

STAFF REPORT



ITEM NO. 15 CITY OF OCEANSIDE

DATE: March 5, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN AND CONDITIONAL USE PERMITS TO SUBDIVIDE A 0.96-ACRE SITE INTO THREE RESIDENTIAL LOTS AND TO CONSTRUCT TWO HOMES ON PROPERTY LOCATED APPROXIMATELY 160 FEET EAST OF THE TERMINUS OF CASSIDY STREET AT BAYBERRY DRIVE**

SYNOPSIS

The item under consideration is a review of the Planning Commission's decision to deny without prejudice Tentative Parcel Map (P-14-06), Development Plan (D-11-07), and Conditional Use Permits (C-30-06 and C-14-07) requesting to subdivide a 0.96-acre site, which exceeds the base density and has panhandle access, into three residential lots and to construct two homes on property located approximately 160 feet east of the terminus of Cassidy Street at Bayberry Drive.

Councilmembers Feller and Kern called this application for review on December 20, 2007.

Staff is recommending that following the review, the City Council overturn the Planning Commission's decision and approve the project based on the findings contained in the attached City Council resolution. Staff also recommends that the City Council adopt the resolution.

BACKGROUND

On December 17, 2007, the Planning Commission approved on a 5-to-1 vote, with 1 Commissioner absent, Resolution 2007-P63 to deny without prejudice a Tentative Parcel Map, Development Plan, and two Conditional Use Permits. Following the Planning Commission hearing and prior to the end of the appeal period, a call for review was filed by Councilmembers Feller and Kern requesting that the application for entitlement be presented to the City Council. This report identifies and addresses the issues raised by the Planning Commission in its action to deny the project without prejudice.

Site Review: The subject site is an irregular-shaped parcel consisting of 0.96 acres of

vacant land. The site is approximately 160 feet east of the terminus of Cassidy Street at Bayberry Drive. The site is flanked on the east by a 30 to 40-foot-high natural slope, which descends west, and is flanked on the west by a 15 to 20-foot graded slope, which descends to the east. Site elevations range from approximately 70 to 112 feet above Mean Sea Level. On-site vegetation consists of a substantial number of trees and shrubs.

Surrounding land uses include single-family detached residences on 10,000-square-foot minimum lots. The zoning designation for the site is RE-B (Residential Estate B) District and the General Plan Land Use Category is Estate B Residential (EB-R). The larger neighborhood area encompassing the project site is the Fire Mountain Neighborhood.

Project Description: The project application is comprised of four components; Tentative Parcel Map (P-14-06), Development Plan (D-11-07), Conditional Use Permit (C-30-06), and Conditional Use Permit (C-14-07), as follows:

Tentative Parcel Map (P-14-06) represents a request for the following:

- (a) To subdivide 0.96-acres (41,818 square feet) into three residential lots pursuant to Section 302 of the Oceanside Subdivision Ordinance.

Development Plan (D-11-07) represents a request for the following:

- (a) To construct two single-family homes, pursuant to Article 10 of the Oceanside Zoning Ordinance. A third single-family home is proposed to be reviewed at a later date pursuant to Article 43.

Conditional Use Permit (C-30-06) represents a request for the following:

- (a) To permit development above the base density (1 dwelling unit per gross acre) pursuant to Section 1050(B) of the Oceanside Zoning Ordinance.

Conditional Use Permit (C-14-07) represents a request for the following:

- (a) To permit panhandle access to Parcels 1, 2, and 3 from a private drive pursuant to Section 1050(Y) of the Oceanside Zoning Ordinance.

The proposed project will consist of a three-lot subdivision. The three new parcels will be 13,137 gross square feet (Parcel 1), 14,738 gross square feet (Parcel 2), and 14,131 gross square feet (Parcel 3) in size. Parcels 1 and 2 shall be considered processed under Development Plan (D-11-07). However, if the project entitlements are implemented, but no site grading or building permit activity has occurred on either Parcel for a period of five years from the date of approval, a separate, new Administrative Development Plan shall be obtained for the undeveloped lot. This is detailed in the project conditions. Parcel 3 shall be required to obtain an Administrative Development Plan prior to issuance of any building permits.

Each of the homes created by this parcel map shall be required to meet the following

development standards: Minimum lot size, 10,909 net square feet (13,137 gross square feet); minimum unit size, 2,500 square feet; garage, three car minimum; front yard, 25 feet; corner side yard, 15 feet; side yard 7.5 feet; rear yard, 20 feet; maximum height, 36 feet; maximum lot coverage, 35 percent; roofing, fire resistant concrete tile or slate (all parcels compatible); siding, stucco, architectural accents, decorative trims, etc. (all parcels compatible); color, earth tones (all parcels compatible).

ANALYSIS

Call for Review by Councilmembers Feller and Kern

Listed below are the issues raised by the call for review, along with staff's response to each issue. Staff reviewed the issues and believes that each of the concerns raised were addressed during the many meetings held between staff and the applicant. As designed and conditioned, the project proposes a high-quality subdivision design that is consistent with the Land Use Element of the General Plan, Zoning Ordinance, and Subdivision Ordinance.

Issue 1:

Planning Commission Resolution 2007-P63 P-14-06 Finding 2: The 0.96-acre site has been found to be physically suitable for residential development.

Planning Commission Resolution 2007-P63 D-11-07 Finding 3: The area covered by the Development Plan can be adequately, reasonably, and conveniently served by the existing and planned public services, utilities, and public facilities.

The subject property General Plan Land Use Map designation is Estate-B Residential (RE-B) and the zoning designation is RE-B (Residential Estate – B) District. The purpose of a Residential Estate District is to provide opportunities for very-low-density single-family residential land uses, compatible with the topography and public-service capacities. Other limited uses per Zoning Ordinance Section 1040 would require Conditional Use Permits, but would result in more intense public land uses. Such conditionally permitted land uses include Cemeteries, General Day Care Facilities, Public Parks or Recreation Facilities, Public Safety Facilities, Religious Assembly Facilities, Public Resource Centers, and Public or Private Schools.

Pursuant to Policies A, B, and C of Section 2.02 Residential Subdivision of the Land Use Element of the General Plan lands, individual residential parcels should provide building pad areas of sufficient size and dimensions to accommodate an aesthetically pleasing and efficient dwelling unit. In addition, parcels should be organized or laid out in a fashion that promotes functional and aesthetically pleasing neighborhoods. Finally, residential parcels should provide building pad areas that are reflective of the minimum lot area established for the area (See Issue 3).

The following table summarizes proposed and applicable development standards for the

project site:

	Development Regulations	PARCEL 1	PARCEL 2	PARCEL 3 (pad allows)
Minimum Lot Size	10,000 sq. ft. (0.23-acres)	13,137 sq. ft. (0.30-acres)	14,738 sq. ft. (0.34-acres)	14,131 sq. ft. (0.32-acres)
Minimum Lot Width	70 feet	104 feet	84.5 feet	84.5 feet
Front Yard	25 feet	25 feet	25 feet	25 feet
Side Yard	7.5 feet	25 feet (west) 9.9 feet (east)	7.5 feet	7.5 feet
Corner Side Yard	15 feet	n/a	15 feet	15 feet
Rear Yard	20 feet	20 feet	20 feet	20 feet
Height	Max. 36 feet	Max. 32 feet	20.75 feet	Max. 36 feet
Lot Coverage	Max. 35%	22.5%	31.5%	Max. 35%
Off-street Parking	2 car garage	3 car garage	3 car garage	3 car garage

Staff has found that the subject property is best suited for residential development. The proposed project is designed and conditioned to be compatible with the existing topography of the site. The proposed home on Parcel 1 has been designed to be sensitive to the hillside conditions on the easterly portion of the lot. In addition, the amount of impervious surfacing has been limited by condition. Staff has determined that all surrounding public services are capable of handling the addition of three homes in this area.

Issue 2:

Planning Commission Resolution 2007-P63 P-14-06 Finding 3: A residential density of 3.1 dwelling units per gross acre is not suitable for the site. The development of three detached single family homes will remove a substantial number of mature trees from the site.

Planning Commission Resolution 2007-P63 C-14-07 Finding 2: The 0.96-acre of land located in the RE-B District and the proposed single-family residential land use is not consistent with the goals and objectives of Community Enhancement Section 1.22 of the Land Use Element of the General Plan; the location and land use will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood or such use; and the location and land use will not be detrimental to properties of improvements in the vicinity or to the general welfare of the City.

Pursuant to Policies A and B of Section 1.22 Landscaping of the Land Use Element of the General Plan lands, existing mature trees should be retained whenever possible and mature trees that are removed for development should be mitigated by replacement with an appropriate type, size, and number of trees.

The previous owner of the subject site used the property for a personal horticultural hobby. He planted a plethora of trees on-site, including palm, evergreen, eucalyptus, and broadleaf trees. As a result, the site is covered with over 100 trees, 31 of which meet the General Plan definition of mature trees (trees having a diameter of 10 inches or more) and 35 of which are mature palm trees. It is infeasible to require the developer to provide a 1-to-1 replacement of all trees on-site.

In order to address this issue, staff required the applicant to have a Certified Arborist prepare a tree inventory in order to assess the situation at hand. The results of the report, in addition to the Conceptual Landscape Plan, indicate that 22 trees will be removed from the site, while 52 trees will be preserved and/or replaced. In addition, 32 palm trees will be removed from the site and 36 are proposed to be preserved and/or replaced. Any remaining trees removed from the site shall be mitigated through in-lieu fees to be determined based on an approved Arborist Report. These fees will contribute to tree placement throughout the City. The project has been conditioned accordingly.

Issue 3:

Planning Commission Resolution 2007-P63 D-11-07 Finding 4: The proposed detached residential units are compatible with the existing and potential development on adjoining properties and the surrounding Fire Mountain Neighborhood.

Planning Commission Resolution 2007-P63 C-14-07 Finding 3: The residential density will comply with the provisions of the Zoning Ordinance of the City of Oceanside required for a density of 3.1 dwelling units per gross acre in the Residential Estate-B District.

Pursuant to Policy H of Section 1.13 Neighborhood Character of the Land Use Element of the General Plan lands within the Loma Alta, Fire Mountain, and South Oceanside Neighborhood Planning Areas that are designated Estate B (1 - 3.5 dwelling unit/acre) and with the corresponding zoning of RE-B, a minimum lot size of 10,000 square feet as defined in the Zoning Ordinance shall be considered consistent with the underlying Land Use designation of Estate B Residential.

The project site is surrounded to the north, east, south, and west with detached, single-family homes on minimum 10,000-square-foot lots. The average lot size of the 293 surrounding properties (properties within 1500 feet of the subject property) is 17,549 square feet (0.4 gross acres). The median lot size is 13,125 square feet (0.3 gross acres). The applicant is proposing lots ranging in size from 13,137 square feet (0.3 gross acres) to 14,738 square feet (0.34 gross acres). This puts the proposed lots below the average lot size, but above the median lot size for the surrounding neighborhood. However, when reviewing only the lots created within the last 10 years (75 properties), staff found that the average lot size is 12,724 square feet (0.29 gross acres). This puts the proposed lots

above the average lot size created in the last 10 years in the surrounding neighborhood. Staff finds that the proposed lots are compatible in size to the surrounding area.

The average home size on the 277 developed surrounding lots is 2,287 square feet. The home proposed for Parcel 1 is 4,266 square feet with a three car garage, and the home proposed for Parcel 2 is 2,606 square feet with a three car garage. The remaining parcel will be required to have a minimum 2,500-square-foot home. When reviewing only the lots developed within the last ten years (59 properties), staff found that the average home size is 2,717 square feet. Staff finds that the proposed homes will be compatible with the surrounding neighborhood.

The proposed project provides lots that are larger than the required 10,000-square-foot lot. In addition, the proposed homes shall be larger than the requirements of the Zoning Ordinance and larger than most homes in the vicinity of the project site. Additionally, all three homes shall have three-car garages rather than the required two-car garage. In regards to setbacks, the homes meet the regulations. This includes a minimum 15-foot corner side yard setback from the access driveway, which will provide for larger landscaped yard areas. The design standards for the homes include fire-resistant concrete tile or slate roofing, stucco siding, architectural accents, decorative trims, etc., and earth-tone colors. The project has been conditioned so that all parcels will be compatible even if they are developed at different times. Staff has found this proposed project to possess excellent design features.

FISCAL IMPACT

Not applicable.

COMMISSION OR COMMITTEE REPORT

The Planning Commission reviewed the project on December 3, 2007. After hearing considerable public testimony from area residents, as well as the applicant, the Commission denied the project without prejudice by a 5-to-1 vote (1 absent). The Commissioners established findings that concluded that the project site is not physically suitable for the proposed density and intensity of development, due to the substantial number of existing trees on the property. As a result, the project was found to be inconsistent with similar type of developments within the surrounding neighborhood.

CITY ATTORNEY'S ANALYSIS

The City Attorney's Office has reviewed the proposed resolution and approved it as to form.

In accordance with Section 4605 of the Zoning Ordinance, the City Council shall consider the same application, plans, and related project materials that were the subject

of the original decision denying the project without prejudice by the Planning Commission.

The City Council shall review the record of the decision and hear testimony from staff, the applicant, and any interested parties.

After the public hearing, the City Council shall affirm, modify or reverse the Planning Commission's decision. If a decision is modified or reversed, the City Council shall state the specific reasons for the modification or reversal.

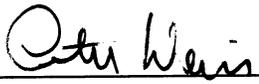
RECOMMENDATION

The proposed Tentative Parcel Map, Development Plan, and associated Conditional Use Permits are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project as conceptually designed meets or exceeds all applicable development standards. The project is compatible in terms of residential product type (single-family), density, and site design elements with the surrounding neighborhood. As such, staff recommends that the City Council overturn the Planning Commission's decision to deny the project without prejudice based on the findings and subject to the conditions contained in the attached City Council Resolution. Staff also recommends that the City Council adopt the resolution.

PREPARED BY:


Sally Schifman
Planner II

SUBMITTED BY:


Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager
Lauren Wasserman, Interim Development Services Director
Jerry Hittleman, City Planner



ATTACHMENTS:

1. Site Plans
2. City Council Resolution
3. Planning Commission Resolution No. 2007-P63
4. Planning Commission Staff Report dated December 3, 2007
5. Arborist reports
6. Call For Review

TENTATIVE PARCEL MAP P-14-06 BAYBERRY DRIVE

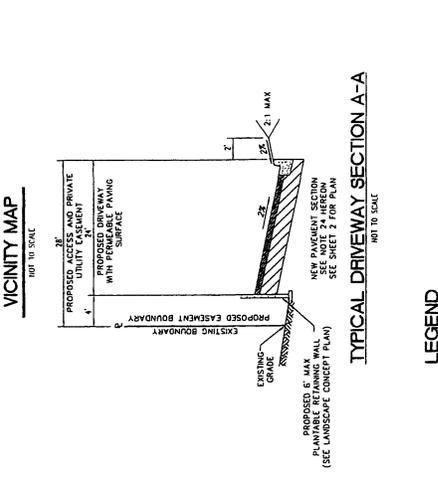
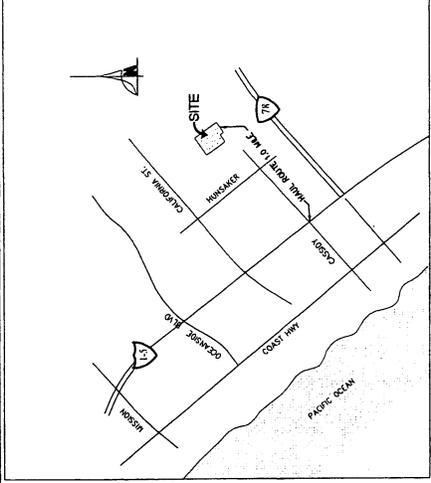

BARGER ENGINEERING
 ENGINEER OF WORK
 2851 GARDEN LANE
 ESCONDIDO, CA 92025
 PH: (760) 743-4217
 FAX: (760) 743-4217

1800 INVESTMENT INC.
 DEVELOPMENT BY
 1145 PHILLIPS STREET
 VISTA, CA 92083

APN 154-210-74
 BAYBERRY DRIVE
 TENTATIVE PARCEL MAP
 OCEANSIDE, CALIFORNIA

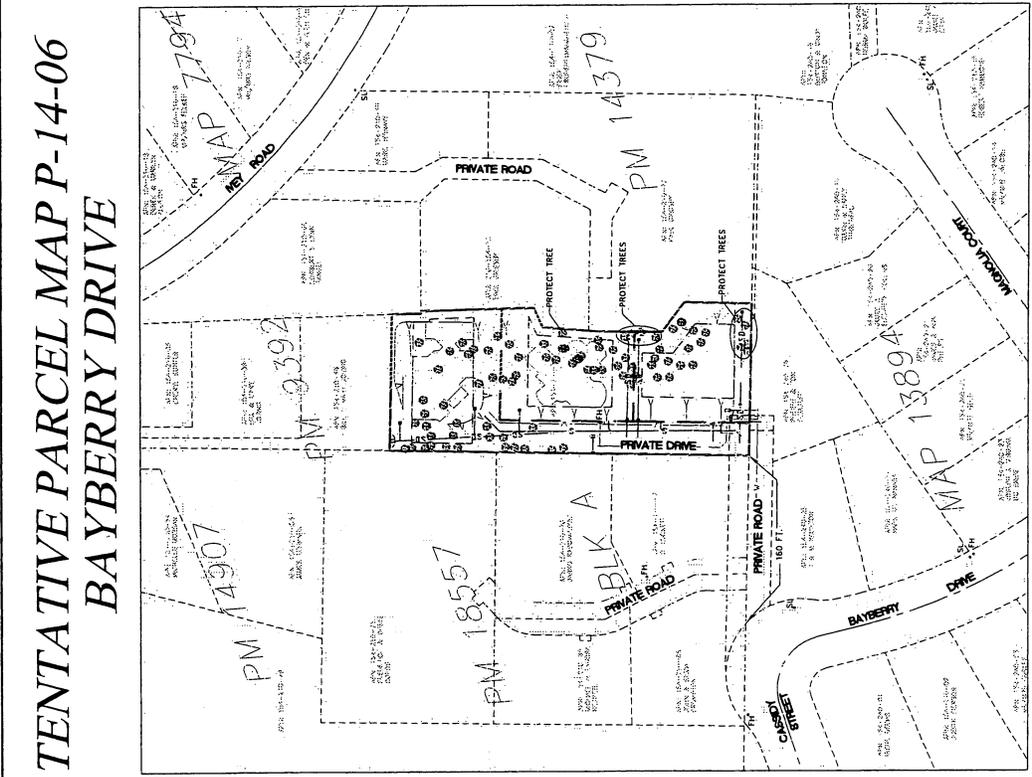
DATE:	02-7-2007
DRAWN BY:	AS 20086
CHECKED BY:	AS 20086
SCALE:	AS SHOWN
SHEET:	1 OF 2

ATTACHMENT 1



LEGEND

- EXISTING PROPERTY LINE
- EXISTING PROJECT BOUNDARY
- EXISTING CONTOUR
- EXISTING DWELINGS
- EXISTING CURB & GUTTER
- BROOKS CATCH BASIN
- CURB INLET
- BROOKS BOX INLET
- CONCRETE HEADWALL
- PCC BROW DITCH
- PLANTABLE RETAINING WALL (WITH/OUT GUTTER)
- PROPOSED FIRE HYDRANT
- PROPOSED DRAINAGE
- FLOW ARROWS
- PROPOSED WATER
- PROPOSED SEWER
- PROPOSED FLOODWAY
- TREE RETAINMENT (AS TREES)
- EXISTING STREET LIGHT
- EXISTING FIRE HYDRANT



LEGAL DESCRIPTION

PARCELS C OF LOT LINE ADJUSTMENT P-14-12-03, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, CALIFORNIA, ACCORDING TO CERTIFICATE OF CORRECTION TO MAP NO. 2004-000773, RECORDED JANUARY 15, 2004 OFFICIAL RECORDS, OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

GRAPHIC SCALE
1 inch = 150 ft.

- GENERAL NOTES**
- TOTAL AREA/SQUARE FOOTAGE: 0.88 ACRES/4001 SF
 - PROPOSED ZONING: RESIDENTIAL ESTATE 9 (RE-9)
 - PROPOSED ZONING: RESIDENTIAL ESTATE 9 (RE-9)
 - NUMBER OF LOTS: THREE (3)
 - DENSITY: 3.1
 - CONTIGUOUS INTERVALS: 1 FOOT
 - PROPOSED LANDSCAPE: 20%
 - PERCENT OF REQUIRED LANDSCAPE: 9
 - OFF-STREET PARKING REQUIRED: 9
 - AMOUNT OF GRADING PROPOSED: 4000 SF
 - TOPOGRAPHIC SOURCE: CONESTONE ENGINEERING, INC., JULY 2005
 - TOPOGRAPHIC SURVEY PERFORMED BY CONESTONE ENGINEERING, INC., JULY 2005
 - IN ACCORDANCE WITH NATIONAL MAPPING STANDARDS REQUIREMENTS.
 - MINIMUM LOT AREA: 10,000 SF
 - EXISTING LAND USE: VACANT
 - PROPOSED LAND USE: RESIDENTIAL
 - SCHOOL DISTRICT: CITY OF OCEANSIDE
 - WATER DISTRICT: OCEANSIDE UNIFIED SCHOOL DISTRICT
 - DRAINAGE STUDY PREPARED BY CONESTONE ENGINEERING, INC., DATED NOV. 2005
 - SUPPLEMENTAL DRAINAGE CALCULATION LETTER BY BARGER ENGINEERING DATED JULY, 2007.
 - APPROVAL FROM THE FIRE DEPARTMENT FOR APPROVAL PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 - AMOUNT OF IMPERVIOUS PAVING PROPOSED: 4000 SF
 - FEMA MAP NO. 060284 PANEL 0781 SUFFIX F, DATED JUNE 19, 1997.
 - ZONE X AREA OUTSIDE OF 500 YEAR FLOOD.

- SPECIAL NOTES**
- PAID ELEVATIONS SHOWN ARE FOR PURPOSES OF ESTABLISHING AN ELEVATION BENCHMARK FOR THE PROJECT.
 - THE SLOPE OF THE PRIVATE DRIVE PER SECTION 13157, ITEM 4, SECOND CLAUSE OF CITY'S LANDSCAPE DESIGN AND MAINTENANCE ORDINANCE IS TO BE MAINTAINED ADJACENT TO THE FRONT DRIVEWAY ENTRANCE.
 - THE FRONT DRIVEWAY ENTRANCE OVERLAY TERMINUS TURN-AROUND PER CITY FIRE DEPARTMENT STANDARDS WILL BE PROVIDED AS SHOWN FOR THE PROPOSED DRIVEWAY.
 - MAINTENANCE OF THE NEW 24 FOOT DRIVEWAY WILL BE DEVELOPED AND RECORDED IN THE RECORDS OF THE COUNTY OF SAN DIEGO.

OWNER/DEVELOPER
 1800 INVESTMENT INC.
 1145 PHILLIPS STREET
 VISTA, CA 92083

BY: _____ DATE: _____

ASSESSORS PARCEL NUMBER
 APN 151-210-74

SITE ADDRESS
 BAYBERRY DRIVE
 OCEANSIDE, CA 92084

APPLICATION OF DESCRIPTION
 A TENTATIVE PARCEL MAP TO CREATE (3) SINGLE FAMILY RESIDENCES ON AN EXISTING VACANT 0.88-ACRE LOT.

ENGINEER OF WORK
 BARGER ENGINEERING
 2851 GARDEN LANE
 ESCONDIDO, CA 92025
 PH: (760)743-4217
 FAX: (760)743-4217

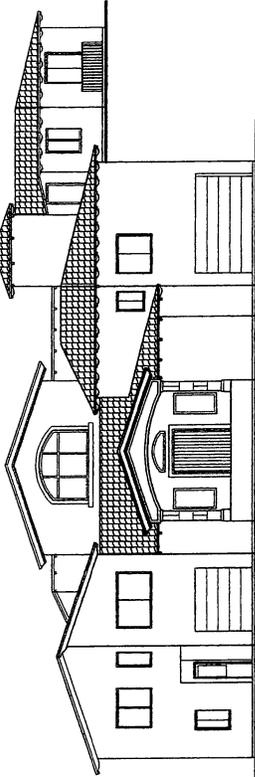
BY: _____ DATE: _____

LAND SURVEYOR
 OCEAN SURVEYING
 1745 MALLOW COURT
 VISTA, CA 92083
 PH: (760)931-1655
 PH: (760)931-1866

BY: _____ DATE: _____

BENCHMARK
 CITY OF OCEANSIDE, BENCHMARK #C-10
 SOUTHWESTERLY CORNER RETURN, CASSIDY AND HUNSEKER
 1984 ADJUSTED ELEVATION = 127.894 FEET.

Hofmann Residence



REQUIRED SPECIAL INSPECTION:

ALL SPECIAL INSPECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH SECTION 19050 OF THE UNIFORM BUILDING CODE.

REQUIRED REMARKS

ITEM	REQUIRED	REMARKS
• SOIL COMPLIANCE PRIOR TO CONSTRUCTION	NO	
• OVER 2500 P.S.F. STRUCTURAL CONCRETE	NO	
• FIELD WELDING	NO	
• REINFORCING BARS	NO	
• SEISMIC ZONES 3 AND 4 ONLY	NO	
• HIGH STRENGTH BOLTS	NO	
• STRUCTURAL MASONRY	NO	
• SIMPSON STRONG WALLS	NO	

SHEET INDEX

ARCHITECTURAL	REMARKS
T-24	TITLE & SECOND FLOOR PLANS
A-1	FIRST FLOOR AND ROOF PLANS
A-2	THIRD FLOOR AND ROOF PLANS
A-3	EXTERIOR ELEVATIONS

DEVELOPMENT INFORMATION

V-N
 CONSTRUCTION:
 ZONING:
 EXISTING LAND USE:
 EXISTING LOT AREA:
 LOT SIZES:
 EXISTING LOT COVERAGE:
 PROPOSED LOT COVERAGE:
 PARCEL 1: GROSS = 13,372 SF (0.30 AC)
 NET = 11,625 SF (0.27 AC)
 OX
 2656 SF / 11605 SF = 23.5X
 XX 80 FT.
 HARDSCAPE -
 BRICKS:
 FRONT: 25'-0"
 REAR: 20'-0"
 SIDE: 20'-0"
 MAX. HEIGHT OF STRUCTURE: NONE
 DEMOLITION: NONE
 NEW: NONE
 SOILS: NONE
 HEATED: 192 SQ. FT.
 COOLED: 345 SQ. FT.
 TOTAL: 537 SQ. FT.
 TOTAL: 2485 SQ. FT. 4586 SQ. FT.
 TOTAL: 2485 SQ. FT. 4586 SQ. FT.

PROJECT INFORMATION

OWNER:
 ERIC & VANESSA HOFMANN
 P.O. BOX 203 92085
 OCEANSIDE, CA 92085
 (760) 815-4385

PROJECT ADDRESS:
 1512-210-74
 OCEANSIDE, CA 92084

ASSessor's PARCEL #:
 1512-210-74

PROJECT SUMMARY:
 A NEW SINGLE FAMILY RESIDENCE

LEGAL DESCRIPTION:
 AS SHOWN ON THE OFFICIAL RECORDS OF THE COUNTY OF SAN DIEGO, AS FILED IN BOOK 20388 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY CLERK, SAN DIEGO COUNTY.

PARCEL 1:
 GROSS = 13,372 SF (0.30 AC)
 NET = 11,625 SF (0.27 AC)

PARCEL 2:
 GROSS = 14,728 SF (0.34 AC)
 NET = 10,928 SF (0.25 AC)

PARCEL 3:
 GROSS = 11,811 SF (0.28 AC)
 NET = 11,811 SF (0.28 AC)

SERVICE AGENCIES

WATER: OCEANSIDE WATER & SEWER
 SCHOOL: OCEANSIDE UNIFIED SCHOOL DISTRICT
 GAS/ELEC: SAN DIEGO GAS & ELECTRIC
 SEWER: OCEANSIDE WATER & SEWER

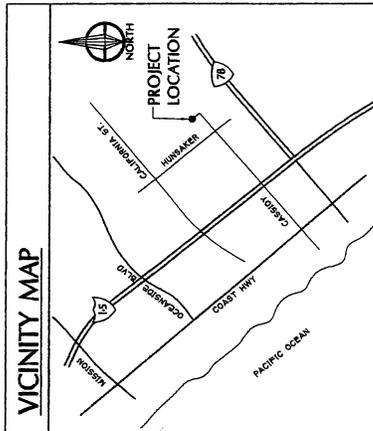
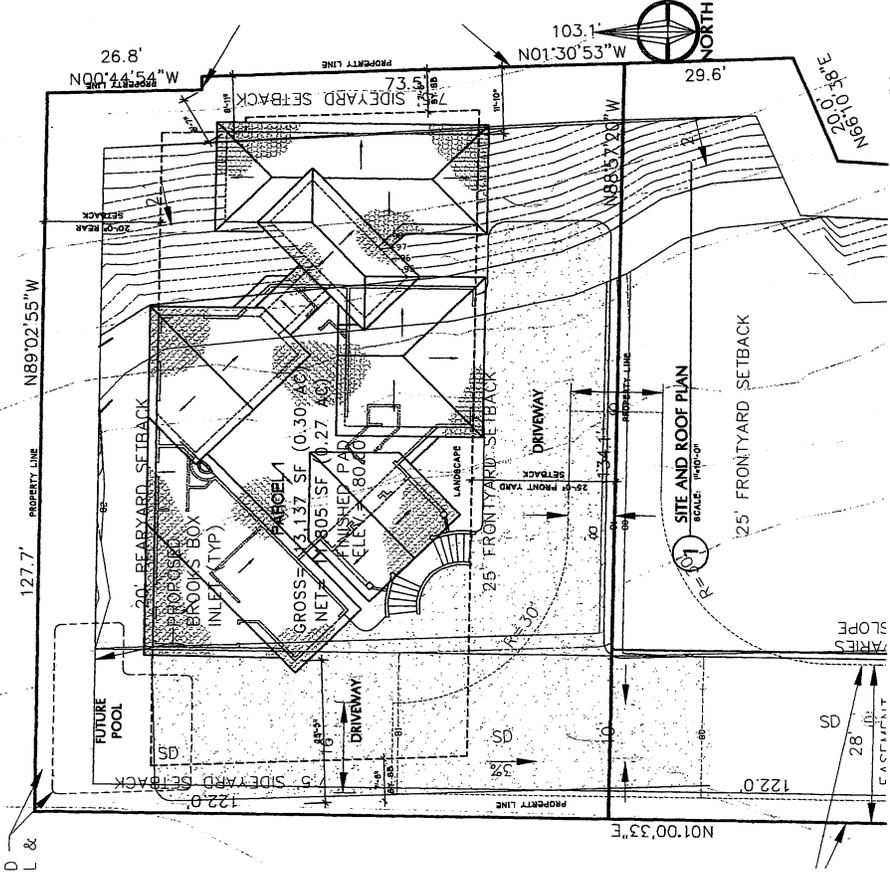
BUILDING CODES

THIS PROJECT SHALL COMPLY WITH THE FOLLOWING:
 THE 2001 EDITION OF THE CALIFORNIA BUILDING CODE (CBC) ADOPTS THE 1997 UNIFORM BUILDING CODE (UBC) AND THE 2001 CALIFORNIA AMENDMENTS
 THE 2001 EDITION OF THE CALIFORNIA MECHANICAL CODE (CMC) ADOPTS THE 1997 UNIFORM MECHANICAL CODE (UMC) AND THE 2001 CALIFORNIA AMENDMENTS
 THE 2001 EDITION OF THE CALIFORNIA ELECTRICAL CODE (CEC) ADOPTS THE 1997 UNIFORM ELECTRICAL CODE (UEC) AND THE 2001 CALIFORNIA AMENDMENTS
 THE 2001 EDITION OF THE CALIFORNIA MECHANICAL CODE (CMC) ADOPTS THE 2000 UNIFORM MECHANICAL CODE (UMC) AND THE 2001 CALIFORNIA AMENDMENTS
 THE 2001 EDITION OF THE CALIFORNIA PLUMBING CODE (CPC) ADOPTS THE 2000 UNIFORM PLUMBING CODE (UPC) AND THE 2001 CALIFORNIA AMENDMENTS
 THE 2001 EDITION OF THE CALIFORNIA FIRE CODE (CFC) ADOPTS THE 2000 UNIFORM FIRE CODE (UFC) AND THE 2001 CALIFORNIA AMENDMENTS
 THE 2005 EDITION OF THE CALIFORNIA ENERGY EFFICIENCY STANDARDS

SITE NOTES

- THE CONTRACTOR MUST VERIFY ALL GRADES, CONDITIONS AND NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES.
- ALL UTILITIES PRIOR TO COMMENCING WORK.
- SURFACE WATER SHALL BE DIRECTED AWAY FROM STRUCTURE FOR A MIN. OF 5'-0" TO 2'-0" THE DISTANCE TO THE PROPERTY LINE.
- WATER & SEWER LATERAL PER CITY OF OCEANSIDE WATER & SEWER DEPARTMENT.
- SEE GRADING PLAN BY STEVE BARBER FOR DRAINAGE.
- ALL EXTERIOR LIGHTING WILL COMPLY WITH CITY OF OCEANSIDE ORDINANCE 1081-16.

FRONT ENTRY ELEVATION



ARCHITECT
STUDIO 4
 2903 MEA DRIVE
 OCEANSIDE, CA 92084
 (760) 752-4804 FAX
 (760) 752-4805 FAX
 PLOTTING/PRINTING
 LANTANA
 PRINCETON
 PLAZA

PROJECT:
HOFMANN RESIDENCE
 1800 BAYSERRY
 OCEANSIDE, CA 92084

CLIENT:
ERIC & VANESSA HOFMANN
 P.O. BOX 203
 OCEANSIDE, CA 92085
 (760) 815-4385

OWNER'S REP:
PAUL LONGTON
 STUDIO 4 ARCHITECTS
 2903 MEA DRIVE
 OCEANSIDE, CA 92084
 (760) 752-4804

RELEASE DATES:
 OWNER: 4/16/07 CD S.U.L.
 ARCHITECT: 4/16/07 CD S.U.L.
 PERMITS:

DRAWING STATUS:
 01 PRELIMINARY WORK
 02 PRELIMINARY WORK
 03 PRELIMINARY WORK
 04 PRELIMINARY WORK
 05 PRELIMINARY WORK
 06 PRELIMINARY WORK
 07 PRELIMINARY WORK
 08 PRELIMINARY WORK
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 100 PRELIMINARY WORK

DRAWN BY: M5R
CHECKED BY: PL
SHEET TITLE: SITE PLAN & COVER

SHEET NO.: SP.1

RECEIVED

APR 17 2007

Planning Department

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 PAUL LONGTON
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RELEASE DATES:
 5/20/07 CD 5/18
 5/20/07 CD 5/18
 5/20/07 CD 5/18

DRAWING STATUS:
 (1) FOR CONSTRUCTION
 (2) PRELIMINARY
 (3) PRELIMINARY
 (4) PRELIMINARY
 (5) PRELIMINARY
 (6) PRELIMINARY
 (7) PRELIMINARY
 (8) PRELIMINARY
 (9) PRELIMINARY
 (10) PRELIMINARY

DRAWN BY: MSR
CHECKED BY: PL
SHEET TITLE: 2nd LEVEL FLOOR PLAN
FLOOR PLAN
SHEET NO.: A-2.0

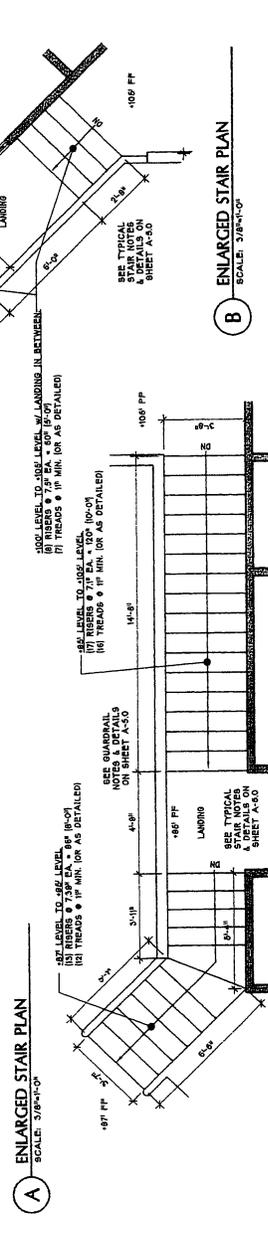
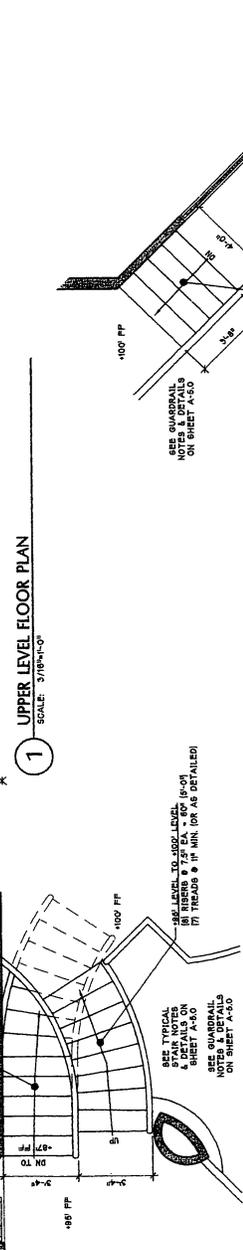
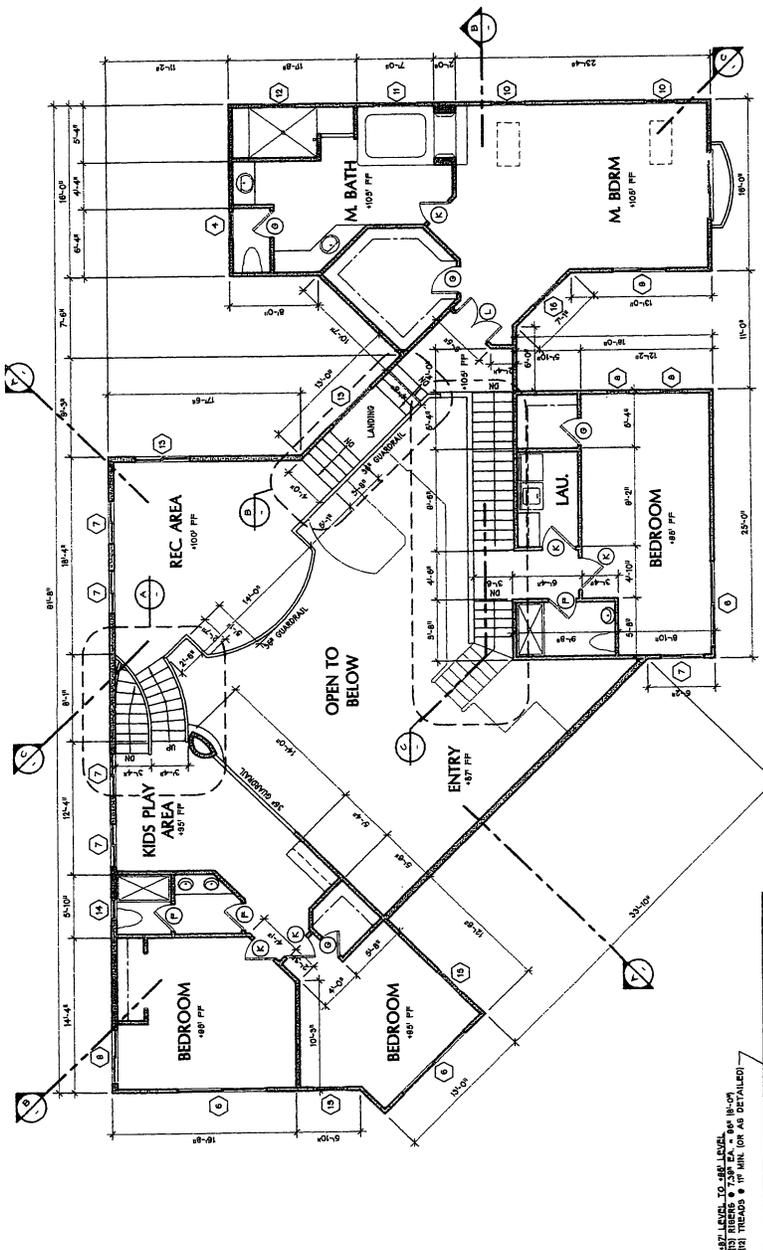
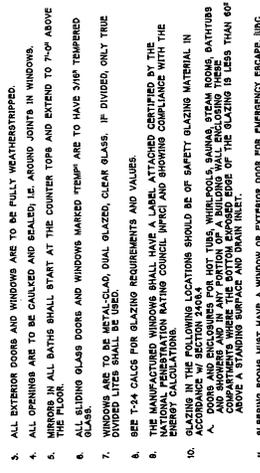
DOOR SCHEDULE

DOOR SIZE	DOOR TYPE	FIN.	REMARKS
3'-0" x 8'-0" (PART)	ENTRY DOOR	WOOD	SEE ELEV.
3'-0" x 8'-0"	SECTIONAL GARAGE DOOR	METAL	PAINT
3'-0" x 8'-0"	ENTRY	WOOD	PAINT
3'-0" x 8'-0"	SOLID CORE - 20 MIN. 1" LBL.	WOOD	PAINT
3'-0" x 8'-0"	INTERIOR	WOOD	PAINT
3'-0" x 8'-0"	SLIDING GLASS DOOR	WOOD	PAINT
3'-0" x 8'-0"	SLIDING GLASS DOOR	WOOD	PAINT
3'-0" x 8'-0"	INTERIOR	WOOD	PAINT
3'-0" x 8'-0" (PART)	DOUBLE INTERIOR	WOOD	PAINT

WINDOW SCHEDULE

WINDOW SIZE	TYPE	FINISH	GLASS	TEMP.	REMARKS
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	
3'-0" x 4'-0"	FIXED	M-C/LAS	CL	X	
4'-0" x 4'-0"	HOR. SLD	M-C/LAS	CL	X	

DOOR & WINDOW NOTES:
 1. ALL OPERABLE WINDOWS ARE TO HAVE SCREENS REFER TO THE EXTERIOR ELEVATIONS FOR THE SCREENING PATTERNS AND LOCATIONS OF WINDOWS TO HAVE MOTTI BARS. COLOR TO MATCH WINDOW FINISH.
 2. ALL EXTERIOR DOORS AND WINDOWS ARE TO MEET ANSI OR NIMA STANDARDS AND ARE SO LABELED.
 3. ALL EXTERIOR DOORS AND WINDOWS ARE TO BE FULLY WEATHERSTRIPPED.
 4. ALL OPENINGS ARE TO BE CALKED AND SEALED, I.E. ARBOND JOINTS IN WINDOWS.
 5. THE FLOOR, ALL BATHS SHALL START AT THE COUNTER TOPS AND EXTEND TO 7'-0" ABOVE GLASS.
 6. ALL SLIDING GLASS DOORS AND WINDOWS MARKED TEMP ARE TO HAVE 3/16" TEMPERED GLASS.
 7. WINDOWS ARE TO BE METAL-CLAD, DUAL GLAZED, CLEAR GLASS. IF DIVIDED, ONLY THE DIVIDED LITES SHALL BE USED.
 8. SEE T-54 CALC FOR GLAZING REQUIREMENTS AND VALUES.
 9. THE MANUFACTURER OF WINDOWS SHALL HAVE A LABEL ATTACHED CERTIFIED BY THE NATIONAL ARCHITECTURAL FINISHING COUNCIL (NAFC) AND SHOWING COMPLIANCE WITH THE ACCORDANCE WITH SECTION 2406.4
 10. GLAZING IN THE FOLLOWING LOCATIONS SHOULD BE OF SAFETY GLAZING MATERIAL IN ACCORDANCE WITH SECTION 2406.4
 A. DOOR WINDOWS AND IN ANY PORTION OF A BUILDING WALL ENCLLOSING THESE COMPARTMENTS WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 6'0" ABOVE A STANDING SURFACE AND DOOR INLET.
 11. SLEEPING ROOMS SHALL HAVE A WINDOW OR EXTERIOR DOOR FOR EMERGENCY ESCAPE. (MBC 703.2.1) AND SHALL BE AT LEAST ONE WINDOW THAT MEETS THE MINIMUM REQUIREMENTS FOR EMERGENCY ESCAPE.
 A. MINIMUM NET CLEAR OPENABLE AREA
 B. MINIMUM NET CLEAR OPENABLE HEIGHT
 C. MAXIMUM FINISH ALL HEIGHT TO BE NO MORE THAN 44" ABOVE FINISHED FLOOR
 D. MINIMUM FINISH ALL HEIGHT TO BE NO MORE THAN 44" ABOVE FINISHED FLOOR
 E. MAXIMUM FINISH ALL HEIGHT TO BE NO MORE THAN 44" ABOVE FINISHED FLOOR



TYPICAL VALUES FOR EMERGENCY ESCAPE WINDOWS MANUFACTURERS TO DETERMINE THAT EACH SLEEPING ROOM HAS AT LEAST ONE WINDOW THAT MEETS THE MINIMUM REQUIREMENTS FOR EMERGENCY ESCAPE. CABINET WINDOWS MUST NOT OPEN INTO AN AREA THAT WHEN CLOSED WOULD PREVENT TO MEET MIN. REQUIREMENTS.

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 PRINCIPAL

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OWNER'S REP:

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 STUDIO 4 ARCHITECTS**
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RELEASE DATES
 RELEASE: 2/20/07 CD SUR
 REVISIONS

DRAWING STATUS:

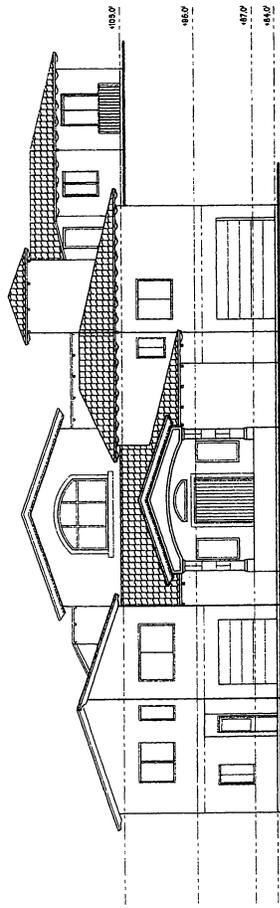
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- PRELIMINARY DRAWING
- CONTRACT DOCUMENTS
- PERMIT SET DRAWINGS
- PERMIT SET ANNOTATIONS
- PERMIT SET REVISIONS
- PERMIT SET COMMENTS
- PERMIT SET NOTES
- PERMIT SET SCHEDULES
- PERMIT SET SPECIFICATIONS
- PERMIT SET CONTRACT AGREEMENT
- PERMIT SET GENERAL NOTES
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- PERMIT SET GENERAL NOTES
- PERMIT SET SPECIAL NOTES

DATE:

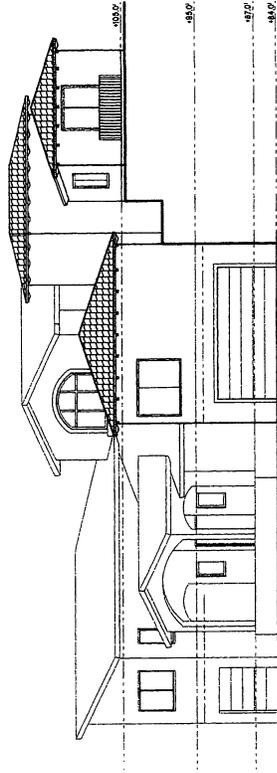
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DRAWN BY: MJR
CHECKED BY: PL
SHEET TITLE:
ELEVATIONS

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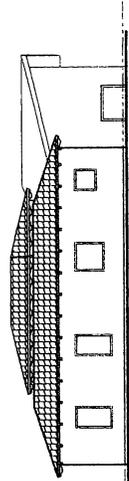
A-4.0



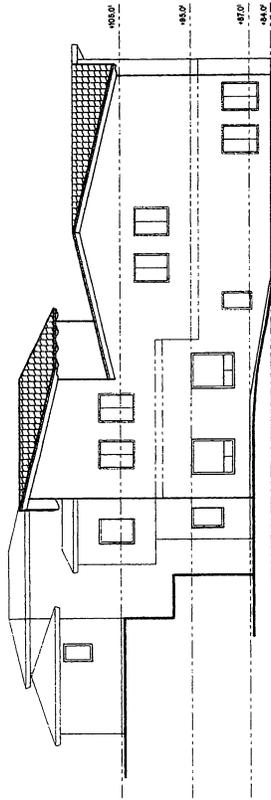
1 FRONT ELEVATION (STRAIGHT ON)
 SCALE: 1/8"=1'-0"



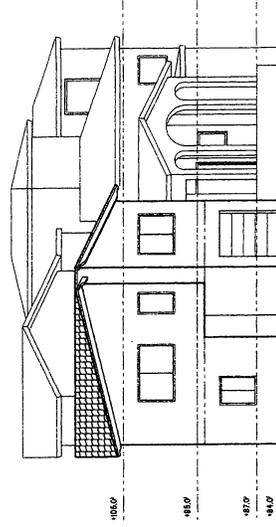
2 FRONT ELEVATION (SKEWED)
 SCALE: 1/8"=1'-0"



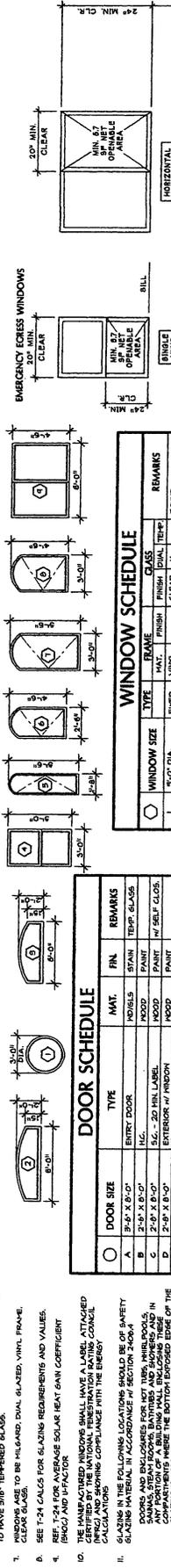
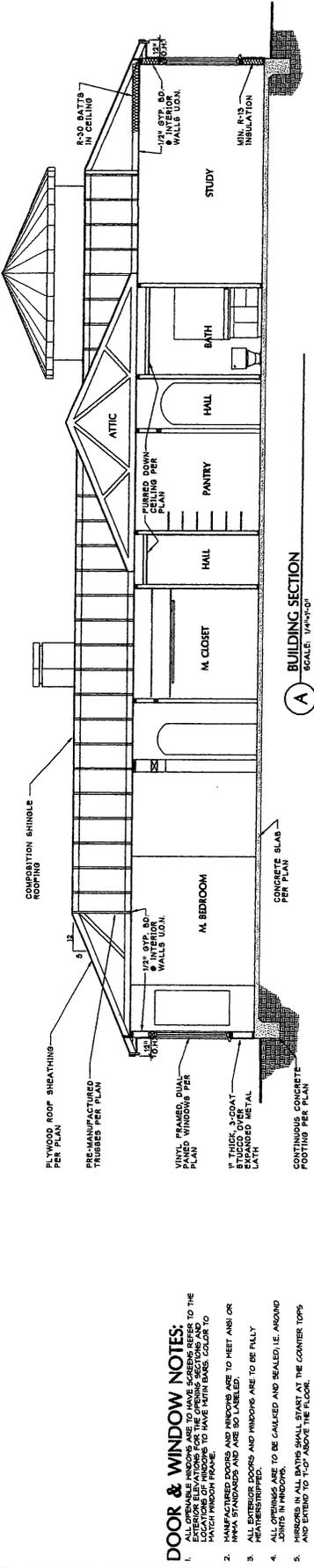
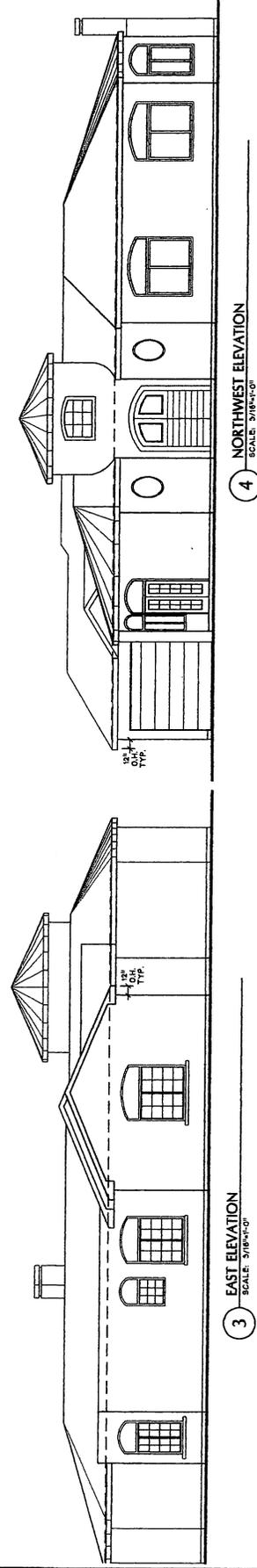
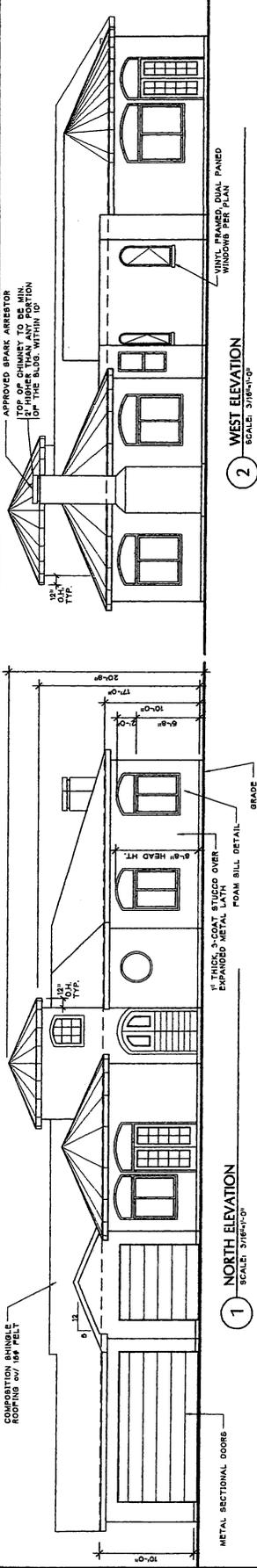
3 RIGHT SIDE ELEVATION (MASTER WING)
 SCALE: 1/8"=1'-0"



4 REAR ELEVATION
 SCALE: 1/8"=1'-0"



5 LEFT SIDE ELEVATION
 SCALE: 1/8"=1'-0"



DOOR & WINDOW NOTES:

1. ALL OPERABLE WINDOWS ARE TO HAVE A LABEL ATTACHED TO THE EXTERIOR ELEVATIONS FOR THE OPERATING SECTIONS AND HATCH WINDOW FRAMES.
2. MANUFACTURED DOORS AND WINDOWS ARE TO MEET ANSI OR INHA STANDARDS AND ARE SO LABELED.
3. ALL EXTERIOR DOORS AND WINDOWS ARE TO BE FULLY OPERABLE.
4. ALL OPERABLE DOORS AND WINDOWS ARE TO BE FULLY OPERABLE AND TO BE LABELED AND SEALED, I.E. AROUND JOINTS IN WINDOWS.
5. MIRRORS IN ALL BATHS SHALL START AT THE COUNTER TOPS AND EXTEND TO 1'-0" ABOVE THE FLOOR.
6. ALL SLIDING GLASS DOORS AND WINDOWS MARKED "TEMP" ARE TO BE TEMPORARILY MARKED.
7. WINDOWS ARE TO BE HUNG, DUAL GLAZED, VINYL FRAME, CLEAR GLASS.
8. SEE T-24 CALLS FOR GLAZING REQUIREMENTS AND VALUES.
9. REF. T-24 CALLS FOR AVERAGE SOLAR HEAT GAIN COEFFICIENT (SHGC) AND U-FACTOR.
10. THE MANUFACTURED WINDOWS SHALL HAVE A LABEL ATTACHED TO THE EXTERIOR ELEVATIONS AND HATCH WINDOW FRAMES FOR THE OPERATING SECTIONS AND HATCH WINDOW FRAMES.
11. THE MANUFACTURED WINDOWS SHALL HAVE A LABEL ATTACHED TO THE EXTERIOR ELEVATIONS AND HATCH WINDOW FRAMES FOR THE OPERATING SECTIONS AND HATCH WINDOW FRAMES.
12. SLEEPING ROOMS MUST HAVE A WINDOW OR EXTERIOR DOOR FOR EMERGENCY ESCAPE AND RESCUE (E.E.R.) SECTION 309.4 OF THE INTERNATIONAL RESIDENTIAL BUILDING CODE (IRC). THE WINDOW OR EXTERIOR DOOR SHALL BE OPERABLE FROM THE INTERIOR TO PROVIDE A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. SECTION 309.4.

SLEEPING ROOMS SHALL HAVE A WINDOW OR EXTERIOR DOOR FOR EMERGENCY ESCAPE AND RESCUE (E.E.R.) SECTION 309.4 OF THE INTERNATIONAL RESIDENTIAL BUILDING CODE (IRC). THE WINDOW OR EXTERIOR DOOR SHALL BE OPERABLE FROM THE INTERIOR TO PROVIDE A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. SECTION 309.4.

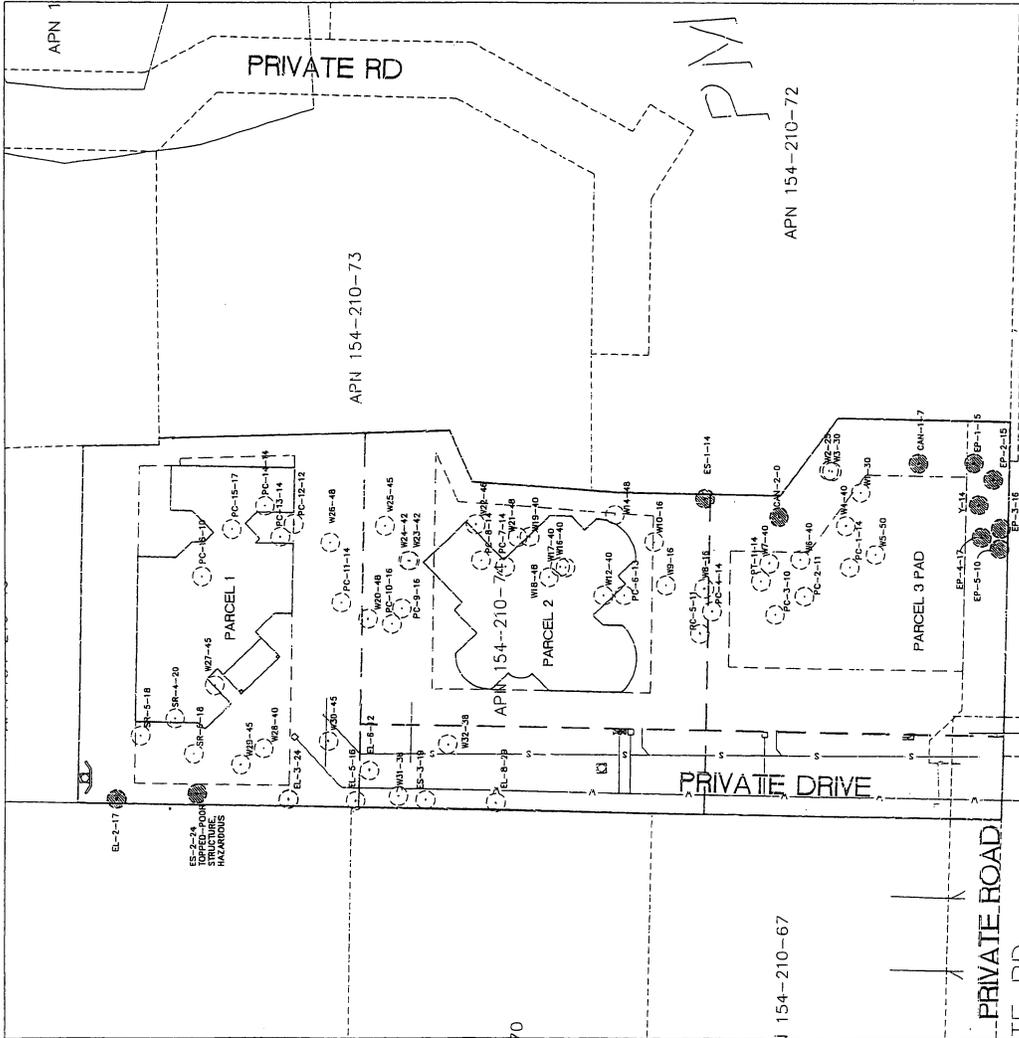
EMERGENCY EGRESS WINDOWS SHALL BE LABELED AS SUCH AND SHALL BE OPERABLE FROM THE INTERIOR TO PROVIDE A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. SECTION 309.4.

EMERGENCY EGRESS WINDOWS SHALL BE LABELED AS SUCH AND SHALL BE OPERABLE FROM THE INTERIOR TO PROVIDE A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. SECTION 309.4.

WINDOW SIZE	TYPE	FRAME	GLASS		REMARKS
			FINISH	DUAL TEMP	
1 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	ROUND
2 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	RADIUS @ TOP
3 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH
4 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH
5 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH
6 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH
7 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH
8 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH
9 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH
10 3'-0" X 5'-0"	FIXED	VINYL	CLEAR	X	3'-0" X 1'-0" FINISH

DOOR SIZE	TYPE	MATERIAL	FINISH	REMARKS
B 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
C 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
D 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
E 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
F 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
G 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
H 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
I 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
J 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
K 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
L 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS
M 3'-0" X 8'-0"	ENTRY DOOR	PAINT	PAINT	1/2" SLIP GLASS

EXISTING TREE SURVEY MAP BAYBERRY DRIVE



SPECIAL NOTES

THE MAP AND TREE SURVEY INFORMATION ON THIS MAP WAS PREPARED BY KATHLEEN COPLEY, AN ARBORIST, FOR THE INTERNATIONAL SOCIETY OF ARBORICULTURE ON SEPTEMBER 26, 2007. THE SITE WAS REARDED AND SURVEY RECESSED PER THE CITY. THIS INVENTORY IS PER THE CITY OF OCEANSIDE SUBMISSION ORDINANCE ARTICLE IV TENTATIVE SUBDIVISION MAPS SECTION 407 AND 402. TREES TEN INCHES (10") OR MORE ARE SHOWN.

GRAPHIC SCALE



SCALE: 1"=20'

TREE TEXT INVENTORY LEGEND

TREE NAME ABBREVIATION, SPECIMEN NUMBER & CALIPER
APN - CALIPER LOCATION AND NUMBER OF THAT SPECIES
BOTANICAL NAME ABBREVIATION
PALM NAME ABBREVIATION, SPECIMEN NUMBER, 8TH
CAN - L - BROWN TRUNK HEIGHT (8TH) LOCATION AND NUMBER OF THAT SPECIES
BOTANICAL NAME ABBREVIATION

TREE SYMBOL LEGEND

TO BE USED TO IDENTIFY TREES TO BE REMOVED IN PLACE TO SITE DEVELOPMENT

SYMBOL	BOTANICAL (COMMON NAME)
CAN-2-0	PHOENIX CANARY (CANARY IS. CANE)
EL-2-17	ELCALYPTUS LELCOXYLON (WHITE RONBARK)
EL-3-24	ELCALYPTUS LELCOXYLON (WHITE RONBARK)
EL-5-16	ELCALYPTUS LELCOXYLON (WHITE RONBARK)
EL-6-32	ELCALYPTUS LELCOXYLON (WHITE RONBARK)
EP-1-45	ELCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)
EP-2-16	ELCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)
EP-3-16	ELCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)
EP-4-17	ELCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)
ES-1-14	ELCALYPTUS SIDEROXYLON (RED RONBARK)
ES-3-19	ELCALYPTUS SIDEROXYLON (RED RONBARK)
PC-2-11	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-3-10	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-4-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-5-13	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-6-13	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-7-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-8-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-9-16	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-10-16	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-11-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-12-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-13-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-14-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-15-14	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-16-17	PRINUS CANARIENSIS (CANARY IS. PINE)
PC-16-10	PRINUS CANARIENSIS (CANARY IS. PINE)
PT-1-4	PRINUS TORREYANA (TORREY PINE)
SR-5-18	STYRACIS ROMAZOFFIANA (GREEN PALM)
SR-6-18	STYRACIS ROMAZOFFIANA (GREEN PALM)
W1-30	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W2-25	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W3-30	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W4-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W5-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W6-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W7-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W8-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W9-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W10-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W11-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W12-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W13-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W14-48	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W15-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W16-48	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W17-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W18-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W19-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W20-16	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W21-48	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W22-48	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W23-42	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W24-42	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W25-46	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W26-46	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W27-45	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W28-40	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W29-45	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W30-45	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W31-38	WASHINGTONIA ROBUSTA (MEX FAN PALM)
W32-46	WASHINGTONIA ROBUSTA (MEX FAN PALM)
Y-1-14	YUCCA CALIFORNICA (SPANISH BAYONET)

GENERAL NOTES

TOTAL AREA/SQUARE FOOTAGE: 0.99 ACRES/42803 SF

EXISTING TREES: RESIDENTIAL ESTATE B (RE-B) THREE (3) RESIDENTIAL ESTATE B (RE-B) THREE (3)

NUMBER OF DWGS: THREE (3)

DENSITY: 3:1

CONTOUR INTERVALS: 1 FOOT

MAXIMUM SLOPE GRADIENT: 2:1

PERCENT OF REQUIRED LANDSCAPE: 20%

PROPOSED LANDSCAPING (PERCENT): 20%

OFF-STREET PARKING PROPOSED: 9

AMOUNT OF GRADING PROPOSED: ESTATE B

GENERAL PLAN DESIGNATION: ESTATE B

TOPOGRAPHIC SOURCE: TOPOGRAPHIC SURVEY PERFORMED BY KATHLEEN COPLEY, ARBORIST, ON SEPTEMBER 26, 2007. ACCORDING TO NATIONAL MAPPING STANDARD REQUIREMENTS.

OWNER/DEVELOPER

1008 INVESTMENT, INC.
1008 INVESTMENT DRIVE
OCEANSIDE, CA 92083

ASSESSORS PARCEL NUMBER

APN# 154-210-71

SITE ADDRESS

BAYBERRY DRIVE
OCEANSIDE, CA 92084

LAND SURVEYOR

ORSON SURVEYING
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CARLSBAD, CA 92001
PH: (760) 931-1855
FAX: (760) 931-1859

ENGINEER OF WORK

BARBER ENGINEERING
145 PHILLIPS STREET
CARLSBAD, CA 92001
PH: (760) 734-1277
FAX: (760) 734-1277

ISA CERTIFIED ARBORIST

KATHLEEN COPLEY, MESA
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CARLSBAD, CA 92008
PH: (760) 932-1824
WE: 33374

APPLICATION OF DESCRIPTION

A TENTATIVE PARCEL MAP TO CREATE (3) SINGLE FAMILY RESIDENCES ON AN EXISTING VACANT 0.99-ACRE LOT.



THE LIGHTFOOT PLANNING GROUP

PLANNING
SITE DESIGN
LANDSCAPE ARCHITECTURE

5755 HILL CRESTLEIGH DR
SAN DIEGO, CA 92121
TEL: (619) 451-1111
WWW.LIGHTFOOTPLANNING.COM

1008 Investment, INC

Bayberry Drive
Oceanside, California

DATE	1-20-07
DRAWN BY	BARBER ENGINEERING
CHECKED BY	BARBER ENGINEERING
SCALE	AS SHOWN
TITLE	EXISTING TREE INVENTORY
JOB #	154-210-71
SHEET	1

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE OVERTURNING PLANNING COMMISSION RESOLUTION NO. 2007-P63, AND APPROVING TENTATIVE PARCEL MAP (P-14-06), DEVELOPMENT PLAN (D-11-07) AND CONDITIONAL USE PERMITS (C-30-06, C-14-07) TO SUBDIVIDE A 0.96-ACRE SITE, WHICH EXCEEDS THE BASE DENSITY AND HAS PANHANDLE ACCESS, INTO THREE RESIDENTIAL LOTS AND TO CONSTRUCT TWO HOMES ON PROPERTY LOCATED APPROXIMATELY 160 FEET EAST OF THE TERMINUS OF CASSIDY STREET AT BAYBERRY DRIVE- BAYBERRY PARCEL MAP

(1800 Investments Inc. - Applicant)

WHEREAS, an application was filed for a Tentative Parcel Map (P-14-06), Development Plan (D-11-07) and Conditional Use Permits (C-30-06 and C-14-07) for a three-lot subdivision, which exceeds base density and has panhandle access, with the construction of two single-family detached homes located approximately 160 feet east of the terminus of Cassidy Street at Bayberry Drive, and such real property is more particularly described in EXHIBIT "A", attached hereto and incorporated herein by reference;

WHEREAS, on December 3, 2007 the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, adopted Resolution No. 2007-P63, denying without prejudice said Tentative Parcel Map, Development Plan, and Conditional Use Permits;

WHEREAS, a Call For Review of the Planning Commission decision was filed with the City Clerk of the City of Oceanside.

WHEREAS, on March 5, 2008, the City Council of the City of Oceanside held a duly noticed public hearing, heard and considered evidence and testimony by all interested parties concerning the call for review of the denial without prejudice for the above identified Tentative Parcel Map, Development Plan, and Conditional Use Permits; and

WHEREAS, based on such evidence and testimony, this Council finds that the decision of the Planning Commission did not establish the necessary findings to adequately justify denying without prejudice the proposed project.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is not subject to CEQA per Article 19 Section 15332, In-fill Development Projects,

1 and therefore, the project is exempt from CEQA;

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

4 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the project
5 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	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside (\$.42 for Vista and Fallbrook) \$2.63 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
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)
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.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
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.
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.

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;

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

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

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

WHEREAS, studies and investigations made by the City Council and in its behalf reveal the following facts:

FINDINGS:

For the Tentative Parcel Map P-14-06:

1. The proposed map is consistent with the General Plan of the City by meeting and exceeding lot size requirements or other provisions of the Zoning Ordinance and the Subdivision Ordinance.
2. The 0.96-acre site has been found to be physically suitable for residential development.

- 1 3. A residential density of 3.1 dwelling units per gross acre is suitable for the site.
- 2 4. The three-lot subdivision will not cause substantial environmental damage or substantially and
- 3 avoidably injure fish or wildlife or their habitat and has been categorically exempted from
- 4 review under the California Environmental Quality Act.
- 5 5. The three-lot subdivision and the construction of two detached residential units will not conflict
- 6 with easements, acquired by the public at large, for access through or use of, property within the
- 7 proposed subdivision.
- 8 6. The Parcel Map complies with all other applicable ordinances, regulations, and guidelines of the
- 9 City of Oceanside.

9 For the Development Plan D-11-07:

- 10 1. The site plan and physical design of the project is consistent with the purposes of the Zoning
- 11 Ordinance, including Articles 10, 30, and 43.
- 12 2. The Development Plan conforms to the General Plan of the City of Oceanside, including the
- 13 goals and objectives of Community Development Sections 1.13, 1.22, 1.24, 2.02, 2.3, and 2.32
- 14 the Land Use Element of the General Plan.
- 15 3. The area covered by the Development Plan can be adequately, reasonably and conveniently
- 16 served by existing and planned public services, utilities, and public facilities.
- 17 4. The proposed detached residential units are compatible with the existing and potential
- 18 development on adjoining properties and the surrounding Fire Mountain Neighborhood.

18 For the Conditional Use Permit C-30-06 (panhandle access):

- 19 1. The proposed use of a panhandle access design on three lots and the proposed location of the
- 20 lots is in accord with the objectives of the Zoning Ordinance and the purposes of the district in
- 21 which it is located.
- 22 2. The use of panhandle access design, and the proposed conditions under which it would be
- 23 established or maintained will be consistent with the General Plan; will not be detrimental to the
- 24 public health, safety or welfare of persons residing or working in or adjacent to the
- 25 neighborhood of such use; and will not be detrimental to properties or improvements in the
- 26 vicinity or to the general welfare of the City.
- 27 3. The use of panhandle access design will comply with the provisions of the Zoning Ordinance of
- 28 the City of Oceanside and any specific condition required for panhandle access in the Single-

1 Family Residential District.

2 For the Conditional Use Permit C-14-07(exceeding base density):

- 3 1. The development portion of the subject property is zoned RE-B with a corresponding Land Use
4 designation of Residential Estate-B (1-3.5 dwelling units per acre). The project density of 3.1
5 dwelling units per acre is consistent with the density range of 1–3.5 dwelling units per acre
6 established by the Residential Estate–B designation.
- 7 2. The 0.96-acre of land located in the RE-B District and the proposed single-family residential
8 land use is consistent with the General Plan; the location and land use will not be detrimental to
9 the public health, safety, or welfare of persons residing or working in or adjacent to the
10 neighborhood of such use; and the location and land use will not be detrimental to properties or
11 improvements in the vicinity or to the general welfare of the City.
- 12 3. The residential density will comply with the provisions of the Zoning Ordinance of the City of
13 Oceanside, including Article 10 and any specific condition required for a density of 3.1
14 dwelling units per gross acre in the Single-Family Residential District.

15 NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as follows:

16 1. The Council overturns the Planning Commission action of December 3, 2007 to deny
17 without prejudice Tentative Parcel Map (P-14-06), Development Plan (D-11-07) and Conditional Use
18 Permits (C-30-06 and C-14-07).

19 2. The decision of the Planning Commission is reversed based on the fact that the project is
20 consistent with the Land Use Element of the General Plan and the City’s Zoning Ordinance in that the
21 project meets the density and development criteria set forth by these documents, the proposed project
22 density does not exceed the applicable maximum density of 3.5 dwelling units per acre as set forth by
23 the Residential Estate B (RE-B) zoning district, is consistent with the intensity and established
24 character found within the surrounding residential neighborhood, and as designed will not cause
25 detriment to the public health, safety, or welfare of persons residing or working in or adjacent to the
26 project area.

27 3. Pursuant to CCP Section 1094.6 (f), notice is hereby given that the time within which
28 judicial review must be sought on this decision is governed by CCP Section 1094.6 as set forth in
Oceanside City Code Section 1.10.

4. The City Council does hereby approve Tentative Parcel Map (P-14-06), Development

1 Plan (D-11-07), and Conditional Use Permits (C-30-06 and C-14-07) subject to the following
2 conditions:

3 **Building:**

- 4 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
5 Division plan check.
- 6 2. The granting of approval under this action shall in no way relieve the applicant/project from
7 compliance with all State and Local building codes.
- 8 3. The building plans for this project are required by State law to be prepared by a licensed
9 architect or engineer and must be in compliance with this requirement prior to submittal for
10 building plan review.
- 11 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the property
12 shall be underground.
- 13 5. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
- 14 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall
15 be shielded appropriately.
- 16 7. The developer shall monitor, supervise and control all building construction and supporting
17 activities so as to prevent these activities from causing a public nuisance, including, but not limited
18 to, strict adherence to the following:
 - 19 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.
20 Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not
21 inherently noise-producing. Examples of work not permitted on Saturday are concrete and
22 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be
23 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th,
24 Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work
25 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
 - 26 b) The construction site shall be kept reasonably free of construction debris as specified in
27 Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste
28 containers shall be considered compliance with this requirement. Small amounts of
construction debris may be stored on-site in a neat, safe manner for short periods of time
pending disposal.

- 1 8. Separate/unique addresses will/may be required to facilitate utility releases. Verification that the
2 addresses have been properly assigned by the City's Planning Division must accompany the
3 Building Permit application.
- 4 9. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation will be
5 required at time of plans submittal to the Building Division for plan check. The Soils Report &
6 Structural Calculations must show that the hillside soils conditions are suitable to support the
7 buildings, retaining walls, etc. for this project.
- 8 10. A private sewer system design must be submitted to the Building Division and approved prior to
9 the construction of the sewer system. If a gravity flow system is not used, an engineered
10 mechanical system must be submitted and approved by the Planning, Engineering, Water, and
11 Building Divisions.
- 12 11. Documentation of properly recorded easements (for access and utilities) is required for plan check
13 review of building projects on "flagpole" or "panhandle" lots.
- 14 12. As part of the plan check submittal for a Building Permit, submit a "plat" drawing showing the first
15 floor elevations for each segment, the locations of the points where the floor level is 6 feet above
16 grade, and the lowest elevation within 5 feet from the building for each segment.
- 17 13. Construction plans submitted to the Building Division after January 1st 2008 must comply with the
18 State adopted ICC codes.

18 **Engineering:**

- 19 14. For the demolition of any existing structures or surface improvements, grading plans shall be
20 submitted and erosion control plans be approved by the City Engineer prior to the issuance of a
21 demolition permit. No demolition shall be permitted without an approved erosion control plan.
- 22 15. Design and construction of all improvements shall be in accordance with standard plans,
23 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 24 16. Legal access shall be maintained to all existing lots.
- 25 17. Unless appropriate deferral is granted by the City prior to approval of the final parcel map, all
26 improvement requirements shall be covered by a subdivision agreement and secured with sufficient
27 improvement securities or bonds guaranteeing performance and payment for labor and materials,
28 setting of monuments, and warranty against defective materials and workmanship.
18. Unless they are already covered by an appropriate subdivision improvement agreement, all

1 improvement requirements shall be covered by a development agreement and secured with
2 sufficient improvement securities or bonds guaranteeing performance and payment for labor and
3 materials, setting of monuments, and warranty against defective materials and workmanship prior
4 to issuance of a building permit.

5 19. Prior to approval of the final parcel map or a building permit (whichever occurs first) a phasing
6 plan for the construction of public and private improvements including landscaping, streets and
7 arterials shall be approved by the City Engineer. All improvements shall be under construction to
8 the satisfaction of the City Engineer prior to the issuance of any building permits. All
9 improvements shall be completed prior to issuance of any certificates of occupancy.

10 20. Prior to issuance of a building permit a phasing plan for the construction of public and private
11 improvements including landscaping, shall be approved by the City Engineer.

12 21. The subdivision shall be recorded as one. The tract may be developed in phases. A construction-
13 phasing plan for the construction of on-site public and private improvements shall be reviewed and
14 approved by the City Engineer prior to the recordation of the final parcel map. Prior to the
15 issuance of any building permits all offsite improvements including landscaping, frontage
16 improvements shall be under construction to the satisfaction of the City Engineer. Prior to issuance
17 of any certificates of occupancy the City Engineer shall require the dedication and construction of
18 necessary utilities, streets, and other improvements outside the area of any particular final map, if
19 such is needed for circulation, parking, access or for the welfare or safety of future occupants of the
20 development.

21 22. Where off-site improvements, including but not limited to slopes, public utility facilities, and
22 drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all
23 necessary easements or other interests in real property and shall dedicate the same to the City of
24 Oceanside as required. The applicant shall provide documentary proof satisfactory to the City of
25 Oceanside that such easements or other interest in real property have been obtained prior to the
26 approval of the final parcel map. Additionally, the City of Oceanside, may at its sole discretion,
27 require that the applicant obtain at his sole expense a title policy insuring the necessary title for the
28 easement or other interest in real property to have vested with the City of Oceanside or the
applicant, as applicable.

23. Pursuant to the State Map Act, improvements shall be required at the time of development. A

1 covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these
2 improvement conditions and a certificate setting forth the recordation shall be placed on the map.
3 The covenant shall provide that the property is subject to this resolution, and shall generally list the
4 conditions of approval.

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

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

12 a) Dirt, debris and other construction material shall not be deposited on any public street or
13 within the City's stormwater conveyance system.

14 b) All grading and related site preparation and construction activities shall be limited to the
15 hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related
16 construction activities shall be conducted on Saturdays, Sundays or legal holidays unless
17 written permission is granted by the City Engineer with specific limitations to the working
18 hours and types of permitted operations. All on-site construction staging areas shall be as
19 far as possible (minimum 100 feet) from any existing residential development. Because
20 construction noise may still be intrusive in the evening or on holidays, the City of
21 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise
22 which causes discomfort or annoyance to reasonable persons of normal sensitivity".

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

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

28 26. A traffic control plan shall be prepared according to the City traffic control guidelines and be
submitted to and approved by the City Engineer prior to the start of work within open City rights-
of-way or in the existing private road at the subdivision's entrance. Traffic control during

1 construction shall be in accordance with construction signing, marking and other protection as
2 required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans
3 shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

14 28. The proposed private drive shall be improved with curb and gutter, and/or as required the City
15 Engineer.

16 29. Streetlights on Bayberry Drive and Cassidy Street shall comply with City standards. The
17 developer may be required to pay applicable fees, energy charges, and/or assessments associated
18 with City-owned (LS-2 rate schedule) streetlights and shall also agree to the annexation to, any
19 appropriate street lighting district.

20 30. This project's proposed interior street and the existing street connecting to Bayberry Drive shall
21 remain private and shall be maintained by an association or through a reciprocal Private Road
22 Maintenance Agreement to be recorded prior to or concurrent with the Final Parcel Map. The
23 pavement sections, traffic indices, alignments, and all geometrics shall meet city street standards to
the satisfaction of the City Engineer.

24 31. Prior to approval of the grading plans, the developer shall contract with a geotechnical engineering
25 firm to perform a field investigation of the existing pavement on all streets adjacent to the project
26 boundary. The limits of the study shall be half-street plus 12 feet along the project's frontage. The
27 field investigation shall include a minimum of one pavement boring per every 50 linear feet of
28 street frontage. Should the existing AC thickness be determined to be less than three inches or

1 without underlying Class II base material, the developer shall remove and reconstruct the pavement
2 section as determined by the pavement analysis submittal process detailed in Item No. 2 below.

3 32. Upon review of the pavement investigation, the City Engineer shall determine whether the
4 Developer shall: 1) Repair all failed pavement sections, header cut and grind per the direction of
5 the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2) Perform R-value
6 testing and submit a study that determines if the existing pavement meets current City
7 standards/traffic indices. Should the study conclude that the pavement does not meet current
8 requirements, rehabilitation/mitigation recommendations shall be provided in a pavement analysis
9 report, and the developer shall reconstruct the pavement per these recommendations, subject to
10 approval by the City Engineer.

11 33. Pavement sections for all streets and driveways within the project and along the project's frontage
12 shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared
13 by the subdivider's soil engineer and must be approved by the City Engineer, prior to approval of
14 the appropriate engineering plans.

15 34. Existing broken pavement, concrete curb, gutter or sidewalk or any damaged during construction
16 of the project, shall be repaired or replaced as directed by the City Engineer.

17 35. All existing or temporary overhead utility lines within the property, and all new extension services
18 for the development of the project, including but not limited to, electrical, cable and telephone,
19 shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as
20 required by the City Engineer and current City policy.

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

23 37. Grading and drainage facilities shall be designed and installed to adequately accommodate the
24 local stormwater runoff and shall be in accordance with the City's Engineers Manual and as
25 directed by the City Engineer.

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

- 1 39. Prior to any grading of any part of the subdivision a comprehensive soils and geologic
2 investigation shall be conducted of the soils, slopes, and formations in the project. All necessary
3 measures shall be taken and implemented to assure slope stability, erosion control, and soil
4 integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with
5 the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer.
- 6 40. This project shall provide year-round erosion control including measures for the site required for
7 the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed
8 for all proposed stages of construction, shall be reviewed, secured by the applicant with cash
9 securities and approved by the City Engineer.
- 10 41. Precise grading and private improvement plans shall be prepared, reviewed, secured and approved
11 prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork,
12 landscaped areas, special surfaces, curbs, gutters, footprints of all structures, walls, drainage
13 devices and utility services. Parking lot striping and any on-site traffic calming devices shall be
14 shown on all Precise Grading and Private Improvement Plans.
- 15 42. The drainage design on the tentative parcel map is conceptual only. The final design shall be based
16 upon a hydrologic/hydraulic study to be approved by the City Engineer during final engineering.
17 All drainage picked up in an underground system shall remain underground until it is discharged
18 into an approved channel, or as otherwise approved by the City Engineer. All public storm drains
19 shall be shown on City standard plan and profile sheets. All storm drain easements shall be
20 dedicated where required. The subdivider shall be responsible for obtaining any off-site easements
21 for storm drainage facilities.
- 22 43. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed of in
23 accordance with all state and federal requirements, prior to stormwater discharge either off-site or
24 into the City drainage system.
- 25 44. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high barrier,
26 approved by the City Engineer, shall be provided at the top of all slopes whose height exceeds 20
27 feet or where the slope exceeds 4 feet and is adjacent to an arterial street or state highway.
- 28 45. The development shall comply with all applicable regulations established by the United States
Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge
Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge and

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

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

16 47. The subdivider shall provide a copy of the title/cover page of an approved Runoff Assessment
17 Report (RAR) with the first engineering submittal package. If the project triggers the City's
18 Stormwater requirements but no approved RAR exists, the appropriate document shall be
19 submitted for review and approval by the City Engineer. The RAR shall be prepared by the
20 applicant's Civil Engineer. All stormwater documents shall be in compliance with the latest
21 edition of submission requirements.

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

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1 49. Landscaping plans, including plans for the construction of walls, fences or other structures at the
2 project's entrance, must conform to intersection sight distance requirements. Landscape and
3 irrigation plans shall be approved by the City Engineer prior to the issuance of occupancy permits,
4 and a pre-construction meeting held, prior to the start of any improvements.

5 50. Landscaping plans, including plans for the construction of walls, fences or other structures at or
6 near intersections, must conform to intersection sight distance requirements. Landscape and
7 irrigation plans for disturbed areas must be submitted to the City Engineer prior to the issuance of a
8 preliminary grading permit and approved by the City Engineer prior to the issuance of occupancy
9 permits. Frontage landscaping shall be installed prior to the issuance of any certificates of
10 occupancy. Any project fences and sound or privacy walls shall be shown on, bonded for and built
11 from the landscape plans. These features shall also be shown on the precise grading plans for
12 purposes of location only. Plantable, segmental walls shall be designed, reviewed and constructed
13 by the grading plans and landscaped/irrigated through project landscape plans. All plans must be
14 approved by the City Engineer and a pre-construction meeting held, prior to the start of any
15 improvements.

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

- 21 a) The developer shall be responsible for irrigating and landscaping all embankments within
22 the project.
- 23 b) Type, circumference, and dripline of existing trees with a trunk diameter of 10 inches or
24 more, measured 24 inches above existing grade, shall be identified within an approved
25 Arborist Report. Any trees proposed to be removed shall be so indicated in the Arborist
26 Report and on the Preliminary Grading Plan, Precise Grading Plan, and Landscape Plan.
- 27 c) Any recommendation to remove a tree due to structure and/or disease shall be supported by
28 a report from a licensed arborist.
- d) Tree removal and mitigation is subject to the approval of the City Engineer. Mitigation for
removed trees shall be located on-site and in accordance with the current replacement

1 schedule approved by the City Engineer.

2 e) Removed palm trees shall be replaced at a 1 tree to 1 tree ratio. All replacement palm trees
3 shall have a minimum 8-foot Brown Trunk Height (BTH).

4 f) The existing on-site tree stock is substantial. If on-site mitigation is not possible for all of
5 the removed trees, then an in lieu fee shall be collected for all trees not replaced on-site.
6 The fee shall be determined based on the Arborist Report of the existing tree inventory. All
7 in lieu fees shall be paid prior to the issuance of building permits. Any trees removed
8 during grading activities that were not indicated on the Preliminary Grading Plan, Precise
9 Grading Plan, and Landscape Plan shall be mitigated as conditioned herein.

10 g) The equation used to calculate the mitigation in lieu fee shall be as follows:

11
$$\begin{aligned} & (\text{Value of Trees to be Mitigated}) - (\text{Value of Proposed Trees}) - (\text{Value of Preserved Trees}) \\ & = \text{Required In Lieu Fee.} \end{aligned}$$

12 52. Utility easements, storm drain, sewer easements and sightline requirements shall be field verified
13 by a Landscape Architect of work and planting of all species located to meet the satisfaction of the
14 City Engineer. Trees shall be relocated or mitigated for as necessary, not omitted from the
15 approved conceptual landscape plan. Invasive species of any kind shall be omitted from the
16 landscape plan.

17 53. An irrigation system shall be provided for all landscaped areas. Irrigation system shall be in
18 compliance with Engineering, Water, and Landscape ordinances, manuals and policies.

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

28 **Fire:**

55. Palm trees must be maintained free of dead material.

- 1 56. All structural mitigation notes and details resulting from the Fire Department conditions shall be
2 included on the architectural plans when submitted to the Building Division for building permit.
- 3 57. Roof covering:
- 4 a) Roofs shall have a class "A" roof covering. For roof coverings where the profile allows
5 a space between the roof covering and roof decking, the space at the eave ends shall be
6 fire stopped to preclude entry of flames or embers.
- 7 58. Insulation:
- 8 a) Paper faced insulation shall be prohibited in attics or ventilated spaces.
- 9 59. Protection of eaves:
- 10 a) Eave assembly must be 1 hour fire rated construction.
- 11 b) Eaves and soffits shall be protected on the exposed underside by materials approved for
12 a minimum 1 hour fire resistance rated construction.
- 13 c) Fascias are required and must be protected on the backside by materials approved for a
14 minimum of 1-hour fire resistance rated construction or two-inch (51mm) nominal
15 dimension lumber.
- 16 60. Exterior walls:
- 17 a) Exterior walls of buildings or structures shall be constructed with materials approved for
18 a minimum of 1-hour fire resistance rated construction on the exterior side or
19 constructed with approved noncombustible materials. Exterior wall coverings must
20 meet the 1-hour fire resistance requirement.
- 21 b) Exception: Heavy timber or log wall construction. Such material shall extend from the
22 top of the foundation to the underside of the roof sheathing.
- 23 61. Exterior glazing, and skylights:
- 24 a) Exterior glazing or other transparent, translucent or opaque glazing shall be tempered
25 glass, multilayered glass panels, or glass block each having a fire protection rating of not
26 less than 20 minutes. Glazing frames made of vinyl materials shall have welded corners,
27 metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWWDA
28 101/I.S.2-97 structural requirements. Skylights shall be tempered glass or a class "A"
rated assembly.
- ///

- 1 b) Exterior windows, window walls, glazed doors, windows within exterior doors, and
2 skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire
3 protection rating of not less than 20 minutes.
- 4 62. Vents:
- 5 a) Attic ventilation openings, foundation or under floor vents, or other ventilation openings
6 in vertical exterior walls and vents through roofs shall not exceed 144 square inches
7 (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion resistant
8 mesh with openings not to exceed ¼ inch (6.4 mm), or shall be designed and approved
9 to prevent flame or ember penetration into the structure.
- 10 b) Turbine attic vents shall be equipped to allow only one way direction rotation and shall
11 not free spin in both directions.
- 12 c) Attic ventilation openings shall not be located in soffits, in eave overhangs, between
13 rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located
14 at least 10 feet (3048 mm) from property lines. Under floor ventilation openings shall
15 be located as close to grade as practical.
- 16 63. Unenclosed accessory structures attached to buildings with habitable spaces and projections
17 such as deck assemblies shall be a minimum of a 1-hour fire rated assembly, which includes
18 railings.
- 19 64. Smoke detectors are required, and detector locations must be indicated on the plans.
- 20 65. A minimum fire flow of 1500 gallons per minute shall be provided.
- 21 66. The size of fire hydrant outlets shall be 2 ½ inches by 4 inches.
- 22 67. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site
23 plan.
- 24 68. The fire hydrants shall be installed and tested prior to placing any combustible materials on the
25 job site.
- 26 69. Provide on-site hydrants and mains capable of supplying the required fire flow.
- 27 70. Detailed plans of underground fire service mains shall be submitted to the Oceanside Fire
28 Department for approval prior to installation.
71. All weather access roads shall be installed and made serviceable prior to and maintained during
time of construction.

- 1 72. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A minimum
2 vertical clearance of 14 feet shall be provided for the apparatus access roads.
- 3 73. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per Vehicle
4 Code Section 22500.1 and in accordance with the Fire Department Standard Guidelines for
5 Emergency Access.
- 6 74. In accordance with the California Fire Code Sec. 901.4.4, approved address for commercial,
7 industrial, and residential occupancies shall be placed on the structure in such a position as to be
8 plainly visible and legible from the street or roadway fronting the property. Numbers shall be
9 contrasting with their background.
- 10 75. Single-family dwellings require 4-inch address numbers.
- 11 76. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior
12 to the issuance of building permits. A site plan indicating the fire access and hydrant locations
13 must also be submitted on CD Rom.
- 14 77. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit
15 application.
- 16 78. Future development of the property will require compliance with all applicable Fire Department
standards.

17 **Planning:**

- 18 79. This Tentative Parcel Map (P-14-06), Development Plan (D-11-07) and Conditional Use
19 Permits (C-30-06 and C-14-07) approval shall lapse two years after the effective date of
20 approval, unless:
- 21 a) A grading permit has been issued and grading has been substantially completed; or
 - 22 b) A building permit has been issued, and construction diligently pursued; or
 - 23 c) An occupancy permit has been issued; or
 - 24 d) A time extension is granted by the Planning Commission.
- 25 80. The Development Plan (D-11-07) shall be effective for an additional 24 months from the date of
26 recordation of the Final Map.
- 27 81. Development Plan (D-11-07) approves only the development of two single-family homes as
28 shown on the plans and exhibits presented to the City Council for review and approval. No
deviation from these approved plans and exhibits shall occur without City Planner approval.

1 Substantial deviations shall require a revision to D-11-07 or a new Development Plan.

2 82. Conditional Use Permit (C-30-06) approves only the panhandle access as shown on the plans
3 and exhibits presented to the City Council for review and approval. No deviation from these
4 approved plans and exhibits shall occur without City Planner approval. Substantial deviations
5 shall require a revision to C-30-06 or a new Conditional Use Permit.

6 83. Conditional Use Permit (C-14-07) approves only a density level of 3.1 homes per gross acre of
7 as shown on the plans and exhibits presented to the City Council for review and approval. No
8 deviation from these approved plans and exhibits shall occur without City Planner approval.
9 Substantial deviations shall require a revision to C-14-07 or a new Conditional Use Permit.

10 84. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold harmless
11 the City of Oceanside, its agents, officers, or employees from any claim, action or proceedings
12 against the City, concerning Parcel Map P-14-06, Development Plan D-11-07, Conditional Use
13 Permit C-30-06, and Conditional Use Permit C-14-07. The City will promptly notify the
14 applicant of any such claim, action or proceeding against the City and will cooperate fully in the
15 defense. If the City fails to promptly notify the applicant of any such claim, action, or
16 proceeding, or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
17 responsible to defend, indemnify or hold harmless the City.

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

22 86. All single-family dwelling projects shall dispose of or recycle solid waste in a manner provided
23 in City Code Section 13.3.

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

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

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

3 89. Failure to meet any conditions of approval for this development shall constitute a violation of
4 the Tentative Parcel Map, Development Plan and Conditional Use Permits.

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

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

15 92. Should an association be formed, Covenants, Conditions, and Restrictions (C.C. & R.'s) shall
16 provide for the maintenance of all common open space, medians, and commonly owned fences
17 and walls and adjacent parkways. The maintenance shall include normal care and irrigation of
18 landscaping, repair and replacement of plant material and irrigation systems as necessary; and
19 general cleanup of the landscaped and open areas. The C.C. & R.'s shall be subject to the
20 review and approval of the City Attorney prior to the approval of the Final Parcel Map. The
21 C.C. & R.'s are required to be recorded prior to or concurrently with the Final Parcel Map. Any
22 amendments to the C.C. & R.'s in which the association relinquishes responsibility for the
23 maintenance of any common open shall not be permitted without the specific approval of the
24 City of Oceanside. Such a clause shall be a part of the C.C. & R.'s. The C.C. & R.'s shall also
25 contain provisions for the following:

- 26 a) Prohibition parking or storage of recreational vehicles, trailers, or boats.
- 27 b) Provisions regulating individual patio covers, room additions, and other appurtenances.
- 28 c) Maintenance of median landscaping by the Association.
- d) Provisions for the maintenance of all common open-space and open-space easements on
private lots, including provisions establishing mechanisms to ensure adequate and

1 continued monetary funding for such maintenance by the homeowner's association.

2 e) Provisions prohibiting the homeowner's association from relinquishing its obligation to
3 maintain the common open space and open space easement areas without prior consent
4 of the City of Oceanside.

5 f) An acknowledgement that the City of Oceanside does not have a view preservation
6 ordinance and views may be subject to change with maturing off-site landscape and the
7 potential for future off-site building.

8 93. The street name for the private drive shall be approved by the City Planner prior to the approval
9 of the Final Parcel Map.

10 94. The new panhandle access driveway shall have a minimum of 24 feet of pavement.

11 95. Panhandle access ways shall have recorded joint maintenance agreements and cross easements
12 for use.

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

16 97. The following unit type and floor plan mix, shall be indicated on plans submitted to the
17 Building and Planning Divisions for building permit:

Parcel Number	Unit Size	Bedrooms	Baths	Garage	Units
1	4,296 sq. ft.	4 bed	4 ½ bath	3 car/855 sq. ft.	1
2	2,606 sq. ft.	3 bed	3 bath	3 car/618 sq. ft.	1

18 98. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the
19 same as those approved by the City Council. These shall be shown on plans submitted to the
20 Building and Planning Division.

21 99. This project is subject to the provisions of Chapter 14C of the City Code regarding Inclusionary
22 Housing.

23 100. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing
24 Agreement policy. Such agreement shall be submitted to and approved by the Housing and
25 Neighborhood Services Director prior to the recordation of a Final Map or the issuance of a
26 building permit for the project, whichever comes first.
27
28

1 101. Each of the homes created by this parcel map shall meet the following development standards:
2 Minimum lot size, 10,909 net square feet; minimum unit size, 2,500 square feet; garage, three
3 car minimum; front yard, 25 feet; corner side yard, 15 feet, side yard 7.5 feet; rear yard, 20 feet;
4 maximum height, 36 feet; maximum lot coverage, 35 percent; roofing, fire resistant concrete tile
5 or slate (all parcels compatible); siding, stucco, architectural accents, decorative trims, etc. (all
6 parcels compatible); color, earth tones (all parcel compatible). An Administrative Development
7 Plan shall be processed and approved for each Parcel not developed per D-11-07, prior to the
8 issuance of a building permit.

9 102. Front yard landscaping is required to be provided by the developer of each Parcel and shall be
10 shown on the Administrative Development Plan.

11 103. Parcels 1 and 2 shall be considered processed under Development Plan D-11-07. However, if
12 grading and/or building permits have been obtained and site activity has commenced and been
13 completed in earlier phases of the overall development plan, but no site grading or building
14 permit activity has occurred on the remaining undeveloped portions of the site for a period of
15 five years from the date of approval, a new Administrative Development Plan shall be obtained
16 for the undeveloped Parcel.

17 104. Once Certificates of Occupancy have been obtained for a Parcel, minor changes to that Parcel
18 (i.e. room additions, patio expansions, etc.) shall not require a revision to the Administrative
19 Development Plan. Appropriate building permits shall still be obtained, as necessary. Any
20 addition of an accessory dwelling unit shall require a revision to the Administrative
21 Development Plan.

22 105. No expansion of impervious surfaces shall occur on Parcel 1.

23 **Water Utilities:**

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

27 107. The property owner will maintain private water and wastewater utilities located on private
28 property.

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

- 1 109. All Water and Wastewater construction shall conform to the most recent edition of the Water,
 2 Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water
 3 Utilities Director.
- 4 110. All public water and/or sewer facilities not located within the public right-of-way shall be provided
 5 with easements sized according to the Water, Sewer, and Reclaimed Water Design and
 6 Construction Manual. Easements shall be constructed for all weather access.
- 7 111. No trees, structures or building overhang shall be located within any water or wastewater utility
 8 easement.
- 9 112. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover
 10 of the public sewer shall be protected from backflow of sewage by installing and maintaining an
 11 approved type backwater valve, per the Uniform Plumbing Code (U.P.C.).
- 12 113. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid
 13 to the City and collected by the Water Utilities Department at the time of Building Permit issuance.
- 14 114. All new development of single-family and multi-family residential units shall include hot water
 15 pipe insulation and installation of a hot water recirculation device or design to provide hot water
 16 to the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.
 17 PASSED and ADOPTED by the City Council of the City of Oceanside, California this ____ day

18 of _____, 2008 by the following vote:

19 AYES:

20 NAYS:

21 ABSENT:

22 ABSTAIN:

23 _____
 Mayor of the City of Oceanside

24 ATTEST:

25 APPROVED AS TO FORM:

26 OFFICE OF THE CITY ATTORNEY

27 _____
 City Clerk

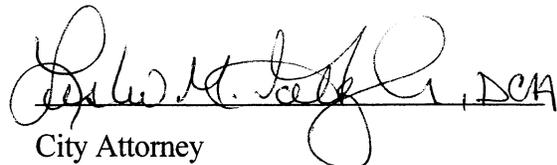
28 
 City Attorney

EXHIBIT A

Order Number: 2116050 (06)

Page Number: 7

ACCORDING TO MAP THEREOF NO. 13894, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 16, 1999, WHICH IS DELINEATED AND DESIGNATED ON SAID MAP AS "22' WIDE PRIVATE ACCESS EASEMENT PER DOC. 1999-0034847 REC. 01-21-9".

PARCEL C:

AS EASEMENT DELINEATED AND DESIGNATED IN A DOCUMENT ENTITLED "GRANT OF EASEMENT AND RESTRICTED USE AGREEMENT" RECORDED MAY 17, 2001 AS INSTRUMENT NO. 01-0316546 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY "FOR THE PURPOSE OF GENERAL RECREATION, GARDENING, LANDSCAPING, MAINTENANCE AND YARD USAGE" AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 19 AND 26 OF BUENA VISTA HIGHLANDS, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 13894, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 16, 1999, DESCRIBED IN SAID "GRANT OF EASEMENT..." DOCUMENT AS "THE NORTHERLY 1.25 FEET OF SAID LOT 19" AND "THE NORTHERLY 1.25 FEET OF THE EASTERLY 47.50 FEET OF SAID LOT 26".

APN: 154-210-74-00

PLANNING COMMISSION
RESOLUTION NO. 2007-P63

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DENYING WITHOUT PREJUDICE A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN AND TWO CONDITIONAL USE PERMITS ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO:	P-14-06, D-11-07, C-30-06, and C-14-07
APPLICANT:	1800 Investments, Inc.
LOCATION:	Approximately 160 feet east of the terminus of Cassidy Street at Bayberry Drive

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, development plan, and two conditional use permits under the provisions of Articles 10, 41, and 43 of the Zoning Ordinance of the City of Oceanside and Articles III and IV of the Subdivision Ordinance of the City of Oceanside to permit the following:

a three-lot subdivision, which exceeds base density and has panhandle access, with the construction of two single-family detached homes;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 3rd day of December, 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 is not subject to CEQA per Article 19 Section 15332, In-fill Development Projects, and therefore, the project is exempt from CEQA;

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

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

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

3 FINDINGS:

4 For the Tentative Parcel Map P-14-06:

- 5 1. The proposed map is consistent with the General Plan of the City by meeting and
6 exceeding lot size requirements or other provisions of the Zoning Ordinance and the
7 Subdivision Ordinance.
- 8 2. The 0.96-acre site has been found to be physically suitable for residential development.
- 9 3. A residential density of 3.1 dwelling units per gross acre is not suitable for the site. The
10 development of three detached single family homes will remove a substantial number of
11 mature trees from the site.
- 12 4. The three-lot subdivision will not cause substantial environmental damage or
13 substantially and avoidably injure fish or wildlife or their habitat and has been
14 categorically exempted from review under the California Environmental Quality Act.
- 15 5. The three-lot subdivision and the construction of two detached residential units will not
16 conflict with easements, acquired by the public at large, for access through or use of,
17 property within the proposed subdivision.
- 18 6. The Parcel Map complies with all other applicable ordinances, regulations, and
19 guidelines of the City of Oceanside.

20 For the Development Plan D-11-07:

- 21 1. The site plan and physical design of the project is consistent with the purposes of the
22 Zoning Ordinance, including Articles 10, 30, and 43.
- 23 2. The Development Plan does not conform to the goals and objectives of Community
24 Enhancement Section 1.22 the Land Use Element of the General Plan, which states that
25 existing mature trees shall be retained whenever possible and mature trees removed for
26 development, shall be mitigated by replacement with an appropriate type, size, and
27 number of trees.
- 28 3. The area covered by the Development Plan can be adequately, reasonably and
29 conveniently served by existing and planned public services, utilities, and public
30 facilities.

1 4. The proposed detached residential units are compatible with the existing and potential
2 development on adjoining properties and the surrounding Fire Mountain Neighborhood.

3 For the Conditional Use Permit C-30-06 (panhandle access):

4 1. The proposed use of a panhandle access design on three lots and the proposed location
5 of the lots is in accord with the objectives of the Zoning Ordinance and the purposes of
6 the district in which it is located.

7 2. The use of panhandle access design, and the proposed conditions under which it would
8 be established or maintained will be consistent with the General Plan; will not be
9 detrimental to the public health, safety or welfare of persons residing or working in or
10 adjacent to the neighborhood of such use; and will not be detrimental to properties or
11 improvements in the vicinity or to the general welfare of the City.

12 3. The use of panhandle access design will comply with the provisions of the Zoning
13 Ordinance of the City of Oceanside and any specific condition required for panhandle
14 access in the Single-Family Residential District.

For the Conditional Use Permit C-14-07 (exceeding base density):

15 1. The development portion of the subject property is zoned RE-B with a corresponding
16 Land Use designation of Residential Estate-B (1-3.5 dwelling units per acre). The
17 project density of 3.1 dwelling units per acre is consistent with the density range of 1-
18 3.5 dwelling units per acre established by the Residential Estate-B designation.

19 2. The 0.96-acre of land located in the RE-B District and the proposed single-family
20 residential land use is not consistent with the goals and objectives of Community
21 Enhancement Section 1.22 the Land Use Element of the General Plan; the location and
22 land use will not be detrimental to the public health, safety, or welfare of persons
23 residing or working in or adjacent to the neighborhood of such use; and the location and
24 land use will not be detrimental to properties or improvements in the vicinity or to the
25 general welfare of the City.

26 //////////////

27 //////////////

28 //////////////

29 //////////////

1 3. The residential density will comply with the provisions of the Zoning Ordinance of the
2 City of Oceanside required for a density of 3.1 dwelling units per gross acre in the
3 Single-Family Residential District.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
5 deny without prejudice Tentative Parcel Map (P-14-06), Development Plan (D-11-07), Conditional
6 Use Permit (C-30-06) and Conditional Use Permit (C-14-07).

7 PASSED on December 3, 2007 by the following vote, to wit:

8 AYES: Martinek, Parker, Troisi, Balma and Bertheaud

9 NAYS: Horton

10 ABSENT: Neal

11 ABSTAIN: None

12 ADOPTED Resolution No. 2007-P63 on December 17, 2007.

13
14 
15 _____
16 Dennis Martinek, Chairman
17 Oceanside Planning Commission

18 ATTEST:
19 
20 _____
21 Jerry Hittleman, Secretary

22 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
23 this is a true and correct copy of Resolution No. 2007-P63.

24 Dated: December 17, 2007
25
26
27
28
29

PLANNING COMMISSION**STAFF REPORT**

DATE: December 3, 2007

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-14-06), DEVELOPMENT PLAN (D-11-07) AND CONDITIONAL USE PERMITS (C-30-06, C-14-07) TO SUBDIVIDE A 0.96-ACRE SITE, WHICH EXCEEDS THE BASE DENSITY AND HAS PANHANDLE ACCESS, INTO THREE RESIDENTIAL LOTS AND TO CONSTRUCT TWO HOMES ON PROPERTY LOCATED APPROXIMATELY 160 FEET EAST OF THE TERMINUS OF CASSIDY STREET AT BAYBERRY DRIVE. THE SITE IS ZONED RE-B (RESIDENTIAL ESTATE – B) AND IS SITUATED WITHIN THE FIRE MOUNTAIN NEIGHBORHOOD. – BAYBERRY PARCEL MAP – APPLICANT: 1800 INVESTMENTS INC.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 32, Categorical Exemption "In-Fill Development Projects"; and,
- (2) Adopt Planning Commission Resolution No. 2007-P63 approving the Tentative Parcel Map (P-14-06), Development Plan (D-11-07), Conditional Use Permit (C-30-06) and Conditional Use Permit (C-14-07) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The subject site is an irregular shaped parcel, consisting of 0.96 acres of vacant land. The site is approximately 160 feet east of the terminus of Cassidy Street at Bayberry Drive. The site is flanked on the east by a 30 to 40-foot high natural slope, which descends west, and is flanked on the west by a 15 to 20-foot graded slope, which descends to the east. Site elevations range from approximately 70 to 112 feet Mean Sea Level. On-site vegetation consists of a substantial number of trees and shrubs.

Surrounding land uses include single-family detached residences on 10,000-square foot minimum lots. The zoning designation for the site is RE-B (Residential Estate B) District and the General Plan Land Use Category is Estate B Residential (EB-R). The larger neighborhood area encompassing the project site is the Fire Mountain Neighborhood.

Project Description: The project application is comprised of four components; Tentative Parcel Map (P-14-06), Development Plan (D-11-07), Conditional Use Permit (C-30-06), and Conditional Use Permit (C-14-07), as follows:

Tentative Parcel Map (P-14-06) represents a request for the following:

- (a) To subdivide 0.96 acres (41,818 square feet) into three residential lots pursuant to Section 302 of the Oceanside Subdivision Ordinance.

Development Plan (D-11-07) represents a request for the following:

- (a) To construct two single-family homes, pursuant to Article 10 of the Oceanside Zoning Ordinance. A third single-family home is proposed to be reviewed at a later date pursuant to Article 43.

Conditional Use Permit (C-30-06) represents a request for the following:

- (a) To permit development above the base density (1 dwelling unit per gross acre) pursuant to Section 1050(B) of the Oceanside Zoning Ordinance.

Conditional Use Permit (C-14-07) represents a request for the following:

- (a) To permit panhandle access to Parcels 1, 2, and 3 from a private drive pursuant to Section 1050(Y) of the Oceanside Zoning Ordinance.

The proposed project will consist of a three-lot subdivision. The three new parcels will be 13,137 gross square feet (Parcel 1), 14,738 gross square feet (Parcel 2), and 14,131 gross square feet (Parcel 3) in size. Parcels 1 and 2 shall be considered processed under Development Plan (D-11-07). However, if the project entitlements are implemented, but no site grading or building permit activity has occurred on either Parcel for a period of five years from the date of approval, a separate, new Administrative Development Plan shall be obtained for the undeveloped lot. This is detailed in the project conditions. Parcel 3 shall be required to obtain an Administrative Development Plan prior to issuance of any building permits.

Each of the homes created by this parcel map shall be required to meet the following development standards: Minimum lot size, 10,909 net square feet (13,137 gross square feet); minimum unit size, 2,500 square feet; garage, three car minimum; front yard, 25 feet; corner side yard, 15 feet, side yard 7.5 feet; rear yard, 20 feet; maximum height, 36

feet; maximum lot coverage, 35 percent; roofing, fire resistant concrete tile or slate (all parcels compatible); siding, stucco, architectural accents, decorative trims, etc. (all parcels compatible); color, earth tones (all parcel compatible).

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. Subdivision Ordinance

ANALYSIS – KEY PLANNING ISSUES

1. General Plan conformance

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

I. Community Enhancement

Goal: The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Section 1.13 Neighborhood Character

Objective: To promote and reinforce the unique and positive attributes of individual neighborhoods of Oceanside while strengthening citywide goals, involvement, and identity.

Policy H: For lands within the Loma Alta, Fire Mountain, and South Oceanside Neighborhood Planning Areas that are designated Estate B (1 - 3.5 dwelling unit/acre) and with the corresponding zoning of RE-B, a minimum lot size of 10,000 square feet as defined in the Zoning Ordinance shall be considered consistent with the underlying Land Use designation of Estate B Residential.

Section 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 A: Existing mature trees shall be retained whenever possible.

Policy B: Mature trees removed for development shall be mitigated by replacement with an appropriate type, size, and number of trees.

Section 1.24 Topographic Resources

Objective: To ensure that development preserves and enhances the unique beauty and character of the City's natural topographic features and does not contribute to slope instability, flooding, or erosion hazards to life and property.

Policy E: Structures shall be designed to adapt to hillside conditions.

Policy M: The amount of impervious surfacing shall be limited and shall be designed to support the natural drainage system.

Section 2.02 Residential Subdivision

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

Policy A: Individual residential parcels shall provide building pad areas of sufficient size and dimensions to accommodate an aesthetically pleasing and efficient dwelling unit.

Policy B: Individual residential parcels shall be organized or laid out in a fashion that promotes functional and aesthetically pleasing neighborhoods.

Policy C: Individual residential parcels shall provide building pad areas that are reflective of the minimum lot area established for the area.

Section 2.3 Residential Development

Objective: To direct and encourage the proper type, location, timing, and design of housing to benefit the community consistent with the enhancement and establishment of neighborhoods and a well balanced and organized City.

Section 2.32 Potential Range of Residential Densities

Policy B: Residential projects that possess an excellence of design features shall be granted the ability to achieve densities above the base density. Project characteristics that exceed standards established by City policy and those established by existing or approved developments in the surrounding area will be favorably considered in the review of acceptable density within the range. Such characteristics include, but are not limited to, the following:

- 2) Lot standards (i.e. lot area, width, depth, etc.) which exceed the minimum standards established by the City policy.
- 3) Development standards (i.e. parking, setbacks, lot coverage, etc.) which exceed the standards established by the City policy.
- 4) Superior architectural design and materials.
- 8) Floor areas that exceed the norm established by existing or approved development in the surrounding area.

2. Zoning Compliance

This project is located in the RE-B (Residential Estate – B) District and complies with the requirements of that zoning designation. The following table summarizes proposed and applicable development standards for the project site:

	Development Regulations	PARCEL 1	PARCEL 2	PARCEL 3 (pad allows)
Minimum Lot Size	10,000 sq. ft. (0.23 acres)	13,137 sq. ft. (0.30 acres)	14,738 sq. ft. (0.34 acres)	14,131 sq. ft. (0.32 acres)
Minimum Lot Width	70 feet	104 feet	84.5 feet	84.5 feet
Front Yard	25 feet	25 feet	25 feet	25 feet
Side Yard	7.5 feet	25 feet (west) 9.9 feet (east)	7.5 feet (east)	7.5 feet
Corner Side Yard	15 feet	n/a	15 feet	15 feet
Rear Yard	20 feet	20 feet	20 feet	20 feet
Height	Max. 36 feet	Max. 32 feet	20.75 feet	Max. 36 feet
Lot Coverage	Max. 35%	22.5%	31.5%	Max. 35%
Off-street Parking	2 car garage	3-car garage	3-car garage	3-car garage

3. Subdivision Ordinance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article VI Subdivision of Four or Fewer Parcels).

Article VI Subdivision of Four or Fewer Parcels: Pursuant to Section 601 of the Subdivision Ordinance, this Tentative Parcel Map has been prepared in a manner acceptable to the Engineering Department.

DISCUSSION

Issue: The number of existing trees on-site is substantial. It is infeasible to mitigate for all trees on the project site.

Recommendation: The previous owner of the subject site used the property for a personal horticultural hobby. He planted a plethora of trees on-site, including palm, evergreen, eucalyptus, and broadleaf trees. As a result, the site is covered with over 100 trees, 30 of which meet the General Plan definition of mature trees (trees having a caliper of 10 inches or more) and 35 of which are mature palm trees. It is infeasible to require the developer to provide a 1 to 1 replacement of all trees on-site.

In order to address this issue, staff required the applicant to have a Certified Arborist prepare a tree inventory in order to assess the situation at hand. The results of the report, in addition to the Conceptual Landscape Plan, indicate that 22 trees will be removed from the site, while 52 trees will be preserved and/or replaced. In addition, 32 palm trees will be removed from the site and 36 are proposed to be preserved and/or replaced. Any remaining trees removed from the site, shall be mitigated through in lieu fees to be determined based on an approved Arborist Report. These fees will contribute to tree placement throughout the City. The project has been conditioned accordingly.

Issue: Project compatibility with surrounding neighborhood.

Recommendation: The project site is surrounded to the north, east, south, and west with detached, single-family homes on minimum 10,000 square foot lots. The average lot size of the 72 surrounding properties is 15,620 square feet (0.35 gross acres). The median lot size is 12,557 square feet (0.285 gross acres). The applicant is proposing lots ranging in size from 13,137 square feet (0.3 gross acres) to 14,738 square feet (0.34 gross acres). This puts the proposed lots slightly below the average lot size, but above the median lot size for the surrounding neighborhood. However, when reviewing only the lots created within the last 10 years (37 properties), staff found that the average lot size is 13,775 square feet (0.314 gross acres). Staff finds that the proposed lots are compatible in size to the surrounding area.

The average home size on the 72 surrounding lots is 2,431 square feet. The home proposed for Parcel 1 is 4,266 square feet with a three car garage, and the home proposed for Parcel 2 is 2,606 square feet with a three car garage. The remaining parcel will be required to have a minimum 2,500 square foot home. When reviewing only the lots developed within the last ten years (35 properties), staff found that the average home size is 2,769 square feet. Staff finds that the proposed homes will be compatible with the surrounding neighborhood.

Issue: The project shall possess an excellence of design features to be granted the ability to achieve densities above the base density.

Recommendation: The proposed project provides lots that are larger than the required 10,000 square foot lot. In addition, the proposed homes shall be larger than the requirements of the Zoning Ordinance and larger than most homes in the vicinity of the project site. Additionally, all three homes shall have three-car garages rather than the required two-car garage. In regards to setbacks, the homes are meeting the regulations. This includes a minimum 15-foot corner side yard setback from the access driveway, which will provide for larger landscaped yard areas. The design standards for the homes include fire resistant concrete tile or slate roofing, stucco siding, architectural accents, decorative trims, etc., and earth tone colors. The project has been conditioned so that all parcels will be compatible even if they are developed at different times. Staff has found this proposed project to possess excellent design features.

Issue: The applicant has not proposed development on Parcel 3. Rather design guidelines are proposed for future development.

Recommendation: The project's *Description and justification* includes specific development standards which are incorporated into project conditions 103 through 107. Project conditions require the approval of an Administrative Development Plan(s) prior to the issuance of a building permit(s). Development proposals will be reviewed by staff in accordance with Article 43 of the Zoning Ordinance. Staff finds that the design requirements will suitably satisfy the *General Plan Land Use Element* Community Enhancement goals and the Neighborhood Character Objective 1.13 and will satisfy the *General Plan Land Use Element* Community Development goals and the Residential Development Objective 2.3.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class 32, Article 19, Section 15332 In-Fill Development Projects, of the California Environmental Quality Act.

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. As of November 28, 2007, no communication supporting or opposing the request has been received.

SUMMARY

In summary, staff believes that the proposed Tentative Parcel Map, Development Plan, and Conditional Use Permits are consistent with the requirements of the Zoning Ordinance, the Subdivision Ordinance, and the land use policies outlined in the General

Plan. The project meets or exceeds all development standards and is compatible with the surrounding development pattern and architectural styles found throughout the neighborhood. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve Tentative Parcel Map (P-14-06), Development Plan (D-11-07), Conditional Use Permit (C-30-06), and Conditional Use Permit (C-14-07) and adopt Planning Commission Resolution No. 2007-P63 as attached.

PREPARED BY:


Sally Schifman
Planner II

SUBMITTED BY:


Jerry Hittleman
City Planner

JH/SS/fil

Attachments:

1. Tentative Parcel Map/ Architectural Plans/Conceptual Landscape Plans
2. Planning Commission Resolution No. 2007-P63



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ATTACHMENT 5

May 28, 2007

Ms. Sally Schifman
Planner
City of Oceanside
300 N. Coast Highway
Oceanside, CA 92054

RECEIVED
JUN 04 2007
Planning Department

RE: 1800 Bayberry Drive, APN# 151-210-74

Dear Sally:

I have personally performed a site survey to determine the Project's impact to trees existing within the project boundaries. All trees have been located, measured and documented by species and noted on the attached Tree Inventory exhibit.

As noted, there are a total of 92 trees which includes palms and assorted trees. The trees are noted by species with caliper inches. The palms are noted by species. The trees which are to remain will be shown on the Landscape Concept Plan and the project landscape construction plans. The trees which are to be removed will be shown on and mitigated for on the project landscape construction plans that will be prepared after the tentative map for this project has been approved. Please note that if the Grading Plans are revised in the future, the number of caliper inches subject to mitigation may change.

Sincerely,

Kathleen Copley, WCISA
International Society of Arboriculture
Certified Arborist
#WE-7337A

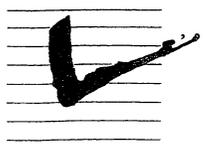


enc.

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September 27, 2007

RECEIVED
OCT - 1 2007
Planning Department

Ms. Sally Schiffman
Planner
City of Oceanside
300 N. Coast Highway
Oceanside, CA 92054

~~RECEIVED
SEP 28 2007
Planning Department~~

RE: 1800 Bayberry Drive, APN# 151-210-74

Dear Sally:

I have personally performed a site survey to determine the Project's impact to trees existing within the project boundaries. Based on a closer look at the property line on the western boundary, two Canary Island Dates have been found to be just off-site. They have no brown trunk height, and will still be preserved in place, however they are no longer a part of the total tree count on-site. All viable trees with trunk diameters ten inches (10") or greater and palms have been located, measured and documented by species and noted on the attached Tree Inventory exhibit. The trees with diameters ten inches (10") or greater and palms which are to remain have been graphically distinguished from the trees which are scheduled to be removed due to project impacts. No trees are scheduled to be relocated by the owner.

As requested, please find the attached documents:

- Revised Tree Inventory Plan for Bayberry Drive
- Revised Landscape Concept Plan for Bayberry Drive
- Bayberry Drive Tree Inventory Valuation Estimate (Schedule)
- Bayberry Drive Summary of Information and Data

Revised Tree Inventory Plan for Bayberry Drive:

The trees with diameters ten inches (10") or greater, are noted by species and caliper inches per the Tentative Subdivision Map Article IV Section 401 and 402. The palms are noted by species and brown trunk height per your request. Palm trees which are now dead, trees which are beyond the property line and trees with calipers less than ten (10") are not shown on the Tree Inventory. In accordance with the City's request the inventoried trees shall be shown on the Landscape Concept Plan.

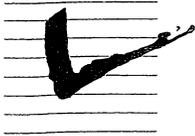
The Revised Landscape Concept Plan (LCP):

The LCP for project slopes has been prepared by The Lightfoot Planning Group and includes trees and palms which are shown on the Revised Tree Inventory Plan that are to be removed, as well as trees and palms which are to remain. In addition, the Landscape



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Concept Plan shows new evergreen canopy trees and palms which are proposed for the project. In accordance with the City's requirements, the trees which are to be removed and those which shall remain will be shown on the project landscape construction plans that will be prepared after the tentative map for this project has been approved in accordance with the City's requirements. Please note that the landscape shown is for slopes, only. The residential landscapes shall be per each owner.

Bayberry Drive Tree Inventory Valuation Estimate (Schedule):

Per your request, a mitigation schedule is attached. The schedule is on a caliper inch basis per your request and assigns value based on the City's schedule for tree replacement and the City's Landscape Cost Estimate.

Bayberry Drive Summary of Information and Data

Per your request, information has been summarized in a table format.

Existing conditions:

For the most part the trees are all in about the same condition. The trees are not irrigated, have not been pruned or maintained and have been sustaining themselves on natural rainfall alone. The Mexican Fan Palms have all of their fronds from the top to the bottom of their trunks. From an aesthetic standpoint they are tall but not attractive. From a maintenance standpoint the cost to skin them is both prohibitive and dangerous to tree workers. Numerous deaths of tree workers who died while skinning tall fan palms have been documented in the literature. The cost to move and save them is equally prohibitive due to their trunk heights, the trunk fragility, the cost of storage and the mass of thatch which would need to be removed in order to make them attractive. Finally, the masses of thatch on all of the Mexican Fan Palms may pose a fire hazard.

The bulk of the remaining trees on site are Eucalyptus and Canary Island Pines. The canopies are small and narrow which is consistent with the overcrowding of the trees on the site. The Eucalyptus and pine trees are tall, and old, but not special. The general condition of the existing trees is fair to poor. The one exception is a single Torrey Pine. In their current condition and subject to continuing drought, the pines and Eucalyptus trees might also be considered a fire hazard. Given the site and environmental conditions, the projected remaining service life of these trees is diminishing and maintenance is increasing with the age and general stress conditions of the trees. In my professional opinion they are not candidates for preservation based on their fair to poor condition and the measures that would be required to save them. They are not heritage trees, in my opinion.

In summary, the loss of heritage trees and urban forest is a concern for the City and all of us. It is important to realize that just because trees are old, does not necessarily make them valuable in a larger context. In urban forestry, two major fundamentals of a maintaining a viable and sustainable urban forest are: species diversity and age diversity in the tree population. Service life is also a important factor. It is the number of productive years a tree has to offer before it needs to be replaced. Service life will vary with species, planting situation and tree condition. Tree replacement is a standard procedure in urban



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forestry. When trees are replaced, there is an opportunity to diversify the species and age of trees in the urban forest. Replacement of these small Eucalyptus, pine and palm canopies with new broad-leaf canopies is a sustainable practice. It is in keeping with urban forestry basic principles for maintaining a sustainable urban tree population. New canopy trees with a longer service life can add value to the urban forest. The new broadleaf trees would then be mixed with the older pine and Eucalyptus trees with calipers ten inches (10") and greater which are to remain, and some smaller broadleaf trees which have calipers from three to eight inches (3-8") which will also remain.

I hope you find this urban forestry information helpful when addressing the inventory and data information provided in the tables as requested.

Sincerely,

Kathleen Copley, WCISA
International Society of Arboriculture
Certified Arborist
#WE-7337A

enc.



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Bayberry Drive 3-Lot Tentative Parcel Map		
Summary of Zoning and Conditions:		
Lot Size	Vacant .96 Acres	
Existing Zoning	Residential Estate B (RE-B)	
Proposed Zoning	Residential Estate B (RE-B)	
Percent of Required Landscaping	20%	
Proposed Landscaping	20%	
Private Residential, Private Drive, No Right of Way Landscape		
Tree Inventory Data		
	Quantity	Mitigation
Removed Trees with caliper 10" or greater	22	
Total caliper inches of Trees to be Removed		328"
Palms to be removed (1:1 Replacement)	32	32 Palms
Tree Inventory Data		
	Quantity	Saved
Saved Trees with caliper 10" or greater	8	
Total caliper inches of Trees to be Saved		73"
Palms to be Saved	3	3 Palms
Slope Landscape Concept Plan		
	Quantity	Saved
Saved Trees with caliper 3-8"	5	
Total caliper inches of Trees to be Saved		29"
	Quantity	Proposed
Proposed Trees @ 24" box min. on slopes	39	
Proposed Palms @ 8'Bth min. on slopes	33	33 Palms
Landscape Concept Plan for slopes greater than 2:1		
Slopes	6689 sf	
Required 5 gal trees @2/ 1000sf	5 Gal.	Trees required = 13
	Qty. To be Removed	Qty. Proposed/Saved
Bayberry Drive Trees	22	8 + 5 + 39
Bayberry Drive Palms	32	3 + 33

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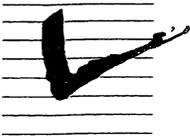
BAYBERRY DRIVE TREE INVENTORY VALUATION ESTIMATE			
September 27, 2007			
SPECIES			
I.D. #		24" Box	
DIA / BTH	BOTANICAL (COMMON NAME) OF EX. TREE (DIA.10"OR MORE)	Mitigation	Preserved
CAN-1-7	PHOENIX CANARIENSIS (CANARY IS. DATE)		\$300
CAN-2-0	PHOENIX CANARIENSIS (CANARY IS. DATE)		\$300
EL-2-17	EUCALYPTUS LEUCOXYLON (WHITE IRONBARK)		\$1,650
EL-3-24	EUCALYPTUS LEUCOXYLON (WHITE IRONBARK)	\$2,200	
EL-5-16	EUCALYPTUS LEUCOXYLON (WHITE IRONBARK)	\$1,375	
EL-6-12	EUCALYPTUS LEUCOXYLON (WHITE IRONBARK)	\$1,500	
EL-8-29	EUCALYPTUS LEUCOXYLON (WHITE IRONBARK)	\$2,750	
EP-1-15	EUCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)		\$1,375
EP-2-15	EUCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)		\$1,375
EP-5-10	EUCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)		\$825
EP-3-16	EUCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)		\$1,375
EP-4-17	EUCALYPTUS POLYANTHEMOS (SILVER DOLLAR GUM)		\$1,650
ES-1-14	EUCALYPTUS SIDEROXYLON (RED IRONBARK)		\$1,375
ES-2-24	EUCALYPTUS SIDEROXYLON (RED IRONBARK)		\$2,200
ES-3-19	EUCALYPTUS SIDEROXYLON (RED IRONBARK)	\$1,650	
PC-1-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-2-11	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,100	
PC-3-10	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,125	
PC-4-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-5-11	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,100	
PC-6-13	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,100	
PC-7-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-8-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-9-16	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-10-16	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-11-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-12-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-13-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-14-14	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,375	
PC-15-17	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,650	
PC-16-10	PINUS CANARIENSIS (CANARY IS. PINE)	\$1,125	
PT-1-14	PINUS TORREYANA (TORREY PINE)	\$1,375	
SR-4-20	SYAGRUS ROMAZOFFIANUM (QUEEN PALM)	\$300	
SR-5-18	SYAGRUS ROMAZOFFIANUM (QUEEN PALM)	\$300	
SR-6-18	SYAGRUS ROMAZOFFIANUM (QUEEN PALM)	\$300	
W1-30	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W2-25	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W3-30	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W4-40	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W5-50	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W6-40	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W7-40	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$200	
W8-16	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W9-16	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W10-16	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W11-8	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W12-40	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W14-48	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W16-40	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	

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W17-40	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W18-48	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W19-19	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W20-20	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W21-48	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W22-46	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W23-42	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W24-42	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W25-45	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W26-48	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W27-45	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W28-40	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W29-45	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W30-45	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W31-38	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
W32-48	WASHINGTONIA ROBUSTA (MEX. FAN PALM)	\$300	
Y-1-14	YUCCA ALOIFOLIA (SPANISH BAYONET)		\$1,375
	Total for Removed Trees 10" or greater and Palms (at 1:1)	\$41,700	
	Total for Saved Trees 10" or greater and Palms (at 1:1)		\$13,500

\$ 13,800



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November 27, 2007

RECEIVED

NOV 28 2007

Ms. Sally Schifman
Planner
City of Oceanside
300 N. Coast Highway
Oceanside, CA 92054

Planning Department

RE: 1800 Bayberry Drive, APN# 151-210-74

Dear Sally:

As requested, please find the attached documents:

- Revised Tree Inventory Plan for Bayberry Drive
- Revised Landscape Concept Plan for Bayberry Drive

Revised Tree Inventory Plan for Bayberry Drive:

The trees with diameters ten inches (10") or greater, are noted by species and caliper inches per the Tentative Subdivision Map Article IV Section 401 and 402. The palms are noted by species and brown trunk height per your request. Palm trees which are now dead, trees which are beyond the property line and trees with calipers less than ten (10") are not shown on the Tree Inventory. In accordance with the City's request the inventoried trees shall be shown on the Landscape Concept Plan.

The Revised Landscape Concept Plan (LCP):

The Landscape Concept Plan shows new evergreen canopy trees and palms which are proposed for the project. In accordance with the City's requirements, the trees which are to be removed and those which shall remain will be shown on the project landscape construction plans that will be prepared after the tentative map for this project has been approved in accordance with the City's requirements. Please note that the landscape shown is for slopes, only. The residential landscapes shall be per each owner.

Existing conditions:

For the most part the trees are all in about the same condition. The trees are not irrigated, have not been pruned or maintained and have been sustaining themselves on natural rainfall alone. The Mexican Fan Palms have all of their fronds from the top to the bottom of their trunks. From an aesthetic standpoint they are tall but not attractive. From a maintenance standpoint the cost to skin them is both prohibitive and dangerous to tree workers. Numerous deaths of tree workers who died while skinning tall fan palms have been documented in the literature. The cost to move and save them is equally prohibitive due

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to their trunk heights, the trunk fragility, the cost of storage and the mass of thatch which would need to be removed in order to make them attractive. Finally, the masses of thatch on all of the Mexican Fan Palms may pose a fire hazard. The Fire Department has already made a comment that these trees must be clean of old material.

The bulk of the remaining trees on site are Eucalyptus and Canary Island Pines. The canopies are small and narrow which is consistent with the overcrowding of the trees on the site. The Eucalyptus and pine trees are tall, and old, but not special. The general condition of the existing trees is fair to poor. The one exception is a single Torrey Pine. In their current condition and subject to continuing drought, the pines and Eucalyptus trees might also be considered a fire hazard. Given the site and environmental conditions, the projected remaining service life of these trees is diminishing and maintenance is increasing with the age and general stress conditions of the trees. In my professional opinion they are not candidates for preservation based on their fair to poor condition and the measures that would be required to save them. They are not heritage trees, in my opinion.

In summary, the loss of heritage trees and urban forest is a concern for the City and all of us. It is important to realize that just because trees are old, does not necessarily make them valuable in a larger context. In urban forestry, two major fundamentals of a maintaining a viable and sustainable urban forest are: species diversity and age diversity in the tree population. Service life is also a important factor. It is the number of productive years a tree has to offer before it needs to be replaced. Service life will vary with species, planting situation and tree condition. Tree replacement is a standard procedure in urban forestry. When trees are replaced, there is an opportunity to diversify the species and age of trees in the urban forest. Replacement of these small Eucalyptus, pine and palm canopies with new broad-leaf canopies is a sustainable practice. It is in keeping with urban forestry basic principles for maintaining a sustainable urban tree population. New canopy trees with a longer service life can add value to the urban forest. The new broadleaf trees would then be mixed with the older pine and Eucalyptus trees with calipers ten inches (10") and greater which are to remain, and some smaller broadleaf trees which have calipers from three to eight inches (3-8") which will also remain.

I hope you find this urban forestry information helpful when addressing the inventory and data information provided in the tables previously provided.

Sincerely,



Kathleen Copley, WCISA, ASLA
International Society of Arboriculture
Certified Arborist
#WE-7337A
Licensed Landscape Architect #4714

From: Vida Murrell
Sent: Thursday, December 20, 2007 4:45 PM
To: Sally Schifman; Lauren Wasserman
Subject: FW: Call for Review

From: Vickie Prosser
Sent: Thursday, December 20, 2007 3:51 PM
To: Barbara Riegel Wayne
Cc: Patricia Allison; Jack Feller; Jerry Kern; Ben Sullivan
Subject: RE: Call for Review

Adoption of Planning Commission Resolution No. 2007-P63 denying without prejudice a TENTATIVE PARCEL MAP (P-14-06), DEVELOPMENT PLAN (D-11-07), CONDITIONAL USE PERMIT (C-30-06) and CONDITIONAL USE PERMIT (C-14-07) to subdivide a 0.96-acre site into three residential lots and to construct two homes on property located approximately 160 feet east of the terminus of Cassidy Street at Bayberry Drive. The project site is zoned RE-B (Residential Estate-B) and is situated within the Fire Mountain Neighborhood – BAYBERRY PARCEL – Applicant: 1800 Investment, Inc.

Barbara:

Councilmember Jack Feller and Councilmember Jerry Kern would like to call for review to see whether substantial evidence exists to support all of the findings in Planning Commission Resolution 2007-P63 denying the Tentative Map, Development Plan and Two CUP's , specifically: Tentative Parcel Map P-14-06 Findings 2 and 3; Development Plan D-11-07 Findings 3 and 4; CUP C-14-07 Findings 2 and 3.

Thank you.

Vickie

Aide to Councilmember Jack Feller
City of Oceanside