



DATE: September 22, 2008

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC-11-07) AND A VARIANCE (V-7-08) FOR THE CONSTRUCTION OF A 6,047-SQUARE FOOT SINGLE-FAMILY RESIDENCE INCLUDING TANDEM OFF-STREET PARKING LOCATED AT 825 SOUTH PACIFIC STREET AND SITUATED WITHIN THE RESIDENTIAL TOURIST DISTRICT, THE APPEAL JURISDICTION OF THE LOCAL COASTAL PROGRAM, AND THE TOWNSITE NEIGHBORHOOD. – WALK RESIDENCE – APPLICANT – 825 SOUTH PACIFIC, 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.
- (2) Adopt Planning Commission Resolution No. 2008-P59 approving Regular Coastal Permit (RC-11-07) and Variance (V-7-08) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The subject property is Lot 14, located in Block C of the Myers Annex to Oceanside and located at 825 South Pacific Street. An application for a Regular Coastal Permit was filed on July 2, 2007. A Variance application was filed on July 16, 2008. The application was deemed complete September 2, 2008.

Site Review: This 0.075-acre lot has an existing two-bedroom house. The structure was constructed in 1948. Lot 14 is a legal lot that is substandard in width and area.

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 in the Townsite Neighborhood and requires a Regular Coastal Permit. The property is also within the "appeal jurisdiction" of the local coastal zone. 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.

Regular Coastal Permit (RC-11-07) represents a request for the following:

- (a) Consideration of a variance application and new construction of a 4,724-square foot single-family residence with an attached 828 square-foot garage and 495 square-feet of roof 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 tandem off-street parking spaces.

Variance (V-12-07) represents a request for the following:

- (a) A reduction in the required garage width pursuant to Section 3103 and 3110.

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 proposed project, located on a fairly level lot (no hillside conditions) proposes to replace an existing residence with a new residence, maintaining the land use, utilities, and access. The design of the proposed project is consistent and in conformance with the General Plan. Every effort has been made to design a project that is sensitive to the neighboring properties, an aesthetic enhancement to the area.

2. Zoning Ordinance Compliance

The project meets all of the established development regulations of the underlying RT zone including, but not limited to the maximum 27-foot and/or two-story height standard, stringline criteria, blockface average, setbacks, and density calculations for projects situated within the Coastal Overlay Zone and regulated by the adopted Local Coastal Program. Such projects are reviewed for compatibility with existing and surrounding development, while concurrently addressing applicable public access and public benefits when new development is proposed.

The purpose of the RT District is to provide opportunities for tourist and year-round visitor-serving facilities, including permanent and transient residential and related uses, within the City's Coastal Zone. In the RT District, the base density for residential uses is 29.0 dwelling units per gross acre and the maximum potential density is 43.0 dwelling units per gross acre.

Pursuant to Section 1040 Residential District Land Use Regulations, a single-family residence is a permitted land use. Section 1040(C) states that rooms in a dwelling unit may be rented for occupancy by not more than four persons who are not members of a single housekeeping unit, provided that not more than two bedrooms shall be rented in each unit.

Pursuant to Section 1050 Residential District Property Development Regulations, Table 1 compares the proposal to local property development regulations.

Table 1. RT District property development regulation compliance

Development regulation	Requirement	Proposal
Minimum lot area	6,000 SF or 0.13 AC	3,250 SF or 0.075 AC
Minimum lot width	60 feet	25 feet
Minimum front yard pursuant to 1050(H)	3.88 feet	3.88 feet
Minimum side yard pursuant to 1050(L)(M)	6 feet combined	6 feet combined
Minimum rear yard pursuant to 1050(R)	Stringline	Stringline
Maximum height	27 feet	27 feet
Maximum height pursuant to 1050(O)	10 additional feet	10 additional feet

The applicant is required to provide a minimum of three enclosed off-street parking spaces. The typical arrangement is one two-car garage and one additional garage space.

In 1986, the Planning Commission found that setback reductions in the RT District were permitted based upon the compatibility of the project to the adjacent properties and the architectural appearance of the structure (Resolution 86-P76) for development on the northeast corner of Pacific and Eighth Streets). Further, Resolution No. 86-P76 states that the proposed tandem parking layout would not pose a traffic problem nor be detrimental to the adjacent properties and the neighborhood.

3. 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 27-foot height restriction within the Coastal Zone. Limited projections such as elevator shafts, chimneys, and similar architectural projections are allowed based on a maximum 10 percent overall project footprint. Such projections can extend up to 10 feet in excess of the maximum

allowable height limit of 27 feet by right. 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.

4. California Environmental Quality Act (CEQA) Compliance

Article 19 of CEQA identifies Categorical Exemptions, including Class 3 exemptions for minor 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 an expansion of an existing second story deck 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.

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.

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

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.

SUMMARY

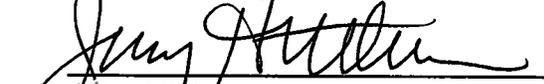
The proposed Regular Coastal Permit (RC-11-07) and Variance (V-7-08), as conditioned, is consistent with the land use policies of the General Plan, the requirements of the Zoning Ordinance, and the policies of the Local Coastal Program. The project has been conditioned to meet or exceed all applicable 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:

- Move to approve Regular Coastal Permit (RC-11-07) and Variance (V-7-08) and adopt Planning Commission Resolution No. 2008-P59 as attached.

PREPARED BY:


 Faith Burton
 Planner I

SUBMITTED BY:


 Jerry Hittleman
 City Planner

REVIEWED BY:

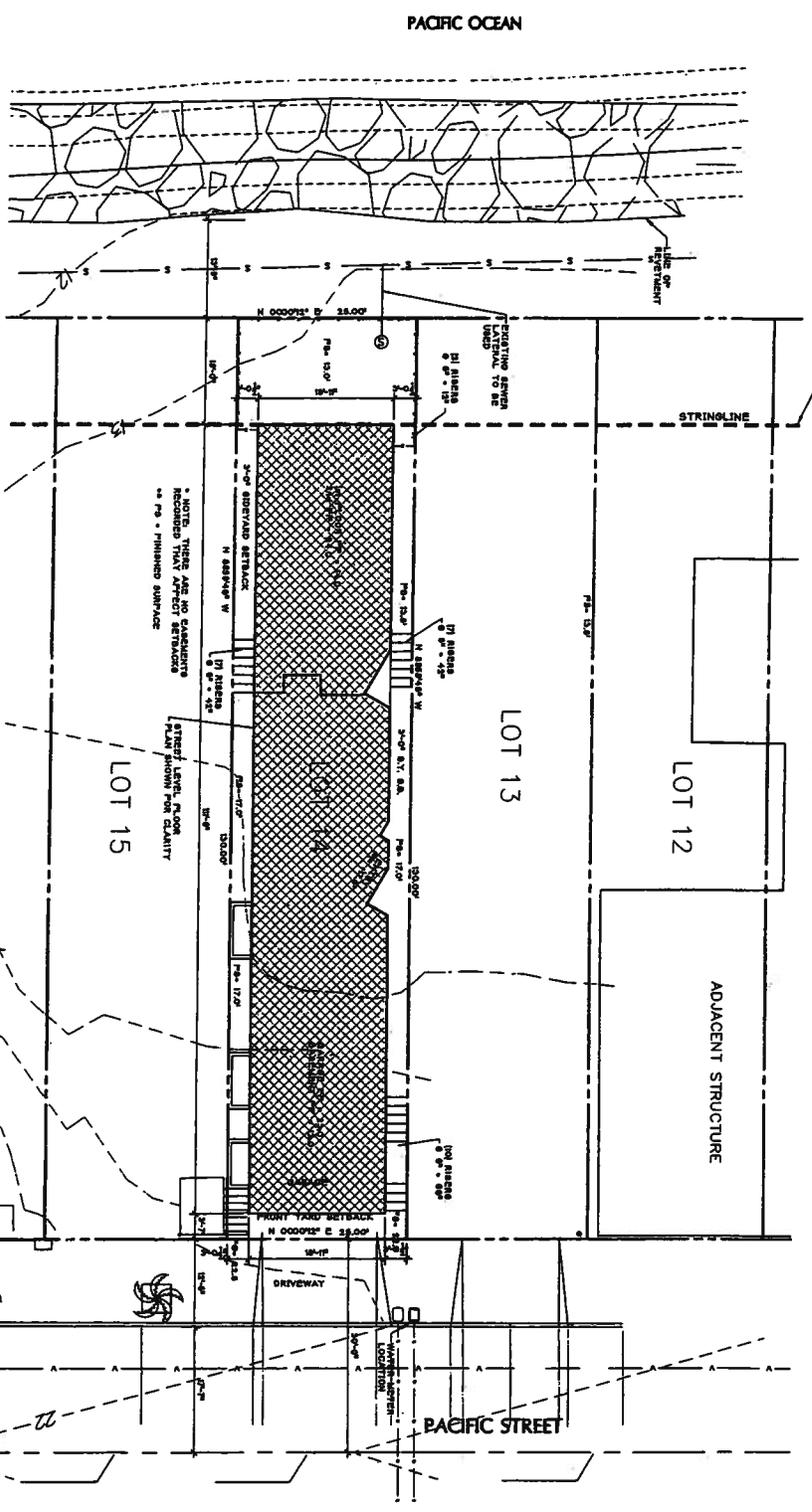

 Richard Greenbauer, Senior Planner

JH/FB/fil

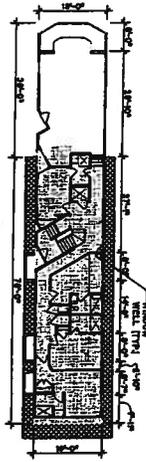
Attachments:

1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2008-P59

CRADING NOTE
 THE ORIGINAL GRADING PLANS, CHECK BEING ARE NOT AVAILABLE. EXISTING
 THE SLOPES AND BASES ON EXISTING SITE CONDITIONS.



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

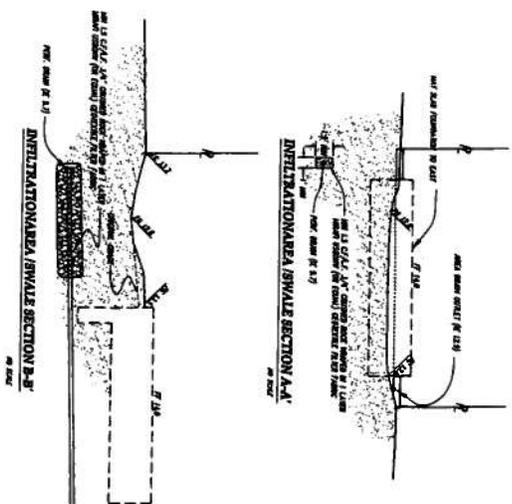
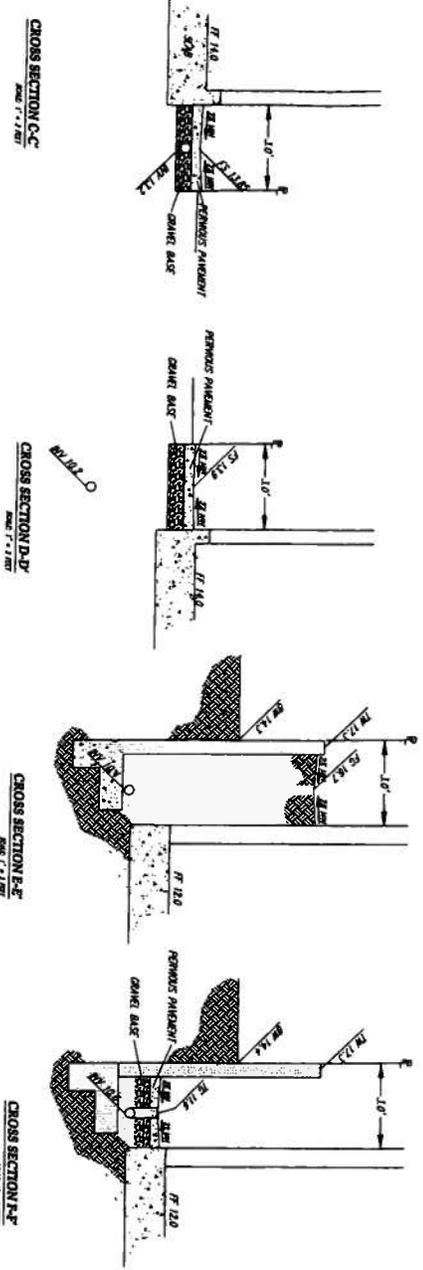
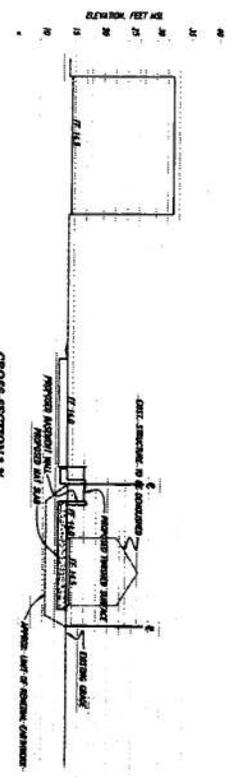
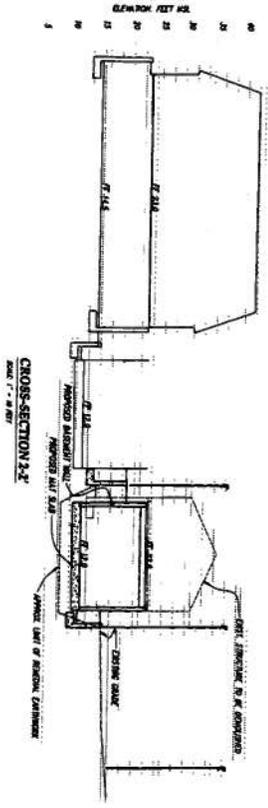
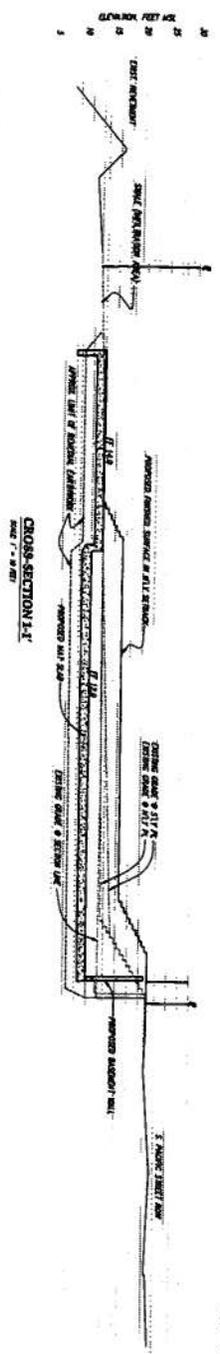


BASEMENT CLASSIFICATION:
 FINISHED FLOOR, WITH LESS THAN 4"
 GRAVEL ABOVE FINISHED FLOOR TO
 BE PROVIDED AS BASEMENT FLOORING.
 FINISHED FLOOR TO BE PROVIDED AS
 BASEMENT FLOORING.
 FINISHED FLOOR TO BE PROVIDED AS
 BASEMENT FLOORING.

- SITE NOTES**
1. THE CONTRACTOR SHALL VERIFY ALL GRADES, CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE NOTIFIED IMMEDIATELY.
 2. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 3. SURFACE WATER SHALL DRAIN AWAY FROM BUILDING STRUCTURES & NO LESS THAN 12" FROM FOUNDATION.
 4. EXISTING WATER LATERAL FOR CITY OF OCCAUCON CONNECTION DEPARTMENT.
 5. EXISTING WATER LATERAL FOR CITY OF OCCAUCON WATER & SEWER DEPARTMENT.
 6. ALL PROPERTY LINES, DIMENSIONS AND SURFACES, BOTH EXISTING AND PROPOSED, SHALL BE SHOWN ON THIS SITE PLAN.

ARCHITECT: STUDIO 4 3001 BAYVIEW DRIVE OCCAUCON, CA 95064 TEL: 707-264-4444 WWW.STUDIO4ARCHITECTS.COM	PROJECT: 825 S. PACIFIC ST LOT 14 OCCAUCON, CA 95064	OWNER: 825 S. PACIFIC, LLC 3801 S. COAST HWY OCCAUCON, CA 95064	OWNER'S REP: PAUL LONGTON SHROD & ASSOCIATES 2001 BAYVIEW DRIVE OCCAUCON, CA 95064 TEL: 707-264-4444	DESIGNER: DATE: 4/20/10 REVISIONS:	DATE: 4/20/10	SCALE: 1/8" = 1'-0"	SHEET NO.: SP.1
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**PRELIMINARY GRADING PLAN FOR
825 S. PACIFIC STREET, OCEANSIDE, CA
RC - 11 - 07**



TAYLOR GROUP, INC.
 10101 S. PACIFIC STREET, SUITE 100
 OCEANSIDE, CALIFORNIA 92054
 (760) 434-1100
 www.taylorgroup.com

SECTIONS AND DETAILS
 2
 2
 2

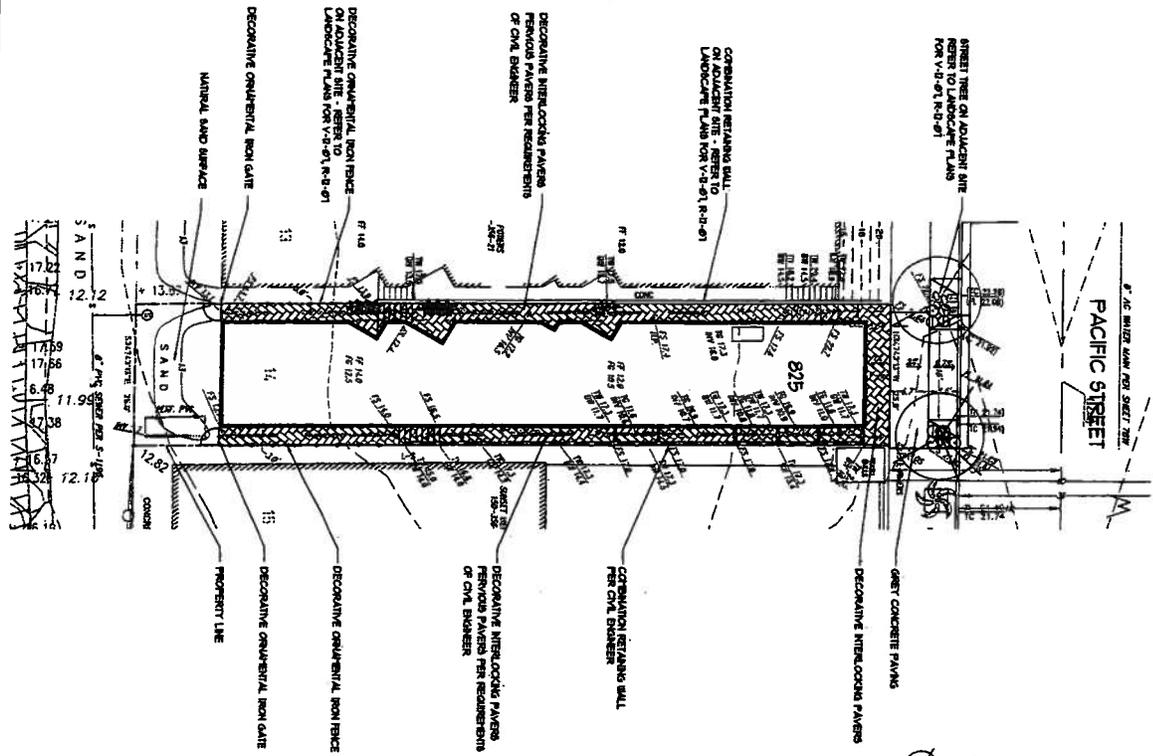
D-10487 / 10-11-07

Landscape Concept Plan

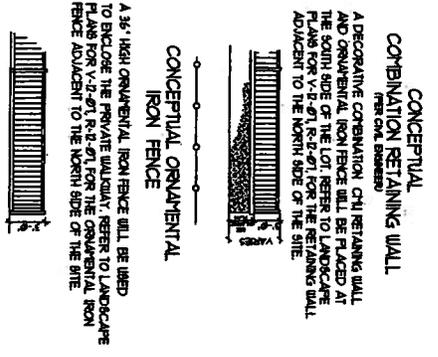
825 S. Pacific Street

GENERAL NOTES:
 THE CONCEPTUAL LANDSCAPE PLAN DISSEMINATEDLY SHOWS PLACEMENT OF PROPOSED PLANTING AND IRRIGATION SYSTEMS. THE LANDSCAPE ARCHITECT IS AWARE OF THE CITY OF OCEANSIDE POLICY REGARDING PLANTING AND STRUCTURES IN UTILITY EASEMENTS AND HAS CONSENTUALLY OBTAINED THE REQUIRED PERMITS. ALL PLANTING MATERIALS AND IRRIGATION SYSTEMS SHALL BE APPROVED BY THE CITY OF OCEANSIDE. THE FINAL LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY OF OCEANSIDE. THE FINAL LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY OF OCEANSIDE. THE FINAL LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY OF OCEANSIDE.

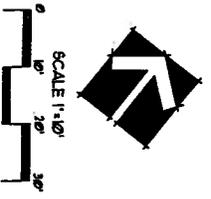
REGULATIONS: AN AUTOMATIC IRRIGATION SHALL BE INSTALLED AS REQUIRED TO PROVIDE COVERAGE FOR PLANTING AREAS SHOWN ON THE PLAN. LOT SPECIFIC IRRIGATION SHALL BE PROVIDED FOR PLANTING AREAS WITH A PERCENT COVERED FROM THE SITE. GROUND COVER OR MULCH SHALL BE PROVIDED FOR PLANTING AREAS TO PROTECT THE SOIL FROM EXCESSIVE SOLAR EXPOSURE, EVAPORATION, AND TO MAINTAIN MOISTURE. ALL PLANTING AREAS SHALL BE PLACED TO A DEPTH OF 2 FEET BELOW THE FINISHED GRADE. PLANTING SHALL BE ALIGNED TO GENERAL EASEMENTS OR RESTRICTED BY OTHER ALL LANDSCAPE PROVISIONS SHALL CONFORM TO THE CURRENT CITY OF OCEANSIDE REGULATIONS.



- CONCEPTUAL PLANT LIST**
- ⊗ IRISIA (B. CALIFORNIA) INSTALLED WITH ROOT BARRIERS.
 - ⊙ PROPAGATORIA PERUVIANA - BROWN LOCUST
 - ⊗ BARRERA AND ARGENTOCORNER - FLAMINGO, B. GULF, B. GULF
 - ⊙ HELICONIA SPERMATOPHYTES - BLUE OAK GRASS
 - ⊙ MABELIA TENISSIANA - REDUCED FEATHER GRASS
 - ⊗ POTTED PLANTS - 1 GAL. PLACED IN DECORATIVE POTS TO BE HAND MAINTAINED
 - ⊗ CYDUS REVOLUTA - SAND PALM
 - ⊗ FROBBER RESEMBLANCE - PRIGHT DATE PALM
 - ⊗ ADJUSTMENT IRIS IRISIA
 - ⊗ REFER TO LANDSCAPE PLAN FOR V-0-01, R-0-01, R-0-02



CONCEPTUAL RETAINING WALL
 A 36" HIGH ORNAMENTAL IRON FENCE WILL BE USED TO ENCLOSE THE PRIVATE WALKWAY. REFER TO LANDSCAPE PLAN FOR V-0-01, R-0-01 FOR THE ORNAMENTAL IRON FENCE ADJACENT TO THE NORTH SIDE OF THE SITE.



1 PLANNING COMMISSION
2 RESOLUTION NO. 2008-P59

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

7 APPLICATION NO: RC-11-07, V-7-08
8 APPLICANT: 825 S. Pacific Street, LLC
9 LOCATION: 825 South Pacific Street

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Regular Coastal Permit (RC-11-07) and Variance (V-
14 7-08) under the provisions of Article 10 and Article 41 of the Zoning Ordinance of the City of
15 Oceanside to permit the following:

16 demolition of an existing single-family residence and construct a new two-story 6,047-
17 square foot single-family residence to include a tandem four-car garage;
18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd
20 day of September, 2008 conduct a duly advertised public hearing as prescribed by law to consider
21 said application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
23 Guidelines thereto; this project has been found to be exempt per Article 19 Sections 15302 and
24 15303 from environmental review;

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

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

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1	Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5			
6	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
7			
8	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
9			
10			
11	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside (\$2.63 for Vista and Fallbrook) \$.42 for Vista and Fallbrook) \$2.63 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
12			
13			
14			
15			
16	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)
17			
18			
19	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 \$4,395 per unit; Non-residential is \$35,160 for a 2" meter.
20			
21			
22			
23	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 \$6,035 per unit; Non-residential is \$48,280 for a 2" meter.
24			
25			
26			
27	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit; Non-residential is \$22,495 for a 2" meter.
28			
29			

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

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

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

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

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

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

19 FINDINGS:

20 For the Regular Coastal Permit:

- 21 1. The proposed new single-family residence is consistent with the land use policies of the
22 Local Coastal Program as implemented through the Zoning Ordinance. Specifically, the
23 project will not substantially alter or impact existing public views of the coastal zone
24 area and the physical aspects of the project are consistent with the properties neighboring
the project site.
- 25 2. The proposed single-family residence will not obstruct any existing, planned, or required
26 public beach access; therefore, the project is in conformance with the policies of Chapter
27 3 of the Coastal Act. The residence is constructed similar in height and bulk to other
28 single-family residences within the 800 block of South Pacific Street recently approved
29

1 by the Planning Commission. There is public beach access within 100 feet of the
2 existing project site.

3 For the Variance Permit:

- 4 1. To allow a reduction in the required garage width pursuant to Section 3103 and 3110.
- 5 2. That because of special circumstances or conditions applicable to 825 South Pacific
6 Street (a 25-foot wide legal lot where 60 feet is required) strict application of the
7 requirements of the Zoning Ordinance (Sections 3103, 3110) deprives such property of
8 privileges enjoyed by other property in the vicinity and under the Residential Tourist
9 (RT) District classification. New residences with more than 2,500 square feet are
10 required to provide three off-street parking spaces; the use of tandem parking layout is
11 an acceptable means of providing off-street parking spaces when a legal lot's width --
12 25-feet -- is too narrow to accommodate three parking spaces side-by-side. Further, a
13 tandem layout allows the property owner to enjoy vehicular access what would otherwise
14 not be possible given the lot's width.
- 15 3. That granting the Variance (V-7-08) will not be detrimental or injurious to the property
16 or improvements in the vicinity of the new 6,047-square foot single-family home, or to
17 the public health, safety or general welfare. A reduction in the required width of the
18 garage and access to the required third parking space (tandem layout) are granted
19 because of the narrow width of the existing legal lot
- 20 4. That granting the Variance (V-7-08) is consistent with the purposes of the Zoning
21 Ordinance and will not constitute a grant of special privilege inconsistent with
22 limitations on other properties in the vicinity and in the RT District. Granting a variance
23 to allow a reduction in the required garage width under the provisions of the Zoning
24 Ordinance and the RT District and will not adversely affect the General Plan or the Local
25 Coastal Program. The tandem parking layout will not pose a traffic problem nor be
26 detrimental to the adjacent properties and the Townsite Neighborhood.

27 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
28 approve Regular Coastal Permit (RC-11-07) and Variance (V-7-08) subject to the following
29 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 be in compliance with this requirement prior to submittal for
9 building 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, and
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.

- 1 7. Separate/unique addresses will/may be required to facilitate utility releases. Verification
2 that the addresses have been properly assigned by the City's Planning Division must
3 accompany the Building Permit application.
- 4 8. 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 9. 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 10. A private sewer system design must be submitted to the Building Division and approved
13 prior to the construction of the sewer system. If a gravity flow system is not used, an
14 engineered mechanical system must be submitted and approved by the Planning,
15 Engineering, Water, and Building Divisions.
- 16 11. 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 12. 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 13. As part of the plan check submittal for a Building Permit, submit a "plat" drawing showing
23 the first floor elevations for each segment, the locations of the points where the floor level
24 is six feet above grade, and the lowest elevation within five feet from the building for each
25 segment.

25 **Engineering:**

- 26 14. For the demolition of any existing structures or surface improvements, grading plans shall
27 be submitted and erosion control plans be approved by the City Engineer prior to the
28 issuance of a demolition permit. No demolition shall be permitted without an approved
29 erosion control plan.

- 1 15. With the exception of the approved access points, vehicular access rights to South Pacific
2 Street shall be relinquished by the property owner to the City.
- 3 16. No permit shall be issued for the development prior to the City Engineer's approval of the
4 exact alignment, geometrics, and widths of all right of way dedications and street
5 improvements.
- 6 17. The project shall have no vertical obstructions greater the 30" in height within 3 feet of
7 the proposed project driveway and no vertical obstructions greater than 30" in height
8 within 10 feet of the proposed project driveway.
- 9 18. Design and construction of all improvements shall be in accordance with standard plans,
10 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 11 19. Prior to issuance of a building permit, all improvement requirements shall be covered by
12 a development agreement and secured with sufficient improvement securities or bonds
13 guaranteeing performance and payment for labor and materials, setting of monuments,
14 and warranty against defective materials and workmanship.
- 15 20. 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 developer. The developer is responsible for applying for all closures, vacations, and
18 abandonments as necessary. The application(s) shall be reviewed and approved or
19 rejected by the City of Oceanside under separate process(es) per codes, ordinances, and
20 policies in effect at the time of the application.
- 21 21. A construction phasing plan for all public and private improvements shall be reviewed
22 and approved by the City Engineer prior to the issuance of any grading or improvement
23 permits. Prior to the issuance of any building permits all off-site or frontage
24 improvements including landscaping and any required streets or arterials shall be under
25 construction to the satisfaction of the City Engineer. All improvements shall be
26 completed prior to issuance of any certificates of occupancy.
- 27 22. Where off-site improvements, including but not limited to slopes, public utility facilities,
28 and public drainage facilities, are to be constructed, the applicant shall, at his own expense,
29 obtain all necessary easements or other interests in real property and, in case of public
easements or rights of way, shall dedicate the same to the City of Oceanside as required.

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

7 23. Prior to the issuance of a grading permit, the developer shall notify and host a
8 neighborhood meeting with all of the area residents located within 300 feet of the project
9 site, and residents of property along any residential streets to be used as a "haul route", to
10 inform them of the grading and construction schedule, haul routes, and to answer
11 questions.

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

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

1 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
2 and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m..
3 to 3:30 p.m. unless approved otherwise.

4 25. A traffic control plan shall be prepared according to the City traffic control guidelines
5 and be submitted to and approved by the City Engineer prior to the start of work within
6 open City rights-of-way. Traffic control during construction of streets that have been
7 opened to public traffic shall be in accordance with construction signing, marking and
8 other protection as required by the Caltrans Traffic Manual and City Traffic Control
9 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
10 approved otherwise.

11 26. Approval of this development project is conditioned upon payment of all applicable impact
12 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
13 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
14 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
15 prior to the issuance of any building permits, in accordance with City Ordinances and
16 policies. The developer shall also be required to join into, contribute, or participate in any
17 improvement, lighting, or other special district affecting or affected by this project.
18 Approval of the development project shall constitute the developer's approval of such
19 payments, and his agreement to pay for any other similar assessments or charges in effect
20 when any increment is submitted for building permit approval, and to join, contribute,
21 and/or participate in such districts.

22 27. The improvements on South Pacific Street along the frontage of the development shall
23 include Portland cement concrete curb, gutter, and sidewalk, unless such improvement is
24 specifically exempted by current General Plan, City code, or ordinance.

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

28 29. Sight distance and clear space easement requirements at the project driveways shall
29 conform to the corner sight distance criteria as provided by San Diego County Standards

1 DS-20A and/or DS-20B. The project's civil engineer shall submit an appropriate "Sight
2 Distance Letter" to the City Engineer certifying compliance with this requirement.

3 30. Streetlights shall be maintained and installed on all public streets within the project and
4 along the project's frontage per City Standards. The system shall provide uniform lighting,
5 and be secured prior to occupancy. The developer shall pay all applicable fees, energy
6 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights
7 and shall also agree to the formulation of, or the annexation to, any appropriate street
8 lighting district.

9 31. Pavement sections for all streets, driveways and parking areas within the project and along
10 the project's frontage shall be based upon approved soil tests and traffic indices. The
11 pavement design is to be prepared by the developer's soil engineer and must be approved
12 by the City Engineer, prior to paving.

13 32. Prior to approval of the grading plans, the developer shall provide appropriate
14 documentation from a geotechnical engineer on the current state of the street's structural
15 section to the satisfaction of the City Engineer. If such documentation is not available, the
16 developer's geotechnical engineer shall perform a field investigation of the existing
17 pavement on all streets adjacent to the project boundary. The limits of the study shall be
18 half-street (including median, if any) 12 feet along the project's frontage. If required, the
19 field investigation shall be performed according to a specific boring plan prepared by a
20 licensed Geotechnical Engineer and approved by the City Engineer. In the absence of such
21 approved boring plan, the field investigation shall include a minimum of one pavement
22 boring per every 100 linear feet of street frontage. Should the existing structural section be
23 determined to be less than the current minimum standard for AC and Class II Base as set
24 forth in the table for City of Oceanside Pavement Design Guidelines in the City of
25 Oceanside Engineers Manual, the developer shall remove and reconstruct the pavement
26 section as determined by the pavement analysis submittal process detailed below.

27 33. Upon review of the pavement investigation, the City Engineer shall determine whether the
28 developer shall: 1) Repair all failed pavement sections, header cut and grind per the
29 direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2)
Perform R-value testing and submit a study that determines if the existing pavement meets

1 current City standards/traffic indices. Should the study conclude that the pavement does
2 not meet current requirements, rehabilitation/mitigation recommendations shall be
3 provided in a pavement analysis report, and the developer shall reconstruct the pavement
4 per these recommendations, subject to approval by the City Engineer.

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

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

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

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

18 38. The approval of the development project shall not mean that proposed grading or
19 improvements on adjacent properties (including any City properties/rights-of-way or
20 easements) is granted or guaranteed to the developer. The developer is responsible for
21 obtaining permission to grade or to construct on adjacent properties. Should such
22 permission be denied, the resulting changes to the Development Plan shall be subject to a
23 Substantial Conformity review. Changes not meeting substantial conformity requirements
24 shall be submitted for appropriate public hearing action.

25 39. Prior to any grading of any part of the development/project, a comprehensive soils and
26 geologic investigation shall be conducted of the soils, slopes, and formations in the project.
27 All necessary measures shall be taken and implemented to assure slope stability, erosion
28 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
29 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
the City Engineer.

- 1 40. The Geotechnical consultants shall review and approve the detailed shoring/
2 foundation/grading/site work plans prior to issuance of any permits. This approval shall
3 be by wet signature which clearly indicates that the Geotechnical Consultants have
4 reviewed the plans prepared by the design engineer and that plans are in conformance
5 with the recommendations contained in their Geotechnical Report
- 6 41. The approval for the Preliminary Grading Plan is predicated on the construction of a mat
7 foundation. The approval of a grading permit will be assumed to be with the
8 recommendation of a mat foundation as provided by the geotechnical engineer.
9 Engineering should be informed as to any changes to this recommendation at the time of
10 submittal for the grading permit.
- 11 42. An "as-built report prepared by the consultant must be submitted to the City for review.
12 The report must include the results of all compaction tests as well as a map depicting the
13 limits of over excavation, observed geologic conditions, locations of all density tests,
14 locations and all removal bottoms, and location and elevation of all retaining wall back
15 drains and outlets.
- 16 43. Print the name, address, and phone number of the Project Geotechnical consultant and
17 list all applicable geotechnical reports on the building/grading plans.
- 18 44. The foundation plans and foundation details shall clearly depict the embedment material
19 and minimum depth of embedment for the foundations.
- 20 45. The following note must appear on all the foundation plans: "*All foundation excavations*
21 *must be observed and approved by the Project Geotechnical Consultant prior to*
22 *placement of reinforcing steel.*"
- 23 46. The final shoring. Grading, drainage, and foundation plans should be reviewed, signed
24 and wet stamped by the project geotechnical consultants.
- 25 47. It is the responsibility of the owner/developer to evaluate and determine that all soil
26 imported as part of this development is free of hazardous and/or contaminated material
27 as defined by the City and the County of San Diego Department of Environmental
28 Health. Exported or imported soils shall be properly screened, tested, and documented
29 regarding hazardous contamination.

- 1 48. This project shall provide year-round erosion control including measures for the site
2 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
3 control plan, designed for all proposed stages of construction, shall be reviewed, secured
4 by the applicant with cash securities and approved by the City Engineer.
- 5 49. Precise grading and private improvement plans shall be prepared, reviewed, secured and
6 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
7 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
8 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
9 and any on-site traffic calming devices shall be shown on all Precise Grading and Private
10 Improvement Plans.
- 11 50. The drainage design on the development plan is conceptual only. The final design shall be
12 based upon a hydrologic/hydraulic study to be approved by the City Engineer during final
13 engineering. All drainage picked up in an underground system shall remain underground
14 until it is discharged into an approved channel, or as otherwise approved by the City
15 Engineer. All public storm drains shall be shown on City standard plan and profile sheets.
16 All storm drain easements shall be dedicated where required. The applicant shall be
17 responsible for obtaining any off-site easements for storm drainage facilities.
- 18 51. All storm drains shall be designed and constructed per current editions of the City's
19 *Engineers Design and Processing Manual*, the *San Diego County Hydrology and*
20 *Drainage Design Manuals*, and *San Diego Area Regional Standard Drawings*.
- 21 52. For any increase of storm water flows from the development site to other properties the
22 developer shall secure appropriate easement(s) from and maintenance agreement(s) with
23 the owner(s) of the impacted properties to the satisfaction of the City Engineer. Upon
24 approval by City Engineer and the City Attorney, the appropriate documents shall be
25 recorded prior to issuance of any permits for the development. Should the developer be
26 unable to secure such easement(s) or agreement(s), the resulting changes to the
27 Development Plan shall be subject to a Substantial Conformity review. Changes not
28 meeting substantial conformity requirements shall be submitted for appropriate public
29 hearing action.

1 53. The developer shall comply with applicable FEMA regulations. The developer shall
2 record a covenant against the property indemnifying and holding the City harmless from
3 any claims regarding drainage and flooding prior to issuance of any grading, building or
4 improvement permit.

5 54. Storm drain facilities shall be designed and located such that the inside travel lanes on
6 streets with Collector or above design criteria shall be passable in both directions during
7 conditions of a 100-year frequency storm.

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

11 56. The development shall comply with all applicable regulations established by the United
12 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
13 Discharge Elimination System (NPDES) permit requirements for urban runoff and
14 stormwater discharge and any regulations adopted by the City pursuant to the NPDES.
15 Regulations or requirements. Further, the applicant may be required to file a Notice of
16 Intent with the State Water Resources Control Board to obtain coverage under the
17 NPDES. General Permit for Storm Water Discharges Associated with Construction
18 Activity and may be required to implement a Storm Water Pollution Prevention Plan
19 (SWPPP) concurrent with the commencement of grading activities. SWPPPs include
20 both construction and post construction pollution prevention and pollution control
21 measures and identify funding mechanisms for post construction control measures. The
22 developer shall comply with all the provisions of the Clean Water Program during and
23 after all phases of the development process, including but not limited to: mass grading,
24 rough grading, construction of street and landscaping improvements, and construction of
25 dwelling units. The applicant shall design the Project's storm drains and other drainage
26 facilities to include Best Management Practices to minimize non-point source pollution,
satisfactory to the City Engineer.

27 57. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
28 be subject to prevailing wage requirements as specified by Labor Code section
29

1 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
2 wage requirements prior to the granting of any fee reductions or waivers.

3 58. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to
4 the City Engineer with the first submittal of engineering plans. The O&M Plan shall be
5 prepared by the applicant's Civil Engineer. It shall be directly based on the project's
6 SWMP previously approved by the project's approving authority (Planning
7 Commission/City Council). At a minimum the O&M Plan shall include the designated
8 responsible parties to manage the storm water BMP(s), employee's training program and
9 duties, operating schedule, maintenance frequency, routine service schedule, specific
10 maintenance activities, copies of resource agency permits, cost estimate for
11 implementation of the O&M Plan and any other necessary elements.

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

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

28 61. The Agreement shall include a copy of executed onsite and offsite access easements
29 necessary for the operation and maintenance of BMPs that shall be binding on the land
throughout the life of the project to the benefit of the party responsible for the O&M of

1 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the
2 O&M Plan approved by the City Engineer.

3 62. The BMPs described in the project's approved SWMP shall not be altered in any way,
4 shape or form without formal approval by either an Administrative Substantial
5 Conformance issued by the City Planner or the project's final approving authority
6 (Planning Commission/City Council) at a public hearing. The determination of
7 whatever action is required for changes to a project's approved SWMP shall be made by
8 the City Planner.

9 63. The developer shall provide a copy of the title/cover page of the approved SWMP with
10 the first engineering submittal package.

11 64. Landscape improvements shall meet the criteria of the City of Oceanside Landscape
12 Guidelines and Specifications for Landscape Development (latest revision), Water
13 Conservation Ordinance No. 91-15, Engineering criteria, City code and ordinances,
14 including the maintenance of such landscaping, shall be reviewed and approved by the
15 City Engineer prior to the issuance of building permits. The following landscaping
16 requirements shall be required prior to plan approval and certificate of occupancy:

- 17 a) Final landscape plans shall accurately show placement of all plant material such
18 as but not limited to trees, shrubs, and groundcovers.
- 19 b) Landscape Architect shall be aware of all utilities and utility lines in addition to
20 all utility, sewers, storm drain easements and place planting locations accordingly
21 to meet City of Oceanside requirements.
- 22 c) All required landscape areas shall be maintained by owner. The landscape areas
23 shall be maintained per City of Oceanside requirements.
- 24 d) Proposed landscape species shall be native or naturalized to fit the site and meet
25 climate changes indicative to their planting location. The selection of plant
26 material shall also be based on cultural, aesthetic, and maintenance
27 considerations. In addition proposed landscape species shall be low water users
28 as well as meet all fire department requirements.
- 29

- 1 e) All planting areas shall be prepared with appropriate soil amendments, fertilizers,
2 and appropriate supplements based upon a soils report from an agricultural
3 suitability soil sample taken from the site.
- 4 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
5 from the sun, evapotranspiration and run-off. All the flower and shrub beds
6 shall be mulched to a 3" depth to help conserve water, lower the soil temperature
7 and reduce weed growth.
- 8 g) The shrubs shall be allowed to grow in their natural forms. All landscape
9 improvements shall follow the City of Oceanside Guidelines.
- 10 h) If trees are proposed, root barriers shall be installed adjacent to all paving
11 surfaces, where a paving surface is located within 6 feet of a trees trunk. Root
12 barriers shall extend 5 feet in each direction from the centerline of the trunk, for a
13 total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a
14 root barrier around the tree's root ball is unacceptable.
- 15 i) If applicable, the planting and placement of trees and their distances from
16 hardscape and other utilities/ structures the landscape plans shall follow the City
17 of Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 18 j) An automatic irrigation system shall be installed to provide coverage for all
19 planting areas shown on the plan. Low precipitation equipment shall provide
20 sufficient water for plant growth with a minimum water loss due to water run-off.
- 21 k) Irrigation systems shall use high quality, automatic control valves, controllers
22 and other necessary irrigation equipment. All components shall be of non-
23 corrosive material. All drip systems shall be adequately filtered and regulated
24 per the manufacturer's recommended design parameters.
- 25 l) All irrigation improvements shall follow the City of Oceanside Guidelines and
26 Water Conservation Ordinance.
- 27 m) The landscape plans shall be in conformance with all plans affiliated with the
28 project.
29

1 n) Landscape plans shall comply with Biological and/or Geotechnical reports, as
2 required, shall match the grading and improvement plans, comply with SWMP/
3 Best Management Practices and meet the satisfaction of the City Engineer.

4 o) Existing landscaping on and adjacent to the site shall be protected in place and
5 supplemented or replaced to meet the satisfaction of the City Engineer.

6 65. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
7 and within any adjoining public parkways shall be permanently maintained by the owner,
8 his assigns or any successors-in-interest in the property. The maintenance program shall
9 include: a) normal care and irrigation of the landscaping b) repair and replacement of
10 plant materials c) irrigation systems as necessary d) general cleanup of the landscaped
11 and open areas e) parking lots and walkways, walls, fences, etc. Failure to maintain
12 landscaping shall result in the City taking all appropriate enforcement actions including
13 but not limited to citations. This maintenance program condition shall be recorded with
14 a covenant as required by this resolution.

15 66. The approval for the Preliminary Grading Plan is predicated on the construction of a mat
16 foundation. The approval of a grading permit will be assumed to be with the
17 recommendation of a mat foundation as provided by the geotechnical engineer.
18 Engineering should be informed as to any changes to this recommendation at the time of
19 submittal for the grading permit.

20 **Fire:**

21 67. Fire Department requirements shall be placed on plans in the notes section.

22 68. Smoke detectors are required, and detector locations must be indicated on the plans.

23 69. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
24 the site plan.

25 70. Provide a 13D fire sprinkler system. The system shall be designed per N.F.P.A 13D,
26 protection against the fire hazards in one and two-family dwellings and manufactured
27 homes.

28 71. In accordance with the California Fire Code Sec. 505, approved addresses for
29 commercial, industrial, and residential occupancies shall be placed on the structure in

1 such a position as to be plainly visible and legible from the street or roadway fronting the
2 property. Numbers shall contrast with their background.

3 72. Single-family dwellings require 4-inch address numbers.

4 73. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
5 approval prior to the issuance of building permits. A site plan indicating the fire access
6 and hydrant locations must also be submitted on CD Rom.

7 **Planning:**

8 74. This Regular Coastal Permit shall expire on September 22, 2010, unless the Planning
9 Commission grants a time extension.

10 75. This Regular Coastal Permit approves only a 6,047-square foot single-family residence
11 with to include a four-car tandem garage as shown on the plans and exhibits presented to
12 the Planning Commission for review and approval. No deviation from these approved
13 plans and exhibits shall occur without Planning Division approval. Substantial deviations
14 shall require a revision to the Regular Coastal Permit or a new Coastal Permit.

15 76. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
16 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
17 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
18 annul an approval of the City, concerning Regular Coastal Permit (RC-11-07) and
19 Variance (V-7-08). The City will promptly notify the applicant of any such claim, action
20 or proceeding against the City and will cooperate fully in the defense. If the City fails to
21 promptly notify the applicant of any such claim action or proceeding or fails to cooperate
22 fully in the defense, the applicant shall not, thereafter, be responsible to defend,
23 indemnify or hold harmless the City.

24 77. All mechanical rooftop and ground equipment shall be screened from public view as
25 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
26 mechanical equipment, screen and vents shall be painted with non-reflective paint to match
27 the roof. This information shall be shown on the building plans.

28 78. All single-family projects shall dispose of or recycle solid waste in a manner provided in
29 City Ordinance 13.3.

- 1 79. 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 80. A covenant or other recordable document approved by the City Attorney shall be prepared
4 by the applicant and recorded prior to the issuance of building permits where no final map
5 is required. The covenant shall provide that the property is subject to this resolution, and
6 shall generally list the conditions of approval.
- 7 81. Prior to the issuance of building permits, compliance with the applicable provisions of the
8 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
9 and approved by the Planning Division. These requirements, including the obligation to
10 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
11 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
12 property.
- 13 82. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
14 written copy of the applications, staff report and resolutions for the project to the new
15 owner and or operator. This notification's provision shall run with the life of the project
16 and shall be recorded as a covenant on the property.
- 17 83. Failure to meet any conditions of approval for this development shall constitute a violation
18 of the Regular Coastal Permit.
- 19 84. Unless expressly waived, all current zoning standards and City ordinances and policies
20 in effect at the time building permits are issued are required to be met by this project.
21 The approval of this project constitutes the applicant's agreement with all statements in
22 the Description and Justification and other materials and information submitted with this
23 application, unless specifically waived by an adopted condition of approval.
- 24 85. The height of the single-family residence shall not exceed 27 feet with the exception of
25 the City of Oceanside's Zoning Ordinance, Article 30, Section 3018. A set of building
26 plans shall be reviewed and approved by the Planning Division prior to the issuance of
27 building permits.
- 28 86. Elevations, siding materials, colors, roofing materials and floor plans shall be
29 substantially the same as those approved by the Planning Commission. These shall be
shown on plans submitted to the Building Division and Planning Division.

1 87. Photo documentation of the existing structure shall be accomplished in the prior to the
2 issuance of demolition permits in the following manner: Format (4" X 5") to include
3 black and white shots of all exterior elevations of the cultural resource, producing
4 archival quality negatives and contacts. Interior shots shall be accomplished in the same
5 format. Color slide photo documentation shall be required, the number of shots to be
6 determined by the OHPAC. All photo documentation shall be accomplished under the
7 direction of a designated member of the OHPAC and to the satisfaction of the City
8 Planner.

9 88. Prior to issuance of a building permit, the applicant and landowner, shall execute and
10 record a covenant, in a form and content acceptable to the City Attorney, which shall
11 provide:

12 a) That the applicant understands that the site may be subject to extraordinary hazard
13 from waves during storms and from erosion, and the applicants assumes the
14 liability from those hazards.

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

18 **Water Utilities:**

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

23 90. The property owner will maintain private water and wastewater utilities located on private
24 property.

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

27 92. All Water and Wastewater construction shall conform to the most recent edition of the
28 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
29 the Water Utilities Director.

- 1 93. All public water and/or sewer facilities not located within the public right-of-way shall be
- 2 provided with easements sized according to the Water, Sewer, and Reclaimed Water
- 3 Design and Construction Manual. Easements shall be constructed for all weather access.
- 4 94. No trees, structures or building overhang shall be located within any water or wastewater
- 5 utility easement.
- 6 95. All lots with a finish pad elevation located below the elevation of the next upstream
- 7 manhole cover of the public sewer shall be protected from backflow of sewage by
- 8 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
- 9 Code (U.P.C.).
- 10 96. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
- 11 be paid to the City and collected by the Water Utilities Department at the time of Building
- 12 Permit issuance.

13 ///////////////
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1 97. 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. 2008-P59 on September 22, 2008 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

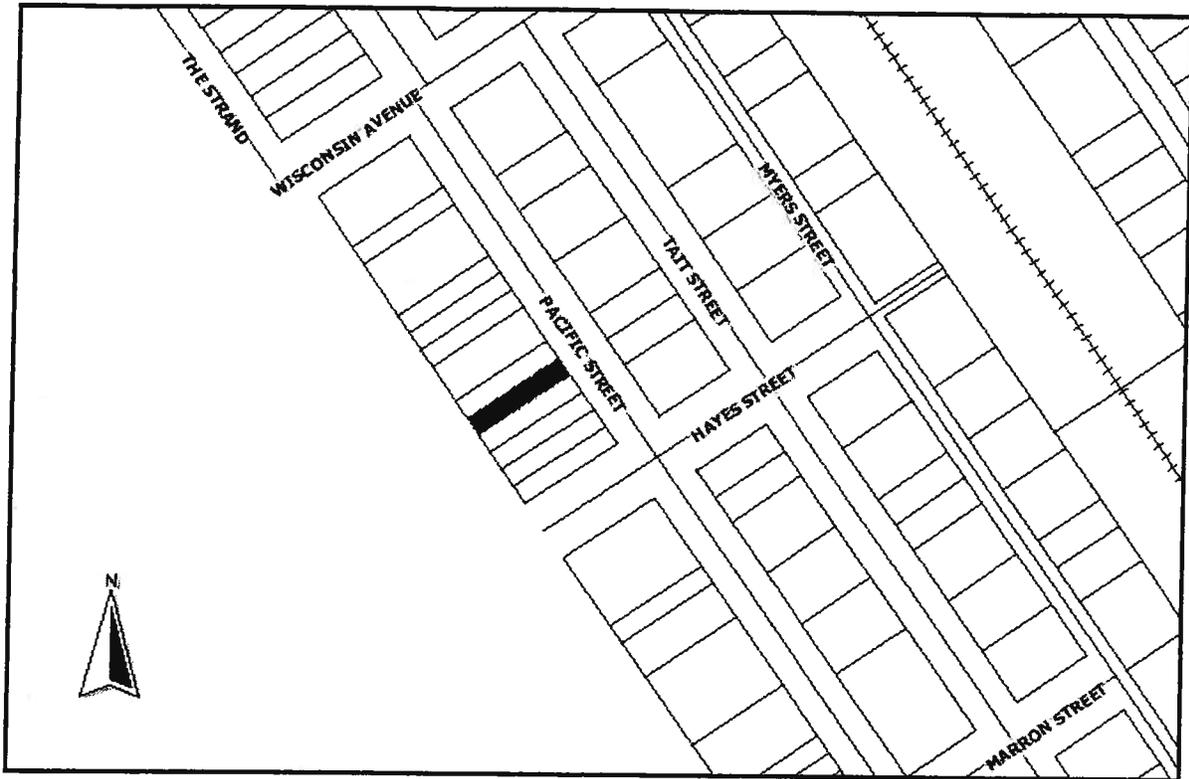
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12 _____
13 Claudia Troisi, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16 _____
17 Jerry Hittleman, Secretary

18
19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2008-P59.

21 Dated: September 22, 2008
22
23
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29



File Number: RC-11-07, V-7-08

Applicant: 825 S. Pacific Street, LLC

Description:

REGULAR COASTAL PERMIT (RC-11-0) and VARIANCE (V-7-08) to demolish an existing single-family residence and construct a 6,047-square foot single-family residence and a four-car tandem parking garage located at 825 S. Pacific Street. The project is zoned RT (Residential Tourist District) and is situated within the Townsite Neighborhood and the Coastal Zone. –
WALK RESIDENCE

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

Date: September 4, 2008

Public Hearing Coastal Permit
Identification No. RC-11-07

NOTICE OF PUBLIC HEARING
COASTAL DEVELOPMENT PERMIT

This is a notice to you as an interested party that the City of Oceanside Planning Commission will hold a public hearing on the Coastal Permit application of 825 S. Pacific Street, LLC. This application was received on January 31, 2008. The application is described as follows:

To demolish an existing single-family residence and construct a 6,047-square foot single-family residence and a four-car tandem parking garage located at 825 South Pacific Street.

The project site is zoned RT (Residential Tourist) and is situated within the Townsite Neighborhood and the Coastal Zone.

Said hearing will be held on September 22, 2008, at 7:00 p.m. in the Council Chamber of City Hall, 300 North Coast Hwy., Oceanside, California at which time and place any and all interested persons may appear and be heard. Interested persons may contact the Planning Division at (760) 435-3520 after September 17, 2008, to be informed of the place on the agenda and the approximate time of hearing.

If you have any questions or comments regarding this matter, or want to be notified of the decision, contact the City of Oceanside, Planning Division at (760) 435-3520. Written comments may be submitted prior to the hearing and will be made part of the public record and provided to the Planning Commission.

If you disagree with the decision of the Planning Commission concerning this project's conformance to the Local Coastal Plan, you may appeal the decision to the City Council. The appeal, accompanied by the appropriate fee must be filed in the City Clerk's Office, 300 North Coast Hwy., Oceanside, no later than 5:00 p.m. on October 2, 2008 (10 days from the adoption of the Planning Commission Resolution).

The project is "appealable" to the California Coastal Commission under Section 30603(a) of the California Public Resources Code. An aggrieved person may appeal the decision to the Coastal Commission within ten (10) working days following the Commission receipt of the Notice of Final Action on this project. The Notice of Final Action is mailed after the City's last action, such as Planning Commission resolution, Community Development Commission resolution (for projects in the Redevelopment Area), or City Council resolution (for projects involving a zone change or which resulted in a local appeal). Please contact the Planning Department at (760) 435-3520 for this information.

Appeals must be in writing. The Coastal Commission, San Diego District Office is at 7575 Metropolitan Drive, Suite 103, San Diego, California 92108-4402. The phone number is (619) 767-2370.

Application For Planning Commission Hearing

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

RECEIVED

JUL - 2 2007

STAFF USE ONLY

ACCEPTED BY
 F. Burton FB

Please Print or Type All Information
PART I - APPLICANT INFORMATION

1. APPLICANT Sandy Walk LLC	2. STATUS
3. ADDRESS Lot # 14 S. Pacific St.	4. PHONE/FAX 858. 759. 0306 858. 759. 0301
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) David P. Fischbach	
6. ADDRESS PO Box 1454 Rancho Santa Fe 92067	7. PHONE/FAX 858. 759. 0881 858. 759. 0306

HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	
DEV. PL.	
C.U.P.	
VARIANCE	V-7-08
COASTAL	RC-11-07
O.H.P.A.C.	

PART II - PROPERTY DESCRIPTION

8. LOCATION Lot # 14 of the 800 block of S. Pacific St.	9. SIZE .075 acres
10. GENERAL PLAN Urban high density	11. ZONING R+
12. LAND USE Residential	13. ASSESSOR'S PARCEL NUMBER 150-356-20-00

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
 Rev - 7/16/08
 Construction of single family residence

15. PROPOSED GENERAL PLAN N/A	16. PROPOSED ZONING Same	17. PROPOSED LAND USE Same	18. NO. UNITS 1	19. DENSITY 13.4 units per acre
20. BUILDING SIZE 4501 SF	21. PARKING SPACES 4	22. % LANDSCAPE 25%	23. % LOT COVERAGE 63%	

PART IV - ATTACHMENTS

ALL APPLICATIONS

DEV. PLANS, C.U.P.s & TENT. MAPS

24. DESCRIPTION/JUSTIFICATION	25. LEGAL DESCRIPTION	30. FLOOR PLANS AND ELEVATIONS
26. 300-FT. RADIUS MAP	27. PROPERTY OWNERS' LIST	31. CONSTRUCTION SCHEDULE
28. ENVIRONMENTAL ASSESSMENT	29. PLOT PLANS	32. OTHER

PART V - SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.

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).

33. APPLICANT OR REPRESENTATIVE (Print):
 David P. Fischbach

34. DATE
 6/28/07

Sign: David P. Fischbach

37. OWNER (Print):
 Sandy Walk LLC

38. DATE
 6/28/07

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

Sign: [Signature] 825 SOUTH PACIFIC LLC

35. APPLICANT (Print):
 David Fischbach

36. DATE
 6/28/07

Sign: David Fischbach

39. OWNER (Print):
 Sandy Walk LLC

40. DATE
 6/28/07

Sign: [Signature]

RECEIVED FAITH

JUL - 2 2007

Planning Department

20

Project Description and Justification
for One Single Family Residence on Lot 14 of the 800 Block of South Pacific Street,
Oceanside, APN 150-356-20-00

Date: June 28, 2007

Owner: Sandy Walk, LLC

Submitted by: David Fischbach, Owner representative

This project consists of construction a 4,724 SF Single Family Residence with an 828 SF garage and 495 SF of decks on a 0.075-Acre Lot. This lot was created in Block C of Meyer's Annex, County of San Diego April 13, 1906. The architectural style and building materials of this home are designed to enhance and compliment the character of the neighborhood. More specifically, this home will consist of two stories over a basement with a four-car garage. The project will conform to the string line set back beginning fifteen feet to the east of the property line. Neighboring views are maintained by angling the structure on the ocean elevation. It should be noted that the neighbors' two lots to the north and south of the subject property protrude fifteen feet further seaward. The subject property conforms to the twenty-seven foot height limitation and a less than ten percent protrusion for architectural features.

Some of the features of the subject property are slate roof, copper flashing, elevator, laminated glass for sound proofing, furniture quality garage doors, non-corrosive material suitable for low maintenance beachfront living, maintenance of lateral access at the beach level so that even at high tide the public can walk north to south on the west side of the building.

This project provides a four-car garage. It should be noted that presently NO off street parking is provided by the current structures. While two parking spaces are tandem they will be well utilized in a single family home.

This project includes a request for a variance to tandem parking. The size of the house requires (per Oceanside Zoning) a 3-car garage, but the width of the lot prohibits any configuration other than tandem parking to get the required parking.

Construction Management Plan - Screening of the construction will be provided by a chain-link fence with fabric that reduces visual access. Parking for the construction workers will be provided on Lots 15 and 16 (adjacent lots to the south). Lots 15 and 16 will also provide an area for construction materials staging. The buildings on 15 and 16 have recently been demolished and there are no plans, at this time, to build on those lots.

For Development Plan:

- 1.) The site plan and physical design of the project is consistent with the Zoning Ordinance in that the project has been designed to meet or exceed the standards in the Zoning Ordinance.
- 2.) The Development Plan conforms to the General Plan of the City.
- 3.) Public Facilities and infrastructure necessary to serve the project are currently in place, or will be constructed as part of the project.
- 4.) The project is consistent and compatible with the surrounding residential development.

- 5.) All areas of the lot that are not being used for structure will be used for staging and will be called out on the site plan.
- 6.) The site plan will list the Construction Work Hours Detail for clarification of construction schedules as follows:

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

Project Description and Justification

for One Single Family Residence on Lot 14 of the 800 Block of South Pacific Street,
Oceanside, APN 150-356-20-00

For Regular Coastal Permit:

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

LEGAL DESCRIPTION

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

LOT 14 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 THE COUNTY OF SAN DIEGO, APRIL 13, 1906.

EXCEPTING THEREFROM ANY PORTION THEREOF NOW OR HERETOFORE LYING BELOW THE ORDINARY HIGH TIDE LINE OF THE PACIFIC OCEAN.

APN: 150-356-~~20~~-00



NOTICE OF EXEMPTION

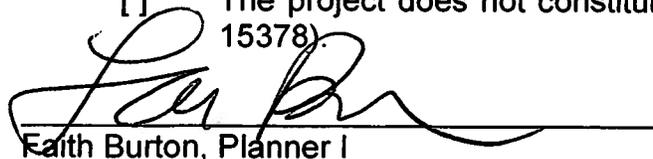
City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** 825 S. Pacific St., LLC
2. **ADDRESS:** 825 S. Pacific Street
Oceanside CA. 92054
3. **PHONE NUMBER:** (760) 580 -1986
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Faith Burton, Planner I
6. **PROJECT TITLE:** 825 S. PACIFIC (RC-11-07, V-7-08)
7. **DESCRIPTION:** REGULAR COASTAL PERMIT (RC-11-07) FOR THE DEMOLITION OF AN EXISTING RESIDENTIAL STRUCTURE AND THE CONSTRUCTION OF A NEW 6,0471 SQUARE FOOT SINGLE FAMILY RESIDENCE WITH A TANDEM FOUR-CAR GARAGE LOCATED AT 825 SOUTH PACIFIC STREET IN THE TOWNSITE NEIGHBORHOOD AND WITHIN THE COASTAL ZONE.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes interior alterations involving such things as interior partitions, plumbing and electrical conveyances, and the project is categorically exempt. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

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


Faith Burton, Planner I

Date: September 22, 2008

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee