T

AGENDA NO. 3

PLANNING COMMISSION **STAFF REPORT**

DATE: January 25, 2010

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC-6-09) TO PERMIT THE CONSTRUCTION OF A 1,217-SQUARE FOOT THIRD STORY ADDITION TO AN EXISTING DUPLEX LOCATED AT 1443 SOUTH PACIFIC STREET – 1443 S. PACIFIC REMODEL – APPLICANT: 1443 SO. PACIFIC, LLC.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Confirm issuance of a Class 3 Categorical Exemption for New Construction or Conversion of Small Structures, pursuant to Section 15303(b) of the California Environmental Quality Act (CEQA); and

(2) Adopt Planning Commission Resolution No. 2010-P06 approving Regular Coastal Permit (RC-6-09) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The subject property is located on Lot 1 of Map 20419, at 1443 South Pacific Street. On March 27, 2006 a Parcel Map, Development Plan and Regular Coastal Permit were approved by the Planning Commission for the construction of the 4,635-square foot two-unit duplex. An application for a Regular Coastal Permit was filed on September 28, 2009 for construction of a third story and new uncovered deck to the existing duplex.

Site Review: The 4,072-square foot lot contains a two-story 4,635-square foot two-unit duplex with basement below, constructed in 2007. The two-unit duplex consist of a small unit at the lower ground level basement area, and the larger unit is above at the first and second levels. A four-car garage exist at the lower street elevation, and is accessed via Pacific Street. The property lot size is substandard in width and area.

The property's Land Use designation is Urban High Density Residential (UHD-R) and its corresponding zoning classification is Residential Tourist Zone (RT). The underlying neighborhood district is South Oceanside and surrounding land uses include: Public Space (PS) to the East, Residential Single-Family Tourist (RT) homes to the south and north, and the Pacific Ocean to the west.

Being situated within the coastal zone, the project requires a Regular Coastal Permit, pursuant to Section III.D.1 of the Coastal Permit Handbook adopted May 8, 1985. The property is also within the "appeal jurisdiction" of the local coastal zone. Consequently under the certified Local Coastal Program (LCP), any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

Project Description: The project application is comprised of a Regular Coastal Permit.

Regular Coastal Permit (RC-6-09) represents a request for the following:

The project involves the proposed addition of a third story to an existing two-unit residential duplex. The project consists of demolishing the existing roof deck and cupola, to allow for the construction of a new 1,217-square foot master bedroom/bath suite for the upper unit of the duplex. No changes would be made to the lower level duplex unit. A new 828-square foot deck, accessed from the proposed master bedroom suite would be constructed as a part of this proposal. The proposed master bedroom/bath and roof deck would be consistent with the materials, and colors of the existing residence. This addition would consist of similar perimeter glass railing as that found on the existing first and second level decks, and the addition would provide additional design elements to physically balance the appearance of the building from the beach and street level. All additions to the existing second duplex unit would be at a maximum height of 34 feet and thus would not encroach above the permitted 35-foot height limit, per the 1986 Zoning Ordinance.

No on-street public parking spaces will be lost as a result of this project.

The project is subject to the following Ordinances and City Policies:

1. General Plan Land Use Element
2. Zoning Ordinance
3. Local Coastal Program
4. California Environmental Quality Act

ANALYSIS

KEY PLANNING ISSUES

1. **General Plan Compliance**

Goal 1.23: Architecture

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

Policy:

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

The proposed project is located on an existing relatively flat lot with minimal slope percentages of less than 10 percent; therefore, since the property's existing slope would not be altered and the existing slopes do not exceed the 20 percent threshold for requiring a Hillside Development Plan as per Oceanside Zoning Ordinance Section 3040, no hillside conditions are required with this entitlement. The addition would not extend beyond the stringline, nor would the addition extend past the existing westward elevation of the existing residence. The proposed addition would not alter public views or any views of adjoining neighbors, as there are no residences immediately to the east (the City of Oceanside Sewer treatment Plant exist directly to the east). The addition would not extend past the principal westward building elevation of the existing condominium complex to the south. The proposed materials and building elements, (e.g. glass decorative block windows, vinyl windows, a tiered building design, and curvilinear roofing lines) would physically balance the building's appearance and provide additional elements to physically improve the property and the neighborhood. The architecture designs in this neighborhood are eclectic and consist of variety of styles; therefore, the proposed improvements to this modern Mediterranean duplex would be keeping with the eclectic building designs of the neighborhood. Many of the homes in this area possess a design that is large in massing and bulk, so the proposed improvements would be consistent with the character of the neighborhood.

2. **Zoning Ordinance Compliance**

The existing structure meets all of the development regulations applicable to the underlying RT zone. Such projects are reviewed for compatibility with existing and surrounding development, as well as applicable public beach access regulations.

According to section 32 of the Zoning Ordinance, the purpose of the RT District is to provide opportunities for tourist and year-round visitor-serving facilities, including permanent and transient residential and related uses, within the City's Coastal Zone. In the RT District, the maximum allowable density for residential uses is 29-43.0 dwelling units per gross acre. Based on the existing lot size and the Residential Tourist density thresholds, the existing density for the site is 2.4 dwelling units per acre. There are no additional units proposed with this development proposal; therefore, additional parking is not required with this application.

Table 1 compares the existing structure to local property development regulations pursuant to Article 32, Residential Tourist Zone Property Development Regulations.

Table 1 Development Standards

Requirement	Required	Existing	Proposed
Front	10 feet	4 feet 9 inches (section 3106 Blockface Average)	No change
Side	Any combination of 6 feet on a substandard lot	3 feet per each side	No change
Minimum rear yard pursuant to 1050(R)	Stringline	Stringline	No change
Height	35 feet	27 feet	34 feet for the addition

3. **Local Coastal Program Compliance**

The proposed project is within the appeal jurisdiction of the Local Coastal Program (LCP) and complies with all provisions of this zone. Projects within the Coastal Zone are required to meet the provisions of the adopted Local Coastal Program and the underlying RT zone, as well as the 1986 City of Oceanside Zoning Code which was in place at the time of the LCP Adoption. The existing and evolving character of the neighborhood within the Coastal Zone consist of eclectic architecture styles and site-specific design elements that have created various building designs, which have been considered throughout the design and review of this project. The proposed 1,217-square foot master bedroom/bath addition and westward deck space will not exceed the 35-foot height restriction within the Coastal Zone, nor extend past the Stringline.

DISCUSSION

Issue: Project Compatibility with the Existing Neighborhood and surrounding properties
Will all improvements to the property will be consistent with, and compatible to, the existing residence and the adjoining homes in the surrounding area?

Recommendation: Staff finds that (in terms of height, design, bulk and distance from the established stringline) the addition would be consistent with the existing residence and would be consistent with the property to the south. The property to the south consists of a larger condominium complex that is very similar in terms of size, bulk, scale, and massing as the proposed improvements to this two-unit duplex. The condominium complex was built at a height of 35 feet, and the proposed third story addition would be at a similar height at 34 feet measured from existing finished grade. Since there are no residential homes located directly east of Pacific Street, coastal views would not be impacted, nor would the proposed improvements impact coastal access. The proposed project is located directly west on Pacific Street from the City of Oceanside Waste Water Treatment plant, so public views of the oceans would not be obstructed.

Staff has determined that the proposed improvement would not only improve the visual appearance of the property, but also compliment the neighborhood. It is evident that coastal views would not be impacted, because residences do not exist directly to the east of this property. The proposed improvements would be consistent with the neighborhood in terms of bulk, scale and the massing of the condominium complex to the south. The proposed improvements and the design of the home would not take away from the variety of architecture styles in the neighborhood, because the proposed improvements would be consistent with the existing home's Mediterranean duplex design, and the eclectic architecture styles that are present throughout the neighborhood. Staff has analyzed that the construction of the addition would not deprive adjoining neighbors of public views to the west, and would allow the property owner the same privileges shared by neighboring properties in terms of views and residential square footage.

ENVIRONMENTAL DETERMINATION

The project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 3, Section 15303(b) New Construction or Conversion of Small Structures.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to residents within a 300-foot radius and property owners of record within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

SUMMARY

The proposed Regular Coastal Permit (RC-6-09), as conditioned, is consistent with the land use policies of the General Plan, the requirements of the Zoning Ordinance, and the policies of the Local Coastal Program. The project has been conditioned to meet or

exceed all applicable standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

-- Move to approve Regular Coastal Permit (RC-6-09) and adopt Planning Commission Resolution No. 2010-P06 as attached.

PREPARED BY:

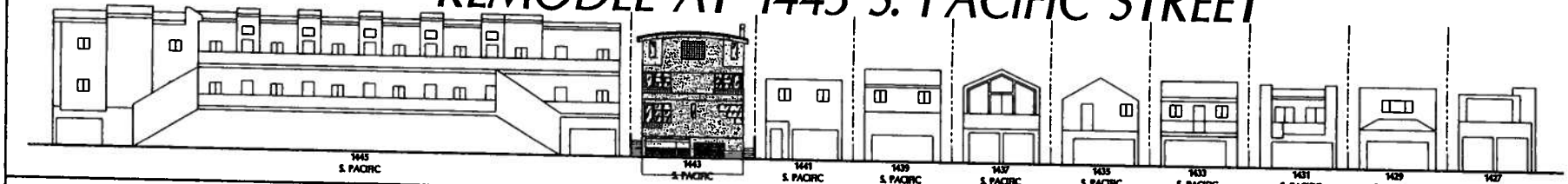
Scott Nightingale
Acting Associate Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

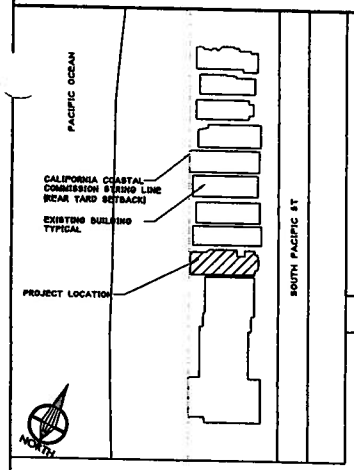
Attachments:
1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2010-P06
3. Planning Commission Resolution No. 2006-P12

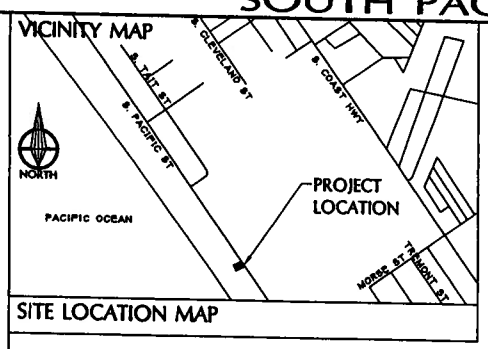
REMODEL AT 1443 S. PACIFIC STREET



SOUTH PACIFIC - EAST ELEVATION

SCALE: N.T.S.





Received
SEP 28 2009
Planning Division

DEVELOPMENT INFORMATION

ASSESSOR'S PARCEL NUMBER:	153-012-48-00
ZONING:	RT
LOT SIZE:	4,075 SQ. FT. (.093 ACRE)
EXISTING LAND USE:	RESIDENTIAL - DUPLEX
PROPOSED LAND USE:	NO CHANGE
EXISTING LOT COVERAGE:	56.0%
PROPOSED LOT COVERAGE:	56.0% NO CHANGE
SETBACKS:	
FRONT YARD	4'-11" (EXISTING)
SIDE YARD	5'-0"
OCEAN (WEST) SIDE	PER COASTAL STRINGLINE
HEIGHT MAX.	3 STORIES OR 35' WITH 10% OF FOOTPRINT ALLOWED OVER 35' AND BELOW 45' FOR NON-HABITABLE ARCHITECTURE FEATURES
DEMOLITION:	REMOVE EXISTING DECKS

SCOPE:
1. REMOVE EXISTING ROOF DECK
2. ADD THIRD FLOOR & ROOF DECK OVER 2ND FLOOR

EXISTING HABITABLE	4,635 SQ. FT.
EXISTING GARAGE	1,050 SQ. FT.
EXISTING STORAGE	80 SQ. FT.

CONSTRUCTION:	BASEMENT & STORAGE	FIRST FLOOR	SECOND FLOOR	THIRD FLOOR
EXISTING HABITABLE	906.0 SQ. FT.	1,830.0 SQ. FT.	1,800.0 SQ. FT.	- SQ. FT.
EXISTING DECK	0 SQ. FT.	209.7 SQ. FT.	318.0 SQ. FT.	- SQ. FT.
EXISTING GARAGE	1,050.0 SQ. FT.	0 SQ. FT.	0 SQ.FT.	- SQ.FT.
PROPOSED HABITABLE	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	1216.7 SQ. FT.
TOTAL PROPOSED HABITABLE	687.0 SQ. FT.	1,830.0 SQ. FT.	1,800.0 SQ. FT. HABITABLE SQ. FT. TOTAL	1,216.7 SQ. FT. 5,733.7 SQ. FT.

ROOF DECK EXISTING: 718 SQ. FT.
ROOF DECK PROPOSED: 977.55 SQ. FT.
SCHEDULE REMOVED

PARKING- 4 SPACES REQUIRED
4 SPACES EXISTING

LEGAL DESCRIPTION:

LOT 22 AND A PORTION OF LOT 21 IN BLOCK "D" OF OCEAN FRONT ADDITION TO THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA ACCORDING TO MAP THEREOF NO. 908, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 6, 1904.

SERVICE AGENCIES

WATER	OCEANSIDE WATER
SCHOOL	OCEANSIDE UNIFIED SCHOOL DISTRICT
FIRE	OCEANSIDE FIRE DEPARTMENT
GAS/ELEC	SAN DIEGO GAS & ELECTRIC

GRADING: NONE PROPOSED

BUILDING CODES

THIS PROJECT SHALL COMPLY WITH 2007 CALIFORNIA BUILDING CODE, WHICH ADOPTS THE 2006 IBC, 2006 UMC, 2006 UPC AND THE 2005 NEC

SHEET INDEX

SP.1 COVER SHEET / PROPOSED SITE PLAN
A.1 EXISTING BASEMENT & FIRST FLOOR PLANS
A.2 2nd FLOOR PLAN & PROPOSED 3RD FLOOR PLANS
A.3 EXISTING ROOF & PROPOSED ROOF PLANS
A.4 EXISTING & PROPOSED ELEVATIONS
A.5 EXISTING & PROPOSED ELEVATIONS
A.6 EXISTING & PROPOSED ELEVATIONS
A.7 PROPOSED BUILDING SECTIONS
A.8 PROPOSED BUILDING SECTIONS

CONSULTANTS:

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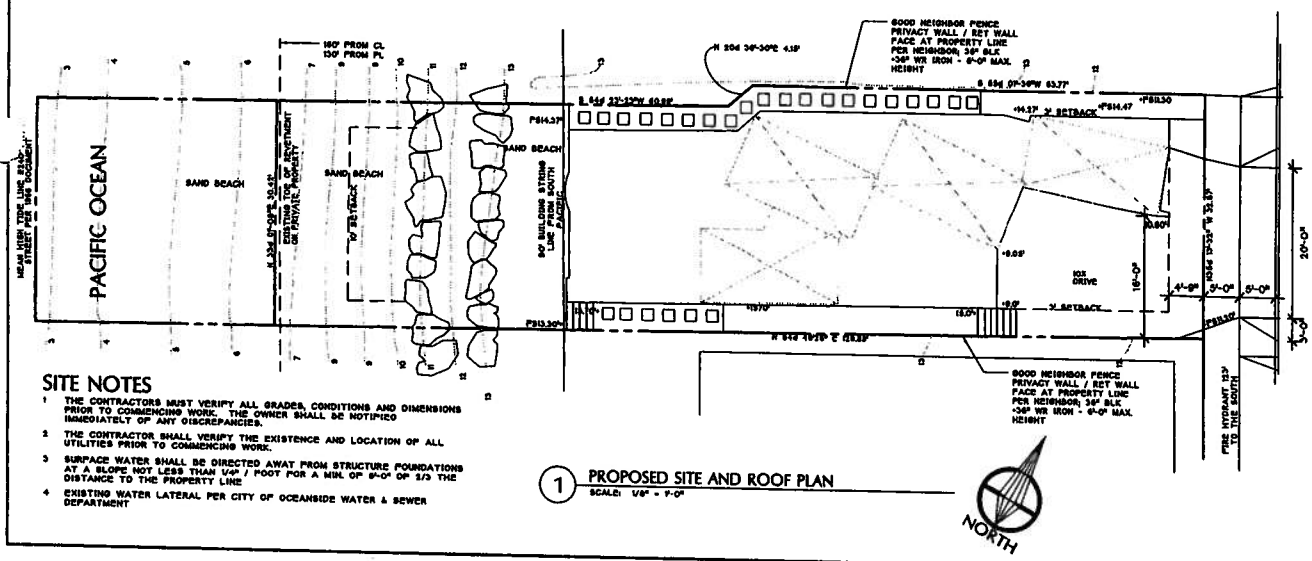

1 PROPOSED SITE AND ROOF PLAN
SCALE: 1/8" = 1'-0"

SITE NOTES

1. THE CONTRACTORS MUST VERIFY ALL GRADES, CONDITIONS AND DIMENSIONS PRIOR TO COMMENCING WORK. THE OWNER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES.
2. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES PRIOR TO COMMENCING WORK.
3. SURFACE WATER SHALL BE DIRECTED AWAY FROM STRUCTURE FOUNDATIONS AT A SLOPE NOT LESS THAN 1/4" / FOOT FOR A MIN. OF 8'-0" OF 2/3 THE DISTANCE TO THE PROPERTY LINE
4. EXISTING WATER LATERAL PER CITY OF OCEANSIDE WATER & SEWER DEPARTMENT

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RELEASE DATE:
ISSUED: 9/22/09
REVISIONS:

DRAWING STATUS:
(NOT FOR CONSTRUCTION)
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☐ PRELIMINARY DRAWINGS
☐ DESIGN DEVELOPMENT DRAWINGS
☐ CHECK SET
☐ PERMITS SUBMITTAL
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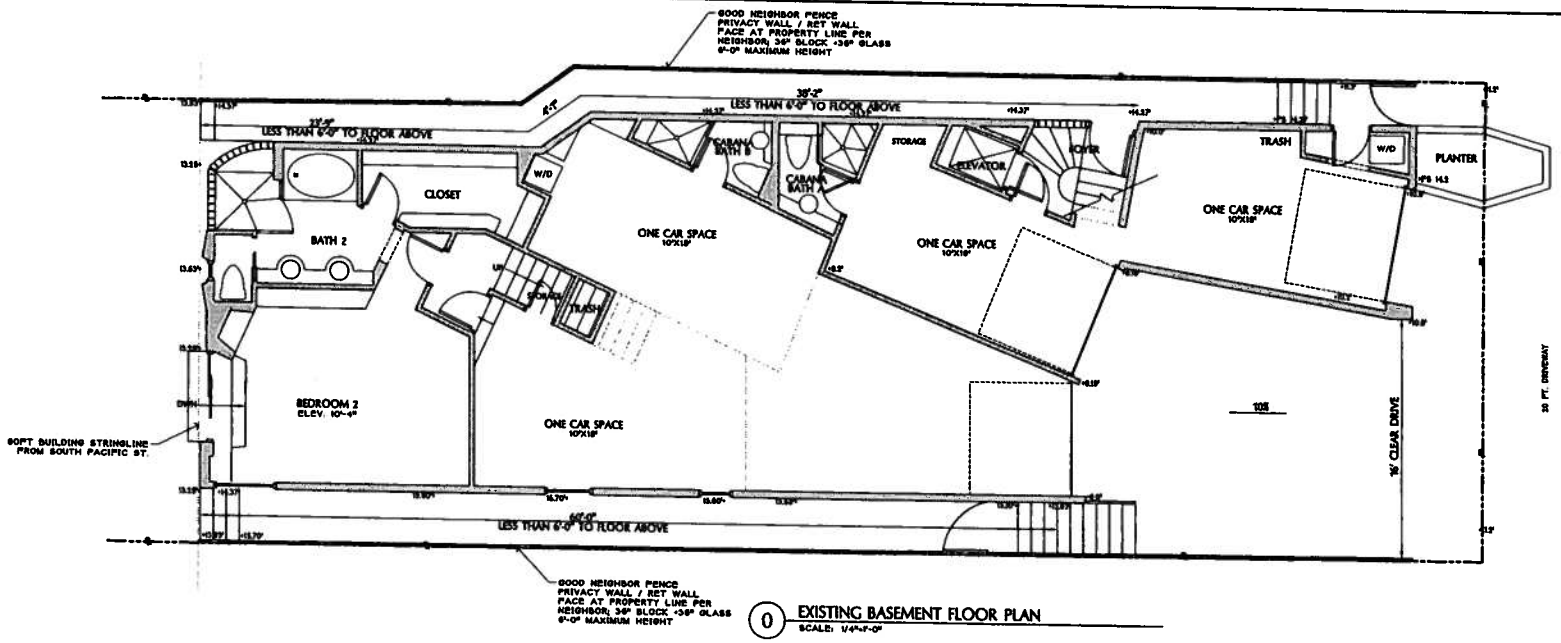
SHEET TITLE:
SITE PLAN & NOTES

SHEET NO:
SP.1



0 EXISTING BASEMENT FLOOR PLAN
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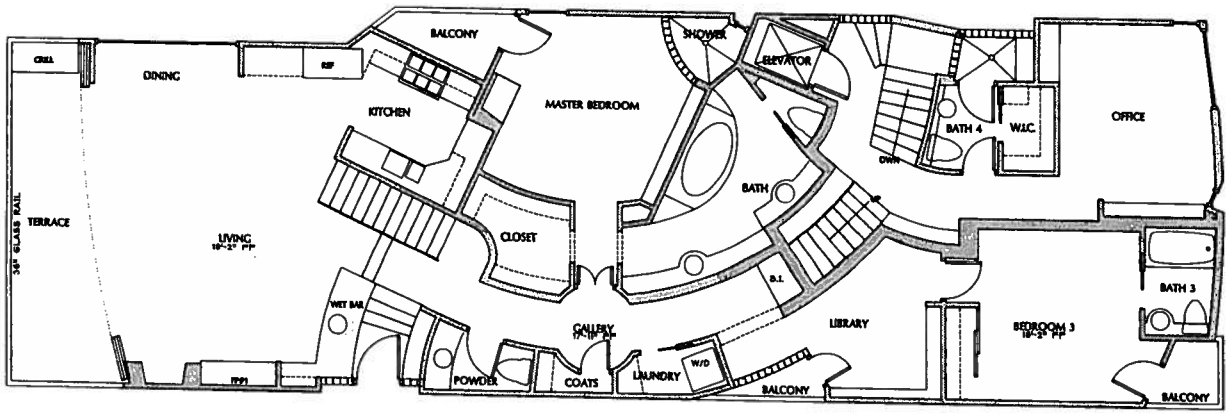

1 EXISTING FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

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RELEASE DATE:
ISSUED: 9/22/09
REVISIONS:

DRAWING STATUS:
- DWG FOR CONSTRUCTION
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- PRELIMINARY DRAWINGS
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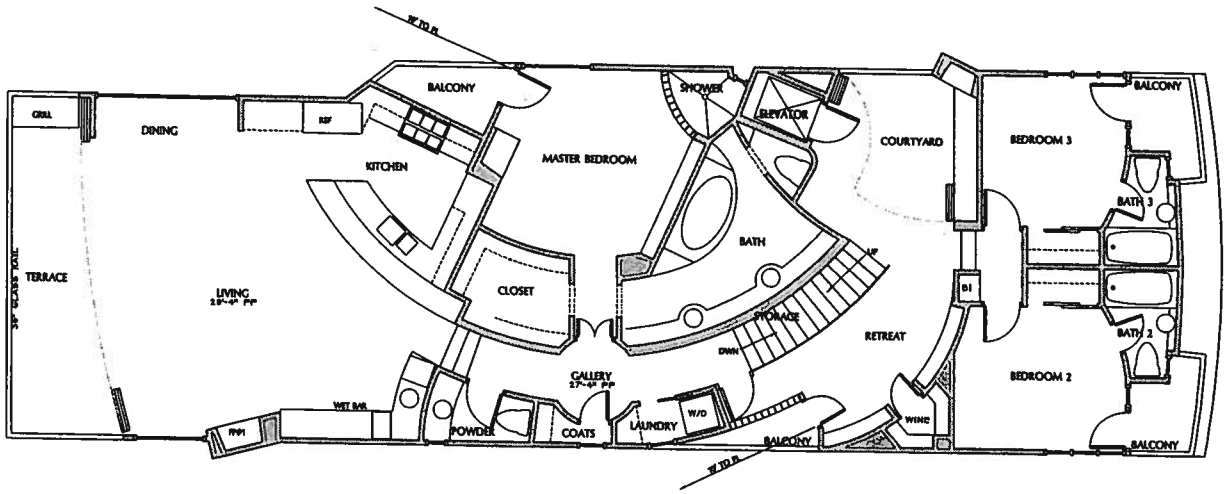
SHEET TITLE:
FLOOR PLANS

SHEET NO:
A.1



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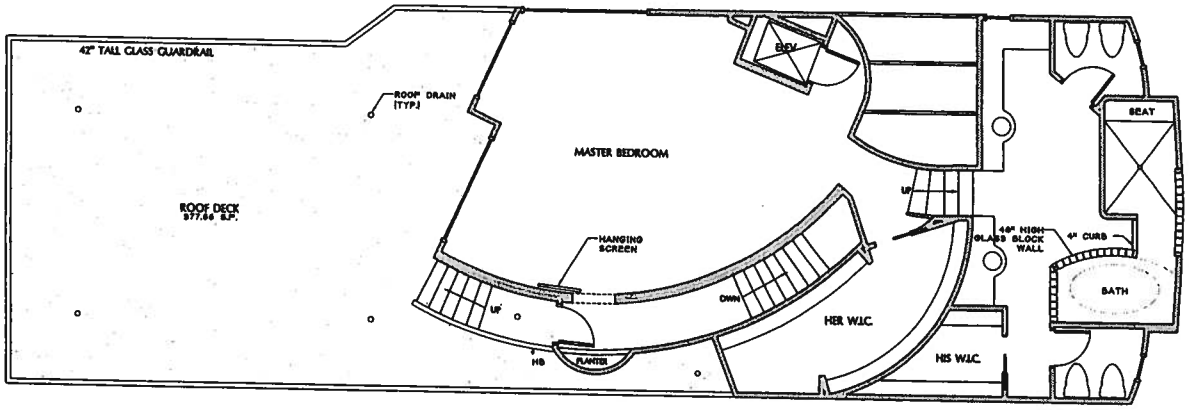

3 PROPOSED 3RD FLOOR PLAN
SCALE: 1/4"=1'-0"

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RELEASE DATES:
ISSUED: 9/22/09
REVISIONS:

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- ☐ BIDS FOR CONSTRUCTION
- ☐ APPROVAL DRAWINGS
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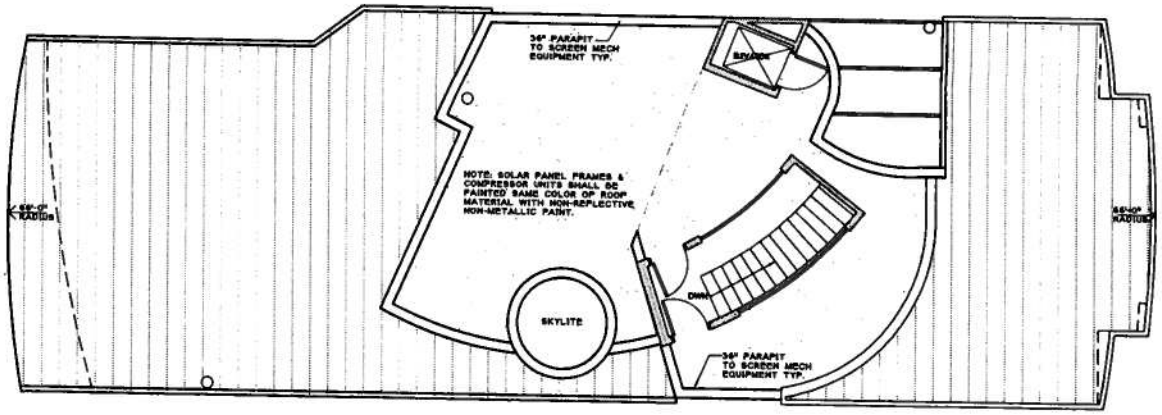
SHEET TITLE:
FLOOR PLANS

SHEET NO.:
A.2



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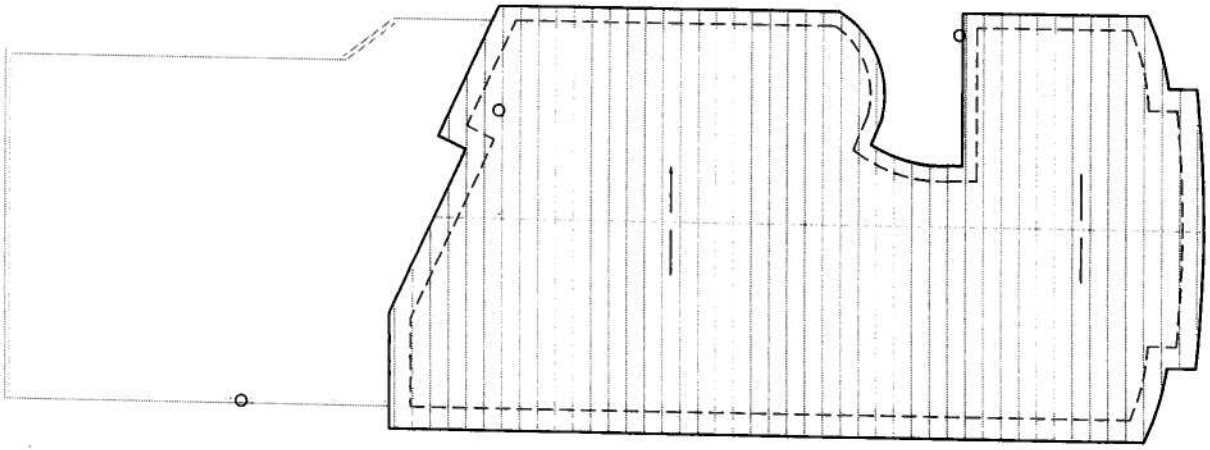

5 PROPOSED ROOF PLAN
SCALE: 1/4"=1'-0"

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RELEASE DATES:
ISSUED: 9/22/09
REVISIONS:

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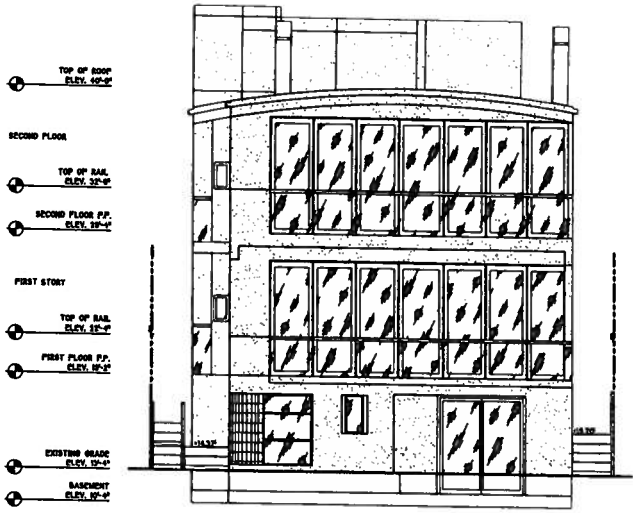
SHEET TITLE:
FLOOR PLANS

SHEET NO:
A.3



4 EXISTING REAR WEST (OCEAN)
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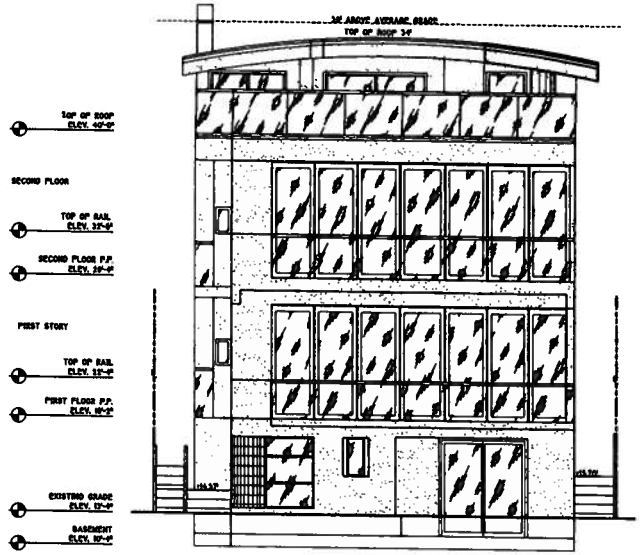
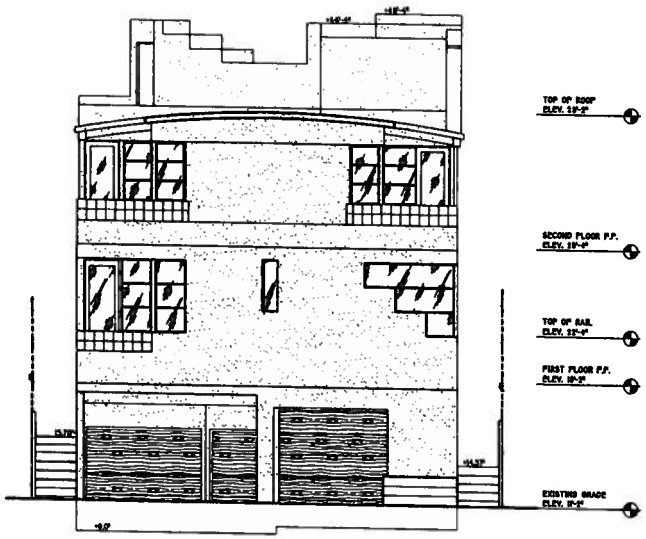


3 PROPOSED REAR WEST (OCEAN)
SCALE: 1/4"=1'-0"



2 EXISTING FRONT EAST (STREET)
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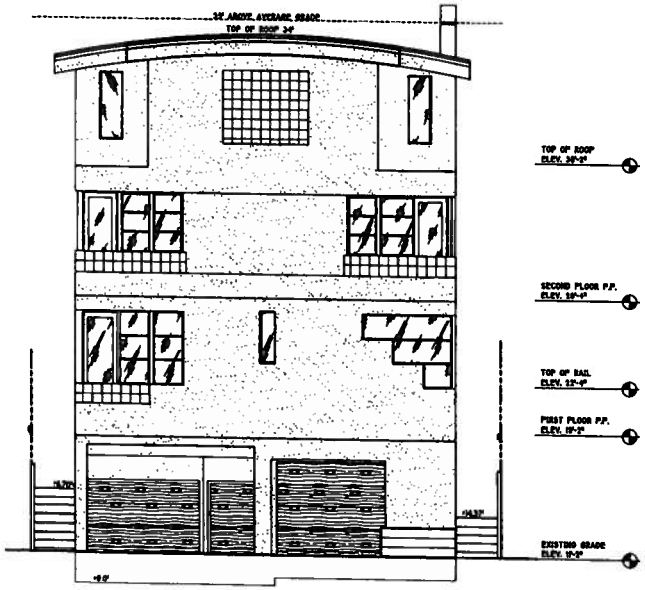

1 PROPOSED FRONT EAST (STREET)
SCALE: 1/4"=1'-0"

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RELEASE DATE:
DATE: 9/22/09
REVISIONS:

DRAWING STATUS:
- DIST FOR CONSTRUCTION
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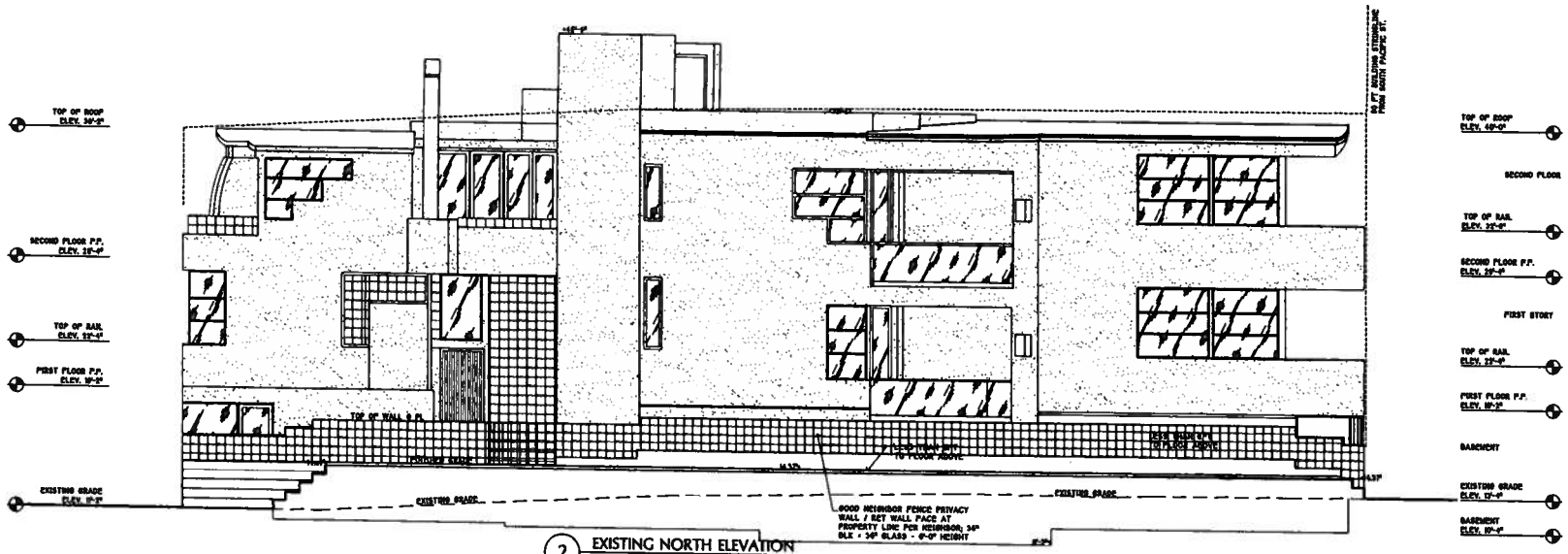
- CHECK SET
- PROGRESS DRAWINGS
- PLAN CHECK DRAWINGS
- BID SET DRAWINGS
- CONSTRUCTION DOCUMENTS
- OTHER

STUDIO 4 EXPRESSLY RESERVES ITS COPYRIGHT LAW AND OTHER PROPERTY RIGHTS IN THIS DOCUMENT. THIS DOCUMENT SHALL NOT BE REPRODUCED, COPIED, CHANGED OR DISCLOSED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN CONSENT OF STUDIO 4.

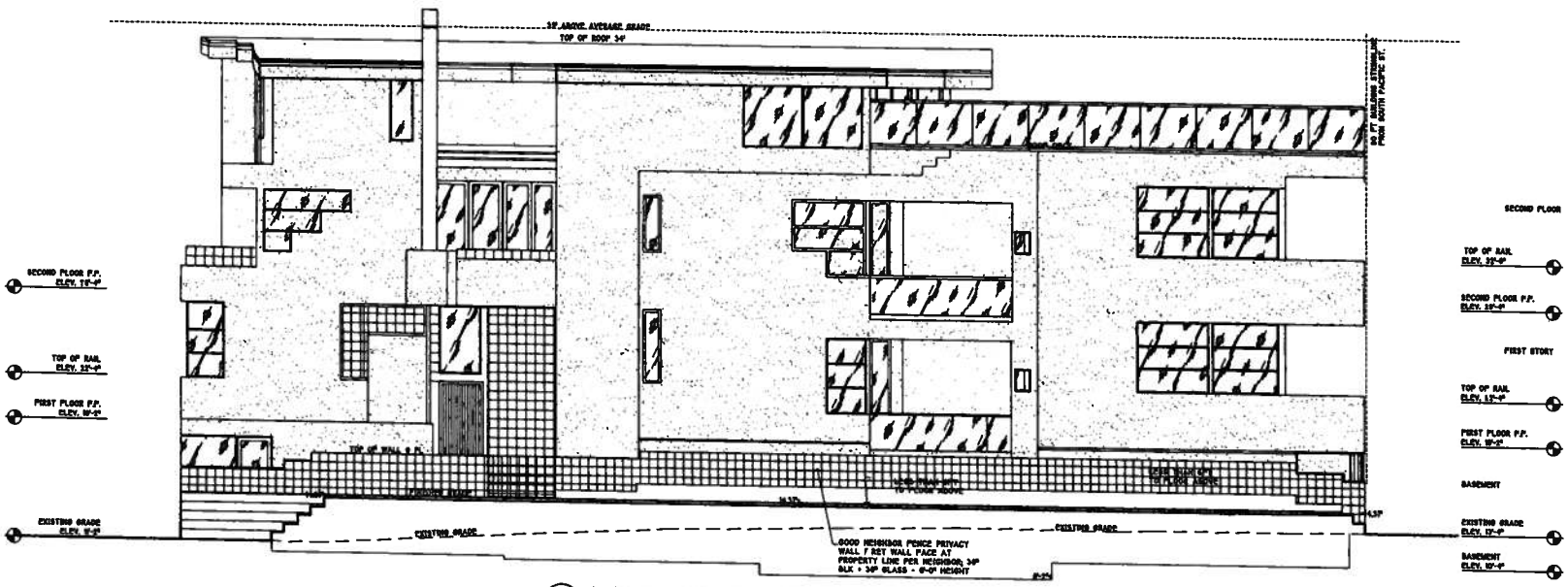
JOB NO:
DRAWN BY: MDR
CHECKED BY: PL

SHEET TITLE:
ELEVATION PLANS

SHEET NO:
A.4



2 EXISTING NORTH ELEVATION
SCALE: 1/4"=1'-0"



1 PROPOSED NORTH ELEVATION
SCALE: 1/4"=1'-0"

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904 PH
(760) 722-4903 FX
pjlongton@gmail.com
PAUL LONGTON
PRINCIPAL

PROJECT:
1443 S. PACIFIC REMODEL
1443 S. PACIFIC ST.
OCEANSIDE, CA 92054

OWNER:
1443 SOUTH PACIFIC, LLC
1353 STRATFORD COURT
DEL MAR, CA 92014
KEN MARCOLIS
MANAGING PARTNER
760-419-4991

OWNER'S REP.:
PAUL LONGTON
STUDIO 4 ARCHITECTS
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904

RELEASE DATE:
ISSUED: 9/22/09
REVISIONS:

DRAWING STATUS:
(NOT FOR CONSTRUCTION)
☐ INFORMATION DRAWINGS
☐ PRELIMINARY DRAWINGS
☐ DESIGN DEVELOPMENT DRAWINGS
☐ CHECK SET
☐ PROGRESS DRAWINGS
☐ PLAN CHECK DRAWINGS
☐ BID SET DRAWINGS
☐ CONSTRUCTION DOCUMENTS
☐ OTHER

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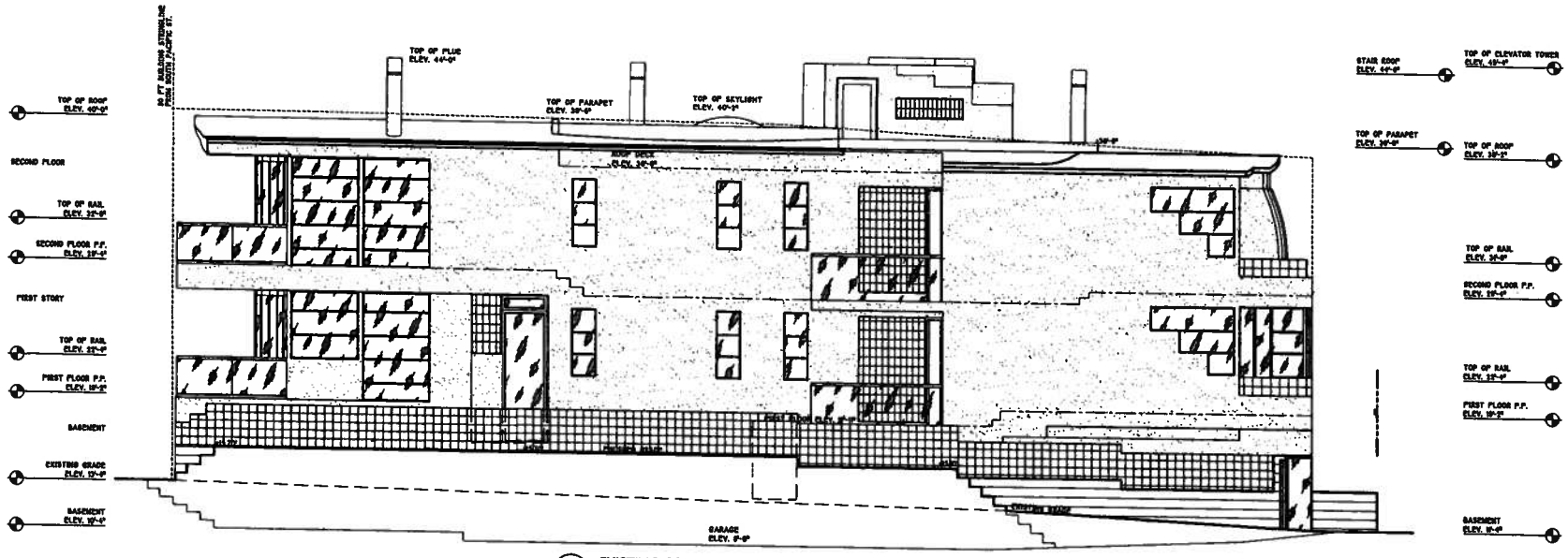
JOB NO:
DRAWN BY: MDR
CHECKED BY: PL

SHEET TITLE:
ELEVATION PLANS

SHEET NO:
A.5



2 EXISTING SOUTH ELEVATION
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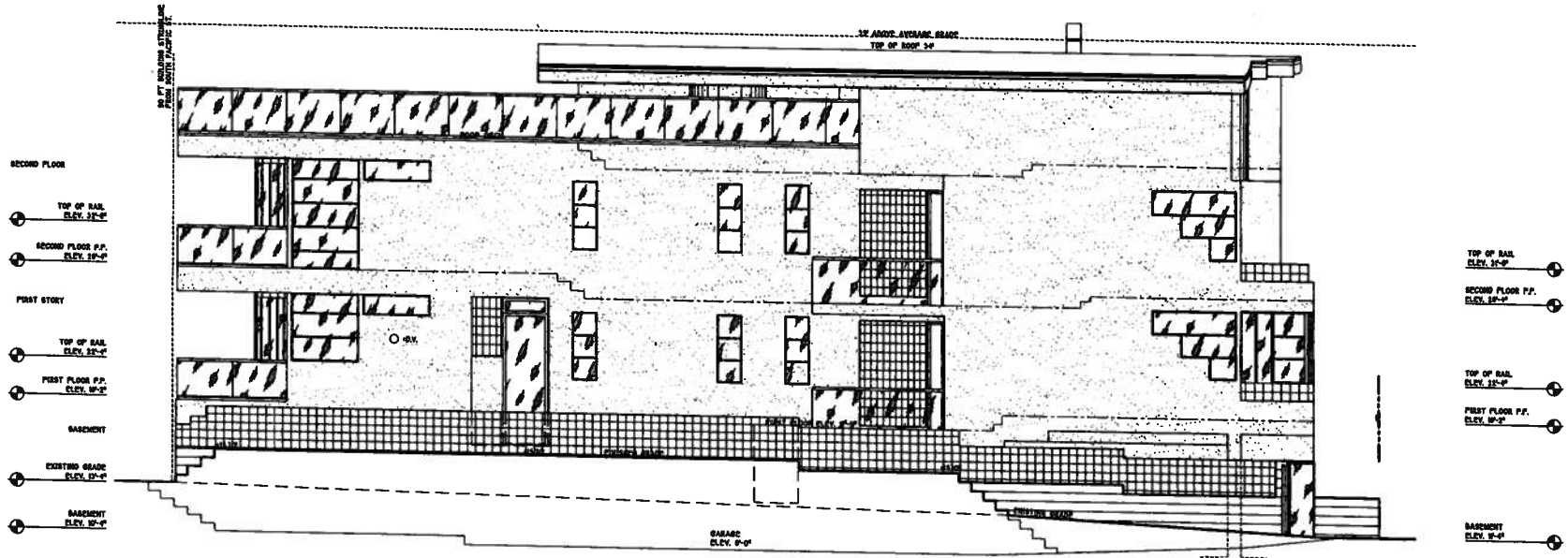

1 PROPOSED SOUTH ELEVATION
SCALE: 1/4"=1'-0"

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904 PH
(760) 722-4963 FX
pjlongton@gmail.com
PAUL LONGTON
PRINCIPAL

PROJECT:

1443 S. PACIFIC REMODEL

1443 S. PACIFIC ST.
OCEANSIDE, CA 92054

OWNER:
1443 SOUTH PACIFIC, LLC
1355 STRATFORD COURT
DEL MAR, CA 92014
KEN MARGOLIS
MANAGING PARTNER
760-419-4991

OWNER'S REP:

PAUL LONGTON
STUDIO 4 ARCHITECTS

2909 MESA DRIVE
OCEANSIDE, CA 92054

(760) 722-4904

RELEASE DATE:
ISSUED: 9/22/09
REVISIONS:

DRAWING STATUS:
(NOT FOR CONSTRUCTION)
- INFORMATION DRAWINGS
- PRELIMINARY DRAWINGS
- DESIGN DEVELOPMENT DRAWINGS
- CHECK SET
- PROGRESS DRAWINGS
- PLAN CHECK DRAWINGS

- BID SET DRAWINGS
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JOB NO:

DRAWN BY: MDR

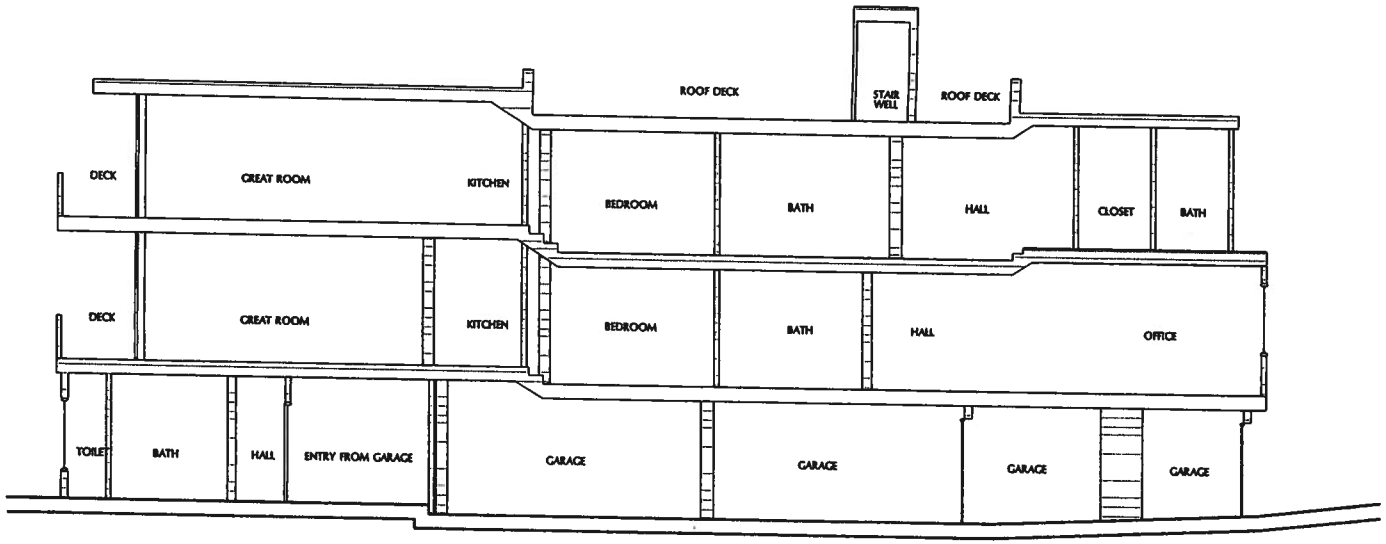
CHECKED BY: PL

SHEET TITLE:

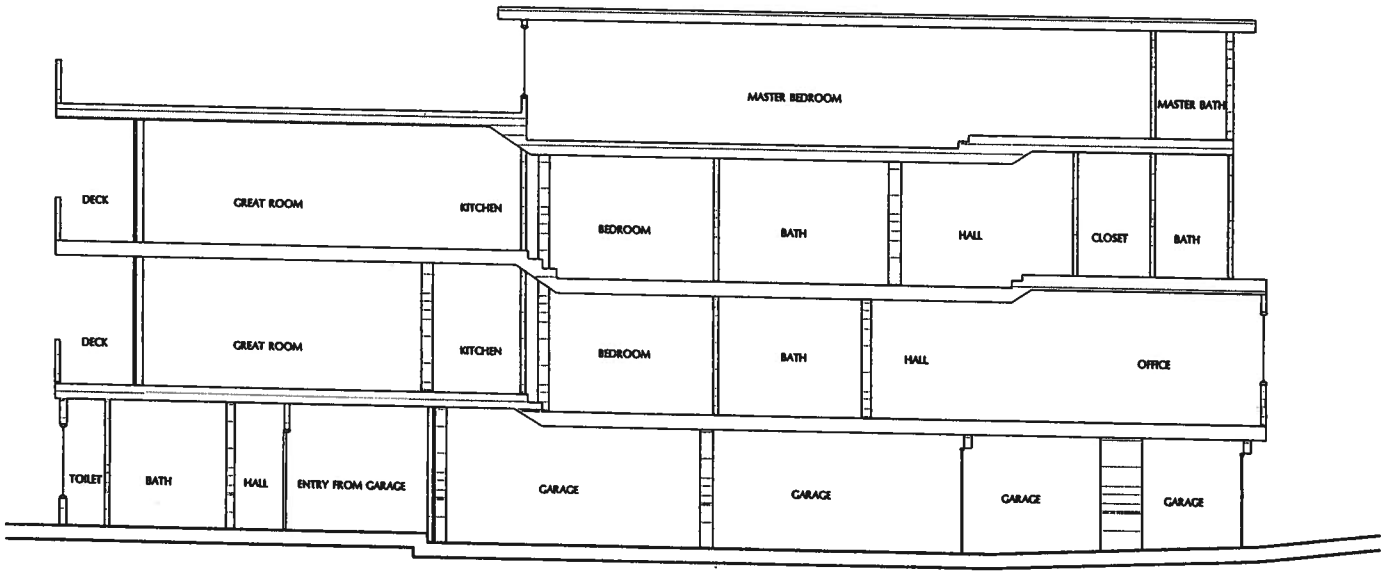
ELEVATION PLANS

SHEET NO:

A.6



2 SECTION A- EXISTING
SCALE: 1/4"=1'-0"



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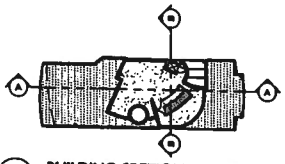
SCALE: 1/4"=1'-0"



1 BUILDING SECTION KEY PLAN
SCALE: N.T.S.

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4004 PH
(760) 722-4003 FX
pjlongfort@gmail.com
PAUL LONGTON
PRINCIPAL

PROJECT:
1443 S. PACIFIC REMODEL
1443 S. PACIFIC ST.
OCEANSIDE, CA 92054

OWNER:
1443 SOUTH PACIFIC, LLC
1355 STRATFORD COURT
DEL MAR, CA 92014
KEN MARCOLIS
MANAGING PARTNER
760-419-4991

OWNER'S REP.:
PAUL LONGTON
STUDIO 4 ARCHITECTS
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4004

RELEASE DATES:
ISSUED: 9/22/09
REVISIONS:

DRAWING STATUS:
NOT FOR CONSTRUCTION
☐ INFORMATION DRAWINGS
☐ PRELIMINARY DRAWINGS
☐ DESIGN DEVELOPMENT DRAWINGS
☐ DESIGN SET
☐ PROGRESS DRAWINGS
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☐ BID SET DRAWINGS
☐ CONSTRUCTION DOCUMENTS
☐ OTHER

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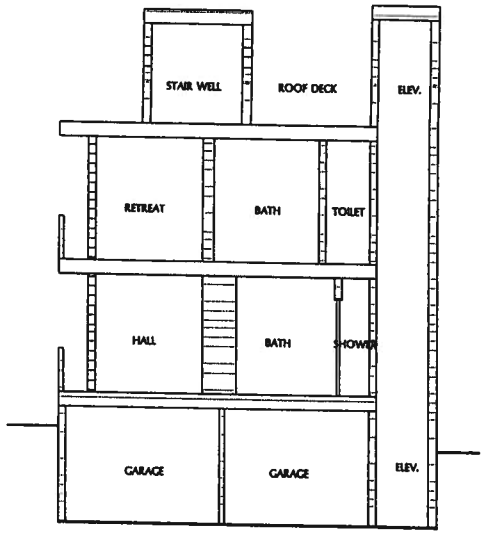
JOB NO.:
DRAWN BY: MDR
CHECKED BY: PL

SHEET TITLE:
BUILDING SECTIONS

SHEET NO:
A.7



2 SECTION B - EXISTING
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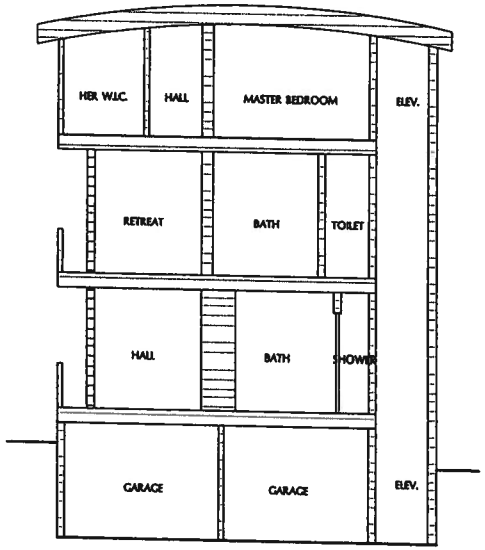

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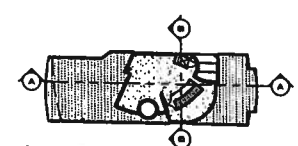

1 BUILDING SECTION KEY PLAN
SCALE: N.T.S.

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904 PH
(760) 722-4903 FX
pjlongton@gmail.com
PAUL LONGTON
PRINCIPAL

PROJECT:
1443 S. PACIFIC REMODEL
1443 S. PACIFIC ST.
OCEANSIDE, CA 92054

OWNER:
1443 SOUTH PACIFIC , LLC
1355 STRATFORD COURT
DEL MAR, CA 92014
KEN MARCOLIS
MANAGING PARTNER
760-419-4991

OWNER'S REP.:
PAUL LONGTON
STUDIO 4 ARCHITECTS
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904

RELEASE DATES:
ISSUED: 9/22/09
REVISIONS:

DRAWING STATUS:
(NOT FOR CONSTRUCTION)
- INFORMATION DRAWINGS
- PRELIMINARY DRAWINGS
- DESIGN DEVELOPMENT DRAWINGS
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- BID SET DRAWINGS
- CONSTRUCTION DOCUMENTS
- OTHER

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JOB NO:
DRAWN BY: MDR
CHECKED BY: PL

SHEET TITLE:
BUILDING SECTIONS

SHEET NO:
A.8

n

PLANNING COMMISSION
RESOLUTION NO. 2010-P06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO:	RC-6-09
APPLICANT:	1443 So. Pacific LLC
LOCATION:	1443 South Pacific 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 Regular Coastal Permit Revision (RC-6-09) under the provisions of Article 32 of the Zoning Ordinance of the City of Oceanside to permit the following:

the construction of a 1,217-square foot third story addition with deck to an existing duplex located at 1443 South Pacific Street.

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 25th day of January, 2010 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; this project has been found to be exempt per Article 19, Section 15303 (b) 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:

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Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is $2,843-$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$.713 per square foot or $713 per thousand square feet for non-residential uses and $2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	$.42 per square foot non-residential for Oceanside ($.42 for Vista and Fallbrook) $2.63 per square foot residential ($2.63 for Vista; $2.63 for Fallbrook)
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	$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; Non-residential is $36,775 for a 2" meter.
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; Non-residential is $50,501 for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically $4,326 per unit; Non-residential is $22,495 for a 2" meter.

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

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

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

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

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

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

FINDINGS:

For the Regular Coastal Permit:

1. The proposed third story addition to an existing permitted single-family duplex is consistent with the land use policies of the Local Coastal Program as implemented through the Zoning Ordinance. Specifically, the project will not substantially alter or impact existing public views of the coastal zone area and the physical aspects of the project are consistent with existing development on neighboring sites. The proposed third story addition would be similar in size, bulk, and scale as the properties to the south, and would keep the eclectic architecture character with the homes in this area. Neighboring coastal views would not be impacted by the proposed addition, because the Oceanside Waste Water Treatment facility exist to the east.

2. The proposed remodel will not obstruct any existing, planned, or required public beach access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.
3. The project will not result in the loss of any on-street public parking spaces, as the addition will not trigger additional parking or take away from the existing parking fronting the project site.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Regular Coastal Permit (RC-6-09) subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check. (As of January 1, 2008 the 2007 California Building Code, and 2007 California Electrical Code)
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and Local building codes.
3. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
4. Site development, parking, access into buildings and building interiors shall comply with the State's Disabled Accessibility Regulations. (2007 California Building Code (CBC), Chapter 11B).
5. All electrical, communication, CATV, etc. service lines within the exterior lines of the property shall be underground (City Code Sec. 6.30).
6. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution Ordinance). Where color rendition is important, high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on building and electrical plans.
7. The developer shall monitor, supervise and control all building construction and supporting 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 inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities

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

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

8. Building may require fire sprinklers subject to OFD interpretation.

Fire:

9. Fire Department requirements shall be placed on plans in the notes section.

10. Smoke detectors are required, and detector locations must be indicated on the plans.

11. In accordance with the Oceanside Fire Code Section 505, approved addresses for commercial, industrial, and residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background and meet the current City of Oceanside size and design standard.

12. Single-family dwellings require 4-inch address numbers. Commercial buildings and multi-family dwellings require 6-inch address numbers. Industrial buildings require 12-inch address numbers. Minimum specifications are set forth in Oceanside Fire Code Section 505.1, and the Fire Marshal may establish other requirements as deemed necessary.

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

14. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit application.

Planning:

15. This Regular Coastal Permit shall expire on January 25, 2013, unless implemented per the Zoning Ordinance or unless the Planning Commission grants a time extension

16. This Regular Coastal Permit approves only the addition of a third story to an existing two-unit residential duplex, the addition consists of demolishing the existing roof deck and cupola, to allow for the construction of a new 1,217-square foot master bedroom/bath suite, and new 828-square foot deck, accessed from the proposed upper master bedroom duplex unit, as presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

17. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Regular Coastal Permit (RC-6-09). 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.

18. All entitlements and Conditions of Approval from the original Regular Coastal Permit (RC-8-05) for the development for the two unit condominium, contained in Planning Commission Resolution No. 2006-P12 shall remain in full force and effect, and in addition to the conditions in this resolution. If issues or problems arise, the Regular Coastal Permit (RC-8-05) resolution 2006-P12 shall govern and be in effect.

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

20. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved by the Planning Division. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the

Architectural Site Plan and shall be recorded in the form of a covenant affecting the subject property.

21. 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.

22. Failure to meet any conditions of approval for this development shall constitute a violation of the Regular Coastal Permit.

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

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

25. The additions shall be substantially the same material, colors, and design as the existing single-family residence.

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26. Prior to issuance of a building permit, the applicant and landowner, shall execute and record a covenant, in a form and content acceptable to the City Attorney.

PASSED AND ADOPTED Resolution No. 2010-P06 on January 25, 2010 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Claudia Troisi, Chairperson
Oceanside Planning Commission

ATTEST:

_____
Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2010-P06.

Dated: January 25, 2010

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

_____ _____
Applicant/Representative Date

PLANNING COMMISSION
RESOLUTION NO. 2006-P12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATVIE PARCEL MAP, DEVELOPMENT PLAN AND REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO:	P-14-05, D-18-05, RC-8-05
APPLICANT:	1443 South Pacific LLC.
LOCATION:	1443 South Pacific 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 Parcel Map, Development Plan and Regular Coastal Permit under the provisions of Articles 10 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

two-unit residential condominium;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 27th day of March, 2006 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; 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:

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////////////////////////////

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 05-R0628-1	$3,278 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628-1	$2,660-14,937 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628-1	$1,939 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	$2.14 per square foot
Traffic Signal Fee	Ordinance No. 87-19	$14.70 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01	$239 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	Based on meter size Typical $3,746
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on meter size Typical $4,587 per unit
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Typical $4,154

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

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

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

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

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

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

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

FINDINGS:

For the Tentative Parcel Map:

1. The proposed subdivision creates parcels that are consistent and exceed the requirements of the RT zoning designation. The tentative parcel map is consistent with the General Plan of the City.
2. The proposed building pad on the site will conform to the topography of the site, therefore, making it suitable for residential development. The 4,072-square foot site is physically suitable to allow for the development of two condominium units.
3. The subdivision complies with all other applicable ordinances, regulations and guidelines of the City.
4. The design of the subdivision or proposed improvements will not conflict with easements, acquired by the public at large, for access through the use of property within the subdivision.
5. That the design of the subdivision or the proposed improvements will not cause substantial environment damage with the proposed mitigation or substantially and avoidably injure fish or wildlife or their habitat.

For the Development Plan:

1. The site plan and physical design of the project is consistent with the Zoning Ordinance and the underlying Residential Tourist District (RT).

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.

5. The site plan and parameters for the architecture and physical design of the project is consistent with the policies contained within Sections 1.22 and 1.23 of the Land Use Element of the General Plan.

For the Regular Coastal Permit:

1. The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinance. Specifically, the proposed height at 27 feet, bulk and scale is consistent with the properties within the surrounding neighborhood. In addition, the proposed project will not substantially alter or impact existing public views of the coastal zone area.

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Tentative Parcel Map (P-14-05), Development Plan (D-18-05) and Regular Coastal Permit (RC-8-05) subject to the following conditions:

Building:

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

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

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

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

5. Compliance with Federal Clean Water Act (BMPs) must be demonstrated on the plans.

6. Separate addresses may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Community Development Department/Planning Division must accompany the Building Permit application.

7. A complete Soils Report, Structural Calculations and Energy Calculations/documentation shall be required at the time of plan submittal to the Community Development Department/Building Division for plan check.

8. A Building (Demolition) Permit shall be required for the demolition of any existing structures. Plans for the Demolition Permit must clearly show that all utilities. (electric, gas, water and sewer) are properly terminated/capped in accordance with the requirements of the utility service provider. All/any underground septic and water storage tanks must be removed or filled in accordance with the Uniform Plumbing Code and/or the City's Grading ordinance.

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

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

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

Engineering:

10. A preliminary grading plan with an accompanying erosion control plan shall be prepared for any project related demolition activities.

11. Design and construction of all improvements shall be in accordance with standard plans, specifications of the City of Oceanside and subject to approval by the Community Development and Transportation Director.

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

13. The approval of the tentative parcel map shall not mean that closure, vacation, or abandonment of any public street, right-of-way, easement, or facility is granted or guaranteed to the developer. The developer is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) shall be reviewed and approved or rejected by the City under separate process(es) per codes, ordinances, and policies in effect at the time of the application.

14. Where proposed off-site improvements, including but not limited to slopes, public utility facilities, and drainage facilities, are to be constructed, the applicant shall, at his 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 grading, building or improvement permit for the project. Additionally, the City, may at its sole discretion, require that the applicant obtain at his sole expense a title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Oceanside or the applicant, as applicable.

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

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

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

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

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

c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

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

18. A traffic control plan shall be prepared according to the City traffic control guidelines and be submitted to and approved by the Community Development Director prior to the start of work within open City rights-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.

19. 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 drainage fees, 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 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 (project) shall constitute the 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.

20. Sidewalk improvements shall comply with ADA requirements.

21. Sight distance requirements at the project driveway or street shall conform to the corner sight distance criteria as provided by the California Department of Transportation Highway Design Manual.

22. Prior to approval of the grading plans, the developer shall contract with a geotechnical engineering firm to perform a field investigation of the existing pavement on all streets adjacent to the project boundary. The limits of the study shall be half-street plus twelve (12) feet along the project's frontage. The field investigation shall include a minimum of one pavement boring per every fifty linear feet of street frontage. Should the existing AC thickness be determined to be less than three inches or without underlying Class II base material, the developer shall remove and reconstruct the pavement section as determined by the pavement analysis submittal process detailed in Item No. 23 below.

23. Upon review of the pavement investigation, the Community Development Director shall determine whether the developer shall: 1) Repair all failed pavement sections, header cut and grind per the direction of the Transportation/Development Inspector, 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 developer shall reconstruct the pavement per these recommendations, subject to approval by the Community Development Director.

24. Pavement sections for all driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the developer's soil engineer and must be approved by the Community Development Director, prior to paving.

25. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during construction of the project, shall be repaired or replaced as directed by the Community Development Director.

26. The developer shall comply with all the provisions of the City's cable television ordinances including those relating to notification as required by the Community Development Director.

27. Grading and drainage facilities shall be designed and installed to adequately accommodate the local stormwater runoff and shall be in accordance with the City's Engineers Manual and as directed by the Community Development Director.

28. The applicant 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 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.

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

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

31. A precise grading and private improvement plan shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement,

flatwork, landscaped areas, special surfaces, curbs; gutters, medians, striping, signage, footprints of all structures, walls, drainage devices and utility services.

32. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans must be submitted to the Community Development Director prior to the issuance of a grading permit and approved by the Community Development Director prior to the issuance of occupancy permits. All plans must be approved by the Community Development Director and a pre-construction meeting held, prior to the start of any improvements.

33. Open space areas and down-sloped areas 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 Community Development Director for review prior to the recordation of final map. In the event the homeowner's association dissolves, responsibility for irrigation and maintenance of the slopes (open space areas) adjacent to each property shall become that of the individual property owner.

34. The drainage design on the project is conceptual only. The final design shall be based upon a hydrologic/hydraulic study to be approved by the Community Development Director 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 Community Development Director. All public storm drains shall be shown on City standard plan and profile sheets. All storm drain easements shall be dedicated where required. The applicant shall be responsible for obtaining any off-site easements for storm drainage facilities.

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

36. 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 stormwater discharge and any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the N.P.D.E.S. General Permit for Storm Water Discharges Associated with Construction Activity and may be required to implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. SWPPPs include both construction and post construction pollution prevention and pollution control measures and identify funding mechanisms for post construction control measures. The developer shall comply with all the provisions of the Clean Water Program during and after all phases of the development process, including but not limited to: mass grading, rough grading, construction of street and landscaping improvements, and construction of dwelling units. The applicant shall design the Project's storm drains and other drainage facilities to include Best Management Practices to minimize non-point source pollution, satisfactory to the Community Development Director.

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

38. The developer shall prepare and submit an Operations and Maintenance (O&M) Plan to the Transportation/Engineering Division with the first submittal of engineering plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's Storm Water Mitigation Plan (SWMP) previously approved by the project's approving authority Planning Commission. The O&M Plan shall be approved by the Community Development Director prior to approval of any plans by the Transportation/Engineering Division. At a minimum the O&M Plan shall include the designated responsible parties to manage the stormwater BMP(s), employee's training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan and any other necessary elements.

39. The developer shall enter into a City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the project proponent to maintain, repair and replace the stormwater Best Management Practices (BMPs) identified in the project's approved Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity. The agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall prepare the O&M cost estimate. The O&M cost estimate shall be approved by the Community Development Director prior to approval of any engineering plans for the project.

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

41. The agreement shall include a copy of executed on-site and off-site access easements necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the life of the project to the benefit of the party responsible for the O&M of BMPs, until such time that the stormwater BMP requiring access is replaced, satisfactory to the Community Development Director. The agreement shall also include a copy of the O&M Plan approved by the Community Development Director.

42. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP) shall not be altered in any way, shape or form without formal approval by the project's final approving authority Planning Commission at a public hearing, if such hearing was required for the approval of the project

Fire:

43. Fire Department requirements shall be placed on plans in the notes section.

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

45. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approvd addresses for commercial, industrial and residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall contrast their background.

46. Multiple-family buildings require 6-inch address numbers.

Planning:

47. This Tentative Parcel Map, Development Plan and Regular Coastal Permit shall expire on March 27, 2008, unless the Planning Commission grants a time extension.

48. This Tentative Parcel Map, Development Plan and Regular Coastal Permit approves only a two-unit condominium as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division's approval. Substantial deviations shall require a revision to the Parcel Map, Development Plan and Regular Coastal Permit or a new Parcel Map, Development Plan and Regular Coastal Permit.

49. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Parcel Map P-14-05, Development Plan D-18-05 and Regular Coastal Permit RC-8-05. 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.

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

a) Provide a 16-foot (min) brown trunk height Washingtonia Robusta Palm along the street frontage.

51. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors-in-interest in the property. The maintenance program shall include normal care and irrigation of the landscaping; repair and replacement of plant materials; irrigation systems as necessary; and general cleanup of the landscaped and 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 charged to or recorded against the owner. This condition shall be recorded with the covenant required by this resolution.

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

53. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant 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.

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

55. 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.

56. Failure to meet any conditions of approval for this development shall constitute a violation of the Parcel Map, Regular Coastal Permit and Development Plan.

57. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued are required to be met by this project.

The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

58. The developer's construction of all fencing and walls associated with the project shall be in conformance with the City of Oceanside Zoning Ordinance and the approved Development Plan. Any substantial change in any aspect of fencing or wall design from the approved Development Plan shall require a revision to the Development Plan or a new Development Plan.

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

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

Plan Type	Sq.Ft.	Bedrms.	Baths	# of Units
A	2,530	4	5 1/2	1
B	2,105	3	4 1/2	1

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

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

63. The existing house shall be photographed in accordance with the OHPAC Policy 1.

Water Utilities:

67. 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.

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

69. The property owner will maintain private water and wastewater utilities located on private property.

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

71. 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.

72. 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 Uniform Plumbing Code (U.P.C.).

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

74. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual.

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

PASSED AND ADOPTED Resolution No. 2006-P12 on March 27, 2006 by the following vote, to wit:

AYES: Neal, Nack, Todd, Horton, Parker

NAYS: None

ABSENT: Chadwick, Schaffer

ABSTAIN: None

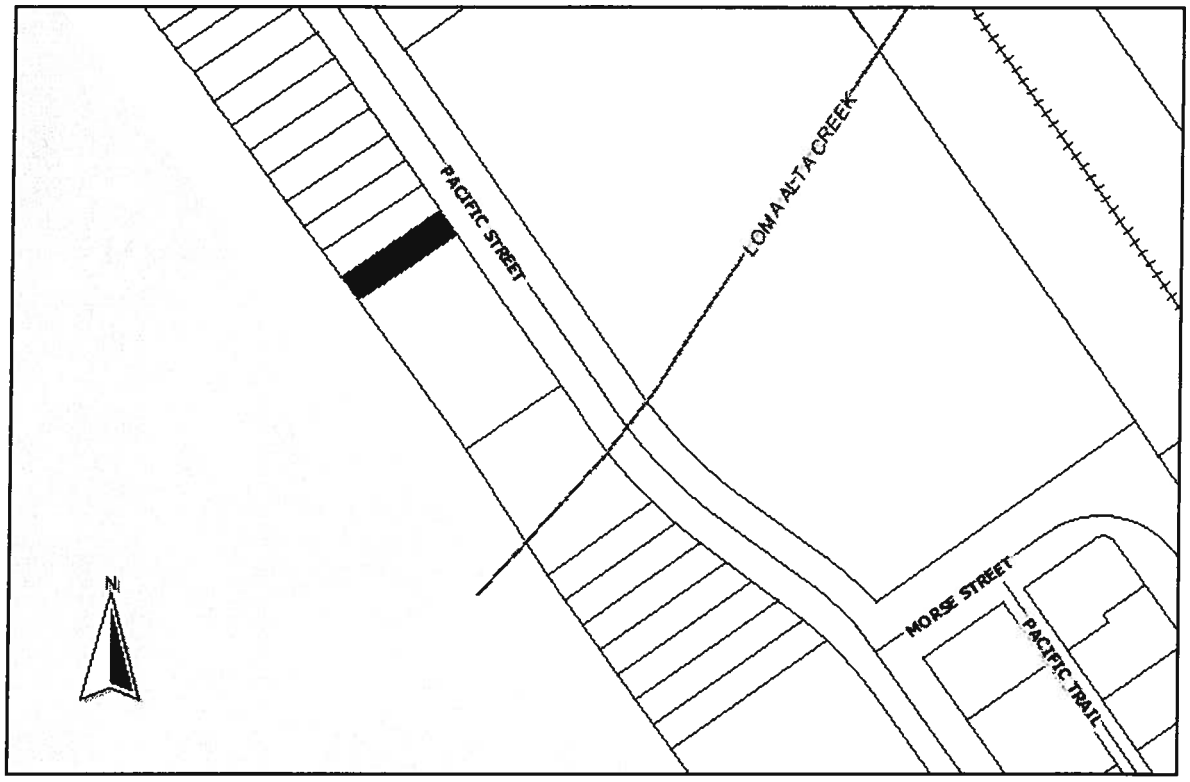
Nancy Chadwick, Chairperson
Oceanside Planning Commission

ATTEST:

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2006-P12.

Dated: March 27, 2006



File Number: RC-6-09

Applicant: 1443 So. Pacific LLC.

Description:

REGULAR COASTAL PERMIT (RC-6-09) to permit the remodel of an existing duplex to add 1217 square feet of habitable space on the third story in lieu of the existing roof deck and new deck area to the westward portion of the home. The project site is zoned RT (Residential Tourist District) and is within the South Oceanside Neighborhood and the Coastal Zone. – **1443 S. PACIFIC REMODEL**

Environmental Determination:

The project qualifies for a Class 3 Categorical Exemption for new construction pursuant to Section 15303 (b) of the California Environmental Quality Act.

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

Date: January 8, 2010

Public Hearing Coastal Permit
Identification No. RC-6-09

NOTICE OF PUBLIC HEARING
COASTAL DEVELOPMENT PERMIT

This is a notice to you as an interested party that the City of Oceanside Planning Commission will hold a public hearing on the Coastal Permit application of Paul Longton-1443 So. Pacific LLC. This application was received on September 28, 2009. The application is described as follows:

To permit the remodel of an existing duplex to add 1217 square feet of habitable space on the third story in lieu of the existing roof deck and new deck area to the westward portion of the home.

The project site is zoned RT (Residential Tourist District) and is within the South Oceanside Neighborhood and the Coastal Zone.

Said hearing will be held on January 25, 2010, at 7:00 p.m. in the Council Chamber of City Hall, 300 North Coast Hwy., Oceanside, California at which time and place any and all interested persons may appear and be heard. Interested persons may contact the Planning Division at (760) 435-3520 after January 20, 2010, to be informed of the place on the agenda and the approximate time of hearing.

If you have any questions or comments regarding this matter, or want to be notified of the decision, contact the Project Planner (Scott Nightingale) at (760) 435-3526 / snightingale@ci.oceanside.ca.us. Written comments may be submitted prior to the hearing and will be made part of the public record and provided to the Planning Commission.

If you disagree with the decision of the Planning Commission concerning this project's conformance to the Local Coastal Plan, you may appeal the decision to the City Council. The appeal, accompanied by the appropriate fee must be filed in the City Clerk's Office, 300 North Coast Hwy., Oceanside, no later than 5:00 p.m. on February 4, 2010 (10 days from the adoption of the Planning Commission Resolution).

The project is "appealable" to the California Coastal Commission under Section 30603(a) of the California Public Resources Code. An aggrieved person may appeal the decision to the Coastal Commission within ten (10) working days following the Commission receipt of the Notice of Final Action on this project. The Notice of Final Action is mailed after the City's last action, such as Planning Commission resolution, Community Development Commission resolution (for projects in the Redevelopment Area), or City Council resolution (for projects involving a zone change or which resulted in a local appeal). Please contact the Planning Department at (760) 435-3520 for this information.

Appeals must be in writing. The Coastal Commission, San Diego District Office is at 7575 Metropolitan Dr, Ste. 103, San Diego, CA 92108-4402. The phone number is (619) 767-2370.

1443 S. Pacific Remoo

Application for Public Hearing

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

STAFF USE ONLY	
ACCEPTED 9/28/09	BY SH.

Please Print or Type All Information

HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	
DEV. PL.	
C.U.P.	
VARIANCE	
COASTAL	RC-6-09
O.H.P.A.C.	

PART I – APPLICANT INFORMATION

1. APPLICANT: 1443 So. Pacific, LLC	2. STATUS: Owner
3. ADDRESS: 1355 Stratford Ct. Del Mar, CA 92014	4. PHONE/FAX/E-mail 760 419.4991
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing): Paul Longton	
6. ADDRESS: 2909 Mesa Dr, O'Side	7. PHONE/FAX/E-mail 760 722.4904

PART II – PROPERTY DESCRIPTION

8. LOCATION: 1443 S. Pacific St.			9. SIZE: 4,072 SF
10. GENERAL PLAN	11. ZONING: RT	12. LAND USE: Residential	13. ASSESSOR'S PARCEL NUMBER: 153.012.48.00

PART III – PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
3rd Story Addition to an existing upper unit of a duplex

15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING: No Change	17. PROPOSED LAND USE: No Change	18. NO. UNITS: 2	19. DENSITY: 21.4 DU/Acre
20. BUILDING SIZE	21. PARKING SPACES: 4	22. % LANDSCAPE: 0	23. % LOT COVERAGE or FAR: 55 %	

PART IV – ATTACHMENTS

24. DESCRIPTION/JUSTIFICATION	25. LEGAL DESCRIPTION	26. TITLE REPORT
27. NOTIFICATION MAP & LABELS	28. ENVIRONMENTAL INFO FORM	29. PLOT PLANS
30. FLOOR PLANS AND ELEVATIONS	31. CERTIFICATION OF POSTING	32. OTHER (See attachment for required reports)

PART V – SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print): Paul Longton	34. DATE: 9/16/09	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).
Sign:	35. OWNER (Print): Ken Margulis Managing Partner	36. DATE: 9/17/09
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.	Sign: Ken Margulis	

South Oceanside Neighborhood Scott

Description & Justification
For An Addition to One Unit
An Existing Duplex
At
1443 S Pacific St, Oceanside, 92054

September 29, 2009
Owner: 1443 South Pacific, LLC

Statistics at a glance

Address –	1443 S Pacific St
APN –	153-012-48-00
Zoning –	RT
Proposed zoning –	No Change
Lot Size –	4,072 SF (.093 Acres)
Existing Land Use –	Duplex
Proposed Land Use –	No change
Number of units –	2
Density/acre –	21.4 units/acre
Existing lot coverage -	55%
Proposed Lot Coverage	No change

Existing Building Size:

Beach (Basement) Level	805 SF
First Floor (Entry)	1930 SF
Second Floor	1900 SF
Total Existing Habitable	4635 SF

Existing Decks

Beach Basement	0 SF
First Floor	209 SF
Second Floor	319 SF
Roof	118 SF
Total Existing Deck	647 SF

Received
SEP 28 2009
Planning Division

LEGAL DESCRIPTION

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

PARCEL 1 OF PARCEL MAP NO. 20419, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDS OF SAID COUNTY.

APN: 153-012-48-00

NOTICE OF EXEMPTION
City of Oceanside, California

Post Date:	1/25/10
Removal:	06/28/2010
(180 days)	

1. **APPLICANT:** 1443 So. Pacific LLC
2. **ADDRESS:** 1443 S. Pacific Street
3. **PHONE NUMBER:** (760) 419-4991
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** RC-6-09- 1443 S. Pacific Street Remodel
7. **DESCRIPTION:** A Regular Coastal Permit to construct a third story and new westward deck in lieu of the existing rooftop deck and cupola, located at 1443 South Pacific Street. The project site is zoned RT (Residential Tourist) and is situated within the South Oceanside Neighborhood and the Coastal Zone.

ADMINISTRATIVE DETERMINATION: Planning Division 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:

[x] The project is categorically exempt, Class __3__, for New Construction, Section 15303 (b); or,

[ ] "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 , <name> (Sections 15260-15277); or,

[ ] The project does not constitute a "project" as defined by CEQA (Section 15378).

Scott Nightingale, Acting Associate Planner

Date: January 25, 2010

cc: [x] Project file [x] Counter file [x] Library Posting: [ ] County Clerk $50.00 Admin. Fee