

AGENDA NO. 4

PLANNING COMMISSION



STAFF REPORT

DATE: May 24, 2010

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF TENTATIVE PARCEL MAP (P-11-08), DEVELOPMENT PLAN (D-16-08), AND CONDITIONAL USE PERMITS (C-39-08 & C-40-08) FOR A THREE-LOT RESIDENTIAL SUBDIVISION ON A 1.14-ACRE SITE LOCATED AT 1869 AVOCADO ROAD – THE COVE CANYON BLUFF TENTATIVE PARCEL MAP – APPLICANT: DANI MCDONOUGH**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Confirm issuance of a Class 15 categorical exemption for minor land divisions pursuant to Section 15315 of the California Environmental Quality Act; and
2. Approve Tentative Parcel Map (P-11-08), Development Plan (D-16-08), and Conditional Use Permits (C-39-08 & C-40-08) by adopting Planning Commission Resolution No 2010-P17 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The proposed project is a request to subdivide a single parcel into a three-lot subdivision with private panhandle access proposed for parcel #2. The subject proposal would be located on a 1.14-acre parcel situated immediately west of Avocado Road, north of Ivy Road beyond two existing parcels, east of Downs Street beyond two existing parcels, and within a portion of Lot 6 in block "B" of the North Carlsbad Annex that was created in 1926. The site currently exists as a single parcel developed with one single-family residence circa 1947. The existing elevation at the driveway accessing the lot from Avocado Road is 120 feet, and slopes downward to the southwest until reaching the existing house that was built with a finish floor elevation of 112 feet. Approximately 20 feet to the west of the existing house, the subject parcel contains a significant topographic feature characterized as a downward sloping hillside. The hillside has been defined as undevelopable land (lands with slopes over 40 percent greater than 25' height

differential), and accounts for approximately 7 percent of the site. Surrounding land uses include single-family detached residences on lots that fall within the 10,000 to 25,000-square foot range. The site has a General Plan land use designation of Estate-B Residential (EB-R) which allows a density of 1-3.5 dwelling units per gross acre and a corresponding zoning designation of Residential Estate – B (RE-B) on the City's official zoning map.

Project Description: The project application is comprised of four components: a Tentative Parcel Map, a Development Plan and two Conditional Use Permits.

Tentative Parcel Map (P-11-08) represents a request for the following:

1. To subdivide an approximately 1.14-acre site into three single-family residential lots pursuant to Article VI of the Oceanside Subdivision Ordinance. The proposed project is within the Residential Estate – B (RE-B) Zone District and as per the Oceanside Zoning Ordinance the minimum lot area in this zoning district is 10,000 square feet.

Development Plan (D-16-08) represents a request for the following:

2. To allow construction of three custom single unit-conventional (SU-C) dwelling units on a 1.14-acre site that exists with undevelopable land (lands with slopes over 40 percent greater than 25' height differential). Due to the sites natural topographic features found on-site, the Hillside Development Provisions of the Zoning Ordinance are applicable to overall development of the site. The subject development plan has been prepared pursuant to Articles 10, 30, and 43 of the Zoning Ordinance.

Conditional Use Permit (C-39-08) represents a request for the following:

3. To exceed the base density of 1.0 dwelling units per gross acre, pursuant to Section 1050(B) of the Oceanside Zoning Ordinance.

Density: The average number of residential dwelling units per gross developable acre of land expressed as "units per acre". Density is calculated by dividing the number of residential dwelling units by the total number of gross developable acres of land. Lands considered undevelopable per Section 1.25 of the Land Use Element of the General Plan shall not be included in density calculations.

Conditional Use Permit (C-40-08) represents a request for the following:

4. To permit panhandle access to Parcel 2, from Avocado Road pursuant to Section 1050(Y) the Oceanside Zoning Ordinance.

ANALYSIS

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

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

KEY PLANNING ISSUES

1. General Plan conformance

A. Land Use Element I. Community Enhancement

Goal: The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Objective 1.13 Neighborhood Character: To promote and reinforce the unique and positive attributes of individual neighborhoods of Oceanside while strengthening citywide goals, involvement, and identity.

Policy H: For lands within the Loma Alta, Fire Mountain, and South Oceanside Neighborhood Planning Areas that are designated Estate B (1 - 3.5 dwelling unit/acre) and with the corresponding zoning of Residential Estate – B (RE-B), a minimum lot size of 10,000 square feet as defined in the Zoning Ordinance shall be considered consistent with the underlying Land Use designation of Estate B Residential (EB-R).

The proposed residential subdivision is located within the Fire Mountain Neighborhood Planning Area identified within the General Plan. The General Plan Land Use Element acknowledged this change in character in 1988 and amended the General Plan Land Use Element text through General Plan Amendment (GPA-11-88) and in a manner that would allow for lots as small as 10,000 square feet in size, subject to approval of a Conditional Use Permit (CUP). The applicant has requested approval of a Tentative Parcel Map (P) and the required Conditional Use Permit for exceeding the base density, consistent with the pattern of development since 1988. Recent research and analysis of the Fire Mountain Neighborhood has revealed that approximately 751 of 1,226 Residential Estate – B lots or 61.3 percent within the planning area exist at a size of 13,800 square feet in size or less. The proposed subdivision will create three lots that are approximately ~~10,454 to 14,558~~ net square feet in size; therefore, making the proposal consistent with the character and pattern of development in the area and the underlying land use designation.

11,000 to 22,000 Gross

Policy B: The area which includes the Fire Mountain single-family residential district shall ensure that the rustic and rural nature of the district is preserved and enhanced. A key to this objective is providing for:

- 1) Minimum lot sizes of 10,000 square feet or greater,
- 2) View preservation, and
- 3) Extensive landscaping

The proposed three-lot subdivision has taken Policy B into consideration, and is proposing to implement the three elements denoted above into the site planning and overall design of the development. This will be accomplished through the creation of appropriately sized lots (lot 1: 22,428 gross sq.ft., Lot 2: 14,033 gross sq.ft., and Lot 3: 11,660 gross sq.ft.), and through architectural design guidelines that will direct future development of custom homes that are sensitive to views and that are adequately landscaped. Furthermore, the General Plan Land Use Element establishes polices regarding residential densities and requires that subdivisions of land that proposes to exceed the established base densities shall be favorably considered if the overall residential project possesses an excellence of design features.

Although the proposed project does not include conceptual residential designs as part of this applications overall review and approval, it is the proposed Architectural Design Guidelines that establishes design standards and the requirement for each parcel to submit an gain approval of an Administrative Development Plan (ADP) that will ensure that the rustic and rural nature of the district is enhanced and that an excellence in design features is utilized. Excellence in design features such as, nestling into the hillside, implementation of split level floor plans with varying wall lengths, utilization of roof elements that follow the slope of the natural grade, and defined landscape styles are just some of the examples that are contained within the Architectural Design guidelines submitted as part of the projects approval and that will be required to ensure compatibility with the surrounding character of the neighborhood.

The General Plan Land Use Map designation on the subject property is Estate B Residential (EB-R). The proposed project is consistent with this designation and compatible with surrounding lot sizes. Table 1 provides comparisons with adjacent lots.

Table 1 Land Use compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	EB-R	RE-B	Residential
North of the site	EB-R	RE-B	Residential
East of the site	EB-R	RE-B	Residential
South of the site	EB-R	RE-B	Residential
West of the site	EB-R	RE-B	Residential

The Fire Mountain Neighborhood is distinctive in Oceanside, because it is characterized by single unit-conventional (SU-C) developments, a lack of sidewalks and curbs, and subdivisions with panhandle lots. The architecture of the area is eclectic and frequently includes custom homes. The proposed subdivision of land will contribute to the character and image of the City of Oceanside as a safe, attractive desirable and well-balanced community in that it proposes residential lots that are larger than the typical 10,000-square foot lots in the Fire Mountain Neighborhood.

Staff further concludes that the design of the subdivision and the type of improvements proposed will not result in any serious public safety or health issues for the surrounding Fire Mountain neighborhood.

2. Zoning Compliance

This project is located within a Residential Estate-B (RE-B) designated zone district, and as conceptually proposed, will provide a pad area that complies with the hillside development criteria established within Section 3039 of the Oceanside Zoning Ordinance. The application does not include a proposal for development of the custom single-family residential structures at this time. Rather, Architectural Design Guidelines are proposed as part of the application and are incorporated into the conditions of approval as a mechanism to achieve a compatible design that integrates into the surrounding developed area. Furthermore, future residential development on the proposed lots would require an Administrative Development Plan be approved by the City Planner. The following table summarizes the required and proposed development standards for the project site:

	REQUIRED STANDARDS	PROPOSED STANDARDS
LOT SIZE	10,000 sq. ft. (min)	Lot 1: 22,428 gross sq.ft. Lot 2: 14,033 gross sq.ft. Lot 3: 11,660 gross sq.ft.
PARKING SPACES	2,500 + sq. ft. home 3-car garage Under 2,500 sq. ft. home 2-car garage	2,500 + sq. ft. home 3-car garage Under 2,500 sq. ft. home 2-car garage
SETBACKS	HILLSIDE 3039	DESIGN GUIDELINES
FRONT YARD	15-ft. (min)	Lot:1 15-ft. Lot:2 15-ft Lot:3 15-ft
SIDE YARD	15 % of Lot Width 10ft. (min)	Lot:1 20-ft. Lot:2 19-ft. Lot:3 17.6-ft.
CORNER SIDE YARD	10% of Lot Width 10ft. (min) 15ft. (max)	Lot:1 N/A Lot:2 N/A Lot:3 11.7

REAR YARD	25% of Lot Depth	Lot:1 34-ft. Lot:2 27-ft. Lot:3 22.15-ft.
COVERAGE	35% (max)	35%
LOT WIDTH	70-ft. (min)	100ft (min).
HEIGHT	30-ft. (max)	30-ft. (max)

The proposal to create three residential lots, and establish Architectural Design Guidelines to guide development of the lots has been determined by staff to meet the intent of the regulations of the Zoning Ordinance for the Residential Estate –B (RE-B) zoned parcel.

3. Subdivision Ordinance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article VI. Subdivision of Four or Fewer Parcels).

A. Article VI Subdivision of Four or Fewer Parcels:

Pursuant to Section 600 of the Subdivision Ordinance, the proposed Tentative Parcel Map has been prepared to the satisfaction of the City Engineer, and as conditioned would allow for a three-lot subdivision of an existing 1.14-acre parcel into three parcels as follows: (lot 1: 22,428 gross sq.ft., Lot 2: 14,033 gross sq.ft., and Lot 3: 11,660 gross sq.ft.).

DISCUSSION

Issue: Project Compatibility with the Existing Neighborhood Character: The proposed subdivision has been determined by staff to be consistent with the overall character of the Fire Mountain Neighborhood to provide large estate type lots with custom single-family homes. The subject project would provide additional housing stock for independent ownership consistent with the City's Zoning Ordinance and General Plan vision to provide for an estate type development. Although a varied mix of architectural designs exists throughout the Fire Mountain Community, no one neighborhood design characteristic dominates future direction on architectural design. The applicant has submitted Architectural Design Guidelines for the project, and staff has inserted a condition of approval that requires development of the lots to incorporate the design guidelines into any proposed site development. Furthermore, in order for the project to be compatible with the neighborhood character, the project has been conditioned to process an Administrative Development Plan prior to developing the newly created lots with single-family residences.

Recommendation: Staff finds and recommends that the Planning Commission concur with staff that the overall conceptual site design of the project is consistent with the existing neighborhood character, and compatible with the surrounding developed area of Fire Mountain.

ENVIRONMENTAL 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 upon that review, staff finds that the proposed project constitutes a division of property in an urbanized area zoned for residential into four or fewer parcels, and the project is categorically exempt, Class 15, "Minor Land Divisions" (Section 15315).

PUBLIC NOTIFICATION

Legal notice was published in the North County Times on May 14, 2010 and notices were sent to property owners of record within a 1,500-foot radius of the subject property, individuals/organizations requesting notification, applicant, and interested parties. As of May 19, 2010, no communication supporting or opposing the request had been received.

SUMMARY

The proposed Tentative Parcel Map (T-11-08), Development Plan (D-16-08), and Conditional Use Permits (C-39-08 & C-40-08) are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all applicable development standards. The project is compatible in terms of density and site design with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

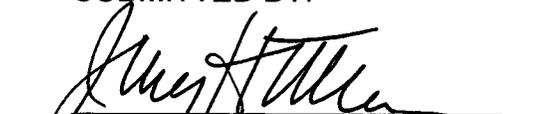
- Move to approve Tentative Parcel Map (T-11-08), Development Plan (D-16-08), and Conditional Use Permits (C-39-08 & C-40-08) by adopting Planning Commission Resolution No. 2010-P17 as attached.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY:



Jerry Hittleman
City Planner

Attachments:

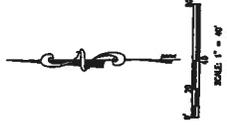
1. Plans/Site Map
2. Planning Commission Resolution No. 2010-P17
3. Architectural Guidelines

SHEET 3 OF 3 SHEETS

EXISTING CONDITIONS MAP THE COVE, CANYON BLUFF P-11-08, D-16-08, C-39-08, C-40-08



- LEGEND**
- X MARK
 - APN 154-220-03
 - APN 154-220-04
 - APN 154-220-05
 - APN 154-220-06
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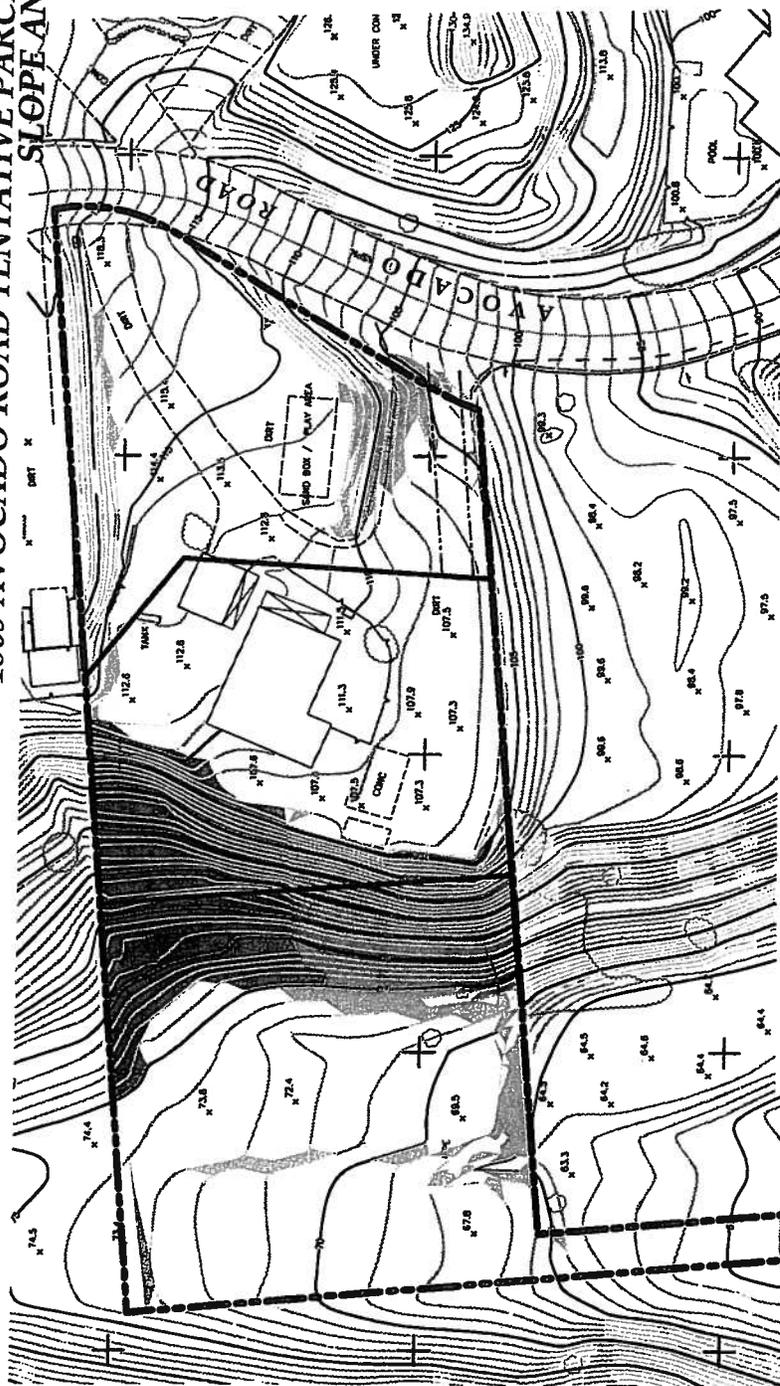
NOV 16 2009

Planning Department

P-11-08, D-16-08, C-39-08, C-40-08
EXISTING CONDITIONS MAP
THE COVE, CANYON BLUFF
 1869 AVOCADO ROAD
 OCEANSIDE, CALIFORNIA

PREPARED BY:
TAYLOR GROUP, INC.
 7777 Via Mar Vista
 San Diego, CA 92121
 (619) 444-1111
 www.taylorgroup.com

1869 AVOCADO ROAD TENTATIVE PARCEL MAP SLOPE ANALYSIS



- LEGEND**
- X-124.0 INDICATES EXISTING SPOT ELEVATION
 - INDICATES EXISTING SEWER MAN HOLE
 - INDICATES EXISTING WATER METER
 - INDICATES EXISTING FIRE HYDRANT
 - INDICATES EXISTING STREET LIGHT
 - INDICATES EXISTING JOINT USE POLE
 - INDICATES EXISTING ASPHALT SURFACE
 - INDICATES EXISTING CONCRETE SURFACE

SLOPE ANALYSIS

SLOPE RATIO	HEIGHT	AREA (SQ. FT.)	PERCENT
LESS THAN 2%	---	32,643	67%
2% TO 4%	<30 FT	4,416	9%
4% TO 6%	<35 FT	5,322	11%
6% TO 8%	<35 FT	5,144	11%
GREATER THAN 8%	<35 FT	1,725	4%
GREATER THAN 8%	>35 FT	3,487	7%
TOTAL:		48,127	100%

SOURCE OF TOPOGRAPHY
 PHOTOGRAPHY SHOWN ON THIS MAP WAS GENERATED BY PHOTOGRAMMETRIC COMPUTED AERIAL PHOTOGRAPHY (PAC) DATA OBTAINED FROM THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) AND THE NATIONAL CENTER FOR AIR AND SPACE PHOTOGRAMMETRY (NCAS). THE DATA WAS ACQUIRED FROM CORRECT ELEVATION, CORRECTED ALTIMETRY, AND CORRECTED PHOTOGRAMMETRY. THE DATA WAS OBTAINED FROM THE NATIONAL CENTER FOR AIR AND SPACE PHOTOGRAMMETRY (NCAS) ON 01/11/2010. THE DATA WAS OBTAINED FROM THE NATIONAL CENTER FOR AIR AND SPACE PHOTOGRAMMETRY (NCAS) ON 01/11/2010. THE DATA WAS OBTAINED FROM THE NATIONAL CENTER FOR AIR AND SPACE PHOTOGRAMMETRY (NCAS) ON 01/11/2010.

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DATE OF SURVEY
 THE DATE OF SURVEY FOR THIS MAP IS THE CONTIGUOUS SOUTH LINES OF PARCELS AND 2' OF PARCELS. MAP TRAIL, I.E. NORTH 89°17'40" EAST.

Received
 JAN 19 2010
 Planning Division

ENGINEER OF WORK
 TAYLOR GROUP, INC.
 1000 AVOCADO ROAD
 OCEANSIDE, CA 92054
 (760) 771-0900



TAYLOR GROUP, INC.
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P-11-08, D-16-08, C-39-08, C-48

1869 AVOCADO ROAD
 OCEANSIDE, CALIFORNIA

FIRE MOUNTAIN LOT SIZE COMPARISON
RE-B ZONED PARCELS

LOT SIZE
EXHIBIT

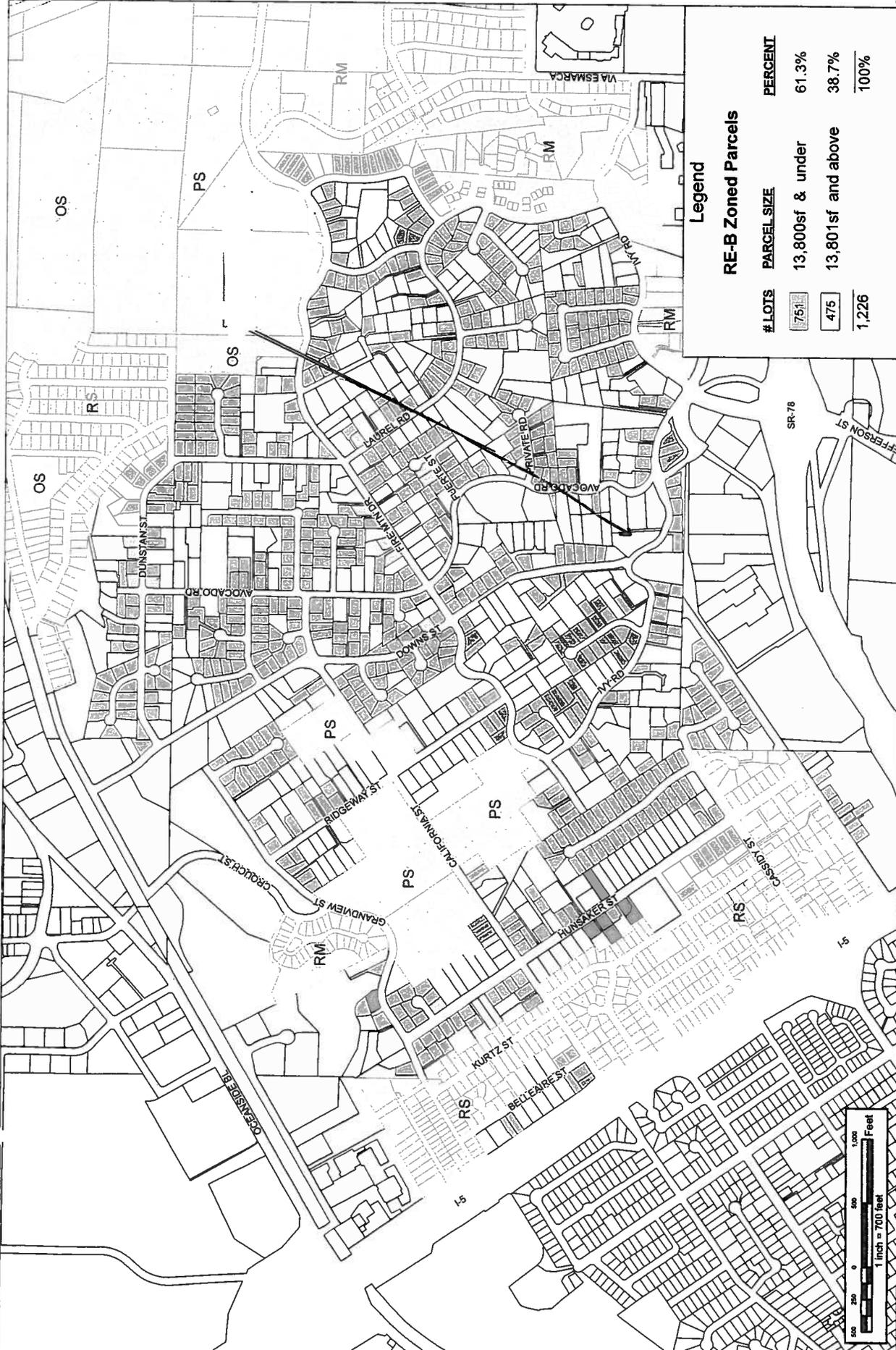
Source:
SanGIS 10-09

note: lot sizes obtained from
map primarily to data only
and are subject to change



Legend
RE-B Zoned Parcels

# LOTS	PARCEL SIZE	PERCENT
751	13,800sf & under	61.3%
475	13,801sf and above	38.7%
1,226		100%



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PLANNING COMMISSION
RESOLUTION NO. 2010-P17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, AND TWO CONDITIONAL USE PERMITS ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-11-08, D-16-08, C-39-08, C-40-08
APPLICANT: Dani McDonough
LOCATION: 1869 Avocado Road

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 Tentative Parcel Map and Conditional Use Permits under the provisions of Articles 10, 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a three-lot subdivision, that exceeds the base density for the RE-B District and has panhandle access to lot 2;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 24th day of May, 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 categorically exempt per Article 19 Section 15315 "Minor Land Divisions" from further environmental review;

WHEREAS, there is hereby imposed on the subject 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	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
10			
11	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
12			
13	Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
14			
15			
16	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.
17			
18			
19	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.
20			
21	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.
22			
23			
24	Inclusionary housing in lieu fees— Residential only.	Chapter 14-C of the City Code	\$1,000 per development project + \$100 per unit plus \$10,275 per unit
25			

26 WHEREAS, the current fees referenced above are merely fee amount estimates of the
27 impact fees that would be required if due and payable under currently applicable ordinances and
28

1 resolutions, presume the accuracy of relevant project information provided by the applicant, and
2 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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

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

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

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

17 FINDINGS:

18 For the Tentative Parcel Map (T-11-08):

- 19 1. That the proposed Tentative Parcel Map is consistent with the General Plan of the City by
20 meeting and exceeding lot size requirements and other applicable provisions of the
21 Zoning Ordinance and the Subdivision Ordinance.
- 22 2. That the site is physically suitable for the type and proposed density of development by
23 providing lot areas consistent with the Fire Mountain Neighborhood Planning Area.
- 24 3. That the design of the subdivision or the proposed improvements will not cause
25 substantial environmental damage or substantially and avoidably injure fish or wildlife or
26 their habitat and has been categorically exempted from review under the California
27 Environmental Quality Act.
- 28 4. That the design of the subdivision or the type of improvements meets City standards and
will not conflict with easements, acquired by the public at large, for access through or the
use of property within the proposed subdivision.

1 5. That the subdivision complies with all other applicable ordinances, regulations and
2 guidelines of the City of Oceanside.

3 For the Conditional Use Permit – For exceeding base density (C-39-08):

4 1. The subject property is zoned RE-B with a corresponding Land Use designation of
5 Estate-B Residential EB-R (1-3.5 dwelling units per acre). The density of 3.0 dwelling
6 units per acre is consistent with the density range of 1–3.5 dwelling units per acre
7 established by the Residential Estate–B designation and through implementation of the
8 submitted Architectural Design Guidelines will possess an excellence in design features.

9 2. The location of the conditional use permit and proposed conditions under which the
10 Tentative Parcel Map will be implemented will not cause detriment to the public health
11 safety or welfare of persons residing or working in or adjacent to the neighborhood of
12 such use or to properties or improvements in the vicinity. Proposed infrastructure
13 improvements along with remedial grading to existing slopes identified as having
14 geologic issues will mitigate current site conditions in a manner that will benefit the
15 surrounding neighborhood.

16 3. The Tentative Parcel Map has been adequately conditioned and designed to comply with
17 applicable requirements of the Zoning Ordinance. Approval of an Administrative
18 Development Plan prior to each parcels development will ensure zoning ordinance
19 compliance.

20 For the Conditional Use Permit - Panhandle access (C-40-08):

21 1. The proposed use of a panhandle access design to serve Parcel 2 and the proposed
22 location of the easements are in accord with the objectives of the Zoning Ordinance and
23 the purposes of the districts in which they are located. The proposed access design will
24 be consistent with the rural and rustic pattern of development found throughout the Fire
25 Mountain neighborhood and meets the development standards from access driveways as
26 specified in the Oceanside Zoning Ordinance Section 3100.

27 2. The use of panhandle access design, and the proposed conditions under which they would
28 be established or maintained will be consistent with the General Plan; will not be
detrimental to the public health, safety or welfare of persons residing or working in or
adjacent to the neighborhood of such use; and will not be detrimental to properties or
improvements in the vicinity or to the general welfare of the City. The proposed

1 panhandle access design is consistent with the surrounding developed area and does not
2 propose site distance issues relative to entering and exiting off of Avocado Road.

3 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
4 approve Tentative Parcel Map (P-11-08), Development Plan (D-16-08), and Conditional Use
5 Permits (C-39-08 & C-40-08) subject to the following conditions:

6 **Building:**

- 7 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
8 Building Division plan check.
- 9 2. The granting of approval under this action shall in no way relieve the property owner and or
10 developer from compliance with all State and Local building codes.
- 11 3. The building plans for this project are required by State law to be prepared by a licensed
12 architect or engineer and must be in compliance with this requirement prior to submittal for
13 building plan review.
- 14 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the
15 property shall be underground (City Code Sec. 6.30).
- 16 5. Compliance with the Federal Clean Water Act shall be demonstrated on the plans.
- 17 6. The developer shall monitor, supervise and control all building construction and supporting
18 activities so as to prevent these activities from causing a public nuisance, including, but not
19 limited to, strict adherence to the following:
 - 20 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
21 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
22 work that is not inherently noise-producing. Examples of work not permitted on
23 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
24 producing nature. No work shall be permitted on Sundays and Federal Holidays
25 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
26 Christmas Day) except as allowed for emergency work under the provisions of the
27 Oceanside City Code Chapter 38 (Noise Ordinance).
 - 28 b) The construction site shall be kept reasonably free of construction debris as
specified in Section 13.17 of the Oceanside City Code. Storage of debris in
approved solid waste containers shall be considered compliance with this

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

- 3 7. Separate and unique addresses shall be required to facilitate utility releases. Verification
4 that the addresses have been properly assigned by the City's Planning Division must
5 accompany the Building Permit application.
- 6 8. A complete soils report, structural calculations, and energy calculations and documentation
7 will be required at time of plan submittal to the Building Division for plan check. The
8 Soils Report & Structural Calculations must show that the hillside soils conditions are
9 suitable to support the Buildings, Retaining walls, etc. for this project.
- 10 9. Retaining walls that will be installed as a part of this design must be designed per the Soils
11 report for the whole project.
- 12 10. A Building (Demo) Permit will be required for the demolition of any existing structures.
13 Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water, &
14 sewer) are properly terminated/capped in accordance with the requirements of the utility
15 service provider. All/any underground septic or water storage tanks must be removed or
16 filled in accordance with the Uniform Plumbing Code and/or the City's Grading Ordinance.
- 17 11. Documentation of properly recorded easements (for access and utilities) is required for plan
18 check review of building projects on "flagpole" or "panhandle" lots.

18 **Engineering:**

- 19 12. Relinquish vehicular access rights to Avocado Road except for the approved driveway
20 opening
- 21 13. Dedicate additional public street right-of-way along Avocado Road as shown on the
22 approved tentative parcel map site plan. Remove the brick column and attached address
23 sign and light from the newly dedicated right-of-way prior to parcel map recordation.
- 24 14. Design and construction of all improvements shall be in accordance with the City of
25 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
26 engineering and specifications of the City of Oceanside and subject to approval by the City
27 Engineer.
- 28 15. The proposed private access road shall serve lots two and three of this parcel map. Parcel
number three of this parcel map uses the proposed private access road of the parcel map
number P-12-08 that adjoins Ivy Road. Prior or concurrent with the recordation of this parcel

1 map (access for lots two and three), and prior to the recordation of the parcel map P-11-08
2 (access for parcel number one); the owner/developer shall execute and record a private road
3 maintenance agreement with the City of Oceanside for the benefit of future subdivision lot
4 owners who will use the private road easements. A certificate setting forth the recordation
5 shall be placed on the parcel map.

6 16. An easement for private access and private utilities purposes shall be reserved over parcel 3
7 for the benefit of parcel 2 on the parcel map and conveyed at the time of sale of either parcel
8 to assure parcel 2 does not become a landlocked parcel.

9 17. Pursuant to the State Map Act, improvements shall be required at the time of development.
10 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these
11 improvement conditions and a certificate setting forth the recordation shall be placed on the
12 map.

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

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

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

21 b) All grading and related site preparation and construction activities shall be limited
22 to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering
23 related construction activities shall be conducted on Saturdays, Sundays or legal
24 holidays unless written permission is granted by the City Engineer with specific
25 limitations to the working hours and types of permitted operations. All on-site
26 construction staging areas shall be as far as possible (minimum 100 feet) from any
27 existing residential development. Because construction noise may still be
28 intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance
also prohibits "any disturbing excessive or offensive noise which causes
discomfort or annoyance to reasonable persons of normal sensitivity."

- 1 c) The construction site shall accommodate the parking of all motor vehicles used by
2 persons working at or providing deliveries to the site. An alternate parking site can
3 be considered by the City Engineer in the event that the lot size is too small and
4 cannot accommodate parking of all motor vehicles.
- 5 d) The owner/developer shall complete a haul route permit application (if required
6 for import/export of dirt) and submit to the City of Oceanside Engineering
7 Division 48 hours in advance of beginning of work. Hauling operations (if
8 required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 9 20. It is the responsibility of the owner/owner/developer to evaluate and determine that all soil
10 imported as part of this development is free of hazardous and/or contaminated material as
11 defined by the City and the County of San Diego Department of Environmental Health.
12 Exported or imported soils shall be properly screened, tested, and documented regarding
13 hazardous contamination.
- 14 21. A traffic control plan shall be prepared according to the City traffic control guidelines and
15 approved to the satisfaction of the City Engineer prior to the start of work within the public
16 right-of-way. Traffic control during construction of streets that have been opened to public
17 traffic shall be in accordance with construction signing, marking and other protection as
18 required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic
19 control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 20 22. Approval of this development project is conditioned upon payment of all applicable impact
21 fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code.
22 All traffic signal fees and contributions, highway thoroughfare fees, park fees,
23 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
24 recordation of the parcel map or the issuance of any building permits, in accordance with City
25 Ordinances and policies. The owner/developer shall also be required to join into, contribute,
26 or participate in any improvement, lighting, or other special district affecting or affected by
27 this project. Approval of the tentative parcel map shall constitute the owner/developer's
28 approval of such payments, and his agreement to pay for any other similar assessments or
charges in effect when any increment is submitted for parcel map or building permit
approval, and to join, contribute, and/or participate in such districts. The drainage fees may
be deferred to prior to issuance of building permit.

- 1 23. Sight distance requirements at the project driveway or street shall conform to the corner sight
2 distance criteria as provided by SDRSD DS-20A and or DS-20B. The owner/developer
3 shall provide a plan and profile of the sight distance prior to the approval of the grading plan
4 and improvement plan. No trees, slopes or other sight obstructions are allowed within the
5 sight distance clear space easement. The clear space easement shall be shown on the parcel
6 map.
- 7 24. Streetlights shall be maintained and installed on Ivy Road and Avocado Road per City
8 Standards. The system shall provide uniform lighting, and be secured prior to occupancy.
9 The owner/developer shall pay all applicable fees, energy charges, and/or assessments
10 associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the
11 formulation of, or the annexation to, any appropriate street lighting district.
- 12 25. Pavement sections for all private driveways and parking areas shall be based upon approved
13 soil tests and traffic indices. The pavement design is to be prepared by the
14 owner/developer's/owner's soil engineer.
- 15 26. Construct half width street improvements on Avocado Road (Curb line to be located 7 feet
16 east of the newly dedicated right-of-way) along the property frontage with adequate taper
17 transitions to the satisfaction of the City Engineer. Construct half width street improvements
18 on Ivy Road along the proposed frontage with adequate taper transitions (20 feet centerline to
19 face of curb) in accordance with City Standards. Improvements shall include, but not be
20 limited to street pavement, PCC curbs and gutters, driveways and sidewalks, drainage
21 improvements, and adequate pavement transitions. The following condition listed below this
22 condition address the existing pavement on Avocado Road and Ivy Road.
- 23 27. Prior to approval of the grading plans, the owner/developer shall contract with a
24 geotechnical engineering firm to perform a field investigation of the existing pavement on
25 all streets adjacent to the project boundary. The limits of the study shall be half-street plus
26 12 feet along the project's frontage. The field investigation shall include a minimum of
27 one pavement boring per every 100 linear feet of street frontage. Should the existing AC
28 thickness be determined to be less than the current minimum standard for AC and Class II
Base as set forth in the table for City of Oceanside Pavement Design Guidelines in the City
of Oceanside Engineers Manual, the owner/developer shall remove and reconstruct the

1 pavement section as determined by the pavement analysis submittal process detailed in the
2 condition listed below:

3
4 a) Upon review of the pavement investigation, the City Engineer shall determine
5 whether the owner/developer shall: 1) Repair all failed pavement sections, header
6 cut and grind per the direction of the City Engineer, and construct a two-inch thick
7 rubberized AC overlay; or 2) Perform R-value testing and submit a study that
8 determines if the existing pavement meets current City standards/traffic indices.
9 Should the study conclude that the pavement does not meet current requirements,
10 rehabilitation/mitigation recommendations shall be provided in a pavement analysis
11 report, and the owner/developer shall reconstruct the pavement per these
12 recommendations, subject to approval by the City Engineer.

13 28. Any existing broken pavement, concrete curb, gutter, driveways, pedestrian ramps and
14 sidewalk that are damaged during construction of the project, shall be repaired or replaced as
15 directed by the City Engineer.

16 29. All existing overhead utility lines within the subdivision and/or within any full width street or
17 right-of-way abutting this subdivision, and all new extension services for the development of
18 the project, including but not limited to, electrical, cable and telephone, shall be placed
19 underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by
20 the City Engineer and current City policy.

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

23 31. Drainage facilities shall be designed and installed to adequately accommodate the local
24 stormwater runoff and shall be in accordance with the San Diego County Hydrology and
25 Design Manual and in compliance with the City of Oceanside Engineers Design and
26 Processing Manual to the satisfaction of the City Engineer.

27 32. The drainage conveyed through the proposed brow ditch shown on tentative parcel map
28 number P-12-08 flowing from north to south shall not be discharged to Ivy Road with the
curb outlet D-25. This drainage discharge shall be picked up with an adequate drainage pipe
size/design, and shall be discharged into the existing 30 inches RCP pipe on Ivy Road.

- 1 33. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
2 investigation shall be conducted of the soils, slopes, and formations in the project. All
3 necessary measures shall be taken and implemented to assure slope stability, erosion control,
4 and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in
5 accordance with the Grading Ordinance and Zoning Ordinance is approved by the City
6 Engineer.
- 7 34. This project shall provide year-round erosion control including measures for the site required
8 for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan,
9 designed for all proposed stages of construction, shall be reviewed, secured by the
10 owner/developer with cash securities and approved by the City Engineer.
- 11 35. A precise grading and private improvement plan shall be prepared, reviewed, secured and
12 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
13 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
14 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
15 and any on-site traffic calming devices shall be shown on all precise grading and private
16 improvement plans.
- 17 36. Prior to approval of the grading plan and issuance of a grading permit, the owner/developer
18 shall provide notarized letters of permission to grade on any adjacent properties, and in
19 particular from the owner of 1852 Ivy Road, as well as the owners east of the proposed
20 private access road adjoining Ivy Road.
- 21 37. Landscaping plans, including plans for the construction of walls, fences or other structures at
22 or near intersections, must conform to intersection sight distance requirements. Landscape
23 and irrigation plans for disturbed areas shall be submitted to the City Engineer prior to the
24 issuance of a preliminary grading permit and approved by the City Engineer prior to the
25 issuance of occupancy permits. Frontage and median landscaping shall be installed prior to
26 the issuance of any certificates of occupancy. Any project fences, sound or privacy walls and
27 monument entry walls/signs shall be shown on, bonded for and built from the landscape
28 plans. These features shall also be shown on the precise grading plans for purposes of
location only. Plantable, segmental walls shall be designed, reviewed and constructed by the
grading plans and landscaped/irrigated through project landscape plans. All plans must be

1 approved by the City Engineer and a pre-construction meeting held, prior to the start of any
2 improvements.

3 38. The drainage design on the tentative parcel map is conceptual only. The final design shall be
4 based upon a hydrologic/hydraulic study (latest San Diego County Hydrology and Drainage
5 Manual) to be approved by the City Engineer during final engineering. All drainage picked
6 up in an underground system shall remain underground until it is discharged into an approved
7 channel, or as otherwise approved by the City Engineer. All public storm drains shall be
8 shown on City standard plan and profile sheets. All storm drain easements shall be dedicated
9 where required. The owner/developer shall be responsible for obtaining any off-site
10 easements for storm drainage facilities.

11 39. Storm drain facilities shall be designed and located such that the inside travels lanes on streets
12 with collector or above design criteria shall be passable during conditions of a 100-year
13 frequency storm.

14 40. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
15 of in accordance with all state and federal requirements, prior to stormwater discharge either
16 off-site or into the City drainage system.

17 41. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
18 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose
19 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to an arterial street.

20 42. The owner/developer shall comply with the provisions of National Pollution Discharge
21 Elimination System (NPDES) General Permit for Storm Water Discharges Associated with
22 Construction Activity (General Permit) Water Quality Order 99-08-DWQ. The General
23 Permit continues in force and effect until a new General Permit is issued or the SWRCB
24 rescinds this General Permit. Only those owner/developers authorized to discharge under
25 the expiring General Permit are covered by the continued General Permit. Construction
26 activity subject to the General Permit includes clearing, grading, and disturbances to the
27 ground such as stockpiling, or excavation that results in soil disturbances of at least one
28 acre of total land area. The owner/developer shall obtain coverage under the General
Permit by submitting a Notice of Intent (NOI) and obtaining a Waste Discharge
Identification Number (WDID#) from the State Water Resources Control Board (SWRCB).
In addition, coverage under the General Permit shall not occur until an adequate SWPPP is

1 developed for the project as outlined in Section A of the General Permit. The site specific
2 SWPPP and associated NOI shall be maintained on the project site at all times. The
3 SWPPP shall be provided, upon request, to the United States Environmental Protection
4 Agency (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of
5 Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered
6 a report that shall be available to the public by the RWQCB under section 308(b) of the
7 Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall
8 be continuously implemented and enforced until the owner/developer obtains a Notice of
9 Termination (NOT) for the SWRCB. The owner/developer is required to retain records of
10 all monitoring information, copies of all reports required by this General Permit, and
11 records of all data used to complete the NOI for all construction activities to be covered by
12 the General Permit for a period of at least three years from the date generated. This period
13 may be extended by request of the SWRCB and/or RWQCB.

- 14 43. Following approval of the SWMP by the City Engineer and prior to issuance of grading
15 permits, the owner/developer shall submit and obtain approval of an Operation &
16 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M
17 Plan shall include an approved and executed Maintenance Mechanism pursuant to the
18 current Standard Urban Storm Water Mitigation Plan (SUSMP). The O&M shall satisfy
19 the minimum Maintenance Requirements pursuant to the latest SUMP requirements. At a
20 minimum the O&M Plan shall include the designated responsible party to manage the
21 stormwater BMP(s), employee training program and duties, operating schedule,
22 maintenance frequency, routine service schedule, specific maintenance activities, copies of
23 resource agency permits, cost estimate for implementation of the O&M Plan, a security to
24 provide maintenance in the event of noncompliance to the O&M Plan, and any other
25 necessary elements. The owner/developer shall provide the City with access to site for the
26 purpose of BMP inspection and maintenance by entering into an Access Rights Agreement
27 with the City. The owner/developer shall complete and maintain O&M forms to
28 document all operation, inspection, and maintenance activities. The owner/developer shall
retain records for a minimum of 5 years. The records shall be made available to the City
upon request.

- 1 44. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
2 Agreement with the City obliging the owner/developer to maintain, repair and replace the
3 Storm Water Best Management Practices (BMPs) identified in the project's approved
4 SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be approved by
5 the City Attorney prior to issuance of any precise grading permit and shall be recorded at
6 the County Recorder's Office prior to issuance of any building permit. Security in the form
7 of cash (or certificate of deposit payable to the City) or an irrevocable, City standard letter
8 of credit shall be required prior to issuance of a precise grading permit. The amount of the
9 security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan,
10 but not to exceed a total of \$25,000. The owner/developer's civil engineer shall prepare
11 the O&M cost estimate.
- 12 45. At a minimum, maintenance agreements shall require the staff training, inspection and
13 maintenance of all BMPs on an annual basis. The owner/developer shall complete and
14 maintain O&M forms to document all maintenance activities. Parties responsible for the
15 O&M plan shall retain records at the subject property for at least 5 years. These documents
16 shall be made available to the City for inspection upon request at any time.
- 17 46. The Agreement shall include a copy of executed on-site and off-site access easement and or
18 access rights necessary for the operation and maintenance of BMPs that shall be binding on
19 the land throughout the life of the project to the benefit of the party responsible for the
20 O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include a copy
21 of the O&M Plan approved by the City Engineer.
- 22 47. The BMPs described in the project's approved SWMP shall not be altered in any way,
23 unless reviewed and approved to the satisfaction of the City Engineer. The determination
24 of whatever action is required for changes to a project's approved SWMP shall be made by
25 the City Engineer.
- 26 48. The owner/developer shall provide a copy of the title/cover page of an approved SWMP
27 with the first engineering submittal package. If the project triggers the City's Stormwater
28 requirements but no approved Stormwater document (SWMP) exists, the appropriate
document shall be submitted for review and approval by the City Engineer. The SWMP
shall be prepared by the owner/developer's Civil Engineer. All Stormwater documents
shall be in compliance with the latest edition of submission requirements.

- 1 49. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
2 will be subject to prevailing wage requirements as specified by Labor Code section 1720(b)
3 (4). The owner/developer shall agree to execute a form acknowledging the prevailing wage
4 requirements prior to the granting of any fee reductions or waivers.
- 5 50. In the event that the conceptual plan does not match the conditions of approval, the
6 resolution of approval shall govern.

7 **Fire Prevention:**

- 8 51. Submit a copy of as-built plans on a CD for all projects on the job site. A site plan
9 indicating the fire access and hydrant locations must also be submitted on CD Rom.
- 10 52. Fire Department requirements shall be placed on plans in the notes section.
- 11 53. Smoke detectors are required, and detector locations must be indicated on the plans.
- 12 54. A minimum fire flow of 1,500 gallons per minute shall be provided.
- 13 55. The size of fire hydrant outlets shall be 2 ½ "X 4".
- 14 56. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the
15 site plan.
- 16 57. The fire hydrants shall be installed and tested prior to placing any combustible materials on
17 the job site.
- 18 58. Provide on-site hydrants and mains capable of supplying the required fire flow.
- 19 59. The developer shall supply the Fire Department with updated map and hydrant locations in
20 a digital format compatible with the Fire Department's mapping program upon approval of
21 final improvements plans.
- 22 60. All weather access roads shall be installed and made serviceable prior to and maintained
23 during time of construction.
- 24 61. The Fire Department access roadway shall be provided with adequate turning radius for
25 Fire Department apparatus: a 50-foot outside and 30-foot inside turning radius.
- 26 62. In accordance with the Oceanside Fire Code Section 505, approved addresses for
27 commercial, industrial, and residential occupancies shall be placed on the structure in such
28 a position as to be plainly visible and legible from the street or roadway fronting the
property. Numbers shall be contrasting with their background and meet the current City of
Oceanside size and design standard.

- 1 63. Single-family dwellings require 4-inch address numbers. Commercial buildings and multi-
2 family dwellings require 6-inch address numbers. Industrial buildings require 12-inch
3 address numbers. Minimum specifications are set forth in Oceanside Fire Code Section
4 505.1, and the Fire Marshal may establish other requirements as deemed necessary.
- 5 64. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval
6 prior to the issuance of building permits.
- 7 65. Future development of the property will require compliance with all applicable Fire
8 Department Standards.
- 9 66. Provide a horn strobe device on the exterior of the building to be activated by fire sprinkler
10 water flow.
- 11 67. Fire sprinklers required for each residence (NFPA 13-D).
- 12 68. Additional fire hydrant is required at lot #2.

12 **Planning:**

- 13 69. This Tentative Parcel Map (P-11-08) shall expire two years from the effective date of the
14 Planning Commission action, unless a time extension is granted by the Planning
15 Commission.
- 16 70. Development Plan (D-16-08) and Conditional Use Permits (C-39-08 & C-40-08) shall
17 expire on May 24, 2012, unless implemented as required by the Zoning Ordinance or a
18 time extension is granted by the Planning Commission.
- 19 71. The Tentative Parcel Map and the two Conditional Use Permits approve only a three-lot
20 subdivision that exceeds base density of one dwelling unit per acre, and provides
21 panhandle access as shown on the plans and exhibits presented to the Planning
22 Commission for review and approval. No deviation from these approved plans and
23 exhibits shall occur without City Planner approval. Substantial deviations shall require a
24 revision to the Tentative Parcel Map, Development Plan, and Conditional Use Permits.
- 25 72. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold
26 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
27 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
28 annul an approval of the City, concerning Tentative Parcel Map (P-11-08), Development
Plan (D-16-08), and Conditional Use Permits (C-39-08 & C-40-08). The City will
promptly notify the applicant of any such claim, action or proceeding against the City and

1 will cooperate fully in the defense. If the City fails to promptly notify the applicant of any
2 such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall
3 not, thereafter, be responsible to defend, indemnify or hold harmless the City.

4 73. All single-family dwelling units shall dispose of or recycle solid waste in a manner
5 provided for in City Code Section 13.3.

6 74. A covenant or other recordable document approved by the City Attorney shall be prepared
7 by the applicant and recorded prior to the approval of the final Parcel Map. The covenant
8 shall provide that the property is subject to this resolution, and shall generally list the
9 conditions of approval.

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

16 76. Prior to the transfer of ownership of the property the applicant shall provide a written copy
17 of the applications, staff report(s), and resolution(s) to the new owner(s). This
18 notification's provision shall run with the life of the Tentative Parcel Map and shall be
19 recorded as a covenant on the property.

20 77. Failure to meet any conditions of approval for this residential subdivision shall constitute
21 a violation of the Tentative Parcel Map (P-11-08), Development Plan (D-16-08) and
22 Conditional Use Permits (C-39-08 & C-40-08).

23 78. Unless expressly waived, all current zoning standards and City ordinances and policies in
24 effect at the time grading permits are issued are required to be met by this project. The
25 approval of this Tentative Parcel Map constitutes the applicant's agreement with all
26 statements in the Description and Justification, and other materials and information
27 submitted with this application, unless specifically waived by an adopted condition of
28 approval.

79. Pursuant to General Plan Objective 1.24, Policy R, topsoil from excavated areas shall be
stockpiled for reuse on the site where appropriate.

- 1 80. Pursuant to General Plan Objective 1.24, Policy Q, as construction proceeds groundcover
2 shall be re-established and or planted new as early as possible.
- 3 81. Panhandle access ways shall have recorded joint maintenance agreements and cross
4 easements for use.
- 5 82. The developer is prohibited from entering into any agreement with a cable television
6 franchisee of the City which gives such franchisee exclusive rights to install, operate, and
7 or maintain its cable television system in the development.
- 8 83. This Tentative Parcel Map is subject to the provisions of Chapter 14C of the City Code
9 regarding Inclusionary Housing.
- 10 84. Pursuant to Article 43, Administrative Development Plan(s) shall be submitted, processed,
11 and approved for Parcels 1, 2, and 3 of the Tentative Parcel Map prior to the issuance of
12 building permits for each lot. Development on each lot shall provide superior
13 architectural, landscaping design and materials compatible with those found within the
14 Fire Mountain Neighborhood Planning Area. Front yard landscaping shall be provided by
15 the developer of each lot and shall be shown on each Administrative Development Plan
16 application.
- 17 85. The required Administrative Development Plan(s) submitted for Parcels 1, 2, and 3 of
18 Tentative Parcel Map (P-11-08) shall be prepared and found consistent with the
19 Architectural Design Guidelines for the Cove Canyon Bluff Development and dated
20 October 2009. Significant request to deviate from the approved Architectural Design
21 Guidelines will require that a new Development Plan be submitted and approved by the
22 Planning Commission.
- 23 86. Building floor plans, elevations, architectural style and color and materials palette on the
24 design of structures on each lot shall differ from but compliment development on
25 adjoining parcels.
- 26 87. Development on Parcels 1, 2, and 3, of the Cove Canyon Bluff subdivision shall establish
27 the required yard areas and setback parameters as denoted on Exhibit (D) dated September
28 21, 2009, and agreed upon by the applicant and the City Planner. Any requested
deviations from the agreed upon setback parameters and yard areas denoted on the exhibits
will require that a Variance be processed.

- 1 88. A letter of clearance from the affected school district in which the property is located shall
2 be provided as required by City policy at the time building permits are issued.
- 3 89. Development on each of the new lots created by this Tentative Parcel Map shall meet the
4 development standards denoted within the approved Architectural Guidelines for the Cove
5 Canyon Bluff Development.
- 6 90. Development on Parcels 1, 2 and 3 created by this Tentative Parcel Map shall meet the
7 following design guidelines:
- 8 a) Use of retaining walls shall be avoided. Where use of retaining walls cannot be
9 avoided, such walls shall be screened to the maximum extent possible and use of
10 plantable walls shall be employed as part of the design solution.
 - 11 b) Structures shall complement the surrounding natural and built environment in
12 pattern, function, scale, character and materials.
 - 13 c) Variable structural setbacks shall be provided along vehicle access routes and
14 between adjoining properties in order to establish different patterns of open space,
15 thereby achieving an aesthetically pleasing building frontages and minimizing
16 privacy loss between dwellings.
 - 17 d) Garages shall be designed to be subordinate to the main dwelling. Garages with
18 side entries, split, recessed garages or motor courts are required.
 - 19 e) Garage doors shall incorporate multi-panel designs, windows or architectural
20 detailing to reduce their impact and scale.
 - 21 f) Garage frontages shall be setback from the dwelling's first story façade. Garages
22 may project in front of the dwelling only if they occupy no more than 50 percent
23 of the building frontage and incorporate at least one of the following mitigating
24 design features: (i) A porch not less than 12 feet wide and 8 feet deep in front of
25 the living area; or (ii) A trellis and or arbor extending not less than 2 feet beyond
26 the front of the garage; or (iii) A balcony above the garage with a trellis or roof
27 along the garage frontage.
 - 28 g) A minimum 15-foot wide landscaped planting area shall be provided between
adjacent driveways to minimize adverse visual impacts from expansive driveway
surfaces.

- 1 h) Walls and fences visible from public right-of-ways shall be architecturally
2 enhanced and complimented by adjoining, tiered landscaping.
- 3 i) Pursuant to General Plan Objective 1.24, Policy M, permeable (and all weather)
4 surfaces shall be used to pave driveways and the panhandle easement to the
5 satisfaction of the City Engineer and City Planner. The use of impervious
6 surfacing shall be limited and shall be designed to support the natural drainage
7 system.
- 8 j) The type and location of site and building lighting shall preclude direct glare onto
9 adjoining properties and streets.
- 10 k) Dwelling structures shall be designed to compliment, yet be distinguishable from
11 adjacent structures. Buildings shall relate in terms of mass but utilize different
12 form and detail compositions to create a unique design statement. The same
13 building elevations shall not be repeated within the subdivision.
- 14 l) One story architectural elements and massing shall be incorporated into two-story
15 building designs to the greatest extent possible. Where two-story building
16 massing occurs, one or more of the following features should be used to soften the
17 visual impact of a two-story wall surface: (1) variety of hip and gable roofs; (2)
18 arbors, trellises and shade structures; (3) balconies; and (4) cantilevered building
19 elements.
- 20 m) Roof designs shall be compatible in terms of type, slope, size, materials and colors
21 to surrounding residential structures. Flat roofs are discouraged, unless they are
22 appropriate to the selected architectural style.
- 23 n) All building elevations shall be architecturally enhanced. The selected
24 architectural design shall be consistently employed on all building elevations.
- 25 o) Unarticulated building wall planes and monolithic forms are prohibited. Use of
26 horizontal and vertical massing offsets is required.
- 27 p) Selection and application of building materials and colors shall take into
28 consideration and relate to surrounding development. Use of colors that reduce
and eliminate reflectivity and blend structures into the terrain is recommended.

1 q) Materials shall stylistically compliment architectural details. Frequent changes in
2 materials shall be avoided. Changes in colors and materials shall occur at interior
3 corners and shall coincide with vertical and horizontal wall plane changes.

4 r) Landscaping shall frame, soften and embellish the quality of the residential
5 environment, buffer residences from noise and enhance privacy. Tiered planting
6 shall be used to enhance the character of the project. Preservation of existing
7 vegetation, to the maximum extent possible, and effective integration within the
8 overall landscaping plan shall be required.

9 91. In the event any subsurface archaeological resources are encountered during grading or
10 construction activities, such activities in the locality of the find shall be halted
11 immediately. An archaeologist, certified by the Society of Professional Archaeologists
12 (SOPA), shall be brought in to determine the significance of the archaeological resources
13 and implement appropriate mitigations prior to recommending earthwork.

14 92. An archaeologist and a Native American monitor shall be present for a pre-grade meeting
15 to discuss the monitoring program with the grading contractor, City staff and the
16 developer. The archaeologist and the Native American monitor may determine, in
17 coordination with City staff, that the full-time presence of a monitor is not required, that
18 checking the grading at regular intervals is sufficient. Alternatively, they may determine
19 that an archaeologist and a Native American monitor be on-site during grading and
20 trenching within the project area.

21 93. If archaeological materials are encountered, their importance must be evaluated to assess
22 the significance of impacts. If significant cultural resources are encountered, mitigation
23 would be accomplished through documentation and excavation of features, cataloging and
24 analysis of cultural material collected, and preparation of a report detailing the methods
25 and results of the monitoring/data recovery program.

26 94. Any cultural material recovered shall be accurate at an appropriate facility, except as
27 stipulated differently in the pre-excavation agreement.

28 **Water Utilities:**

95. The developer will be responsible for developing all water and sewer utilities necessary to
develop the property. Any relocation of water and/or sewer utilities is the responsibility of

1 the developer and shall be done by an approved licensed contractor at the developer's
2 expense.

3 96. The property owner shall maintain private water and wastewater utilities located on private
4 property.

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

7 98. All Water and Wastewater construction shall conform to the most recent edition of the
8 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
9 the Water Utilities Director.

10 99. Residential units shall be metered individually. Private utility systems for residential
11 developments are not allowed.

12 100. All public water and/or sewer facilities not located within the public right-of-way shall be
13 provided with easements sized according to the Water, Sewer, and Reclaimed Water
14 Design and Construction Manual. Easements shall be constructed for all weather access.

15 101. No trees, structures or building overhang shall be located within any water or wastewater
16 utility easement.

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

21 103. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
22 be paid to the City and collected by the Water Utilities Department at the time of Building
23 Permit issuance.

24 //////////////

25 //////////////

26 //////////////

27 //////////////

28 //////////////

29 //////////////

30 //////////////

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

5 PASSED AND ADOPTED Resolution No. 2010-P17 on May 24, 2010 by the following
6 vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11 _____
12 Claudia Troisi, Chairperson
13 Oceanside Planning Commission

14 ATTEST:

15 _____
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this
18 is a true and correct copy of Resolution No. 2010-P17.

19 Dated: May 24, 2010

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

23
24 _____
25 Applicant/Representative

26 _____
27 Date

Architectural Guidelines

for

Cove Canyon

Bluff

Development

November 2009

NOV 16 2009

Planning Department

Introduction

The Cove Canyon Bluff development consists of 3 single-family custom home lots. These architectural guidelines are being established to regulate future development of the lots because architecture is not being proposed for the single-family homes, in conjunction with the tentative map. With each lot being developed as a custom home, these architectural guidelines are intended to give both examples of acceptable home styles, and to set certain parameters to ensure a cohesive, and yet unique project that is compatible with the neighborhood. While the homeowner is able to choose any style of architecture, the homes must stay true to an architectural style chosen for each house design. Mixing of architectural styles or types on a single lot is prohibited.

These architectural guidelines include examples of architectural styles that compliment the Cove Canyon Bluff project and would fit well within the Fire Mountain Neighborhood. Since each lot is unique and will lend itself to a variety of architectural styles the listed types are provided as suggested styles, but are not meant to restrict other designs or styles within the project.

It is important to note that Cove Canyon Bluff is located on a hill with various slopes, and all of the lots contain topographical features that should be retained. Future architecture should be designed in a respectful way to help preserve the natural hillside, in addition to creating homes that fit into the neighborhood and surrounding environment. The designs for the proposed residences must meet the criteria set forth in the Hillside Development section of the Zoning Ordinance. When possible, residences should be designed to nestle into the hill to minimize grading quantities. Split-level floor plans and varying wall lengths are also encouraged in order to contribute to reducing the mass and bulk of the buildings.

Approved Architectural Styles

The following architectural styles have been determined to fit within the existing character of the Fire Mountain neighborhood:

California Craftsman

The character of Craftsman architecture is established with the use of wood beams, deep overhangs with exposed plumb-cut rafters, and porches and verandas supported by large pillars. The predominant look is horizontal with wood siding, shingles, and wainscot. Roof materials are asphalt shingles or concrete tile. Colors are earth tones, both light and dark, with low contrasts between colors and materials.



Prairie

The prairie architecture is characterized by horizontal expression and delicate proportions. The roof often floats with deep overhangs. Stately, strong and weighty proportions provide a massive “earthy” feel. Windows are regrouped in horizontal bands with vertical proportions. Oftentimes, $\frac{3}{4}$ proportions are used to set up the high horizontal lines. Stucco or wood sidings with horizontal emphasis predominate with brick, stone, or concrete block detailing. Roofs are typically flat tile or slate. Earth tone colors are utilized with both light and dark shades.



Art Moderne

The Art Moderne architecture originated in the Bauhaus movement. Bauhaus architects wanted to use the principles of classical architecture in their purest form, designing useful structures without ornamentation or excess. Art Moderne architecture resembles the sleek, streamlined appearance of a modern machine and is characterized by features such as a horizontal orientation, flat roof, no cornices or eaves, and a cube-like geometric-based shape. Features such as glass block windows, rounded corners highlighted by wraparound windows, aluminum, stainless steel windows, and door trim is predominant in this style.



Spanish Style

Spanish architecture includes various offshoots such as Colonial Revival, Mission, Monterey, and Eclectic. While each style is inspired by unique characteristics, they all share common features. They generally have a low-pitched roof, red roof tiles, little or no overhanging eaves, stucco siding, and arches, especially above doors, main windows, and porch entries. Other Spanish inspired homes also have patterned tile floors and wall surfaces, courtyards, decorative railings, carved doors, spiral columns and pilasters, carved stonework, and other features.



Architectural Standards

Architecture is a very important aspect of any new residential project. Residences proposed for the Cove Canyon Bluff project will be expected to possess excellent design features that are suitable for a hillside site.

Building Facades

Long, unarticulated building facades shall be avoided by incorporating varying setbacks of the building footprint in random fashion along the residential street. No false “Hollywood” fronts are available on custom lots. Depending on the chosen style, homes are encouraged to use features of architectural interest such as trim on the sides and rear of the homes, the use of different massing, and projecting architectural features such as porches, wood-framed windows, and columns. Houses shall create a harmonious and varied appearance of building heights, rooflines and setbacks. Detailing shall be consistent with the style chosen.

Building Height

Proposed structures must conform to the height standards set forth in section 1050 of the City of Oceanside Zoning Ordinance. The maximum height for structures will be 30 feet as defined by the Hillside Development Regulations in Section 3039.

Setbacks

The setbacks for the project shall be consistent with the requirements set forth by the Hillside Development Criteria in Section 3039 of the City of Oceanside Zoning Ordinance. The setbacks for each lot are as follows:

**Table 1
Setback Requirements**

Lot Number	Front	Side	Corner Side	Rear
1	15	20	N/A	34
2	15	19	N/A	27
3	15	17.6	11.7	22.15

All measurements are in feet. Side setbacks are 15% of lot width with a minimum of 10 feet and a maximum of 20 feet. Corner side setbacks are 10% with a minimum of 10 feet and maximum of 15 feet. Rear setbacks are 25% of lot depth. Numbers shown above are based on the Tentative Map.

Garages

All garages must comply with the off-street parking standards set forth in Article 31 of the City of Oceanside Zoning Ordinance. Every residence shall have an attached or detached two- or three-car garage. The size of the garage is dependent upon the square footage of the proposed residence. Garage space for three cars is required for all new single-family residential units in excess of 2,500 square feet, while residences smaller than 2,500 square feet may incorporate a two-car garage. However, all parking spaces in the garage shall measure at least 10-feet by 19-feet, and must meet the size requirements set forth in Section 3110 of the Zoning Ordinance.

Garages shall not dominate the street scene and shall be consistent with the architectural style of the house. The proportion of frontage devoted to the garage face shall be minimized as much as possible, and side-loaded garages are encouraged. In addition to the above-mentioned standards for garages, future homeowners shall be required to meet the adopted City of Oceanside off-street parking provisions for RV and/or Trailer parking.

Roofs

Development regulations for all projects classified as "Hillside Developments" are required to meet roofing standards set forth in Section 3039 of the Oceanside Zoning Ordinance. These standards include the following:

The dominant roof slope should substantially follow the slope of the natural grade.

Flat roofs should be avoided.

No roof plan shall exceed 600 square feet in area, measured parallel to the roof plane, and a change in pitch of 3 in 12 or greater, or a vertical offset of 2 feet or more shall separate each roof plane.

The area of offset roof plane or change in roof plane shall not be less than 150 square feet.

Walls

All walls must comply with the existing standards set forth in the City of Oceanside Zoning Ordinance. No visible portion of a structure shall exceed 40 in length-measured parallel to the surface of the structure, unless there is an offset of 4 feet or more in depth and 6 feet or more in width. The offset area shall be unoccupied and unobstructed by structures from the ground upward to the sky, provided that roof eaves may project Two feet into the offset area.

Section 1050 of the City of Oceanside Zoning Ordinance requires retaining walls to be restricted to a maximum height of 6 feet. Retaining walls over four feet must be planted and irrigated.

Fences

All fences must comply with Sections 1050(U) and 3040 of the City of Oceanside Zoning Ordinance. Fences shall be designed and constructed of materials harmonious with the architectural style of the residence. Fences shall be a maximum of six feet in height and may be constructed from ornamental iron, wood, or decorative block. Fencing required in the front yard abutting a street is limited to 42 inches in height. Wood privacy fencing is allowed between individual lots and as fencing for lots with rear and/or side yards adjacent to roadways or driveways. Rear yard "view fencing" for lots adjacent to open space slopes may be ornamental iron, wood, decorative block, or a combination wall/"glass" or wall/ornamental iron fence. Decorative block might include stucco finish, split-face block, or block wall with "cultured stone" veneer or natural stone.

Fire Prevention Requirements

All buildings shall meet Oceanside Fire departments current codes at the time of building permit application. In addition, the following standards must also be meet:

In accordance with the California Fire Code Sec. 901.4.4, approved address for residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background.

Single-family dwellings require four-inch address numbers.

Landscape styles

All residents will be required to develop a Landscape Plan for their lot that must be approved by the City of Oceanside Planning Department prior to installation. All plans must conform to the City of Oceanside Guidelines and Specifications for Landscape Development 1985, addenda 1997.

Landscaping should be consistent with the style of architecture. Following is a list of suggested styles that would complement each of the above architectural types.

Landscapes for the California Craftsman might include Contemporary Xeriscape, Cottage, or a softened Formal style.

Landscapes for the Prairie Style might include Contemporary, Xeriscape, or Cottage style. Because of the emphasis on the horizontal planes, the Formal landscape style could be adapted with the use of key vertical accents that are not too bold or overpowering.

Landscape styles that would be suited for the Art Moderne style might include Tropical, Formal, Contemporary, or Xeriscape Style.

Spanish Style homes might make use of the traditional Spanish style landscape. Tropical landscape or combine elements of the Xeriscape style with the Tropical or Spanish style landscape.

Tropical Style

Tropical landscapes play off the clean lines and geometric shapes of the modern architecture. Tropical landscapes are characterized by bold silhouettes, large-leaved plants, intense flower or foliage color, and a layering of strongly contrasting plant material with different visual textures. Tropical landscapes might include bold vertical elements using fire-resistant plant material such as King Palm, Queen Palm, Kentia Palm, tree ferns and Giant Bird of Paradise. Ginger, Canna, Bird of Paradise, Banana, Sago Palm, Aloes, Gardenia, Jasmine, Impatiens, Begonias, Geraniums and other colorful bedding plants would also be good accompaniments to the tropical landscape style.

Formal Style

Formal landscapes offer a style that is in unison with the sleek lines of modern architecture. Formal landscapes might include: Camellias, Azaleas, Euonymous, Myrtus, formal hedges, layered drifts of contrasting-textured plant material, formal turf areas, radial curves, straight or geometric lines, and perennial bedding plants or colorful groundcover helps to soften the formality of this landscape style. Hardscapes tend to be grid-oriented concrete, brick or cut stone.

Contemporary Style

Contemporary landscape style offers a structured landscape with an organic flavor. The landscapes tend to be simple and clean and characterized by the use of simple hardscape, boulders, cobble and gravel groundcover. This style has Japanese influences but is highly westernized to include the use of sculptural plantings such as Euphorbias. The simplicity is often Zen-like in the way it contrasts geometric elements against organic curves. The planting design seems to be more concerned with form and texture combinations than with any one particular plant material itself.

Xeriscape Style

Xeriscape Style planting with drought-tolerant perennials. This style is characterized by gray and gray-green foliage plants with a loose or casual form. Although the foliage texture may not offer much visual contrast except for their leaf color, many of these plants do have colorful flowers. The style is reminiscent of cottage style gardens with loose drifts of layered plant material, which may even include some rose varieties such as "Iceberg." Subtle tones, grass-like plants, mounding shrubs, "spiky accent plants," stepping stones and an informal layout make this a very relaxed landscape style that can be adapted to a number of different styles of architecture. This is a landscape style that lends itself to native California plants and drip irrigation.

Spanish Style

Spanish style landscapes have a distinctive flavor that combines intense flower colors, large rosette succulents, and sculptural plants, which provide bold silhouettes and shadows. Trees are often wispy with an open growth habit, or drooping in form. Flower colors often tend to be in white, red, orange, or purple range. Signature plant material might include Agaves, Yuccas, Aloes, Hesperaloes, Euphorbia, Lantana, Bird of Paradise, Banana, and Nolina, Dasylyrion, Lavandula, Kniphofia and succulent-type

groundcover. The style can tend towards either the desert type of landscape of the tropical style, depending on preference.

Cottage Style

Cottage style landscapes have a loose, lush, casual elegance to them. Although the plant material itself may be loosely structured, the style is highly manicured to keep the dead flowers from making the garden wild of “woody.” This style combines manicured shrubs such as Hydrangea, Azaleas, Camellias, Pittosporum, Rhapsiolepis and rose bushes with loose perennials such as Agapanthus, Hemerocallis, Kniphofia, Dietes, Dianella. Low, spreading perennials or groundcover round out the look of this soft and informal planting style.

Erosion Control

The slopes onsite will be planted for erosion control and soil retention in conjunction with grading for the overall subdivision.

Fire

It is important to have the landscape designer be aware that fire-defense is a fundamental consideration in the selection of plant material for any one of the landscape design styles mentioned in this document. The plant palette will need to conform to guidelines set forth by the Oceanside Fire Department Fire Prevention Division.

Individual Lot Development

The developer shall provide all purchasers with a copy of the Architectural Guidelines and Development Regulations, and the Resolution of Approval for the project as part of the initial sales package prior to the commitment of escrow on the property. The purchasers shall be notified that these guidelines and regulations will be administered by City Staff as part of the approval process for building and grading permits on each lot. The following procedures are required:

1. Property owners must submit an administrative Development Plan to the City of Oceanside that includes architectural floor plans and elevations, a landscape concept plan, and all other standard items required by the City of Oceanside for the processing of an Administrative Development Plan.
2. After approval of the Administrative Development Plan, the applicant will be required to submit to the City, and have approved, all final grading and building plans as deemed necessary by the various departments.
3. Administrative Development Plan can be appealed to the Planning Commission should the project not conform to the Design Guidelines and/or if the City Planner determines that a Planning Commission review is required.

1869 Avocado Road



Application for Public Hearing

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

Received
DEC 30 2008
Planning Division

STAFF USE ONLY

ACCEPTED 12/30/08 BY SN.
Received
DEC 30 2008
Planning Division

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

GPA

1. APPLICANT

DANI McDONOUGH

2. STATUS

MASTER/SP.PLAN

3. ADDRESS

1869 AVOCADO ROAD

4. PHONE/FAX/E-mail

760-612-4639

ZONE CH.

TENT. MAP

PAR. MAP

P-11-08

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)

N/A

NORTH COAST@COMNET

DEV. PL.

D-16-08

C.U.P.

C-39-08, C-40-08

6. ADDRESS

7. PHONE/FAX/E-mail

VARIANCE

COASTAL

PART II - PROPERTY DESCRIPTION

8. LOCATION

1869 AVOCADO ROAD

9. SIZE

1.14 ACRE

10. GENERAL PLAN

11. ZONING

RE-B

12. LAND USE

RESIDENTIAL

13. ASSESSOR'S PARCEL NUMBER

154-220-6

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION

DIVIDE LOT INTO 3 LOTS + CONSTRUCT CUSTOM SINGLE FAMILY HOMES, SIZE RANGE 2800 SQFT - 3600 SQFT.

Rev. 11/16/09 Rev. 1/19/2010

15. PROPOSED GENERAL PLAN

16. PROPOSED ZONING

RE-B

17. PROPOSED LAND USE

RESIDENTIAL

18. NO. UNITS

3

19. DENSITY

20. BUILDING SIZE

21. PARKING SPACES

22. % LANDSCAPE

23. % LOT COVERAGE or FAR

PART IV - ATTACHMENTS

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

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):

DANI McDONOUGH

34. DATE

30 DEC 08

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)

DANI McDONOUGH

36. DATE

30 DEC 08

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

Sign:

Received JULIANA

Project

The Cove Canyon Bluff

APR 19 2010
Planning Department

Description/Justification
April 2010

The project consists of 1.14 acre piece of land, dividing it into 3 lots, and constructing custom single family homes on these new lots. The development is consistent with the single custom residential home architecture seen in the surrounding properties in this part of the Fire Mountain neighborhood and is specified in the Architectural Guidelines submitted for this project. This project location in the middle of the Fire Mountain residential area with its' site improvements is adequately, reasonably, and conveniently served by the existing public services, utilities, and public facilities. Street parking is available on both Avocado and Ivy Roads. A private street from Ivy Road with a hammer head turn around for fire and emergency vehicles will be constructed to provide access to parcel #1. The new 28 foot wide access roadway will provide passing ability and has clear visibility from both ends and will serve four homes, three of which are from an adjacent development. A pan handle access and utility easement that is 16 feet wide will be provided from Avocado road to parcel #2. This panhandle access is very common to this area of Fire Mountain and is permitted with a Use Permit (which has been filed) in accordance with Section 1050(Y) of the Zoning Ordinance.

This project proposes minimal grading except for necessary remedial grading to a portion of the hillside in the center of the existing parcel due to adverse geologic conditions as identified in the geotechnical investigation. This includes approximately 3,320 sqft of slope over 40% and higher than 25 ft defined as undevelopable land. This slope covers approximately 7% of the project site. The grading is necessary to remove a layer of undocumented fill and no other grading will be performed in this area. Grading will be performed in accordance with section 3039.E(J)(Q). Split pad lots have been designated to encourage hillside appropriate architecture. The proposed housing is to be individually designed and integrated into their sites with consideration of the pre-existing topography of the site and limited to a maximum 30 feet in height. Building design will consider the natural contour of the existing topography to minimize bulk appearance of the buildings and screening of mechanical equipment in accordance with section 3039.E(L)(M)(N). Acceptable building designs will not include any structural supports or undersides of floors more than 15 feet in height. Natural features including existing trees and vegetation will be preserved as much as possible. Natural features such as large existing slopes will be maintained including “undevelopable” lands as defined by section 3039.E(A). These hillsides will be landscaped using native trees and vegetation greatly increasing the amount of natural/native habit in the area.

This application includes a use permit to exceed the base density of 1 dwelling per acre. Section 1.13(H) of the City of Oceanside Land Use Element allows for a minimum lot size of 10,000 square feet. All lot sizes will exceed 10,000 square feet each, which is consistent with the maximum potential density requirements for the RE-B base district regulations so are in compliance with the Land Use designation. The lots will range in size from 12,133 to 22,172 sqft gross with an average of 16,040 sqft. The net lot sizes, which take into consideration panhandles, access easements, and undevelopable areas, range from 11,185 to 14,558 sqft with an average of 12,782 sqft. The proposed density is consistent with adjacent development in the area and is below the maximum density established by the General Plan. This proposed development is of the first to meet the new March 2010 Standard Urban Stormwater Mitigation Plan (SUSMP) requirements. It

incorporates Bio-retention/filtration areas for building runoff, self-treating areas, and the use of a bio tree filtration system for hardscape runoff.

This Development Plan conforms to the General Plan by keeping the rural residential nature of this area of the city. It includes a widening of Avocado Road in an area of reduced visibility improving the public safety. The project will provide superior variations of architecture, lot shape, grade, and contour that will compliment the variations of the “same” in the surrounding neighborhood. This development will keep the uniqueness of this area intact and be complimentary to the surrounding properties providing stability to the values of all properties, solidifying the look of the area, and providing similar type rural style/size family housing. The site plan and the physical design of this project is consistent with the policies contained within section 1.24 and 1.25 of the Land Use Element of the General Plan and complies with the requirements of the Zoning Ordinance including the Hillside Development Regulations. The project has no detrimental aspects to property or other improvements in the area and it provides a finish custom home architectural standard to the existing neighborhood so in summary we respectfully request your approval.

LEGAL DESCRIPTION

EXHIBIT "ONE"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

That portion of Lot 6 in Block "B" of North Carlsbad Annex, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 1888, filed in the Office of the County Recorder of San Diego County, March 1, 1926, bounded on the North by a line described as follows:

Beginning at a point on the Westerly line of said Lot 6, distant thereon South 2° 55 '48" West 383.03 feet from the corner Common to Lots 3, 4 and 6; thence North 85° 17 '48" East 100.63 feet to a point designated herein as Point "A" thence continuing North 85° 17 '48" East to the center line of Avocado Road as said road is shown on said Map No. 1888; bounded on the West by a portion of the line described as follows:

Beginning at said Point "A" in said line bounding the property herein described on the North as above described; thence Southerly in a straight line to a point designated herein as Point "B" in the Southwesterly line of said Lot 6, said Point "B" being distant along said Southwesterly line 340.13 feet from the most Westerly corner of said Lot 6, and bounded on the South by a line which is parallel with and 135 feet Southerly at right angles from said above described line bounding the property herein described on the North.

Also a portion of the 15 foot strip of land lying Easterly of and adjoining said straight line above described as running Southerly from said Point "A" to said Point "B" said portion of said 15 foot strip beginning in the Southerly boundary of the property first above described and terminating in Ivy Drive.

Assessors Parcel No. 154-220-06



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 5/24/10
Removal:
(180 days)

1. **APPLICANT:** Dani McDonough
2. **ADDRESS:** 1869 Avocado Road, Oceanside, CA. 92054
3. **PHONE NUMBER:** (760) 612-4639
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale Planner II
6. **PROJECT TITLE:** P-11-09, D-16-08, C-39-08, and C-40-08 (Canyon Bluff Tentative Parcel Map)
7. **DESCRIPTION:** a three lot subdivision that exceeds base density, provides panhandle access to each lot, and development of one single family home on one of the three newly created parcels.

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 Associate Planner finds that the proposed project constitutes subdivision of land and the deferral of utility conversion. Therefore, the Associate Planner 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 15, Section 15315 Minor Land Divisions; or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: May 24, 2010

Jerry Hittleman, City Planner

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