



DATE: November 3, 2014

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T13-00008), DEVELOPMENT PLAN (D13-00004), CONDITIONAL USE PERMIT (CUP13-00009) AND REGULAR COASTAL PERMIT (RC13-00003) TO ALLOW DEVELOPMENT OF 38 CONDOMINIUM TOWNHOMES ON A 2.3-ACRE SITE LOCATED AT THE NORTHEAST CORNER OF MORSE STREET AND SOUTH COAST HIGHWAY – MORSE STREET TOWNHOMES – APPLICANT: THE LIGHTFOOT PLANNING GROUP – DAN NIEBAUM**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Adopt a Mitigated Negative Declaration and associated findings and a Mitigation Monitoring and Reporting Program by adopting Planning Commission Resolution No. 2014-P29; and
- (2) Approve Tentative Map (T13-00008), Development Plan (D13-00004), Conditional Use Permit (CUP13-00009) and Regular Coastal Permit (RC13-00003) by adopting Planning Commission Resolution No. 2014-P30 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review and Background: The 2.3-acre site is located at the northeast corner of Morse Street and South Coast Highway within the Coastal Zone and South Oceanside neighborhood planning area. The General Plan and Local Coastal Land Use Plan set Urban High Density Residential and High Density Residential as the land use designations on the property respectively. Development on the site is regulated by the 1986 Zoning Ordinance per R-3 (Medium Density Residential) standards. Although the subject property falls within the Coastal Zone boundaries, it is cited beyond the

limits of Coastal Commission's appeal jurisdiction, thus final decision making authority remains with the City of Oceanside.

The property is currently vacant, having been previously developed as a mobile home park (Catalina Estates) until recent years. A slope bank with an elevation differential of approximately 20 feet separates the subject site from the neighboring mobile home park (La Salina) to the north. Various commercial and light industrial uses are situated along South Coast Highway to the north and south of the site. A neighborhood market exists to the immediate east of the property, while residential development including apartments, condominiums and single-family residences are located further to the east.

Project Description: The project application is comprised of four components, a Tentative Map, Development Plan, Regular Coastal Permit and Conditional Use Permit as follows:

Tentative Subdivision Map T13-00008 represents a request for the following:

To establish 38 airspace condominium units on a single lot totaling 2.3 acres.

Development Plan D13-00004 & Regular Coastal Permit (RC13-00003) represent requests for the following:

To develop a 38-unit residential townhome community, comprised of three and four-unit buildings, at a density of 16.5 dwelling units per acre within the non-appealable area of the Coastal Zone.

The proposed development features four different plan types, ranging in size from 1,581 square feet to 1,850 square feet, assembled in three building configurations. The subject three-story buildings are well articulated and oriented with their prominent elevations adjacent to streets, side and rear boundaries of the property. The proposed architectural style is characterized by geometric modular elements with varied wall planes and roof heights, as well as large signature window openings. The building design retains definitive features of a "base, middle and top" and uses contemporary structural systems to allow for larger spans of glazing and simple clean lines. Materials incorporated as part of the wood framing design include cut stone, corrugated metal siding, and smooth stucco finishes. Steel cable cantilevered balconies with wood posts call to traditional sea side styles, while presenting them in a modern fashion. Colors are light and regionally appropriate. The design is complemented by landscaping and private patio areas.

Vehicular circulation and parking is centered upon the property. Primary access to the site is proposed via Morse Street by a 28-foot wide driveway. Five driveway stubs serve as extensions off the central driveway to courtyard areas, providing direct access to each townhome. A total of 76 resident garage parking spaces (two per townhome) and an additional seven guest surface parking spaces will be provided on site for a total of 83 parking spaces.

Substantial landscaping totaling 43.6 percent of the overall site area will be provided throughout the parcel's perimeter and internal courtyards areas. In addition, hardscape in the form of permeable paving are proposed at the main driveway entry area and garage courtyard drive aisles to enhance both the aesthetic appearance of the project and serve storm water functions. A centrally located recreation area featuring a pool and spa, cantilever trellises, raised gas fire pit elements a barbeque area and moveable site furnishings offer opportunities for social interaction and recreation on-site.

Conditional Use Permit CUP13-00009 represents a request for the following:

To permit the establishment of multiple-family residential use with more than 20 units pursuant to Section 1506 Article 15 of the 1986 zoning ordinance.

The project is subject to the following ordinances and City policies:

1. General Plan Land Use Element
2. Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act (CEQA)

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designation on the subject property is Urban High Density Residential -UDR which has a density range of 29 - 43 dwelling units per gross acre. Staff has evaluated the request to establish 38 airspace condominiums on the 2.3-acre parcel and has determined that the proposed development, at 16.5 dwelling units per acre, is consistent with the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related uses.

Policy B: The use of land shall not create negative visual impacts to surrounding land uses.

The project site is located within an "Avenue" segment of the Coast Highway Vision and Strategic Plan (CHVSP), which sets forth the long term vision for development along the Coast Highway corridor. The proposed multiple-family development will implement a number of CHVSP strategies including, development of mid to high density residential projects along "Avenue" sections of the corridor and provision of high quality architectural design. The project will maintain adequate buffers to adjacent uses via

setbacks and landscaping, thus enhancing the overall image of the site. On-site parking will exceed minimum requirements, eliminating the potential for parking spill-over impacts and conflicts with adjacent land uses.

Goal 1.16 Housing

Objective: To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

Policy A. The City shall strive to maintain a reasonable balance between rental and ownership housing opportunities, between senior and family housing, and encourage a variety of individual choices of tenure, type and location of housing throughout Oceanside.

The proposed condominium townhome community will provide the potential for housing ownership within the coastal zone of the City of Oceanside, adding to the variety of existing housing types within the area, which primarily consists of single-family detached, mobile home and apartment housing.

Goal 1.21 Common Open Space

Objective: To provide and maintain common open areas for a wide range of uses.

Policy A: Common open space must be accessible and usable by potential users of the common open space.

Policy B: Common open spaces within a project shall be contiguous, unless it is found that segregation of the area and type of open space uses better serve the purposes of the General Plan and the project site.

The proposed development provides active and passive common open space areas, well integrated within the site and linked via walkway areas. A centrally located active recreation area with pool, spa and barbeque facilities will serve residents of the townhome community, while landscaped courtyards and passive open space areas throughout the site will provide a continuous greenbelt along the project's perimeter and within its interior, enhancing the appearance of the site and neighborhood community.

Goal 1.22 Landscaping

Objective: The enhancement of community and neighborhood identity through landscaping requirements that frame and soften the built environment consistent with water and energy conservation.

Policy C. Drought-tolerant materials, including native California plant species, shall be encouraged as a landscape type.

Policy E. The City shall encourage the inclusion of green belts and common open space for pedestrian use in residential development.

Landscaping on the subject property will far exceed the minimum code requirements and will total 43.6 percent of the overall site. Conditions have been placed on the project to ensure that selected landscape species fit the site, be low water users and meet climate changes for their planting location. Overall the proposed landscape design and palette will frame and soften the built environment consistent with energy conservation.

Goal 1.23 Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatment, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The project will enhance its surroundings through building siting, landscaping, architectural design and use of high quality materials. Well articulated, three-story structures will create an attractive scale and pattern, complementary to anticipated future development along South Coast Highway in accordance with the long term vision set forth in the CHVSP, for development in the immediate area.

2. Zoning Ordinance

The project site is zoned R-3 Medium Density Residential, which allows for those lots located on the west side of Interstate 5, multiple-family residential development at a density up to 43 dwelling units per acre (max). Multiple-family residential developments with 19 units or less are permitted by right. A conditional use permit is required under Section 1506 of the 1986 Zoning Ordinance for proposals involving 20 residential units or more.

A maximum of 98 units may be considered on this site based on its gross acreage and maximum allowance of 43 dwelling units per acre. The proposed development at 38 units and 16.5 dwelling units per acre is far below the dwelling unit and density maximums. The project as proposed, will be compatible with and will provide an appropriate transition in terms of density/intensity from commercial land uses to medium and low density residential uses in the vicinity.

Development on the project area is subject to compliance with the development standards set forth in Article 7 and Article 17 of the Zoning Ordinance. The proposal as designed meets or exceeds applicable R-3 development standards as follows:

Table 1 - Required/ Proposed Development Standards

R-3 Development Standard	Required	Proposed
Lot Area	6,000 sq. ft.	100,188 sq. ft. (2.3 ac)
Front Yard	15 feet	20 feet
Side Yard	5 feet	7 feet
Corner side yard	10 feet	21 feet
Rear Yard	0 feet	22 feet
Maximum Height	35 feet or 3-stories	34'-6"
Lot Coverage	60%	32.6%
Off-Street Parking Spaces	76 spaces	83 spaces
Landscaping	60% of front and exterior side yards	100% of front and exterior side yards 43.6% of site

3. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance. Pursuant to Section 401 of the Subdivision Ordinance, this proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Department. The CC&Rs for the proposed 38-unit airspace condominium subdivision on the subject single lot will establish applicable restrictions for the areas and facilities held in common interest by future owners.

ENVIRONMENTAL DETERMINATION

A Mitigated Negative Declaration (MND) has been prepared stating that if the mitigation measures identified in the Mitigation Monitoring and Reporting Program are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the MND during its hearing on the project.

The Draft MND was circulated for public review for a 30-day period beginning on August 22, 2014 and ending on September 22, 2014. No comments by state agencies or other interested parties were submitted by the closing of the public review period.

PUBLIC NOTIFICATION

Pursuant to Article 21 of the 1986 Oceanside Zoning Ordinance, Legal notice was published in the newspaper and notices were sent to property owners of record within a 300-foot radius of the subject property, occupants within a 100-foot radius of the project site, individuals/organizations requesting notification, and to the applicant.

SUMMARY

In summary, staff finds that the Tentative Map, Development Plan, Regular Coastal permit and Conditional Use Permit are consistent with the requirements of the Zoning Ordinance, Subdivision Ordinance, Local Coastal Plan and the land use policies of the General Plan. Therefore staff recommends that the Planning Commission by motion:

- (1) Adopt a Mitigated Negative Declaration and associated findings and a Mitigation Monitoring and Reporting Program by adopting Planning Commission Resolution No. 2014-P29; and
- (2) Approve Tentative Map (T13-00008), Development Plan (D13-00004), Conditional Use Permit (CUP13-00009) and Regular Coastal Permit (RC13-00003) by adopting Planning Commission Resolution No. 2014-P30 with findings and conditions of approval attached herein.

PREPARED BY:


Amy Fousekis
Principal Planner

SUBMITTED BY:

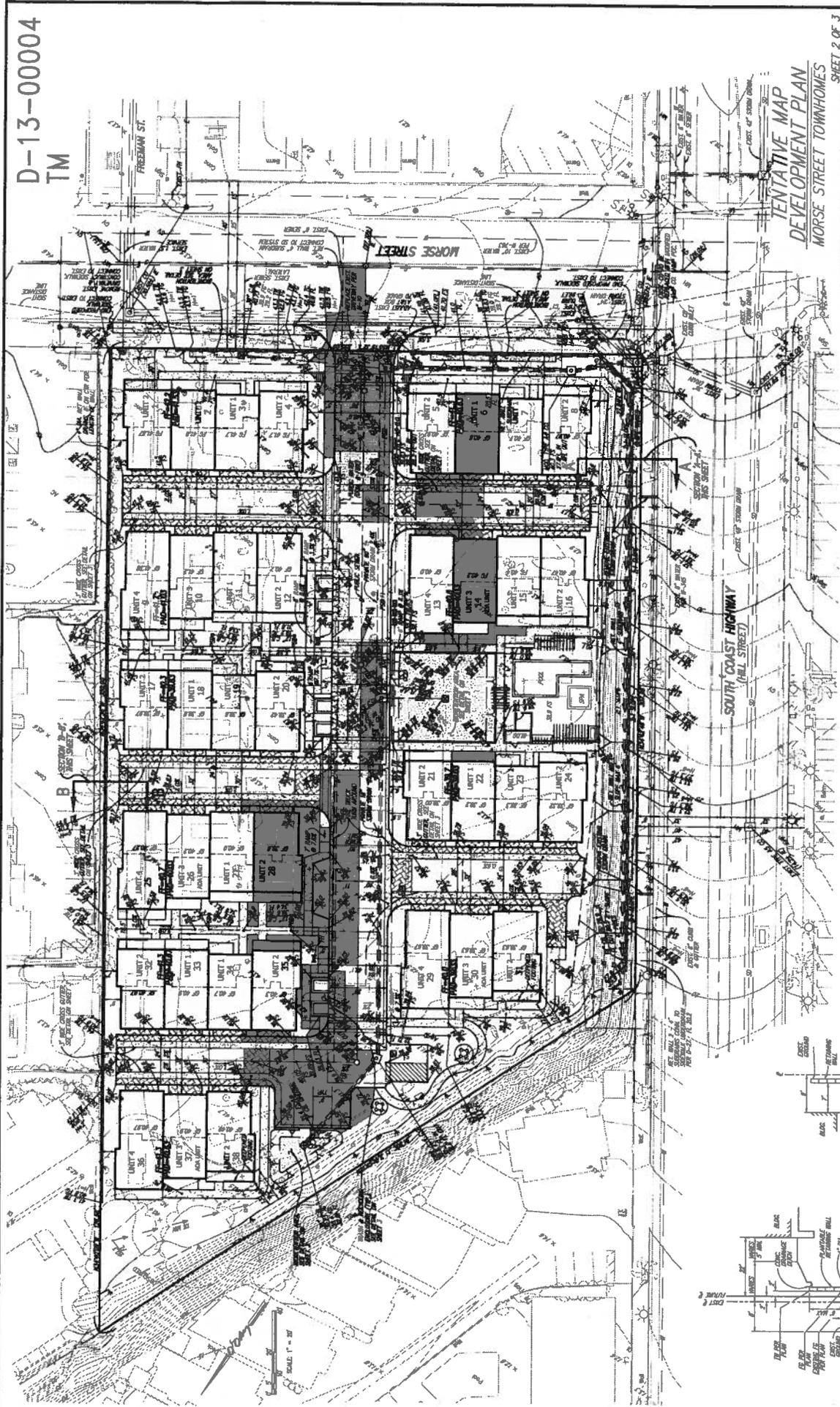

Marisa Lundstedt
City Planner

ML/AF/fil

Attachments:

1. Tentative Map, Development Plans, and Landscape Plans
2. Illustrative Site Plan and Building Plot Plan for the Proposed Development
3. Planning Commission Resolution No. 2014-P29
4. Planning Commission Resolution No. 2014-P30
5. Other Attachments (Application Page, Description and Justification, Legal Description, Notice of Exemption)

D-13-00004
TM



TENTATIVE MAP
DEVELOPMENT PLAN
MORSE STREET TOWNHOMES

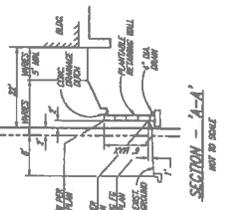
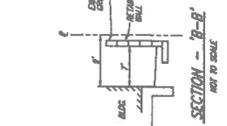
SHEET 2 OF 3

DESIGNED BY: [Signature]
DATE: [Date]
PROJECT NO.: [Number]
ENGINEER OF RECORD: [Signature]
DATE: [Date]

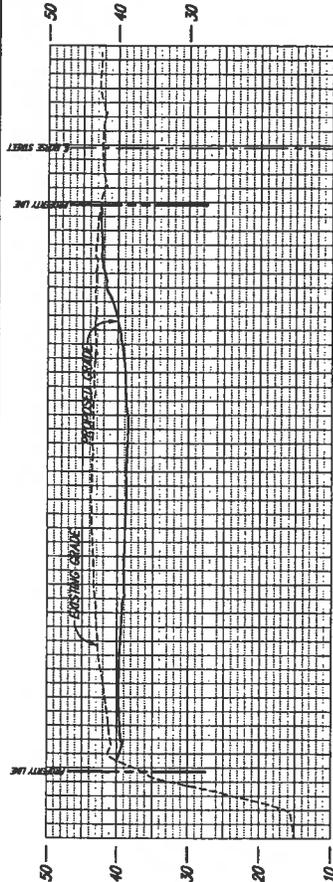
O'Day
CONSULTANTS, INC.
3000 S. GARDEN AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
WWW.ODAYCONSULTANTS.COM



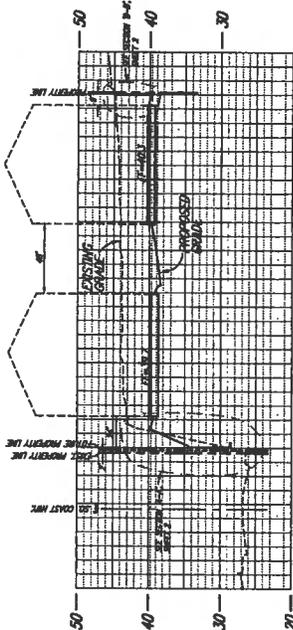
NOTE:
THIS DEVELOPMENT PLAN IS NOT FOR CONSTRUCTION.



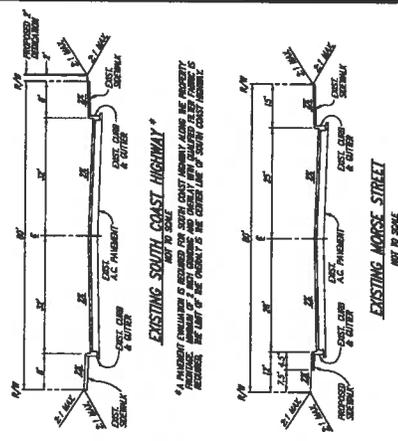
D-13-00004
TM



SECTION C-C'
SCALE: HORIZ. 1" = 40'
VERT. 1" = 8'



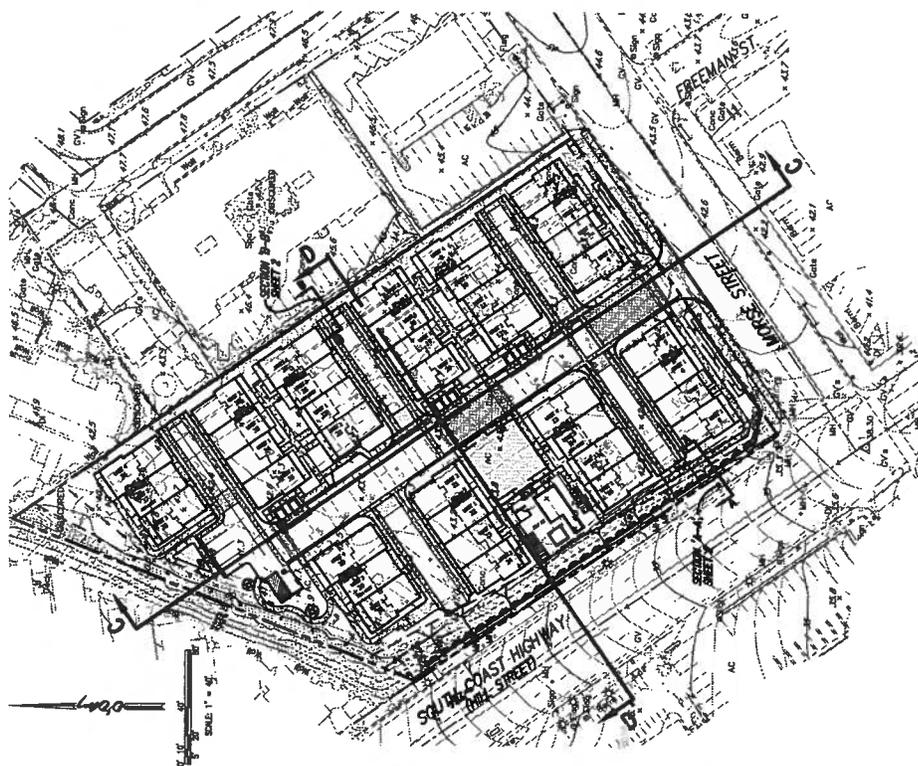
SECTION D-D'
SCALE: HORIZ. 1" = 40'
VERT. 1" = 8'



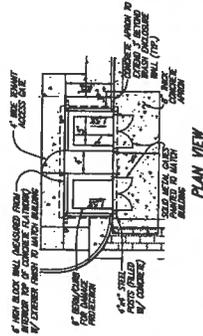
EXISTING SOUTH COAST HIGHWAY
NOT TO SCALE

EXISTING MORSE STREET
NOT TO SCALE

*1. PROVIDE CHALKLINE TO BE PLACED ALONG THE PROPERTY LINE. CHALKLINE TO BE PLACED AT THE CORNER OF THE PROPERTY. CHALKLINE TO BE PLACED AT THE CORNER OF THE PROPERTY. CHALKLINE TO BE PLACED AT THE CORNER OF THE PROPERTY.



SCALE 1" = 40'

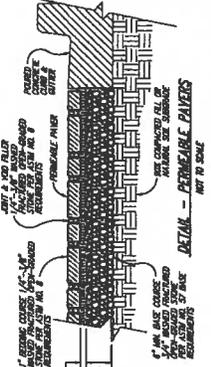


PLAN VIEW

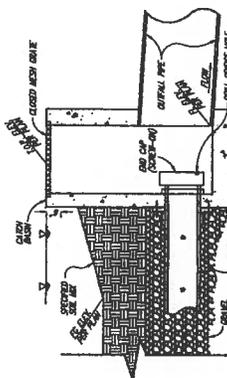
FRONT VIEW

SIDE VIEW

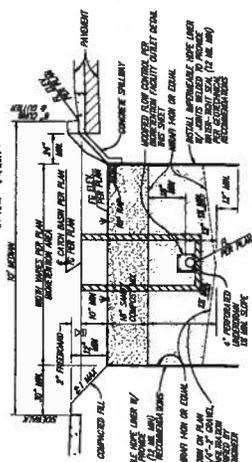
DETAIL - TRASH & RECYCLING ENCLOSURE
NOT TO SCALE



DETAIL - TRASH & RECYCLING ENCLOSURE
NOT TO SCALE



DETAIL - BIORETENTION FACILITY OUTLET
NOT TO SCALE



DETAIL - BIORETENTION AREA
(TREATMENT AND INFILTRATION)
NOT TO SCALE

DESIGNED BY: M. SHEETS
DRAWN BY: S. L. BROWN
PROJECT NO.: D-13-00004
DATE: 08/14/14

O'Day
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1000 W. 10TH AVENUE
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REVISIONS:
NO. DATE DESCRIPTION



MORSE STREET TOWNHOMES

JZMK JOB 13055
19 FEBRUARY 2014



SITE
LOCATION:
N.E.C. MORSE ST. & PCH
OCEANSIDE, CA
SIZE:
2.3 ACRES



SHEET INDEX

A00	COVER
A01	SCHEMATIC SITE PLAN
A02	BLDG. 100 1ST FLOOR PLAN
A03	BLDG. 100 2ND FLOOR PLAN
A04	BLDG. 100 3RD FLOOR PLAN
A05	BLDG. 100 ROOF PLAN
A06	BLDG. 100 ELEVATION
A07	BLDG. 200 1ST FLOOR PLAN
A08	BLDG. 200 2ND FLOOR PLAN
A09	BLDG. 200 3RD FLOOR PLAN
A10	BLDG. 200 ROOF PLAN
A11	BLDG. 200 ELEVATION
A12	BLDG. 300 1ST FLOOR PLAN
A13	BLDG. 300 2ND FLOOR PLAN
A14	BLDG. 300 3RD FLOOR PLAN
A15	BLDG. 300 ROOF PLAN
A16	BLDG. 300 ELEVATION
A17	BLDG. 400
A18	BLDG. 500

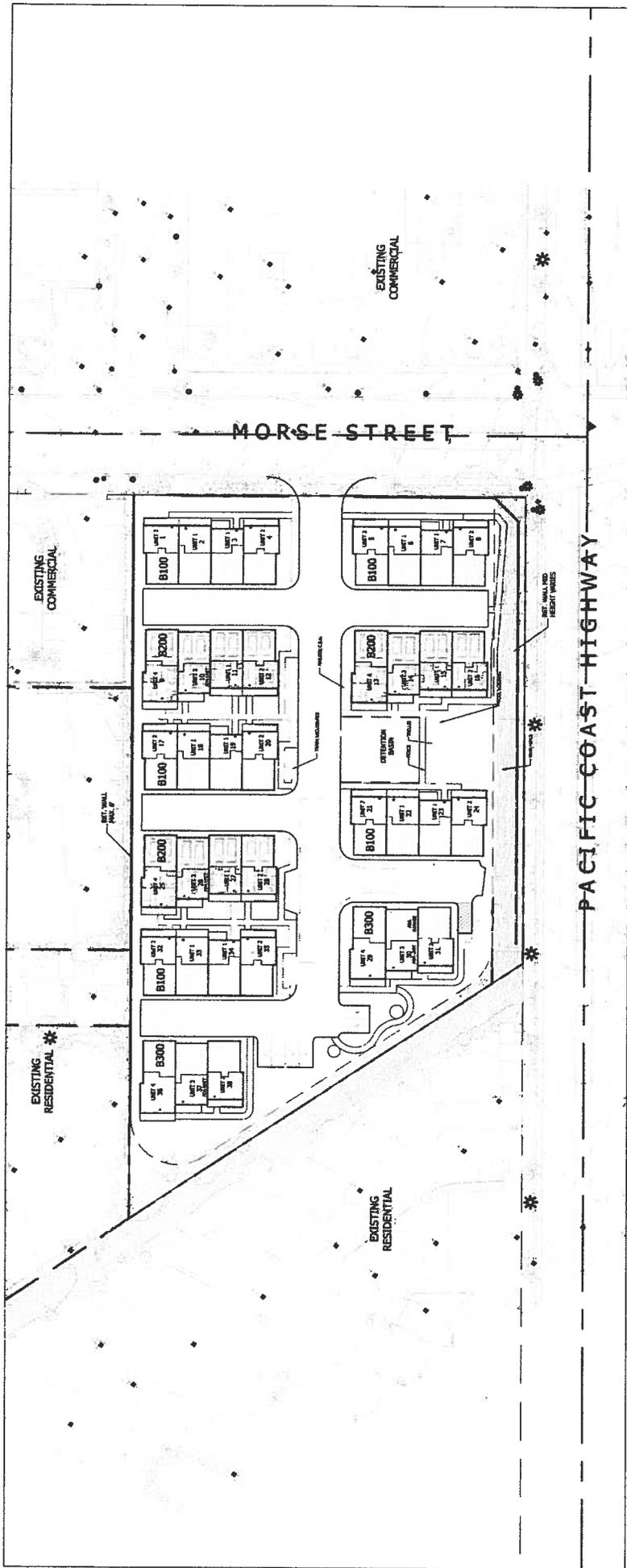
OWNER AND APPLICANT:

TSG MORSE OCEANSIDE, LLC
BRIAN RUPP
2 PARK PLAZA, SUITE 700
IRVINE, CA 92614
T: 949.417.4363

PREPARED BY:

JZMK PARTNERS
BRYAN STADLER, LEED AP
3080 BRISTOL STREET
SUITE 650
COSTA MESA, CA 92626
T: 714.426.6900

J Z M K
P A R T N E R S



SITE SUMMARY

UNIT TYPE	AREA	UNITS (AD)	DENSITY (UNITS/AC)	GROSS FLOOR AREA (SF)
1-STORY TOWNHOMES	1.261	13	10.32	24,323
- UNIT 1	1.258	1	0.81	2,378
- UNIT 2	1.258	1	0.81	2,378
- UNIT 3	1.258	1	0.81	2,378
TOTAL	1.261	13	10.32	24,323

PARKING SUMMARY

REQUIRED PARKING	PROVIDED PARKING
AS REQUIRED BY STATE OF CALIFORNIA	2 COVERED
1 COVER OR COVERED	7 TOTAL
1.8 PER GARAGE	
1.0 PER UNIT	
3 TOTAL	
2.8 PER UNIT	
38 x 2.8 = 76 REQUIRED	
5 GARAGE	
3 SPACES	

A01

J Z M K
PARTNERS
ARCHITECTS PLANNERS ENGINEERS
12055 19 FEBRUARY 2014



SCHEMATIC SITE PLAN
MORSE STREET TOWNHOMES
OCEANSIDE, CA







25' 2" 20' 11" 20' 11" 25' 0"

23' 1"

44' 6"

21' 6"

23' 1"

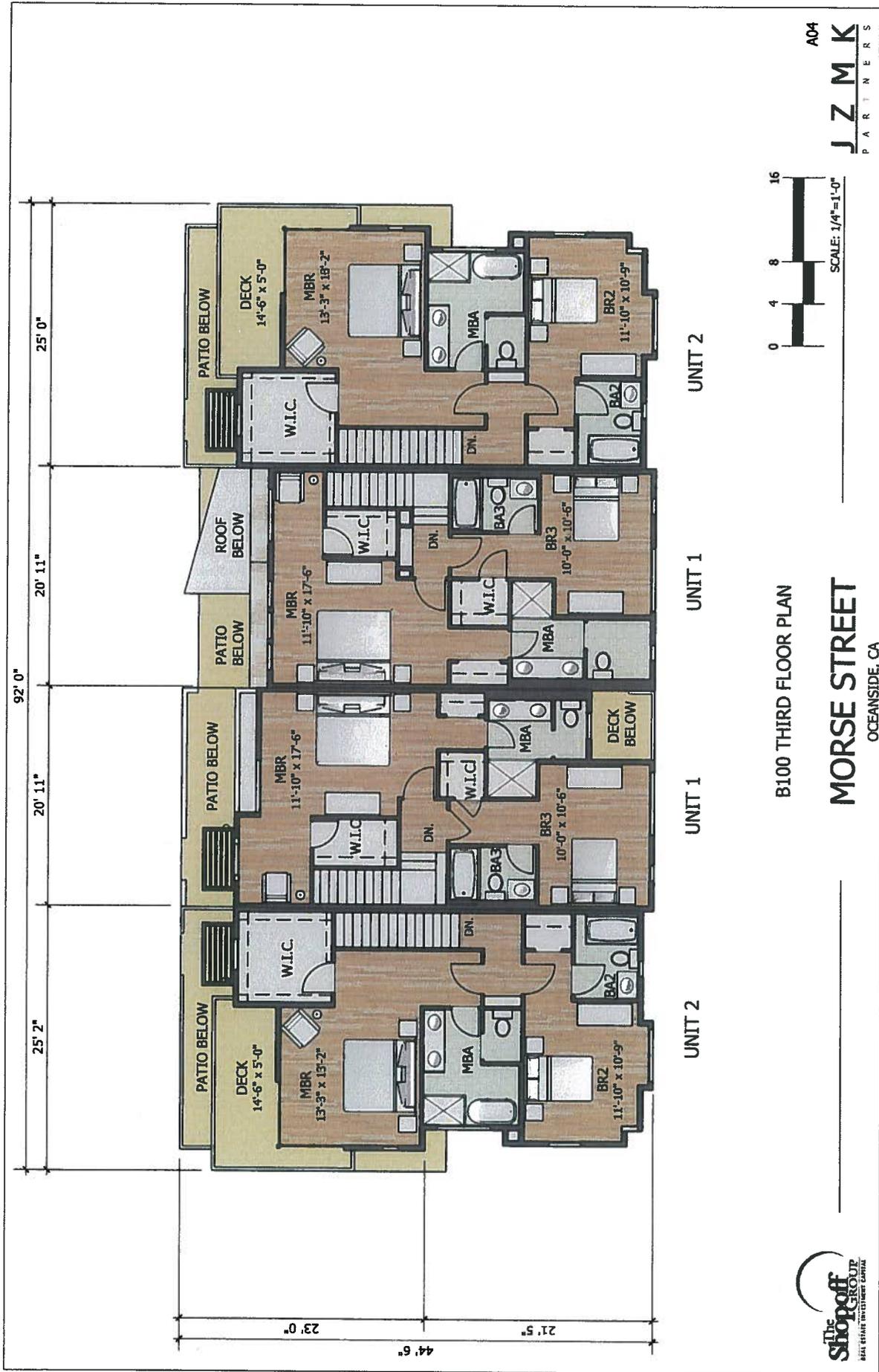


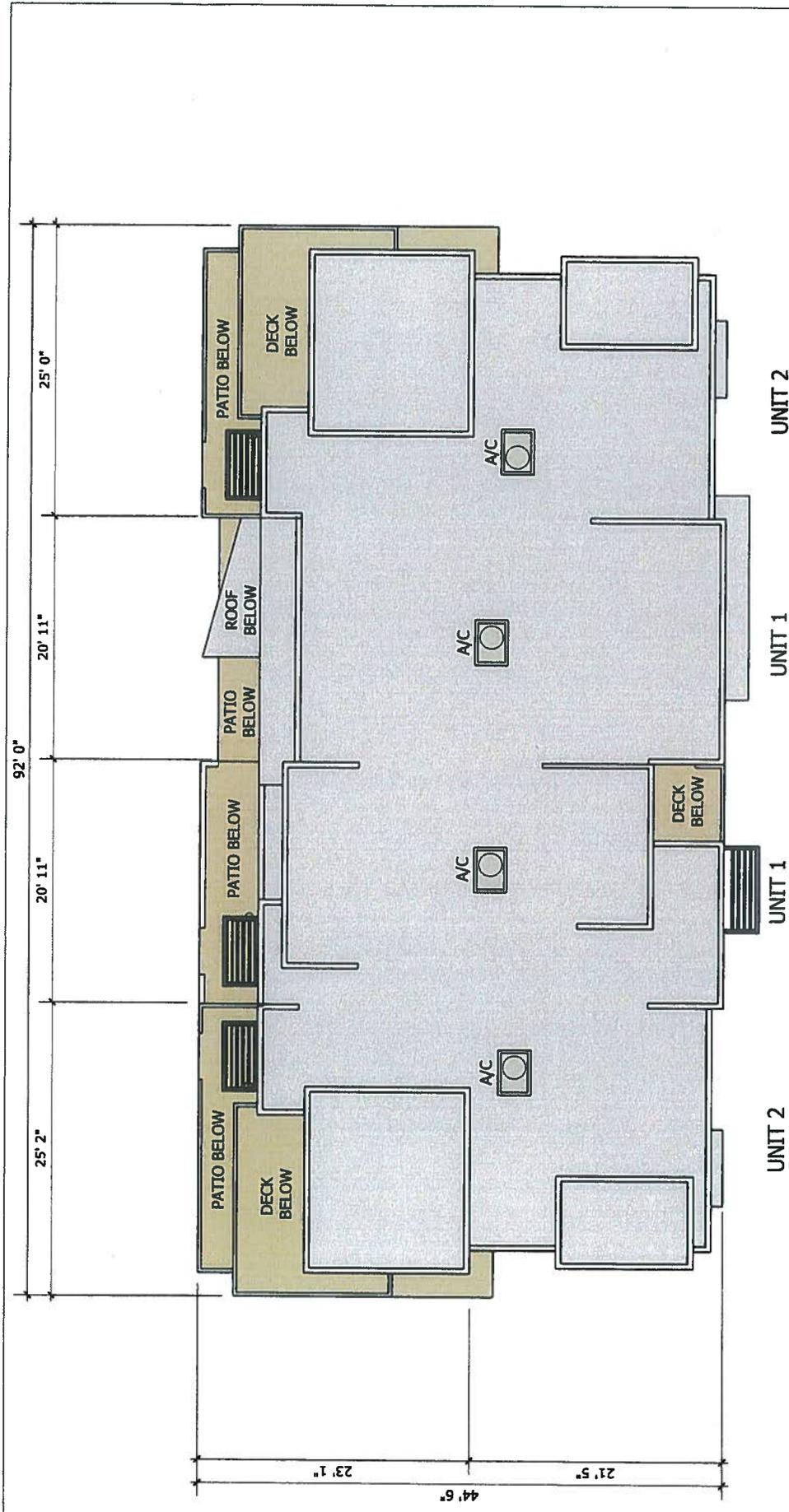
B100 SECOND FLOOR PLAN

MORSE STREET
OCEANSIDE, CA



A03
J Z M K
P A R T N E R S





B100 ROOF PLAN

MORSE STREET
OCEANSIDE, CA



A05
J Z M K
P A R T N E R S
ARCHITECTS

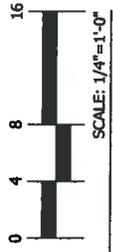


UNIT 2
 +/- 1,670 SF
 3 BED, 3.5 BATH

UNIT 1
 +/- 1,500 SF
 3 BED, 3.5 BATH

UNIT 3
 +/- 1,520 SF
 (+/- 1,800 SF NO VOLUME OPTION)
 2 BED + OFFICE (OPT. 3 BED), 3 BATH

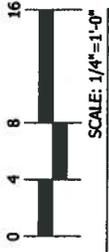
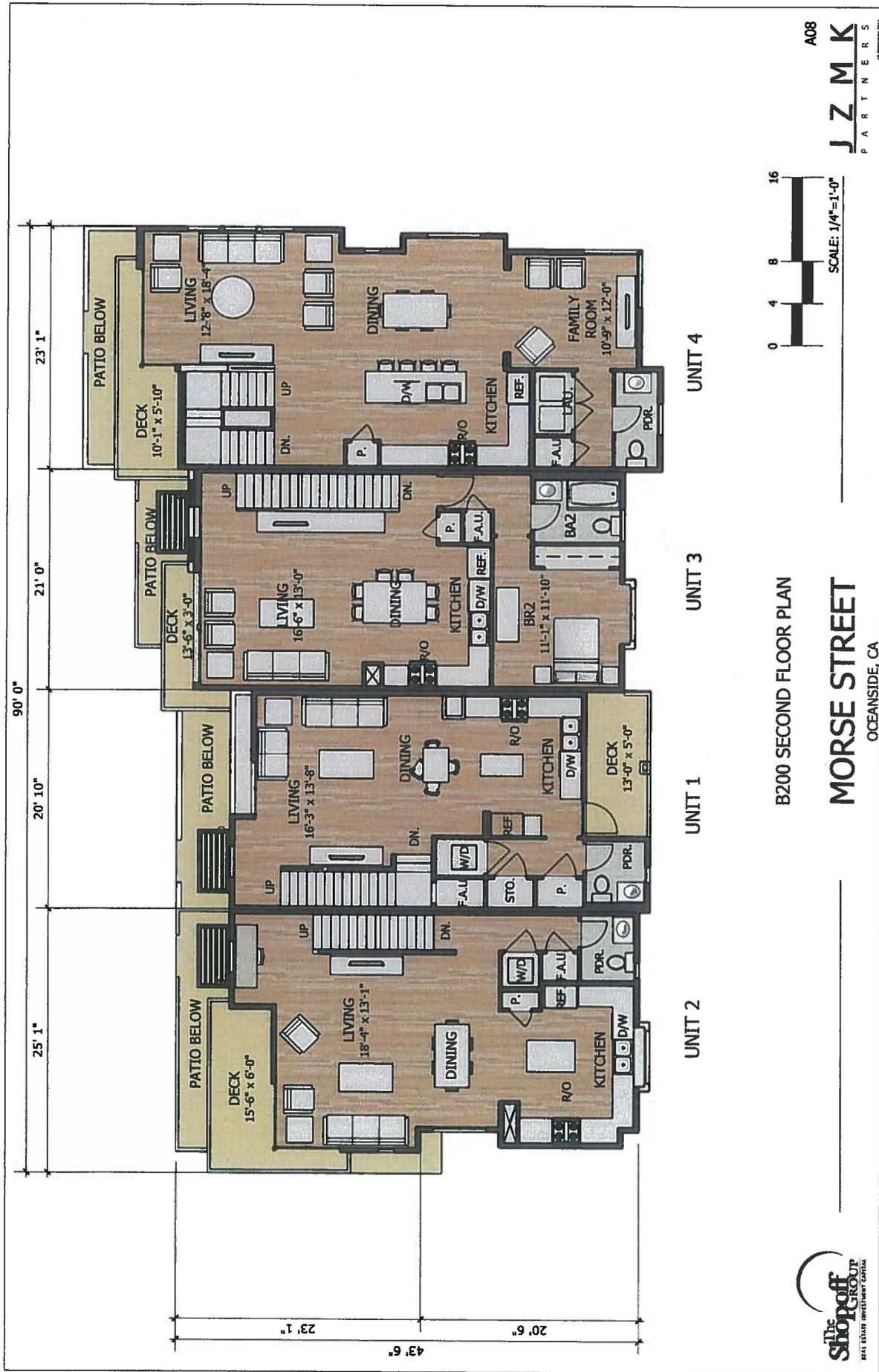
UNIT 4
 +/- 2,230 SF
 3 BED + ENTERTAIN.
 + FAMILY, 3.5 BATH



B200 FIRST FLOOR PLAN

MORSE STREET
 OCEANSIDE, CA





B200 SECOND FLOOR PLAN

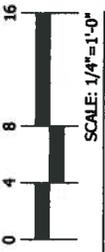
MORSE STREET
 OCEANSIDE, CA



A08
J Z M K
 PARTNERS

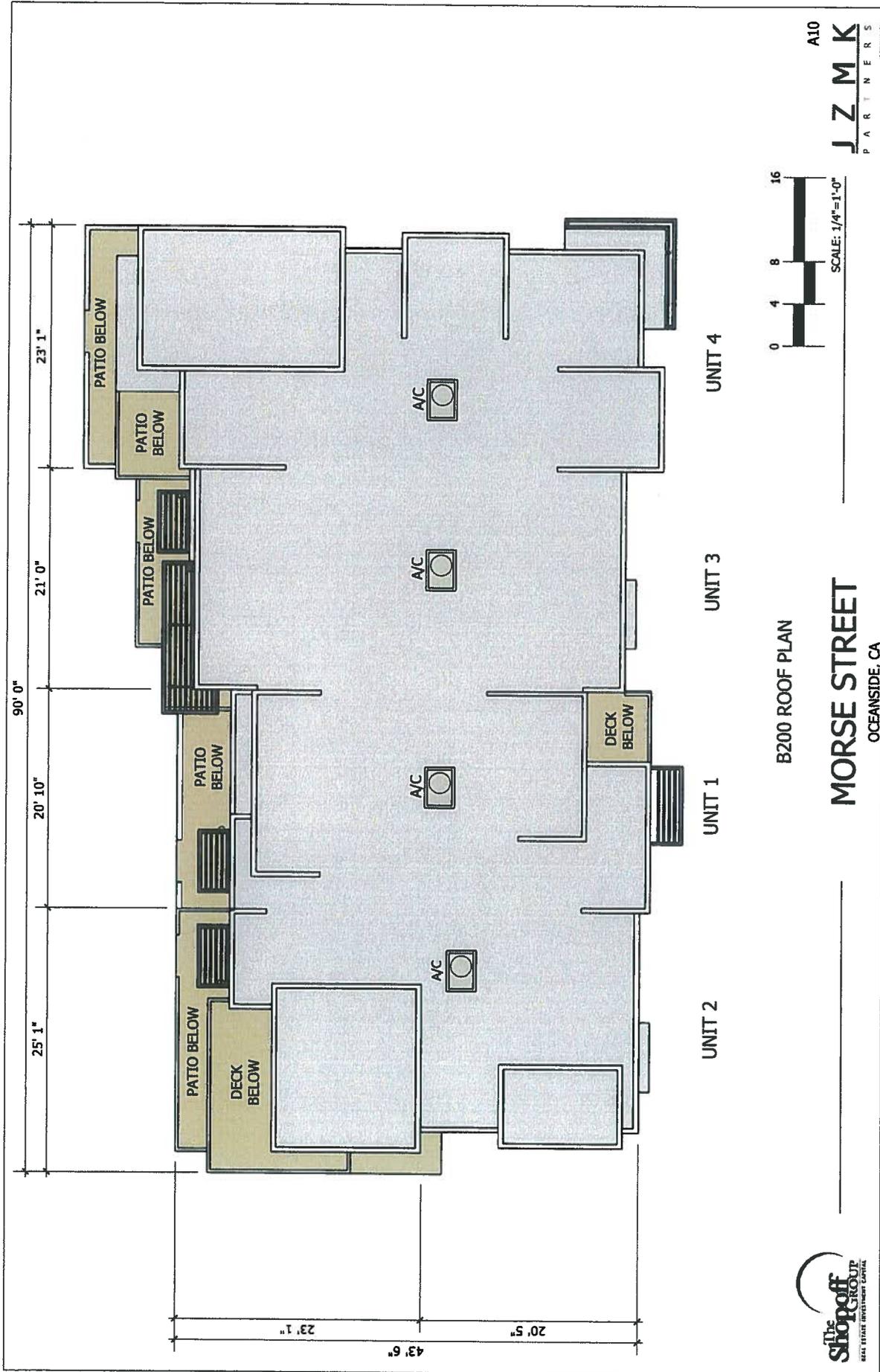


A09
J Z M K
 PARTNERS
ARCHITECTS



B200 THIRD FLOOR PLAN
MORSE STREET
 OCEANSIDE, CA





B200 ROOF PLAN

MORSE STREET
OCEANSIDE, CA



A10
J Z M K
P A R T N E R S



UNIT 4

UNIT 3

UNIT 2

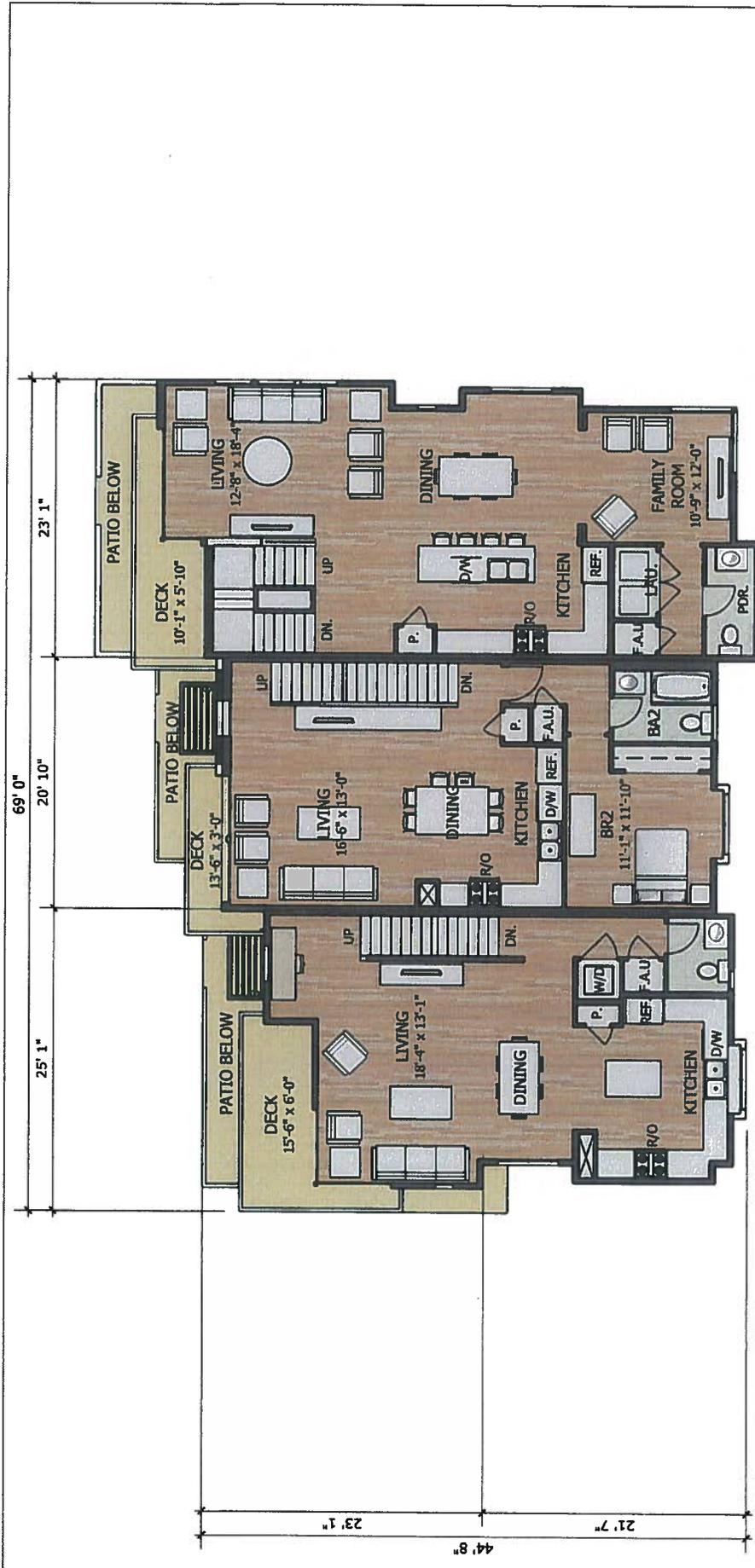


A12
J Z M K
 PARTNERS
ESTABLISHED 1984

B300 FIRST FLOOR PLAN

MORSE STREET
 OCEANSIDE, CA





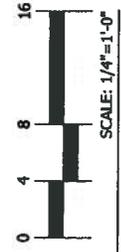
UNIT 2

UNIT 3

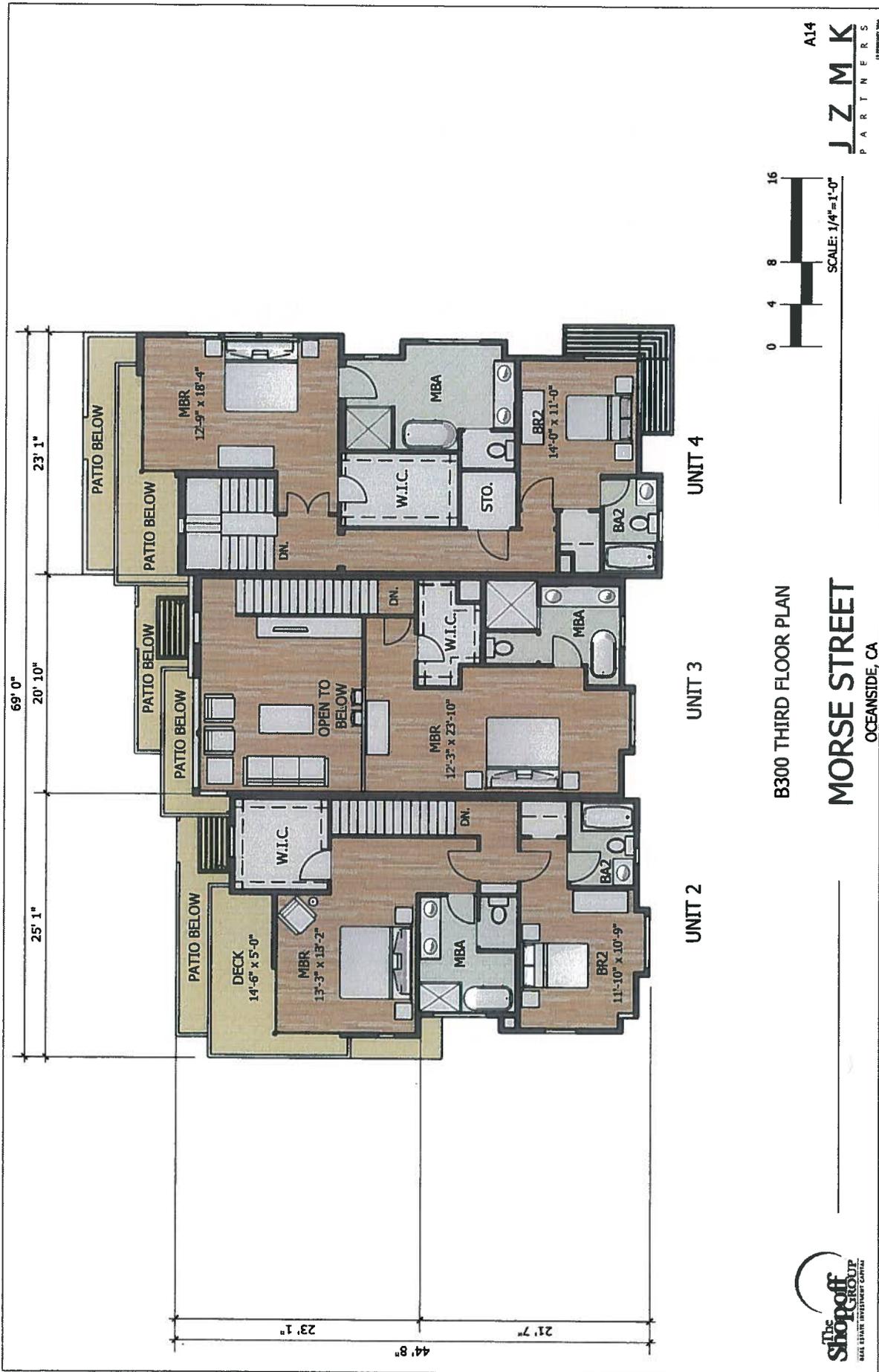
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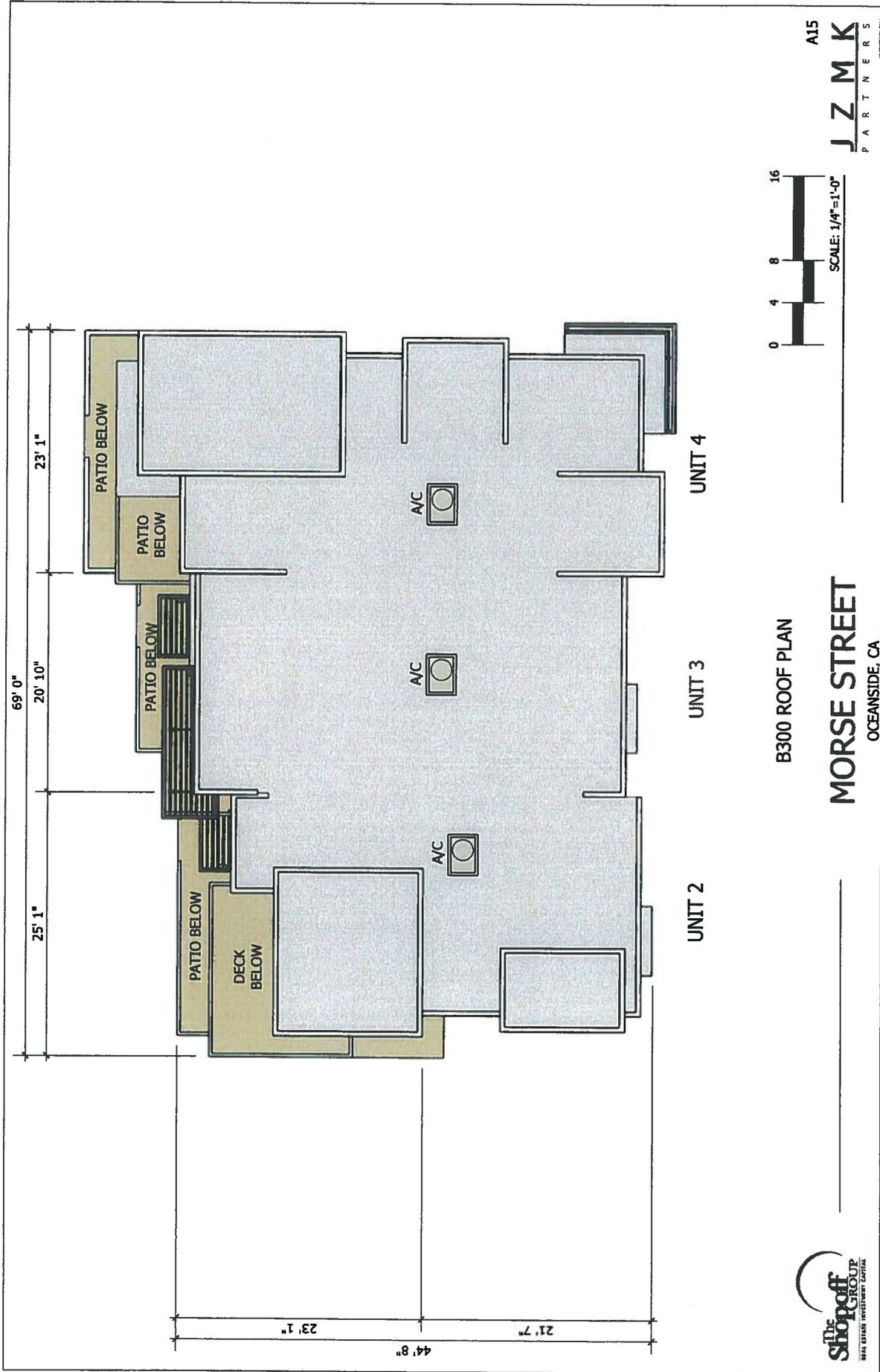
B300 SECOND FLOOR PLAN

MORSE STREET
OCEANSIDE, CA



A13
J Z M K
P A R T N E R S
ARCHITECTS





B300 ROOF PLAN

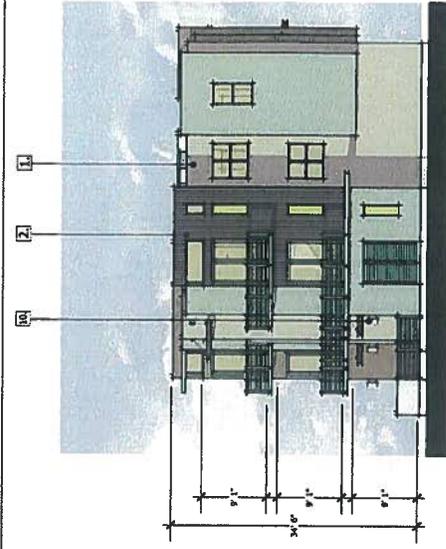
MORSE STREET
OCEANSIDE, CA



A15
J Z M K
P A R T N E R S



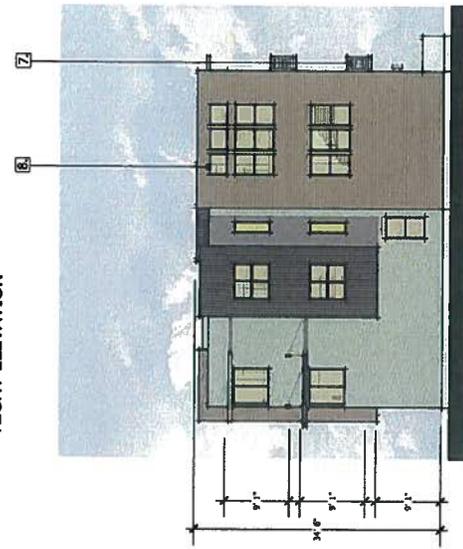
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

EXTERIOR MATERIAL LENDGEN:

- (1) STUCCO (20/30 SAN FINISH)
- (2) CORRUGATED METAL
- (3) WOOD COMPOSITE SIDING
- (4) STONE VENEER
- (5) STUCCO OVER FOAM FRAME
- (6) METAL TRELLIS
- (7) STEEL CABLE RAILLING
- (8) ALUMINUM WINDOW FRAME
- (9) PARAPET W/ METAL CAP
- (10) ALUMINUM LIGHT FIXTURE

BUILDING 300
ELEVATION

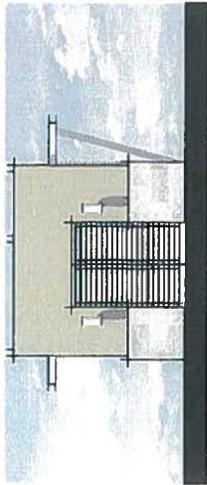
MORSE STREET
OCEANSIDE, CA



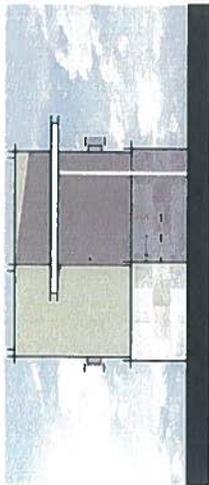
A16

J Z M K
P A R T N E R S
ARCHITECTS

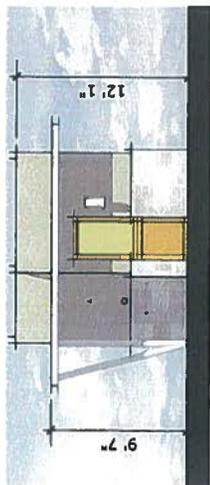




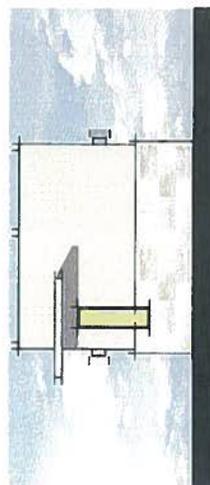
FRONT ELEVATION



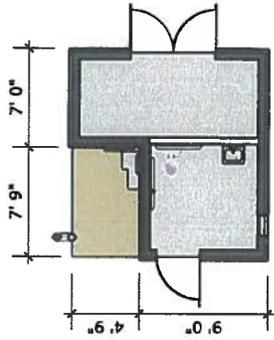
RIGHT ELEVATION



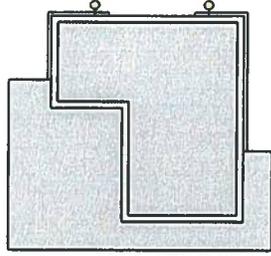
REAR ELEVATION



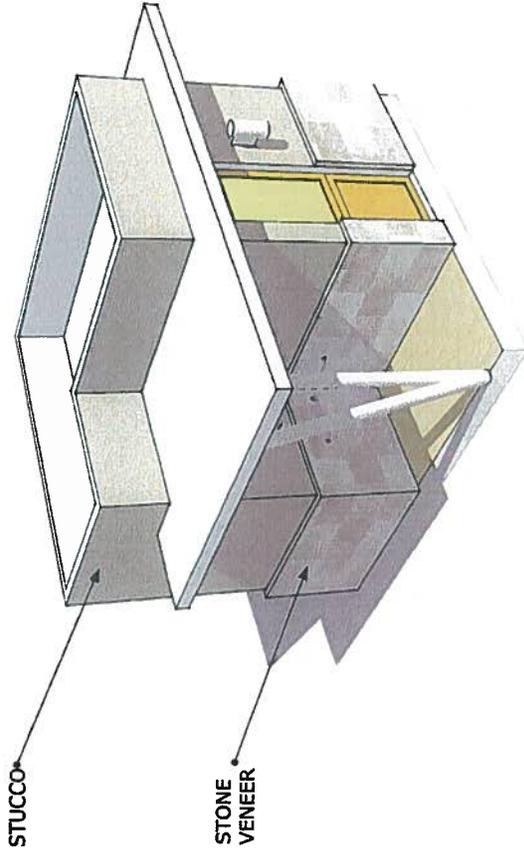
LEFT ELEVATION



FLOOR PLAN



ROOF PLAN



AXON VIEW



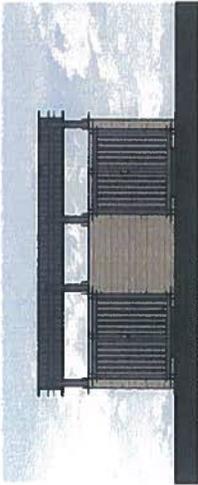
B400 EQUIPMENT ROOM

MORSE STREET

OCEANSIDE, CA



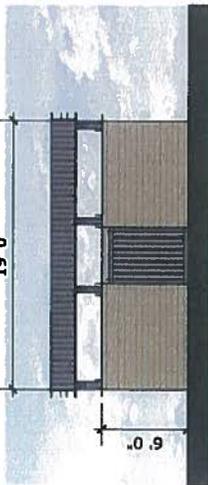
A17
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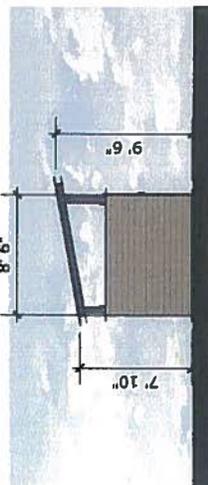
FRONT ELEVATION



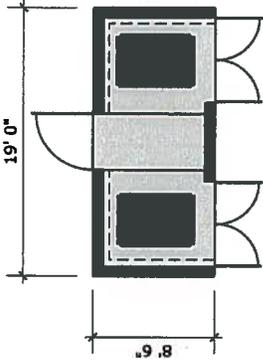
RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



FLOOR PLAN



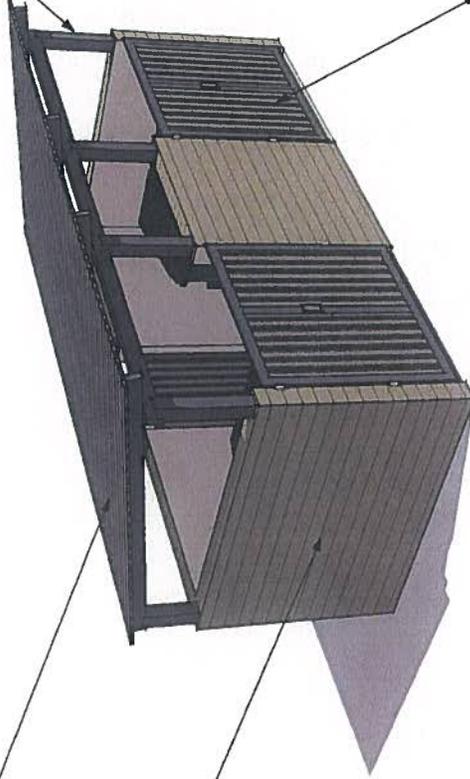
ROOF PLAN

PAINTED METAL STRUCTURE

METAL DOOR

CORRUGATED METAL ROOF

WOOD COMPOSITE SIDING



AXON VIEW



SCALE: 1/4"=1'-0"

B500 TRASH CONTAINER

MORSE STREET

OCEANSIDE, CA



A18

J Z M K PARTNERS

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SHOPOFF ADVISORS, LP.
OCEANSIDE, CALIFORNIA

CONCEPTUAL LANDSCAPE PLAN

DATE: 11/15/17
 DRAWN BY: J. WILSON
 CHECKED BY: J. WILSON
 SCALE: 1/8" = 1'-0"

CONCEPTUAL LANDSCAPE PLAN

DATE: 11/15/17
 DRAWN BY: J. WILSON
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 SCALE: 1/8" = 1'-0"

SHOPOFF ADVISORS, LP.
OCEANSIDE, CALIFORNIA

CONCEPTUAL LANDSCAPE PLAN

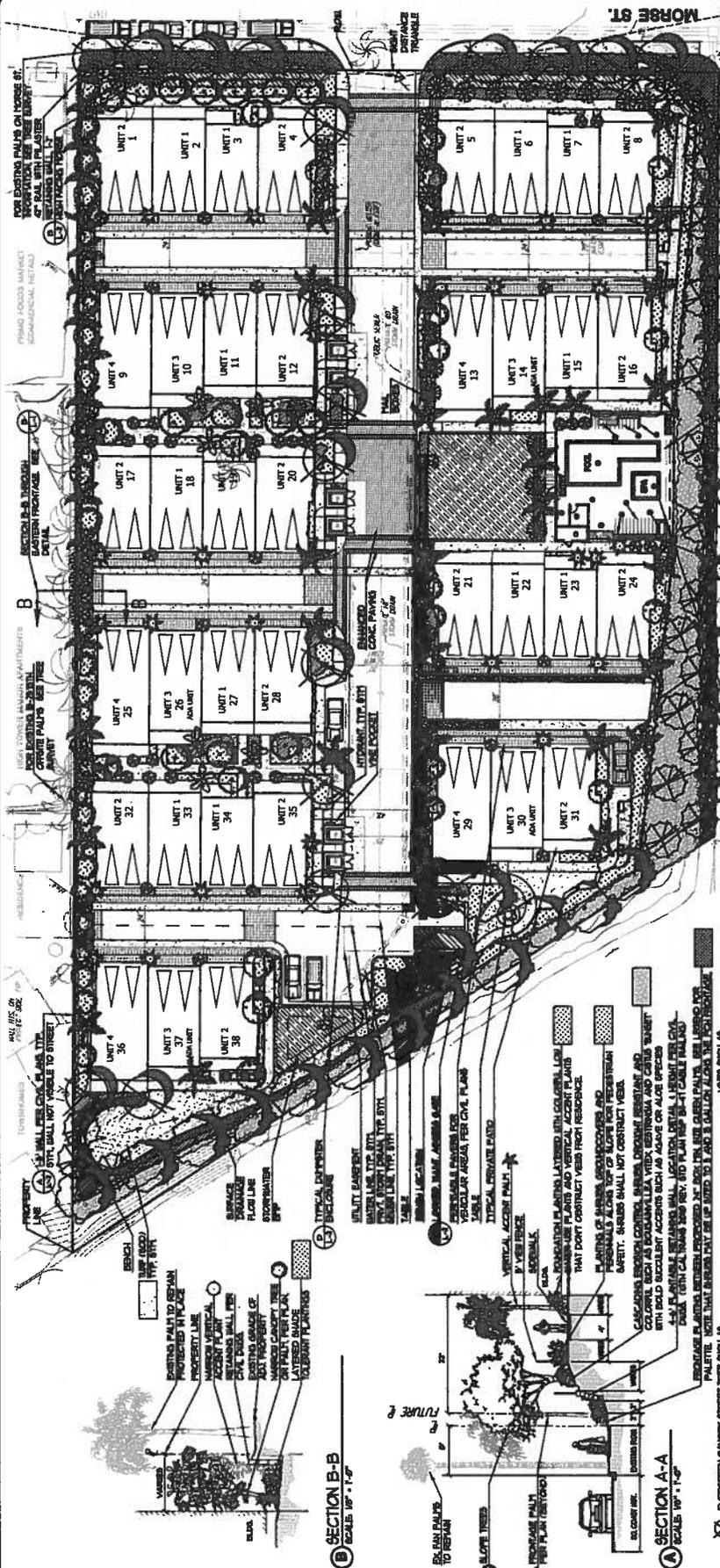
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CONCEPTUAL LANDSCAPE PLAN

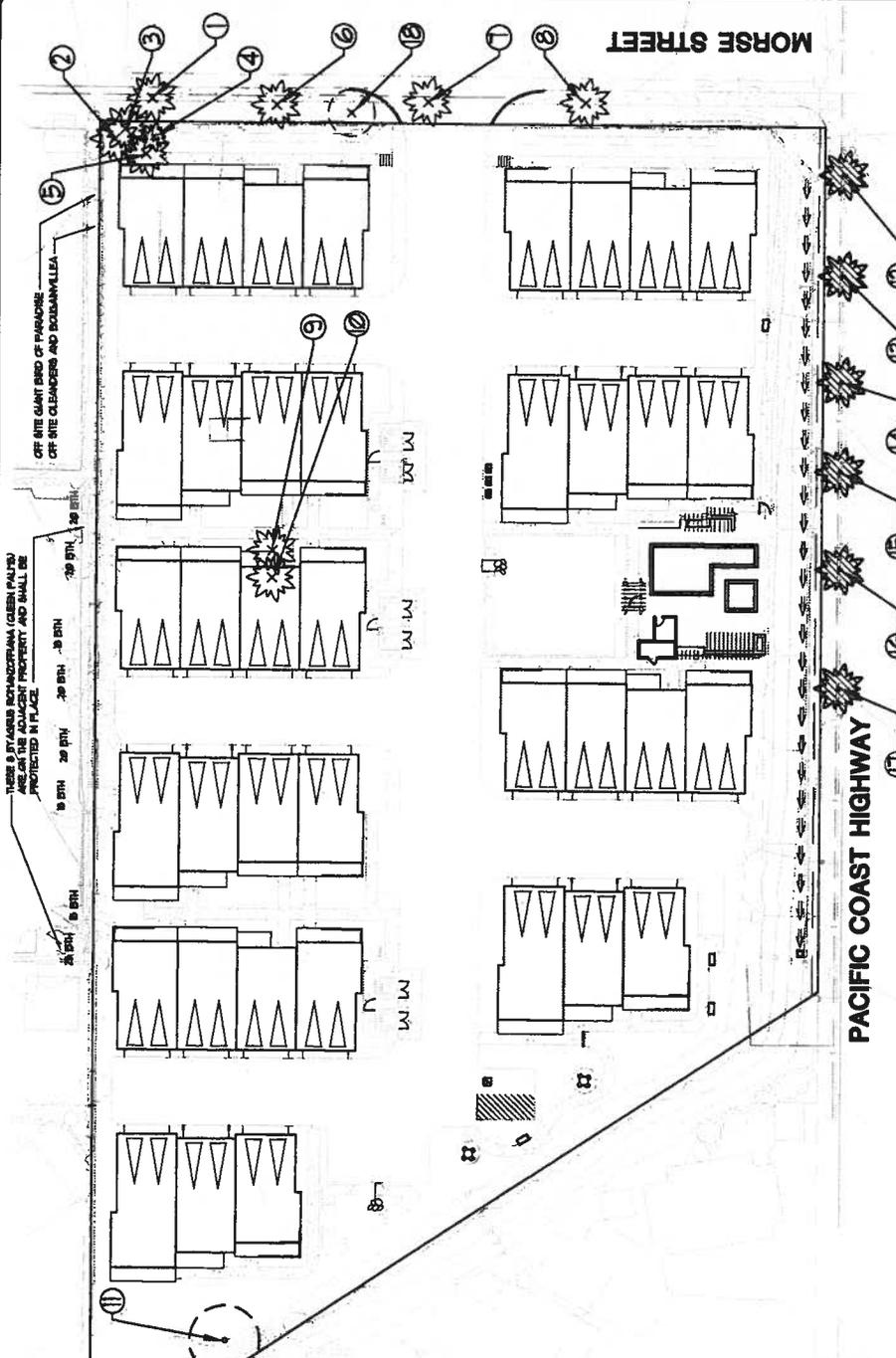
DATE: 11/15/17
 DRAWN BY: J. WILSON
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ON SITE TREE INVENTORY LEGEND

1. TREE HEALTH AND VIGOR
 2. TREE CONDITION OR HAZARD POTENTIAL
 3. TREE AGE AND LOWEST VIT
 4. TREE HEALTH AND VIGOR

TREE LEGEND

1. TREE HEALTH AND VIGOR
 2. TREE CONDITION OR HAZARD POTENTIAL
 3. TREE AGE AND LOWEST VIT
 4. TREE HEALTH AND VIGOR

EXISTING TREE SCHEDULE

NO.	SCIENTIFIC NAME	COMMON NAME	DBH	HEIGHT	CONDITION	MITIGATION
1	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
2	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
3	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
4	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
5	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
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10	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
11	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
12	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
13	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
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15	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
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97	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
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99	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE
100	STAGSUS ROBOSTRIUM	GREEN PALM	24"	30'	ON	REMOVE

TREE MITIGATION SUMMARY

TREE MITIGATION SUMMARY

SPECIAL NOTES

THE MITIGATION SUMMARY HAS BEEN PREPARED BY THE CONSULTANT AND IS SUBJECT TO THE CITY OF OCEANSIDE'S REVIEW AND APPROVAL. THE CITY OF OCEANSIDE'S REVIEW AND APPROVAL DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OCEANSIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OCEANSIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.

ON SITE TREE INVENTORY LEGEND

1. TREE HEALTH AND VIGOR
 2. TREE CONDITION OR HAZARD POTENTIAL
 3. TREE AGE AND LOWEST VIT
 4. TREE HEALTH AND VIGOR

TREE LEGEND

1. TREE HEALTH AND VIGOR
 2. TREE CONDITION OR HAZARD POTENTIAL
 3. TREE AGE AND LOWEST VIT
 4. TREE HEALTH AND VIGOR

1 PLANNING COMMISSION
2 RESOLUTION NO. 2014-P29

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA ADOPTING A
5 MITIGATED NEGATIVE DECLARATION AND
6 ASSOCIATED MITIGATION MONITORING AND
7 REPORTING PROGRAM FOR A 38 UNIT CONDOMINIUM
TOWNHOME DEVELOPMENT ON CERTAIN REAL
PROPERTY IN THE CITY OF OCEANSIDE

8 APPLICATION NO: T13-00008, D13-00004, RC13-00003 AND CUP13-00009
9 APPLICANT: The Lightfoot Planning Group – Dan Niebaum
10 LOCATION: Northeast corner of Morse Street and South Coast Highway

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms
14 prescribed by the Commission requesting a Tentative Subdivision Map, Development Plan,
15 Regular Coastal Permit and Conditional Use Permit under the provisions of Articles 7, 15, 17, and
21 of the Zoning Ordinance of the City of Oceanside to permit the following:

16 development of 38 condominium townhomes in various three- and four-unit
17 configurations, at a density of 16.5 dwelling units per acre;
18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 3rd day
20 of November, 2014 conduct a duly advertised public hearing as prescribed by law to consider said
21 application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
23 Guidelines thereto; an Initial Study and Mitigated Negative Declaration have been prepared stating
24 that if the mitigation measures identified within the Initial Study are implemented there will not be
an adverse impact upon the environment;

25 WHEREAS, the Mitigated Negative Declaration (MND) together with any comments
26 received, and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into
27 the conditions of approval for the project, were presented to the Planning Commission, and the
28 Planning Commission reviewed and considered the information contained in these documents
29 prior to making a decision on the project.

1 WHEREAS, the MND and MMRP have been determined to be accurate and adequate
2 documents, which reflect the independent judgment and analysis of the Planning Commission.
3 On the basis of the entire record before it, the Planning Commission finds that there is no
4 substantial evidence that the project, with implementation of the mitigation measures
5 proposed, will have a significant impact on the environment.

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

8 FINDINGS:

- 9 1. The MND together with all comments received, and MMRP incorporated into the
10 conditions of approval for the project, were presented to the Planning Commission, and
11 the Planning Commission reviewed and considered the information contained in these
12 documents prior to making a decision on the project.
- 13 2. The MND and MMRP have been determined to be accurate and adequate documents,
14 which reflect the independent judgment and analysis of the Planning Commission. On
15 the basis of the entire record before it, the Planning Commission finds that there is no
16 substantial evidence that the project, with implementation of the mitigation measures
17 proposed, will have a significant impact on the environment.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
19 adopt the MND and the mitigation measures provided therein and incorporated as conditions of
20 approval, as follows:

21 Environmental:

22 Biological Resources

- 23 1. [MM 15.4-1]. If vegetation clearing must occur during bird breeding season (February
24 15 through August 30) a qualified biologist shall conduct a nesting bird survey
25 immediately prior to vegetation removal. If an active nest is discovered a buffer around
26 the active nest shall be established by the project biologist and no vegetation clearing
27 shall occur within that buffer until the nest is no longer active.

28 //////////////

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

30 //////////////

1 Cultural Resources

2 2. [MM 15.5-1] If excavation activities are anticipated to extend deeper than 2.5 feet
3 below the surface, the applicant shall retain a qualified paleontologist to prepare a
4 Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed
5 project prior to issuance of a grading permit. Retaining a qualified paleontologist as
6 defined by the County of San Diego Guidelines for Determining Significance (County
7 of San Diego, 2009) is recommended. The PRIMP should be consistent with the
8 guidelines of the Society of Vertebrate Paleontology (SVP) and include, but not be
9 limited to the following:

- 10 a) The paleontologist, or his/her representative, shall attend a pre-construction
11 meeting.
- 12 b) Excavation and grading activities in sediments with a High paleontological
13 sensitivity rating (Old Paralac Deposits and the Santiago Formation) shall be
14 monitored by a qualified paleontological monitor on a full-time basis. If
15 paleontological resources are encountered during the course of ground
16 disturbance, the paleontological monitor shall have the authority to temporarily
17 redirect construction away from the area of the find in order to assess its
18 scientific significance.
- 19 c) In the event that paleontological resources are encountered when a
20 paleontological monitor is not present, work in the immediate area of the find
21 shall be redirected and the paleontologist should be contacted to assess the find
22 for scientific significance.
- 23 d) Collected resources shall be prepared to the point of identification and
24 permanent preservation. This includes washing and picking of mass samples to
25 recover small vertebrate and invertebrate fossils and the removal of surplus
26 sediment around larger specimens to reduce both the storage volume for the
27 repository and the storage cost for the developer.
- 28
29

1 e) Any collected resources shall be cataloged and curated into the permanent
2 collections of an accredited scientific institution, such as the San Diego Natural
3 History Museum.

4 f) At the conclusion of the monitoring program, a report of findings with an
5 appended inventory of specimens shall be prepared. When submitted to the
6 City, the report and inventory would signify completion of the program to
7 mitigate impacts to paleontological resources.

8
9 3. [MM 15.5-2] If any human remains are discovered during excavation and grading, the
10 County Coroner shall be contacted. The County Coroner must be notified of any
11 human remains immediately. If the remains are determined to be prehistoric, the
12 Coroner will notify the Native American Heritage Commission (NAHC) which will
13 determine and notify a Most Likely Descendant (MLD). With the permission of the
14 landowner or his/her authorized representative, the MLD may inspect the site of the
15 discovery, and shall complete the inspection within 24 hours of notification by the
16 NAHC. The MLD will have the opportunity to make recommendations to the NAHC to
17 determine proper treatment and disposition of the remains.

18 Geology and Soils

19 4. [MM 15.6-1] Prior to issuance of the building permit, the property owner/developer
20 shall submit for review and approval documentation demonstrating compliance with the
21 recommendations set forth in the Supplemental Geotechnical Investigation (Appendix
22 G), and the Storm Water Mitigation Plan (Appendix H) as approved by City
23 Geotechnical Engineer and City Water Quality Engineer, respectively.

24 Noise

25 5. [MM 15.12-1] Prior to issuance of occupancy permits, the City shall verify the
26 applicant has installed air conditioning units (i.e., a form of mechanical ventilation) in
27 each residential unit to ensure that windows can remain closed for prolonged periods of
28 time.

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6. [MM 15.12-2] Prior to issuance of any grading or construction permits, the applicant shall submit for review and approval by the City the construction plans that indicate construction equipment shall use available noise suppression devices and properly maintained mufflers. Construction noise shall be reduced by using quiet or “new technology,” equipment, particularly the quieting of exhaust noises by use of improved mufflers where feasible. All internal combustion engines used at the project site shall be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment shall be maintained in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine, drive-train and other components.

7. [MM 15.12-3] Prior to issuance of any grading or construction permits, the applicant shall submit for review and approval by the City, the construction plans indicating that during all site preparation, grading and construction, contractors shall minimize the staging of construction equipment and unnecessary idling of equipment in the vicinity of residential land uses.

8. [MM 15.12-4] Prior to issuance of any grading or construction permits, the applicant shall submit for review and approval by the City, the construction plans indicating that the equipment staging area will be situated so as to provide the greatest distance separation between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.

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1 9. [MM 15.12-5] Prior to issuance of any grading or construction permits, the applicant
2 shall submit for review and approval by the City construction plans, indicating that
3 notification shall be given to residences within 91 meters (300 feet) of planned
4 construction activities 30 days prior to commencement of demolition activity, and will
5 include a brief description of the project, the overall duration of the various construction
6 stages, noise abatement measures that will be taken, and the name and phone number of
7 the construction site supervisor or his designee to report any violation of a noise or
8 mitigation standard.

9 PASSED AND ADOPTED Resolution No. 2014-P29 on November 3, 2014 by the
10 following vote, to wit:

11 AYES:

12 NAYS:

13 ABSENT:

14 ABSTAIN:

15 _____
16 Robert Neal, Chairperson
17 Oceanside Planning Commission

18 ATTEST:

19 _____
20 Marisa Lundstedt, Secretary

21 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
22 that this is a true and correct copy of Resolution No. 2014-P29.

23 Dated: November 3, 2014
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PLANNING COMMISSION
RESOLUTION NO. 2014-P30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE SUBDIVISION MAP, DEVELOPMENT PLAN, REGULAR COASTAL PERMIT AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: T13-00008, D13-00004, RC13-00003 AND CUP13-00009
APPLICANT: The Lightfoot Planning Group – Dan Niebaum.
LOCATION: Northeast corner of Morse Street and South Coast Highway

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Subdivision Map, Development Plan, Regular Coastal Permit and Conditional Use Permit under the provisions of Articles 7, 15, 17, and 21 of the Zoning Ordinance of the City of Oceanside to permit the following:

development of 38 condominium townhomes in various three- and four-unit building configurations, at a density of 16.5 dwelling units per acre;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 3rd day of November, 2014 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; an Initial Study and Mitigated Negative Declaration (MND) have been prepared stating that if the mitigation measures identified within the Initial Study are implemented there will not be an adverse impact upon the environment;

WHEREAS, the MND together with any comments received, and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the conditions of approval for the project, were presented to the Planning Commission, and the Planning Commission

1 reviewed and considered the information contained in these documents prior to making a
2 decision on the project.

3 WHEREAS, the MND and MMRP have been determined to be accurate and adequate
4 documents, which reflect the independent judgment and analysis of the Planning Commission.
5 On the basis of the entire record before it, the Planning Commission finds that there is no
6 substantial evidence that the project, with implementation of the mitigation measures proposed,
7 will have a significant impact on the environment.

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Fee	Ordinance No. 91-34	\$2.97 per sq.ft.(Oceanside, Vista, Fallbrook, and Bonsall) \$3.20 per sq. ft. (Carlsbad) residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,597 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,492 per unit.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project, \$100 per unit, plus \$1.31 per square foot of livable area.

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

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

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

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

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

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

8 FINDINGS:

9 For the Tentative Subdivision Map (T13-00008):

- 10 1. The proposed tentative map is consistent with the General Plan and provisions of the
11 Subdivision Ordinance of the City of Oceanside. The proposed density of 16.5 dwelling
12 units/acre is well below the required range of 29 to 43 du/acre allowed by the General
13 Plan. Furthermore the General Plan policy 2.32 C. states, "Residential projects with
14 densities below the base density shall be considered to be consistent with the land use
15 designation."
- 16 2. The site is physically suitable for the proposed type of development. The design of the
17 project, as a single lot airspace condominium, provides a parcel with pad areas of
18 sufficient size and dimension to accommodate the size of the proposed residential units
19 and associated open space and service areas.
- 20 3. The design of the subdivision or the proposed improvements will not cause substantial
21 environmental damage or substantially and avoidable injure fish or wildlife or their
22 habitat. A MND has been prepared for the subject development. There is no substantial
23 evidence that the project, with implementation of the mitigation measures proposed, will
24 have a significant impact on the environment.

25 For the Development Plan (D13-00004):

- 26 1. The site plan and physical design of the project as proposed is consistent with the
27 purposes of the zoning ordinance, set forth by Article 7, for the R-3 – Medium Density
28 Residential Zone. The project will implement development of a multiple-family
29 development consistent with applicable development standards.

- 1 2. The Development Plan as proposed conforms to the General Plan of the City. The
2 project is consistent with the adopted Land Use Element of the General Plan and other
3 applicable policies, and is compatible with surrounding development. The proposed
4 project will implement General Plan goals and objectives by providing a density of 16.5
5 dwelling units per gross acre; therefore, adhering to the density range for the site's land
6 use designation which allows development at 29-43 dwelling units per gross acre;
- 7 3. The area covered by the Development Plan can be adequately, reasonably and
8 conveniently served by existing and planned public services, utilities and public
9 facilities.
- 10 4. The project as proposed is compatible with existing and potential development on
11 adjoining properties and in the surrounding neighborhood. The project as designed
12 promotes high quality and functional design for attached townhome housing units and
13 will provide an appropriate transition between commercial and residential development
14 in the immediate area.
- 15 5. The site plan and physical design of the project is consistent with applicable policies
16 contained within Section 1.2 of the General Plan Land Use Element Community
17 Development Goals, inclusive of site design to maximize views and vistas from the site
18 to the surrounding environment, provision of common open space areas for a wide range
19 of uses, enhancement of the community and neighborhood identity through landscaping
20 that frames and softens the built environment and architectural quality that enhances
21 neighborhood, community and the City's image.

22 For the Regular Coastal Permit (RC13-00003):

- 23 1. The proposed 38-unit townhome community, as conditioned, is consistent with the land
24 use policies of the Local Coastal Program as implemented through the Zoning Ordinance.
25 Specifically, the project, will not impact existing public views of the coastal zone area and
26 the physical aspects of the project will complement existing development on neighboring
27 sites.
- 28 2. The proposed development, as conditioned, will not obstruct an existing, planned, or
29 required public beach access and conforms to the public access and recreation policies of
Chapter 3 of the Coastal Act. Morse Street is not a thru street to the coastline and the site

1 is located seven blocks away from the oceanfront, therefore the proposed development
2 would not obstruct existing or planned public beach access ways.

- 3 3. The project will not result in the loss of any on-street public parking spaces or take away
4 from the existing parking fronting the site. A single curb cut along Morse Street will be
5 utilized for access to the project site. On-site parking will exceed the minimum required
6 ratio.

7 For the Conditional Use Permit (CUP13-00009):

- 8 1. The proposed use will not be detrimental to the health, safety, peace or general welfare
9 of persons residing or working in the vicinity. The proposed multiple-family
10 development is consistent with the purpose of the Medium Density Residential (R-3)
11 zone and in compliance with applicable development standards.
- 12 2. The site for the proposed use is adequate in size and is so shaped as to accommodate said
13 use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any
14 other features necessary to adjust said use with the land and uses in the neighborhood
15 and make it compatible thereto.
- 16 3. The site abuts Morse Street and South Coast Highway. Both streets are adequate in
17 width and improvements to carry traffic typical of the proposed multiple-family use and
18 street patterns of such nature exist as to guarantee that traffic generated by the project
19 will not be channeled through residential areas on local residential streets.
- 20 4. The granting of this conditional use permit will not adversely affect the General Plan of
21 the City, any other adopted plan of the City, or the adopted plan of other governmental
22 agency. The project is consistent with applicable goals, objectives and policies of
23 adopted plans.

24 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
25 approve Tentative Map (T13-00008), Development Plan (D13-00004), Regular Coastal Permit
26 (RC13-00003) and Conditional Use Permit (CUP13-00009) subject to the following conditions:

27 Building:

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

1 **2013 Triennial Edition of CCR, Title 24**

2 The 2013 triennial edition of the California Code of Regulations, Title 24 (California
3 Building Standards Code) applies to all occupancies that applied for a building permit on
4 or after January 1, 2014, and remains in effect until the effective date of the 2016
5 triennial edition which will be January 1, 2017. The California Building Standards
6 Commission website at <http://www.bsc.ca.gov/codes.aspx> has links to where the codes
7 can be viewed online as well as information on where the codes can be purchased; Parts
8 6, 11, and 12 can be directly downloaded for free.

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

- 11 • Part 2: The 2013 California Building Code (CBC) is based on the 2012 IBC, but
12 includes numerous State of California amendments.
- 13 • Part 2.5: The 2013 California Residential Code (CRC) is based on the 2012 IRC,
14 but includes numerous State of California amendments and does not include the
15 electrical, energy, mechanical, or, plumbing portions of the IRC, and instead
16 parts 3 through 6 of Title 24 as listed below apply.
- 17 • Part 3: The 2013 California Electrical Code (CEC) is based on the 2011 NEC
18 with State of California amendments.
- 19 • Part 4: The 2013 California Mechanical Code (CMC) is based on the 2012 UMC
20 with State of California amendments.
- 21 • Part 5: The 2013 California Plumbing Code (CPC) is based on the 2012 UPC
22 with State of California amendments.
- 23 • Part 6: The 2013 California Energy Code is currently based on the 2013 Building
24 Energy Efficiency Standards. Please visit the California Energy Commission
25 website at <http://www.energy.ca.gov/title24/2013standards/> where additional
26 information can be found and Compliance manuals can be downloaded for free.
27 Effective Date July 1, 2014.
- 28 • Part 9: The 2013 California Fire Code (CFC) is based on the 2012 IFC with State
29 of California amendments.

1 • Part 11: The 2013 California Green Building Standards Code (CALGreen Code)
2 This Part is known as the California Green Building Standards Code, and is also
3 known as the CALGreen Code.

4 • Amendments to the City of Oceanside Administrative Code for Building
5 Regulations.

6 Ordinance No. 13-ORO752-1 Effective Date 01/01/2014 a copy of which can be
7 downloaded from the Building Division website at
8 <http://www.ci.oceanside.ca.us/gov/dev/bldg/codes.asp>

9 2. The building plans for this project shall be prepared by a licensed architect or engineer
10 and shall be in compliance with this requirement prior to submittal for building plan
11 review.

12 3. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
13 and shall be shielded appropriately. Where color rendition is important high-pressure
14 sodium, metal halide or other such lights may be utilized and shall be shown on final
15 building and electrical plans.

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

18 5. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the
19 plans. Separate/unique addresses may be required to facilitate utility releases.
20 Verification that the addresses have been properly assigned by the City's Planning
21 Division shall accompany the Building Permit application.

22 6. A complete Soils Report, Structural Calculations & Energy Calculations/documentation
23 shall be required at time of plans submittal to the Building Division for plan check.

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

27 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
28 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
29 work that is not inherently noise-producing. Examples of work not permitted on
Saturday are concrete and grout pours, roof nailing and activities of similar noise-

1 producing nature. No work shall be permitted on Sundays and Federal Holidays
2 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
3 Christmas Day) except as allowed for emergency work under the provisions of
4 the Oceanside City Code Chapter 38 (Noise Ordinance).

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

10 **Engineering:**

- 11 8. For the demolition of any existing structure or surface improvements, grading plans shall
12 be submitted and erosion control plans be approved by the City Engineer prior to the
13 issuance of a demolition permit. No demolition shall be permitted without an approved
14 erosion control plan.
- 15 9. Design and construction of all improvements shall be in accordance with the City of
16 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
17 engineering and specifications of the City of Oceanside and subject to approval by the City
18 Engineer.
- 19 10. All right-of-way alignments, street dedications, exact geometrics and width(s) shall be
20 dedicated and constructed or replaced as required by the City Engineer.
- 21 11. Legal access shall be provided to Morse Street prior to the filing of the final map.
- 22 12. The tract shall be recorded as one. The tract may be developed in phases. A construction-
23 phasing plan for the construction of on-site public and private improvements shall be
24 reviewed and approved by the City Engineer prior to the recordation of the final map.
25 Prior to the issuance of any building permits all offsite improvements including
26 landscaping, landscaped medians, frontage improvements shall be under construction to
27 the satisfaction of the City Engineer. Prior to issuance of any certificates of occupancy the
28 City Engineer shall require the dedication and construction of necessary utilities, arterials
29 and streets and other improvements outside the area of any particular final map, if such is

1 needed for circulation, parking, access or for the welfare or safety of future occupants of
2 the development.

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

10 14. Provide the City of Oceanside with a certification from each public utility and each public
11 entity owning easements within the proposed project stating that: (a) they have received
12 from the owner/developer a copy of the proposed map; (b) they object or do not object to
13 the filing of the map without their signature; (c) in case of a street dedication affected by
14 their existing easement, they will sign a "subordination certificate" or "joint-use certificate"
15 on the map when required by the governing body. In addition, the owner/developer shall
16 furnish proof to the satisfaction of the City Engineer that no new encumbrances have been
17 created that would subordinate the City's interest over areas to be dedicated for public road
18 purposes since submittal of the project.

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

23 16. Prior to approval of the final or any increment, all improvement requirements, within such
24 increment or outside of it if required by the City Engineer, shall be covered by a
25 Subdivision Improvement Agreement and secured with sufficient improvement securities
26 or bonds guaranteeing performance and payment for labor and materials, setting of
27 monuments, and warranty against defective materials and workmanship.

28 17. The owner/developer shall provide a minimum of 42' public street dedication from the
29 official centerline for Coast Highway, along the property frontage.

- 1 18. The owner/developer shall provide street dedication (if required) for Morse Street to the
2 satisfaction of the City Engineer.
- 3 19. If a subdivider is required under this division or any other provision of law to make a
4 dedication for specified public purposes on a final map, the local agency shall specify
5 whether the dedication is to be in fee for public purposes or an easement for public
6 purposes.
- 7 20. A traffic control plan shall be prepared according to the City traffic control guidelines and
8 approved to the satisfaction of the City Engineer prior to the start of work within the public
9 right-of-way. Traffic control during construction of streets that have been opened to public
10 traffic shall be in accordance with construction signing, marking and other protection as
11 required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic
12 control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 13 21. Vehicular access rights to Coast Highway shall be relinquished to the City from all
14 abutting lots. Vehicular access rights to Morse Street shall be relinquished to the City from
15 all abutting lots, except the proposed project driveway.
- 16 22. Curbs and gutters and sidewalk shall be constructed on Coast Highway and Morse Street
17 along property frontage in compliance with the City of Oceanside Engineers Design and
18 Processing Manual.
- 19 23. Public ADA ramps shall be constructed at the intersection of Coast Highway and Morse
20 Street, and at the intersection of the proposed project driveway with Morse Street to the
21 satisfaction of the City Engineer.
- 22 24. Coast Highway and Morse Street shall provide a minimum of 10 feet parkway between the
23 face of curb and the right of way line. Sidewalk improvements shall comply with ADA
24 requirements. Publicly maintained pedestrian ramps (maintained by the City of Oceanside
25 must be fully located within public right-of-way. Minimum curb return radius shall
26 comply with the City of Oceanside Engineers Design and Processing Manual.
- 27 25. Sight distance requirements at the intersection of the project driveway with Morse Street;
28 and at the intersection of Morse Street with Coast Highway (for each direction of traffic)
29 shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or
DS-20B.

- 1 26. 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 already
3 damaged or damaged during construction of the project, shall be repaired or replaced as
4 directed by the City Engineer.
- 5 27. Streetlights shall be maintained and installed on Coast Highway and Morse Street as
6 required per City Standards. The system shall provide uniform lighting, and be secured
7 prior to occupancy. The owner/developer shall pay all applicable fees, energy charges,
8 and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall
9 also agree to the formulation of, or the annexation to, any appropriate street lighting
10 district.
- 11 28. This project's streets and driveways shall remain private and shall be maintained by an
12 association. The pavement sections, traffic indices shall be based on approved
13 geotechnical report and in compliance with the City of Oceanside Engineers Design and
14 Processing Manual. The private project street and driveway alignments and geometric
15 layouts shall meet the City of Oceanside Engineers Design and Processing Manual.
- 16 29. Pavement sections for Coast Highway, Morse Street and all on-site private streets/
17 driveways, private alleys and parking areas shall be based upon approved soil tests and
18 traffic indices. The pavement design is to be prepared by the owner/developer's soil
19 engineer and must be in compliance with the City of Oceanside Engineers Design and
20 Processing Manual and be approved by the City Engineer, prior to paving.
- 21 30. A precise grading and private improvement plan shall be prepared, reviewed, secured and
22 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
23 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
24 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
25 and any on-site traffic calming devices shall be shown on all precise grading and private
26 improvement plans.
- 27 31. 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, secured

1 by the owner/developer with cash securities or a letter of credit and approved by the City
2 Engineer.

3 32. Prior to approval of the grading plans, the owner/developer shall contract with a
4 geotechnical engineering firm to perform a field investigation of the existing pavement on
5 Coast Highway adjacent to the project boundary. The limits of the study shall be half-
6 street plus 12 feet along the project's frontage. The field investigation shall include a
7 minimum of one pavement boring per 50 linear feet of street frontage. Should the existing
8 AC thickness be determined to be less than the current minimum standard for AC and
9 Class II Base as set forth in the table for City of Oceanside Pavement Design Guidelines in
10 the City of Oceanside Engineers Manual, the owner/developer shall remove and
11 reconstruct the pavement section as determined by the pavement analysis submittal process
12 detailed in the condition listed below.

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

21 34. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
22 neighborhood meeting with all of the area residents located within 300 feet of the project
23 site, to inform them of the grading and construction schedule, and to answer questions.

24 35. Where proposed off-site improvements, including but not limited to slopes, public utility
25 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
26 own expense, obtain all necessary easements or other interests in real property and shall
27 dedicate the same to the City of Oceanside as required. The owner/developer shall provide
28 documentary proof satisfactory to the City of Oceanside that such easements or other
29 interest in real property have been obtained prior to the approval of the final map (or)
/issuance of any grading, building or improvement permit for this development/project.

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

5 36. The existing substandard slope on Coast Highway along the property frontage shall be
6 reconstructed to City standards.

7 37. The owner/developer shall monitor, supervise and control all construction and
8 construction-supportive activities, so as to prevent these activities from causing a public
9 nuisance, including but not limited to, insuring strict adherence to the following:

10 a) Dirt, debris and other construction material shall not be deposited on any public
11 street or within the City's stormwater conveyance system.

12 b) All grading and related site preparation and construction activities shall be limited
13 to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering
14 related construction activities shall be conducted on Saturdays, Sundays or legal
15 holidays unless written permission is granted by the City Engineer with specific
16 limitations to the working hours and types of permitted operations. All on-site
17 construction staging areas shall be as far as possible (minimum 100 feet) from any
18 existing residential development. Because construction noise may still be intrusive
19 in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits
20 "any disturbing excessive or offensive noise which causes discomfort or annoyance
21 to reasonable persons of normal sensitivity."

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

26 d) The owner/developer shall complete a haul route permit application (if required for
27 import/export of dirt) and submit to the City of Oceanside Engineering Division 48
28 hours in advance of beginning of work. Hauling operations (if required) shall be
29 8:00 a.m. to 3:30 p.m. unless approved otherwise.

- 1 38. It is the responsibility of the owner/developer to evaluate and determine that all soil
2 imported as part of this development is free of hazardous and/or contaminated material as
3 defined by the City and the County of San Diego Department of Environmental Health.
4 Exported or imported soils shall be properly screened, tested, and documented regarding
5 hazardous contamination.
- 6 39. The approval of the tentative map shall not mean that proposed grading or improvements
7 on adjacent properties (including any City properties/right-of-way or easements) is granted
8 or guaranteed to the owner/developer. The owner/developer is responsible for obtaining
9 permission to grade to construct on adjacent properties. Should such permission be denied,
10 the tentative map shall be subject to going back to the public hearing or subject to a
11 substantial conformity review.
- 12 40. Prior to any grading of this project, a comprehensive soils and geologic investigation shall
13 be conducted of the soils, slopes, and formations in the project. All necessary measures
14 shall be taken and implemented to assure slope stability, erosion control, and soil integrity.
15 No grading shall occur until a detailed grading plan, to be prepared in accordance with the
16 Grading Ordinance and Zoning Ordinance is approved by the City Engineer.
- 17 41. The owner/developer shall place a covenant on the title sheet of the grading plan, and the
18 non-title sheet of the final map agreeing to the following: "The present or future
19 owner/developer shall indemnify and save the City of Oceanside, its officers, agents, and
20 employees harmless from any and all liabilities, claims arising from any landslide on this
21 site".
- 22 42. Landscaping plans, including plans for the construction of walls, fences or other structures
23 at or near intersections, must conform to intersection sight distance requirements.
24 Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
25 prior to the issuance of a preliminary grading permit and approved by the City Engineer
26 prior to the issuance of building permits. Frontage and median landscaping shall be
27 installed and established prior to the issuance of any certificates of occupancy. Securities
28 shall be required only for landscape items in the public right-of-way. Any project fences,
29 sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and
built from the landscape plans. These features shall also be shown on the precise grading

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

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

9 44. Shoring might be required for the construction of the proposed development. The shoring
10 design plans and structural calculations shall be submitted concurrently with the precise
11 grading plan.

12 45. The drainage design shown on the tentative map, site plan or preliminary grading plan, and
13 the drainage report for this tentative map/development plan is conceptual only. The final
14 drainage report and drainage design shall be based upon a hydrologic/hydraulic study that
15 is in compliance with the latest San Diego County Hydrology and Drainage Manual to be
16 approved by the City Engineer during final engineering. All drainage picked up in an
17 underground system shall remain underground until it is discharged into an approved
18 channel, or as otherwise approved by the City Engineer. All public storm drains shall be
19 shown on City standard plan and profile sheets. All storm drain easements shall be
20 dedicated where required. The owner/developer shall be responsible for obtaining any off-
21 site easements for storm drainage facilities.

22 46. Drainage facilities shall be designed and installed to adequately accommodate the local
23 stormwater runoff and shall be in accordance with the San Diego County Hydrology and
24 Design Manual and in compliance with the City of Oceanside Engineers Design and
25 Processing Manual to the satisfaction of the City Engineer.

26 47. There shall be no drainage discharge into the adjacent properties. The owner/developer
27 shall place a covenant on the title sheet of the grading plan, and the non-title sheet of the
28 final map agreeing to the following: "The present or future owner/developer shall
29 indemnify and save the City of Oceanside, its officers, agents, and employees harmless

1 from any and all liabilities, claims arising from any flooding that occurs on this site, and
2 any flooding that is caused by this site impacting adjacent properties”.

3 48. Storm drain facilities shall be designed and located such that the inside travel lanes on
4 streets with collector or above design criteria shall be passable during conditions of a 100-
5 year frequency storm.

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

9 50. The owner/developer shall comply with the provisions of National Pollution Discharge
10 Elimination System (NPDES) General Permit for Storm Water Discharges Associated with
11 Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The
12 General Permit continues in force and effect until a new General Permit is issued or the
13 SWRCB rescinds this General Permit. Only those owner/developers authorized to
14 discharge under the expiring General Permit are covered by the continued General Permit.
15 Construction activity subject to the General Permit includes clearing, grading, and
16 disturbances to the ground such as stockpiling, or excavation that results in land
17 disturbances of equal to or greater than one acre. The owner/developer shall obtain
18 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a
19 Waste Discharge Identification Number (WDID#) from the State Water Resources Control
20 Board (SWRCB). In addition, coverage under the General Permit shall not occur until an
21 adequate SWPPP is developed for the project as outlined in Section A of the General
22 Permit. The site specific SWPPP shall be maintained on the project site at all times. The
23 SWPPP shall be provided, upon request, to the United States Environmental Protection
24 Agency (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of
25 Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered
26 a report that shall be available to the public by the RWQCB under section 308(b) of the
27 Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall
28 be continuously implemented and enforced until the owner/developer obtains a Notice of
29 Termination (NOT) for the SWRCB. The owner/developer is required to retain records of
all monitoring information, copies of all reports required by this General Permit, and

1 records of all data used to complete the NOT for all construction activities to be covered by
2 the General Permit for a period of at least three years from the date generated. This period
3 may be extended by request of the SWRCB and/or RWQCB.

4 51. Following the City Engineer's determination that Storm Water Mitigation Plan (SWMP) is
5 deemed complete and prior to issuance of grading permits, the owner/developer shall
6 submit and obtain approval of an Operation & Maintenance (O&M) Plan, prepared to the
7 satisfaction of the City Engineer. The O&M Plan shall include an approved and executed
8 Maintenance Mechanism pursuant to Section 5 of the Standard Urban Storm Water
9 Mitigation Plan (SUSMP). The O&M shall satisfy the minimum Maintenance
10 Requirements pursuant to Section 5 of the SUSMP. At a minimum the O&M Plan shall
11 include the designated responsible party to manage the stormwater BMP(s), employee
12 training program and duties, operating schedule, maintenance frequency, routine service
13 schedule, specific maintenance activities, copies of resource agency permits, cost estimate
14 for implementation of the O&M Plan, a non-refundable cash security to provide
15 maintenance funding in the event of noncompliance to the O&M Plan, and any other
16 necessary elements. The owner/developer shall provide the City with access to site for the
17 purpose of BMP inspection and maintenance by entering into an Access Rights Agreement
18 with the City. The owner/developer shall complete and maintain O&M forms to document
19 all operation, inspection, and maintenance activities. The owner/developer shall retain
20 records for a minimum of 5 years. The records shall be made available to the City upon
21 request.

22 52. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
23 Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair and
24 replace the Storm Water Best Management Practices (BMPs) identified in the project's
25 deemed complete SWMP, as detailed in the O&M Plan into perpetuity. The Agreement
26 shall be approved by the City Attorney prior to issuance of any precise grading permit and
27 shall be recorded at the County Recorder's Office prior to issuance of any building permit.
28 A non-refundable Security in the form of cash shall be required prior to issuance of a
29 precise grading permit. The amount of the non-refundable security shall be equal to 10

1 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of
2 \$25,000. The owner/developer's civil engineer shall prepare the O&M.

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

8 54. The Agreement shall include a copy of executed on-site and off-site access easement and
9 or access rights necessary for the operation and maintenance of BMPs that shall be binding
10 on the land throughout the life of the project to the benefit of the party responsible for the
11 O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include a copy
12 of the deemed complete O&M Plan.

13 55. The BMPs described in the project's deemed complete SWMP shall not be altered in any
14 way, unless reviewed and approved to the satisfaction of the City Engineer. The
15 determination of whatever action is required for changes to a project's deemed complete
16 SWMP shall be made by the City Engineer.

17 56. The owner/developer shall provide a copy of the title/cover page of a deemed complete
18 SWMP with the first engineering submittal package. If the project triggers the City's
19 Stormwater requirements but no deemed complete Stormwater document (SWMP) exists,
20 the appropriate document shall be submitted to the City Engineer for review. The SWMP
21 shall be prepared by the owner/developer's Civil Engineer. All Stormwater documents
22 shall be in compliance with the latest edition of submission requirements.

23 57. Prior to any occupancy permit, the developer/owner shall construct each and all of the
24 structural BMPs and operating in compliance with all of its specifications, plan, permits,
25 Ordinances, and the requirement of the State Regional Water Quality Control Board
(RWQCB), Order No. R9-2013-0001.

26 58. Open space areas and down-sloped areas visible from a collector-level or above roadway
27 and not readily maintained by the property owner, shall be maintained by a homeowners'
28 association that will insure installation and maintenance of landscaping in perpetuity.
29 These areas shall be indicated on the final map and reserved for an association. Future

1 buyers shall be made aware of any estimated monthly costs. The disclosure, together with
2 the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of
3 final map.

4 59. All existing overhead utility lines within the subdivision/development and/or within full
5 width street or right-of-way of Coast Highway and Morse Street abutting this new
6 subdivision/development, and all new extension services for the development of the
7 project, including but not limited to, electrical, cable and telephone, shall be placed
8 underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required
9 by the City Engineer and current City policy.

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

16 61. The owner/developer shall comply with all the provisions of the City's cable television
17 ordinances including those relating to notification as required by the City Engineer.

18 62. Approval of this development project is conditioned upon payment of all applicable impact
19 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
20 Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,
21 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
22 recordation of the map or the issuance of any building permits, in accordance with City
23 Ordinances and policies. The owner/developer shall also be required to join into,
24 contribute, or participate in any improvement, lighting, or other special district affecting or
25 affected by this project. Approval of the tentative map shall constitute the
26 owner/developer's approval of such payments, and his agreement to pay for any other
27 similar assessments or charges in effect when any increment is submitted for final map or
28 building permit approval, and to join, contribute, and/or participate in such districts.

29 63. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
will be subject to prevailing wage requirements as specified by Labor Code section

1 1720(b) (4). The owner/developer shall agree to execute a form acknowledging the
2 prevailing wage requirements prior to the granting of any fee reductions or waivers.

3 64. In the event that the conceptual plan does not match the conditions of approval, the
4 resolution of approval shall govern.

5 **Landscaping:**

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

- 19 a) Final landscape plans shall accurately show placement of all plant material such as
20 but not limited to trees, shrubs, and groundcovers.
- 21 b) The Landscape Architect shall be aware of all utility, sewer, gas, water, storm drain
22 lines and utility easements and place planting locations accordingly to meet City of
23 Oceanside requirements.
- 24 c) All required landscape areas shall be maintained by owner, project association,
25 homeowner association or successor of the project (including public rights-of-way
26 (parkways) parallel with Morse Street and South Coast Highway). The landscape
27 areas shall be maintained per City of Oceanside requirements.
- 28 d) The As-built/Maintenance Guarantee (refundable cash deposit) shall not be
29 released until the as-built drawings have been approved on the original approved

1 Mylar landscape plan and the required maintenance period has been successfully
2 terminated.

3 e) Proposed landscape species shall fit the site and meet climate changes indicative to
4 their planting location. The selection of plant material shall also be based on
5 cultural, aesthetic, and maintenance considerations. In addition proposed landscape
6 species shall be low water users as well as meet all Fire Department requirements.

7 f) All planting areas shall be prepared and implemented to the required depth with
8 appropriate soil amendments, fertilizers, and appropriate supplements based upon a
9 soils report from an agricultural suitability soil sample taken from the site.

10 g) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from
11 the sun, evapotranspiration and run-off. All the flower and shrub beds shall be
12 mulched to a 3" depth to help conserve water, lower the soil temperature and
13 reduce weed growth.

14 h) The shrubs shall be allowed to grow in their natural forms. All landscape
15 improvements shall follow the City of Oceanside Guidelines.

16 i) Root barriers shall be installed adjacent to all paving surfaces, where a paving
17 surface is located within 6 feet of a trees trunk on-site (private) and within 10 feet
18 of a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in
19 each direction from the centerline of the trunk, for a total distance of 10 feet. Root
20 barriers shall be 24 inches in depth. Installing a root barrier around the tree's root
21 ball is unacceptable.

22 j) Refer to the approved Tree Survey (prepared by The Lightfoot Planning Group on
23 2/20/14) and the approved Conceptual Landscape Plan for the condition of the
24 existing trees and mitigation required.

25 k) The (6) existing Washingtonia robusta/Mexican Fan Palms located within the
26 public right-of-way parallel to S. Coast Highway shall remain and be protected in-
27 place. Any damage or mortality to the existing palms due to construction activities
28 shall be replaced in-kind and with the same brown trunk height per the approved
29 Tree Survey (prepared by The Lightfoot Planning Group, dated 2/20/14).

- 1 l) The (3) existing *Syagrus romanzoffianum*/ Queen Palms located within the public
2 right-of-way parallel to Morse Street shall be removed and replaced with (3) 24-
3 inch size box container *Podocarpus gracilior*/Yew Pine trees. Refer to the approved
4 Tree Survey (prepared by The Lightfoot Planning Group, dated 2/20/14). For all
5 other newly proposed street trees within the public right-of-way parallel to Morse
6 St. refer to the approved Conceptual Landscape Plan.
- 7 m) The plantable wall parallel with South Coast Highway shall be provided with a
8 Caltrans 2010 Revised Standard Plan RSP B11-47 Cable Railing above the
9 plantable wall.
- 10 n) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
11 obtain Planning Division approval for these items in the conditions or application
12 stage prior to 1st submittal of working drawings.
- 13 o) A reference detail of the trash enclosure(s) shall be shown on the landscape
14 construction drawings.
- 15 p) For the planting and placement of trees and their distances from hardscape and
16 other utilities/ structures the landscape plans shall follow the City of Oceanside's
17 (current) Tree Planting Distances and Spacing Standards.
- 18 q) An automatic irrigation system shall be installed to provide coverage for all
19 planting areas shown on the plan. Low volume equipment shall provide sufficient
20 water for plant growth with a minimum water loss due to water run-off. Per Water
21 Utilities, a separate landscape irrigation water meter shall be required.
- 22 r) Irrigation systems shall use high quality, automatic control valves, controllers and
23 other necessary irrigation equipment. All components shall be of non-corrosive
24 material. All drip systems shall be adequately filtered and regulated per the
25 manufacturer's recommended design parameters.
- 26 s) All irrigation improvements shall follow the City of Oceanside Guidelines and
27 Water Conservation Ordinance.
- 28 t) The landscape plans shall match all plans affiliated with the project.
- 29 u) Landscape construction drawings are required to implement approved Fire
Department regulations, codes, and standards at the time of plan approval.

- v) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, and shall match the grading and improvement plans.
- w) Landscape plans shall comply with Storm Water Management Plan (SWMP), Hydromodification Management Plan (HMP), or Best Management Practices and meet the satisfaction of the City Engineer.
- x) 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.

66. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways parallel to South Coast Highway and Morse Street shall be permanently maintained by the owner, project association, homeowner association, 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) parking lots and walkways, 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.

67. In the event that the Conceptual Landscape Plan does not match the conditions of approval, the resolution of approval shall govern.

Fire:

68. Provide scaled site plan showing perimeter fencing, access gates, fire sprinkler connections and FDCs.

69. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (78,000 lbs min.) and shall be constructed with an approved paved surface to provide all-weather driving capabilities.

- 1 70. A five-foot wide concrete walkway shall be provided around the back of the buildings
2 for Fire Department access and hose pulls.
- 3 71. Note on the plans if the project meets the definition of a townhouse per CBC Chapter 2.
- 4 72. Fire hydrants shall be installed and tested prior to placing any combustible materials on
5 the job site.
- 6 73. All weather access roads shall be installed and made serviceable prior to and maintained
7 during time of construction.
- 8 74. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per
9 Vehicle Code Section 22500.1. Any markings, signs and/or fire lane identification shall
10 be in accordance with the Fire Department Standard Guidelines for Emergency Access.
- 11 75. All security gates shall have a Knox-switch override and strobe activation capability.
- 12 76. An approved fire sprinkler system shall be installed in residential buildings.
- 13 77. A fire alarm system shall be provided in residential buildings.
- 14 78. Multiple-unit complexes require address directory boards that are visible from the main
15 entrance. Multiple-tenant buildings that have alternate vehicular or passageway access
16 shall have numbers or addresses that are legible from the alternate access/egress or
17 tenant space. A lighted directory map shall be installed at each driveway entrance to
18 multi-unit residential projects in excess of 15 units.
- 19 79. A Fire Master Plan shall be submitted for review prior to building permit application.

20 **Planning:**

- 21 80. All mitigation measures identified in the Mitigated Negative Declaration and associated
22 Mitigation Monitoring and Reporting Program for the subject development shall be
23 complied with as stated therein.
- 24 81. This Tentative Map, Development Plan, Regular Coastal Permit and Conditional Use
25 Permit shall expire 36 months from its approval, unless this time period is extended by
26 the provisions of Section 408 or 409 of the Subdivision Ordinance.
- 27 82. This Tentative Map, Development Plan, Regular Coastal Permit and Conditional Use
28 Permit approves only a 38-unit condominium development as shown on the plans and
29 exhibits presented to the Planning Commission for review and approval. No deviation
from these approved plans and exhibits shall occur without Planning Division approval.

1 Substantial deviations shall require a revision to the Tentative Map, Development Plan,
2 Regular Coastal Permit and Conditional Use Permit or a new Tentative Map,
3 Development Plan, Regular Coastal Permit and Conditional Use Permit.

4 83. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
5 harmless the City of Oceanside, its agents, officers or employees from any claim, action
6 or proceeding against the City, its agents, officers, or employees to attack, set aside, void
7 or annul an approval of the City, concerning Tentative Map (T13-00008), Development
8 Plan (D13-00004), Regular Coastal Permit (RC13-00003) and Conditional Use Permit
9 (CUP13-00009). The City will promptly notify the applicant of any such claim, action
10 or proceeding against the city and will cooperate fully in the defense. If the City fails to
11 promptly notify the applicant of any such claim action or proceeding or fails to cooperate
12 fully in the defense, the applicant shall not, thereafter, be responsible to defend,
13 indemnify or hold harmless the City.

14 84. A covenant or other recordable document approved by the City Attorney shall be
15 prepared by the property owner and recorded prior to the approval of the final map. The
16 covenant shall provide that the property is subject to this resolution, and shall generally
17 list the conditions of approval.

18 85. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
19 written copy of the applications, staff report and resolutions for the project to the new
20 owner and or operator. This notification provision shall run with the life of the project
21 and shall be recorded as a covenant on the property.

22 86. Failure to meet any conditions of approval shall constitute a violation of the Tentative
23 Map, Development Plan, Regular Coastal Permit and Conditional Use Permit.

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

29 88. Prior to the issuance of building permits, compliance with the applicable provisions of the
City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed

1 and approved by the Planning Division. These requirements, including the obligation to
2 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
3 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
4 property.

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

8 90. Garages shall be kept available and useable for the parking of tenant's automobiles at all
9 times.

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

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

- 25 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 26 b) Provisions regulating individual patio covers, prohibiting room additions and other
27 appurtenances.
- 28 c) Provisions for the maintenance of all common open space and open space
29 easements, including provisions establishing mechanisms to ensure adequate and
continued monetary funding for such maintenance by the homeowners' association.

- 1 d) Provisions that restrict any private use of open space areas. Restrictions shall
2 include, but are not limited to, removing retaining walls, installing structures such
3 as trellises, decks, retaining walls and other hardscape and any individual landscape
4 improvements.
- 5 e) Provisions prohibiting the homeowners association from relinquishing its
6 obligation to maintain the common open space and open space easement areas
7 without prior consent of the City of Oceanside.
- 8 f) An acknowledgement that the City of Oceanside does not have a view preservation
9 ordinance and that views may be subject to change with maturing off-site landscape
10 and the potential for future off-site building.

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

13 94. The developer is prohibited from entering into any agreement with a cable television
14 franchisee of the City, which gives such franchisee exclusive rights to install, operate, and
15 or maintain its cable television system in the development.

16 95. This project shall comply with all provisions of the City's Affirmative Fair Housing
17 Marketing Agreement policy. Such agreement shall be submitted to and approved by the
18 Housing and Neighborhood Services Director prior to the recordation of a Final Map or the
19 issuance of a building permit for the project, whichever comes first.

20 96. This project is subject to the provisions of Chapter 14C of the City Code regarding
21 Inclusionary Housing.

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

24 98. In the event any subsurface archaeological resources are encountered during grading or
25 construction activities, such activities in the locality of the find shall be halted
26 immediately. An archaeologist, certified by the Society of Professional Archaeologists
27 (SOPA), shall be brought in to determine the significance of the archaeological resources
28 and implement appropriate mitigations prior to recommencing earthwork.

29 99. A pre-excavation agreement shall be executed between the applicant and the San Luis
Rey Band of Mission Indians, specifying the disposition of human remains, grave goods,

1 or other culturally sensitive material encountered during grading, trenching or other
2 ground disturbance in conjunction with implementation of the proposed project.

3 100. An archaeologist and a Native American monitor shall be on-site during grading and
4 trenching within the project area. The archaeologist and the Native American monitor
5 may determine, in coordination with City staff, that the full-time presence of a monitor is
6 not required, that checking the grading at regular intervals is sufficient.

7 101. The monitors shall have the power to temporarily halt or redirect grading if sensitive
8 cultural material is found.

9 102. An archaeologist and a Native American monitor shall be present for a pre-grade
10 meeting to discuss the monitoring program with the grading contractor, City staff and the
11 developer.

12 103. If archaeological materials are encountered, their importance must be evaluated to assess
13 the significance of impacts. If significant cultural resources are encountered, mitigation
14 would be accomplished through documentation and excavation of features, cataloging
15 and analysis of cultural material collected, and preparation of a report detailing the
16 methods and results of the monitoring/data recovery program.

17 104. Any cultural material recovered shall be curated at an appropriate facility, except as
18 stipulated differently in the pre-excavation agreement.

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

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

26 107. A trash enclosure (or trash enclosures) must be provided as required by Chapter 13 of the
27 City Code and shall also include additional space for storage and collection of recyclable
28 materials per City standards. Recycling is required by City Ordinance. The enclosure
29 (or enclosures) must be built in a flat, accessible location as determined by the City
Engineer. The enclosure (or enclosures) shall meet City standards including being

1 constructed of concrete block, reinforced with rebar and filled with cement. A concrete
2 slab must be poured with a berm on the inside of the enclosure to prevent the bin(s) from
3 striking the block walls. The slab must extend out of the enclosure for the bin(s) to roll
4 out onto. Steel posts must be set in front of the enclosure with solid metal gates. All
5 driveways and service access areas must be designed to sustain the weight of a 50,000-
6 pound service vehicle. Trash enclosures and driveways and service access areas shall be
7 shown on both the improvement and landscape plans submitted to the City Engineer.
8 The specifications shall be reviewed and approved by the City Engineer. The City's
9 waste disposal contractor is required to access private property to service the trash
10 enclosures, a service agreement must be signed by the property owner and shall remain
11 in effect for the life of the project. All trash enclosures shall be designed to provide user
12 access without the use and opening of the service doors for the bins. Trash enclosures
13 shall have design features such as materials and trim similar to that of the rest of the
14 project. This design shall be shown on the landscape plans and shall be approved by the
15 City Planner.

16 108. Trash receptacles shall be provided within common open space areas and identified on
17 the building permit plans, to the satisfaction of the City Planner.

18 109. The SDAPCD requires that construction implement the measures listed in Rule 55 to
19 minimize fugitive dust emissions as follows:

20 a) No person shall engage in construction or demolition activity in a manner that
21 discharges visible dust into the atmosphere beyond the property for a period or
22 periods aggregating more than 3 minutes in any 60-minute period; and

23 b) Visible roadway dust as a result of active operations, spillage from transport
24 trucks, erosion, or track-out/carry-out shall be minimized by the use of any
25 equally effective track-out/carry-out erosion control measures listed in Rule 55
26 that apply to the project or operation. These measures are: track-out gates or
27 gravel beds at each egress point; wheel washing at each egress during muddy
28 conditions; soil binders, chemical soil stabilizers, geotextiles, mulching, or
29 seeding; and using secured traps or cargo covering, watering, or treating of
transported material for outbound transport trucks. Erosion control measures

1 must be removed at the conclusion of each workday and when active operations
2 cease, or every 24 hours of continuous operations.

3 110. During all project site excavation and grading, the project contractors shall equip all
4 construction equipment, fixed or mobile, with properly operating and maintained
5 mufflers consistent with manufacturers' standards.

6 111. The project contractor shall place all stationary construction equipment so that the
7 emitted noise is directed away from the relatively more sensitive receptors nearest the
8 project site.

9 112. The construction contractor shall locate equipment staging in areas that will create the
10 greatest distance between construction-related noise sources and relatively more noise-
11 sensitive receptors nearest the project site during all project construction.

12 113. The construction contractor shall limit all construction-related activities that would result
13 in high noise levels to between the hours of 7:00 a.m. and 10:00 p.m. Monday through
14 Saturdays. No construction shall be permitted outside of these hours or on Sundays and
15 federal holidays.

16 **Water Utilities:**

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

21 115. The property owner shall maintain private water and wastewater utilities located on private
22 property.

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

25 117. All Water and Wastewater construction shall conform to the most recent edition of the
26 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
27 the Water Utilities Director.

28 118. All public water and/or sewer facilities not located within the public right-of-way shall be
29 provided with easements sized according to the Water, Sewer, and Reclaimed Water
Design and Construction Manual.

1 119. Public water system on-site shall be looped with connections to two separate public water
2 mains.

3 **The following conditions shall be met prior to the approval of engineering design plans:**

4 120. No trees, structures or building overhang shall be located within any water or wastewater
5 utility easement.

6 121. All lots with a finish pad elevation located below the elevation of the next upstream
7 manhole cover of the public sewer shall be protected from backflow of sewage by
8 installing and maintaining an approved type backwater valve, per the latest California
9 Plumbing Code (C.P.C.).

10 122. The developer shall construct a public reclamation water system that will serve each lot
11 and or parcels that are located in the proposed project in accordance with the City of
12 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located
13 in the public right-of-way or in a public utility easement. The developer may opt to submit
14 a letter requesting the City to prepare a reclaimed water cost estimate that can be paid prior
15 to engineering plan approval in-lieu of constructing a reclaimed water system as part of this
16 development.

17 123. Each dwelling unit shall have a separate water meter since the development is proposing
18 townhomes instead of apartments.

19 124. City records indicate that property has an existing 1 ½ -inch domestic water meter.
20 Existing meter shall be shown on plans and identify if this shall remain in place or be
21 abandoned per City Standard Drawing W-6.

22 125. Provide size of proposed water service connections from public water main to each
23 dwelling unit on plans. Domestic water meter sizes will be verified in Building Plan
24 submittal.

25 126. Each building shall have a dedicated fire service connection with an approved double
26 check detector check assembly.

27 127. Provide a separate irrigation meter with an approved backflow prevention device on the
28 plans.

29 128. The public utility easement for multiple utilities within the same corridor shall be 30 feet in
width unencumbered to accommodate water, sewer and storm drain for this development.

1 Provide minimum 5 feet from easement to centerline of waterline; minimum 10-foot
2 separation between water and sewer from outside to outside of pipe; and minimum 6-foot
3 separation between sewer and storm drain from centerline to centerline. Easements shall
4 be constructed for all weather access.

5 129. Show all proposed and existing easements on plans. Provide an easement around proposed
6 public fire hydrants.

7 130. Fire hydrant locations and spacing shall meet Fire Department requirements.

8 131. Improvement plans shall include sewer replacement of approximately 440 feet of existing
9 10-inch VCP with 12-inch PVC pipe in Morse Street from Freeman Street to Alley
10 between South Coast Highway and Tremont Street (Manhole 600626017 to Manhole
11 06626021) in accordance with Water, Sewer, and Reclaimed Water Design and
12 Construction Manual.

13 132. Any retaining walls that are located over the water main and easement shall have an
14 encroachment/removal agreement fully executed. Provide a concrete "blanket" detail in
15 plans to be constructed over pipe; sized to extend two feet on either side of trench width
16 and 5 feet on either side of retaining wall. Concrete blanket shall be minimum 6 inches
17 thick with reinforcement. Detail shall be submitted to Water Utilities Department for
18 review and approval.

19 133. Each building shall have a dedicated fire service connection with double check detector
20 check assembly and shall be shown on plans.

21 134. Show extents of proposed waterline running north from Morse Street down center of
22 property.

23 135. Minimum cover for sewer mains shall be 6 feet below the finished grade per latest Water,
24 Sewer, and Reclaimed Water Design & Construction Manual, Section 3.0, Paragraph H,
25 Item 4. Revise invert elevation on furthest upstream sewer manhole.

26 136. Provide irrigation flows for each control valve to confirm proposed irrigation meter size.

The following conditions of approval shall be met prior to building permit issuance:

27 137. Provide water fixture count and flow calculations to confirm meter size for each dwelling
28 unit.

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

4 139. All Water Utilities Fees are due at the time of building permit issuance per City Code
5 Section 32B.7.

6 **The following conditions of approval shall be met prior to occupancy:**

7 140. All new development of single-family and multi-family residential units shall include hot
8 water pipe insulation and installation of a hot water recirculation device or design to
9 provide hot water to the tap within 15 seconds in accordance with City of Oceanside
10 Ordinance No. 02-OR126-1.

11 PASSED AND ADOPTED Resolution No. 2014-P30 on November 3, 2014 by the following
12 vote, to wit:

13 AYES:

14 NAYS:

15 ABSENT:

16 ABSTAIN:

17
18 _____
19 Robert Neal, Chairperson
20 Oceanside Planning Commission

21 ATTEST:

22 _____
23 Marisa Lundstedt, Secretary

24 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
25 that this is a true and correct copy of Resolution No. 2014-P30.

26 Dated: November 3, 2014
27
28
29



Application for Discretionary Permit

Development Services Department / Planning Division
(760) 435-3520
Oceanside Civic Center 300 North Coast Highway
Oceanside, California 92054-2885

STAFF USE ONLY

ACCEPTED

3-12-2013

BY

AF
+
DHW

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

GPA

1. APPLICANT

Shopoff Advisors, LP. - Ed Fitzpatrick

2. STATUS

Owner

MASTER/SP.PLAN

ZONE CH.

3. ADDRESS 2 Park Plaza, Suite 700
Irvine, CA 92614

4. PHONE/FAX/E-mail
914-417-1309
1316

TENT. MAP T13-00008

PAR. MAP

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) The Lightfoot Planning Group - Dan Niebaum

✓ DEV. PL. D13-00604

✓ C.U.P. CUP13-00009

6. ADDRESS 5900 Pasteur Ct., Suite 110
Carlsbad, CA 92008

7. PHONE/FAX/E-mail
760-692-1924

✓ VARIANCE V13-00001

✓ COASTAL RC13-00003

PART II - PROPERTY DESCRIPTION

✓ VARIANCE V13-00002

8. LOCATION

NEC: South Coast Highway / Morse Street

9. SIZE

2.3 acres

10. GENERAL PLAN
UHD-R

11. ZONING
R-3 (Coastal)

12. LAND USE
Vacant

13. ASSESSOR'S PARCEL NUMBER
153-041-01

14. LATITUDE 33 - 10' - 45" N

15. LONGITUDE 33 - 21' - 53" W

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION

See DeJ dated 4/2014 - Feb.
A proposal for a 72-unit apartment development. The project will feature six separate residential buildings and a community building. The development will incorporate a contemporary, cohesive architectural and landscape design.

17. PROPOSED GENERAL PLAN
No Change

18. PROPOSED ZONING
No Change

19. PROPOSED LAND USE
Multi-family

20. NO. UNITS
72

21. DENSITY
31.3 du/ac

22. BUILDING SIZE
104,800 s.f. total

23. PARKING SPACES
132

24. % LANDSCAPE
32.1%

25. % LOT COVERAGE OR FAR
34.3%

PART IV - ATTACHMENTS

X

26. DESCRIPTION/JUSTIFICATION

X

27. LEGAL DESCRIPTION

X

28. TITLE REPORT

X

29. NOTIFICATION MAP & LABELS

X

30. ENVIRONMENTAL INFO FORM

X

31. PLOT PLANS

X

32. FLOOR PLANS AND ELEVATIONS

X

33. CERTIFICATION OF POSTING

X

34. OTHER (See attachment for required reports)

PART V - SIGNATURES

SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print):
The Lightfoot Planning Group -
Dan Niebaum

36. DATE
1/3/13

37. OWNER (Print)
Edward J Fitzpatrick

38. DATE
11/5/12

Sign:

Dan Niebaum

Sign:

Edward J Fitzpatrick

- I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.
- I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.

Morse Street Townhomes
D13-00004, RC13-00003, CUP13-00009
Development Plan, Tentative Subdivision Map, Conditional Use Permit,
and Regular Coastal Permit

Description & Justification
April 2014 (rev.)

RECEIVED
APR 30 2014
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

INTRODUCTION

This application presents a revised proposal for a 38-unit high quality residential townhome development that will incorporate a contemporary, cohesive architectural and landscape design theme. The original proposal presented a 72-unit multiple building apartment complex at this location. The development program for the site has now been updated to propose 'for-sale' townhomes. The revised plan allows for a well-designed project that more effectively utilizes the site area by reducing the overall building coverage and pavement area while increasing the overall landscape area. The overall total building area is reduced from 104,800 square feet to 64,675 square feet.

The proposed development would be located on a 2.3-acre parcel (APN: 153-041-01) at the northeast corner of Coast Highway and Morse Street in the South Oceanside neighborhood planning area. The site is located within the Coastal Zone and, as such, is regulated by the 1986 Oceanside Zoning Ordinance that designates the site as R-3 (Medium Density Residential). The site is not located within the permit or appeal jurisdiction of the Coastal Commission.

The property is currently vacant, having been previously developed as a mobile home park (Catalina Estates) until recent years. The property to the north is also located in the Coastal Zone, zoned R-3, and developed as a mobile home park. A slope bank with an elevation differential of approximately 20 feet separates the subject site from the neighboring property to the north. The subject property boundary is located near the top of this slope. No qualifying hillside slopes exist along this bank. Various commercial and light industrial uses are situated along the Coast Highway corridor further north and to the south and west. These properties are zoned C-2 (General Commercial) and also located within the Coastal Zone. Neighboring property to the east of the site is located outside the Coastal Zone. This property is developed with a neighborhood market fronting on Morse Street and designated CL (Limited Commercial). An apartment complex, a condominium complex, and a single-family residence (all zoned RS Single-Family Residential) are also located east of the subject property to the north of the market site.

This site presents an excellent urban infill development opportunity. It should be noted that the property is located within the overall planning boundary of the Coast Highway Vision and

Strategic Plan (CHVSP) that was completed in 2009. The CHVSP is a blueprint for revitalization and enhancement of the Coast Highway corridor presenting design and development strategies for property within the Plan area. The site is adjacent to the Coast Highway 'Sprinter Station Node' identified in the Plan. The repurposing of this site will result in a multi-family development that implements a number of strategies presented in the CHVSP, including:

- Increased residential density along the corridor
- Proximity to Sprinter station and Coast Highway allows for direct transit access
- High degree of connectivity to surroundings through existing urban street grid
- Well-designed transitional space between Coast Highway and existing neighborhood
- Provision of a diversity in housing opportunities and choice
- Visually interesting buildings with high quality architectural design that feature pedestrian scaled elements

DEVELOPMENT PLAN AND REGULAR COASTAL PERMIT

The development will include 38 townhomes within various three and four unit building configurations located across the site. The townhomes will feature four different plan types and three separate building types are proposed based on the particular unit configurations. The individual buildings are scaled down in size from the previous proposal and careful consideration has been given to their location and orientation in order to promote view corridors across the site. The elevated site will allow for excellent ocean views to the north and west from the proposed buildings and landscape areas. The northern end of the site is also dedicated to active and passive landscape areas and will allow for significant view opportunities from the property.

Substantial landscape areas will be focused around the perimeter of the property, within courtyards between buildings, and adjacent to interior circulation areas. The buildings are oriented so that prominent elevations face out to adjacent streets, side and rear boundaries of the property. Circulation and parking areas will be located to the interior of the site. A centrally located 28-foot wide drive aisle will connect to Morse Street providing access to the project. Additionally, five driveway stubs will extend from the central drive to provide direct access to each townhome. The garage drive aisles will feature decorative permeable pavers that will provide a site design aesthetic and serve as a storm water feature for the project. Enhanced concrete paving is provided at the project entry, along a portion of the main access drive, and also designates crosswalks to enhance the project's pedestrian circulation system.

Garages incorporated with each townhome are oriented to face internal drives located between the buildings. A total of 76 resident garage parking spaces (two per townhome) and an additional seven surface spaces for guest parking will be provided with the project – for a total of 83 on-site parking spaces. The guest spaces are distributed at key locations throughout the site. Additional on-street parking is also available along Morse Street adjacent to the project site. All parking spaces are designed to meet the dimension requirements of the 1986 Zoning Ordinance.

The vehicular circulation system has been designed to provide for necessary fire apparatus access throughout the project. A fire turn-around (hammerhead design) area is designated along the central drive aisle adjacent to townhome units 28 & 35 and extends into the garage drive aisle located between units 21 & 29. This garage aisle is designed at a minimum width of 28 feet in order to meet fire requirements. The project is also designed to allow for a minimum 150-foot hose pull distance to each townhome from fire apparatus positioned along the central drive aisle.

The site is located in close proximity to transit options which will additionally support the transportation needs of project residents and visitors. The site is just outside the five-minute walking radius (1/4 mile) for the Coast Highway Sprinter Station identified in the CHVSP. Bus service is also readily available adjacent to the site with nearby stops along Coast Highway.

The townhome buildings are designed as three-story structures (a maximum of 35 feet in height) comprised of three or four units. Each building features a consistent architectural design and unit mix with variations in their site placement and orientation. Each unit is designed with an individual entry and private patio / balcony space. Table 1 below provides a breakdown of the plan types and related data. Table 2 provides a breakdown of the separate building types and related unit mix.

**Table 1
UNIT PLAN SUMMARY**

Plan Type	Square Footage	Bedrooms	Baths	Garage Spaces	Total Units
1	1,581	2 + office	3	2	13
2	1,731	3	3	2	15
3	1,750	3	2.5	2	5
4	1,850	3	3	2	5
				Totals	38

**Table 2
BUILDING UNIT MIX**

Building Type	Unit Plan Mix	Buildings On Site
1	2-1-1-2	5
2	2-1-3-4	3
3	2-3-4	2

A summary of the project's required and proposed development standards is provided below in Table 3. Development standards for the site are regulated by the 1986 Zoning Ordinance due to its location in the Coastal Zone. The project is in compliance with the R-3 development standards presented in the 1986 Ordinance.

**Table 3
DEVELOPMENT STANDARDS SUMMARY**

Development Standard	Required Minimum	Proposed Project
Lot Size (sf)	6,000 sf	100,188 sf
Lot Width	70 ft	255 ft
Lot Depth	100 ft	391 ft. avg.
Setbacks		
Front	20 ft	20 ft
Side	5 ft	7 ft
Corner Side	10 ft	21 ft
Rear	0 ft*	22 ft
Density	43 du/ac (max) 1000 sf / du	16.5 du/ac 2,636 sf / du
Lot Coverage	60% (max)	32.6%
Parking	76 spaces	83 spaces
Building Height	35 ft**	34'-6"
Site Landscaping	All open areas + 60% of front & side setback areas	All open areas + 100% of front & side setback areas

* A 0-foot setback is permitted due to slope bank exceeding 20 feet and installation of a 5-foot fence at top of slope.

** Penthouses, stairway structures, parapet walls, chimneys, and similar structures may exceed building height limits as prescribed in Section 1709.

Site Grading

The total grading quantity estimate for the project is provided in Table 4 below. The proposed grading will accommodate the project design and the necessary conveyance of stormwater across the site.

**Table 4
GRADING QUANTITIES**

Earthwork	Quantity
Cut	11,630 CY (5,056 cy/ac)
Fill	300 CY (130 cy/ac)
<i>Import</i>	<i>11.330 CY (4,926 cy/ac)</i>

Decorative block retaining walls are designed at various locations in conjunction with existing site topography and to support the proposed grading plan. A single plantable retaining wall is designed along the Coast Highway frontage of the project site. The wall will stabilize the existing steep slope bank (approximately a 1:1 existing slope) and range in height from three to six feet. The previous plan had proposed two six-foot retaining walls along this frontage, but the current proposal is able to minimize the use of retaining walls along this site boundary. The existing slope bank increases in height as it extends from south to north, resulting in an approximate 20-foot elevation difference between the Coast Highway grade and the upper grades at the north end of the site. The wall is designed at approximately 275 feet in length overall, while only an approximate 100-foot length of the wall is designed at the maximum six foot height. The wall is also designed as a plantable wall (although plantable walls are not required under the 1986 Ordinance) and will be complemented by trees, colorful shrubs, and native grasses on the slope face to achieve a high quality landscape feature along the Coast Highway frontage.

An additional retaining wall ranging from one to six feet in height is proposed along the east project boundary. This wall will respond to the grade conditions of adjacent properties, allow for necessary site grading and pad elevations, and contribute to the conveyance of storm water through the site. The wall face will be oriented to the interior of the site as the project grade elevation will be lower than that of the neighboring properties. Canopy tree, shrub and groundcover plantings are proposed at the base of the wall on the interior of the site.

Two small retaining walls are also planned at the front of the townhome buildings along Morse Street. These walls are oriented toward the interior of the site as part of small bio-retention areas. The portions of the walls that face to the exterior Morse Street frontage are only 1 - 2 feet in height. The small basins are approximately 1 - 2 feet deep.

Architecture

This in-fill development will provide a well-designed transition space located between the more intense uses of the Coast Highway corridor and the primarily residential neighborhood located to the east. The proposed residential architecture complements the style and scale of developments in the vicinity of the project. The project features visually interesting buildings with a high quality architectural design that will add to the diversity of housing opportunities and choice within the coastal area.

The proposed contemporary architectural style draws from a finely tuned mixture of traditional proportions and massing combined with modern forms of construction and stylistic elements. The style is characterized by simple, almost modular elements with varied wall planes and roof heights, along with large signature window openings. The style retains the important and definitive features of a "base, middle, and top," and uses contemporary window and structural systems to allow for larger spans of glazing and simple, clean lines. The architecture incorporates simple geometries with varied building masses and multiple façade planes. The building forms feature prominent elements of vertical and horizontal relief.

Materials incorporated with the design will include wood framing with cut stone, corrugated metal siding, and smooth stucco finishes that complete the architectural style. Steel cable cantilevered balconies with wood posts call to traditional sea side styles, while presenting them in a fresh and modern fashion. Colors are light and regionally appropriate. The design is complemented by modern and contemporary landscaping and patios.

Landscape Concept Plan

The conceptual landscape design for the project employs low impact development features that double as amenities such as permeable pavers in the vehicle areas and plantings within the water quality basins. As an important aspect of the project, ocean views will be promoted where they occur and less attractive views will be screened with plant material selected specifically for each circumstance. The design takes into consideration the views from residential windows, along with the pedestrian experience from numerous walkways and building entries.

Opportunities for social interaction will be provided at pedestrian nodes and amenity areas within the site. A centrally located recreation area will provide for day and nighttime use featuring a pool (with lap pool element) and spa, cantilever trellises, raised gas fire-pit element, a barbeque area, and movable site furnishings. A glass view wall is proposed at the edge of the pool deck to allow for clear westerly views and provide wind protection. Walkways are positioned throughout the site to take advantage of views to the north and west, while incorporating several bench locations in passive settings for prime sunset views. Small turf areas are proposed to accompany bench locations for active use, such as by resident children or pets. Each unit is afforded additional usable areas through private patio and balcony space.

Tree locations have been carefully located to provide view framing without obstructing the west/northwest view corridors of the site. Small-scale 'patio' trees and colorful large-scale shrubs (trained as small trees) will be provided throughout the site to enhance the pedestrian scale of the project. The water quality basins will include ornamental plantings that also have functional value for water treatment. The slope plantings along the Coast Highway frontage will include bold and colorful drought tolerant trees and shrubs enhancing the slope area and providing screening for the proposed retaining wall.

TENTATIVE SUBDIVISION MAP

A tentative subdivision map is proposed for condominium purposes to create 38 airspace units. The common areas of the project will be recorded within separate lots as necessary.

CONDITIONAL USE PERMITS

A Conditional Use Permit is required under Section 1506 of the 1986 Zoning Ordinance for apartments (including condominiums) of 20 units or more. A maximum of 102 units may be considered on this site based on the overall density allowance of 43 du/ac (1000 square feet / unit). The proposed development at 38 units and 16.5 du/ac is far below the dwelling unit and density maximums.

SUMMARY

The Morse Street Townhomes development represents a repurposing of this in-fill site that will realize a high quality multi-family residential community within the Coastal Zone. The proposed project will implement several strategies of the Coast Highway Vision and Strategic Plan while providing increased residential density in close proximity to the Sprinter Station node.

The development will complement the variety of surrounding land uses and provides a transition between the more intense uses located along the Coast Highway corridor and the neighborhood located to the east. The development will afford residents and guests the opportunity to readily access coastal amenities, while the high quality architecture and landscape will provide a visually interesting focal point along the Coast Highway. The project meets the goals, intents, objectives, design and density provisions established by the City's General Plan, the 1986 Zoning Ordinance, the Local Coastal Plan, and the Coast Highway Vision and Strategic Plan.

Legal Description

APN: 153-041-01

The land referred to in this Commitment is situated in the City of Oceanside, County of San Diego, State of California, and is described as follows:

PARCEL A:

THAT PORTION OF LOT 1, TRACT 50 OF HOTELING LANDS, IN THE CITY OF OCEANSIDE IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1717, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 16, 1921 AS DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT MARKING THE INTERSECTION OF THE CENTER LINE OF MORSE STREET WITH THE CENTER LINE OF STEWART STREET, AS SHOWN ON SAID MAP NO. 1717; THENCE ALONG THE CENTER LINE OF MORSE STREET, SOUTH 54°48' WEST A DISTANCE OF 2178.00 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY OF CALIFORNIA STATE HIGHWAY RIGHT OF WAY, ROUTE 2, SECTION 8, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID RIGHT OF WAY NORTH 35°12' WEST, A DISTANCE OF 347.28 FEET TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY LINE OF LOT 1; THENCE ALONG SAID NORTHWESTERLY LINE OF SAID LOT 1, NORTH 21°05'45" EAST, A DISTANCE OF 512.07 FEET; THENCE SOUTH 35°12' EAST A DISTANCE OF 631.35 FEET TO A POINT ON THE CENTER LINE OF MORSE STREET; THENCE ALONG THE CENTER LINE OF MORSE STREET, SOUTH 54°48' WEST, A DISTANCE OF 426.06 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LOT 1 AS DEDICATED FOR PUBLIC STREET BY THE CITY OF OCEAN SIDE DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT WHERE THE SOUTHERLY LINE OF SAID LOT 1, TRACT 50 OF HOTELING LANDS INTERSECTS THE NORTHEASTERLY LINE OF THE CALIFORNIA HIGHWAY KNOWN AS HILL STREET, IN THE CITY OF OCEANSIDE AS SHOWN ON SAID MAP NO. 1717, SAID POINT BEING THE SOUTHWESTERLY CORNER OF SAID LOT 1 IN TRACT 50 OF HOTELING LANDS; CONTINUING THENCE IN AN EASTERLY DIRECTION ALONG THE SAID SOUTHERLY

BOUNDARY OF SAID LOT 1, TRACT 50 OF HOTALING LANDS, A DISTANCE OF 20 FEET TO A POINT; THENCE CONTINUING NORTHWESTERLY IN A LINE PARALLEL WITH SAID NORTHEASTERLY LINE OF SAID CALIFORNIA STATE HIGHWAY KNOWN AS HILL STREET, AS SHOWN ON SAID MAP NO. 1717, TO ITS INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID LOT 1, TRACT 50, HOTALING LANDS, SAID NORTHEASTERLY LINE OF HILL STREET BEING ALSO THE SOUTHWESTERLY BOUNDARY OF SAID LOT 1 IN TRACT 50 OF HOTALING LANDS; THENCE CONTINUING IN A SOUTHWESTERLY DIRECTION ALONG THE SAID NORTHWESTERLY BOUNDARY OF SAID LOT 1, TRACT 50 OF HOTALING LANDS TO ITS INTERSECTION WITH THE SAID NORTHEASTERLY BOUNDARY OF SAID CALIFORNIA STATE HIGHWAY KNOWN AS HILL STREET, SAID POINT OF INTERSECT ION BEING ALSO THE NORTHWESTERLY CORNER OF SAID LOT 1 IN TRACT 50 OF HOTALING LANDS; THENCE CONTINUING ALONG THE SAID NORTHEASTERLY BOUNDARY OF SAID CALIFORNIA STATE HIGHWAY KNOWN AS HILL STREET, AS SHOWN ON SAID MAP NO. 1717, IN A SOUTHERLY DIRECTION TO THE POINT OF COMMENCEMENT.

ALSO EXCEPTING THEREFROM THE NORTHEASTERLY 172 FEET THEREOF, THE SOUTHWESTERLY LINE OF SAID NORTHEASTERLY 172 FEET BEING PARALLEL WITH THE NORTHEASTERLY LINE OF SAID PARCEL.

PARCEL B:

A PORTION OF LOT 1 IN TRACT 50 OF HOTALING LANDS, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN ON MAP THEREOF, NO. 1717, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 16, 1921, SUCH PORTION BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT WHERE THE SOUTHERLY LINE OF SAID LOT 1, TRACT 50 OF HOTALING LANDS INTERSECTS THE NORTHEASTERLY LINE OF THE CALIFORNIA STATE HIGHWAY, KNOWN AS HILL STREET, IN THE CITY OF OCEAN SIDE, AS SHOWN ON SAID MAP NO. 1717, SAID POINT BEING THE SOUTHWESTERLY CORNER OF SAID LOT 1, TRACT 50 OF HOTALING LANDS; CONTINUING THENCE IN AN EASTERLY DIRECTION ALONG THE SAID SOUTHERLY 20 BOUNDARY OF SAID LOT 1, TRACT 50 OF HOTALING LANDS, A DISTANCE OF 20 FEET TO A POINT; THENCE CONTINUING NORTHWESTERLY IN A LINE PARALLEL TO SAID NORTHEASTERLY LINE OF SAID CALIFORNIA STATE HIGHWAY, KNOWN AS HILL STREET, AS SHOWN ON SAID MAP NO. 1717 TO ITS INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID LOT 1, TRACT 50 OF HOTALING LANDS, SAID NORTHEASTERLY LINE OF HILL STREET BEING ALSO THE SOUTHWESTERLY BOUNDARY OF SAID LOT 1 IN TRACT 50 OF HOTALING LANDS; THENCE CONTINUING IN A SOUTHWESTERLY DIRECTION ALONG THE SAID NORTHWESTERLY BOUNDARY OF SAID LOT 1, TRACT 50 OF HOTALING LANDS TO ITS INTERSECTION WITH THE SAID NORTHEASTERLY BOUNDARY OF SAID CALIFORNIA STATE HIGHWAY KNOWN AS HILL STREET, SAID POINT OF INTERSECTION BEING ALSO THE NORTHWESTERLY CORNER OF SAID LOT 1 IN TRACT 50 OF HOTALING LANDS; THENCE CONTINUING ALONG THE SAID NORTHEASTERLY BOUNDARY OF SAID CALIFORNIA STATE HIGHWAY KNOWN AS HILL AS SHOWN ON SAID MAP NO. 1717 IN SOUTHERLY DIRECTION TO THE POINT OF BEGINNING.

APN: 153-041-01-00

AUG 21 2014
BY *[Signature]*
DEPUTY



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
City of Oceanside, California

SUBJECT: D13-00004, RC13-00003, CUP13-00009, T13-00008 – Morse Street Townhomes

NOTICE IS HEREBY GIVEN that the City of Oceanside has prepared and intends to adopt a Mitigated Negative Declaration for the above-noted project, in accordance with the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration establishes that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because required mitigation measures will address potential project effects. The City's decision to prepare a Mitigated Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

PROJECT DESCRIPTION: The proposed project involves four entitlement requests (Development Plan D13-00004, Coastal Permit RC13-00003, Conditional Use Permit CUP13-00009 and Tentative Map T13-00008) for the development of a 38-unit residential townhome community with various three and four unit configurations, at a density of 16.5 dwelling units per acre on a 2.3 acre vacant parcel. The project site is located at the northeast corner of Coast Highway and Morse Street within the South Oceanside neighborhood planning area and non-appeal jurisdiction of the Coastal Zone. The project is in compliance with applicable R-3 residential zoning standards. A tentative subdivision map is proposed for condominium purposes to create 38 airspace units. A conditional use permit is required under section 1506 of the 1986 Zoning Ordinance for multiple family residential developments of 20 units or more.

PUBLIC REVIEW PERIOD: the public review period is from Friday, August 22, 2014 to Monday September 22, 2014.

PROJECT MANAGER: Amy Fousekis, Principal Planner; Phone: (760) 435-3534; Fax number: (760) 754-2958; mailing address: Planning Division, 300 North Coast Highway, Oceanside, CA 92054. E-mail: afousekis@ci.oceanside.ca.us

NOTICE IS FURTHER GIVEN that the City invites members of the general public and agencies to review and comment on this environmental documentation. Written comments may be mailed, e-mailed, or faxed to the project manager. The Mitigated Negative Declaration and supporting documents are available for public review and inspection at the Planning Division located in City Hall at, 300 North Coast Highway, Oceanside, CA 92054. The City's Planning Commission will conduct public hearing(s) at a future date to be determined. A legal ad in a local newspaper will be used to notice the public for those hearings. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised during the public review period on the proposed Mitigated Negative Declaration or at the future public hearing(s).

[Signature]
By order of Marisa Lundstedt, City Planner

8/19/2014