than 35 feet above grade. Two and one-half inch valve hose connections  
11 shall be provided at approved accessible locations adjacent to useable stairs.

12           90.    A "Knox" key storage box shall be provided for all new construction. For  
13 buildings, other than high-rise, a minimum of three complete sets of keys shall be provided.  
14 Keys shall be provided for all exterior entry doors, fire protection equipment control rooms,  
15 mechanical and electrical rooms, elevator controls and equipment spaces, etc. For high-rise  
16 buildings six complete sets are required.

17           91.    Fire extinguishers are required and shall be included on the plans submitted for  
18 plan check.

19           92.    An automatic fire extinguisher system complying with UL300 shall be provided  
20 to protect commercial-type cooking or heating equipment that produces grease-laden vapors. A  
21 separate plan submittal is required for the installation of the system and shall be in accordance  
22 with C.F.C. Article 10.

23           93.    Provide a class "K" type portable fire extinguisher within 30-feet of the kitchen  
24 appliances emitting grease-laden vapors (N.F.P.A 17A and N.F.P.A. 96).

25           94.    Provide a 13R fire sprinkler system. The system shall be designed per N.F.P.A.  
26 13, and U.B.C. Standard 9-3, installation of sprinkler systems in residential occupancies up to  
27 and including four stories in height.

28           95.    The Fire Department connection shall not be affixed to the building. The Fire  
Department connection must be located at least 40 feet away from the building; within 40 feet  
of a fire hydrant and on the address side of the building unless otherwise determined by the Fire

1 Department. The hydrant shall be located on the same side of the street as the Fire Department  
2 connection.

3 96. Provide a fire alarm system as required per U.F.C. Article 10 and N.F.P.A. 72  
4 1999 edition.

5 97. Multi-building complexes require address directory boards that are visible from  
6 the main entrance.

7 98. Multi-tenant buildings require identification on the rear exit doors with  
8 individual suite numbers or letters.

9 99. An 800mHz Radio Signal Interference/ Bi-directional Amplifier (BDA) is  
10 required for the buildings. All new commercial and R-1 buildings and existing buildings where  
11 a structural tenant improvement is being proposed must be tested for 800mHz radio  
12 transmission interference. The radio shall be submitted to the Fire Marshal prior to final  
13 inspection by the Fire Department. When tested, if 800mHz signal strength readings (RSSI)  
14 fall below 65 in any portion of the building, either above or below grade as measured by an  
15 800mHz portable radio, purchase and installation of one or more Bi-directional Amplifier radio  
16 coverage enhancer is required. The BDA/coverage enhancer shall be maintained as a condition  
17 of occupancy and tested annually.

18 100. Rescue Air Systems shall be required. The specifications shall be reviewed and  
19 approved by the Fire Marshal.

20 **Planning:**

21 101. This Tentative Map (T-201-07), Development Plan (D-207-07), Regular Coastal  
22 Permit (RC-210-07) and Conditional Use Permits (C-202-07 & C-204-07) shall expire on  
23 May 21, 2010, unless implemented as required by the Zoning Ordinance.

24 102. This Tentative Map, Development Plan, Regular Coastal Permit and Conditional  
25 Use Permits approves only a mixed use development consisting of 10-unit multifamily  
26 residential and 2,000 square feet of ground floor retail/office uses as shown on the plans and  
27 exhibits presented to the Community Development Commission for review and approval. No  
28 deviation from these approved plans and exhibits shall occur without Economic and Community  
Development Department approval. Substantial deviations shall require a revision to the  
Tentative Map, Development Plan, Regular Coastal Permit and Conditional Use Permits or a  
new Tentative Map, Development Plan, Regular Coastal Permit and Conditional Use Permits.

1  
2 103. The applicant, permittee or any successor-in-interest shall defend, indemnify and  
3 hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
4 proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul  
5 an approval of the City, concerning Tentative Map (T-201-07), Development Plan (D-207-07),  
6 Regular Coastal Permit (RC-210-07) and Conditional Use Permits (C-202-07 & C-204-07).  
7 The City will promptly notify the applicant of any such claim, action or proceeding against the  
8 City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of  
9 any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall  
10 not, thereafter, be responsible to defend, indemnify or hold harmless the City.

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

15 105. Front yard landscaping with a complete irrigation system, in compliance with  
16 Water Conservation Ordinance No. 91-15, shall be required.

17 106. All multi-family unit dwelling projects shall dispose of or recycle solid waste in  
18 a manner provided in City Ordinance 13.3.

19 107. A letter of clearance from the affected school district in which the property is  
20 located shall be provided as required by City policy at the time building permits are issued.

21 108. A covenant or other recordable document approved by the City Attorney shall be  
22 prepared by the applicant developer and recorded prior to the issuance of building permits. The  
23 covenant shall provide that the property is subject to this resolution, and shall generally list the  
24 conditions of approval.

25 109. Prior to the issuance of building permits, compliance with the applicable  
26 provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall  
27 be reviewed and approved by the Economic and Community Development Department. These  
28 requirements, including the obligation to remove or cover with matching paint all graffiti within  
24 hours, shall be noted on the Landscape Plan and shall be recorded in the form of a covenant  
affecting the subject property.

110. Prior to the transfer of ownership and/or operation of the site the owner shall

1 provide a written copy of the applications, staff report and resolutions for the project to the new  
2 owner and or operator. This notification's provision shall run with the life of the project and  
3 shall be recorded as a covenant on the property.

4 111. Failure to meet any conditions of approval for this development shall constitute a  
5 violation of the Tentative Map (T-201-07), Development Plan (D-207-07), Regular Coastal  
6 Permit (RC-210-07) and Conditional Use Permits (C-202-07 & C-204-07).

7 112. Unless expressly waived, all current zoning standards and City ordinances and  
8 policies in effect at the time building permits are issued are required to be met by this project.

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

12 113. The developer's construction of all fencing and walls associated with the project  
13 shall be in conformance with the approved Development Plan. Any substantial change in any  
14 aspect of fencing or wall design from the approved Development Plan shall require a revision to  
15 the Development Plan or a new Development Plan.

16 114. If any aspect of the project fencing and walls is not covered by an approved  
17 Development Plan, the construction of fencing and walls shall conform to the development  
18 standards of the City Zoning Ordinance. In no case, shall the construction of fences and walls  
19 (including combinations thereof) exceed the limitations of the zoning code, unless expressly  
20 granted by a Variation or other development approval.

21 115. The following unit type and floor plan mix, as approved by the Community  
22 Development Commission, shall be indicated on plans submitted to the Building Division and  
23 Economic and Community Development Department for building permit:

	Sq.Ft.	# Bedrms	# Baths	# Units	%
24 Plan 1	1,422	1	2	2	20
25 Plan 2	1,525	1	2	2	20
26 Plan 3	1,758	2	2.5	1	10
27 Plan 4	1,771	2	2.5	1	10
28 Plan 5	1,983	2	2.5	2	20
Plan 6	2,127	3	3.5	1	10
Plan 7	2,351	3	3.5	1	10

116. Side and rear elevations and window treatments shall be trimmed to substantially

1 match the front elevations. A set of building plans shall be reviewed and approved by the  
2 Economic and Community Development Department prior to the issuance of building permits.

3 117. Elevations, siding materials, colors, roofing materials and floor plans shall be  
4 substantially the same as those approved by the Community Development Commission. These  
5 shall be shown on plans submitted to the Building Division and Economic and Community  
6 Development Department.

7 118. An association of homeowners (HOA) shall be formed and Covenants,  
8 Conditions and Restrictions (CC&R's) shall provide for the maintenance of all common open  
9 space, and commonly owned fences and walls and adjacent parkways. The maintenance shall  
10 include normal care and irrigation of landscaping, repair and replacement of plant material and  
11 irrigation systems as necessary; and general cleanup of the landscaped and open area, parking  
12 lots and walkways. The CC&R's shall be subject to the review and approval of the City  
13 Attorney prior to the approval of the final map. The CC&R's are required to be recorded prior  
14 to or concurrently with the final map. Any amendments to the CC&R's in which the association  
15 relinquishes responsibility for the maintenance of any common open space shall not be  
16 permitted without the specific approval of the City of Oceanside. Such a clause shall be a part  
17 of the CC&R's. The CC&R's shall also contain provisions for the following:

18 a) The parking for the residential portion of the project shall be exclusive to  
19 the residential occupancy of the building and shall not be shared or used by the commercial  
20 occupancy.

21 b) Prohibition of parking or storage of recreational vehicles, trailers, or boats.

22 c) Maintenance of all common areas, and on-site and frontage landscaping.

23 d) An acknowledgement that the City of Oceanside does not have a view  
24 preservation ordinance and that views may be subject to change with maturing off-site  
25 landscape and the potential for future off-site building.

26 119. The project shall prepare a Management Plan. The Management Plan is subject to  
27 the review and approval of the Economic and Community Development Director and the Police  
28 Chief prior to the occupancy of the project, and shall be recorded as CC&R's against the property.  
The Management Plan shall cover the following:

1           a)     Security - The Management Plan, at a minimum, shall address on-site  
2 management, hours-of-operation and measures for providing appropriate security for the project  
3 site.

4           b)     Maintenance - The Management Plan shall cover, but not be limited to  
5 anti-graffiti and site and exterior building, landscaping, parking lots, sidewalks, walkways and  
6 overall site maintenance measures and shall ensure that a high standard of maintenance at this  
7 site exists at all times. The maintenance portion of the management plan shall include a  
8 commitment for the sweeping and cleaning of parking lots, sidewalks and other concrete  
9 surfaces at sufficient intervals to maintain a "like new" appearance. Wastewater, sediment, trash  
10 or other pollutants shall be collected on site and properly disposed of and shall not be  
11 discharged off the property or into the City's storm drain system.

12           c)     Any graffiti within the center shall be removed by the center management  
13 or its designated representative within 24 hours of occurrence. Any new paint used to cover  
14 graffiti shall match the existing color scheme.

15           d)     Parking space plan for both the commercial and residential parking spaces.

16           120. This project is subject to the provisions of the Local Coastal Plan for Coastal  
17 Housing. The developer shall obtain a Coastal Affordable Housing Permit from the Director of  
18 Housing and Neighborhood Services prior to issuance of building permits or recordation of a  
19 final map, whichever occurs first.

20           211. A trash enclosure must be provided as required by Chapter 13 of the City Code and  
21 shall also include additional space for storage and collection of recyclable materials per City  
22 standards. Recycling is required by City Ordinance. The enclosure must be built in a flat,  
23 accessible location as determined by the City Engineer. The enclosure shall meet City standards  
24 including being constructed of concrete block, reinforced with rebar and filled with cement. A  
25 concrete slab must be poured with a berm on the inside of the enclosure to prevent the bin(s) from  
26 striking the block walls. The slab must extend out of the enclosure for the bin(s) to roll out onto.  
27 Steel posts must be set in front of the enclosure with solid metal gates. All driveways and service  
28 access areas must be designed to sustain the weight of a 50,000-pound service vehicle. Trash  
enclosures, driveways and service access areas shall be shown on both the improvement and  
landscape plans submitted to the City Engineer. The specifications shall be reviewed and approved

1 by the City Engineer. The City's waste disposal contractor is required to access private property to  
2 service the trash enclosures. A service agreement must be signed by the property owner and shall  
3 remain in effect for the life of the project. All trash enclosures shall be designed to provide user  
4 access without the use and opening of the service doors for the bins. Trash enclosures shall have  
5 design features such as materials and trim similar to that of the rest of the project. This design shall  
6 be shown on the landscape plans and shall be approved by the Redevelopment Manager.

7 **Water Utilities:**

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

11 123. No trees, structures or building overhang shall be located within any water or  
12 wastewater utility easement.

13 124. The property owner will maintain private water and wastewater utilities located  
14 on private property.

15 125. Water services and sewer laterals constructed in existing right-of-way locations  
16 are to be constructed by approved and licensed contractors at developer's expense.

17 126. The developer will be responsible for developing all water and sewer utilities  
18 necessary to develop the property. Any relocation of water and/or sewer utilities is the  
19 responsibility of the developer and shall be done by an approved licensed contractor at the  
20 developer's expense.

21 127. All lots with a finish pad elevation located below the elevation of the next  
22 upstream manhole cover of the public sewer shall be protected from backflow of sewage by  
23 installing and maintaining an approved type backwater valve, per the Uniform Plumbing Code  
24 (U.P.C.).

25 128. Water and Wastewater Buy-in fees and the San Diego County Water Authority  
26 Fees are to be paid to the City and collected by the Water Utilities Department at the time of  
27 Building Permit issuance.

28 129. All Water and Wastewater construction shall conform to the most recent edition  
of the City's Engineers Manual, or as approved by the Water Utilities Director.

130. All residential units of this building may be required to be metered individually.

1           131. All new development of multi-family residential units shall include hot water pipe  
2 insulation and installation of a hot water re-circulation device or design to provide hot water to  
3 the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-0R126-1.

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

8           133. A water and sewer study shall be prepared by the developer at the developer's  
9 expense and reviewed and approved by the Water Utilities Department.

10          134. A separate irrigation meter and approved backflow prevention device is required  
11 and shall be displayed on the plans.

12          135. A grease, oil and sand interceptor, as described by the Uniform Plumbing Code,  
13 relating to garages and wash racks shall be installed in each building sewer in an appropriate

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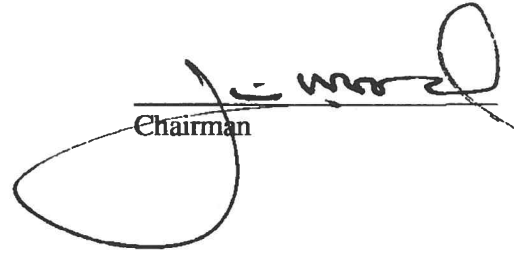
1 location and shall be maintained by the property owner. The location shall be called out on the  
2 approved building plans.

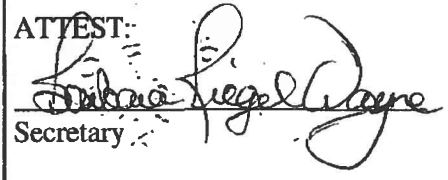
3 136. If a restaurant or food service tenant occupies the property; a grease, oil and sand  
4 interceptor, as described by the Uniform Plumbing Code, relating to garages and wash racks  
5 shall be installed in each building sewer in an appropriate location and shall be maintained by  
6 the property owner. The location shall be called out on the approved building plans.

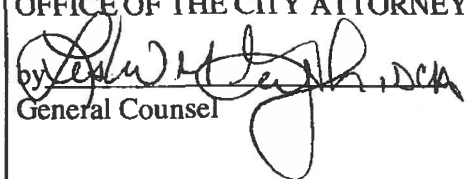
7 137. Subterranean parking structures shall be designed with a drainage system that  
8 conveys runoff to the City's storm drain system and shall comply with the California Regional  
9 Water Quality Control Board Order No. 2007-0001.

10 PASSED AND ADOPTED by the Oceanside Community Development Commission of  
11 the City of Oceanside this 21<sup>st</sup> day of May 2008 by the following vote:

- 12 AYES: WOOD, CHAVEZ, FELLER, KERN  
13 NAYS: SANCHEZ  
14 ABSENT: NONE  
15 ABSTAIN: NONE

  
Chairman

16 ATTEST:  
17   
18 Secretary

19 APPROVED AS TO FORM:  
20 OFFICE OF THE CITY ATTORNEY  
21   
22 by General Counsel

23  
24  
25  
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