AGENDA NO. 4

*PLANNING COMMISSION* *STAFF REPORT*

DATE: November 8, 2010

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC10-00004) FOR THE CONSTRUCTION OF A 240-SQUARE FOOT ADDITION TO AN EXISTING RESIDENCE LOCATED AT 1705 SOUTH PACIFIC STREET – STENSRUD ADDITION – APPLICANT: WHITNEY STENSRUD**

## RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Confirm issuance of a Class 1, Categorical Exemption per Section 15301 "Existing Facilities" of the California Environmental Quality Act; and

(2) Approve Regular Coastal Permit (RC10-00004) by adopting Planning Commission Resolution No. 20010-P33 with findings and conditions of approval attached herein.

## PROJECT DESCRIPTION AND BACKGROUND

**Background:** Situated within the Coastal Zone and the South Oceanside Neighborhood Planning Area, the subject property is a 6,900-square foot beachfront lot now accommodating a 3,811-square foot single-family residence and 444-square foot garage. Comprised of two stories over a daylight basement, the existing residence and garage were constructed in 2005. These improvements were approved under the land use and development standards of the City's 1992 Zoning Ordinance, which is no longer operative within the Coastal Zone. The current proposal has been evaluated under the standards of the 1986 Zoning Ordinance, which was formally reapplied to Coastal Zone properties outside of the Downtown Redevelopment Area in May of 2009.

The proposed project was reviewed by the Planning Commission on October 25, 2010. With only six members of the Planning Commission present at the meeting, a motion for approval of the proposal received a 3-3 vote, which resulted in no action being taken. In accordance with Municipal Code Section 2.1.34 (Tie Vote), the proposal was automatically

placed on the agenda of the next regularly-scheduled Planning Commission meeting (i.e. November 8, 2010) for further consideration. Should the proposal be the subject of a second tie vote, the proposal will be deemed denied.

**Site Review:** Per the 1986 Zoning Ordinance, the subject site bears a zoning designation of R-1 (Single-Family Residential). The land use designation of the subject site is Single-Family Detached Residential (SFD-R). The site abuts a single-family residence to the north, a vacant lot to the south, multi-family dwellings to the east and the Pacific Ocean to the west. Measuring 30 feet in width and 230 feet in length, the site occupies a portion of coastal bluff that exhibits a significant downward slope from South Pacific Street to the coastal stringline. While relatively flat within 30 feet of South Pacific Street, the property slopes steeply through the midsection of its developable length, descending nearly 21 feet below the adjacent street grade to that portion of the beach immediately eastward of the rock revetment that stretches from Wisconsin Street to the mouth of Buena Vista Lagoon.

The existing residence exhibits a terraced design, with separate levels of habitable space stepping down the coastal bluff. At the South Pacific Street frontage, the residence presents two stories, comprised of a master bedroom/bathroom over a street-facing garage. As the residence extends westward over the coastal bluff, both of these stories step down with the slope of the lot, such that their finished floors end up 4½ to seven feet below their respective heights at the street frontage. Additionally, both of these stories are set back from the western extent of the daylight basement, which reaches to the coastal stringline; the first story terminates 11 feet eastward of the coastal stringline, while the second story terminates 23½ feet from this point. Where the first and second stories terminate on the rear elevation, open deck areas extend over the enclosed spaces below. These open deck areas are rimmed with glass safety railing. The open deck adjacent to the first story is covered by an open-beam pergola.

**Project Description:** The applicant requests a 240-square foot addition to the second story of the existing residence, which would be achieved by enclosing what now serves as open deck area. The proposal would extend the enclosed portion of the second story an additional 10 feet toward the coastal stringline. The applicant further seeks to place an open-beam pergola over the remaining portions of open deck area immediately westward of the proposed expansion.

The proposed expansion of second-story habitable space would add square footage to the existing master bedroom.

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

1. General Plan Land Use Element
2. 1986 Zoning Ordinance
3. Local Coastal Program
4. California Environmental Quality Act (CEQA)

## ANALYSIS

KEY PLANNING ISSUES

### 1. General Plan

The General Plan Land Use Map designation for the subject property is Single-Family Detached Residential (SFD-R). The proposed project is consistent with this designation as well as the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.23: Architecture

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

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

The proposed improvements would be architecturally consistent with the existing residence, in that they would maintain its terraced profile as well as its exterior wall color and texture. Even with the proposed expansion, the second story would continue to be offset 12.5 feet from the western extent of the first story and 23 feet from the western extent of the daylight basement. Furthermore, it is staff's position that the proposed expansion would better integrate an existing chimney into the overall building form and thereby create a more balanced structure along both the north and south elevations.

The proposed improvements would not impact the scale or form of the residence as viewed from South Pacific Street, nor would they significantly increase massing impacts on adjacent properties to the north and south.

Goal 1.32: Coastal Zone

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

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

The proposed project was reviewed by staff for compliance with the policies of the Local Coastal Program Land Use Plan. Staff finds that the application complies with said policies in the Local Coastal program, including those that speak to: the preservation

and enhancement of the visual quality of the urban environment; the preservation of public views; compatibility with the surrounding neighborhood; and creative design. The proposed addition would not alter the existing streetscape, compromise existing public views or diminish the architectural integrity of the existing residence.

**2. Zoning Compliance**

Staff finds that the proposed addition complies with the requirements of R-1 (Single-Family Residential) Zone. The following table illustrates the proposal's conformance with R-1 development standards:

**Table 1: Development Standards**

| | REQUIRED | PROPOSED |
|---|---|---|
| FRONT YARD | Blockface Average | No change |
| SIDE YARD | 3 feet | 3 feet |
| REAR YARD | Coastal Stringline | No change |
| MAXIMUM HEIGHT | 35 feet above average finished grade | 28.5 feet above average finished grade |

The proposed improvements would meet all development standards in terms of height, setbacks, and design as specified in the Oceanside Zoning Ordinance.

**DISCUSSION**

*Issue: Project compatibility with the existing neighborhood and surrounding properties:* All proposed improvements to the property would be consistent with, and compatible to, the existing residence and the adjoining homes in the surrounding homes.

*Recommendation:* Staff finds that the proposed improvements to the property would be architecturally consistent with the existing residence as well as consistent with the bulk and scale of surrounding neighborhood. The 240-square foot addition would fall more than six feet below the allowable height limit of 35 feet, while maintaining the terraced design of the existing residence.

*Issue: Project consistency with development standards of the 1986 Zoning Ordinance:* While the existing residence was reviewed and approved under the standards of the 1992 Zoning Ordinance, the current proposal is subject to the standards of the 1986 Zoning Ordinance, which not only provides for greater building height (35 feet vs. 27 feet under the '92 Code), but also allows for building height to be measured from the average finished grade, rather than the existing grade from all points on the site, as called for by the '92 Code.

*Recommendation*: On September 13, 2010, the Planning Commission recommended to the City Council that the residential building height standards of the 1986 Zoning Ordinance be amended to generally coincide with those of the previously applicable 1992 Zoning Ordinance. This recommendation will be considered by the City Council at a regularly scheduled public hearing on December 8, 2010. In the interim, the Planning Commission directed staff to continue evaluating projects under currently applicable building height standards (35 feet and two stories, in the case of the subject property). As noted earlier, the proposed addition falls well below the maximum allowable building height as established by the 1986 Zoning Ordinance. In addition to its conformance to currently applicable building height standards, the proposed addition demonstrates compatibility with the bulk and scale of adjacent development. Consequently, on the basis of both conformance and compatibility, staff is supportive of the proposal.

## ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and the project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 1 15301 (e), Categorical Exemption "Existing Facilities"

## PUBLIC NOTIFICATION

In advance of the October 25, 2010 Planning Commission public hearing on the proposal, legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius and occupants within a 100-foot radius of the subject property, individuals and or organizations requesting notification, the applicant, and other interested parties. No additional notification is required for further consideration of the proposal following the tie vote at the previous public hearing, in accordance with Municipal Code 2.1.34.

## SUMMARY

Regular Coastal Permit (RC10-00004) is consistent with the requirements of the Zoning Ordinance, the land use policies of the General Plan and the policies of the Local Coastal Program. The project meets all applicable development standards for the district in which it is situated. The project's scale and architecture are compatible with the surrounding neighborhood and complementary to the existing residence. Accordingly, staff recommends that the Planning Commission approve the proposal subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

-- Confirm issuance of Class 1, Categorical Exemption for Existing Facilities of the California Environmental Quality Act.

-- Move to approve Regular Coastal Permit RC10-00004 and adopt Planning Commission Resolution No. 2010-P33 as attached.

PREPARED BY:

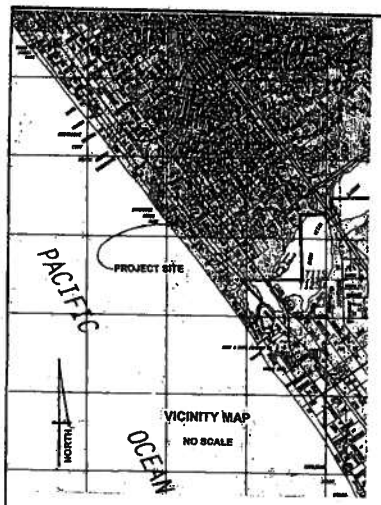
Russ Cunningham
Senior Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

JH/RC/fil

Attachments:
1. Plans
2. Planning Commission Resolution No. 2010-P33




DESIGN TEAM:

DAVID LEE SOANES
*ARCHITECT & LANDSCAPE ARCHITECT*
6378 PASEO POTRERO, CARLSBAD, CA 92009
760 . 476 . 0933

TIMOTHY J. GRAVES, P.E., GRAVES ENGINEERING
*STRUCTURAL ENGINEER*
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LARRY TAYLOR, TAYLOR GROUP, INC.
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HAYNAL & CO.
*ENERGY DOCUMENTATION, TITLE - 24*
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760 . 743 . 5468

RECEIVED
AUG 13 2010
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

**PROJECT DESCRIPTION:**

TO CONSTRUCT A 240 SF ROOM ADDITION TO THE EXISTING SECOND FLOOR MASTER SUITE, AND TO CONSTRUCT A 288 SF WOOD PERGOLA OVER THE REMAINING EXISTING ROOF TERRACE

**PROPERTY OWNER:**

WHITNEY STENSRUD,
c/o David J. Morris, Esquire
1900 Avenue of the Stars, Suite #2430
Los Angeles, ca 90067

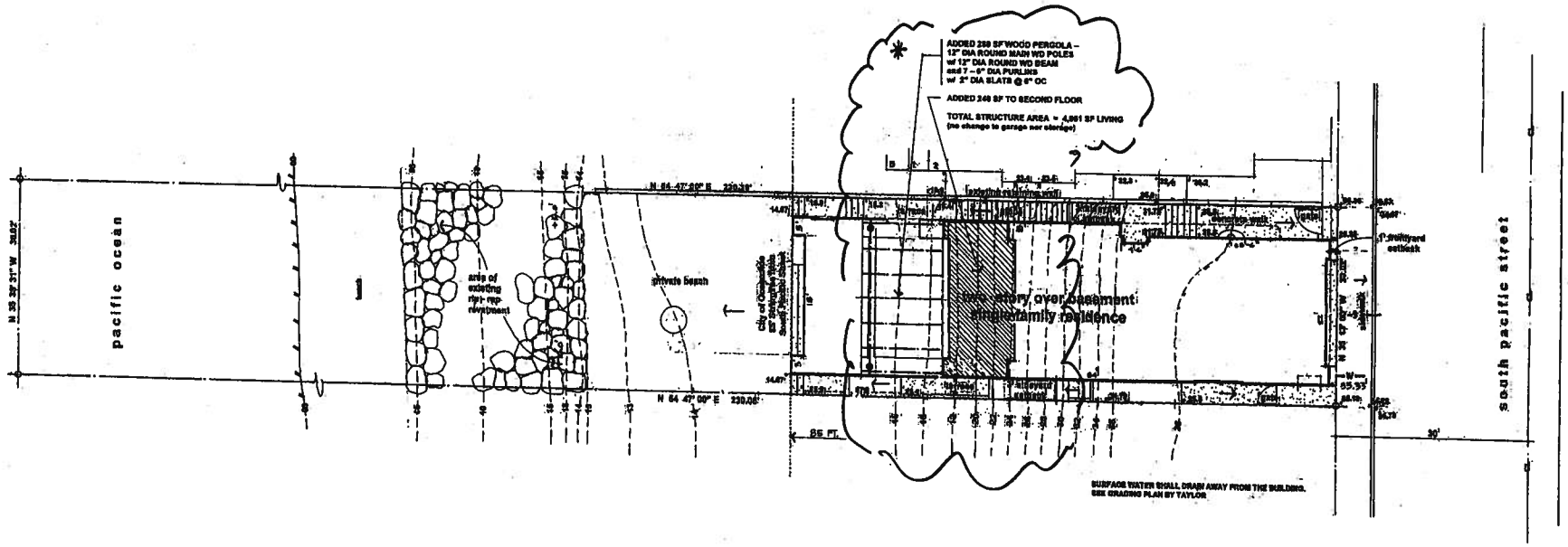
**PROJECT ADDRESS:**

1705 SOUTH PACIFIC STREET, OCEANSIDE CA

**LEGAL DESCRIPTION:** LOT 34, BLOCK E, PACIFIC ST. SOUTH

| | |
|---|---|
| A. P. N.: | 153 - 091 - 46 |
| ZONING: | R 8, Existing & Proposed |
| LAND USE: | SINGLE FAMILY RESIDENTIAL |
| LOT SIZE: | 6200 SF (0.168 acre) |
| BUILDING DATA: | 1473 SF BASEMENT<br>1208 SF FIRST FLOOR<br>1130 SF SECOND FLOOR<br>3811 SF TOTAL LIVING AREA<br>444 SF GARAGE<br>360 SF STORAGE (non-habitable) |
| LOT COVERAGE: | 1680 SF (28.3% of lot size < 40%) OK |
| HEIGHT: | 35 FT ABOVE FINISH GRADE AS MEASURED VERTICALLY THROUGH THE STRUCTURE |

* ADDED 240 SF TO SECOND FLOOR
TOTAL STRUCTURE AREA = 4,051 SF LIVING
(no change to garage nor storage)




Amendment to RC-13-00

## site plan

(NO CHANGE TO EXISTING LANDSCAPING NOR REVETMENT)

| REVISIONS | BY |
|---|---|
| 3 July 2010 | DB |

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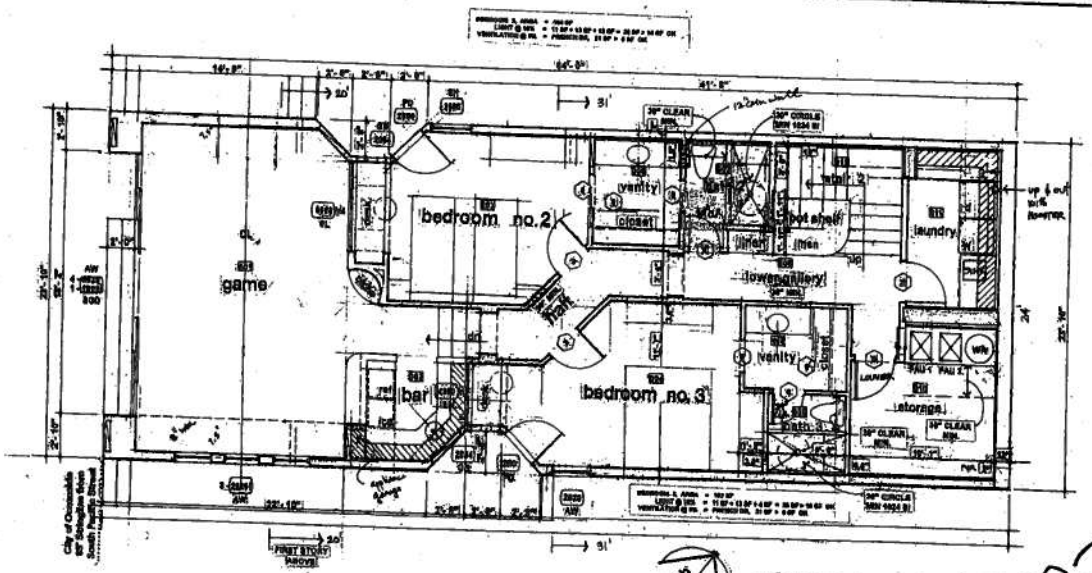
construction management * landscape architecture * interior design

property owner:
Whitney Stensrud
c/o David J. Morris, Esquire
1900 Avenue of the Stars, Suite #2430
Los Angeles, CA 90067

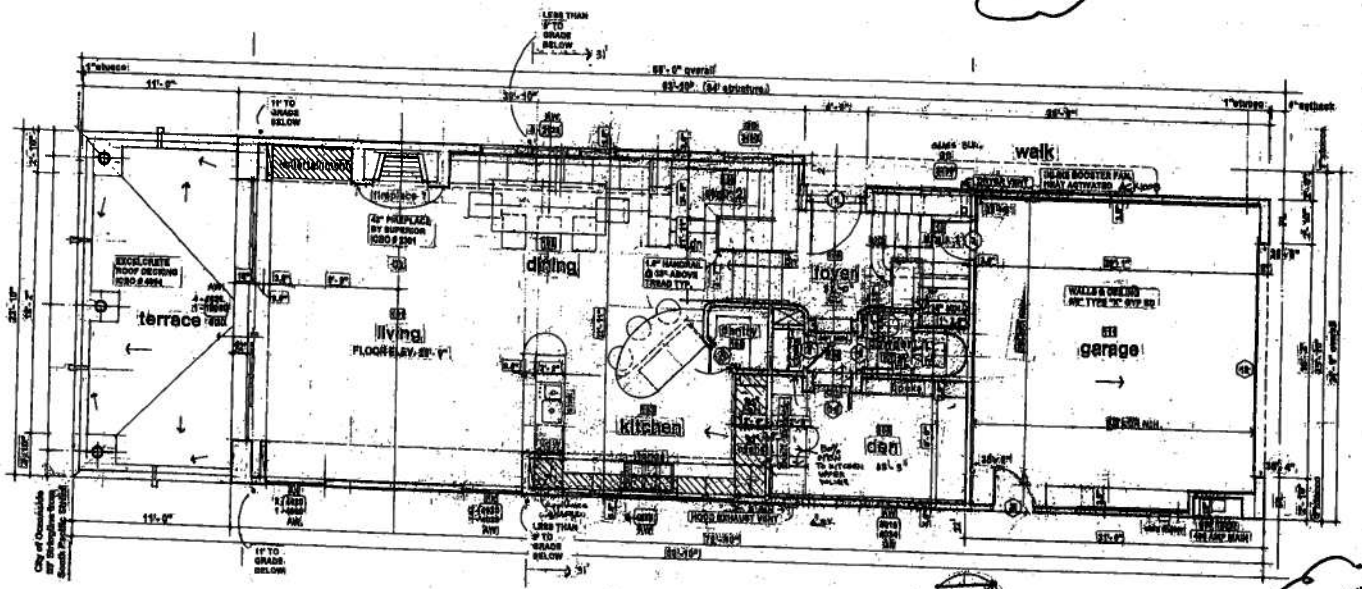
the stensrud residence
1705 south pacific street
oceanside, california

| | |
|---|---|
| Date | 04 OCT 2009 |
| Scale | 1/8" = 1'-0" |
| Drawn | DLS |
| Job | 0102 - 00 |
| Sheet | A-5 |
| Of | Sheets |




basement plan

no change (for reference only)




FIRST STORY DETERMINATION (BASEMENT BELOW):

LESS THAN 9 FT ABOVE ADJACENT GRADE.FDN.
MORE THAN 50% OF STORY PERIMETER, 36' > 75' (162'/2) OK

NOT MORE THAN 12 FT ABOVE GRADE AT ANY POINT,
11'-0" < 12'-0" OK

first floor plan

no change (for reference only)

ALL ELEMENTS SUPPORTING FLOOR ABOVE GARAGE, INCLUDING WALLS/ BEAMS/COLUMNS SUPPORTING FLOOR JOISTS, MUST HAVE 60" TYPE X GYP. BD. ON THE GARAGE SIDE.

Amendment to RC-13-00

| REVISIONS | BY |
|---|---|
| | |

LICENSED ARCHITECT
David Lee Soanes
STATE OF CALIFORNIA
7.31.01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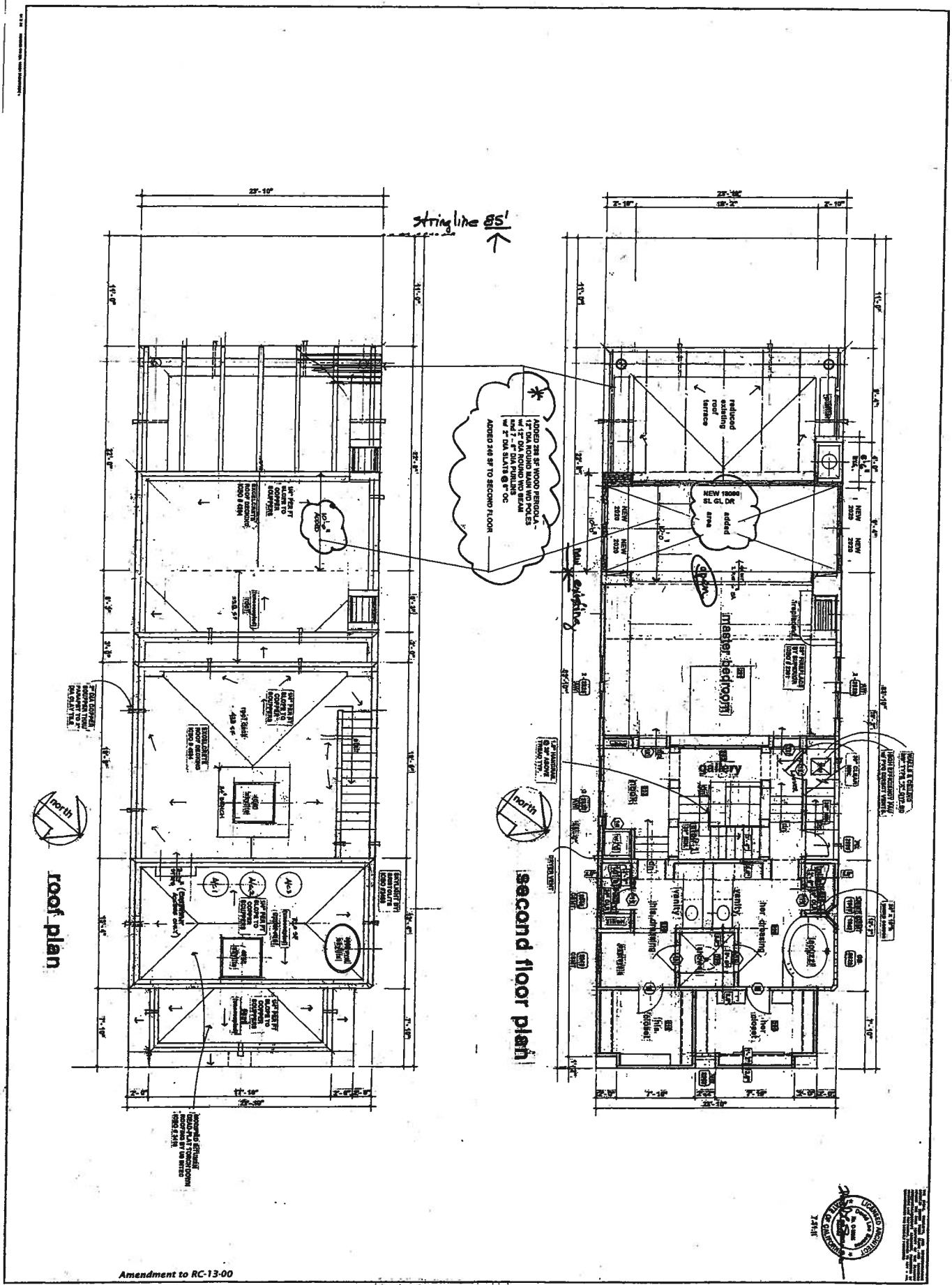
the stensrud residence
1705 south pacific street
oceanside, california

| | |
|---|---|
| Date | 04 OCT 2009 |
| Scale | 1/4" = 1'-0" |
| Drawn | DLS |
| Job | 2403 - OCI |
| Sheet | A-6 |




Amendment to RC-13-00

| | | | |
|---|---|---|---|
| Date 04 OCT 2009 | Scale 1/4" = 1'-0" | Drawn DLS | Job 9103-OD |
| Sheet A-7 | | | |

**the stensrud residence**
1705 south pacific street
oceanside, california

property owner:
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construction management * landscape architecture * interior design

REVISIONS | BY

ELEVATION NOTES:

01 COPPER CHIMNEY CAP
02 GROUND MAIZE COLOUR STUCCO EXTERIOR
03 DUAL PANE / VINYL FRAME WINDOWS & SLIDING GLASS DOORS
04 3 / 8" CLEAR TEMPERED GLASS RAILS IN 4" PEELER LOG POSTS
05 12" PEELER LOG POSTS & BEAMS w/ 6" PURLINS & 2" EUCALYPTUS BRANCH LATTICE
06 DECORA GLASS BLOCK, 6 x 6
07 CLAY TILE DETAIL, 4" round
08 WALL FOUNTAIN
09 SOLID WOOD ENTRY GATE
10 FOUR PANEL WOOD ROLL - UP GARAGE DOOR
11 3080 SOLID WOOD ENTRY DOOR
12 CITY OF OCEANSIDE, 35 FT HEIGHT PROFILE FROM FINISH GRADE

LICENSED ARCHITECT David Lee Soanes STATE OF CALIFORNIA

7.21.09

ADDED 269 SF WOOD PERGOLA – 12" DIA ROUND MAIN WD POLES w/ 12" DIA ROUND WD BEAM and 7 – 6" DIA PURLINS w/ 2" DIA SLATS @ 6" OC

ADDED 240 SF TO SECOND FLOOR

TOTAL STRUCTURE AREA = 4,051 SF LIVING (no change to garage nor storage)

TOP OF CHIMNEY ELEV. 82'-10"
TOP OF PARAPET ELEV. 82'-6"
TOP OF PARAPET ELEV. 82'-6"
TOP OF NEW PARAPET ELEV. 82'-6"
MASTER BEDROOM FLOOR ELEV. 41'-10"
LIVING LEVEL FLOOR ELEV. 28'-10"
ELEV. 25'-0" REFERENCE DATUM
BEDROOM LEVEL FLOOR ELEV. 18'-10"
GAME CIVIC FLOOR ELEV. 11'-2"
GAME LEVEL ELEV. 10'-10"
basement STORAGE ELEV. 14'-9"
stringline
NEW 16000 SL GL DR
reduced existing roof terrace
NEW 2020
NEW 2020
added area
second story
first story
basement
35'-0" HT
35 FT HEIGHT ASSUMED
ELEV. 34'-9" REFERENCE DATUM
1.5" R-11 RIGID INSULATION ON BASEMENT CMU WALLS
67'-0"
17'-0"
2'-6"
2" DIA COPPER GOOSEPIPE THRU PARAPET TO 2" DIA CLAY TILE
TOP OF PARAPET ELEV. 82'-6"
TOP OF PARAPET ELEV. 82'-6"
ROOF DECK ELEV. 34'-11"
MASTER BATH FLOOR ELEV. 42'-9"
existing home
second story
second floor
first story
12" B.F.
average finishgrade – datum
35.33' + 14.67'/2 = 25.0'
south
west
FIRST STORY DETERMINATION (BASEMENT BELOW):
LESS THAN 6 FT ABOVE ADJACENT GRADE FOR MORE THAN 50% OF STORY PERIMETER, 69' > 70' (1621.2) OK
NOT MORE THAN 12 FT ABOVE GRADE AT ANY POINT, 11'-8" < 12'-0" OK

exterior elevations

Amendment to RC-13-00

| REVISIONS | BY |
|---|---|
| | |
| | |
| | |
| | |


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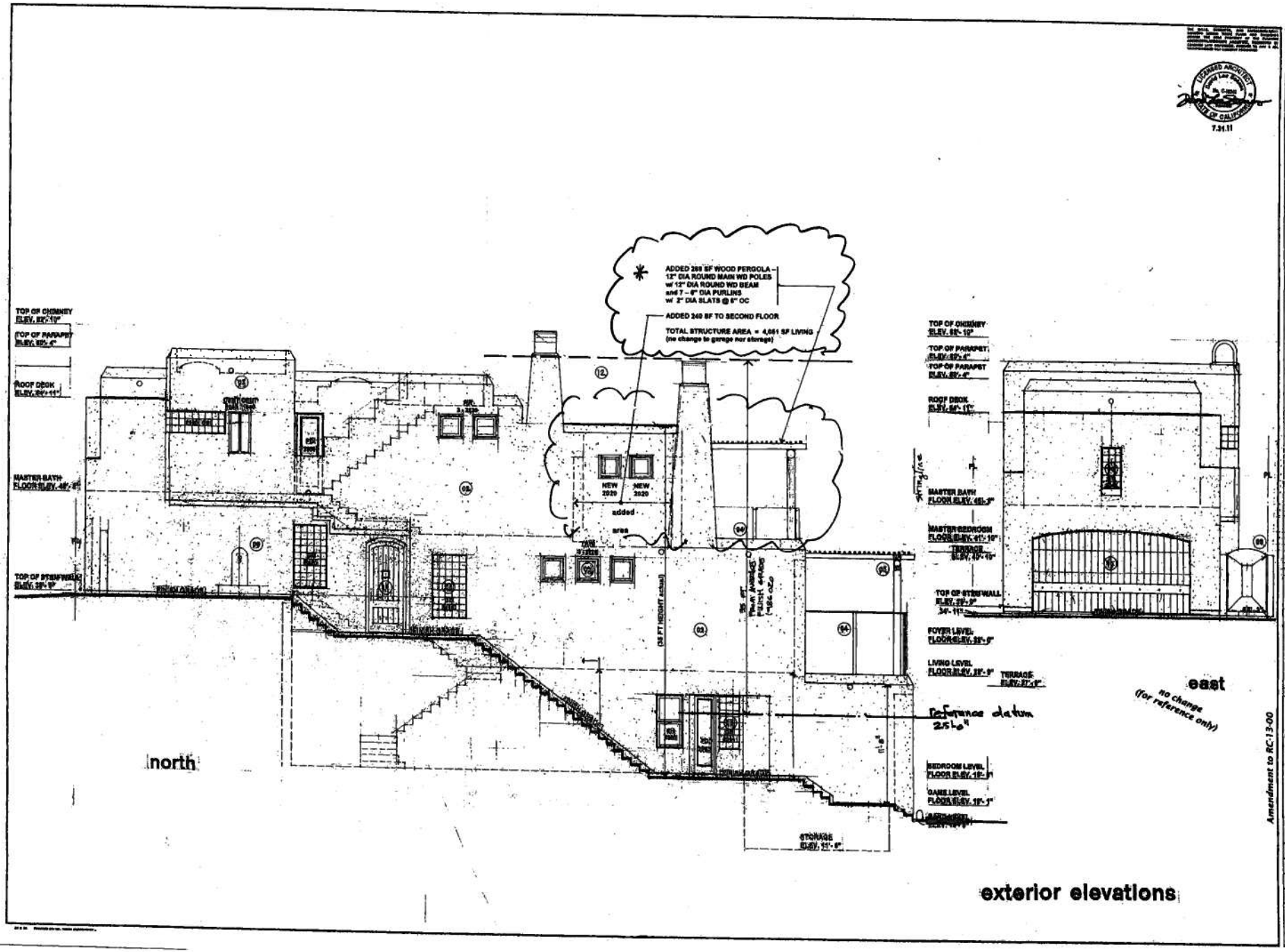
the stensrud residence
3705 south pacific street
oceanside, california

Date 04 OCT 2009
Scale 1/4" = 1'-0"
Drawn DLS
Job 0103 - 00
Sheet A-8


ADDED 288 SF WOOD PERGOLA – 12" DIA ROUND MAIN WD POLES w/ 12" DIA ROUND WD BEAM and 7 – 6" DIA PURLINS w/ 2" DIA SLATS @ 6" OC
ADDED 240 SF TO SECOND FLOOR
TOTAL STRUCTURE AREA = 4,661 SF LIVING (no change to garage nor storage)
TOP OF CHIMNEY ELEV. 82'-10"
TOP OF PARAPET ELEV. 80'-4"
ROOF DECK ELEV. 84'-11"
MASTER BATH FLOOR ELEV. 48'-9"
TOP OF STREWALL ELEV. 39'-9"
NEW 2020
NEW 2020
added area
(30 FT HEIGHT actual)
36 FT MAX HEIGHT PER 1986 CZC
STORAGE ELEV. 11'-6"
TOP OF CHIMNEY ELEV. 82'-10"
TOP OF PARAPET ELEV. 80'-4"
TOP OF PARAPET ELEV. 80'-4"
ROOF DECK ELEV. 84'-11"
MASTER BATH FLOOR ELEV. 48'-9"
MASTER BEDROOM FLOOR ELEV. 41'-10"
TERRACE ELEV. 40'-10"
TOP OF STREWALL ELEV. 39'-9"
34'-11"
FOYER LEVEL FLOOR ELEV. 33'-9"
LIVING LEVEL FLOOR ELEV. 19'-9"
TERRACE ELEV. 17'-9"
Reference datum 25'-0"
BEDROOM LEVEL FLOOR ELEV. 19'-1"
GAME LEVEL FLOOR ELEV. 19'-1"
north
east
no change (for reference only)
exterior elevations
Amendment to RC-13-00
LICENSED ARCHITECT
STATE OF CALIFORNIA
7.31.11
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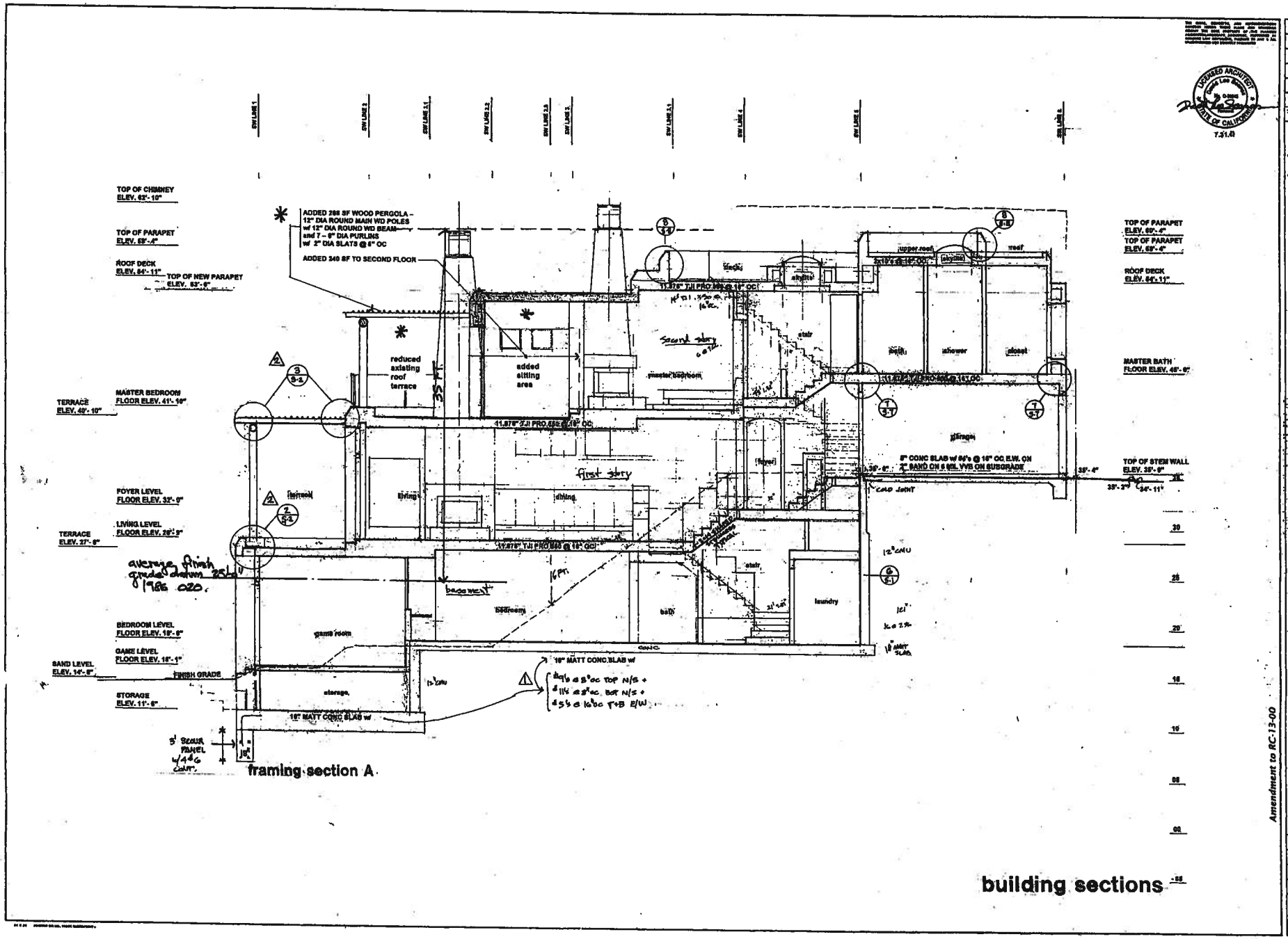
Date 04 OCT 2009
Scale 1/4"=1'-0"
Drawn DLS
Job 0102-00
Sheet
A-9
Of Sheets




framing section A

building sections

Amendment to RC-13-00

REVISIONS | BY

3 July 2010 DB

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property owner: Whitney Stensrud
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the stensrud residence
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oceanside, california

Date 04 OCT 2009
Scale 1/4" = 1'-0"
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Job 0182 - OC
Sheet S-4
Of Sheets

PLANNING COMMISSION
RESOLUTION NO. 2010-P33

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

| | |
|---|---|
| APPLICATION NO: | RC10-00004 |
| APPLICANT: | Whitney Stensrud |
| LOCATION: | 1705 South Pacific Street |

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Regular Coastal Permit (RC10-00004) under the provisions of Article 32 of the Zoning Ordinance of the City of Oceanside to permit the following:

construction of a 240-square foot second story addition to an existing single-family residence located at 1705 South Pacific Street;

on certain real property described in the project description.

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

WHEREAS, at the public hearing on the 25th day of October, 2010 the Planning Commission arrived at a tie vote (3-3) on a motion to approve said application;

WHEREAS, per Municipal Code Section 2.1.34 (Tie Vote), in the event that the Planning Commission is unable to take action on a matter before it because of a tie vote or the lack of the required number of votes, the City Clerk shall place the item on the next regular meeting of the Planning Commission for further consideration;

WHEREAS, the Planning Commission did on the 8th day of November, 2010 conduct a duly advertised public hearing as prescribed by law to consider said application a second time;

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

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

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

| **Description** | **Authority for Imposition** | **Current Estimate Fee or Calculation Formula** |
|---|---|---|
| Parkland Dedication/Fee | Ordinance No. 91-10<br>Resolution No. 06-R0334-1 | $3,503 per unit |
| Drainage Fee | Ordinance No. 85-23<br>Resolution No. 06-R0334-1 | Depends on area (range is $2,843-$15,964 per acre) |
| Public Facility Fee | Ordinance No. 91-09<br>Resolution No. 06-R0334-1 | $.713 per square foot or $713 per thousand square feet for non-residential uses and $2,072 per unit for residential |
| School Facilities Mitigation Fee | Ordinance No. 91-34 | $.42 per square foot non-residential for Oceanside ($.42 for Vista and Fallbrook)<br>$2.63 per square foot residential ($2.63 for Vista; $2.63 for Fallbrook) |
| Thoroughfare Fee (For commercial and industrial please note the 75 percent discount) | Ordinance No. 83-01<br>Resolution No. 06-R0334-1 | $255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG) |
| Water System Buy-in Fees | Oceanside City Code §37.56.1<br>Resolution No. 87-96<br>Ordinance No. 05-OR 0611-1 | Fee based on water meter size. Residential is typically $4,597 per unit; Non-residential is $36,775 for a 2" meter. |

| | | |
|---|---|---|
| Wastewater System Buy-in fees | Oceanside City Code § 29.11.1<br>Resolution No. 87-97<br>Ordinance No. 05-OR 0610-1 | Based on capacity or water meter size. Residential is typically $6,313 per unit; Non-residential is $50,501 for a 2" meter. |
| San Diego County Water Authority Capacity Fees | SDCWA Ordinance No. 2005-03 | Based on meter size. Residential is typically $4,326 per unit; Non-residential is $22,495 for a 2" meter. |

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

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

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

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

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

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

FINDINGS:

For the Regular Coastal Permit:

1. The proposed addition to an existing permitted single-family residence is consistent with the land use policies of the Local Coastal Program as implemented through the Zoning

Ordinance. Specifically, the project will not compromise existing public views within the Coastal Zone area nor produce adverse massing impacts on neighboring properties.

2. The proposed expansion will not obstruct any existing, planned or required public beach access, thereby conforming with the policies of Chapter 3 of the Coastal Act.

3. The proposed expansion will not result in the loss of any on-street public parking resources, nor occasion additional on-site parking requirements.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Regular Coastal Permit (RC10-00004) subject to the following conditions:

**Building:**

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check. (As of January 1, 2008 the 2007 California Building Code, and 2007 California Electrical Code)

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

3. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.

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

   a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

   b) The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste containers shall be considered compliance with this

requirement. Small amounts of construction debris may be stored on-site in a neat, safe manner for short periods of time pending disposal.

5. For all new construction, setbacks and Type of Construction must comply with the 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.

**Fire:**

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

**Planning:**

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

8. This Regular Coastal Permit approves only a 240-square foot second story addition to an existing single-family home, as presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

9. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Regular Coastal Permit (RC10-00004). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding, or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

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

13. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed

and approved by the Planning Division. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Architectural Site Plan and shall be recorded in the form of a covenant affecting the subject property. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant and recorded prior to the issuance of building permits. The covenant shall provide that the property is subject to this resolution, and shall generally list the conditions of approval.

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 proposed addition shall be substantially the same material, colors and design as the existing single-family residence.

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

PASSED AND ADOPTED Resolution No. 2010-P33 on November 8, 2010 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Robert Neal, Chairperson
Oceanside Planning Commission

ATTEST:

_____

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2010-P33.

Dated: November 8, 2010

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

_____ _____

Applicant/Representative Date

Scott Nightingale

# Application for Public Hearing

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

**STAFF USE ONLY**

| ACCEPTED | BY |
|---|---|
| 5/7/10 | SN ; DW. |

**Please Print or Type All Information**

**PART I – APPLICANT INFORMATION**

| | |
|---|---|
| 1. APPLICANT: WHITNEY STENSRUD | 2. STATUS: SINGLE |
| 3. ADDRESS: 1705 SO. PACIFIC ST OCEANSIDE CA 92054 | 4. PHONE/FAX/E-mail: 760.433.5994 760.433.5440 |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing): DAVID LEE SOANES, ARCHITECT Thorskie@aol.com | |
| 6. ADDRESS: 6378 PASEO POTRERO CARLSBAD CA 92009 | 7. PHONE/FAX/E-mail: 760.476.0933 760.476.0937 |

**PART II – PROPERTY DESCRIPTION** soanes@roadrunner.com

| | |
|---|---|
| 8. LOCATION: 1705 SOUTH PACIFIC ST. | 9. SIZE: N/A 6900 SF. (0.16 ac) |

| 10. GENERAL PLAN | 11. ZONING | 12. LAND USE | 13. ASSESSOR'S PARCEL NUMBER |
|---|---|---|---|
| RS | RS | SINGLE FAM RES. | 153-091-46 |

**PART III – PROJECT DESCRIPTION**

14. GENERAL PROJECT DESCRIPTION
TO ADD 240 SF SITTING AREA IN MASTER BEDROOM & ADD 288 SF PERGOLA WD SHADE STRUCTURE OVER REMAINING TERRACE

| 15. PROPOSED GENERAL PLAN | 16. PROPOSED ZONING | 17. PROPOSED LAND USE | 18. NO. UNITS | 19. DENSITY |
|---|---|---|---|---|
| N/A | S.F.D. | S.F.D. | 1 | 6 DU/AC. |

| 20. BUILDING SIZE | 21. PARKING SPACES | 22. % LANDSCAPE | 23. % LOT COVERAGE or FAR |
|---|---|---|---|
| 4051 LIV. 804 G+S. | 2 | N/A | 1950 SF (28.3%) |

**PART IV – ATTACHMENTS**

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

**PART V – SIGNATURES**

| 33. APPLICANT OR REPRESENTATIVE (Print): | 34. DATE | SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY). |
|---|---|---|
| Sign: DAVID LEE SOANES | 10.04.09 | 35. OWNER (Print): THOR A. STENSRUD PCA — 36. DATE: 04/7/2010 |
| I DECLARE UNDER PENALTYOF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | Sign: |

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

**STENSRUD RESIDENCE**
1705 South Pacific Street

**Amendment to RC-13-00**

# Description & Justification

Given the recent City Memo that correctly identifies the current standard of review to be the 1986 OZO, the existing 3,811 SF, two-story over basement single family Stensrud Residence has an opportunity to add a minor addition to the upper roof terrace off the Master Bedroom. There would be no change to the site, the existing revetment, the existing landscaping, nor the balance of the home.

The new addition will consist of 240 SF of enclosed space, as an extension to the Master Bedroom, and a 288 SF Pergola shade structure over the remaining Master Roof Terrace (similar in design to the existing pergola over the Living Room terrace. Total Interior Living area will therefore be increased to 4,051 SF.

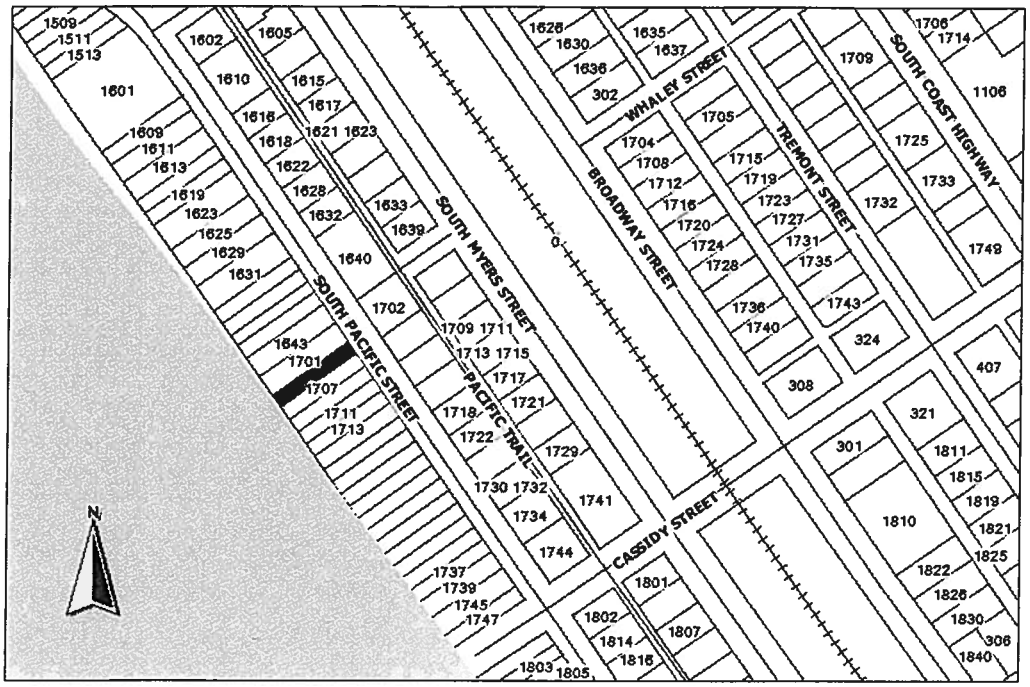
The exit to the Master Terrace will be through new sliding glass doors, similar to the existing ones. The added space in the Master Bedroom will be used as a Sitting Room within the Master Bedroom with room for a desk and lounge furniture.

The home will still be Two-Story over Basement, and the Master Terrace will still be considered to be occupied roof deck although half of its original approved size. With approval this year 2009, it is anticipated that the construction work would begin early ~~Spring~~ Summer in 2010, and ready for use ~~Summer~~ Fall 2010.

**Assessor Parcel Number:** **153-091-46**

**Legal Description**

LOT 34, BLOCK E, PACIFIC STREET SOUTH, OCEANSIDE




## File Number: RC10-00004

## Applicant: Whitney Stensrud

## Description:

REGULAR COASTAL PERMIT (RC10-00004) to allow an addition to an existing single-family residence, through the partial enclosure of an existing open deck area. The subject property is located at 1705 South Pacific Street and bears a zoning designation of R-1 (Single-Family Residential). The subject property is situated within the South Oceanside Neighborhood Planning Area and the Coastal Zone. – **STENSRUD ADDITION**

## 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

# LEGAL DESCRIPTION

LOT 34, IN BLOCK "E" OF THE OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, SATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904; EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY, ANY PORTION NOW OR HERETOFORE LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN

# NOTICE OF EXEMPTION

**City of Oceanside, California**

| |
|---|
| Post Date:<br>Removal:<br>(180 days) |

1. **APPLICANT:** Whitney Stensrud
2. **ADDRESS:** 1705 South Pacific Street, Oceanside CA. 92054
3. **PHONE NUMBER:** (760) 433-5994
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Russ Cunningham
6. **PROJECT TITLE:** RC10-00004 (Stensrud Addition)
7. **DESCRIPTION:** A Regular Coastal Permit for a 240 square-foot addition to an existing single family residence located at 1705 South Pacific Street. The project site has a zoning designation of R-1 (Single Family Residential) and is situated within the Coastal Zone and the South Oceanside Neighborhood Planning Area.

**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on this review, the Environmental Coordinator has determined that further environmental evaluation is not required because:

[ x ] The project is categorically exempt, Class _1_, for Existing Facilities, Section 15301 (e); 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).

_____ Date: November 8, 2010

Russ Cunningham, Senior Planner

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