



DATE: February 26, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/ Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-26-06),
CONDITIONAL USE PERMIT (C-54-06), LOCAL COASTAL
PERMIT (RC-26-06), AND DEFERRAL OF OVERHEAD UTILITIES
UNDERGROUND CONVERSION TO SUBDIVIDE A 4,493-
SQUARE FOOT LOT INTO TWO PARCELS AND PERMIT
CONSTRUCTION OF TWO NEW ROW HOMES LOCATED AT
905 SOUTH TREMONT STREET – LETOURNEAU ROW HOMES
– APPLICANT: RICK LETOURNEAU**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Tentative Parcel Map (P-26-06), Conditional Use Permit (C-54-06), Local Coastal Permit (RC-26-06), and a deferment to underground overhead utilities; and,
- (2) Confirm issuance of a Class 3, Categorical Exemption “New Construction or Conversion of Small Structures” ; and,
- (3) Adopt Planning Commission Resolution No. 2007-P12 with findings and conditions of approval attached herein. (Attachment 2).

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The project site is located on the west side of Tremont Street, between Leonard and West Streets, and consists of an approximately 0.11-acre parcel developed with a single-story 1,264-square foot single-family craftsman style bungalow built in 1925 and relocated to the current lot in 1951. The structure does not qualify under any criteria for nomination and listing in the National Register of Historical Places, California Register for Historical Resources, or the Oceanside Historical Resources Register and is proposed to be demolished as part of the overall project.

The topography of the site slopes gently toward the west, with a total grade differential of approximately 4½ feet between the highest point of the site along Tremont street to the lowest point of the site along the alley way. Access for the subdivided parcels would occur via the existing alley way located between Tremont and Cleveland streets.

The zoning designation for the site is RH-U (Urban High-Density Residential), and has a General Plan designation of UHD (Urban High-Density Residential), which permits development of the property at a density of 29-43 dwelling units per acre. The proposed project density is 17.4 dwelling units per acre.

Surrounding development and land uses include multi-family residential structures, one and two-story single-family dwelling units, commercial structures, and vacant lots. The project site is located between two lots that have been fully developed with commercial type land uses.

Project Description: The project application is comprised of three components; Tentative Parcel Map (P-26-06), Conditional Use Permit (C-54-06), and Local Coastal Permit (RC-26-06), as follows:

Tentative Parcel Map represents a request for the following:

- (a) To subdivide a 4,993-square foot lot into two lots measuring 2,495 square feet (lot 1) and 2,498 square feet (lot 2); and,
- (b) To defer the requirement to underground all overhead utilities, pursuant to the City of Oceanside Subdivision Ordinance and the Subdivision Map Act.

Conditional Use Permit represents a request for the following:

- (a) To permit the development of single-family detached dwelling units on a minimum 2,500-square foot lot within a Urban High-Density residential district pursuant to Article 10 Section 1050 (HH) of the OZO.

Local Coastal Permit represents a request for the following:

- (a) To construct two single-family dwelling units pursuant to the Local Coastal Program (LCP). The applicant’s project includes one floor plan that has been mirrored for both lots and is summarized below.

Unit	Stories	Floor Area (Sq. Ft.)	No. of Bedrooms	Garage	Total Outdoor Space
North (A)	2	2,415 s.f.	3	461 s.f.	844 s.f.
South (B)	2	2,429 s.f.	3	461 s.f.	754 s.f.

The applicant proposes a two-lot subdivision and construction of two single-family detached dwelling units that will be oriented so that the garage and off-street parking access will occur off of the alley located between Tremont and Cleveland streets.

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)
4. Coastal Act/Local Coastal program
5. The Subdivision Ordinance

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is UHD (Urban High-Density Residential). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.22: Landscaping

Objective: The enhancement of community and neighborhood identity through landscaping requirements that frame and soften the built environment consistent with water and energy conservation.

Policy: C. Drought tolerant materials, including native California plant species, shall be encouraged as a landscape type.

The proposed development will offer a landscaping theme that would utilize a combination of low massing shrub and vine species such as yew pine, bamboo, India Hawthorne, dwarf boxwood, and groundcover mixed with star jasmine, annual color, and daylily. This drought tolerant plant palette incorporated into the small Japanese garden theme would assist in blending the single-family homes into the surrounding community without being overbearing. The project also proposes two Camphor trees to be implemented into the City of Oceanside street tree-planting palette. The Camphor is the dominant species along Tremont Street. Upon completion of the installation of the proposed landscape palette, the new single-family row homes will provide for a more pleasing environment and enhancement to the community as a whole.

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 new single-family detached row style homes are designed with an architectural theme that incorporates a combination old world and industrial modern type designs. Orientation of the front portion of the homes will occur off of Tremont Street and in order to obtain the industrial modern design, the actual entry doors would be offset on the north side of the units. Based on the eclectic mix of uses and designs in the immediate area, the applicant is proposing to finish the row homes with materials drawn from the surrounding community, and to include decorative metal railing, brick veneer along the front elevations, oversized divided metal windows, stained wood carriage style doors, smooth plastered stucco wall treatments, and incorporation of flat roof elements. In order to provide for ample exterior outdoor space for the residents to use, the overall site design is proposing a ground floor patio area, two second floor balconies oriented toward Tremont Street and to the west respectfully, and a roof top deck oriented toward the alley and facing the west. Implementation of an architectural design that draws elements from the eclectic neighboring parcels will assist in providing a high quality design that is in keeping with the character of the neighborhood.

2. Zoning Compliance

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

	MINIMUM REQUIRED	PROPOSED
MINIMUM LOT SIZE	2500 sq. ft.	2495 & 2498 sq. ft. (due to early 1900 methods of survey)
PARKING SPACES	2 –Spaces/DU within a garage	22 –Spaces/DU within a garage
FRONTYARD SETBACK	10-ft.	10-ft.
SIDEYARD SETBACK	3-ft.	3-ft.
EXTERIOR SIDE-YARD	N/A	N/A
REARYARD SETBACK	N/A	N/A
LOT WIDTH	25-ft.	24.99-ft
BUILDING HEIGHT	27-ft.	25.5-ft.

The proposed project meets all applicable requirements of the OZO, with the exception of the minimum lot size and width. The proposed 2,495 and 2,498-square foot lots along with the 24.99-foot wide lot is the result of special circumstances. The project

site (APN 150-375-11) was established in 1886 as a 50-foot by 100-foot lot based on surveying technology available at that time, and is slightly less in area and width than the actual area and width of the site, as determined by current more precise surveying technology. Due to this negligible lot area and width difference, it has been determined that strict application of the requirements of the Zoning Ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. Consequently, staff has determined that the two proposed lots to be created with a minimum lot square footage and lot width less than that required by the zoning code meets the intent of the RH-U classification, and a variance request is not required.

3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Single Family Residential
North of Subject Property	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Commercial/Multi-Family Residential
East of Subject Property:	GC (General Commercial)	CG (General Commercial)	Multi-Family Residential
South of Subject Property:	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Light Industrial (Medical Equipment Servicing)
West of Subject Property:	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Single Family Residential

The proposed land use as single-family residential has been determined by staff to be consistent with the General Plan and Zoning Ordinance designations as urban high-density residential. Although, commercial and light industrial type uses do exist immediately adjacent to the site as non-conforming uses, redevelopment of the area has been denoted as slowly transitioning away from these types of uses, and moving toward the establishment of new housing stock consistent with the General Plan and OZO. Staff further concludes that the design of the subdivision and the type of improvements proposed will not result in any serious public safety or health issues due to the proximity of the site and the types of uses immediately adjacent to the site.

4. Local Coastal Program compliance

The proposed project is within a non-appealable portion of the Coastal Zone, and will comply with the zoning code and Coastal Zone requirements. The following policies of the LCP will be implemented as part of this projects approval:

Section VI: Visual Resources and Special Communities Policy 8. of the LCP The City shall ensure that all new development is compatible in height, scale, color, and form with the surrounding neighborhood.

The proposed row home design complies with the maximum height limit of 27', with the exception of a portion above the second story that has a maximum height of 33'-0", and is provided in order to support the stair and elevator equipment for the residence. The adjacent parcels that exist under different zoning designations such as General Commercial allow for, and currently contain structures with a maximum height of 35'-0", and adjacent multi-family projects have been developed in similar scale to the proposed row homes. Although there is a large variety of scale, color, and form associated with development of the surrounding community, the proposed row homes has drawn design elements from the neighborhood context, and would implement them in a manner that is compatible with, and complimentary to the area as a whole.

DISCUSSION

Issue: Project Compatibility with the Existing Neighborhood Character: The development project has been determined by staff to be consistent with the on-going trend of development throughout the southern downtown portion of Oceanside involving single-family detached row type homes. The subject project would provide additional housing stock for independent ownership consistent with the City's Zoning Ordinance and General Plan vision to provide for higher density, urban residential type developments. Although a very eclectic mix of design and uses exist throughout the area, no one neighborhood characteristic dominates future direction of the surrounding community, and in order for the project to be compatible with the neighborhood character, the project has been designed as an industrial urban loft style building.

Recommendation: Staff finds that the overall design of the project is consistent with the existing neighborhood character, and since no known opposition has been voiced through public outreach efforts, the project should not be modified in any manner and plans as submitted should be considered.

Issue: Undergrounding of Overhead Utilities: The Planning Commission may defer all or a portion of the requirements to underground existing facilities at the time of tentative map approval solely on one or more of the following findings:

- a) Existing facilities are within an existing alley;
- b) The subdivision contains less than 10 residential units;
- c) A residential subdivision has less than 250 feet of existing frontage;
- d) Facilities exist along rear property line(s) within an agricultural or residential estate zoned property;
- e) Conversion as defined above creates a net increase in three or more poles over existing number of poles;
- f) Seventy percent or more of the facilities required to be undergrounded exist on the opposite side of existing abutting street from the subdivision;
- g) Subdivision is within the Redevelopment project Area and;
 - i. Subdivision is less than one-quarter (1/4) block in length fronting street or alley, or

- ii. Subdivide provides verification by the utility companies impacted that the subdivision's obligations can be proven to be exorbitant in cost in relationship to a larger conversion project within the same area and of similar conditions.

Recommendation: The project meets the above a, b and c findings and qualifies for the requested deferral and associated payment of in-lieu fees. Therefore a condition of project approval requiring payment of in-lieu fees based upon the length of utilities to be placed underground is recommended by staff.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project constitutes the development of no more than three single-family residences in an urbanized area, and the project is categorically exempt, Class 3, "New Construction or Conversion of Small Structures" (Section 15303 (a)).

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot and tenants within a 100-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. Copies of this agenda item have been mailed to the applicant and their representative.

It should be further noted that the applicant has conducted public outreach efforts on the development proposal to the surrounding neighborhood and to OCNA as a courtesy. Although no written documentation has been received by staff prior to preparation of this report, verbal confirmation from the association's representatives was that of a positive nature, and no known issues or points of opposition were conveyed.

SUMMARY

The proposed Tentative Parcel Map is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all applicable development standards. The project is compatible in terms of residential product type, density, architecture, landscaping, and site design elements with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached staff Resolution. Staff recommends that the Planning Commission:

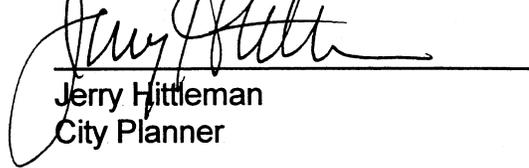
- Move to approve Tentative Parcel Map (P-26-06), Conditional Use Permit (C-54-06), Regular Coastal Permit (RC-26-06), and Deferral Of Overhead Utilities Underground Conversion and adopt Planning Commission No. 2007-012 as attached.

PREPARED BY:



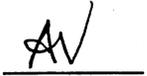
Richard Greenbauer
Senior Planner

SUBMITTED BY:



Jerry Hittleman
City Planner

REVIEWED BY:



Amy Volzke, Principal Planner

JH/RG/fil

Attachments:

1. Tentative Parcel Map/Site Map/Development Plans
2. Planning Commission Resolution No. 2007-P12



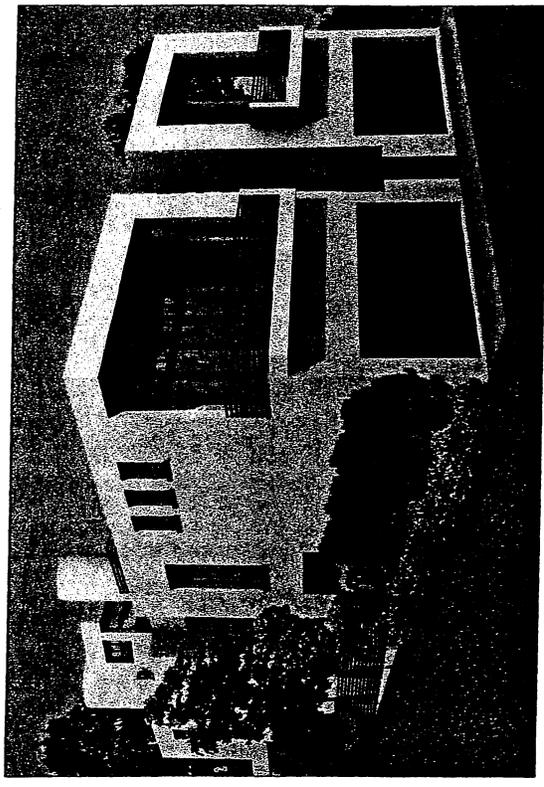
REVISIONS

LETOURNEAU ROW HOMES
905 S. TREMONT STREET
OCEANSIDE, CA 92054

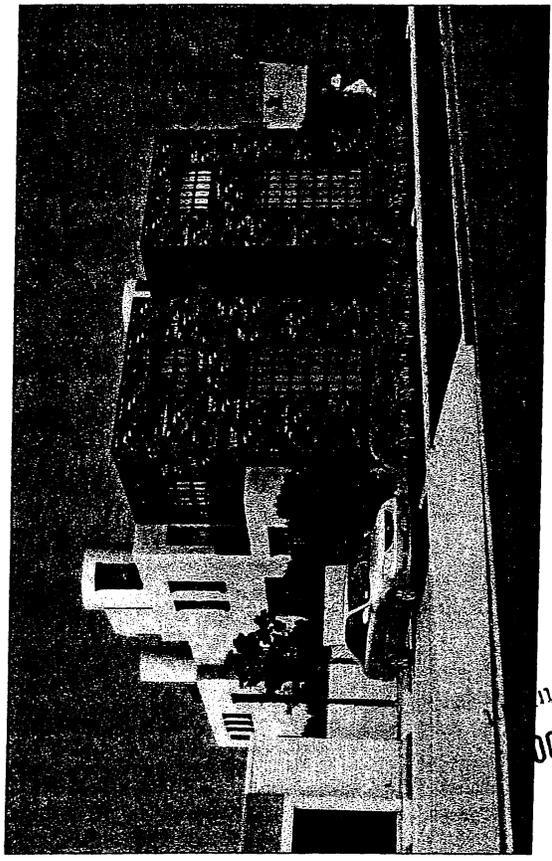
Table with 2 columns: Description, Date

Prepared by: JENNIFER BOLT
Checked by: JENNIFER BOLT
Date: 07/10/07

TITLE SHEET
T.1



VIEW FROM ALLEY LOOKING SOUTHEAST

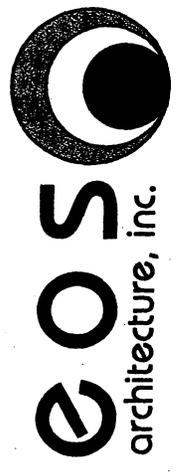


VIEW FROM TREMONT STREET LOOKING SOUTHWEST

LETOURNEAU ROW HOMES

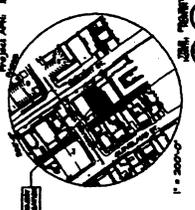
905 S. TREMONT STREET

OCEANSIDE, CALIFORNIA 92054



SHEET INDEX

T.1	TITLE SHEET
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T.16	BUILDING SECTIONS



Scale: 1" = 200'-0"
Sheet Title: TITLE SHEET



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OCEANSIDE, CA 92054

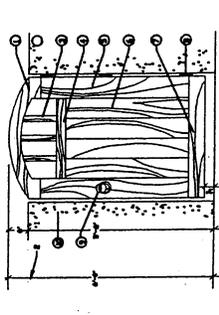
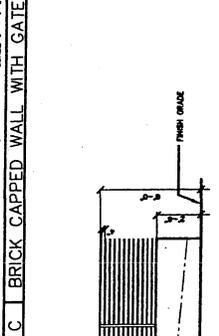
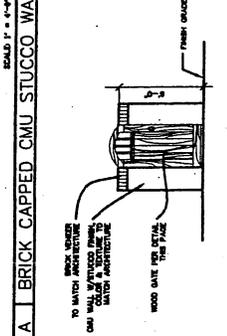
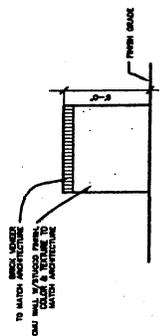
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NO.	DATE	DESCRIPTION

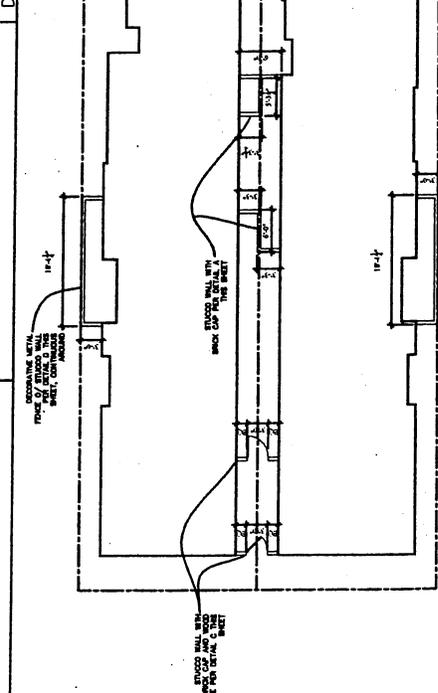
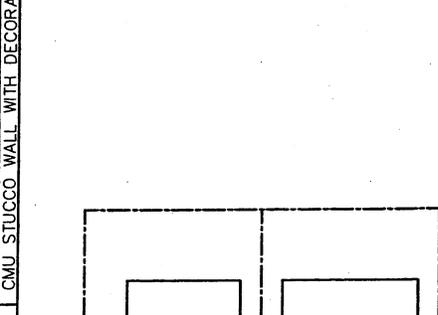
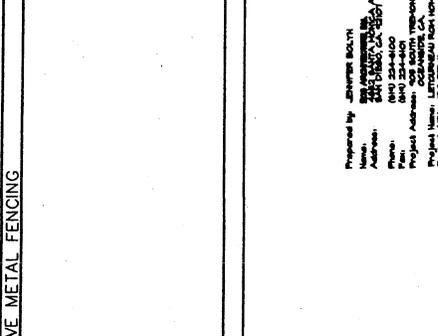
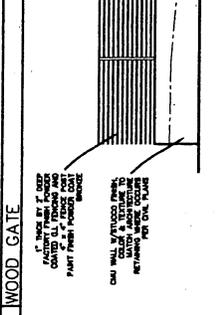
Prepared by: JAMES E. SMITH
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Address: 11111 WILSON AVENUE, BAY BRIDGE, CA 92008
Phone: (949) 441-1000
Fax: (949) 441-1001
Project Address: 905 S. TREEMOUNT STREET, OCEANSIDE, CA 92054
Project No.: 100-0001

Scale: AS SHOWN
Date: 08-08
Sheet: 1 of 3

SITE WALL ELEVATIONS
Sheet: **Z-3**
OF: 3



- NOTES
1. SHARP CORNER HEAD RADIUS WITH TOP OF WALL.
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Prepared by: JAMES E. SMITH
Name: JAMES E. SMITH
Address: 11111 WILSON AVENUE, BAY BRIDGE, CA 92008
Phone: (949) 441-1000
Fax: (949) 441-1001
Project Address: 905 S. TREEMOUNT STREET, OCEANSIDE, CA 92054
Project No.: 100-0001

Scale: 1" = 200'-0"

Sheet: 1 of 3

E | REFERENCE PLAN



Professional Engineer
E.O. SULLIVAN & SONS, INC.
No. 10077
State of California

LETOURNEAU ROW HOMES
905 S. TREMONT STREET
OCEANSIDE, CA 92054

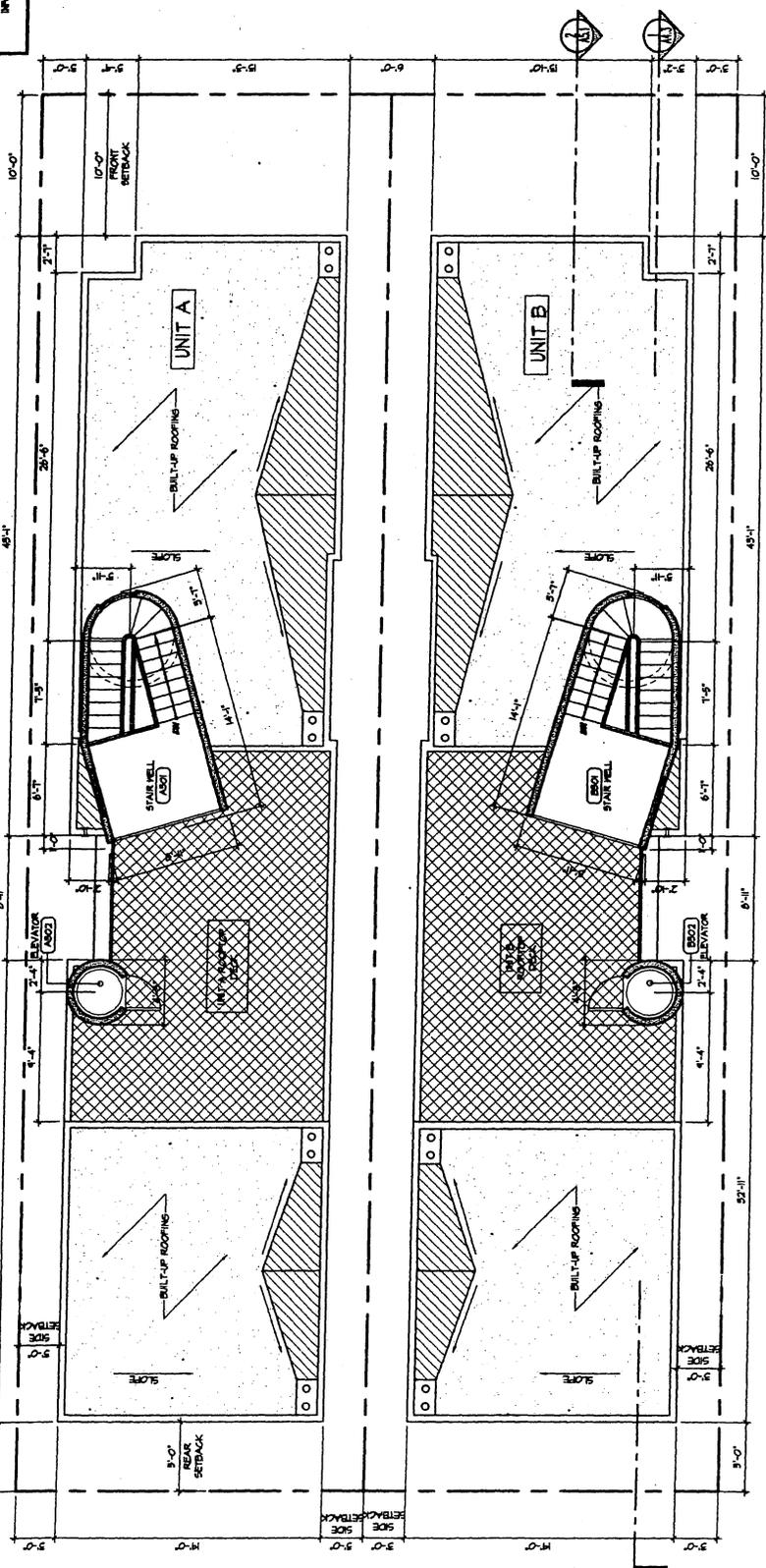
REVISIONS

No.	Description	Date

Prepared by: JENNIFER BOLT
Checked by: E.O. SULLIVAN, INC.
Address: 2411 S. BAYVIEW, CA 92011
Phone: (619) 234-8000
Project Address: 905 SOUTH TREMONT
OCEANSIDE, CA
Project Name: LETOURNEAU ROW HOMES
Project No.: LC-92-111

Scale: 1/8" = 1'-0"
Date: 04-00
Sheet Name: ROOF DECK PLAN
Sheet No.: A3.1
Of: 3

NOTE
SEE SHEET FOR AREA
CALCULATIONS COMPLIANCE
INFORMATION



PROJECT NORTH

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

ROOF DECK PLAN



1" = 200'-0"
SHEET TITLE: ROOF DECK PLAN
SHEET NO.: A3.1
OF: 3

DATE: 04-00
PROJECT NO.: LC-92-111

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PLANNING COMMISSION
RESOLUTION NO. 2007-P12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP, CONDITIONAL USE PERMIT, REGULAR COASTAL PERMIT AND GRANTING A DEFERRAL TO UNDERGROUND OVERHEAD UTILITIES ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-26-06, C-54-06, and RC-26-06
APPLICANT: Rick Letourneau
LOCATION: 905 S. Tremont

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map, Conditional Use Permit, and Regular Coastal Permit under the provisions of Articles 10, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a two-lot subdivision, construction of two single-family detached dwellings and a deferral of the requirement to underground existing overhead utilities;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 26th day of February, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be categorically exempt per Article 19, Section 15303, "New Construction or Conversion of Small Structures" from further environmental review;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip
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 \$3,746 per unit.
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 \$4,587 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code.	\$1,000 per development project + \$100 per unit plus \$10,275 per unit.

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

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

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

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

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

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

15 FINDINGS:

16 For the Tentative Parcel Map:

- 17 1. The proposed subdivision creates parcels that are consistent with the requirements of the
18 RH-U (Urban High Density Residential) Zoning and General Plan designations in that the
19 density of the subdivision would result in a density of 17.4 dwelling units per acre.
- 20 2. The proposed building pads on the site will conform to the gently sloping topography of
21 the site; thus, making the 4,993-square foot (approx.) site physically suitable for the
22 development of two residential lots.
- 23 3. The subdivision complies with all other applicable ordinances, regulations and guidelines
24 of the City.
- 25 4. The design of the subdivision or proposed improvements will not conflict with
26 easements, acquired by the public at large, for access through, or the use of, property
27 within the subdivision, in that the subdivision will maintain access for the two newly
28 created parcels via the existing alley way between Tremont and Cleveland streets.
29

- 1 5. The design of the subdivision or the proposed improvements will not cause substantial
2 environment damage or substantially and avoidably injure fish or wildlife or their
3 habitat, in that the site exists as a fully developed residential lot.

4 For the Conditional Use Permit to allow for the Small-Lot Development:

- 5 1. The proposed development is located within the Urban High Density Residential zone
6 and meets or exceeds all applicable development requirements of the subject district as
7 designed and presented, with the exception of the 2,495 and 2,498-square foot lots along
8 with the 24.99-foot wide lot which is the direct result of late 1800 surveying methods.
- 9 2. The location and conditions under which the subject application is approved insures that
10 the project will not cause detriment to the public health safety or welfare of persons
11 residing or working in or adjacent to the project area.
- 12 3. The project has been adequately conditioned or designed to comply with applicable
13 requirements of the Zoning Ordinance.

14 For the Regular Coastal Permit:

- 15 1. The proposed project is consistent with the policies of the Local Coastal Program as
16 implemented through the City Zoning Ordinance. In addition, the project will not
17 substantially alter or impact existing public views of the coastal zone.
- 18 2. The proposed project will not obstruct any existing or planned public beach access;
19 therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.
- 20 3. The site plan and physical design of the project is consistent with the Zoning Ordinance
21 and the underlying RH-U (Urban High Density Residential) zoning district.
- 22 4. The project site can be adequately served by existing public facilities, services and
23 utilities.
- 24 5. The project, as proposed, is compatible with the existing and potential development on
25 adjoining properties or in the surrounding neighborhood.
- 26 6. The site plan and parameters for the architecture and physical design of the project are
27 consistent with the policies contained within Sections 1.22 and 1.23 of the Land Use
28 Element of the General Plan.

28 For the Deferral of the Requirement to Underground Facilities:

- 29 1. The project qualifies for deferral based upon the fact that the existing facilities are located

1 within an alley, contain less than 250'-0" of frontage, and will not result in creation of 10
2 or more units. Furthermore, the overall implementation to underground facilities would
3 be better served thru the collection of an in-lieu fee, and until such time that an entire
4 block could be addressed as one project.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 approve Tentative Parcel Map (P-26-06), Conditional Use Permit (C-54-06), Regular Coastal
7 Permit (RC-26-06) and the deferral of the requirement to underground existing overhead utilities
8 subject to the following conditions:

9 **Building:**

- 10 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
11 Community Development Department/Building Division plan check.
- 12 2. The granting of approval under this action shall in no way relieve the applicant/project from
13 compliance with all State and local building codes.
- 14 3. The building plans for this project are required by State Law to be prepared by a licensed
15 architect or engineer and shall be in compliance with this requirement prior to submittal for
16 building plan review.
- 17 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
18 property shall be underground (City Code Sec. 6.30).
- 19 5. Compliance with the Federal Clean Water Act (BMPs) shall be demonstrated on the plans.
- 20 6. A complete soils report, structural calculations and energy calculations/documentation shall
21 be required at time of plans submittal to the Building Division for plan check.
- 22 7. Separate/unique addresses shall be required to facilitate utility releases. Verification that
23 the addresses have been properly assigned by the Community Development
24 Department/Planning Division shall accompany the building permit application.
- 25 8. A demolition permit shall be required for the demolition of any existing structures.
26 Plans for the demolition permit shall clearly show that all utilities (electric, gas, water
27 and sewer) are properly terminated/capped in accordance with the requirements of the
28 utility service provider. All/any underground septic or water storage tanks shall be
29 removed or filled in accordance with the Uniform Plumbing Code and or the City's
Grading Ordinance.

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

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

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

17 **Engineering:**

18 10. Project involves demolition of an existing structure or surface improvements; the
19 grading plans shall be approved by the City Engineer and prior to the issuance of a
20 demolition permit. No demolition shall be permitted without an approved erosion
21 control plan.

22 11. Vehicular access rights to Tremont Street shall be relinquished to the City from all
23 abutting lots.

24 12. Tremont Street along the project frontage shall replace the existing driveway and be
25 improved with a sidewalk constructed per the standard plans, specifications of the City
26 of Oceanside.

27 13. Tremont Street shall provide a minimum of 10 feet parkway between the face of curb and
28 the right-of-way line. Sidewalk improvements shall comply with ADA requirements.

29 14. Design and construction of all improvements shall be in accordance with standard plans,
specifications of the City of Oceanside and subject to approval by the City Engineer.

- 1 15. The approval of the tentative parcel map shall not mean that closure, vacation, or
2 abandonment of any public street, right-of-way, easement, or facility is granted or
3 guaranteed to the developer. The developer is responsible for applying for all closures,
4 vacations, and abandonments as necessary. The application(s) shall be reviewed and
5 approved or rejected by the City of Oceanside under separate process(es) per codes,
6 ordinances, and policies in effect at the time of the application.
- 7 16. Prior to approval of the parcel map, all improvement requirements shall be covered by a
8 subdivision agreement and secured with sufficient improvement securities or bonds
9 guaranteeing performance and payment for labor and materials, setting of monuments, and
10 warranty against defective materials and workmanship.
- 11 17. Pursuant to the State Map Act, improvements shall be required at the time of development.
12 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to
13 these improvement conditions and a certificate setting forth the recordation shall be placed
14 on the map.
- 15 18. Prior to the issuance of a grading permit, the developer shall notify and host a
16 neighborhood meeting with all of the area residents located within 300 feet of the project
17 site, and residents of property along any residential streets to be used as a "haul route", to
18 inform them of the grading and construction schedule, haul routes, and to answer
19 questions.
- 20 19. The developer shall monitor, supervise and control all construction and construction-
21 supportive activities, so as to prevent these activities from causing a public nuisance,
22 including but not limited to, insuring strict adherence to the following:
- 23 a) Dirt, debris and other construction material shall not be deposited on any public
24 street or within the City of Oceanside's stormwater conveyance system.
- 25 b) All grading and related site preparation and construction activities shall be
26 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
27 engineering related construction activities shall be conducted on Saturdays,
28 Sundays or legal holidays unless written permission is granted by the City Engineer
29 with specific limitations to the working hours and types of permitted operations.
All on-site construction staging areas shall be as far as possible (minimum 100

1 feet) from any existing residential development. Because construction noise may
2 still be intrusive in the evening or on holidays, the City of Oceanside Noise
3 Ordinance also prohibits “any disturbing excessive or offensive noise which
4 causes discomfort or annoyance to reasonable persons of normal sensitivity.”

5 c) The construction site shall accommodate the parking of all motor vehicles used by
6 persons working at or providing deliveries to the site.

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

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

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

28 22. Sight distance requirements at the project driveway or street shall conform to the corner
29 sight distance criteria as provided by the California Department of Transportation Highway
 Design Manual.

1 23. Streetlights shall be maintained and installed on all public streets per City Standards.
2 The system shall provide uniform lighting, and be secured prior to occupancy. The
3 developer shall pay all applicable fees, energy charges, and/or assessments associated
4 with City-owned (LS-2 rate schedule) streetlights and shall also agree to the formulation
5 of, or the annexation to, any appropriate street lighting district. Compliance with the
6 requirements of the Public Works Department, Transportation Division City Street light
7 design and policy manual shall be verified during the improvements plan design of the
8 project.

9 24. Prior to approval of the grading plans, the developer shall contract with a geotechnical
10 engineering firm to perform a field investigation of the existing pavement on all streets
11 adjacent to the project boundary. The limits of the study shall be half-street plus twelve
12 (12) feet along the project's frontage. The field investigation shall include a minimum
13 of one pavement boring per every fifty (50) linear feet of street frontage. Should the
14 existing AC thickness be determined to be less than three (3) inches or without
15 underlying Class II base material, the developer shall remove and reconstruct the
16 pavement section as determined by the pavement analysis submittal process detailed in
17 Item No. 2 below.

18 25. Upon review of the pavement investigation, the City Engineer shall determine whether
19 the developer shall: 1) Repair all failed pavement sections, header cut and grind per the
20 direction of the City Engineer, and construct a two (2) inch thick rubberized AC overlay;
21 or 2) Perform R-value testing and submit a study that determines if the existing
22 pavement meets current City of Oceanside standards/traffic index. Should the study
23 conclude that the pavement does not meet current requirements, rehabilitation/mitigation
24 recommendations shall be provided in a pavement analysis report, and the developer
25 shall reconstruct the pavement per these recommendations, subject to approval by the
26 City Engineer.

27 26. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon
28 approved soil tests and traffic indices. The pavement design is to be prepared by the
29 developer's soil engineer and must be approved by the City Engineer, prior to paving.

- 1 27. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
2 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 3 28. Full width alley improvements (not including the longitudinal concrete alley gutter) shall
4 be constructed in accordance with the standard plans and specifications of the City of
5 Oceanside and as approved by the City Engineer.
- 6 29. Based upon the deferral from the requirement to underground all overhead utility lines,
7 the developer shall pay an in-lieu fee, that has been calculated based on the length of
8 utilities to be placed underground, and at the rate in effect at building permit issuance or
9 as established by the City Engineer per Section 901.G. of the Subdivision Ordinance
10 (R91-166) and as required by the City Engineer and current City policy.
- 11 30. The developer shall comply with all the provisions of the City's cable television ordinances
12 including those relating to notification as required by the City Engineer.
- 13 31. Grading and drainage facilities shall be designed and installed to adequately accommodate
14 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
15 and as directed by the City Engineer.
- 16 32. The applicant shall obtain any necessary permits and clearances from all public agencies
17 having jurisdiction over the project due to its type, size, or location, including but not
18 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U.
19 S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
20 (including NPDES), San Diego County Health Department, prior to the issuance of grading
21 permits.
- 22 33. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
23 investigation shall be conducted of the soils, slopes, and formations in the project. All
24 necessary measures shall be taken and implemented to assure slope stability, erosion
25 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
26 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
27 the City Engineer.
- 28 34. This project shall provide year-round erosion control including measures for the site
29 required for the phasing of grading. Prior to the issuance of grading permit, an erosion

1 control plan, designed for all proposed stages of construction, shall be reviewed, secured
2 by the applicant with cash securities and approved by the City Engineer.

3 35. A precise grading and private improvement plan shall be prepared, reviewed, secured and
4 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
5 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
6 footprints of all structures, walls, drainage devices and utility services.

7 36. Landscaping plans, including plans for the construction of walls, fences or other structures
8 at or near intersections, must conform to intersection sight distance requirements.
9 Landscape and irrigation plans shall be approved by the City Engineer prior to the issuance
10 of occupancy permits, and a pre-construction meeting held, prior to the start of any
11 improvements.

12 37. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
13 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
14 be reviewed and approved by the City Engineer prior to the issuance of building permits.
15 Landscaping shall not be installed until bonds have been posted, fees paid, and plans
16 signed for final approval. The following special landscaping requirements shall be met:

17 a) The developer shall be responsible for irrigating and landscaping all embankments
18 within the project, and all slopes along major streets.

19 b) To mitigate the loss of landmark and/or mature existing trees on-site the
20 determination of replacement shall be based on tree number, type, and caliper
21 (caliper measured 2 1/2 feet from the base of the tree at existing grade). The total
22 number of tree caliper lost shall be equal to the total number of caliper replaced.
23 Replacement trees shall be a minimum of 15-gallon container stock. A field survey
24 shall be performed under the supervision of the City Landscaping Section to
25 evaluate the existing tree population and the replacement requirements. The
26 existing trees to remain or proposed for removal shall be identified on the
27 Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing
28 tree type, location, and caliper shall be shown on the above plans. Replacement
29 trees shall be identified and shown on the Landscape Plan and shall be subject to
review and approval by the City Engineer.

- 1 c) Prior to the approval of grading permit, the developer shall provide landscape
2 plans to match the approved landscape conceptual plan. Trees shall be spot
3 located by a Landscape Architect at a pre-construction meeting and shall meet the
4 current City of Oceanside requirements.
- 5 d) Right-of-way trees shall be a minimum of 24" box size. Turf and automatic
6 irrigation shall be provided for the right of way. Trees shall not be located in utility
7 easements.
- 8 (e) Front yard trees shall be a minimum of 15-gallon container size. Shrubs shall be a
9 minimum of 1-gallon and 5-gallon container size and a minimum of 18 shrubs per
10 unit as approved by the City Engineer. Ground cover or bark mulch shall be
11 provided in shrub areas, turf shall not exceed 35 percent.

12 38. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and
13 in any adjoining public parkways shall be permanently maintained by the owner, his
14 assigns or any successors-in-interest in the property. The maintenance program shall
15 include normal care and irrigation of the landscaping; repair and replacement of plant
16 materials; irrigation systems as necessary; and general cleanup of the landscaped and
17 open areas, parking lots and walkways, walls, fences, etc. Failure to maintain
18 landscaping shall result in the City taking all appropriate enforcement actions by all
19 acceptable means including but not limited to citations and/or actual work with costs
20 charged to or recorded against the owner. This condition shall be recorded with the
21 covenant required by this resolution.

22 39. The drainage design on the tentative parcel map is conceptual only. The final design shall
23 be based upon a hydrologic/hydraulic study to be approved by the City Engineer during
24 final engineering. All drainage picked up in an underground system shall remain
25 underground until it is discharged into an approved channel, or as otherwise approved by
26 the City Engineer. All public storm drains shall be shown on City of Oceanside standard
27 plan and profile sheets. All storm drain easements shall be dedicated where required. The
28 applicant shall be responsible for obtaining any off-site easements for storm drainage
29 facilities.

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

4 41. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
5 be subject to prevailing wage requirements as specified by Labor Code section
6 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
7 wage requirements prior to the granting of any fee reductions or waivers.

8 **Fire:**

9 42. This project will require smoke detectors. Plans submitted for building permit issuance
10 shall identify the location of all required smoke detectors.

11 43. Plans submitted for building permit issuance shall be prepared in accordance with
12 Oceanside Fire Department's current codes and regulations.

13 44. In accordance with the Fire Code Sec. 901.4.4, approved address for residential
14 occupancies shall be placed on the structure in such a position as to be plainly visible and
15 legible from the street or roadway fronting the property. Numbers shall be contrasting with
16 their background and shall include minimum 4-inch letter heights.

17 45. Prior to the issuance of building permits, plans shall be submitted to the Fire Prevention
18 Bureau for plan check review and approval.

19 **Planning:**

20 46. This Tentative Parcel Map, Conditional Use Permit, and Regular Coastal Permit shall
21 expire on February 26, 2009, unless a time extension is granted by the Planning
22 Commission.

23 47. This Tentative Parcel Map, Conditional Use Permit, and Regular Coastal Permit approves
24 only a two-lot single-family subdivision, development of two single-family dwellings in a
25 row home configuration with the associated lot depth, lot area and deferral of the
26 requirement to underground existing overhead utilities, as shown on the plans and exhibits
27 presented to the Planning Commission for review and approval. No deviation from these
28 approved plans and exhibits shall occur without Planning Division approval. Substantial
29 deviations shall require a revision to the Tentative Parcel Map, Conditional Use Permit,

1 and Regular Coastal Permit or a new Tentative Parcel Map, Conditional Use Permit, and
2 Regular Coastal Permit.

3 48. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold
4 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
5 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
6 annul an approval of the City, concerning Tentative Parcel Map P-26-06, Conditional Use
7 Permit C-54-06, and Regular Coastal Permit RC-26-06. The City will promptly notify the
8 applicant of any such claim, action or proceeding against the City and will cooperate fully
9 in the defense. If the City fails to promptly notify the applicant of any such claim action or
10 proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
11 responsible to defend, indemnify or hold harmless the City.

12 49. Prior to the issuance of building permits, final landscape plans, designed in compliance
13 with Water Conservation Ordinance No. 91-15 shall be submitted as schematic drawings
14 for approval and signature by the City Engineer. No bonding shall be required. Precise
15 Grading Plans for model homes shall be prepared by a Civil Engineer and shall be
16 approved by the City Engineer prior to the issuance of building permits. Prior to the
17 issuance of occupancy permits, the City's Landscape Technician/Inspector shall review
18 each unit requested for occupancy to ensure that the installation of planting and irrigation
19 has occurred in conformance with the approved schematic drawings. The irrigation system
20 will also be tested to ensure adequate operation and coverage.

21 50. All single-family projects shall dispose of or recycle solid waste in a manner provided in
22 City Ordinance 13.3.

23 51. A covenant or other recordable document approved by the City Attorney shall be prepared
24 by the subdivider and recorded prior to the approval of the final map. The covenant shall
25 provide that the property is subject to this resolution, and shall generally list the conditions
26 of approval.

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

- 1 53. Failure to meet any conditions of approval for this development shall constitute a violation
2 of the Tentative Parcel Map, Conditional Use Permit, and Regular Coastal Permit.
- 3 54. Unless expressly waived, all current zoning standards and City ordinances and policies in
4 effect at the time building permits are issued are required to be met by this project. The
5 approval of this project constitutes the applicant's agreement with all statements in the
6 Description and Justification, and other materials and information submitted with this
7 application, unless specifically waived by an adopted condition of approval.
- 8 55. Prior to issuance of grading permits, reciprocal access, maintenance and use easements,
9 consistent with the approved development plan, shall be recorded against all affected
10 parcels. A copy of the recorded access, maintenance, and use easement documents shall be
11 filed with the City of Oceanside Planning Division.
- 12 56. Fences and/or walls within front yard setback areas shall be limited to 42 inches (max),
13 unless the wall/fence incorporates a decorative and 75 percent open design for the portion
14 of the wall/fence above 42 inches in which case the combined maximum wall/fence height
15 will be limited to 5 feet (max).
- 16 57. The project design shall comply with Zoning Ordinance Section 3015 Building Projections
17 into Yards and Courts.
- 18 58. The developer's construction of all fencing and walls associated with the project shall be in
19 conformance with the approved development plan associated with the local coastal permit
20 or as amended by conditions of project approval. Any substantial change in any aspect of
21 fencing or wall design from the approved development plan shall require a revision to the
22 development plan or a new development plan.
- 23 59. If an approved development plan does not cover any aspect of the project fencing and
24 walls, the construction of fencing and walls shall conform to the development standards of
25 the City Zoning Ordinance. In no case, shall the construction of fences and walls
26 (including combinations thereof) exceed the limitations of the zoning code, unless
27 expressly granted by a Variance or other development approval.
- 28 60. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially
29 the same as those approved by the Planning Commission. These shall be shown on plans
submitted to the Community Development Department/Building and Planning Divisions.

- 1 61. A letter of clearance from the affected school district in which the property is located shall
2 be provided as required by City policy at the time building permits are issued.
- 3 62. Landscape plans submitted to the engineering department for final review and approval
4 should denote the use of a canopy street tree selected from the "B" list of the Street Tree
5 Memorandum April 28th; 2005, or propose a large scale tree for approval and
6 implementation.

7 **Water Utilities:**

- 8 63. All public water and/or sewer facilities not located within the public right-of-way shall be
9 provided with easements sized according to the Water, Sewer, and Reclaimed Water
10 Design and Construction Manual. Easements shall be constructed for all weather access.
- 11 64. No trees, structures or building overhang shall be located within any water or wastewater
12 utility easement.
- 13 65. The property owner shall maintain private water and wastewater utilities located on private
14 property.
- 15 66. Water services and sewer laterals constructed in existing right-of-way locations shall be
16 constructed by approved and licensed contractors at the developer's expense.
- 17 67. The developer shall be responsible for developing all water and sewer utilities necessary to
18 service the property. Any relocation of water and/or sewer utilities is the responsibility of
19 the developer and shall be done by an approved licensed contractor at the developer's
20 expense.
- 21 68. All lots with a finish pad elevation located below the elevation of the next upstream
22 manhole cover of the public sewer system shall be protected from backflow of sewage by
23 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
24 Code (U.P.C.).
- 25 69. Prior to building permit issuance, all water and wastewater buy-in fees and San Diego
26 County Water Authority Fees are to be paid to the City and collected by the Water Utilities
27 Department.
- 28 70. All Water and Wastewater construction shall conform to the most recent edition of the
29 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
the Water Utilities Director.

1 71. 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 **Public Works Solid Waste:**

6 72. The single-family dwelling units shall designate and maintain adequate space for the
7 storage of solid waste and recycling containers on private property to include appropriate
8 bin enclosures to adequately provide for trash, green waste, and other recycling
9 containers in accordance with OCC 13.39.

10 73. The newly created single-family dwelling units shall separate all recyclable material
11 from solid waste for separate collection, and in accordance with OCC 13.16(h).

12 74. The newly created single-family dwelling units shall ensure separation of all green waste
13 from solid waste using the approved city collection service and the collection of the
14 material in compliance with standards as identified in the city code.

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1 75. 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. 2007-P12 on February 26, 2007 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

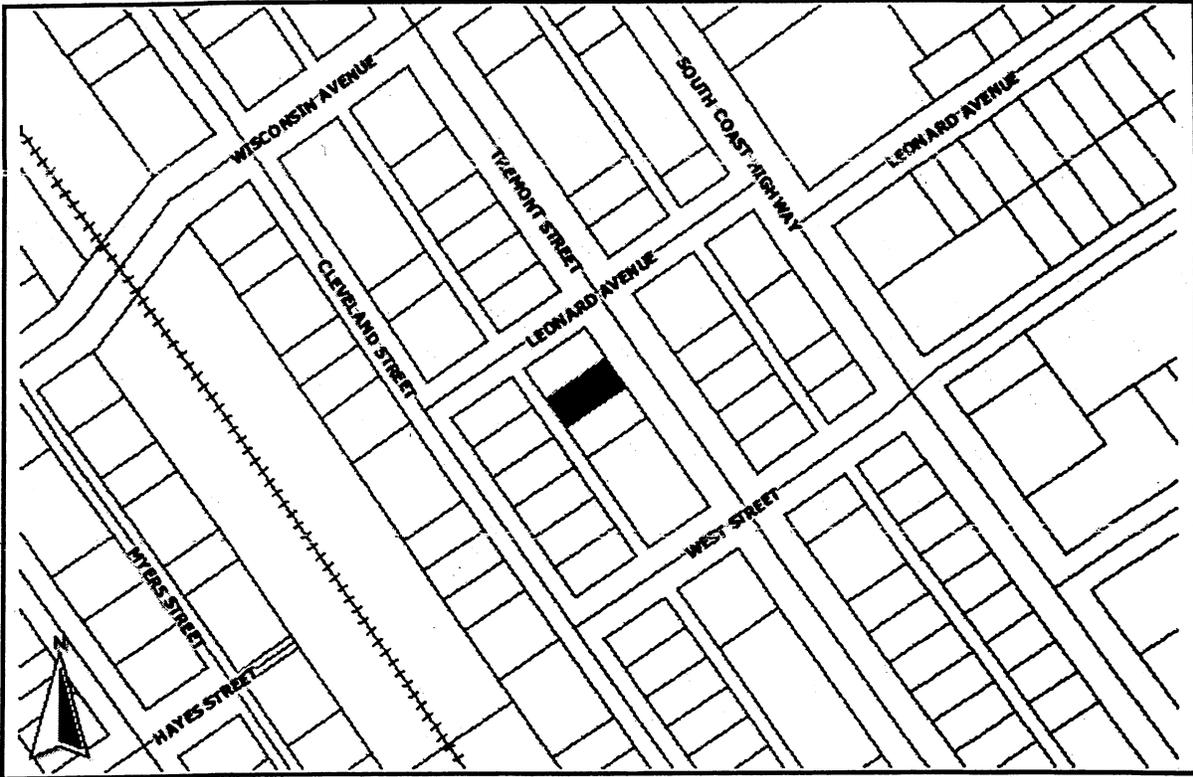
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12 _____
13 Dennis Martinek, Chairman
14 Oceanside Planning Commission

15 ATTEST:

16
17 _____
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2007-P12.

21 Dated: February 26, 2007
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File Number: P-26-06, C-54-06, RC-26-06, and **DEFERENTIAL OF OVERHEAD UTILITIES UNDERGROUND CONVERSION**

Applicant: Rick Letourneau

Description:

TENTATIVE PARCEL MAP (P-26-06), CONDITIONAL USE PERMIT (C-54-06), REGULAR COASTAL PERMIT (RC-26-06), and DEFERENTIAL OF OVERHEAD UTILITIES UNDERGROUND CONVERSION to subdivide a 4,993 square foot lot into two parcels and permit construction of two new rowhomes located at 905 South Tremont Street. The project site is zoned RH-U (Urban High Density Residential) and is situated within the South Oceanside Neighborhood and the Coastal Zone. **LETOURNEAU ROW HOMES**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Date: February 14, 2007

Public Hearing Coastal Permit
Identification No. RC-26-06

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 Rick Letourneau. This application was received on November 15, 2006. The application is described as follows:

To subdivide a 4,993-square foot lot into two parcels and permit construction of two new row homes located at 905 South Tremont Street.

The project site is zoned RH-U (Residential Urban High Density) and is situated within the South Oceanside Neighborhood and the Coastal zone.

Said hearing will be held on February 26, 2007, 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 February 21, 2007, to be informed of the place on the agenda and the approximate time of hearing.

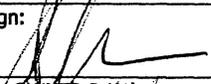
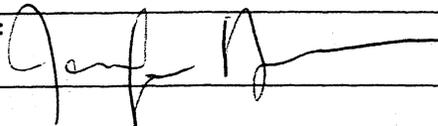
If you have any questions or comments regarding this matter, or want to be notified of the decision, contact the City of Oceanside, Planning Division at (760) 435-3520. Written comments may be submitted prior to the hearing and will be made part of the public record and provided to the Planning Commission.

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 March 8, 2007 (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.

LE TOURNEAU ROW HOMES

Application For Planning Commission Hearing Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				STAFF USE ONLY	
				ACCEPTED	BY
				11/15/06	SN.
PART I - APPLICANT INFORMATION				HEARING	
1. APPLICANT		2. STATUS		GPA	
Rick Letourneau		OWNER		MASTER/SP.PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
22341 Third Avenue Laguna Beach, CA 92615		949-701-0184		TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				PAR. MAP	
Jennifer Bolyn WITH EOS ARCHITECTURE				DEV. PL.	
6. ADDRESS		7. PHONE/FAX		C.U.P.	
4852 Santa Monica Avenue San Diego CA 92107		619-224 6100 619-224-6101		C-54-06	
				VARIANCE	
				V-21-06	
				COASTAL	
				RC-26-06	
				O.H.P.A.C.	
PART II - PROPERTY DESCRIPTION					
8. LOCATION			9. SIZE		
905 SOUTH TREMONT STREET OCEANSIDE CA 92054			4,993 SF		
10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER		
UHD	RHU	UHD	150-375-11		
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION					
TWO NEW ROW HOMES ON A 4,993 SF LOT TO BE SUBDIVIDED INTO TWO 2,496.5 SF LOTS. PLANNING APPROVALS FOR REGULAR COASTAL PERMIT, BUILDING & ENGINEERING PERMIT, PARCEL MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND TWO VARIANCES: GARAGE SIZE, MINIMUM LOT AREA. <p style="text-align: right;"><i>REV-12/28/06</i></p>					
15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY	
UHD	RHU	RESIDENTIAL	2	18	
20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE		
UNITA: 2415 SF LIVABLE 461 SF GARAGE TOTAL 2876 SF UNITB: 2429 SF LIVABLE 461 SF GARAGE TOTAL 2890 SF	TOTAL (2) 2 CAR GARAGES	26.27%	62.25%		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.s & TENT. MAPS		
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS	
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 31. CONSTRUCTION SCHEDULE	
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 29. PLOT PLANS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 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):		34. DATE		37. OWNER (Print)	
JENNIFER BOLYN		11/14/06		RICK LETOURNEAU	
Sign: 				38. DATE	
				11/14/06	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		Sign: 			
35. APPLICANT (Print):		36. DATE		39. OWNER (Print):	
JENNIFER BOLYN		11/14/06		RICK LETOURNEAU	
Sign: 				40. DATE	
				11/14/06	
				Sign: 	

RECEIVED

NOV 15 2006

Planning Department

Amu



RECEIVED
DEC 28 2006
Planning Department

RECEIVED
DEC 27 2006
Planning Department

4852 SANTA MONICA AVE.
SAN DIEGO CA 92107
(619)224.6100 PHONE
(619)224.6101 FAX

Letourneau Row Homes
Located at:
905 S. Tremont Street
Oceanside, California
APN 150-375-11

October 12, 2006

Description and Justification

Parcel Map, Development Plan, Regular Coastal Permit, Conditional Use Permit, Variance

Introduction

This application is for the subdivision of one 4,993 square foot lot into two 2,496.5 square feet lots located on the west side of South Tremont Street between Leonard Street and West Street and the construction of two new row homes of approximately 2,876 square feet for Unit A, 2,890 square feet for Unit B. The two row homes will each have three bedrooms and three and a half baths as well as a two car attached garage. Each home will have no more than 2,500 square feet of living space as shown in the Zoning Compliance plans therefore no more than a two car garage per unit will be required. The discretionary approvals necessary for this project include a Parcel Map, a Development Plan, Regular Coastal Permit.

Conditional use permit

A conditional use permit approval is required pursuant to Article 10 (HH) Section of the Zoning Ordinance to permit single-family detached units on a minimum of 2,500 square foot lots within the Urban High Density residential districts.

1. The proposed location is in a redeveloping area in the southern downtown location which consists of many small lots of varying ownership. Due to that many of these lots range from 5-10,000 sf, the feasibility of large condominium development is not possible, and it is probable that much of the redevelopment in this area will be in the form of fee simple row home projects which offer the opportunity for independent ownership. This is evidenced in the fact that several row homes have already been constructed to the South of this project on Tremont, while several others have been approved and are in the permitting stage of development (ie 1003 S. Tremont and 415 S. Tremont).

2. The project will be beneficial to the Health, Safety and Welfare of persons residing or working in or adjacent to the property as it will consist of two single family homes, producing minimal noise in relation to other uses and will increase the security of the area, both through the introduction of two buildings with modern construction standards, security systems, lighting and fencing as well as

the new street tree landscaping, and enhanced on site landscaping which will far exceed the current site provisions and will contribute to the welfare of the neighborhood.

3. The project complies to the provisions of the ordinance which states that this use is permitted in the Urban High Density residential district on a minimum of 2,500 square foot lots with a minimum lot width of 25 feet and lot depth of 100 feet. The fact that the lots are slightly shy of the 2,500 sf requirement is due to outdated surveying techniques which were far less accurate in the 1900's than the current surveying methods. Row home projects with similar site size deficiencies have been approved in this same zone due to this fact.

Variance

A variance is being requested for the substandard lot size. The existing lot is 4,993.5 square feet and measures 99.89' X 49.99'. The required lot size is 5,000 square feet and the proposed project site is 6.5 square feet shy of the required minimum. This is largely due to the fact that survey techniques used at the time were less precise than those currently in practice. Several other lots with the same condition have been approved in the City of Oceanside for subdivision where they were slightly shy of the 5,000 square foot minimum.

Proposed Development Standards (per section HH of Exhibit 'A' approved by the Planning Commission March 25, 2002)

Front Setback: Ten feet

Side Setback: Three feet

Height Limit: 27'-0" with projections as allowed in OZO article 30, Section 3018 "exceptions to height limits – no portions of the structure in excess of the 27'-0" height limit may be larger than 10% of the ground area covered by the structure".

Utilities

A request is being made for a deferral for the under grounding of overhead electric lines. This project qualifies for a deferral in accordance with Section 904 (G) (4) of the subdivision Ordinance: the existing facilities are within an alley, have less than 250 feet of frontage, and the proposed project contains less than ten residential units.

Location/ Land Use

The property is located in the Central Oceanside area and is currently occupied by a single family residence to be demolished. Surrounding land uses include single family homes, multi-family homes, and commercial. The current General Plan Land Use designation for the subject property is Urban High Density Residential and the Zoning is RH-U. The structure has been found to have no historical significance.

Parcel Map and Development Plan

As noted above, this is a residential project containing two fee simple single family row homes and the existing lot will be subdivided as permitted by the City of Oceanside zoning ordinance. The average unit size is 2,883 square feet (2,422 square feet livable).

The project will include amenities such as private rooftop terraces, balconies on the second floor and exterior outdoor patios at the ground floor level.

The project provides high quality design, materials and an open floor plan as well as design elements which bring natural light into the interior spaces of the row homes through the use of skylights and double height interior spaces. The living spaces have been located on the second floor to take advantage of ocean views from the oversized rear patio and assure that the kitchen, dining and living areas receive adequate sunlight. Access to these spaces is provided by a convenience elevator adjacent to the garage in addition to the stair wells.

Access and Parking

The 905 South Tremont Row Home project meets the parking requirements for this zone and type of project. One attached two car garage has been provided for each unit. Entrance to the garages will be taken directly from the alley. An additional 30 sf of ground level storage has been provided within the garage interior.

Architecture

The architecture for the proposed 905 South Tremont is of a combination of old world and industrial modern. Decorative metal rails, integral color stucco, brick veneer, oversized divided metal windows, stained wood carriage type doors and balconies create an interesting architectural language which compliments the historical reference of the row home like housing development. The building has been integrated with the gently sloping site through a series of interior steps, minimizing that amount of required grading and exterior retaining walls.

The external appearance/building elevations have been well designed, with particular care taken in the selection of materials, proportioning of the façade elements and introduction of quality brick detailing on the front facade. Although this is a row home project, and each individual home offers the opportunity for independent ownership, the overall architectural design has been unified. This is due to the fact that the thin building envelope inherent in the row home design and the small setbacks between the homes do not lend themselves well to individual design expression of each home. Our approach instead has been to create a project that would enhance the streetscape along Tremont in a unifying way, and not create visual distraction through the change of materials and architecture on buildings that are so closely spaced and similar in scale. To enhance this design concept the floor plans have been mirrored with minor adjustments of windows for privacy concerns, placement of entry locations and balcony articulation at the rear of the property to create visual interests. This approach creates a well proportioned logical design appreciable from the street which is also greatly enhanced by the landscape.

The highest roof structure is 33'-0", which exceeds than the 27-foot maximum height as permitted for 10% of the roofed area (for stair and equipment towers) to provide access to the roof. Compliance to this requirement has been demonstrated in the zoning compliance plans in the drawings submitted to the City of Oceanside. The average structure height is 25'-6", approximately one and one half feet below the 27'-0" allowable. The building façade is also stepped with the grade to minimize visual impact and the street facing façade is only 24'-6" above the grade at the street, keeping in

scale with the surrounding structures. The area which exceeds the height limit is for stair and elevator access which has previously been approved for projects of similar use and similar zone in the City of Oceanside. The building height has been measured from both existing and proposed grade. Finish grade will be slightly modified to provide level outdoor areas, pedestrian access and accommodate site drainage for the two homes.

Unit Square footage summary

Unit	Unit Size (sq. ft.)	Bedrooms / Baths	Usable Outdoor Space	Garage
A	2,876 sf/ 2,415sf livable	3 BR / 3.5 BA	Ground level patio – 262 sf 2 nd flr balconies – 202 sf Rooftop deck – 380 sf Total outdoor space: 844 sf	2-car
B	2,890 sf/ 2,429sf livable	3 BR / 3.5 BA	Ground level patio – 182 sf 2 nd flr balconies – 192 sf Rooftop deck – 380 sf Total outdoor space: 754 sf	2-car

Existing Neighborhood

The proposed project is surrounded primarily by one and two story single family, multi-family projects with some commercial projects immediately adjacent to the project. There is a vacant lot immediately across from the project. Many of the adjacent buildings are in poorly maintained condition and do not reflect any strong architectural style which would be appropriate to use as a model for the proposed project, however the neighborhood is generally predominated by industrial commercial structures with brick being used as a common building material. The decision to use brick and model the building after a converted industrial loft embodies a bridge between the existing scale and use of the adjacent buildings and the future development of the area. This may also facilitate a revitalization of the area into a more artistic/ cultural neighborhood and could encourage the adaptive reuse of some of the adjacent structures. There are also several multi-family projects adjacent to the project which comprise the same scale of the proposed project in terms of height, however consist of box-like blank stucco walls. The style was developed in consideration of this scale and that of the proposed RHU zoning and looks forward to the redevelopment of this area. Several row home projects have been constructed to the south of this project, while several others have been approved and are in the permitting stage of development (ie 1003 S. Tremont and 415 S. Tremont). The design was developed to be in keeping with modern architecture tenants and has an industrial, urban loft style flair to address the scale and use of the adjacent projects. The high quality exterior materials of brick and stucco accentuate the design and help to create a striking architectural model for future development in this area and reflect a distinctively urban character appropriate to the high density zoning designation.

Landscape Concept Plan

The landscape theme is inspired by small Japanese gardens. Formal accents, such as low hedges defining entry courtyards and columnar forms complimenting both sides of the large picture windows and evoke an estate character. Other highlights include flowering annual color, low bedding shrubs and bamboo which all compliment the contemporary architectural style. The street trees are respectful to the neighborhood and were chosen because they are dominant along Tremont street. The trees selected provide a shade canopy and buffering from the street. Enhanced concrete paving was selected for the entry walks and gravel mulch with stepping stones was chosen for the interior courtyard areas. The majority of the selected landscaping is drought tolerant, contributing to the water conservation character of the landscape.

Summary

The 905 South Tremont Street Row Home project will provide an attractive, well-designed project with extensive outdoor space in a location that will enhance the long-term general well-being of the neighborhood and the community. Your favorable consideration of this project is requested.

Sincerely,

Jennifer Bolyn
Principal Architect

ORDER NO 40503785-40

EXHIBIT "A"

LOT 32, IN BLOCK 3 OF PATTON AND MONTAGUE SUBDIVISION OF A PORTION OF OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 210, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 23, 1887.



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** Rick Letourneau
2. **ADDRESS:** 22341 3rd Avenue, Laguna Beach, CA. 92615
3. **PHONE NUMBER:** (949) 701-0184
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Richard Greenbauer, Senior Planner
6. **PROJECT TITLE:** P-26-06, C-54-06, RC-26-06; Letourneau Row Homes
7. **DESCRIPTION:** A request to subdivide a 4,993 square foot lot into two parcels and permit construction of two new rowhomes located at 905 South Tremont Street. The project site is zoned RH-U (Residential Urban High Density) and is situated within the South Oceanside Neighborhood and 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 the development of no more than three single-family residences in an urbanized area, 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 3, "New Construction or Conversion of Small Structures" (Section 15303); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Richard Greenbauer, Senior Planner

Date:

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee