



**DATE:** January 22, 2006

**TO:** Chairman and Members of the Planning Commission

**FROM:** Community Development Department/Planning Division

**SUBJECT:** **CONSIDERATION OF A TIME EXTENSION FOR TENTATIVE PARCEL MAP (P-1-04), DEVELOPMENT PLAN (D-1-04), CONDITIONAL USE PERMIT (C-4-04) AND VARIANCE (V-8-04) TO SUBDIVIDE A 0.11-ACRE LOT INTO TWO SINGLE-FAMILY LOTS AT 307 SOUTH DITMAR STREET – DITMAR RESIDENCES – APPLICANT: ZOCCO DEVELOPMENT INC.**

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the time extension for Tentative Parcel Map (P-1-04), Development Plan (D-1-04), Conditional Use Permit (C-4-04) and Variance (V-8-04) and adopt Planning Commission Resolution No. 2007-P06 as attached.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** On October 25, 2004, the Planning Commission denied without prejudice by a vote of 5-0 Tentative Parcel Map (P-1-04), Development Plan (D-1-04), Conditional Use Permit (C-4-04) and Variance (V-8-04). On November 16, 2004, an appeal was filed by Paul Zocco of the Planning Commission decision with the City Clerk of the City of Oceanside. On December 14, 2004, the City Council approved the appeal by a 3-0 vote.

**Site Review:** The project is situated within the Townsite neighborhood. A single-family residence, circa 1961, exists on the site and will be removed as part of the proposed development. The grade is relatively flat with a one-foot grade differential between the highest and lowest points of the subject site.

Surrounding land uses include a mixture of single and multi-family residential developments, as well as a church just northeast of the site. The underlying designations

for the subject site are High-Density Residential (RH 21-28.9 dwelling units per acre) zoning and General Plan land use. The proposed project density is 17.4 dwelling units per acre, which is well below the base density.

**Project Description:** The project application consists of several components, which include a Tentative Parcel Map, Development Plan, Conditional Use Permit, Variance and the undergrounding of the overhead utilities. Each discretionary request is described as follows:

Tentative Parcel Map and Development Plan: The project includes subdivision of land to create two small-lots (2,493 square feet) and construction of two single-family detached units. The applicant proposes use of one floor plan (approximately 2,500 square feet in size) and two different elevations. Both dwellings are two-story high with 3-bedrooms and 2.5-baths.

The proposed architecture is California Row-house. Architectural massing and design features include differing roof heights, fireplaces, and roof/observation deck. The buildings will be stuccoed in a tan color and trimmed in dark brown. Vehicular access will be provided from the alley located between Ditmar and Freeman Streets. Pedestrian access will be provided from Ditmar Street.

Listed below is the project breakdown for each product type (see floor plans and elevations for specific details):

Plan Type	Sq.Ft.	Bedrms	Baths	Units	%
Plan 1	2,499	3	2.5	2	100

The project-planting theme will be consistent with landscaping in the surrounding neighborhood. The project proposes Palm trees, Lilies and turf. Perimeter fencing will be provided with a front yard 36-inch high stucco wall and 6-foot high wood privacy fence.

The following table summarizes the relationship between the project and the applicable and most restrictive development standards:

	MINIMUM REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,500 sq.ft.	2,493 sq. ft.
PARKING SPACES	2-parking spaces	2-parking spaces
REQUIRED FRONT YARD	10-feet	15-feet
REQUIRED SIDE YARD	3-feet	2.9-feet
REQUIRED REAR YARD	5-feet	5-feet
LOT WIDTH	25-feet	24.97-feet
BUILDING HEIGHT	27-feet	26.5-feet
LOT DEPTH	100-feet	99.86-feet

**Conditional Use Permit:** A Conditional Use Permit is required to allow for small-lot development.

**Variance:** A Variance is required for less than 2,500-square foot lots, reduction in lot depth and width and required side yards.

**Deferral of the Undergrounding of the Overhead Utilities:** The applicant has requested deferral for undergrounding overhead utilities.

The time extension for this project is subject to the following Ordinances, Codes and Regulations:

1. The General Plan of the City of Oceanside
2. The Zoning Ordinance
3. The Subdivision Ordinance
4. The California Environmental Quality Act

### **ANALYSIS**

Under state law and local regulations there are three major issues that must be considered in deciding whether or not to grant a time extension:

1. The project has been conditioned for payment of all applicable impact fees, and therefore, will be paying its fair-share toward needed public services.

2. There have been no changes in City policy, nor have there been any substantial changes affecting the surrounding area since the original approval, and therefore, this time extension will not adversely affect the City's General Plan nor any existing applicable City policy.
3. The applicant has made a diligent good faith effort to record the final map within the time period originally approved.

### **DISCUSSION**

By City Council Resolution 05-R0031-1, the project has been conditioned for payment of all applicable impact fees. There has been no change in City policy that the proposed project would need to address to grant the time extension. The applicant is confident that they can complete their permit applications in the near future and commence grading and construction this year.

### **ENVIRONMENTAL DETERMINATION**

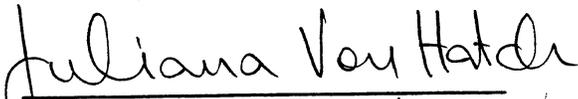
Per Article 19, Section 15303(b) a Certificate of Exemption stating that the proposed project is exempt from the California Environmental Quality Act has been prepared. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Certificate of Exemption during its hearing on the project.

### **SUMMARY**

Staff finds that the application is consistent with applicable criteria of the Subdivision Ordinance, Zoning Ordinance, and land use policies of the General Plan. Therefore, staff recommends approval of the time extension. The Commission's action should be:

- Move to approve a Time Extension for Tentative Parcel Map (P-1-04), Development Plan (D-1-04), Conditional Use Permit (C-4-04) and Variance (V-8-04); and adopt Planning Commission Resolution No. 2007-P06 as attached.

PREPARED BY:

  
\_\_\_\_\_  
Juliana von Hacht  
Associate Planner

by AV

REVIEWED BY:

  
\_\_\_\_\_  
Amy Volzke, Principal Planner

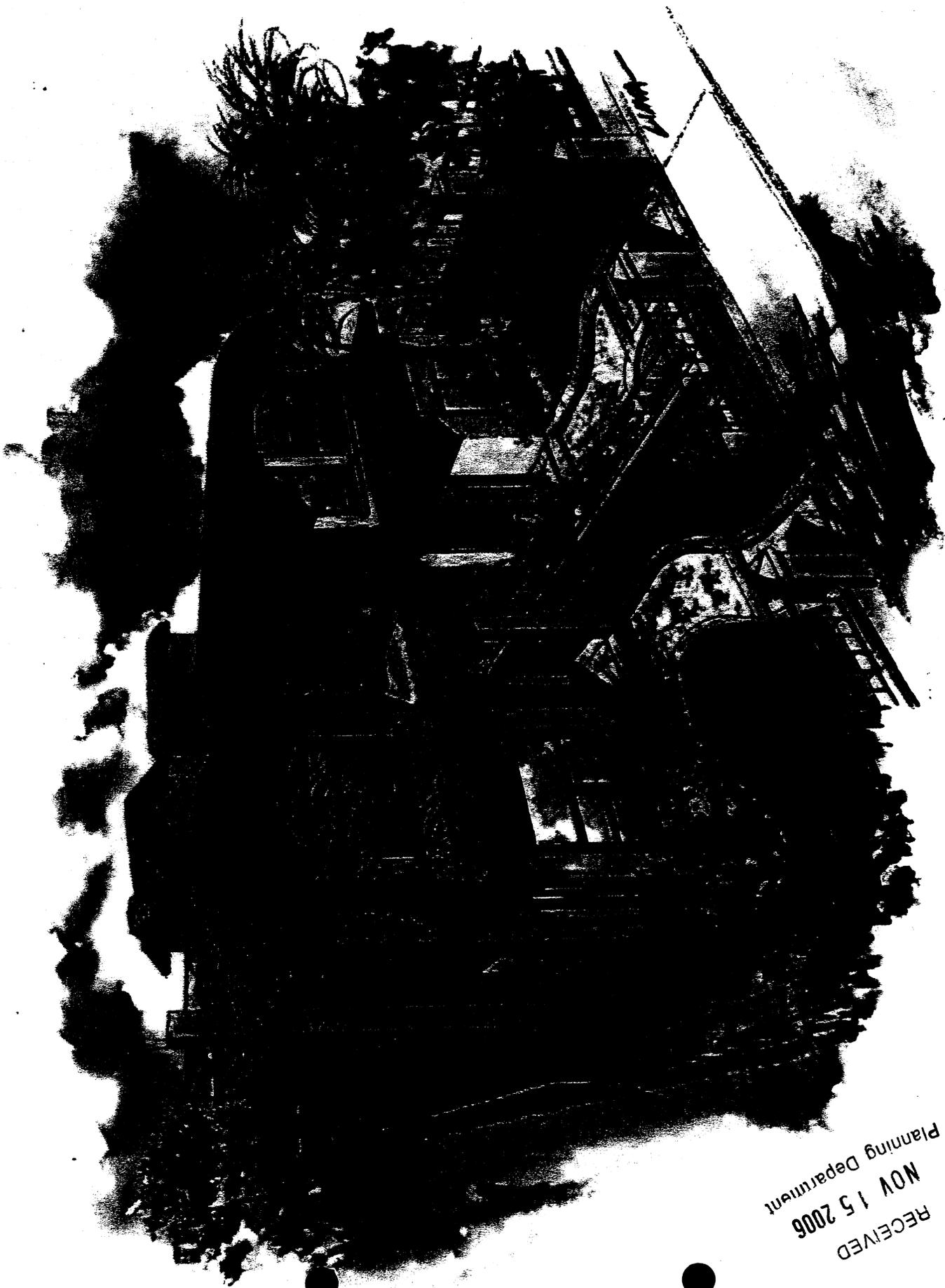
SUBMITTED BY:

  
\_\_\_\_\_  
Jerry Hittleman  
City Planner

JH/JH/fil

Attachments:

1. Planning Commission approved Map/Site Plan/Floor Plans/Elevations
2. Planning Commission Resolution No. 2007-P06
3. City Council Resolution No. 05-R0031-1



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Planning Department





**WINDOW SCHEDULE**

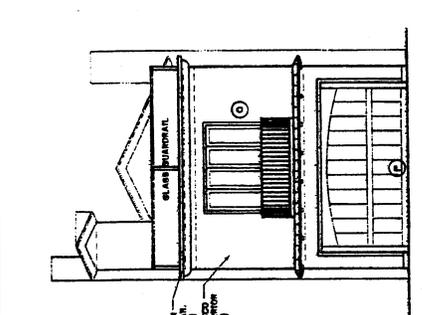
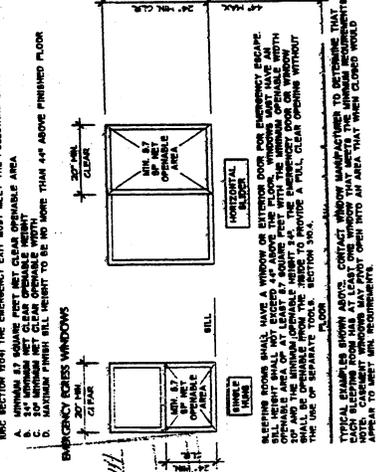
NO.	WINDOW SIZE	TYPE	FRAME	GLASS	FINISH	FINISH TYPE	REMARKS
1	2'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
2	2'-0" x 8'-0"	CURTAIN WALL	VINYL	WOOD	WOOD	WOOD	
3	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
4	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
5	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
6	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
7	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
8	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
9	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
10	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
11	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
12	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
13	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
14	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
15	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
16	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
17	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
18	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
19	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
20	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
21	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
22	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
23	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
24	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
25	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
26	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
27	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
28	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
29	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	
30	8'-0" x 8'-0"	FIXED	VINYL	WOOD	WOOD	WOOD	

**DOOR SCHEDULE**

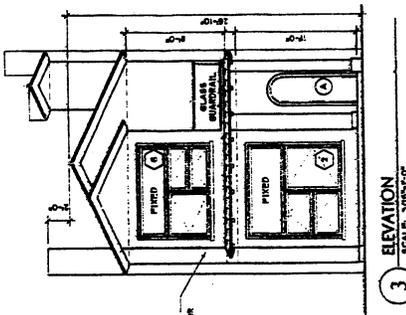
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2	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
3	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
4	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
5	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
6	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
7	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
8	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
9	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
10	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
11	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
12	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
13	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
14	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
15	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
16	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
17	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
18	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
19	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
20	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
21	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
22	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
23	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
24	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
25	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
26	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
27	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
28	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
29	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	
30	8'-0" x 8'-0"	INTERIOR DOOR	VINYL	WOOD	WOOD	WOOD	

**DOOR & WINDOW NOTES:**

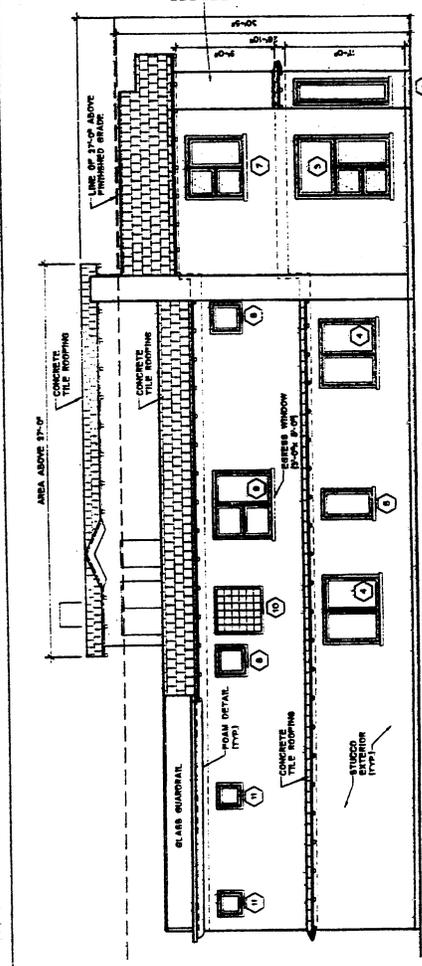
- ALL OPERABLE WINDOWS ARE TO HAVE SCREENS REFER TO THE EXTERIOR ELEVATIONS FOR THE SCREENING SECTIONS AND LOCATIONS OF WINDOWS TO HAVE WITH INSECT SCREENS TO MATCH WINDOW FRAME.
- MANUFACTURED DOORS AND WINDOWS ARE TO MEET AIA OR IMAA.
- ALL EXTERIOR DOORS AND WINDOWS ARE TO BE FULLY WEATHERSTRIPPED.
- ALL OPERABLE DOORS AND WINDOWS ARE TO BE FULLY WEATHERSTRIPPED.
- ALL OPERABLE DOORS AND WINDOWS ARE TO BE FULLY WEATHERSTRIPPED.
- WINDOWS IN ALL BATHS SHALL START AT THE COUNTER TOPS AND EXTEND TO 7'-0" ABOVE THE FLOOR.
- ALL GLASS DOORS AND WINDOWS MARKED TEMP ARE TO HAVE SHIP TEMPERED GLASS.
- WINDOWS ARE TO BE VINYL FRAMED, DUAL GLAZED, CLEAR GLASS.
- SEE T-14 CALC FOR GLAZING REQUIREMENTS AND VALUES.
- THE MANUFACTURED WINDOWS SHALL HAVE A LABEL ATTACHED CERTIFIED BY THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) AND LISTED IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) LISTING IN ACCORDANCE WITH SECTION 1008.
- DOORS AND WINDOWS ARE TO BE FULLY WEATHERSTRIPPED. THE GLAZING IN THESE COMPARTMENTS SHALL BE FULLY WEATHERSTRIPPED AND DRAIN TO THE EXTERIOR.
- SCREENING ROOMS MUST HAVE A WINDOW OR EXTERIOR DOOR FOR EMERGENCY ESCAPE AND RESCUE. THE EMERGENCY EXIT MUST MEET THE FOLLOWING CRITERIA:
  - MINIMUM 20" SQUARE NET CLEAR OPENABLE AREA.
  - MINIMUM 20" CLEAR OPENABLE AREA.
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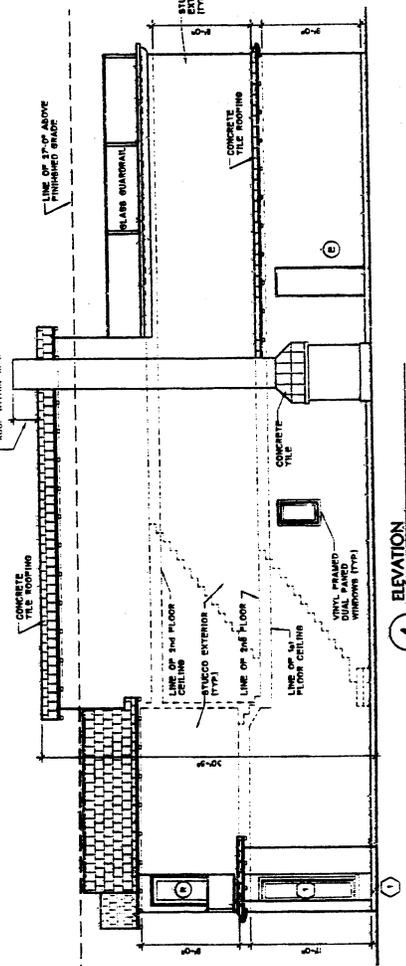
1 ELEVATION SCALE: 3/8\"/>



3 ELEVATION SCALE: 3/8\"/>



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4 ELEVATION SCALE: 3/8\"/>

APPROVED BY THE CITY COUNCIL  
 CASE NO. 1452  
 SIGNED: [Signature]

EMERGENCY ESCAPE WINDOWS SHALL HAVE A WINDOW OR EXTERIOR DOOR FOR EMERGENCY ESCAPE AND RESCUE. THE EMERGENCY EXIT MUST MEET THE FOLLOWING CRITERIA: MINIMUM 20" SQUARE NET CLEAR OPENABLE AREA. MINIMUM 20" CLEAR OPENABLE AREA. MINIMUM 20" CLEAR OPENABLE AREA. MINIMUM 20" CLEAR OPENABLE AREA.



### WINDOW SCHEDULE

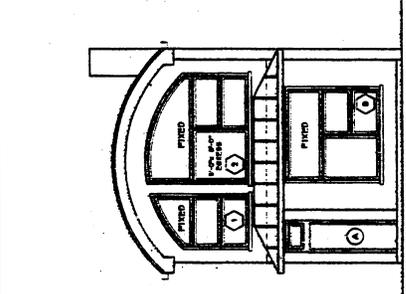
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4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	
4'-0" x 5'-0"	CUSTOM VINYL	CLEAR	X	

### DOOR SCHEDULE

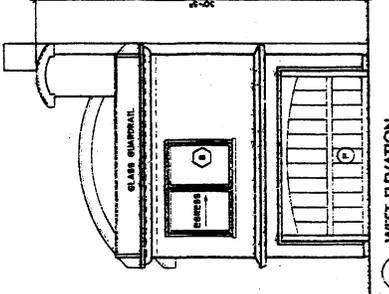
DOOR SIZE	TYPE	MAT.	FIN.	REMARKS
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3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	
3'-0" x 5'-0"	INTERIOR DOOR	WOOD	PAINT	

### DOOR & WINDOW NOTES:

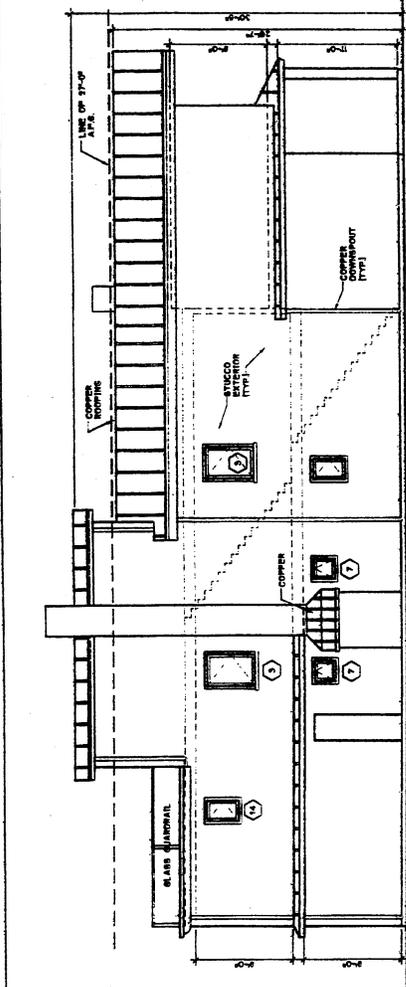
- ALL OPERABLE WINDOWS ARE TO HAVE SCREENS REFER TO THE EXTERIOR ELEVATIONS FOR THE OPENING SECTIONS AND LOCATIONS OF WINDOWS TO HAVE WITH DARK COLOR TO MATCH WINDOW FINISH.
- ALL OPERABLE WINDOWS ARE TO MEET ANSI OR IMAA STANDARDS AND ARE TO BE FULLY WEATHERSTRIPPED.
- ALL EXTERIOR DOORS AND WINDOWS ARE TO BE FULLY WEATHERSTRIPPED.
- ALL EXTERIOR DOORS ARE TO BE CALLED AND BEADED, (C. ARROW JOINTS IN WINDOWS).
- WINDOWS IN ALL BATHS SHALL START AT THE COUNTER TOPS AND EXTEND TO 7'-0" ABOVE THE FLOOR.
- ALL SLIDING GLASS DOORS AND WINDOWS MARKED TEMP ARE TO HAVE 3/16" TEMPLER GLASS.
- WINDOWS ARE TO BE VINYL FRAMES, GULL BEADED, CLEAR GLASS.
- SEE 7-14 CALLS FOR GLAZING REQUIREMENTS AND VALUES.
- THE MANUFACTURED WINDOWS SHALL HAVE A LABEL ATTACHED CERTIFIED BY AN INDEPENDENT TESTING AGENCY TO BE IN COMPLIANCE WITH THE ENERGY CALCULATIONS, UFGI AND SHOWN IN THE FOLLOWING LOCATIONS SHOULD BE OF SAFETY GLAZING:
  - BATHS AND SHOWERS FOR NOT 100% WINDOWS, BATHS, STEAM ROOMS, BATHS AND SHOWERS AND IN ANY PARTITION OF A BUILDING WALL SECTION IS LESS THAN 6'-0" ABOVE A STANDING SURFACE AND DRAW INLET.
  - SLEEPING ROOMS MUST HAVE A WINDOW OR EXTERIOR DOOR FOR EMERGENCY ESCAPE AND RESCUE. THE WINDOW OR EXTERIOR DOOR MUST MEET THE FOLLOWING CRITERIA:
    - MINIMUM CLEAR OPENING HEIGHT SHALL BE 20" ABOVE FINISHED FLOOR.
    - MINIMUM CLEAR OPENING WIDTH SHALL BE 20" ABOVE FINISHED FLOOR.
    - MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 20" ABOVE FINISHED FLOOR.
    - MINIMUM NET CLEAR OPENING WIDTH SHALL BE 20" ABOVE FINISHED FLOOR.
- EMERGENCY ESCAPE WINDOWS:
  - EMERGENCY ESCAPE WINDOWS SHALL BE 20" MIN. ABOVE FINISHED FLOOR.
  - EMERGENCY ESCAPE WINDOWS SHALL BE 20" MIN. ABOVE FINISHED FLOOR.
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  - EMERGENCY ESCAPE WINDOWS SHALL BE 20" MIN. ABOVE FINISHED FLOOR.



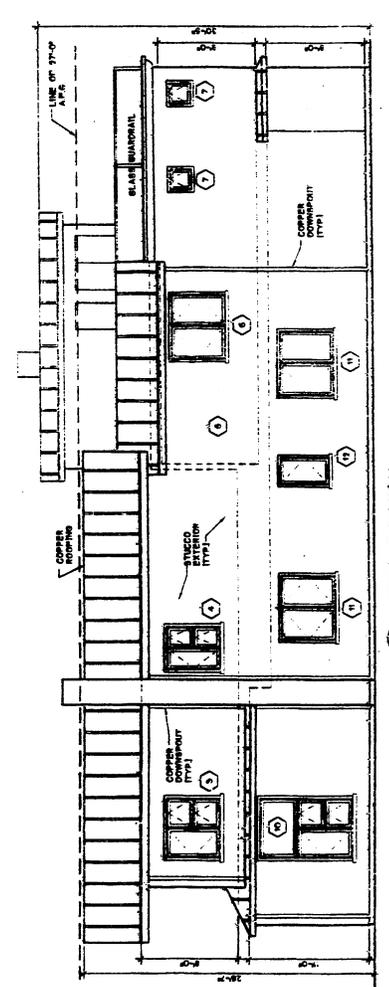
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SCALE: 3/16\"/>



1 WEST ELEVATION  
SCALE: 3/16\"/>

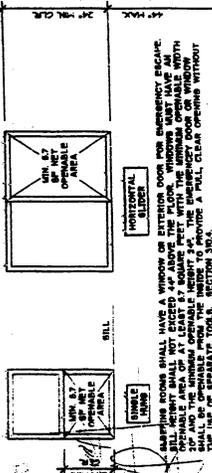


4 SOUTH ELEVATION  
SCALE: 3/16\"/>



2 NORTH ELEVATION  
SCALE: 3/16\"/>

CITY COUNCIL  
 APPROVED: [Signature]  
 DATE: 1/21/04



TYPICAL EXAMPLES SHOWN ABOVE. CONTACT WINDOW MANUFACTURER TO DETERMINE THAT EACH WINDOW MODEL MAY VARY OPEN IN AN AREA THAT WHEN CLOSED WOULD APPEAR TO MEET MIN REQUIREMENTS.



1 PLANNING COMMISSION  
2 RESOLUTION NO. 2007-P06

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

---

7 APPLICATION NO: P-1-04, D-1-04, C-4-04, V-8-04 Time Extension  
8 APPLICANT: Zocco Development Inc  
9 LOCATION: 307 South Ditmar Street

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms  
13 prescribed by the Commission requesting a time extension to a Tentative Parcel Map,  
14 Development Plan, Conditional Use Permit and Variance under the provisions of Articles 10, 41  
15 & 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

16 to subdivide a 0.11-acre lot into two single-family lots located at 307 South Ditmar Street;  
17 which such real property is more particularly described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd  
19 day of January, 2007, conduct a duly advertised public hearing as prescribed by law to consider  
20 said application.

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, the project is  
22 categorically exempt from environmental review per Article 19, Section 15303(b);

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

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

27 //

28 //

29 //

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1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	\$2,843 per acre
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot
10			
11	Traffic Signal Fee	Ordinance No. 87-19	\$15.71 per vehicle trip
12	Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
13			
14			
15	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Based on 5/8" size meter \$12,925 per unit
16			
17			
18	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on 5/8" size meter \$4,326 per unit
19			
20			
21	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-3	\$166 per unit
22			

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

27 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be  
28 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside  
29

1 City Code and the City expressly reserves the right to amend the fees and fee calculations  
2 consistent with applicable law;

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

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

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

11 WHEREAS, studies and investigations made by this Commission and on its behalf reveal  
12 the following facts:

13 **FINDINGS:**

14 **For the Time Extension to the Tentative Parcel Map, Development Plan, Conditional Use Permit  
and Variance:**

- 15 1. The project has been conditioned for payment of all applicable impact fees, and therefore  
16 will be paying its fair share toward needed public services.
- 17 2. There have been no changes in City policy, nor have there been any substantial change  
18 affecting the surrounding area since the original approval, and therefore this time extension  
19 will not adversely affect the City's General Plan nor any existing applicable City policy.
- 20 3. The applicant has made a diligent good faith effort to record the final map within the time  
21 period originally approved.

22 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
23 approve the Time Extension for Tentative Parcel Map (P-1-04), Development Plan (D-1-04),  
24 Conditional Use Permit (C-4-04) and Variance (V-8-04) subject to the following conditions:

25 **Building:**

- 26 1. A Building Permit is required for the demolition of the existing structures. Plans for the  
27 Building Permit must clearly show that all utilities (electric, gas, water and sewer) are  
28 properly terminated/capped in accordance with the requirements of the utility service  
29 provider. All underground septic or water storage tanks must be removed or filled in

1 accordance with the Uniform Plumbing Code and/or the City's Grading Ordinance.

- 2 2. Plat drawing elevation for floors and finish grade shall demonstrate that the lower (garage)  
3 level meets the requirements for a basement.

4 **Engineering:**

- 5 3. This Tentative Parcel Map (P-1-04) shall expire on December 15, 2008 unless  
6 implemented as required by the Subdivision Ordinance.

7 **Fire Prevention:**

- 8 4. Smoke detectors are required, and detector locations must be indicated on the plans.

9 **Planning:**

- 10 5. This Development Plan (D-1-04), Conditional Use Permit (C-4-04) and Variance (V-8-04)  
11 shall expire on December 15, 2008, unless implemented as required by the Zoning  
12 Ordinance.

- 13 6. That all of the conditions of City Council Resolution No. 05-R0031-1 adopted on January  
14 19, 2005 continue to apply, except that Condition No. 44 which is amended to change the  
15 expiration date to the dates adopted by this resolution.

16 **Water Utilities:**

- 17 7. All public water and/or sewer facilities not located within the public right-of-way shall be  
18 provided with easements sized according to the Water, Sewer, and Reclaimed Water  
19 Design and Construction Manual. Easements shall be constructed for all weather access.

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1 8. No trees, structures or building overhang shall be located within any water or wastewater  
2 utility easement.

3 PASSED AND ADOPTED Resolution No. 2007-P06 on January 22, 2007 by the  
4 following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9

10

\_\_\_\_\_  
Dennis Martinek, Chairman  
Oceanside Planning Commission

11

12

ATTEST:

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\_\_\_\_\_  
Jerry Hittleman, Secretary

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I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
this is a true and correct copy of Resolution No. 2007-P06.

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Dated: January 22, 2007

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**RESOLUTION NO. 05-R0031-1**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
OCEANSIDE APPROVING THE APPEAL OF PLANNING  
COMMISSION RESOLUTION NO. 2004-P55 AND APPROVING  
TENTATIVE PARCEL MAP (P-1-04), DEVELOPMENT PLAN (D-  
1-04), CONDITIONAL USE PERMIT (C-4-04) AND VARIANCE (V-  
8-04) TO SUBDIVIDE A .11-ACRE LOT INTO TWO SINGLE-  
FAMILY LOTS LOCATED AT 307 SOUTH DITMAR STREET**

**(Zocco Development, Inc. - Applicant)  
(Paul Zocco - Appellant)**

WHEREAS, an application was filed for a Tentative Parcel Map (P-1-04), Development Plan (D-1-04), Conditional Use Permit (C-4-04) and Variance (V-8-04) to subdivide a .11-acre lot into two single-family lots located at 307 South Ditmar Street, which such real property is more particularly described in EXHIBIT "A", attached hereto and incorporated herein by reference;

WHEREAS, on October 25, 2004 the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, adopted Resolution No. 2004-P55, denying without prejudice said Tentative Parcel Map, Development Plan, Conditional Use Permit and Variance;

WHEREAS, on November 16, 2004, an appeal was timely filed by Paul Zocco of the Planning Commission decision with the City Clerk of the City of Oceanside;

WHEREAS, on December 15, 2004, the City Council of the City of Oceanside held a duly noticed public hearing and heard and considered evidence and testimony by all interested parties concerning the appeal of the denial of the above identified Tentative Parcel Map, Development Plan, Conditional Use Permit and Variance; and

WHEREAS, based on such evidence and testimony, this Council finds that the decision of the Planning Commission adequately and properly addresses concerns raised by the appellants;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be categorically exempt per Article 19 from environmental review;

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

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the 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. R91-38	\$2,200 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	\$1,705 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	\$1,301 per unit
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.14 per square foot
Traffic Signal Fee	Ordinance No. 87-19	\$13.70 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01	\$177 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. 02-OR-332-1	Based on meter size Typical \$3,360
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1	Based on capacity or water meter size Typical \$4,114
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Based on meter size. Residential is typically \$2,004 per unit;

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;

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

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

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

9 WHEREAS, studies and investigations made by this Council in its behalf reveal the following  
10 facts:

11 FINDINGS:

12 For the Tentative Parcel Map:

- 13 1. The proposed subdivision creates parcels that are consistent and exceed the requirements of the  
14 RH zoning designation. The subdivision map is consistent with the General Plan of the City.
- 15 2. The proposed building pads on the site will conform to the topography of the site, therefore,  
16 making it suitable for residential development. The 4,986 square foot site is physically suitable  
17 to allow for the development of two-single-family lots.
- 18 3. The subdivision complies with all other applicable ordinances, regulations and guidelines of the  
19 City.
- 20 4. The design of the subdivision or proposed improvements will not conflict with easements,  
21 acquired by the public at large, for access through the use of property within the subdivision.
- 22 5. That the design of the subdivision or the proposed improvements will not cause substantial  
23 environment damage with the proposed mitigation or substantially and avoidably injure fish or  
24 wildlife or their habitat.

25 For the Development Plan:

- 26 1. The site plan and physical design of the project is consistent with the Zoning Ordinance and the  
27 underlying High-Density Residential (RH).
- 28 2. The Development Plan conforms to the General Plan of the City.
3. The project site can be adequately served by existing public facilities, services and utilities.
4. The project, as proposed, is compatible with the existing and potential development on  
adjoining properties or in the surrounding neighborhood.

1 5. The site plan and parameters for the architecture and physical design of the project is consistent  
2 with the policies contained within Sections 1.24 and 1.25 of the Land Use Element of the  
3 General Plan.

4 For the Conditional Use Permit to allow for the Small-Lot Development:

- 5 1. The proposed small-lot development located within the High-Density Residential Zone meets  
6 the development requirements of the RH zone. The proposed project is in accord with the  
7 objectives of the Zoning Ordinance and purposes of the district in which it is located.
- 8 2. The location and conditions under which the subject application must comply insure that the  
9 project will not cause detriment to the public health safety or welfare of persons residing or  
10 working in or adjacent to the project area.
- 11 3. The project has been adequately conditioned or designed to comply with applicable  
12 requirements of the Zoning Ordinance.

13 For the Variance for the reduction of 2,500 square foot minimum lot size:

- 14 1. The proposed 2,493 square foot lots are consistent with similar sized lots located west of  
15 Highway 101 and within the Coastal Zone. The strict applications of the requirements of the  
16 Zoning Ordinance deprive such property of privileges enjoyed by other property in the vicinity.
- 17 2. The proposed 2,493 square foot lots will not make the property or use out-of-character with  
18 property improvements in the vicinity. As such, granting the Variance for the proposed small-  
19 lot, will not be detrimental or injurious to property or improvements in the vicinity of the  
20 development site, or to the public health, safety or general welfare.
- 21 3. The granting of the small-lot, will not constitute a granting of special privilege inconsistent with  
22 limitations on other properties in the vicinity and in the same zoning district.

23 For the reduction of the minimum lot depths and width Variance:

- 24 1. There are special circumstances or conditions applicable to the development site, including size,  
25 shape, topography, location and surroundings that warrant granting of the Variance for a reduced  
26 lot depth and width. The reduction in lot width and depth is the result of previous inaccurate  
27 survey methods. The strict application of the requirements of the Zoning Ordinance deprives such  
28 property of privileges enjoyed by other property in the vicinity and under identical zoning  
classification.

- 1 2. The 24.97-foot lot width and 99.86-foot lot depth are consistent with the 25-foot wide and 100-  
2 foot depth minimum lot size development standards as established for small-lot development.  
3 The proposed 24.97-foot lot width and 99.86-foot lot depth does not make the use out-of-  
4 character with property improvements in the vicinity and similar types small-lot development.  
5 As such, granting the Variance will not be detrimental or injurious to property or improvements  
6 in the vicinity of the development site, or to the public health, safety or general welfare.
- 7 3. The granting of the Variance is consistent with the purpose of the Zoning Ordinance and will  
8 not constitute a grant of special privilege inconsistent with limitations of other properties in the  
9 vicinity. The proposed 24.97-foot lot width and 99.86-foot lot depth is consistent with similar  
10 small-lot development projects located west of Interstate 5.

11 For the encroachment into the sideyard setback:

- 12 1. There are special circumstances or conditions applicable to the development site, including size,  
13 shape, topography, location and surroundings that warrant granting of the Variance for the  
14 reduction of the sideyard setbacks. The reduction in lot width and depth is the result of previous  
15 inaccurate survey methods. The strict application of the requirements of the Zoning Ordinance  
16 deprives such property of privileges enjoyed by other property in the vicinity and under identical  
17 zoning classification.
- 18 2. The 2.9-foot sideyard setbacks are consistent with the 3-foot wide sideyard setbacks  
19 development standards as established for small-lot development. The proposed 2.9-foot  
20 sideyard setbacks does not make the property or use out-of-character with property  
21 improvements in the vicinity and similar types small-lot development. As such, granting the  
22 Variance will be detrimental or injurious to property or improvements in the vicinity of the  
23 development site, or to the public health, safety or general welfare.
- 24 3. The granting of the Variance is consistent with the purpose of the Zoning Ordinance and will not  
25 constitute a grant of special privilege inconsistent with limitations of other properties in the  
26 vicinity.

27 For the Deferral of the Requirement to Underground Facilities:

- 28 1. The subdivision contains less than 10 residential units (only two single-family lots) which is a  
finding required for deferring the underground conversion.

1 NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as follows:

- 2 1. The appeal of Planning Commission Resolution No. 2004-P55 is approved based upon the  
3 grounds stated in this Resolution. Tentative Parcel Map (P-1-04), Development Plan (D-1-04),  
4 Conditional Use Permit (C-4-04) and Variance (V-8-04) is hereby approved as set forth in the  
5 findings in this Resolution.
- 6 2. Pursuant to CCP Section 1094.6 (f), notice is hereby given that the time within which judicial  
7 review must be sought on this decision is governed by CCP Section 1094.6 as set forth in  
8 Oceanside City Code Section 1.10.

9 NOW, THEREFORE, the City Council of the City of Oceanside does resolve that Tentative Parcel  
10 Map (P-1-04), Development Plan (D-1-04), Conditional Use Permit (C-4-04) and Variance (V-8-04) are  
11 hereby approved subject to the following conditions:

12 **Building:**

- 13 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building  
14 Department plan check.
- 15 2. The granting of approval under this action shall in no way relieve the applicant/project from  
16 compliance with all State and local building codes.
- 17 3. Site development, common use areas, access and adaptability of apartments and condominiums  
18 shall comply with Part 2, Title 24, and C.C.R. (Disabled Access & Adaptability - HCD).
- 19 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property  
20 shall be underground (City Code Sec. 6.30).
- 21 5. The building plans for this project are required by State law to be prepared by a licensed  
22 architect or engineer and must be in compliance with this requirement prior to submittal for  
23 building plan review.
- 24 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall  
25 be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide  
26 or other such lights may be utilized and shall be shown on final building and electrical plans.
- 27 7. The developer shall monitor, supervise and control all building construction and supportive  
28 activities so as to prevent these activities from causing a public nuisance, including, but not limited  
to, strict adherence to the following:
- a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.  
Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not

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

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

11 8. Separate unique addresses will be required to facilitate utility releases.

12 9. Verification that the addresses have been properly assigned by the City's Planning Department  
13 must accompany the Building Permit application.

14 10. A complete soils report, structural calculations and energy calculations/documentation will be  
15 required at time of plans submittal to the Building Department for plan check.

16 **Engineering:**

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

22 12. Prior to approval of the parcel map, a phasing plan for the construction of public and private  
23 improvements (including landscaping, streets and arterials) shall be approved by the City  
24 Engineer. All improvements shall be substantially complete (per current City Policy) prior to the  
25 issuance of any building permits. All improvements shall be completed prior to issuance of any  
26 certificates of occupancy.

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

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

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

7 15. Vehicular access rights to Ditmar Street shall be relinquished to the City.

8 16. A precise grading plan shall be prepared, reviewed, secured and approved prior to the issuance of  
9 any building permits. A grading permit is required. To obtain a grading permit, the Developer  
10 shall submit copies of the precise grading plans, title report, drainage study, geotechnical analysis,  
11 erosion control plan and cost estimate to the Engineering Division following the 10-day appeal  
12 period of this permit. The precise grading plan shall reflect all pavement, flatwork, landscaped  
13 areas, special surfaces, curbs, gutters, medians, striping, signage, footprints of all structures, walls,  
14 drainage devices and utility services.

15 17. Public improvement plans are required to be submitted prior to approval of a grading or building  
16 permit issuance. The improvement plans shall clearly depict all work and improvements required  
17 within the right-of-way adjacent to the development. Alley improvements and conversion of  
18 above ground utilities shall be clearly depicted on these plans.

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

23 19. The developer shall contract with an engineering firm to perform R-value testing of the existing  
24 pavement on the adjacent streets. The limits of the study shall be half street plus 12 feet along  
25 the development frontage on Ditmar Street, and the alley west of the development. The  
26 Developer shall submit a study that shall analyze whether the existing pavement meets current  
27 City standards/traffic indices. If the study concludes that the pavement does not meet City  
28 standards/traffic indices, rehabilitation/mitigation recommendations shall be included in the  
study and the Developer shall reconstruct the street per the recommendations to the satisfaction  
of the City Engineer.

- 1 20. Full width alley improvements including the installation of a longitudinal concrete alley gutter  
2 shall be constructed in accordance with the standard plans and specifications of the City of  
3 Oceanside and as approved by the City Engineer.
- 4 21. The Developer shall install standard six-inch curb/gutter and non-contiguous sidewalk fronting the  
5 site on Ditmar Street.
- 6 22. The undergrounding of the existing overhead utilities may be deferred. The developer shall pay  
7 an in-lieu fee, based upon the length of utilities to be placed underground, and at the rate in  
8 effect at building permit issuance or as established by the City Engineer per Section 901.G. of  
9 the Subdivision Ordinance (R91-166) and as required by the City Engineer and current City  
10 policy.
- 11 23. Design and construction of all improvements shall be in accordance with standard plans and  
12 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 13 24. The developer shall monitor, supervise and control all construction and construction-supportive  
14 activities, so as to prevent these activities from causing a public nuisance, including but not limited  
15 to, insuring strict adherence to the following:
- 16 a) Dirt, debris and other construction material shall not be deposited on any public street or  
17 within the City's storm water conveyance system.
- 18 b) All grading and related site preparation and construction activities shall be limited to the  
19 hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and on Saturday from 7:00 a.m.  
20 to 6:00 p.m. for work that is not inherently noise-producing unless otherwise extended by  
21 the City and all work should utilize the latest technology for quiet equipment. All on-  
22 site construction staging areas shall be as far as possible from any existing residential  
23 development. Because construction noise may still be intrusive in the evening or on  
24 holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing  
25 excessive, or offensive noise which causes discomfort or annoyance to reasonable  
26 persons of normal sensitivity."
- 27 c) The construction site shall accommodate the parking of all motor vehicles used by persons  
28 working at or providing deliveries to the site to the maximum extent practicable.
25. The developer shall pay applicable fees as required by the City's Traffic Signal Fee, Thoroughfare  
Fee, and Drainage Fee Ordinances.

- 1 26. All traffic signal contributions, highway thoroughfare fees, park fees, reimbursements, and other  
2 applicable charges, fees and deposits shall be paid prior to the issuing of any building permits, in  
3 accordance with City Ordinances and policies. The developer shall also be required to join into,  
4 contribute, or participate in any improvement, lighting, or other special district affecting or  
5 affected by this project. Approval of the project shall constitute the developer's approval of such  
6 payments, and his agreement to pay for any other similar assessments or charges in effect when  
7 any increment is submitted for final map or building permit approval, and to join, contribute,  
8 and/or participate in such districts.
- 9 27. Street improvements along the frontage of the development shall comply with the City's current  
10 engineering standards, including pavement and concrete curb and gutter unless altered by the City  
11 Engineer.
- 12 28. Pavement sections for all streets and driveways shall be based upon approved soil tests and traffic  
13 indices. The pavement design is to be prepared by the developer's soil engineer and must be  
14 approved by the City Engineer, prior to paving.
- 15 29. A traffic control plan shall be submitted to and approved by the City Engineer prior to the start of  
16 work within open City rights-of-way. Traffic control during construction of streets that have been  
17 opened to public traffic shall be in accordance with construction signing, marking and other  
18 protection as required by the CalTrans Traffic Manual. Traffic control during construction  
19 adjacent to or within all public streets must also meet CalTrans standards.
- 20 30. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during  
21 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 22 31. The project shall comply with the City's Flood Plain Management Regulations and Storm Water  
23 Management and Discharge Regulations.
- 24 32. Grading and drainage facilities shall be designed to adequately accommodate the local storm water  
25 runoff and shall be in accordance with the City's Engineers Manual and as directed by the City  
26 Engineer.
- 27 33. The applicant shall obtain any necessary permits and clearances from all public agencies having  
28 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 and 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 34. Prior to any grading of any part of the project, a comprehensive soils and geologic investigation  
2 shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall  
3 be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading  
4 shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance  
5 and Zoning Ordinance, is approved by the City Engineer.
- 6 35. This project shall provide year-round erosion control including measures for the site required for  
7 the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed  
8 for all proposed stages of construction, shall be reviewed, secured by the applicant with cash  
9 securities and approved by the City Engineer.
- 10 36. Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer prior to  
11 the issuance of a preliminary grading permit and approved by the City Engineer prior to the  
12 issuance of building permits. Frontage and median landscaping shall be installed prior to the  
13 issuance of any building permits. Project fences, sound or privacy walls and monument entry  
14 walls/signs shall be designed, reviewed and constructed by the landscape plans and shown for  
15 location only on grading plans. Plantable, segmental walls shall be designed, reviewed and  
16 constructed by the grading plans and landscaped/irrigated through project landscape plans. All  
17 plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start  
18 of any improvements.
- 19 37. The drainage design on the development plan is conceptual only. The final design shall be based  
20 upon a drainage study to be approved by the City Engineer during final engineering. All drainage  
21 picked up in an underground system shall remain underground until it is discharged into an  
22 approved channel, or as otherwise approved by the City Engineer. All public storm drains shall be  
23 shown on City standard plan and profile sheets. All storm drain easements shall be dedicated  
24 where required. The applicant shall be responsible for obtaining any off-site easements for storm  
25 drainage facilities.
- 26 38. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed of in  
27 accordance with all state and federal requirements, prior to stormwater discharge either off-site or  
28 into the City drainage system.
39. The development shall comply with all applicable regulations established by the United States  
Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge  
Elimination System (N.P.D.E.S.) permit requirements for urban runoff and storm water

1 discharge and any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or  
2 requirements. The developer shall comply with all applicable provisions of the N.P.D.E.S. and  
3 the Clean Water Program during and after all phases of the development process, including but  
4 not limited to: grading, construction of street and landscaping improvements, and construction  
5 of dwelling units. The applicant shall design the Project's storm drains and other drainage  
6 facilities to include Best Management Practices to minimize non-point source pollution,  
7 satisfactory to the City Engineer. The San Diego Regional Water Quality Control Board's  
8 current Municipal Storm Water Permit includes regulations such as implementation of Standard  
9 Urban Storm Water Mitigation Plans (SUSMPS) and Numeric Sizing Criteria for new  
10 residential development. The applicant shall comply with all relevant regulations, when they  
11 become effective, including but not limited to incorporation into the design and implementation  
12 of the Project, temporary and permanent structural Best Management Practices and non-  
13 structural mitigation measures that would reduce pollution of storm water runoff to the  
maximum extent practicable.

14 **Fire:**

- 15 40. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for residential  
16 occupancies shall be placed on the structure in such a position as to be plainly visible and  
17 legible from the street or roadway fronting the property. Numbers shall contrast with their  
18 background.
- 19 41. Single-family dwellings require 4-inch address numbers.
- 20 42. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior  
21 to the issuance of building permits.
- 22 43. Buildings shall meet Oceanside Fire Department current adopted codes at the time of building  
permit application.

23 **Planning:**

- 24 44. This Tentative Parcel Map, Development Plan, Variance and Conditional Use Permit shall expire  
25 on December 15, 2006, unless the City Council grants a time extension.
- 26 45. This Tentative Parcel Map, Development Plan, Variance and Conditional Use Permit approves  
27 only 2 single-family lots as shown on the plans and exhibits presented to the Planning Commission  
28 for review and approval. No deviation from these approved plans and exhibits shall occur without  
Planning Department approval. Substantial deviations shall require a revision to the Tentative

1 Parcel Map, Development Plan, Variance and Conditional Use Permit or a new Tentative Parcel  
2 Map, Conditional Use Permit, Variance and Development Plan.

3 46. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the  
4 City of Oceanside, its agents, officers or employees from any claim, action or proceeding against  
5 the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the  
6 City, concerning Development Plan D-1-04, Conditional Use Permit C-4-04 and Tentative  
7 Parcel Map P-1-04 and Variance V-8-04. The City will promptly notify the applicant of any  
8 such claim, action or proceeding against the City and will cooperate fully in the defense. If the  
9 City fails to promptly notify the applicant of any such claim action or proceeding or fails to  
10 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend,  
11 indemnify or hold harmless the City.

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

- 17 a) Parkway tree plantings along collector roads shall be a minimum of two-inch diameter  
18 trees so as to ensure a mature landscape theme is achieved in a reasonable amount of time.
- 19 b) Street/parkway trees (minimum 15 gallon) shall be planted at a minimum of one tree per  
20 unit or lot and two trees per corner lot.
- 21 c) Local street trees in parkways shall be planted at a minimum of 30 feet on center, each  
22 side of street, as a solitary planting.
- 23 d) All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and  
24 in any adjoining public parkways shall be permanently maintained by the owner, his  
25 assigns or any successors in interest in the property. The maintenance program shall  
26 include normal care and irrigation of the landscaping; repair and replacement of plant  
27 materials; irrigation systems as necessary; and general cleanup of the landscaped and  
28 open areas, parking lots and walkways, walls, fences, etc. Failure to maintain  
landscaping shall result in the City taking all appropriate enforcement actions by all  
acceptable means including but not limited to citations and/or actual work with costs

1 charged to or recorded against the owner. This condition shall be recorded with the  
2 covenant required by this resolution.

3 48. Model Landscape plans and Front Yard Landscape plans, designed in compliance with Water  
4 Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and shall be  
5 approved and signed by the Engineering Department and the Planning Department prior to the  
6 issuance of building permits. No bonding shall be required. Precise Grading Plans for model  
7 homes shall be prepared by a Civil Engineer and shall be approved by the City Engineer prior to  
8 the issuance of building permits. Prior to the issuance of occupancy permits, the City's Landscape  
9 Technician/Inspector shall review each unit requested for occupancy to ensure that the installation  
10 of planting and irrigation has occurred in conformance with the approved schematic drawings.  
11 The irrigation system will also be tested to ensure adequate operation and coverage.

12 49. All single-family units dwelling projects shall dispose of or recycle solid waste in a manner  
13 provided in City Code Section 13.3.

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

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

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

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

54. Failure to meet any conditions of approval for this development shall constitute a violation of the  
Tentative Parcel Map, Variance, Conditional Use Permit and Development Plan.

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

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

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

15 58. The following unit type and floor plan mix, as approved by the Planning Commission, shall be  
16 indicated on plans submitted to the Building Department and Planning Department for building  
17 permit:

	Sq.Ft.	# Bedrms.	# Baths	#Garage Spaces	# Stories	# Units	%
Plan 1	2,499	3	2.5	2	2	2	100

18 59. Side and rear elevations and window treatments shall be trimmed to substantially match the front  
19 elevations. A set of building plans shall be reviewed and approved by the Planning Department  
20 prior to the issuance of building permits.

21 60. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the  
22 same as those approved by this appeal. These shall be shown on plans submitted to the Building  
23 Department and Planning Department.

24 **Water Utilities:**

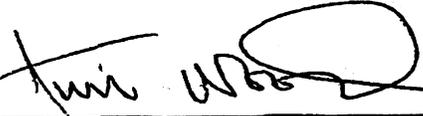
25 61. The property owner shall maintain private water and wastewater utilities located on private  
26 property.

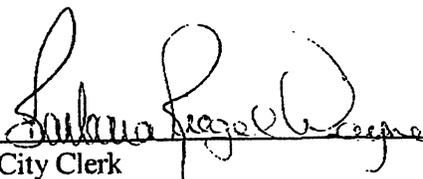
27 62. Water services and sewer laterals constructed in existing right-of-way locations are to be  
28 constructed by approved and licensed contractors at Developer's expense.

- 1 63. The Developer shall be responsible for developing all water and sewer facilities necessary to  
2 develop the property. Any relocation of water and/or sewer lines is the responsibility of the  
3 Developer and shall be done by an approved licensed contractor at the Developer's expense.
- 4 64. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover  
5 of the public sewer shall be protected from backflow of sewage by installing and maintaining an  
6 approved type backwater valve, per of the Uniform Plumbing Code.
- 7 65. The water and wastewater buy-in fees and the San Diego County Water Authority Fees are to be  
8 paid to the City and collected by the Water Utilities Department at the time of building permit  
9 issuance.
- 10 66. All water and wastewater construction shall conform to the most recent edition of the City's  
11 Engineers Manual, or as approved by the Water Utilities Director.
- 12 67. All new development of single-family residential units shall include hot water pipe insulation and  
13 installation of a hot water re-circulation device or design to provide hot water to the tap within 15  
14 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.

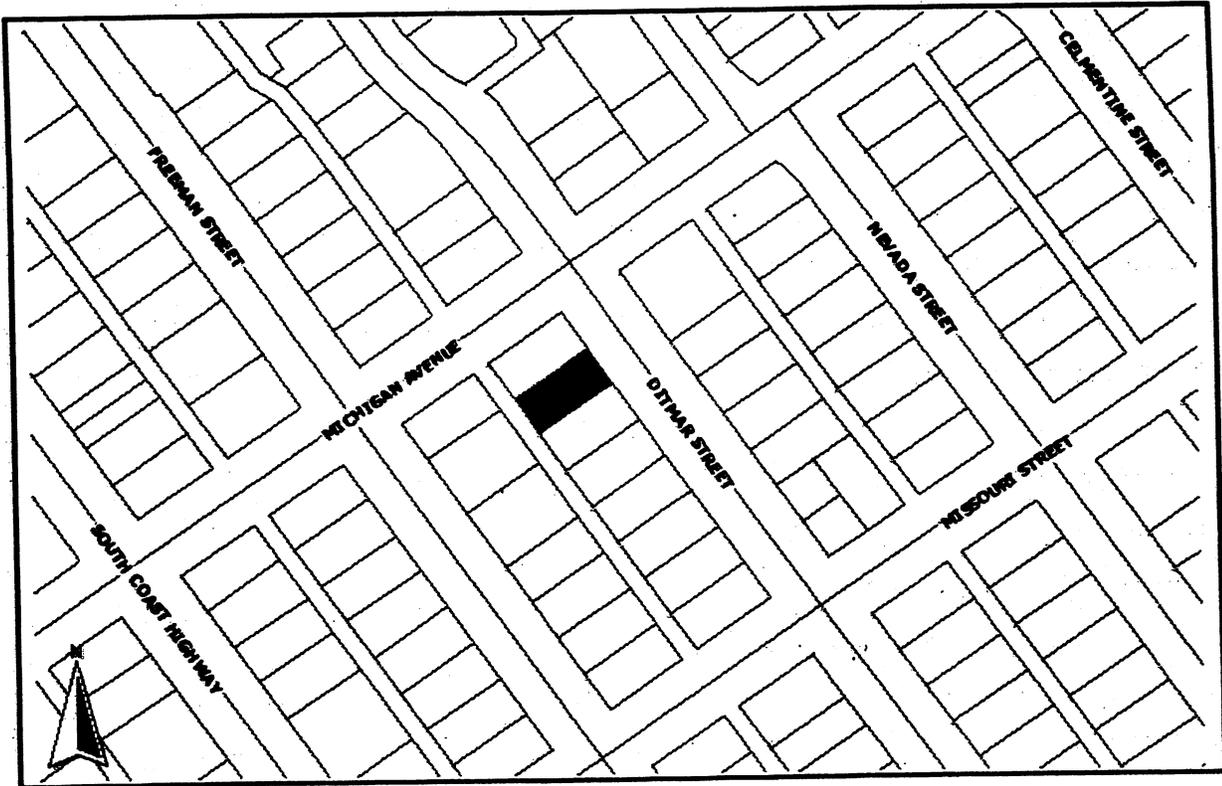
15 PASSED and ADOPTED by the City Council of the City of Oceanside, California this 19th day of  
16 January, 2005 by the following vote:

17 AYES: WOOD, CHAVEZ, FELLER  
18 NAYS: NONE  
19 ABSENT: SANCHEZ  
20 ABSTAIN: NONE

21   
22 \_\_\_\_\_  
23 Mayor of the City of Oceanside

24 ATTEST:  
25   
26 \_\_\_\_\_  
27 City Clerk

28 APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY  
  
\_\_\_\_\_  
City Attorney



**File Number:** P-1-04, D-1-04, C-4-04, V-8-04

**Applicant:** Zocco Development Inc.

**Description:**

TIME EXTENSION to TENTATIVE MAP (P-1-04), DEVELOPMENT PLAN (D-1-04), CONDITIONAL USE PERMIT (C-4-04) and VARIANCE (V-8-04) to subdivide a 0.11-acre lot into two single-family lots located at 307 South Ditmar Street. The project site is zoned RH (Residential High-Density) and is situated within the Townsite Neighborhood.  
**DITMAR RESIDENCES**

**Environmental Determination:**

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Department  
300 N. Coast Highway  
Oceanside, CA 92054 (760) 435-3520

**SOUTH DITMAR RESIDENCE**

<b>Application For Planning Commission Hearing</b> Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				<b>STAFF USE ONLY</b> ACCEPTED 11/15/06 BY SN.	
<b>PART I - APPLICANT INFORMATION</b>				RECEIVED NOV 15 2006 Planning Department	
1. APPLICANT		2. STAFF USE ONLY		HEARING	
Zocco Development Inc.		GPA		MASTER/SP.PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
30001 Via Maria Elena, Bonsall, CA 92003		760-941-0200		TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)		7. PHONE/FAX		PAR. MAP P-1-04TE06	
Paul Zocco, Zocco Development Inc.		760-941-0200		DEV. PL D-1-04TE06	
6. ADDRESS		7. PHONE/FAX		C.U.P. C-4-04TE06	
30001 Via Maria Elena, Bonsall, CA 92003		760-941-0200		VARIANCE U-8-04TE06	
<b>PART II - PROPERTY DESCRIPTION</b>				COASTAL	
8. LOCATION				O.H.P.A.C.	
307 S. Ditmar, Oceanside, CA 92054				9. SIZE	
10. GENERAL PLAN		11. ZONING		12. LAND USE	
		RH		Residential	
<b>PART III - PROJECT DESCRIPTION</b>				13. ASSESSOR'S PARCEL NUMBER	
14. GENERAL PROJECT DESCRIPTION					
2 single family residences, each on a 25' x 100' lot					
15. PROPOSED GENERAL PLAN		16. PROPOSED ZONING		17. PROPOSED LAND USE	
		RH		Residential	
18. NO. UNITS		19. DENSITY		20. BUILDING SIZE	
2		17.4		2496 #, 2499 #	
21. PARKING SPACES		22. % LANDSCAPE		23. % LOT COVERAGE	
2 per unit		33.9		66.1	
<b>PART IV - ATTACHMENTS</b>					
<b>ALL APPLICATIONS</b>				<b>DEV. PLANS, C.U.P.s &amp; TENT. MAPS</b>	
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		30. FLOOR PLANS AND ELEVATIONS	
26. 300-FT. RADIUS MAP		27. PROPERTY OWNERS' LIST		31. CONSTRUCTION SCHEDULE	
28. ENVIRONMENTAL ASSESSMENT		29. PLOT PLANS		32. OTHER	
<b>PART V - SIGNATURES</b>					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			SIGNATURES OF 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).		
33. APPLICANT OR REPRESENTATIVE (Print):		34. DATE		37. OWNER (Print)	
Paul Zocco, Zocco Development		11/14/06		Danette Dils	
Sign: <i>[Signature]</i>				38. DATE	
				11/13/06	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.			Sign: <i>[Signature]</i>		
35. APPLICANT (Print):		36. DATE		39. OWNER (Print):	
Paul Zocco, Zocco Development		11/14/06		Barbara Thomas	
Sign: <i>[Signature]</i>				40. DATE	
				11/13/06	
				RECEIVED NOV 15 2006	

PLANNING DEPARTMENT

JULIANA

November 14, 2006

**RE: Project Description and Justification: Two Single Family Residences on two 2500 sq.ft. lots: Located at the Address Currently Known as 307 South Ditmar Street, Oceanside. Request for Extension of Development Plan, Variances, Parcel Map and Regular Coastal Permit: APN 150-055-1400**

The owners are seeking an extension of their tentative map as current approvals are set to expire December 15, 2006. Due to financial constraints they were unable to proceed with the project within the time frame of the original tentative map. The final map could not be filed as the current building straddles what will become the new interior common property line. Ownership is now prepared to file the final map, and proceed with building out the project. All site conditions, building plans, improvement plans, grading plans, remain unchanged. All exterior building cosmetics, including modulations and colors remain unchanged. We also request the same conditions of approval be extended.

Following is the original description and justification for this previously approved project.

**Description**

The proposed project is located on South Ditmar Street, in the three hundred block on the west side. The cross streets are Michigan and Missouri. The street is predominately residential, with a grammar school and church within a six-block radius. The subject site is currently one 49.9479 x 99.88 foot lot (forty-nine feet, eleven and three-eighths inches x ninety-nine feet, ten and one-half inches), with 49.9479 feet of frontage on South Ditmar Street, and an alley in the rear, contiguous to the west boundary of the property, which also has a 49.9479 foot wide boundary. The survey record, from November, 1886, Map #219, depicts the lot, and all surrounding lots in the expanded neighborhood, as 50 x 100. All of the lots on this 16 lot block (block 15), are of precisely the same dimension. On this parcel currently sits an older house, built in the early sixties. The house is structurally sound but rather dated and shows the wear of several years of a rental property. The neighborhood is one of similar older homes, some showing pride of ownership, others not.

The proposed project is two residences on two lots split from one 49 foot, 11 3/8 inches x 99 feet, 10 1/2 inches (4988 sqft.) parcel. The parcel has 49.93 ft of frontage on Ditmar Street, and the same rearage to the alley. Each new lot will be approximately 5/16 of one inch narrow from the intended width of 25 feet. Each of these single-family residences, each on intended 2500 sq.ft. lots, (actual size 2494 sq.ft.) will have an upscale exterior composed of stucco and wood trim and vinyl windows. Each will have a very different street side elevation. The buildings will be mildly modulated, and tastefully trimmed for maximum curb appeal. A professional illustrator proposes the exterior colors and contrasts.

The houses will each be two stories, with three bedrooms, including a very generous master suite with optional fireplace. There will be three bathrooms, and a two-car garage. Each unit will have a roof deck – one 359 sqft., the other 497 sq.ft. Each house is designed with a floor plan promoting a spacious “great room living area” conducive to an informal beach lifestyle. Each house will have slightly less than 2500 sq.ft. of heated living space. The floor plans and window placement have been designed in a manner to provide each house with maximum privacy.

A great deal of care has been afforded to create exterior elevations, avoiding the “tract” look. Each building is shaped differently, with a different floor plan and very individual roof lines. The roof decks are oriented towards the rear, so as not to disrupt the interesting element on the street

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elevation. The elements of shape and material were selected with care to create a forward precedence in this transitioning neighborhood.

**Building Height & Mass**

The overall building envelope in this district is 27 feet of height measured from top of curb. The actual height is approximately 26'8". The roof deck staircase enclosure will penetrate the 27' building envelope, but will be well within the allowed percentage. The ridge beam will be less than 27 feet, with a relaxed 5/12 pitched roof.

**Building Footprint**

The total allowable building footprint of each lot is 1520 sq.ft. The actual is 1520 sq.ft for each of the two building. The actual building footprint is approximately 61% of the lot.

**Density**

The allowed density for the existing lot is three units attached. The proposed project is for two units detached.

**Variances**

A variance is requested to accommodate the irregularity in the results of the lot survey. The parcel was found to be 49.9375 feet wide and 99.88 feet deep. Although all of the lots in this neighborhood were originally created with the intentions of fifty feet of frontage, over the decades, as surveying became more of an exact science, the actual lot dimensions were determined to be off by a margin of error. Geological shifting and a margin of survey error have led to an identified lot of 4993.750 sq.ft.

**Project Statistics**

Land Area: 4993.75 sq.ft.  
Lots generated: Two  
Grading: No export, no import  
Front Yard Setback: 15 feet required; 15 feet proposed  
Rear Yard Setback: 5 feet required; 5 feet proposed  
Side Yard Setback: 3 feet required; 3 feet proposed  
Building Height: 27 feet allowed; 26 feet, 8 inches proposed

**Individual Analysis**

	<u>Unit A</u>	<u>Unit B</u>
Square Footage	2492	2496
Building Footprint	1520 sq.ft.	1520 sq.ft.
Roof Deck	494 sq.ft.	359 sq.ft.
Parking Required	2 spaces	2 spaces
Parking Provided	2 spaces	2 spaces
Landscape	885 sq.ft. (35%)	885 sq.ft. (35%)

**Project Justification**

The project site is zoned for three units, or 28 units per acre, one unit for each 1500 sq.ft. of land. The proposed project advocates two units or 18 units per acre, one unit for each 2500 sq.ft. of land. The property is currently designated high density in the Local Coastal Plan. All utilities exist to the property. No new infrastructure is requested to accommodate the proposed project. The project will generate alley improvements adjacent to the subject property, and also

underground utilities to the property where overhead utilities now exist. Roof shapes and materials, building stucco colors, window selections, landscaping, building mass, modulation and shapes, setbacks and accessibility were selected with sensitivity towards neighborhood blending. The project was designed with an eye towards templating a direction for this neighborhood of transition.

#### Conclusion

The proposed project will provide two new residences in the South Ditmar Street neighborhood, with a projected value of \$1,800,000. The current improvement at the site is valued at \$575,000. The tax base will increase \$1,285,000. The site is currently a run-down older rental unit. The project will eliminate one of the worst structures in this neighborhood, and replace it with highly desirable structures. The project will generate real economic gain to the surrounding properties in the neighborhood. The residences are designed to facilitate primary housing, encouraging pedestrian traffic in the area, and adding to the consumer base for the downtown businesses, and fostering a pride of ownership, sometimes absent to rental property. No new facilities or public improvements are requested to support this project. As a result of the project, at the cost of the developer, the adjacent alley will be improved from its antiquated state.

This project was initially submitted as a lot split of a 5000 sq.ft. lot, with the intentions of creating 2 lots of 2500 sq.ft. Map #219, recorded in 1886 reflects the property as being a 5000 sq.ft. lot, as it does all of the lots in the neighborhood. The neighborhood is designated for 2500 sq.ft. lots. During our physical survey, we determined the entire block (block 15) to be erroneously undersized by a total of six inches in frontage. Each of the eight lots, when the shortage is amortized, is .75 inches (three quarters of one inch) undersized. The subject property is lacking approximately six square feet per originally proposed 2500 sq.ft. lot, due to the 3/4 inch error. The 5000 sq.ft. lot according to the record survey, is in reality 4987 sq.ft. It appears this survey inaccuracy impacts blocks 14, 15 and 16 (48 lots) and possibly more.

If the project is allowed, the owners of the subject property and all like properties disadvantaged in the neighborhood will be allowed to enjoy the rights assigned to the intended 5000 sq.ft. Parcel, at the expense of no one. If the project is disallowed, the victims will be the same property owners, in favor of no one.

The parcels were created as 5000 sq.ft. lots. The 5000 sq.ft. lots have been designated via zoning, as dividable into 2500 sq.ft. lots. The owners of the property only ask for what they believe their rights to be, and what their rights were intended to be. Disallowance of this project will devalue the property value.

ZDI has provided the consulting and planning services for this project. ZDI has planned and/or built over \$50,000,000 of similar projects in the downtown Oceanside area.



Paul Zocco  
President  
Zocco Development Inc.  
11-14-2006

**EXHIBIT "ONE"**

Lot 2, Block 15 of Bryan's Addition to Oceanside, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 219, filed in the Office of the County Recorder of San Diego County, March 10, 1887.

Assessor's Parcel No: 150-055-14

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CITY OF OCEANSIDE  
COMMUNITY DEVELOPMENT DEPARTMENT/PLANNING DIVISION

NOTICE OF EXEMPTION

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

PROJECT TITLE AND FILE NUMBER:

Time Extension for Ditmar Residences P-1-04TE, D-1-04TE, C-4-04TE, V-8-04TE

PROJECT LOCATION - SPECIFIC:

307 S Ditmar Street

PROJECT LOCATION - GENERAL:

Oceanside, California

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:

a time extension of a previously approved resolution allowing the construction of two single family homes located at 307 S Ditmar St, Oceanside, California

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

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

Zocco Development Inc  
3001 Via Maria Elena  
Bonsall, CA 92003  
(760) 941-0200

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

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

STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15303(b)

REASONS WHY PROJECT IS EXEMPT:

The project involves a time extension for the construction of two single-family homes.

Contact Person: Juliana von Hacht, Associate Planner

  
SIGNATURE January 11, 2007  
DATE  
For: Jerry Hittleman, City Planner