

# AGENDA NO. 7

**PLANNING COMMISSION**



**STAFF REPORT**

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DATE: August 24, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A VARIANCE (V-3-09) AND A REGULAR COASTAL PERMIT (RC-14-07) FOR THE DEMOLITION OF A MULTI-UNIT COMPLEX TO ENABLE THE CONSTRUCTION OF A NEW 4,739-SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH TANDEM OFF-STREET PARKING LOCATED AT 833 SOUTH PACIFIC STREET AND SITUATED WITHIN THE TOWNSITE NEIGHBORHOOD – 833 S. PACIFIC ST. LOT 18 – APPLICANT – BEACH CITY, LLC**

## **RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3 Categorical Exemption for New Construction pursuant to Section 15303(a) of the California Environmental Quality Act, and adopt Planning Commission Resolution No. 2009-P40 approving Variance (V-3-09) and Regular Coastal Permit (RC-14-07) with findings and conditions of approval attached herein.

## **PROJECT DESCRIPTION AND BACKGROUND**

**Background:** The subject property is Lot 18, and is located at the northwest corner of Pacific Street and Hayes Street at 833 South Pacific Street. The property was subdivided in 1906 under a recordation of map know as the Myers Addition, and the present structures on the property were built in 1931. An application for a Regular Coastal Permit was filed on July 11, 2007. A Variance application was filed on March 17, 2009.

**Site Review:** This 0.075-acre lot has an existing multi-unit complex that is currently used as beach rentals. Lot 18 is a legal lot that is substandard in width and area. The site is bordered to the east by Pacific Street, to the west by a riprap seawall and the shoreline, and to the north and south by existing residential developments. The site is within 100 feet of the Pacific Ocean. The existing ground surface elevation at the site varies from 23 feet Mean Sea Level (MSL) in the easternmost portion to approximately 13 feet MSL in the westernmost portion of the land.

The Land Use designation is Urban High Density Residential (UH-D) and the corresponding zoning classification is RT (Residential Tourist District) and is situated within the coastal zone. This property is within the Townsite Neighborhood and requires a Regular Coastal Permit based on its location. The property is also within the "appeal jurisdiction" of the local coastal zone, and under the certified Local Coastal Program (LCP), any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

**Project Description:** The project application is comprised of two components: a regular coastal permit and a variance.

Variance (V-3-09) represents a request for the following:

- (a) To permit the eight-car tandem parking design pursuant to Section 3103 and 3110.

Regular Coastal Permit (RC-14-07) represents a request for the following:

- (a) The demolition of an existing multi-family residential complex to allow for the construction of a 4,739-square foot single-family residence with an attached 857-square foot eight-car garage, and 1,573 square feet of deck space located within the appeal jurisdiction of the Local Coastal Program pursuant to Section III.D.1 of the Coastal Permit Handbook adopted May 8, 1985.

The applicant proposes to remove the existing structures and construct a new single-family home with an eight-car tandem elevator garage. The garage would be designed to allow two rows of cars to be parked side-by-side in a tandem configuration with an elevator that would elevate the cars to enable an additional four cars to be parked beneath. Proposed floor plan information is summarized below.

No. of Units	Floor Area (Sq. Ft.)	No. of Bathrooms	No. of Bedrooms	Garage	Stories
1	4,728	10	6	4-Car tandem with a 4 car lift that could possibly provide a total of 8 spaces.	2

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

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

## ANALYSIS

### KEY PLANNING ISSUES

#### 1. General Plan Compliance

##### Goal 1.23: Architecture

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

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

The single-family detached home reflects a contemporary Mediterranean architectural theme. The surrounding neighborhood includes a wide variety of single-family and multi-family dwelling designs and architectural styles that are similar to the proposed development. The proposed single-family residence will positively contribute to the eclectic building styles within the immediate area and will encourage redevelopment and enhancement of neighboring properties. Every effort has been made to design a project that is sensitive to the neighboring properties, an aesthetic enhancement to the area.

#### 2. Zoning Compliance

This project is located in the Urban High-Density residential (RH-U) district and complies with the requirements of that zone. The following table summarizes proposed and applicable development standards for the project site:

	MINIMUM REQUIRED	PROPOSED
MINIMUM LOT SIZE	6,000 sq. ft.	3,250 sq. ft. (Existing)
PARKING SPACES	2 –Spaces/DU within a garage	8 –Spaces/DU within a tandem garage with a car lift
FRONTYARD SETBACK	4 feet 1 inch (Blockface Average)	4 feet 1 inch (Blockface Average)
SIDEYARD SETBACK	6 feet combined	6 feet combined
REARYARD SETBACK	String line	String line
LOT WIDTH	60-ft.	25-ft
BUILDING HEIGHT	35-ft.	31-ft.

The proposed project meets all applicable requirements of the Oceanside Zoning ordinance.

### 3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Single Family Residential
North of Subject Property	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Vacant
East of Subject Property:	RH-U (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Multi-Family Residential
South of Subject Property:	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Multi-Family Residential
West of Subject Property:	Redevelopment	D-5 (Single Family & Multi-Family)	Multi-Family Condominiums

The land use for the site is consistent with the General Plan and the Zoning Ordinance designations of Residential Tourist District.

### 4. Local Coastal Program compliance

The proposed project is within the appeal jurisdiction of the Local Coastal Program (LCP) and complies with all provision of this zone. Projects within the Coastal Zone are required to meet the provisions of the adopted Local Coastal Program and the underlying RT zone. Such projects must provide for sensitive development in order to promote and achieve compatibility with surrounding development. The existing and evolving character of the neighborhood within the Coastal Zone and site-specific design elements have been considered at length throughout the design and review of this project.

The proposed single-family residence is not exceeding the 35-foot height restriction within the Coastal Zone. The project site is located in the original jurisdiction of the California Coastal Commission. As such, it is designated as High Density on the Land Use Map of the Local Coastal Program (LCP) and it is situated within the RT District of the LCP Zoning Map. Pursuant to Section III.D.1 of the LCP, the project requires a Regular Coastal Permit from the City of Oceanside because it includes shoreline structures and requests a variance.

### 5. California Environmental Quality Act (CEQA) Compliance

Article 19 of CEQA identifies Categorical Exemptions, including Class 3 exemptions for new construction, projects that will not have a significant effect on the environment. This proposal qualifies for a Categorical Exemption under CEQA Guidelines Section 15303(a) because it involves the construction of a single-family residential unit within a residential zone in an urbanized area that will not adversely affect the site or surrounding area.

## **DISCUSSION:**

*Issue: The off-street parking limitations on existing narrow shoreline properties.*

*Recommendation:* Many of the residential lots along the shore are narrow. Similar to this proposal, the lot's width may merely accommodate a two-car garage. The Zoning Ordinance requires that new single-family homes greater than 2,500 square feet provide three off-street parking spaces. This has the potential of limiting the size of new single-family residences on shoreline properties to 2,500 square feet. This development standard may not allow future development to sufficiently address the demand for parking in the area. By allowing tandem spaces along shore fronting properties, additional off-street parking spaces are created. This may provide a benefit to the surrounding area. In addition the proposed elevator car lift would allow four vehicles to be parked within the garage and lifted to a height that would allow four additional vehicles to be parked under the lifted vehicles. Therefore the proposed eight-car elevator garage with tandem spaces would provide the required parking needed to meet the development regulation, and at the same time would allow for a design that would give the impression of a two-car garage similar to many of the neighboring properties, that would house four vehicles.

*Issue: Change to the character of the 800 block of South Pacific Street as new construction is completed.*

*Recommendation:* One characteristic that will change is a reduction in the setback of buildings from the street. The Zoning Ordinance provides for an average front yard depth within a block to replace the front yard depth required by Section 1050. For example, the average depth of structural set backs along the 800 block of South Pacific Street is currently 3.88 feet. This is an allowed reduction from the otherwise required 15-foot front yard depth. As development occurs within the 800 block of South Pacific Street, the average structural setback distance will change (be reduced). As new development occurs, buildings will be constructed closer to the street and the pedestrian experience will become more urbanized. Therefore the proposed four-foot one-inch front yard setback would be consistent with many of the neighboring properties, and would provide design consistency for the neighborhood.

## **ENVIRONMENTAL DETERMINATION**

The project is exempt under the provisions of the California Environmental Quality Act (CEQA) 15303(a) New Construction or Conversion of Small Structures Section, Class 3(a).

**PUBLIC NOTIFICATION**

Pursuant to Article 41 of the Oceanside Zoning Ordinance, a Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, applicant and other interested parties. Copies of this agenda item have been mailed to the applicant and their representatives.

**SUMMARY**

The proposed Variance (V-3-09) and Regular Coastal Permit (RC-14-07), as conditioned, is consistent with the land use policies of the General Plan, the requirements of 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:

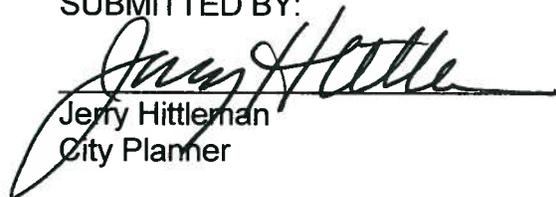
- Confirm the issuance of a CEQA Class 3 Categorical Exemption for "New Construction or Conversion of Small Structures"; approving Variance (V-3-09) and Regular Coastal Permit (RC-14-07) and adopt Planning Commission Resolution No. 2009-P40 as attached.

PREPARED BY:



Scott Nightingale  
Planner II

SUBMITTED BY:



Jerry Hittleman  
City Planner

JH/SN/fil

Attachments:

1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2009-P40
3. Primary Report
4. Blockface Average Application
5. BMB Car Lift Specifications







ARCHITECT  
**STUDIO 4**  
 10000 W. 15th Ave., Suite 100  
 Denver, CO 80202  
 (303) 751-4400  
 PALL LONGTON  
 ARCHITECT

PROJECT:  
**LOT 18**  
 831 S. PACIFIC ST.  
 OCCANBORN, CA

OWNER:  
**Beach City LLC**  
 3051 5th Street NW  
 OCCANBORN, CA 95024

OWNER'S REP:  
**PALL LONGTON**  
 STUDIO 4 ARCHITECTS  
 3051 5th Street NW  
 OCCANBORN, CA 95024  
 (916) 721-4844

REGISTERED DATE:  
 07/28/09  
 07/28/09

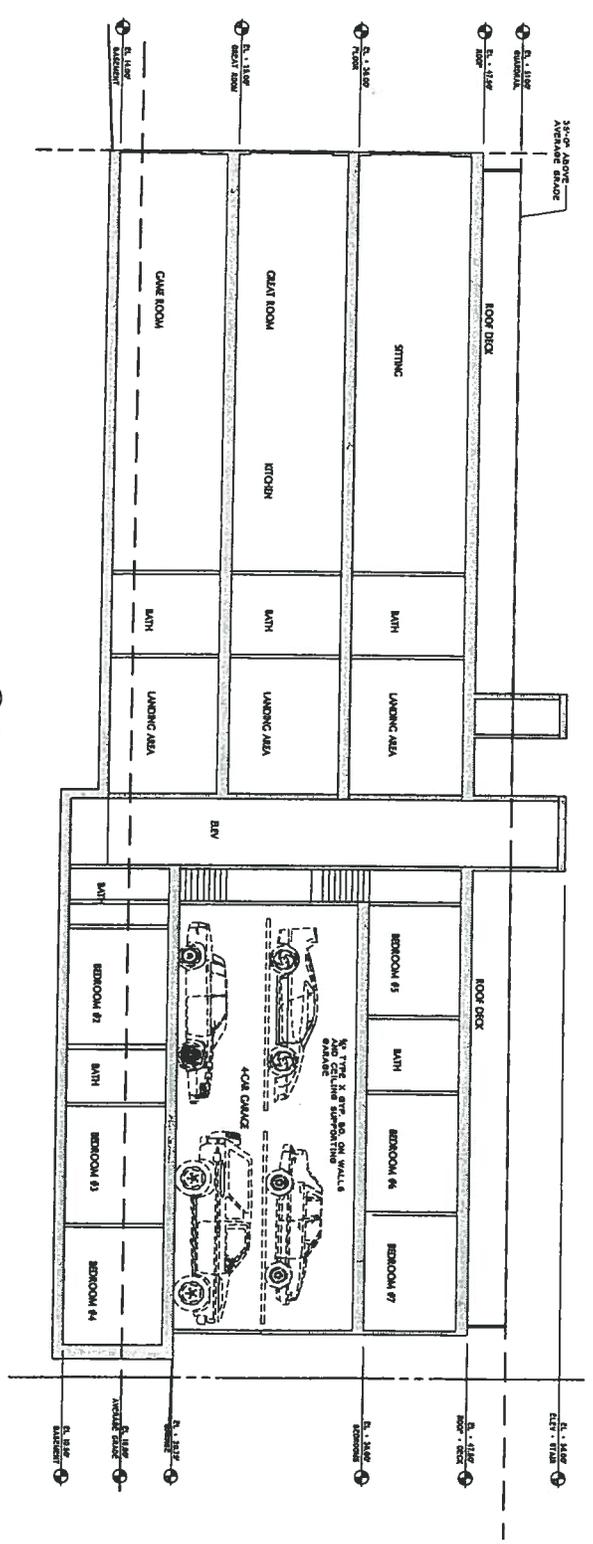
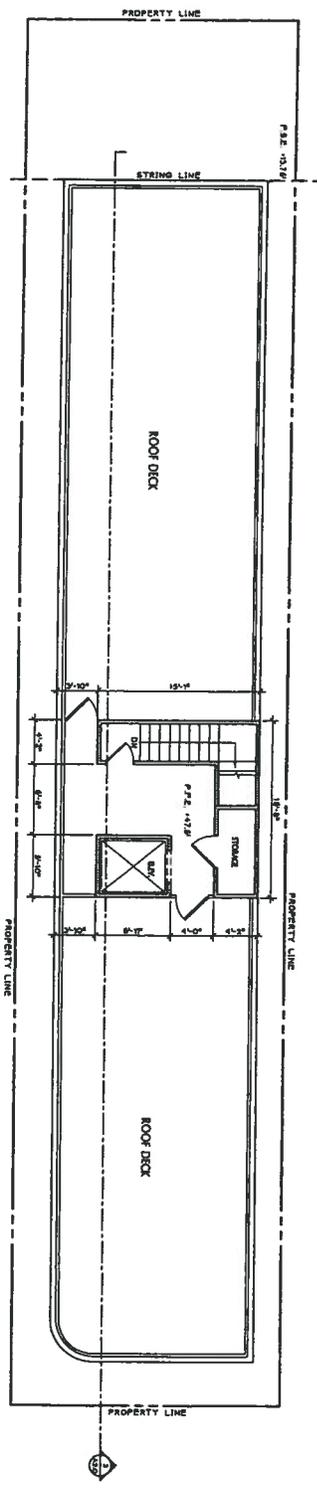
DEVELOPER:  
 BEACH CITY LLC  
 3051 5th Street NW  
 OCCANBORN, CA 95024

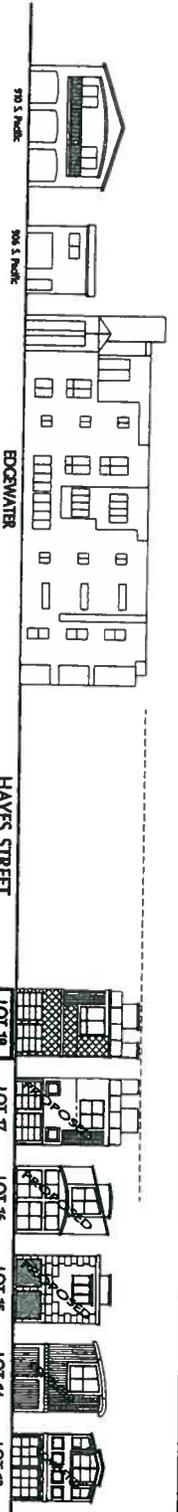
DRAWING STATUS:  
 01 PRELIMINARY  
 02 CONCEPT  
 03 PERMITS  
 04 PERMITS  
 05 PERMITS  
 06 PERMITS  
 07 PERMITS  
 08 PERMITS  
 09 PERMITS  
 10 PERMITS

STUDIO 4 ARCHITECTS  
 10000 W. 15th Ave., Suite 100  
 DENVER, CO 80202  
 (303) 751-4400  
 PALL LONGTON  
 ARCHITECT

SHEET TITLE  
**ROOF PLAN**  
 BLDG SECT

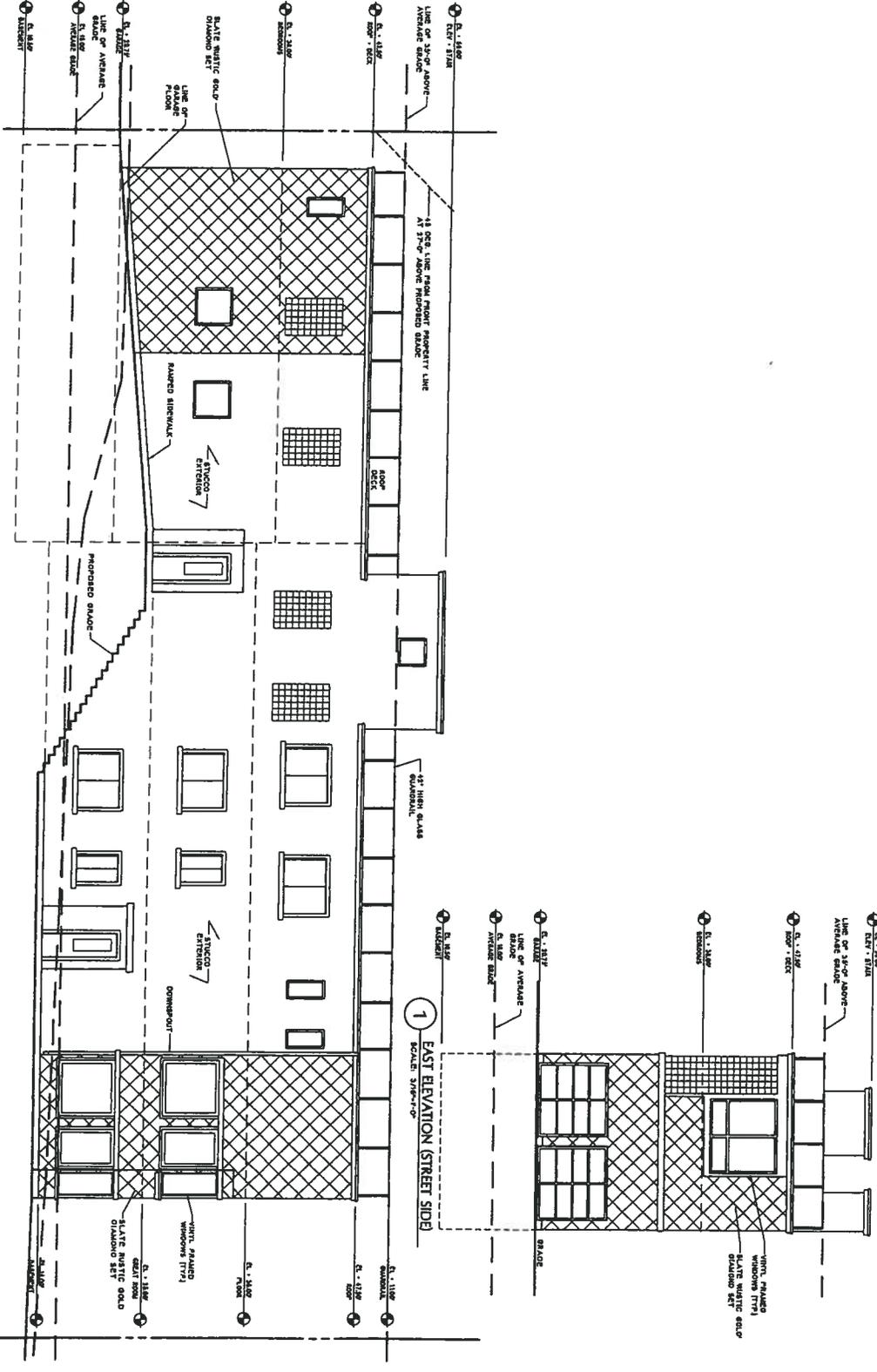
SHEET NO.  
**A-2.0**





**SOUTH PACIFIC - EAST ELEVATION**

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



**2 NORTH ELEVATION**  
SCALE: 3/8" = 1'-0"

**1 EAST ELEVATION (STREET SIDE)**  
SCALE: 3/8" = 1'-0"

**ARCHITECT:**  
**STUDIO 4**  
1000 N. 1ST ST.  
OCCASION, CA 95324  
TEL: 925-221-4444  
F: 925-221-4444  
P: 925-221-4444  
F: ARCHITECT@STUDIO4.COM  
PALL LONDON  
PRINCIPAL

**PROJECT:**  
**LOT 18**  
403 S. PACIFIC ST.  
OCCASION, CA

**OWNER:**  
**Beach City LLC**  
401 S. COAST HWY  
OCCASION, CA 95324

**OWNER'S REP:**  
**PALL LONDON**  
STUDIO 4 ARCHITECTS  
2000 HAZEL DRIVE  
OCCASION, CA 95324  
(916) 728-4848

**RELEASER DATES:**  
DATE: 07/20/19  
BY: [Signature]

**DRAWING STATUS:**

- 0 UNREVIEWED
- 1 REVIEWED AND APPROVED
- 2 REVIEWED AND NOT APPROVED
- 3 REVIEWED AND REJECTED
- 4 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 5 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 6 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 7 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 8 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 9 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 10 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 11 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 12 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 13 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 14 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 15 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 16 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 17 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 18 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 19 REVIEWED AND REJECTED (REVISIONS REQUIRED)
- 20 REVIEWED AND REJECTED (REVISIONS REQUIRED)

**OTHER:**  
DRAWN BY: HMR  
CHECKED BY: PL

**SHEET TITLE:**  
**EXTERIOR ELEVATIONS**

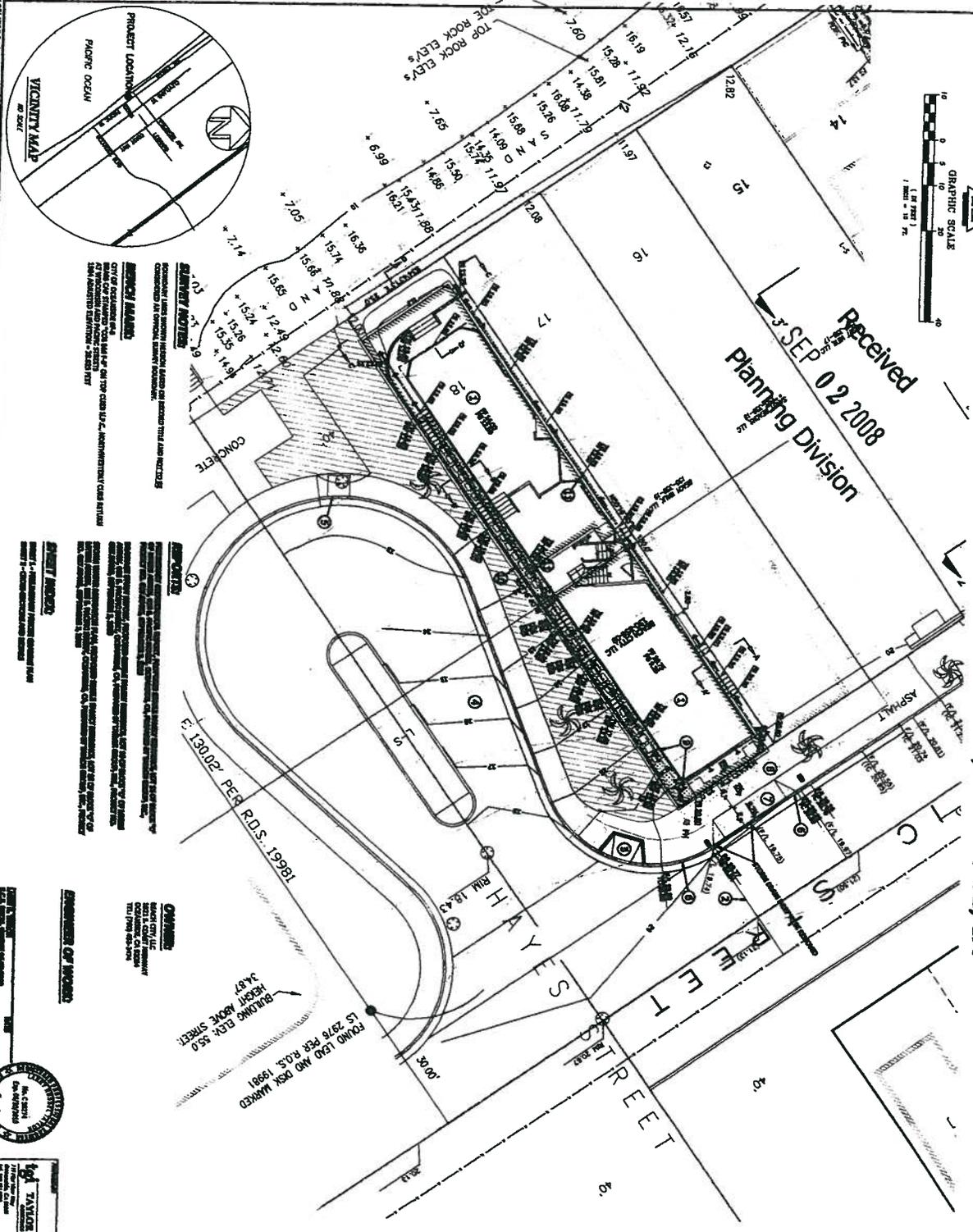
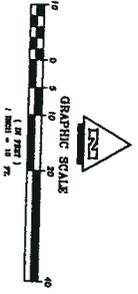
**SHEET NO.:**  
**A.3-A**





# PRELIMINARY GRADING PLAN FOR 833 S. PACIFIC STREET, OCEANSIDE, CA

Received  
SEP 02 2008  
Planning Division



**GENERAL NOTES:**  
1. ALL GRADING SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
2. THE GRADING SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
3. THE GRADING SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.

**CONCRETE:**  
1. ALL CONCRETE SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
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3. THE CONCRETE SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.

**FINISHES:**  
1. ALL FINISHES SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
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**PERMITS:**  
1. ALL PERMITS SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
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3. THE PERMITS SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.

**UTILITIES:**  
1. ALL UTILITIES SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
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3. THE UTILITIES SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.

**LANDSCAPE:**  
1. ALL LANDSCAPE SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
2. THE LANDSCAPE SHALL BE ACCORDING TO THE CITY OF OCEANSIDE'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.  
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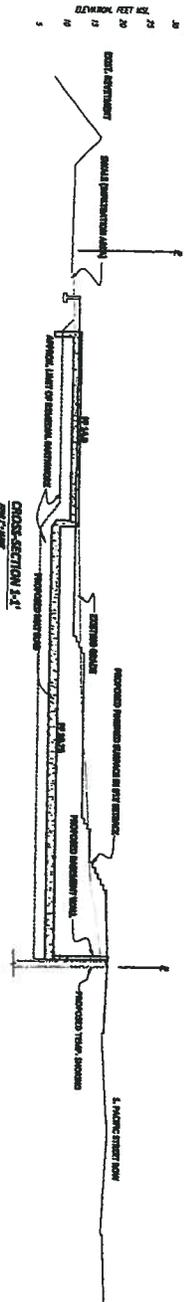
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Planning Department

**PRELIMINARY GRADING PLAN**  
833 SOUTH PACIFIC STREET

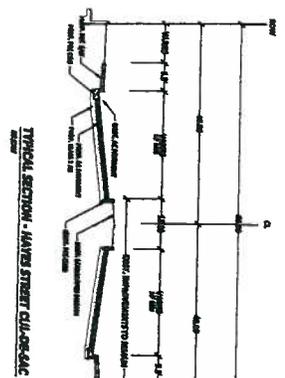
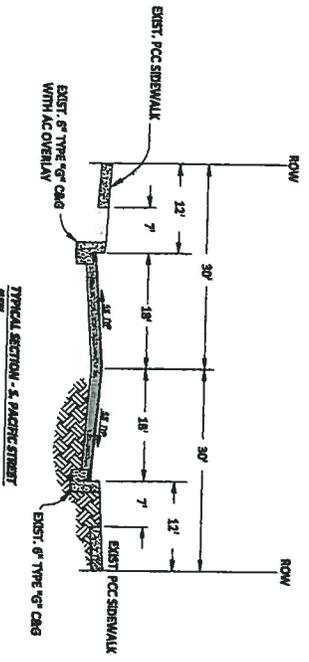
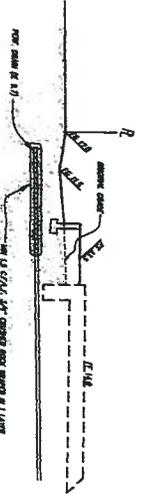
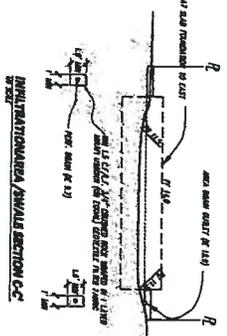
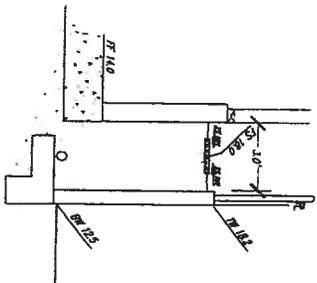
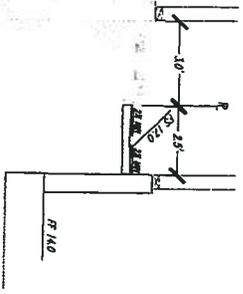
1 PRELIMINARY GRADING PLAN  
2

TAYLOR GROUP, INC.

# PRELIMINARY GRADING PLAN FOR 833 S. PACIFIC STREET, OCEANSIDE, CA



SEE PRELIMINARY GRADING PLAN FOR FINISH ELEVATIONS TO BE GRADED (CONFORM TO LOCAL ORDINANCES)



<p><b>TAYLOR GROUP, INC.</b>                  1000 S. PACIFIC STREET                  OCEANSIDE, CA 92054                  (760) 431-1111                  FAX (760) 431-1112</p>	<p style="text-align: center;"><b>SECTIONS &amp; DETAILS</b>                  833 SOUTH PACIFIC STREET</p>
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1 PLANNING COMMISSION  
2 RESOLUTION NO. 2009-P40

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 VARIANCE AND REGULAR COASTAL PERMIT ON  
6 CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

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7 APPLICATION NO: V-3-09, RC-14-07  
8 APPLICANT: Beach City, LLC  
9 LOCATION: 833 South Pacific Street  
10 Lot 18 in Block C of Myers' Annex to Oceanside

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms  
14 prescribed by the Commission requesting a Variance and Regular Coastal Permit under the  
15 provisions of Articles 10, 40, and 41 of the Zoning Ordinance of the City of Oceanside to permit  
16 the following:

17 demolition of existing structures, construction of a 4,739-square foot single-family  
18 dwelling and a variance allowing tandem parking design;  
19 on certain real property described in the project description.

20 WHEREAS, the Planning Commission, after giving the required notice, did on the 24<sup>th</sup>  
21 day of August, 2009 conduct a duly advertised public hearing as prescribed by law to consider  
22 said application.

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

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

28 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that  
29 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 (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG).
14			
15	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.
16			
17			
18	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.
19			
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 WHEREAS, the current fees referenced above are merely fee amount estimates of the  
25 impact fees that would be required if due and payable under currently applicable ordinances and  
26 resolutions, presume the accuracy of relevant project information provided by the applicant, and  
27 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

28 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be  
29 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside

1 City Code and the City expressly reserves the right to amend the fees and fee calculations  
2 consistent with applicable law;

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

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

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

11 WHEREAS, the documents or other material which constitute the record of  
12 proceedings upon which the decision is based will be maintained by the City of Oceanside  
13 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

16 FINDINGS:

17 For the Variance (V-3-09) to allow for a four-car tandem garage in lieu of the required  
18 horizontal three car garage requirement pursuant to Section 3103 and 3110.

- 19 1. That because of special circumstances or conditions applicable to 831 South Pacific  
20 Street (a 25-foot wide legal lot where 60 feet is required) strict application of the  
21 requirements of the Zoning Ordinance (Sections 3103, 3113, and 1050) deprives such  
22 property of privileges enjoyed by other property in the vicinity and under the  
23 Residential Tourist (RT) District classification. New residences with more than 2,500  
24 square feet are required to provide three off-street parking spaces; the use of tandem  
25 parking layout is an acceptable means of providing off-street parking spaces when a  
26 legal lot's width -- 25-feet -- is too narrow to accommodate three parking spaces side-  
27 by-side. Further, a tandem layout allows the property owner to enjoy vehicular access  
28 what would otherwise not be possible given the lot's width.
- 29 2. That granting the Variance (V-3-09) will not be detrimental or injurious to the property  
or improvements in the vicinity of the 4,739-square foot single-family home, or to the  
public health, safety or general welfare. A reduction in the required width of the garage

1 and access to the required third parking space (tandem layout) are granted because of  
2 the narrow width of the existing legal lot. Reductions in the required front yard in the  
3 RT District is permitted based upon the average depth of building set backs from the  
4 public right-of-way. The characteristic of the 800 block of South Pacific Street includes  
5 an average front yard depth of 3.88 feet.

- 6 3. That granting the Variance (V-3-09) is consistent with the purposes of the Zoning  
7 Ordinance and will not constitute a grant of special privilege inconsistent with  
8 limitations on other properties in the vicinity and in the RT District. Granting a variance  
9 to allow a reduction in the required garage width, a modification to the required parking  
10 access, and a reduction in the required garage set back is acceptable under the  
11 provisions of the Zoning Ordinance and the RT District and will not adversely affect the  
12 General Plan or the Local Coastal Program. The tandem parking layout will not pose a  
13 traffic problem nor be detrimental to the adjacent properties and the Townsite  
14 Neighborhood.

15 For the Regular Coastal Permit (RC-14-07) to allow construction of a new single-family  
16 residence:

- 17 1. The proposed single-family residence conforms to the Local Coastal Program (LCP),  
18 including the policies of that plan; for example, the proposal conforms to LCP II  
19 *Recreation and visitor serving facilities* policies 13 and 17 (regarding off-street parking)  
20 and LCP III *Water and marine resources; diking, dredging, filling, and shoreline*  
21 *structures; and hazard areas* policy 13 (requires assurance that development will not be  
22 imperiled by erosion during the expected life of the structure).
- 23 2. The project site, 833 South Pacific Street, is situated within the appeal area of the LCP  
24 and conforms to the public access and recreation policies of Chapter 3 of the Coastal  
25 Act. The 800 block of South Pacific Street is 450 feet in length. This adequately  
26 satisfies the requirement that every 500 feet public beach access be accommodated.  
27 Public access is provided at Wisconsin Avenue and Hayes Street.

28 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
29 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California  
Environmental Quality Act and approve Variance (V-3-09) and Regular Coastal Permit (RC-14-  
07) subject to the following conditions:

1 **Building:**

- 2 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for  
3 Building Division plan check (Currently the 2007 California Building Code, and 2007  
4 California Electrical Code).
- 5 2. The granting of approval under this action shall in no way relieve the applicant/project  
6 from compliance with all State and Local building codes.
- 7 3. The building plans for this project are required by State law to be prepared by a licensed  
8 architect or engineer and must comply with this requirement prior to submittal for building  
9 plan review.
- 10 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the  
11 property shall be underground (City Code Sec. 6.30).
- 12 5. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the  
13 plans.
- 14 6. The developer shall monitor, supervise and control all building construction and  
15 supporting activities so as to prevent these activities from causing a public nuisance,  
16 including, but not limited to, strict adherence to the following:
- 17 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
18 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
19 work that is not inherently noise-producing. Examples of work not permitted on  
20 Saturday are concrete and grout pours, roof nailing and activities of similar noise-  
21 producing nature. No work shall be permitted on Sundays and Federal Holidays  
22 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,  
23 Christmas Day) except as allowed for emergency work under the provisions of the  
24 Oceanside City Code Chapter 38 (Noise Ordinance).
- 25 b) The construction site shall be kept reasonably free of construction debris as  
26 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
27 approved solid waste containers shall be considered compliance with this  
28 requirement. Small amounts of construction debris may be stored on-site in a neat,  
29 safe manner for short periods of time pending disposal.
7. Construction plans submitted to the Building Division after January 1st 2008 must comply  
with the State adopted California Building Codes.

- 1 8. Separate/unique addresses will be required to facilitate utility releases. Verification that  
2 the addresses have been properly assigned by the City's Planning Division must  
3 accompany the Building Permit application.
- 4 9. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation  
5 will be required at time of plans submittal to the Building Division for plan check.
- 6 10. A Building (Demo) Permit will be required for the demolition of any existing structures.  
7 Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water, &  
8 sewer) are properly terminated/capped in accordance with the requirements of the utility  
9 service provider. All/any underground septic or water storage tanks must be removed or  
10 filled in accordance with the Uniform Plumbing Code and/or the City's Grading  
11 Ordinance.
- 12 11. As part of your plan check submittal for a Building Permit, submit a "plat" drawing  
13 showing the first floor elevations for each segment, the locations of the points where the  
14 floor level is six feet above grade, and the lowest elevation within five feet from the  
15 building for each segment or property line.
- 16 12. Setbacks and Type of Construction must comply with the 2007 California Building Code.  
17 Exterior openings less than five feet from the property line must be protected per table  
18 704.8 of the CBC. Exterior walls less than five feet to the property line must be one hour  
19 rated per Table 602 of the CBC.
- 20 13. All wired glass windows or doors between three and five feet from the property line must  
21 meet requirements of the new 2007 California Building Code table 715.5 and 715.5.3.
- 22 14. Building levels below grade (on all sides) shall be provided with a mechanical drainage  
23 system that provides drainage to an approved location/receptor.
- 24 15. Window wells must be installed per section 1026 of The CBC.

**Fire:**

- 24 16. The size of fire hydrant outlets shall be 2 ½ "X 4".
- 25 17. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design  
26 and Processing Manual Standard Drawing No. M-13.
- 27 18. Single-family dwellings require four-inch address numbers.
- 28 19. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval  
29 prior to the issuance of building permits.

- 1 20. Buildings shall meet Oceanside Fire Department's current codes at the time of building  
2 permit application.
- 3 21. Future development of the property will require compliance with all applicable Fire  
4 Department Standards.
- 5 22. A minimum fire flow of 1750 gallons per minute shall be provided.
- 6 23. Fire sprinklers are required as per NFPA13-D.
- 7 24. Fire Department requirements shall be placed on the plans and in the note section of the  
8 plans.

9 **Engineering:**

- 10 25. For the demolition of any existing structures or surface improvements, grading plans shall  
11 be submitted and erosion control plans be approved by the City Engineer prior to the  
12 issuance of a demolition permit. No demolition shall be permitted without an approved  
13 erosion control plan.
- 14 26. This project involves demolition of an existing structure or surface improvements; an  
15 erosion control plan shall be submitted and approved by the City Engineer before  
16 issuance of any demolition permit. No grading operation shall be allowed in  
17 conjunction with the demolition operation without an approved grading plan. No  
18 demolition shall be permitted without an approved erosion control plan.
- 19 27. All right-of-way alignments, street dedications, exact geometrics and widths shall be  
20 dedicated and improved as required by the City Engineer.
- 21 28. Design and construction of all improvements shall be in accordance with standard  
22 plans, specifications of the City of Oceanside and subject to approval by the City  
23 Engineer.
- 24 29. Prior to issuance of a building permit all improvement requirements shall be covered by  
25 a development agreement and secured with sufficient improvement securities or bonds  
26 guaranteeing performance and payment for labor and materials, setting of monuments,  
27 and warranty against defective materials and workmanship.
- 28 30. Where proposed off-site improvements, including but not limited to slopes, public  
29 utility facilities, and drainage facilities, are to be constructed, the owner/developer shall,  
at his own expense, obtain all necessary easements or other interests in real property  
and shall dedicate the same to the City of Oceanside as required. The owner/developer

1 shall provide documentary proof satisfactory to the City of Oceanside that such  
2 easements or other interest in real property have been obtained prior to issuance of any  
3 grading permit for the development. Additionally, the City of Oceanside, may at its  
4 sole discretion, require that the owner/developer obtain at his sole expense a title policy  
5 insuring the necessary title for the easement or other interest in real property to have  
6 vested with the City of Oceanside or the owner/developer, as applicable.

7 31. Prior to the issuance of a grading permit, the owner/developer shall notify and host a  
8 neighborhood meeting with all of the area residents located within 300 feet of the  
9 project site, to inform them of the grading and construction schedule, and to answer  
10 questions.

11 32. It is the responsibility of the owner/developer to evaluate and determine that all soil  
12 imported as part of this development is free of hazardous and/or contaminated material  
13 as defined by the City and the County of San Diego Department of Environmental  
14 Health. Exported or imported soils shall be properly screened, tested, and documented  
15 regarding hazardous contamination.

16 33. A traffic control plan shall be prepared according to the City traffic control guidelines  
17 and approved to the satisfaction of the City Engineer prior to the start of work within  
18 the public right-of-way. Traffic control during construction of streets that have been  
19 opened to public traffic shall be in accordance with construction signing, marking and  
20 other protection as required by the Caltrans Traffic Manual and City Traffic Control  
21 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless  
22 approved otherwise.

23 34. Approval of this development is conditioned upon payment of all applicable impact fees  
24 and connection fees in the manner provided in chapter 32B of the Oceanside City Code.  
25 All traffic signal fees and contributions, highway thoroughfare fees, park fees,  
26 reimbursements, and other applicable charges, fees and deposits shall be paid prior to  
27 the issuance of any building permits, in accordance with City Ordinances and policies.

28 35. Sidewalk improvements shall comply with ADA requirements. The parkway shall be  
29 landscaped and maintained by the owner of the subject property in perpetuity to the  
satisfaction of the City Engineer.

- 1 36. Sight distance requirements at the project driveway shall conform to the corner sight  
2 distance criteria as provided by SDRSD DS-20A and or DS-20B.
- 3 37. Streetlights shall be maintained and installed as required along the project's frontage,  
4 Pacific Street per City Standards. The system shall provide uniform lighting, and be  
5 secured prior to occupancy. The owner/developer shall pay all applicable fees, energy  
6 charges, and/or assessments associated with City-owned (LS-2 rate schedule)  
7 streetlights and shall also agree to the formulation of, or the annexation to, any  
8 appropriate street lighting district.
- 9 38. Pavement sections for Pacific Street and driveways areas shall be based upon approved  
10 soil tests and traffic indices. The pavement design is to be prepared by the  
11 owner's/developer's soil engineer and must be approved by the City Engineer, prior to  
12 paving.
- 13 39. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged  
14 during construction of the project, shall be repaired or replaced as directed by the City  
15 Engineer.
- 16 40. The owner/developer shall comply with all the provisions of the City's cable television  
17 ordinances including those relating to notification as required by the City Engineer.
- 18 41. Grading and drainage facilities shall be designed and installed to adequately  
19 accommodate the local storm water runoff and shall be in accordance with the City's  
20 Grading Ordinance and current San Diego County Hydrology Manual.
- 21 42. The owner/developer shall obtain any necessary permits and clearances from all public  
22 agencies having jurisdiction over the project due to its type, size, or location, including  
23 but not limited to the U. S. Army Corps of Engineers, California Department of Fish &  
24 Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality  
25 Control Board (including NPDES), San Diego County Health Department, prior to the  
26 issuance of grading permits.
- 27 43. The approval of the development shall not mean that proposed grading or improvements  
28 on adjacent properties is granted or guaranteed to the owner/developer. The  
29 owner/developer is responsible for obtaining permission to grade to construct on  
adjacent properties. Should such permission be denied, the development shall be  
subject to going back to the public hearing or subject to a substantial conformity review.

- 1 44. A precise grading and improvement plan shall be prepared, reviewed, secured and  
2 approved prior to the issuance of any building permits. The plan shall reflect all  
3 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping,  
4 and signage, footprints of all structures, walls, drainage devices and utility services.
- 5 45. Prior to any grading of any part of the project, a comprehensive soils and geologic  
6 investigation shall be conducted of the soils, slopes, and formations in the project. All  
7 necessary measures shall be taken and implemented to assure slope stability, erosion  
8 control, and soil integrity. No grading shall occur until a detailed grading plan, to be  
9 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved  
10 by the City Engineer.
- 11 46. The project Geotechnical Engineer shall review and approve the detailed shoring,  
12 foundation, site work plans prior to issuance of any permits. This approval shall be by  
13 wet signature which clearly indicates that the Geotechnical Engineer have reviewed the  
14 plans prepared by the Design Engineer and that plans are in conformance with the  
15 recommendation contained in their Geotechnical Report.
- 16 47. The approval of the Preliminary Grading Plan is predicated on the construction of a mat  
17 foundation. The approval of a grading permit will be assumed to be with the  
18 recommendation of a mat foundation as provided by the Geotechnical Engineer. The  
19 Engineering Division must be informed as to any changes as to this recommendation at  
20 the time of submittal for the grading permit.
- 21 48. An "As-Built" report prepared by the project Geotechnical Engineer must be submitted  
22 to the City for review. The report must include the results of all compaction tests as  
23 well as a map depicting the limits of over excavation, observed geological conditions,  
24 locations of all density tests, location and elevation of all retaining wall back-drains  
25 and outlets.
- 26 49. This project shall provide year-round erosion control including measures for the site  
27 required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
28 control plan, designed for all proposed stages of construction, shall be reviewed,  
29 secured by the owner/developer with cash securities and approved by the City Engineer.
50. Landscaping plans, including plans for the construction of walls, fences or other  
structures at or near intersections, must conform to intersection sight distance

1 requirements. Landscape and irrigation plans for disturbed areas must be submitted to  
2 the City Engineer prior to the issuance of a preliminary grading permit and approved by  
3 the City Engineer prior to the issuance of occupancy permits. Frontage and median  
4 landscaping shall be installed prior to the issuance of any certificates of occupancy.  
5 Any project fences, sound or privacy walls and monument entry walls/signs shall be  
6 shown on, bonded for and built from the landscape plans. These features shall also be  
7 shown on the precise grading plans for purposes of location only. Plantable, segmental  
8 walls shall be designed, reviewed and constructed by the grading plans and  
9 landscaped/irrigated through project landscape plans. All plans must be approved by  
10 the City Engineer and a pre-construction meeting held, prior to the start of any  
11 improvements.

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

20 52. Storm drain facilities shall be designed and located such that the inside travel lanes on  
21 streets with Collector or above design criteria shall be passable during conditions of a  
22 100-year frequency storm.

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

26 54. The owner/developer shall comply with applicable FEMA regulations. The  
27 owner/developer shall record a covenant against the property indemnifying and holding  
28 the City harmless from any claims regarding drainage and flooding prior to issuance of  
29 any grading or building permit

55. Following approval of the SWMP by the City Engineer and prior to issuance of grading  
permits, the owner/developer shall submit and obtain approval of an Operation &

1 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M  
2 Plan shall include an approved and executed Maintenance Mechanism pursuant to  
3 Section 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP).  
4 The O&M shall satisfy the minimum Maintenance Requirements pursuant to Section  
5 4.3 of the ISUSMP. At a minimum the O&M Plan shall include the designated  
6 responsible party to manage the stormwater BMP(s), employee training program and  
7 duties, operating schedule, maintenance frequency, routine service schedule, specific  
8 maintenance activities, copies of resource agency permits, cost estimate for  
9 implementation of the O&M Plan, a security to provide maintenance in the event of  
10 noncompliance to the O&M Plan, and any other necessary elements. The  
11 owner/developer shall provide the City with access to site for the purpose of BMP  
12 inspection and maintenance by entering into an Access Rights Agreement with the City.  
13 The owner/developer shall complete and maintain O&M forms to document all  
14 operation, inspection, and maintenance activities. The owner/developer shall retain  
15 records for a minimum of 5 years. The records shall be made available to the City upon  
16 request.

16 56. The owner/developer shall enter into a City-Standard Stormwater Facilities  
17 Maintenance Agreement with the City obliging the owner/developer to maintain, repair  
18 and replace the Storm Water Best Management Practices (BMPs) identified in the  
19 project's approved SWMP, as detailed in the O&M Plan into perpetuity. The  
20 Agreement shall be approved by the City Attorney prior to issuance of any precise  
21 grading permit and shall be recorded at the County Recorder's Office prior to issuance  
22 of any building permit. Security in the form of cash (or certificate of deposit payable to  
23 the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to  
24 issuance of a precise grading permit. The amount of the security shall be equal to 10  
25 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of  
26 \$25,000. The owner/developer's Civil Engineer shall prepare the O&M cost estimate.

26 57. At a minimum, maintenance agreements shall require the staff training, inspection and  
27 maintenance of all BMPs on an annual basis. The owner/developer shall complete and  
28 maintain O&M forms to document all maintenance activities. Parties responsible for  
29

1 the O&M plan shall retain records at the subject property for at least 5 years. These  
2 documents shall be made available to the City for inspection upon request at any time.

3 58. The Agreement shall include a copy of executed on-site and off-site access rights  
4 necessary for the operation and maintenance of BMPs that shall be binding on the land  
5 throughout the life of the project to the benefit of the party responsible for the O&M of  
6 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the  
7 O&M Plan approved by the City Engineer.

8 59. The BMPs described in the project's approved SWMP shall not be altered in any way,  
9 unless reviewed and approved to the satisfaction of the City Engineer. The  
10 determination of whatever action is required for changes to a project's approved SWMP  
11 shall be made by the City Engineer.

12 60. The owner/developer shall provide a copy of the cover page of approved SWMP with  
13 the first engineering submittal package. All Stormwater documents shall be in  
14 compliance with the latest edition of submission requirements.

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

23 62. The application(s) shall be reviewed and approved or rejected by the City of Oceanside  
24 under separate process (es) per codes, ordinances, and policies in effect at the time of  
25 the application. The City of Oceanside retains its full legislative discretion to consider  
26 any application to vacate a public street or right-of-way.

27 63. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire  
28 project will be subject to prevailing wage requirements as specified by Labor Code  
29 section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging  
the prevailing wage requirements prior to the granting of any fee reductions or waivers.

1 64. In the event that the conceptual plan does not match the conditions of approval, the  
2 resolution of approval shall govern.

3 65. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines  
4 and Specifications for Landscape Development (latest revision), Water Conservation  
5 Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the  
6 maintenance of such landscaping, shall be reviewed and approved by the City Engineer  
7 prior to the issuance of building permits. Landscaping shall not be installed until bonds  
8 have been posted, fees paid, and plans signed for final approval. The following  
9 landscaping requirements shall be required prior to plan approval and certificate of  
10 occupancy:

- 11 a) Final landscape plans shall accurately show placement of all plant material such  
12 as but not limited to trees, shrubs, and groundcovers.
- 13 b) Landscape Architect shall be aware of all utility, sewer, storm drain easement  
14 and place planting locations accordingly to meet City of Oceanside  
15 requirements.
- 16 c) All required landscape areas shall be maintained by owner. The landscape areas  
17 shall be maintained per City of Oceanside requirements.
- 18 d) Proposed landscape species shall be native or naturalized to fit the site and meet  
19 climate changes indicative to their planting location. The selection of plant  
20 material shall also be based on cultural, aesthetic, and maintenance  
21 considerations. In addition proposed landscape species shall be low water users  
22 as well as meet all fire department requirements.
- 23 e) All planting areas shall be prepared with appropriate soil amendments,  
24 fertilizers, and appropriate supplements based upon a soils report from an  
25 agricultural suitability soil sample taken from the site.
- 26 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil  
27 from the sun, evapotranspiration and run-off. All the flower and shrub beds  
28 shall be mulched to a 3" depth to help conserve water, lower the soil  
29 temperature and reduce weed growth.
- g) The shrubs shall be allowed to grow in their natural forms. All landscape  
improvements shall follow the City of Oceanside Guidelines.

- 1 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving  
2 surface is located within six feet of a trees trunk on-site (private) and within 10  
3 feet of a trees trunk in the right-of-way (public). Root barriers shall extend five  
4 feet in each direction from the centerline of the trunk, for a total distance of 10  
5 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around  
6 the tree's root ball is unacceptable.
- 7 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall  
8 obtain planning department approval for these items in the conditions or  
9 application stage prior to 1st submittal of working drawings.
- 10 j) For the planting and placement of trees and their distances from hardscape and  
11 other utilities/structures the landscape plans shall follow the City of Oceanside's  
12 (current) Tree Planting Distances and Spacing Standards.
- 13 k) An automatic irrigation system shall be installed to provide coverage for all  
14 planting areas shown on the plan. Low precipitation equipment shall provide  
15 sufficient water for plant growth with a minimum water loss due to water run-  
16 off.
- 17 l) Irrigation systems shall use high quality, automatic control valves, controllers  
18 and other necessary irrigation equipment. All components shall be of non-  
19 corrosive material. All drip systems shall be adequately filtered and regulated  
20 per the manufacturer's recommended design parameters.
- 21 m) All irrigation improvements shall follow the City of Oceanside Guidelines and  
22 Water Conservation Ordinance.
- 23 n) The landscape plans shall match all plans affiliated with the project.
- 24 o) Landscape plans shall comply with Biological and/or Geotechnical reports, as  
25 required, shall match the grading and improvement plans, comply with SWMP  
26 Best Management Practices and meet the satisfaction of the City Engineer.
- 27 p) Existing landscaping on and adjacent to the site shall be protected in place and  
28 supplemented or replaced to meet the satisfaction of the City Engineer.
- 29 66. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-  
way and within any adjoining public parkways shall be permanently maintained by the  
owner, his assigns or any successors-in-interest in the property. The maintenance

1 program shall include: a) normal care and irrigation of the landscaping b) repair and  
2 replacement of plant materials c) irrigation systems as necessary d) general cleanup of  
3 the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure  
4 to maintain landscaping shall result in the City taking all appropriate enforcement  
5 actions including but not limited to citations. This maintenance program condition shall  
6 be recorded with a covenant as required by this resolution.

7 67. In the event that the conceptual landscape plan (CLP) does not match the conditions of  
8 approval, the resolution of approval shall govern.

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

- 12 a) Dirt, debris and other construction material shall not be deposited on any public  
13 street or within the City's storm water conveyance system.
- 14 b) All grading and related site preparation and construction activities shall be  
15 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No  
16 engineering related construction activities shall be conducted on Saturdays,  
17 Sundays or legal holidays unless written permission is granted by the City  
18 Engineer with specific limitations to the working hours and types of permitted  
19 operations. All on-site construction staging areas shall be as far as possible  
20 (minimum 100 feet) from any existing residential development. Because  
21 construction noise may still be intrusive in the evening or on holidays, the City  
22 of Oceanside Noise Ordinance also prohibits "any disturbing excessive or  
23 offensive noise which causes discomfort or annoyance to reasonable persons of  
24 normal sensitivity."
- 25 c) The construction site shall accommodate the parking of all motor vehicles used  
26 by persons working at or providing deliveries to the site. An alternate parking  
27 site can be considered by the City Engineer in the event that the lot size is too  
28 small and cannot accommodate parking of all motor vehicles.
- 29 d) The owner/developer shall complete a haul route permit application (if required  
for import/export of dirt) and submit to the City of Oceanside Engineering

1 Division 48 hours in advance of beginning of work. Hauling operations (if  
2 required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

3 **Planning:**

4 69. The Variance (V-3-09) and Regular Coastal Permit (RC-14-07) shall expire on June 27,  
5 2012 unless implemented as required by the Zoning Ordinance.

6 70. The Variance V-3-09 and Regular Coastal Permit RC-14-07 is granted for the following  
7 purposes only:

8 a) Locating a required off-street parking space in an 850-sqaure foot four-car  
9 tandem garage with four additional space provided through a hydraulic car lift  
10 that would provide a total of eight parking spaces within the garage. All spaces  
11 are required to be enclosed and egress from South Pacific Street.

12 b) The demolition of the existing structures on the property located on Lot 18, to  
13 allow the construction of a 4,739-square foot residence with four enclosed, off-  
14 street parking spaces. No deviation from these approved plans and exhibits shall  
15 occur without Planning Commission approval. Substantial deviations shall require  
16 a revision to the Regular Coastal Permit or a new Coastal Permit.

17 71. Variance V-3-09 and Regular Coastal Permit RC-14-07 shall lapse three years after the  
18 effective date of approval unless implemented as provided in Section 4108.A of the  
19 Zoning Ordinance and as provided in the conditions as adopted herein.

20 72. Variance V-3-09 and Regular Coastal Permit RC-14-07 shall be called for review by the  
21 Planning Commission if complaints are filed and verified as valid by the City Planner or  
22 the Code Enforcement Officer concerning the violation of any of the approved  
23 conditions or the project assumptions demonstrated under the application approval.

24 73. The validity of Variance V-3-09 and Regular Coastal Permit RC-14-07 shall not be  
25 affected by changes in ownership or tenants.

26 74. Variance V-3-09 and Regular Coastal Permit RC-14-07 shall lapse if the exercise of  
27 rights granted by it is discontinued for six consecutive months.

28 75. Variance V-3-09 and Regular Coastal Permit RC-14-07 that are exercised in violation  
29 of a condition of approval or a provision of the Zoning Ordinance may be revoked, as  
provided in Section 4706.

1 76. A request for changes in conditions of approval of a variance, or a change to the  
2 approved plans that would affect a condition of approval, shall be treated as a new  
3 application. The City Planner may waive the requirements for a new application if the  
4 changes requested are minor, do not involve substantial alterations or addition to the  
5 plan or the conditions of approval, and are consistent with the intent of the project's  
6 approval or otherwise found to be in substantial conformance.

7 77. Variance V-3-09 and Regular Coastal Permit RC-14-07 may be revised or renewed in  
8 accordance with the provisions of the Zoning Ordinance. The application for V-3-09  
9 and RC-14-07 revision or renewal shall also be evaluated against the existing land use  
10 policies and any site area and neighborhood changes.

11 78. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
12 harmless the City of Oceanside, its agents, officers or employees from any claim, action  
13 or proceeding against the City, its agents, officers, or employees to attack, set aside,  
14 void or annul an approval of the City, concerning Variance (V-3-09) and Regular  
15 Coastal Permit (RC-14-07). The City will promptly notify the applicant of any such  
16 claim, action or proceeding against the City and will cooperate fully in the defense. If  
17 the City fails to promptly notify the applicant of any such claim action or proceeding or  
18 fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible  
19 to defend, indemnify or hold harmless the City.

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

24 80. Prior to issuance of a building permit, the applicant and landowner, shall execute and  
25 record a covenant, in a form and content acceptable to the City Attorney, which shall  
26 provide:

- 27 a) That the applicant understands that the site may be subject to extraordinary  
28 hazard from waves during storms and from erosion and the applicants assumes  
29 the liability from those hazards.
- b) That the applicant unconditionally waives any claim of liability on the part of  
the City and agrees defend and indemnify and hold harmless the City and its

1 advisors relative to the City's approval of the project for any damage due to  
2 natural hazards.

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

7 82. Failure to meet any conditions of approval for this project shall constitute a violation of  
8 the Variance V-3-09 and Regular Coastal Permit RC-14-07.

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

14 84. Side and rear elevations and window treatments shall be trimmed to match the front  
15 elevations. A set of building plans shall be reviewed and approved by the City Planner  
16 prior to the issuance of building permits.

17 85. Elevations, siding materials, colors, roofing materials and floor plans shall be  
18 substantially the same as those approved by the Planning Commission. These shall be  
19 shown on plans submitted to the Building Division for building permits.

20 86. All mechanical rooftop and ground equipment shall be screened from public view as  
21 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,  
22 mechanical equipment, screen and vents shall be painted with non-reflective paint to  
23 match the roof. All roof top surfaces shall have a non-reflective surface and mechanical  
24 appurtenances shall be painted to match the roof color. This information shall be shown  
25 on the building plans.

26 87. The HVAC case shall be fully enclosed and not project into a required yard or project  
27 above the district's height requirement.

28 88. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or  
29 earlier, so that its surface does not reflect light. Non-metallic roofing material is  
preferred and non-reflective roofing material is required. The copper roofing shall be  
treated to have a non-reflective surface (patina) at the time it is installed.

- 1 89. Lots is situated on the westerly side of the 800 block of South Pacific Street have an  
2 average front yard depth of 3.88 feet. The structure shall be set back from the front  
3 property line a minimum of 4.1 feet.
- 4 90. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall  
5 be compatible in scale with the existing development and shall not extend further  
6 seaward than the line established on the Stringline Setback Map.
- 7 91. Fence height limitations and opacity requirements are subject to Section 1050(U) of the  
8 Zoning Ordinance and required front yards. Fence materials shall be 75 percent  
9 transparent.
- 10 92. All wood fences adjacent to public right-of-way, visible from the public right-of-way,  
11 or facing the shore will be stained or otherwise finished with a waterproof material.
- 12 93. The developer's construction of all fencing and walls associated with the project shall  
13 be in conformance with the approved Regular Coastal Permit. Any substantial change  
14 in any aspect of fencing or wall design from the approved Regular Coastal Permit shall  
15 require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.
- 16 94. If any aspect of the project fencing and walls is not covered by an approved Regular  
17 Coastal Permit, the construction of fencing and walls shall conform to the development  
18 standards of the City Zoning Ordinance. In no case, shall the construction of fences and  
19 walls (including combinations thereof) exceed the limitations of the zoning code, unless  
20 expressly granted by a Variance or other development approval.
- 21 95. A minimum of 50 percent of a required yard adjoining a street shall be planting areas  
22 and landscaped.
- 23 96. Compliance with Oceanside Zoning Ordinance 1050(T) shall be required. Fifty percent  
24 of the required interior side yard shall be landscaped.
- 25 97. The project shall dispose of or recycle solid waste in a manner provided in City  
26 Ordinance 13.3.
- 27 98. In the event any subsurface archaeological resources are encountered during grading or  
28 construction activities, such activities in the locality of the find shall be halted  
29 immediately. An archaeologist, certified by the Society of Professional Archaeologists  
(SOPA), shall be brought in to determine the significance of the archaeological  
resources and implement appropriate mitigations prior to recommending earthwork.

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

3 100. Prior to the issuance of building permits the developer or owner shall make an  
4 irrevocable offer of dedication to the City of Oceanside an easement for lateral public  
5 access and passive recreational use along the shoreline adjacent to this property. The  
6 document shall provide that the offer of dedication shall not be used or construed to  
7 allow anyone, prior to acceptance of the offer, to interfere with any rights of public  
8 access acquired through a use which may exist on the property. The easement shall be  
9 located along the entire width of the property line to the toe of the bluff (toe of the  
10 seawall, a line 25 feet inland of the daily high water line, which is understood to be  
11 ambulatory from day to day). The easement shall be recorded free of prior liens and  
12 free of any other encumbrances which may affect said interest. The easement shall run  
13 with the land in favor of the City of Oceanside, and is binding to all successors and  
assignees.

14 101. Photo documentation of structures shall be accomplished in the following manner:  
15 Format (4" X 5") to include black and white shots of all exterior elevations of the  
16 cultural resource, producing archival quality negatives and contacts. Interior shots shall  
17 be accomplished in the same format. Color slide photo documentation shall be  
18 required, the number of shots to be determined by the OHPAC. All photo  
19 documentation shall be accomplished under the direction of a designated member of the  
20 OHPAC and to the satisfaction of the City Planner.

21 **Water:**

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

25 103. The property owner shall maintain private water and wastewater utilities located on private  
26 property.

27 104. Water services and sewer laterals constructed in existing right-of-way locations are to be  
28 constructed by approved and licensed contractors at developer's expense.  
29

- 1 105. All Water and Wastewater construction shall conform to the most recent edition of the
- 2 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
- 3 the Water Utilities Director.
- 4 106. Residential units shall be metered individually. Private utility systems for residential
- 5 developments are not allowed.
- 6 107. All public water and/or sewer facilities not located within the public right-of-way shall be
- 7 provided with easements sized according to the Water, Sewer, and Reclaimed Water
- 8 Design and Construction Manual. Easements shall be constructed for all weather access.
- 9 108. No trees, structures or building overhang shall be located within any water or wastewater
- 10 utility easement.
- 11 109. All lots with a finish pad elevation located below the elevation of the next upstream
- 12 manhole cover of the public sewer shall be protected from backflow of sewage by
- 13 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
- 14 Code (U.P.C.).
- 15 110. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
- 16 be paid to the City and collected by the Water Utilities Department at the time of Building
- 17 Permit issuance.

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1 111. 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. 2009-P40 on August 4, 2009 by the  
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11  
12 \_\_\_\_\_  
13 Claudia Troisi, Chairperson  
14 Oceanside Planning Commission

15 ATTEST:

16 \_\_\_\_\_  
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
19 this is a true and correct copy of Resolution No. 2009-P40.

20 Dated: August 4, 2009  
21  
22  
23  
24  
25  
26  
27  
28  
29

State of California - The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
PRIMARY RECORD

Primary #  
HRI #  
Trinomial  
NRHP Status Code

Other Listings  
Review Code

Reviewer

Date

Page 1 of 4

\*Resource Name or #- 835 S. Pacific St., Lot 18

P1. Other Identifier: none

\*P2. Location:  Not for Publication  Unrestricted

\*a. County: San Diego

and (132b and 132c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5'Quad:

Date: 1975 T11S, R 4W, 1/4 of 1/4 of Sec ; M.D. B.M. S.B.

c. Address: 835 S. Pacific St., Lot 18

City: Oceanside Zip: 92054

d. UTM: Zone: 10, mE/ mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:  
APN# 150-356-18

\*133a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The subject resource consists of four units in two buildings. The property is located on the corner of S. Pacific St. and Hayes St., with its western boundary, the Pacific Ocean. The buildings cover most of the lot, following the sloping terrain down to the beach. There is no landscaping. Each unit has a separate gable roof with a shed roof connecting the units. When the buildings were built, the exterior walls were covered with 1x10 wooden siding and the interior walls were knotty pine and plywood. At the present time, the exterior walls are stucco and the interior walls are plaster. The windows have been replaced. The four units are similar, although different in layout because of the stepped down terrain. The front unit on S. Pacific St. has 2 bedrooms with one of the bedrooms lower than the rest of the apartment. The next two units are one bedroom each. The beach front unit has 2 bedrooms. It is the only unit to feature a beamed ceiling as well as a patio on the beach. Kitchens and bathrooms have been replaced.

The building was remodeled in 1987. It is in good condition.

\*P3b. Resource Attributes: (List attributes and codes) HP3 Multi family property

\*P4. Resources Present:  Building  Structure  Object  Site  District  Element of District  Other (isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)

P5b. Description of Photo: (View, date, accession #)

south facade

6/20/07

\*P6. Date Constructed/Age and

Sources:  Historic

Prehistoric  Both

1934-County Assessor

\*P7. Owner and Address:

Beach City, LLC  
835 S. Pacific St.  
Oceanside, CA 92054

\*P8. Recorded by: (Name,

affiliation, and address)

Mary Taschner

322 N. Nevada St.

Oceanside, CA 92054

\*P9. Date Recorded: 7/12/07

\*P10. Survey Type: (Describe)

Intensive



\*P11. Report Citation: (Cite survey report and other sources, or enter "none.")

none

\*Attachments:  NONE  Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record  
 Archaeological Record  District Record  Linear Feature Record  Milling Station Record  Rock Art Record  
 Artifact Record  Photograph Record  Other (List):

DPR 523A (1/95)

\*Required information

**CONTINUATION SHEET**

\*Recorded by: Mary Taschner

\*Date: 7/12/07

Continuation

Update

Type in here!

The subject resource is located in the Myers Addition subdivided in 1906. Originally, the lot was owned by Emily Martha Hayes, a member of the prominent Hayes family. J. Chauncey Hayes was one of the founders of Oceanside and the pioneer real estate man of Oceanside. The Hayes Land Company was established in 1883. At one time, the company holdings included all the beach frontage between the Oceanside pier and Carlsbad. In 1906, Emily Hayes was one of the directors of the company. The 1907 Oceanside Blade featured large ads from the Hayes Land Company offering beach front lots for \$300 each with terms of 2/3 down and the balance to be paid in 6 and 12 months. The interest rate was 6 percent.

In 1907, Emily Hayes sold the land to Joseph E. Myers, a member of another prominent Oceanside family. Myers' father, Andrew J. Myers, is considered to be the "father of Oceanside". He was the first to file a patent on a 160 acre parcel of land in what is now Oceanside. Myers had nine children, but only two survived to adulthood, Edward and Joseph.

Joseph Myers owned the subject property for two years before he sold it to Fred Hayes in 1909. Fred Hayes was one of the fourteen children of J. Chauncey Hayes and Felipa Marron Hayes. He was instrumental in much of the development of the Oceanside area. Along with his father, he was one of the founders of the Hayes Land Company which eventually had offices in Oceanside, San Diego and Los Angeles. Fred Hayes had two children, Roby and Berry, who were also involved in real estate.

The property was deeded to the Hayes Land Company in 1910, then back to Fred Hayes later in the year. In 1912, Fred sold the land to Adam Layer, who was probably a land speculator.

Layer held the property for four years, selling it to Emily M. Arguello in 1916. Emily was also one of the fourteen children of J. Chauncey Hayes and Felipa Marron Hayes. Emily immediately sold the land to Los Angeles resident Clara M. Howard. Clara held the property for eight years. During that time, she married and as Clara M. Shepard, she sold it to William and Lilly Mercer in 1924. The Mercers' were also Los Angeles residents and both of them were real estate agents.

In 1931, the land was sold to Desire J. Forteville and his wife, Bertha. The Fortevilles' were the builders of the subject property which they named El Sereno Cottages.

**CONTINUATION SHEET**

\*Recorded by: Mary Taschner

\*Date: 7/12/07

Continuation

Update

Type in here!

Desire was born in Calais, France and moved to the United States in 1924. He was a carpenter and may have helped with the construction of the cottages. According to his obituary, he took considerable interest in the development of a clean, safe beach.

One year before Desire's death in 1947, the Fortevilles' sold the cottages to Joseph and Bernice Thomas. Joseph Thomas was a building contractor who owned a construction company.

William and Gladys Settle bought the property in 1948. They had originally lived in Lancaster, where they owned a grocery store. After their Oceanside purchase, they lived in the El Sereno Cottages.

IN 1955, Elmer and Rita Peters became the new owners of El Sereno. They did not live on the property, but managed it, along with the Sea Spray Cottages at 806 N. The Strand. Elmer also owned Peters' Wholesale Nurseries.

Elmer retired in 1962 and the Peters' sold the property to Jerry Greben in 1963. One year later, he sold it to Vista residents Ernest and Margaret Pechstein. The Pechsteins' kept the property for five years, selling to Oceanside residents, Gordon and Mildred Hardwick, in 1969. The Hardwicks' originally came to Oceanside, because Gordon was in the Marine Corps. After his military retirement, he became a probation officer in San Diego. Mildred was a real estate broker with Milton Properties.

In 1976, the property went to Liv R. Collier by agreement. The Hardwicks' deeded it to her on December 14, 1947. On the same day, several transactions moved the property from Liv R. Collier to Geoffrey A. Collier and then to David and Rose Housh.

Another series of transactions transferred the property from David and Rose Housh to Pacific Palms Associates LTD and back to the Houshes. In 1986, by order of the court, Rose Housh deeded the property to Cel Obert Inc. Cel Obert Inc. sold it to Oceanside Pacific Palms in 1988. By trustee's deed, the property went to Epsilon Properties Inc. in 1994. The company sold the property in 1995 to Grampl Calif Reo Assoc II, LLC.

In 1995, Pierre and Deborah Andre became the owners of the property.

**BUILDING, STRUCTURE, AND OBJECT RECORD**

Page of 4 of 4

\*NRHP Status Code

\*Resource Name or # (Assigned by recorder) 835 S. Pacific St., Lot18

B1. Historic Name: El Sereno Cottages

B2. Common Name: none

B3. Original Use: residential

B4. Present Use: residential

\*B5. Architectural Style: non-descript with elements of California ranch

\*1916. Construction History: (Construction date, alterations, and date of alterations)

Built-1934

Remodeled-1987 Per County Assessor

\*137. Moved?  No  Yes  Unknown Date:

Original Location:

\*138. Related Features: none

139a. Architect: none

b. Builder: possibly A. Zaiser

\*1310. Significance: Theme: Residential

Area: Oceanside

Period of Significance: 1934-present

Property Type: Residential

Applicable Criteria: n/a

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject resource is located on the Pacific Ocean. The land was originally bought by speculators who hoped to capitalize on this close proximity to the water. However, the land remained undeveloped for 27 years, although it changed owners frequently. At the present time, the area is a mix of older multi-family units and new condos. Because beach property is so desirable, the trend for new buildings will continue. The building has been remodeled extensively. It was built of average materials and the sub-standard construction typical of rental property at the time. The resource building was not designed by a master architect with a national reputation. It was not constructed of rare or unique materials. The building is not directly associated with any known historic events. Persons of historic standing are not directly associated with it. The building is unlikely to offer any information which would be of local, state or national importance. This study has effectively exhausted all research potential which may have existed for this building. The building is not eligible for nomination to national, California or local historic registers.

131 1. Additional Resource Attributes: (List attributes and codes) HP3 Multi family property

\*1312. References: S.D. County Assessor; Blade Tribune, various; US Census Records, 1900-1930; Foley, Mary Mix, The American Home, Harper & Roe, New York, 1980; Oceanside Telephone Directories, various; SD City & County Directories various

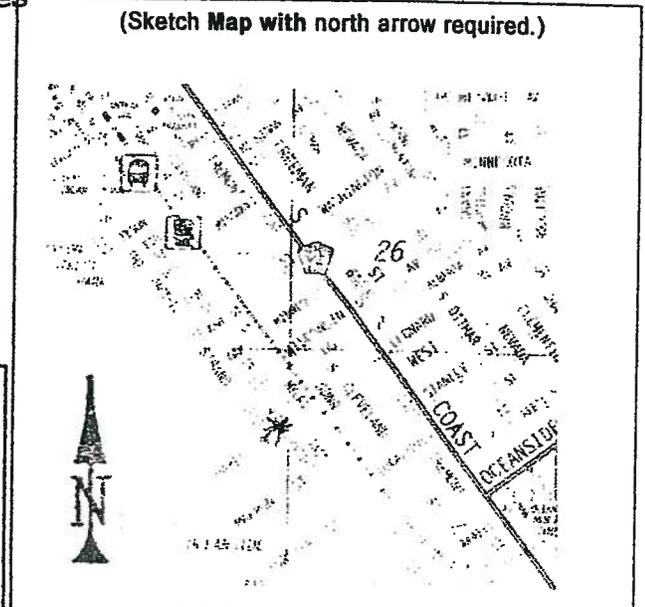
B13. Remarks:

\*1314. Evaluator: Mary Taschner *Mary Taschner*

\*Date of Evaluation: 7/12/07

(this space reserved for official comments.)

(Sketch Map with north arrow required.)





Received  
MAR 17 2009  
Planning Division

**City of Oceanside  
BLOCKFACE AVERAGE APPLICATION**

**Date:** March 11, 2009

**APPLICANT:** BEACH CITY, LLC

1821 S. COAST HIGHWAY

**(Street Address)**

OCEANSIDE CA 92054

**(City) (State) (Zip Code)**

(760) 453-2474

**(PHONE NUMBER)**

**Contact Person:** DAVID FISCHBACH **Phone Number:** (760) 453-2474

**Project Name/I.D.:** RC-14-07

**Project Address:** 833 S. PACIFIC STREET (LOT 18)

**Assessor Parcel Number(s):** 150-356-09-00

**Calculated Front Yard Average:** 4.01 FEET

- **Please include an 8 1/2" x 11" site plan and/or aerial image of the neighborhood block that depicts the front yard setbacks for all homes and/or properties on the subject block.**
- **Block Face Applications must include front yard setback dimensions and the addresses within subject block. All Block Face Applications must include a signed copy of a the proposed average front yard setback from a Licensed Engineer or a Licensed Surveyor.**

**CITY PLANNER DETERMINATION:** This project has been evaluated by the City Planner of the City of Oceanside in accordance with the Section 3016 of the Oceanside Zoning Ordinance. This project (Circle one) will or will not have a potentially significant adverse effect to the neighborhood and shall be in conjunction with the surrounding neighborhood.

For : Jerry Hittleman, City Planner

Date:

G:\Application Forms  
2007  
SN

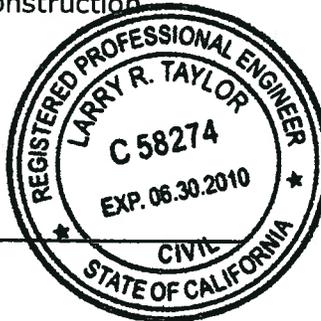
**Block Face Average Calculations  
833 S. Pacific Street (Lot 18)  
Project Number G07.00465**

No.	Lot No.	APN	Address	PL to Bldg. Face (ft) <sup>1</sup>	Setback Used for BFA (ft) <sup>2</sup>	Notes
PIQ	18	150-356-09	833 S. Pacific Street	-0.10	-0.10	5
1	1-3	150-356-12	801 S. Pacific Street	9.60	9.60	
2	4	150-356-02	805 S. Pacific Street	5.30	5.30	
3	5-7	150-356-13	809 S. Pacific Street	7.60	7.60	
4	8	150-356-14	811 S. Pacific Street	3.70	3.70	
5	9	150-356-15	813 S. Pacific Street	3.80	3.80	
6	10	150-356-16	815 S. Pacific Street	3.80	3.80	
7	11	150-356-22	817 S. Pacific Street	0.60	0.60	3
8	12	150-356-23	819 S. Pacific Street	0.60	0.60	
9	13	150-356-21	823 S. Pacific Street	8.75	8.75	
10	14	150-356-20	825 S. Pacific Street	1.00	3.88	6
11	15	150-356-17	827 S. Pacific Street	Vacant/undeveloped		4
12	16	150-356-18	829 S. Pacific Street	Vacant/undeveloped		4
13	17	150-356-19	831 S. Pacific Street	0.60	0.60	
Sum of Front Yard Setbacks:					48.13 ft	
Number of Properties:					12	
Block Face Average Setback:					4.01 ft	

**NOTES/COMMENTS:**

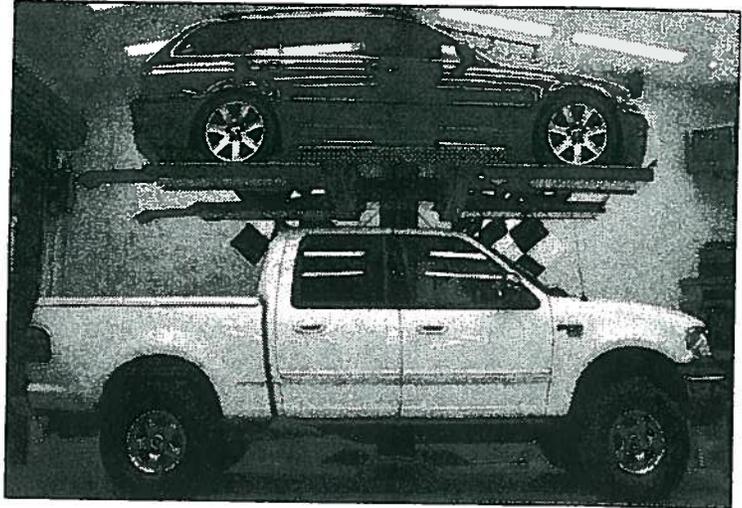
- 1 Measurements from survey by David Jolly Land Surveying revised 10/17/2007
- 2 Setback for BFA calculation per Z.O. Section 3016.
- 3 Setback to 2nd floor face.
- 4 Undeveloped lots excluded from BFA calculation per Z.O. Section 3016.
- 5 Structure extends 0.1' into ROW.
- 6 Approved setback for building under construction

  
 Larry R. Taylor  
 R.C.E. 58274, Expires 06/30/2010



Toll-free (888) 711-LIFT  
Escondido, Ca. (760) 745-5438 • Fax (760) 745-6200

## 'MaximumOne' Single Post Parking Lift



### Benefits and Features

#### SPACE-SAVING SINGLE POST DESIGN:

Requires less garage space than two-post and four-post parking/storage lifts. Offers unrestricted access. No worries about multiple posts to scratch your car or ding your wing mirrors during entry/exit

#### STURDY LIFTING CAPACITY:

Easily lifts most cars, trucks, vans and SUV's.

#### POSITIVE LOCKING MECHANISM:

Precision-engineered mechanism automatically engages locks for maximum safety when lift is raised.

#### NON-SAG STEEL TRACKS WITH SAFETY WHEEL GUIDES:

Gives you easy access for oil changes and underbody work.

#### SUPERIOR LIFTING HEIGHT

With up to 82" of clearance on its top lock, the MaximumOne accommodates virtually any car, truck, van and SUV on the market!

#### POWER UNIT:

220V.

#### ADJUSTABLE TRACK WIDTH:

You can increase or decrease the width between tracks to fit virtually any size vehicle you want!

#### INSTALLATION:

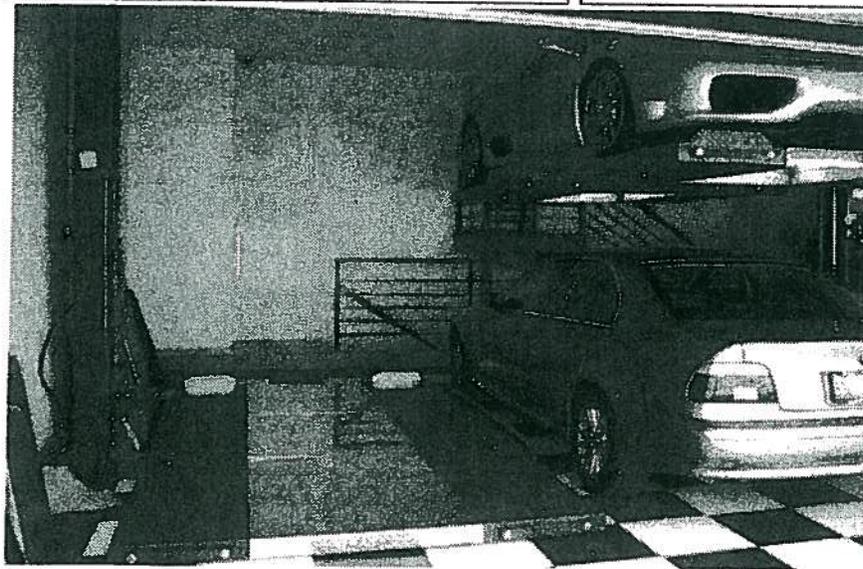
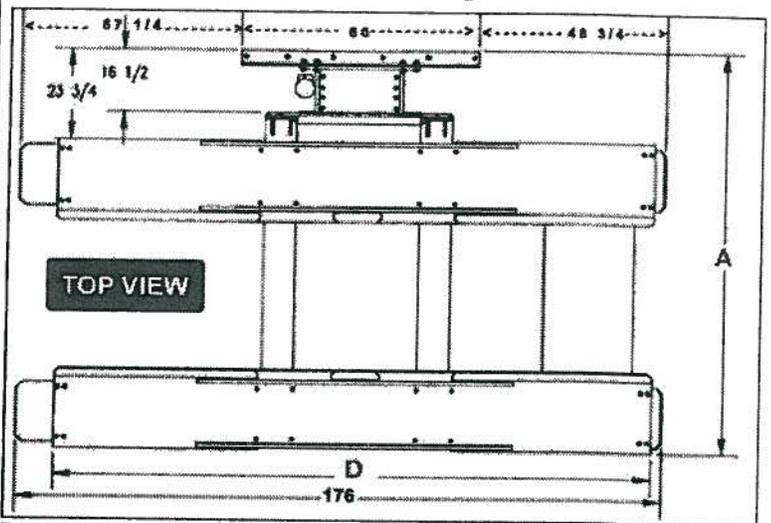
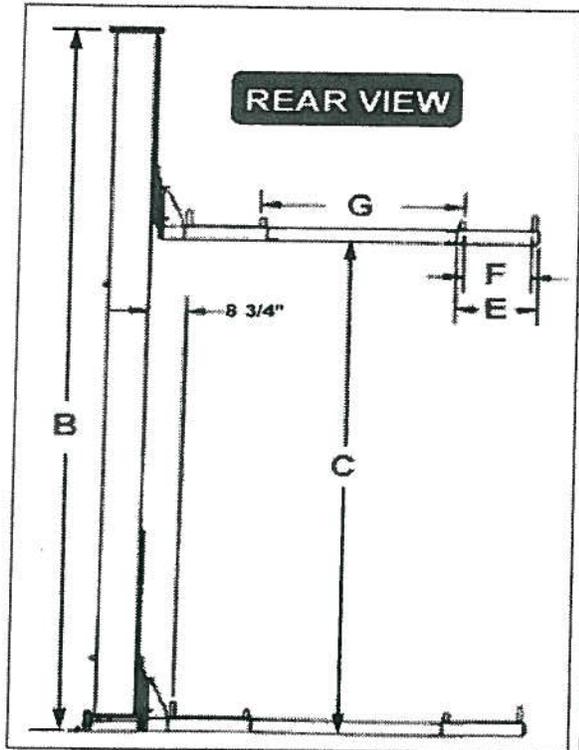
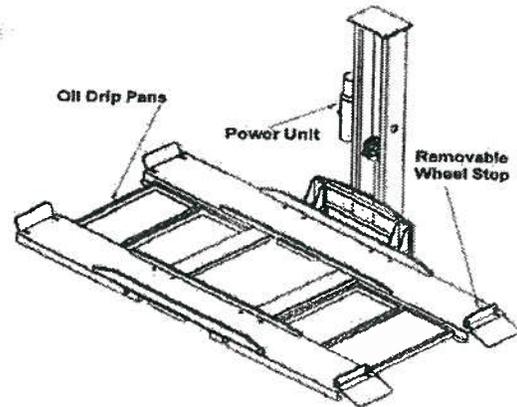
Mounts on standard concrete foundation using anchor bolts. Install yourself or use our nationwide professional installation service.

American Lift Systems, Inc.

DBA:

# AMERICAN Custom Lifts

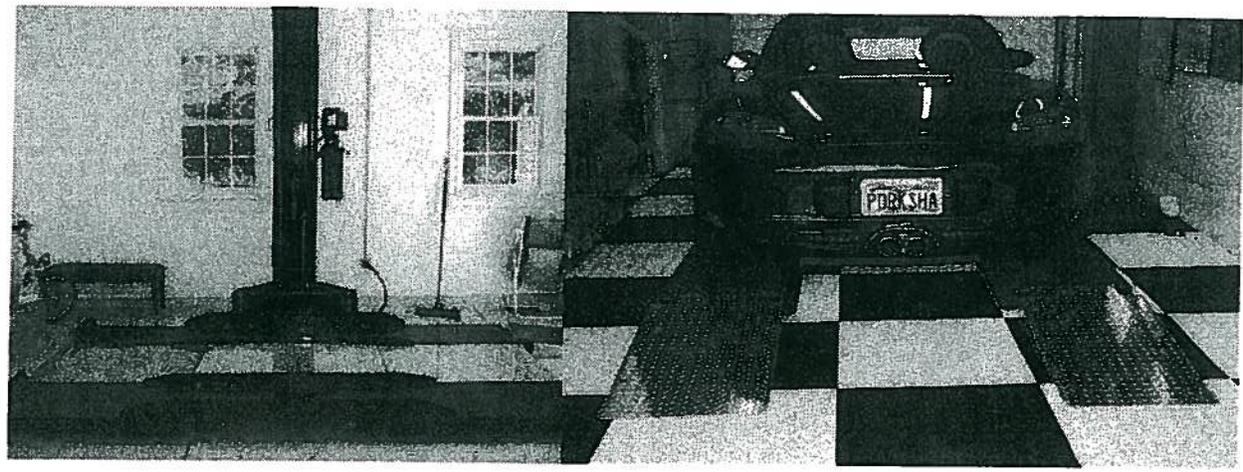
## Maximum-One specifications:



American Lift Systems, Inc.  
**AMERICAN**  
*Custom Lifts*

Maximum-One	Key	M1-4.5	M1-6.5
Overall Length (incl. drive-on ramps)		188"	188"
Overall Width	<b>A</b>	104"	104"
Overall Height	<b>B</b>	113"	143"
Max. Clearance (for lower vehicle)	<b>C</b>	<b>70 ½"</b>	<b>82 ½"</b>
Track Length	<b>D</b>	12' 8"	12' 8"
Track Width	<b>E</b>	24"	24"
Runway Width	<b>F</b>	24"	24"
Adjustable Width Between Tracks	<b>G</b>	(0" - 37")	(0" - 37")
Lifting Capacity		<b>4,500 lbs.</b>	<b>6,500 lbs.</b>
Lifting Speed (varies with load)		60 seconds	80 Seconds
Power Unit		*220V, 1 ph, 30 amp	220V, 1 ph, 30 amp
Price * Excluding tax, shipping and installation		<b>\$5,495*</b>	<b>\$5,795*</b>

CONCRETE: 3000 PSI, 5" thick. Reinforced w/ steel bar or wire mesh.  
 Specifications subject to change without notice or liability



**OPTIONAL ALUMINUM CENTERS: \$985**  
**ALUMINUM DRIVE ON RAMPS: Included**



**NOTICE OF EXEMPTION**  
City of Oceanside, California

Post Date: 08/25/2009  
Removal: 02/25/2010  
(180 days)

1. **APPLICANT:** David P. Fischbach
2. **ADDRESS:** P.O. Box 1454  
Rancho Santa Fe, CA. 92067
3. **PHONE NUMBER:** (858) 759-0381
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** (V-3-09 & RC-14-07) 833 S. Pacific St. Lot 18 .
7. **DESCRIPTION:** A Regular Coastal Permit and Variance for the demolition of an existing multi-family residential complex to allow for the construction of a 4,739-square foot single-family residence with an attached 857-square foot four car tandem garage with a four car lift for a total of eight spaces, and 1,573 square feet of deck space located within the appeal jurisdiction of the Local Coastal Program.

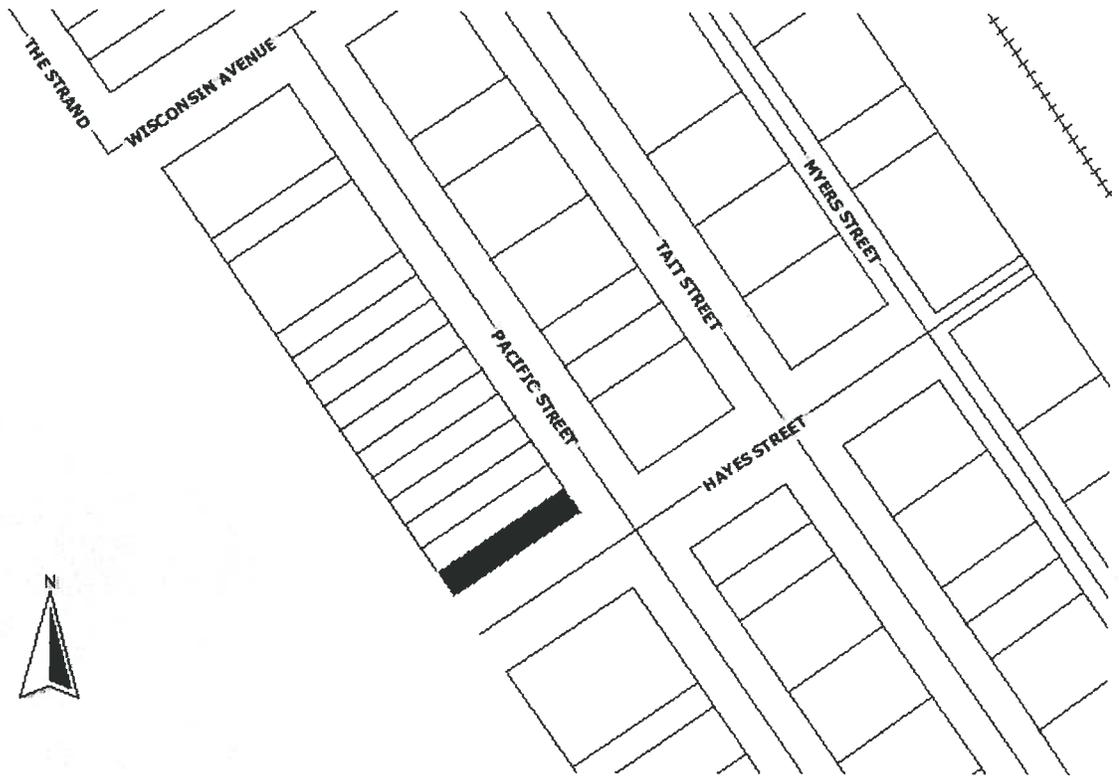
**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on this review, the Environmental Coordinator has determined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

- The project is categorically exempt, Class 3, for New Construction, Section 15303 (b); or,
- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section , <name> ( Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

  
\_\_\_\_\_  
Scott Nightingale, Planner II

Date: August 24, 2009

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



**File Number: V-3-09, RC-14-07**

**Applicant: David P. Fischbach**

**Description:**

VARIANCE (V-3-09) and REGULAR COASTAL PERMIT (RC-14-07) to permit the demolition of an existing multi-unit residential complex to enable the construction of a 4,739-square foot single family residence with a four-car tandem garage located at 833 South Pacific Street. The project site is zoned RT (Residential Tourist) and is within the Townsite and the Coastal Zone – **833 S. PACIFIC ST. LOT 18 – Applicant – Beach City, LLC**

**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

LOT 18



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

STAFF USE ONLY	
ACCEPTED	BY
Received	SS
MAR 17 2009	
Planning Division	

Please Print or Type All Information

**PART I - APPLICANT INFORMATION**

1. APPLICANT Beach City LLC	2. STATUS Owner
3. ADDRESS 1821 S. Coast Hwy Oceanside, 92054	4. PHONE/FAX/E-mail 760 453-2470
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Paul Longton	
6. ADDRESS 2909 Mesa Dr. Oceanside 92054	7. PHONE/FAX/E-mail 760 722-4904 Ph -4903 fax

HEARING
GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P.
VARIANCE 1-3-09 <del>4-19-07</del>
COASTAL RC-14-07
O.H.P.A.C.

**PART II - PROPERTY DESCRIPTION**

8. LOCATION 833 S. Pacific St.	9. SIZE 3250 SF
10. GENERAL PLAN No Change	11. ZONING RT
12. LAND USE Residential	13. ASSESSOR'S PARCEL NUMBER 150-356-09-00

**PART III - PROJECT DESCRIPTION** REV-3/17/09, 4/23/09

14. GENERAL PROJECT DESCRIPTION  
 Construction of a new single family home

15. PROPOSED GENERAL PLAN No Change	16. PROPOSED ZONING No Change	17. PROPOSED LAND USE No Change	18. NO. UNITS 1	19. DENSITY 13.4 du/acre
20. BUILDING SIZE 4595 SF	21. PARKING SPACES 4	22. % LANDSCAPE 25%	23. % LOT COVERAGE or FAR 63%	

**PART IV - ATTACHMENTS**

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

**PART V - SIGNATURES**

33. APPLICANT OR REPRESENTATIVE (Print): Paul Longton	34. DATE 3/17/09	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: <i>[Signature]</i>		
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		35. OWNER (Print) Irma Bennett
		36. DATE 3/17/09
		Sign: <i>[Signature]</i>

**Description & Justification  
For  
New Single Family Residence  
At  
Lot 18, 833 S Pacific St, Oceanside, 92054**

August 4, 2009  
Owner: Beach Walk LLC

**Statistics at a glance**

Address –	833 S Pacific St
APN –	150-356-09-00
Zoning –	RT
Proposed zoning –	No Change
Lot Size –	3,250 SF (.075 Acres)
Existing Land Use –	Residential
Proposed Land Use –	1 single family residence
Number of units –	1
Density/acre –	13.4 units/acre
Existing lot coverage -	78%
Proposed Lot Coverage	63.2%
Proposed Landscaping –	25%
Proposed Building Size:	
Habitable Basement	2095 SF
Habitable First Floor	1156 SF
Habitable Second Floor	1488 SF
<u>        Total Heated</u>	<u>4739 SF</u>
Garage (4-spaces)	857 SF
Decks	1573 SF

Parking required – 2 spaces  
Parking provided – 4 covered spaces, 2 regular parking spaces and two tandem spaces

This proposed project calls for the existing residential units to be demolished and replaced with the proposed building

## **Regular Coastal**

The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinances. Specifically the physical aspects of the project are consistent with the adjoining properties and those in the neighborhood. The project will not substantially alter or impact existing public views of the coastal zone area.

The proposed project will not obstruct any existing planned public beach access including any beach areas fronting the existing property; therefore the proposed project is in conformance with the policies of Chapter 3 of the Coastal Act.

**LEGAL DESCRIPTION**

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

LOT 18 IN BLOCK "C" OF MYERS ANNEX TO OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 984, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 13, 1906.

EXCEPTING THEREFROM THAT PORTION, IF ANY HERETOFORE OR NOW LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.

APN: 150-356-09-00



**NOTICE OF EXEMPTION**  
City of Oceanside, California

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