

# STAFF REPORT



ITEM NO. 19

CITY OF OCEANSIDE

---

DATE: September 10, 2008

TO: Chairman and Members of the Community Development Commission

FROM: Economic and Community Development Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO DEVELOPMENT PLAN (D-207-06) AND REGULAR COASTAL PERMIT (RC-209-06) FOR THE ADDITION OF AN APPROXIMATELY 500-SQUARE-FOOT ROOF DECK TO AN APPROVED NINE-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 502 NORTH MYERS STREET – CRYSTAL SANDS – APPLICANT: MYERS STREET, LLC**

## **SYNOPSIS**

The item under consideration is an amendment to a Development Plan and Regular Coastal Permit for an approximately 500-square-foot roof deck to the approved nine-unit residential condominium project (Crystal Sands) located at 502 North Myers Street. Staff is recommending that the Commission adopt the attached resolution approving the project.

## **BACKGROUND**

On December 6, 2006, the Community Development Commission approved a nine-unit residential condominium project located at 502 North Myers Street. Construction has commenced with completion anticipated in summer 2009.

**Land Use and Zoning:** The subject site is located within Subdistrict 5 of the "D" Downtown District. Subdistrict 5 is primarily intended to provide a high-density residential neighborhood in an urban setting in close proximity to shopping, employment, transportation and recreational facilities. Multifamily residences are permitted. The approved project has a density of 28.8 dwelling units per acre well below the maximum density of 43 dwelling units per acre.

**Regular Coastal Permit:** This project is situated within the Coastal Zone and requires a Regular Coastal Permit. Under the provisions of the Local Coastal Plan the project site is designated as Mixed High-Density and Transient Residential. Multifamily and single-family are primarily the uses allowed within this land use designation.

The project is also situated within the Coastal Zone “appeal jurisdiction”. Any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission

**Project Description:** The project application is an amendment to an approved Development Plan and Coastal Permit. The project proposes the addition of an approximately 500-square-foot roof deck and a stairwell to be situated on the northwestern portion of the building. The proposed roof deck will allow for one of the units (unit D) to have an ocean view. The proposed deck will be exclusively for the private use of unit D and no other units will have access to the roof. The proposed addition including the stairwell will not increase the project height of 35 feet high (maximum height) and the proposed design is consistent with the approved building design.

Outlined below is a comparison chart summarizing the required development criteria with the proposed project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	5,000 s.f.	13,585 s.f.
SETBACKS Front Side Rear	*3 feet 10 feet 5 feet	5 feet 10 feet 5 feet
LANDSCAPING	25%	26%
PARKING	18 spaces	19 spaces
BUILDING HEIGHT	35 feet (Maximum)	35 feet

\*Front yard “blockface” average.

**Environmental Determination:** Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the Certificate of Exemption during its hearing on the project.

**ANALYSIS**

Staff's analysis focused on the compatibility of the project with the existing building design and the project's consistency with the underlying Redevelopment Plan, Local Coastal Program and Zoning Ordinance.

The project proposes an approximately 500-square-foot roof deck to allow one of the residential units access to an ocean view. The proposed design is consistent with the approved building design (currently under construction). In addition, the proposed project meets all of the development standards.

Local Coastal Plan: Staff's review of the project examined the consistency of the development with the underlying zoning regulations and policies of the Local Coastal Program. The project is located within the "appealable area" which is defined as the first 300 feet east of The Strand. Staff also evaluated the proposed project and its effect on public coastal views from the surrounding residences. The applicant provided a view analysis (see attachment) regarding the potential view blockage. Staff believes that due to the location of the roof deck and the southwestern orientation of the building, the potential for public view blockage from the surrounding properties will be minimal.

In conclusion, staff believes that the amended Development Plan and Regular Coastal Permit meet the intent of the Redevelopment Plan, Local Coastal Program and the underlying subdistrict goals. The proposed addition is consistent with the approved design of the building and it will make the project more economically viable.

### **COMMISSION OR COMMITTEE REPORTS**

The Redevelopment Design Review Committee (RDRC) reviewed the project at its May 23, 2008, meeting and approved the project on a 4-0 vote.

The Redevelopment Advisory Committee (RAC) reviewed the project at its June 25, 2008, meeting. The RAC was concerned regarding potential view blockage from the properties located on the west side of the 500 block of North Cleveland Street and therefore recommended that the applicant meet with those homeowners. Due to this concern, the applicant has since revised the plans and substantially reduced the size of the proposed stairwell. The applicant has met with the homeowners in early July and showed the revised plans.

The RAC reviewed the revised plans on August 27, 2008, and approved the project on a 5-0 vote.

### **FISCAL IMPACT**

The approved project will add approximately \$140,000 of tax increment yearly to the project area.

### **CITY ATTORNEY'S ANALYSIS**

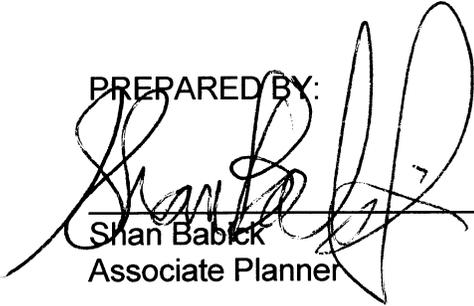
Pursuant to Oceanside Zoning Ordinance Article 41, Section 4102, and Article 43, Section 4305, the Community Development Commission is authorized to hold a public hearing on the development plan and coastal permit revisions. Consideration of the revisions should be based on the evidence presented at the public hearing. After conducting the public

hearing, the Commission shall approve, conditionally approve, or disapprove the revisions. The resolution has been reviewed and approved as to form by the City Attorney.

**RECOMMENDATION**

Staff recommends that the Commission adopt the resolution approving an amendment to Development Plan (D-207-06) and Regular Coastal Permit (RC-209-06) for the addition of an approximately 500-square-foot deck for the approved nine-unit Crystal Sands residential condominium project located at 502 North Myers Street.

PREPARED BY:

  
Shan Babick  
Associate Planner

SUBMITTED BY:

  
Peter A. Weiss  
Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager  
Jane McVey, Economic and Community Development Director  
Kathy Baker, Redevelopment Manager



**EXHIBITS/ATTACHMENTS**

1. Resolution
2. Certificate of Exemption
3. Site Plan / Floor Plans / Elevations
4. Staff report dated December 6, 2006
5. View Analysis

1  
2 RESOLUTION NO. 08-

3 A RESOLUTION OF THE COMMUNITY DEVELOPMENT  
4 COMMISSION OF THE CITY OF OCEANSIDE APPROVING  
5 AN AMENDMENT TO A DEVELOPMENT PLAN AND  
6 REGULAR COASTAL PERMIT FOR THE ADDITION OF AN  
7 APPROXIMATELY 500 SQUARE FOOT ROOF DECK FOR  
8 AN APPROVED NINE UNIT RESIDENTIAL CONDOMINIUM  
9 PROJECT LOCATED AT 502 NORTH MYERS STREET –  
10 APPLICANT: MYERS STREET, LLC

11 WHEREAS, on September 10, 2008, the Community Development Commission held its  
12 duly noticed public hearing, considered an application for an amendment to Development Plan  
13 (D-207-06) and Regular Coastal Permit (RC-209-06) for the addition of an approximately 500  
14 square foot roof deck of an approved nine unit residential project located at 502 North Myers  
15 Street;

16 WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of  
17 Oceanside did, on May 23, 2008, review and recommend approval of an amendment to  
18 Development Plan (D-207-06) and Regular Coastal Permit (RC-209-06);

19 WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside  
20 did, on June 25, 2008, review and recommend continuing the item in order to allow the  
21 applicant to meet with the neighborhood of the amendment to Development Plan (D-207-06)  
22 and Regular Coastal Permit (RC-209-06);

23 WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of  
24 Oceanside did, on August 27, 2008, review and recommend approval of the amendment to  
25 Development Plan (D-207-06) and Regular Coastal Permit (RC-209-06);

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

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

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

3           NOW, THEREFORE, the Community Development Commission of the City of  
4 Oceanside does resolve as follows:

5 FINDINGS:

6 **For the Amended Development Plan:**

7           1.       The site plan and physical design of the project as proposed is consistent with the  
8 purposes of the City’s Zoning Ordinance and the “D” Downtown District in that the proposed  
9 500 square foot roof deck to the approved nine-unit residential development meets or exceeds  
10 all of the required minimum development standards of the “D” Downtown District.    The  
11 proposed addition to the nine unit residential condominium is consistent with the design of the  
12 existing structure.

13           2.       The Development Plan as proposed conforms to the Redevelopment Plan, Local  
14 Coastal Program and General Plan of the City in that the development is consistent with the  
15 land uses of the Redevelopment Plan and the project meets all of the required “D” Downtown  
16 District development standards.    In addition, the project is consistent with other similar  
17 multifamily residential developments located within the surrounding neighborhood.

18           3.       The area covered by the Development Plan can be adequately, reasonably and  
19 conveniently served by existing and planned public services, utilities and public facilities.    The  
20 proposed 500 square foot roof deck addition on to the approved nine-unit building will not  
21 create public service and facility demands exceeding the capacity of existing and planned  
22 infrastructure.

23           4.       The proposed 500 square foot roof deck addition to the approved nine unit  
24 residential development, is compatible with similar multifamily developments located on the  
25 North Myers/Pacific Street corridor.

26           5.       The site plan and physical design of the project is consistent with Section 1.24 and  
27 1.25 of the Land Use Element of the General Plan, and Section 3039 of the Oceanside Zoning  
28 Ordinance (Hillside Development Provisions), in that the proposed addition does not involve  
grading, therefore, it would not be subject to Section 1.24 and 1.25 of the Land Use Element of the  
General Plan.

1 **For the Amended Regular Coastal Permit:**

2 1. The granting of the Regular Coastal Permit is consistent with the  
3 purposes of the California Coastal Act of 1976. The proposed 500 square foot roof deck to the  
4 approved nine-unit residential development is consistent with the High Density Residential use  
5 as depicted in the Local Coastal Program Land Use Map. The project does not impede public  
6 access to the beach because the addition is located on the roof of an approved residential  
7 building and the subject site is located approximately 270 feet northeast of the public beach  
8 access.

9 2. The proposed project is consistent with the policies of the Local Coastal Program  
10 as implemented through the City Zoning Ordinance. The proposed 500 square foot roof deck to  
11 the approved nine-unit residential development is consistent High Density Residential as  
12 depicted in the Local Coastal Program Land Use Map. In addition, the project will not  
13 substantially alter or impact the existing public coastal views because the proposed addition is  
14 less than 10% of the ground floor, the location of the addition is on northern portion of the  
15 building away from the southern view corridor and the southwestern orientation of the building.

16 3. The proposed project will not obstruct any existing or planned public beach  
17 access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal  
18 Act. The subject site is located approximately 270 feet northeast of the public beach access  
19 stairway.

20 SECTION 1. That amendments to the Development Plan (D-207-06) and Regular Coastal  
21 Permit (RC-209-06) are hereby approved subject to the following conditions:

22 **Building:**

23 1. Applicable Building Codes and Ordinances shall be based on the date of  
24 submittal for Building Department plan check (2007 California Building Code and 2007  
25 California Electrical Code).

26 2. All sheets of the approved building plans including architectural, structural, etc.  
27 shall be revised to depict the new deck and elevator tower, once discretionary permits are  
28 approved for the amendment.

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

1           3.       Site development, common use areas, access and adaptability of condominiums  
2 shall comply with the State's Disabled Accessibility Regulations (2007 CBC Code).

3           4.       The building plans for this project are required by State law to be prepared by a  
4 licensed architect or engineer and shall be in compliance with this requirement prior to  
5 submittal for building plan check review.

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

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

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

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

23 **Fire:**

24           7.       Plans shall be submitted to the Fire Prevention Bureau for plan check review and  
25 approval prior to the issuance of building permits. A site plan indicating the fire access and  
26 hydrant locations shall also be submitted in electric format.

27           8.       Buildings shall meet current applicable codes at the time of building permit  
28 applications.



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15. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued are required to be met by this project. The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification, and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this \_\_\_ day of \_\_\_\_\_ 2008 by the following vote:

AYES:

NAYS:

ABSENT:

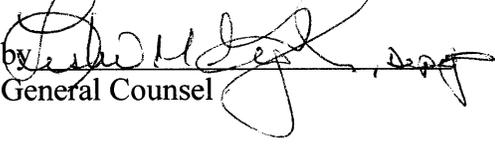
ABSTAIN:

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

by   
General Counsel

CITY OF OCEANSIDE  
PLANNING DEPARTMENT

# NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK  
COUNTY OF SAN DIEGO  
P.O. BOX 1750  
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:

AN AMENDMENT TO DEVELOPMENT PLAN (D-207-06) AND REGULAR COASTAL PERMIT (RC-209-06) FOR THE ADDITION OF A 533 SQUARE FOOT ROOF DECK AND 192 SQUARE FOOT STAIRWELL FOR AN APPROVED NINE UNIT RESIDENTIAL CONDOMINIUM LOCATED AT 502 NORTH MYERS STREET

PROJECT LOCATION - SPECIFIC:

502 North Myers Street

PROJECT LOCATION - GENERAL:

Sportsfisher & Myers Street

AMENDMENT TO DEVELOPMENT PLAN (D-207-06)  
AMENDMENT REGULAR COASTAL PERMIT (RC-209-06)

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:

For the construction of a residential duplex located at 807 North Pacific Street.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:

Phil Bucolla  
3142 Vista Way  
Carlsbad, CA 92056  
(760) 721-2000

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)  
(Public Resources Code Section 21000 et. al.):

   NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

   STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

X CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15301(b)

REASONS WHY PROJECT IS EXEMPT:

The proposed amendment to the Development Plan and Regular Coastal Permit adds a 533 square foot deck and 192 square foot stairwell to an approved nine unit multifamily residential project located at 502 North Myers Street. The subject site is less than 5-acres in size, therefore, it is exempt from environmental review.

Contact Person: Shan Babick, Associate Planner

SIGNATURE

For: Jerry Hittleman, Planning Director

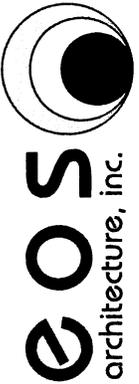
June 16, 2008

DATE

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REDEVELOPMENT

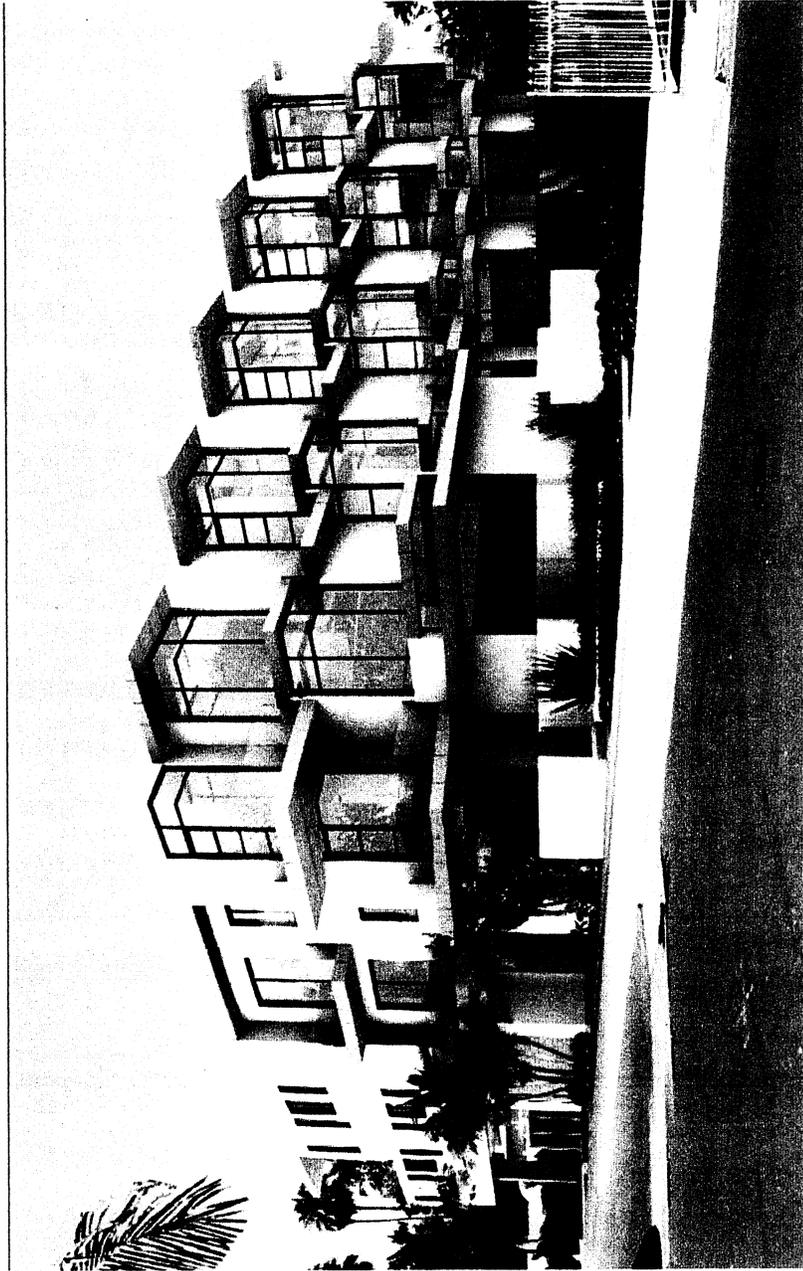


EOS  
architecture, inc.

ARCHITECTURAL SHEET INDEX  
TITLE SHEET  
T1  
FIRST FLOOR PLAN  
A1.1  
SECOND FLOOR PLAN  
A1.2  
ROOF PLAN  
A1.3  
EXTERIOR ELEVATIONS 1 & 2  
A1.4  
EXTERIOR ELEVATIONS 3 & 4  
A1.5

SCOPE  
REVISION OF EXISTING ENTIREMENT  
APPLICABLE TO THE ENTIRE CONDOMINIUM  
PROJECT TO INCLUDE ADDITION OF STAIR  
ACCESS AND ROOF DECK FOR UNIT 9. NOT  
OTHER REVISIONS PROPOSED.

UPDATED PROJECT INFORMATION  
GROSS FLOOR AREA OF PROPOSED BUILDING  
(EXCLUDING UNDERGROUND PARKING), FLOORS 8F (NO GARAGE)  
TOTAL PROPOSED ROOF DECK AREA, 8F (NO GARAGE)  
TOTAL BUILDING AREA, 28,326 SF (DO NOT INCLUDE ROOF DECK)

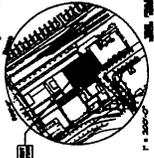


VIEW FROM SOUTHWEST

# CRYSTAL SANDS

A NINE UNIT CONDOMINIUM  
PROJECT LOCATED AT  
502 NORTH MYERS STREET  
OCEANSIDE, CALIFORNIA, 92054

Prepared by  
Name: [REDACTED]  
Date: 08/05/08  
Project Address: 502 NORTH MYERS ST.  
Project City, State, Zip: OCEANSIDE, CA 92054



PLANNING

Project	502 NORTH MYERS ST.
Client	CRISTAL SANDS
Architect	EOS ARCHITECTURE, INC.
Scale	AS SHOWN
Sheet Name	T1
Sheet Number	01 OF 01



CRYSTAL SANDS - A NINE UNIT  
CONDOMINIUM PROJECT  
502 N. MYERS ST  
OCEANSIDE CA 92054





Professional Engineer  
 State of California  
 License No. 10000

CRYSTAL SANDS - A NINE UNIT  
 CONDOMINIUM PROJECT  
 502 N. MYERS ST  
 OCEANSIDE CA 92054

REVISION	DATE	BY	DESCRIPTION

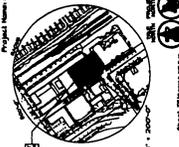
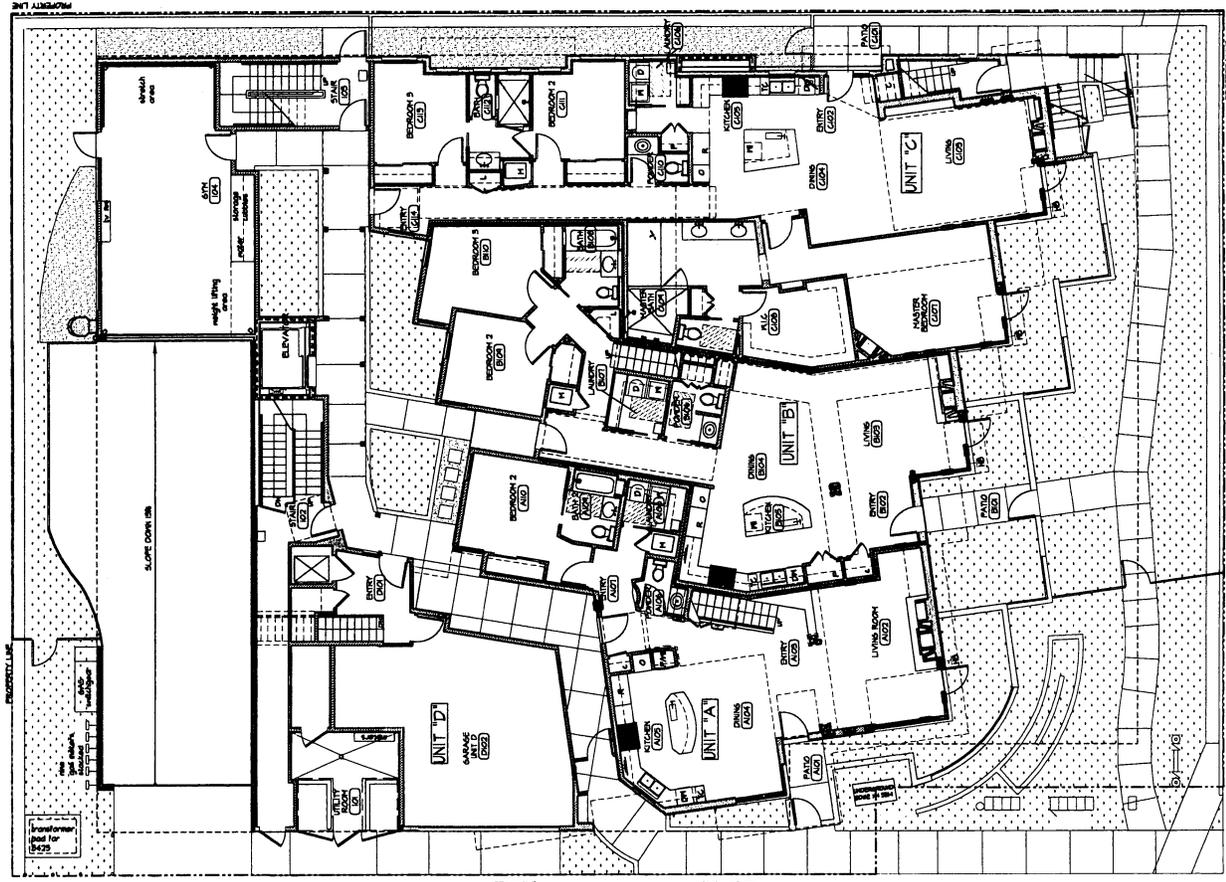
Prepared by: [Name]  
 Checked by: [Name]  
 Date: 08/08/08  
 Project: CRYSTAL SANDS

Sheet: **A1.1**  
 Title: **FIRST FLOOR PLAN**

**RECEIVED**  
 AUG 05 2008  
 OCEANSIDE  
 REDEVELOPMENT

FOR REFERENCE ONLY, NO  
 CHANGES FROM ORIGINAL  
 APPROVED ENTITLEMENT PLANS.

Prepared by: [Name]  
 Checked by: [Name]  
 Date: 08/08/08  
 Project: CRYSTAL SANDS  
 Project Address: 502 N. MYERS ST., OCEANSIDE, CA 92054  
 Project File: CRYSTAL SANDS

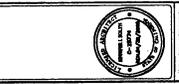
**FIRST FLOOR PLAN**

SCALE: 3/8"=1'-0"









DAVID A. SMITH  
 PROFESSIONAL ENGINEER  
 STATE OF CALIFORNIA  
 LICENSE NO. 44283  
 CIVIL ENGINEERING

CRYSTAL SANDS - A NINE UNIT  
 CONDOMINIUM PROJECT  
 502 N. MYERS ST  
 OCEANSIDE CA 92054

DATE	DESCRIPTION
08/11/08	ISSUED FOR PERMITS

Prepared by: [Name]  
 Checked by: [Name]  
 Date: 08/11/08  
 Project Address: 502 N. MYERS ST., OCEANSIDE, CA 92054  
 Project Name: CRYSTAL SANDS

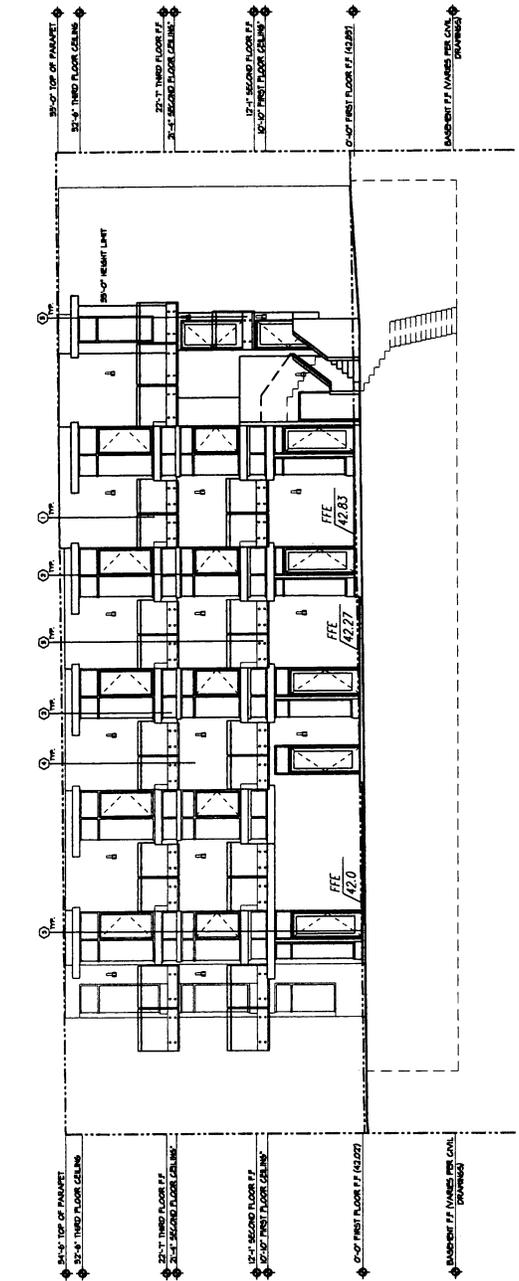
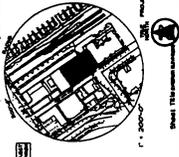
PLANNING  
 EXTERIOR ELEVATIONS  
 A4.0

- ELEVATION NOTES**
- TEMPERED GLASS PANELS
  - PLYWOOD DUAL GLAZED LORIE WINDOW OR DOOR PAINTED TO MATCH VISTA PAINT COLOR #914
  - TRUSSIA SUFFIT AND TRIM COLOR, ALUMINUM GRAY WITH VITRUM METALLIC FINISH
  - 1/2" SMOOTH TRUSSIA FRESH INTERIOR COLOR, EXTERIOR GRAY FLUOR COLOR #258
  - CUSTOM METAL AND GLASS ENTRY DOOR PER ARCHITECT
  - CUSTOM METAL GARAGE DOOR FINISH, SILVER
  - SALVAGED STEEL TRUSS ENCLASURE GATES FRESH, SILVER
  - DECORATIVE LIGHT BOLLARD PER ARCHITECT
  - 1/4" X 1/4" BLOCK WALL WITH BRICKO FINISH TO MATCH HOUSE
  - INTERIOR STAIR FINISH FLOOR TO MATCH HOUSE
  - WOOD FENCE FOR LANDSCAPE PLANS

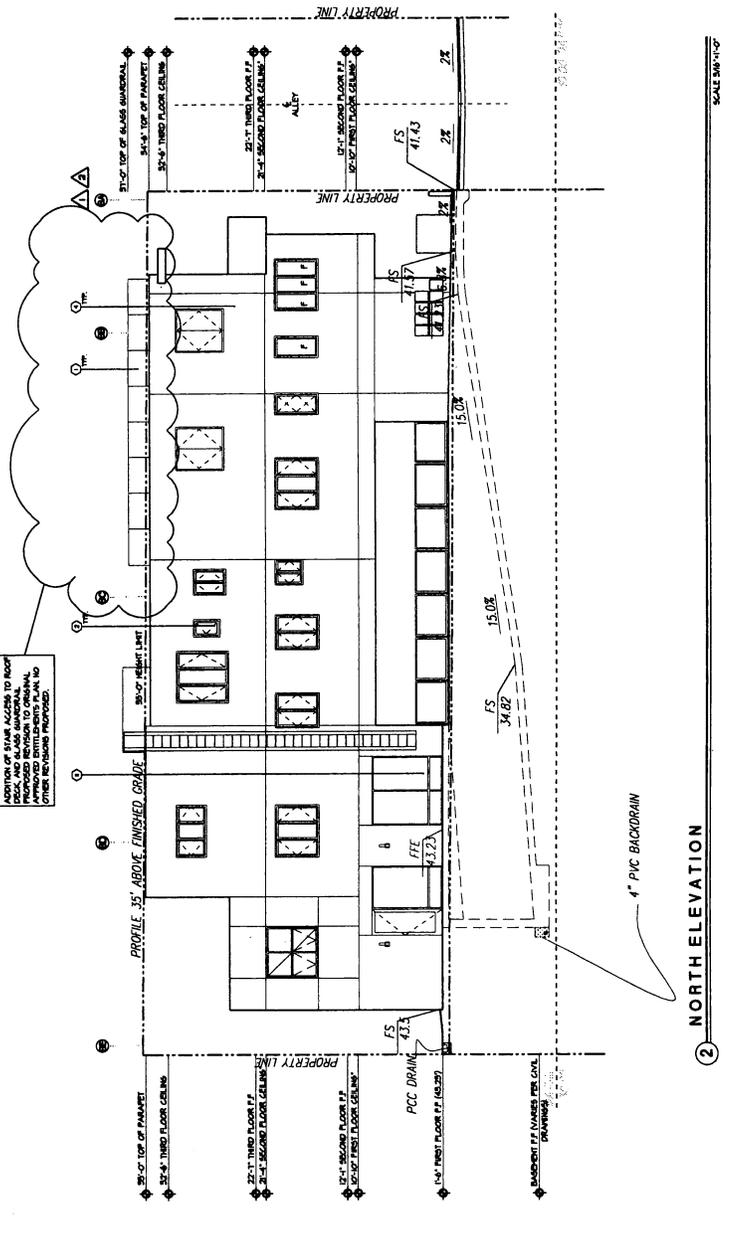
**PERMITS DEPARTMENT NOTES**

1. IN ACCORDANCE WITH UNIFORM FIRE CODE SECTION 101.02, ALL EXTERIOR WALLS, PARAPETS, ROOF EAVES, AND RESIDENTIAL OCCUPANCIES SHALL BE PROTECTED WITH 1/2" MINIMUM THICKNESS TYPE I PLASTER OR GIPS. FROM THE STREET OR ROADWAY ADJOINING THE PROPERTY. INTERIORS SHALL CONTRAST WITH EXTERIOR WALLS AND MULTIFAMILY DWELLINGS REQUIRE A ADDRESS NUMBER.

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 AUG 05 2008  
 OCEANSIDE  
 REDEVELOPMENT



1 SOUTH ELEVATION FOR REFERENCE ONLY, NO CHANGES FROM ORIGINAL APPROVED ENTITLEMENT PLANS.



2 NORTHELEVATION



CRYSTAL SANDS - A NINE UNIT  
 COHESIONLINE PROJECT  
 505 N. 205  
 OCEANSIDE CA 92054

DATE	
REVISION	
DESCRIPTION	
BY	
CHECKED	
DATE	

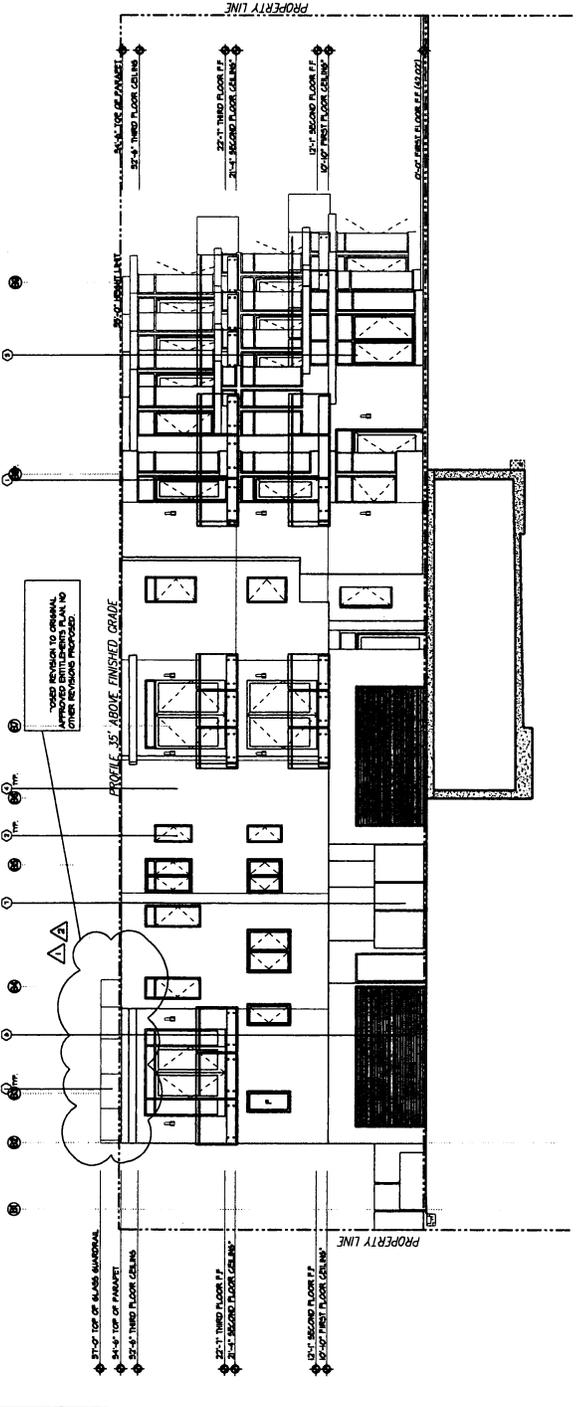
PLANNING  
 Name: [ ]  
 Title: [ ]  
 Date: [ ]  
 Revision: [ ] of [ ]  
 Date: [ ]

EXTERIOR ELEVATIONS  
 Sheet: A4.1  
 Date: [ ]

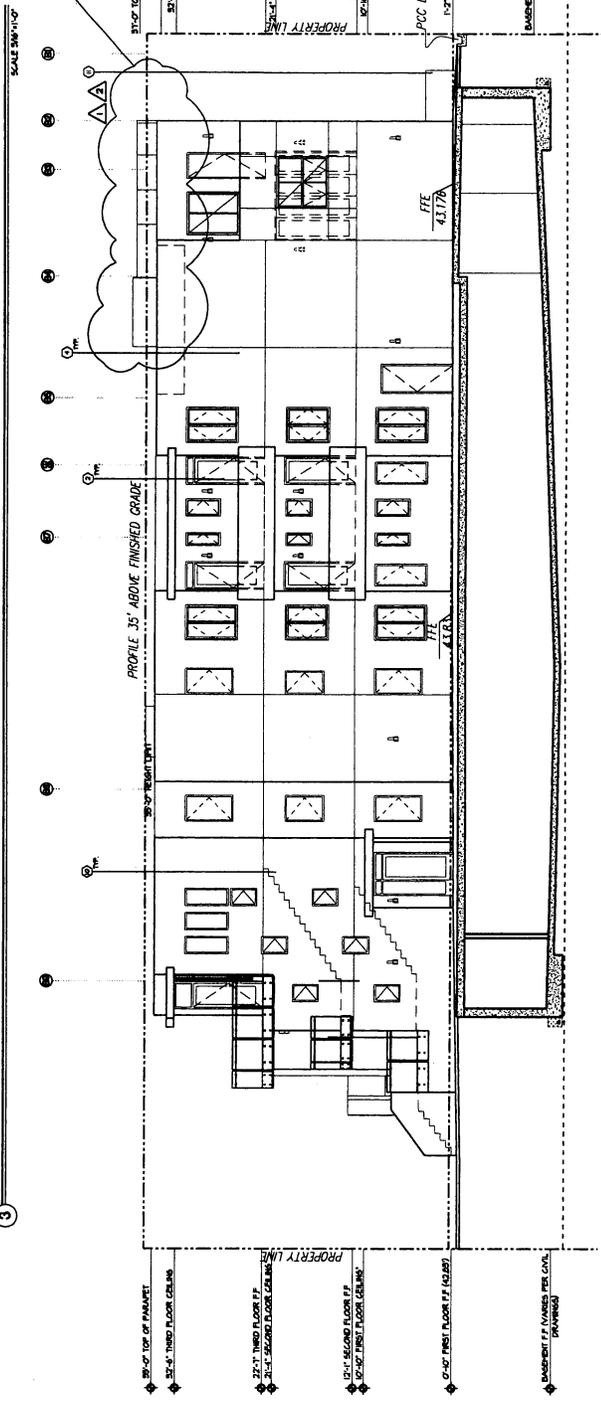
- ELEVATION NOTES**
1. TYPED GLASS RAILING
  2. EXTERIOR FINISH SHALL BE BRICK OR DOOR PAINTED TO MATCH WITH PAINT COLOR WITH
  3. TYPED SPOTTED AND TIEK COLOR, ALUMINUM GRAY WITH VERTICAL METALLIC FINISH
  4. 1/2" SHOWN TRAILER, FINISH INTERNAL COLOR, EXTERIOR COORDINATE PLASTER COLOR, 1250
  5. GARDEN METAL AND GLASS ENTRY DOOR FOR ARCHITECT
  6. GARDEN METAL AWARAGE DOOR, FINISH SILVER
  7. ADVANCED STEEL TRASH ENCLOSURE SAVED FINISH SILVER
  8. DECORATIVE LIGHT BOLLARD FOR ARCHITECT
  9. 1/2" SHOWN TRAILER, FINISH INTERNAL COLOR, EXTERIOR COORDINATE PLASTER COLOR, 1250
  10. EXTERIOR STAIR FINISH FLOOR BEYOND
  11. WOOD FENCE PER LANDSCAPE PLAN

**FIRE DEPARTMENT NOTES**  
 ALL APPROVED ADDITIONS FOR CONFORMANCE WITH CALIFORNIA FIRE DEPARTMENT REGULATIONS SHALL BE PLACED ON THE EXTERIOR WALLS OF THE BUILDING AS TO BE PLACED ON THE STREET OR ROUGHLY WITH THE BUILDING. INTERIOR SHALL CONTRAST WITH THE BUILDING. INTERIOR SHALL CONTRAST WITH THE BUILDING. INTERIOR SHALL CONTRAST WITH THE BUILDING.

**RECEIVED**  
 AUG 05 2008  
 OCEANSIDE REDEVELOPMENT



3 WEST ELEVATION  
 SCALE 3/8"=1'-0"



4 EAST ELEVATION  
 SCALE 3/8"=1'-0"

14 September 03 002 14/08







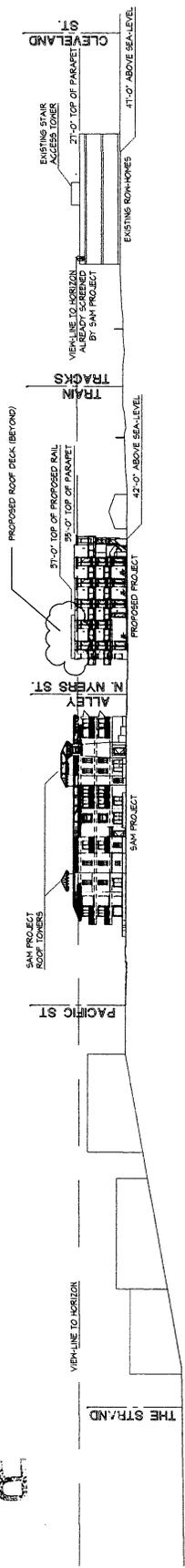
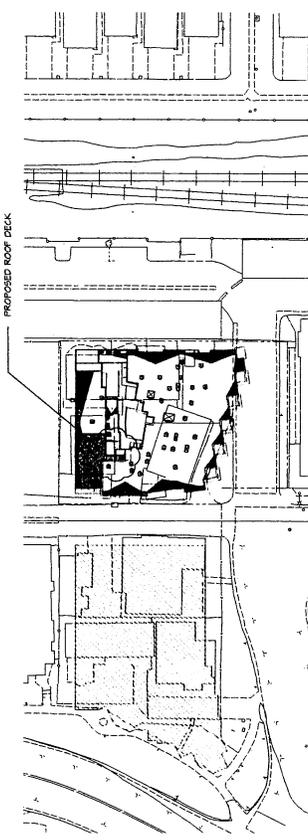
CRISTAL SANDS - A NINE UNIT  
CONDOMINIUM PROJECT  
502 N. MYERS ST  
OCEANSIDE CA 92054

REVISIONS

NO.	DATE	DESCRIPTION
1	04-21	ISSUED FOR PERMITS
2	04-21	ISSUED FOR PERMITS
3	04-21	ISSUED FOR PERMITS
4	04-21	ISSUED FOR PERMITS
5	04-21	ISSUED FOR PERMITS
6	04-21	ISSUED FOR PERMITS
7	04-21	ISSUED FOR PERMITS
8	04-21	ISSUED FOR PERMITS
9	04-21	ISSUED FOR PERMITS
10	04-21	ISSUED FOR PERMITS

Project: VS-1  
 Date: 07/10/07  
 Prepared by: J.S. GIB  
 Drawn: C.D.B.  
 Job No.: 04-21

VIEW STUDY  
 Sheet: VS-1  
 of 2



RECEIVED  
 AUG 05 2008  
 OCEANSIDE  
 REDEVELOPMENT

TRUE NORTH  
 PROJECT NORTH  
 SCALE: 1" = 30'

VIEW STUDY

# STAFF REPORT



ITEM NO. 4c

CITY OF OCEANSIDE

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DATE: December 6, 2006

TO: Chairman and Members of the Community Development Commission

FROM: Economic Development and Redevelopment Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING TENTATIVE MAP (T-202-06), DEVELOPMENT PLAN (D-207-06) AND REGULAR COASTAL PERMIT (RC-209-06) FOR THE CONSTRUCTION OF A NINE-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 502 NORTH MYERS STREET - CRYSTAL SANDS - APPLICANT: 502 N. MYERS STREET, LLC**

## SYNOPSIS

The item under consideration is a Tentative Map, Development Plan and Regular Coastal Permit for the construction of a nine-unit residential condominium project located at 502 North Myers Street. Staff is recommending that the Commission approve the project and adopt the resolution as attached.

## BACKGROUND

The subject site consists of two pre-existing legal parcels totaling 10,000 square feet in size that was part of the original A.J. Myers Addition subdivision of 1885. The subject site currently maintains three buildings (six units) situated on two lots which will be demolished as part of the development of this project.

The subject site topography is flat; with just over one-foot grade differential between the highest and lowest points of the site. Due to the proposed underground basement parking, approximately 3,900 cubic yards of soil will be exported.

The subject site is situated within the North Myers/Pacific Street corridor neighborhood, which consists of old apartment buildings interspersed with new single-family and condominium units.

There are 5 units on the subject site that are over 45 years old; therefore, a Historic Assessment was prepared to determine its historical significance. The Historic Assessment is attached to the staff report.

**Land Use and Zoning:** The subject site is located within Subdistrict 5 of the "D" Downtown District. Subdistrict 5 is primarily intended to provide a high-density residential neighborhood in an urban setting in close proximity to shopping,

employment, transportation and recreational facilities. Multifamily residences are permitted. The density within this zone ranges from 29-43 dwelling units per acre. The project proposes a density of 28.8 dwelling units per acre.

Regular Coastal Permit: This project is situated within the Coastal Zone and requires a Regular Coastal Permit. Under the provisions of the Local Coastal Plan the project site is designated as Mixed High-Density and Transient Residential. Multifamily and single-family are primarily the uses allowed within this land use designation.

The project is also situated within the Coastal Zone "appeal jurisdiction". Any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission

**Project Description:** The project application consists of several components, which include a Tentative Map, Development Plan and Regular Coastal Permit. Each discretionary request is described as follows:

Tentative Map and Development Plan: The project proposes a 3-story, 9-unit residential condominium with units ranging in size from 1,870 to 2,751 square feet to be situated on a 13,585-square-foot lot. In addition, the project proposes an underground basement garage with 17 parking spaces, 2-car garage, elevator and storage areas. The project's height is 35 feet. The proposed project is a modern design as evident by the geometric shapes, open corners, glass rails and off-white smooth finish.

The project also proposes to vacate a portion (approximately 3,585 square feet) of Sportsfisher Drive bringing the total site area to 13,585. In 1984, a street vacation was approved for the south side of Sportsfisher Drive for the development of the 55-unit Sea Village residential condominiums. The applicant is requesting to vacate the excess road way. The project has been conditioned that should this proposed building not be constructed, the street vacation becomes null and void.

Subdistrict 5 requires that a minimum of 25 percent of the site be landscaped. The project proposes that approximately 26 percent (26%) of the subject site is landscaped. The project proposes Palm and Myrtle trees, shrubs include Lily and New Zealand Flax and groundcover consists of various grasses.

The project is required to provide 1,800 square feet of private/common useable open space. The project provides approximately 1,820 square feet of common/private useable open space.

Vehicular access to the units will be from the alley (Myers Street) located at the rear portion of the property. Pedestrian access will be provided from Sportsfisher Drive and Myers Street.

The overall project density is 28.8 dwelling units per acre. Outlined below is the residential unit breakdown:

Plan Type	Sq.Ft.	Bedrms.	Baths	Units
Plan 1	1,870	3	2.5	1
Plan 2	1,944	3	3.5	1
Plan 3	1,954	3	2.5	1
Plan 4	1,955	3	2.5	1
Plan 5	1,963	3	2.5	1
Plan 6	2,048	3	2.5	1
Plan 7	2,058	3	2.5	1
Plan 8	2,194	3	2.5	1
Plan 9	2,751	3	2.5	1
<b>Total</b>				<b>9</b>

Outlined below is a comparison chart summarizing the required development criteria with the proposed project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	N/A (pre-existing lot)	N/A (pre-existing lot)
SETBACKS		
Front	* 3 feet	5 feet
Side	10 feet	10 feet
Rear	5 feet	5 feet
LANDSCAPING	25%	26%
PARKING	18 spaces	19 spaces
BUILDING HEIGHT	35 feet	35 feet
DENSITY	43 du. Ac.(Maximum)	28.8 du. Ac.

\*Using existing setback and front yard "blockface" average.

Regular Coastal Permit: A Regular Coastal Permit is required because the project is situated within the Coastal Zone and proposes new construction that requires discretionary action.

**Environmental Determination:** A Certificate of Exemption has been prepared for the project. Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the exemption during its hearing on the project.

The Historic Assessment has been prepared to determine the cultural significance of the subject site. The Historic Assessment chronicles the creation, ownership, and development of the subject site and concludes that the site does have an interesting ownership history; however, no significant cultural resources exist on the site today.

## **ANALYSIS**

Staff's analysis focused on the compatibility of the project with existing development patterns of the area and the project's consistency with the underlying Redevelopment Plan, Zoning Ordinance, and the Local Coastal Program.

Since the proposed project is an infill project, staff's initial concerns centered on the project's compatibility with the existing residential patterns. The surrounding area consists of older apartments interspersed with some newer condominium development. Staff believes that the proposed 9-unit condominium is consistent with the surrounding neighborhood, especially with the newer condominium units.

Staff is also concerned with the project's architectural compatibility and scale with the surrounding neighborhood. Staff has inventoried the surrounding neighborhood and has found a varied housing stock with a variety of unit types and unit sizes. In comparing the project's product type and corresponding square footages to the unit types and square footages that exist in the area, it can be found that the proposed unit sizes are comparable in size and would have a positive effect to the area.

Staff's review of the project examined the consistency of the development with the underlying zoning regulations and policies of the Local Coastal Program. The project is located within the "appealable area" which is defined as the first 300 feet east of The Strand. The project provides a 5-foot front yard setback (along the alley) and 25-foot southern side yard setback which exceeds the setbacks for existing development located within the surrounding neighborhood. Staff also evaluated the proposed residence and its effect on public coastal views. Staff was concerned with potential public view blockage along Sportsfisher Drive from the surrounding residences. The applicant proposes a minimum 25-foot southern side yard setback; therefore, the potential view blockage along Sportsfisher Drive will be minimal from the surrounding residences.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and goals, which encourage the development of new residential uses. The design of the project is consistent in both the height and scale of the surrounding neighborhood. The proposed project is consistent with the quality of design of the newer residences located along the North Pacific/Myers streets corridor. The proposed project is also consistent with the goals and the land use policies of the Local Coastal Plan.

## **COMMISSION OR COMMITTEE REPORTS**

The Redevelopment Design Review Committee (RDRC) reviewed the project at its

October 27, 2006 meeting and approved the project on a 3-0 vote.

The Redevelopment Advisory Committee (RAC) reviewed the project at its November 13, 2006, meeting. The RAC approved the project.

**FISCAL IMPACT**

The proposed project will add approximately \$140,000 of tax increment yearly to the project area.

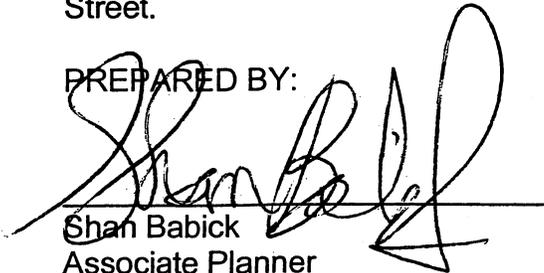
**CITY ATTORNEY'S ANALYSIS**

Pursuant to Oceanside Zoning Ordinance Article 4102, the Commission is authorized to hold a public hearing on this project's applications. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or disapprove the project. The resolution has been reviewed and approved as to form by the City Attorney.

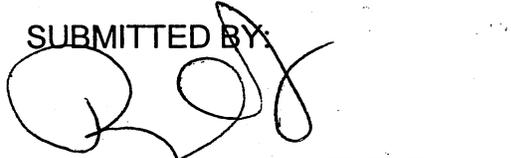
**RECOMMENDATION**

Staff recommends that the Commission adopt the resolution approving Tentative Map (T-202-06), Development Plan (D-207-06) and Regular Coastal Permit (RC-209-06) for the construction of an 9-unit residential condominium project located at 502 North Myers Street.

PREPARED BY:

  
Shan Babick  
Associate Planner

SUBMITTED BY:

  
Barry E. Martin  
Interim Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager  
Kathy Baker, Redevelopment Manager



**EXHIBITS/ATTACHMENTS**

- 1. Resolution
- 2. Notice of Exemption
- 3. Site Plan / Floor Plans / Elevations
- 4. Historic Assessment
- 5. Street Vacation
- 6. Letters

RESOLUTION NO. 06-R0682-3

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A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A TENTATIVE MAP, DEVELOPMENT PLAN, AND REGULAR COASTAL PERMIT FOR THE CONSTRUCTION OF A 9-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 502 NORTH MYERS STREET – APPLICANT: 502 NORTH MYERS STREET, LLC

WHEREAS, on December 6, 2006, the Community Development Commission held its duly noticed public hearing, considered an application for a Tentative Map (T-202-06), Development Plan (D-207-06) and Regular Coastal Permit (RC-209-06) for the construction of a 9-unit residential condominium project located at 502 North Myers Street.

WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of Oceanside did, on October 27, 2006, review and recommend approval of Tentative Map (T-202-06), Development Plan (D-207-06) and Regular Coastal Permit (RC-209-06);

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on November 13, 2006, review and recommend approval of Tentative Map (T-202-06), Development Plan (D-207-06) and Regular Coastal Permit (RC-209-06);

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

WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City of Oceanside for this application pursuant to the California Environmental Quality Act (CEQA) 1970 and the State Guidelines implementing the Act. Pursuant to Section 15332 of the CEQA guidelines the project is considered an infill development and will not have a detrimental effect on the environment;

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

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

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1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or</u>
2			<u>Calculation Formula</u>
3			
4	Parkland Dedication/Fee	Ordinance No. 91-10	\$3,503 per unit
5		Resolution No. 05-R0628-1	
6	Drainage Fee	Ordinance No. 85-23	\$2,843 per acre
7		Resolution No. 05-R0628-1	
8	Public Facility Fee	Ordinance No. 91-09	\$2,072 per unit
9		Resolution No. 05-R0628-1	
10	School Facilities Mitigation	Ordinance No. 91-34	\$2.63 per square foot
11	Fee		
12	Traffic Signal Fee	Ordinance No. 87-19	\$15.71 per vehicle trip
13			
14	Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
15			
16			
17			
18			
19	Water System Buy-in Fees	Oceanside City Code	Fee based on water meter
20		§37.56.1	size. Residential is typically
21		Resolution No. 87-96	\$3,746 per unit;
22		Ordinance No. 05-OR 0611-1	
23	Wastewater System Buy-in	Oceanside City Code §	Based on meter size.
24	fees	29.11.1	Residential is typically
25		Resolution No. 87-97	\$4,587 per unit;
26		Ordinance No. 05-OR 0610-1	
27			
28	San Diego County Water	SDCWA Ordinance No.	Based on meter size.

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or</u>
2			<u>Calculation Formula</u>
3			
4	Authority Capacity Fees	2005-03	Residential is typically
5			\$4,154 per unit
6			

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

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

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

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

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

23 NOW, THEREFORE, the Community Development Commission of the City of  
24 Oceanside does resolve as follows:

**For the Tentative Map:**

- 25 1. The proposed subdivision creates parcels that are consistent with and exceed the  
26 requirements of the Subdistrict 5 zoning designation. The subdivision map is consistent with the  
27 General Plan of the City.

28

1           2.       The proposed building on the site will conform to the topography of the site,  
2 therefore, making it suitable for residential development. The 13,585 square foot site is physically  
3 suitable to allow for the development of nine residential condominium units.

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

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

9           5.       The design of the subdivision or the proposed improvements will not cause  
10 substantial environment damage or substantially and avoidably injure fish or wildlife or their  
11 habitat.

11 **For the Development Plan:**

12           1.       The site plan and physical design of the project as proposed is consistent with the  
13 purposes of the City's Zoning Ordinance and the "D" Downtown District.

14           2.       The Development Plan as proposed conforms to the Redevelopment Plan and  
15 General Plan of the City.

16           3.       The area covered by the Development Plan can be adequately, reasonably and  
17 conveniently served by existing and planned public services, utilities and public facilities.

18           4.       The project as proposed is compatible with the existing and potential  
19 development on adjoining properties or in the surrounding neighborhood.

20           5.       The location of the nine residential condominium units and proposed conditions  
21 under which this use will be operated or maintained will be consistent with the General Plan and  
22 will not be detrimental to the public health, safety or welfare of persons residing or working in  
23 or adjacent to the neighborhood of such use and will not be detrimental to properties or  
24 improvements in the vicinity or the general welfare of the City.

25           6.       The project and uses will comply with the provisions of the Zoning Ordinance,  
26 including any specific condition required for such use in Subdistrict 5.

26 **For the Regular Coastal Permit:**

27           1.       The granting of the Regular Coastal Permit is consistent with the purposes of the  
28 California Coastal Act of 1976.

1           2.       The proposed project is consistent with the policies of the Local Coastal Program  
2 as implemented through the City Zoning Ordinance. In addition, the project will not  
3 substantially alter or impact the existing coastal views through the public rights-of-way view  
4 corridors.

5           3.       The proposed project will not obstruct any existing or planned public beach  
6 access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal  
7 Act.

8           SECTION 1. That Tentative Map (T-202-06), Development Plan (D-207-06) and Regular  
9 Coastal Permit (RC-209-06) are hereby approved subject to the following conditions:

10       **Building:**

11           1.       Applicable Building Codes and Ordinances shall be based on the date of  
12 submittal for Building Department plan check.

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

15           3.       Site development, common use areas, access and adaptability of apartments and  
16 condominiums shall comply with the State's Disabled Accessibility Regulations (2001 CBC  
17 Chapter 11A)

18           4.       The building plans for this project are required by State law to be prepared by a  
19 licensed architect or engineer and must be in compliance with this requirement prior to  
20 submittal for building plan review.

21           5.       All electrical, communication, CATV, etc. service lines, within the exterior lines  
22 of the property shall be underground. (City Code Sec. 6.30)

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

26           7.       Compliance with the Federal Clean Water Act must be demonstrated on the plans.

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

          a)       Building construction work hours shall be limited to between 7 a.m. and

1 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not  
2 inherently noise-producing. Examples of work not permitted on Saturday are concrete and  
3 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be  
4 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor  
5 Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the  
6 provisions of the Oceanside City Code Chapter 38. (Noise Ordinance)

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

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

14 10. A demolition permit shall be required for the demolition of the existing  
15 structures. Plans for the demolition shall depict clearly all utilities are properly  
16 terminated/capped in accordance with the requirements of the utility service provider.

17 11. A private sewer system design must be submitted to the Building Department  
18 and approved prior to the construction of the sewer system. If a gravity flow system is not used,  
19 an engineered mechanical system must be submitted and approved by all City of Oceanside  
20 departments.

21 12. Building levels below grade (on all sides) shall be provided with a mechanical  
22 drainage system that provides drainage to an approved location/receptor.

23 13. Fire sprinklers are required for condominiums that are three or more stories in  
24 height.

25 **Engineering:**

26 14. Because the project involves demolition of existing structures or surface  
27 improvements, the Public Works Director shall approve the grading plans prior to the issuance  
28 of a demolition permit. No demolition shall be permitted without an approved erosion control  
plan.

15. All right-of-way alignments, street dedications, exact geometrics and widths

1 shall be dedicated and improved as required by the Public Works Director.

2 16. Vehicular access rights to Sportsfisher Drive and Myers Street (alley) shall be  
3 relinquished to the City with the exception of the access driveway located on Myers Street  
4 (alley).

5 17. Design and construction of all improvements shall be in accordance with  
6 standard plans, and specifications of the City of Oceanside and subject to approval by the Public  
7 Works Director.

8 18. Prior to the issuance of a building permit, all improvement requirements shall be  
9 covered by a development agreement and secured with sufficient improvement securities or  
10 bonds guaranteeing performance and payment for labor and materials, setting of monuments,  
11 and warranty against defective materials and workmanship.

12 19. Prior to issuance of a building permit a phasing plan for the construction of  
13 public and private improvements including landscaping, shall be approved by the Public Works  
14 Director.

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

22 21. Prior to approval of the Final Map, all improvement requirements, required by  
23 the Public Works Director shall be covered by a subdivision agreement and secured with  
24 sufficient improvement securities or bonds guaranteeing performance and payment for labor and  
25 materials, setting of monuments, and warranty against defective materials and workmanship.

26 22. Where proposed off-site improvements, including but not limited to slopes, public  
27 utility facilities, and drainage facilities, are to be constructed, the applicant shall, at his own  
28 expense, obtain all necessary easements or other interests in real property and shall dedicate the  
same to the City as required. The applicant shall provide documentary proof satisfactory to the City  
that such easements or other interest in real property have been obtained prior to issuance of any

1 grading, building or improvement permit for the project. Additionally, the City, may at its sole  
2 discretion, require that the applicant obtain at his sole expense a title policy insuring the necessary  
3 title for the easement or other interest in real property to have vested with the City of Oceanside or  
4 the applicant, as applicable.

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

9 24. Prior to the issuance of a grading permit, the Developer shall notify and host a  
10 neighborhood meeting with all of the area residences located within 300-feet of the project site, and  
11 residents of property along any residential streets to be used as a “haul route”, to inform them of  
12 the grading and construction schedule, haul routes and to answer questions.

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

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

18 b) All grading and related site preparation and construction activities shall  
19 be limited to the hours of 7 a.m. to 6 p.m., Monday through Friday. No engineering related  
20 construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written  
21 permission is granted by the Public Works Director with specific limitations to the working hours  
22 and types of permitted operations. Because construction noise may still be intrusive in the  
23 evening or on holidays, the City of Oceanside Noise Ordinance also prohibits “any disturbing  
24 excessive or offensive noise which causes discomfort or annoyance to reasonable persons of  
25 normal sensitivity.”

26 c) A haul route shall be obtained at least 7 days prior to the start of hauling  
27 operations and must be approved by the Community Development Director. Hauling operations  
28 shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

29 26. Approval of this development project is conditioned upon payment of all  
30 applicable impact fees and connection fees in the manner provided in chapter 32B of the

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

10 27. A traffic control plan shall be prepared according to the City traffic control  
11 guidelines and be submitted to and approved by the Community Development Director prior to  
12 the start of work within open City rights-of-way. Traffic control during construction of streets  
13 that have been opened to public traffic shall be in accordance with construction signing,  
14 marking and other protection as required by the Caltrans Traffic Manual and City Traffic  
15 Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless  
16 approved otherwise.

17 28. Sight distance requirements at the project driveway shall conform to the corner  
18 sight distance criteria as provided by the California Department of Transportation Highway  
19 Design Manual.

20 29. Streetlights shall be maintained on Sportsfisher Drive and along the frontage of  
21 the project. The system shall provide uniform lighting and be secured prior to building permit  
22 issuance, if a map is not recorded. The developer shall pay all applicable fees, energy charges,  
23 and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also  
24 agree to the formulation of, or the annexation to, any appropriate street lighting district.

25 30. Prior to approval of the grading plans, the developer shall contract with a  
26 geotechnical engineering firm to perform a field investigation of the existing street section on  
27 all streets adjacent to the project boundary. The limits of the study shall be half-street plus  
28 twelve (12) feet along the subdivision's frontage. The field investigation shall determine  
whether the street meets current City Standards. The Subdivider shall remove and reconstruct  
the pavement section as determined by the pavement analysis submittal process.

1           31.     Upon review of the pavement investigation the Public Works Director shall  
2 determine whether the Subdivider shall: 1) Repair all failed pavement sections, header cut and  
3 grind per the direction of the Transportation/Development Inspector, and construct a two (2)  
4 inch thick rubberized AC overlay; or 2) Perform R-value testing and submit a study that  
5 determines if the existing pavement meets current City standards/traffic indices. Should the  
6 study conclude that the pavement does not meet current requirements, rehabilitation/mitigation  
7 recommendations shall be provided in a pavement analysis report, and the Subdivider shall  
8 reconstruct the pavement per these recommendations, subject to approval by the Public Works  
9 Director.

10           32.     The street vacation located within the right-of-way of Sportsfisher Drive shall be  
11 recorded prior to issuance of grading permit or approval of the final map, whichever occurs  
12 first. The approval of the Tentative Map, Regular Coastal Permit and Development Plan is  
13 expressly contingent on the approval of the street vacation for the portion of the project located  
14 within the right-of-way of Sportsfisher Drive. The City retains its complete discretion in acting  
15 on the proposed vacation. Should the vacation be denied, the Tentative Map, Regular Coastal  
16 Permit, and Development Plan shall no longer be effective.

17           33.     Any existing broken pavement, concrete curb and gutter, or sidewalk or any  
18 damaged during construction of the project, shall be repaired or replaced as directed by the  
19 Public Works Director.

20           34.     The developer shall comply with all the provisions of the City's cable television  
21 ordinances including those relating to notification as required by the Public Works Director.

22           35.     Grading and drainage facilities shall be designed and installed to adequately  
23 accommodate the local storm water runoff and shall be in accordance with the City's Engineers  
24 Manual and as directed by the Public Works Director.

25           36.     Prior to any grading of any part of the tract or project, a comprehensive soils and  
26 geologic investigation shall be conducted of the soils, slopes, and formations in the project. All  
27 necessary measures shall be taken and implemented to assure slope stability, erosion control,  
28 and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in  
accordance with the Grading Ordinance and Zoning Ordinance, is approved by the Public  
Works Director.

1           37. This project shall provide year-round erosion control including measures for the  
2 site required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
3 control plan, designed for all proposed stages of construction, shall be reviewed, secured by the  
4 applicant with cash securities and approved by the Public Works Director.

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

10           39. Landscaping plans, including plans for the construction of walls, fences or other  
11 structures at or near intersections, must conform to intersection sight distance requirements.  
12 Landscape and irrigation plans for disturbed areas must be submitted to the Public Works  
13 Director prior to the issuance of a preliminary grading permit and approved by the Public Works  
14 Director prior to the issuance of building permits. Frontage and median landscaping shall be  
15 installed prior to the issuance of any building permits. Any project fences, sound or privacy  
16 walls and monument entry walls/signs shall be shown on, bonded for and built from the  
17 landscape plans. These features shall also be shown on the precise grading plans for purposes  
18 of location only. Plantable, segmental walls shall be designed, reviewed and constructed by the  
19 grading plans and landscaped/irrigated through project landscape plans.

20           40. All landscape plans must be approved by the Public Work Director and a pre-  
21 construction meeting held, prior to the start of any improvements.

22           41. Open space areas and down-sloped areas visible from a collector-level or above  
23 roadway and not readily maintained by the property owner, shall be maintained by a homeowners'  
24 association that will insure installation and maintenance of landscaping in perpetuity. These areas  
25 shall be indicated on the final map and reserved for an association. Future buyers shall be made aware of any estimated monthly costs. The disclosure, together with  
26 the CC&R's, shall be submitted to the Public Works Director for review prior to the recordation of  
27 final map. In the event the homeowner's association dissolves, responsibility for irrigation and  
28 maintenance of the slopes (open space areas) adjacent to each property shall become that of the

1 individual property owner.

2 42. The drainage design on the project Tentative Map is conceptual only. The final  
3 design shall be based upon a hydrologic/hydraulic study to be approved by the Public Works  
4 Director during final engineering. All drainage picked up in an underground system shall remain  
5 underground until it is discharged into an approved channel, or as otherwise approved by the  
6 Public Works Director. All public storm drains shall be shown on City standard plan and profile  
7 sheets. All storm drain easements shall be dedicated where required. The applicant shall be  
8 responsible for obtaining any off-site easements for storm drainage facilities.

9 43. Storm drain facilities shall be designed and located such that the inside travel lanes  
10 on streets with Collector or above design criteria shall be passable during conditions of a 100-year  
11 frequency storm.

12 44. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and  
13 disposed of in accordance with all state and federal requirements, prior to storm water discharge  
14 either off-site or into the City drainage system.

15 45. Unless determined to be exempt, this development shall comply with any  
16 applicable regulations established by the United States Environmental Protection Agency  
17 (USEPA) as set forth in the National Pollutant Discharge Elimination System (N.P.D.E.S.)  
18 permit requirements for urban runoff and storm water discharge and any regulations adopted by  
19 the City pursuant to the N.P.D.E.S. regulations or requirements. Further, the applicant may be  
20 required to file a Notice of Intent with the State Water Resources Control Board to obtain  
21 coverage under the N.P.D.E.S. General Permit for Storm Water Discharges Associated with  
22 Construction Activity and may be required to implement a Storm Water Pollution Prevention  
23 Plan (SWPPP) concurrent with the commencement of grading activities. SWPPP include both  
24 construction and post construction pollution prevention and pollution control measures and  
25 identify funding mechanisms for post construction control measures.

26 46. The developer shall comply with all the provisions of the Clean Water Program  
27 during and after all phases of the development process, including but not limited to: mass  
28 grading, rough grading, construction of street and landscaping improvements, and construction  
of dwelling units. The applicant shall design the Project's storm drains and other drainage  
facilities to include Best Management Practices to minimize non-point source pollution,

1 documents shall be made available to the City for inspection upon request at any time.

2 51. The SWFMA shall include a copy of executed onsite and offsite access  
3 easements necessary for the operation and maintenance of BMPs that shall be binding on the  
4 land throughout the life of the project to the benefit of the party responsible for the O&M of  
5 BMPs, until such time that the storm water BMP requiring access is replaced, satisfactory to the  
6 Public Works Director. The agreement shall also include a copy of the O&M Plan approved by  
7 the Public Works Director.

8 52. The BMPs described in the project's approved Storm Water Mitigation Plan  
9 (SWMP) shall not be altered in any way; shape or form without an administrative Substantial  
10 Conformance or formal approval by the Community Development Commission.

11 53. All existing overhead utility lines within the frontage subdivision or within any full  
12 width street or right-of-way abutting a new subdivision and all new extension services for the  
13 development of the project, including but not limited to, electrical, cable and telephone, shall be  
14 placed underground per Section 901.G. of the Subdivision

15 54. North Myers Street shall be improved as delineated on the tentative map with a 10'  
16 parkway area.

17 **Fire:**

18 55. Fire Department Requirements shall be placed on plans in the notes section.

19 56. Fire flow shall be determined at time of building permit.

20 57. The size of fire hydrant outlets shall be 2 ½" X 4".

21 58. All proposed and existing fire hydrants within 400 feet of the project shall be  
22 shown on the site plan.

23 59. All security gates shall have a knox-box override and as required have strobe  
24 activation capability.

25 60. Fire extinguishers are required and shall be included on the plans submitted for  
26 plan check.

27 61. Provide a 13R fire sprinkler system. The system shall be designed per N.F.P.A.  
28 13R and U.B.C. standard 9-3. Installation of sprinkler systems in residential occupancies up to

1 satisfactory to the Public Works Director.

2 47. Upon acceptance of any fee waiver or reduction by the Subdivider, the entire  
3 project will be subject to prevailing wage requirements as specified by Labor Code section  
4 1720(b) (4). The Subdivider shall agree to execute a form acknowledging the prevailing wage  
5 requirements prior to the granting of any fee reductions or waivers.

6 48. The Subdivider shall prepare and submit an Operations & Maintenance (O&M)  
7 Plan to the Community Development Department with the first submittal of engineering plans.  
8 The O&M Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on  
9 the project's previously approved Storm Water Mitigation Plan (SWMP). The O&M Plan shall  
10 be approved by the Public Works Director prior to approval of any plans. At a minimum the  
11 O&M Plan shall include the designated responsible parties to manage the storm water Best  
12 Management Practices (BMPs), employee's training program and duties, operating schedule,  
13 maintenance frequency, routine service schedule, specific maintenance activities, copies of  
14 resource agency permits, cost estimate for implementation of the O&M Plan and any other  
15 necessary elements.

16 49. The Subdivider shall enter into City-Standard Storm water Facilities  
17 Maintenance Agreement (SWFMA) obliging the project proponent to maintain, repair and  
18 replace the storm water BMPs identified in the project's approved SWMP, as detailed in the  
19 O&M Plan into perpetuity. The Agreement shall be approved by the City Attorney prior to  
20 issuance of any precise grading permit and shall be recorded at the County Recorder's Office  
21 prior to issuance of any building permit. Security in the form of cash (or certificate of deposit  
22 payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to  
23 issuance of a precise grading permit. The amount of the security shall be equal to 10 years of  
24 maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall prepare  
25 the O&M cost estimate. The O&M cost estimate shall be approved by the Public Works  
26 Director prior to approval of any engineering plans for the project.

27 50. At a minimum, maintenance agreements shall require the staff training,  
28 inspection and maintenance of all BMPs on an annual basis. The project proponent shall  
complete and maintain O&M forms to document all maintenance activities. Parties responsible  
for the O&M plan shall retain records at the subject property for at least 5 years. These

1 and including four stories in height.

2           62.     The Fire Department connection shall not be affixed to the building. The Fire  
3 Department connection shall be located at least 40 feet away from the building, within 40 feet of  
4 a fire hydrant and on the address side of the building unless otherwise determined by the Fire  
5 Department. The hydrant shall be located on the same side of the street as the Fire Department  
6 connections.

7           63.     Provide a fire alarm system as required per C.F.C. Article 10 and N.F.P.A. 72,  
8 1999 edition.

9           64.     In accordance with the California Fire Code Sec. 901.4.4, City approved  
10 addresses for residential occupancies shall be placed on the structure in such a position as to be  
11 plainly visible and legible from the street or roadway fronting the property. Numbers shall be  
12 contrasting with their background.

13           65.     Multifamily dwellings require 6 inch address numbers.

14           66.     Plans shall be submitted to the Fire Prevention Bureau for plan check review and  
15 approval prior to the issuance of building permits.

16           67.     Buildings shall meet Oceanside Fire Departments current codes at the time of  
17 building permit application.

18 **Planning:**

19           68.     This Tentative Map (T-202-06), Development Plan (D-207-06), and Regular  
20 Coastal Permit (RC-209-06) shall expire on December 6, 2008, unless implemented as required  
21 by the Zoning Ordinance.

22           69.     This Tentative Map, Development Plan, and Regular Coastal Permit approves  
23 only for the construction of a 9-unit residential condominium project as shown on the plans and  
24 exhibits presented to the Community Development Commission for review and approval. No  
25 deviation from these approved plans and exhibits shall occur without Planning Department  
26 approval. Substantial deviations shall require a revision to the Tentative Map, Development  
27 Plan, and Regular Coastal Permit or a new Tentative Map, Development Plan, and Regular  
28 Coastal Permit.

          70.     The applicant, permittee or any successor-in-interest shall defend, indemnify and  
hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or

1 proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul  
2 an approval of the City, concerning Tentative Map (T-202-06), Development Plan (D-207-06),  
3 and Regular Coastal Permit (RC-209-06). The City will promptly notify the applicant of any  
4 such claim, action or proceeding against the City and will cooperate fully in the defense. If the  
5 City fails to promptly notify the applicant of any such claim action or proceeding or fails to  
6 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend,  
7 indemnify or hold harmless the City.

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

12 72. Landscape plans, meeting the criteria of the City's Landscape Guidelines and  
13 Water Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall  
14 be reviewed and approved by the City Engineer and City Planner prior to the issuance of  
15 building permits. Landscaping shall not be installed until bonds have been posted, fees paid,  
16 and plans signed for final approval.

17 73. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-  
18 way and in any adjoining public parkways shall be permanently maintained by the owner, his  
19 assigns or any successors in interest in the property. The maintenance program shall include  
20 normal care and irrigation of the landscaping; repair and replacement of plant materials;  
21 irrigation systems as necessary; and general cleanup of the landscaped and open areas, parking  
22 lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City  
23 taking all appropriate enforcement actions by all acceptable means including but not limited to  
24 citations and/or actual work with costs charged to or recorded against the owner. This condition  
25 shall be recorded with the covenant required by this resolution.

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

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

76. A letter of clearance from the affected school district in which the property is

1 located shall be provided as required by City policy at the time building permits are issued.

2 77. A covenant or other recordable document approved by the City Attorney shall be  
3 prepared by the applicant developer and recorded prior to the issuance of building permits. The  
4 covenant shall provide that the property is subject to this resolution, and shall generally list the  
5 conditions of approval.

6 78. Prior to the issuance of building permits, compliance with the applicable  
7 provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall  
8 be reviewed and approved by the Planning Division. These requirements, including the  
9 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on  
10 the Landscape Plan and shall be recorded in the form of a covenant affecting the subject  
11 property.

12 79. Prior to the transfer of ownership and/or operation of the site the owner shall  
13 provide a written copy of the applications, staff report and resolutions for the project to the new  
14 owner and or operator. This notification's provision shall run with the life of the project and  
15 shall be recorded as a covenant on the property.

16 80. Failure to meet any conditions of approval for this development shall constitute a  
17 violation of the Tentative Map (T-202-06), Development Plan (D-207-06), and Regular Coastal  
18 Permit (RC-209-06).

19 81. Unless expressly waived, all current zoning standards and City ordinances and  
20 policies in effect at the time building permits are issued are required to be met by this project.  
21 The approval of this project constitutes the applicant's agreement with all statements in the  
22 Description and Justification, and other materials and information submitted with this  
23 application, unless specifically waived by an adopted condition of approval.

24 82. The developer's construction of all fencing and walls associated with the project  
25 shall be in conformance with the approved Development Plan. Any substantial change in any  
26 aspect of fencing or wall design from the approved Development Plan shall require a revision to  
27 the Development Plan or a new Development Plan.

28 83. If any aspect of the project fencing and walls is not covered by an approved  
Development Plan, the construction of fencing and walls shall conform to the development  
standards of the City Zoning Ordinance. In no case, shall the construction of fences and walls

1 (including combinations thereof) exceed the limitations of the zoning code, unless expressly  
2 granted by a Variation or other development approval.

3 84. The following unit type and floor plan mix, as approved by the Community  
4 Development Commission, shall be indicated on plans submitted to the Building Division and  
5 Planning Division for building permit:

	Sq.Ft.	# Bedrms	# Baths	# Units	%
6 Plan 1	1,870	3	2.5	1	11.1
7 Plan 2	1,944	3	3.5	1	11.1
8 Plan 3	1,954	3	2.5	1	11.1
9 Plan 4	1,955	3	2.5	1	11.1
10 Plan 5	1,963	3	2.5	1	11.1
11 Plan 6	2,048	3	2.5	1	11.1
12 Plan 7	2,058	3	2.5	1	11.1
13 Plan 8	2,194	3	2.5	1	11.1
14 Plan 9	2,751	3	2.5	1	11.2

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

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

21 87. This project is subject to the provisions of the Local Coastal Plan for Coastal  
22 Housing. The developer shall obtain a Coastal Affordable Housing Permit from the Director of  
23 Housing and Neighborhood Services prior to issuance of building permits or recordation of a  
24 final map, whichever occurs first.

25 88. An association of homeowners (HOA) shall be formed and Covenants,  
26 Conditions and Restrictions (CC&R's) shall provide for the maintenance of all common open  
27 space, and commonly owned fences and walls and adjacent parkways. The maintenance shall  
28 include normal care and irrigation of landscaping, repair and replacement of plant material and  
irrigation systems as necessary; and general cleanup of the landscaped and open area, parking  
lots and walkways. The CC&R's shall be subject to the review and approval of the City  
Attorney prior to the approval of the final map. The CC&R's are required to be recorded prior

1 to or concurrently with the final map. Any amendments to the CC&R's in which the association  
2 relinquishes responsibility for the maintenance of any common open space shall not be  
3 permitted without the specific approval of the City of Oceanside. Such a clause shall be a part  
4 of the CC&R's. The CC&R's shall also contain provisions for the following:

5 a) The subterranean garage parking shall be exclusive to the residential  
6 occupancy of the site and shall not be shared or used by any other occupancy.

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

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

9 d) Trash collection either at street level or within a subterranean garage and the  
funding mechanism.

10 89. A trash enclosure must be provided as required by Chapter 13 of the City Code  
11 and shall also include additional space for storage and collection of recyclable materials per  
12 City standards. Recycling is required by City Ordinance and State Law. The enclosure must be  
13 built in a flat, accessible location as determined by the City Engineer. The enclosure shall meet  
14 City standards including being constructed of concrete block, reinforced with Rebar and filled  
15 with cement. A concrete slab must be poured with a berm on the inside of the enclosure to  
16 prevent the bin(s) from striking the block walls. The slab must extend out of the enclosure for  
17 the bin(s) to roll out onto. Steel posts must be set in front of the enclosure with solid metal  
18 gates. All driveways and service access areas must be designed to sustain the weight of a  
19 50,000-pound service vehicle. Trash enclosures and driveways and service access areas shall be  
20 shown on both the improvement and landscape plans submitted to the City Engineer. The  
21 specifications shall be reviewed and approved by the City Engineer. The City's waste disposal  
22 contractor is required to access private property to service the trash enclosure. A service  
23 agreement must be signed by the property owner with the City's waste disposal contractor and  
24 shall remain in effect for the life of the project. All trash enclosures shall be designed to  
25 provide user access without the use and opening of the service doors for the bins. Trash  
26 enclosures shall have design features such as materials and trim similar to that of the rest of the  
27 project. If the developer chooses to incorporate the trash enclosures below the street level,  
28 within an underground or podium parking structure, it will be the developer's responsibility and  
cost to get the trash and recycling bins to the street level on the trash collection days. It will

1 also be the developer's responsibility to have the trash and recycling bins removed from the  
2 street within three hours of the pick up of the trash. The disposal of all of the trash and recycled  
3 materials within the project shall be clearly identified within the Management Plan, which is  
4 subject to the review and approval by both the Economic and Redevelopment Department and  
5 Waste Management; to be recorded as CC&R's against the property prior to issuance of a  
6 building permit. This design shall be shown on the landscape plans or the architecture plans and  
7 shall be approved by the Planning Department. The proposed location of the trash enclosure  
8 (below grade) may also require additional services from Waste Management which may result  
9 in higher fees.

9 **Water Utilities:**

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

13 91. No trees, structures or building overhang shall be located within any water or  
14 wastewater utility easement.

15 92. The property owner will maintain private water and wastewater utilities located  
16 on private property.

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

19 94. The developer shall construct a public reclamation water system that will serve  
20 the project site in accordance with the City of Oceanside Ordinance No. 91-15. The proposed  
21 reclamation water system shall be located in the public right-of-way or in a public utility  
22 easement.

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

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

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

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

99. Subterranean parking spaces shall be drained by the City's storm drain system and shall comply with the California Regional Water Quality Control Board Order. No. 2001-01.

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

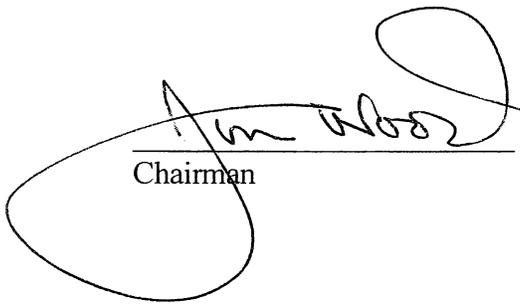
PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this 6th day of December 2006 by the following vote:

AYES: WOOD, CHAVEZ, FELLER, KERN, SANCHEZ

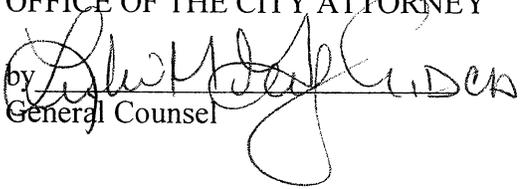
NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

  
Chairman

ATTEST:  
  
Secretary

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY  
by   
General Counsel