



DATE: March 10, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN REVISION (D-22-02REV07) AND CONDITIONAL USE PERMIT REVISION (C-11-02REV07) FOR THE DEVELOPMENT OF AN 1,800-SQUARE FOOT PAVILION ACCESSORY STRUCTURE ON AN EXISTING CHURCH SITE LOCATED AT 2080 CALIFORNIA STREET – LDS CHURCH REVISION – APPLICANT: THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3, Categorical Exemption “Accessory Structures.”; and
- (2) Approve Development Plan Revision (D-22-02REV07) and Conditional Use Permit Revision (C-12-02REV07) by adopting Planning Commission Resolution No. 2008-P13 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The subject site is currently being used as a religious facility and Sunday School that was originally approved by the Planning Commission on May 5, 2003. This approval consisted of a 16,838-square foot church building, which included a main sanctuary, administrative offices, social hall, and a multi-purpose facility.

Site Review: The project involves development of a pavilion in a vacant area of the Church’s property. The site is zoned PS (Public and Semi-Public) and the land use designation is Estate-B Residential (EB-R). The underlying neighborhood district is Fire Mountain and the surrounding land uses include: Estate-B Residential homes to the north, south east and Public Space to the west. Lincoln Middle School and Palmquist Elementary School are located to the west, north and south of California Street.

The site is relatively flat and consists of a large church building, 177 parking stalls around the entire site and an approximate 220,000-square foot landscaped grass area.

Project Description: The applicant has requested the subject entitlement for the project that includes a revision to an existing Development Plan and Conditional Use Permit described as follows:

Development Plan (D-22-02REV07) represents a request for the following:

The applicant is requesting to construct a 30-foot by 60-foot (1,800 sq. ft.) pavilion on the landscaped grass area in the eastern portion of the site. The pavilion will be used for outdoor social activities. The area currently has a small storage building that would be removed. The pavilion would be consistent in materials, colors and type as the existing church building and would be constructed with a similar shingle roof style. The pavilion would allow the church and its members to have picnics and outdoor meetings and would include picnic benches. As conditioned, the project would allow the church to hold functions in or around the pavilion with limited hours of operation to ensure no noise impacts to neighbors. A drinking fountain and walkway will be constructed to connect the pavilion to the existing church.

Conditional Use Permit (C-11-02REV07) represents a request for the following:

Revision to Conditional Use Permit allows the use of the proposed pavilion in conjunction with the church. The Conditional Use Permit is subject to the conditioned hours of operations as specified in the attached resolution (2008-P13) and the original regulations placed upon the Church in resolution (2003-P25).

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is Estate-B Residential (EB-R). The proposed project does not meet the existing land use designation, but is consistent with the current zoning designation and the surrounding properties as follows:

Land Use Element 2.2 Commercial Development

Section 1.12 Land Use Compatibility

Policy A: Adequate setbacks, buffering, and/or innovative site design shall be required for land uses that contiguous to and incompatible with existing land uses:

The proposed pavilion would meet all development regulations in terms of height, setbacks, design and lot coverage percentage. The pavilion will be consistent with the existing church facility and would not impact the surrounding residences as a condition has been added to limit hours-of-use. The pavilion will not add additional traffic to the area because only existing members that frequent the Church would be the people benefiting from the new structure.

Land Use Element

Goal 1.2: Site Design

Objective: To provide high-quality site design, all proposed land development projects shall take advantage of natural or manmade environments to maximize energy conservation, natural air circulation, public safety, visual aesthetics, private and common open spaces, privacy, and land use compatibility.

Policy: C. New development or land uses shall provide coordinated site design wherever possible with existing or proposed adjacent land uses to provide complimentary site design, unified circulation access, and joint use of ancillary facilities.

The site is physically suitable for the type of uses proposed. The pavilion would be 13 feet high with a shingle roof and stucco materials to match the existing church facility. The proposed site is relatively flat and minimal construction will be needed to erect the pavilion. The project will provide a new pavilion and activity area to serve the needs of the members and visitors to the LDS Church.

2. Zoning Compliance

This project is located in the Public/Semi-Public (PS) Zone, but since the PS Zone is confined to the development regulations as per Conditional Use Permit and/or abutting base district the project is subject to the Residential Estate-B District that were used for the original approval. The development will meet all the provision of the Zoning Ordinance in Parking Requirements, setbacks and all development regulations.

The following table summarizes proposed and applicable development standards for the Residential Estate-B Districts and the project site:

	ZONING REQUIREMENTS	PROPOSED
MINIMUM LOT SIZE	10,000 square feet	Approximately 3.78 Acres (Existing)
FRONT YARD	25-feet	52-feet (Existing)
SIDE YARD	7.5-feet	25 feet
REAR YARD	20-feet	42 feet
BUILDING HEIGHT	36-feet	13.6 feet

The proposed pavilion meets most applicable requirements of the zoning ordinance and the project as proposed is compatible with existing and potential Church type uses in the neighborhood.

3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	EB-R (Estate-B Residential)	PS (Public/Semi-Public)	LDS Church
North of Subject Property	EB-R (Estate-B Residential)	RE-B (Residential Estate-B)	Single Family Residential
East of Subject Property:	EB-R (Estate-B Residential)	RE-B (Residential Estate-B)	Single Family Residential
South of Subject Property:	EB-R (Estate-B Residential)	RE-B (Residential-B Single Family)	Single Family Residential
West of Subject Property:	CI (Civic Institutional)	PS (Public/Semi-Public)	Lincoln Middle School

The existing land use of the LDS Church use has been determined by staff to be consistent with the Zoning Ordinance designations for Public Spaces within the Fire Mountain Neighborhood.

DISCUSSION

Issue: Project Compatibility with the Existing Neighborhood and surrounding properties:
 The proposed pavilion development would be consistent with, and compatible to, the existing Church facility and the surrounding public space type developments in the surrounding area.

Recommendation: Staff finds that the overall design of the project is consistent with the existing property and will be consistent with the surrounding properties. The proposed structure would be constructed at a minimal height of 13 ½ feet and design that will not pose a negative impact to the abutting residential properties.

Staff believes that the construction of the pavilion will allow LDS Church to provide additional areas for outdoor activities and meeting areas by creating an adequate outdoor environment that will be low maintenance and will not dramatically physically alter the property and neighbors in the area. The pavilion will not increase the traffic to the area and will not increase intensity to the site therefore approval of the project is warranted to the improvements and minimal impacts.

ENVIRONMENTAL DETERMINATION

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

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of March 10, 2008, no communication supporting or opposing the request has been received.

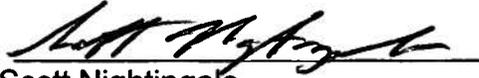
SUMMARY

The proposed project is in compliance with the goals objectives and policies set forth by the General Plan and the Zoning Ordinance. The project will allow LDS Church to provide an additional outdoor activity area by the construction of the 1,800 square-foot outdoor pavilion. The Commission's action should be:

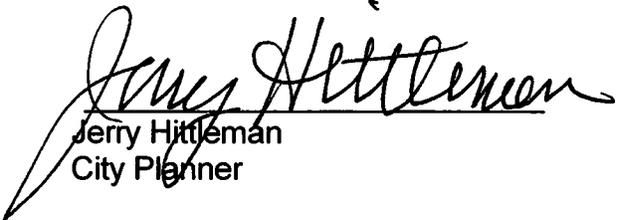
- Move to approve the environmental exemption for accessory structures and Development Plan Revision (D-8-99REV07) and Conditional Use Permit (C-11-02REV07) and adopt Planning Commission Resolution No. 2008-P13 as attached.

PREPARED BY:

SUBMITTED BY:

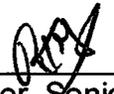


Scott Nightingale
Planner II



Jerry Hittleman
City Planner

REVIEWED BY:

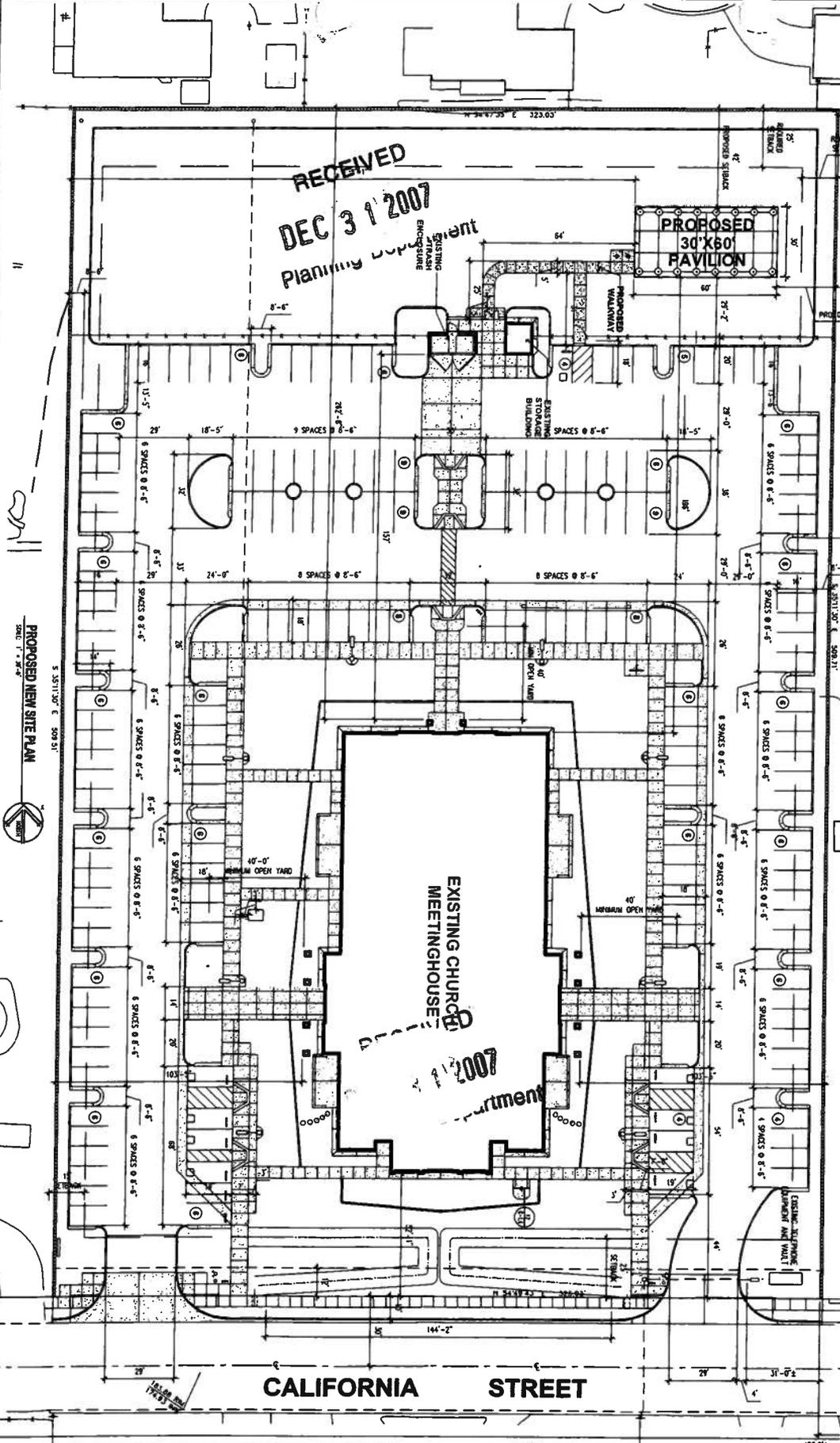


Richard Greenbauer, Senior Planner

JH/SN/fil

Attachments:

1. Site and Floor Plans
2. Planning Commission Resolution No. 2008-P13
3. Planning Commission Resolution No.2003-P25
4. Pictures of site
5. Original Staff Report



ARCHITECT/APPLICANT
 1177 IDAHO STREET, SUITE 200
 REDLANDS, CA 92374
 CONTACT: RICHARD SCORIALDO
 PHONE: (909) 335-7299
 FAX: (909) 335-7299
PROJECT OWNER
 CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
 50 EAST WASHINGTON AVENUE
 SALT LAKE CITY, UT 84143
 CONTACT: JERRY GIBSON
 11775 CANTON STANLEY DRIVE
 OAKLAND, CALIFORNIA 94612
 PHONE: (510) 528-5318



SITE COVERAGE CALCULATIONS:

SITE AREA:	2.96 ACRES (128,491 SF)
EXISTING BUILDING:	16,800 SF. 130.1 %
PROPOSED BUILDING:	1,800 SF. 1.4 %
TOTAL BUILDING:	18,600 SF. 14.5 %
PAVING AREA:	81,200 SF. 63.3 %
EXISTING PAVING:	82,500 SF. 64.3 %
PROPOSED PAVING:	1,700 SF. 1.3 %
TOTAL PAVING:	84,200 SF. 65.6 %
UNIMPOSED AREA:	46,890 SF. 36.5 %
PROPOSED UNIMPOSED:	45,100 SF. 35.1 %
TOTAL UNIMPOSED:	41,200 SF. 32.0 %

PAVILION DATA THIS PERMIT:

BUILDING AREA:	1,800 SF.
BUILDING CONSTRUCTION TYPE:	V-4
BUILDING HEIGHT:	11'-6"
PAVING REQUIRED (171 STALLS @ 160 SF/STALL):	27,360 SF.
ZONING:	PS
GENERAL PLAN:	GB-8

LEGAL DESCRIPTION
 THE SOUTHWESTERLY 232 FEET OF LOT 2 IN TRACT 36 OF THE SOUTHWEST 1/4 SECTION 17, T4N, R12E, S17E IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 14, 1951.

PROPOSED NEW SITE PLAN
 DATE: 12-27-07
 5:30:11 PM E 509.51

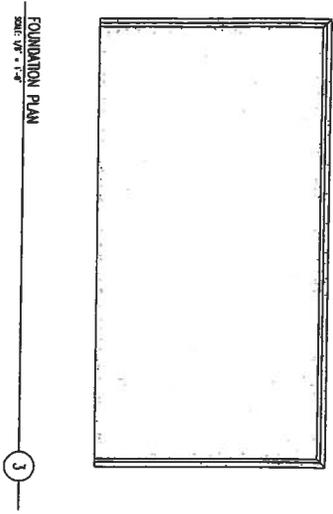
SITE PLAN
 SHEET TITLE
 SHEET NO. 01010
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NUMBER: 01010
 DATE: DECEMBER 21, 2007

PRODUCT FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
 41 EAST NORTH TEMPLE STREET
 SALT LAKE CITY, UT 84143
 CONTRACT PROJECT NUMBER: 0101010

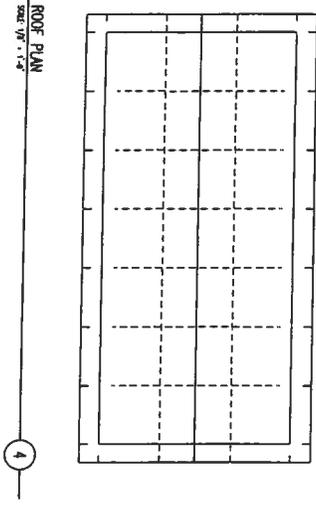
CARLSBAD LURC
 CARLSBAD CA
 STAKE
 2000 CALIFORNIA STREET
 OCEANSIDE, CA

GMID
 ARCHITECTURE - INTERIORS - PLANNING
 1177 IDAHO STREET, SUITE 200
 REDLANDS, CA 92374
 PHONE: (909) 335-7299 (909) 335-7299
 www.gmidgroup.com

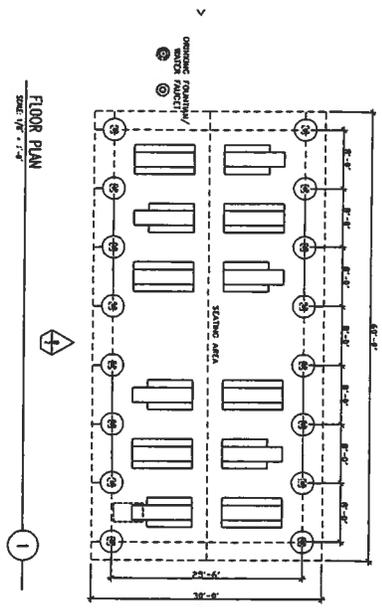
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DATE:	12/27/07
PROJECT NUMBER:	01010
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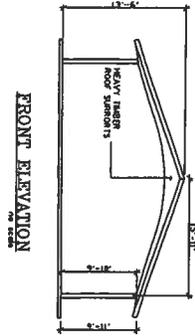
FOUNDATION PLAN
SCALE: 1/8" = 1'-0"



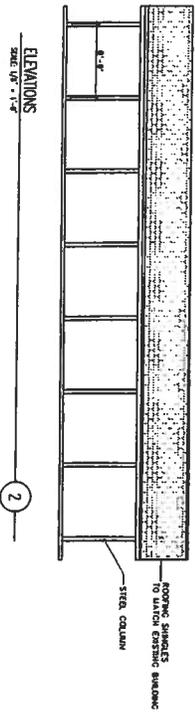
ROOF PLAN
SCALE: 1/8" = 1'-0"



FLOOR PLAN
SCALE: 1/8" = 1'-0"



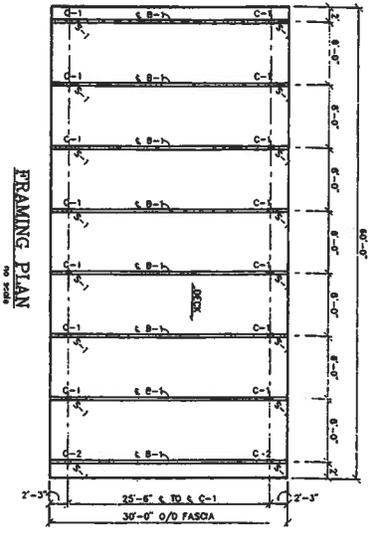
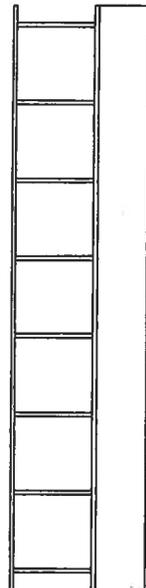
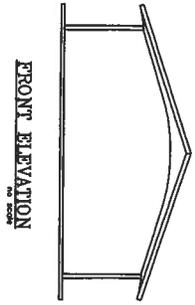
FRONT ELEVATION
TO BE SEEN



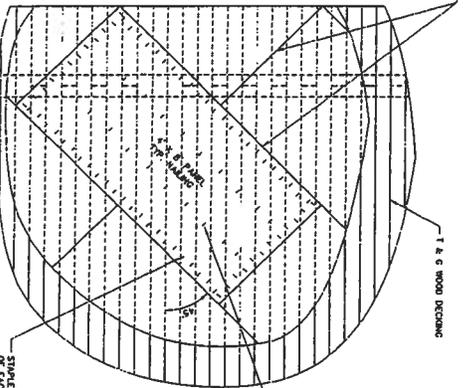
ELEVATIONS
SCALE: 1/8" = 1'-0"

	<p>PROJECT FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS 41 EAST NORTH TEMPLE & STREET SALT LAKE CITY, UT 84143 COMMERCIAL ARCHITECTURE (01) 94949</p>	<p>CARLSBAD LURC CARLSBAD CA. STAKE</p> <p>2080 CALIFORNIA STREET OCEANSIDE, CA.</p>	<p>SHEET TITLE FOUNDATION FLOOR ROOF ELEVATION PLAN</p>	<p>DATE: 08/08/07 DRAWN BY: JDS CHECKED BY: JDS</p>	<p>PROJECT NUMBER: 07106R SHEET NO.: A1.0</p>	<p>DATE: 08/08/07 DRAWN BY: JDS CHECKED BY: JDS</p>					
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G MID
ARCHITECTURE - INTERIORS - PLANNING
1177 IDAMO STREET, SUITE 200
REDLANDS, CA 92374
PHONE: (909)-335-7400 FAX: (909)-335-7299
www.gmidgroup.com

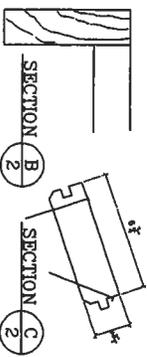


DIAPHRAGM OVERLAY
1 7/8" O.S.B. OR O.S.B.
PANELS TO BE INSTALLED
OVER THE ENTIRE ROOF
DECK. ALL PANELS TO BE
TO DECORATE AS SHOWN
AND JOINTS 1/4"

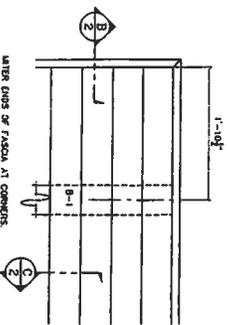


GENERAL NOTES REGARDING ROOF DIAPHRAGM.

1. THIS DECKING TO BE INSTALLED PER SUPPLIER'S SPECIFICATIONS USING APPROVED NAILING PATTERN.
2. DETAIL DRAWING TO BE USED TO DETERMINE THE CORRECT STAPLER JOINTS APPROX. 3 FT. FROM EACH OTHER.
3. STAPLES TO BE 16 GAUGE 1 1/2" x 1/2" UNLESS OTHERWISE NOTED.
4. ALL STAPLES TO BE INSTALLED IMMEDIATELY AFTER INSTALLATION.



1. START LAMING DECK AT EAVE W/ 1/2" OVERHANG UP.
2. DRIVE COURSES RIGHT W/ BLOCKING.
3. DRIVE COURSES LEFT W/ BLOCKING.
4. STAPLE COURSES USED 16 GAUGE STAPLES.
5. DECKING IS FINISHED IN SECURED LENGTHS. ALTERNATE COURSES 18"/16"/16"/16" AND 18"/16"/16"/16".



WATER GUARD OF FASCIAS AT CORNERS. BOTH FASCIAS ONLY AT REAR CORNERS. FASCIAS TO BE INSTALLED OVER THE DECKING AT EACH CORNER. 2" O.C. (DIM.) @ 3 3/4" O.C. (DIM.)

DECK PLAN AT CORNERS

RCP Shelters, Inc. Phone 772-286-8600
Post Office Box 25 Stuart, FL 34995

LW-G3060-04

10/24/07

NO.	DATE	BY	REVISIONS
1			
2			
3			
4			

2 of 2

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	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
8			
9			
10	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non- residential for Oceanside (\$.42 for Vista and Fallbrook) \$2.63 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
11			
12			
13			
14			
15	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
16			
17	Thoroughfare Fee (For commercial and industrial please note the .75 per cent 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)
18			
19			
20	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 \$4,395 per unit; Non- residential is \$35,160 for a 2" meter.
21			
22			
23	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 \$6,035 per unit; Non-residential is \$48,280 for a 2" meter.
24			
25			
26			
27	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit; Non-
28			

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

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

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

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

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

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

18 FINDINGS:

19 For the Development Plan:

- 20 1. The site plan and physical design of the project is consistent with the zoning ordinance in that
21 the project has been attractively designed and meets or exceeds the development standards.
- 22 2. The project is consistent and compatible with the surrounding neighborhoods.
- 23 3. The Development Plan conforms to the General Plan of the City.
- 24 4. Public Facilities and infrastructure necessary to serve the project are currently in place, or will
25 be constructed as part of the project.
- 26 5. The project is consistent and compatible with the surrounding neighborhoods.
- 27 6. The site plan and physical design of the project is consistent with the policies contained within
28 Section 1.24 and 1.25 of the Land Use Element of the General Plan.

1 For the Conditional Use Permit:

- 2 1. The location of the Pavilion within the Public Semipublic zone is in accord with the objectives
3 of the Zoning Ordinance and with the purposes of the district in which the site is located.
4 2. The pavilion is conditioned and is required to comply with all provisions of the Zoning
5 Ordinance. The proposed use is subject to specific operational conditions that will cause the use
6 to operate in compatibility with the surrounding land uses.
7 3. The proposed use will not be detrimental to properties or improvements in the vicinity or to the
8 general welfare of the City.

9 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve
10 Revision to Development Plan (D-22-02) and Conditional Use Permit (C-11-02) subject to the
11 following conditions:

12 Building:

- 13 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
14 Division plan check.
15 2. The granting of approval under this action shall in no way relieve the applicant/project from
16 compliance with all State and local building codes.
17 3. Site development, parking, access into buildings and building interiors shall comply with Part 2,
18 Title 24, C.C.R. (Disabled Access – Nonresidential buildings - DSA).
19 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property
20 shall be underground (City Code Sec. 6.30).
21 5. The building plans for this project are required by State law to be prepared by a licensed
22 architect or engineer and must be in compliance with this requirement prior to submittal for
23 building plan review.
24 6. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
25 7. A complete Soils Report, and Structural Calculations will be required at time of plans submittal
26 to the Building Division for plan check.
27 8. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall
28 be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide
or other such lights may be utilized and shall be shown on final building and electrical plans.

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

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

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

14 **Engineering:**

15 10. Prior to issuance of a grading permit, the developer shall host a community meeting with all of the
16 areas resident potentially affected by construction activities to inform them of the schedule and
17 answer questions.

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

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

22 b) All grading and related site preparation and construction activities shall be limited to the
23 hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and on Saturday from 7:00 a.m.
24 to 6:00 p.m. for work that is not inherently noise-producing unless otherwise extended by
25 the City and all work should utilize the latest technology for quiet equipment. All on-
26 site construction staging areas shall be as far as possible (minimum 100 feet) from any
27 existing residential development. Because construction noise may still be intrusive in
28 the evening or on holidays, the City Noise Ordinance also prohibits "any disturbing

1 excessive, or offensive noise which causes discomfort or annoyance to reasonable
2 persons of normal sensitivity.”

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

5 **Fire:**

- 6 12. Fire extinguishers are required and shall be included on the plans submitted for plan check.
7 13. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior
8 to the issuance of building permits.
9 14. Buildings shall meet Oceanside Fire Department’s current adopted codes at the time of building
10 permit application.

11 **Planning:**

- 12 15. This Revision to Development Plan and Conditional Use Permit shall expire on March 10, 2008
13 unless implemented as required by the Zoning Ordinance.
14 16. This Revision to the Development Plan approves only an 1,800-square foot outdoor pavilion
15 similar in design, colors and material as the existing church building as shown on the plans and
16 exhibits presented to the Planning Commission for review and approval. The pavilion is not
17 permitted to possess any type of electrical speaker boxes attached or within the structure. No
18 deviation from these approved plans and exhibits shall occur without Planning Division approval.
19 Substantial deviations shall require a revision to the Development Plan and Conditional Use
20 Permit or a new Development Plan and Conditional Use Permit.
21 17. The Revision to the existing Conditional Use Permit approves the use of the pavilion and limits to
22 the hours-of-operation of the pavilion to 9:30 a.m. to 9:30 p.m. everyday. No deviation from these
23 approved plans and exhibits shall occur without Planning Division approval. Substantial
24 deviations shall require a revision to the Conditional Use Permit or a new Conditional Use Permit.
25 18. This Conditional Use Permit shall be called for review by the Planning Commission if complaints
26 are filed and verified as valid by the Code Enforcement Office concerning the violation of any of
27 the approved conditions or assumptions made by the application.
28 19. All mechanical rooftop and ground equipment shall be screened from public view as required by
the Zoning Ordinance. That is, on all four sides and top. The roof jacks, mechanical equipment,

1 screen and vents shall be painted with non-reflective paint to match the roof. This information
2 shall be shown on the building plans.

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

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

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

15 23. Failure to meet any conditions of approval for this development shall constitute a violation of the
16 Conditional Use Permit and Development Plan.

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

22 ///////////////
23 ///////////////
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27 ///////////////
28 ///////////////

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

4 PASSED AND ADOPTED Resolution No. 2008-P13 on March 10, 2008 by the following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10 _____
11 Dennis Martinek, Chairman
Oceanside Planning Commission

12 ATTEST:

13
14 _____
15 Jerry Hittleman, Secretary

16 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a
17 true and correct copy of Resolution No. 2008-P13.

18 Dated: March 10, 2008

1 PLANNING COMMISSION
2 RESOLUTION NO. 2003- P25

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT ON
CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

6 APPLICATION NO: D-22-02, C-11-02
7 APPLICANT: The Church of Jesus Christ of Latter-day Saints
8 LOCATION: 2080 California Street

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by
12 the Commission requesting Development Plan and Conditional Use Permit under the provisions of
13 Articles 16, 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

14 a religious assembly facility and associated administrative offices;
15 on certain real property described in the project description.

16 WHEREAS, the Planning Commission, after giving the required notice, did on the 5th day of May,
2003 conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
23 Drainage Fee	24 Ordinance No. 85-23 25 Resolution No. 89-231	26 Depends on area (range is \$1,705-\$9,575 per acre)
27 School Facilities Mitigation 28 Fee	Ordinance No. 91-34	\$.33 per square foot non- residential

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 99-21	Fee based on water meter size
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Based on meter size

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 Development Plan:

1. The site plan and physical design of the project is consistent with the zoning ordinance in that the project has been attractively designed and meets or exceeds the development standards.
2. The Development Plan conforms to the General Plan of the City.

- 1 3. Public Facilities and infrastructure necessary to serve the project are currently in place, or will
2 be constructed as part of the project.
- 3 4. The project is consistent and compatible with the surrounding neighborhoods.
- 4 5. The site plan and physical design of the project is consistent with the policies contained within
5 Section 1.24 and 1.25 of the Land Use Element of the General Plan.

6 For the Conditional Use Permit:

- 7 1. The location of the religious assembly and associated uses within the Public Semipublic zone is
8 in accord with the objectives of the Zoning Ordinance and with the purposes of the district in
9 which the site is located.
- 10 2. The proposed use will not be detrimental to properties or improvements in the vicinity or to the
11 general welfare of the City.
- 12 3. The religious assembly and associated uses is conditioned and is required to comply with all
13 provisions of the Zoning Ordinance. The proposed use is subject to specific operational
14 conditions that will cause the use to operate in compatibility with the surrounding land uses.

15 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve
16 Development Plan (D-22-02) and Conditional Use Permit (C-11-02) subject to the following
17 conditions:

18 Building:

- 19 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
20 Department plan check.
- 21 2. The granting of approval under this action shall in no way relieve the applicant/project from
22 compliance with all State and local building codes.
- 23 3. Site development, parking, access into buildings and building interiors shall comply with Part 2,
24 Title 24, C.C.R. (Disabled Access – Nonresidential buildings - DSA).
- 25 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property
26 shall be underground (City Code Sec. 6.30).
- 27 5. The building plans for this project are required by State law to be prepared by a licensed
28 architect or engineer and must be in compliance with this requirement prior to submittal for
building plan review.

- 1 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall
2 be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide
3 or other such lights may be utilized and shall be shown on final building and electrical plans.
- 4 7. The developer shall monitor, supervise and control all building construction and supportive
5 activities so as to prevent these activities from causing a public nuisance, including, but not limited
6 to, strict adherence to the following:
- 7 a) Building construction work hours shall be limited to between 7 a.m. and 6 p.m. Monday
8 through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not inherently noise-
9 producing. Examples of work not permitted on Saturday are concrete and grout pours, roof
10 nailing and activities of similar noise-producing nature. No work shall be permitted on
11 Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day,
12 Thanksgiving Day, Christmas Day) except as allowed for emergency work under the
13 provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
- 14 b) The construction site shall be kept reasonably free of construction debris as specified in
15 Section 13.17 of the City Code. Storage of debris in approved solid waste containers shall
16 be considered compliance with this requirement. Small Amounts of construction debris
17 may be stored on site in a neat, safe manner for short periods of time pending disposal.

17 Engineering:

- 18 8. With the exception of the driveway entrances approved by this Development Plan, vehicular
19 access rights to California Street shall be relinquished to the City.
- 20 9. Design and construction of all improvements shall be in accordance with standard plans,
21 specifications of the City and subject to approval by the City Engineer.
- 22 10. Prior to issuance of a building permit all improvement requirements shall be covered by a
23 development agreement and secured with sufficient improvement securities or bonds
24 guaranteeing performance and payment for labor and materials, setting of monuments, and
25 warranty against defective materials and workmanship.
- 26 11. Prior to issuance of a grading permit, the developer shall host a community meeting with all of the
27 areas resident potentially affected by construction activities to inform them of the schedule and
28 answer questions.

- 1 12. A construction-phasing plan for the construction of on-site public and private improvements
2 shall be reviewed and approved by the City Engineer prior to the issuance of any grading or
3 improvement permits. Prior to the issuance of any building permits all offsite or frontage
4 improvements including landscaping and any required street improvements shall be constructed
5 to the satisfaction of the City Engineer. All necessary improvements shall be under construction
6 prior to the issuance of any building permits to the satisfaction of the City Engineer.
- 7 13. The applicant shall, at his own expense, obtain all necessary easements or other interests in real
8 property and shall dedicate the same to the City as required. The applicant shall provide
9 documentary proof satisfactory to the City that such easements or other interest in real property
10 have been obtained prior to issuance of any grading, building or improvement permit for the
11 development. Additionally, the City, may at its sole discretion, require that the applicant obtain at
12 his sole expense a title policy insuring the necessary title for the easement or other interest in real
13 property to have vested with the City or the applicant, as applicable.
- 14 14. The approval of the project shall not mean that any closure, vacation, or abandonment of any
15 public street, right of way, easement, or facility will be granted or guaranteed to the developer.
16 The developer is responsible for applying for all closures, vacations, and abandonments as
17 necessary. The application(s) shall be reviewed and approved or rejected by the City under
18 separate process(es) per codes, ordinances, and policies in effect at the time of the application.
- 19 15. Pursuant to the State Map Act, improvements shall be required at the time of development. A
20 covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these
21 improvement conditions and a certificate setting forth the recordation shall be placed on the map.
- 22 16. The developer shall monitor, supervise and control all construction and construction-supportive
23 activities, so as to prevent these activities from causing a public nuisance, including but not limited
24 to, insuring strict adherence to the following:
- 25 a) Dirt, debris and other construction material shall not be deposited on any public street or
26 within the City's storm water conveyance system.
 - 27 b) All grading and related site preparation and construction activities shall be limited to the
28 hours of 7 a.m. to 6 p.m., Monday through Friday, and on Saturday from 7 a.m. to 6 p.m.
for work that is not inherently noise-producing unless otherwise extended by the City and
all work should utilize the latest technology for quiet equipment. All on-site

1 construction staging areas shall be as far as possible (minimum 100 feet) from any
2 existing residential development. Because construction noise may still be intrusive in
3 the evening or on holidays, the City Noise Ordinance also prohibits “any disturbing
4 excessive, or offensive noise which causes discomfort or annoyance to reasonable
5 persons of normal sensitivity.”

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

8 17. All traffic signal contributions, highway thoroughfare fees, reimbursements, and other applicable
9 charges, fees and deposits shall be paid prior to the issuing of any building permits, in accordance
10 with City Ordinances and policies. The developer shall also be required to join into, contribute, or
11 participate in any improvement, lighting, or other special district affecting or affected by this
12 project. Approval of the project shall constitute the developer's approval of such payments, and
13 his agreement to pay for any other similar assessments or charges in effect when any increment is
14 submitted for building permit approval, and to join, contribute, and/or participate in such districts.

15 18. California Street shall be dedicated and improved 60 feet wide with a 40-foot wide curb-to-curb
16 street section. The dedications and improvements are to be half-width plus 12 feet.

17 19. Street improvements shall comply with the following requirements: concrete curb and gutter, street
18 lights, 5 foot wide sidewalk and pavement, providing a parkway width of at least 10 feet, unless
19 altered by the City Engineer.

20 20. Pavement sections for the street, driveways and parking areas shall be based upon approved soil
21 tests and traffic indices. The pavement design is to be prepared by the subdivider's soil engineer
22 and must be approved by the City Engineer, prior to paving.

23 21. The developer shall contract with an engineering firm to perform R-value testing of the existing
24 pavement. The limits of the study shall be half-width plus 12 feet along the property's frontage on
25 California Street. The Developer shall submit a study that shall analyze whether the existing
26 pavement meets current City standards/traffic indices. If the study concludes that the pavement
27 does not meet City standards/traffic indices, rehabilitation/mitigation recommendations shall be
28 included in the study and the Developer shall reconstruct the street per the recommendations to the
satisfaction of the City Engineer.

- 1 22. The exact design of all street improvements and other measures shall be approved by the City
2 Engineer at the time of final design.
- 3 23. Parking may be permitted on both sides of streets where the curb-to-curb width is not less than 36
4 feet, unless otherwise restricted by the City Engineer, the Transportation Manager, or the Fire
5 Marshal during final engineering design.
- 6 24. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
7 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 8 25. All existing overhead utility lines within the property and within any full width street or right-
9 of-way abutting the project, and all new extension services for the development of the project,
10 including but not limited to, electrical, cable and telephone, shall be placed underground per
11 Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the City Engineer
12 and current City policy.
- 13 26. The applicant shall obtain any necessary permits and clearances from all public agencies having
14 jurisdiction over the project due to its type, size, or location, including but not limited to the U.S.
15 Army Corps of Engineers, California Department of Fish & Game, U.S. Fish and Wildlife Service
16 and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County
17 Health Department, prior to the issuance of grading permits.
- 18 27. Prior to any grading of any part of the project, a comprehensive soils and geologic investigation
19 shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall
20 be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading
21 shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance
22 and Zoning Ordinance, is approved by the City Engineer.
- 23 28. This project shall provide year-round erosion control including measures for the site required for
24 the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed
25 for all proposed stages of construction, shall be reviewed, secured by the applicant with cash
26 securities and approved by the City Engineer.
- 27 29. A precise grading and private improvement plan shall be prepared, reviewed, secured and
28 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage, footprints of

- 1 all structures, walls, drainage devices and utility services. Parking lot striping and any on site
2 traffic calming devices shall be shown on all Precise Grading and Private Improvement Plans
- 3 30. Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer prior to
4 the issuance of a preliminary grading permit and approved by the City Engineer prior to the
5 issuance of building permits. Frontage landscaping shall be installed prior to the issuance of any
6 building permits. Project fences, sound or privacy walls and monument entry walls/signs shall be
7 designed, reviewed and constructed by the landscape plans and shown for location only on grading
8 plans. Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans
9 and landscaped/irrigated through project landscape plans. All plans must be approved by the City
10 Engineer and a pre-construction meeting held, prior to the start of any improvements.
- 11 31. All storm drain systems shall be designed and installed to the satisfaction of the City Engineer.
- 12 32. The drainage design on the development plan is conceptual only. The final design shall be based
13 upon a hydrologic/hydraulic study to be approved by the City Engineer during final engineering.
14 All drainage picked up in an underground system shall remain underground until it is discharged
15 into an approved channel, or as otherwise approved by the City Engineer. All public storm drains
16 shall be shown on City standard plan and profile sheets. All storm drain easements shall be
17 dedicated where required. The applicant shall be responsible for obtaining any off-site easements
18 for storm drainage facilities.
- 19 33. Grading and drainage facilities shall be designed to adequately accommodate the local storm water
20 runoff and shall be in accordance with the City's Engineers Manual and as directed by the City
21 Engineer.
- 22 34. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed of in
23 accordance with all state and federal requirements, prior to stormwater discharge either off-site or
24 into the City drainage system.
- 25 35. The development shall comply with all applicable regulations established by the U.S.
26 Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge
27 Elimination System (N.P.D.E.S.) permit requirements for urban runoff and storm water
28 discharge and any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or
requirements. Further, the applicant shall file a Notice of Intent with the State Water Resources
Control Board to obtain coverage under the N.P.D.E.S. General Permit for Storm Water

1 Discharges Associated with Construction Activity and shall implement a Storm Water Pollution
2 Prevention Plan (SWPPP) concurrent with the commencement of grading activities. The
3 SWPPP shall include both construction and post construction pollution prevention and pollution
4 control measures and shall identify funding mechanisms for post construction control
5 measures. The developer shall comply with all the provisions of the Clean Water Program
6 during and after all phases of the development process, including but not limited to: mass
7 grading, rough grading, construction of street and landscaping improvements, and construction
8 of dwelling units. The applicant shall design the Project's storm drains and other drainage
9 facilities to include Best Management Practices to minimize non-point source pollution,
satisfactory to the City Engineer.

10 36. Upon acceptance of any fee waiver or reduction by the Developer, the entire project will be
11 subject to prevailing wage requirements as specified by Labor Code section
12 1720(b)(4). The Developer shall agree to execute a form acknowledging the prevailing wage
13 requirements prior to the granting of any fee reductions or waivers.

14 37. The Developer shall submit an Operations & Maintenance (O&M) Plan and Manual to the
15 Engineering Division with the first submittal of engineering plans. The Plan and the Manual
16 shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's
17 Storm Water Mitigation Plan (SWMP) previously approved by the project's approving authority
18 Planning Commission. It shall be approved by the City Engineer prior to approval of any plans
19 by the Engineering Division. At a minimum the O&M Plan and Manual shall describe the
20 designated responsible parties to manage the storm water BMP(s), employee's training program
21 and duties, operating schedule, maintenance frequency, routine service schedule, specific
22 maintenance activities, copies of resource agency permits, and any other necessary activities.
23 Construction-phase requirements proposed in the Plan and Manual shall be incorporated in and
24 referenced by the project's Erosion Control Plans to the satisfaction of the City Engineer prior to
approval of any construction plans for the project.

25 38. The Developer/Project Proponent shall enter into a City-Standard Stormwater Facilities
26 Maintenance Agreement with the City obliging the project proponent to maintain, repair and
27 replace the storm water Best Management Practices (BMPs) identified in the project's approved
28 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan and Manual into

1 perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of any
2 precise grading permit and shall be recorded at the County Recorder's Office prior to issuance
3 of any building permit. Security in the form of a cash or perpetual traditional bond or an
4 irrevocable letter of credit shall be required prior to issuance of a precise grading permit. The
5 amount of the security shall be equal to 10 years of maintenance costs. The O&M cost estimate
6 shall be prepared by the applicant's Civil Engineer. The O&M cost estimate shall be approved
7 by the City Engineer prior to approval of any engineering plans for the project.

8 39. The City requires that a copy of the Operation & Maintenance (O&M) Plan and Manual
9 approved by the City Engineer be attached to the approved Maintenance Agreement prior to its
10 review by the City Attorney. At a minimum, maintenance agreements shall require the
11 inspection and servicing of all structural BMPs on an annual basis. The project proponent shall
12 complete and maintain O&M forms to document all maintenance requirements. Parties
13 responsible for the O&M plan shall retain records for at least 5 years. These documents shall be
14 made available to the City for inspection upon request at anytime. The Agreement shall include
15 a copy of executed onsite and offsite access easements necessary for the operation and
16 maintenance of BMPs that shall be binding on the land throughout the life of the project to the
17 benefit of the party responsible for the O&M of BMPs, until such time that the storm water
BMP requiring access is replaced, satisfactory to the City Engineer.

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

21 Fire:

22 41. A minimum fire flow of 2,000 gallons per minute shall be provided.

23 42. The size of fire hydrant outlets shall be 2 ½ " X 4".

24 43. The fire hydrants shall be installed and tested prior to placing any combustible materials on the
25 job site.

26 44. Provide on-site hydrant(s) and mains capable of supplying the required fire flow.

27 45. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design and
28 Processing Manual Standard Drawing No. M-13.

- 1 46. Fire extinguishers are required and shall be included on the plans submitted for plan check.
- 2 47. An approved fire sprinkler system must be installed throughout the building. The system shall
3 be designed per N.F.P.A. 13, and U.B.C. standard 9-1. The sprinkler system requires 24-hour
4 supervision.
- 5 48. Provide a fire alarm system as required per U.F.C. Article 10 and N.F.P.A. 72, 1999 Edition.
- 6 49. In accordance with the Uniform Fire Code Sec. 901.1.4.4., approved addresses for Commercial,
7 Industrial, and Residential Occupancies shall be placed on the structure in such a position as to
8 be plainly visible and legible from the street or roadway fronting the property. Numbers shall
9 contrast with their background.
- 10 50. Commercial buildings and Multi-family dwellings require 6-inch address numbers.
- 11 51. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior
12 to the issuance of building permits.
- 13 52. Buildings shall meet Oceanside Fire Departments current adopted codes at the time of building
14 permit application.

14 Planning:

- 15 53. This Development Plan and Conditional Use Permit shall expire on May 5, 2005 unless
16 implemented as required by the Zoning Ordinance.
- 17 54. This Development Plan approves only 16,838 square feet of buildings consisting of the chapel and
18 storage building, as shown on the plans and exhibits presented to the Planning Commission for
19 review and approval. No deviation from these approved plans and exhibits shall occur without
20 Planning Department approval. Substantial deviations shall require a revision to the Development
21 Plan or a new Development Plan.
- 22 55. This Conditional Use Permit approves only religious assembly and associated administrative office
23 uses as shown on the plans and exhibits presented to the Planning Commission for review and
24 approval. Daycare and/or school uses are not proposed as part of this application. Daycare and/or
25 school uses require a revision to the Development Plan and Conditional Use Permit. No deviation
26 from these approved plans and exhibits shall occur without Planning Department approval.
27 Substantial deviations shall require a revision to the Conditional Use Permit or a new Conditional
28 Use Permit.

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

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

- 10 a) The developer shall be responsible for irrigating and landscaping all embankments within
11 the project, and all slopes along major streets.
- 12 b) Arterial street trees in parkways shall be planted at a minimum of 30 feet on center, each
13 side of street, as a solitary planting. Approved root barriers shall be incorporated.
- 14 c) To mitigate the loss of landmark and/or mature existing trees on site the determination of
15 replacement shall be based on tree number, type, and caliper (caliper measured 2 1/2 feet
16 from the base of the tree at existing grade). The total number of tree caliper lost shall be
17 equal to the total number of caliper replaced. Replacement trees shall be a minimum of
18 15-gallon container stock. A field survey shall be performed under the supervision of the
19 City Landscaping Section to evaluate the existing tree population and the replacement
20 requirements. The existing trees to remain or proposed for removal shall be identified on
21 the Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing tree
22 type, location, and caliper shall be shown on the above plans. Replacement trees shall be
23 identified and shown on the Landscape Plan and shall be subject to review and approval by
24 the City Engineer and Planning Director.
- 25 d) Crimson Lake Bougainvillea, the official City Flower, shall be used on this site. San
26 Diego Red Bougainvillea is an acceptable alternate.

27 58. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in any
28 adjoining public parkways shall be permanently maintained by the owner, his assigns or any
successors in interest in the property. The maintenance program shall include normal care and
irrigation of the landscaping; repair and replacement of plant materials; irrigation systems as

1 necessary; and general cleanup of the landscaped and open areas, parking lots and walkways,
2 walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate
3 enforcement actions by all acceptable means including but not limited to citations and/or actual
4 work with costs charged to or recorded against the owner. This condition shall be recorded with
5 the covenant required by this Resolution.

6 59. A trash enclosures must be provided as required by Chapter 13 of the City Code and shall also
7 include additional space for storage and collection of recyclable materials per City standards.
8 Recycling is required by City Ordinance. The enclosures must be built in a flat, accessible location
9 as determined by the City Engineer. The enclosures shall meet City standards including being
10 constructed of concrete block, reinforced with Rebar and filled with cement. A concrete slab must
11 be poured with a berm on the inside of the enclosure to prevent the bins from striking the block
12 walls. The slab must extend out of the enclosure for the bins to roll out onto. Steel posts must be
13 set in front of the enclosure with solid metal gates. All driveways and service access areas must be
14 designed to sustain the weight of a 50,000-pound service vehicle. Trash enclosures and driveways
15 and service access areas shall be shown on both the improvement and landscape plans submitted to
16 the City Engineer. The specifications shall be reviewed and approved by the City Engineer. The
17 City's waste disposal contractor is required to access private property to service the trash
18 enclosures, a service agreement must be signed by the property owner and shall remain in effect
19 for the life of the project. All trash enclosures shall be designed to provide user access without the
20 use and opening of the service doors for the bins. Trash enclosures shall have design features such
21 as materials and trim similar to that of the rest of the project. This design shall be shown on the
22 landscape plans and shall be approved by the Planning Director.

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

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

- 1 62. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written
2 copy of the applications, staff report and resolutions for the project to the new owner and or
3 operator. This notification's provision shall run with the life of the project and shall be recorded as
4 a covenant on the property.
- 5 63. Failure to meet any conditions of approval for this development shall constitute a violation of the
6 Conditional Use Permit and Development Plan.
- 7 64. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at
8 the time building permits are issued are required to be met by this project. The approval of this
9 project constitutes the applicant's agreement with all statements in the Description and
10 Justification, Management Plan and other materials and information submitted with this
11 application, unless specifically waived by an adopted condition of approval.
- 12 65. This Conditional Use Permit shall be called for review by the Planning Commission if complaints
13 are filed and verified as valid by the Code Enforcement Office concerning the violation of any of
14 the approved conditions or assumptions made by the application.
- 15 66. The hours-of-operation are not limited, but shall be reviewed and may be limited by the Planning
16 Commission when valid issues or complaints pertaining to the hours-of-operation arise.
- 17 67. Side and rear elevations and window treatments shall be trimmed to substantially match the front
18 elevations. A set of building plans shall be reviewed and approved by the Planning Department
19 prior to the issuance of building permits.
- 20 68. The church steeple shall not be directly illuminated by any light source.
- 21 69. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the
22 same as those approved by the Planning Commission. These shall be shown on plans submitted
23 to the Building Department and Planning Department.
- 24 70. Material and waste Best Management Practices (BMPs) during site grading and construction such
25 as solid, sanitary, hazardous, contaminated soil, concrete construction and construction waste
26 management, spill prevention, appropriate material delivery and storage, employee training, dust
27 control, and equipment cleaning, maintenance and fueling shall be strictly enforced.
- 28 71. Prior to issuance of grading and building permits, permanent structural BMPs such as grease/oil
traps or a comparable filtration system shall be installed and maintained at all storm drain inlets

1 within the proposed private streets or parking areas. Water shall be directed to vegetated drainage
2 swales, where feasible.

3 72. Non-structural post-construction BMPS such as public education program (providing signage at
4 all drainage inlets prohibiting dumping of any kind).

5 Water Utilities:

6 73. All public water and/or sewer facilities not located within the public right-of-way shall be provided
7 with easements sized according to the Engineers Manual. Easements shall be constructed for all
8 weather access.

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

11 75. The property owner will maintain private water and wastewater utilities located on private
12 property.

13 76. A separate irrigation meter and approved backflow prevention device is required.

14 77. The developer shall construct a public reclamation water system that will serve each lot and or
15 parcels that are located in the proposed project in accordance with the City Ordinance No. 91-15.
16 The proposed reclamation water system shall be located in the public right-of-way or in a public
17 utility easement.

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

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

23 80. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover
24 of the public sewer shall be protected from backflow of sewage by installing and maintaining an
25 approved type backwater valve, per the Uniform Plumbing Code (U.P.C.).

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

82. All Water and Wastewater construction shall conform to the most recent edition of the City
Engineer's Manual, or as approved by the Water Utilities Director.

1 83. Onsite private waterlines shall be equipped with double check detector assemblies as depicted in
2 O.S.D. W-17. Identify location of the backflow assemblies on the civil plan.

3 84. The proposed hydrants off of California Street shall sit within the public right-of-way. Onsite
4 fire hydrants shall be tied to the onsite private fire system. Revise civil plan accordingly.

5 85. A 10' minimum separation is required between existing sewer lateral/proposed water feeds to
6 the project. Revise civil plan accordingly.

7 PASSED AND ADOPTED Resolution No. 2003-P25 on May 5, 2003 by the following vote, to

8 wit:

9 AYES: Barrante, Schaffer, Todd and Nack

10 NAYS: Chadwick, Parker and Neal

11 ABSENT: None

12 ABSTAIN: None

13
14
15 _____
16 George Barrante, Chairman
Oceanside Planning Commission

17 ATTEST:

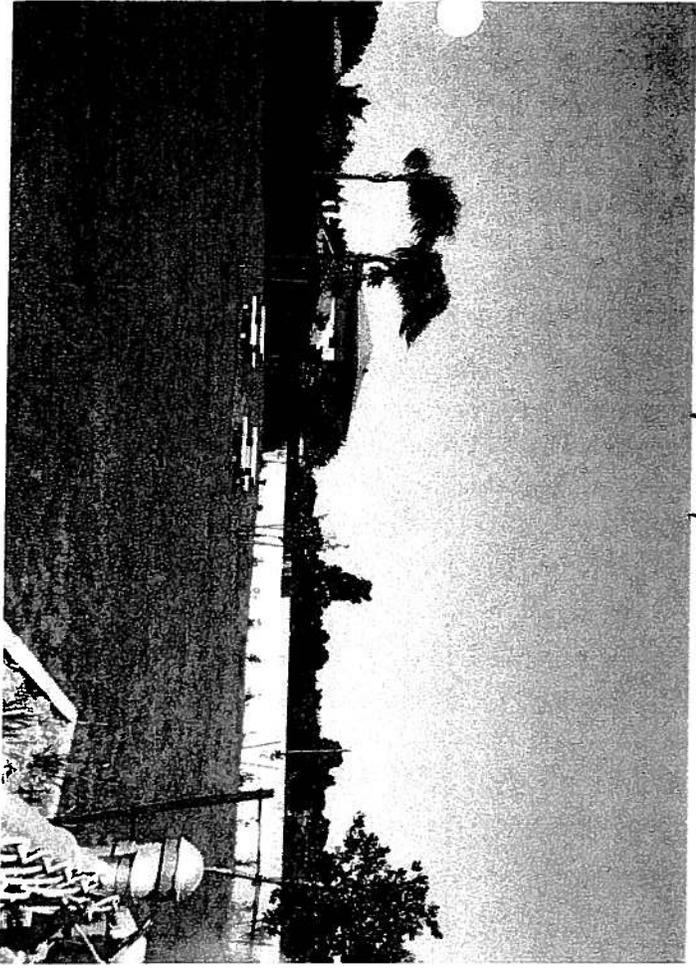
18
19 _____
20 Gerald S. Gilbert, Secretary

21 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that this is
22 a true and correct copy of Resolution No. 2003-P25.

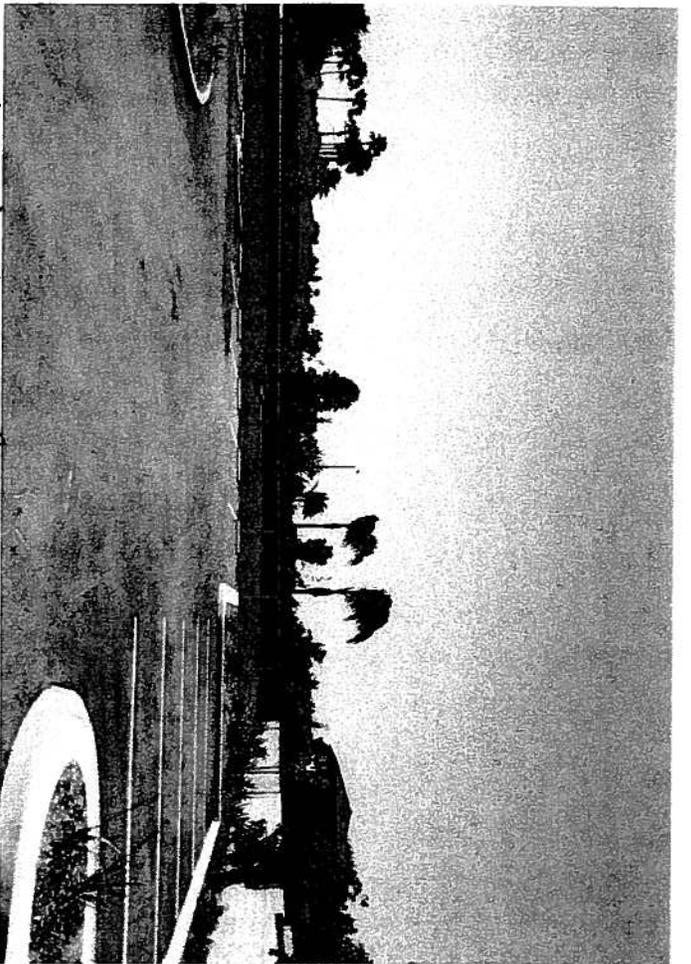
23 Dated: May 5, 2003
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NORTH REAR PROPERTY LINE



EAST SIDE OF COURTESY PROPERTY

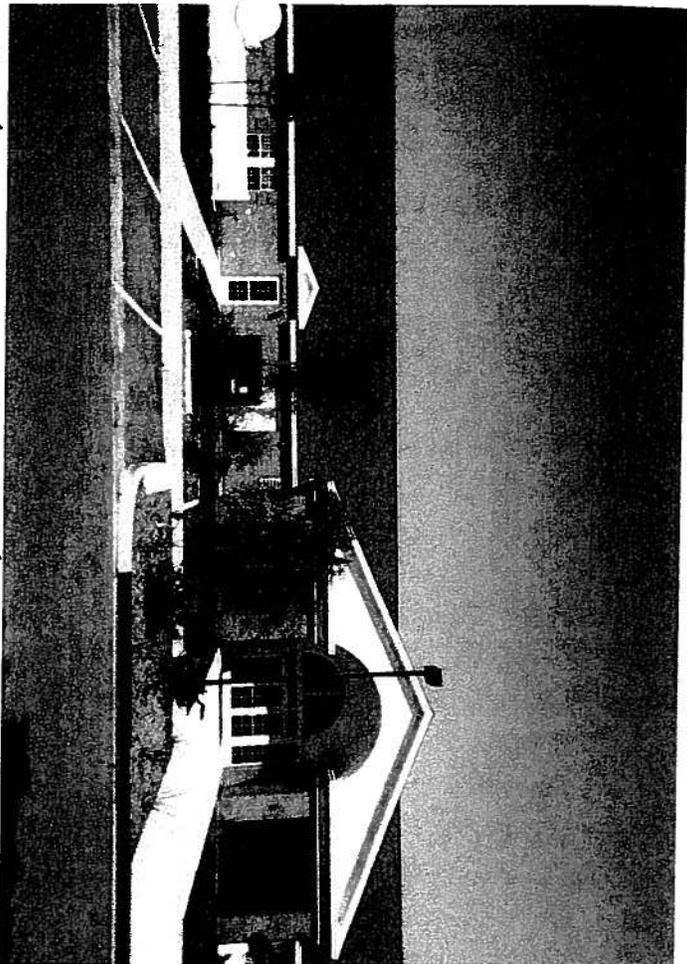


NORTH FACING PROPOSED DECKING

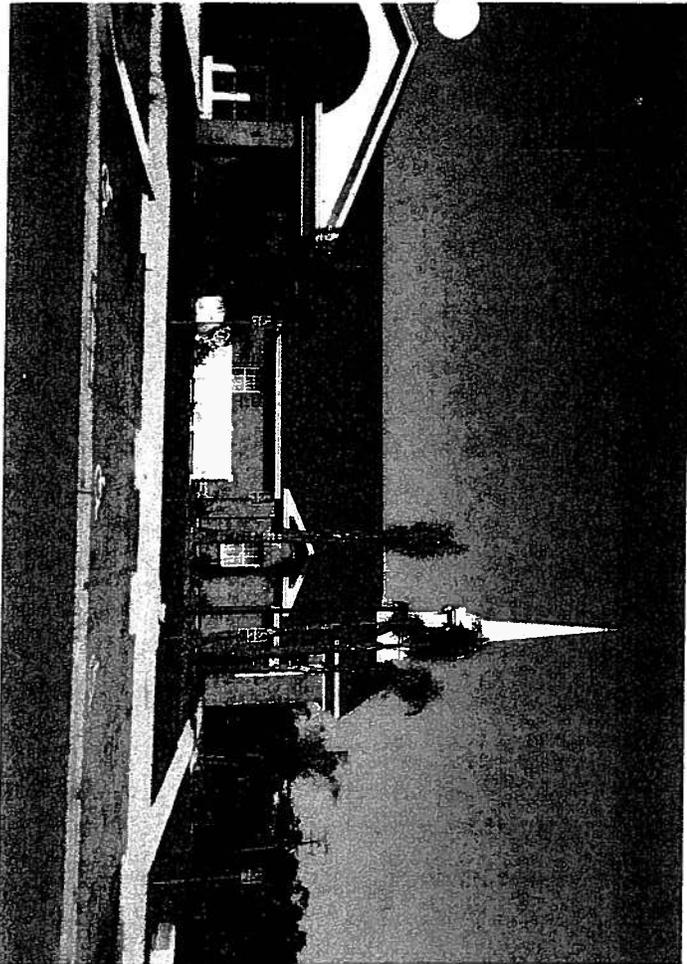


VIEW FROM NORTH/EAST

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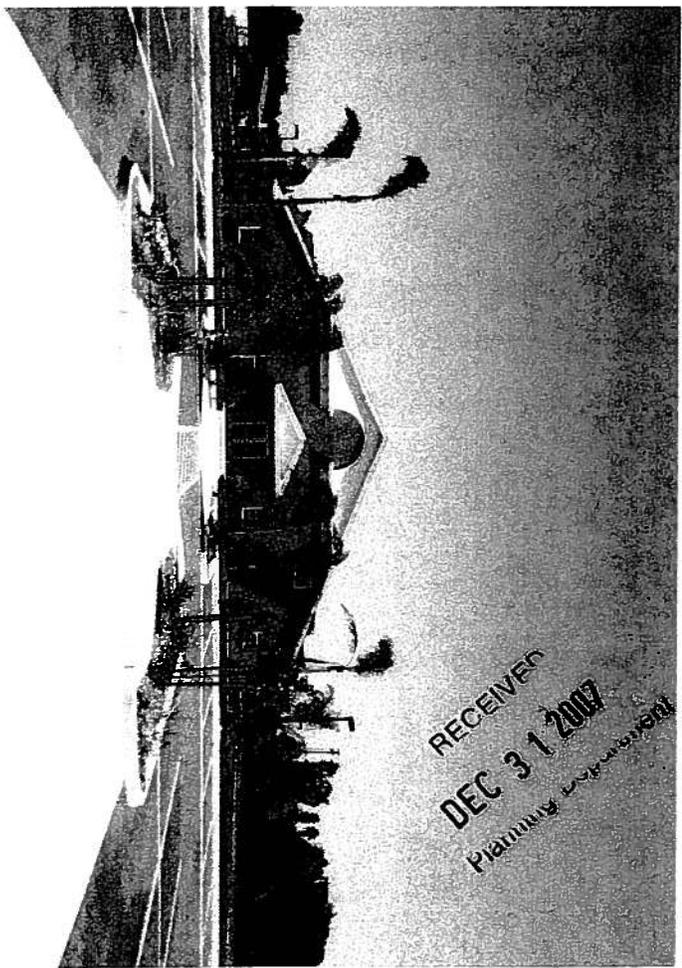
WEST SIDE OF CHURCH



EAST SIDE OF CHURCH



WEST FACING OPEN SPACE AREA



SOUTH FACING CHURCH

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CARLSBAD LURC

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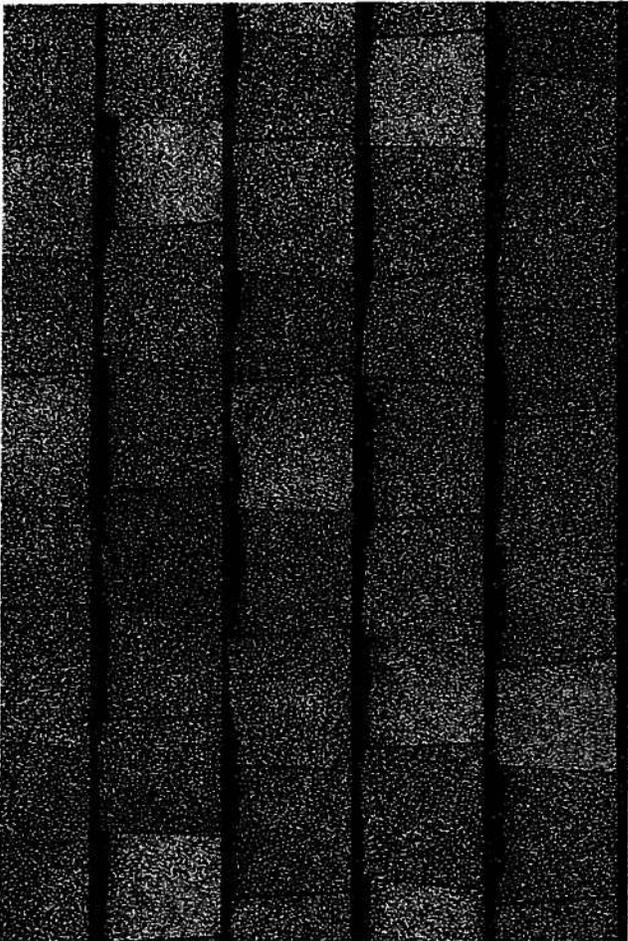
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RETAIN
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CERTIFIED ROOFING
LANDMARK
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THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
DEVELOPMENT PLAN (D-22-02)
CONDITIONAL USE PERMIT (C-11-02)
May 5, 2003

REQUEST: A Development Plan and Conditional Use Permit for a church and ancillary uses located at 2080 California Street. The project site is zoned PS (Public/Semipublic District) and has a land use designation of RE-B (Residential Estate B). The property is situated in the Fire Mountain Neighborhood.

APPLICANT: The Church of Jesus Christ of Latter-day Saints

I. RECOMMENDATION

Staff recommends that the Planning Commission approve Development Plan (D-22-02) and Conditional Use Permit (C-11-02) and adopt Planning Commission Resolution No. 2003-P25 as attached.

II. PROJECT DESCRIPTION AND BACKGROUND

Background: The subject site 3.69-acres in size and contains an existing 20,580 square foot church and 148 space parking lot. The existing building is 30 feet in height with a 67-foot tall steeple, which was constructed in 1962.

Surrounding the project site are existing single-family residential dwellings to the north, south and east and the Oceanside Seventh Day Adventist Church is located southwest of the site at the southeast corner of California Street and Ridgeway Street. Lincoln Middle School and Palmquist Elementary School are located to the west, on the north and south sides of California Street. The underlying land use designation for the site is RE-B (Residential Estate B).

Project Description: The proposed project entails the demolition of the existing church building and the construction of a new 16,838 square foot church building and storage building. The building is comprised of a chapel and rostrum area, Sunday school classrooms, office space, and a cultural center. The building is 27 feet 4 inches in height with a steeple of 66 feet 3 inches in height. An existing 6-foot high masonry wall surrounds the property and will be retained.

The two driveways serving the site will be modified for increased width and the eastern driveway will be placed closer to the eastern property line. The grading proposed for the site consists of 350 cubic yards of cut, 3,000 cubic yards of fill and 2,650 cubic yards of import. The building site and parking area will be slightly raised to allow for proper drainage. However, the finished floor elevation of the building will only be raised approximately one (1) foot from existing grades.

The architectural theme is French Colonial utilizing gables ends at the front, rear and side entrances. The entrance porticos are accented with arched pediments, arched windows over the entry doors and brick columns. The project utilizes such exterior materials as brick façade and quoins, metal fascia and soffits, windows with mullions and composition shingle roofing material.

The project also proposes a 66-foot high steeple element located on the southern portion of the building. The steeple requires a Conditional Use Permit approval for extending more than 10-feet above the base district height of 36 feet.

The project will be landscaped with planting themes consistent with the surrounding neighborhood. The entire perimeter of the site as well as both driveways, parking and building area will be planted with trees to frame the building and site.

Outlined below are the required development criteria of the underlying zoning criteria standards and those proposed by the project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	10,000 sq.ft.	3.69 acres
SETBACKS		
Front	25 feet	52 feet
Side	7.5 feet	103 feet
Rear	20 feet	260 feet
PARKING	146 parking spaces for church sanctuary and administrative offices	182 parking spaces; (includes 8 handicapped)
BUILDING HEIGHT	36-feet (max)	27-feet (max)/ Steeple 66-feet, 30inches

The applicant proposes to have Sunday services and a weekday evening activities. The prime time of activity will be the three Sunday services from 9:00 a.m. to 3:00 p.m. The applicant will not conduct any school or day care services on the premises.

The project proposes a total of 182 (including 8 handicapped spaces) parking spaces. Religious assembly, Sunday school and offices require 146-parking spaces. The peak parking demand will be Sunday morning services. During the weekdays the day use is limited to church personnel and the evening use would generally be limited to groups of 30 people.

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)

III. ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project consistent with the underlying land use designation, zoning development criteria?
2. Is the proposed church and associated uses compatible with surrounding land uses?

DISCUSSION

Staff's review of the project focused on two issues, conformance with underlying development standards and land use compatibility.

Staff believes the church and associated administration uses would not be detrimental to the existing neighborhood. The basic layout of the project has remained the same with parking towards the sides and the rear of the site. Staff believes there exists enough physical separation and distance from the existing residential neighborhood to reduce any potential impacts to the surrounding neighborhood.

In staff's opinion, the new 66-foot 3-inch tall steeple is a supportable exception to the height limitation. The existing steeple is 67- feet in overall height.

In summary, the proposed project meets or exceeds all the underlying development requirements and the intended use. The architecture and landscaping proposed is compatible and complimentary with the surrounding neighborhood.

IV. ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA).

V. SUMMARY

Staff believes that the proposed Development Plan and Conditional Use Permit are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all development standards and the architecture is compatible with the surrounding neighborhood. Therefore, staff recommends approval of the project and the Commission's action should be:

- Move to approve Development Plan (D-22-02) and Conditional Use (C-11-02) Permit and adopt Planning Commission Resolution No. 2003-P25 as attached.

PREPARED BY:

SUBMITTED BY:

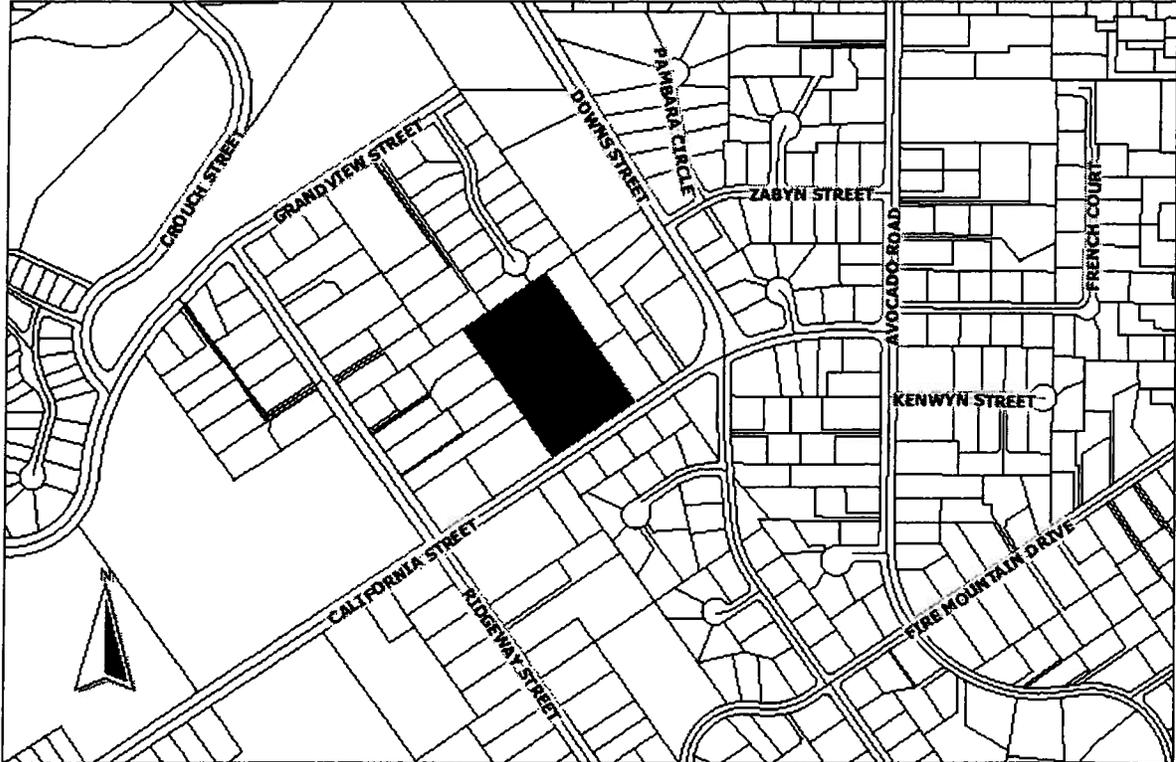
Iain Holt
Planner II

Gerald S. Gilbert
Planning Director

GSG/IAH /vnm

Attachments:

1. Planning Commission Resolution No. 2003-P25
2. Site Plan and Elevations
3. Letter of Neighborhood Outreach Results



File Number: D-22-02 & C-11-02REV07

Applicant: Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints

Description:

DEVELOPMENT PLAN (D-22-02) and REVISION to CONDITIONAL USE PERMIT (C-11-02REV07) for construction of pavilion building in accessory to the Church located at 2080 California Street. The project site is zoned PS (Public Space) and is situated within the Fire Mountain Neighborhood – **LDS CHURCH REVISION**

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



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 **12/31/07** BY **SN.**
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Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT Corporation Of The Presiding Bishop Of The Church of Jesus Christ Of Latter-day Saints, A Utah Corporation Sole
2. STATUS
3. ADDRESS 50 East North Temple Street Salt Lake City, UT. 84150
4. PHONE/FAX/E-mail (951) 326-5918 sniderrf@ldschurch.org
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) GMID Architects, Inc, Raymond Schofield, Project Manager
6. ADDRESS 1177 Idaho Street, Suite 200 Redlands, Ca. 92374
7. PHONE/FAX/E-mail (909) 335-7400 x120 rschofield@gmidgroup.com

GPA
 MASTER/SP.PLAN
 ZONE CH.
 TENT. MAP
 PAR. MAP
 DEV. PL. **D-22-02 REV 07**
 C.U.P. **C-11-02 REV 07**
 VARIANCE
 COASTAL
 O.N.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION 2080 California Street Oceanside, Ca.
9. SIZE 3.779 AC.
10. GENERAL PLAN EB-R
11. ZONING PS
12. LAND USE RELIGIOUS ASSEMBLY
13. ASSESSOR'S PARCEL NUMBER 151-190-26

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION Ammend Existing C.U.P. C-11-02 & Development Plan D-22-02: to include a 30'-0" X 60'-0" Pavallion (Accessory Building), Connecting Walkway, Drinking Fountain For Recreational Gatherings at Existing Church Meetinghouse.

15. PROPOSED GENERAL PLAN N/C
16. PROPOSED ZONING N/C
17. PROPOSED LAND USE N/C
18. NO. UNITS N/A
19. DENSITY N/A
20. BUILDING SIZE 1,800 SF. (ACCESSORY USE)
21. PARKING SPACES 82 (INCL. 8 H/C) EXISTING
22. % LANDSCAPE 40%
23. % LOT COVERAGE or FAR 1.09%

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): Raymond Schofield
34. DATE: 12/27/2007
 SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

Sign:
35. OWNER (Print): Rocky SNIDER
36. DATE: 12-31-07

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
 Sign:

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 Planning Department
 7/26/2007
 SCOTT



December 27, 2007

To the City Of Oceanside Planning Department:
Ref: D-22-02 & C-11-02

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Letter of Description and Justification

We are requesting a minor addition to our approved Development Plan D-22-02 and Conditional Use Permit C-11-02, that the following be included:

We are proposing to erect a 30'x60' pavilion for church outdoor social activities. The existing property currently has a church meetinghouse and small storage building. The proposed pavilion will be constructed with heavy timber and shingle roof to match the existing structures. The proposed pavilion will be located in the northeast corner of the property. The proposed pavilion will serve as a picnic area with picnic tables. Additional Walkways and a Drinking Fountain, connects the pavilion to the existing path of travel and an additional handicap parking stall and ramp will be provided meeting ADA requirements.

Currently the setback requirements are 25'-0" at the rear property line and 15'-0" on the side property line. We are proposing to place the pavilion 42'-0" from rear property line and 25'-0" from the side property line. As this is an accessory structure no additional parking is required.

Thank you,

A handwritten signature in black ink, reading 'Raymond Schofield', written in a cursive style.

Raymond Schofield
Project Manager
GMID Architects, Inc.
1177 Idaho Street #200
Redlands Ca. 92374
Tel: 909-335-7400 x120
Fax: 909-335-7299

EXHIBIT "ONE"

THE SOUTHWESTERLY 323 FEET OF LOT 4 IN TRACT 56 OF HOTALING LANDS, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1717, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 16, 1921; THE NORTHEASTERLY LINE OF SAID SOUTHWESTERLY 323 FEET BEING PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT 4.

Assessor's Parcel No: 151-190-26



NOTICE OF EXEMPTION

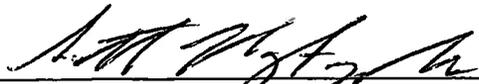
City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** Church of Jesus Christ of Latter-day Saints
2. **ADDRESS:** 50 East North Temple Street
Salt Lake City, Ut. 84150
3. **PHONE NUMBER:** (951) 326-5918
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner II
6. **PROJECT TITLE:** LDS Church Revision (D-22-02REV07, C-11-02REV07)
7. **DESCRIPTION:** A request to construct a construct a 30 foot by 60 foot outdoor pavilion.

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 that review, the Environmental Coordinator finds that the proposed project constitutes interior alterations involving such things as interior partitions, plumbing and electrical conveyances, and the project is categorically exempt. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "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 is categorically exempt, Class 3 "Accessory Structures" (Section 15303) (e); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Planner II

Date: 3/10/08

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee