



DATE: June 23, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-2-08) AND REGULAR COASTAL PERMIT (RC-3-08) TO SUBDIVIDE AND CREATE A TWO-UNIT RESIDENTIAL CONDOMINIUM LOCATED AT 1213 SOUTH PACIFIC STREET. THE PROJECT SITE IS ZONED RT (RESIDENTIAL TOURIST) AND IS SITUATED WITHIN THE TOWNSITE NEIGHBORHOOD AND THE COASTAL ZONE. – ENRIGHT PARCEL MAP II – APPLICANT: ROBERT ENRIGHT**

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.
- (2) Approve Tentative Parcel Map (P-2-08) and Regular Coastal Permit (RC-3-08) by adopting Planning Commission Resolution 2008-P39 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: On October 11, 2004, the Planning Commission adopted, with a 7-to-0 vote, Resolution 2004-P49 approving P-8-03, D-15-03 and RC-12-03, which allowed a two-unit residential condominium development known as the Enright Townhomes.

On February 23, 2006, the applicant applied for a building permit to demolish the existing structures. On March 20 2006, the applicant applied for a building permit to construct a duplex at 1213 South Pacific Street. While work at this site has progressed, the applicant neglected to submit drawings for a Final Parcel Map with the Engineering Division.

On October 11, 2006, Tentative Parcel Map P-2-08 expired. On January 24, 2008, Mr. Enright applied for a new tentative parcel map, because it has been his intention all along to create two condominium units.

At this point in time, building permits for the two units have not been finalized and occupancy has not been approved.

Site Review: The site address is 1213 South Pacific Street, which is shoreline property located near the intersection of Oceanside Boulevard and South Pacific Street. The site is 4,874 square feet in area. The surrounding land use is residential.

Project Description: The project application is comprised of two components: a Tentative Parcel Map and a Regular Coastal Permit.

Tentative Parcel Map No. P-2-08 represents a request for the following:

- A. To subdivide a 0.11-acre site and create two residential condominium units pursuant to Article VI of the Subdivision Ordinance of the City of Oceanside.

Regular Coastal Permit No. RC-3-08 represents a request for the following:

- B. A public hearing for a coastal permit when the City Ordinance requires a hearing or discretionary action for a Tentative Parcel Map pursuant to Section III.D.1 of the Local Coastal Program Coastal Handbook, and
- C. A public hearing for a coastal permit when the project is defined as appealable on the Post LCP Certification Map pursuant to Section III.D.1 of the Local Coastal Program Coastal Handbook.

The proposal is to create two residential condominium units on an existing legal lot, which is shoreline property and situated within the appealable area of Post LCP Certification Map.

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

1. General Plan
2. Subdivision Ordinance
3. Zoning Ordinance
4. Local Coastal Program
5. California Environmental Quality Act

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designation on the subject property is Urban High Density Residential (UHD-R). The allowed density is 29 to 43 dwelling units per gross acre. The proposed density range of 18.2 to 26.4 dwelling units per gross acre is subject to General Plan Policy 2.35. The proposed subdivision is consistent with this designation and the goals and objectives of the City's General Plan as follows:

Land Use Element II. Community Development

Goal: The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.02 Residential Subdivision: To assure residential subdivisions of land shall be of sufficient size, dimensions, and topography to promote overall community enhancement, and the aesthetic and efficient functioning of the particular residential unit.

Policy 2.35 Dwelling Unit/Land Use Consistency through Density Reduction: A residential project may be developed using the residential unit type(s) allowed within the next lower residential land use designation provided: (1) The density of the project or that portion of the project is within the permitted range consistent with the proposed unit type as determined by the Residential Unit Type/Residential Land Use Designation Consistency Matrix. (2) The project is consistent with the objectives of the General Plan and other City policies. (3) The project does not interfere with the efficient and proper provision of City services.

The proposed density range of 18.2 to 26.4 dwelling per gross acre is below the base density of the UHD-R designation and within the density range of the next lower residential density. The density is consistent with the Multiple Unit Structures (MUS) as determined by the "Residential Unit

Type/Residential Land Use Designation Consistency Matrix.” A MUS is a structure containing two or more dwelling units on a single property. The project does not interfere with the efficient and proper provision of City services.

2. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance, *Article VI Subdivision of Four or Fewer Parcels*. Pursuant to Section 601 of the Subdivision Ordinance, this Tentative Parcel Map has been prepared in a manner acceptable to the Engineering Department. Tentative Parcel Map P-2-08 proposes the same subdivision as the expired Tentative Parcel Map P-8-03. Tentative Parcel Map P-2-08 does not propose changes from the originally approved two-unit condominium subdivision.

3. Zoning Ordinance Compliance

The project site is located in the Residential Tourist (RT) District and complies with the requirements of that zone. Table 1 summarizes the proposed and applicable development standards for the project site.

Table 1: Residential Development Standards Sections 1050, 3018, and 3103

	REQUIRED	PROPOSED
MINIMUM LOT SIZE	6,000 SF	4,784 SF existing
PARKING SPACES	2 spaces per DU	2 spaces per DU (four spaces total)
FRONT YARD	average front yard depth within the block	31 inches is the average depth of front yards
INTERIOR YARD	6 feet combined	6 feet combined
REAR YARD	Stringline	Stringline is 80.3 feet west of front property line
MINIMUM LOT WIDTH	60 feet	37.5 feet
MAXIMUM HEIGHT	27 feet and 2 floors	27 feet and 2 floors + a basement
HEIGHT EXCEPTION	37 feet above grade	34 feet above grade
COMMON OPEN SPACE	450 SF	590 SF
OPEN SPACE	900 SF	900 SF
PRIVATE OPEN SPACE	see Section 1050(Q)	128 SF Unit A 428 SF Unit B

The existing structure is under construction. The Building Inspector has not issued a Final Occupancy Permit. The drawings submitted for a building permit complied with the original plans approved by the Planning Commission during October, 2004.

4. Local Coastal Program Conformance

The project is located in the Appeal Jurisdiction of *Post LCP Certification Permit and Appeal Jurisdiction Map*. The proposed Tentative Parcel Map conforms to the Local Coastal Plan, including the policies of that Plan. The Local Coastal Program contains policies that require development to maintain the character of the existing neighborhood. Analysis centered on the project's compatibility with the surrounding neighborhood in terms of product type, density, and scale. During 2004 and updated in 2008, staff inventoried recently approved multi-family condominium developments in the surrounding neighborhood as a basis of comparison. This information is presented in Table 2 below.

Table 2: Multi-family residential buildings approved by Planning Commission

South Pacific Street Address	A.P.N.	File Number	Building Area	Lot Size	Density Range	Total Units
809	150-356-13	P-25-02	10,480	0.22	18 to 22 units	4
1213	152-141-05	P-8-03	5,372	0.11	18 to 26 units	2
1314 - 1316	152-143-13	P-1-00	7,430	0.18	16 to 21 units	3
1443	153-012-48	P-14-05	4,635	0.07	28 to 41 units	2
1606 - 1602	153-092-49	P-7-99	8,398	0.17	17 to 22 units	3
1621 - 1623	153-091-09	P-16-05	9,705	0.34	8 to 11 units	3
1632	153-092-06	P-7-04	5,232	0.14	14 to 20 units	2
1722	153-092-31	P-2-07	2,804	0.14	14 to 20 units	2

The surrounding area consists of a mixture of single and multi-family residential housing products. The primary development pattern is a combination of older apartment, new condominiums and/or single-family development. Staff finds that the density range (18.2 to 26.4 dwelling units per acre), unit size and product type of the proposed development is consistent and compatible with the development pattern within the surrounding neighborhood.

The proposed Tentative Parcel Map conforms to the public access and recreational policies of Chapter 3 of the Coastal Zone. The project does not interfere with the public right of access to and along the shoreline.

RECOMMENDATION

Issue: Conversion of existing shoreline structure to condominiums.

Recommendation: The existing structure has not been occupied. Staff has determined that the proposed Tentative Parcel Map is not subject to Section 3202 *Applicability* of condominium conversions.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class 1, Existing Facilities, Section 15315 of the California Environmental Quality Act. This section applies to minor land divisions, such as the proposed two-unit residential condominium.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of June 12, 2008, no communication supporting or opposing the request has been received.

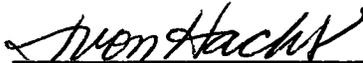
SUMMARY

The proposed Tentative Parcel Map P-2-08 and Regular Coastal Permit RC-3-08, as conditioned, are consistent with the land use policies of the General Plan, the requirements of the Subdivision Ordinance and the Zoning Ordinance, and the policies of the Local Coastal Program. The project has been conditioned to meet or exceed all applicable standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

- Confirm issuance of a Class 15 Categorical exemption for Minor Land Divisions pursuant to Section 15315 of the California Environmental Quality act and move to approve Tentative Parcel Map P-2-08 and Regular Coastal Permit RC-3-08 by adopting Planning Commission Resolution No. 2008-P39 as attached.

PREPARED BY:

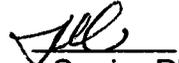
SUBMITTED BY:



Juliana von Hacht
Associate Planner



Jerry Hittleman
City Planner

REVIEWED BY: 
Richard Greenbauer, Senior Planner

JH/JH/fil

Attachments:

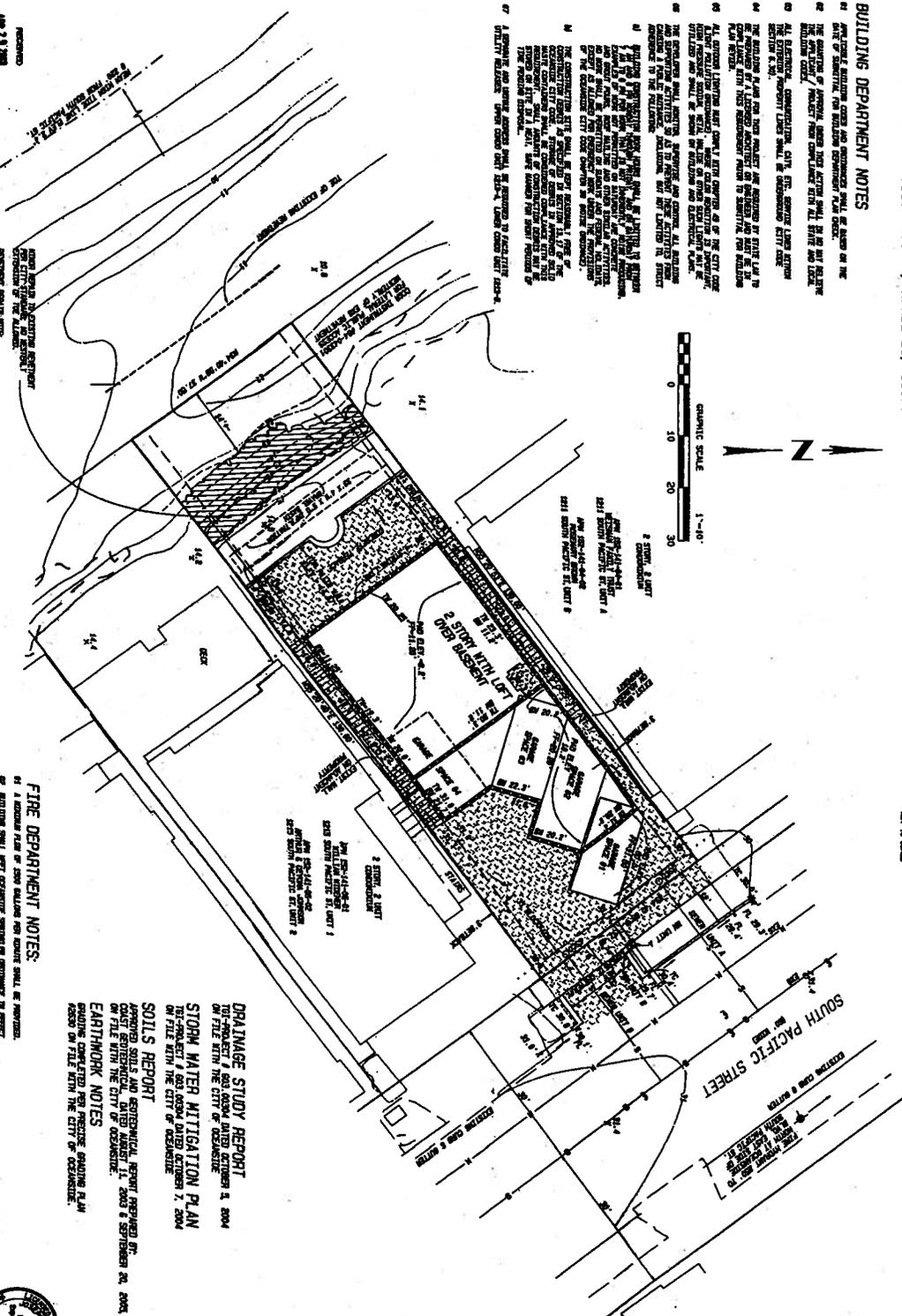
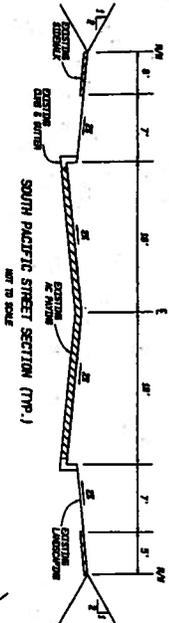
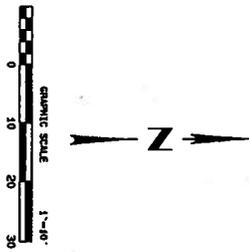
1. Tentative Parcel Map
2. Planning Commission Resolution No. 2008-P39
3. Planning Commission Resolution No. 2004-P49

THE ENRIGHT CONDOMINIUMS TENTATIVE PARCEL MAP NO. P-2-08 FOR CONDOMINIUM PURPOSES

LOT 5 OF BLOCK 'G' OF TERRACE ANNEX IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1044, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, APRIL 29, 1907.

BUILDING DEPARTMENT NOTES

1. ALL EXISTING BUILDING CODES AND REGULATIONS SHALL APPLY TO THE PROJECT.
2. THE PROJECT SHALL BE SUBJECT TO ALL CITY AND COUNTY ORDINANCES AND REGULATIONS.
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FIRE DEPARTMENT NOTES

1. A FIRE ALARM CALL SHALL BE INSTALLED FOR EACH UNIT.
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SOILS REPORT

A SOILS REPORT WAS OBTAINED FROM THE CITY OF OCEANSIDE, CALIFORNIA, ON FILE WITH THE CITY OF OCEANSIDE. THE REPORT IS DATED OCTOBER 7, 2004.

DRAINAGE STUDY REPORT

A DRAINAGE STUDY REPORT WAS OBTAINED FROM THE CITY OF OCEANSIDE, CALIFORNIA, ON FILE WITH THE CITY OF OCEANSIDE. THE REPORT IS DATED OCTOBER 7, 2004.

STORM WATER MITIGATION PLAN

A STORM WATER MITIGATION PLAN WAS OBTAINED FROM THE CITY OF OCEANSIDE, CALIFORNIA, ON FILE WITH THE CITY OF OCEANSIDE. THE PLAN IS DATED OCTOBER 7, 2004.

EARTHSHAKE NOTES

EARTHSHAKE NOTES: THE PROJECT SHALL BE SUBJECT TO ALL CITY AND COUNTY ORDINANCES AND REGULATIONS.

SHEET 1 OF 1 SHEETS

PROJECT INFORMATION
 APPLICANT/OWNER: ROBERT E. & LYNN L. ENRIGHT
 PROJECT ADDRESS: 1234 SOUTH PACIFIC STREET
 OCEANSIDE, CALIFORNIA 92054
 PHONE: 760-545-5555

GENERAL PLAN RESUBMISSION
 PROJECT NUMBER: 23 DIVISION
 DATE PREPARED: MARCH 14, 2008
 ASSIGNED TO: [Name]
 PROJECT NUMBER: 158-141-05-00
 ZONE: R1-RESIDENTIAL, TOURIST
 LOT SIZE: 4,674 SQ. FT. GROSS & NET
 LOT COVERAGE: NOT APPLICABLE
 LOT DEPTH: 130.0'
 LOT WIDTH: 37.5'
 FRONT YARD-GLAZED FACE AVENUE: 31'-REQUIRED OR 30'-REQUIRED OR 2'-REQUIRED OR 3'-REQUIRED OR

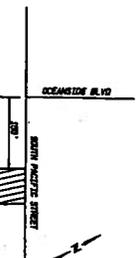
- LEGEND**
- TENTATIVE PARCEL MAP BOUNDARY
 - REQUIRED STRUCK
 - EXISTING CONTOURS (1' CONTOUR INTERVAL)
 - EXISTING SPOT ELEVATIONS
 - PROPOSED SPOT ELEVATIONS
 - REINFORCED CONCRETE WALLS
 - DIRECTION OF DRAINAGE
 - SYMBOLS
 - EXISTING

TOPOGRAPHY
 TOPOGRAPHY OF PHOTOGRAMMETRIC METHODS BY ROBERT J. LANG & ASSOCIATES PLUMB S-14-03

APPLICANT/OWNER SIGNATURE
 Robert E. Enright
 Date: 4/29/08

CONDOMINIUM NOTE
 THIS IS A SUBDIVISION OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4200.07, CIVIL CODE OF CALIFORNIA. THE STATE OF CALIFORNIA HAS ADEQUATE TITLE INSURANCE AND A TITLE COMPANY HAS BEEN OBTAINED BY THE APPLICANT. THE APPLICANT HAS OBTAINED A COMMUNITY DEVELOPMENT PLAN FROM THE CITY OF OCEANSIDE, CALIFORNIA, ON FILE WITH THE CITY OF OCEANSIDE. THE PLAN IS DATED OCTOBER 7, 2004.

NO NEW PUBLIC STORM DRAIN FACILITIES



APPROVED BY: [Signature]
 DATE: 4-29-08

APPROVED BY: [Signature]
 DATE: 4-29-08

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PLANNING COMMISSION
RESOLUTION NO. 2008-P39

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

APPLICATION NO: P-2-08 and RC-3-08
APPLICANT: Robert Enright
LOCATION: 1213 South Pacific Street

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map and Regular Coastal Permit under the provisions of Article 10 of the Zoning Ordinance and Article VI of the Subdivision Ordinance of the City of Oceanside, and the Coastal Permit Handbook Local Coastal Program of the City of Oceanside to permit the following:

a two-unit residential condominium map;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd day of June, 2008 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 15301(k) from environmental review and therefore the project is exempt;

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

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

3 <u>Description</u>	4 <u>Authority for Imposition</u>	5 <u>Current Estimate Fee or 6 Calculation Formula</u>
7 Parkland Dedication/Fee	8 Ordinance No. 91-10 9 Resolution No. 06-R0334-1	\$3,503 per unit
10 Drainage Fee	11 Ordinance No. 85-23 12 Resolution No. 06-R0334-1	13 Depends on area (range is 14 \$2,843-\$15,964 per acre)
15 Public Facility Fee	16 Ordinance No. 91-09 17 Resolution No. 06-R0334-1	\$2,072 per unit for residential
18 School Facilities Mitigation 19 Fee	20 Ordinance No. 91-34	21 \$2.63 per square foot 22 residential
23 Traffic Signal Fee	24 Ordinance No. 87-19 25 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
26 Thoroughfare Fee	27 Ordinance No. 83-01	28 \$255 per vehicle trip (based 29 on SANDAG trip generation table available from staff and from SANDAG)
30 Water System Buy-in Fees	31 Oceanside City Code 32 §37.56.1 33 Resolution No. 87-96 34 Ordinance No. 05-OR 0611-1	35 Fee based on water meter 36 size. Residential is typically 37 \$4,395 per unit.
38 Wastewater System Buy-in 39 fees	40 Oceanside City Code § 41 29.11.1 42 Resolution No. 87-97 43 Ordinance No. 05-OR 0610-1	44 Based on capacity or water 45 meter size. Residential is 46 typically \$6,035 per unit.
47 San Diego County Water 48 Authority Capacity Fees	49 SDCWA Ordinance No. 50 2005-03	51 Based on meter size. 52 Residential is typically 53 \$4,326 per unit.

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

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

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

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

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

13 WHEREAS, Planning Commission Resolution 2004-P49 approving P-8-03, D-15-03, and
14 RC-12-03, was adopted on October 11, 2004 by a 7-to-0 vote and included conditions of approval
15 that continue to apply to the subject site;

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

18 FINDINGS:

19 For the Tentative Parcel Map P-2-08:

- 20 1. The proposed subdivision creates two residential units that are consistent and exceed the
21 requirements of the RT zoning designation. The subdivision map is consistent with the
22 Subdivision Ordinance. The project does not interfere with the efficient and proper
23 provision of City services. Pursuant to Section 601 of the Subdivision Ordinance, this
24 Tentative Parcel Map has been prepared in a manner acceptable to the Engineering
25 Division. Tentative Parcel Map P-2-08 proposes the same subdivision as the expired
26 Tentative Parcel Map P-8-03. Tentative Parcel Map P-2-08 does not propose changes
27 from the originally approved two-unit condominium subdivision.
- 28 2. The proposed building pads on the site will conform to the topography of the site,
29 therefore, making it suitable for residential development. The 0.11-acre site is physically
suitable to allow for the development of two-residential condominium units.

- 1 3. The subdivision map is consistent with the General Plan of the City, including Sections
2 2.02 *Residential subdivision* and 2.35 *Dwelling Unit/Land Use Consistency Through*
3 *Density Reduction*. The site is physically suitable for the proposed density of
4 development, which are two dwelling units on a 4,874-square foot lot. The proposed
5 density range of 18.2 to 26.4 dwelling per gross acre is below the base density of the
6 UHD-R designation and within the density range of the next lower residential density.
7 The density is consistent with the Multiple Unit Structures (MUS) as determined by the
8 “Residential Unit Type/Residential Land Use Designation Consistency Matrix.”
- 9 4. That the design of the subdivision or the proposed improvements will not cause
10 substantial environment damage with the proposed mitigation or substantially and
11 avoidably injure fish or wildlife or their habitat.
- 12 5. The design of the subdivision or proposed improvements will not conflict with
13 easements, acquired by the public at large, for access by property within the subdivision.
- 14 6. The proposal complies with all other applicable ordinances, regulations and guidelines
15 of the City of Oceanside, including but not limited to the Local Coastal Plan.

16 For the Regular Coastal Permit RC-3-08:

- 17 1. The proposed project is consistent with the policies of the Local Coastal Program as
18 implemented through the Zoning Ordinance. Specifically, the physical aspects of the
19 project are consistent with the properties neighboring the project site. In addition, the
20 project will not substantially alter or impact existing public views of the coastal zone
21 area.
- 22 2. The proposed project will not obstruct any existing or planned public beach access;
23 including any beach areas fronting the existing property, therefore, the project is in
24 conformance with the policies of Chapter 3 of the Coastal Act.

25 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
26 approve Tentative Parcel Map (P-2-08) and Regular Coastal Permit (RC-3-08) subject to the
27 following conditions:

- 28 1. Development entitlements and conditions of approval for Development Plan D-15-03, as
29 identified in Planning Commission Resolution No. 2004-P49, shall remain in effect.
Pursuant to the State Map Act, improvements shall be required at the time of
subdivision. A covenant, reviewed and approved by the City Attorney, shall be recorded

1 attesting to these improvement conditions as well as to those of Planning Commission
2 Resolution No. 2004-P49 and a certificate setting forth the recordation shall be placed on
3 the map.

4 **Engineering:**

5 2. Vehicular access rights to South Pacific Street, with the exception of the access points
6 approved by the City Engineer, shall be relinquished by the property owner.

7 3. All right-of-way alignments, street dedications, exact geometrics, widths, and
8 improvements shall comply with the requirements of the City Engineer.

9 4. Legal access shall be provided to South Pacific Street prior to the filing of the final map.

10 5. Prior to approval of the final map, all improvement requirements, shall be covered by a
11 subdivision agreement and secured with sufficient improvement securities or bonds
12 guaranteeing performance and payment for labor and materials, setting of monuments,
13 and warranty against defective materials and workmanship.

14 6. The subdivider shall provide the City of Oceanside with a certification from each public
15 utility and each public entity owning easements within the proposed project stating that:
16 (a) they have received from the subdivider a copy of the proposed map; (b) they object or
17 do not object to the filing of the map without their signature; (c) in case of a street
18 dedication affected by their existing easement, they will sign a "subordination
19 certificate" or "joint-use certificate" on the map when required by the governing body.
20 In addition, the subdivider shall furnish proof to the satisfaction of the City Engineer that
21 no new encumbrances have been created that would subordinate the City's interest over
22 areas to be dedicated for public road purposes since submittal of the project.

23 7. Where off-site public or private improvements, including but not limited to slopes,
24 utility facilities, and drainage facilities, or on-site public facilities are to be constructed
25 and/or maintained, the subdivider shall, at his own expense, obtain all necessary
26 easements or other interests in real property and, in case of public facilities, shall
27 dedicate the same to the City of Oceanside or to the appropriate utility company as
28 required. The subdivider shall provide documentary proof satisfactory to the City of
29 Oceanside that such easements or other interest in real property have been obtained prior
to the approval of the final map. Additionally, the City of Oceanside, may at its sole
discretion, require that the subdivider obtain at his sole expense a title policy insuring the

1 necessary title for the easement or other interest in real property to have vested with the
2 City of Oceanside or the subdivider, as applicable.

3 8. Approval of this project is conditioned upon payment of all applicable impact fees and
4 connection fees in the manner provided in chapter 32B of the Oceanside City Code. All
5 drainage fees, traffic signal fees and contributions, highway thoroughfare fees, park fees,
6 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
7 recordation of the map or the issuance of any building permits, in accordance with City
8 Ordinances and policies. The subdivider shall also be required to join into, contribute,
9 or participate in any improvement, lighting, or other special district affecting or affected
10 by this project. Approval of the tentative map shall constitute the subdivider's approval
11 of such payments, and his agreement to pay for any other similar assessments or charges
12 in effect when any increment is submitted for final map or building permit approval, and
13 to join, contribute, and/or participate in such districts.

14 9. The subdivider shall obtain any necessary permits and clearances from all public
15 agencies having jurisdiction over the project due to its type, size, or location, including
16 but not limited to the U. S. Army Corps of Engineers, California Department of Fish &
17 Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality
18 Control Board (including NPDES), San Diego County Health Department, prior to the
19 issuance of grading permits.

20 10. The approval of the tentative map shall not mean that proposed grading or improvements
21 on adjacent properties (including any City properties/right-of-way or easements) is
22 granted or guaranteed to the subdivider. The subdivider is responsible for obtaining
23 permission to grade or to construct on adjacent properties. Should such permission be
24 denied, the resulting changes to the Tentative Map shall be subject to a Substantial
25 Conformity review. Changes not meeting substantial conformity requirements shall be
26 submitted for appropriate public hearing action.

27 11. The subdivision shall comply with all applicable regulations established by the United
28 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
29 Discharge Elimination System (NPDES) permit requirements for urban runoff and
stormwater discharge and any regulations adopted by the City pursuant to the NPDES
regulations or requirements. Further, the developer may be required to file a Notice of

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

13 12. Upon acceptance of any fee waiver or reduction by the subdivider, the entire project will
14 be subject to prevailing wage requirements as specified by Labor Code section
15 1720(b)(4). The subdivider shall agree to execute a form acknowledging the prevailing
16 wage requirements prior to the granting of any fee reductions or waivers.

17 13. The approval of the tentative map shall not mean that closure, vacation, or abandonment
18 of any public street, right-of-way, easement, or facility is granted or guaranteed to the
19 developer. The subdivider is responsible for applying for all closures, vacations, and
20 abandonments as necessary. The application(s) shall be reviewed and approved or
21 rejected by the City of Oceanside under separate process(es) per codes, ordinances, and
22 policies in effect at the time of the application. The City of Oceanside retains its full
23 legislative discretion to consider any application to vacate a public street or right-of-way.

24 14. In the event that conceptual plan does not match the conditions of approval, the
25 resolution of approval shall govern.

26 **Planning:**

27 15. This Tentative Parcel Map and Regular Coastal Permit shall expire twenty-four months
28 from its approval, unless this time period is extended by the provisions of Section 408 or
29 409 of the Subdivision Ordinance.

16. This Tentative Parcel Map and Regular Coastal Permit approve only a two-unit
residential condominium development as shown on the plans and exhibits presented to

1 the Planning Commission for review and approval. No deviation from these approved
2 plans and exhibits shall occur without Planning Division approval. Substantial
3 deviations shall require a revision to the Development Plan or a new Development Plan.

4 17. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
5 harmless the City of Oceanside, its agents, officers or employees from any claim, action
6 or proceeding against the City, its agents, officers, or employees to attack, set aside, void
7 or annul an approval of the City, concerning Tentative Parcel Map P-2-08 and Regular
8 Coastal Permit RC-3-08. The City will promptly notify the applicant of any such claim,
9 action or proceeding against the city and will cooperate fully in the defense. If the City
10 fails to promptly notify the applicant of any such claim action or proceeding or fails to
11 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to
12 defend, indemnify or hold harmless the City.

13 18. All multi-family unit dwelling projects shall dispose of or recycle solid waste in a
14 manner provided in City Code Section 13.3.

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

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

23 21. Failure to meet any conditions of approval shall constitute a violation of the Tentative
24 Parcel Map and Regular Coastal Permit.

25 22. Unless expressly waived, all current zoning standards and City ordinances and policies
26 in effect at the time building permits are issued or final occupancy granted are required
27 to be met by this project. The approval of this project constitutes the applicant's
28 agreement with all statements in the Description and Justification and other materials
29 and information submitted with this application, unless specifically waived by an
adopted condition of approval.

1 23. A Maintenance Agreement shall be formed and shall provide for the maintenance of all
2 common open space, medians and commonly owned fences and walls and adjacent
3 parkways. The maintenance shall include normal care and irrigation of landscaping,
4 repair and replacement of plant material and irrigation systems as necessary; and general
5 cleanup of the landscaped and open area, parking lots and walkways. The Maintenance
6 Agreement shall be subject to the review and approval of the City Attorney prior to the
7 approval of the final map. The Maintenance Agreement is required to be recorded prior
8 to or concurrently with the final map. Any amendments to the Maintenance Agreement
9 in which the property owners' relinquish responsibility for the maintenance of any
10 common open space shall not be permitted without the specific approval of the City of
11 Oceanside. Such a clause shall be a part of the Maintenance Agreement. The
12 Maintenance Agreement shall also contain provisions for the following:

- 13 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 14 b) Provisions for constructing individual patio covers, room additions and other
15 appurtenances.
- 16 c) An acknowledgement that the City of Oceanside does not have a view preservation
17 ordinance and that views may be subject to change with maturing off-site landscape
18 and the potential for future off-site building.

19 24. This project is subject to the provisions of the Local Coastal Plan for Coastal Housing.
20 The developer shall obtain a Coastal Affordable Housing Permit from the Director of
21 Housing and Neighborhood Services prior to recordation of a final map.

22 25. Prior to the approval of a final map, the applicant and landowner, shall execute and
23 record a covenant, in a form and content acceptable to the City Attorney, which shall
24 provide:

- 25 a) That the applicant understands that the site may be subject to extraordinary hazard
26 from waves during storms and from erosion, and the applicants assume the liability
27 from those hazards.
- 28 b) That the applicant unconditionally waives any claim of liability on the part of the City
29 and agrees to indemnify and hold harmless the City and its advisors relative to the
City's approval of the project for any damage due to natural hazards.

- 1 26. The seaward expansion of the existing revetment shall not be allowed. All
2 reconstruction activities shall be performed from the east site of the revetment.
- 3 27. All necessary permits from the Coastal Commission shall be obtained prior to
4 commencement of any construction, final occupancy is granted, or recording of the final
5 map.

6 **Water Utilities:**

- 7 28. The developer will be responsible for developing all water and sewer utilities necessary
8 to develop the property. Any relocation of water and/or sewer utilities is the
9 responsibility of the developer and shall be done by an approved licensed contractor at
10 the developer's expense.
- 11 29. The property owner shall maintain private water and wastewater utilities located on
12 private property.
- 13 30. Water services and sewer laterals constructed in existing right-of-way locations are to be
14 constructed by approved and licensed contractors at developer's expense.
- 15 31. All Water and Wastewater construction shall conform to the most recent edition of the
16 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
17 the Water Utilities Director.
- 18 32. The following condition shall be met prior to the approval of engineering design plans.
19 All public water and/or sewer facilities not located within the public right-of-way shall
20 be provided with easements sized according to the Water, Sewer, and Reclaimed Water
21 Design and Construction Manual. Easements shall be constructed for all weather access.
- 22 33. The following condition shall be met prior to the approval of engineering design plans.
23 Show all existing and proposed utilities on the engineering design plans.
- 24 34. The following condition shall be met prior to the approval of engineering design plans.
25 No trees, structures or building overhang shall be located within any water or wastewater
26 utility easement.
- 27 35. The following condition shall be met prior to the approval of engineering design plans.
28 All lots with a finish pad elevation located below the elevation of the next upstream
29 manhole cover of the public sewer shall be protected from backflow of sewage by
installing and maintaining an approved type backwater valve, per the Uniform Plumbing
Code (U.P.C.).

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

6 PASSED AND ADOPTED Resolution No. 2008-P39 on June 23, 2008 by the
7 following vote, to wit:

8 AYES:

9 NAYS:

10 ABSENT:

11 ABSTAIN:

12
13 _____
14 Dennis Martinek, Chairman
15 Oceanside Planning Commission

16 ATTEST:

17 _____
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2008-P39.
21

22 Dated: June 23, 2008
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PLANNING COMMISSION
RESOLUTION NO. 2004-P49

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN AND REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-8-03, D-15-03 and RC-12-03
APPLICANT: Robert Enright
LOCATION: 1213 South Pacific Street

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting Tentative Parcel Map, Development Plan and Regular Coastal Permit under the provisions of Articles 10 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a two-unit residential condominium development;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 11th day of October, 2004 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 15303 (b) from environmental review and therefore the project is exempt;

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

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

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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. R91-38	\$2,200 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	\$1,705 per acre
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	\$1,301 per unit
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.14 per square foot
10			
11	Traffic Signal Fee	Ordinance No. 87-19	\$13.70 per vehicle trip
12	Thoroughfare Fee	Ordinance No. 83-01	\$177 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
13			
14			
15	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 02-OR-332-1	Based on meter size Typical \$3,360
16			
17			
18	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1	Based on capacity or water meter size Typical \$4,114
19			
20			
21	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Based on meter size. Residential is typically \$2,004 per unit;
22			
23			

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

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

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

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

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

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

15 FINDINGS:

16 For the Tentative Parcel Map:

- 17 1. The proposed subdivision creates units that are consistent and exceed the requirements
18 of the RT zoning designation. The subdivision map is consistent with the General Plan
19 of the City.
- 20 2. The proposed building pads on the site will conform to the topography of the site,
21 therefore, making it suitable for residential development. The .11-acre site is physically
22 suitable to allow for the development of two-residential condominium units.
- 23 3. The subdivision complies with all other applicable ordinances, regulations and
24 guidelines of the City.
- 25 4. The design of the subdivision or proposed improvements will not conflict with
26 easements, acquired by the public at large, for access through the use of property within
27 the subdivision.
- 28 5. That the design of the subdivision or the proposed improvements will not cause
29 substantial environment damage with the proposed mitigation or substantially and
avoidably injure fish or wildlife or their habitat.

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For the Development Plan:

1. The site plan and physical design of the project is consistent with the Zoning Ordinance and the underlying Residential Tourist (RT) zone.
2. The Development Plan conforms to the General Plan of the City.
3. The project site can be adequately served by existing public facilities, services and utilities.
4. The project, as proposed, is compatible with the existing and potential development on adjoining properties or in the surrounding neighborhood.
5. The site plan and parameters for the architecture and physical design of the project is consistent with the policies contained within Sections 1.24 and 1.25 of the Land Use Element of the General Plan.

For the Regular Coastal Permit:

1. The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinance. Specifically, the physical aspects of the project are consistent with the properties neighboring the project site. In addition, the project will not substantially alter or impact existing public views of the coastal zone area.
2. The proposed project will not obstruct any existing or planned public beach access; including any beach areas fronting the existing property, therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Tentative Parcel Map (P-8-03), Development Plan (D-15-03) and Regular Coastal Permit (RC-12-03) subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Department plan check.
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and local building codes.

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3. Site development, common use areas, access and adaptability of apartments and condominiums shall comply with Part 2, Title 24, and C.C.R. (Disabled Access & Adaptability - HCD).

4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property shall be underground (City Code Sec. 6.30).

5. The building plans for this project are required by State law to be prepared by a licensed architect or engineer and must be in compliance with this requirement prior to submittal for building plan review.

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

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

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

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

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1 **Engineering:**

- 2 8. Vehicular access rights to Pacific Street shall be relinquished to the City along the
3 subdivision boundary, except for where the proposed driveway is located.
- 4 9. All right-of-way alignments, street dedications, exact geometrics and widths shall be
5 dedicated and improved as required by the City Engineer.
- 6 10. Design and construction of all improvements shall be in accordance with standard plans,
7 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 8 11. Prior to issuance of a building permit all improvement requirements shall be covered by a
9 development agreement and secured with sufficient improvement securities or bonds
10 guaranteeing performance and payment for labor and materials, setting of monuments, and
11 warranty against defective materials and workmanship.
- 12 12. Prior to issuance of a grading permit, the subdivider shall host a community meeting with
13 all of the areas residents potentially affected by construction activities to inform them of
14 the schedule and answer questions.
- 15 13. Prior to issuance of a building permit a phasing plan for the construction of public and
16 private improvements including landscaping, shall be approved by the City Engineer.
- 17 14. The approval of the tentative map shall not mean that the proposed closure, vacation, or
18 abandonment of any public street, right-of-way, easement, or facility indicated on the
19 tentative parcel map is granted or guaranteed to the subdivider. The subdivider is
20 responsible for applying for all closures, vacations, and abandonment's as necessary. The
21 application(s) shall be reviewed and approved or rejected by the City under separate
22 process(es) per codes, ordinances, and policies in effect at the time of the application.
- 23 15. Prior to approval of the parcel map or any increment, all improvement requirements,
24 within such increment or outside of it if required by the City Engineer, shall be covered by
25 a subdivision agreement and secured with sufficient improvement securities or bonds
26 guaranteeing performance and payment for labor and materials, setting of monuments, and
27 warranty against defective materials and workmanship.
- 28 16. Prior to issuance of the grading permit (or engineering drawing for a site development
29 plan) a construction schedule for the construction of public and private improvements
including landscaping, streets and arterials) shall be approved by the City Engineer. All

1 improvements shall be constructed prior to the issuance of the building permit.

2 17. Where proposed off-site improvements, including but not limited to slopes, public utility
3 facilities, and drainage facilities, are to be constructed, the applicant shall, at his own
4 expense, obtain all necessary easements or other interests in real property and shall
5 dedicate the same to the City as required. The applicant shall provide documentary proof
6 satisfactory to the City that such easements or other interest in real property have been
7 obtained prior to the approval of the parcel map or issuance of any grading, building or
8 improvement permit for the development/project. Additionally, the City, may at its sole
9 discretion, require that the applicant obtain at his sole expense a title policy insuring the
10 necessary title for the easement or other interest in real property to have vested with the
11 City of Oceanside or the applicant, as applicable.

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

16 19. The 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 storm water conveyance system.

21 b) All grading and related site preparation and construction activities shall be
22 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and on
23 Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-
24 producing unless otherwise extended by the City and all work should utilize the
25 latest technology for quiet equipment. All on-site construction staging areas shall
26 be as far as possible (minimum 100 feet) from any existing residential
27 development. Because construction noise may still be intrusive in the evening or
28 on holidays, the City of Oceanside Noise Ordinance also prohibits "any
29 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.

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

12 21. The exact alignment, width and design of all median islands, turning lanes, travel lanes,
13 driveways, striping, and all other traffic calming and control devices and measures,
14 including turnouts, bike lanes, and width/length transitions and other measures shall be
15 approved by the City Engineer at the time of final design.

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

19 23. A traffic control plan shall be submitted to and approved by the City Engineer prior to the
20 start of work within open City rights-of-way. Traffic control during construction of streets
21 that have been opened to public traffic shall be in accordance with construction signing,
22 marking and other protection as required by the CalTrans Traffic Manual. Traffic control
23 during construction adjacent to or within all public streets must also meet CalTrans
standards.

24 24. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
25 construction of the project, shall be repaired or replaced as directed by the City Engineer.

26 25. The developer shall comply with all the provisions of the City's cable television ordinances
27 including those relating to notification as required by the City Engineer.

28 26. Grading and drainage facilities shall be designed to adequately accommodate the local
29 storm water runoff and shall be in accordance with the City's Engineers Manual and as

1 directed by the City Engineer.

2 27. The applicant shall obtain any necessary permits and clearances from all public agencies
3 having jurisdiction over the project due to its type, size, or location, including but not
4 limited to the U. S. Army Corps of Engineers, California Department of Fish and Game, U.
5 S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
6 (including NPDES), San Diego County Health Department, prior to the issuance of grading
7 permits.

8 28. Prior to any grading of any part of the project, a comprehensive soils and geologic
9 investigation shall be conducted of the soils, slopes, and formations in the project. All
10 necessary measures shall be taken and implemented to assure slope stability, erosion
11 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
12 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
13 the City Engineer.

14 29. This project shall provide year-round erosion control including measures for the site
15 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
16 control plan, designed for all proposed stages of construction, shall be reviewed, secured
17 by the applicant with cash securities and approved by the City Engineer.

18 30. An erosion control plan and precise grading and private improvement plan shall be
19 prepared, reviewed, secured and approved prior to the issuance of any building permits.
20 The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs,
21 gutters, medians, striping, signage, footprints of all structures, walls, drainage devices and
22 utility services.

23 31. Landscaping plans, including plans for the construction of walls, fences or other structures
24 at or near intersections, must conform to intersection sight distance requirements.
25 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
26 prior to the issuance of a preliminary grading permit and approved by the City Engineer
27 prior to the issuance of building permits. Frontage and median landscaping shall be
28 installed prior to the issuance of any building permits. Project fences, sound or privacy
29 walls and monument entry walls/signs shall be designed, reviewed and constructed by the
landscape plans and shown for location only on grading plans. Plantable, segmental walls

1 shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated
2 through project landscape plans. The City Engineer must approve all plans and a pre-
3 construction meeting held, prior to the start of any improvements.

4 32. Open space areas and down-sloped areas visible from a collector-level or above roadway
5 and not readily maintained by the property owner, shall be maintained by a homeowners'
6 association that will insure installation and maintenance of landscaping in perpetuity.
7 These areas shall be indicated on the final map and either reserved for an association. In
8 either case, future buyers shall be made aware of any estimated monthly costs. The
9 disclosure, together with the CC&R's, shall be submitted to the City Engineer for review
10 prior to the recordation of final map. In the event the homeowner's association dissolves,
11 responsibility for irrigation and maintenance of the slopes (open space areas) adjacent to
12 each property shall become that of the individual property owner.

13 33. All storm drain systems shall be designed and installed to the satisfaction of the City
14 Engineer.

15 34. The drainage design on the tentative parcel map is conceptual only. The final design shall
16 be based upon a hydrologic/hydraulic study to be approved by the City Engineer during
17 final engineering. All drainage picked up in an underground system shall remain
18 underground until it is discharged into an approved channel, or as otherwise approved by
19 the City Engineer. All public storm drains shall be shown on City standard plan and
20 profile sheets. All storm drain easements shall be dedicated where required. The applicant
21 shall be responsible for obtaining any off-site easements for storm drainage facilities.

22 35. Storm drain facilities shall be designed and located such that the inside travel lanes on shall
23 be passable during conditions of a 100-year frequency storm.

24 36. Grading and drainage facilities shall be designed to adequately accommodate the local
25 storm water runoff and shall be in accordance with the City's Engineers Manual and as
26 directed by the City Engineer.

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

38. The development shall comply with all applicable regulations established by the United

1 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
2 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
3 storm water discharge and any regulations adopted by the City pursuant to the
4 N.P.D.E.S. regulations or requirements. Further, the applicant shall file a Notice of
5 Intent with the State Water Resources Control Board to obtain coverage under the
6 N.P.D.E.S. General Permit for Storm Water Discharges Associated with Construction
7 Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP)
8 concurrent with the commencement of grading activities. The SWPPP shall include
9 both construction and post construction pollution prevention and pollution control
10 measures and shall identify funding mechanisms for post construction control measures.
11 The developer shall comply with all the provisions of the Clean Water Program during
12 and after all phases of the development process, including but not limited to: mass
13 grading, rough grading, construction of street and landscaping improvements, and
14 construction of dwelling units. The applicant shall design the Project's storm drains
15 and other drainage facilities to include Best Management Practices to minimize non-point
16 source pollution, satisfactory to the City Engineer.

17 39. Upon acceptance of any fee waiver or reduction by the Developer/Subdivider/Project
18 Proponent/Applicant, the entire project will be subject to prevailing wage requirements
19 as specified by Senate Bill 975 and 972. The Developer/Subdivider/Project
20 Proponent/Applicant shall agree to execute a form acknowledging the prevailing wage
21 requirements prior to the granting of any fee reductions or waivers.

22 40. The Subdivider shall prepare and submit an Operations and Maintenance (O&M) Plan to
23 the Engineering Division with the first submittal of engineering plans. The O&M Plan
24 shall be prepared by the applicant's Civil Engineer. It shall be directly based on the
25 project's Storm Water Mitigation Plan (SWMP) previously approved by the project's
26 approving authority (Planning Commission). The O&M Plan shall be approved by the
27 City Engineer prior to approval of any plans by the Engineering Division. At a
28 minimum the O&M Plan shall include the designated responsible parties to manage the
29 storm water BMP(s), employee's training program and duties, operating schedule,
maintenance frequency, routine service schedule, specific maintenance activities, copies

1 of resource agency permits, cost estimate for implementation of the O&M Plan and any
2 other necessary elements.

3 41. The Subdivide shall enter into a City-Standard Stormwater Facilities Maintenance
4 Agreement with the City obliging the project proponent to maintain, repair and replace
5 the storm water Best Management Practices (BMPs) identified in the project's approved
6 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity.
7 The Agreement shall be approved by the City Attorney prior to issuance of any precise
8 grading permit and shall be recorded at the County Recorder's Office prior to issuance of
9 any building permit. Security in the form of cash (or certificate of deposit payable to the
10 City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance
11 of a precise grading permit. The amount of the security shall be equal to 10 years of
12 maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall
13 prepare the O&M cost estimate. The O&M cost estimate shall be approved by the City
14 Engineer prior to approval of any engineering plans for the project.

15 42. At a minimum, maintenance agreements shall require the staff training, inspection and
16 maintenance of all BMPs on an annual basis. The project proponent shall complete and
17 maintain O&M forms to document all maintenance activities. Parties responsible for the
18 O&M plan shall retain records at the subject property for at least 5 years. These
19 documents shall be made available to the City for inspection upon request at any time.

20 43. The Agreement shall include a copy of executed on-site and off-site access easements
21 necessary for the operation and maintenance of BMPs that shall be binding on the land
22 throughout the life of the project to the benefit of the party responsible for the O&M of
23 BMPs, until such time that the storm water BMP requiring access is replaced,
24 satisfactory to the City Engineer. The agreement shall also include a copy of the O&M
25 Plan approved by the City Engineer.

26 44. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP)
27 shall not be altered in any way, shape or form without formal approval by the project's
28 final approving authority (Planning Commission/ Community Development
29 Commission/City Council) at a public hearing, if such hearing was required for the
approval of the project.

1 **Fire:**

- 2 45. A minimum fire flow of 1,500 gallons per minute shall be provided.
- 3 46. The size of fire hydrant outlets shall be 2 ½ " X 4.
- 4 47. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
5 the site plan.
- 6 48. In accordance with the Uniform Fire Code Sec. 901.1.4.4., approved addresses for
7 Commercial, Industrial, and Residential Occupancies shall be placed on the structure in
8 such a position as to be plainly visible and legible from the street or roadway fronting the
9 property. Numbers shall contrast with their background.
- 10 49. Multi-family dwellings require 6-inch address numbers.
- 11 50. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
12 approval prior to the issuance of building permits.
- 13 51. Buildings shall meet Oceanside Fire Departments current adopted codes at the time of
14 building permit application.

15 **Planning:**

- 16 52. This Tentative Parcel Map, Development Plan and Regular Coastal Permit shall expire on
17 October 11, 2006, unless a time extension is granted by the Planning Commission.
- 18 53. This Tentative Parcel Map, Development Plan and Regular Coastal Permit approves only a
19 2-unit residential condominium development as shown on the plans and exhibits presented
20 to the Planning Commission for review and approval. No deviation from these approved
21 plans and exhibits shall occur without Planning Department approval. Substantial
22 deviations shall require a revision to the Development Plan or a new Development Plan.
- 23 54. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
24 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
25 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
26 annul an approval of the City, concerning Tentative Parcel Map P-8-03, Development Plan
27 D-15-03 and Regular Coastal Permit RC-12-03. The City will promptly notify the
28 applicant of any such claim, action or proceeding against the city and will cooperate fully
29 in the defense. If the City fails to promptly notify the applicant of any such claim action
or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter,

1 be responsible to defend, indemnify or hold harmless the City.

2 55. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
3 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
4 be reviewed and approved by the City Engineer and Planning Director prior to the issuance
5 of building permits. Landscaping shall not be installed until bonds have been posted, fees
6 paid, and plans signed for final approval.

7 56. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in
8 any adjoining public parkways shall be permanently maintained by the owner, his assigns
9 or any successors-in-interest in the property. The maintenance program shall include
10 normal care and irrigation of the landscaping; repair and replacement of plant materials;
11 irrigation systems as necessary; and general cleanup of the landscaped and open areas,
12 parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result
13 in the City taking all appropriate enforcement actions by all acceptable means including but

14 not limited to citations and/or actual work with costs charged to or recorded against the
15 owner. This condition shall be recorded with the covenant required by this Resolution.

16 57. All multi-family unit dwelling projects shall dispose of or recycle solid waste in a
17 manner provided in City Code Section 13.3.

18 58. A covenant or other recordable document approved by the City Attorney shall be prepared
19 by the applicant subdivider and recorded prior to the approval of the final map. The
20 covenant shall provide that the property is subject to this Resolution, and shall generally
21 list the conditions of approval.

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

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

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

3 61. Failure to meet any conditions of approval for this development shall constitute a violation
4 of the Parcel Map, Regular Coastal Permit and Development Plan.

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

10 63. The developer's construction of all fencing and walls associated with the project shall be in
11 conformance with the approved Development Plan. Any substantial change in any aspect
12 of fencing or wall design from the approved Development Plan shall require a revision to
13 the Development Plan or a new Development Plan.

14 64. If any aspect of the project fencing and walls is not covered by an approved Development
15 Plan, the construction of fencing and walls shall conform to the development standards of
16 the City Zoning Ordinance. In no case, shall the construction of fences and walls
17 (including combinations thereof) exceed the limitations of the zoning code, unless
18 expressly granted by a Variance or other development approval.

19 65. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's)
20 shall provide for the maintenance of all common open space, medians and commonly
21 owned fences and walls and adjacent parkways. The maintenance shall include normal
22 care and irrigation of landscaping, repair and replacement of plant material and irrigation
23 systems as necessary; and general cleanup of the landscaped and open area, parking lots
24 and walkways. The C.C. & R's shall be subject to the review and approval of the City
25 Attorney prior to the approval of the final map. The C.C. & R's are required to be recorded
26 prior to or concurrently with the final map. Any amendments to the C.C. & R's in which
27 the association relinquishes responsibility for the maintenance of any common open space
28 shall not be permitted without the specific approval of the City of Oceanside. Such a
29 clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for
the following:

- 1 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 2 b) Provisions regulating individual patio covers, room additions and other
- 3 appurtenances.
- 4 c) Provisions for the maintenance of all common open space and open space
- 5 easements on private lots, including provisions establishing mechanisms to ensure
- 6 adequate and continued monetary funding for such maintenance by the
- 7 homeowners' association.
- 8 d) Provisions prohibiting the homeowners association from relinquishing its
- 9 obligation to maintain the common open space and open space easement areas
- 10 without prior consent of the City of Oceanside.
- 11 e) An acknowledgement that the City of Oceanside does not have a view preservation
- 12 ordinance and that views may be subject to change with maturing off-site landscape
- 13 and the potential for future off-site building.

14 66. The applicant is prohibited from entering into any agreement with a cable television
 15 franchisee of the City, which gives such franchisee exclusive rights to install, operate,
 16 and/or maintain its cable television system in the development.

17 67. The following unit type and floor plan mix, as approved by the Planning Commission,
 18 shall be indicated on plans submitted to the Building Department and Planning Department
 19 for building permit:

	Sq.Ft.	# Bedrms.	# Baths	#Garage spaces	# Stories	# Units	%
20 Unit 1	2,500	3	3	2	2	1	50
21 Unit 2	2,500	3	4	2	2	1	50

22 68. Side and rear elevations and window treatments shall be trimmed to substantially match
 23 the front elevations. A set of building plans shall be reviewed and approved by the
 24 Planning Department prior to the issuance of building permits.

25 69. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially
 26 the same as those approved by the Planning Commission. These shall be shown on plans
 27 submitted to the Building Department and Planning Department.

28 70. This project is subject to the provisions of the Local Coastal Plan for Coastal Housing.
 29 The developer shall obtain a Coastal Affordable Housing Permit from the Director of

1 Housing and Neighborhood Services prior to issuance of building permits or recordation of
2 a final map, whichever occurs first.

3 71. Prior to the approval of a final map or issuance of a building permit, the applicant and
4 landowner, shall execute and record a covenant, in a form and content acceptable to the
5 City Attorney, which shall provide:

6 a) That the applicant understands that the site may be subject to extraordinary hazard
7 from waves during storms and from erosion, and the applicants assume the liability
8 from those hazards.

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

12 72. The seaward expansion of the existing revetment shall not be allowed. All reconstruction
13 activities shall be performed from the east site of the revetment.

14 73. A letter of clearance from the affected school district in which the property is located shall
15 be provided as required by City policy at the time building permits are issued.

16 79. The existing house shall be photographed in accordance with the OHPAC Policy 1.

17 80. The revetment shall be reconstructed by separate permit prior to issuance of grading
18 permits.

19 81. The reconstructed revetment shall be designed, approved and certified by the coastal
20 engineer of record.

21 82. All necessary permits from the Coastal Commission shall be obtained prior to
22 commencement of any construction.

23 **Water Utilities:**

24 83. The property owner shall maintain private water and wastewater utilities located on private
25 property.

26 84. The developer shall be responsible for developing all water and sewer facilities necessary
27 to develop the property. Any relocation of water and/or sewer lines is the responsibility of
28 the developer and shall be done by an approved licensed contractor at the developer's
29 expense.

85. All lots with a finish pad elevation located below the elevation of the next upstream

1 manhole cover of the public sewer shall be protected from backflow of sewage by
2 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
3 Code.

4 86. The water and wastewater buy-in fees and the San Diego County Water Authority Fees are
5 to be paid to the City and collected by the Water Utilities Department at the time of
6 building permit issuance.

7 87. All water and wastewater construction shall conform to the most recent edition of the
8 City's Engineers Manual, or as approved by the Water Utilities Director.

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

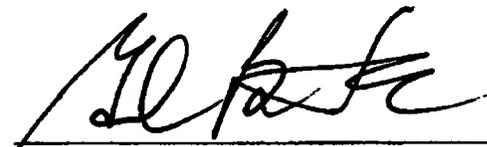
13 PASSED AND ADOPTED Resolution No. 2004-P49 on October 11, 2004 by the
14 following vote, to wit:

15 AYES: Barrante, Chadwick, Schaffer, Parker, Todd, Neal, Nack

16 NAYS: None

17 ABSENT: None

18 ABSTAIN: None

19 
20 _____
21 George Barrante, Chairman
22 Oceanside Planning Commission

23 ATTEST:

24 
25 _____
26 Gerald S. Gilbert, Secretary

27 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that
28 this is a true and correct copy of Resolution No. 2004-P49.

29 Dated: October 11, 2004



File Numbers: P-2-08, RC-3-08

Applicant: Robert Enright

Description:

TENTATIVE PARCEL MAP (P-2-08) and REGULAR COASTAL PERMIT (RC-3-08) to subdivide and create a two-unit residential condominium located at 1213 South Pacific Street. The project site is zoned RT (Residential Tourist) and is situated within the Townsite Neighborhood and the Coastal Zone. – **ENRIGHT PARCEL MAP II**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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



Application for Public Hearing

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

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Planning Department

STAFF USE ONLY

ACCEPTED

BY

RECEIVED
JAN 24 2008
Planning Department

SU.

Please Print or Type All Information

HEARING Planning Department

PART I - APPLICANT INFORMATION

1. APPLICANT

ROBERT ENRIGHT

2. STATUS

GPA

MASTER/SP.PLAN

ZONE CH.

3. ADDRESS

1212 S. PACIFIC ST

4. PHONE/FAX/E-mail

760 805 8883
760 453 0633

TENT. MAP

PAR. MAP P-2-08

P-2-08

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

DAVID SOANES

DEV. PL.

~~D-15-63200~~

C.U.P.

6. ADDRESS

6378 PASO POTOSI

7. PHONE/FAX/E-mail

760-476-0933
766 474 0937

VARIANCE

COASTAL

~~RC-3-08 RC-12-03200~~

PART II - PROPERTY DESCRIPTION

8. LOCATION

1213 S. PACIFIC ST

9. SIZE

4800 SF

10. GENERAL PLAN

11. ZONING

RH-U

12. LAND USE

DUPLEX

13. ASSESSOR'S PARCEL NUMBER

152141-05-00

PART III - PROJECT DESCRIPTION

Ret - 3/20/08, 4/29/08

14. GENERAL PROJECT DESCRIPTION

A tentative parcel map for two condominium units

15. PROPOSED GENERAL PLAN

16. PROPOSED ZONING

17. PROPOSED LAND USE

18. NO. UNITS

19. DENSITY

2

20. BUILDING SIZE

21. PARKING SPACES

22. % LANDSCAPE

23. % LOT COVERAGE or FAR

6000 SF

4

PART IV - ATTACHMENTS

24. DESCRIPTION/JUSTIFICATION

25. LEGAL DESCRIPTION

26. TITLE REPORT

27. NOTIFICATION MAP & LABELS

28. ENVIRONMENTAL INFO FORM

29. PLOT PLANS

30. FLOOR PLANS AND ELEVATIONS (File)

31. CERTIFICATION OF POSTING

32. OTHER (See attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):

ROBERT ENRIGHT

34. DATE

11/17/08

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:

Robert Enright

35. OWNER (Print)

ROBERT ENRIGHT

36. DATE

1-17-08

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

Sign:

Robert Enright

JULIANA

Description of project (Enright Residence):

The lot is 37.5ft by 80ft. and the building height has been surveyed at every level by Pasco Engineering and the final height is under 27ft. We received a building permit (#165161) dated 7/12/06 for a new duplex. Unit A is a 3 bedroom/3 full baths/2 half baths and Unit B is 3 bedrooms/2.5 baths.

Approximate square footage: unit A is 2450sf and unit B is 2550sf, with four garages (two per unit).

Justification is that we always intended to build a duplex at 1213 S. Pacific, the plans were always designed and engineered for a duplex, and we received a building permit for a duplex on 7/12/06 and are 80% completed.

History of our project: we received approval for a tentative map on 10/11/04 and finally got our building permit on 7/12/06 and I didn't realize I had to complete a condo map by 10/11/06. I was told way back when by a city person that once I had my building permit in place I would just keep moving through the process, so I didn't even think about extensions. But Pasco Engineering brought it to my attention about three weeks ago. Pasco is doing my condo map and mentioned that I should check with the City to make sure I didn't need to get an extension. That's when I learned the deadline had passed quite some time ago. It is my fault. I did not do my due diligence on my condo map requirements and that's why I'm asking the City to please grant an extension so that I can complete what has to be done for my duplex designation.

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Planning Department

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Page 3/4

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EXHIBIT "A"

LEGAL DESCRIPTION

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

LOT FIVE (5) IN BLOCK "G" OF TERRACE ANNEX, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 1044, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, APRIL 29, 1907, EXCEPTING THEREFROM THAT PORTION THEREOF, IF ANY, NOW OR HERETOFORE LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.



**CITY OF OCEANSIDE
PLANNING DEPARTMENT**

NOTICE OF EXEMPTION

TO: **RECORDER/COUNTY CLERK**
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
The Enright Residence

PROJECT LOCATION - SPECIFIC:
1213 S. Pacific St.
PARCEL MAP (P-8-03)
DEVELOPMENT PLAN (D-15-03)
REGULAR COASTAL PERMIT (RC-12-03)

PROJECT LOCATION - GENERAL:
S. Pacific St. Between
Oceanside Blvd. and Cassidy St.
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
PARCEL MAP (P-8-03) DEVELOPMENT PLAN (D-15-03) REGULAR COASTAL PERMIT (RC-12-03)
for construction of 2 dwelling units with a combined area of 4875 square feet, located at 1213 S. Pacific St.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:

Robert Enright
31499 Lake Vista Circle
Bonsall, CA 92003

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

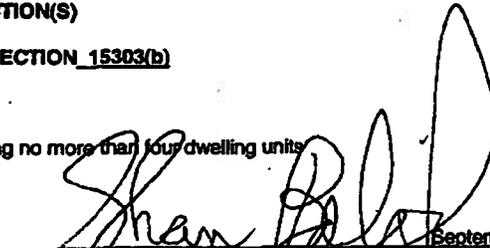
STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15303(b)

REASONS WHY PROJECT IS EXEMPT:

The project involves the construction of a duplex totaling no more than four dwelling units

Contact Person: Jerry Hittleman, Senior Planner


SIGNATURE
For: Gerald S. Gilbert, Planning Director

September 29, 2004
DATE