



DATE: September 13, 2010 (Continued from the August 23, 2010 public hearing)

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF ZONE AMENDMENT (ZA09-00001) AND LOCAL COASTAL PLAN AMENDMENT (LCPA10-00002) TO MODIFY BUILDING HEIGHT AND PARKING STANDARDS IN THE 1986 AND 1992 ZONING ORDINANCES. – RESIDENTIAL BUILDING HEIGHT STANDARDS – APPLICANT: CITY OF OCEANSIDE**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Confirm issuance of a General Exemption per Section 15061(b)(3) and a Statutory Exemption per Section 15265(a)(1) of the California Environmental Quality Act; and
2. Adopt Planning Commission Resolution No 2010-P28 recommending approval of Zoning Amendment (ZA09-00001) and Local Coastal Plan Amendment (LCPA10-00002) with findings of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

In 1992, as part of a comprehensive zoning ordinance update, the City of Oceanside reduced allowable building height on residential properties from 35 to 27 feet in most portions of the Coastal Zone outside of the Downtown Redevelopment Area (RDA). This residential building height limit remained in effect until December of 2008, when the California Coastal Commission (CCC) formally acknowledged that the 1992 Zoning Ordinance had never received CCC certification. With this acknowledgement, CCC staff indicated that projects within those portions of the Coastal Zone outside of the RDA would forthwith be evaluated by the CCC under the provisions of the previously-applicable (and CCC-certified) 1986 Zoning Ordinance. Subsequently, in May of 2009,

the City determined that it, too, was legally compelled to apply the 1986 Ordinance to projects within these boundaries. Consequently, 35 feet was re-established as the maximum allowable building height limit for residential properties within those portions of the Coastal Zone located outside of the RDA.

In response to community concern over the eight-foot increase in allowable building height occasioned by the reinstatement of the 1986 Zoning Ordinance, the Planning Commission held a public workshop on May 10, 2010 to discuss residential building height standards in those portions of the Coastal Zone located outside of the Downtown Redevelopment Area. At this public workshop, Planning Division staff outlined several alternatives to current building height standards and highlighted a variety of design strategies that could be applied on a case-by-case basis to mitigate the potentially adverse visual impacts of building height. Additionally, as a basis for comparison, staff provided a matrix (now posted on the City's website) that depicts how nearby coastal jurisdictions address the issue of building height. This matrix shows building height limits, methods of height measurement, submittal requirements, basement definitions and parameters for allowable height projections currently in place in all coastal cities between Dana Point and San Diego.

Public testimony at the May 10th workshop indicated that Coastal Zone stakeholders are almost evenly divided on the question of whether the residential building height limit should be reduced from, or maintained at, the currently applicable 35 feet. However, irrespective of their opinions regarding appropriate building height limits, the majority of speakers at the workshop asked that the City clarify existing ambiguities in the Zoning Ordinance related to building height standards. Specifically, speakers at the workshop, along with other community members who subsequently engaged Planning Division staff on the subject of building height standards, asked that the City clarify the following:

- the maximum allowable height for residential buildings in the Coastal Zone;
- the basis (i.e. grade) from which building height is measured;
- the means by which building height is documented and verified (i.e. application submittal requirements and field assessment methods);
- how building stories and basements are defined;
- what constitutes an allowable building height projection.

At the May 10th public workshop, the Planning Commission directed staff to formulate recommendations to address the above concerns and encourage high-quality, context-sensitive building design.

At a Planning Commission public hearing on July 26, 2010, staff presented a series of recommendations intended to clarify the development review process and strike an appropriate balance between the residential building height standards of the 1986 and 1992 Zoning Ordinances. In addition to proposing a number of new definitions meant to clarify key terminology (i.e. "building height", "basement", "story", "grade" and "grade plane"), staff also proposed a new methodology for measuring building height, calling for building height to be measured from the lowest existing grade adjacent to the

building footprint. In contrast to the building height measurement methodology currently outlined in the 1986 Code, which calls for measuring building height from the “average finished grade,” establishing existing grade as the basis for building height measurement was meant to ensure that site topography is not unduly manipulated to create building pads that are incompatible with surrounding landforms and adjacent development. Additionally, moving away from an average grade as the basis for building height measurement was intended to preclude exceptionally massive development on the low side of sloping properties (e.g. under current standards, unarticulated beach-facing elevations of nearly 50 feet are possible).

A number of attendees who spoke at the July 26th public hearing expressed opposition to staff’s recommendation that building height be measured from the lowest existing grade adjacent to the building footprint, arguing that this methodology would constrain development on many beachfront properties to a single-story above South Pacific Street and thereby render existing two-story development on many properties non-conforming. These concerns were echoed by some members of the Planning Commission, who asked that staff consider ways to limit the overall height of beachfront development while allowing for two stories on the South Pacific Street frontage. There was general consensus among commissioners that building articulation on front and rear elevations should either be encouraged through the discretionary review process or required through codified standards (e.g. daylight planes, upper story setbacks).

Since the July 26th public hearing, staff has received public input on the subject of residential building height via telephone, email and in person at the Planning Division public counter. Staff has also received a written petition from individuals who reside and/or own property between the 1600 and 2000 Blocks of South Myers Street; this petition, which calls for tiered building height limits for properties abutting South Pacific Terrace, has been forwarded to the Planning Commission. In many instances, public input has consisted of inquiries about the status of the project and the nature of staff’s recommendations. Other comments have essentially reiterated remarks offered at the July 26th public hearing.

On August 9, 2010, Planning Division staff convened a group of local site development professionals to discuss residential building height standards. Two architects (David Lee Soanes and Paul Longton) and a geotechnical engineer (Larry Taylor) who have been involved with many projects sited within the study area, along with an architect who works primarily in southern Orange County (Michael Luna) were invited to discuss ways to address public concerns about excessive building height while encouraging “high quality design” as called for in the Design Guidelines of the Local Coastal Program. While opinions varied regarding appropriate building height limits and building height measurement methods, there was general consensus that front and rear building elevations should exhibit articulation and that roof projections should be integrated so as not to read like additional stories. Most participants concurred that building height should generally be measured from existing grade, as opposed to finished grade, unless doing so would result in development that is incompatible with the surrounding topography and built environment. All participants agreed that definitions of “basement”

and “story” should be clarified and rendered consistent with definitions thereof in the City’s operative building code. At the same time, all participants agreed that limits on the number of stories in residential development do little to influence the form of such development and thus should be eliminated.

ANALYSIS

DISCUSSION

At the July 26th public hearing, staff recommended text amendments to both the 1986 and 1992 Zoning Ordinances, with proposed amendments to the 1986 Code generally being more substantive than those proposed for the 1992 Code. While proposed changes to building height standards in the 1986 Code would have significantly altered the allowable building envelope for many properties, proposed changes to the 1992 Code were largely focused on clarifying ambiguous terms and procedures. To the extent proposed changes to the 1992 Code involved development standards, they were confined to the regulation of building height projections. The recommended zoning text amendments presented by staff at the July 26th public hearing can be accessed on the City’s website at http://www.ci.oceanside.ca.us/pdf/planning_exhibit_a.pdf.

In response to comments and questions fielded at and subsequent to the July 26th public hearing, staff’s recommendations for text amendments to both the 1986 and 1992 Zoning Ordinances have been revised as follows:

- Establish 27 feet as the maximum building height for those R-1 and R-T properties on the beach side of South Pacific Street from Wisconsin Avenue to the City’s southern boundary, including all of Saint Malo Estates;
- Maintain 35 feet as the maximum residential building height in most areas now governed by the 1986 Zoning Ordinance;
- For all properties subject to the 1986 Code, require that building height be measured from average existing grade adjacent to the building footprint, in accordance with the methodology illustrated in Exhibit B;
- For all properties subject to the 1986 Code, require that building height be measured to the top of all separate roof elements (rather than to the ceiling of the uppermost story), as illustrated in Exhibit B;
- For all properties subject to the 1986 Code, further limit development to a maximum height above any given point adjacent to the building footprint (regardless of average existing grade);
- For beachfront residential properties subject to a 27-foot building height limit under the 1986 Code, further restrict building height to a maximum of 35 feet above any given point adjacent to the building footprint;
- Require that all residential development subject to the 1986 Code respect a 45-degree daylight plane beginning 27 feet above the front and rear setback lines (previously applicable under the 1992 Zoning Ordinance and illustrated on the City’s website at http://www.ci.oceanside.ca.us/pdf/planning_exhibit_d.pdf);

- Under both the 1986 and 1992 Codes, restrict architectural roof projections to ten percent (10%) of the ground-level building footprint, fifty percent (50%) of the ground-level building width and no more than eight feet (8') in height;
- Under both the 1986 and 1992 Codes, require discretionary approval (through a Conditional Use Permit) for roof deck access structures (i.e. stair and elevator enclosures) proposed to exceed the building height limit;
- Eliminate story restrictions for residential development subject to the 1986 Code;
- Under the 1986 Code, require additional parking for single-family homes with more than five (5) bedrooms, at one additional space per bedroom (which may be provided as tandem parking);
- Under both the 1986 and 1992 Codes, allow measurement of building height from a finished grade elevation only through a Conditional Use Permit, subject to a series of findings that address landform compatibility, building bulk and scale, and site drainage;
- In both the 1986 and 1992 Codes, amend definitions of relevant terms to resolve existing ambiguities and establish existing grade (rather than finished grade) as the basis for building height measurement;
- In both the 1986 and 1992 Codes, add a definition of "grade plane" to clarify the distinction between "basement" and "story".

The summary above seeks to specifically delineate recommended text amendments to the 1986 Code from those proposed for the 1992 Code. While in some instances staff's recommendations apply to both codes, it is important to note that proposed changes to the 1992 Code remain largely procedural in nature, with the exception of additional controls on building height projections. No changes to existing building height limits or building height measurement procedures are proposed for the 1992 Zoning Ordinance.

The key differences between these recommendations and those offered in advance of the July 26th public workshop include: a) a separate height limit for beachfront development; b) a different procedure for measuring building height; c) additional controls on maximum building height at any given point of measurement; d) additional controls on roof projections; and e) additional parking requirements for exceptionally large single-family homes. Taken together, these new recommendations are intended to mitigate the "canyon" and "wall" effects of excessively tall and unarticulated development while at the same time affording property owners with both an ample building envelope and considerable design flexibility.

In recommending a separate height limit for beachfront development within the study area, staff is essentially advocating a return to the previously-applicable building height standards of the 1992 Zoning Ordinance, while allowing for more design flexibility through the establishment of a different procedure for measuring building height and the elimination of current limits on the number of stories allowed in residential development. It is staff's position that the proposed 27-foot building height limit for beachfront properties is consistent with the existing two-story character of the built environment along the frontage of South Pacific Street. When measured from the average existing grade beneath each roof element (as illustrated in Exhibit B), a 27-foot building height

limit allows two stories at the street frontage for all beachfront properties, while providing the opportunity to terrace additional levels of development along those lots that slope downward toward the beach. At the same time, a 27-foot building height limit for beachfront properties mitigates the potential massing impacts associated with reduced front yard setbacks along South Pacific Street (occasioned by the stringline and blockface averaging provisions of the 1986 and 1992 Codes). Furthermore, a 27-foot building height limit for beachfront development allows for more view opportunities from public spaces located immediately eastward, akin to what the tiered building height limits of the Downtown Redevelopment Area now provide to similarly located public spaces. The allowable building envelope created by the proposed 27-foot building height limit, the proposed building height measurement procedure and other proposed controls will be schematically juxtaposed against current and previously-recommended building height standards in staff's presentation at the public hearing.

Staff also recommends that additional controls be placed on building height projections, which can contribute significantly to the massing impacts of residential development when they are not sensitively scaled and situated. While the 1992 Zoning Ordinance limits the square footage of roof projections to no more than ten percent (10%) of the ground-level building footprint, the 1986 Zoning Ordinance places no dimensional limits on building height projections, indicating only that such projections shall not include habitable floor area. Moreover, neither the 1986 nor the 1992 Zoning Ordinances make it clear under what circumstances and by what means such projections should be allowed. To mitigate the potential massing impacts of building height projections, it is staff's position that such features should be limited not only in square footage but also in height and width. Staff thus recommends that roof projections be restricted to no more than fifty percent (50%) of the ground-level building width and no more than eight feet in height. Moreover, it is staff's position that, due to their potential to read like additional stories, roof deck access structures (i.e. stair and elevator enclosures) proposed to exceed base district height limits should be subject to discretionary approval through a Conditional Use Permit process. These recommended controls on building height projections would apply under both the 1986 and 1992 Zoning Ordinances.

Recognizing that elimination of existing restrictions on the number of allowable stories in residential development could result in higher bedroom counts in single-family homes, and further recognizing that single-family homes that function as vacation rentals often have on-street parking impacts, staff recommends additional parking requirements for new single-family homes that accommodate more than five bedrooms. In recent years, the City has approved several single-family homes in the Coastal Zone that include ten or more bedrooms. Virtually all of these homes function as vacation rentals, housing groups of 20 or more visitors at a time. It is staff's position that current parking standards for single-family homes, which require no more than two enclosed spaces per dwelling regardless of that dwelling's capacity, do not fully account for the parking demand occasioned by exceptionally large single-family homes that serve as lodging uses. Staff thus recommends that new single-family homes furnish one additional parking space for each bedroom in excess of five. Staff recommends allowing these additional spaces to be provided in a tandem configuration, given that typical lot widths

in the study area cannot accommodate more than two side-by-side parking spaces. Staff does not, however, support meeting additional parking requirements with parking lift structures on front elevations, unless such lift structures are utilized to provide additional parking spaces below, rather than above, street grade.

Some of the recommendations enumerated above remain essentially unchanged from those presented at the July 26th public hearing. These unchanged recommendations were discussed in detail in a memorandum posted to the City's website in early July (http://www.ci.oceanside.ca.us/pdf/planning_memo_070710.pdf).

ALTERNATIVES

As noted at both the May 10th and July 26th public meetings, one alternative to the recommendations enumerated above would be the wholesale adoption of the previously-applicable residential building height standards of the 1992 Zoning Ordinance, which limit residential building height to two stories or 27 feet, whichever is less, on lots within the Townsite Neighborhood Planning Area southerly of the Downtown Redevelopment Area and all of the South Oceanside Neighborhood Planning Area. In all other residential zones within the City governed by the 1992 Zoning Ordinance, including Eastside Capistrano, the maximum building height is 36 feet (with no specified story limits). In all instances, building height under the 1992 Zoning Ordinance is measured from existing grade at all points beneath the building footprint.

A second alternative would be to simply maintain the current residential building height standards of the 1986 Zoning Ordinance. Under this alternative, maximum building height would remain at 35 feet for all residential properties within those portions of the Coastal Zone outside of the Downtown Redevelopment Area, including beachfront properties on South Pacific Street.

RECOMMENDATIONS

It is staff's position that, relative to these two alternatives, the recommendations previously outlined above are more closely tailored to conditions within the study area, and, moreover, more attuned to Planning Commission input on the subject of residential building height. More specifically, staff finds that the recommended zoning text amendments:

- Strike a reasonable balance between the current and previously-applicable building height standards;
- Acknowledge the unique location, development potential and visual impacts of beachfront properties;
- Provide for a more transparent and verifiable means of measuring building height, thereby reducing the potential for error and misrepresentation;

- Encourage variable building height within the City, thereby creating visual variety and mitigating “wall” or “canyon” effects.

The subject of residential building height standards has been under discussion since the reinstatement of the 1986 Zoning Ordinance – i.e. for more than a year. In the interim, several projects have been approved and implemented under the current standards, and others are presently under review. To provide greater certainty to applicants now in the development review process, the Planning Division seeks to bring these and/or other recommendations before the City Council as soon as possible. Accordingly, staff asks that the Planning Commission establish its preferences on this subject by formal resolution this evening.

ENVIRONMENTAL DETERMINATION

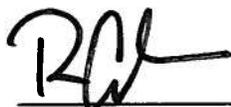
In accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the proposed project does not have the potential for causing a significant effect on the environment and therefore is not subject to CEQA review. Furthermore, in accordance with CEQA Guidelines Section 15265(a)(1), CEQA does not apply to local government activities and approvals pursuant to the California Coastal Act.

SUMMARY

Staff recommends that the Planning Commission:

- Adopt Planning Commission Resolution No 2010-P28 recommending approval of Zoning Amendment (ZA09-00001) and Local Coastal Plan Amendment (LCPA10-00002) with findings of approval attached herein.

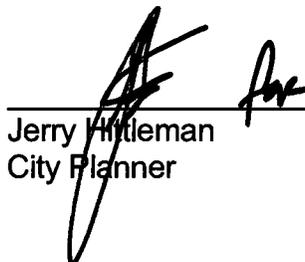
PREPARED BY:



Russ Cunningham
Senior Planner

JH/RC/fil

SUBMITTED BY:



Jerry Hittleman
City Planner

Attachments:

1. Planning Commission Resolution No. 2010-P28
2. Exhibit “A” - Recommended Zoning Text Amendments
3. Exhibit “B” - Building Height Limit Conformance Table, Roof Plan/Topo and Section

1 PLANNING COMMISSION
2 RESOLUTION NO. 2010-P28

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING
5 APPROVAL OF AMENDMENTS TO THE 1986 AND 1992
6 ZONING ORDINANCES TO MODIFY BUILDING HEIGHT
7 AND PARKING STANDARDS

8 APPLICATION NO: ZA09-00001, LCPA10-00002
9 APPLICANT: City of Oceanside
10 LOCATION: Citywide

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

13 WHEREAS, on December 8, 2008, the California Coastal Commission (CCC)
14 established with the City of Oceanside that development proposals in those portions of the
15 Coastal Zone located outside of the Downtown Redevelopment Area would be reviewed for
16 consistency under the standards of the City's 1986 Zoning Ordinance, in light of the fact that the
17 previously applicable 1992 Zoning Ordinance had never received CCC certification; and

18 WHEREAS, on May 11, 2009, the City acknowledged in correspondence to the CCC a
19 legal obligation to use the 1986 Zoning Ordinance as the standard for review of development
20 proposals within those portions of the Coastal Zone located outside of the Downtown
21 Redevelopment Area; and

22 WHEREAS, on May 10, 2010, the Planning Commission conducted a public workshop to
23 solicit community input on the subject of residential building height standards within those
24 portions of the Coastal Zone located outside of the Downtown Redevelopment Area; and

WHEREAS, in response to input received from both the Planning Commission and the
community at-large, the Planning Division prepared recommendations for text amendments to both
the 1986 and the 1992 Zoning Ordinances ; and

WHEREAS, the Planning Commission did, on the 26th day of July, 2010, conduct a duly
advertised public hearing as prescribed by law to consider said recommendations; and

WHEREAS, the Planning Commission continued discussion of residential building height
standards to a regularly scheduled public hearing on the 23rd day of August, 2010; and

1 3. That the granting of the Zoning Text Amendments and Local Coastal Plan Amendments
2 is consistent with the purposes of both the 1986 and 1992 Zoning Ordinances, as these
3 amendments will help to preserve the existing character of the City's neighborhoods and
4 mitigate the potentially adverse impacts of excessive building height.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 recommend approval of Zone Amendment (ZA09-00001) and Local Coastal Plan Amendment
7 (LCPA10-00002), as represented in the attached Exhibit "A".

8 PASSED AND ADOPTED Resolution No. 2010-P28 on September 13, 2010 by the
9 following vote, to wit:

10 AYES:

11 NAYS:

12 ABSENT:

13 ABSTAIN:

14 _____
15 Robert Neal, Chairperson
16 Oceanside Planning Commission

17 ATTEST:

18 _____
19 Jerry Hittleman, Secretary

20 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
21 this is a true and correct copy of Resolution No. 2010-P28.

22 Dated: September 13, 2010

Proposed Text Amendments to the 1986 and 1992 Zoning Ordinances Pertinent to Building Height and Parking Standards

1986 Zoning Ordinance

Section 207: BASEMENT. “Basement” means ~~that any portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling with at least fifty percent of its perimeter lying no more than six feet above the adjacent grade plane, as measured to the finished surface of the floor next above it.~~

Section 211: BUILDING HEIGHT. “Building height” means the vertical distance measured from ~~the average level of the highest and lowest point of that portion of the building site covered by the building to the ceiling of the uppermost story~~ the average existing grade adjacent to the perimeter of each roof element of the building, as measured in accordance with the building height limit conformance exhibit in Section 1709 of this Ordinance.

Section 234: GRADE. “Grade” means ~~the average of the finished ground level at the center of all walls of a building. In case[s] [where] walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks. For purposes of building height measurement, “grade” means the existing surface level of the building site prior to any disturbance for the purpose of development. When ambiguity exists as to what constitutes existing grade, the City Planner shall determine existing grade on the basis of available topographic exhibits and/or field assessments.~~

Section 234.1: GRADE PLANE. “Grade plane” means the average of finished ground level adjoining the building at exterior walls. Grade plane shall be used for purposes of determining whether a building floor constitutes a “basement” or a “story”, as defined by this Ordinance. Grade plan shall not be used as the basis from which to measure building height, nor shall the finished ground level adjoining the building at exterior walls be higher than existing grade on adjacent properties.

Section 1709: HEIGHT. No buildings or structures shall be erected or enlarged unless such building or structure complies with the height regulations for the zone in which the building or structure is located or proposed to be located. For purposes of determining the height of a building or structure, ~~the average finished grade of the parcel on which the building or structure is located shall be used~~ the average existing grade adjacent to the perimeter of each roof element of the building shall be used.

Exhibit A: ZA09-00001/LCPA10-00002

The maximum permitted height of any building or structure shall be as follows:

- (a) No building or structure located in the R-A, R-1, R-2, PRD or SP zone shall exceed a height of 35 feet, in accordance with the building height measurement procedure outlined below ~~or two stories, whichever is less~~. Per this procedure, no building or structure shall exceed a height of 40 feet at any point immediately above existing grade.
- (b) No building or structure used for residential purposes in the R-3, O-P, R-T, R-C, PRD, or SP zones shall exceed a height of 35 feet, in accordance with the building height measurement procedure outlined below ~~or three stories, whichever is less~~. Per this procedure, no building or structure shall exceed a height of 40 feet at any point immediately above existing grade.
- (c) No building or structure in the R-C, O-P, C-1, C-2, M-1, M-2, or PC zones shall exceed a height of 45 feet or four stories, whichever is less, in accordance with the building height measurement procedure outlined below.

On R-1 and R-T properties located on the west side of South Pacific Street from Wisconsin Avenue to the City's southern boundary, inclusive of Saint Malo Estates, no building or structure shall exceed a height of 27 feet, in accordance with the building height measurement procedure outlined below. Per this procedure, no building or structure shall exceed a height of 35 feet at any point immediately above existing grade.

No building in R-1, R-2, R-3 and R-T zones shall intercept a 45-degree daylight plane inclined inward from a height of 27 feet above the front, interior-side and street-side setback lines. Buildings on lots of substandard width shall only be required to maintain this 45-degree daylight plane on the front and street-side elevations.

Building height shall be measured from the average existing grade adjacent to the perimeter of each roof element of the building, in accordance with the following exhibit.

INSERT BUILDING HEIGHT CONFORMANCE EXHIBIT HERE

~~Penthouses or roof~~ Ancillary roof ~~structures for the housing of elevators, stairways, including~~ ventilator fans, air conditioning or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, church steeples, flag poles, chimneys, antennas and similar structures may be erected above the

Exhibit A: ZA09-00001/LCPA10-00002

height limits prescribed hereinabove provided the same may be safely erected and maintained at such height, in view of the surrounding conditions and circumstances, but ~~no penthouses or~~ roof structures or any space above the height limit shall be allowed for the purpose of providing additional floor space. Such roof projections shall be limited to no more than 10 percent of the ground level square footage of the building, no more than 50 percent of the ground-level width of the building and no more than eight (8) feet in excess of the maximum permitted height in the district.

Structures providing access to roof decks (e.g. stair and elevator enclosures) proposed to be erected above the prescribed height limit shall require issuance of a Conditional Use Permit.

Section 2702: PARKING SPACED SPACES REQUIRED.

| USE | PARKING SPACES REQUIRED |
|-------------------------|---|
| Residential Uses | |
| Single family dwellings | 2 car garage per dwelling unit; minimum inside area of 400 sq. ft.; minimum inside width of 18 ft. <u>One additional parking space per bedroom over five (5) bedrooms, with tandem parking allowed for additional required spaces</u> |

1992 Zoning Ordinance

3017 Measurement of Height

Height shall be measured from existing grade at all points on the site to a warped plane an equal height above all points on the site (See Diagram 3017), with the following exception:

- A. ~~Where a finished grade elevation, different than the existing grade elevation, is approved as part of a discretionary application such as a Tentative Map, Development Plan, Use Permit, Variance, or Coastal Permit, height shall be measured from the approved finished grade elevation at all points on the site to a warped plan[e] an equal height above all points on the site. In approving a finished grade elevation, compatibility with the existing elevation of adjacent and~~

Exhibit A: ZA09-00001/LCPA10-00002

surrounding properties shall be considered. Through a Conditional Use Permit, a finished grade elevation different from the existing grade elevation may be approved as the basis from which height is measured, in accordance with the following findings:

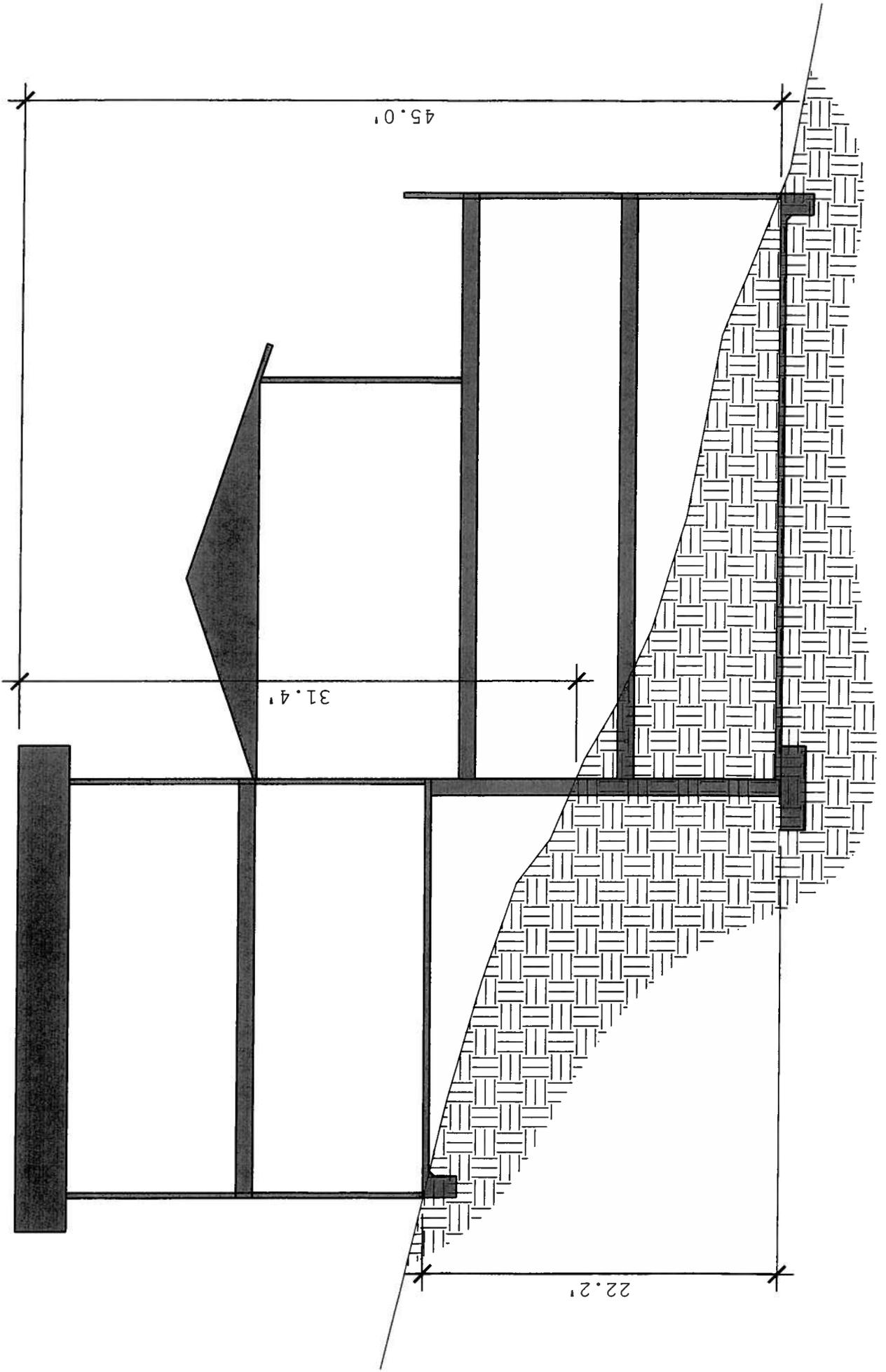
1. The proposed finished grade elevation is compatible with the existing grade elevations of adjacent and surrounding properties.
2. Relative to the existing grade elevation, the proposed finished grade elevation better facilitates development that is consistent with neighborhood character.
3. Relative to the existing grade elevation, the proposed finished grade elevation results in improved drainage patterns and stormwater treatment options.

3018 Exceptions to Height Limits

Towers, spires, cupolas, chimneys, ~~elevator penthouses~~, water tanks, flagpoles, monuments, theater scenery lofts, radio and television antennas, transmission towers, fire towers, and similar structures and necessary mechanical appurtenances ~~covering not more than 10 percent of the ground area covered by the structure to which they are accessory~~ may exceed the maximum permitted height in the district in which the site is located. Such exceptions shall be subject to the following regulations:

- A. Roof projections shall be limited to no more than 10 percent of the ground level square footage of the building, no more than 50 percent of the ground-level width of the building and no more than eight (8) feet in excess of the maximum permitted height in the district.
- B. Living area shall not be permitted in that portion of a structure which exceeds the height limit of the base district.
- C. The Strand is subject to the height limitations of Proposition A, passed April 13, 1982, and no exceptions are permitted.
- D. Structures providing access to roof decks (e.g. stair and elevator enclosures) and exceeding the maximum permitted height in the district shall require issuance of a Conditional Use Permit.

Sectional View of Project Conforming
to Dimensions in Height Conformance Table

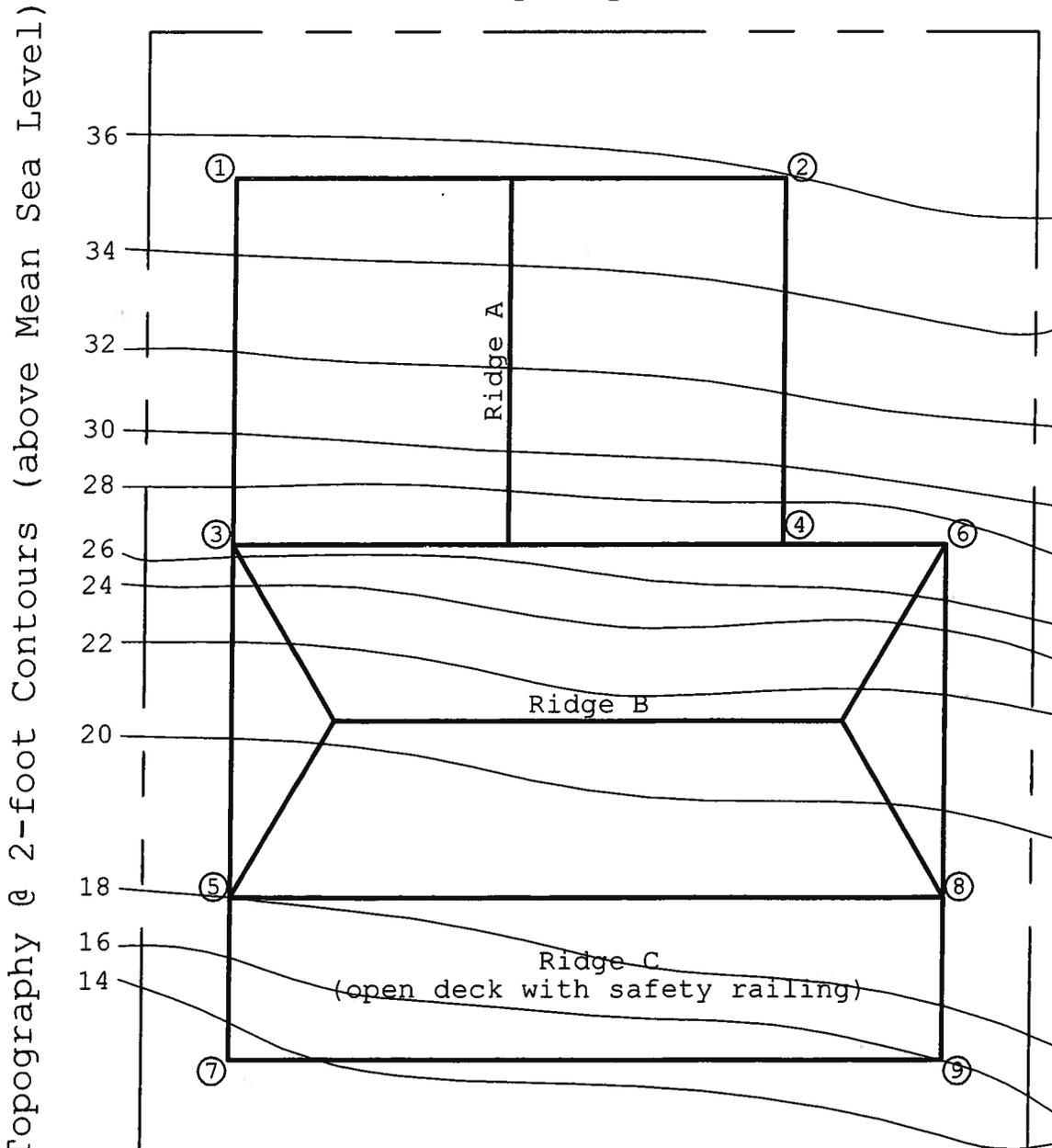


BUILDING HEIGHT LIMIT CONFORMANCE

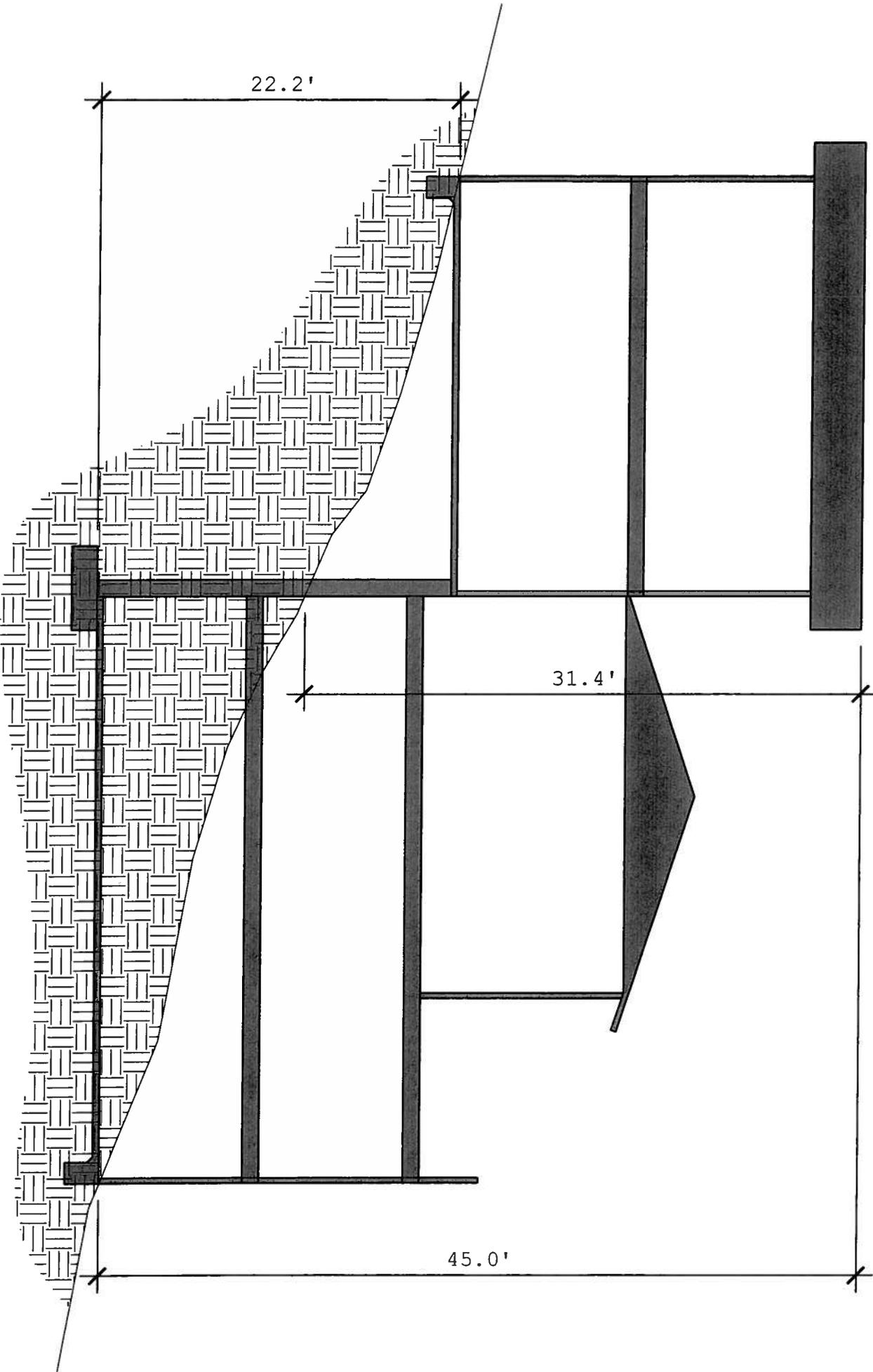
Height Measurement Table

| Roof Element | Ridge Elevation | Points Of Measurement / Existing Grade Elevation | | | | Average Existing Grade | Roof Element Height |
|--------------|-----------------|--|---------|---------|---------|------------------------|---------------------|
| Ridge A | 57.9' | ① 35.3' | ② 35.9' | ③ 26.5' | ④ 27.0' | 31.18' | 26.72' |
| Ridge B | 49.4' | ③ 26.5' | ⑤ 18.0' | ⑥ 27.4' | ⑧ 19.2' | 22.78' | 26.62' |
| Ridge C | 39.2' | ⑤ 18.0' | ⑧ 19.2' | ⑦ 13.7' | ⑨ 15.3' | 16.55' | 22.65' |

Roof Plan over Topo Survey
(with Property Boundaries)



Sectional View of Project Conforming
to Dimensions in Height Conformance Table





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 |
| | |

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

| | |
|---|--|
| 1. APPLICANT <i>City of Oceanside</i> | 2. STATUS |
| 3. ADDRESS <i>300 N. Coast Hwy</i> | 4. PHONE/FAX/E-mail <i>760-435-3525</i> |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) <i>Russ Cunningham, Senior Planner</i> | |
| 6. ADDRESS <i>300 N. Coast Hwy</i> | 7. PHONE/FAX/E-mail <i>760-435-3525</i> |

| |
|------------------------------|
| GPA |
| MASTER/SP.PLAN |
| ZONE CH. <i>ZA 09-00001</i> |
| TENT. MAP |
| PAR. MAP |
| DEV. PL. |
| C.U.P. |
| VARIANCE |
| COASTAL LCPA <i>10-00002</i> |
| O.H.P.A.C. |

PART II - PROPERTY DESCRIPTION

| | | |
|---|---------------------------------|----------------------------|
| 8. LOCATION <i>Coastal Zone properties governed by 1986 Zoning Ordinance</i> | | |
| 10. GENERAL PLAN <i>UHD and SFD</i> | 11. ZONING <i>RT and R-1</i> | 12. LAND USE <i>N/A</i> |

| |
|--|
| 9. SIZE <i>N/A</i> |
| 13. ASSESSOR'S PARCEL NUMBER <i>Multiple properties</i> |

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
Amendment of height restrictions outlined in the 1986 Zoning Ordinance for residential development on the coastal side of Pacific Street between Wisconsin Avenue and the City's southern boundary

| | | | | |
|---|---|-------------------------------------|---|---------------------------|
| 15. PROPOSED GENERAL PLAN <i>No change</i> | 16. PROPOSED ZONING <i>No change</i> | 17. PROPOSED LAND USE <i>N/A</i> | 18. NO. UNITS <i>N/A</i> | 19. DENSITY <i>N/A</i> |
| 20. BUILDING SIZE <i>N/A</i> | 21. PARKING SPACES <i>N/A</i> | 22. % LANDSCAPE <i>N/A</i> | 23. % LOT COVERAGE or FAR <i>N/A</i> | |

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): <i>Russ Cunningham</i> | 34. DATE <i>12/3/09</i> | 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> | 35. OWNER (Print) <i>N/A</i> | 36. DATE | |

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

Sign: