

AGENDA NO. 4

PLANNING COMMISSION



STAFF REPORT

DATE: April 12, 2010
TO: Chairperson and Members of the Planning Commission
FROM: Development Services Department/Planning Division
SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC09-00007) FOR THE CONSTRUCTION OF A 62-SQUARE FOOT ADDITION TO AN EXISTING RESIDENCE LOCATED AT 75 SAINT MALO BEACH – 75 ST. MALO BEACH – APPLICANT: PETER & SUSI BROWNE**

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 (RC09-00007) by adopting Planning Commission Resolution No. 20010-P13 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The project site is situated within the South Oceanside Neighborhood, within the Saint Malo Beach residential community. The property exists with a 2,712-square foot single-family residence and a 407-square foot guest room above an attached three-car garage that is used by both the single-family home and the guest room. The units on the property were constructed in 1974 prior to the 1986 Local Coastal Program adoption date, so a regular coastal permit was not necessary at the time of the homes original construction.

Site Review: The site is zoned R-1 (Single-Family Residential) and has a land use designation of Single-Family Detached Residential (SFD-R). The underlying neighborhood district is South Oceanside and surrounding land uses include: Single-Family Residential (R-1) homes to the north and east, the Pacific Ocean exist to the west and the Buena Vista Lagoon is located directly to the south of the project site.

The site is relatively flat at the street level and the northern portion of the property is on Buena Vista Lagoon. The subject residence is located at 75 Saint Malo Beach and is situated next to similar type of single-family developments.

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

Regular Coastal Permit (RC09-00007) represents a request for the following:

The project involves an addition to an existing kitchen of an existing single-family residence and other exterior modifications; such as, adding an outdoor shower, relocating an existing kitchen and service bath window, relocating the courtyard entry door, enlarging the entry porch door, relocating the foyer entry door, and adding a new roof over the entry door to match the existing roof. The addition consists of expanding the existing 156-square foot first level kitchen by 62 square feet to the east and would be designed consistent with the materials and colors of the existing residence.

The expansion of the existing kitchen by 62 square feet would allow the homeowner a larger kitchen area and laundry facility, and the expansion would be consistent in terms of setbacks from the property lines.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. General Plan

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

A. Land Use Element

Goal 1.23: Architecture

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

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

The proposed improvements to the existing residence at 75 Saint Malo Beach have been analyzed for architectural consistency with the existing residence and surrounding neighborhood. All architectural features proposed shall be consistent with the overall design of the existing home, and keep in harmony with the French Provincial architectural theme through-out the Saint Malo neighborhood.

Staff has surveyed the neighboring properties, and revealed that an ample amount of surrounding homes in Saint Malo have similar size kitchens and many residents in the area have constructed additions to enlarge the building's footprint. The bulk and scale of the proposed improvements are limited to the interior of the site and would not alter public views of the lagoon or the Pacific Ocean.

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, such as development regulations and compatibility with the character of the surrounding areas.

2. Zoning Compliance

This project is located in the R-1 (Single-Family Residential) District and complies with the requirements of that zone. Table 1 summarizes proposed and applicable development standards for the project site:

Table 1: Development Standards

	MINIMUM REQUIRED	PROPOSED
FRONT YARD	20 feet	20 feet (Existing)
SIDE YARD	5 feet	3 feet (Existing)
Buena Vista Lagoon	15 feet	25+ (Existing)
REAR YARD	15 feet	17 (Existing)

	MINIMUM REQUIRED	PROPOSED
MAXIMUM HEIGHT	35 feet	25 feet (Existing Residence) 16 feet (Proposed Kitchen Addition)

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 improvements to the property will be consistent with, and compatible to, the existing residence and the adjoining homes in the surrounding homes.

Recommendation: Staff finds that the improvements to the property are consistent with the existing residence and would be consistent with the surrounding neighborhood. The 62-square foot addition would be constructed at a height of 16 feet, and would incorporate a design that is consistent with the existing residence.

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

Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius and occupants within a 100-foot radius of the subject property, individuals and or organizations requesting notification, the applicant, and other interested parties. As of April 12, 210, no communication supporting or opposing the request had been received.

SUMMARY

Regular Coastal Permit (RC09-00007) 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 architecture is compatible with the surrounding neighborhood and the existing residence. As such, staff recommends that the Planning Commission

approve the project based on the findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

- Confirm issuance of Class 1, Categorical Exemption for Existing Facilities of the California Environmental Quality Act.
- Move to approve Regular Coastal Permit RC09-00007 and adopt Planning Commission Resolution No. 2010-P13 as attached.

PREPARED BY:



Scott Nightingale
Acting Associate Planner

SUBMITTED BY:



Jerry Hittleman
City Planner

JH/SN/fil

Attachments:

1. Site Map
2. Planning Commission Resolution No. 2010-P13

Browne Remodel

PROJECT DIRECTORY

OWNER
Peter & Sud Browne
75 S. Malo Beach
Oceanside, CA 92054

ARCHITECT
John S. Berry, Architect, A.I.A.
2091 Las Palmas Drive, Suite D
Carlsbad, CA 92011
P: 760.431.2665
F: 760.431.2665

STRUCTURAL ENGINEER
Sun Structures Engineering, Inc.
2091 Las Palmas Drive, Suite D
Carlsbad, CA 92011
P: (760) 434-7928

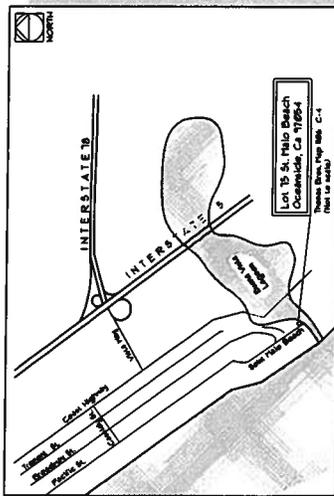
MECHANICAL ENGINEER (T&E Only)
Murphy Mechanical / Q.M.S.
Rita Dunlap
Sun Structures, Inc. On
San Marcos, CA 92069
P: 760.591.9172

SOILS ENGINEER
GeoSoils, Inc.
5741 Palomar Way
Carlsbad, CA 92008
P: 760.438.3155

GENERAL CONTRACTOR
T.B.D.

GOVERNING AGENCY
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054
P: 760-435-3500

VICINITY MAP



SHEETS

T-1 Title Sheet
C-1 Site Plan
A-01 (B) Main Floor Plan
A-02 (B) Upper Floor Plan
A-03 (B) Exterior Elevations
A-04 (B) Main Floor Plan (Remodeled)
A-05 (B) Exterior Elevations (Remodeled)
A-06 (B) Roof Plan (Remodeled)

PROJECT DATA

PROJECT DESCRIPTION
The project is primarily a kitchen & laundry remodeling. The remodel will include adding G.U.T. of floor area to the kitchen, water in existing space used to be the laundry room, and a new laundry room. The remodel will include adding a new kitchen island, new kitchen cabinets, new kitchen island, and new kitchen island. All work is to be done in accordance with the City of Oceanside Building Code (CBC).

PROJECT LOCATION
75 S. MALO BEACH
OCEANSIDE, CA 92054

LEGAL DESCRIPTION
PARCEL 1 OF PARCELS MAP 2148

APPLICABLE CODES
15-110-03-08

SETBACKS
FRONT: 20'-0" from property line
SIDE: 5'-0" (100' Lot Width, see Item 7, A lot area item 7)
REAR: 5'-0" (100' Lot Width, see Item 7, A lot area item 7)
LAPPING: 12'-0" from top property line to existing topography

NOTES
Laplace washbasin dimensions = 11.1' above the level finish.
Flood Hazard elevation = 15.7'

LOT DATA
14,893 S.F.
R-1

ZONING
OS-02 Overlay Zone

REQUIRED PERMITS
OS-02 permit required (existing)
OS-02 permit provided (existing)

LOT COVERAGE
495 SQUARE FEET = 3.37% (Lot Area) > (MAY BE, proposed) = 24.2%

BUILDING HEIGHT
MAXIMUM: 35'-0" MAX.
PERMITTED: 34'-0" Building to match

FLOOR AREA
Includes Area of Enclosure: 62 SF
Area of Enclosure to Building: 2,713 SF
TOTAL: 2,775 SF

TYPE OF CONSTRUCTION
TYPE 1B REB-BUILD

CODES
Building Code Book: 2007 CBC
Fire Code Book: 2007 CBC
Mechanical Code Book: 2007 CBC
Plumbing Code Book: 2007 CBC
Electrical Code Book: 2007 CBC
Energy Code Book: 2007 CBC
Hazardous Waste Code Book: 2007 CBC
Hazardous Waste Code Book: 2007 CBC

These plans and all work shall comply with the 2007 edition of the California Building Code Book in force at Carlsbad, CA 92008. The CBC is a minimum standard for the CITY OF OCEANSIDE.

The 2007 edition of the California Building Code (CBC) is hereby adopted by the City of Oceanside, California. The following codes are hereby adopted by the City of Oceanside, California:

- 2007 California Building Code (CBC)
- 2007 California Fire Code (FC)
- 2007 California Mechanical Code (MCC)
- 2007 California Electrical Code (CEC)
- 2007 California Energy Code (EC)
- 2007 California Hazardous Waste Code (HC)



This document is the property of John S. Berry, Architect, A.I.A. Any reproduction or distribution, in whole or part, is prohibited.

ARCHITECT
BERRY GROUP INC.
2091 Las Palmas Drive, Suite D
Carlsbad, CA 92011
TEL: 760.431.2665

Browne Remodel
75 S. Malo Beach
Oceanside, CA 92054

DATE: 01/14/09
SHEET: 1-A
SCALE: AS SHOWN
PROJECT: 75 S. MALO BEACH
SHEET: 1-A

NO.	DATE	DESCRIPTION

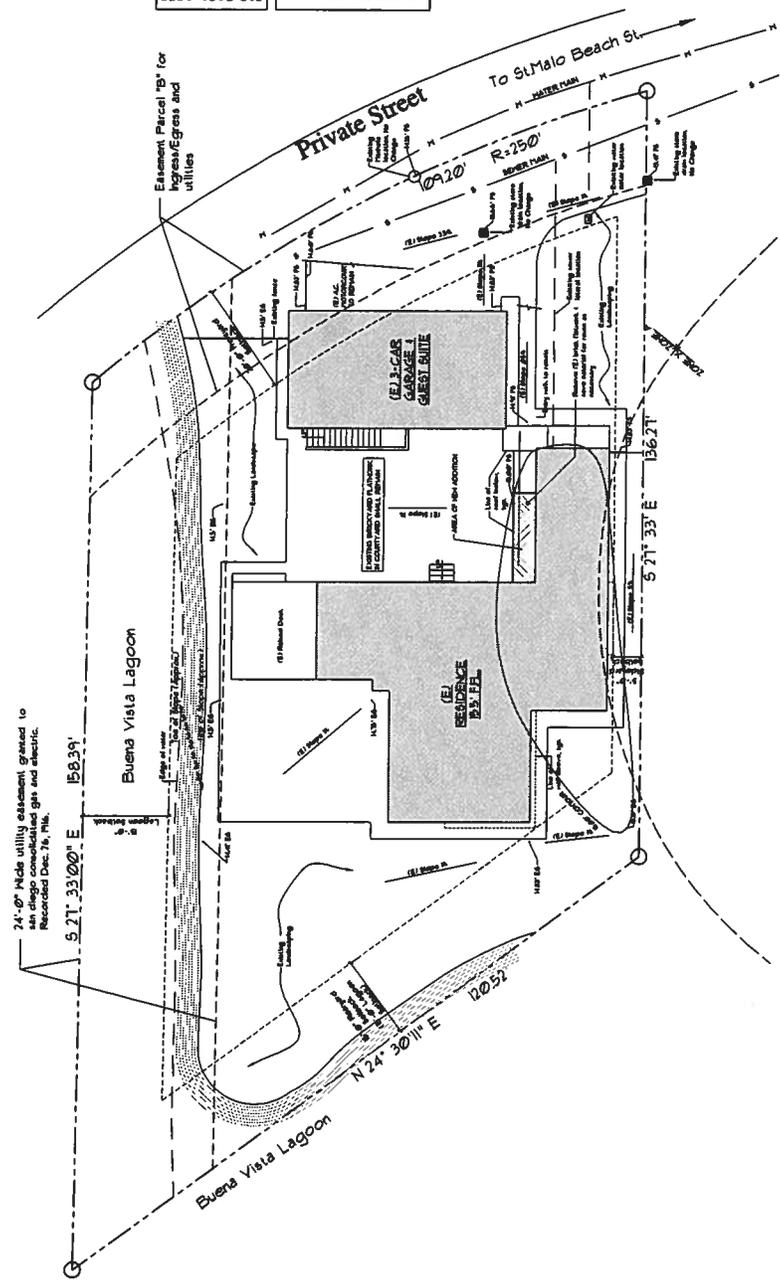


This document is the property of Berry Group Inc. and is loaned to you for your use only. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Berry Group Inc.



NOTE: INFORMATION REGARDING EXISTING SITE AND IMPROVEMENT DATA HAS BEEN PROVIDED TO THE ARCHITECT BY THE PROPERTY OWNER AND IS TO BE RELIED UPON BY OTHERS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE EXISTING INFORMATION BELONGS TO OTHERS.

EXISTING INFORMATION:
 THESE ARE THE "AS-BUILT" RECORDS FOR THE EXISTING STRUCTURE. THE ARCHITECT HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE EXISTING STRUCTURE AND HAS FOUND IT TO BE IN SUBSTANTIAL ACCORDANCE WITH THE RECORDS. THE ARCHITECT HAS NOT CONDUCTED A DETAILED STRUCTURAL ANALYSIS OF THE EXISTING STRUCTURE. THE ARCHITECT HAS NOT CONDUCTED A DETAILED STRUCTURAL ANALYSIS OF THE EXISTING STRUCTURE. THE ARCHITECT HAS NOT CONDUCTED A DETAILED STRUCTURAL ANALYSIS OF THE EXISTING STRUCTURE.

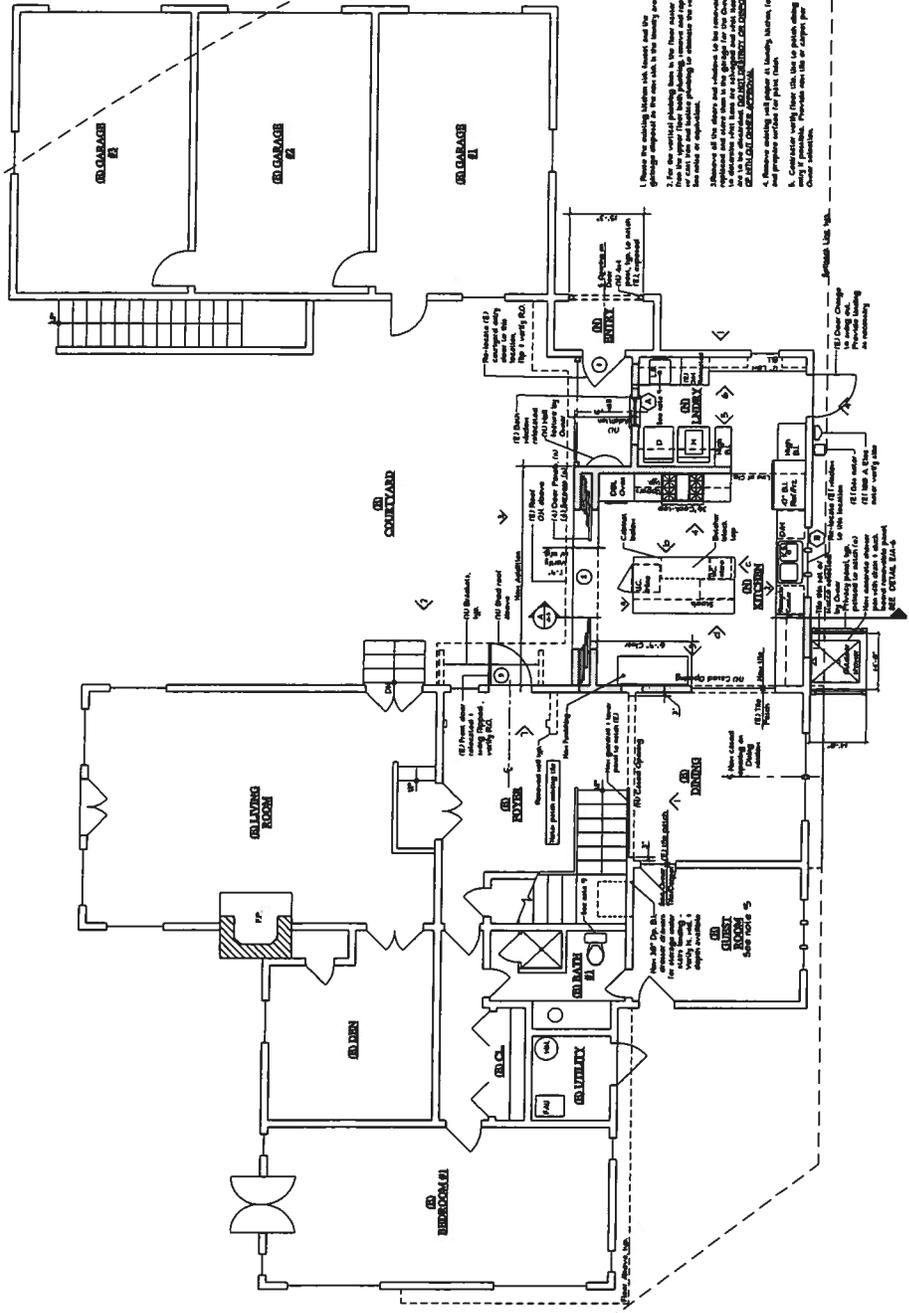


SITE PLAN

NOTE: INFORMATION REGARDING EXISTING SITE AND EXISTING DATA HAS BEEN PROVIDED TO THE ARCHITECT BY OTHERS. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE EXISTING INFORMATION BELONGS TO OTHERS.

ARCHITECTURAL LEGEND

Symbol	Description
Circle with checkmark	Finish Area
Circle with dot	Door
Circle with triangle	Window
Circle with square	Door Schedule
Circle with diamond	Window Schedule
Circle with cross	Structural Column
Circle with plus	Structural Beam
Circle with asterisk	Structural Wall
Circle with X	Structural Slab
Circle with Y	Structural Joist
Circle with Z	Structural Rafter
Circle with W	Structural Truss
Circle with V	Structural Post
Circle with U	Structural Pier
Circle with T	Structural Column
Circle with S	Structural Beam
Circle with R	Structural Wall
Circle with Q	Structural Slab
Circle with P	Structural Joist
Circle with O	Structural Rafter
Circle with N	Structural Truss
Circle with M	Structural Post
Circle with L	Structural Pier
Circle with K	Structural Column
Circle with J	Structural Beam
Circle with I	Structural Wall
Circle with H	Structural Slab
Circle with G	Structural Joist
Circle with F	Structural Rafter
Circle with E	Structural Truss
Circle with D	Structural Post
Circle with C	Structural Pier
Circle with B	Structural Column
Circle with A	Structural Beam



1. Remove the existing kitchen island, hood, and the granite countertop in the area back to the laundry area.
 2. For the vertical plumbing lines in the floor under both the island and the hood, install a new vertical riser pipe for each and install a new floor joist to support the riser pipe and the island.
 3. Remove all the doors and windows in the remodel area and install new doors and windows in the remodel area. The doors and windows shall be installed in the same location as the existing doors and windows. The doors and windows shall be installed in the same location as the existing doors and windows. The doors and windows shall be installed in the same location as the existing doors and windows.
 4. Remove existing wall paper at laundry, kitchen, foyer and prepare surfaces for paint work.
 5. Coordinate with the contractor for the installation of the new kitchen island, hood, and granite countertop.
 6. Coordinate with the contractor for the installation of the new kitchen island, hood, and granite countertop.

NEW MAIN FLOOR PLAN REMODELED

DATE	
BY	
CHECKED	
APPROVED	
SCALE	1/4" = 1'-0"
PROJECT	75 St. Malo Beach
NO.	714
DATE	

Browne Remodel
 75 St. Malo Beach
 Oceanside, CA 92054

ARCHITECTURE
CRB
 2091 Las Arboles Drive, Suite D
 Oceanside, CA 92051
 (760) 431-1234
 BERRY GROUP INC.

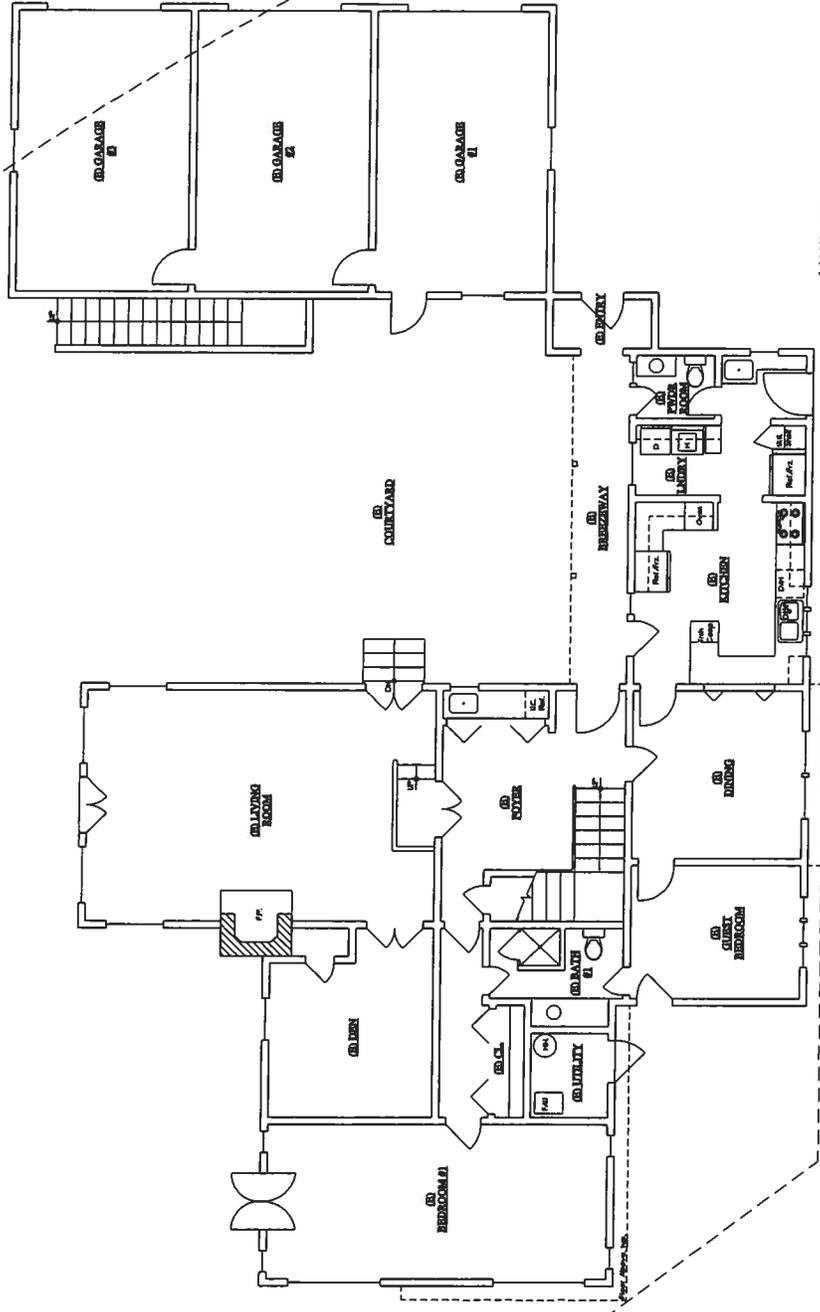
This document is the property of the architect and shall not be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.



NO.	
DATE	
BY	
CHECKED	
APPROVED	

NOTE: INFORMATION REGARDING EXISTING SITE AND IMPROVEMENT DATA HAS BEEN PROVIDED TO THE ARCHITECT BY OWNER PER EXISTING PLANS. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THIS INFORMATION AS ACCURATE. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE EXISTING INFORMATION BELONGS TO OTHERS.

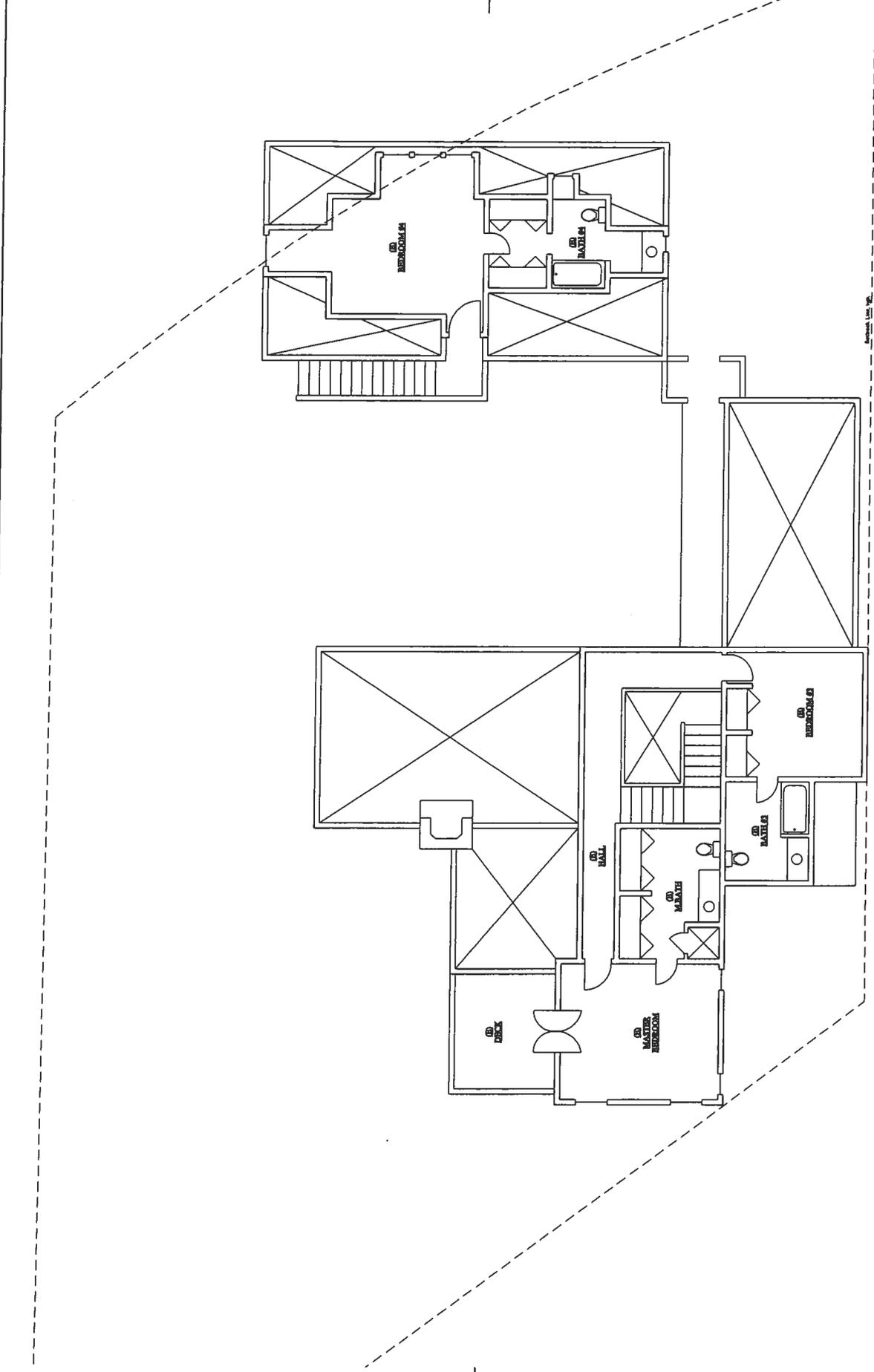
EXISTING MAIN FLOOR PLAN



EXISTING UPPER FLOOR PLAN

NOTE: INFORMATION REGARDING EXISTING SITE CONDITIONS AND UTILITIES IS THE PROPERTY OF THE ARCHITECT BY OTHER PER EXISTING PLANS PREPARED BY OTHERS. THE ARCHITECT SHALL RELY ON THIS INFORMATION AS ACCURATE. THE EXISTING INFORMATION BELONGS TO OTHERS.

<p>Browne Remodel 75 St. Malo Beach Oceanside, CA 92054</p>		<p>ARCHITECTURE CSB 2021 Los Peñasquitos Drive, Suite 10 Oceanside, CA 92054 TEL: 760-439-1234</p>		<p>PROJECT GROUP INC. This document is the property of Project Group Inc. and is not to be reproduced or distributed in whole or part, in any form, without the prior written consent of Project Group Inc.</p>		<p>DATE: 10/15/2021 SCALE: 1/4" = 1'-0" SHEET: A-0.2 PROJECT: BROWNE REMODEL</p>	
--	--	---	--	---	--	--	--



DATE	2011
BY	ARCHITECT
SCALE	1/4" = 1'-0"
PROJECT	BROWNE REMODEL
NO.	A-0.3

Browne Remodel
75 St. Malo Beach
Oceanside, CA 92054

ARCHITECTURE
CB
2011 Los Palms Drive, Suite 10
Oceanside, CA 92054
PHONE: (760) 431-1111
FAX: (760) 431-1112
WWW: www.cb-arch.com

THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

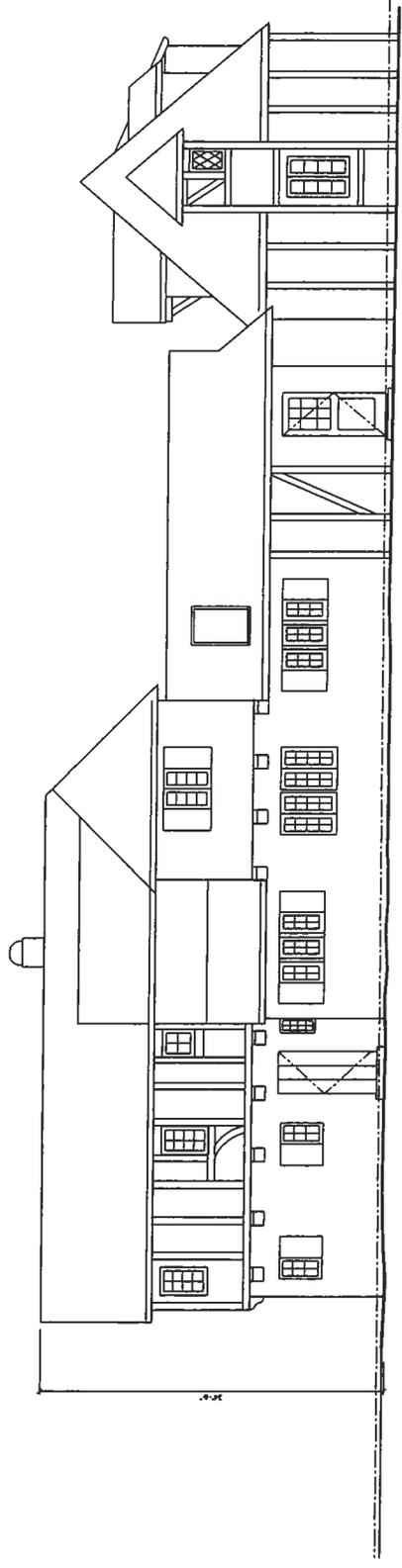


NO.	DATE	DESCRIPTION

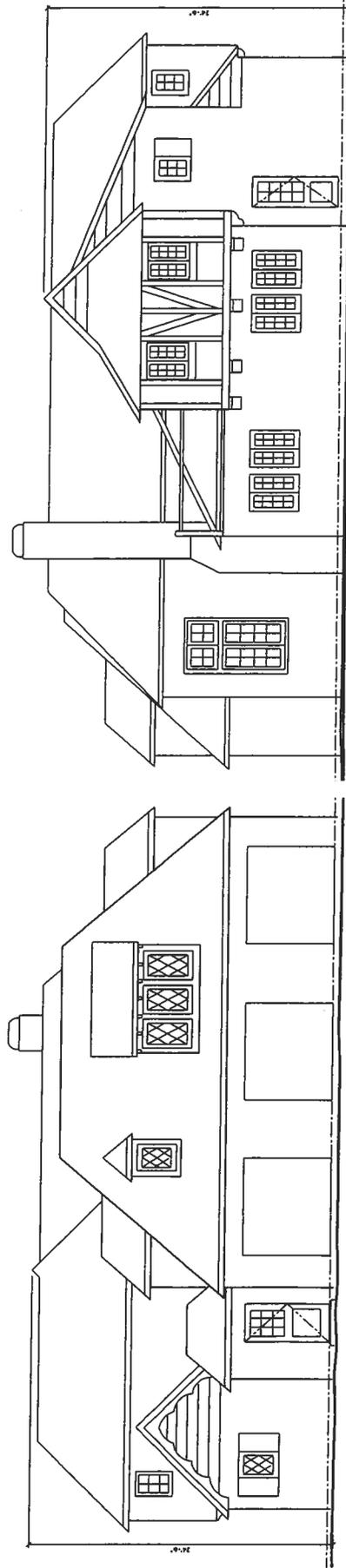
NOTE: INFORMATION REGARDING EXISTING SITE CONDITIONS AND UTILITIES IS TO BE OBTAINED BY THE ARCHITECT PRIOR TO THE PREPARATION OF THESE PLANS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THIS INFORMATION. THE ARCHITECT SHALL RELY ON THE INFORMATION AS ACCURATE. THE EXISTING INFORMATION BELONGS TO OTHERS.

EXISTING ELEVATIONS

LEFT (WEST)



REAR (NORTH)

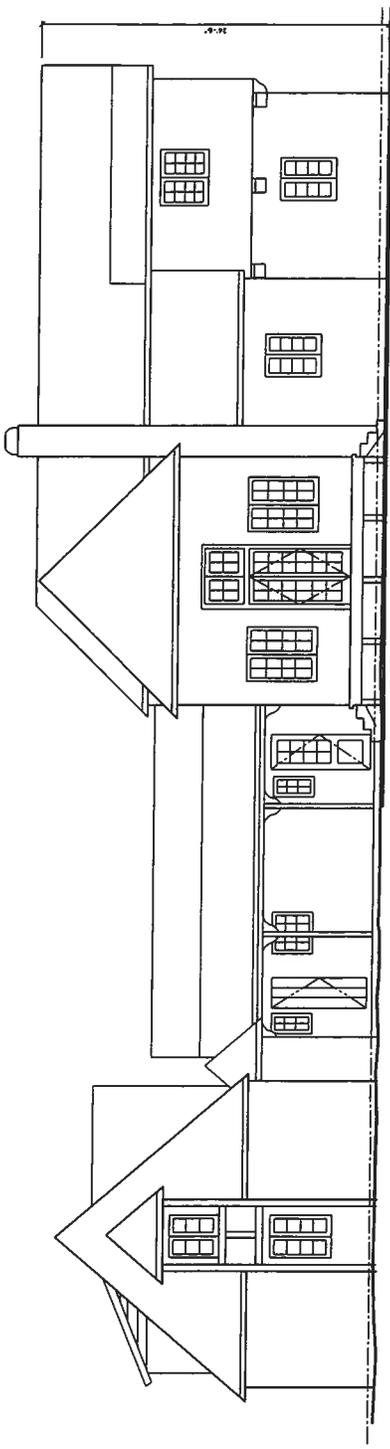


FRONT (SOUTH)

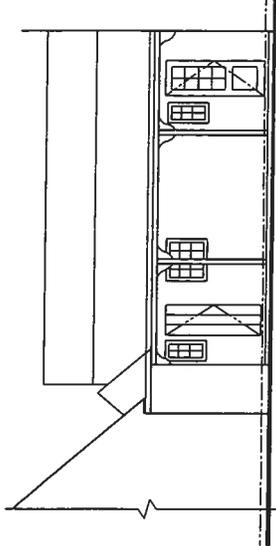
NOTE: INFORMATION REGARDING EXISTING SITE AND EXISTING DATA WAS PROVIDED TO THE ARCHITECT BY THE CLIENT. THE ARCHITECT SHALL RELY ON THIS INFORMATION AS ACCURATE. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE EXISTING INFORMATION BELONGS TO OTHERS.

EXISTING ELEVATIONS

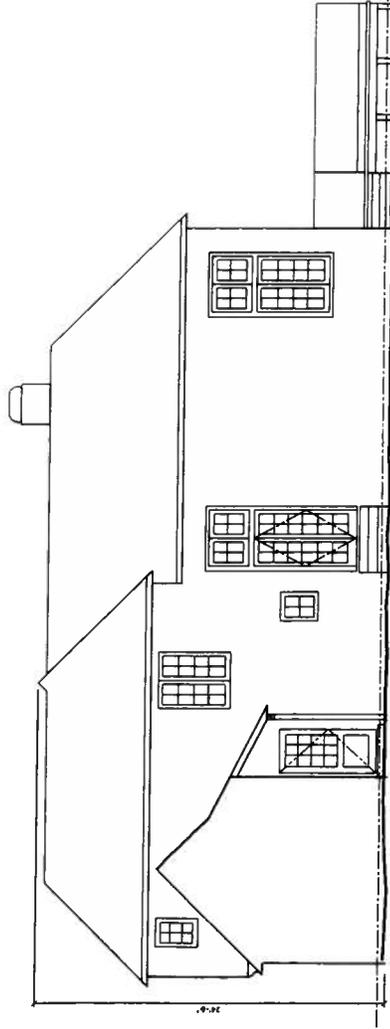
RIGHT (EAST)



COURTYARD (EAST)



COURTYARD (SOUTH)



Browne Remodel
75 St. Malo Beach
Oceanside, CA 92054

ARCHITECTURE



BROWN GROUP INC.

This document is the property of Brown Group Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Brown Group Inc.



DATE	BY	REVISION

A-0.4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

PLANNING COMMISSION
RESOLUTION NO. 2010-P13

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: RC09-00007
APPLICANT: Peter & Susi Browne
LOCATION: 75 St. Malo Beach

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 (RC-3-09) under the provisions of Article 32 of the Zoning Ordinance of the City of Oceanside to permit the following:

a 62-square foot kitchen expansion into the existing courtyard towards the east of an existing single-family home;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 12th day of April, 2010, conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be exempt per Article 19, Section 15301 (e) from environmental review;

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:

////

////

////

////

1	Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
8			
9			
10	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside (\$.42 for Vista and Fallbrook) \$2.63 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
11			
12			
13			
14			
15	Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
16			
17			
18	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,597 per unit; Non-residential is \$36,775 for a 2" meter.
19			
20			
21			
22	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit; Non-residential is \$50,501 for a 2" meter.
23			
24			
25			
26	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.
27			
28			
29			

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

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

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

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

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

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

19 FINDINGS:

20 For the Regular Coastal Permit:

- 21 1. The proposed remodel of an existing permitted single-family residence is consistent with
22 the land use policies of the Local Coastal Program as implemented through the Zoning
23 Ordinance. Specifically, the project will not substantially alter or impact existing public
24 views of the coastal zone area and the physical aspects of the project are consistent with
25 existing development on neighboring sites.
- 26 2. The proposed remodel will not obstruct any existing, planned, or required public beach
27 access; therefore, the project is in conformance with the policies of Chapter 3 of the
28 Coastal Act.
- 29 3. The project will not result in the loss of any on street public parking spaces, as the 62-
square foot addition will not trigger additional parking or take away from the existing
parking fronting the project site.

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
2 approve Regular Coastal Permit (RC09-00007) subject to the following conditions:

3 **Building:**

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

26 **Fire:**

- 27 5. Fire Department requirements shall be placed on plans in the notes section.
28
29

1 **Planning:**

2 6. This Regular Coastal Permit shall expire on April 12, 2013, unless implemented per the
3 Zoning Ordinance or unless the Planning Commission grants a time extension

4 7. This Regular Coastal Permit approves only a 62-square foot kitchen expansion to an
5 existing single-family home, as presented to the Planning Commission for review and
6 approval. No deviation from these approved plans and exhibits shall occur without
7 Planning Division approval. Substantial deviations shall require a revision to the Regular
8 Coastal Permit or a new Regular Coastal Permit.

9 8. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
10 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
11 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
12 annul an approval of the City, concerning Regular Coastal Permit (RC09-00007). The City
13 will promptly notify the applicant of any such claim, action or proceeding against the
14 City and will cooperate fully in the defense. If the City fails to promptly notify the
15 applicant of any such claim action or proceeding or fails to cooperate fully in the
16 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
17 harmless the City.

18 13. Prior to the issuance of building permits, compliance with the applicable provisions of the
19 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
20 and approved by the Planning Division. These requirements, including the obligation to
21 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
22 Architectural Site Plan and shall be recorded in the form of a covenant affecting the subject
23 property. A covenant or other recordable document approved by the City Attorney shall
24 be prepared by the applicant and recorded prior to the issuance of building permits. The
25 covenant shall provide that the property is subject to this resolution, and shall generally
26 list the conditions of approval.

27 14. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
28 written copy of the applications, staff report and resolutions for the project to the new
29 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.

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

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

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

11 18. The 62-square foot addition shall be substantially the same material, colors, and design
12 as the existing single-family residence.

13 19. If archaeological materials are encountered, their importance must be evaluated to assess
14 the significance of impacts. If significant cultural resources are encountered, mitigation
15 would be accomplished through documentation and excavation of features, cataloging
16 and analysis of cultural material collected, and preparation of a report detailing the
17 methods and results of the monitoring/data recovery program.

17 ///////////////
18 ///////////////
19 ///////////////
20 ///////////////
21 ///////////////
22 ///////////////
23 ///////////////
24 ///////////////
25 ///////////////
26 ///////////////
27 ///////////////
28 ///////////////
29 ///////////////

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

3 PASSED AND ADOPTED Resolution No. 2010-P13 on April 12, 2010, by the
4 following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10 _____
11 Claudia Troisi, Chairperson
12 Oceanside Planning Commission

13 ATTEST:

14 _____
15 Jerry Hittleman, Secretary

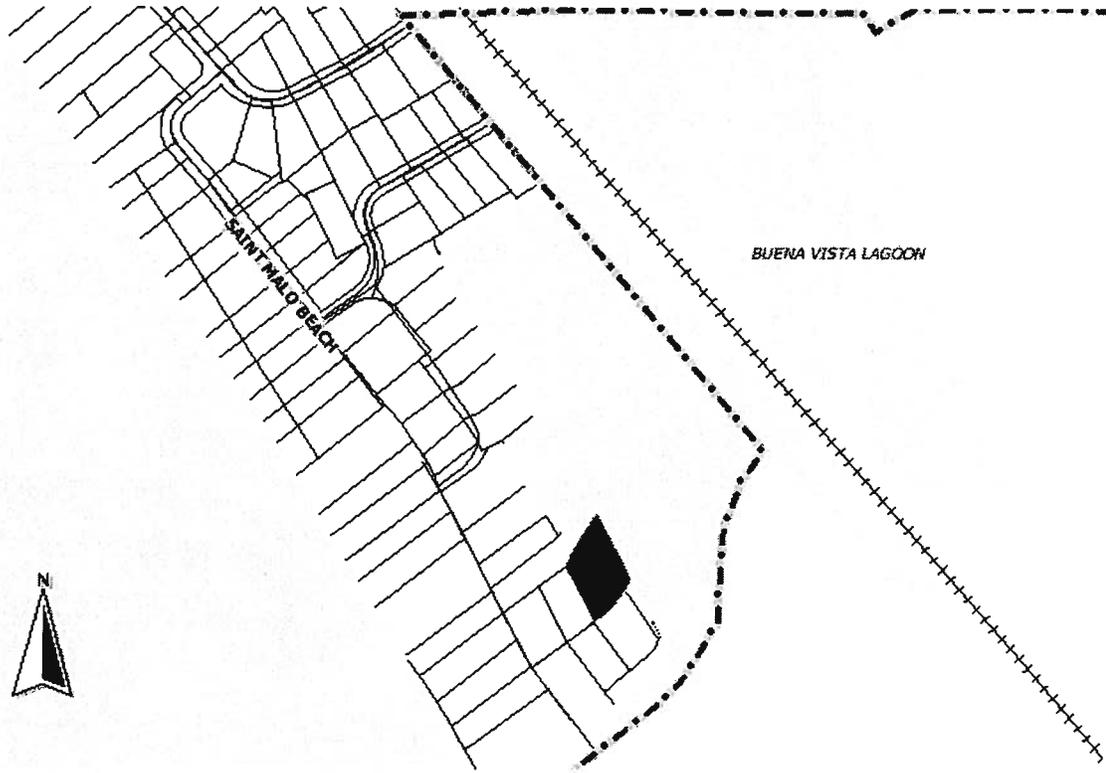
16 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2010-P13.

18 Dated: April 12, 2010
19 _____

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

23 _____
24 Applicant/Representative

25 _____
26 Date
27
28
29



File Number: RC09-00007

Applicant: Peter & Susi Browne

Description:

A Regular Coastal Permit (RC09-00007) to allow a 62-square foot kitchen addition to an existing single-family home, located at 75 Saint Malo Beach. The project site is within Saint Malo Community and, has a General Plan Land Use Designation of Single-Family Detached Residential (SFD-R), is zoned Residential Single-Family (R-1), and is situated within the South Oceanside Neighborhood Planning Area. – **75 ST. MALO BEACH**

Environmental Determination:

The project is exempt from CEQA per Article 19, Section 15301, Class 1, Existing Facilities.

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

OCT 07 2009

75 ST.
Malo Beach

Planning Department



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
10/7/09
BY
SKL.

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT
PETER & SUSI BROWNE
2. STATUS
OWNER
3. ADDRESS
75 Saint Malo Bch, Oceanside Ca
4. PHONE/FAX/E-mail
760.721-7013
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)
John Beery, Architect
6. ADDRESS
2091 Las Palmas Dr. #D
Carlsbad Ca 92011
7. PHONE/FAX/E-mail
760.438.2963

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P.
VARIANCE
COASTAL RC09-00007
O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION
75 Saint Malo Beach, Oceanside Ca 92054
10. GENERAL PLAN
SFD
11. ZONING
RS
12. LAND USE
N/A

9. SIZE
13. ASSESSOR'S PARCEL NUMBER
155-102-22-00

PART III - PROJECT DESCRIPTION

Rev. 1/2010

14. GENERAL PROJECT DESCRIPTION
A kitchen remodel addition of 62 s.f. to an existing single family dwelling and relocation of existing doors and windows and addition of a new door-primarily located at an interior courtyard not visible to the general public.

15. PROPOSED GENERAL PLAN
N.A.
16. PROPOSED ZONING
N.A.
17. PROPOSED LAND USE
N.A.
18. NO. UNITS
1
19. DENSITY
1 D.U. / LOT
20. BUILDING SIZE
3990 (Existing)
21. PARKING SPACES
3 (existing)
22. % LANDSCAPE
60.4 %
23. % LOT COVERAGE or FAR
24.3%

PART IV - ATTACHMENTS

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

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):
JOHN BEERY / Susi Browne
34. DATE
Oct. 2. 2009
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).
35. OWNER (Print)
Susi Browne
36. DATE

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

S. oceanside neighborhood

Scott N.

Project: Browne Kitchen Remodel/Addition

Location: 75 Saint Malo Beach

Description:

The project is a kitchen and laundry room interior remodel & addition to an existing residence. The remodel shall include 62 square feet of additional floor area located within an exterior porch adjacent to an interior private courtyard. As part of the remodel the following exterior modifications shall be part of the scope:

- Add an outdoor shower for beach visitors
- Relocate an existing kitchen & service bath window
- Relocate the courtyard entry door & make the entry porch opening larger
- Relocate the foyer entry door and add new roof over the entry door to match the existing roof.

Justification:

The proposed improvements are consistent with the zoning ordinance and the general plan because they are proposing no changes to either ordinance or the general plan because they are proposing no changes to either ordinance or plan and are being developed within the allowable guidelines of both the ordinance and plan.

The proposed improvements are insignificant enough to be able to be adequately, reasonable and conveniently served by existing public services, utilities and facilities.

The proposed improvements are compatible with the surrounding neighborhood because these improvements are consistent and reasonable for the use of the property and in this instance are self shielded from view by neighboring properties.

These improvements are well within the land use elements of the general plan and are consistent with these policies and more specifically the proposed improvements conform to the local coastal plan and its policies and do not affect or diminish any public access which already exists.

Received

OCT - 7 2009

Planning Dept.

Project: Browne Kitchen Remodel/Addition

Location: 75 Saint Malo Beach

Legal Description

Parcel 1 of Parcel Map 2169

Received

OCT - 7 2009

Planning Division:

DESCRIPTION

PARCEL "A":

PARCEL 1 OF PARCEL MAP NO. 2169, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 18, 1973, AS FILE NO. 73-348307.

PARCEL "B":

AN EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS FOR ROAD AND PUBLIC UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING WITHIN A STRIP OF LAND 30.00 FEET IN WIDTH, THE CENTER LINE OF SAID 30.00 FOOT STRIP OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF PARCEL "A" ABOVE, BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 250.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 68° 44' 30" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25° 01' 33" A DISTANCE OF 132.18 FEET; THENCE TANGENT TO SAID CURVE SOUTH 51° 33' 10" WEST 130.00 FEET TO THE END THEREOF.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN PARCEL "A" HEREIN DESCRIBED. THE SIDE LINES OF SAID EASEMENT SHALL BE PROLONGED OR SHORTENED AS TO TERMINATE ON THE NORTHEAST WITH A LINE BEARING SOUTH 27° 33' 00" EAST, AND ON THE SOUTHWEST WITH THE NORTHEASTERLY LINE OF PARCEL "D" HEREINAFTER DESCRIBED AND IN THE SOUTHERLY LINE OF SAID LOT 3.

PARCEL "C":

AN EASEMENT AND RIGHT OF WAY FOR ROAD AND STREET PURPOSES AND FOR THE ERECTION, CONSTRUCTION, MAINTENANCE, AND USE OF WATER LINES, SEWER, GAS MAINS, TELEPHONE LINES OVER, ACROSS THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF PACIFIC STREET AS SAID STREET IS SHOWN ON MAP NO. 909 OF OCEAN FRONT ADDITION, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, WITH THE NORTH LINE OF SAID LOT 3; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 39.91 FEET; THENCE SOUTH 41° 16' EAST PARALLEL THE SOUTHEASTERLY PROLONGATION OF SAID CENTER LINE OF PACIFIC STREET, 229.16 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 110.97 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 76° 00' 00" A DISTANCE OF 147.20 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE HAVING A RADIUS OF 1444.90 FEET; THENCE NORTHEASTERLY ALONG THE ARC THEREOF, 201.74 FEET TO THE END OF SAID CURVE; THENCE TANGENT TO SAID CURVE NORTH 54° 44' EAST, 77.76 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE SOUTHWESTERLY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY RIGHT OF WAY; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE 25.14 FEET; THENCE SOUTH 54° 44' WEST, 75.36 FEET, MORE OR LESS, TO A POINT IN THE LINE THAT IS RADIAL TO THE LAST DESCRIBED CURVE THROUGH THE POINT THEREINABOVE DESIGNATED AS "THE END OF SAID CURVE"; THENCE SOUTHWESTERLY ALONG A CURVE CONCENTRIC WITH THE CURVE HEREINABOVE DESCRIBED AS HAVING A RADIUS OF



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Peter & Susi Browne
2. **ADDRESS:** 75 St. Malo Beach, Oceanside CA. 92054
3. **PHONE NUMBER:** (760) 721-7013
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** RC10-00007 (75 St. Malo)
7. **DESCRIPTION:** A Regular Coastal Permit to a 62-square foot addition to an existing single family residence, located at 75 Saint Malo Beach. The project site is zoned R-1 (Single Family Residential) and is situated within the Townsite Neighborhood and the Coastal Zone.

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

- The project is categorically exempt, Class 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).



Scott Nightingale, Acting Associate Planner

Date: 4/12/10