

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2022-P16

3 A RESOLUTION OF THE PLANNING COMMISSION OF  
4 THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 TENTATIVE MAP, DEVELOPMENT PLAN, AND  
6 CONDITIONAL USE PERMIT ON CERTAIN REAL  
PROPERTY IN THE CITY OF OCEANSIDE

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7 APPLICATION NO: T19-00004, D19-00016, CUP19-00021  
8 APPLICANT: O'SIDE PARTNERSHIP, LLC  
9 LOCATION: NORTHEAST CORNER OF STATE ROUTE 76 AND  
10 FOUSSAT ROAD (APNS 160-270-31, -79, and -82; 160-280-  
11 14, -48, -49, -50, -51, -53, -54, and -55; 160-290-58, -60, -63)  
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13 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE,  
14 CALIFORNIA DOES RESOLVE AS FOLLOWS:

15 WHEREAS, there was filed with this Commission a verified petition on the forms  
16 prescribed by the Commission requesting a Tentative Map, Development Plan, and a  
17 Conditional Use Permit request under the provisions of Articles 11, 30, 31, 40, 41, and 43,  
18 of the Zoning Ordinance and Article 4 of the Subdivision Ordinance of the City of Oceanside  
19 to permit the following:

20 development of a horizontal mixed-use development consisting of a resort hotel with  
21 up to 300 keys that includes a surfing wave lagoon, 134,000 square feet of  
22 commercial and office space, and up to 700 residential units on a vacant  
23 approximately 92-acre site;  
24 on certain real property described in the project description.

25 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
26 Guidelines thereto; a Supplemental Environmental Impact Report (SEIR) was prepared and  
27 circulated for this project; and

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1 WHEREAS, the Planning Commission, after giving the required notice, did on the  
 2 25<sup>th</sup> day of July, 2022 conduct a duly advertised public hearing as prescribed by law to  
 3 consider said application; and

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

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

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Public Facility (Commercial/Industrial)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
School District Fee (Residential)	Ord. No. 91-34 OUSD Res. 13(12-13) CUSD Res. 21-1314
School District Fee (Commercial/Industrial)	Ord. No. 91-34 OUSD Res. 13(12-13) CUSD Res. 21-1314
Traffic Signal & Thoroughfare (Multi-Family Residential)	Reso. No. 16-R0324-1 Reso. No. 12-R0626-1
Traffic Signal & Thoroughfare (Commercial/Industrial)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Ord. No. 85-23 Reso. No. 16-R0638-1
Wastewater System Capacity Buy-in Fee (Non-Residential and Multi-Family Residential)	Reso. No. 87-97 Ord. No. 15-OR0479-1 City Code 37.7.37
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37
San Diego County Water Authority (Residential and Non-Residential)	SDWA Ord. 2017
Inclusionary Housing Administration Fee	Chapter 14C.9 of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

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

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

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

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

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

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

18 FINDINGS:

19 For the Tentative Map:

- 20 1. The proposed Tentative Map to subdivide an approximately 92 acre site into 13  
21 numbered lots and 10 lettered lots is consistent with the General Plan of the City, in  
22 that the proposed subdivision will provide building pad areas of sufficient size and  
23 dimensions for future commercial and residential development to accommodate an  
24 aesthetically pleasing horizontal mixed-use project while conserving approximately  
25 20 acres of open space and providing a four-acre open space parcel (Lot D) that will  
26 serve as a stepping stone corridor for endangered species. In addition, the proposed  
27 subdivision creates parcels that are consistent with and exceed the requirements of the  
28 Community Commercial (CC) General Plan and Zoning designation.

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- 1 2. The approximately 92-acre site is physically suitable for the proposed type of  
2 development, as designed. The site design will allow for proper separation between  
3 the development at the project site and the existing single-family subdivisions to the  
4 north and east, will provide adequate vehicle circulation and parking, common useable  
5 open space; as well as, ample landscape coverage throughout all Planning Areas.  
6 Furthermore, the design of the subdivision or the proposed improvements will not  
7 cause substantial environmental damage or substantially and unavoidably injure fish  
8 or wildlife or their habitat. The subject property is located near areas of sensitive  
9 habitat, and includes a dedicated four-acre parcel that will serve as a stepping stone  
10 corridor for endangered species and subject to implementation of mitigation measures  
11 contained within the projects SEIR, no significant unavoidable adverse environmental  
12 effects will occur as a result of the development.
- 13 3. That the design of the subdivision or the type of improvements meets City standards  
14 and will not conflict with easements, acquired by the public at large, for access through  
15 or the use of property within the proposed subdivision. Development of the project  
16 site will result in better circulation options for existing residents living to the north of  
17 the project site, as the project's proposed backbone circulation roads will allow for  
18 connectivity to Mission Avenue without having to cross State Route 76.
- 19 4. That the subdivision complies with all other applicable ordinances, regulations and  
20 guidelines of the City of Oceanside. The proposed tentative map exhibit accords with  
21 the form and content requirements of the City's Subdivision Ordinance (Section 401)

22 For the Development Plan:

- 23 1. The proposed project is consistent with the Land Use Element of the General Plan and  
24 the proposed mix of uses are consistent with the uses within the surrounding  
25 neighborhoods. The site is designated as Community Commercial (CC) in the General  
26 Plan and Zoning Ordinance. This designation and zoning allows a wide range of  
27 commercial uses such as hotels, retail stores, and office space as proposed in the Ocean  
28 Kamp project. In addition, residential uses are permitted at a density of up to 29  
29 dwelling units per acre as part of a mixed-use development such as Ocean Kamp. At

1 a maximum density of 25.5 dwelling units per acre, the project is consistent with the  
2 density limitations outlined in Section 3042 of the Zoning Ordinance. The site plan  
3 and physical design of the project as proposed is consistent with the purposes of the  
4 Zoning Ordinance because the project complies with all applicable development  
5 standards of the Community Commercial zone. The proposed development will be  
6 architecturally pleasing and provide a destination for both residents of and visitors to  
7 the City of Oceanside. The project would be buffered from existing residential uses  
8 to the north by the San Luis Rey River and existing residential uses to the east by the  
9 combination of a 100-foot wide stepping stone corridor and 100-foot wide SDG&E  
10 transmission corridor.

- 11 2. The Development Plan, as proposed, conforms to the General Plan of the City,  
12 specifically Policies 2.21(A) and 2.21(B) in that the proposed development as  
13 proposed would provide a mixed-use development that will contain a wide variety of  
14 commercial establishments, entertainment establishments, and restaurants. The site is  
15 also in excess of 30 acres that will provide revenue to the City in the form of sales and  
16 transient occupancy taxes while providing a wide array of employment opportunities.
- 17 3. The site can be adequately, reasonably, and conveniently served by existing and  
18 planned public services, utilities, and public facilities. The project site is located  
19 within an urbanized area served by existing public services, utilities, and public  
20 facilities. The environmental analysis determined there would be no significant  
21 impacts on these services and facilities.
- 22 4. The project, as proposed, is compatible with existing and potential development  
23 within the surrounding area because the project would constitute in-fill development  
24 that will complement existing commercial development while contributing to  
25 Oceanside's housing inventory and providing a destination resort for both residents  
26 of and visitors to the City.

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1 For the Conditional Use Permit:

- 2 1. The Mixed-Use Development Plan is consistent with the adopted Land Use Element  
3 of the General Plan and other applicable policies and is compatible with surrounding  
4 development. Specifically the project is consistent with Policies 2.21(A) and 2.21(B)  
5 in that the development, as proposed, would provide a mixed-use development that  
6 will contain a wide variety of commercial establishments, entertainment  
7 establishments, and restaurants. The site is also in excess of 30 acres that will provide  
8 revenue to the City in the form of sales and transient occupancy taxes while providing  
9 a wide array of employment opportunities. In addition, the project is consistent with  
10 of policies from the Economic Development Element of the General Plan including  
11 policies 1(a)(3) and 2(b)(2).
- 12 2. The Ocean Kamp Mixed-Use Development Plan provides for a horizontal mixed-use  
13 project that results in a superior urban design in comparison with the development  
14 under the base Community Commercial district regulations. The project includes an  
15 active lifestyle resort community comprised of a hotel with up to 300 keys and  
16 amenities such as a surf lagoon, a variety of retail and office uses, and a residential  
17 component that results in a high-quality community where people can live, work, and  
18 play.
- 19 3. Deviations from the base district regulations include the provision of residential  
20 opportunities at the project site via a Mixed-Use Development Plan that results in a  
21 well-integrated community. Mixing uses is an important component of traditional  
22 neighborhood development as well as successful smart-growth communities. Mixed-  
23 use development combines two or more different types of land uses in close  
24 proximity, where the functions are physically and functionally integrated and provide  
25 opportunities for enhanced design, pedestrian connections, and community  
26 interaction. This type of development allows for convenient access between  
27 residences, commercial services, employment opportunities, and other uses. While  
28 additional benefits of mixed-use development include diversity, uniqueness and  
29 walkability. Potential compatibility issues are addressed in the Ocean Kamp site plan

1 through focused development standards and coordinated site layout and building  
2 design. The proposed Mixed-Use development will be an integrated plan, where uses  
3 are sited to share parking, traffic circulation, and an alternative transportation system,  
4 recreational and open space areas, and utilities and infrastructure. The proposed  
5 project site would be developed in two distinct yet integrated areas – the commercial  
6 component, comprised of hotel, commercial, office, and recreational uses; and the  
7 residential component. Approximately 20 acres of the site would be preserved in open  
8 space, including a 4-acre stepping stone wildlife corridor located along the eastern  
9 property boundary.

- 10 4. The Mixed-Use Plan and Mixed-Use Development Plan includes adequate provisions  
11 for utilities, services, and emergency vehicle access; and public service demands will  
12 not exceed the capacity of existing and planned systems. The site can be adequately,  
13 reasonably, and conveniently served by existing and planned public services, utilities,  
14 and public facilities. The project site is located within an urbanized area served by  
15 existing public services, utilities, and public facilities. The environmental analysis  
16 determined there would be no significant impacts on these services and facilities.

17 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does  
18 hereby approve the Tentative Map (T19-00004), Development Plan (D19-00016), and  
19 Conditional Use Permit (CUP19-00021) subject to the following conditions:

20 **Building:**

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

23 The 2016 triennial edition of the California Code of Regulations, Title 24 (California  
24 Building Standards Code) applies to all occupancies that applied for a building permit  
25 on or after January 1, 2017, and remains in effect until the effective date of the 2019  
26 triennial edition which will be January 1, 2020.

27 Beginning on January 1, 2020, Oceanside Development Services (ODS) is required  
28 by State law to enforce the 2019 Edition of California Building Standards Codes  
29 (a.k.a., Title 24 of the California Codes of Regulations).

1 Every three years, the State adopts new model codes (known collectively as the  
2 California Building Standards Code) to establish uniform standards for the  
3 construction and maintenance of buildings, electrical systems, plumbing systems,  
4 mechanical systems, and fire and life safety systems. Sections 17922, 17958 and  
5 18941.5 of the California Health and Safety Code require that the latest edition of the  
6 California Building Standards code and Uniform Housing Code apply to local  
7 construction 180 days after publication.

8 There are 12 parts to Title 24 and the applicable parts for most Building Division  
9 permit applications are listed below.

- 10 • Part 2: The 2019 California Building Code (CBC).
- 11 • Part 2.5: The 2019 California Residential Code (CRC).
- 12 • Part 3: The 2019 California Electrical Code (CEC).
- 13 • Part 4: The 2019 California Mechanical Code (CMC).
- 14 • Part 5: The 2019 California Plumbing Code (CPC).Part 6: The 2019 California  
15 Energy Code
- 16 • Part 9: The 2019 California Fire Code (CFC)
- 17 • Part 11: The 2019 California Green Building Standards Code (CALGreen Code)  
18 This Part is known as the California Green Building Standards Code, and it is  
19 intended that it shall also be known as the CALGreen Code.

20 All architects, engineers, designers, developers, owners and contractors MUST be  
21 familiar with the codes in effect at the time of plan submittal. ODS, as required by  
22 State law, CANNOT approve projects that do not comply with the codes in effect at  
23 the time of plan submittal. All projects submitted before or on December 31, 2019 are  
24 permitted to comply with the 2016 Edition of the California Building Standards Code.

- 25
- 26 2. The building plans for this project are required by State law to be prepared by a  
27 licensed architect or engineer.
- 28 3. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the  
29 plans.

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

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

9 6. Site development, parking, access into buildings and building interiors shall comply  
10 WITH ALL CURRENT State of California Accessibility Code where required.

11 7. All electrical, communication, CATV, etc. service lines within the exterior lines of the  
12 property shall be underground (City Code Sec. 6.30).

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

16 9. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution  
17 Ordinance) and shall be fully shielded.

18 10. City of Oceanside Enforces the 2016 California Green Building Standards Code. A  
19 Construction Waste Management Plan shall be required at time of plans submittal to  
20 the Building Division for plan check.

21 5.408.1 Construction waste diversion. Recycle and/or salvage for reuse a minimum  
22 of 65 percent of the nonhazardous construction and demolition waste in accordance  
23 with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and  
24 demolition waste management ordinance, whichever is more stringent.

25 5.408.1.1 Construction waste management plan. Where a local jurisdiction does not  
26 have a construction and demolition waste management ordinance that is more  
27 stringent, submit a construction waste management plan that:

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- 1 1. Identifies the construction and demolition waste materials to be diverted from  
2 disposal by efficient usage, recycling, reuse on the project or salvage for future use  
3 or sale.
- 4 2. Indicates if construction and demolition waste materials will be sorted on-site  
5 (source-separated) or bulk mixed (single stream).
- 6 3. Identifies diversion facilities where construction and demolition waste material  
7 collected will be taken.
- 8 4. Specifies that the amount of construction waste and demolition materials diverted  
9 shall be calculated by weight or volume, but not by both.
- 10 11. Short-term bicycle parking. Provide permanently anchored bicycle racks within 200  
11 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor  
12 motorized vehicle parking spaces being added, with a minimum of one two-bike  
13 capacity rack. CGBSC 5.106.4.1.1.
- 14 12. Selective coordination information for Emergency and Elevator systems shall be  
15 provided as needed. National Electrical Code requirements for selective coordination  
16 are mandatory for certain electrical systems where maximum reliability of power is  
17 critical. The 2014 edition of the NEC® includes selective coordination requirements  
18 for Elevator Circuits and Emergency Systems. NEC 240.12, 620.62, 700, 700.16,  
19 700.27 and 701.18.
  - 20 • Where selective coordination is required by code, the coordination study/report  
21 that identifies the exact over-current devices utilized to achieve the coordination  
22 must be provided with the electrical plans.
  - 23 • “The design professional must either stamp the selective coordination report if  
24 prepared by him/her or a letter attesting that the contents of the attached report have  
25 been reviewed and is acceptable. The specified over-current protection devices  
26 required to achieve a coordinated system must be identified on the plans and on all  
27 electrical power distribution equipment that the coordination requirement applies  
28 to or in a document that resides near the pertinent electrical equipment. If the  
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1 selective coordination information cannot be provided at the time of plans  
2 submittal due to the distribution equipment model/type and associated over-current  
3 components not yet being known, the electrical plans can be approved with a  
4 deferred submittal condition whereby final approval of the electrical installation  
5 will be withheld until two sets of said report, letter and revised plans have been  
6 received, reviewed and approved by plans examination and the installation verified  
7 by inspections". This policy will provide compliance with the code for selective  
8 coordination and also ensure the Design Professional has properly reviewed and  
9 approved the final system as installed. This Jurisdiction will then record the letter  
10 and subsequent study into the permanent record for that project.

11 13. San Diego County Department of Environmental Health approval is required for all  
12 new food businesses and public pools.

13 14. Buildings four or more stories in height must comply with City of Oceanside Mid-  
14 Rise Ordinance.

15 15. Elevator car must be sized to accommodate an emergency gurney sized 84 x 24 inches  
16 in the horizontal position.

17 16. An enclosed elevator lobby – separating the elevator shaft enclosure doors from each  
18 floor with fire partitions. – shall be provided at each floor where an elevator shaft  
19 enclosure connects more than two stories in A, E, H, I, L, R-1, R-2, and R-2.1  
20 occupancies and more than three stories in all other occupancies (CBC 3006.2, CBC  
21 3006.3).

22 17. Plans must specify, as applicable, the type of automatic sprinkler system – NFPA 13,  
23 NFPA 13R, or NFPA 13D – installed in the building.

24 18. The construction documents and/or site plan should indicate the location and required  
25 number of designated parking stalls. These parking spaces should be marked  
26 "CLEAN AIR/VANPOOL/EV." The markings should be visible when a clean air  
27 vehicle is parked. In other words, if the front of the vehicle goes into the parking stall  
28 first, the markings should be visible at the back end of the vehicle. Lettering should be  
29 at least 8 inches high. The CLEAN AIR/VANPOOL/EV parking stalls may be located

1 anywhere on the site and do not require a preferential location. Refer to Table  
2 5.106.5.2 in CAL Green to ensure that the correct number of designated parking stalls  
3 is provided. Include all parking spaces in the calculation. 2016 Cal Green Section  
4 5.106.5.2

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

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

16 b. The construction site shall be kept reasonably free of construction debris as  
17 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
18 approved solid waste containers shall be considered compliance with this  
19 requirement. Small Amounts of construction debris may be stored on site in a neat,  
20 safe manner for short periods of time pending disposal.

21 **Engineering:**

22 20. For the demolition of any existing structure or surface improvements; grading plans  
23 shall be submitted and erosion control plans be approved by the City Engineer prior to  
24 the issuance of a demolition permit. No demolition shall be permitted without an  
25 approved erosion control plan.

26 21. Design and construction of all improvements shall be in accordance with the City of  
27 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard  
28 engineering and specifications of the City of Oceanside and subject to approval by the  
29 City Engineer.

- 1 22. All right-of-way alignments, street dedications, exact geometrics and width shall be  
2 dedicated and constructed or replaced as required by the City Engineer.
- 3 23. The project's final map may be recorded as one or separately, and development may  
4 occur in phases. A construction-phasing plan for the construction of onsite and offsite  
5 public and private improvements shall be reviewed and approved by the Engineering  
6 Division, Water Utilities Department, and Fire Department prior to the issuance of a  
7 grading permit. All improvements shall be under construction to the satisfaction of  
8 the City Engineer prior to the issuance of any building permits. All improvements  
9 shall be completed prior to issuance of any Certificate of Occupancy permit.
- 10 24. Prior to the issuance of any building permits, all applicable improvements including  
11 landscaping, landscaped medians, frontage improvements shall be under construction  
12 to the satisfaction of the City Engineer.
- 13 25. Prior to the issuance of a Certificate of Occupancy permit, all improvements, including  
14 landscaping, landscaped medians, frontage improvements shall be completed to the  
15 satisfaction of the City Engineer.
- 16 26. Prior to approval of each final map, provide the City of Oceanside with certification  
17 from each public utility and each public entity owning easements within the proposed  
18 project stating that: (a) they have received from the owner/developer a copy of the  
19 proposed map; (b) they object or do not object to the filing of the map without their  
20 signature; (c) in case of a street dedication affected by their existing easement, they  
21 will sign a "subordination certificate" or "joint-use certificate" on the map when  
22 required by the governing body. In addition, the owner/developer shall furnish proof  
23 to the satisfaction of the City Engineer that no new encumbrances have been created  
24 that would subordinate the City's interest over areas to be dedicated for public road  
25 purposes since submittal of the project.
- 26 27. The approval of the Tentative map shall not mean that closure, vacation, or  
27 abandonment of any public street, right of way, easement, or facility is granted or  
28 guaranteed to the owner/developer. The owner/developer is responsible for applying  
29 for all closures, vacations, and abandonments as necessary. The application(s) shall

1 be reviewed and approved or rejected by the City of Oceanside under separate process  
2 (es) per codes, ordinances, and policies in effect at the time of the application. The  
3 City of Oceanside retains its full legislative discretion to consider any application to  
4 vacate a public street or right of way.

5 28. Pursuant to the Subdivision Map Act, improvements shall be required at the time of  
6 development. A City of Oceanside covenant, reviewed and approved by the City  
7 Attorney, shall be recorded attesting to these improvement conditions prior to the  
8 issuance of a grading permit. A statement setting forth the recordation shall be placed  
9 on the Final Map.

10 29. All public improvement requirements, within such increment or outside of it, if  
11 required by the City Engineer, shall be covered by a Subdivision Improvement  
12 Agreement and secured with sufficient improvement securities or bonds guaranteeing  
13 performance and payment for labor and materials, setting of survey monuments, and  
14 warranties against defective materials and workmanship.

15 30. All ROW dedications to the City are to be in fee.

16 31. Prior to the issuance of a grading permit, developer is responsible for obtaining  
17 approval from SDGE, Caltrans, Fallbrook Public Utility District, and other agencies  
18 affected by the removal, proposal, and relocation of easements and infrastructure.

19 32. A traffic control plan shall be prepared according to the City traffic control guidelines  
20 and approved to the satisfaction of the City Engineer prior to the start of work within  
21 the public Right-of-Way. Traffic control during construction of streets that have been  
22 opened to public traffic shall be in accordance with construction signing, marking and  
23 other protection as required by the Caltrans Traffic Manual and City Traffic Control  
24 Guidelines. Traffic control plan implementation and hours shall be in accordance with  
25 the approved traffic control plans.

26 33. Vehicular access rights to Foussat Road and Mission Avenue shall be relinquished to  
27 the City from all abutting lots except at the proposed driveway(s).

28 34. An Encroachment Removal Agreement (ERA) application shall be processed with the  
29 City for the proposed private meandering sidewalk along Foussat Road and any private

1 improvements proposed within the City's ROW. The ERA shall be approved and  
2 recorded at the County prior to the issuance of a grading permit.

3 35. Both sides of Foussat Road shall be constructed with new PCC curb, gutter, and  
4 sidewalk, and tie into existing improvements. North side of Mission Avenue shall be  
5 constructed with new PCC sidewalk that connects to the existing sidewalk in front of  
6 Fire Station 7.

7 36. All sidewalk and pedestrian ramp improvements (construct/replace) shall comply with  
8 current ADA requirements.

9 37. The existing sidewalk along north Mission Avenue, near the Ocean Puente  
10 intersection, and along Ocean Pointe Drive are not ADA-compliant and will need to  
11 be reconstructed to comply. The existing pedestrian ramps on either side of Ocean  
12 Pointe Drive are not ADA compliant and will need to be constructed.

13 38. Certain sections of curb and gutter along north Mission Avenue, east of Ocean Puente,  
14 need to be replaced due to poor condition and to provide positive drainage gutter flow.

15 39. Provide a pavement grind and overlay of Mission Avenue. The limits of the grind and  
16 overlay activity shall be along the Mission Avenue property frontage and up to the  
17 striped or raised center median.

18 40. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be  
19 entirely located within the public Right-of-Way. If necessary, provide the ROW  
20 dedication on the map or through a separate instrument. Minimum curb return radius  
21 shall comply with the City of Oceanside Engineers Design and Processing Manual.

22 41. Sight distance requirements at the project driveway(s) or street shall conform to the  
23 corner sight distance criteria as provided by Caltrans. The owner/developer shall  
24 provide a plan and profile of the line of sight for each direction of traffic, and shall  
25 provide a certified sight distance letter signed by a California-licensed Civil Engineer.

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

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- 1 43. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian  
2 ramps and sidewalk within the project, or adjacent to the project boundary that are  
3 already damaged or damaged during construction of the project, shall be repaired or  
4 replaced as directed by the City Engineer.
- 5 44. Along with the first submittal of the Grading Plan application, a pavement evaluation  
6 report shall be submitted for the proposed onsite pavement. Pavement sections for all  
7 public and private roadways, driveways and parking areas shall be based upon  
8 approved soil tests and traffic indices. The pavement design is to be prepared by the  
9 owner/developer's soils engineer, and shall follow the City of Oceanside Engineers  
10 Design and Processing Manual, and be approved by the City Engineer. Roadway  
11 alignments and geometric layouts shall be in conformance with the City of Oceanside  
12 Engineers Design and Processing Manual.
- 13 45. This project's streets shall remain private and shall be maintained by the owner. The  
14 pavement sections, traffic indices shall be based on approved geotechnical report and  
15 in compliance with the City of Oceanside Engineers Design and Processing Manual.  
16 The private streets and driveway alignments and geometric layouts shall meet the City  
17 of Oceanside Engineers Design and Processing Manual.
- 18 46. Along with the first submittal of the Grading Plan application, the owner/developer  
19 shall contract with a geotechnical engineering firm to perform a field investigation of  
20 the existing Foussat Road pavement to determine if the existing street section meets  
21 the City's current pavement section requirements. The field investigation shall be  
22 performed according to a specific boring plan prepared by a licensed Geotechnical  
23 Engineer and approved by the City Engineer. In the absence of such approved boring  
24 plan, the field investigation shall include a minimum of one pavement boring per every  
25 fifty linear feet (50) or one hundred (100) linear feet of street frontage.  
26 Should the study conclude that the pavement does not meet current pavement  
27 thickness requirements, the Owner/developer shall remove and reconstruct the  
28 pavement section in accordance with City requirements. Otherwise, the City Engineer  
29 shall determine whether the Owner/developer shall: 1) Repair all failed pavement

1 sections, 2) header cut and grind per the direction of the City Engineer, and construct  
2 a two (2) inch thick rubberized AC overlay; or 3) Perform R-value testing and submit  
3 a study that determines if the existing pavement meets current City standards/traffic  
4 indices.

5 47. A Street Vacation application shall be processed with the City for the section of  
6 Foussat Road that bisects the property. The street vacation shall occur prior to the  
7 issuance of a grading permit or approval of the Final Map, whichever occurs first. The  
8 approval of the Final Map is contingent on the approval of the Street Vacation  
9 application. Should the vacation be denied, the Tentative map and Development Plan  
10 shall no longer be effective.

11 48. Street Vacation applications shall be reviewed and approved or rejected by the City of  
12 Oceanside under a separate process; and per codes, ordinances, and policies in effect  
13 at the time of the application. The City of Oceanside retains its full discretion to  
14 consider any application to vacate a public street or Right-of-Way.

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

21 50. Prior to the issuance of a grading permit, owner/developer shall develop and distribute  
22 a neighborhood-notification flier to area residents, property owners, and business  
23 owners located within a 300-foot radius of the project site, to inform them of the  
24 grading and construction schedule, and to answer questions. Developer shall provide  
25 a copy of the notification flier sheet for the project file.

26 51. Where proposed off-site improvements, including but not limited to slopes, public  
27 utility facilities, and drainage facilities, are to be constructed, the owner/developer  
28 shall, at his own expense, obtain all necessary easements or other interests in real  
29 property and shall dedicate the same to the City of Oceanside as required. The

1 owner/developer shall provide documentary proof satisfactory to the City of  
2 Oceanside that such easements or other interest in real property have been obtained  
3 prior to the approval of a map (or) /issuance of any grading, building or improvement  
4 permit for this development/project. Additionally, the City of Oceanside, may at its  
5 sole discretion, require that the owner/developer obtain at his sole expense a title policy  
6 insuring the necessary title for the easement or other interest in real property to have  
7 vested with the City of Oceanside or the owner/ developer, as applicable.

8 52. Use of adjacent properties for construction without permission is prohibited.

9 Developer/contractors are required to obtain written permission from adjacent  
10 property owners allowing access onto their site. There shall be no trespassing, grading,  
11 or construction of any kind on adjacent properties without permission. "Failure to  
12 comply will result in the revocation of the grading permit." This written permission  
13 shall be provided to the City prior to the issuance of a grading permit.

14 53. The owner/developer shall monitor, supervise and control all construction and

15 construction-supportive activities, so as to prevent these activities from causing a  
16 public nuisance, including but not limited to, insuring strict adherence to the following:

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

19 b. All grading and related site preparation and construction activities shall be limited  
20 to the hours of 7 AM to 6 PM, Monday through Friday. No engineering-related  
21 construction activities shall be conducted on Saturdays, Sundays or legal holidays  
22 unless written permission is granted by the City Engineer with specific limitations  
23 to the working hours and types of permitted operations. All on-site construction  
24 staging areas shall be as far as possible (minimum 100 feet) from any existing  
25 residential development. Because construction noise may still be intrusive in the  
26 evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any  
27 disturbing excessive or offensive noise which causes discomfort or annoyance to  
28 reasonable persons of normal sensitivity."

29 //////////////

1 c. The construction site shall accommodate the parking of all motor vehicles used by  
2 persons working at or providing deliveries to the site. An alternate parking site can  
3 be considered by the City Engineer in the event that the lot size is too small and  
4 cannot accommodate parking of all motor vehicles.

5 d. The owner/developer shall complete a haul route permit application (if required  
6 for import/export of dirt) and submit to the City of Oceanside Transportation  
7 Engineering Section forty-eight hours (48) in advance of beginning of work.  
8 Hours of hauling operations shall be dictated by the approved haul route permit.

9 54. It is the responsibility of the owner/developer to evaluate and determine that all soil  
10 imported as part of this development is free of hazardous and/or contaminated material  
11 as defined by the City and the County of San Diego Department of Environmental  
12 Health. Exported or imported soils shall be properly screened, tested, and documented  
13 regarding hazardous contamination.

14 55. The approval of the Tentative map shall not mean that proposed grading or  
15 improvements on adjacent properties (including any City properties/right-of-way or  
16 easements) is granted or guaranteed to the owner/developer. The owner/developer is  
17 responsible for obtaining written permission to grade to construct on adjacent  
18 properties. Should such permission be denied, the Tentative map shall be subject to  
19 going back to the public hearing or subject to a substantial conformity review.

20 56. Prior to any grading of any part of the tract or project, a comprehensive soil and  
21 geologic investigation shall be conducted of the soils, slopes, and formations in the  
22 project. All necessary measures shall be taken and implemented to assure slope  
23 stability, erosion control, and soil integrity. No grading shall occur until a detailed  
24 grading plan, to be prepared in accordance with the Grading Ordinance is approved by  
25 the City Engineer. The soils report shall be submitted as part of the first submittal  
26 package.

27 57. This project shall provide year-round erosion control including measures for the site  
28 required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
29 control plan, designed for all proposed stages of construction, shall be reviewed,

1 secured by the owner/developer with cash securities or a letter of credit and approved  
2 by the City Engineer; Certificates of Deposit will not be accepted for this security.

3 58. Landscape and irrigation plans for disturbed areas shall be submitted to the City  
4 Engineer prior to the issuance of a grading permit and approved by the City Engineer  
5 prior to the issuance of building permits. Landscaping plans, including plans for the  
6 construction of walls, fences or other structures at or near intersections, must conform  
7 to intersection sight distance requirements. Frontage and median landscaping shall be  
8 installed and established prior to the issuance of any certificates of occupancy.  
9 Securities shall be required only for landscape items in the public right-of-way. Any  
10 project fences, sound or privacy walls and monument entry walls/signs shall be shown  
11 on, bonded for and built from the landscape plans. These features shall also be shown  
12 on the precise grading plans for purposes of location only. Plantable, segmental walls  
13 shall be designed, reviewed and constructed by the grading plans and  
14 landscaped/irrigated through project landscape plans. All plans must be approved by  
15 the City Engineer and a pre-construction meeting held, prior to the start of any  
16 improvements.

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

21 60. The drainage design shown on the tentative parcel map, site plan or grading plan, and  
22 the drainage report for this tentative parcel map/development plan is conceptual only.  
23 The final drainage report and design shall be based upon a hydrologic/hydraulic study  
24 that is in accordance with the latest San Diego County Hydrology and Drainage  
25 Manual, and is to be approved by the City Engineer during the Final Engineering  
26 phase. All drainage picked up in an underground system shall remain underground  
27 until it is discharged into an approved channel, or as otherwise approved by the City  
28 Engineer.

29 //////////////

- 1 61. The project's drainage system shall not connect or discharge to another private  
2 stormdrain system without first obtaining written permission from the owner of the  
3 system. The written permission letter shall be provided to the City prior to the issuance  
4 of a grading permit. The owner/developer shall be responsible for obtaining any off-  
5 site easements for storm drainage facilities.
- 6 62. All public storm drain, water, and sewer pipe designs shall be shown on City standard  
7 plan and profile sheets.
- 8 63. All public storm drain, water, and sewer infrastructure shall be provided access  
9 easements, and shall be shown on all plans as reference. The easement dedications  
10 shall not be processed on a map but as a separate instrument.
- 11 64. Drainage facilities shall be designed and installed to adequately accommodate the  
12 local storm water runoff; and shall be in accordance with the San Diego County  
13 Hydrology Manual and the City of Oceanside Engineers Design and Processing  
14 Manual to the satisfaction of the City Engineer.
- 15 65. Storm drain facilities shall be designed and constructed to allow inside travel lanes of  
16 streets classified as a Collector or above, to be passable during a 100-year storm event.
- 17 66. Sediment, silt, grease, trash, debris, and pollutants shall be collected on-site and  
18 disposed of in accordance with all state and federal requirements, prior to discharging  
19 of stormwater into the City drainage system.
- 20 67. Elevation adjustments and flood proofing shall be in accordance with City of  
21 Oceanside Floodplain Management Regulations and Federal Emergency Management  
22 Agency (FEMA) and National Flood Insurance Program (NFIP) requirements.
- 23 68. At the conclusion of grading activities, the owner/developer shall submit an  
24 application, as-built grading plan, and any other documents required to FEMA in  
25 order to process and receive a Letter of Map Revision-Fill (LOMR-F) or Letter of Map  
26 Revision (LOMR). Prior to release of the grading bonds, the owner/developer shall  
27 provide a copy of the FEMA-approved LOMR-F or LOMR to the City of Oceanside.
- 28 69. Due to FEMA's ongoing litigation regarding the processing of CLOMR-F and  
29 LOMR-F applications and the temporary suspension of CLOMR-F and LOMR-F

1 application reviews by FEMA, applicant may submit a CLOMR-F or LOMR-F  
2 application to the City for review and ensure conformance with the City of Oceanside  
3 Floodplain Management Regulations. The review and approval of the CLOMR-F or  
4 LOMR-F application by the City is independent of FEMA's application review and  
5 approval process and does not guarantee that the proposed project will be eligible to  
6 be removed from a flood hazard area for insurance purposes.

7 70. The owner/developer shall submit a finished construction elevation certificate on  
8 current FEMA forms for each structure proposed in the development project. The  
9 finished construction elevation certificate(s) shall be completed with surveyed  
10 information for post construction and shall be submitted to the Engineering Division  
11 for review and acceptance prior to Occupancy or Final Building Inspection.

12 71. The owner/developer shall comply with the provisions of the National Pollution  
13 Discharge Elimination System (NPDES) General Permit for Storm Water Discharges  
14 Associated with Construction Activity (General Permit) Water Quality Order 2009-  
15 0009-DWQ. The General Permit continues in force and effect until a new General  
16 Permit is issued or the SWRCB rescinds this General Permit. Only those  
17 owner/developers authorized to discharge under the expiring General Permit are  
18 covered by the continued General Permit. Construction activity subject to the General  
19 Permit includes clearing, grading, and disturbances to the ground such as stockpiling,  
20 or excavation that results in land disturbances of equal to or greater than one acre.

21 The owner/developer shall obtain coverage under the General Permit by submitting a  
22 Notice of Intent (NOI) and obtaining a Waste Discharge Identification Number  
23 (WDID#) from the State Water Resources Control Board (SWRCB). In addition,  
24 coverage under the General Permit shall not occur until an adequate SWPPP is  
25 developed for the project as outlined in Section A of the General Permit. The site  
26 specific SWPPP shall be maintained on the project site at all times. The SWPPP shall  
27 be provided, upon request, to the United States Environmental Protection Agency  
28 (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of  
29 Oceanside, and other applicable governing regulatory agencies. The SWPPP is

1 considered a report that shall be available to the public by the RWQCB under section  
2 308(b) of the Clean Water Act. The provisions of the General Permit and the site  
3 specific SWPPP shall be continuously implemented and enforced until the  
4 owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

5 The owner/developer is required to retain records of all monitoring information, copies  
6 of all reports required by this General Permit, and records of all data used to complete  
7 the NOT for all construction activities to be covered by the General Permit for a period  
8 of at least three years from the date generated. This period may be extended by request  
9 of the SWRCB and/or RWQCB.

10 72. The project is categorized as a stormwater-Priority Development Project (PDP). A  
11 final Storm Water Quality Management Plan (SWQMP) and Operation &  
12 Maintenance (O&M) Plan shall be submitted to the City for review at the final  
13 engineering phase. Approval of both documents are required prior to the issuance of  
14 a grading permit.

15 73. The O&M Plan shall include an approved and executed Maintenance Mechanism  
16 pursuant to the City of Oceanside BMP Design Manual (BDM). At a minimum, the  
17 O&M Plan shall include the designated responsible party to manage the storm water  
18 BMP(s), employee training program and duties, operating schedule, maintenance  
19 frequency, routine service schedule, specific maintenance activities, copies of resource  
20 agency permits, cost estimate for implementation of the O&M Plan, a non-refundable  
21 cash security to provide maintenance funding in the event of noncompliance to the  
22 O&M Plan, and any other necessary elements. The owner/developer shall provide the  
23 City with access to site for the purpose of BMP inspection and maintenance by  
24 entering into an Access Rights Agreement with the City. The owner/developer shall  
25 complete and maintain O&M forms to document all operation, inspection, and  
26 maintenance activities. The owner/developer shall retain records for a minimum of 10  
27 years. The records shall be made available to the City upon request.

28 74. The owner/developer shall enter into a City-Standard Stormwater Facilities  
29 Maintenance Agreement (SWFMA) with the City, obliging the owner/developer to

1 maintain, repair and replace the Storm Water Best Management Practices (BMPs)  
2 structures identified in the project's approved SWQMP, as detailed in the O&M Plan  
3 into perpetuity. The Agreement shall be approved by the City Attorney's Office and  
4 recorded at the County Recorder's Office prior to the issuance of a precise grading  
5 permit. A non-refundable **Security in the form of cash** shall be required prior to  
6 issuance of a precise grading permit. The amount of the non-refundable security shall  
7 be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to  
8 exceed a total of \$25,000. The owner/developer's civil engineer shall prepare the  
9 O&M cost estimate.

10 75. The BMPs described in the project's approved SWQMP shall not be altered in any  
11 way, unless reviewed and approved by the City Engineer. The determination of  
12 whatever action is required for changes to a project's approved SWQMP shall be made  
13 by the City Engineer.

14 76. Prior to receiving a temporary or permanent occupancy permit, the project shall  
15 demonstrate that all structural BMPs, including Storm Water Pollutant Control BMPs  
16 and Hydromodification Management BMPs, are constructed and fully operational, are  
17 consistent with the approved SWQMP and the approved Precise Grading Plan, and are  
18 in accordance with San Diego RWQCB Order No. R9-2013-0001 §E.3.e. (1)(d).

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

25 This requirement does not apply to existing overhead utility lines and appurtenances  
26 located within an existing SDGE corridor.

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

1 79. The owner/developer shall obtain all necessary permits and clearances from public  
2 agencies having jurisdiction over the project due to its type, size, or location, prior to  
3 the issuance of a grading permit. The list of public agencies may include, but is not  
4 limited to, the California Department of Transportation (Caltrans), the City of  
5 Carlsbad, the U. S. Army Corps of Engineers, the California Department of Fish &  
6 Game, the U. S. Fish and Wildlife Service and/or the San Diego Regional Water  
7 Quality Control Board (including NPDES), and the San Diego County Health  
8 Department

9 80. The owner/developer shall comply with all the provisions of the City's cable television  
10 ordinances, including those relating to notification as required by the City Engineer.

11 81. As part of the City's Opportunistic Beach Fill Permit, this project has been conditioned  
12 to test proposed excavated material to determine suitability for deposit on city beaches  
13 as part of the Beach Sand Replenishment program. Test results shall be provided as  
14 part of the project geotechnical report which is required prior to approval of the grading  
15 plan and issuance for the grading permit.

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

25 If the soil to be exported is determined to be suitable beach replenishment material,  
26 the developer's contractor will coordinate with the City's Public Works Department  
27 to determine the location for acceptance of the excavated material for spreading by  
28 Public Works staff. **Coordination is required to occur a minimum of two weeks in**  
29 **advance** of the need to place approved excavated material on the beach.

- 1 82. If shoring is required for the construction of the proposed development, the shoring  
2 design plans and structural calculations shall be submitted concurrently with the  
3 precise grading plan submittal and approved prior to the issuance of a grading permit.
- 4 83. This property is located in the vicinity of an airport, within what is known as an airport  
5 influence area. For that reason, the property may be subject to some of the annoyances  
6 or inconveniences associated with proximity to airport operations (for example: noise,  
7 vibration or odors). An Airport Overflight Notification or Aviation Easement shall  
8 be recorded for each of the residential units.
- 9 84. All proposed work and improvements in Caltrans ROW shall require a permit from  
10 Caltrans. Developer will be responsible to obtain all necessary easements on behalf  
11 of the City for the maintenance and use of proposed public improvements in Caltrans  
12 ROW.
- 13 85. Stormdrain pipe connections and discharges into an existing Caltrans stormdrain  
14 system will require approval from Caltrans beforehand, and a grading permit cannot  
15 be issued until written approval from Caltrans is provided.
- 16 86. Approval of this development project is conditioned upon payment of all applicable  
17 impact fees and connection fees in the manner provided in chapter 32B of the  
18 Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare  
19 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall  
20 be paid prior to recordation of the map or the issuance of any building permits, in  
21 accordance with City Ordinances and policies. Payment of drainage impact fees are  
22 required prior to docketing the map for City Council hearing and the recording of the  
23 Final Map. The owner/developer shall also be required to join into, contribute, or  
24 participate in any improvement, lighting, or other special district affecting or affected  
25 by this project.
- 26 87. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire  
27 project will be subject to prevailing wage requirements as specified by Labor Code  
28 section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging  
29 the prevailing wage requirements prior to the granting of any fee reductions or waivers.

1 88. In the event that there are discrepancies in information between the conceptual plan  
2 and the conditions set forth in the project's Planning Commission Resolution, the  
3 project's Planning Commission Resolution shall prevail.

4 **Fire:**

5 89. Buildings four or more stories in height must meet the requirements of Oceanside  
6 Mid-Rise Ordinance.

7 90. Prior to delivery of combustible materials or start of combustible construction, paved  
8 vehicle access roads capable of supporting vehicle loading (78,000 lbs) must be  
9 installed. In addition, the approved, permanent water supply (fire hydrants) must be  
10 installed, tested and placed in service prior to delivery of combustible materials or  
11 start of combustible construction.

12 91. In buildings required to have standpipes, not less than one standpipe shall be  
13 provided for use during construction. Standpipes shall be installed when the  
14 progress of construction is not more than 40 feet in height above the lowest level of  
15 fire department vehicle access. Fire department hose connections shall be provided  
16 at accessible locations adjacent to usable stairs. Standpipes shall be extended as  
17 construction progresses to within one floor of the highest point of construction  
18 having secured decking or flooring.

19 92. All power operated vehicular gates installed across fire access roadways shall be  
20 equipped with Knox electronic override and Opticom strobe activated opening  
21 devices.

22 93. Knox boxes required to be located at building entrances in locations required by the  
23 fire department.

24 94. Fire flow shall be determined at the time of building permit application.

25 95. Fire department connections shall be located on the address side of the building –  
26 unless otherwise determined by the Fire Department. A fire hydrant shall be located  
27 within 40 feet of and on the same side of the street as the fire department connection.

28 96. Fire sprinklers required in buildings per California Fire Code Section 903.

29 97. Fire alarm systems required in buildings per California Fire Code Section 907.

- 1 98. Elevators must be sized to accommodate an emergency gurney.
- 2 99. In mid-rise buildings, the fire alarm control panel must be located in a main lobby or  
3 in a designated room with an exterior access door as approved by the fire  
4 department.
- 5 100. Fire sprinkler riser must be located in a room with exterior access door.
- 6 101. Project must support adequate radio coverage for City emergency service workers  
7 operating on the 800MHz Countywide Coordinated Communication System, or the  
8 current radio system in use. Ownership must maintain a reasonable standard of  
9 reliable radio communication within the buildings and structures once a Certificate  
10 of Occupancy is issued. The BDA (bi-directional amplifier) coverage
- 11 102. Enhancers must be maintained as a condition of occupancy and tested annually.  
12 When tested, if the 800MHz signal strength readings (RSSI) fall below 65 in any  
13 portion of the building, either above or below grade as measured by an 800 MHz  
14 portable radio, the purchase and installation of one or more bidirectional amplifier  
15 radio coverage enhancers is required. A minimum signal strength of (-95dBm) in 90  
16 percent of the area of each floor building from both the 800 MHz Countywide  
17 Communications Systems and from within the building is required.
- 18 103. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per  
19 Vehicle Code Section 22500.1. Any markings, signs and/or fire lane identification  
20 shall be in accordance with the Fire Department Standard Guidelines for Emergency  
21 Access.
- 22 104. Provide address directory board at a location approved by the fire department.
- 23 105. Provide a Fire Master Plan for review prior to Building permit application.
- 24 106. The City is in the process of implementing a citywide Community Facilities District  
25 (CFD) for Public Safety. The CFD would place an annual per unit fee on projects  
26 which meet the criteria for inclusion. The project you are submitting appears to meet  
27 the criteria for inclusion in the proposed Public Safety CFD. It is expected that your  
28 project will be required to annex into the CFD as a condition of approval. For the  
29 purposes of determining the applicability of the Citywide Public Safety Community

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

9 **Landscaping:**

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

- 23
- 24 a. Final landscape plans shall accurately show placement of all plant material such  
25 as but not limited to trees, shrubs, and groundcovers.
  - 26 b. Landscape Architect shall be aware of all utility, sewer, water, gas and storm  
27 drain lines and utility easements and place planting locations accordingly to meet  
28 City of Oceanside requirements.

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- 1 c. Final landscape plans shall be prepared under the direct supervision of a  
2 Registered Landscape Architect (State of California), with all drawings bearing  
3 their professional stamp and signature.
- 4 d. All required landscape areas both public and private (including trees and palms in  
5 the public rights-of-way) shall be maintained by owner, project association or  
6 successor of the project (including public rights-of-way along North Fousat  
7 Road, Loop Road North, Loop Road South, Street 'A', Street 'B' and Street 'C').  
8 The landscape areas shall be maintained per City of Oceanside requirements.
- 9 e. The As-built/ Maintenance Guarantee (refundable cash deposit) shall not be  
10 released until the as-built drawings have been approved on the original approved  
11 Mylar landscape plan and the required maintenance period has been successfully  
12 terminated.
- 13 f. Proposed landscape species shall fit the site and meet climate changes indicative  
14 to their planting location. The selection of plant material shall also be based on  
15 cultural, aesthetic, and maintenance considerations. In addition proposed  
16 landscape species shall be low water users as well as meet all fire department  
17 requirements.
- 18 g. All planting areas shall be prepared and implemented to the required depth with  
19 appropriate soil amendments, fertilizers, and appropriate supplements based upon  
20 a soils report from an agricultural suitability soil sample taken from the site.
- 21 h. Ground covers or bark mulch shall fill in between the shrubs to shield the soil  
22 from the sun, evapotranspiration and run-off. All the flower and shrub beds shall  
23 be mulched to a 3" depth to help conserve water, lower the soil temperature and  
24 reduce weed growth.
- 25 i. The shrubs shall be allowed to grow in their natural forms. All landscape  
26 improvements shall follow the City of Oceanside Guidelines.
- 27 j. Root barriers shall be installed adjacent to all paving surfaces where a paving  
28 surface is located within 6 feet of a tree trunk on site (private) and within 10 feet  
29 of a tree trunk in the right-of-way (public). Root barriers shall extend 5 feet in

1 each direction from the centerline of the trunk, for a total distance of 10 feet.  
2 Root barriers shall be 24 inches in depth. Installing a root barrier around the  
3 tree's root ball is unacceptable.

- 4 k. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall  
5 obtain Planning Division approval for these items in the conditions or application  
6 stage prior to 1<sup>st</sup> submittal of working drawings.
- 7 l. The project has a large visual exposure adjacent to Highway 76 and the Cal Trans  
8 ROW. The wall/ fencing side facing the 76 Highway shall be maintained to  
9 provide a pleasant visual experience by adding vines and shrubs where possible.  
10 All graffiti shall be removed from any wall/ fencing within 24 hours of  
11 occurrence.
- 12 m. For the planting and placement of trees and their distances from hardscape and  
13 other utilities/ structures the landscape plans shall follow the City of Oceanside's  
14 (current) Tree Planting Distances and Spacing Standards.
- 15 n. An automatic irrigation system shall be installed to provide coverage for all  
16 planting areas shown on the plan. Low volume equipment shall provide  
17 sufficient water for plant growth with a minimum water loss due to water run-off.
- 18 o. Irrigation systems shall use high quality, automatic control valves, controllers and  
19 other necessary irrigation equipment. All components shall be of non-corrosive  
20 material. All drip systems shall be adequately filtered and regulated per the  
21 manufacturer's recommended design parameters.
- 22 p. All irrigation improvements shall follow the City of Oceanside Guidelines and  
23 Water Conservation Ordinance.
- 24 q. The landscape plans shall match all plans affiliated with the project.
- 25 r. Landscape construction drawings are required to implement approved Fire  
26 Department regulations, codes, and standards at the time of plan approval.
- 27 s. Landscape plans shall comply with Biological and/or Geotechnical reports, as  
28 required, shall match the grading and improvement plans, comply with Storm  
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- Water Management Plan (SWMP), Hydromodification Plan, or Best Management Practices and meet the satisfaction of the City Engineer.
- t. 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.
  - u. All pedestrian paving (both decorative and standard) shall comply with the most current edition of the American Disability Act
108. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials (including interior trees and street trees) c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) maintenance of parking lots, walkways, enhanced hardscape, trash enclosures, walls, fences, etc. f) pruning standards for street trees shall comply with the International Society of Arboriculture (ISA) *Standard Practices for Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines, Appendix F* (most current edition). Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.
109. In the event that the conceptual landscape plan (CLP) does not match the conditions of approval, the resolution of approval shall govern.
110. The project has a large visual exposure adjacent to Highway 76 and the Cal Trans ROW. The wall/ fencing side facing the 76 Highway shall be maintained to provide a pleasant visual experience by adding vines and shrubs where possible. All graffiti shall be removed from any wall/ fencing within 24 hours of occurrence.

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1 **Planning:**

2 111. This Tentative Map, Development Plan, and Conditional Use Permit, shall expire 36  
3 months from its approval, unless this time period is extended by the provisions of  
4 Article 1 of the Zoning Ordinance and Article IV of the Subdivision Ordinance.

5 112. This Tentative Map, Development Plan, and Conditional Use Permit approves a  
6 horizontal mixed-use development consisting of a resort hotel with up to 300 keys that  
7 includes a surfing wave lagoon, 134,000 square feet of retail commercial and office  
8 space, and up to 700 residential units on a vacant +/-92-acre site as shown on the plans  
9 and exhibits presented to the Planning Commission for review and approval. No  
10 substantial deviation from these approved plans and exhibits shall occur without  
11 Planning Division approval. Substantial deviations shall require a revision to the  
12 Development Plan or a new Development Plan.

13 113. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
14 harmless the City of Oceanside, its agents, officers or employees from any claim,  
15 action or proceeding against the City, its agents, officers, or employees to attack, set  
16 aside, void or annul an approval of the City, concerning Tentative Map T19-00004,  
17 Development Plan D19-00016, and Conditional Use Permit CUP19-00021. The City  
18 will promptly notify the applicant of any such claim, action or proceeding against the  
19 City and will cooperate fully in the defense. If the City fails to promptly notify the  
20 applicant of any such claim action or proceeding or fails to cooperate fully in the  
21 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold  
22 harmless the City.

23 114. Development of the project, including both the commercial and residential  
24 components, shall be consistent with the adopted Ocean Kamp Mixed-Use  
25 Development Plan document attached hereto as Exhibit "A".

26 115. The residential component of the project shall be limited to 700 dwelling units, for a  
27 maximum residential density of 25.54 dwelling units per acre combined for the nine  
28 residential lots proposed in the Tentative Map.

- 1 116. Future development of each individual residential lot or lots will require the review  
2 and approval of a Tentative Map (if applicable) and Development Plan application by  
3 the City's Planning Commission.
- 4 117. An application for Determination of Consistency with the adopted Airport Land Use  
5 Compatibility Plan for the Oceanside Municipal Airport shall be submitted to the San  
6 Diego County Airport Land Use Authority for review and approval for each of the  
7 residential lots prior to the City taking action on subsequent Tentative Map and  
8 Development Plan applications.
- 9 118. Development of each residential zone (ie, north zone and east zone) shall include a  
10 neighborhood park linked via a network of trails as outlined in the adopted Ocean  
11 Kamp Mixed-Use Development Plan document. The required park and  
12 interconnecting trail shall be depicted on future Tentative Map and Development Plan  
13 applications and associated exhibits.
- 14 119. No building permit shall be issued for the 351<sup>st</sup> residential unit until:  
15 a. The precise grading permit for the resort hotel site, as described in the mixed use  
16 development plan document and conditional use permit, has been issued;  
17 b. Substantial work, as defined herein, has been completed;  
18 c. The construction loan and applicable equity investment and mezzanine financing  
19 have closed; and  
20 d. A completion guarantee is in place guaranteeing the lien free construction of the  
21 completion of the approved hotel to the satisfaction of the City Attorney.  
22 Substantial Work for purposes of this condition shall be defined as the  
23 commencement of precise grading and underground utility installation to  
24 accommodate the primary hotel building as depicted in the Mixed-Use  
25 Development Plan document and Conditional Use Permit. Furthermore, no  
26 building permit for the 351<sup>st</sup> residential unit shall be issued until developer has  
27 completed circulation roads, brought all commercial pad sites to grade with utilities  
28 stubbed into each respective commercial pad for the intended use, and developer  
29 has recorded deed restrictions, to the satisfaction of the City Attorney, which

1 restrict the use of the commercial pads to the uses approved by the Planning  
2 Commission.

3 120. No building permit shall be issued for the 525<sup>th</sup> residential unit until the foundation for  
4 the resort hotel, consistent with the plans for the approved building permit, has been  
5 constructed and passed inspection to the satisfaction of the City Building Official.

6 121. Each of the three Mobility Hubs shown on the Pedestrian and Bike Path plan (Sheet  
7 L3.0) shall include a minimum level of amenity including, but not limited to, a  
8 combination of the following facilities for bikeshare, carshare, scootershare, on-  
9 demand rideshare, package delivery, mobile retail services, microtransit, smart  
10 parking, wireless EV charging, neighborhood electric vehicle (NEVs), rideables, and  
11 or shared, connected and autonomous vehicles. The details of each of the three  
12 Mobility Hubs shall be depicted on final engineering and construction documents and  
13 approved by the City Planner and City Traffic Engineer prior to issuance of permits  
14 for vertical construction within each of the planning areas where each Mobility Hub is  
15 located.

16 122. A Comprehensive Sign Program (CSP) shall be submitted to and approved by the  
17 Planning Division prior to application for any on-site signage.

18 123. All mechanical rooftop and ground equipment shall be screened from public view as  
19 required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen and  
20 vents shall be painted with non-reflective paint to match the roof. This information  
21 shall be shown on the building plans.

22 124. A covenant or other recordable document, approved by the City Attorney, shall be  
23 prepared by the subdivider and recorded prior to the approval of the final map. The  
24 covenant shall provide that the property is subject to this resolution, and shall generally  
25 list the conditions of approval. The project shall prepare a Management Plan. The  
26 Management Plan is subject to the review and approval of the City Planner and the  
27 Police Chief prior to issuance of building permit, and shall be recorded as CC&R's  
28 against the property. The Management Plan shall cover the following:  
29

- 1 a. Security - The Management Plan, at a minimum, shall address on-site  
2 management, hours-of-operation and measures for providing appropriate security  
3 for the project site.
- 4 b. Maintenance - The Management Plan shall cover, but not be limited to, anti-graffiti  
5 and site and exterior building, landscaping, parking lots, sidewalks, walkways and  
6 overall site maintenance measures and shall ensure that a high standard of  
7 maintenance at this site exists at all times. The maintenance portion of the  
8 management plan shall include a commitment for the sweeping and cleaning of  
9 parking lots, sidewalks and other concrete surfaces at sufficient intervals to  
10 maintain a "like new" appearance. Wastewater, sediment, trash or other pollutants  
11 shall be collected on-site and properly disposed of and shall not be discharged off  
12 the property or into the City's storm drain system.
- 13 c. Any graffiti within the development shall be removed by the property management  
14 or its designated representative within 24 hours of occurrence. Any new paint used  
15 to cover graffiti shall match the existing color scheme.
- 16 125. Prior to the transfer of ownership and/or operation of the site the owner shall provide  
17 a written copy of the applications, staff report and resolutions for the project to the  
18 new owner and or operator. This notification's provision shall run with the life of the  
19 project and shall be recorded as a covenant on the property.
- 20 126. Failure to meet any conditions of approval for this development shall constitute a  
21 violation of the Tentative Map, Development Plan, and Conditional Use Permit.
- 22 127. Unless expressly waived, all current zoning standards and City ordinances and policies  
23 in effect at the time building permits are issued are required to be met by this project.  
24 The approval of this project constitutes the applicant's agreement with all statements  
25 in the Description and Justification, Management Plan, and other materials and  
26 information submitted with this application, unless specifically waived by an adopted  
27 condition of approval.
- 28 128. The Conditional Use Permit shall be called for review by the Planning Commission if  
29 complaints are filed and verified as valid by the Code Enforcement Office concerning

1 the violation of any of the approved conditions or does not conform with the  
2 information contained in or representations made in the application, any supporting  
3 material submitted to the City or during any hearing on the application.

4 129. The developer's construction of all fencing and walls associated with the project shall  
5 be in conformance with the approved Development Plan. Any substantial change in  
6 any aspect of fencing or wall design from the approved Development Plan shall require  
7 a revision to the Development Plan or a new Development Plan.

8 130. If any aspect of the project fencing and walls is not covered by an approved  
9 Development Plan, the construction of fencing and walls shall conform to the  
10 development standards of the City Zoning Ordinance. In no case, shall the  
11 construction of fences and walls (including combinations thereof) exceed the  
12 limitations of the zoning code, unless expressly granted by a Variance or other  
13 development approval.

14 131. Either a management entity or an association shall be formed with Covenants,  
15 Conditions and Restrictions (C.C. & R's) that shall provide for the maintenance of all  
16 common open space, medians and commonly owned fences and walls and adjacent  
17 parkways. The maintenance shall include normal care and irrigation of landscaping,  
18 repair and replacement of plant material and irrigation systems as necessary; and  
19 general cleanup of the landscaped and open area, parking lots and walkways. The  
20 C.C. & R's shall be subject to the review and approval of the City Attorney prior to the  
21 approval of the final map. The C.C. & R's are required to be recorded prior to or  
22 concurrently with the final map. Any amendments to the C.C. & R's in which the  
23 association relinquishes responsibility for the maintenance of any common open space  
24 shall not be permitted without the specific approval of the City of Oceanside. Such a  
25 clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions  
26 for the following:

- 27 a. Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 28 b. Maintenance of median landscaping by the Association.

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- c. Provisions for the maintenance of all common open space and open space easements on private lots, including provisions establishing mechanisms to ensure adequate and continued monetary funding for such maintenance by the association.
- d. Provisions prohibiting the association from relinquishing its obligation to maintain the common open space and open space easement areas without prior consent of the City of Oceanside.

132. Any project entrance signs shall meet the requirements of the Sign Ordinance and be approved by the City Planner.

133. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Building Division and Planning Division.

134. The developer, the San Luis Rey Band of Mission Indians and the City of Oceanside have agreed in concept to a Memorandum of Agreement regarding the development and incorporation of a Luiseño cultural element into the Ocean Kamp project. The formal approval of the Memorandum of Agreement shall be documented prior to submittal of the landscape working drawings, and approval of the design for the cultural element by the Band shall be finalized prior to City approval of the landscape working drawings or issuance of any building permits for the commercial component of the project.

135. The developer shall comply with all measures in the attached Mitigation Monitoring Program (Exhibit B). All mitigation measures, required monitors, and monitoring schedule milestones shall have the same status and enforceability as the conditions of approval in this resolution.

136. The resort/commercial component of the project shall comply with the conditions imposed by the Airport Land Use Commission in their Consistency Determination dated July 11, 2022 and included hereto as Exhibit "C".

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1 **Police Department:**

2 137. CPTED (Crime Prevention Through Environmental Design) concepts should be an  
3 integral piece to every new and redeveloped property in the City of Oceanside. The  
4 Oceanside Police Department's role within Planning is to provide a safe environment  
5 for all users of the space and that of the surrounding communities. The following  
6 items shall be addressed prior to approval of a building permit for the  
7 resort/commercial component of the project to meet security concerns for OPD:

- 8 a. Mechanical Site Security / Surveillance (As applicable)
- 9 i. Exterior & Interior Camera Types with storage capability
  - 10 ii. Direction of intended view of exterior cameras
  - 11 iii. Alarm type
  - 12 iv. Security Guard(s)
- 13 b. Site Signage (Location and positioning) – As applicable
- 14 i. Operating Hours
  - 15 ii. Parking Type / Hours
  - 16 iii. Trespassing
  - 17 iv. City Code Violations
- 18 c. Fencing
- 19 i. Include both interior fencing and outer perimeter fencing as applicable.

20  
21 **Transportation Engineering:**

22 138. The project shall be responsible for the fair share payment to the City, which shall be  
23 \$560,000 to be paid to the City's Thoroughfare and Signal Account. The funds will be  
24 used at the City's discretion for projects that will improve traffic safety and mobility  
25 in the City of Oceanside. The \$560,000 shall be paid in full prior to issuance of any  
26 permit (precise grading, building or otherwise) for any phase or any component of the  
27 project. The \$560,000 fair share payment only satisfies the offsite improvement  
28 obligations. All other onsite improvements such as roadway, sidewalk, bike trail/lane,  
29

1 etc, that is contiguous to the project, or needed to provide access to the project shall be  
2 done at the project developer's cost.

3 139. Project shall design and construct roundabouts and Rectangular Rapid Flashing  
4 Beacons (RRFB) on all crosswalks on Foussat Road at Alex Road, Foussat Road at  
5 Old Foussat Road, and Foussat Road at Street A. This improvement shall be  
6 completed prior to the issuance of occupancy and to the satisfaction of the City Traffic  
7 Engineer.

8 140. Minimum 6-foot bike lanes and 2-foot buffer shall be installed on Foussat Road  
9 between State Highway 76 and the T intersection east side of the project site. This  
10 improvement shall be completed prior to the issuance of occupancy and to the  
11 satisfaction of the City Traffic Engineer.

12 **Water Utilities:**

13 141. For developments requiring new water service or increased water service to a property,  
14 the landowner must enter into an agreement with the City providing for landowner's  
15 assignment of any rights to divert or extract local groundwater supplies for the benefit  
16 of the property to receive new or increased water service, in return for water service  
17 from the City, upon such terms as may be provided by the Water Utilities Director.

18 142. All existing active and non-active groundwater wells must be shown on conceptual,  
19 grading, and improvement plans.

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

24 144. All Water and Wastewater construction shall conform to the most recent edition of the  
25 *Water, Sewer, and Recycled Water Design and Construction Manual* or as approved  
26 by the Water Utilities Director.

27 145. The property owner shall maintain private water and wastewater utilities located on  
28 private property.  
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- 1 146. Water services and sewer laterals constructed in existing right-of-way locations are to  
2 be constructed by an approved and licensed contractor at developer's expense.
- 3 147. The Ocean Kamp development proposed to construct a combination of resort and  
4 residential development. The commercial portion consists of 300-room hotel, a wave  
5 pool and amenities, and 126,000 square feet of commercial space. The residential area  
6 will include 700 multi-family residential dwelling units, and designated lots identified  
7 in the Tentative Map may be developed by several different home builders. On-site  
8 sewer systems to serve separate commercial and residential areas that are intended to  
9 have different builders or property ownerships within the Ocean Kamp development  
10 shall be private. It shall be designed without radii and conform to the most recent  
11 edition of the *Water, Sewer, and Recycled Water Design and Construction Manual* or  
12 as approved by the Water Utilities Director.
- 13 148. Provide a separate irrigation water meter with reduced pressure principle backflow  
14 device for common area landscaping. Meter shall be managed and paid for by the  
15 property owner or Homeowner's Association for the development. Irrigation meter  
16 shall have a dedicated water service and meter.
- 17 149. Per the latest approved California Fire Code, all new residential units shall be equipped  
18 with fire sprinkler system.
- 19 150. Buildings requiring an NFPA 13 or NFPA 13R automatic sprinkler system for fire  
20 protection shall have a dedicated fire service connection to a public water main with a  
21 double check detector backflow assembly. Location of the backflow assembly must  
22 be approved by Fire Department.
- 23 151. The City operates the Mission Basin Groundwater Purification Facility located  
24 adjacent to the proposed residential area at north end of the Ocean Kamp property.  
25 The facility operates outdoor pumps that face the development. Any sound proofing  
26 modifications required at the City facility to mitigate noise will be designed, permitted,  
27 and installed at the developer's expense.
- 28  
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1 **The following conditions shall be met prior to the approval of engineering design plans.**

2 152. All public water and/or sewer facilities not located within the public right-of-way shall  
3 be provided with easements sized according to the *Water, Sewer, and Recycled Water*  
4 *Design and Construction Manual*. Easements shall be constructed for all weather  
5 access.

6 153. Any water and/or sewer improvements required to develop the proposed property will  
7 need to be included in the improvement plans and designed in accordance with the  
8 *Water, Sewer, and Recycled Water Design and Construction Manual*.

9 154. No trees within 10 feet of utilities, structures, or building overhang shall be located  
10 within any water or wastewater utility easement.

11 155. All lots with a finish pad elevation located below the elevation of the next upstream  
12 manhole cover of the public sewer shall be protected from backflow of sewage by  
13 installing and maintaining an approved type backwater valve, per the latest adopted  
14 California Plumbing Code.

15 156. As per Army Corp correspondence of January 11, 2022, they expressed concerns  
16 regarding the maintenance and repair of levee in the event a transmission main should  
17 fail. City facilities shall not be located within the levee. Construction of any proposed  
18 improvements shall not impact the levee. The City is not responsible for the  
19 ownership, repair, or maintenance of the levee.

20 157. Developer shall prioritize submittal of improvement plans for the relocation of the 16"  
21 recycled water, 18"-24" potable water transmission main, and 20" groundwater line to  
22 the Water Utilities Department for review and approval. Relocation of these  
23 transmission mains must be completed prior to construction of any on-site utilities for  
24 the Ocean Kamp development, unless otherwise approved by the Water Utilities  
25 Department.

26 158. All water or sewer mains not located within the public right-of-way shall be provided  
27 with a minimum 20-foot wide water easement. Where water and sewer mains are  
28 located within the same easement, the minimum easement size shall be 30 feet wide.  
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- 1 159. The proposed relocation of water, sewer, and recycled water mains currently high-  
2 lined as part of mass grading plans for the development (G19-00003) shall not be  
3 installed in the SDG&E corridor.
- 4 160. The recycled water main shall be extended to all portions of common landscaped areas  
5 of each commercial or residential area to provide irrigation service.
- 6 161. The City's 16" recycled water main (former Fallbrook Land Outfall line) that will be  
7 relocated as part of this project shall supply recycled water to the Ocean Kamp  
8 development. On-site irrigation systems shall be designed and constructed for recycled  
9 water. Landscape and recycled water plans for this property shall be submitted to the  
10 Water utilities Department, in addition to Development Services, for review and  
11 approval.
- 12 162. Developer shall prepare and submit recycled water irrigation plans to the Water  
13 Utilities Department for an independent review and pay a separate recycled water  
14 review fee. The review shall include the processing, plan submittal, permitting,  
15 inspection, and testing of the proposed irrigation system for approval by the State  
16 Water Resources Control Board / San Diego County Department of Environmental  
17 Health and Quality for on-site recycled water use. The irrigation or maintenance of  
18 landscaping in the right-of-way by the Developer will require a separate dedicated  
19 recycled irrigation meter and service. Local regulations do not permit a single  
20 irrigation meter to service landscaping areas across property lines.
- 21 163. The private on-site fire protection system to serve the Ocean Kamp development  
22 commercial area shall be looped with two connections to the City's water system. One  
23 tee-connection shall be off the existing 12" steel main in Foussat Road and second off  
24 the existing 18" ductile iron pipe (DIP) water main in Mission Avenue. Each  
25 connection shall be protected with an approved backflow assembly.
- 26 164. All utilities in Old Foussat Street (8" PVC Mar Lado force main, 12" steel water (320),  
27 24" DIP water (511), 30" DIP water (320), 16" recycled water) shall be relocated into  
28 New Foussat Road. Any utility mains located near the bike lane shall avoid any valve  
29 lids or appurtenances that would create a potentially uneven surface within the bike

1 lane. Proposed mains in New Foussat Road shall tie into mains at intersection of Old  
2 Foussat Road & Highway 76, with the exception of the 16" recycled water main. This  
3 main will connect to a new 16" recycled water main that runs along the westerly  
4 property line of residential areas north of the internal Loop Road. The replacement of  
5 16" recycled water main in New Foussat Road shall extend to south property line at  
6 Mission Avenue.

7 165. At southwesterly corner of the Ocean Kamp development at New Foussat Road,  
8 extend the proposed 8" Mar Lado force main, 12" steel water (320), 24" DIP water  
9 (511), 30" DIP water (320) mains east along southern portion of Ocean Kamp, in a  
10 minimum 40-ft wide dedicated public water and sewer easement. Provide a minimum  
11 14-ft wide access road to the Mission Ave lift station constructed of turf block or  
12 pavement that can support H-20 loading. The segment of 8" Mar Lado force main  
13 crossing State Route 76 (SR-76) shall be abandoned-in-place. The Mar Lado force  
14 main shall continue east along southern portion of Ocean Kamp, and break to gravity  
15 in a minimum 20-ft wide public sewer easement, and flow into a manhole located in  
16 the southern portion of property.

17 166. The existing 16" recycled water, 18" water main (511), and 20" ground water mains  
18 were abandoned and high-lined to allow for mass grading and soil conditioning under  
19 previously approved plans (G19-00003) from the original entitlement submittal. The  
20 existing mains must all be replaced with new mains and designed to meet current  
21 standards. They are to be located along the westerly edge of the residential area to the  
22 north of the Ocean Kamp development within existing easements and any proposed  
23 easement necessary to accommodate the repair and maintenance of all three (3)  
24 pipelines or to an alignment within residential streets acceptable to the Water Utilities  
25 Department. The existing public utility easement Instrument No. 2007-0160216  
26 referenced on Sheet three and four of the tentative map, as easement Note 53 may be  
27 vacated if an alternative alignment is found acceptable by the Water Utilities  
28 Department. Provide a minimum 14-ft wide access road constructed of turf block or  
29

1 pavement that can support H-20 loading, with a turnaround, hammer head, or  
2 secondary access

3 167. The proposed drainage basin on Lot B and shown on Sheet 7 of the Tentative Map,  
4 may conflict with the original locations of the transmission mains mentioned above,  
5 and would likely need to be relocated or redesigned for proposed public mains  
6 mentioned in the above item. The proposed alignment, location, and easement widths  
7 required will be finalized with the Water Utilities Department during final  
8 improvement plan design. Submittals shall display the boundaries of all governing  
9 agencies impacted by the development and proposed relocations, as well as, all  
10 encroachments. The Ocean Kamp Development will be required to obtain permitting  
11 or approval from each impacted Agency before the Water Utilities Department will  
12 approve the proposed relocations.

13 168. Improvement plans shall propose a 12" tee off of the 30" water main (320) at the  
14 intersection of Foussat Rd and Alex Rd. Extend a 12" PVC main off this tee to the end  
15 of the curb return or proposed pavement improvement. Relocate and reconnect the  
16 Alex Road Skate Park water meter and backflow at Foussat Street to the 12" PVC  
17 extension. Abandon the existing public water supply line running north-south along  
18 easterly boundary serving the skate park.

19 169. Improvement plans must show location of existing connections to each of the three  
20 major water mains that were high-lined as part of the mass grading plans (G19-00003).  
21 Developer must submit and coordinate with Water Utilities Department on the  
22 construction sequencing for the disconnection and removal of existing high-line and  
23 replacement of these new mains.

24 170. The proposed 16" recycled water, 18" water main (511), and 20" ground water main  
25 shall be located within the Ocean Kamp development's property boundary unless an  
26 alternative alignment is accepted and provide adequate separation on improvement  
27 plans to allow for proper maintenance and repairs. Provide a minimum 45-ft wide  
28 dedicated public water and sewer easement. Show proposed access road constructed  
29

1 of turf block or pavement that can support H-20 loading with a turnaround, hammer  
2 head, or secondary access.

3 171. The existing 24" trunk sewer main in Mission Avenue, has been identified by the City  
4 to be upsized to a 30". If construction for the City's capital improvement project has  
5 not begun or been completed by the time Ocean Kamp has submitted plans for final  
6 design, Ocean Kamp shall enter into a reimbursement agreement during final  
7 engineering with the City to complete the improvements for the portions of the sewer  
8 main impacted by the proposed development. The Ocean Kamp development will be  
9 responsible for their fair-share percentage of the design and construction cost.

10 172. Reimbursement agreement between the City and the Developer will require an  
11 approved cost estimate, City Council approval, prevailing wage requirements, and  
12 adherence to the City's procurement policy.

13 173. Based on a comparison of peak sewer flows between the General Plan and proposed  
14 land use (Community Commercial) for the Ocean Kamp development in the *Sewer  
15 Study for the Ocean Kamp Project in the City of Oceanside* dated July 21, 2021 by  
16 Dexter Wilson Engineering, Inc., the proposed development is approximately double  
17 the estimated flows than the General Plan. Off-site sewer improvements will not be  
18 required to accommodate the increased flows for this development, however, the  
19 developer will be responsible for a fair-share percentage for future upsize of the 30"  
20 sewer main entering the splitter box of the Mission Avenue Lift Station, as determined  
21 by the City. This fair-share fees must be paid prior to approval of the final  
22 improvement plans.

23 174. A concrete masonry unit (CMU) block wall enclosure with double swing gates shall  
24 be provided around the existing air-release valves impacted by the proposed bike path  
25 and "Street B" in the SDG&E corridor. Details shall be addressed in final  
26 improvement plan design. Access for required maintenance vehicles shall be provided  
27 at all times.

28 175. An inspection or private manhole for commercial waste as described by the *Water,  
29 Sewer, and Recycled Water Design and Construction Manual*, shall be required before

1 a private system connects to the City's public wastewater collection system. The  
2 location shall be called out on the approved grading and improvement plans.

3 176. Connections to public sewer main with 6-inch or larger sewer lateral will require a  
4 new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and*  
5 *Recycled Water Design and Construction Manual*.

6 177. Show on improvement plans, the dedicated City water meter(s) and backflow  
7 assemblies for hotel resort, associated buildings, and commercial businesses. Water  
8 supply lines, including the backflow assemblies, after the City's meters to each  
9 building shall be privately maintained and shown on grading and building plans. If the  
10 water supply lines are under traffic paved roadways, then call out design on grading  
11 plans. Otherwise, show lines screened back reference the design in the building plans.

12 178. Show on improvement plan, a separate City water meter for outdoor water play areas  
13 maintained by resort hotel, such as the wave pool, lazy river, adult pool, children's  
14 splash, etc.

15 179. Maximum fire hydrant spacing is 300 feet and all portions of commercial or industrial  
16 buildings shall be within 150 feet of an approved fire hydrant accessible to the fire  
17 department vehicles per Section 2.6 of the *Water, Sewer, and Recycled Water Design*  
18 *and Construction Manual*.

19 180. A separate irrigation meter and connection to main with an approved backflow  
20 assembly is required to serve common landscaped areas and shall be displayed on the  
21 improvement plans.

22 181. Provide peak irrigation flows per zone or control valve to verify size of irrigation meter  
23 and reduced pressure principle backflow device on Landscape Plans.

24 182. A grease interceptor, as required per City of Oceanside Ordinance 07-OR0021-1 &  
25 18-OR0021-1 relating to food service establishments shall be on each building sewer  
26 when deemed necessary in an appropriate outside location and shall be maintained by  
27 the property owner. The location and footprint of a grease interceptor shall be shown  
28 on grading plans with reference to Building Plans for sizing, make, model, and  
29 plumbing.

- 1 183. All existing and proposed public sewer mains on site shall show on improvement plans  
2 an access road, turf block, or pavement that can support H-20 loading for sewer vector  
3 truck. Access road or pavement must have a minimum turning radius of 46-feet (outer  
4 wheel) for curb clearance and a wall clearance of 46'-11". Truck length is 41'-6". No  
5 parking spaces shall be designated around a public manhole such that it would impede  
6 the maintenance of the sewer main by a City vector truck.
- 7 184. Provide stationing and offsets for existing and proposed water service connections and  
8 sewer laterals on plans.
- 9 185. Where private sewer system is shared with other tenants, a property owner or property  
10 management company designated by the owner is responsible for the maintenance,  
11 repair, and replacement of private facilities. If there are multiple owners, then a  
12 maintenance agreement and CC&Rs must address the shared maintenance of private  
13 sewer system. The same shall apply to private water systems.
- 14 186. Any unused water services or sewer laterals by the proposed development or  
15 redevelopment, shall be abandoned in accordance with Water Utilities requirements.
- 16 187. Proposed public water mains to serve the future multi-family residential areas within  
17 the Ocean Kamp development must be looped with two separate connections to the  
18 City's water system for reliability purposes. Public mains must be located within  
19 paved roadways and outside of parking lanes or within easements of private streets.  
20 They shall not be located within a public easement through residential lots. The actual  
21 location and alignment shall be determined during future entitlement of each specific  
22 residential area or final improvement plan design, whichever comes first. The  
23 proposed water mains along the easterly property boundaries of residential areas, Lot  
24 5 on Sheet 5 and Lot 1 of Sheet 14 in the Tentative Map is not acceptable.
- 25 188. Developer to provide profile of proposed road across the SDG&E corridor and City  
26 utility mains on improvement plans to verify minimal to no impacts to existing utilities  
27 will be required. Additional protection of public mains may be required in final design.
- 28 189. Relocated major public transmission mains may require special design that is not  
29 addressed in the *Water Utilities Water, Sewer, and Recycled Water Design &*

1           *Construction Manual*. This includes access manways, minimum 5-ft cover, and valve  
2           spacing requirements. This will be addressed during final improvement plan design.

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

4           190. Show location and size of existing and proposed water meter(s) on site plan of building  
5           plans. Show waterline from proposed meter to connection point to building or  
6           residence.

7           191. Show location and size of existing and proposed sewer lateral(s) from property line or  
8           connection to sewer main to connection point at building or residence.

9           192. Provide table of fixture count and flow calculations per the latest adopted California  
10           Plumbing Code to size each City water meter and service lines on site plan and  
11           plumbing sheets of building plans.

12           193. Provide drainage fixture count to verify size of each building sewer lateral.

13           194. The total proposed and existing water meter sizes and type for the Ocean Kamp  
14           development will determine the water and sewer buy-in fees. Developer will be  
15           credited for any existing water meters that will be abandoned as part of this  
16           development. Credit can be applied toward the purchase of any new water meters.  
17           Should the total credit exceed proposed fees for new meters, the Developer will not be  
18           reimbursed the credit monetarily.

19           195. Provide drainage fixture unit count per the latest adopted California Plumbing Code  
20           to size sewer lateral for property.

21           196. Beach sand is proposed throughout portions of development. Oil and sand  
22           interceptor(s) shall be designed and installed, as described by the latest adopted  
23           California Plumbing Code Chapter 10. Interceptor(s) shall be maintained in  
24           accordance with the Fats, Oil, and Grease permit. The location, design, model and type  
25           shall be shown on the approved Building Plans.

26           197. If a Grease Interceptor is required per City of Oceanside Ordinance 07-OR0021-1,  
27           then building plans must show sizing calculations per the latest California Plumbing  
28           Code. Show the location, make, model, and plumbing schematic on the building sewer  
29           lateral. Shared grease interceptors are not acceptable, unless the Waste Discharge

1 Permit from the Water Utilities Department is with the property owner or property  
2 management company. A shared grease interceptor must not be permitted by one of  
3 multiple tenants discharging into the same interceptor.

4 198. If a Sand and Oil Separator is required, then building plans must show drainage fixture  
5 unit count and calculations per the latest California Plumbing Code to size oil and sand  
6 separator and show on plans the location, make and model of separator, inlet/outlet  
7 piping, and a plumbing schematic of the separator along with the required  
8 appurtenances at each building sewer lateral.

9 199. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees  
10 are to be paid to the City at the time of Building Permit issuance per City Code Section  
11 32B.7.

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1 **Water Utilities (Solid Waste):**

2 200. The City of Oceanside reserves the right to review program and services levels and  
3 request increases if deemed necessary. The City of Oceanside Municipal Code Chapter  
4 13 requires that Oceanside residents, businesses and multifamily projects are to  
5 separate all recyclable material from other solid waste. Additionally, the State of  
6 California regulations requires all California businesses participate in Mandatory  
7 Recycling (AB 341) and Mandatory Commercial Organics Recycling (AB 1826 & SB  
8 1383) as outlined in the Oceanside Solid Waste code.

9 PASSED AND ADOPTED Resolution No. 2022-P16 on July 25, 2022 by the following  
10 vote, to wit:

11 AYES: Rosales, Morrissey, Balma, Custer, Dodds

12 NAYS:

13 ABSENT: Symons

14 ABSTAIN:

15  
16   
17 Tom Rosales, Chairperson  
Oceanside Planning Commission

18  
19 ATTEST:

20   
21 Sergio Madera, Secretary

22  
23 I, SERGIO MADERA, Secretary of the Oceanside Planning Commission, hereby certify  
24 that this is a true and correct copy of Resolution No. 2022-P16.

25  
26 Dated: July 25, 2022

