



DATE: October 25, 2010 (Continued from September 27, 2010 public hearing)

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC-2-06) TO ALLOW REPLACEMENT OF THE EXISTING WOOD TRIM SIDING TO A STUCCO FINISH AND TO ALLOW AN EXISTING OPEN FRONT BALCONY TO BE ENCLOSED AT AN EXISTING RESIDENCE LOCATED AT 1639 SOUTH PACIFIC STREET – MACDONALD RESIDENCE – APPLICANT: JOHN MACDONALD**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3, Categorical Exemption per Section 15303 "New construction or of small structures" of the California Environmental Quality Act; and
- (2) Approve Regular Coastal Permit (RC-2-06) by adopting Planning Commission Resolution No. 2010-P32 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The project site is situated within the South Oceanside Neighborhood, west of South Pacific Street and exists with an attached 3,981-square foot single-family residence with an attached two-car garage constructed in 1990.

The proposed project was continued from the September 27, 2010, Planning Commission meeting to allow the applicant to redesign the project in accordance with comments received from the Commissioners. The applicant subsequently met with City Staff to explore various design options. It was concluded that an off-set of five feet from the building façade would not provide needed interior space, but a one foot off-set would provide some articulation on the building façade while meeting the homeowners needs.

Site Review: The site is zoned RT (Residential Tourist) and has a land use designation of Urban High Density Residential (UHD-R). The underlying neighborhood district is South Oceanside and surrounding land uses include: Urban High Density Residential homes (RH-U) to the East, Residential Single-Family Tourist (RT) homes to the south and north, and the Pacific Ocean to the west.

The site is relatively flat at the street level and slopes down at the southwestern portion of the property towards the Pacific Ocean. The subject residence is located on a 7,191-square foot lot that shares a common wall at the property line with the adjoining neighboring home located to the north. The property is located at 1639 South Pacific Street and is surrounded by similar type of single-family developments.

Project Description: The project application is comprised of the following required entitlement:

Regular Coastal Permit (RC-2-06) represents a request for the following:

The project involves enclosing an existing 82-square foot second floor balcony to enable additional den space and removal of the existing wood trim siding to be replaced with smooth trough stucco wall finish. The balcony conversion to living space would be designed with materials and colors consistent with those of the existing residence. The project, as revised proposes building face that will be setback one foot from the eastern elevation and will be designed with similar stone veneer wall coverings around the base of the second level. An architectural roof element designed with a similar pitch and materials of the existing residence's roof would be constructed above the garage at the existing balcony's over hang at the south eastern elevation. The replacement of the cedar shake tile roof with a newer and more weather resistance cedar roofing material that will be required to meet all current fire codes.

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 (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan

The General Plan Land Use Map designation on the subject property is Urban High Density Residential (UHD-R). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

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 improvements to the existing residence at 1639 South Pacific Street have been analyzed for architectural consistency with the existing residence and surrounding neighborhood. All architectural features proposed will be consistent with the overall design of the existing home. Staff has surveyed the neighboring properties, and found that many of the surrounding homes along the coast share similar east facing elevations and stucco wall finishes. The applicant has stated that the stucco wall finish is necessary to help prevent weathering from the coastal air and salt. The proposed addition will also be off-set a minimum of one foot from the front building façade.

Goal 1.32: Coastal Zone

Objective: To provide for the conservation of the City's coastal resources and fulfill the requirements of the California Coastal Act of 1976.

Policy A: The City shall utilize the certified Local Coastal Plan (LCP) and supporting documentation for review of all proposed projects within the Coastal Zone. Specifically, the goals and policies of the Local Coastal Program Land Use Plan shall be the guiding policy review document.

The proposed project was reviewed by staff for compliance with the policies of the Local Coastal Program Land Use Plan. Staff finds that the application complies with said policies in the Local Coastal program, such as compliance development regulations and compatibility with the character of the surrounding areas, pursuant to Section 30251 of the Local Coastal Program.

2. Zoning Compliance

This project is located in the Residential Tourist District (RT) and complies with the requirements of that zone. All improvements will be in compliance with the Zoning Ordinance.

3. Local Coastal Program compliance

The proposed project is within the appeal jurisdiction of the Local Coastal Program 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. The proposed project meets all land use compatibility criteria in the LCP.

DISCUSSION

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

Recommendation: Staff finds that the improvements to the property are consistent with the existing residence and would be consistent with the surrounding neighborhood, in terms of building design and materials. The existing second story deck fronting South Pacific Street would be converted to living space, and would incorporate a design that is compatible with the adjacent residential properties. The change from wood trim siding to stucco will be compatible with other homes in the neighborhood.

ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and the project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 3 15303 (e), Categorical Exemption "Accessory Structures"

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius and occupants within a 100-foot radius of the subject property, individuals and or organizations requesting notification, the applicant, and other interested parties. As of October 18, 2010, no communication supporting or opposing the request had been received.

SUMMARY

Regular Coastal Permit (RC-2-06) is consistent with the requirements of the Zoning Ordinance, the land use policies of the General Plan, and the policies of the Local Coastal Program. The project's architecture is compatible with the surrounding neighborhood and

the existing residence. 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:

- Confirm issuance of Class 3, Categorical Exemption for Accessory Structures of the California Environmental Quality Act.
- Move to approve Regular Coastal Permit RC-2-06 and adopt Planning Commission Resolution No. 2010-P32 as attached.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



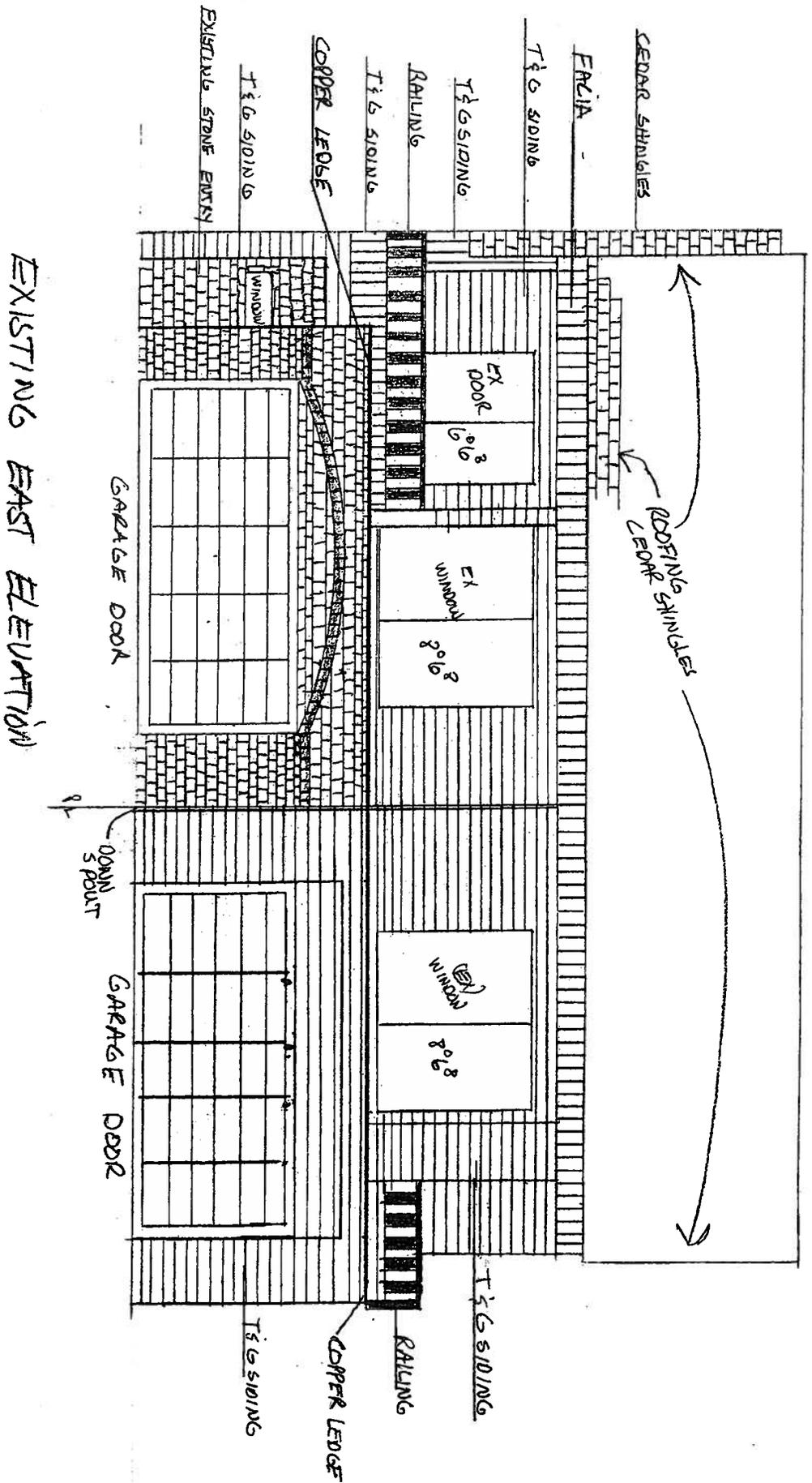
Jerry Hittleman
City Planner

JH/SN/fil

Attachments:

1. Site Map
2. Planning Commission Resolution No. 2010-P32

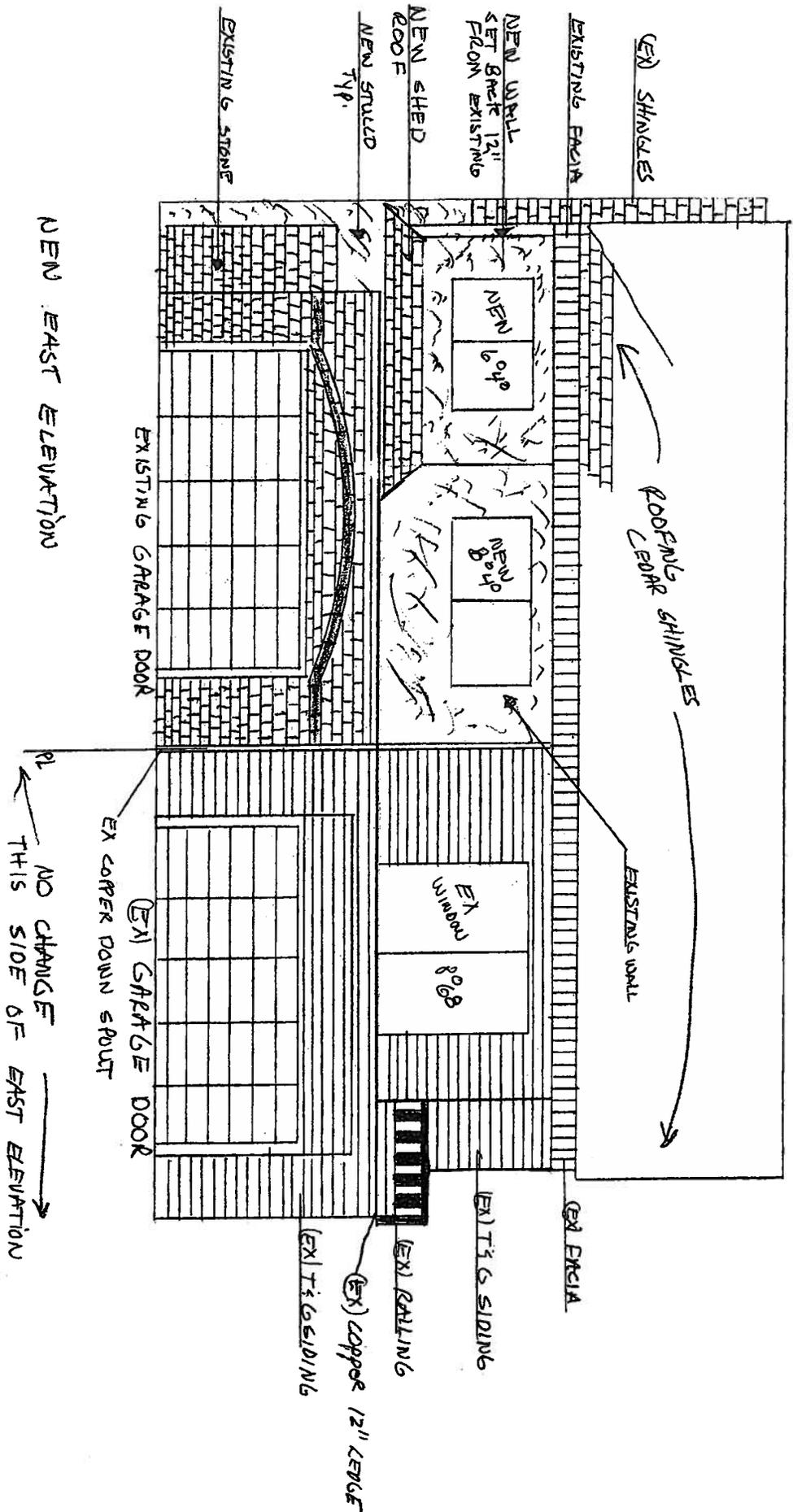
MAC DONALD 1639 South Pacific St



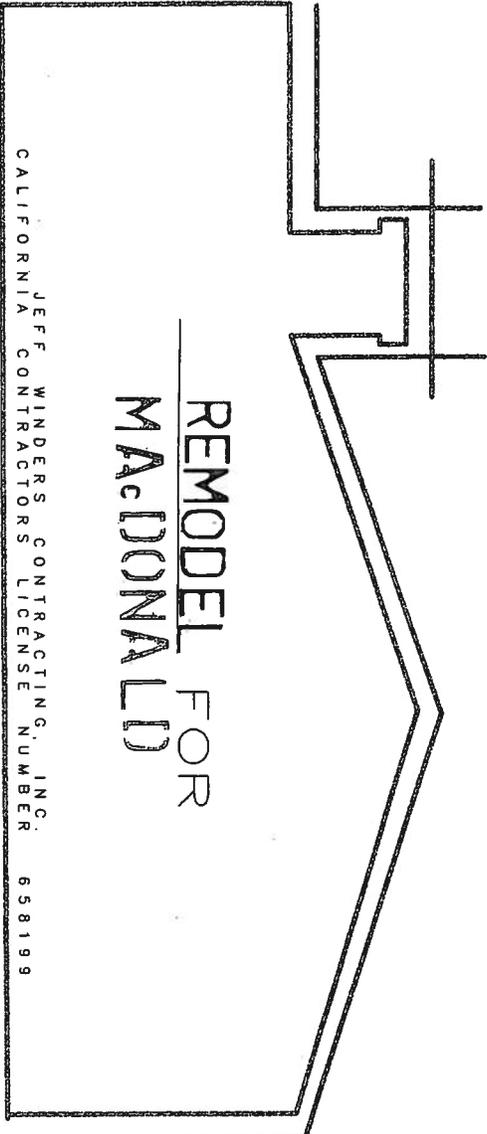
EXISTING EAST ELEVATION

EXISTING

MACDONALD 1639 South Pacific St



PROPOSED



REMODEL FOR MACDONALD

CALIFORNIA JEFF WINDERS CONTRACTING, INC. LICENSE NUMBER 6581999

OWNER
MACDONALD
1637 SOUTH HAZLE ST.
OCEANSIDE CA
(760) 962-8009

GENERAL CONTRACTOR
JEFF WINDERS CONTRACTING, INC.
U.F. # 658199
P.O. BOX 1520
LAGUNA BEACH, CA 92652
(949) 376-1528

SHEET INDEX

- A-1 COVER SHEET - BUILDING DATA - NOTES
- A-2 SITE PLAN
- A-3 EXISTING LOWER FLOOR PLAN
- A-4 EXISTING MAIN FLOOR PLAN
- A-5 EXISTING UPPER FLOOR PLAN
- A-6 EXISTING ASBESTOS ELEVATION
- A-7 NEW NORTH ELEVATION
- A-8 EXISTING & NEW EAST ELEVATION
- A-9 EXISTING WEST ELEVATION
- A-10 NEW WEST ELEVATION
- A-11 NEW UPPER LEVEL FLOOR PLAN
- A-12 NEW AND EXISTING FOOTING PLAN
- A-13

- PROJECT SCOPE**
- 1) REPLACE EXISTING DOORS AND WINDOWS
 - 2) REMOVE EXISTING TR & WOOD SIDING AND REPLACE WITH STUCCO
 - 3) REMOVE EXISTING CEILING, CHANGING IN FLOOR LEVEL, IN KIND
 - 4) ENCASE EXISTING DOWN UPPER FLOOR

BUILDING DEPARTMENT NOTES

NO NEW SQUARE FOOTAGE ADDED TO BUILDING FOOTPRINT
LET CONFORM TO EXISTING DIMENSIONS

EXISTING SQUARE FOOTAGE:
1st FLOOR 1,450 SQ. FT. / 1,450
2nd FLOOR 1,450 SQ. FT. / 1,450
3rd FLOOR 1,450 SQ. FT. / 1,450
TOTAL 4,350 SQ. FT.

NEW SQUARE FOOTAGE:
1st FLOOR 1,450 SQ. FT.
2nd FLOOR 1,450 SQ. FT.
3rd FLOOR 1,450 SQ. FT.
TOTAL 4,350 SQ. FT.

BUILDING CODES

THE PROJECT SHALL COMPLY WITH THE FOLLOWING CODES:
2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA FIRE PREVENTION CODE
2019 CALIFORNIA ENERGY CODE

TITLE 24 ENERGY NOTATIONS

PERMITS IN CALIFORNIA ARE ISSUED UNDER THE PROVISIONS OF THE CALIFORNIA ENERGY EFFICIENCY ACT (CEEA), TITLE 24, PART 01, CHAPTER 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND FOR COMPLYING WITH ALL REQUIREMENTS OF TITLE 24, PART 01, CHAPTER 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND FOR COMPLYING WITH ALL REQUIREMENTS OF TITLE 24, PART 01, CHAPTER 1.

NPDES NOTATION

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND FOR COMPLYING WITH ALL REQUIREMENTS OF THE NPDES ACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND FOR COMPLYING WITH ALL REQUIREMENTS OF THE NPDES ACT.

LIFE SAFETY

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND FOR COMPLYING WITH ALL REQUIREMENTS OF THE LIFE SAFETY ACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND FOR COMPLYING WITH ALL REQUIREMENTS OF THE LIFE SAFETY ACT.

PROJECT DATA

PROJECT NO. 153-091-43
DATE 1/15/20

LEGAL DESCRIPTION

SPECIAL INSPECTIONS
POST TENSION NOTATION

| NO. | REVISION | DATE |
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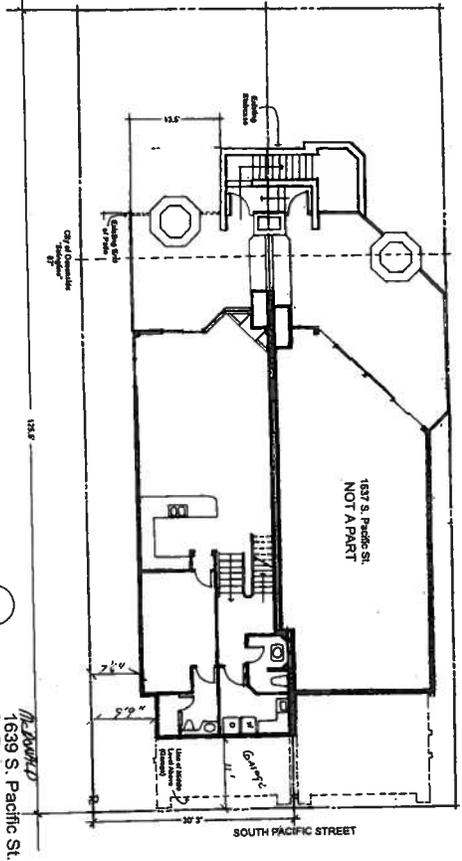
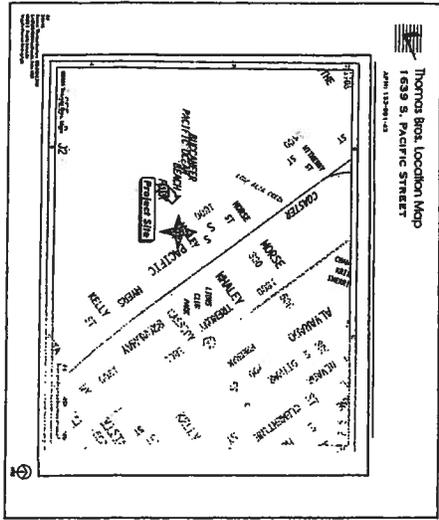
JEFF WINDERS CONTRACTING, INC.
GENERAL CONTRACTORS LIC. 658199
P.O. BOX 1520
LAGUNA BEACH, CA 92652
(949) 376 1628 OFFICE & FAX
WINDERSCONTRACTING@COX.NET

E. O. R. STUDIO

| | |
|--------------|----|
| CONTRACT NO. | |
| SHEET NO. | C1 |

VICINITY MAP

VICINITY MAP



LEGAL DESCRIPTION
 LOT #
 TRACT #
 APP # 153-091-43

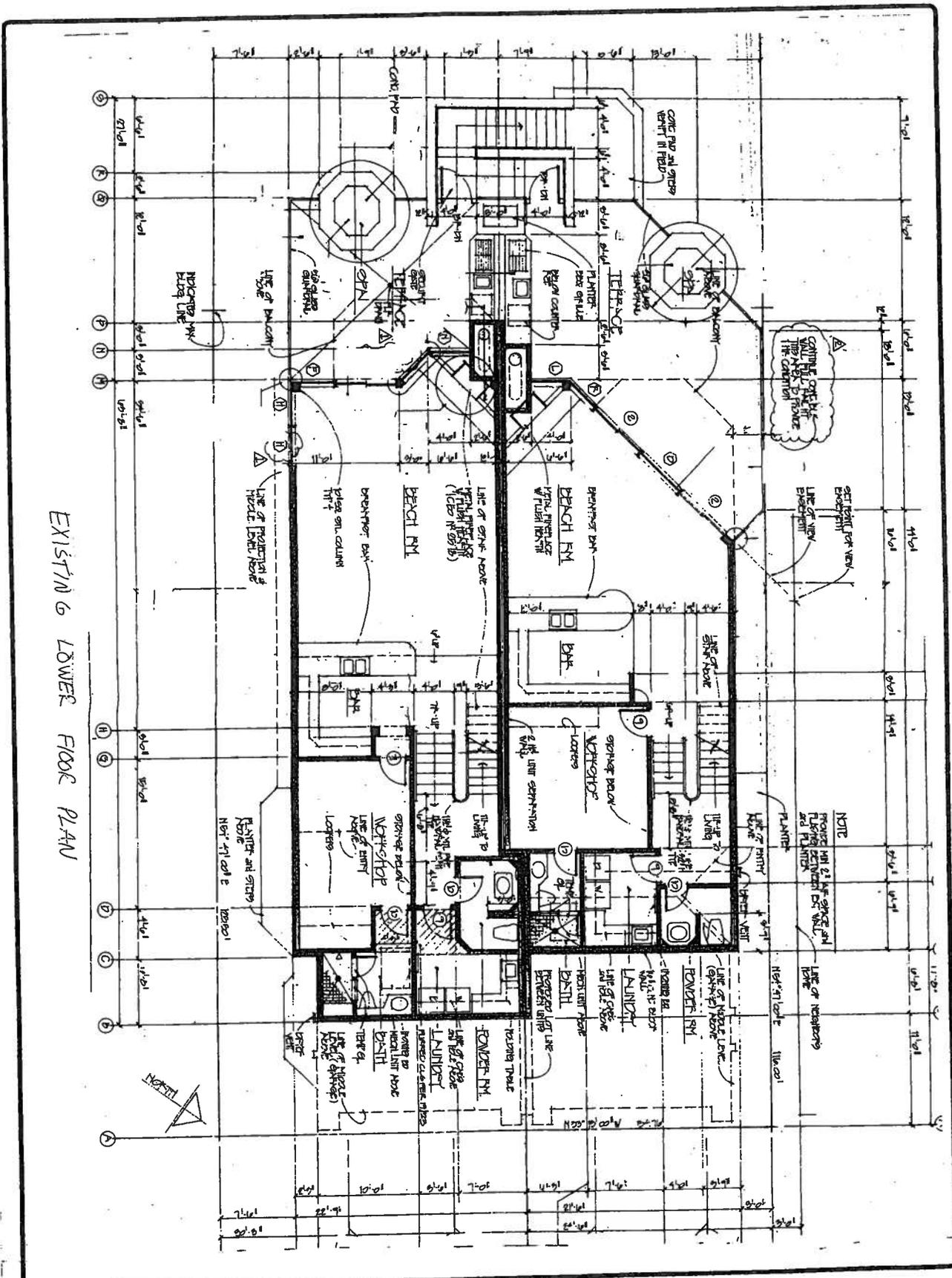
| | |
|----------|----------|
| DATE | APPROVED |
| 10/30/70 | |
| PROJECT | |
| DATE | |

MACDONALD RESIDENCE
 1639 SOUTH PACIFIC ST
 OCEANSIDE CA
 (760) 967-8054

- 1) REPLACE EXISTING WOOD SIDING WITH STUCCO
- 2) REPLACE EXISTING EXTERIOR DOORS AND WINDOWS IN-KIND
- 3) REPLACE EXISTING ROOF USING 40 YEAR COMP SHINGLE

JOHN WINDERS CONTRACTING, INC.
 "There are no problems, only solutions!"
 CUSTOM HOMES AND REMODELS
 164, Box 889
 Laguna Beach, CA 92650
 (949) 761-8225
 www.johnwinders.com

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EXISTING LOWER FLOOR PLAN

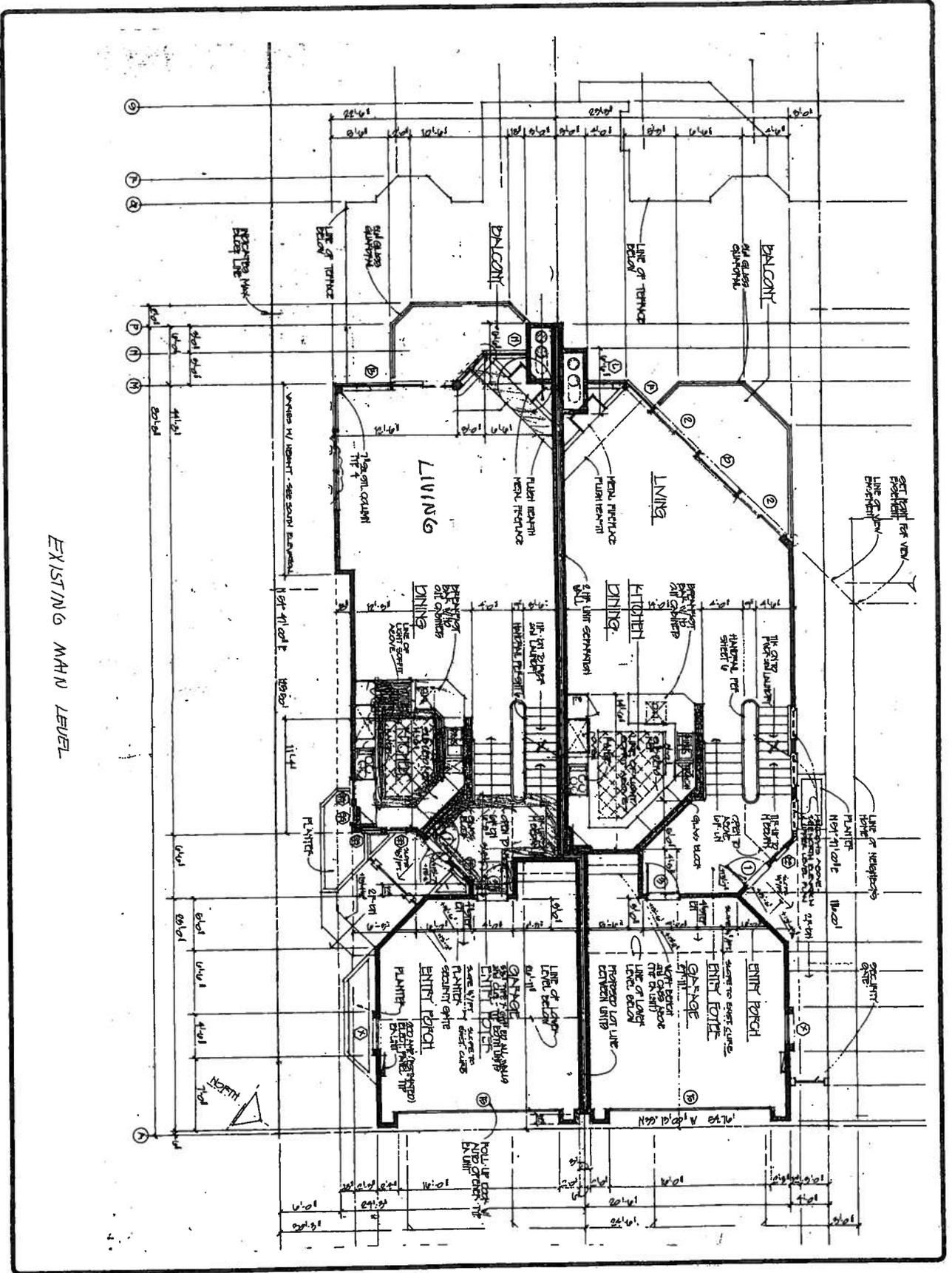
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| NO. | DATE | BY | REVISION |
| A-2 | 06-28-2010 | YK | |

MACDONALD RESIDENCE
 1639 SOUTH PACIFIC ST.
 OCEANSIDE CA
 (760) 967-8054

EXISTING LOWER LEVEL

JERRY WINDLER CONTRACTING, INC.
 "There are no problems, only solutions!"
 CUSTOM HOMES AND REMODELS
 641 East 21st Street, Suite 100
 Vista, CA 92081

| | | | |
|-----|------|----|----------|
| NO. | DATE | BY | REVISION |
| | | | |



EXISTING MAIN LEVEL

A-3

DATE: 06-25-2010
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]

MACDONALD RESIDENCE
 1639 SOUTH PACIFIC ST
 OCEANSIDE CA
 (760) 967-8054

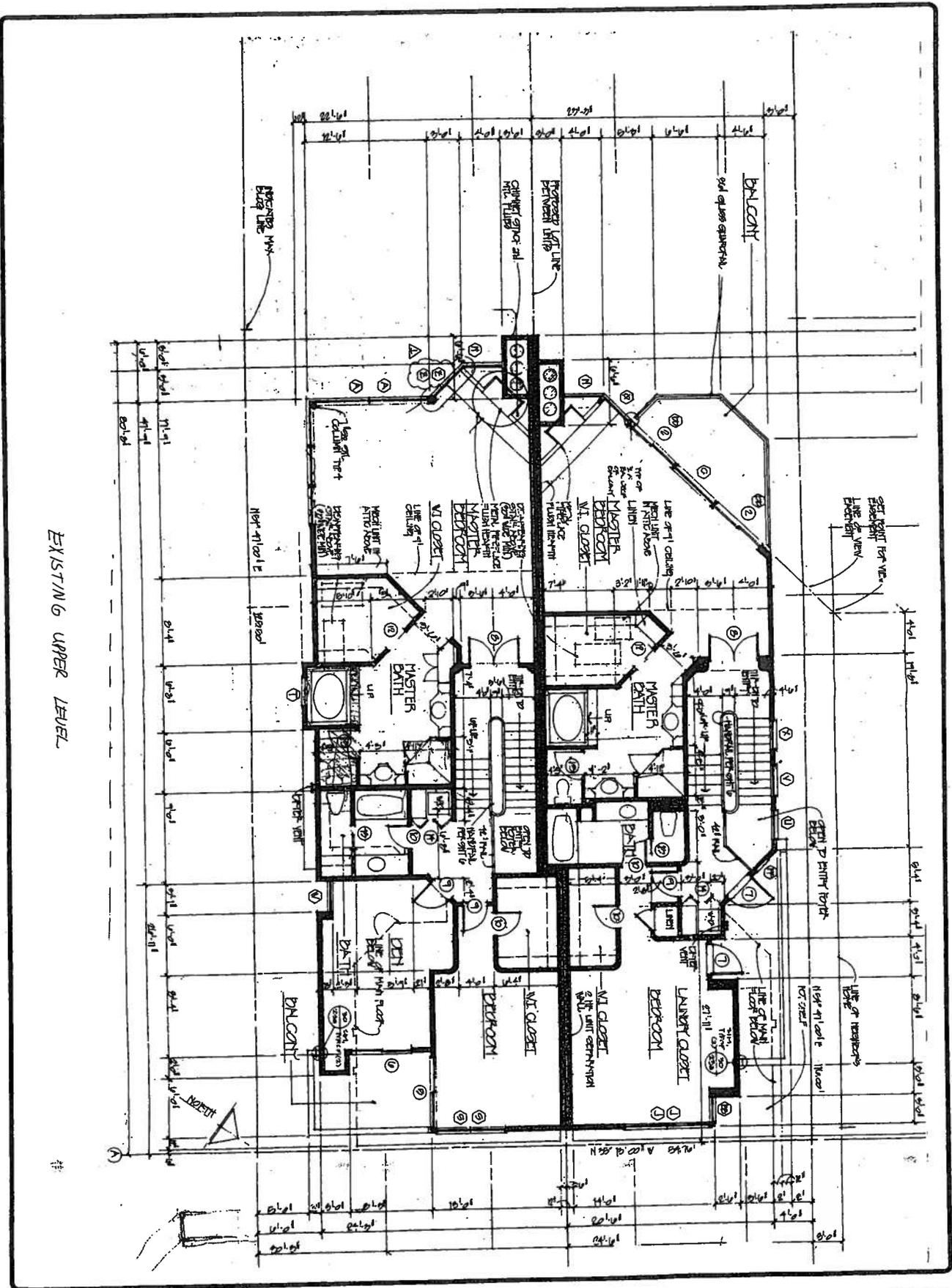
EXISTING MAIN FLOOR

JEFF PANDRO CONTRACTORS, INC.

"There are no problems, only solutions!"
 CUSTOM HOMES AND REMODELS

1000 W. 10th Street, Suite 200
 San Diego, CA 92161

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EXISTING UPPER LEVEL

A-4
 DATE: 04/01/2004
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

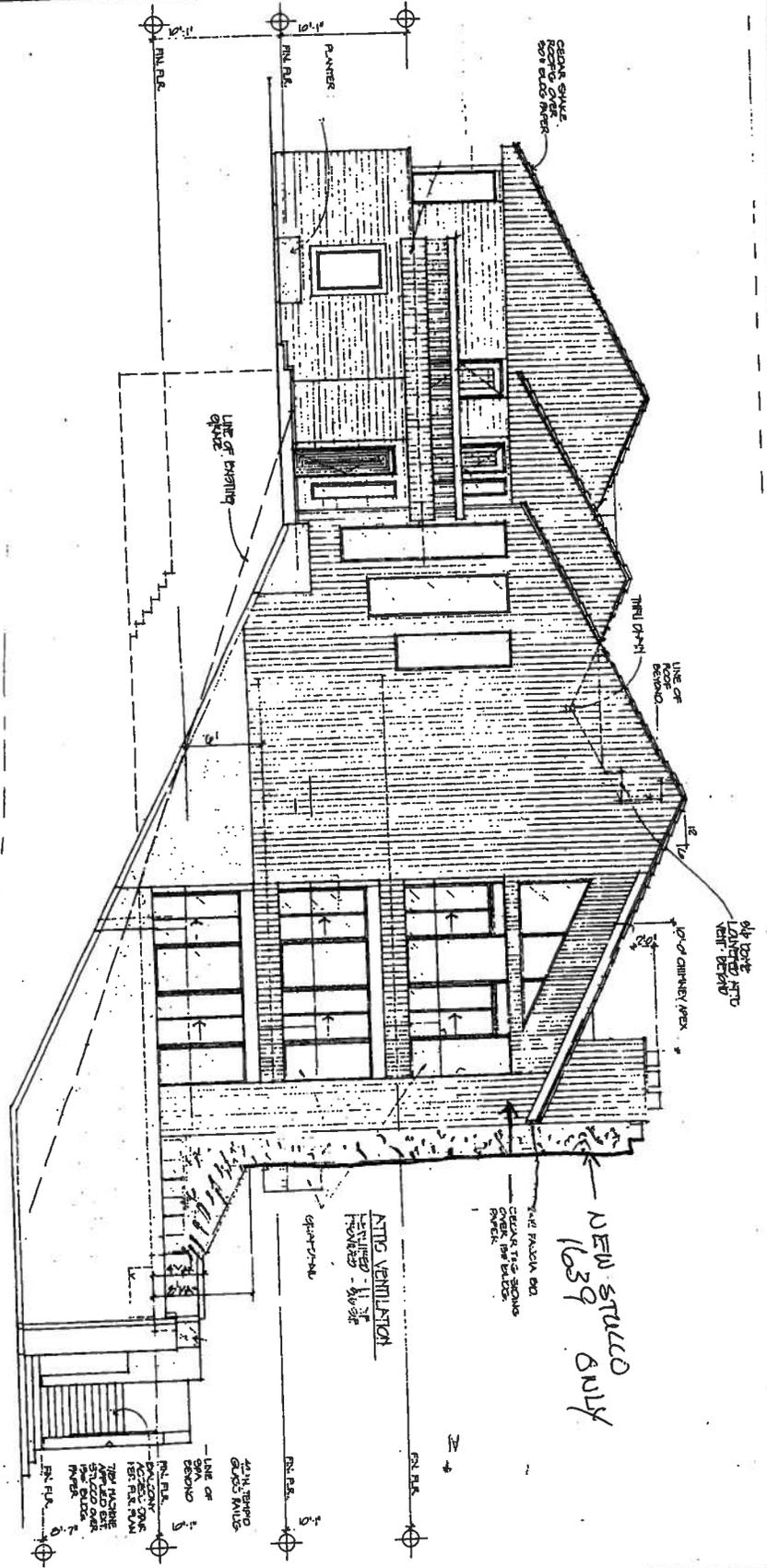
MACDONALD RESIDENCE
 1639 SOUTH PACIFIC ST.
 OCEANSIDE CA.
 (760) 967-8054

EXISTING UPPER LEVEL

JEFF HINDS
 CONTRACTING, INC.
 "There are no problems, only solutions"
 CUSTOM HOMES AND REMODELS
 681 So. 11th St.
 Laguna Beach, CA 92653
 (949) 261-8828

| | |
|-----|----------|
| NO. | REVISION |
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NEW NORTH ELEVATION



| | | |
|-----|------------|-------------|
| NO. | DATE | DESCRIPTION |
| A-6 | 06-20-2000 | REVISED |
| | 07-21-2000 | REVISED |
| | 08-21-2000 | REVISED |

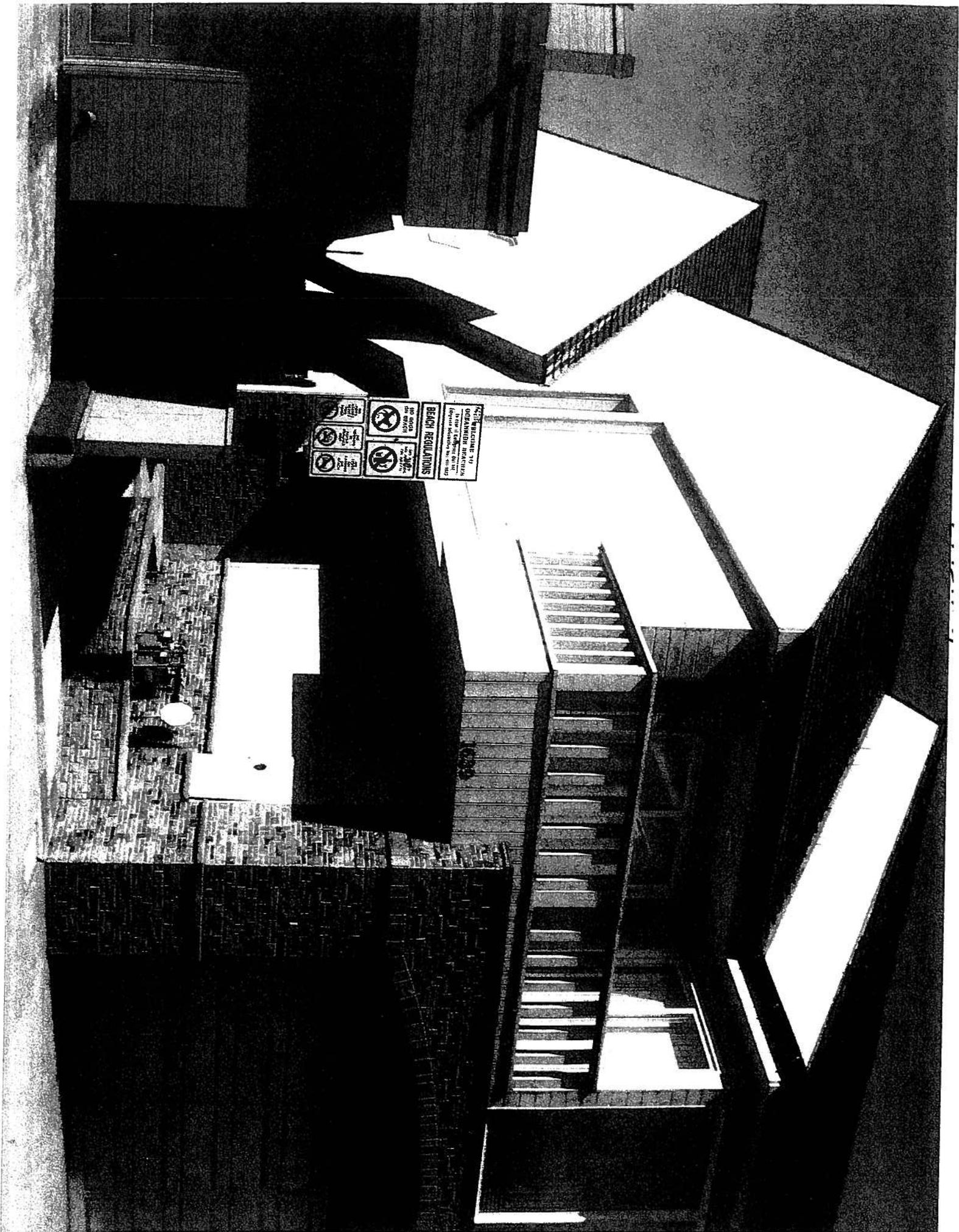
MACDONALD RESIDENCE
 1039 SOUTH PACIFIC ST
 OCEANSIDE CA
 (760) 967-8054

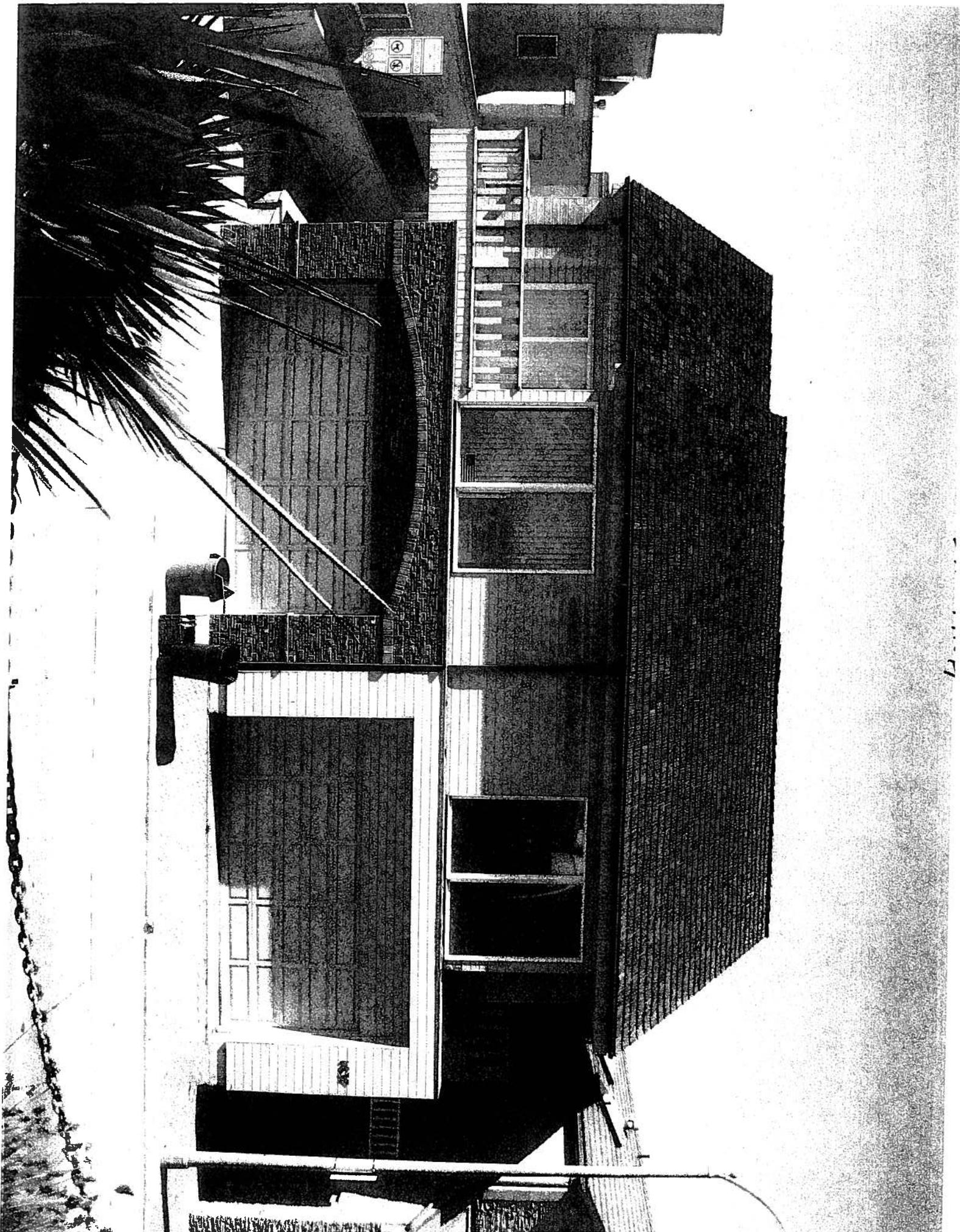
NEW NORTH ELEVATION



11500 S. Bay Blvd
 Laguna Hills, CA 92653
 (714) 261-2222
 www.jeffhenders.com

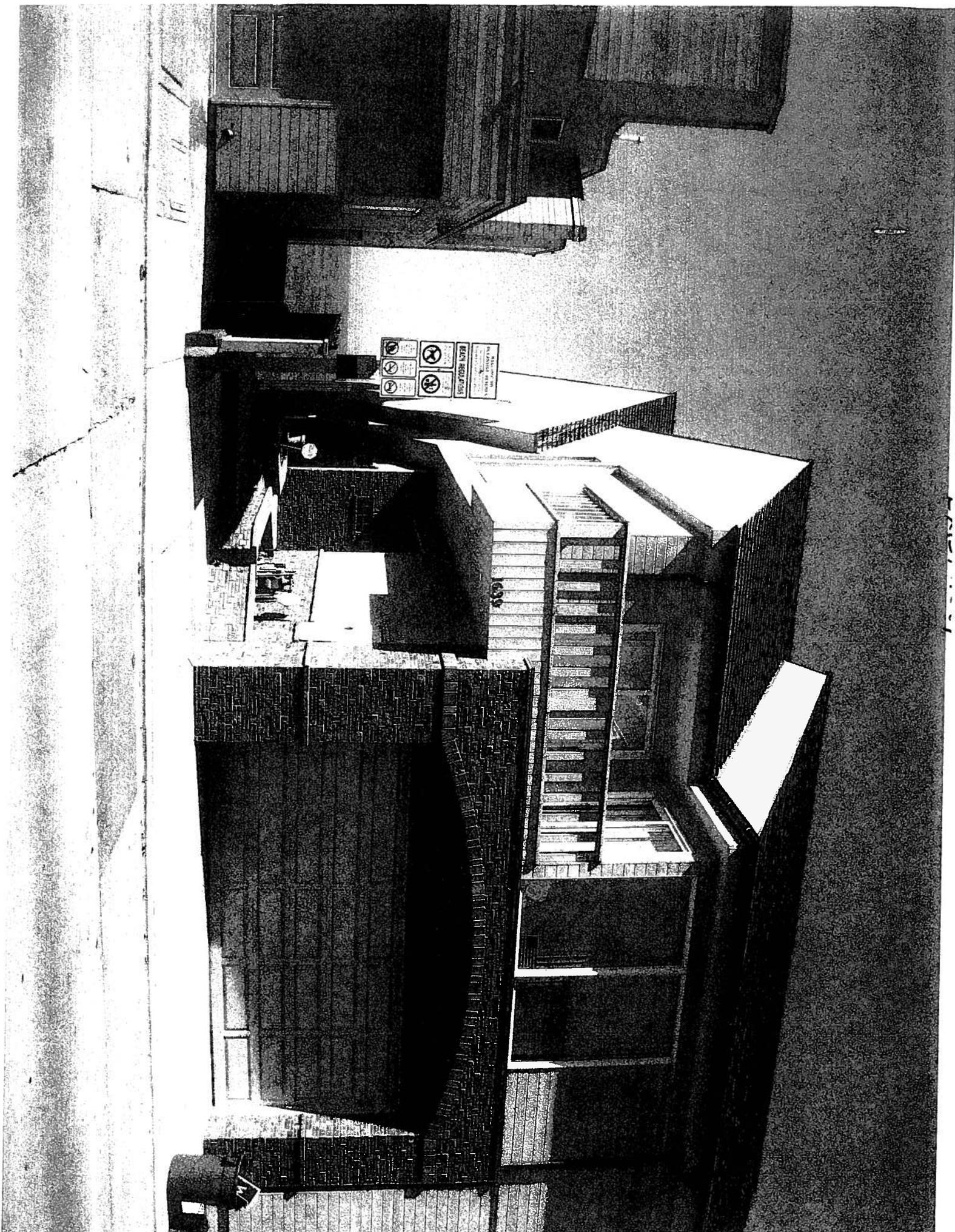
| | | |
|-----|------|-------------|
| NO. | DATE | DESCRIPTION |
| | | |
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Two small, illegible signs or notices posted on the wall.

Handwritten text, possibly a page number or reference code, located on the right edge of the page.



1 PLANNING COMMISSION
2 RESOLUTION NO. 2010-P32

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

6 APPLICATION NO: RC-2-06
7 APPLICANT: John MacDonald
8 LOCATION: 1639 South Pacific Street

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Regular Coastal Permit (RC-2-06) under the provisions
13 of Article 32 of the Zoning Ordinance of the City of Oceanside to permit the following:

14 the conversion of an existing open second story balcony to living space by enclosing the
15 balcony and the removal of the wood siding to allow a stucco wall finish;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 25th day
18 of October, 2010 conduct a duly advertised public hearing as prescribed by law to consider said
19 application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; this project has been found to be exempt per Article 19, Section 15303 (b) from
22 environmental review;

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 /////

30 /////

| 1 | Description | Authority for Imposition | Current Estimate Fee or Calculation Formula |
|----|---|---|---|
| 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 | Depends on area (range is \$2,843-\$15,964 per acre) |
| 6 | | | |
| 7 | 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 |
| 8 | | | |
| 9 | | | |
| 10 | 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) |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
| 15 | 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) |
| 16 | | | |
| 17 | | | |
| 18 | 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. |
| 19 | | | |
| 20 | | | |
| 21 | | | |
| 22 | 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. |
| 23 | | | |
| 24 | | | |
| 25 | 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. |
| 26 | | | |
| 27 | | | |
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1 WHEREAS, the current fees referenced above are merely fee amount estimates of the
2 impact fees that would be required if due and payable under currently applicable ordinances and
3 resolutions, presume the accuracy of relevant project information provided by the applicant, and
4 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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

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

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

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

19 FINDINGS:

20 For the Regular Coastal Permit:

- 21 1. The proposed replacement of the wood siding to a stucco wall finish and the to allow an
22 existing single-family residence's open front balcony to be enclosed at 1639 South
23 Pacific Street is consistent with the land use policies of the Local Coastal Program as
24 implemented through the Zoning Ordinance. Specifically, the project will not
25 substantially alter or impact existing public views of the coastal zone area and the
26 physical aspects of the project are consistent with existing development on neighboring
27 sites.
- 28 2. The proposed improvements will not obstruct any existing, planned, or required public
29 beach access; therefore, the project is in conformance with the policies of Chapter 3 of
the Coastal Act.

1 3. The project will not result in the loss of any on street public parking spaces, as the 82-
2 square foot open patio conversion to living space would be within the existing foot print
3 of the existing home and it will not trigger additional parking or take away from the
4 existing parking fronting the project site.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 approve Regular Coastal Permit (RC-2-06) subject to the following conditions:

7 **Building:**

- 8 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
9 Building Division plan check. (As of January 1, 2008 the 2007 California Building
10 Code, and 2007 California Electrical Code)
- 11 2. The granting of approval under this action shall in no way relieve the
12 applicant/project from compliance with all State and Local building codes.
- 13 3. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
14 plans.
- 15 4. The developer shall monitor, supervise and control all building construction and
16 supporting activities so as to prevent these activities from causing a public nuisance,
17 including, but not limited to, strict adherence to the following:
- 18 a) Building construction work hours shall be limited to between 7:00 a.m. and
19 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00
20 p.m. for work that is not inherently noise-producing. Examples of work not
21 permitted on Saturday are concrete and grout pours, roof nailing and activities
22 of similar noise-producing nature. No work shall be permitted on Sundays and
23 Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day,
24 Thanksgiving Day, Christmas Day) except as allowed for emergency work
25 under the provisions of the Oceanside City Code Chapter 38 (Noise
26 Ordinance).
- 27 b) The construction site shall be kept reasonably free of construction debris as
28 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
29 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.

1 5. For all new construction, setbacks and Type of Construction must comply with the
2 2007 California Building Code. New Exterior openings less than five feet from the
3 property line must be protected per table 704.8 of the CBC. New Exterior walls less
4 than five feet to the property line must be one hour rated per Table 602 of the CBC.

5 **Fire:**

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

7 **Planning:**

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

10 8. This Regular Coastal Permit approves the conversion of an existing open second story
11 balcony to living space by enclosing the balcony and the removal of the wood siding to
12 allow a stucco wall finish, as presented to the Planning Commission for review and
13 approval. No deviation from these approved plans and exhibits shall occur without
14 Planning Division approval. Substantial deviations shall require a revision to the Regular
15 Coastal Permit or a new Regular Coastal Permit.

16 9. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
17 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
18 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
19 annul an approval of the City, concerning Regular Coastal Permit (RC-2-06). The City
20 will promptly notify the applicant of any such claim, action or proceeding against the
21 City and will cooperate fully in the defense. If the City fails to promptly notify the
22 applicant of any such claim action or proceeding or fails to cooperate fully in the
23 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
24 harmless the City.

25 10. Prior to the issuance of building permits, compliance with the applicable provisions of the
26 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
27 and approved by the Planning Division. These requirements, including the obligation to
28 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
29 Architectural Site Plan and shall be recorded in the form of a covenant affecting the subject
property. A covenant or other recordable document approved by the City Attorney shall
be prepared by the applicant and recorded prior to the issuance of building permits. The

1 covenant shall provide that the property is subject to this resolution, and shall generally
2 list the conditions of approval.

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

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

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

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

17 15. The balcony conversion to living space shall be substantially the same material, colors,
18 and design as the existing single-family residence.

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

3 PASSED AND ADOPTED Resolution No. 2010-P32 on October 25, 2010 by the
4 following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10 _____
11 Robert Neal, Chairperson
12 Oceanside Planning Commission

13 ATTEST:

14 _____
15 Jerry Hittleman, Secretary

16 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2010-P32.

18 Dated: October 25, 2010
19

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

23 _____
24 Applicant/Representative

_____ Date



File Number: RC-2-06

Applicant: John MacDonald

Description:

REGULAR COASTAL PERMIT (RC-2-06) to allow an existing open second story balcony to be enclosed and to permit the replacement of the existing wood siding to be replaced with a stucco wall finish at an existing residence located at 1639 South Pacific Street. The project site is zoned RT (Residential Tourist District) and is within the Townsite Neighborhood and the Coastal Zone. – **MACDONALD RESIDENCE-**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

2nd Submittal

| | | | | | |
|--|------------|---------------------------------------|--|--|-----------------------|
|  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 | | BY 7/16/10 SKI. |
| | | | Please Print or Type All Information | | |
| PART I - APPLICANT INFORMATION | | | | | |
| 1. APPLICANT JOHN MACDONALD | | 2. STATUS OWNER | | GPA | |
| 3. ADDRESS 1639 S. Pacific Street | | 4. PHONE/FAX/E-mail (760) 767-2054 | | MASTER/SP.PLAN | |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) JEFF WINDER Contracting | | | | ZONE CH. | |
| 6. ADDRESS PO BOX 1520 Laguna Beach CA 92652 | | 7. PHONE/FAX/E-mail 376-1628 | | TENT. MAP | |
| PART II - PROPERTY DESCRIPTION | | | | PAR. MAP | |
| 8. LOCATION 1639 S. Pacific St. | | | 9. SIZE 3796 sq feet | | |
| 10. GENERAL PLAN | 11. ZONING | 12. LAND USE EXISTING HOME | 13. ASSESSOR'S PARCEL NUMBER 153-091-43 | | |
| 10. GENERAL PLAN | | 11. ZONING | | 12. LAND USE | |
| PART III - PROJECT DESCRIPTION | | | | | |
| 14. GENERAL PROJECT DESCRIPTION Replace existing exterior doors & windows IN KIND. Replace existing wood siding with new stucco. buildout existing patio. Replace existing roof with composite IN KIND. | | | | | |
| 15. PROPOSED GENERAL PLAN N/A | | 16. PROPOSED ZONING N/A | | 17. PROPOSED LAND USE N/A | |
| 18. NO. UNITS 1 | | 19. DENSITY | | 20. BUILDING SIZE | |
| 21. PARKING SPACES 2 | | 22. % LANDSCAPE | | 23. % LOT COVERAGE or FAR | |
| 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): | | | 34. DATE | 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: RECEIVED | | | 35. OWNER (Print) JOHN MACDONALD | 36. DATE 6-25-10 | |
| I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | | Sign: <i>[Signature]</i> | 6-25-10 | |



"There are no problems, only solutions!"

Project: McDonald Residence
1639 South Pacific Street
Ocean Side CA

Description of work:

- A) Remove all T&G wood siding and replace with stucco
- B) Remove all existing exterior doors and windows and replace In-Kind
- C) Build out existing back patio to enlarge bed room
- D) Re roof building in-kind

Justification:

The McDonald home has multiple leaks do the pour condition of the exterior siding, doors and windows.

The build out of the upper bed room was once approved however the McDonalds never had the work done. They would like to reapply for the build out so as to have all the work done at the same time.

RECEIVED

JUL 16 2010

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

P.O. Box 1520
LAGUNA BEACH, CA 92652
(949) 376-1628 OFFICE & FAX

LEGAL DESCRIPTION

Lots 29 and 30 in Block E of Ocean Front Addition in the City of Oceanside, in the County of San Diego, State of California, according to map thereof No. 909 filed in the office of County Recorder of San Diego, June 8, 1904.

RECEIVED
FEB 16 2006
Planning Department



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** John MacDonald
2. **ADDRESS:** 1639 S. Pacific Street
3. **PHONE NUMBER:** (818) 846-7941
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** RC-2-06 (MacDonald Residence)
7. **DESCRIPTION:** The project involves enclosing an existing 82-square foot second floor balcony to enable additional den space and removal of the existing wood trim siding to be replaced with smooth trough stucco wall finish. The balcony conversion to living space would be designed with materials and colors consistent with those of the existing residence. The replacement of the cedar shake tile roof with a newer and more weather resistance cedar roofing material and the replacement of the windows would be the additional work performed as a part of this Regular Coastal permit.

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:

- 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, Planner II

Date: September 27, 2010

cc: Project file Counter file Library Posting: County Clerk \$50.00 Admin. Fee