

**AGENDA NO. 4**  
*PLANNING COMMISSION*  *CITY OF OCEANSIDE*

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DATE: November 2, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC-2-08) TO PERMIT THE DEMOLITION OF AN EXISTING SINGLE-FAMILY HOME AND CONSTRUCTION OF A NEW TWO STORY SINGLE-FAMILY RESIDENCE LOCATED AT 1721 SOUTH PACIFIC STREET – MUDGE RESIDENCE – APPLICANT: KEN & LEORA MUDGE**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3 Categorical Exemption for New Construction pursuant to Section 15303(a) of the California Environmental Quality Act; and
- (2) Adopt Planning Commission Resolution No. 2009-P49 approving Regular Coastal Permit (RC-2-08) with findings and conditions of approval attached herein.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** The subject property is Lot 42 of the Ocean Front Addition, and is located north of Cassidy Street at 1721 South Pacific Street. The property exists with a 997-square-foot single story home that was constructed in 1952 that holds no historical significance. An application for a Regular Coastal Permit was filed on January 1, 2008.

**Site Review:** This 0.12-acre lot is located directly adjacent to the Pacific Ocean, and other similar eclectic single-family and duplexes to the north, south, and east. Lot 42 is a legal lot that is substandard in width and area. The site is within 100 feet of the Pacific Ocean. The existing ground surface elevation at the site varies from 35 feet Mean Sea Level (MSL) in the easternmost portion to approximately 16 feet MSL in the westernmost portion of the land.

The Land Use designation is Single-Family Dwelling Residential (SFD-R) and the corresponding zoning classification is R1 (Single-Family Residential District) and is situated within the coastal zone. This property is within the South Oceanside Neighborhood and requires a Regular Coastal Permit based on its location. The property is also within the “appeal jurisdiction” of the local coastal zone, and 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 one component:

Regular Coastal Permit (RC-2-08) represents a request for the following:

The demolition of an existing 997-square-foot single-family home to allow for the construction of a new two story with basement home, consisting of 3,143 square feet with an attached 460-square-foot two car garage. The property is located within the appeal jurisdiction of the Local Coastal Program pursuant to Section III.D.1 of the Coastal Permit Handbook adopted May 8, 1985.

The proposed floor plan information is summarized below.

Floor Area/ Living Area (Sq. Ft.)	No. of Bathrooms	No. of Bedrooms	Garage	Stories
3,143	4	5.5	2-car garage (460-sq. ft.)	2-stories with basement

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 two story home with basement reflects a combination of a Modern and Mediterranean architectural style. Many of the neighboring homes in this area include a wide variety of eclectic single-family and multi-family architecture designs and styles that are consistent and complimentary to the proposed development.

The architectural style is similar to most renovations along South Pacific Street. The project is designed with a Mediterranean style and includes details such as earth tone stucco exterior treatments, intricate stone veneer elements, architectural features along the roofline that create interest and a sense of balance for the site. Window and glass treatments add interest to the home while promoting a sense of openness and enhancement to the home and the area.

**2. Zoning Compliance**

This project is located in the Single-Family Residential (R1) district and complies with the requirements of that zone, with the exception of the third car parking stall within a garage. The required findings for the proposed two car garage in lieu of the required three car garage are listed within the discussion section below. The following table summarizes proposed and applicable development standards for the project site:

	MINIMUM REQUIRED	PROPOSED
MINIMUM LOT SIZE	6,000 sq. ft.	6,290 sq. ft. (Existing)
<b>PARKING SPACES</b>	2 –Spaces/DU within a garage	2 –Spaces/DU within a garage
FRONTYARD SETBACK	14 inches (Blockface Average)	14 inches (Blockface Average)
SIDEYARD SETBACK	3 feet	3 feet
REARYARD SETBACK	String line	String line
BUILDING HEIGHT	35-ft.	31-ft.

The proposed project meets all applicable requirements of the Oceanside Zoning ordinance.

**3. Land Use Compatibility with surrounding developments**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	SFD-R (Single-Family Detached Residential)	R1 (Single-Family Residential)	Single-Family Residential
North of Subject Property	SFD-R (Single-Family Detached Residential)	R1 (Single-Family Residential)	Single-Family Residential
East of Subject Property:	RH-U (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Multi-Family Residential
South of Subject Property:	SFD-R (Single-Family Detached Residential)	R1 (Single-Family Residential)	Single-Family Residential
West of Subject Property:	OS (Open Space)	OS (Open Space)	Pacific Ocean

The land use for the site is consistent with the General Plan and the Zoning Ordinance designations of Residential Single-Family R1 District.

**4. Local Coastal Program compliance**

The proposed project is within the appeal jurisdiction of the Local Coastal Program (LCP) and complies with all provision of this zone. Projects within the Coastal Zone are required to meet the provisions of the adopted Local Coastal Program and the underlying 1986 zoning ordinance R1 zone. Such projects must be compatible with surrounding development. The proposed project will have a maximum building height of 25.2 feet measured from Pacific Street. An attached open lattice patio cover would be constructed above the roof line up to a maximum height of 30.5 feet measured from the exposed grade. This proposed design and scale of the home would not block public beach access and would not affect views from the neighboring properties to the east.

Pursuant to Section III.D.1 of the LCP, the project requires a Regular Coastal Permit from the City of Oceanside because it includes shoreline structures and requests a variance.

**5. California Environmental Quality Act (CEQA) Compliance**

Article 19 of CEQA identifies Categorical Exemptions, including Class 3 exemptions for new construction and, projects that will not have a significant effect on the environment. This proposal qualifies for a Categorical Exemption under CEQA Guidelines Section 15303(a) because it involves the construction of a duplex within a residential zone in an urbanized area that will not adversely affect the site or surrounding area.

## **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 proposed development would be consistent with the surrounding neighborhood. The proposed home would be designed at a height that is lower than the 35-foot height requirement, and would be similar to the height, bulk, and scale of many of the neighboring properties. The stucco wall finishes, the powder coated copper roofing, the use of clear dual tempered pane windows, and a carriage style wood roll up garage would enhance the property and be compatible with the neighborhood.

## **PUBLIC NOTIFICATION**

Pursuant to Article 41 of the Oceanside Zoning Ordinance, a legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, applicant and other interested parties. Copies of this agenda item have been mailed to the applicant and their representatives.

## **SUMMARY**

The proposed Regular Coastal Permit 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:

- (1) Confirm issuance of a Class 3 Categorical Exemption for New Construction pursuant to Section 15303(a) of the California Environmental Quality Act; and
- (2) Adopt Planning Commission Resolution No. 2009-P49 approving Regular Coastal Permit (RC-2-08) with findings and conditions of approval attached herein.

PREPARED BY:



Scott Nightingale  
Acting Associate Planner

SUBMITTED BY:



Jerry Hittlerman  
City Planner

REVIEWED BY:

Richard Greenbauer, Senior Planner

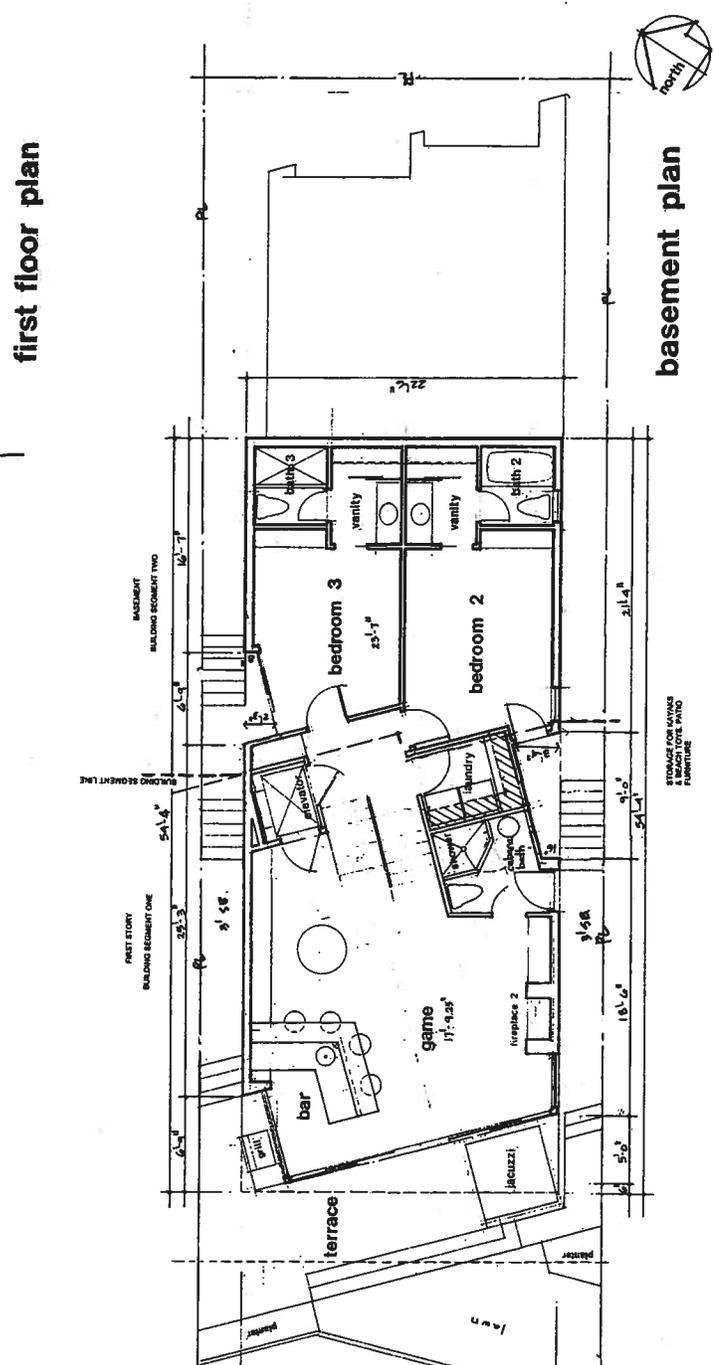
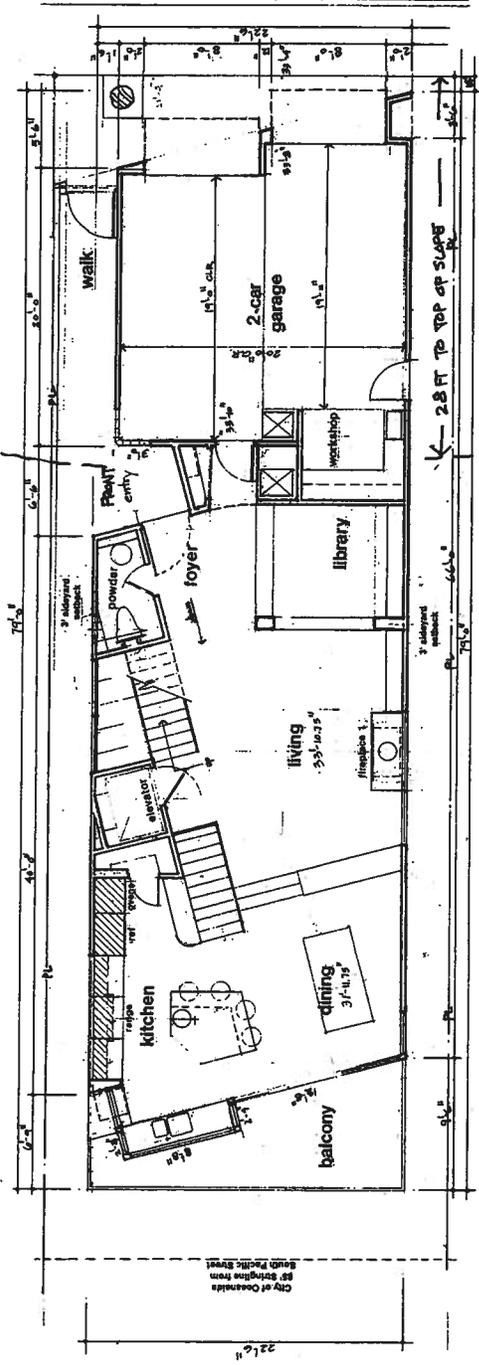


Attachments:

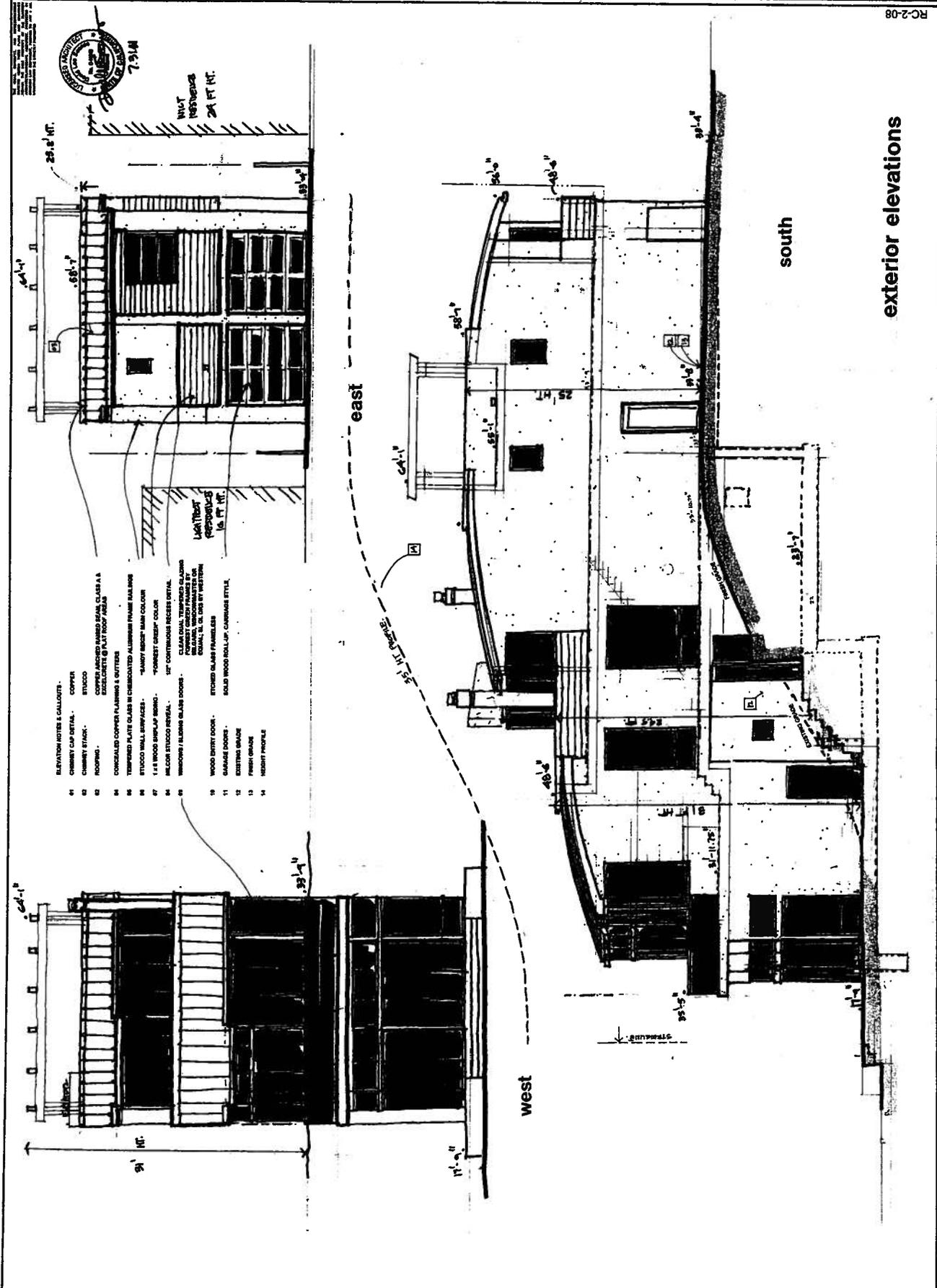
1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2009-P49
3. Primary Report



REVISIONS BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DESCRIPTION: \_\_\_\_\_  
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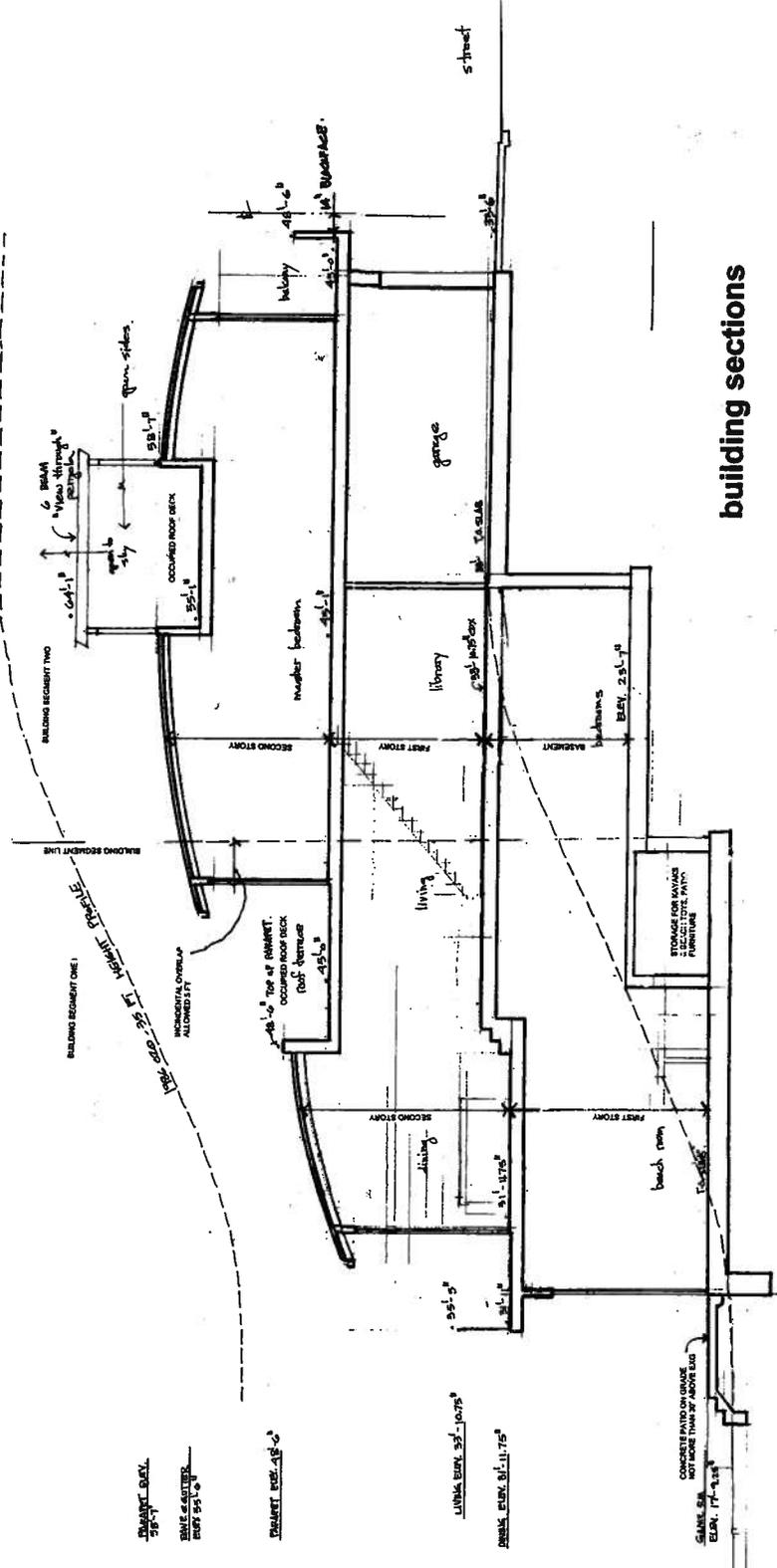


- ELEVATION NOTES & CALLOUTS:
- 01 CHIMNEY CAP DETAIL - COPPER
  - 02 CHIMNEY STACK - STUCCO
  - 03 ROOFING - COPPER ANCHORED NAILING SCANS, CLASS A & EXCELLENCE @ FLAT ROOF AREAS
  - 04 CONCEALED COPPER FLASHING & GUTTERS
  - 05 TEMPERED GLASS IN CHROMIATED ALUMINUM FRAME BALCONY
  - 06 STUCCO WALL SURFACES - "LANTINI WHITE" MAIN COLOR
  - 07 1/8" WOOD SHIP LAP SIDING - "HONEST GREY" COLOR
  - 08 WOODWORK (INCLUDING GLASS DOORS) - CLEAR OAK, TEMPERED GLASS, POWERED GLASS FRAMES BY ROYAL, U.S. OR. OR BY WESTERN
  - 09 WOOD ENTRY DOOR - STUCCO GLASS FRAMES
  - 10 GARAGE DOORS - SOLID WOOD ROLL UP, CARRIAGE STYLE
  - 11 EXTERIOR BRACE
  - 12 FRESH GRADE
  - 13 HEIGHT PROFILE





building sections



**the mudge residence**  
 1721 south pacific street  
 ocean side, california 92054

6378 Paseo Puyerte, Carlsbad CA 92009  
 phone 760.476.0933; fax 760.476.0937; email [soanes@soanes.net](mailto:soanes@soanes.net)

**david lee soanes, ltd.**

architectures " golf course architecture " landscape architecture " interior design  
 construction management " landscape management " civil engineering

DATE: 30 JULY 2007  
 SCALE: 1/4" = 1'-0"  
 SHEET: 02.5  
 JOB: 0402-00  
 SHEET: 6

REVISIONS



1/11





1 PLANNING COMMISSION  
2 RESOLUTION NO. 2009-P49

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

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6 APPLICATION NO: RC-2-08  
7 APPLICANT: Ken & Leora Mudge  
8 LOCATION: 1721 South Pacific Street

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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 under the provisions of  
Articles 10, and 40 of the Zoning Ordinance of the City of Oceanside to permit the following:

13 demolition of an existing single-family residence and to allow for the construction of an  
14 new two story 3,143-square-foot residence with two car garage;  
15 on certain real property described in the project description.

16 WHEREAS, the Planning Commission, after giving the required notice, did on the 2<sup>nd</sup> day  
17 of November, 2009 conduct a duly advertised public hearing as prescribed by law to consider said  
18 application.

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

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

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

26 ///

27 ///

28 ///

29

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	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	\$2,072 per unit for residential.
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
10			
11	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.
12			
13	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).
14			
15	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.
16			
17			
18	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
19			
20			
21			
22	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.
23			

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

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

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

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

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

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

11 WHEREAS, the documents or other material which constitute the record of  
12 proceedings upon which the decision is based will be maintained by the City of Oceanside  
13 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

16 FINDINGS:

17 For the Regular Coastal Permit (RC-2-08):

- 18 1. The proposed single-family home conforms to the Local Coastal Program (LCP),  
19 including the policies of that plan; as implemented through the Zoning Ordinance.  
20 Specifically, the project will not substantially alter or impact existing public views of  
21 the coastal zone area and the physical aspects of the project are consistent with the  
22 properties neighboring the project site.
- 23 2. The proposed single-family residence will not obstruct any existing, planned, or  
24 required public beach access; therefore, the project is in conformance with the policies  
25 of Chapter 3 of the Coastal Act. The residence is constructed similar in height and bulk  
26 to other single-family residences within the 1700 block of South Pacific Street recently  
27 approved by the Planning Commission. There is public beach access within 300 feet of  
28 the existing project site.  
29

1 3. The project site is situated within the appeal area of the LCP and conforms to the public  
2 access and recreation policies of Chapter 3 of the Coastal Act. The 1700 block of South  
3 Pacific Street is 450 feet in length. This adequately satisfies the requirement that every  
4 500 feet public beach access be accommodated. Public access is provided at Cassidy  
5 Street and between the properties at 1639 and 1643 South Pacific Street.

6 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
7 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California  
8 Environmental Quality Act and approve Regular Coastal Permit (RC-2-08) subject to the  
9 following conditions:

10 **Building:**

- 11 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for  
12 Building Division plan check (Currently the 2007 California Building Code, and 2007  
13 California Electrical Code).
- 14 2. The granting of approval under this action shall in no way relieve the applicant/project  
15 from compliance with all State and Local building codes.
- 16 3. The building plans for this project are required by State law to be prepared by a licensed  
17 architect or engineer and must comply with this requirement prior to submittal for building  
18 plan review.
- 19 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the  
20 property shall be underground (City Code Sec. 6.30).
- 21 5. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the  
22 plans.
- 23 6. The developer shall monitor, supervise and control all building construction and  
24 supporting activities so as to prevent these activities from causing a public nuisance,  
25 including, but not limited to, strict adherence to the following:
  - 26 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
27 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
28 work that is not inherently noise-producing. Examples of work not permitted on  
29 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, and

1 Christmas Day) except as allowed for emergency work under the provisions of the  
2 Oceanside City Code Chapter 38 (Noise Ordinance).

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

8 7. Separate/unique addresses will be required to facilitate utility releases. Verification that  
9 the addresses have been properly assigned by the City's Planning Division must  
10 accompany the Building Permit application.

11 8. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation  
12 will be required at time of plans submittal to the Building Division for plan check.

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

18 10. As part of your plan check submittal for a Building Permit, submit a "plat" drawing  
19 showing the first floor elevations for each segment, the locations of the points where the  
20 floor level is six feet above grade, and the lowest elevation within five feet from the  
21 building for each segment or property line.

22 11. Setbacks and Type of Construction must comply with the 2007 California Building Code.  
23 Exterior openings less than five feet from the property line must be protected per table  
24 704.8 of the CBC. Exterior walls less than five feet to the property line must be one hour  
rated per Table 602 of the CBC.

25 12. All wired glass windows or doors between three and five feet from the property line must  
26 meet requirements of the new 2007 California Building Code table 715.5 and 715.5.3.

27 13. Building levels below grade (on all sides) shall be provided with a mechanical drainage  
28 system that provides drainage to an approved location/receptor.  
29

1 **Fire:**

- 2 14. The size of fire hydrant outlets shall be 2 ½ “X 4”.
- 3 15. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the
- 4 site plan.
- 5 16. Single-family dwellings require four-inch address numbers.
- 6 17. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval
- 7 prior to the issuance of building permits.
- 8 18. Buildings shall meet Oceanside Fire Department’s current codes at the time of building
- 9 permit application.
- 10 19. Provide a 13R fire sprinkler system. The system shall be designed per N.F.P.A. 13R and
- 11 U.B.C. Standard 9-3, Installation of Sprinklers Systems in Residential Occupancies up to
- 12 and including four stories in height.
- 13 20. In accordance with the Uniform Fire Code Sec. 901.1.4, approved addresses for residential
- 14 occupancies shall be placed on the structure in such a position as to be plainly visible and
- 15 legible from the street or roadway fronting the property. Numbers shall contrast with their
- 16 background.
- 17 21. Future development of the property will require compliance with all applicable Fire
- 18 Department standards.
- 19 22. A minimum fire flow of 1500 gallons per minute shall be provided.
- 20 23. Fire Department requirements shall be placed on the plans and in the note section of the
- 21 plans.

21 **Engineering:**

- 22 24. This project involves demolition of an existing structure; an erosion control plan shall
- 23 be submitted and approved by the City Engineer before issuance of any demolition
- 24 permit. No grading operation shall be allowed in conjunction with the demolition
- 25 operation without an approved grading plan. No demolition shall be permitted without
- 26 an approved erosion control plan.
- 27 25. All right-of-way alignments, exact geometrics and widths shall be constructed or
- 28 replaced as required by the City Engineer.
- 29 26. Design and construction of all improvements shall be in accordance with the City of
- Oceanside Engineers Design and Processing Manual, City Ordinances, and standard

1 engineering and specifications of the City of Oceanside and subject to approval by the  
2 City Engineer.

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

7 28. Where proposed off-site improvements, including but not limited to public utility  
8 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his  
9 own expense, obtain all necessary easements or other interests in real property and shall  
10 dedicate the same to the City of Oceanside as required. The owner/developer shall  
11 provide documentary proof satisfactory to the City of Oceanside that such easements or  
12 other interest in real property have been obtained prior to issuance of any grading  
13 permit for the development. Additionally, the City of Oceanside, may at its sole  
14 discretion, require that the owner/developer obtain at his sole expense a title policy  
15 insuring the necessary title for the easement or other interest in real property to have  
16 vested with the City of Oceanside or the owner/developer, as applicable.

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

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

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

26 b) All grading and related site preparation and construction activities shall be  
27 limited to the hours of 7 a.m. to 6 p.m., Monday through Friday. No engineering  
28 related construction activities shall be conducted on Saturdays, Sundays or legal  
29 holidays unless written permission is granted by the City Engineer 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

1 any existing residential development. Because construction noise may still be  
2 intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance  
3 also prohibits “any disturbing excessive or offensive noise which causes  
4 discomfort or annoyance to reasonable persons of normal sensitivity.”

5 c) The construction site shall accommodate the parking of all motor vehicles used  
6 by persons working at or providing deliveries to the site. An alternate parking  
7 site can be considered by the City Engineer in the event that the lot size is too  
8 small and cannot accommodate parking of all motor vehicles.

9 d) The owner/developer shall complete a haul route permit application (if required  
10 for import/export of dirt) and submit to the City of Oceanside Engineering  
11 Department forty eight hours (48) in advance of beginning of work. Hauling  
12 operations (if required) shall be 8:00 a.m. to 3:30 p.m. unless approved  
13 otherwise.

14 e) It is the responsibility of the owner/developer to evaluate and determine that all  
15 material as defined by the City and the County of San Diego Department of  
16 Environmental Health. Exported or imported soils shall be properly screened,  
17 tested, and documented regarding hazardous contamination.

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

25 32. Approval of this development is conditioned upon payment of all applicable impact fees  
26 and connection fees in the manner provided in chapter 32B of the Oceanside City Code.  
27 All traffic signal fees and contributions, highway thoroughfare fees, park fees,  
28 reimbursements, and other applicable charges, fees and deposits shall be paid prior to  
29 the issuance of any building permits, in accordance with City Ordinances and policies.

33. Sight distance requirements at the project driveway shall conform to the corner sight  
distance criteria as provided by SDRSD DS-20A and or DS-20B. The private

1 driveway alignments and geometric layouts shall meet the City of Oceanside Engineers  
2 Design and Processing Manual.

3 34. Pavement sections and improvements for Pacific Street and the private driveway shall  
4 be based upon approved soil tests and traffic indices. The pavement design is to be  
5 prepared by the owner/developer's soil engineer and must be in compliance with the  
6 City of Oceanside Engineers Design and Processing Manual and be approved by the  
7 City Engineer, prior to paving.

8 35. Prior to approval of the grading plans, the owner/developer shall contract with a  
9 geotechnical engineering firm to perform a field investigation of the existing pavement  
10 on South Pacific Street adjacent to the project boundary. The limits of the study shall  
11 be half-street plus twelve (12) feet along the project's frontage. The field investigation  
12 shall include one pavement boring. Should the existing pavement thickness be  
13 determined to be less than the current minimum standards as set forth in the table for  
14 City of Oceanside Pavement Design Guidelines in the City of Oceanside Engineers  
15 Manual, the Owner/developer shall remove and reconstruct the pavement section as  
16 determined by the pavement analysis submittal process detailed in the condition listed  
below:

17 a) Upon review of the pavement investigation, the City Engineer shall determine  
18 whether the Owner/developer shall: 1) Repair all failed pavement sections per  
19 the direction of the City Engineer; or 2) Perform R-value testing and submit a  
20 study that determines if the existing pavement meets current City  
21 standards/traffic indices. Should the study conclude that the pavement does not  
22 meet current requirements, rehabilitation/mitigation recommendations shall be  
23 provided in a pavement analysis report, and the owner/developer shall  
24 reconstruct the pavement per these recommendations, subject to approval by the  
City Engineer.

25 36. Any existing or damaged broken pavement, concrete curb, gutter and sidewalk during  
26 construction of the project, shall be repaired or replaced as directed by the City  
27 Engineer. Sidewalk shall be constructed per the ADA standards and requirements.

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

- 1 38. Drainage facilities shall be designed and installed to adequately accommodate the local  
2 storm water runoff and shall be in accordance with the San Diego County Hydrology  
3 and Design Manual and in compliance with the City of Oceanside Engineers Design  
4 and Processing Manual to the satisfaction of the City Engineer.
- 5 39. The owner/developer shall obtain any necessary permits and clearances from all public  
6 agencies having jurisdiction over the project due to its type, size, or location, including  
7 but not limited to FEMA, the U. S. Army Corps of Engineers, California Department of  
8 Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water  
9 Quality Control Board (including NPDES), San Diego County Health Department, prior  
10 to the issuance of grading permits.
- 11 40. The approval of the project shall not mean that proposed grading or improvements on  
12 adjacent properties (including any City properties/right-of-way or easements) is granted  
13 or guaranteed to the owner/developer. The owner/developer is responsible for obtaining  
14 permission to grade to construct on adjacent properties. Should such permission be  
15 denied, the project shall be subject to going back to the public hearing or subject to a  
16 substantial conformity review.
- 17 41. Prior to any grading of any part of the project, a comprehensive soils and geologic  
18 investigation shall be conducted of the soils, slopes, and formations in the project. All  
19 necessary measures shall be taken and implemented to assure slope stability, erosion  
20 control, and soil integrity. No grading shall occur until a detailed grading plan, to be  
21 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved  
22 by the City Engineer.
- 23 42. This project shall provide year-round erosion control including measures for the site  
24 required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
25 control plan, designed for all proposed stages of construction, shall be reviewed,  
26 secured by the owner/developer with cash securities and approved by the City Engineer.
- 27 43. A precise grading and improvement plan shall be prepared, reviewed, secured and  
28 approved prior to the issuance of any building permits. The plan shall reflect all  
29 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, footprints of all  
structures, walls, drainage devices and utility services.

- 1 44. Shoring is required for the construction of the proposed development. The shoring  
2 design plans and structural calculations shall be submitted at the final engineering as  
3 part of a grading permit. The plans and documents shall be submitted concurrently with  
4 the grading plans.
- 5 45. Landscaping plans, including plans for the construction of walls, fences or other  
6 structures at or near intersections, must conform to intersection sight distance  
7 requirements. Landscape and irrigation plans for disturbed areas shall be submitted to  
8 the City Engineer prior to the issuance of a grading permit and approved by the City  
9 Engineer prior to the issuance of occupancy permits. Frontage landscaping shall be  
10 installed prior to the issuance of any certificates of occupancy. Any project fences,  
11 sound or privacy walls shall be shown on, bonded for and built from the landscape  
12 plans. These features shall also be shown on the precise grading plans for purposes of  
13 location only. Plantable, segmental walls shall be designed, reviewed and constructed  
14 by the grading plans and landscaped/irrigated through project landscape plans. All  
15 plans must be approved by the City Engineer and a pre-construction meeting held, prior  
16 to the start of any improvements.
- 17 46. The drainage design on development plan is conceptual only. The final design shall be  
18 based upon a hydrologic/hydraulic study to be approved by the City Engineer during  
19 final engineering. All drainage picked up in an underground system shall remain  
20 underground until it is discharged into an approved channel, or as otherwise approved  
21 by the City Engineer. All public storm drains shall be shown on City standard plan and  
22 profile sheets. All storm drain easements shall be dedicated where required. The  
23 owner/developer shall be responsible for obtaining any off-site easements for storm  
24 drainage facilities.
- 25 47. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and  
26 disposed of in accordance with all state and federal requirements, prior to storm water  
27 discharge either off-site or into the City drainage system.
- 28 48. The Owner/developer shall provide a copy of the title/cover page of an approved  
29 SWMP with the first engineering submittal package. The SWMP shall be prepared by  
the owner/developer's Civil Engineer. All Storm water documents shall be in  
compliance with the latest edition of submission requirements.

1 49. Following approval of the SWMP by the City Engineer and prior to issuance of grading  
2 permits, the owner/developer shall submit and obtain approval of an Operation &  
3 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M  
4 Plan shall include an approved and executed Maintenance Mechanism pursuant to  
5 Section 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP).  
6 The O&M shall satisfy the minimum Maintenance Requirements pursuant to Section  
7 4.3 of the ISUSMP. At a minimum the O&M Plan shall include the designated  
8 responsible party to manage the storm water BMP(s), training program and duties,  
9 operating schedule, maintenance frequency, routine service schedule, specific  
10 maintenance activities, copies of resource agency permits, cost estimate for  
11 implementation of the O&M Plan, a security to provide maintenance in the event of  
12 noncompliance to the O&M Plan, and any other necessary elements. The  
13 owner/developer shall provide the City with access to site for the purpose of BMP  
14 inspection and maintenance by entering into an Access Rights Agreement with the City.  
15 The owner/developer shall complete and maintain O&M forms to document all  
16 operation, inspection, and maintenance activities. The owner/developer shall retain  
17 records for a minimum of 5 years. The records shall be made available to the City upon  
18 request.

19 50. The owner/developer shall enter into a City-Standard Stormwater Facilities  
20 Maintenance Agreement (SWFMA) with the City obliging the owner/developer to  
21 maintain, repair and replace the Storm Water Best Management Practices (BMPs)  
22 identified in the project's approved SWMP, as detailed in the O&M Plan into  
23 perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of  
24 any precise grading permit and shall be recorded at the County Recorder's Office prior  
25 to issuance of any building permit. Security in the form of cash (or certificate of  
26 deposit payable to the City) or an irrevocable, City standard letter of credit shall be  
27 required prior to issuance of a precise grading permit. The amount of the security shall  
28 be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to  
29 exceed a total of \$25,000. The owner/developer's civil engineer shall prepare the O&M  
cost estimate. At a minimum, the SWFMA shall require a training program, inspection  
and maintenance of all BMPs on an annual basis.

- 1 51. The SWFMA shall include a copy of executed onsite and offsite access easement and or  
2 access rights necessary for the operation and maintenance of BMPs that shall be binding  
3 on the land throughout the life of the project to the benefit of the party responsible for  
4 the O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include  
5 a copy of the O&M Plan approved by the City Engineer.
- 6 52. The BMPs described in the project's approved SWMP shall not be altered in any way,  
7 unless reviewed and approved to the satisfaction of the City Engineer. The  
8 determination of whatever action is required for changes to a project's approved SWMP  
9 shall be made by the City Engineer.
- 10 53. During final engineering design the Engineer of Record shall evaluate potential impact  
11 to flood hazard areas. Elevation and flood proofing shall be in accordance with the City  
12 of Oceanside Ordinance 94-03 and Federal Emergency Management Agency (FEMA)  
13 requirements.
- 14 54. The approval of the project shall not mean that closure, vacation, or abandonment of  
15 any public street, right of way, easement, or facility is granted or guaranteed to the  
16 owner/developer. The owner/developer is responsible for applying for all closures,  
17 vacations, and abandonments as necessary. The application(s) shall be reviewed and  
18 approved or rejected by the City of Oceanside under separate process(es) per codes,  
19 ordinances, and policies in effect at the time of the application. The City of Oceanside  
20 retains its full legislative discretion to consider any application to vacate a public street  
21 or right-of-way.
- 22 55. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire  
23 project will be subject to prevailing wage requirements as specified by Labor Code  
24 section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging  
25 the prevailing wage requirements prior to the granting of any fee reductions or waivers.
- 26 56. In the event that the conceptual plan does not match the conditions of approval, the  
27 resolution of approval shall govern.
- 28 57. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines  
29 and Specifications for Landscape Development (latest revision), Water Conservation  
Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the  
maintenance of such landscaping, shall be reviewed and approved by the City Engineer

1 prior to the issuance of building permits. Landscaping shall not be installed until bonds  
2 have been posted, fees paid, and plans signed for final approval. The following  
3 landscaping requirements shall be required prior to plan approval and certificate of  
4 occupancy:

- 5 a) Final landscape plans shall accurately show placement of all plant material such  
6 as but not limited to trees, shrubs, and groundcovers.
- 7 b) Landscape Architect shall be aware of all utility, sewer, storm drain easement  
8 and place planting locations accordingly to meet City of Oceanside  
9 requirements.
- 10 c) All required landscape areas shall be maintained by owner. The landscape areas  
11 shall be maintained per City of Oceanside requirements.
- 12 d) Proposed landscape species shall be native or naturalized to fit the site and meet  
13 climate changes indicative to their planting location. The selection of plant  
14 material shall also be based on cultural, aesthetic, and maintenance  
15 considerations. In addition proposed landscape species shall be low water users  
16 as well as meet all fire department requirements.
- 17 e) All planting areas shall be prepared with appropriate soil amendments,  
18 fertilizers, and appropriate supplements based upon a soils report from an  
19 agricultural suitability soil sample taken from the site.
- 20 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil  
21 from the sun, evapotranspiration and run-off. All the flower and shrub beds  
22 shall be mulched to a 3" depth to help conserve water, lower the soil  
23 temperature and reduce weed growth.
- 24 g) The shrubs shall be allowed to grow in their natural forms. All landscape  
25 improvements shall follow the City of Oceanside Guidelines.
- 26 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving  
27 surface is located within 6 feet of a trees trunk on site (private) and within 10  
28 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5  
29 feet in each direction from the centerline of the trunk, for a total distance of 10  
feet. Root barriers shall be 24 inches in depth. Installing a root barrier around  
the tree's root ball is unacceptable.

- 1 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall  
2 obtain planning department approval for these items in the conditions or  
3 application stage prior to 1<sup>st</sup> submittal of working drawings.
- 4 j) For the planting and placement of trees and their distances from hardscape and  
5 other utilities/ structures the landscape plans shall follow the City of  
6 Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 7 k) An automatic irrigation system shall be installed to provide coverage for all  
8 planting areas shown on the plan. Low precipitation equipment shall provide  
9 sufficient water for plant growth with a minimum water loss due to water run-  
10 off.
- 11 l) Irrigation systems shall use high quality, automatic control valves, controllers  
12 and other necessary irrigation equipment. All components shall be of non-  
13 corrosive material. All drip systems shall be adequately filtered and regulated  
14 per the manufacturer's recommended design parameters.
- 15 m) All irrigation improvements shall follow the City of Oceanside Guidelines and  
16 Water Conservation Ordinance.
- 17 n) The landscape plans shall match all plans affiliated with the project.
- 18 o) Landscape plans shall comply with Biological and/or Geotechnical reports, as  
19 required, shall match the grading and improvement plans, comply with SWMP  
20 Best Management Practices and meet the satisfaction of the City Engineer.
- 21 p) Existing landscaping on and adjacent to the site shall be protected in place and  
22 supplemented or replaced to meet the satisfaction of the City Engineer.

23 58. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-  
24 way and within any adjoining public parkways shall be permanently maintained by the  
25 owner, his assigns or any successors-in-interest in the property. The maintenance  
26 program shall include: a) normal care and irrigation of the landscaping b) repair and  
27 replacement of plant materials c) irrigation systems as necessary d) general cleanup of  
28 the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure  
29 to maintain landscaping shall result in the City taking all appropriate enforcement  
actions including but not limited to citations. This maintenance program condition shall  
be recorded with a covenant as required by this resolution.

1 59. In the event that the conceptual landscape plan (CLP) does not match the conditions of  
2 approval, the resolution of approval shall govern.

3 **Planning:**

4 60. The Regular Coastal Permit RC-2-08 shall expire on November 2, 2012 unless  
5 implemented as required by the Zoning Ordinance.

6 70. The Regular Coastal Permit RC-2-08 is granted for the following purposes only:

- 7 a) The demolition of the existing structure on the property located 1721 South  
8 Pacific Street, to allow the demolition of an existing 997-square-foot single-  
9 family home to allow for the construction of a new two story with basement  
10 home, consisting of 3,143 square feet with an attached 460-square-foot two car  
11 garage. No deviation from these approved plans and exhibits shall occur without  
12 Planning Commission approval. Substantial deviations shall require a revision to  
13 the Regular Coastal Permit or a new Coastal Permit.

14 71. Regular Coastal Permit RC-2-08 shall lapse three years after the effective date of  
15 approval unless implemented as provided in Section 4108.A of the Zoning Ordinance  
16 and as provided in the conditions as adopted herein.

17 72. Regular Coastal Permit RC-2-08 shall be called for review by the Planning Commission  
18 if complaints are filed and verified as valid by the City Planner or the Code  
19 Enforcement Officer concerning the violation of any of the approved conditions or the  
20 project assumptions demonstrated under the application approval.

21 73. The validity of Regular Coastal Permit RC-2-08 shall not be affected by changes in  
22 ownership or tenants.

23 74. Regular Coastal Permit RC-2-08 shall lapse if the exercise of rights granted by it is  
24 discontinued for six consecutive months.

25 75. Regular Coastal Permit RC-2-08 that are exercised in violation of a condition of  
26 approval or a provision of the Zoning Ordinance may be revoked, as provided in  
27 Section 4706.

28 76. A request for changes in conditions of approval of a variance, or a change to the  
29 approved plans that would affect a condition of approval shall be treated as a new  
application. The City Planner may waive the requirements for a new application if the  
changes requested are minor, do not involve substantial alterations or addition to the

1 plan or the conditions of approval, and are consistent with the intent of the project's  
2 approval or otherwise found to be in substantial conformance.

3 77. Regular Coastal Permit RC-2-08 may be revised or renewed in accordance with the  
4 provisions of the Zoning Ordinance. The application for RC-2-08 revision or renewal  
5 shall also be evaluated against the existing land use policies and any site area and  
6 neighborhood changes.

7 78. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
8 harmless the City of Oceanside, its agents, officers or employees from any claim, action  
9 or proceeding against the City, its agents, officers, or employees to attack, set aside,  
10 void or annul an approval of the City, concerning Regular Coastal Permit (RC-2-08).  
11 The City will promptly notify the applicant of any such claim, action or proceeding  
12 against the City and will cooperate fully in the defense. If the City fails to promptly  
13 notify the applicant of any such claim action or proceeding or fails to cooperate fully in  
14 the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or  
15 hold harmless the City.

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

20 80. Prior to issuance of a building permit, the applicant and landowner, shall execute and  
21 record a covenant, in a form and content acceptable to the City Attorney, which shall  
22 provide:

23 a) That the applicant understands that the site may be subject to extraordinary  
24 hazard from waves during storms and from erosion and the applicants assumes  
25 the liability from those hazards.

26 b) That the applicant unconditionally waives any claim of liability on the part of  
27 the City and agrees defend and indemnify and hold harmless the City and its  
28 advisors relative to the City's approval of the project for any damage due to  
29 natural hazards.

81. 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

1 owner and or operator. This notification's provision shall run with the life of the project  
2 and shall be recorded as a covenant on the property.

3 82. Failure to meet any conditions of approval for this project shall constitute a violation of  
4 the Regular Coastal Permit RC-2-08.

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

10 84. Side and rear elevations and window treatments shall be trimmed to match the front  
11 elevations. A set of building plans shall be reviewed and approved by the City Planner  
12 prior to the issuance of building permits.

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

16 86. All mechanical rooftop and ground equipment shall be screened from public view as  
17 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,  
18 mechanical equipment, screen and vents shall be painted with non-reflective paint to  
19 match the roof. All roof top surfaces shall have a non-reflective surface and mechanical  
20 appurtenances shall be painted to match the roof color. This information shall be shown  
21 on the building plans.

22 87. The HVAC case shall be fully enclosed and not project into a required yard or project  
23 above the district's height requirement.

24 88. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or  
25 earlier, so that its surface does not reflect light. Non-metallic roofing material is  
26 preferred and non-reflective roofing material is required. The copper roofing shall be  
27 treated to have a non-reflective surface (patina) at the time it is installed.

28 89. Lots is situated on the westerly side of the 1700 block of South Pacific Street have an  
29 average front yard depth of 14 inches. The structure shall be set back from the front  
property line a minimum of 14 inches.

- 1 90. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall  
2 be compatible in scale with the existing development and shall not extend further  
3 seaward than the line established on the Stringline Setback Map.
- 4 91. Fence height limitations and opacity requirements are subject to Section 1050(U) of the  
5 Zoning Ordinance and required front yards. Fence materials shall be 75 percent  
6 transparent.
- 7 92. All wood fences adjacent to public right-of-way, visible from the public right-of-way,  
8 or facing the shore will be stained or otherwise finished with a waterproof material.
- 9 93. The developer's construction of all fencing and walls associated with the project shall  
10 be in conformance with the approved Regular Coastal Permit. Any substantial change  
11 in any aspect of fencing or wall design from the approved Regular Coastal Permit shall  
12 require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.
- 13 94. If any aspect of the project fencing and walls is not covered by an approved Regular  
14 Coastal Permit, the construction of fencing and walls shall conform to the development  
15 standards of the City Zoning Ordinance. In no case, shall the construction of fences and  
16 walls (including combinations thereof) exceed the limitations of the zoning code, unless  
17 expressly granted by a Variance or other development approval.
- 18 95. A minimum of 50 percent of a required yard adjoining a street shall be planting areas  
19 and landscaped.
- 20 96. Compliance with Oceanside Zoning Ordinance 1050(T) shall be required. Fifty percent  
21 of the required interior side yard shall be landscaped.
- 22 97. The project shall dispose of or recycle solid waste in a manner provided in City  
23 Ordinance 13.3.
- 24 98. In the event any subsurface archaeological resources are encountered during grading or  
25 construction activities, such activities in the locality of the find shall be halted  
26 immediately. An archaeologist, certified by the Society of Professional Archaeologists  
27 (SOPA), shall be brought in to determine the significance of the archaeological  
28 resources and implement appropriate mitigations prior to recommending earthwork.
- 29 99. 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.

1 100. Prior to the issuance of building permits the developer or owner shall make an  
2 irrevocable offer of dedication to the City of Oceanside an easement for lateral public  
3 access and passive recreational use along the shoreline adjacent to this property. The  
4 document shall provide that the offer of dedication shall not be used or construed to  
5 allow anyone, prior to acceptance of the offer, to interfere with any rights of public  
6 access acquired through a use which may exist on the property. The easement shall be  
7 located along the entire width of the property line to the toe of the bluff (toe of the  
8 seawall, a line 25 feet inland of the daily high water line, which is understood to be  
9 ambulatory from day to day). The easement shall be recorded free of prior liens and  
10 free of any other encumbrances which may affect said interest. The easement shall run  
11 with the land in favor of the City of Oceanside, and is binding to all successors and  
assignees.

12 101. Photo documentation of structures shall be accomplished in the following manner:  
13 Format (4" X 5") to include black and white shots of all exterior elevations of the  
14 cultural resource, producing archival quality negatives and contacts. Interior shots shall  
15 be accomplished in the same format. Color slide photo documentation shall be  
16 required, the number of shots to be determined by the OHPAC. All photo  
17 documentation shall be accomplished under the direction of a designated member of the  
18 OHPAC and to the satisfaction of the City Planner.

19 102. A management plan for the duplex shall be reviewed and approved by the City Planner  
20 prior to the issuance of an occupancy permit.

21 103. If the residential units are used as vacation rentals, a business license shall be obtained  
22 by the owner prior to issuance of an occupancy permit.

23 **Water:**

24 104. The developer will be responsible for developing all water and sewer utilities necessary to  
25 develop the property. Any relocation of water and/or sewer utilities is the responsibility of  
26 the developer and shall be done by an approved licensed contractor at the developer's  
expense.

27 105. The property owner shall maintain private water and wastewater utilities located on private  
28 property.

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- 106. 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.
- 107. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water Utilities Director.
- 108. 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.
- 109. No trees, structures or building overhang shall be located within any water or wastewater utility easement.
- 110. 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.

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

5 PASSED AND ADOPTED Resolution No. 2009-P49 on November 2, 2009 by the  
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11  
12 \_\_\_\_\_  
13 Claudia Troisi, Chairperson  
Oceanside Planning Commission

14 ATTEST:

15  
16 \_\_\_\_\_  
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
19 this is a true and correct copy of Resolution No. 2009-P49.

20 Dated: November 2, 2009  
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PRIMARY RECORD

RECEIVED  
JAN 18 2008  
Planning Department

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Binomial \_\_\_\_\_  
NRHP Status Code 6Z

Other Listings \_\_\_\_\_  
Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 3

\*Resource Name or #: (Assigned by recorder) 1721 S. Pacific Street

P1. Other Identifier: Charles M. and Sylvia Hill Property

\*P2. Location:  Not for Publication  Unrestricted \* a. County: San Diego

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

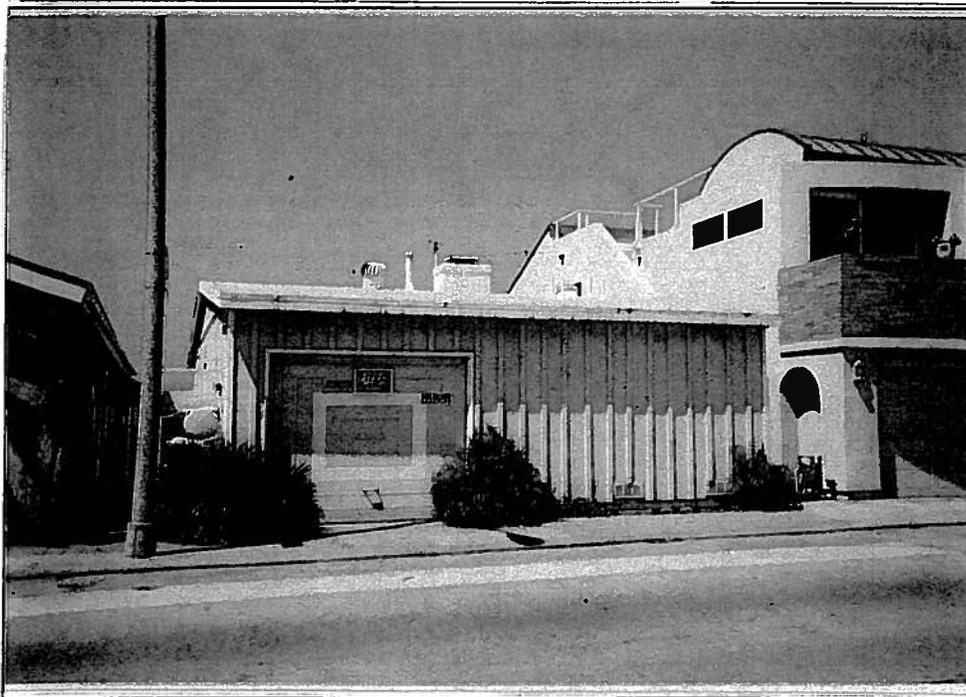
\*b. USGS 7.5' Quad San Luis Rey \*Date: 1975 T 11S R 5W; ¼ of ¼ of Sec; B.M.: SB

c. Address: 1721 S. Pacific Street City: Oceanside Zip: 92054

d. UTM: (Give more than one for large or linear resources) Zone ; Me/ mN

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): APN: 153-091-45; Lot 42, Block E, of the Ocean Front Addition.

\*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries): The resource consists of a 997 sq ft, rectangular, one story with finished basement, frame, Modern Contemporary style house. The exterior is stucco and vertical wood board clad and the building rests on a concrete foundation. The side gable roof is very low pitched, with open, fascia-fronted eaves and a narrow overhang. The replaced windows are primarily single, paired, and triple metal sliders, some with leaded glass. A lipped brick chimney is located toward the rear of the house. Access to the house is from the sidewalk via concrete walks on the north and south sides of the building. The main entry, on the south side, has two rounded concrete steps and a single wood and leaded glass door. Two entries are located on the north side - one has a plain, single wood door and the other has a single wood door with a leaded glass panel. The single-car attached garage has vertical board siding and a wood detailed lift up door. The house appears to be in good condition.



\*P3b. Resource Attributes: (List attributes and codes) HP2 -Single-family residence

P4. Resources Present:  Building  Structure  Object  Site  District  Element of District  Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #) Facade looking west, 8/25/05, 966:1

\*P6. Date Constructed/Age and Source  Historic  Prehistoric  Both Constructed 1952 per Notice of Completion

\*P7. Owner and Address: M. Kenneth & LeOra Mudge  
1721 S. Pacific Street  
Oceanside, CA 92054

\*P8. Recorded by (Name, affiliation, and address): Ruth Alter,  
Archaeos, 11209 Golden  
Birch Way, San Diego, CA

92131 \*P9. Date Recorded:

8/25/05 \*P10. Type of Survey: (Describe) Field Check \*P11. Report Citation (Cite survey report and other sources, or enter "none".) None

\*Attachments:  NONE  Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record  Archaeological Record  District Record  Linear Resource Record  Milling Station Record  Rock Art Record  Artifact Record  Photograph Record  Other (List):

CONTINUATION SHEET

Primary # \_\_\_\_\_

HRI # \_\_\_\_\_

Trinomial \_\_\_\_\_

Page 2 of 3

\*Resource Name or # (Assigned by recorder) 1721 S. Pacific Street

\*Recorded by Ruth C. Alter

Date 8/25/05

Continuation  Update

According to the chain of title, the Carlsbad Seaside Association sold this unimproved lot to Cassius E. Sibley in June, 1909. Born in Ohio in 1850, Mr. Sibley was identified as an attorney in the 1880 census. He had moved to California by 1900, where he lived with his cousin Hiram Sibley in Realto, San Bernardino County, California, and worked as a printer. At the time of his death in 1915, Sibley was living in Oregon.

Title to the subject property was conveyed to Sibley's heirs, his brother Joseph E. Sibley, Joseph's wife Harriet, and Joseph's children John and Lulu. In August, 1927, William and Beatrice Carr purchased the lot. Mr. Carr, a native of Illinois, and his wife, were living in Pasadena, California at the time of the purchase. Mr. Carr worked as a real estate salesman.

Kenyon A. Keith, the developer of St. Malo Beach tract to the south of the subject property, and his wife Louise acquired the lot from the Carrs in January, 1929. The purchase was probably for speculative purposes, as the property was sold about eight months later, in August, 1929, to Charles A. Brawn, who resided on Palomar Mountain. Philadelphia resident Frank S. Johnson bought the as yet unimproved lot from Brawn in May, 1933. Johnson deeded back the lot to Brawn in December, 1944. Brawn and his wife Louise sold the property to Herschel and Christie Bauman, probably residents of Pasadena, in May, 1948. In June, 1949, Charles and Sylvia Hill acquired the property from the Baumans.

The Hills, residents of El Monte, California, built the subject house in September, 1952. The house was likely intended as a weekend home and rental, a common use for properties in this area. Seymour Benson and his wife Gladys purchased the house from the Hills in September, 1957. The couple may have resided there, as they are shown as the occupants of the house in the 1962 City Directory. In August, 1977, Mr. Benson, shown as a resident of Los Angeles, quitclaimed the property to Gladys Benson, whose address is provided as 1721 S. Pacific Street. Following her death in 1988, Mrs. Benson's heirs, her daughters Terry Schuller and Tracey Benson, took title the house. Tracey Benson acquired sole title in February, 1990. She sold the house to Gary Adcock in March, 1990. A consortium of investors bought the property through foreclosure in November, 1992. The house was sold to Noi Phanucharas in August, 1996. Jamie Phillips was added to the title in May, 2000. The current owners, M. Kenneth and LeOra Mudge, purchased the property in June, 2003.

B1. Historic Name: \_\_\_\_\_  
 B2. Common Name: \_\_\_\_\_  
 B3. Original Use: Single-family residence B4. Present Use Single-family residence  
 \*B5. Architectural Style: Modern Contemporary  
 \*B6. Construction History: (Construction date, alternations, and date of alterations)  
 The house was constructed in 1952. It is minimally visible from the street, dropping down a long, narrow lot which affords direct access to the beach below. Exterior modifications include a recladding of the original exterior surface (originally board and batten) with vertical board, and wood window replacements with metal sliders.  
 \*B7. Moved?  No  Yes  Unknown Date: \_\_\_\_\_ Original Location: \_\_\_\_\_  
 \*B8. Related Features: Attached double garage  
 B9a. Architect: None b. Builder: Unknown  
 \*B10. Significance: Theme: residential development Area Oceanside, California  
 Period of Significance 1930 to present Property Type Single-family Applicable Criteria N/A  
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

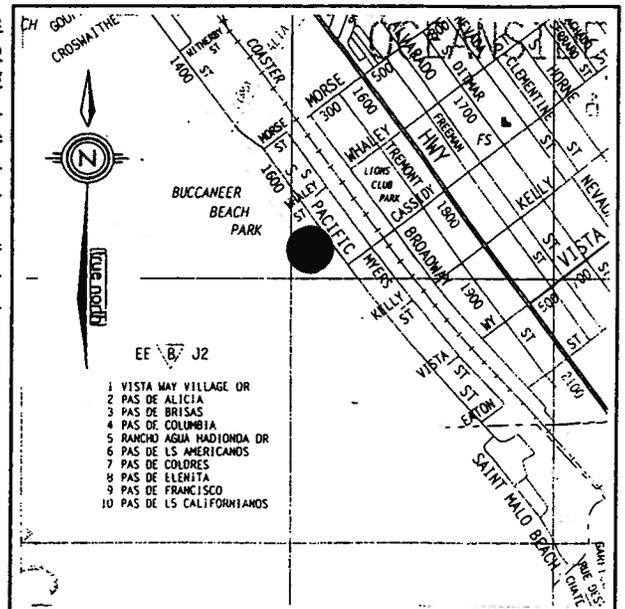
The resource is located in the Ocean Front Addition, in South Oceanside. It is immediately adjacent to the Pacific Ocean and the history of the neighborhood was shaped by its proximity to the water. Many of the earliest houses built on this block appear to have been intended as beach houses, possibly serving as recreational second residences for their owners. The property is also near the exclusive St. Malo residential neighborhood.

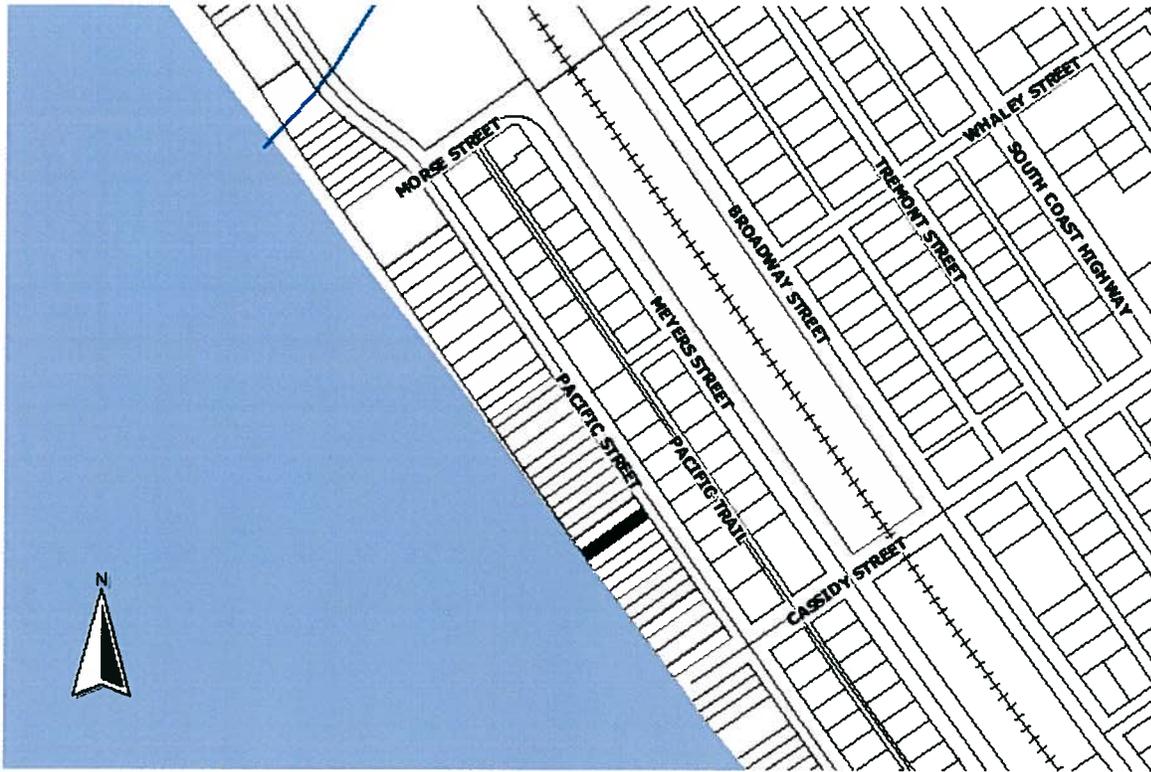
Per the Residential Building Record, the workmanship and architectural attributes of the subject resource are of fair-to-average quality. It is very typical of the houses built after World War II in this area, in that its design is oriented westward toward the ocean. The attached garage occupies the eastern portion of the lot, with a shallow concrete driveway off the street. Primary and secondary entries are located on the sides of the building. The sloped setting allows for a basement beneath the house and direct access to the beach. Its post-war styling is simple and fairly expedient.

The resource is not associated with any known significant historic event or events. No one of national, state, or local historical importance is directly associated with it. Its design is not distinctive and it does not represent the work of a master architect or craftsman. The resource is not constructed of rare or unique materials and is unlikely to yield important information relevant to local, state or national history. Its feeling, and design, locational and associational integrity are intact. The setting, while still single-family residential, has been altered by stylistic additions and revisions to the neighborhood.

B11. Additional Resource Attributes: (List attributes and codes) None  
 \*B12. References: Assessor's records, San Diego County; Hawthorne, K., Oceanside, Where Life is Worth Living, 2001. Donning Company Publishers, Virginia Beach, Virginia; McAlester, V. and L, A Field Guide to American Houses, 1991. Alfred A. Knopf, New York.  
 B13. Remarks:  
 \*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131  
 Date of Evaluation: 8/25/05

(This space reserved for official comments.)





**File Number: V-15-08, RC-2-08**

**Applicant: Ken & Leora Mudge**

**Description:**

Consideration of a VARIANCE (V-15-08) and REGULAR COASTAL PERMIT (RC-2-08) to permit the demolition of an existing single-family home to construct a new two-story over a basement single-family residence located at 1721 South Pacific Street. The project site is zoned RS (Single-Family Residential) and is situated within the South Oceanside Neighborhood and the Coastal Zone. – **MUDGE 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

Date: October 21, 2009

Public Hearing Coastal Permit  
Identification No. RC-2-08

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 Ken and Leora Mudge. This application was received on January 18, 2008 . The application is described as follows:

To permit the demolition of an existing single-family home to construct a new two-story over a basement single-family residence located at 1721 South Pacific Street.

The project site is zoned RS (Residential Single-Family) and is situated within the South Oceanside Neighborhood and the Coastal Zone.

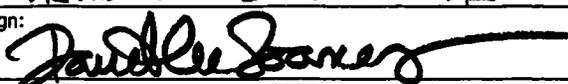
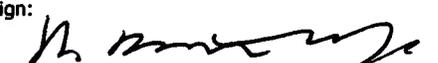
Said hearing will be held on November 2, 2009, at 7:00 p.m. in the Council Chamber of City Hall, 300 North Coast Hwy., Oceanside, California at which time and place any and all interested persons may appear and be heard. Interested persons may contact the Planning Division at (760) 435-3520 after October 28, 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](mailto: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 12, 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.

Application For Planning Commission Hearing Planning Department (760) 435520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054885 Please Print or Type All Information				STAFF USE ONLY		
<b>PART I - APPLICANT INFORMATION</b> 1. APPLICANT <b>KEN &amp; LEORA MUDGE</b> 2. STATUS <b>MARRIED</b> 3. ADDRESS <b>1721 SOUTH PACIFIC ST. OCEANSIDE CA 92054</b> 4. PHONE/FAX <b>909.792.7103</b> 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) <b>DAVID LEE SOANES</b> 6. ADDRESS <b>6378 PASEO POTRERO CARLSBAD CA 92009</b> 7. PHONE/FAX <b>760.416.0933 760.416.0937</b>				ACCEPTED	BY	
				HEARING		<b>SW.</b>
<b>PART II - PROPERTY DESCRIPTION</b>				GPA		
8. LOCATION <b>1721 SOUTH PACIFIC ST.</b>				MASTER/SP.PLAN		
9. SIZE <b>6290 SF.</b>				ZONE CH.		
10. GENERAL PLAN <b>RESIDENTIAL</b>				TENT. MAP		
11. ZONING <b>R.S</b>				PAR. MAP		
12. LAND USE <b>SINGLE-FAMILY RES.</b>				DEV. PL.		
13. ASSESSOR'S PARCEL NUMBER <b>153.091.45.00</b>				C.U.P.		
<b>PART III - PROJECT DESCRIPTION</b>				VARIANCE <b>4-15-08</b>		
14. GENERAL PROJECT DESCRIPTION <b>TO DEMOLISH AN EXISTING TWO LEVEL STRUCTURE &amp; CONSTRUCT A NEW 3000 SF ± TWO-STORY OVER BASEMENT HOME W/ TWO CAR ATTACHED GARAGE</b>				COASTAL <b>RC-4-08</b>		
15. PROPOSED GENERAL PLAN <b>RES (same)</b>				O.H.P.A.C. <b>RC-2-08</b>		
16. PROPOSED ZONING <b>R.S (same)</b>						
17. PROPOSED LAND USE <b>S.F.</b>						
18. NO. UNITS <b>1</b>						
19. DENSITY <b>7 DU/ACRE</b>						
20. BUILDING SIZE <b>3500</b>						
21. PARKING SPACES <b>2</b>						
22. % LANDSCAPE <b>20%</b>						
23. % LOT COVERAGE <b>27%</b>						
<b>PART IV - ATTACHMENTS</b>						
<b>ALL APPLICATIONS</b>				<b>DEV. PLANS, C.U.P.s &amp; TENT. MAPS</b>		
• 24. DESCRIPTION/JUSTIFICATION		• 25. LEGAL DESCRIPTION		• 30. FLOOR PLANS AND ELEVATIONS		
• 26. 300-FT. RADIUS MAP		• 27. PROPERTY OWNERS' LIST		• 31. CONSTRUCTION SCHEDULE		
• 28. ENVIRONMENTAL ASSESSMENT		• 29. PLOT PLANS		• 32. OTHER		
<b>PART V - SIGNATURES</b>						
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.				SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).		
33. APPLICANT OR REPRESENTATIVE (Print): <b>DAVID LEE SOANES</b>		34. DATE <b>12.15.07</b>		37. OWNER (Print): <b>M. KENNETH MUDGE</b>		
Sign: 		38. DATE <b>12/14/07</b>		Sign: 		
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.				39. OWNER (Print): <b>Leora Mudge</b>		
35. APPLICANT (Print):		36. DATE		40. DATE <b>12/14/07</b>		
Sign:		Sign:		Sign:		

RECEIVED  
 Scott 7/29/9 JAN 17 2008  
 Planning Department

# *soanes, ltd.*

6378 Paseo Potrero, Carlsbad, California 92009-3021  
phone: 760.476.0933 \* fax: 760.476.0937 \* email: soanes@roadrunner.com

## **Executive Summary Description & Justification**

Received

JUL 27 2009

Planning Division

## **The Mudge Residence 1721 South Pacific Street**

The Project proposes to demolish the existing two-story wood frame home and recycle the useable materials (to the extent possible), then to excavate the site for the bedded foundation and construct a new two-story over basement single family residence. The project is compliant with the Coastal Overlay Zone of the City of Oceanside and the underlying zoning regulations (1986 Zoning Ordinance) of the RS Residential Zone.

The new home will have four bedrooms & 5.5 baths, with library, beach level game room and ground-level storage; also an extended two-car garage with storage at the street level:

- 01 provides a contrasting high visual quality façade observable from the beach and the street;
- 02 observes a 14 inch blockface with angled street façade and enhanced landscape;
- 03 observes the 35 ft ht limit; 25.5 ft above street elev similar to 1719 S Pacific; structures to south and north are up to 27 ft above street grade; 18 ft grade difference to sand level at rear of property; height is calculated in the PROFILE not to exceed 35 ft. The main structure is only 25.5 ft above street grade (with only a 240 sf "view-through) open lattice beam shade structure at the roof level) in respect for approved structure at 1719 South Pacific St, The Wilt Residence, approved 1999, finished 2002.
- 04 provides a two-story over basement configuration in multi levels; the building has two segments as determined by the split in the foundation; the rear segment has the small storage (for kayaks and beach toys, patio furniture storage etc) and the first story beach level room, with the dining room and portion of living room as the second story, and an occupied roof deck above; the front segment has the basement bedrooms with the foyer & garage as the first story and the upper master bedroom is the second story with and occupied roof deck (this roof deck is for observation and placement of the AC condenser units to be screened from view by the 42" solid parapet. The incidental overlap at 5 ft at the master bedroom level accommodates the elevator depth (refer to approvals for 1621 & 1623 South Pacific Street homes for similar approval)

*architecture \* golf course architecture \* land planning \* civil engineering  
construction management \* landscape architecture \* interior design*

- 05 structural excavation & shoring to create the basement; no permanent visible slopes creates;
- 06 is consistent with the bulk & scale of the newer homes on the street; Structure is 3600 Sf including garage, similar to The Wilts at 3900 SF including garage; recent approvals 1507 – 3800 SF Stroud, 1621 & 1623 – 4950 SF, 1705 – 4250 SF Stensrud, 1709 – 4300 SF Matlach, etc; Project conforms to mid size of developing neighborhood character;
- 07 meets or exceeds the technical provisions of the neighborhood regs ( height, setbacks, stringline, bulk & scale compatibility, etc);  
Parking Variance Only, we have reviewed all homes from the 1400 block of South Pacific Street to the 2000 block; of the nearly 100 homes, only 4 have a 3 car garage and are each on a 45 ft, 60 ft or 90 ft wide lot that allows for the 3-car width. This Project Site is 28.6 ft wide, is a substandard lot and cannot provide for a 3-car garage without severe hardship due to the limited stringline and substandard width.
- To be required to provide for a 3-car garage would deprive the Project Applicant of the property right that their neighbors enjoy, (that is provision of a 2-car garage only that fits in the predominant 30 ft wide narrow lots), so we are requesting a Variance therefrom the requirement for the 3-car garage. (not required per 1986 OZO)**
- 08 structure to be constructed in 10 to 14 months; worker crews will be small in number on a daily basis since the site is so restricted; worker will drop off tools at site, then be directed to park on Myers Street to minimize the impact on public parking. Fortunately, the entire street has parallel parking on the east side no interrupted by driveways (access to lots on east side of Pacific Street is from the alley to the east of said properties; Site fencing with green fabric screen with obscure the construction area from street level views to the extent possible.
- 09 will be constructed of the highest quality materials & methods;
- 10 all access shall be from South Pacific Street;
- 11 proposes to preserve and enhance all public oceans views along the beach; and will also pay Sand Mitigation Fee to SANDAG; and
- 12 does not impact any current or future public views.

Respectfully Submitted,

David Lee Soanes,  
Principal Architect / Landscape Architect



**The Mudge Residence**

**1721 South Pacific Street**

**Projected Construction Schedule**

<u>Date:</u>	<u>Description of Work:</u>
15 NOV 2009	Begin Demolition, Excavation and Revetment Repair
15 DEC 2009	Begin Foundations
15 FEB 2010	Begin Framing
15 APR 2010	Begin Trades
15 JUN 2010	Begin Drywall & Stucco
15 AUG 2010	Install Interiors
15 NOV 2010	Projected Date of Occupancy

**LEGAL DESCRIPTION**

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

**PARCEL B AS SHOWN ON CERTIFICATE OF COMPLIANCE NO. PLA 01-91 AS EVIDENCED BY DOCUMENT RECORDED AS JUNE 11, 1991 AS INSTRUMENT NO. 91-279085 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**PARCEL A:**

**LOT 42 OF BLOCK "E" OF OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904, THE SOUTHEASTERLY LOT LINE OF SAID LOT 42 BEING PARTICULARLY DESCRIBED IN THAT CERTAIN JUDGMENT, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 15, 1976 AS INSTRUMENT NO. 76-13347 OF OFFICIAL RECORDS AND SHOWN ON RECORD OF SURVEY MAP NO. 12245, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 6, 1989 AS INSTRUMENT NO. 89-357197 OF OFFICIAL RECORDS.**

**EXCEPTING THEREFROM, THAT PORTION, IF ANY, LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.**

**PARCEL B:**

**A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTHERLY 16 INCHES OF LOT 41 OF BLOCK "E" OF OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904.**

**PARCEL C:**

**AN EASEMENT FOR MAINTAINING A WIRE FENCE, FOR MAINTAINING TWO POSTS, FOR DRAINAGE, AND FOR ACCESS TO AND FROM THE PACIFIC OCEAN OVER THE AREA DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE TRUE POINT OF BEGINNING OF THE LINE BETWEEN LOTS 42 AND 43 AS DESCRIBED IN THIS ORDER; THENCE WESTERLY ALONG SAID BOUNDARY LINE 69 FEET TO A POINT DESCRIBED AS "A"; THENCE CONTINUING WESTERLY ALONG THE SAID BOUNDARY LINE, 42.5 FEET TO A POINT ON SAID LINE DESCRIBED AS POINT "B"; THENCE LEAVING SAID COURSE AT RIGHT ANGLES IN AN EASTERLY DIRECTION, 32-3/4 INCHES TO A POINT DESCRIBED AS POINT "C"; THENCE PERPENDICULAR TO SAID EASTERLY LINE, IN AN EASTERLY DIRECTION 20 FEET TO A POINT 22-1/4 INCHES EASTERLY OF THE AFORESAID DESCRIBED BOUNDARY LINE, SAID POINT BEING DESCRIBED AS POINT "D"; THENCE CONTINUING IN AN EASTERLY DIRECTION 22.5 FEET TO A POINT 27 INCHES EASTERLY OF THE AFORESAID DESCRIBED BOUNDARY LINE, SAID POINT BEING DESCRIBED AS POINT "E"; THENCE WESTERLY AT RIGHT ANGLES 27 INCHES TO POINT "A".**

APN: 153-091-45-00



## NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 11/2/2009  
Removal: 04/27/2010  
(180 days)

1. **APPLICANT:** Ken & Leora Mudge
2. **ADDRESS:** 1721 S. Pacific Street
3. **PHONE NUMBER:** (760) 476-0933
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** RC-2-08 - Dillon Residence
7. **DESCRIPTION:** A Regular Coastal Permit to permit the demolition of an existing single family residence to allow a 3,143 square foot home with two car garage located at 1721 South Pacific Street. The project site is zoned R1 (Residential Single Family) 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: November 2, 2009

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