

**STAFF REPORT****CITY OF OCEANSIDE**

DATE: April 22, 2015
TO: Honorable Mayor and City Councilmembers
FROM: Development Services Department
SUBJECT: **FINAL MAP BEACHWALK AT CASSIDY TEN TOWNHOMES**

SYNOPSIS

Staff recommends that the City Council adopt a resolution approving the Final Map for the proposed Beachwalk at Cassidy Street Ten Townhomes project, a residential condominium development on a 0.39-acre lot, located at the southeast corner intersection of Cassidy Street and Broadway Street; and authorize the City Clerk to record the Final Map with the San Diego County Recorder.

BACKGROUND

Beachwalk at Cassidy Townhomes is a proposed one-lot, townhome development consisting of ten residential units on 0.39 acres of land located southeast of the intersection of Cassidy Street and Broadway Street (Exhibit A). The owner of the property is 301 Cassidy Ten, LLC, a California Corporation.

On June 9, 2014, the Planning Commission adopted Resolution No. 2014-P12 approving the Tentative Subdivision Map with the expiration date of June 9, 2016 (Exhibit B).

ANALYSIS

All financial arrangements have been satisfactorily completed. All pertinent documents have been properly executed by the owner. All grading and drainage comply with City ordinances.

The map is consistent with applicable general and specific plans and the site is physically suitable for this type of development. Conditions and restrictions have been imposed to ensure its compatibility with adjacent areas and the entire City.

FISCAL IMPACT

Once the map is approved, development fees will be calculated and assessed. Therefore, the fiscal impact is unknown at this time.

COMMISSION OR COMMITTEE REPORT

Does not apply.

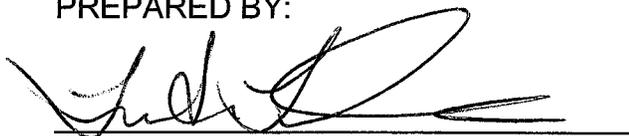
CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving the Final Map for the proposed Beachwalk at Cassidy Ten Townhomes project, a residential condominium development on a 0.39-acre lot, located at the southeast corner of the intersection of Cassidy Street and Broadway Street; and authorize the City Clerk to record the Final Map with the San Diego County Recorder.

PREPARED BY:



Fred Tafaghodi
Associate Engineer

SUBMITTED BY:



Michelle Skaggs Lawrence
Interim City Manager

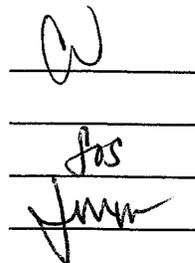
REVIEWED BY:

Peter A. Weiss, Assistant City Manager

Rick Brown, Interim Development Services Director 

Scott O. Smith, City Engineer

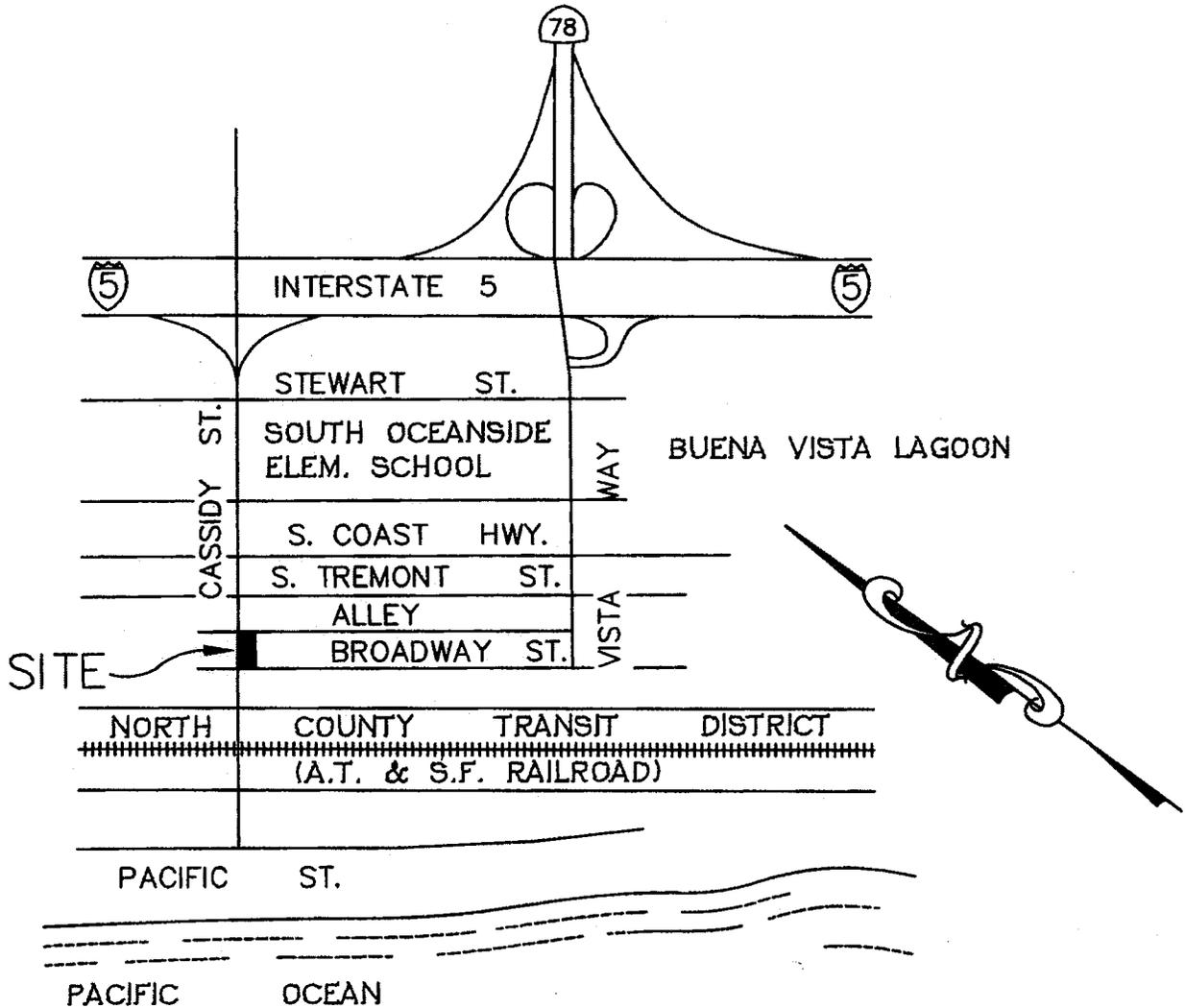
Jane M. McPherson, Interim Financial Services Director



Attachment:

1. Exhibit "A": Vicinity Map
2. Exhibit "B": Planning Commission Resolution
3. Exhibit "C": Council Resolution

EXHIBIT "A"



VICINITY MAP

N.T.S.

THOMAS GUIDE PAGE 1106 C3

EXHIBIT "B"

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PLANNING COMMISSION
RESOLUTION NO. 2014-P12

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

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APPLICATION NO: T13-00005, D13-00009, RC13-00015
APPLICANT: 301 Cassidy Ten, LLC., Geoff McComic
LOCATION: 301 Cassidy Street

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 Map, Development Plan, Regular Coastal, and Density Bonus in accordance with State Law and under the provisions of Article 10, 30, 41, and 43 of the Zoning Ordinance, Article IV of the Subdivision Ordinance, and the Local Coastal Program Coastal Permit Handbook of the City of Oceanside to permit the following:

demolition of an existing 3,650-square-foot commercial office building, a lot merger of two 8,670-square-foot parcels into one 17,340-square-foot lot, and construction of a ten-unit Condominium project within three freestanding;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 9th day of June, 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 (Section 15332); this project qualifies for a Class 32 categorical exemption (In-Fill Development), the proposed project constitutes in-fill development of property in an urbanized area that is under five acres, is consistent with the applicable zoning and general plan designations, has no value as habitat, can be adequately served through existing utilities and public services, and would not result in any significant effects relating to traffic, noise, air quality or water quality;

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

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

5 <u>Description</u>	6 <u>Authority for Imposition</u>	7 <u>Current Estimate Fee or Calculation Formula</u>
8 Parkland Dedication/Fee	9 Ordinance No. 91-10 10 Resolution No. 06-R0334-1	11 \$3,503 per unit
12 Drainage Fee	13 Ordinance No. 85-23 14 Resolution No. 06-R0334-1	15 Depends on area (range is 16 \$2,843-\$15,964 per acre)
17 Public Facility Fee	18 Ordinance No. 91-09 19 Resolution No. 06-R0334-1	20 \$2,072 per unit for residential
21 School Facilities Mitigation Fee	22 Ordinance No. 91-34	23 \$2.63 per square foot 24 residential
25 Traffic Signal Fee	26 Ordinance No. 87-19 27 Resolution No. 06-R0334-1	28 \$15.71 per vehicle trip
29 Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
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 \$4,326 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 \$1.15 per square foot.

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

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

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

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

15 WHEREAS, pursuant to Oceanside Zoning Ordinance §2115, this resolution becomes
16 effective 20 days from its adoption in the absence of the filing of an appeal or call for review;

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

19 FINDINGS:

20 For the Tentative Map (T13-00005) and Development Plan (D13-00009):

21 1. That the proposed Tentative Map is consistent with the General Plan of the City in that
22 subject to granting of Density Bonus per State Law, the density would be consistent with
23 Medium Density Residential C and other all applicable provisions of the Zoning
24 Ordinance and the Subdivision Ordinance.

- 25 • The subject parcel located in the South Oceanside Neighborhood
26 Planning Area is designated Medium Density – C Residential (MDC-R)
27 which allows (15.1 – 20.9 dwelling units/acre) and has a corresponding
28 zoning of Residential Medium Density - C (MDC-R), with a minimum
29 lot size of 7,500 square feet as defined in the 1992 Zoning Ordinance.
The subject subdivision would create ten residential condominium units

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with all drive courts and common open space areas being under common ownership.

2. That the site is physically suitable for the type and proposed density of development by providing a for sale multi-family development that is consistent with the pattern of development within the South Oceanside Neighborhood Planning Area.

- The proposed subdivision would create ten residential condominium units that range in size from 1,517 to 1,673 square feet in size; therefore, making the proposal consistent with the character and pattern of development in the area and the underlying land use designation of Medium Density – C Residential.

3. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat and a Categorical Exemption has been prepared that states the proposed project constitutes in-fill development of property in an urbanized area that is under five acres, is consistent with the applicable zoning and general plan designations, has no value as habitat, can be adequately served through existing utilities and public services, and would not result in any significant effects relating to traffic, noise, air quality or water quality.

- The proposed ten unit condominium complex would be located on an existing fully developed and serviced site. Re-development of the site with a residential use would not contribute to any environmental impacts and would require only grading necessary to create buildable pad areas for the ten units and designed in a manner that respects the view shed of the existing neighborhood to the west.

4. That the design of the subdivision or the type of improvements meets City standards and will not conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision.

- The proposed ten unit condominium complex would incorporate the use of a shared drivecourt with access occurring directly off the alley and for private purposes only. The overall site design would not conflict with the

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public right-of-way along Cassidy or Broadway and would establish additional on street parking along the perimeter of the site.

5. That the subdivision complies with all other applicable ordinances, regulations and guidelines of the City of Oceanside.

- The proposed subdivision would not involve any variances from the regulations established at the time of this approval and as part of this approval, the Development Plan (D13-00009) would ensure that superior architectural design features are implemented into the projects overall design.

For the Request for Density Bonus per State Law:

1. That the proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located.

- The subject property is zoned Residential Medium Density - C (RM-C) with a corresponding Land Use designation of Medium Density - C Residential (MDC-R) (15.1 – 20.9 dwelling units per acre). The density of 25.1 dwelling units per acre is consistent with State Law subject to providing one of the units as an affordable low income unit. Approval of D13-00009 will ensure that the sites development implements and possesses an excellence in design features without the need to grant a concession to the development regulations established with the 1992 Zoning Ordinance.

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

- The proposed ten-unit condominium complex will improve the right-of-way areas adjacent to the site and will not result in any development that would be unsafe for persons residing or working in the area.

1 3. That the proposed use will comply with the provisions of the Zoning Ordinance,
2 including any specific condition required for the proposed conditional use in the district
3 in which it would be located.

- 4 • The Tentative Map has been adequately conditioned and designed to
5 comply with applicable requirements of the Zoning Ordinance. Approval
6 of Development Plan (D13-00009) will ensure zoning ordinance
7 compliance.

8 For the Regular Coastal Permit (RC13-00015):

9 1. The proposed project is consistent with the policies of the Local Coastal Program as
10 implemented through the Zoning Ordinance.

- 11 • Specifically, the physical aspects of the project are consistent with the
12 properties neighboring the project site. In addition, the project will not
13 substantially alter or impact existing public views of the coastal zone
14 area.

15 2. The proposed project will not obstruct any existing or planned public beach access;
16 including any beach areas fronting the existing property, therefore, the project is in
17 conformance with the policies of Chapter 3 of the Coastal Act.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
19 approve Tentative Parcel Map (T13-00005), Development Plan (D13-00009), Regular Coastal
20 Permit (RC13-00015), and a request for Density Bonus consistent with State Law subject to the
21 following conditions:

22 Building:

23 1. Provide a statement on the title sheet of the plans that the proposed project shall comply
24 with the 2010 Triennial Edition of California Code of Regulations (CCR), Title 24; see
25 "Applicable Codes and Regulations for 2010" (CCR). ***PLEASE NOTE*** Jan. 1, 2014 the
26 State of California will be under the 2013 CBC based on the 2011 IBC.

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

29 3. Site development, parking, access into buildings and building interiors shall comply
WITH ALL CURRENT State of California Accessibility Codes.

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

3 5. This project shall be designed to The 2010 California Green Building Standards Code
4 (CALGreen Code) This Part is known as the California Green Building Standards Code,
5 and it is intended that it shall also be known as the CALGreen Code.

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

9 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
10 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
11 work that is not inherently noise-producing. Examples of work not permitted on
12 Saturday are concrete and grout pours, roof nailing and activities of similar
13 noise-producing nature. No work shall be permitted on Sundays and Federal
14 Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving
15 Day, and Christmas Day) except as allowed for emergency work under the
16 provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

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

22 **Engineering:**

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

27 8. Vehicular access rights to Cassidy Street and Broadway, along the property frontage shall
28 be relinquished to the City from all abutting lots.

29 9. All right-of-way alignments, street dedications, exact geometrics and widths shall be
dedicated and constructed or replaced as required by the City Engineer.

- 1 10. Design and construction of all improvements shall be in accordance with the City of
2 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
3 engineering and specifications of the City of Oceanside and subject to approval by the
4 City Engineer.
- 5 11. Prior to approval of the final map or any increment, all improvement requirements, within
6 such increment or outside of it if required by the City Engineer, shall be covered by a
7 subdivision agreement and secured with sufficient improvement securities or bonds
8 guaranteeing performance and payment for labor and materials, setting of monuments, and
9 warranty against defective materials and workmanship.
- 10 12. The owner/developer shall provide public street dedication for Cassidy Street and
11 Broadway if required to serve the property, to the satisfaction of the City Engineer.
- 12 13. The tract shall be recorded and developed as one. The City Engineer shall require the
13 dedication and construction of necessary utilities, streets and other improvements outside
14 the area of any particular final map, if such is needed for circulation, parking, access or for
15 the welfare or safety of future occupants of the development.
- 16 14. Prior to the issuance of any grading, improvement or building permits for a model
17 complex, a construction-phasing plan for the entire project shall be reviewed and
18 approved by the City Planner, City Engineer, Building Chief Official, and Fire Chief.
19 All improvements shall be under construction to the satisfaction of the City Engineer prior
20 to the issuance of any building permits. All public and private improvements including
21 landscaping and offsite streets or arterials that are found to be required to serve the
22 model complex shall be completed prior to the issuance of any certificates of occupancy.
- 23 15. Where proposed off-site improvements, including but not limited to slopes, public utility
24 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
25 own expense, obtain all necessary easements or other interests in real property and shall
26 dedicate the same to the City of Oceanside as required. The owner/developer shall provide
27 documentary proof satisfactory to the City of Oceanside that such easements or other
28 interest in real property have been obtained prior to the approval of the final map (or)
29 /issuance of any grading, building or improvement permit for this development. Additionally, the City of Oceanside, may at its sole discretion, require that the owner/developer obtain at his sole expense a title policy insuring the necessary title for the

1 easement or other interest in real property to have vested with the City of Oceanside or the
2 owner/developer, as applicable.

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

7 17. A precise grading and private improvement plan shall be prepared, reviewed, secured and
8 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
9 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
10 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
11 and any on-site traffic calming devices shall be shown on all precise grading and private
12 improvement plans.

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

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

- 19 a) Dirt, debris and other construction material shall not be deposited on any public
20 street or within the City's stormwater conveyance system.
- 21 b) All grading and related site preparation and construction activities shall be
22 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
23 engineering related construction activities shall be conducted on Saturdays,
24 Sundays or legal holidays unless written permission is granted by the City Engineer
25 with specific limitations to the working hours and types of permitted
26 operations. All on-site construction staging areas shall be as far as possible
27 (minimum 100 feet) from any existing residential development. Because
28 construction noise may still be intrusive in the evening or on holidays, the City of
29 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive
noise which causes discomfort or annoyance to reasonable persons of normal
sensitivity."

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- c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. An alternate parking site can be considered by the City Engineer in the event that the lot size is too small and cannot accommodate parking of all motor vehicles.
- d) The owner/developer shall complete a haul route permit application (if required for import/export of dirt) and submit to the City of Oceanside Engineering Department 48 hours in advance of beginning of work. Hauling operations (if required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

21. A traffic control plan shall be prepared according to the City traffic control guidelines and approved to the satisfaction of the City Engineer prior to the start of work within the public right-of-way. Traffic control during construction of streets that have been opened to public traffic shall be in accordance with construction signing, marking and other protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

22. Cassidy Street and Broadway Street shall be constructed with new curbs and gutters, sidewalk and landscape parkway to the satisfaction of the City Engineer. Sidewalk improvements shall comply with ADA requirements. New improvements shall be shown on grading and improvement plans.

23. The existing publicly maintained pedestrian ramp at the corner of Cassidy Street and Broadway Street, and the two existing pedestrian ramps at the intersection of Cassidy Street and Alley (west and east) shall be reconstructed to ADA standards, and in accordance with the City of Oceanside Engineers Design Standards. Minimum curb return radius shall comply with the City of Oceanside Engineers Design and Processing Manual.

24. The existing cross gutter at the intersection of Cassidy Street and the Alley shall be reconstructed to the City Standards, to the satisfaction of the City Engineer.

- 1 25. The existing mid-block cross gutter on Broadway Street shall be reconstructed to City
2 Standards, to the satisfaction of the City Engineer.
- 3 26. Sight distance requirements at the proposed project driveway in the alley shall conform to
4 the corner sight distance criteria as provided by the City of Oceanside Engineers Design
5 Standards.
- 6 27. Streetlights shall be installed or replaced on Cassidy Street and Broadway per City
7 Standards as required by the City Engineer. The system shall provide uniform lighting, and
8 be secured prior to occupancy. The owner/developer shall pay all applicable fees, energy
9 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights
10 and shall also agree to the formulation of, or the annexation to, any appropriate street
11 lighting district.
- 12 28. This project's streets or driveways shall remain private and shall be maintained by an
13 association. The pavement sections, traffic indices shall be based on approved geotechnical
14 report and in compliance with the City of Oceanside Engineers Design and Processing
15 Manual. The private project street or driveway alignments and geometric layouts shall
16 meet the City of Oceanside Engineers Design and Processing Manual.
- 17 29. Pavement sections for Cassidy Street and Broadway Street, and private streets or private
18 driveways, the existing alley, driveways and parking areas shall be based upon approved
19 soil tests and traffic indices. The pavement design is to be prepared by the
20 owner/developer's soil engineer and must be in compliance with the City of Oceanside
21 Engineers Design and Processing Manual and be approved by the City Engineer, prior to
22 paving.
- 23 30. Prior to approval of the grading plans, the owner/developer shall contract with a
24 geotechnical engineering firm to perform a field investigation of the existing pavement on
25 Cassidy Street, Broadway Street and the existing alley adjacent to the project boundary.
26 The limits of the study shall be half-street plus 12 feet along the project's frontage. The
27 field investigation shall include a minimum of one pavement boring per every 50 linear feet
28 of street and alley frontage. Should the existing AC thickness be determined to be less than
29 the current minimum standard for AC and Class II Base as set forth in the table for City of
Oceanside Pavement Design Guidelines in the City of Oceanside Engineers Manual, the

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owner/developer shall remove and reconstruct the pavement section as determined by the pavement analysis submittal process detailed in the condition listed below:

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

32. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian ramps and sidewalk within the project, or adjacent to the project boundary that are already damaged or damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.

33. Full width alley replacement including paving and the installation of a longitudinal concrete alley gutter shall be constructed, based on the pavement evaluation study, and in accordance with the City of Oceanside Engineers Design and Processing Manual, the City Standards plans and specifications as approved by the City Engineer.

34. All existing overhead utility lines within this residential condominium/subdivision project and/or within any full width street or right-of-way abutting this new residential condominium/subdivision project, and all new extension services for the development of this project, including but not limited to, electrical, cable and telephone, shall be placed

1 underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required
2 by the City Engineer and current City policy.

3 35. The approval of this project shall not mean that proposed grading or improvements on
4 adjacent properties (including any City properties/right-of-way or easements) is granted
5 or guaranteed to the owner/developer. The owner/developer is responsible for obtaining
6 permission to grade to construct on adjacent properties. Should such permission be
7 denied, this tentative map shall be subject to going back to the public hearing or subject to a
8 substantial conformity review.

9 36. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
10 investigation shall be conducted of the soils, slopes, and formations in the project. All
11 necessary measures shall be taken and implemented to assure slope stability, erosion
12 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
13 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by
14 the City Engineer.

15 37. This project shall provide year-round erosion control including measures for the site
16 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
17 control plan, designed for all proposed stages of construction, shall be reviewed, secured by
18 the owner/developer with **cash securities or a letter of credit** and approved by the City
19 Engineer.

20 38. Landscaping plans, including plans for the construction of walls, fences or other structures
21 at or near intersections, must conform to intersection sight distance requirements.
22 Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
23 prior to the issuance of a preliminary grading permit and approved by the City Engineer
24 prior to the issuance of building permits. Frontage and median landscaping shall be
25 installed and established prior to the issuance of any certificates of occupancy. Securities
26 shall be required only for landscape items in the public right-of-way. Any project fences,
27 sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and
28 built from the landscape plans. These features shall also be shown on the precise grading
29 plans for purposes of location only. Plantable, segmental walls shall be designed, reviewed
and constructed by the grading plans and landscaped/irrigated through project landscape

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plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

39. Open space areas and down-sloped areas visible from a collector-level or above roadway and not readily maintained by the property owner, shall be maintained by a homeowners' association that will insure installation and maintenance of landscaping in perpetuity. These areas shall be indicated on the final map and reserved for an association. Future buyers shall be made aware of any estimated monthly costs. The disclosure, together with the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of final map.

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

41. Drainage facilities shall be designed and installed to adequately accommodate the local storm water runoff and shall be in accordance with the San Diego County Hydrology and Design Manual and in compliance with the City of Oceanside Engineers Design and Processing Manual to the satisfaction of the City Engineer.

42. The owner/developer shall place a covenant on the title sheet of the grading plan, on the non-title sheet of the final map agreeing to the following: "The present or future owner/developer shall indemnify and save the City of Oceanside, its officers, agents, and employees harmless from any and all liabilities, claims arising from any flooding that occurs on this site, and any flooding that is caused by this site impacting adjacent properties".

- 1 43. Storm drain facilities shall be designed and located such that the inside travel lanes on
2 streets with collector or above design criteria shall be passable during conditions of a 100-
3 year frequency storm.
- 4 44. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
5 of in accordance with all state and federal requirements, prior to stormwater discharge
6 either off-site or into the City drainage system.
- 7 45. The owner/developer shall comply with the provisions of National Pollution Discharge
8 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
9 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ.
10 The General Permit continues in force and effect until a new General Permit is issued or
11 the SWRCB rescinds this General Permit. Only those owner/developers authorized to
12 discharge under the expiring General Permit are covered by the continued General
13 Permit. Construction activity subject to the General Permit includes clearing, grading,
14 and disturbances to the ground such as stockpiling, or excavation that results in land
15 disturbances of equal to or greater than one acre. The owner/developer shall obtain
16 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining
17 a Waste Discharge Identification Number (WDID#) from the State Water Resources
18 Control Board (SWRCB). In addition, coverage under the General Permit shall not
19 occur until an adequate SWPPP is developed for the project as outlined in Section A of
20 the General Permit. The site specific SWPPP shall be maintained on the project site at
21 all times. The SWPPP shall be provided, upon request, to the United States
22 Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control
23 Board (RWQCB), City of Oceanside, and other applicable governing regulatory
24 agencies. The SWPPP is considered a report that shall be available to the public by the
25 RWQCB under section 308(b) of the Clean Water Act. The provisions of the General
26 Permit and the site specific SWPPP shall be continuously implemented and enforced
27 until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The
28 owner/developer is required to retain records of all monitoring information, copies of all
29 reports required by this General Permit, and records of all data used to complete the NOI
for all construction activities to be covered by the General Permit for a period of at least

1 three years from the date generated. This period may be extended by request of the
2 SWRCB and/or RWQCB.

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

21 47. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
22 Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair
23 and replace the Storm Water Best Management Practices (BMPs) identified in the
24 project's deemed complete SWMP, as detailed in the O&M Plan into perpetuity. The
25 Agreement shall be approved by the City Attorney prior to issuance of any precise
26 grading permit and shall be recorded at the County Recorder's Office prior to issuance
27 of any building permit. A non-refundable **Security in the form of cash** shall be
28 required prior to issuance of a precise grading permit. The amount of the non-
29 refundable security shall be equal to 10 years of maintenance costs, as identified by the
O&M Plan, but not to exceed a total of \$25,000. The owner/developer's civil engineer
shall prepare the O&M cost estimate.

- 1 48. At a minimum, maintenance agreements shall require the staff training, inspection and
2 maintenance of all BMPs on an annual basis. The owner/developer shall complete and
3 maintain O&M forms to document all maintenance activities. Parties responsible for the
4 O&M plan shall retain records at the subject property for at least 5 years. These
5 documents shall be made available to the City for inspection upon request at any time.
- 6 49. The Agreement shall include a copy of executed on-site and off-site access easement and
7 or access rights necessary for the operation and maintenance of BMPs that shall be
8 binding on the land throughout the life of the project to the benefit of the party
9 responsible for the O&M of BMPs, satisfactory to the City Engineer. The agreement
10 shall also include a copy of the deemed complete O&M Plan.
- 11 50. The BMPs described in the project's deemed complete SWMP shall not be altered in
12 any way, unless reviewed and approved to the satisfaction of the City Engineer. The
13 determination of whatever action is required for changes to a project's deemed complete
14 SWMP shall be made by the City Engineer.
- 15 51. The owner/developer shall provide a copy of the title/cover page of a deemed complete
16 SWMP with the first engineering submittal package. If the project triggers the City's
17 Stormwater requirements but no deemed complete Stormwater document (SWMP)
18 exists, the appropriate document shall be submitted to the City Engineer for review. The
19 SWMP shall be prepared by the owner/developer's Civil Engineer. All Stormwater
20 documents shall be in compliance with the latest edition of submission requirements.
- 21 52. The approval of the tentative map shall not mean that closure, vacation, or abandonment
22 of any public street, right of way, easement, or facility is granted or guaranteed to the
23 owner/developer. The owner/developer is responsible for applying for all closures,
24 vacations, and abandonments as necessary. The application(s) shall be reviewed and
25 approved or rejected by the City of Oceanside under separate process (es) per codes,
26 ordinances, and policies in effect at the time of the application. The City of Oceanside
27 retains its full legislative discretion to consider any application to vacate a public street
28 or right of way.
- 29 53. If a subdivider is required under this division or any other provision of law to make a
dedication for specified public purposes on a final map, the local agency shall specify

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whether the dedication is to be in fee for public purposes or an easement for public purposes.

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

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

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

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

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

5 59. In the event that the conceptual plan does not match the conditions of approval, the
6 resolution of approval shall govern.

7 **Landscaping:**

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

- 17 a) Final landscape plans shall accurately show placement of all plant material such as
18 but not limited to trees, shrubs, and groundcovers.
- 19 b) Landscape Architect shall be aware of all utility, sewer, gas and storm drain lines
20 and utility easements and place planting locations accordingly to meet City of
21 Oceanside requirements.
- 22 c) All required landscape areas shall be maintained by owner, project association or
23 successor of the project (including public rights-of-way (parkways) parallel with
24 Cassidy St. and Broadway St.). The landscape areas shall be maintained per City of
25 Oceanside requirements.
- 26 d) Prior to the final approval of the landscape construction drawings, owner shall
27 obtain SDG&E Sempra Utilities written approval of the landscape plan and submit
28 a copy to the City Engineer.
- 29 e) Proposed landscape species shall fit the site and meet climate changes indicative to
their planting location. The selection of plant material shall also be based on

1 cultural, aesthetic, and maintenance considerations. In addition proposed landscape
2 species shall be low water users as well as meet all fire department requirements.

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

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

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

12 i) Street trees approved in the public right-of-way (parkways) parallel to Cassidy St.
13 and Broadway St. shall comply with the City of Oceanside- Street Tree Standard
14 Detail 211A. Proposed and existing street trees within the public parkways and
15 under the jurisdiction of SDG&E Sempra Utilities shall be reviewed and approved
16 by SDG&E Sempra Utilities. Review comments and written approval from
17 SDG&E Sempra Utilities shall be submitted to the City Engineer prior to final
18 approval of the landscape construction drawings.

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

25 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
26 obtain Planning Division approval for these items in the conditions or application
27 stage prior to 1st submittal of working drawings.

28 l) Landscape planters adjacent to the garage doors shall be provided with decorative
29 architectural ornamental iron trellis and evergreen vines.

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- m) For the planting and placement of trees and their distances from hardscape and other utilities/ structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.
- n) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.
- o) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.
- p) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- q) The automatic irrigation system for the public right-of-way (parkways) parallel to Cassidy St. and Broadway St. shall be connected to the homeowner association irrigation system and shall be maintained by the association in perpetuity.
- r) The landscape plans shall match all plans affiliated with the project.
- s) Landscape construction drawings are required to implement approved Fire Department regulations, codes, and standards at the time of plan approval.
- t) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.
- u) 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.

61. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways parallel to Cassidy St. and Broadway St. shall be permanently maintained by the owner, project 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

1 Arboriculture (ISA) Standard Practices for Tree Care Operations – ANSI A300, Appendix
2 G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines, Appendix F
3 (most current edition). Failure to maintain landscaping shall result in the City taking all
4 appropriate enforcement actions including but not limited to citations. This maintenance
5 program condition shall be recorded with a covenant as required by this resolution.

6 62. In the event that the conceptual landscape plan (CLP) does not match the conditions of
7 approval, the resolution of approval shall govern.

8 **Fire:**

9 63. Show adjacent alley width on the site plan.

10 64. Plans for buildings and fire sprinkler systems shall be submitted to the Fire Prevention
11 Bureau for plan check review and approval prior to the issuance of building permits.

12 65. Alarm system with occupant notification activated by the fire sprinkler system required.

13 66. Show all fire hydrants within 400 ft. of the project on the site plan. Fire department
14 connection for fire sprinkler system should be located within 40 ft. of a public fire
15 hydrant located on the same side of the street.

16 67. Minimum four inch high address numbers facing Cassidy required on the buildings.

17 **Planning:**

18 68. This Tentative Map, Development Plan, Regular Coastal Permit, and Density Bonus
19 Approval shall expire 24 months from its approval, unless this time period is extended
20 by the provisions of Section 408 or 409 of the Subdivision Ordinance.

21 69. This Tentative Map, Development Plan, Regular Coastal Permit, and Density Bonus
22 Approval approve only a ten unit condominium project with one unit being allocated for
23 low income affordability as shown on the plans and exhibits presented to the Planning
24 Commission for review and approval. No deviation from these approved plans and
25 exhibits shall occur without Planning Division approval. Substantial deviations shall
26 require a revision to the Development Plan and Regular Coastal Permit or a new
27 Development Plan and Regular Coastal Permit.

28 70. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
29 harmless the City of Oceanside, its agents, officers or employees from any claim, action
or proceeding against the City, its agents, officers, or employees to attack, set aside, void
or annul an approval of the City, concerning Tentative Map (T13-00005), Development

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Plan (D13-00009), and Regular Coastal Permit (RC13-00015). The City will promptly notify the applicant of any such claim, action or proceeding against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

71. All 10 of the single-family dwelling units shall dispose of, or recycle solid waste in a manner provided in City Code Section 13.3. and shall obtain approval of a Permit for Waiver of Bin Service from the City of Oceanside Code Enforcement Division prior to issuance of the first certificate of occupancy.

72. Outdoor lighting shall be low emission, shielded, and directed away from the southern property lines adjacent to the Multi-Family apartment complex located off of Broadway.

73. All wood gates adjacent to public right-of-way and/or visible from the public right-of-way will be stained or otherwise finished with a waterproof material.

74. Adjacent homeowners shall be notified of planned construction activities and times approximately one week prior to the start of work.

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

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

77. Failure to meet any conditions of approval shall constitute a violation of the Tentative Map, Development Plan, and Regular Coastal Permit.

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

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

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

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

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

19 83. This project is subject to the provisions of Chapter 14C of the City Code regarding
20 Inclusionary Housing. Ten (10) percent or (1) housing unit shall be reserved for sale to
21 low and moderate income households. The city shall determine the eligibility of such
22 households. A deed restriction, covenant, and/or other instrument enforceable by the city
23 and approved by the City Attorney and Director of Housing and Neighborhood Services,
24 limiting the resale of such units to eligible low or moderate-income households shall be
25 recorded against the title of the reserved unit at affordable prices as described in
26 subsection (4) immediately above. The duration of such resale restrictions shall run with
27 life of the project and/or a minimum of fifty-five (55) years. The project shall conform
28 with the Mello Act, which requires the conversion or demolition of existing residential
29 dwelling units occupied by persons and families of low or moderate income, as defined
in Section 50093 of the Health and Safety Code, shall not be authorized unless provision

1 has been made for the replacement of those dwelling units with units for persons and
2 families of low or moderate income.

3 84. Prior to issuance of any building or grading permit, the director of housing and
4 neighborhood services shall certify that the proposed development has complied with the
5 requirements for inclusionary housing and all provisions of Chapter 14C.

6 85. Garages shall be kept available and useable for the parking of tenant's automobiles at all
7 times.

8 86. Individual Trash/Recycling bins shall be kept within the designated spaces provided within
9 the garage areas for each individual unit. No storage of bins on the outside shall occur.
10 Bins shall be wheeled out to an appropriate location on the designated pickup date and
11 returned within 24 hours to the interior spaces within the garages.

12 87. At all times, the sidewalk shall be free of obstructions, including private vehicles and other
13 objects. Vehicles, or other objects, shall not be parked in the common drive court and shall
14 not project over or obstruct the sidewalk.

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

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

22 90. 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 91. 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
(SOPA), shall be brought in to determine the significance of the archaeological
resources and implement appropriate mitigations prior to recommencing earthwork.

27 **Water Utilities:**

28 92. Water and sewer studies must be prepared by the developer at the developer's expense and
29 approved by the Water Utilities Department per Section 1-General Guidelines of *City of*

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Oceanside – Water, Sewer, and Reclaimed Water Design & Construction Manual. If study indicates existing water and/or sewer facilities will need to be upsized to develop property, show proposed improvements on plans.

- 93. The developer will be responsible for developing all water and sewer utilities necessary to develop the property. Any relocation of water and/or sewer utilities is the responsibility of the developer and shall be done by an approved licensed contractor at the developer's expense.
- 94. The property owner shall maintain private water and wastewater utilities located on private property.
- 95. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water Utilities Director (Manual).
- 96. Residential units shall be metered individually. Private utility systems for residential developments are not allowed.

The following conditions shall be met prior to the approval of engineering design plans.

- 97. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the Water, Sewer, and Reclaimed Water Design and Construction Manual. Easements shall be constructed for all weather access.
- 98. No trees, structures or building overhang shall be located within any water or wastewater utility easement.
- 99. The developer shall construct a public reclamation water system that will serve each lot and or parcels that are located in the proposed project in accordance with the City of Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located in the public right-of-way or in a public utility easement. Owner also has the option to pay an In-Lieu Fee, provide the Water Utilities Department with a formal letter requesting this. Payment will be required prior to engineering plan approval.
- 100. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the California Plumbing Code (C.P.C.).

- 1 101. A separate irrigation meter and approved backflow prevention device is required. Add
- 2 meter symbol to irrigation water service fronting Cassidy Street.
- 3 102. Per section 2.7 of the manual, show on plans 3-foot separation between water services and
- 4 10-foot separation between water and sewer laterals; particularly laterals in alley.
- 5 103. If existing 1-inch water meter to property will be not be used, then indicate it will be
- 6 abandoned per City Standard Drawing W-6.
- 7 104. Show proposed public 8-inch sewer running down middle of lot centered within the
- 8 proposed 20-foot public utility easement.
- 9 105. Show dedicated fire service connection for each building with double check detector check
- 10 assembly per City Standard Drawing W-14. On plans, delete meter symbol on fire service
- 11 fronting Cassidy Street.
- 12 106. Show all existing sewer laterals connecting to existing sewer main in alley. If there is no
- 13 sewer lateral between existing sewer manhole and new sewer manhole in Alley, then the
- 14 existing sewer manhole will need to be removed and pipe segment shall be abandoned in
- 15 place.
- 16 107. Upsize existing 6-inch water main and valves in Alley to minimum 8-inch PVC pipe from
- 17 existing valve at Cassidy Street to valve at south property line as required per Section 2.4,
- 18 B. of *City of Oceanside – Water, Sewer, and Reclaimed Water Design & Construction*
- 19 *Manual*. If results from water study to be prepared by developer as Condition of Approval
- 20 indicate a larger water main size is required, then improvement plans will need to reflect
- 21 this.

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

- 22 108. Provide fixture unit count and meter sizing for each meter and provide flow requirements
- 23 for irrigation meter per control valve.
- 24 109. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
- 25 be paid to the City and collected by the Water Utilities Department at the time of Building
- 26 Permit issuance.

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1 **The following conditions of approval shall be met prior to occupancy.**

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

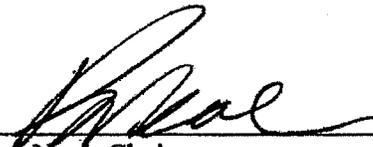
6 PASSED AND ADOPTED Resolution No. 2014-P12 on June 9, 2014, by the following
7 vote, to wit:

8 AYES: Neal, Balma, Rosales, Ross and Morrissey

9 NAYS: None

10 ABSENT: Martinek, Troisi

11 ABSTAIN: None

12 
13 Robert Neal, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16 
17 Marisa Lundstedt, Secretary

18 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
19 that this is a true and correct copy of Resolution No. 2014-P12.

20 Dated: June 9, 2014

21 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
22 be required as stated herein:

23
24 _____
25 Applicant/Representative

26 _____
27 Date



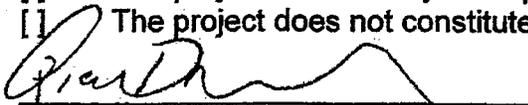
NOTICE OF EXEMPTION
City of Oceanside, California

Post Date:
(180 days)

- 1. **APPLICANT:** 301 Cassidy Ten, LLC.
- 2. **ADDRESS:** 1818 1st Avenue San Diego, CA. 92101
- 3. **APPLICANT REP/PHONE NUMBER:** Geoff McComic, (619) 481-3830
- 4. **LEAD AGENCY:** City of Oceanside
- 5. **PROJECT PLANNER:** Richard Greenbauer, Senior Planner
- 6. **PROJECT TITLE:** Beachwalk @ Cassidy: Tentative Map (T13-00005), Development Plan (D13-00009), Regular Coastal Permit (D13-00019), and a Request for Density Bonus
- 7. **DESCRIPTION:** The applicant request approval to demo an existing 3,650-square-foot commercial office building, merge two 8,700-square-foot parcels into one 17,340-square-foot lot, and construct a 10-unit Condominium project within three freestanding buildings. The proposed site layout would be configured in a manner that provides access to the 10 units through an internal drive court located directly off of the alley on the east side of the property. As part of the overall project, the applicant is requesting a density bonus in conformance with State Law in order to exceed maximum density and allow the construction of 10 units. The site is zoned Residential Medium Density – C (RM-C), has a General Plan Land Use Designation of Medium Density – C Residential (MDC-R), and is located within the South Oceanside Planning Neighborhood.

ADMINISTRATIVE DETERMINATION: Planning Department staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on this review, the Environmental Coordinator has determined that further environmental evaluation is not required because the proposed project constitutes in-fill development of property in an urbanized area that is under five acres, is consistent with the applicable zoning and general plan designation, that has no value as habitat, can be adequately served through existing utilities and public services, and that would not result in any significant effects relating to traffic, noise, air quality or water quality; therefore:

- The project qualifies for a Class 32 categorical exemption under Section 15332 "In-Fill Development Projects;"
- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section, _____ (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).


Richard Greenbauer, Senior Planner

Date: June 9, 2014

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING THE FINAL MAP OF BEACHWALK AT CASSIDY TEN TOWNHOMES

WHEREAS, the City staff indicates that the sub-divider of Beachwalk at Cassidy 10 Townhomes (Tentative Map) has substantially satisfied all tentative map requirements and conditions as set forth in Planning Commission Resolution 2014-P12.

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

SECTION 1: That the Final Map of Beachwalk at Cassidy 10 Townhomes is approved and the required City officials are authorized to execute the appropriate certificates pertaining thereto.

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ day of _____, 2015, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

MAYOR OF THE CITY OF OCEANSIDE

APPROVED AS TO FORM:

Robert Hamilton, Esq.
CITY ATTORNEY

ATTEST:

CITY CLERK