

AGENDA NO. 4

PLANNING COMMISSION



CITY OF OCEANSIDE

DATE: October 26, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC-3-09) FOR A 532-SQUARE-FOOT MASTER BEDROOM EXPANSION OF A SINGLE-FAMILY RESIDENCE LOCATED AT 1011 SOUTH PACIFIC STREET– DILLON RESIDENCE – APPLICANT: KIM DILLON**

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. 2009-P48 approving Regular Coastal Permit (RC-3-09) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The subject property is located on Lot A of Map 15886, at 1011 South Pacific Street. An application for a Regular Coastal Permit was filed on August 8, 2009. The application was deemed complete on September 8, 2009.

Site Review: This 3,750-square-foot lot accommodates a two-story 3,066-square-foot single-family residence with basement below, constructed in 1998. The legal lot is substandard in width and area.

The Land Use designation is Urban High Density Residential (UHD-R) and the corresponding zoning classification is RT (Residential Tourist Zone). 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. 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-3-09) represents a request for the following:

- (a) This proposed project would extend the existing master bedroom westward into the second-story deck space. The addition would consist of 532 square feet of enclosed, habitable space, and would reduce the deck space to 28 square feet. All the additions and expansions would be consistent in material, colors and design with the existing single-family residence.

No new bedrooms are proposed. 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 a fairly level lot (i.e. no hillside conditions). The addition would not extend over the existing stringline, nor would the project past the furthest westward extent of the existing structure. The proposed addition would not alter public views or any views of adjoining neighbors. The design of the proposed project is in conformance with the General Plan.

2. Zoning Ordinance Compliance

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

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, and the existing density for the site is 2.4 dwelling units per acre. There are no new units or bedrooms proposed with this development proposal.

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 | 3 feet 7 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 | 14 feet from the Stringline | No change |
| Height | 35 feet | 35 feet | 33 feet 2 inches 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 and site-specific design elements have been considered throughout the design and review of this project. The proposed 532-square-foot bedroom addition 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 will be consistent with the surrounding neighborhood. The proposed addition would be an extension of the master bedroom to the west; encompassing the existing deck, and would be developed at a height of 33 feet 2-inches measured from existing grade. The addition would be under the existing structure's highest point of 35-foot 10-inches as measured from the existing grade.

Staff has determined that the proposed improvement would not only improve the visual appearance of the property, but also compliment the neighborhood. 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

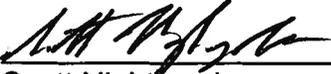
Legal notice was published in the North County Times and notices were sent to residents within a 300-foot radius, and property owners of record within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

SUMMARY

The proposed Regular Coastal Permit (RC-3-09), 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:

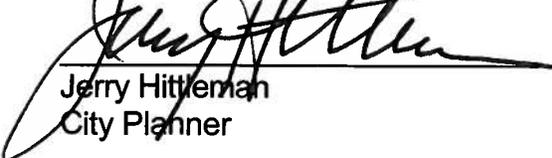
- Move to approve Regular Coastal Permit (RC-3-09) and adopt Planning Commission Resolution No. 2009-P48 as attached.

PREPARED BY:



Scott Nightingale
Acting Associate Planner

SUBMITTED BY:



Jerry Hittleman
City Planner

REVIEWED BY:

Richard Greenbauer, Senior Planner 

Attachments:

1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2009-P48

Dillon Residence Addition, 1011 S. Pacific - Oceanside, California

ARCHITECT:
STUDIO 4
 300 USA DRIVE
 OCEANSIDE, CA 92084
 760 731-9800 FX
 760 731-9800 PW
 P.A.LAMONT@STUDIO4.COM
 PAUL LAMONT
 PRINCIPAL

PROJECT:
DILLON
RESIDENCE
ADDITION
 OCEANSIDE, CA

OWNER:
 MARK & EM
 DILLON
 3815 BUCKE
 OCEANSIDE, CA 92089

OWNER REP:
 PAUL LONGTON
 STUDIO 4 ARCHITECTS
 209 USA DRIVE
 OCEANSIDE, CA 92084
 760 731-9801

RELEASE DATE:
 08/15/2019

DRAWING STATUS:
 PRELIMINARY DESIGN
 PRELIMINARY PERMITS
 PRELIMINARY CONTRACT
 PRELIMINARY PERMITS
 PRELIMINARY CONTRACT
 PRELIMINARY PERMITS
 PRELIMINARY CONTRACT

DATE:
 08/15/2019

DATE:
 08/15/2019

DATE:
 08/15/2019

DATE:
 08/15/2019

DEVELOPMENT INFORMATION

ZONING:
 RS
 SINGLE-FAMILY RESIDENCE

OCCUPANT AND USE:
 SINGLE-FAMILY RESIDENCE

PROPOSED LAND USE:
 SINGLE-FAMILY RESIDENCE

EXISTING LOT COVERAGE:
 34%

PROPOSED GROUND COVERAGE:
 34%

SETBACKS (EXISTING):
 5'-0" OR BLOCK FACE AVERAGE 0'-7"
 5'-0" OR STIMBLINE - STIMBLINE IS 1/2"
 WEST OF THE PROPERTY BOUNDARY THAT
 IS CONTIGUOUS WITH S. PACIFIC ST.
 5'-0" OR BLOCK FACE AVERAGE 0'-7"
 5'-0" OR STIMBLINE - STIMBLINE IS 1/2"
 WEST OF THE PROPERTY BOUNDARY THAT
 IS CONTIGUOUS WITH S. PACIFIC ST.
 18'-0" HEIGHT MAX. - 35'-0" EL. 8'-0"

FRONT YARD:
 5'-0" OR STIMBLINE - STIMBLINE IS 1/2"
 WEST OF THE PROPERTY BOUNDARY THAT
 IS CONTIGUOUS WITH S. PACIFIC ST.
 18'-0" HEIGHT MAX. - 35'-0" EL. 8'-0"

HEIGHT MAX.:
 35'-0" EL. 8'-0"

DEMOLITION:
 INTERIOR WALLS
 EXPANSION OF MASTER BEDROOM
 INTO EXISTING DECK

CONSTRUCTION NEW:
 1ST FLOOR EXISTING 320 SQ. FT.
 HABITABLE 290 SQ. FT. DECK 30 SQ. FT.
 GARAGE 30 SQ. FT. DECK 30 SQ. FT.
 4TH FLOOR EXISTING 488 SQ. FT.
 DECK 411 SQ. FT.

BASEMENT NEW:
 1ST FLOOR NEW 320 SQ. FT.
 HABITABLE 290 SQ. FT. DECK 30 SQ. FT.
 GARAGE 30 SQ. FT. DECK 30 SQ. FT.

EXISTING HABITABLE:
 3048 SQ. FT. DECK 188 SQ. FT.
 GARAGE 474 SQ. FT.

PROJECT INFORMATION

OWNER:
 MARK & EM DILLON
 1011 S. PACIFIC ST.
 OCEANSIDE, CA 92084

PROJECT ADDRESS:
 1011 S. PACIFIC ST.
 OCEANSIDE, CA 92084

ASSESSOR'S PARCEL #:
 02-078-09

PROJECT SUMMARY:
 CHANGE THE MASTER BEDROOM, RECONFIGURE DECK, OFF
 MASTER BEDROOM, NO CHANGE TO THE EXISTING FOOTPRINT

CONSULTANTS:

LEGAL DESCRIPTION:

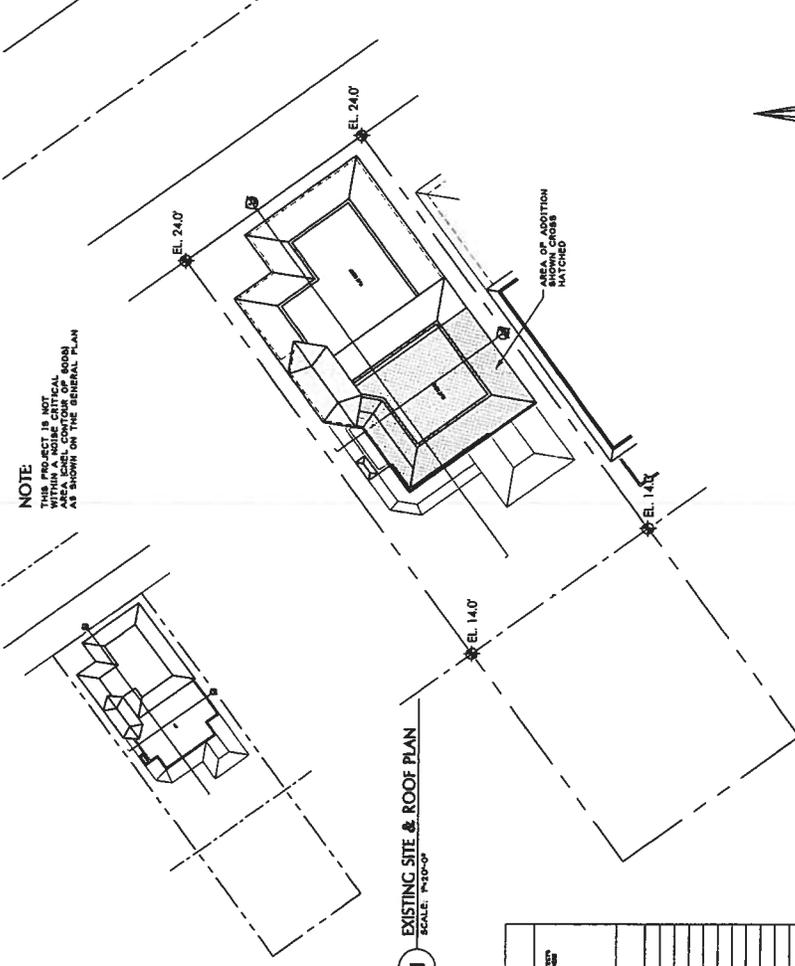
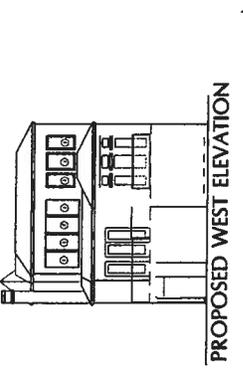
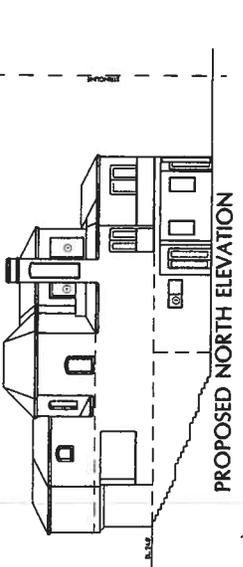
SERVICE AGENCIES:
 WATER
 SEWER
 FIRE
 PUBLIC WORKS
 GAS
 ELECTRIC

BUILDING CODES:
 THIS PROJECT SHALL COMPLY WITH THE 2007
 IBC, 2008 IBC, 2008 UPC AND THE 2008 IBC.

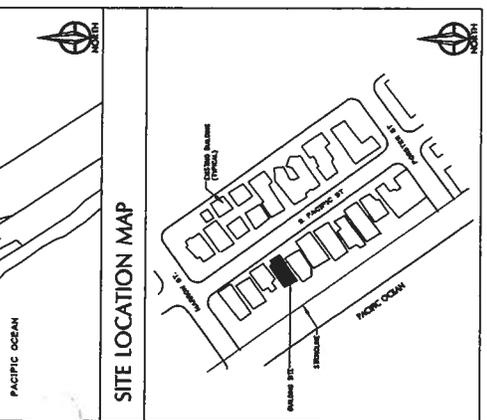
SHEET INDEX

TWO TITLE SHEET & SITE PLAN EXISTING & PROPOSED

A.1 EXISTING BEACH & ENTRY FLOOR PLANS
 A.2 EXISTING THIRD & ROOF FLOOR PLANS
 A.3 EXISTING MASTER BEDROOM, RECONFIGURE DECK, OFF
 MASTER BEDROOM, NO CHANGE TO THE EXISTING FOOTPRINT BY SOUTH REVISION
 A.4 EXISTING & PROPOSED EAST & SOUTH ELEVATIONS
 A.5 EXISTING & PROPOSED WEST & NORTH ELEVATIONS
 A.6 EXISTING & PROPOSED WATER AND SEWER DEPARTMENT
 A.7 EXISTING & PROPOSED BUILDING SECTIONS



NOTE:
 THIS PROJECT IS NOT
 WITHIN A NOISE CRITICAL
 AREA AS SHOWN ON THE GENERAL PLAN



OCEANSIDE SPECIAL INSPECTION PROGRAM

1. AS THE ENGINEER/ARCHITECT OF RECORD, CERTIFY THAT I HAVE REVIEWED THE SPECIAL INSPECTION PROGRAM AND THAT I AM SATISFIED THAT THE SPECIAL INSPECTORS QUALIFY TO INSPECT THE WORK LISTED ABOVE.

2. I HAVE INFORMED THE OWNER OF THESE REQUIREMENTS, INCLUDING ITEMS LISTED IN SECTION 1.

| LIST OF WORK REQUIRING SPECIAL INSPECTION | INDIVIDUAL / FIRM RESPONSIBLE FOR SPECIAL INSPECTION |
|--|--|
| <input type="checkbox"/> SLOPE COMPLIANCE PRIOR TO FOUNDATION EXCAVATION | |
| <input type="checkbox"/> STRUCTURAL CONCRETE | |
| <input type="checkbox"/> PRECASTED CONCRETE | |
| <input type="checkbox"/> STRUCTURAL MASONRY | |
| <input type="checkbox"/> STRUCTURAL WELDING | |
| <input type="checkbox"/> HIGH STRENGTH BOLTING | |
| <input type="checkbox"/> SPREADER FOOT PROTECTORS | |
| <input type="checkbox"/> EXISTING FOOT PROTECTORS | |
| <input type="checkbox"/> OTHER | |

DATES OF THE SPECIAL INSPECTORS FOR THE WORK LISTED ABOVE

SITE NOTES:

- THE CONTRACTOR MUST VERIFY ALL GRASSES, CONDITIONS, AND DIMENSIONS PRIOR TO COMMENCING WORK. THE OWNER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES.
- THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES PRIOR TO COMMENCING WORK.
- THE SURFACE WATER SHALL DRAIN AWAY FROM THE BUILDING STRUCTURES & NO LESS THAN 2 FEET FOOT FOR A MIN. OF 6" OR 1 THE DISTANCE TO THE PROPERTY LINE.
- WATER AND SEWER LATERAL PER CITY OF OCEANSIDE WATER AND SEWER DEPARTMENT.
- ALL EXTERIOR LIGHTING SHALL COMPLY WITH THE CITY OF OCEANSIDE'S ORDINANCE 609-14.

TITLE SHEET
TS10

ARCHITECT:
STUDIO 4
 1800 MEHA DRIVE
 OCEANSIDE, CA 92084
 (760) 731-4400 FAX
 P.ALONG@STUDIO4.COM
 PAUL LONGTON
 PRINCIPAL

PROJECT:
**DILLON
 RESIDENCE
 ADDITION**
 OCEANSIDE, CA

OWNER:
 MARK & EM
 DILLON

OWNER'S REP:
 WTL'S PACIFIC
 OCEANSIDE, CA 92084

OWNER'S REP:
 PAUL LONGTON
 STUDIO 4 ARCHITECTS
 2800 MEHA DRIVE
 OCEANSIDE, CA 92084
 (760) 731-4400

RELEASE DATES:
 08/20/09
 09/01/09

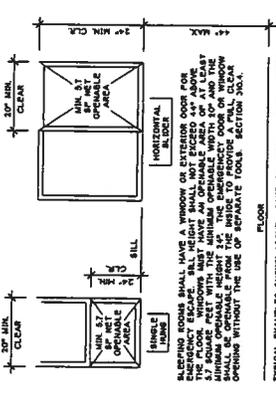
DRAWING STATUS:
 1. PRELIMINARY DRAWING
 2. PERMITS
 3. CONSTRUCTION PERMITS
 4. CONSTRUCTION DEVELOPMENT
 5. CONSTRUCTION
 6. AS-BUILT DRAWINGS
 7. FINAL
 8. ARCHITECT'S RECORDS
 9. ARCHITECT'S CLOSEOUT
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DATE: 08/20/09
 DRAWN BY: DLE
 CHECKED BY: PL
 SHEET TITLE:
**EXISTING
 BEACH & ENTRY
 FLOORPLANS**
 SHEET NO.:
A1.0

DOOR & WINDOW NOTES:

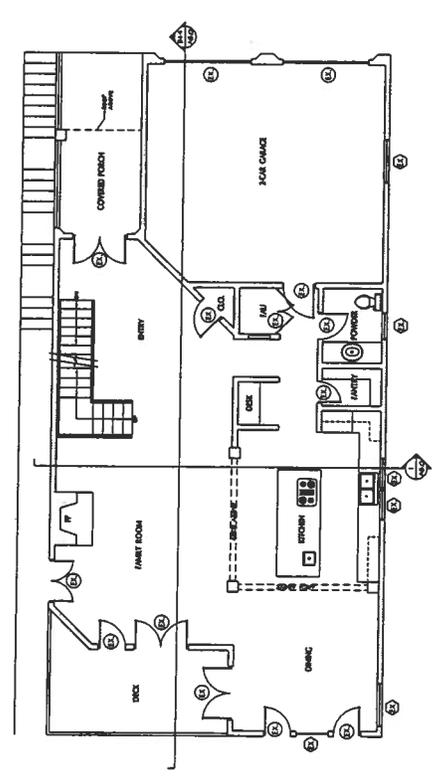
- ALL OPERABLE WINDOWS ARE TO HAVE SCREENS REFER TO THE EXISTING ELEVATIONS FOR THE OPENING SECTIONS AND LOCATIONS OF WINDOWS TO MATCH EXISTING COLOR TO MATCH WINDOW FRAME.
- ALL OPERABLE WINDOWS ARE TO MEET ASHRAE 90.1-2003 REQUIREMENTS FOR ENERGY EFFICIENCY.
- ALL EXTERIOR DOORS AND WINDOWS ARE TO BE FULLY WEATHERSTRIPPED.
- ALL OPENINGS ARE TO BE CALLED AND SEALED, I.E. AROUND JOINTS IN WINDOWS.
- ALL SLIDING GLASS DOORS AND WINDOWS MARKED TEMP ARE TO HAVE 5/8" TEMPERED GLASS.
- WINDOWS ARE TO BE DUAL GLAZED, CLEAR GLASS.
- SEE T-5-1 CALCS FOR GLAZING REQUIREMENTS AND VALUES.
- THE MANUFACTURED WINDOWS SHALL HAVE A LABEL ATTACHED CERTIFIED BY AN INDEPENDENT TESTING AGENCY TO THE CALCS AND COMPLIANCE WITH THE CALCS.
- GLAZING IN THE FOLLOWING LOCATIONS SHOULD BE OF SAFETY GLAZING:
 - DOORS AND WINDOWS FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM BATHS, AND OTHER WATER FEATURES.
 - WALL ENCLLOSING THESE COMPARTMENTS WHERE THE BOTTOM EXPOSED AND DRAIN INLET.
 - SLEEPING ROOMS MUST HAVE A WINDOW OR EXTERIOR DOOR FOR EMERGENCY FOLLOWING CRITERIA:
 - MINIMUM 5.7 SQUARE FEET NET CLEAR OPENABLE AREA.
 - IF MINIMUM NET CLEAR OPENABLE HEIGHT.
 - 30" MINIMUM NET CLEAR OPENABLE HEIGHT.
 - 30" MINIMUM FINISH RILL HEIGHT TO BE NO MORE THAN 48" ABOVE FINISHED FLOOR.

EMERGENCY EGRESS WINDOWS

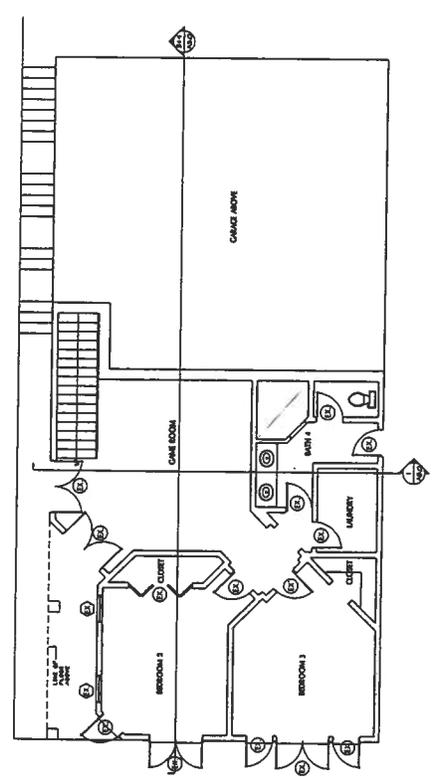


ALL WINDOWS SHALL HAVE AN WINDOW OR EXTERIOR DOOR FOR EMERGENCY EGRESS. THE WINDOW MUST HAVE AN OPENABLE AREA OF AT LEAST 5.7 SQUARE FEET. THE WINDOW MUST BE LOCATED AT A MINIMUM OPENABLE HEIGHT AS THE EMERGENCY DOOR OR WINDOW. THE WINDOW MUST BE OPERABLE WITHOUT THE USE OF REMOTE CONTROL. SECTION 051101.

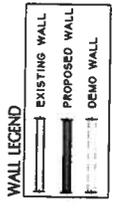
| WINDOW SCHEDULE | | | | DOOR SCHEDULE | | | |
|------------------------------|------|-------|-------|----------------------------|------|------|----------|
| WINDOW SIZE (DEPTH X HEIGHT) | TYPE | FRAME | GLASS | DOOR SIZE (DEPTH X HEIGHT) | TYPE | MAT. | REMARKS |
| 1 2'-0" X 3'-0" | WV | WV | WV | 1 2'-0" X 8'-0" (PART) | FR | FR | EXISTING |
| 2 2'-0" X 3'-0" | WV | WV | WV | 2 2'-0" X 8'-0" | FR | FR | EXISTING |
| 3 2'-0" X 3'-0" | WV | WV | WV | 3 2'-0" X 8'-0" | FR | FR | EXISTING |
| 4 3'-0" X 3'-0" | WV | WV | WV | 4 2'-0" X 8'-0" | FR | FR | EXISTING |
| 5 3'-0" X 3'-0" | WV | WV | WV | 5 2'-0" X 8'-0" | FR | FR | EXISTING |
| 6 3'-0" X 3'-0" | WV | WV | WV | 6 2'-0" X 8'-0" | FR | FR | EXISTING |



2 EXISTING STREET LEVEL - NO CHANGES
 SCALE: 3/16"=1'-0"



1 EXISTING BEACH LEVEL - NO CHANGES
 SCALE: 3/16"=1'-0"



1 PLANNING COMMISSION
2 RESOLUTION NO. 2009-P48

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

6 APPLICATION NO: RC-3-09
7 APPLICANT: Kim Dillon
8 LOCATION: 1011 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-3-09) under the provisions
13 of Article 32 of the Zoning Ordinance of the City of Oceanside to permit the following:

14 a 532-square-foot master bedroom expansion into second-story deck space at the western
15 elevation of an existing single-family home;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 26th day
18 of October, 2009 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 ///

| 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. |
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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 remodel of an existing permitted single-family residence is consistent with
22 the land use policies of the Local Coastal Program as implemented through the Zoning
23 Ordinance. Specifically, the project will not substantially alter or impact existing public
24 views of the coastal zone area and the physical aspects of the project are consistent with
25 existing development on neighboring sites.
- 26 2. The proposed remodel will not obstruct any existing, planned, or required public beach
27 access; therefore, the project is in conformance with the policies of Chapter 3 of the
28 Coastal Act.
- 29 3. The project will not result in the loss of any on street public parking spaces, as the 532-
square-foot addition will not trigger additional parking or take away from the existing
parking fronting the project site.

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
2 approve Regular Coastal Permit (RC-3-09) subject to the following conditions:

3 **Building:**

- 4 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
5 Building Division plan check. (As of January 1, 2008 the 2007 California Building
6 Code, and 2007 California Electrical Code)
- 7 2. The granting of approval under this action shall in no way relieve the
8 applicant/project from compliance with all State and Local building codes.
- 9 3. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
10 plans.
- 11 4. The developer shall monitor, supervise and control all building construction and
12 supporting activities so as to prevent these activities from causing a public nuisance,
13 including, but not limited to, strict adherence to the following:
- 14 a) Building construction work hours shall be limited to between 7:00 a.m. and
15 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00
16 p.m. for work that is not inherently noise-producing. Examples of work not
17 permitted on Saturday are concrete and grout pours, roof nailing and activities
18 of similar noise-producing nature. No work shall be permitted on Sundays and
19 Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day,
20 Thanksgiving Day, Christmas Day) except as allowed for emergency work
21 under the provisions of the Oceanside City Code Chapter 38 (Noise
22 Ordinance).
- 23 b) The construction site shall be kept reasonably free of construction debris as
24 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
25 approved solid waste containers shall be considered compliance with this
26 requirement. Small amounts of construction debris may be stored on-site in a
27 neat, safe manner for short periods of time pending disposal.
- 28 5. For all new construction, setbacks and Type of Construction must comply with the
29 2007 California Building Code. New Exterior openings less than five feet from the
property line must be protected per table 704.8 of the CBC. New Exterior walls less
than five feet to the property line must be one hour rated per Table 602 of the CBC.

1 **Fire:**

- 2 6. Fire Department requirements shall be placed on plans in the notes section.
- 3 7. Smoke detectors are required, and detector locations must be indicated on the plans.
- 4 8. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
- 5 approval prior to the issuance of building permits.

6 **Planning:**

- 7 9. This Regular Coastal Permit shall expire on October 26, 2012, unless implemented per the
- 8 Zoning Ordinance or unless the Planning Commission grants a time extension
- 9 10. This Regular Coastal Permit approves only a 532-square-foot expansion to an existing
- 10 second-story master bedroom into deck space at the western elevation of the existing home,
- 11 as presented to the Planning Commission for review and approval. No deviation from
- 12 these approved plans and exhibits shall occur without Planning Division approval.
- 13 Substantial deviations shall require a revision to the Regular Coastal Permit or a new
- 14 Regular Coastal Permit.
- 15 11. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
- 16 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
- 17 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
- 18 annul an approval of the City, concerning Regular Coastal Permit (RC-12-08). The City
- 19 will promptly notify the applicant of any such claim, action or proceeding against the
- 20 City and will cooperate fully in the defense. If the City fails to promptly notify the
- 21 applicant of any such claim action or proceeding or fails to cooperate fully in the
- 22 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
- 23 harmless the City.
- 24 12. All mechanical rooftop and ground equipment shall be screened from public view as
- 25 required by the Zoning Ordinance that is, on all four sides and top. The roof jacks,
- 26 mechanical equipment, screen and vents shall be painted with non-reflective paint to match
- 27 the roof. This information shall be shown on the building plans.
- 28 13. Prior to the issuance of building permits, compliance with the applicable provisions of the
- 29 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

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

14. 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.

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

16. 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.

17. 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.

18. The 532-square-foot addition shall be substantially the same material, colors, and design as the existing single-family residence.

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19. 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. 2009-P48 on October 26, 2009 by the following vote, to wit:

- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

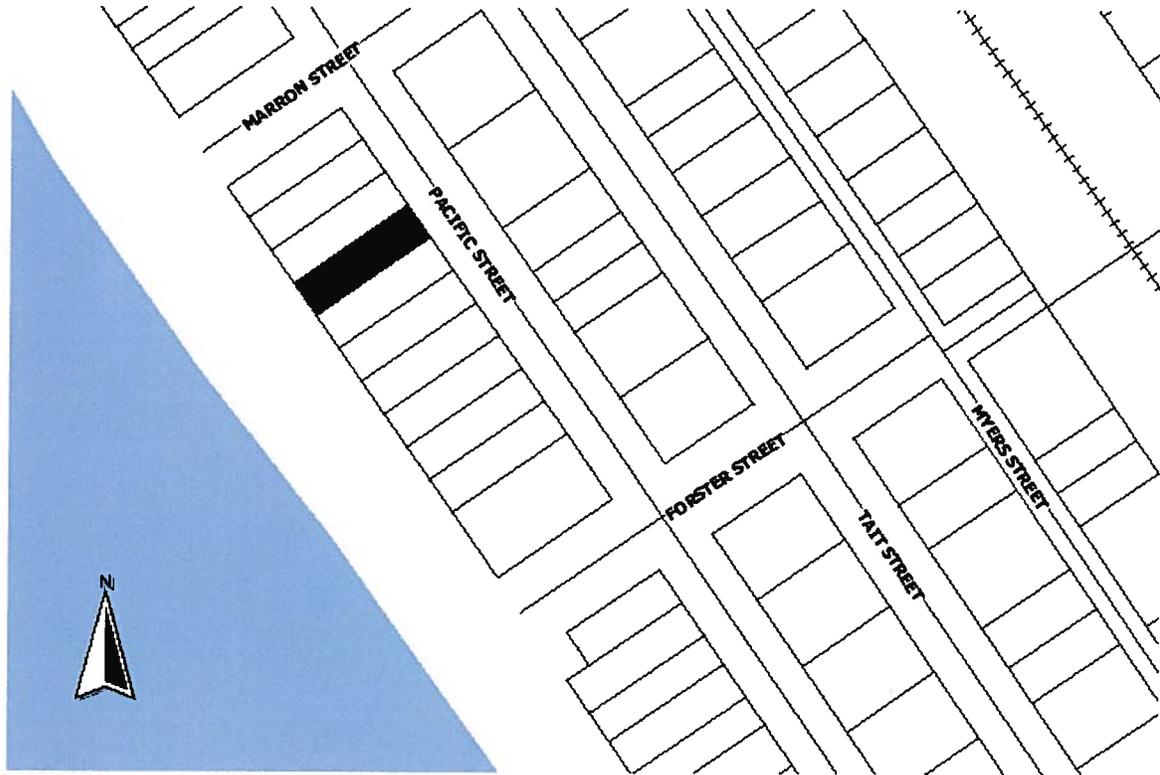
Claudia Troisi, Chairperson
Oceanside Planning Commission

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. 2009-P48.

Dated: October 26, 2009



File Number: RC-3-09

Applicant: Kim Dillon

Description:

Consideration of a REGULAR COASTAL PERMIT (RC-3-09) to permit the expansion of a master bedroom of an existing single-family residence located at 1011 South Pacific Street. The project site is zoned RT (Residential Tourist District) and is within the Townsite Neighborhood and the Coastal Zone. – **DILLON RESIDENCE – Applicant: Kim Dillon**

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

Date: October 13, 2009

Public Hearing Coastal Permit
Identification No. RC-3-09

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 Kim Dillon. This application was received on . The application is described as follows:

To permit the expansion of a master bedroom of an existing single-family residence located at 1011 South Pacific Street.

The project site is zoned RT (Residential Tourist) and is situated within the Townsite Neighborhood and the Coastal Zone.

Said hearing will be held on October 26, 2009, 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 October 21, 2009, 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 or email at 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 November 5, 2009 (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 Drive, Suite 103, San Diego, California 92108-4402. The phone number is (619) 767-2370.

Dillon Addition

| | | | | |
|--|---------------------|--|--|---|
|  <p>Application for Public Hearing Community Development Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885</p> | | | STAFF USE ONLY | |
| | | | ACCEPTED | BY |
| | | | 8/3/09 Received | SKJ |
| | | | AUG - 3 2009 | |
| Please Print or Type All Information | | | Planning Division | |
| PART I - APPLICANT INFORMATION | | | HEARING | |
| 1. APPLICANT | | 2. STATUS | GPA | |
| Kim Dillon | | Owner | MASTER/SP.PLAN | |
| 3. ADDRESS | | 4. PHONE/FAX/E-mail 760 | ZONE CH. | |
| 1011 S. Pacific St. 92054 | | 722-1866 | TENT. MAP | |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) | | | PAR. MAP | |
| Paul Longton | | | DEV. PL. | |
| 6. ADDRESS | | 7. PHONE/FAX/E-mail 760 | C.U.P. | |
| 2909 Mesa Drive Oceanside 92054 | | 722-4904 | VARIANCE | |
| PART II - PROPERTY DESCRIPTION | | | COASTAL RC-3-09 | |
| 8. LOCATION | | | O.H.P.A.C. | |
| 1011 S. Pacific St. 92054 | | | 9. SIZE | |
| 10. GENERAL PLAN | | | 3,750 SF | |
| 11. ZONING RFS | | | 13. ASSESSOR'S PARCEL NUMBER | |
| 12. LAND USE SFR | | | 152.076.04 | |
| PART III - PROJECT DESCRIPTION | | | | |
| 14. GENERAL PROJECT DESCRIPTION Expand existing master bedroom into unused deck space on 2nd floor at west end. Approx 532 SF of additional heated space | | | | |
| 15. PROPOSED GENERAL PLAN | 16. PROPOSED ZONING | 17. PROPOSED LAND USE | 18. NO. UNITS | 19. DENSITY |
| No Change | No Change | No Change | 1 | 11.6 du/ac |
| 20. BUILDING SIZE | 21. PARKING SPACES | 22. % LANDSCAPE | 23. % LOT COVERAGE or FAR | |
| 3598 SF | 2 | Approx 30% | 34% | |
| 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). | |
| Paul Longton | | 7/31/09 | | |
| Sign:  | | 35. OWNER (Print) | 36. DATE | |
| | | Kim Dillon | 7/31/09 | |
| I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | Sign:  | | |

Scott

**Description & Justification
For An Addition to
An existing Single Family Residence
At
1011 S Pacific St, Oceanside, 92054**

July 31, 2009

Owner: Mark and Kim Dillon

Statistics at a glance

| | |
|----------------------------|-----------------------|
| Address – | 1011 S Pacific St |
| APN – | 152-076-04 |
| Zoning – | RS |
| Proposed zoning – | No Change |
| Lot Size – | 3,750 SF (.075 Acres) |
| Existing Land Use – | Residential |
| Proposed Land Use – | Single Family |
| Number of units – | 1 |
| Density/acre – | 11.6 units/acre |
| Existing lot coverage - | 34% |
| Proposed Lot Coverage | No change |
| Existing Landscaping – | 25% |
| Existing Building Size: | |
| Beach (Basement) Level | 945 SF |
| Street Level (Entry) | 1223 SF |
| Second Floor | 898 SF |
| Total Existing Habitable | 3066 SF |
| Existing Deck | 529 SF |
| Existing Garage (2-spaces) | 474 SF |

Proposed Bldg Size

| | |
|------------------------------------|----------------|
| Beach (Basement) Level (No change) | 945 SF |
| Street Level (No Change) | 1223 SF |
| <u>Second Floor</u> | <u>1430 SF</u> |
| Total Proposed | 3598 SF |

Proposed Deck 28 SF

Parking required – 2 spaces

Parking provided – 2 spaces

This proposed project will extend the Master Bedroom westward into the unused deck space off of the Master Bedroom. The proposed appearance from Pacific Street will be unchanged. The proposed appearance from the beach side will largely be the same – keeping the color and lines of the mansard roof and stucco. The former deck's guardrail was the mansard roof and so the keeping of the mansard will show little difference from the west side.

The only neighbor who has the potential to be affected are the Baileys who live in the next house to the south (1015 S Pacific St). We've included drawings that show a side by side comparison of the 2nd floors (the only floors that change) and the roof. The Bailey's Residence extends further to the west and will not be affected at all by the Dillon's proposed addition. Mark Dillon presented the proposed plans to the Baileys and received verbal approval, compliments and thanks for having shared it with them.

The house directly to the north is owned by the Dillons, and the house further to the north also extends further west than the Dillons and will not be affected by the proposed addition.

The Architecture is by Paul Longton, Architect

Regular Coastal

The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinances. Specifically the physical aspects of the project are consistent with the adjoining properties and those in the neighborhood. The project will not substantially alter or impact existing public views of the coastal zone area.

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

SCHEDULE "A"

The estate or interest in the land hereinafter described or referred to covered by this report is:

A Fee.

Title to said estate or interest at the date hereof is vested in:

Mark J. Dillon and Kim M. Dillon, Co-Trustees of the Dillon Family Trust dated July 21, 2005 as their community property

The land referred to in this report is situated in the county of San Diego, State of California, and is described as follows:

Lot 4, Block "E" Terrace Annex, in the City of Oceanside, County of San Diego, State of California, according to Map thereof no. 1044, filed in the Office of the County Recorder of San Diego County on April 29, 1907, excepting therefrom any portion thereof now of heretofore lying below the high tide line of the Pacific Ocean.

Assessor's Parcel Number(s): 152-076-04



NOTICE OF EXEMPTION
City of Oceanside, California

Post Date: 10/26/2009
Removal: 04/24/2010
(180 days)

- 1. **APPLICANT:** Kim Dillon
- 2. **ADDRESS:** 1011 S. Pacific Street
- 3. **PHONE NUMBER:** (760) 722-1866
- 4. **LEAD AGENCY:** City of Oceanside
- 5. **PROJECT MGR.:** Scott Nightingale
- 6. **PROJECT TITLE:** RC-3-09 - Dillon Residence
- 7. **DESCRIPTION:** A Regular Coastal Permit to allow a 532 square foot master bedroom expansion into the unused second story deck space at the western elevation of the home located at 1011 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:

- 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: October 26, 2009