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Date: May 20, 2009

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF AN APPEAL OF PLANNING COMMISSION RESOLUTION NO. 2009-P11 APPROVING THE CREATION OF 16 DETACHED RESIDENTIAL CONDOMINIUM UNITS ON A 3.35-ACRE SITE LOCATED IN THE 2300 BLOCK OF RANCHO DEL ORO DRIVE -- VISTA PACIFIC -- APPLICANT: QUALITY INVESTORS, LLC – APPELLANT: DEE DEVINE ON BEHALF OF THE COSTA SERENA SENIOR COMMUNITY**

### **SYNOPSIS**

The item under consideration is an appeal of the Planning Commission's adoption of a Mitigated Negative Declaration and approval of a Tentative Subdivision Map (T-6-06) and Development Plan (D-9-06). The proposed project would create sixteen residential condominium units on a 3.35-acre site that is subject to Hillside Development Regulations. The proposed project site is located in the 2300 block of Rancho del Oro Drive and is a vacant lot situated between the western terminus of Mira Pacific Drive and Rancho del Oro Drive.

Staff has reviewed the issues raised by the appellant and believes that all of the concerns have been thoroughly addressed through the project's design, findings, and conditions of approval. It is staff's recommendation that the City Council adopt the Mitigated Negative Declaration for Vista Pacific and adopt a resolution affirming the Planning Commission's actions.

### **BACKGROUND**

**Previous Actions:** On February 23, 2009, the Planning Commission approved on a 5-1-1 vote Resolution 2009-P06, which adopted the Mitigated Negative Declaration for Vista Pacific. The Planning Commission also approved the project on a 4-2-1 vote by adopting Resolution 2009-P11. (These resolutions, the Planning Commission Staff Report, and exhibits are attached. The Mitigated Negative Declaration and Initial Study were previously distributed to the Council Members and available for public review through the Planning Division.)

Following the Planning Commission hearing an appeal was timely filed by Ms. Dee Devine on behalf of the Costa Serena Senior Community. This report identifies and

addresses the issues raised by the appellants. Attached to this report is the acceptance of appeal, which outlines the specific issues and concerns raised by the signatories of the Costa Serena Senior Community's petition.

**Site Review:** The proposed project site is Lot 4 of Vista del Oro Map 13018, which was recorded in 1992. The residential land use designation for the project site is Medium Density A (MDA-R). The zone is Medium Density A Residential (RM-A) District. The project is subject to Hillside Development Regulations because on-site slopes are more than 20 percent and elevation differentials are more than 25 feet. The majority of the slopes on-site are characteristic of the surrounding terrain, but some slopes have been eroded (and made steeper) by the discharge of water from an existing 27-inch reinforced concrete pipe (RCP) drain which outlets on-site.

**Project Description:** The proposed project consists of a Tentative Subdivision Map and Development Plan to allow the following:

Tentative Subdivision Map: To subdivide and create 16 detached (or "cloud") residential condominium units on the existing 3.35-acre site pursuant to Article III of the Subdivision Ordinance.

Development Plan: To construct 16 single unit-variable (SU-V) units pursuant to Articles 10, 30 and 43 of the Zoning Ordinance; and to adopt a Hillside Development Plan pursuant to Section 3039 of the Zoning Ordinance, to allow exceptions from the Hillside Standards pursuant to Section 3039.E(M)3 and Section 3039.E(Q).

The proposed density is 4.94 dwelling units per net developable acre, which is below the base density RM-A District density of 6 dwelling units per acre. Project amenities include a tot lot; an open space area between units 6 and 7; and construction of one on-site inclusionary housing unit (Plan C model type). Access to the project would be from Rancho del Oro Drive.

The project site includes two areas with slopes in excess of 40 percent. One area is adjacent to Rancho del Oro Drive and the other area is eroded slopes. This second area of steep slopes is proposed to be graded to allow a portion of the private street to cross over undevelopable lands. The Zoning Ordinance accommodates access routes over undevelopable land, when no alternative access exists.

The proposed architecture is cubist with flat floor plans and flat rooflines. Building elevations are enhanced with stone veneers. Each unit's front door would open to a side courtyard. The garage doors of each unit would face the private street and would provide direct access to the two-car garage. See table 1 for a schedule comparing the proposed unit types.

**Table 1: Comparison of Proposed Plan Types**

Plan Types	Unit Area	Bed Bath Ratio	Deck Area	Quantity
Plan Type A	1,984 SF	3 : 3.5	43 SF	8
Plan Type B	2,256 SF	4 : 3.5	109 SF	6
Plan Type C	1,975 SF	3 : 3.5	40 SF	2
<b>Total</b>				<b>16</b>

Individual unit amenities would include a large kitchen, living rooms oriented to take advantage of views, fireplaces, and private decks.

The project is required to provide 5,100 square feet of usable open space (300 square feet per dwelling unit). Half the required area is proposed as common open space areas easily accessible to all of the residents. The proposed tot lot with benches, picnic table, and active recreation for young children, and the proposed open space (between units 6 and 7) with a meandering path concluding with a view point and picnic table constitute the proposed common open space areas. The remainders of the required open space areas are proposed as private yards within exclusive use easements adjacent to the front, side, and rear of each unit. See Table 2 for specific details.

**Table 2: Schedule of on-site parking and open space areas**

	Required	Proposed
Usable open space	5,100 SF	20,424 SF
Common usable open space	2,550 SF	3,612 SF
Private usable open space	2,550 SF	16,812 SF
Multifamily unit parking	34 spaces	34 spaces
On-site guest parking	5 spaces	10 spaces

The proposed terracing of the site would maintain a smooth transition from elevations along Rancho del Oro Drive, the developed portion of the site, and the Costa Serena Subdivision (situated above the project site). The project site includes 0.11 acres of undevelopable lands. A portion of this area is included in the grading for the proposed private street, which is accommodated by the regulations for hillside developments. Hillside regulations include the preservation of significant topographical features, which includes slopes of 20 percent or more with a minimum elevation differential of 50 feet. Units 2 through 8 are sited on significant topographical features, but the detached unit type with a single-loaded driveway allows the site development pattern to preserve the terrain. Units are sited to preserve existing views, lower structural heights below adjacent ridgelines, and provide substantive yard areas between the property line and proposed site improvements.

The applicant is required to mitigate for the loss of an existing palm tree and to establish a 50-foot-minimum setback from sensitive habitat on site.

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

1. General Plan Land Use Element
2. Subdivision Ordinance
3. Zoning Ordinance
4. California Environmental Quality Act (CEQA)

**Environmental Issues:** On February 23, 2009, the Planning Commission adopted a Mitigated Negative Declaration by approving Planning Commission Resolution No. 2009-P06. A Notice of Determination has subsequently been filed with the Recorder's Office of the County of San Diego.

The proposed project could result in potentially significant impacts, all of which can be mitigated to a less-than-significant level, to the following environmental resources: aesthetics, biological resources, cultural resources, hydrology/water quality, noise, and geology and soils. A Mitigated Negative Declaration was prepared with mitigation measures pursuant to the provisions of the California Environment Quality Act (CEQA). The following technical reports were distributed with the Initial Study: Vista Pacific Residential Project Traffic Impact Analysis dated February 29, 2008; Preliminary Drainage Report for Vista Pacific dated July 20, 2007; Biological Resources Survey, Mira Pacific Property dated April 20, 2006; Brodiaea filifolia survey, Mira Pacific Property dated August 3, 2006; and Mira Pacific Archaeological Constraints Study dated April 18, 2006.

A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was advertised for 30 days commencing on April 7, 2008, and ending on May 7, 2008. Comments were received from the following: Governor's Office of Planning and Research, U.S. Fish and Wildlife Service and Department of Fish and Game, Native American Heritage Commission, San Luis Rey Band of Mission Indians, Preserve Calavera, and from Mr. Bob Drew. (Comments received in response to the Notice of Intent to Adopt a Mitigated Negative Declaration and staff's responses to the comments were distributed to the City Council Members in advance of the public hearing and are available for public review from the Planning Division.)

Prior to any action on T-6-06 and D-9-06 Vista Pacific, it is necessary for the City Council to review and adopt the Mitigated Negative Declaration as having been prepared in accordance with CEQA. Staff is recommending that the Mitigated Negative Declaration be adopted.

## **ANALYSIS**

### **Appeal filed by Ms. Dee Devine on behalf of the Costa Serena Senior Community**

Listed below are the concerns raised by the appellants, along with staff's response to each issue. Staff reviewed the issues and believes that each of the concerns raised

were addressed during the Planning Commission hearing and meetings held between the applicant and interested community members. As designed and conditioned, the project proposes to create sixteen detached residences, one of which is an affordable unit, that are consistent with the Land Use Element of the General Plan, Zoning Ordinance, Subdivision Ordinance, and Subdivision Map Act.

### Issues

1) *The project will have a significant effect on the environment. The project, which is to be constructed on “undevelopable land,” will have significant unmitigable effects on the environment.*

*Response:* In response to comments on the Mitigated Negative Declaration (MND), the location of the *Brodiaea filifolia* was surveyed during May 2008, and the minimum distance between the plant and built environment was increased to 50 feet. As a result of this mitigation measure, one residential unit was eliminated and another was re-oriented with a side-loading garage.

2) *The land is too steep for development, subject to sliding, and is in violation of the City of Oceanside’s Hillside Development Regulations.*

*Response:*

- Areas of the site include “lands not to be developed,” but pursuant to Section 3039.E(A), a Hillside Development Plan which proposes encroachment on undevelopable land for the purpose of constructing a private street necessary for access to the more developable portions of the site may be approved. Staff recommends that the City Council affirm the Planning Commission’s approval of the proposed construction of a private street across undevelopable lands. The proposed access to the site from Rancho del Oro Drive and crossing of undevelopable land with an improved street allows a clustering pattern of development that follows the existing terrain.
- The project includes the construction of two parallel retaining walls that are horizontally separated by approximately 10 feet. The overall linear length of the walls exceed 400 feet (approaching 600 feet), but this measurement includes the southern retaining wall segment of approximately 200 feet and the northern segment of approximately 80 feet. Since the natural contour altered by grading shall be rounded and shaped to simulate natural terrain, staff recommends that the City Council affirm the Planning Commission’s approval of the proposed Hillside Development Plan with two parallel retaining walls of approximately 600 lineal feet.
- The proposal includes 25,460 cubic yards of cut and 8,730 cubic yards of fill. The grading quantities proposed are 7,436 cubic yards per acre (or 7,600 cubic yards per acre with the inclusion of remedial grading quantities). Staff recommends the City Council affirm the Planning Commission’s approval of the proposed grading

quantities, based on findings that the site requires extensive grading to accommodate required public utility systems and system components. The proposal includes the installation of water utilities to the site and repair to a slope eroded by the historic discharge of water on-site.

- The submitted slope analysis identified that a large area of the site includes natural slopes of 20 percent or more with a 50-foot-minimum elevation differential. (The area is colored grey on sheet 4 of the TM). Pursuant to Section 3039.B.6, these are *lands considered to possess significant natural topographical features*. Pursuant to Section 3039.E(R), these lands shall be preserved and integrated into the project designs. The applicant proposes to locate units 2 through 8 in this area. The pads for each unit preserve the existing topography by proposing pad elevations that rise with the change in elevation; for example, Unit 2's finish pad elevation would be 186 MSL; Unit 3's pad elevation would be 187.0 MSL; Unit 5's pad elevation would be 188.0 MSL; and Unit 7's pad elevation would be 190.2 MSL. Staff finds that the proposed staggered pad elevations follow the rise in the existing terrain and are therefore integrated into the site's design. Therefore, the proposed locations of units 2 through 8 comply with Section 3039.E(R).
- The Initial Study includes measures to reduce soil erosion; landslides, and/or soil expansion. The area of concern is the underlying surficial soils, consisting of tertiary-age Santiago Formation, which are associated with slope stability problems. The Geotechnical Report prepared in response to the proposed project provided recommendations to reduce the potential of landslides, erosion, and/or soil expansion to a less-than-significant impact. The recommendations are (1) that a qualified geologist be present during grading activities to determine whether adverse soil conditions are present and whether remedial actions are necessary; (2) that review and approval of the detailed foundation, grading, and site work plans be completed by a geotechnical engineer prior to the issuance of any permits; (3) that an "as built" report be prepared; (4) that the grading plans include proper identification of the project's geotechnical consultant; (5) that embedment material and minimum depth of embedment for the foundations be clearly depicted on the foundation plans; (6) that the foundation plans include a note reading "All foundation excavations must be observed and approved by the project geotechnical consultant prior to placement of reinforcing steel;" and (7) that the final grading, drainage, and foundation plans be reviewed, signed and wet-stamped by the project's geotechnical consultants. These recommendations are included in the Mitigation Monitoring and Reporting Program. Staff recommends that the City Council affirm the Planning Commission's adoption of the MND and conditions requiring a Mitigation Monitoring and Reporting Program.

3) *The development is too intense; it has inferior architecture, including flat roofs.*

*Response:* The potential number of dwelling units on this 3.35-acre site is 20 to 33 units; the proposed 16 dwelling units is below the allowed based density of the RM-A District in which the project site is located. The proposed density is 4.94 dwelling units per net developable acre, which is below the base density RM-A District density of 6 dwelling units per acre. The surrounding land use designations are residential, including MDA-R, MDB-R, and Specific Plan S-2-84 for Del Oro Hills. The surrounding land use is principally multifamily, including residential condominiums, duplexes, and detached residential units. The potential residential densities for the surrounding area are the same or higher than the proposed project.

The applicant proposes to locate solar panels on the roof and feels that a flat roof pitch provides the best opportunity to capture solar energy. Views of the solar panels would be obstructed by proposed building parapets. The structures would appear to have a flat roof from the street level. Staff finds the language of the Zoning Ordinance does *not require* pitched rooflines; rather it *recommends* that flat roofs be avoided and *recommends* roof slopes match the slope of the natural grade.

4) *Future access from Mira Pacific Drive and the Costa Serena Subdivision.*

During the Planning Commission hearing on February 23, 2009, the applicant agreed to conditions requiring the relinquishment of access rights to Mira Pacific Drive when the Final Subdivision Map is recorded. This would establish that access to the site through the Costa Serena Subdivision would not be available after the Final Subdivision Map is recorded. Condition No. 12 specifically addresses this concern and memorializes the requirement. With the approval of the proposed project and recording of the Final Subdivision Map, the sole access point will be from Rancho del Oro Drive.

No construction activities will be routed through the Costa Serena Subdivision. During grading and construction, contractors will be prohibited from parking their equipment or personal vehicles within the Costa Serena Subdivision.

### **FISCAL IMPACT**

Not applicable.

### **COMMISSION OR COMMITTEE REPORT**

The Planning Commission considered the project on January 26, 2009. After hearing public testimony from area residents, as well as the applicant, the Commission adopted the Mitigated Negative Declaration on a 5-1-1 vote. The majority of the commissioners found the Mitigation Monitoring and Reporting Program appropriately mitigated

potentially significant impacts to aesthetics, biological resources, cultural resources, hydrology/water quality, noise, and geology and soils.

The Planning Commission approved Resolution No. 2009-P11 on a 4-2-1. A minority of the commissioners stated that the proposed project would be infill development on a marginal parcel of land with ill-advised exceptions to the Hillside Standards. The majority of the commissioners found the proposed project's green building practices appealing (see page 4 of the applicant's *Description and justification* statement), but were concerned that mature trees would eventually obstruct ocean views. A motion was adopted to revise the variety of the proposed trees so that the planted trees would not obstruct views enjoyed by adjoining property owners (See Resolution No. 2009-P11 Condition No. 105.g).

### **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 approving the project by the Planning Commission.

The City Council shall review the record of the decision and hear testimony from staff, the applicant, and/or 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.

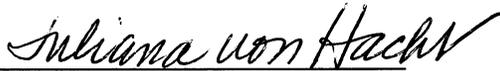
### **RECOMMENDATION**

The item under consideration is an appeal of the Planning Commission's adoption of a Mitigated Negative Declaration and approval of a Tentative Subdivision Map (T-6-06) and Development Plan (D-9-06). The proposed project would create sixteen residential condominium units on a 3.35-acre site that is subject to Hillside Development Regulations. The proposed project site is located in the 2300 block of Rancho del Oro Drive and is a vacant lot situated between the western terminus of Mira Pacific Drive and Rancho del Oro Drive.

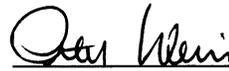
Staff has reviewed the issues raised by the appellant and believes that all of the concerns have been thoroughly addressed through the project's design, findings, and conditions of approval. It is staff's recommendation that the City Council adopt the Mitigated Negative Declaration for Vista Pacific and adopt a resolution affirming the Planning Commission's actions.

PREPARED BY

SUBMITTED BY



Juliana von Hacht  
Associate Planner



Peter A. Weiss  
City Manager

**REVIEWED BY:**

Michelle Skaggs-Lawrence, Deputy City Manager  
George Buell, Development Services Director  
Jerry Hittleman, City Planner



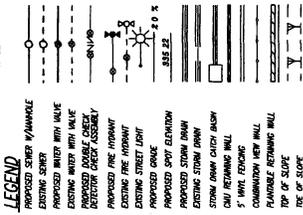
**ATTACHMENTS:**

1. Site Plan
2. City Council Resolution for Approval
3. Planning Commission Resolution No. 2009-P06
4. Planning Commission Resolution No. 2009-P11
5. Planning Commission Staff Report dated February 23, 2009
6. Acceptance of appeal filed on March 2, 2009

T-6-06  
D-9-06

## TENTATIVE MAP & DEVELOPMENT PLAN FOR VISTA PACIFIC

### PROPOSED 16 UNIT DETACHED CONDOMINIUM DEVELOPMENT



**NOTES:**

- ASSessor's PARCEL NO.
- SITE ADDRESS
- EXISTING ZONING
- PROPOSED ZONING
- EXISTING LAND USE
- PROPOSED LAND USE
- MAXIMUM SLOPE GRADIENT
- 7% MAX
- 10% MAX
- 15% MAX
- 20% MAX
- 25% MAX
- 30% MAX
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- 995% MAX
- 1000% MAX

#### BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROJECT IS THE CONTINUED  
OF ANIMO DEL ORO ROAD BEING N 72°59'41" E 281.74' PER  
MAP NO. 1242

#### BENCHMARK:

CITY BM E-23 "BESS"  
ELEVATION = 45.84'

#### GRADING QUANTITIES:

CUT	FILL
4,810 C.Y.	7,880 C.Y.
2,580 C.Y.	2,850 C.Y.
2,490 C.Y.	8,230 C.Y.
16,200 C.Y.	7,000 C.Y./ACRE

#### REPRESENTATIVE:

IDENTITY PLANNING GROUP  
1400 WEST 10TH STREET, SUITE 250  
OCEANVIEW, CA 92081  
TEL: (619) 452-1244

#### OWNER/DEVELOPER:

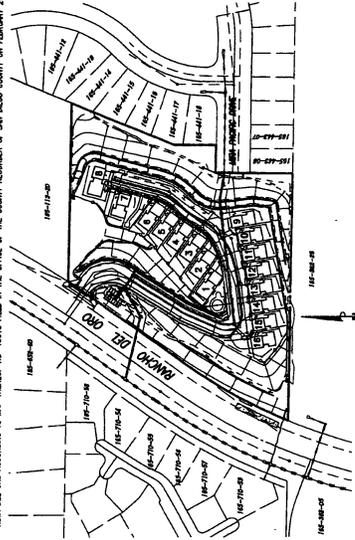
QUALITY INVESTMENTS, LLC  
3412 PACHECO WAY, SUITE 101, OCEANVIEW, CA 92081  
TEL: (619) 452-1244

#### PREPARED BY:

BUCCOLA ENGINEERING, INC.  
3412 PACHECO WAY, SUITE 101, OCEANVIEW, CA 92081  
TEL: (619) 452-1244

#### LEGAL DESCRIPTION:

THAT PORTION OF THE QUARTERLY QUARTER OF SECTION 28, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN DIEGO COUNTY, CALIFORNIA, SAID COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS DESCRIBED AS RECORDED ON SEPTEMBER 16, 2009 AS DOCUMENT NO. 2009-004857 OF OFFICIAL RECORDS, AND SHOWN AS THE REMAINDER LOT OF VISTA DEL ORO ACCORDING TO MAP THEREON NO. 12412 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON FEBRUARY 26, 1987



#### SHEET INDEX

TITLE SHEET  
SHEET 1  
SHEET 2  
SHEET 3  
SHEET 4

#### SOURCE OF TOPOGRAPHY

AERIAL PHOTOGRAPHIC SYSTEMS  
10000 WILSON AVENUE, SUITE 101  
DOWNEY, CA 90241-5525  
PHOTO DATE: 01-04-88

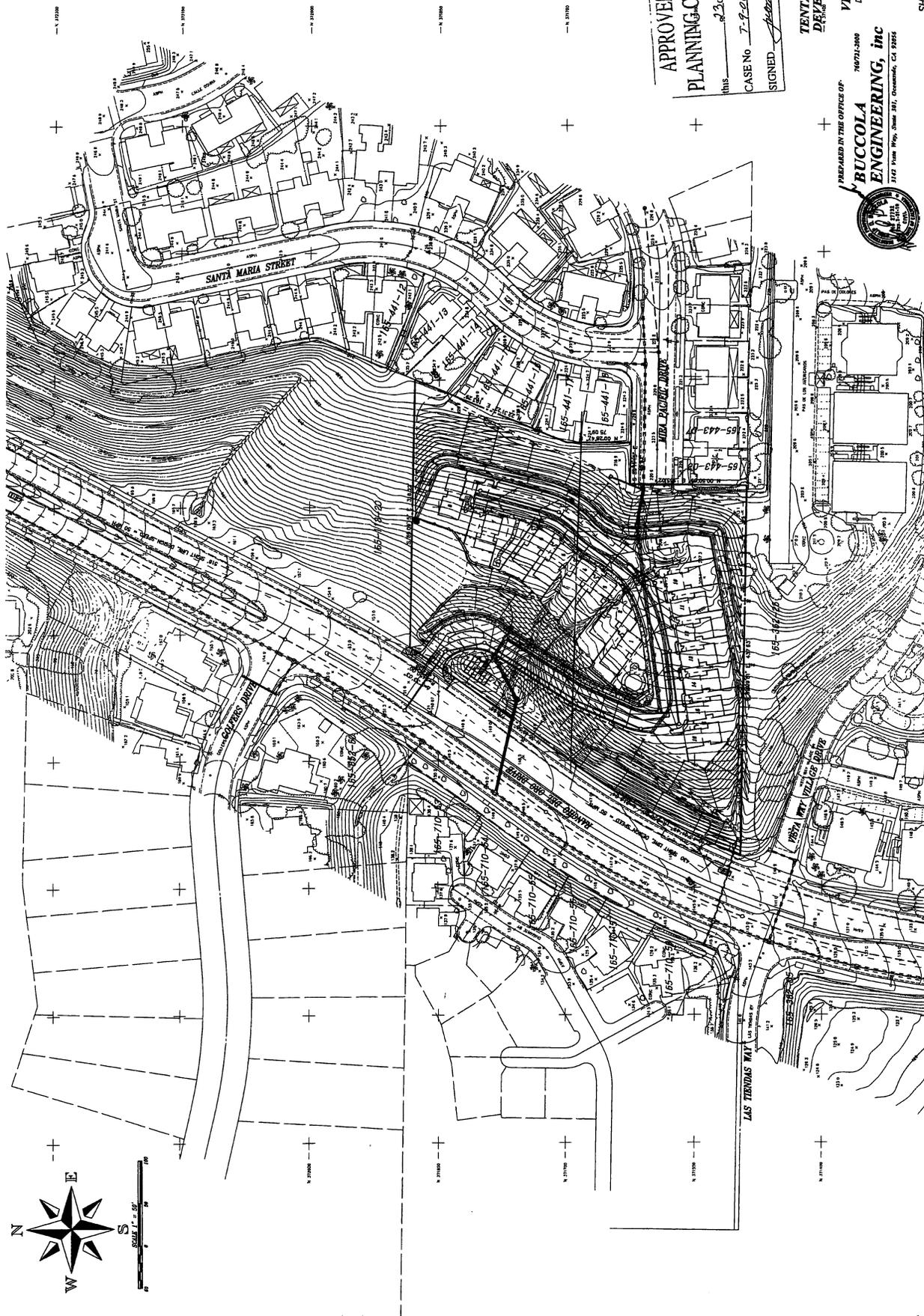
#### PRELIMINARY HYDROLOGY REPORT

BY BUCCOLA ENGINEERING, INC. DATED: JUNE 2, 2009  
JULY 16, 2009  
OCEANVIEW, CALIFORNIA

#### FLOOD INSURANCE RATE MAP

PANEL 206 OF 215  
MAP NUMBER: 0014-215-1 F  
DATE: JUNE 18, 1997  
FEDERAL EMERGENCY MANAGEMENT AGENCY

T-6-06  
D-9-06



APPROVED BY THE  
PLANNING COMMISSION  
DATE 23 day of FEB 2007  
THIS CASE No T-9-06, D-6-06  
SIGNED *[Signature]*

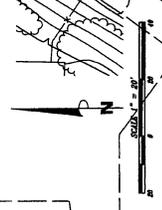
TENTATIVE MAP AND  
DEVELOPMENT PLAN  
FOR  
VISTA PACIFIC  
DATE PREPARED JULY 5, 2006  
REVISED JANUARY 18, 2007  
REVISED JUNE 4, 2007  
REVISED MARCH 12, 2008  
REVISED JULY 19, 2008  
REVISED SEPTEMBER 18, 2008  
SHEET 2 OF 4 SHEETS

PREPARED IN THE OFFICE OF  
BUCCOLA  
ENGINEERING, inc  
74071-5000  
3742 South Wynn, Suite 301, Covandale, CA 92045





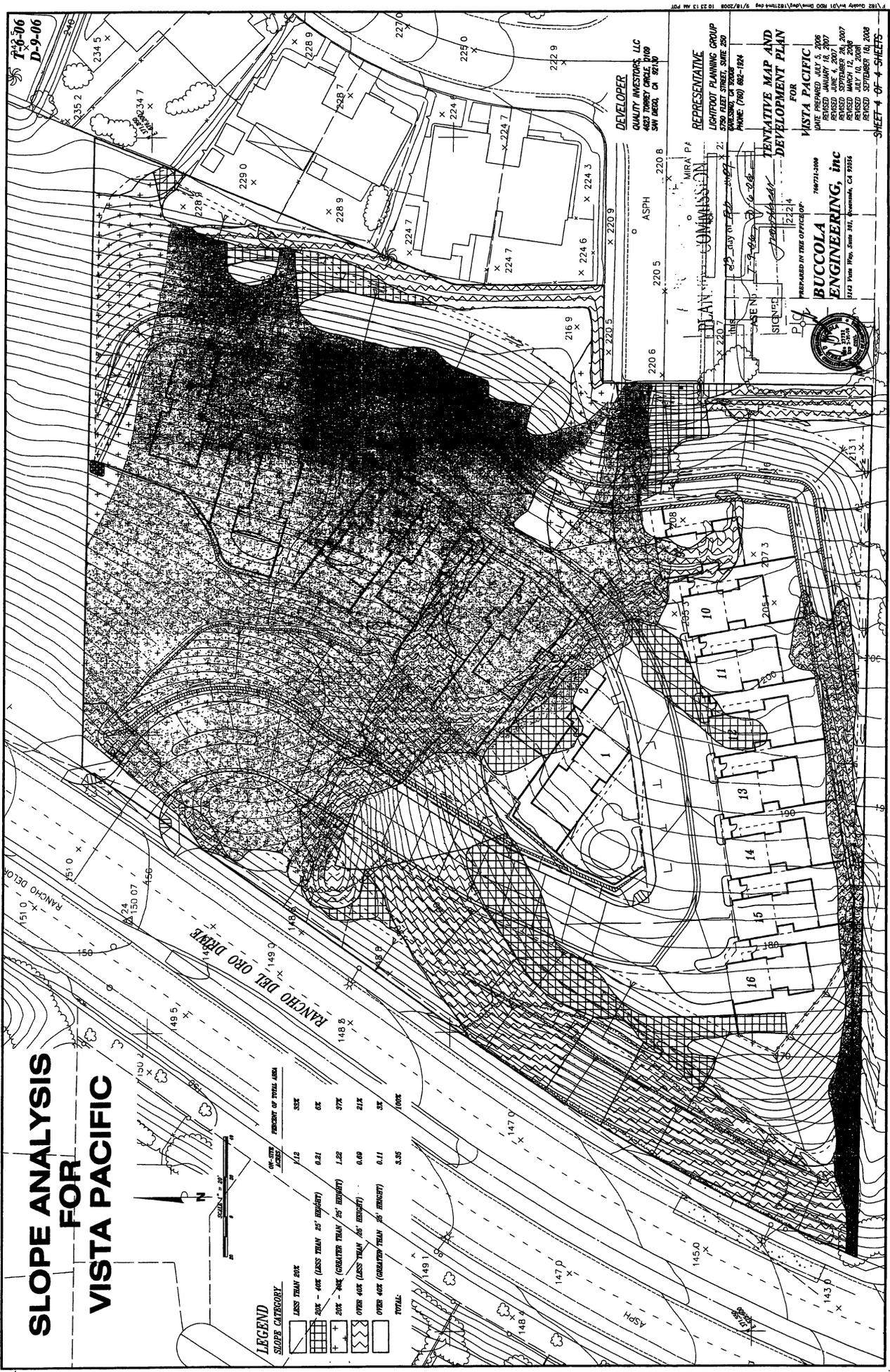
# SLOPE ANALYSIS FOR VISTA PACIFIC



**LEGEND**

**SLOPE CATEGORY**

SLOPE CATEGORY	PERCENT OF TOTAL AREA
LESS THAN 20%	53%
20% - 40% (LESS THAN 25' HEIGHT)	0.21%
20% - 40% (GREATER THAN 25' HEIGHT)	1.22%
OVER 40% (LESS THAN 25' HEIGHT)	0.60%
OVER 40% (GREATER THAN 25' HEIGHT)	0.11%
<b>TOTAL:</b>	<b>55.15%</b>



**DEVELOPER**  
QUALITY INVESTORS, LLC  
QUALITY INVESTORS, LLC  
5750 FLEET STREET, SUITE 250  
SAN DIEGO, CA 92108

**REPRESENTATIVE**  
LIGHTFOOT PLANNING GROUP  
5750 FLEET STREET, SUITE 250  
SAN DIEGO, CA 92108  
PHONE: (760) 881-1824

**TENTATIVE MAP AND  
DEVELOPMENT PLAN**

**FOR**  
VISTA PACIFIC

DATE PREPARED: JULY 5, 2006  
DATE REVIEWED: JULY 5, 2006  
REVISED: JUNE 8, 2007  
REVISED: SEPTEMBER 24, 2007  
REVISED: JULY 10, 2008  
REVISED: SEPTEMBER 16, 2008

**BUCCOLA  
ENGINEERING, inc**  
PREPARED BY THE OFFICE OF:  
1412 Vista Way, Suite 101, Encinitas, CA 92026  
PH: 760.941.1100

**PLANNING COMMISSION**

DATE: JULY 11, 2007  
CASE NO: 07-026  
SIGNATURE: [Signature]  
PL: [Signature]

**SHEET 4 OF 4 SHEETS**

# VISTA PACIFIC RESIDENCES

## OCEANSIDE, CALIFORNIA

APN: 165-362-02

### PROJECT INFORMATION

PLAN TYPE	BDRMS	BATHS	TOTAL	AREA (SQ. FT.)		
				1st FLR	2nd FLR	3rd FLR
A	3	3.5	1,984	437	955	592
B	4	3.5	2,256	650	1020	586
C	3	3.5	1,975	446	953	575
TOTALS	17	10.5	6,215	2,133	3,528	1,753

NOTES: 1. CALCULATIONS ARE PER PLANNING DEPARTMENT GUIDELINES  
 2. PRODUCT INCLUDES (1) INCLUSIONARY UNIT ESTABLISHED AS AT PLAN C

PLAN TYPE	PLAN COUNT	AREA	
		TOTALS	DECK
A	3	13,872 SF	43
B	4	13,536 SF	109
C	3	5,925 SF	40
TOTALS	17	33,333 SF	192

### SHEET INDEX

- A1 TITLE SHEET
- A2 ARCHITECTURAL SITE PLAN
- A3 SITE SECTIONS
- A4 SITE SECTIONS
- A5 FLOOR PLANS - PLAN A
- A6 EXTERIOR ELEVATIONS - PLAN A
- A7 FLOOR PLANS - PLAN B
- A8 EXTERIOR ELEVATIONS - PLAN B
- A9 FLOOR PLANS - PLAN C
- A10 EXTERIOR ELEVATIONS - PLAN C

**VISTA PACIFIC RESIDENCES**  
 DEVELOPMENT PLAN APPLICATION: OCEANSIDE, CALIFORNIA  
 THIRD SUBMITTAL



APPROVED BY THE  
**PLANNING COMMISSION**  
 THIS \_\_\_\_\_ 22<sup>nd</sup> day of Feb., 2027  
 CASE NO. 16-06-09-06  
 SIGNED: *[Signature]*

### PROJECT TEAM

- OWNER**  
 QUALITY INVESTORS  
 483 Third Coast Rd  
 Carlsbad, CA 92008  
 contact: ROBERT LOWRY  
 email: rlowry@qualityinvestors.net
- ARCHITECT**  
 TETA ARCHITECTURE  
 300 CALIFORNIA VILLAGES DRIVE SUITE 1100A  
 OCEANSIDE, CA 92080  
 phone: 619 947 0880  
 email: info@tetaarch.com
- PLANNING CONSULTANT**  
 PLANNING CONSULTANT GROUP  
 2740 Hill Street, Suite 205  
 Carlsbad, CA 92008  
 contact: GUYTON MCGOCCA  
 phone: 760 493 1324  
 email: gmcgocca@planning.com
- LANDSCAPE ARCHITECT**  
 LANDSCAPE ARCHITECT GROUP  
 5742 Hill Street, Suite 205  
 Carlsbad, CA 92008  
 contact: LARRY DORRIGUE  
 phone: 760 493 1324  
 email: larryd@planning.com
- CIVIL ENGINEER**  
 MCGOCCA ENGINEERING INC.  
 3142 Vista Way, Ste. 301  
 Carlsbad, CA 92008-2665  
 contact: FRED MCGOCCA  
 phone: 760 731 1000  
 email: fred@mcgocceing.com

DOCUMENT TITLE  
**TITLE SHEET**  
 DOCUMENT NUMBER  
**A1**

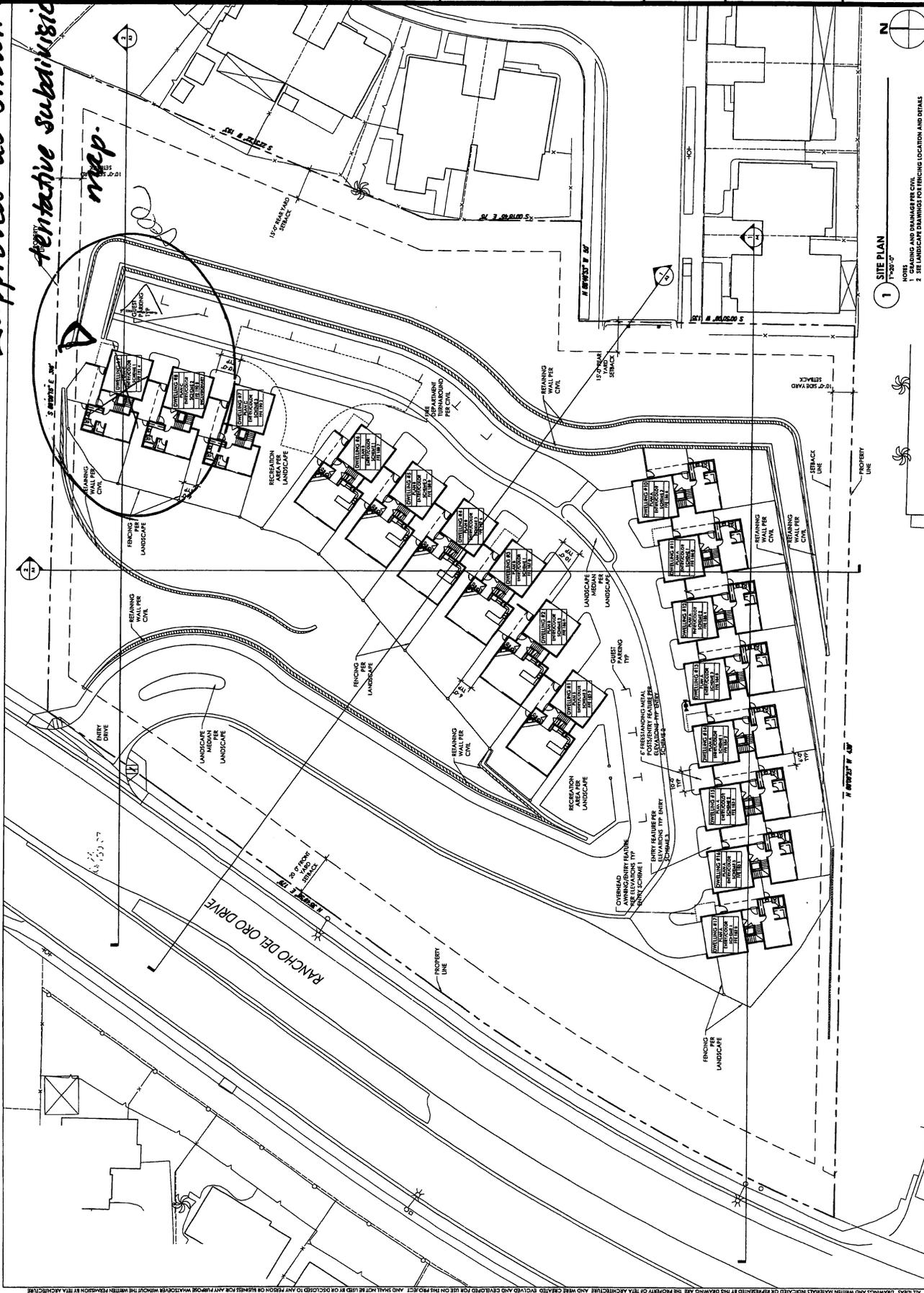
*Approved as shown on  
Preliminary Subdivision  
map.*

**VISTA PACIFIC RESIDENCES**  
DEVELOPMENT PLAN APPLICATION:  
OCEANSIDE, CALIFORNIA  
THIRD SUBMITTAL

**TETA ARCHITECTURE**  
DESIGN - DEVELOPMENT - RENDERING  
300 CANTERBURY WILDCRE DRIVE SUITE 100A P.O. BOX 3208 OCEANSIDE, CA 92088  
619.437.0840 WWW.TETAARCHITECTURE.COM

PROJECT NUMBER: 002  
DATE: 01/20/2015  
15000 BIRCH CANYON AVENUE  
15000 BIRCH CANYON AVENUE  
47700 THIRD CITY DRIVE

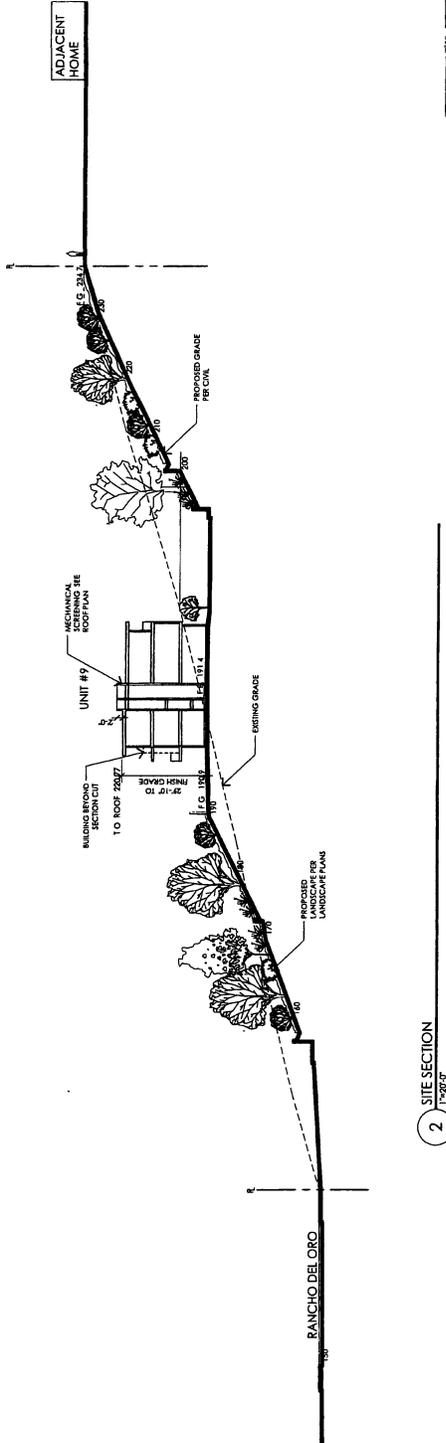
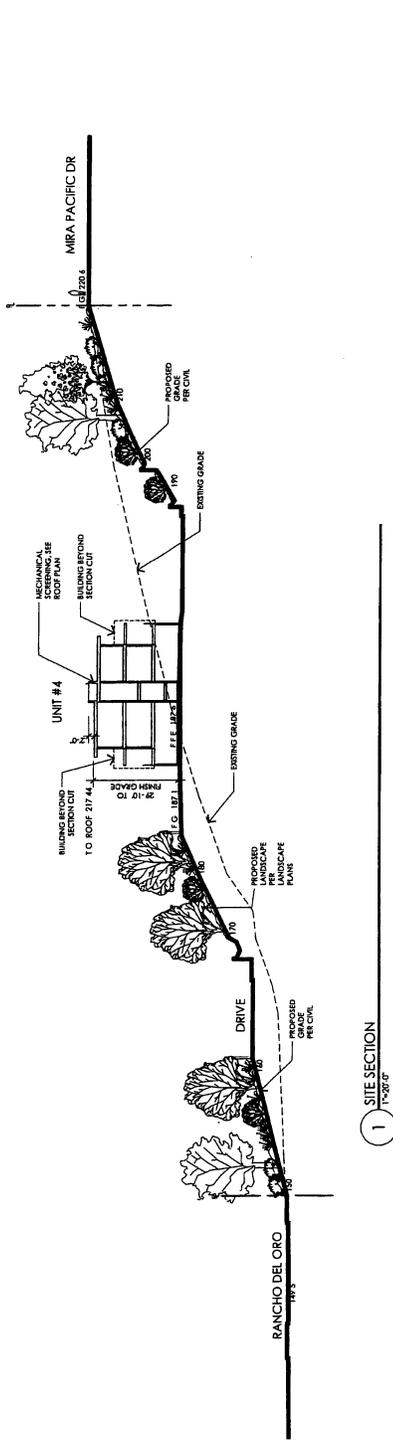
ARCHITECTURAL  
SITE PLAN  
DOCUMENT NUMBER  
**A2**



**1 SITE PLAN**  
PAGE 02 OF 02  
1. GRADING AND DRAINAGE PER CIVIL  
2. SEE LANDSCAPE DRAWINGS FOR FENCING LOCATION AND DETAILS

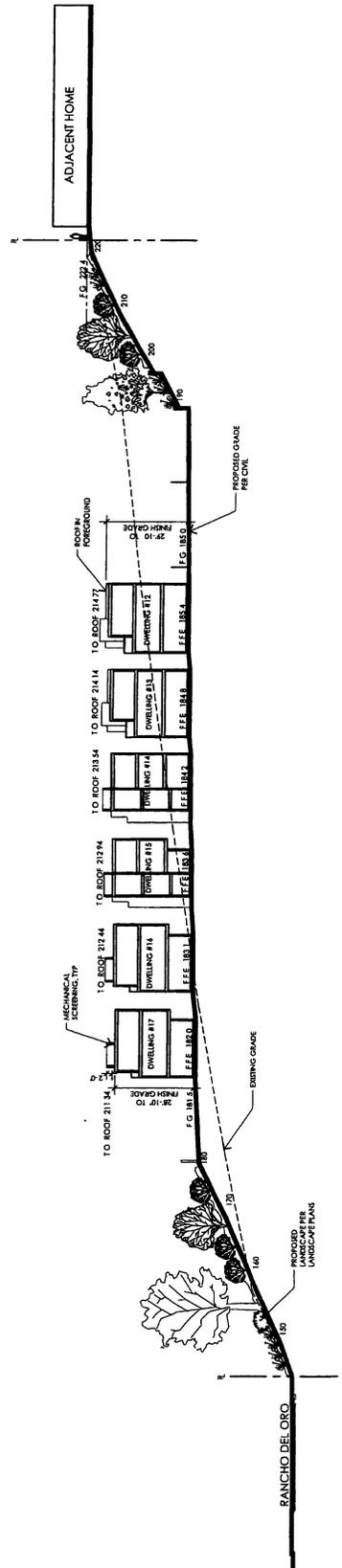
ALL DESIGN DRAWINGS AND WRITTEN MATERIALS INDICATED OR REFERENCED BY THIS DRAWING ARE THE PROPERTY OF TETA ARCHITECTURE AND WERE CREATED, DEVELOPED AND CONTROLLED FOR USE IN THIS PROJECT. ANY AND ALL MATERIALS NOT SHOWN OR REFERENCED BY THIS DRAWING ARE THE PROPERTY OF THE CLIENT AND SHALL NOT BE USED IN ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION BY TETA ARCHITECTURE.

APPROVED BY THE  
PLANNING COMMISSION  
this: 23<sup>rd</sup> day of Feb., 2017  
CASE No. T-6-06.0-9-06  
SIGNED: *Sharon Kleeck*

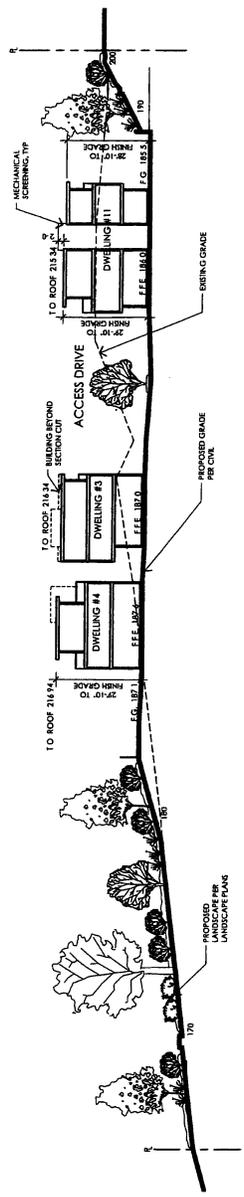


ALL DRAWINGS AND WITH MATERIALS INDICATED OR REFERRED BY THIS DRAWING ARE THE PROPERTY OF TETA ARCHITECTURE AND WERE CREATED, DRAWN AND PROVIDED FOR USE ON THIS PROJECT AND SHALL NOT BE USED BY OR DISCLOSED TO ANY PERSON OR BUSINESS FOR ANY PURPOSES WHATSOEVER WITHOUT THE WRITTEN PERMISSION BY TETA ARCHITECTURE.

APPROVED BY THE  
 PLANNING COMMISSION  
 DATE: 03 July of 2006  
 CASE No: 7-6-06, @-9-06  
 SIGNED: [Signature]



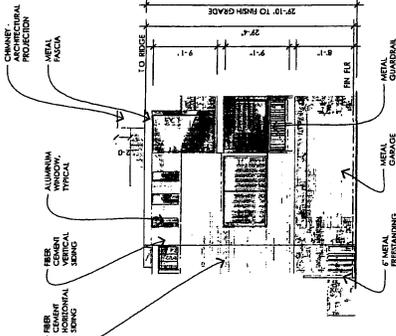
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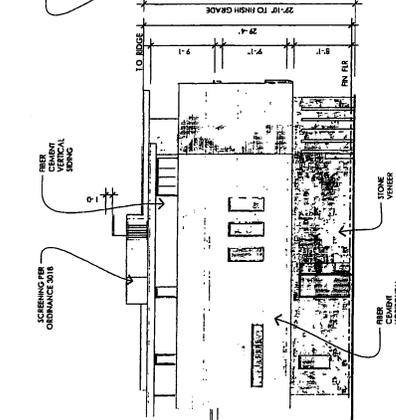
2 SITE SECTION  
 1"=20'-0"

ALL TEXT, DIMENSIONS AND NUMBER MARKINGS INDICATED OR REFERRED TO BY DIMENSIONS ARE THE PROPERTY OF TETA ARCHITECTURE AND WERE CREATED, PROVIDED AND DEVELOPED FOR USE ON THIS PROJECT. AND SHALL NOT BE USED IN OR OUTSIDE OF ANY REGION OR JURISDICTION WITHOUT THE WRITTEN PERMISSION OF TETA ARCHITECTURE.

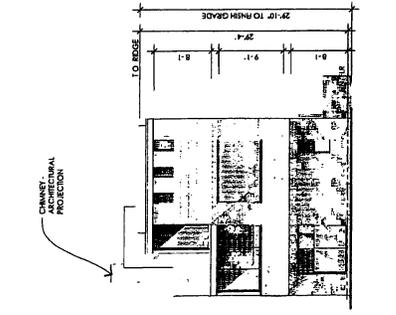




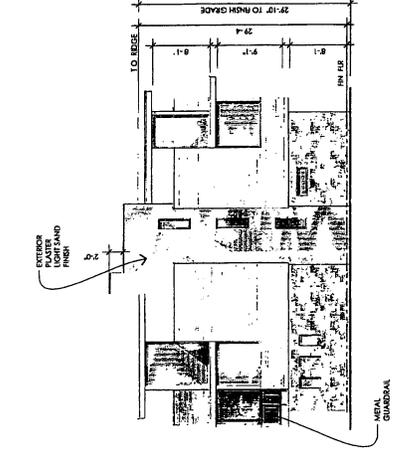
1 EXTERIOR ELEVATION - FRONT (PLAN A)  
 1/8" = 1'-0"



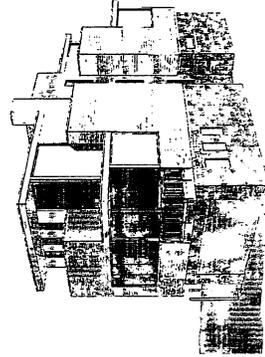
2 EXTERIOR ELEVATION - SIDE ENTRY (PLAN A)  
 1/8" = 1'-0"



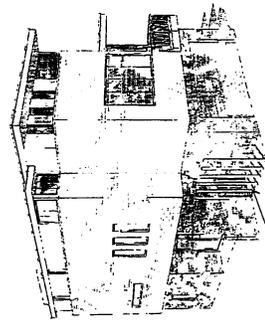
3 EXTERIOR ELEVATION - REAR (PLAN A)  
 1/8" = 1'-0"



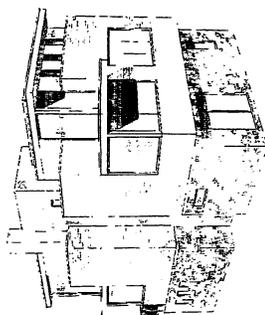
4 EXTERIOR ELEVATION - SIDE (PLAN A)  
 1/8" = 1'-0"



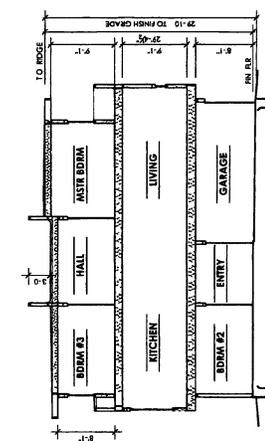
5 FRONT PERSPECTIVE  
 NTS



6 ENTRY PERSPECTIVE  
 NTS



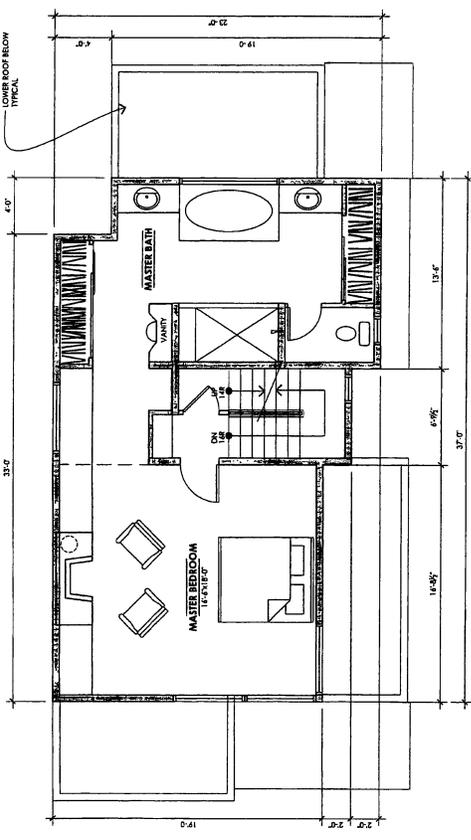
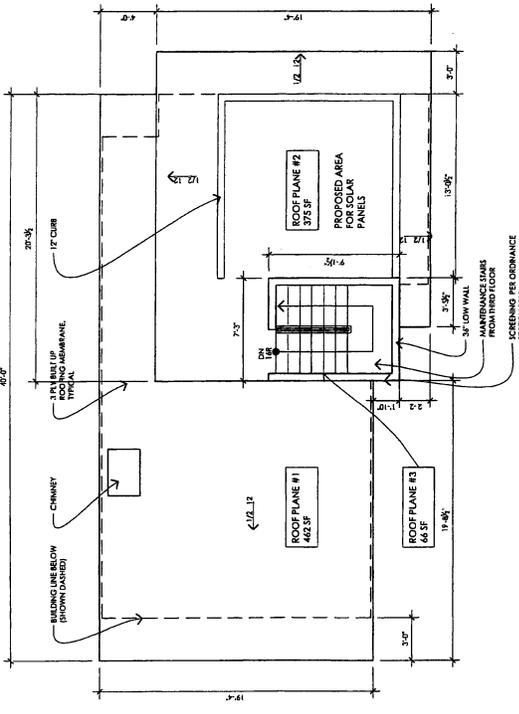
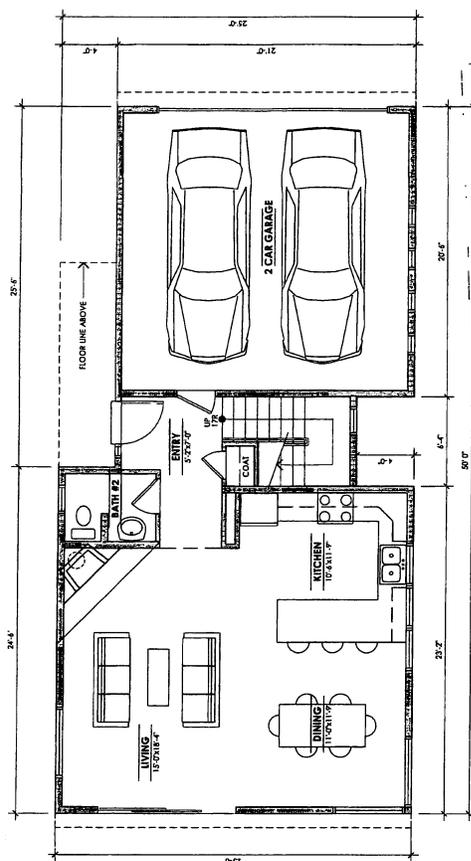
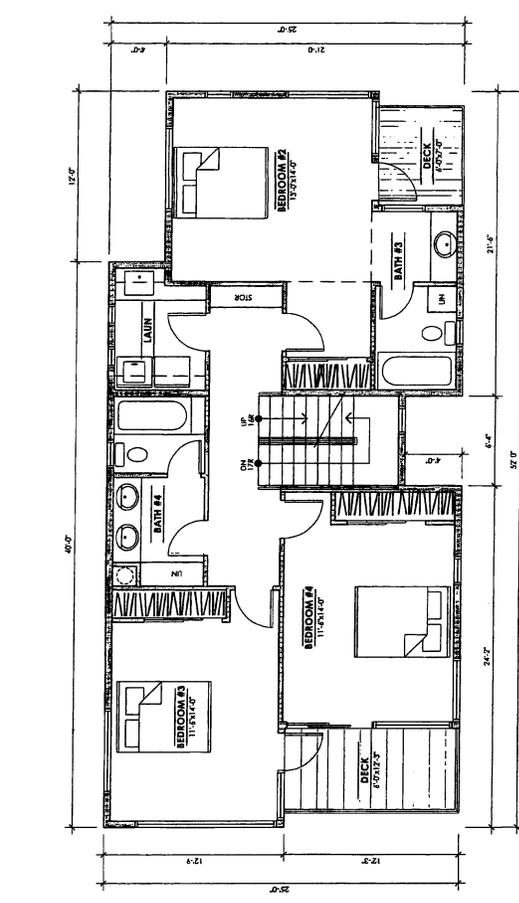
7 REAR PERSPECTIVE  
 NTS



8 BUILDING SECTION (PLAN A)  
 1/8" = 1'-0"

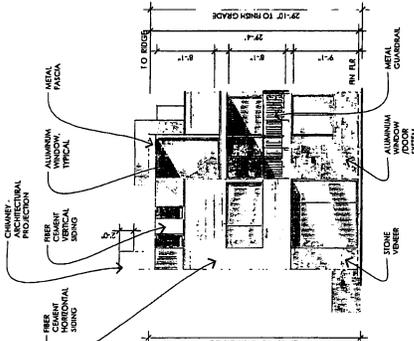
APPROVED BY THE  
 PLANNING COMMISSION  
 this \_\_\_\_\_ day of \_\_\_\_\_ 2018  
 CASE No. 18-06-00000-01 RESIDENCES  
 SIGNED: \_\_\_\_\_  
 SCALE 1/8" = 1'-0"

ALL DRAWINGS AND WRITTEN MATERIALS INDICATED OR REFERENCED BY THIS DRAWING ARE THE PROPERTY OF TETA ARCHITECTURE, AND HAVE BEEN CREATED, EVOLVED AND DEVELOPED FOR USE ON THIS PROJECT. AND SHALL NOT BE USED IN OR ON ANY OTHER PROJECT. AND SHALL NOT BE USED IN OR ON ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION BY TETA ARCHITECTURE.

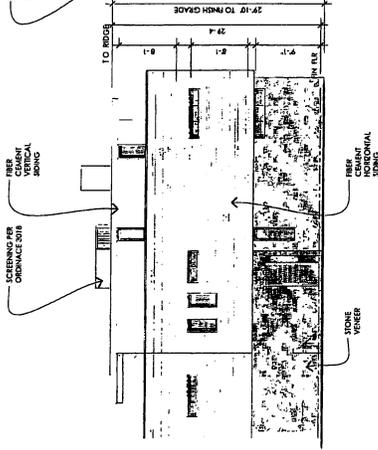


APPROVED BY THE  
**PLANNING COMMISSION**  
 this 23 day of Feb 2016  
 CASE No. 16-06-0726  
 SIGNED: *[Signature]*  
 SCALE 1/4" = 1'-0"

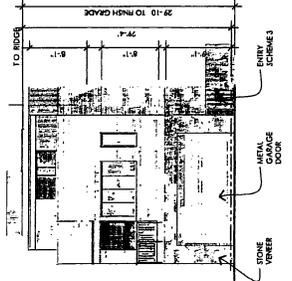
ALL DIMENSIONS AND MATERIALS INDICATED ON THESE DRAWINGS ARE THE PROPERTY OF TETA ARCHITECTURE AND SHALL NOT BE USED BY OR ON BEHALF OF ANY PERSON OR BUSINESS FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF TETA ARCHITECTURE.



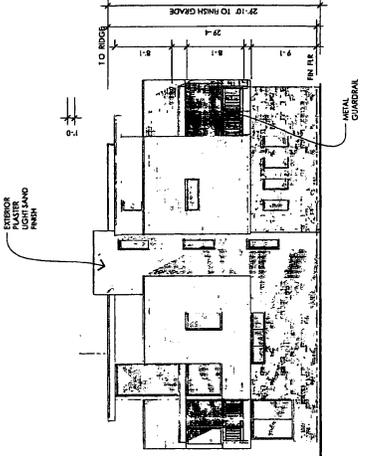
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 1/8" = 1'-0"



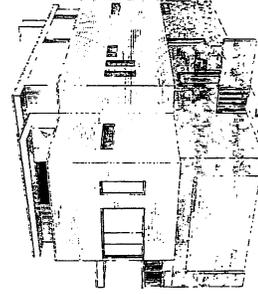
2 EXTERIOR ELEVATION - SIDE ENTRY (PLAN B)  
 1/8" = 1'-0"



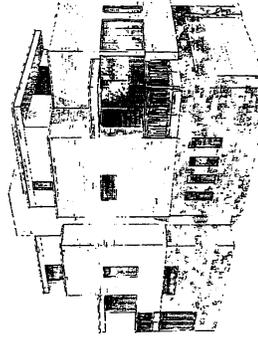
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 1/8" = 1'-0"



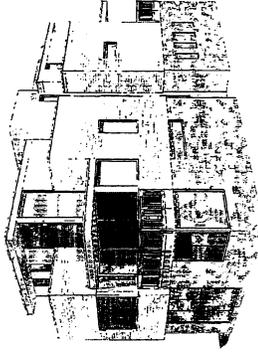
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 1/8" = 1'-0"



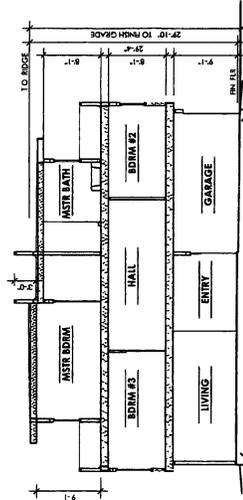
5 ENTRY PERSPECTIVE  
 NTS  
 TYPICAL ENTRY SCHEME 3



6 REAR PERSPECTIVE  
 NTS



7 FRONT PERSPECTIVE  
 NTS

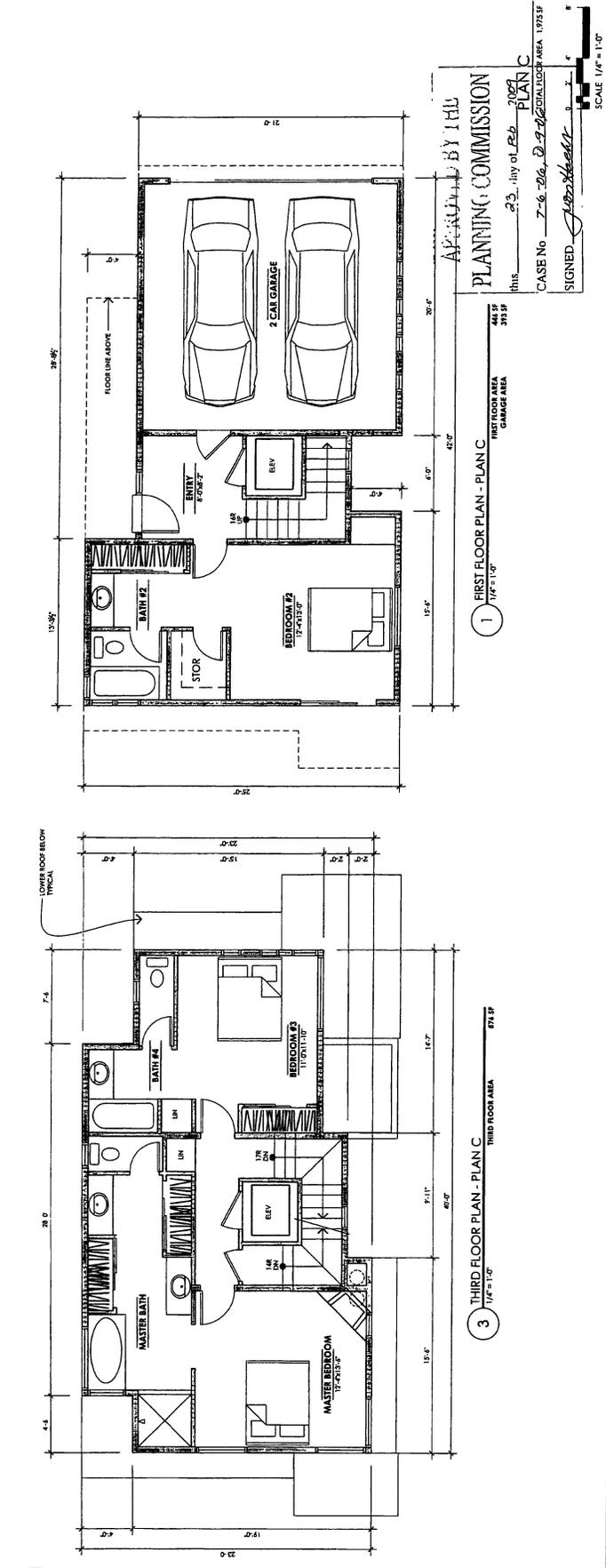
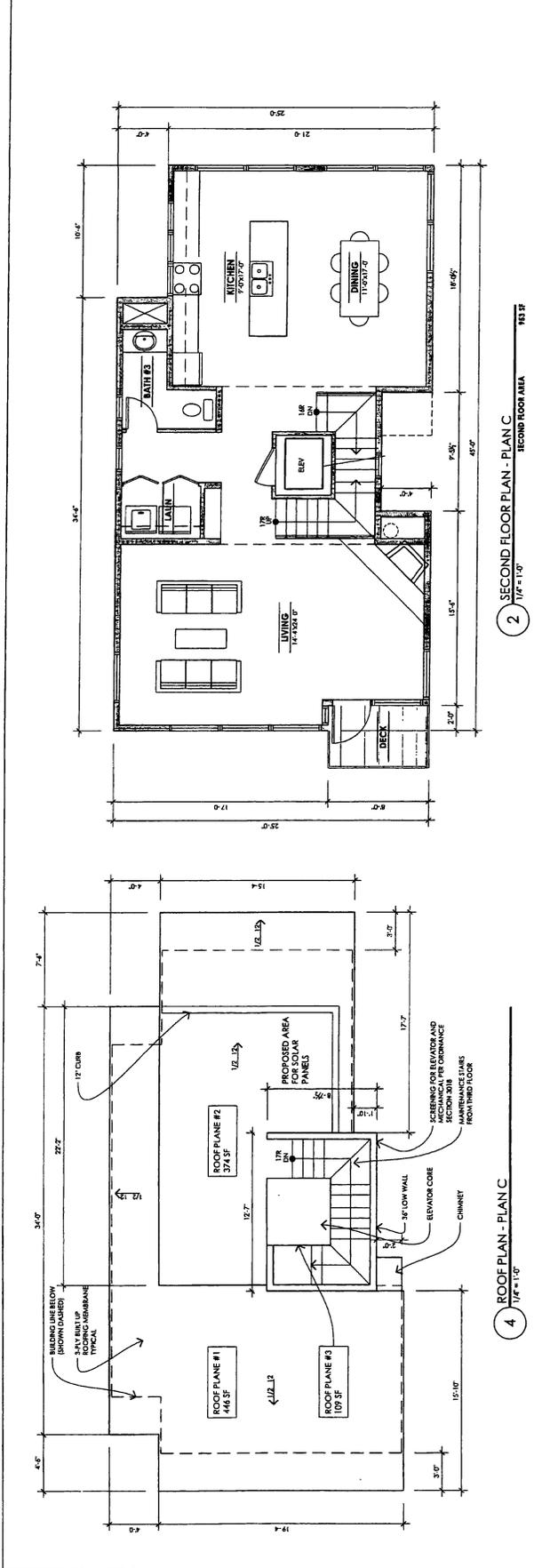


8 BUILDING SECTION - PLAN B  
 1/8" = 1'-0"

APPROVED FOR THE  
 PLANNING COMMISSION  
 THIS \_\_\_\_\_ 2013, by the City of Oceanside  
 CASE No. \_\_\_\_\_ 2013  
 SIGNED \_\_\_\_\_  
 PLANNING COMMISSION

SCALE 1/8" = 1'-0"

ALL DRAWINGS AND WRITTEN MATERIALS INCORPORATED OR REFERRED TO BY THIS DRAWING ARE THE PROPERTY OF TETA ARCHITECTURE AND WERE CREATED, REVISED AND DEVELOPED FOR USE ON THIS PROJECT AND SHALL NOT BE USED BY OR FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF TETA ARCHITECTURE.



APPROVED BY THE  
 PLANNING COMMISSION  
 THIS: 03, City of L.A. PLAN C  
 CASE No 7-6-20a, @ 9700 CALIFORNIA AREA, 1975 SF  
 SIGNED: [Signature]

SCALE 1/4" = 1'-0"

ALL DIMENSIONS AND WRITTEN MATERIALS INDICATED OR REFERRED TO BY THIS DRAWING ARE THE PROPERTY OF TETA ARCHITECTURE AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON THIS PROJECT AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION BY TETA ARCHITECTURE.



# LANDSCAPE CONCEPT PLAN VISTA PACIFIC OCEANSIDE, CALIFORNIA

THE LIGHTFOOT PLANNING GROUP  
PLANNING  
SITE DESIGN  
LANDSCAPE ARCHITECTURE  
2811 1/2 STREET  
SAN DIEGO, CALIFORNIA 92108  
PHONE: (619) 591-1111  
FAX: (619) 591-1111  
WWW.LIGHTFOOTPLANNING.COM

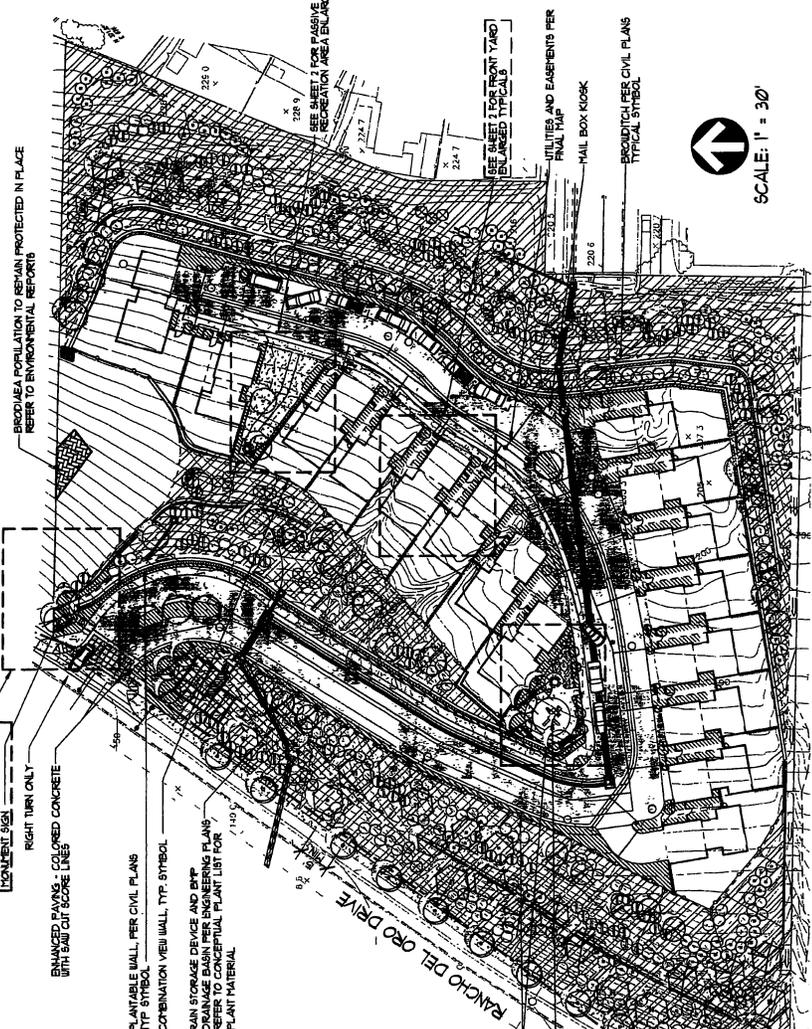
QUALITY INVESTORS  
VISTA PACIFIC  
OCEANSIDE, CALIFORNIA

Received OCT 18 2008  
Planning Division  
JOB # 17-32  
DATE 6/2/2008  
DRAWN BY LOADLAC  
DATE 10/20/07  
SCALE 1/4"=1'-0"

LANDSCAPE CONCEPT PLAN  
JOB # 17-32  
DATE 10/20/07

## CONCEPTUAL PLANT LIST

- TREES (1 GAL AND 24" DOZ)  
CASSIA LEPTANTILLA - GOLD REDALLION TREE  
OLEA EUROPAEA - OLIVE  
PISTACIA CHENSIS - CHEESE PRISCAE  
MAGNOLIA GRANDIFLORA - MALESTIC BEAUTY - MAGNOLIA  
CIPRIPEDIS ANGULOIDES - CANNON WOOD  
LEUCADAMUS STRAUFELII - PALO ALTO - SHEET GIFT  
GINKGO BILOBA - MAIDENHAIR TREE
- ORNAMENTAL SHRUBS FOR FRONT YARDS AND COMMON AREAS  
ANGONANTHOS HYBRIDS - TINKERBELL - LILY OF THE NILE  
ANGONANTHOS HYBRIDS - BUSH BANGER  
HEPEROCALLIS HYBRIDS - BLACK-ETED STELLA - DAYLILY  
PHORUM HYBRIDS - MAORI HAUDEY - NEW ZEALAND FLAX HYBRID  
PHORUM TENAX - TORI THUMB - NEW ZEALAND FLAX HYBRID  
PHOTINUM TOBIKA - TURNER'S VARIEGATED DUMPER - TOBIKA  
ESCALONIA ROSEA - CLARK - INDIAN HAWTHORN  
LAVANDULA DENTATA - FRENCH LAVENDER  
ORNAMENTAL SPECIMENS FOR FRONT YARDS AND COMMON AREAS  
SECOYEDRUM VITIFOLIUM (AND FEATS)  
TRACHELOSPERMUM JASMINOIDES - STAR JASMINE  
LIRIOIDE PALMARI - LILY THUMB
- PATIO TREES  
RAPHANOLEPIS MALESTIC BEAUTY (STANDARD) - INDIAN HAWTHORNE  
CAREX LANCEOLATA - CAREX LANCEOLATA  
TEUCRIA CARPENS (STANDARD) - CAPE HONOLULU  
DURANTA REPENS (STANDARD) - PIGEON BERRY  
LOW FUEL DROUGHT TOLERANT SHRUBS FOR SLOPE PLANTING  
BRUNNIA (1 GAL) - BRUNNIA  
RUBUS (1 GAL) - RUBUS  
ARCTOSTAPHYLOS (1 GAL) - HYDRANGEA  
VINE - 500
- DRAINAGE BASIN PLANTING WITH 5-8" RIVER ROCK  
(1 GAL 5 GAL 7" PLATS OR FLUGS)  
STREPTOCARPA - BIRD PARADISE  
CAREX TUMULOSA - BERRY LILY  
ACORUS GRAMINEUS - SHEET FLAG  
JUNCUS EFFRUSI - SOFT RUSH  
LOW FUEL DROUGHT TOLERANT GROUND COVER FOR SLOPE PLANTING  
BRUNNIA (1 GAL) - BRUNNIA  
ARCTOSTAPHYLOS (1 GAL) - HYDRANGEA  
CAREX LANCEOLATA - CAPE HONOLULU  
RUBUS (1 GAL) - RUBUS  
VINE - 500
- ALONG ENTRY WALK TO UNITS ON GARAGE WALL (SEE TYPICALS, L-3)  
DISTICTIS BUCONATORIA - BLOOD-RED TRUMPET VINE  
BOLEGANVILLA SAN DIEGO RED - BOLEGANVILLA  
BOLEGANVILLA SAN DIEGO RED - BOLEGANVILLA  
JASMINUM POLYANTHUM - JASMINE  
PLANTER WALL  
CALL LINES FOR POTS, LEACH TUBE (SEE POT (D-46))  
GALVEZIA SPECIOSA - ISLAND SNAPDRAGON  
RUBUS IRISIN - CALIFORNIA BLACKBERRY  
SOLANUM XANTHI - PURPLE NIGHTSHADE

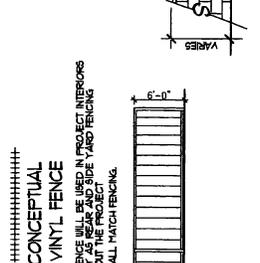
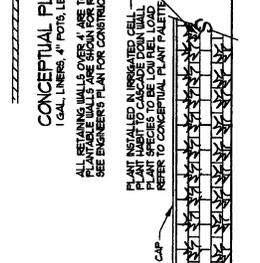
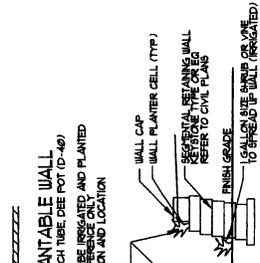
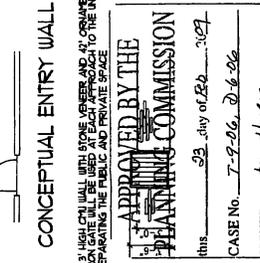
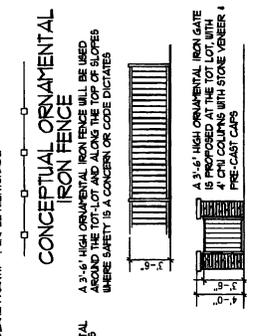


### IRRIGATION NOTES

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED OR REDESIGNED TO PROVIDE COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. LOW WATER USE PLANTS AND PERENNIALS SHALL BE PERMITTED WATER FOR PLANT GROWTH WITH A MINIMUM OF WATER LOSS DUE TO RUN-OFF. ALL IRRIGATION IMPROVEMENTS SHALL BE INSTALLED AS PER THE PROVISIONS OF THE CITY OF OCEANSIDE ZONING ORDINANCE SECTION 300.1 CITY OF OCEANSIDE GUIDELINES AND SPECIFICATIONS FOR LANDSCAPE DEVELOPMENT (1998, REVISED 1997) AND WATER CONSERVATION ORDINANCE 091-5.

### PLANTING NOTES

THE SELECTION OF PLANT MATERIAL IS BASED ON CULTURAL, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH SOIL CONDITIONER, FERTILIZERS, AND APPROPRIATE SUPPLEMENTS BASED UPON SOIL ANALYSIS. PLANTINGS SHALL BE PLANTED IN THE SPRING TO SHIELD THE SOIL FROM THE SUN AND EVAPORATION. ALL THE FLOWER AND SHRUB BEDS SHALL BE MULCHED TO HELP CONSERVE WATER, LOWER THE SOIL TEMPERATURE, AND REDUCE WEED GROWTH. THE BARBERS SHALL BE ALLOWED TO GROW IN THEIR MORE NATURAL FORMS. THIS WILL WORK TOGETHER WITH THE GROUND COVERS AND MULCHES TO REDUCE THE EVAPORATION RATES OF THE SOIL AND INCREASE THE HUMIDITY OF THE AIR. THE CITY OF OCEANSIDE GUIDELINES AND SPECIFICATIONS FOR LANDSCAPE DEVELOPMENT (1998, REVISED 1997).



APPROVED BY THE  
PLANNING COMMISSION  
this \_\_\_\_\_ day of \_\_\_\_\_ 2007  
CASE No. 7-9-06, D. 6-06  
SIGNED: *[Signature]*

# LANDSCAPE CONCEPT PLAN

## VISTA PACIFIC

OCEANSIDE, CALIFORNIA

THE LIGHTFOOT  
PLANNING  
GROUP

PLANNING  
SITE DESIGN  
LANDSCAPE  
ARCHITECTURE

2815 AVILA CIRCLE  
SAN DIEGO, CALIF. 92108  
TEL: 619-591-1111  
WWW.LIGHTFOOTPLANNING.COM

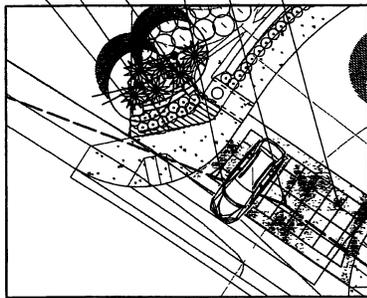
QUALITY INVESTORS  
VISTA PACIFIC  
OCEANSIDE, CALIFORNIA

DATE: 6/28/06  
DRAWN BY: LDD/LSC  
CHECKED BY: JLD  
DATE: 10/6/07  
DATE: 5/24/08

LANDSCAPE  
CONCEPT

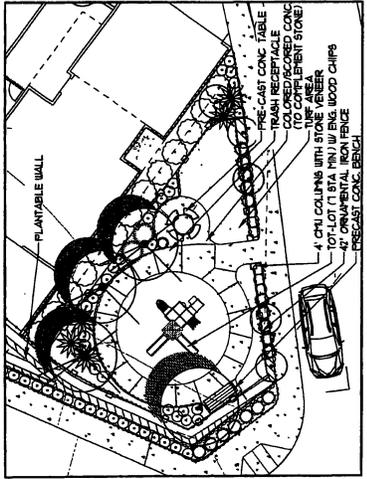
JOB # 061102

2



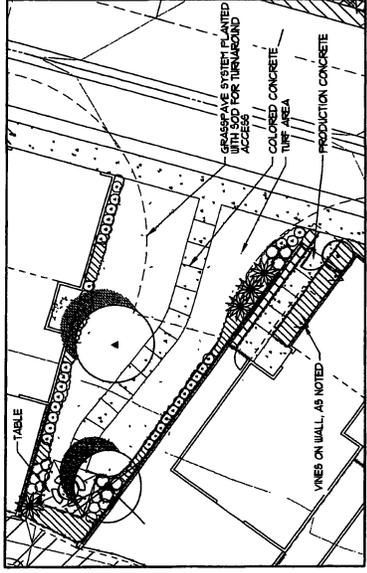
MONUMENT SIGN AREA ENLARGEMENT

SCALE: 1" = 10'



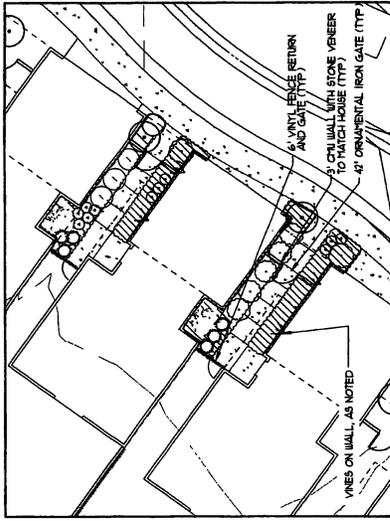
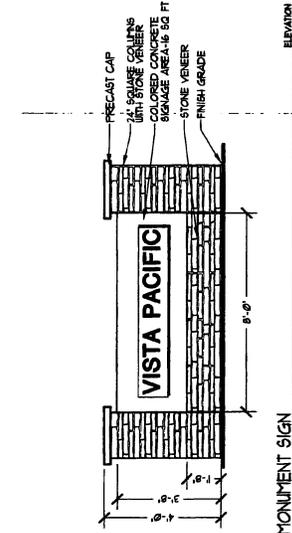
TOT-LOT AREA ENLARGEMENT

SCALE: 1" = 10'



PASSIVE RECREATION AREA ENLARGEMENT

SCALE: 1" = 10'



FRONT YARD TYPICAL ENLARGEMENT

SCALE: 1" = 10'

### CONCEPTUAL PLANT LIST

- TREES (5 GAL. AND 2 1/2" BOUL)
  - CASIA LEPTOPHYLLA - GOLD MEDALLION TREE
  - OLEA EUROPAEA 'SUN HILL' - OLIVE
  - FISTICIA CHENSIS - CHINESE PISTACHE
  - MAGNOLIA GRANDIFLORA 'TALESTIC BEAUTY' - MAGNOLIA
  - QUERANONIS ANACARDIODES - CARROTSWOOD
  - LIQUIDAMBER STROBILIFERA 'PALO ALTO' - SWEET GUM
  - SORBUS (1 GAL. 5 GAL. AND 15 GAL.)
  - SPYRIDAEAE HYBRIDS (SUNSHINE, SUNSHINE AREAS)
  - COMPANULIS HYBRIDS 'WINKERBELL' (1/2 OF THE FILE)
  - ANGELICANTHUS HYBRIDS 'WUSH RANGER'
  - HEROCALLIS HYBRIDS - EVERGREEN DAYLILY
  - PHORHITH HYBRIDS 'MORNI MADEN' - NEW ZEALAND FLAX HYBRID
  - PHORHITH 'BANK TOTT THURS' - NEW ZEALAND FLAX HYBRID
  - PHORHITH 'INDICA CLARA' - INDIAN HATHORN
  - RAH-PHOLEPS INDICA 'FLORA' - INDIAN HATHORN
  - RAH-PHOLEPS INDICA 'FLORA' - INDIAN HATHORN
  - RAH-PHOLEPS 'MAESTIC BEAUTY' (STANDARD) - INDIAN HATHORN
  - ERIBOTRYA 'COFFERTONE' (STANDARD) - HYBRID BRONZE LOGANET
  - TEUCHO CAPRENSIS (STANDARD) - CAPE HONEYBUCKLE
  - DIURANTA REPENS (STANDARD) - FIGEON BERRY
  - GEORGINA (5 GAL. AND 15 GAL.)
- ORNAMENTAL GROUNDCOVERS FOR FRONT YARDS AND COTTAGE AREAS
  - FESTUCA OVINA GLAUCA - BLUE FESCUE
  - LYRICHIA POLYANTHA 'LILY TIPS'
  - LYRICHIA POLYANTHA 'LILY TIPS'
- VINES (5 GAL.)
  - ALONG ENTRY WALK TO UNITS ON GARAGE WALL
  - DISTICHS BUCONATORA - BLOOD-RED TRAFFIC VINE
  - BOGANILLA LAMINATA 'DIEGO RED' - BOGANILLA
  - BOGANILLA LAMINATA 'DIEGO RED' - BOGANILLA
  - JASMINUM POLYANTHA 'JASMIN' - JASMIN

APPROVED BY THE  
PLANNING COMMISSION

DATE: 03 July 01, 2002

CASE No: 7-6-06, 2-9-06

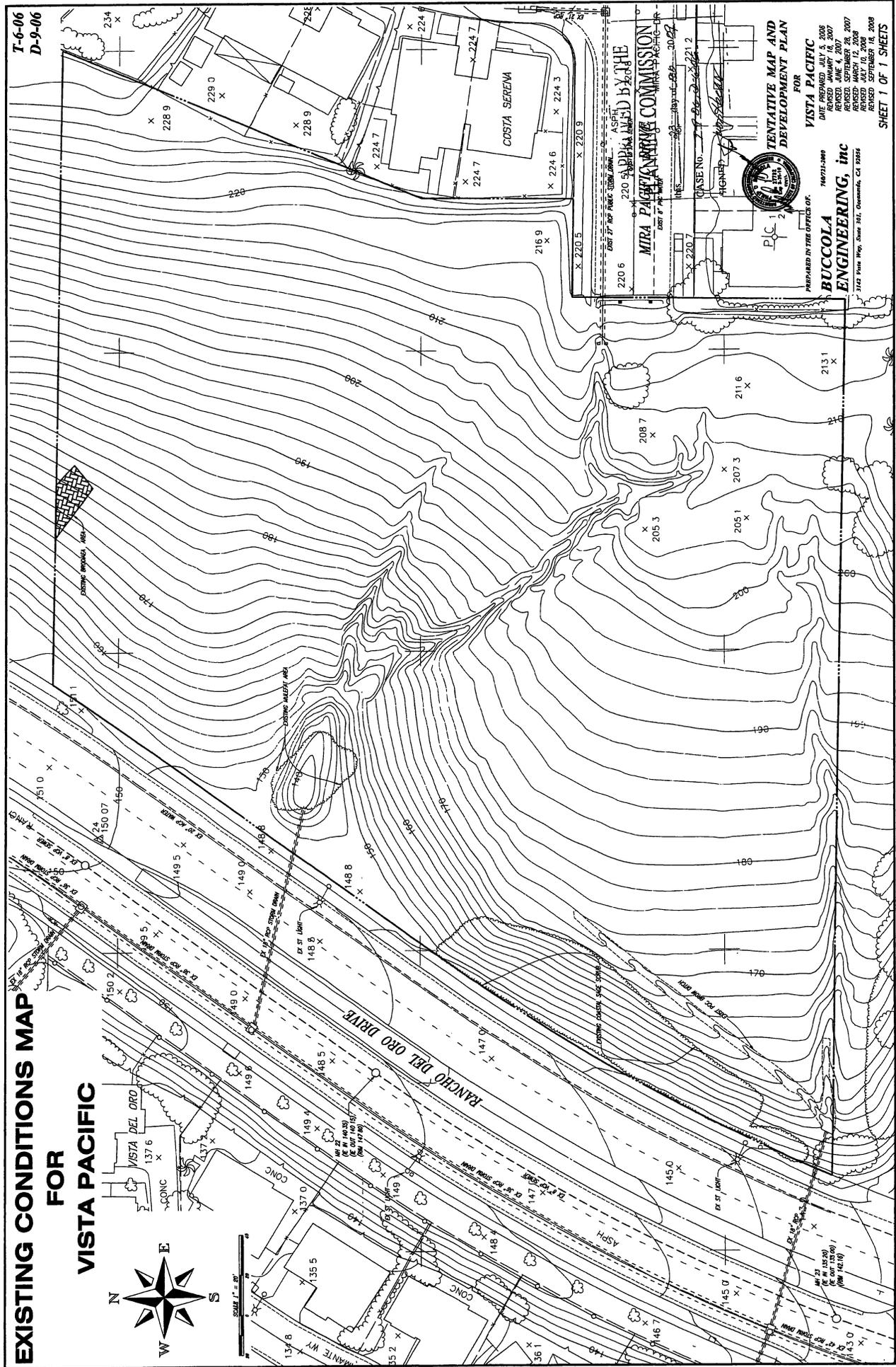
SIGNED: *J. Smith*

T-6-06  
D-9-06

# EXISTING CONDITIONS MAP FOR VISTA PACIFIC



SCALE 1" = 20'



APPROVED BY THE  
**MIRA PACIFIC ANTIQUARIAN COMMISSION**  
DATE: 10/12/07

DATE PREPARED: JULY 5, 2006  
REVISED: JANUARY 16, 2007  
REVISED: SEPTEMBER 18, 2007  
REVISED: MARCH 12, 2008  
REVISED: JULY 10, 2008  
REVISED: SEPTEMBER 16, 2008

FOR  
**VISTA PACIFIC**  
TENTATIVE MAP AND  
DEVELOPMENT PLAN

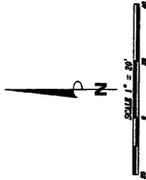
PREPARED IN THE OFFICE OF:  
**BUCCOLA ENGINEERING, inc**  
1122 Vista Way, Suite 301, Occidental, CA 94046

CASE NO. 07-02-00212  
HEIGHT: 30.07'

12512 Quality Ave, 101st Box, Dunsmuir, CA 95923 9/18/2008 2:13:11 PM PGP

SHEET 1 OF 1 SHEETS

# SLOPE ANALYSIS FOR VISTA PACIFIC

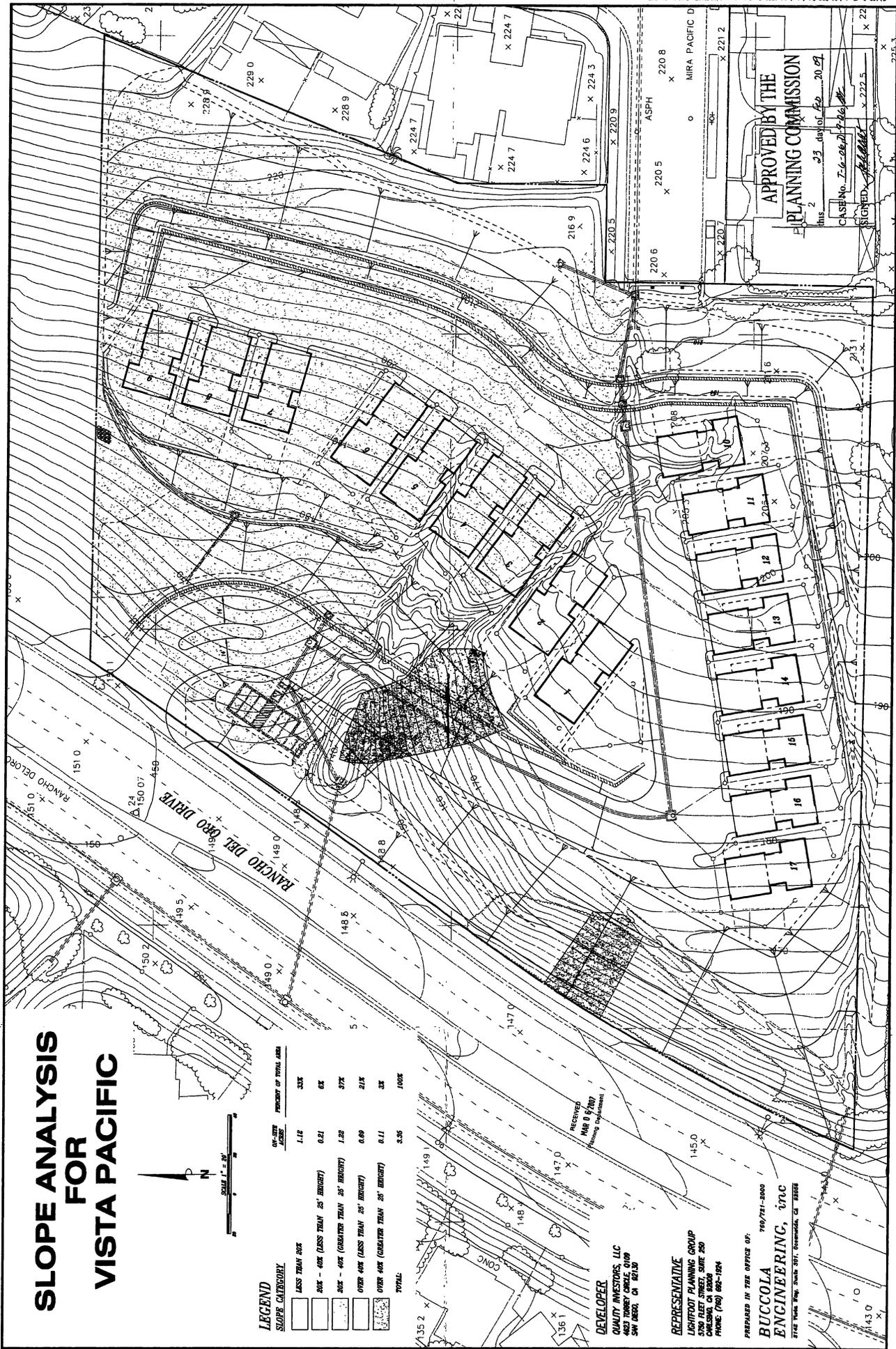


LEGEND		PERCENT OF TOTAL AREA
SLOPE CATEGORY	DESCRIPTION	
[Pattern 1]	LESS THAN 0%	33%
[Pattern 2]	0% - 4%	6%
[Pattern 3]	4% - 8%	37%
[Pattern 4]	8% - 12%	21%
[Pattern 5]	12% - 16%	3%
[Pattern 6]	OVER 16%	100%
TOTAL:		100%

**DEVELOPER**  
QUALITY INVESTORS, LLC  
4633 TURNER CIRCLE, SUITE 200  
SAN DIEGO, CA 92120

**REPRESENTATIVE**  
LIGHTFOOT PLANNING GROUP  
200 WEST STREET, SUITE 200  
SAN DIEGO, CA 92101  
PHONE: (619) 592-1824

PREPARED IN THE OFFICE OF:  
160/751-3000  
**BUCCOLA ENGINEERING, INC.**  
3742 HIGHWAY 94, SUITE 3017, BURNING WOOD, CA 95025



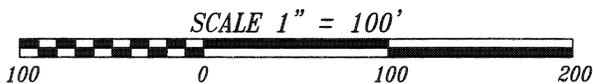


PREPARED IN THE OFFICE OF:

**BUCCOLA ENGINEERING, inc**

760/721-2000

3142 Vista Way, Suite 301, Oceanside, CA 92056



**VISTA PACIFIC  
BRODIAEA LOCATION**

May 23, 2008



RECEIVED

AUG - 3 2007

Planning Department

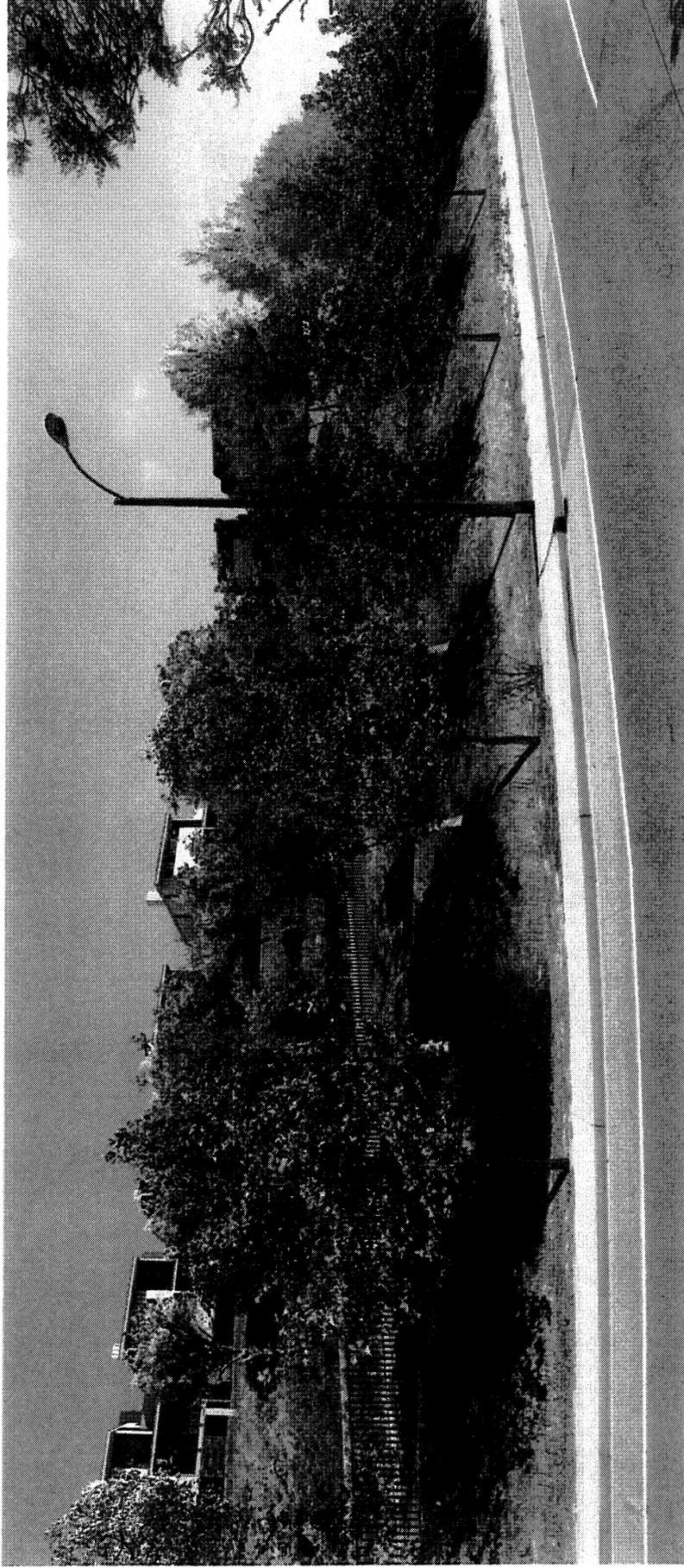
**VISTA PACIFIC RESIDENCES**  
**OCEANSIDE, CALIFORNIA**  
**JULY 25, 2007**

**VIEW 1**  
**COLOR RENDERING**

**RUCCOLA**  
**ENGINEERING, Inc**

**THE**  
**LIGHTFOOT**  
**PLANNING**  
**GROUP**

**tetraarchitecture**



**VIEW 2**  
**COLOR RENDERING**

**VISTA PACIFIC RESIDENCES**  
**OCEANSIDE, CALIFORNIA**  
**JULY 25, 2007**

**BUCCOLA**  
**ENGINEERING, Inc**



**THE**  
**LIGHTFOOT**  
**PLANNING**  
**GROUP**



**tetra**  
**architecture**



**VIEW 3**  
**COLOR RENDERING**

**VISTA PACIFIC RESIDENCES**  
**OCEANSIDE, CALIFORNIA**

**JULY 25, 2007**

**BUCCOLA  
ENGINEERING, Inc**



tetraarchitecture



**VIEW 4**  
**COLOR RENDERING**

**VISTA PACIFIC RESIDENCES**  
**OCEANSIDE, CALIFORNIA**  
**JULY 25, 2007**

BUCCOLA  
ENGINEERING, inc



THE  
LIGHTFOOT  
PLANNING  
GROUP



tetraarchitecture

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AFFIRMING PLANNING COMMISSION RESOLUTIONS NO. 2009-P06 AND 2009-P11 AND DENYING AN APPEAL OF A TENTATIVE SUBDIVISION MAP AND DEVELOPMENT PLAN ON A 3.35-ACRE LOT LOCATED IN THE 2300 BLOCK OF RANCHO DEL ORO DRIVE**

**(Appellant: Dee Devine on behalf of the Costa Serena Senior Community)**

WHEREAS, an application was filed for a Tentative Subdivision Map (T-6-06) and Development Plan (D-9-06) to develop a 3.35-acre lot with 16 detached single-family residences and to subdivide the lot to create 16 condominium units on a site that is subject to a Hillside Development Plan; and

WHEREAS, on February 23, 2009 the Planning Commission, after a duly noticed public hearing, adopted Resolution No. 2009-P06 by a 5-1-1 vote adopting a Mitigated Negative Declaration for the proposed project; and

WHEREAS, on February 23, 2009 the Planning Commission, after a duly noticed public hearing, adopted Resolution No. 2009-P11 by a 4-2-1 vote approving the Tentative Subdivision Map (T-6-06), and Development Plan and Hillside Development Plan (D-9-06); and

WHEREAS, on March 3, 2009 Ms. Dee Devine on behalf of the Costa Serena Senior Community timely filed with the City Clerk of the City of Oceanside an appeal of the Planning Commission's decisions adopting Resolution No. 2009-P06 and approving Resolution No. 2009-P11; and

WHEREAS, on May 20, 2009, the City Council of the City of Oceanside held a duly noticed public hearing and heard and considered evidence and oral testimony by all interested parties concerning the appeal of the Planning Commissions findings to adopt a Mitigated Negative Declaration and to approve a Tentative Subdivision Map T-6-06 and Development Plan D-9-06; and

///

1 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
2 Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the  
3 mitigation measures are met there will not be an adverse impact upon the environment;

4 WHEREAS, the City Council approved a resolution adopting a Mitigated Negative  
5 Declaration together with any comments received and a Mitigation and Monitoring and  
6 Reporting Program (M.M.R.P.) incorporated as conditions approving said resolution;

7 WHEREAS, based on such evidence and testimony, including but not limited to the reports  
8 of the Planning Division Staff and records of the Planning Commission hearing, this Council finds  
9 that the decisions of the Planning Commission do adequately and properly address the concerns  
10 raised by the appellants and this Council finds as follows:

11 For the Tentative Subdivision Map T-6-06, pursuant to Section 406.C of the Subdivision  
12 Ordinance:

- 13 1. The proposed map is consistent with the General Plan and Subdivision Ordinance,  
14 including General Plan Objectives 1.24 and 1.25. A geotechnical analysis has been  
15 accepted by the City Engineer for the project site, which includes undevelopable lands and  
16 lands considered to have significant topographical features. The proposal is consistent with  
17 Section 3039 Hillside Development Provisions of the Zoning Ordinance, because the  
18 majority of the development is sited on slopes that qualify as developable. Grading is less  
19 than the maximum allowed 7,500 cubic yards per acre and the design of the buildings and  
20 site layout do not obscure the adjoining properties' view shed.
- 21 2. The site is physically suitable for subdivision and construction of 16 detached residential  
22 units. A geotechnical analysis has been accepted by the City Engineer for the project site,  
23 which includes undevelopable lands and lands considered to have significant topographical  
24 features. The proposal is consistent with Section 3039 Hillside Development Provisions of  
25 the Zoning Ordinance, because the majority of the development is sited on slopes that  
26 qualify as developable.
- 27 3. The site is physically suitable for 4.94 dwellings per gross acre, which is below the RM-A  
28 District base density of six dwelling units per gross acre.

- 1 4. The design of the subdivision and proposed improvements will not cause substantial  
2 environmental damage or substantially and avoidably injure fish or wildlife or their habitat.  
3 The project scope includes mitigation of the loss of costal sage scrub and a minimum open  
4 space buffer from a small grouping of brodiaea.
- 5 5. The design of the subdivision and the type of improvements will not conflict with  
6 easements, acquired by the public at large, for access through or use of, property within the  
7 proposed subdivision. The area covered by the Development Plan can be served by  
8 existing public facilities, because these elements have been addressed and incorporated into  
9 the proposed project design. Since the proposal is below the base density of the RM-A  
10 District, it will not inundate existing public facilities.
- 11 6. The proposal complies with all other applicable ordinances, regulations and guidelines of  
12 the City of Oceanside, including but not limited to hillside regulations. The proposal is  
13 consistent with Section 3039 Hillside Development Provisions of the Zoning Ordinance,  
14 because the majority of the development is sited on slopes that qualify as developable.  
15 Grading is less than the maximum allowed 7,500 cubic yards per acre.

16 For the Development Plan D-9-06, pursuant to Section 4306 of the Zoning Ordinance:

- 17 1. The site plan and physical design of the project as proposed is consistent with the purposes  
18 of the Zoning Ordinance because it satisfies the intent of the Hillside Development  
19 Regulations, complies with RM-A development regulations including required setbacks,  
20 height limitations, open space requirements, and off-street parking requirements.
- 21 2. The Development Plan conforms to the General Plan of the City, because the proposed  
22 residential product type, Single Unit-Variable, is consistent with the Land Use Element  
23 requirements established for the site. Additionally, the proposed project density is 4.94  
24 dwelling units per acre which is below the RM-A District's base density of six dwelling  
25 units per acre.

26 ///

27 ///

28

- 1 3. The area covered by the Development Plan can be served by existing public facilities,  
2 because these elements have been addressed and incorporated into the proposed project  
3 design. Since the proposal is below the base density of the RM-A District, it will not  
4 inundate existing public facilities.
- 5 4. The project is compatible with existing development in the surrounding neighborhood,  
6 because it is similar in residential density and building type. The project does not exceed  
7 the base density established for this site and remains consistent with the allowed building  
8 types. Surrounding developments adjacent to Rancho del Oro and Vista Way have similar  
9 building heights and styles. Three-story buildings and flat roof architectural styles are  
10 present in the vicinity of the project area.
- 11 5. The site plan and physical design of the project is consistent with the Objectives 1.24 and  
12 1.25 of the General Plan Land Use Element Community Development Goals. Additionally,  
13 the proposal is consistent with Section 3039 Hillside Development Provisions of the  
14 Zoning Ordinance, because the majority of the development is sited on slopes that qualify  
15 as developable. Grading is less than the maximum allowed 7,500 cubic yards per acre.

16 Findings for the Hillside Development Plan, pursuant to Section 3039.H.3 of the Zoning  
17 Ordinance:

- 18 1. The site plan and physical design of the project as proposed is consistent with the purposes  
19 of the Zoning Ordinance because it satisfies the intent of the Hillside Development  
20 Regulations, complies with RM-A development regulations including required setbacks,  
21 height limitations, open space requirements, and off-street parking requirements.
- 22 2. The Development Plan conforms to the General Plan of the City, because the proposed  
23 residential product type, Single Unit-Variable, is consistent with the Land Use Element  
24 requirements established for the site. Additionally, the proposed project density is 4.94  
25 dwelling units per acre which is below the RM-A District's base density of six dwelling  
26 units per acre.

27 ///

28 ///

1 3. The area covered by the Development Plan can be served by existing public facilities,  
2 because these elements have been addressed and incorporated into the proposed project  
3 design. Since the proposal is below the base density of the RM-A District, it will not  
4 inundate existing public facilities.

5 4. The proposed site improvements comply with Section 3039.E (A), because the proposed  
6 access to the site from Rancho del Oro Road and crossing of undevelopable land with an  
7 improved street allows a clustering pattern of development that follows the existing terrain.

8 5. The two proposed retaining walls comply with Section 3039.E (J), because the natural  
9 contour altered by grading shall be rounded and shaped to simulate natural terrain even  
10 though the two parallel retaining walls are individually ~ 600 lineal feet.

11 6. The proposed location of Units 2 through 8 on lands considered to possess significant  
12 natural topographical features complies with Section 3039.E (L), because the elevation of  
13 the building pads follow the natural rise of the existing terrain.

14 7. The visible bulk of the proposed buildings comply with Section 3039.E (M), because the  
15 proposed site design and conceptual landscape plan minimize views of the development  
16 from public streets and the proposed structures are in reasonable harmony with the  
17 character of the surrounding area.

18 8. The grading quantities proposed are 7,436 cubic yards per acre and complies with Section  
19 3039.E (Q) because the site requires extensive grading to accommodate required public  
20 utility systems and system components.

21 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

22 1. To affirm Planning Commission Resolution Nos. 2009-P06 and 2009-P11 to adopt a  
23 Mitigated Negative Declaration and to approve a Tentative Subdivision Map (T-6-06),  
24 and a Development Plan and Hillside Development Plan (D-9-06).

25 2. The Mitigated Negative Declaration and applications for Tentative Subdivision Map (T-  
26 6-06) and Development Plan (D-9-06) are hereby approved pursuant to the findings and  
27 conditions contained within Planning Commission Resolution Nos. 2009-P06 and 2009-  
28 P11, and incorporated herein by this reference.

1 3. Notice is hereby given that the time within which judicial review must be sought on this  
2 decision is governed by Govt.C. Section 65009.

3 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,  
4 this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by the following vote:

- 5 AYES:
- 6 NAYS:
- 7 ABSENT:
- 8 ABSTAIN:

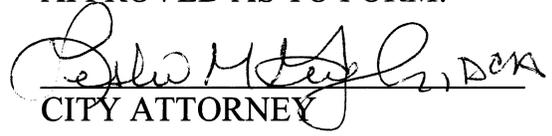
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MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY CLERK

  
CITY ATTORNEY

## LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AS DESCRIBED IN A GRANT DEED RECORDED ON SEPTEMBER 16, 2005 AS DOCUMENT NO. 2005-0804834 OF OFFICIAL RECORDS AND SHOWN AS THE REMAINDER LOT OF VISTA DEL ORO ACCORDING TO MAP THEREOF NO. 13018 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON FEBRUARY 26, 1993.

RECEIVED  
JUL 06 2006  
Planning Department

PLANNING COMMISSION  
RESOLUTION NO. 2009-P06

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF OCEANSIDE, CALIFORNIA ADOPTING A  
MITIGATED NEGATIVE DECLARATION ON CERTAIN  
REAL PROPERTY IN THE CITY OF OCEANSIDE

---

APPLICATION NO: T-6-06 and D-9-06  
APPLICANT: Quality Investors, LLC  
LOCATION: 2300 block of Rancho Del Oro 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 Tentative Subdivision Map and Development Plan under the provisions of Articles 10, 30 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

development of a single lot with 16 detached single-family residences and subdivided to create 16 condominium units on a 3.56-acre undeveloped site that is subject to a Hillside Development Plan;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd day of February, 2009 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; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are implemented there will not be an adverse impact upon the environment;

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;

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

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

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

8 FINDINGS:

9 1.       The Mitigated Negative Declaration together with any comments received, and  
10 Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the  
11 conditions of approval for the project, were presented to the Planning Commission, and  
12 the Planning Commission reviewed and considered the information contained in these  
13 documents prior to making a decision on the project.

14 2.       The Mitigated Negative Declaration and Mitigation and Monitoring and Reporting  
15 Program (MMRP) have been determined to be accurate and adequate documents,  
16 which reflect the independent judgment and analysis of the Planning Commission. On  
17 the basis of the entire record before it, the Planning Commission finds that there is no  
18 substantial evidence that the project, with implementation of the mitigation measures  
19 proposed, will have a significant impact on the environment.

20       NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
21 adopt the Mitigated Negative Declaration and adopt the mitigation measures provided therein,  
22 subject to the following conditions:

23 1.       Prior to the issuance of a grading permit, the applicant shall (pursuant to Mitigation  
24 Measure AES #2) submit Final Landscape Plans, prepared to the satisfaction of the City  
25 Engineer, showing the following project features: (a) terraced hillside; (b) landscaped  
26 slopes; and (c) planted retaining walls.

27 2.       The Building Division staff shall (pursuant to Mitigation Measure AES #3) review to  
28 confirm that final architectural drawings show that the project will not install outdoor  
29 lighting that directly illuminates neighboring properties. The Building Inspector shall  
confirm the illumination direction of outdoor lighting prior to completing final inspection.

- 1 3. The applicant shall ensure that (pursuant to Mitigation Measure AES #4) the project will  
2 not install outdoor lighting that would cast a direct beam angle towards a potential  
3 observer, such as motorists, cyclist or pedestrian.
- 4 4. The Building Division staff shall (pursuant to Mitigation Measure AES #5) review  
5 building plans to confirm that the project will not install outdoor lighting for vertical  
6 surfaces such as buildings, landscaping, or signs in a manner that would result in useful  
7 light or spill light being cast beyond the boundaries of intended area to be lit.
- 8 5. The Building Division staff shall review architectural drawings to confirm that (pursuant to  
9 Mitigation Measure AES #6) the project will not install any highly reflective surfaces such  
10 as glare-producing glass or high-gloss surface color that will be visible along roadways,  
11 pedestrian walkways, or in the line of sight of adjacent properties.
- 12 6. The Building Division staff shall review architectural drawings to ensure that (pursuant to  
13 Mitigation Measure AES #7) that the project conforms to the Light Pollution Regulations  
14 (Chapter 39 of Municipal Code) and the Multiple Species Conservation Program (MSCP)  
15 Plan, Section 6.3.9 Fencing, Signs, and Lighting. Compliance with the Municipal Code is  
16 required prior to issuance of any building permit for any project. Mandatory compliance  
17 for all new building permits ensures that this project will not contribute to a cumulatively  
18 considerable impact.
- 19 7. Prior to project grading, the applicant shall demonstrate to City Planner and City Engineer  
20 that (pursuant to Mitigation Measures BIO #1 and BIO #7) the project is located in the  
21 Off-site Mitigation Zone I of the Subarea Plan and that impacts to non-native grassland  
22 and coastal sage scrub have been mitigated within the proposed Wildlife Corridor Planning  
23 Zone (WCPZ) or within a Pre-Approved Mitigation Area (PAMA) within Zone 1.
- 24 8. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City  
25 Planner; City Engineer; and California Department of Fish and Game, (pursuant to  
26 Mitigation Measure BIO #4) provide the Director of the Development Services  
27 Department with a copy of a Streambed Alteration Agreement issued by the California  
28 Department of Fish and Game for all project-related disturbances of any streambed or  
29 provide evidence satisfactory to the City of Oceanside that such an agreement is not  
required.

- 1 9. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City  
2 Planner; City Engineer; Regional Water Quality Control Board; and US Army Corps of  
3 Engineers, (pursuant to Mitigation Measure BIO #5) provide the Director of the  
4 Development Services Department with a copy of a Clean Water Act, Section 401/404  
5 permit issued by the California Regional Water Quality Control Board and the U.S. Army  
6 Corps of Engineers for all project-related disturbances of waters of the U.S. and/or  
7 associated wetlands or provide evidence satisfactory to the City of Oceanside that such a  
8 permit is not required.
- 9 10. Prior to the issuance of a grading permit, the applicant shall, to the satisfaction of the City  
10 Planner and City Engineer, (pursuant to Mitigation Measures AES #1 and BIO #6) prior to  
11 the issuance of a grading permit, show on the Final Landscape Plan mitigation of the  
12 existing Canary Island Palm.
- 13 11. Prior to project grading, the applicant shall mitigate, to the satisfaction of the City Planner;  
14 City Engineer; Resource Agencies; and Biological Monitor, (pursuant to Mitigation  
15 Measures BIO #2 and BIO #8) for the loss of non-native grassland (at a ratio of 0.5:1) and  
16 coastal sage scrub (at a ratio of 3:1). As such, mitigation of 1.73 acres of non-native  
17 grassland and 0.39-acre of coastal sage scrub shall be provided, either within the WCPZ or  
18 PAMA. Mitigation credits may not be available within the jurisdiction of the City of  
19 Oceanside. As such, the purchase of mitigation credits from an alternative jurisdiction  
20 may be possible with consultation with the U.S. Fish and Wildlife Service and the  
21 California Department of Fish and Game during the permitting process. Furthermore,  
22 coastal sage scrub credits may be purchased to mitigate for impacts resulting from the loss  
23 of both the non-native grassland habitat and coastal sage scrub habitat if, non-native  
24 grassland credits are unavailable.
- 25 12. To ensure compliance during project grading, the applicant shall, to the satisfaction of the  
26 City Planner; City Engineer; and Biological Monitor, (pursuant to Mitigation Measures  
27 BIO #3 and BIO #9) mitigate for potential impacts to the cluster of Thread-leaf brodiaea  
28 (*Brodiaea filifolia*) identified on-site. The applicant shall provide for total avoidance of the  
29 Thread-leaf brodiaea (*Brodiaea filifolia*) by establishing a minimum 25-foot setback from  
the Thread-leaf brodiaea (*Brodiaea filifolia*).

- 1 13. Throughout grading activities, the City Engineer; Qualified Archaeologist; and  
2 Archaeological Monitor shall provide periodic verification of the absence of subsurface  
3 archaeological resources. (pursuant to Mitigation Measure CR #1) In the event any  
4 subsurface archaeological resources are encountered during grading or construction  
5 activities, such activities in the locality of the find shall be halted immediately. An  
6 archaeologist, certified by the Society of Professional Archaeologists (SOPA), shall be  
7 brought in to determine the significance of the archaeological resources and implement  
8 appropriate mitigations prior to recommending earthwork.
- 9 14. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of City  
10 Engineer; Qualified Archaeologist; and Archaeological Monitor, execute (pursuant to  
11 Mitigation Measure CR #2) a pre-excavation agreement with the San Luis Rey band of  
12 Mission Indians, specifying the disposition of human remains, grave goods, or other  
13 culturally sensitive material encountered during grading, trenching, or other ground  
14 disturbance in conjunction with implementation of the proposed project.
- 15 15. An archaeologist and a Native American monitor shall be (pursuant to Mitigation Measure  
16 CR #3) on-site during grading and trenching within the project area. The archaeologist  
17 and the Native American monitor may determine, in coordination with City staff, that the  
18 full-time presence of a monitor is not required, that checking the grading at regular  
19 intervals is sufficient.
- 20 16. The monitors shall have the power to temporarily halt or redirect grading if sensitive  
21 cultural material is found (pursuant to Mitigation Measure CR #4).
- 22 17. An archaeologist and a Native American monitor shall be present during pre-grade  
23 meeting(s) to discuss the monitoring program with the grading contractor, City staff and  
24 the developer (pursuant to Mitigation Measure CR #5).
- 25 18. If archaeological materials are encountered during grading or construction, then their  
26 importance must be evaluated to assess the significance of impacts (pursuant to Mitigation  
27 Measure CR #6). If significant cultural resources are encountered mitigation would be  
28 accomplished through documentation and excavation of features, cataloging and analysis  
29 of cultural materials collected, and preparation of a report detailing the methods and results  
of the monitoring/ data recovery program.

- 1 19. Prior to the issuance of grading permits, the applicant shall establish a program with a  
2 qualified paleontologist to monitor grading activities (pursuant to Mitigation Measure CR  
3 #7). The applicant shall provide the City Engineer with a copy of the paleontological  
4 resource-monitoring program.
- 5 20. The applicant shall (pursuant to Mitigation Measure CR #8) demonstrate to the satisfaction  
6 of the City Engineer that the following notes have been placed on the grading and  
7 improvement plans and are mitigation and monitoring measures adopted as conditions of  
8 project approval: (a) If human remains are encountered, State Health and Safety Code  
9 Section 7050.5 states that no further disturbance shall occur until the County Coroner has  
10 made a determination of origin and disposition pursuant to Public Resources Code Section  
11 5097.98. (b) The County Coroner must be notified of any human remains find  
12 immediately. (c) If the remains are determined to be prehistoric, the Coroner will notify  
13 the Native American Heritage Commission (NAHC) which will determine and notify a  
14 Most Likely Descendant (MLD). With the permission of the landowner the MLD may  
15 inspect the site of the discovery, and shall complete the inspection within 24 hours of  
16 notification by the NAHC. The MLD will have the opportunity to make recommendations  
17 to the NAHC on the disposition of the remains.
- 18 21. A qualified geologist shall be present onsite during grading activities to determine whether  
19 adverse soil conditions are present in the final slopes and whether remedial actions are  
20 necessary (pursuant to Mitigation Measure GEO #1). If any adverse conditions are  
21 identified site-specific recommendations will be provided at that time by the qualified  
22 geologist present on-site.
- 23 22. Prior to issuance of a grading permit and to the satisfaction of the City Engineer, (pursuant  
24 to Mitigation Measures GEO #2, GEO #9 and GEO #16) Geotechnical consultants shall  
25 review and approve the detailed foundation/grading/site work plans. This approval shall  
26 be by wet signature which clearly indicates that the Geotechnical Consultants have  
27 reviewed the plans prepared by the design engineer and that plans are in conformance with  
28 the recommendation contained in their Geotechnical Report.
- 29 23. An "as-built" report prepared by the consultant must be submitted to the City for review  
(pursuant to Mitigation Measures GEO #3, GEO #10 and GEO #17). The report must  
include the results of all compaction tests as well as a map depicting the limits of over

- 1 excavation, observed geologic conditions, locations of all density tests, locations and all  
2 removal bottoms, and locations and elevation of all retaining wall back drains and outlets.
- 3 24. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City  
4 Engineer, (pursuant to Mitigation Measures GEO #4, GEO #11, and GEO #18) print the  
5 name, address, and phone number of the Project Geotechnical consultant and list all  
6 applicable Geotechnical reports on the building and grading plans.
- 7 25. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City  
8 Engineer and Qualified Geologist, (pursuant to Mitigation Measures GEO #5, GEO #12,  
9 and GEO#19) prepare foundation plans and foundation details that clearly depict the  
10 embedment material and minimum depth of embedment for the foundations.
- 11 26. Prior to issuance of a grading permit, (pursuant to Mitigation Measures GEO #6, GEO  
12 #13, and GEO #20) the following note shall appear on all foundation plans: "All  
13 foundation excavations must be observed and approved by the Project Geotechnical  
14 Consultant prior to placement of reinforcing steel."
- 15 27. Prior to issuance of a grading permit (pursuant to Mitigation Measures GEO #7, #14, and  
16 GEO #21), the final grading, drainage, and foundation plans should be reviewed, signed  
17 and wet stamped by the project geotechnical consultants.
- 18 28. A qualified geologist shall be present onsite during grading activities to determine whether  
19 adverse soil conditions are present in the final slopes and whether remedial actions are  
20 necessary (pursuant to Mitigation Measures GEO #8 and GEO#15). If any adverse  
21 conditions are identified site-specific recommendations shall be provided at that time by  
22 the qualified geologist present on-site.
- 23 29. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant  
24 to Mitigation Measures NOI #1 and NOI #7) use construction methods or equipment that  
25 will provide the lowest level of noise impact during grading and project construction.
- 26 30. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant  
27 to Mitigation Measures NOI #2 and NOI #8) use a noise-attenuating jacket around the  
28 jackhammer.
- 29 31. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant  
to Mitigation Measures NOI #3 and NOI #8) schedule construction so the absolute  
minimum number of equipment would be operating at the same time.

1 32. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant  
2 to Mitigation Measures NOI #4) use the latest technology to mitigate construction  
3 equipment noise, i.e., engine enclosures, intake and exhaust silencers, etc.

4 33. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant  
5 to Mitigation Measures NOI #5) construct temporary noise walls or sound blankets along  
6 the project boundaries.

7 34. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant  
8 to Mitigation Measures NOI #6) ensure that all project-related equipment and vehicles are  
9 fitted with effective exhaust silencers and are maintained in proper working condition.  
10 Machines, in intermittent use, shall be shut down or throttled down during periods between  
11 use.

12 PASSED AND ADOPTED Resolution No. 2009-P06 on February 23, 2009 by the  
13 following vote, to wit:

14 AYES: Troisi, Balma, Parker, Neal and Bertheaud

15 NAYS: Martinek

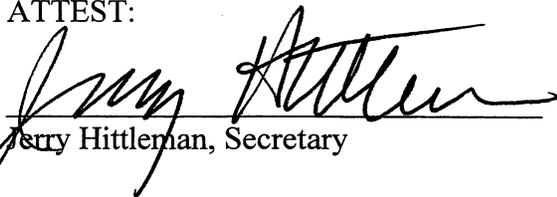
16 ABSENT: None

17 ABSTAIN: Rosales



18 \_\_\_\_\_  
19 Claudia Troisi, Chairperson  
20 Oceanside Planning Commission

21 ATTEST:



22 \_\_\_\_\_  
23 Jerry Hittleman, Secretary

24 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
25 this is a true and correct copy of Resolution No. 2009-P06.

26  
27 Dated: February 23, 2009

PLANNING COMMISSION  
RESOLUTION NO. 2009-P11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE SUBDIVISION MAP AND DEVELOPMENT PLAN ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

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APPLICATION NO: T-6-06, D-9-06  
APPLICANT: Quality Investors, LLC  
LOCATION: 2300 block of Rancho del Oro Drive

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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 Subdivision Map and Development Plan under the provisions of Articles 10, 30, and 43 of the Zoning Ordinance and Article IV of the Subdivision Ordinance of the City of Oceanside to permit the following:

development of a single lot with 16 detached single-family residences and subdivided to create 16 condominium units on a 3.56-acre undeveloped site that is subject to a Hillside Development Plan;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd day of February, 2009 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; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are implemented there will not be an adverse impact upon the environment

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

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

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

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

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

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

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

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

13 WHEREAS, the Mitigated Negative Declaration together with any comments received,  
14 and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the  
15 conditions of approval for the project, were presented to the Planning Commission, and the  
16 Planning Commission reviewed and considered the information contained in these documents  
17 prior to making a decision on the project.

18 WHEREAS, the Mitigated Negative Declaration and Mitigation and Monitoring and  
19 Reporting Program (MMRP) have been determined to be accurate and adequate documents,  
20 which reflect the independent judgment and analysis of the Planning Commission. On the  
21 basis of the entire record before it, the Planning Commission finds that there is no substantial  
22 evidence that the project, with implementation of the mitigation measures proposed, will have  
23 a significant impact on the environment.

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

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

29 //

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1 FINDINGS:

2 For the Tentative Subdivision Map T-6-06, pursuant to Section 406.C of the Subdivision  
3 Ordinance:

- 4 1. The proposed map is consistent with the General Plan and Subdivision Ordinance,  
5 including General Plan Objectives 1.24 and 1.25. A geotechnical analysis has been  
6 accepted by the City Engineer for the project site, which includes undevelopable lands  
7 and lands considered to have significant topographical features. The proposal is  
8 consistent with Section 3039 Hillside Development Provisions of the Zoning  
9 Ordinance, because the majority of the development is sited on slopes that qualify as  
10 developable. Grading is less than the maximum allowed 7,500 cubic yards per acre and  
11 the design of the buildings and site layout do not obscure the surrounding  
12 neighborhood's view shed.
- 13 2. The site is physically suitable for subdivision and construction of 16 detached  
14 residential units. A geotechnical analysis has been accepted by the City Engineer for  
15 the project site, which includes undevelopable lands and lands considered to have  
16 significant topographical features. The proposal is consistent with Section 3039  
17 Hillside Development Provisions of the Zoning Ordinance, because the majority of the  
18 development is sited on slopes that qualify as developable.
- 19 3. The site is physically suitable for 4.94 dwellings per gross acre, which is below the RM-  
20 A District base density of six dwelling units per gross acre.
- 21 4. The design of the subdivision and proposed improvements will not cause substantial  
22 environmental damage or substantially and avoidably injure fish or wildlife or their  
23 habitat. The project scope includes mitigation of the loss of costal sage scrub and a  
24 minimum open space buffer from a small grouping of brodiaea.
- 25 5. The design of the subdivision and the type of improvements will not conflict with  
26 easements, acquired by the public at large, for access through or use of, property within  
27 the proposed subdivision. The area covered by the Development Plan can be served by  
28 existing public facilities, because these elements have been addressed and incorporated  
29 into the proposed project design. Since the proposal is below the base density of the  
RM-A District, it will not inundate existing public facilities.

1 6. The proposal complies will all other applicable ordinances, regulations and guidelines  
2 of the City of Oceanside, including but not limited to hillside regulations. The proposal  
3 is consistent with Section 3039 Hillside Development Provisions of the Zoning  
4 Ordinance, because the majority of the development is sited on slopes that qualify as  
5 developable. Grading is less than the maximum allowed 7,500 cubic yards per acre and  
6 the design of the buildings and site layout do not obscure the surrounding  
7 neighborhood's view shed.

8 For the Development Plan D-9-06, pursuant to Section 4306 of the Zoning Ordinance:

- 9 1. The site plan and physical design of the project as proposed is consistent with the  
10 purposes of the Zoning Ordinance because it satisfies the intent of the Hillside  
11 Development Regulations, complies with RM-A development regulations including  
12 required setbacks, height limitations, open space requirements, and off-street parking  
13 requirements.
- 14 2. The Development Plan conforms to the General Plan of the City, because the proposed  
15 residential product type, Single Unit-Variable, is consistent with the Land Use Element  
16 requirements established for the site. Additionally, the proposed project density is 4.94  
17 dwelling units per acre which is below the RM-A District's base density of six dwelling  
18 units per acre.
- 19 3. The area covered by the Development Plan can be served by existing public facilities,  
20 because these elements have been addressed and incorporated into the proposed project  
21 design. Since the proposal is below the base density of the RM-A District, it will not  
22 inundate existing public facilities.
- 23 4. The project is compatible with existing development in the surrounding neighborhood,  
24 because it is similar in residential density and building type. The project does not  
25 exceed the base density established for this site and remains consistent with the allowed  
26 building types. Surrounding developments adjacent to Rancho del Oro and Vista Way  
27 have similar building heights and styles. Three-story buildings and flat roof  
28 architectural styles are present in the vicinity of the project area.
- 29 5. The site plan and physical design of the project is consistent with the Objectives 1.24  
and 1.25 of the General Plan Land Use Element Community Development Goals.  
Additionally, the proposal is consistent with Section 3039 Hillside Development

1 Provisions of the Zoning Ordinance, because the majority of the development is sited on  
2 slopes that qualify as developable. Grading is less than the maximum allowed 7,500  
3 cubic yards per acre and the design of the buildings and site layout do not obscure the  
4 surrounding neighborhood's view shed.

5 Findings for the Hillside Development Plan, pursuant to Section 3039.H.3 of the Zoning  
6 Ordinance:

- 7 1. The site plan and physical design of the project as proposed is consistent with the  
8 purposes of the Zoning Ordinance because it satisfies the intent of the Hillside  
9 Development Regulations, complies with RM-A development regulations including  
10 required setbacks, height limitations, open space requirements, and off-street parking  
11 requirements.
- 12 2. The Development Plan conforms to the General Plan of the City, because the proposed  
13 residential product type, Single Unit-Variable, is consistent with the Land Use Element  
14 requirements established for the site. Additionally, the proposed project density is 4.94  
15 dwelling units per acre which is below the RM-A District's base density of six dwelling  
16 units per acre.
- 17 3. The area covered by the Development Plan can be served by existing public facilities,  
18 because these elements have been addressed and incorporated into the proposed project  
19 design. Since the proposal is below the base density of the RM-A District, it will not  
20 inundate existing public facilities.
- 21 4. The proposed site improvements comply with Section 3039.E(A), because the proposed  
22 access to the site from Rancho del Oro Road and crossing of undevelopable land with  
23 an improved street allows a clustering pattern of development that follows the existing  
24 terrain.
- 25 5. The two proposed retaining walls comply with Section 3039.E(J), because the natural  
26 contour altered by grading shall be rounded and shaped to simulate natural terrain even  
27 though the two parallel retaining wall length are individually ~ 600 lineal feet.
- 28 6. The proposed location of units 2 through 8 on lands considered to possess significant  
29 natural topographical features complies with Section 3039.E(L), because the elevation  
of the building pads follow the natural rise of the existing terrain.

1 7. The visible bulk of the proposed buildings comply with Section 36039.E(M), because  
2 the proposed site design and conceptual landscape plan minimize views of the  
3 development from public streets and the proposed structures are in reasonable harmony  
4 with the character of the surrounding area.

5 8. The grading quantities proposed are 7,436 cubic yards per acre and complies with  
6 Section 3039.E(Q) because the site requires extensive grading to accommodate required  
7 public utility systems and system components.

8 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
9 approve Tentative Subdivision Map T-6-06 and Development Plan D-9-06 subject to the  
10 following conditions:

11 1. Planning Commission Resolution No. 2009-P06 is not replaced by this resolution. The  
12 conditions herein augment the mitigation monitoring and reporting program measures  
13 adopted by Planning Commission Resolution No. 2009-06 on February 23, 2009. If there  
14 is any inconsistency between this resolution's conditions and the conditions in Resolution  
15 No. 2009-P06, then the adopted mitigation measures and report program conditions shall  
16 prevail.

**Building:**

17 2. Applicable Building Codes and Ordinances shall be based on the date of submittal for  
18 Building Division plan check. (Currently the 2007 California Building Code, and 2007  
19 California Electrical Code)

20 3. The granting of approval under this action shall in no way relieve the applicant/project  
21 from compliance with all State and Local building codes.

22 4. The building plans for this project are required by State law to be prepared by a licensed  
23 architect or engineer and must be in compliance with this requirement prior to submittal  
24 for building plan review.

25 5. All electrical, communication, CATV, etc. service lines within the exterior lines of the  
26 property shall be underground (City Code Sec. 6.30).

27 6. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the  
28 plans.  
29

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

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

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

17 8. Separate/unique addresses shall be required to facilitate utility releases. Verification that  
18 the addresses have been properly assigned by the City's Planning Division must  
19 accompany the Building Permit application.

20 9. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation  
21 will be required at time of plans submittal to the Building Division for plan check.

22 10. Retaining walls that will be installed as a part of this design must be designed per the Soils  
23 report for the whole project.

24 **Engineering:**

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

29 12. Vehicular access rights to Mira Pacific Drive and Rancho Del Oro Drive, with the  
exception of the access points approved by the City Engineer, shall be relinquished by the  
property owner.

- 1 13. All right-of-way alignments, street dedications, exact geometrics, widths, and  
2 improvements shall comply with the requirements of the City Engineer.
- 3 14. Design and construction of all improvements shall be in accordance with standard plans,  
4 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 5 15. Prior to issuance of a building permit, unless already fully covered by an appropriately  
6 binding subdivision agreement, all improvement requirements shall be covered by a  
7 development agreement and secured with sufficient improvement securities or bonds  
8 guaranteeing performance and payment for labor and materials, setting of monuments, and  
9 warranty against defective materials and workmanship.
- 10 16. Prior to approval of the final map or any increment, all improvement requirements, within  
11 such increment or outside of it if required by the City Engineer, shall be covered by a  
12 subdivision agreement and secured with sufficient improvement securities or bonds  
13 guaranteeing performance and payment for labor and materials, setting of monuments, and  
14 warranty against defective materials and workmanship.
- 15 17. The subdivision shall be recorded and developed as one. A construction-phasing plan for  
16 the construction of public and private improvements shall be reviewed and approved by  
17 the City Engineer prior to the approval of the final map or issuance of a building permit  
18 (whichever occurs first). Prior to the issuance of any building permits all improvements  
19 including landscaping, frontage improvements shall be under construction to the  
20 satisfaction of the City Engineer. Prior to issuance of any certificates of occupancy the  
21 City Engineer shall require the dedication and construction of necessary utilities, streets  
22 and other improvements outside the area of any particular final map, if such is needed for  
23 circulation, parking, access or for the welfare or safety of future occupants of the  
24 development.
- 25 18. The owner/developer shall provide the City of Oceanside with a certification from each  
26 public utility and each public entity owning easements within the proposed project stating  
27 that: (a) they have received from the developer a copy of the proposed map; (b) they  
28 object or do not object to the filing of the map without their signature; (c) in case of a street  
29 dedication affected by their existing easement, they will sign a "subordination certificate"  
or "joint-use certificate" on the map when required by the governing body. In addition, the  
owner/developer shall furnish proof to the satisfaction of the City Engineer that no new

1 encumbrances have been created that would subordinate the City's interest over areas to be  
2 dedicated for public road purposes since submittal of the project.

3 19. Prior to the issuance of any permits for models, a construction-phasing plan for the entire  
4 project shall be reviewed and approved by the City Planner, City Engineer, and Building  
5 Official. All improvements shall be under construction to the satisfaction of the City  
6 Engineer prior to the issuance of any building permits. All public and private  
7 improvements including landscaping and offsite streets or arterials that are found to be  
8 required to serve the model complex shall be completed prior to the issuance of any  
9 certificates of occupancy.

10 20. Where off-site public or private improvements, including but not limited to slopes, utility  
11 facilities, and drainage facilities, or on-site public facilities are to be constructed and/or  
12 maintained, the developer shall, at his own expense, obtain all necessary easements or  
13 other interests in real property and, in case of public facilities, shall dedicate the same to  
14 the City of Oceanside or to the appropriate utility company as required. The  
15 owner/developer shall provide documentary proof satisfactory to the City of Oceanside  
16 that such easements or other interest in real property have been obtained prior to the  
17 approval of the final map or issuance of appropriate grading, building or improvement  
18 permit for the development. Additionally, the City of Oceanside, may at its sole  
19 discretion, require that the developer obtain at his sole expense a title policy insuring the  
20 necessary title for the easement or other interest in real property to have vested with the  
21 City of Oceanside or the developer, as applicable.

22 21. Pursuant to the State Map Act, improvements shall be required at the time of development.  
23 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to  
24 these improvement conditions and a certificate setting forth the recordation shall be placed  
25 on the map.

26 22. Prior to the issuance of a grading permit, the owner/developer shall notify and host a  
27 neighborhood meeting with all of the area residents located within 300 feet of the project  
28 site, and residents of property along any residential streets to be used as a "haul route", to  
29 inform them of the grading and construction schedule, haul routes, and to answer  
questions.

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

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

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

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

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

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

27 25. Approval of this development project is conditioned upon payment of all applicable impact  
28 fees and connection fees in the manner provided in chapter 32B of the Oceanside City  
29 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,  
park fees, reimbursements, and other applicable charges, fees and deposits shall be paid  
prior to recordation of the map or the issuance of any building permits, in accordance with

1 City Ordinances and policies. The owner/developer shall also be required to join into,  
2 contribute, or participate in any improvement, lighting, or other special district affecting or  
3 affected by this project. Approval of the tentative map and development plan shall  
4 constitute the owner's/developer's approval of such payments, and his agreement to pay  
5 for any other similar assessments or charges in effect when any increment is submitted for  
6 the final map or the building permit approval, and to join, contribute, and/or participate in  
7 such districts.

8 26. The street improvements shall include Portland cement concrete curb, gutter, and  
9 sidewalk.

10 27. The development/subdivision shall provide a minimum of 10 feet parkway between the  
11 face of curb and the right-of-way line along the project's frontage on Rancho Del Oro  
12 Drive. Sidewalk improvements shall comply with ADA requirements. A minimum four  
13 wide continuous strip of the parkway shall be kept unpaved. All improvements, structures,  
14 including retaining wall(s), and the landscaping of the unpaved portion of the parkway  
15 shall be maintained by the owner of the subject property or by a Home Owners'  
Association in perpetuity.

16 28. Sight distance and clear space easement requirements at intersections and vehicular access  
17 points shall conform to the corner sight distance criteria as provided by SDRSD DS-20A  
18 and or DS-20B for each direction of traffic. The project's civil engineer shall submit an  
19 appropriate "Sight Distance Letter" to the City Engineer certifying compliance with this  
20 requirement.

21 29. Streetlights shall be maintained and installed on all public and private streets within the  
22 project and along the project's frontage per City Standards as required by the City  
23 Engineer. The system shall provide uniform lighting, and be secured prior to occupancy.  
24 The owner/developer shall pay all applicable fees, energy charges, and/or assessments  
25 associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the  
26 formulation of, or the annexation to, any appropriate street lighting district.

27 30. The alignments and all geometrics for streets and driveways shall meet the City's  
28 applicable standards, unless alignment or geometric deviations are otherwise approved by  
29 satisfying sight distance and fire truck turning movement requirements approved with the  
tentative map and development plan.

- 1 31. This project's interior street shall remain private and shall be maintained by a  
2 Homeowners' Association in perpetuity. The pavement sections, traffic indices,  
3 alignments, and all geometrics shall meet public street standards, unless alignment or  
4 geometric deviations are otherwise approved by satisfying the applicable sight distance  
5 and fire truck turning movement requirements.
- 6 32. Pavement sections for all streets, driveways and parking areas within the project and along  
7 the project's frontage shall be based upon approved soil tests and traffic indices. The  
8 pavement design is to be prepared by the developer's soil engineer and must be approved  
9 by the City Engineer, prior to paving.
- 10 33. Prior to approval of the grading plans, the owner/developer shall provide appropriate  
11 documentation from a geotechnical engineer on the current state of the street's structural  
12 section to the satisfaction of the City Engineer. If such documentation is not available, the  
13 developer's geotechnical engineer shall perform a field investigation of the existing  
14 pavement on all streets adjacent to the project boundary. The limits of the study shall be  
15 half-street (including median) plus 12 feet along the project's frontage on Rancho Del Oro  
16 Drive. If required, the field investigation shall be performed according to a specific boring  
17 plan prepared by a licensed Geotechnical Engineer and approved by the City Engineer. In  
18 the absence of such approved boring plan, the field investigation shall include a minimum  
19 of one pavement boring per every 100 linear feet of street frontage. Should the existing  
20 structural section be determined to be less than the current minimum standard for AC and  
21 Class II Base as set forth in the table for City of Oceanside Pavement Design Guidelines in  
22 the City of Oceanside Engineers Manual, the owner/developer shall remove and  
23 reconstruct the pavement section as determined by the pavement analysis submittal  
24 process detailed below.
- 25 34. Upon review of the pavement investigation, the City Engineer shall determine whether the  
26 Developer shall: 1) Repair all failed pavement sections, header cut and grind per the  
27 direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2)  
28 Perform R-value testing and submit a study that determines if the existing pavement meets  
29 current City standards/traffic indices. Should the study conclude that the pavement does  
not meet current requirements, rehabilitation/mitigation recommendations shall be

- 1 provided in a pavement analysis report, and the owner/developer shall reconstruct the  
2 pavement per these recommendations, subject to approval by the City Engineer.
- 3 35. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during  
4 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 5 36. All existing, proposed or temporary overhead utility lines within the subdivision and  
6 within the full width street, alley or right-of-way abutting the new subdivision, and all new  
7 extension services for the development of the project, including but not limited to,  
8 electrical, cable and telephone, shall be placed underground prior to issuance of a building  
9 permit per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the  
10 City Engineer and current City policy.
- 11 37. The owner/developer shall comply with all the provisions of the City's cable television  
12 ordinances including those relating to notification as required by the City Engineer.
- 13 38. Grading and drainage facilities shall be designed and installed to adequately accommodate  
14 the local stormwater runoff and shall be in accordance with the City's Engineers Manual  
15 and as directed by the City Engineer.
- 16 39. The owner/developer shall obtain any necessary permits and clearances from all public  
17 agencies having jurisdiction over the project due to its type, size, or location, including but  
18 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,  
19 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board  
20 (including NPDES), San Diego County Health Department, prior to the issuance of  
21 grading permits.
- 22 40. The approval of the tentative map or development plan shall not mean that proposed  
23 grading or improvements on adjacent properties (including any City properties/right-of-  
24 way or easements) is granted or guaranteed to the owner/developer. The owner/developer  
25 is responsible for obtaining permission to grade or to construct on adjacent properties.  
26 Should such permission be denied, the resulting changes to the tentative map/development  
27 plan shall be subject to a Substantial Conformity review. Changes not meeting substantial  
28 conformity requirements shall be submitted for appropriate public hearing action.
- 29 41. Prior to any grading of any part of the subdivision/development, a comprehensive soils and  
geologic investigation shall be conducted of the soils, slopes, and formations in the project.  
All necessary measures shall be taken and implemented to assure slope stability, erosion

1 control, and soil integrity. No grading shall occur until a detailed grading plan, to be  
2 prepared in accordance with the Grading Ordinance and Zoning Ordinance and is  
3 approved by the City Engineer.

4 42. The extent and location of proposed grading including “over-excavation”, if any, should be  
5 clearly depicted on a grading plan. The consultant shall provide appropriate  
6 recommendations and the means for temporary excavations for removals during  
7 construction and the sequence of construction. Appropriate cross sections depicting the  
8 location of adjacent structures and public ways where the excavations would remove the  
9 lateral support shall be part of the excavation plans.

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

15 44. This project shall provide year-round erosion control including measures for the site  
16 required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
17 control plan, designed for all proposed stages of construction, shall be reviewed, secured  
18 by the owner/developer with cash securities and approved by the City Engineer.

19 45. Precise grading and private improvement plans shall be prepared, reviewed, secured and  
20 approved prior to the issuance of any building permits. The plan shall reflect all pavement,  
21 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,  
22 footprints of all structures, walls, drainage devices and utility services. Parking lot striping  
23 and any on-site traffic calming devices shall be shown on all the precise grading and  
24 private improvement plans.

25 46. Landscaping plans, including plans for the construction of walls, fences or other structures  
26 at or near intersections or project entrances, must conform to intersection sight distance  
27 requirements.

28 47. Landscape and irrigation plans must be submitted to the City Engineer prior to the  
29 issuance of a grading permit and approved by the City Engineer prior to the issuance of  
occupancy permits. Frontage landscaping shall be installed prior to the issuance of any  
certificates of occupancy. Any project fences, sound or privacy walls and monument

1 entry walls/signs shall be shown on, bonded for and built from the landscape plans. These  
2 features shall also be shown on the precise grading plans for purposes of location only.  
3 Plantable, segmental walls shall be designed, reviewed and constructed by the grading  
4 plans and landscaped/irrigated through project landscape plans. All plans must be  
5 approved by the City Engineer and a pre-construction meeting held, prior to the start of  
6 any improvements.

7 48. Open space areas and down-sloped areas visible from a collector-level or above roadway  
8 and not readily maintained by the property owner, shall be maintained by a homeowners'  
9 association that will insure installation and maintenance of landscaping in perpetuity.  
10 These areas shall be indicated on the final map and reserved for an association. Future  
11 buyers shall be made aware of any estimated monthly costs. The disclosure, together with  
12 the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of  
13 the final map.

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

22 50. All storm drains shall be designed and constructed per current editions of the San Diego  
23 County Hydrology and Drainage Design Manuals, and San Diego Area Regional Standard  
24 Drawings.

25 51. For any increase of storm water flows from the development site to other properties, the  
26 developer shall secure appropriate easement(s) from and maintenance agreement(s) with  
27 the owner(s) of the impacted properties to the satisfaction of the City Engineer. Upon  
28 approval by City Engineer and the City Attorney, the appropriate documents shall be  
29 recorded prior to issuance of any permits for the development. Should the developer be  
unable to secure such easement(s) or agreement(s), the resulting changes to the  
development plan shall be subject to a Substantial Conformity review. Changes not

1 meeting substantial conformity requirements shall be submitted for appropriate public  
2 hearing action.

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

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

9 54. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high  
10 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose  
11 height exceeds 20 feet or where the slope exceeds four feet and is adjacent to an arterial  
12 street or state highway.

13 55. The owner/developer shall comply with the provisions of National Pollution Discharge  
14 Elimination System (NPDES) General Permit for Storm Water Discharges Associated  
15 with Construction Activity (General Permit) Water Quality Order 99-08-DWQ. The  
16 General Permit continues in force and effect until a new General Permit is issued or the  
17 SWRCB rescinds this General Permit. Only those owner/developers authorized to  
18 discharge under the expiring General Permit are covered by the continued General Permit.  
19 Construction activity subject to the General Permit includes clearing, grading, and  
20 disturbances to the ground such as stockpiling, or excavation that results in soil  
21 disturbances of at least one acre of total land area. The owner/developer shall obtain  
22 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a  
23 Waste Discharge Identification Number (WDID#) from the State Water Resources Control  
24 Board (SWRCB). In addition, coverage under the General Permit shall not occur until an  
25 adequate SWPPP is developed for the project as outlined in Section A of the General  
26 Permit. The site specific SWPPP and associated NOI shall be maintained on the project  
27 site at all times. The SWPPP shall be provided, upon request, to the United States  
28 Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control  
29 Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies.  
The SWPPP is considered a report that shall be available to the public by the RWQCB  
under section 308(b) of the Clean Water Act. The provisions of the General Permit and

1 the site specific SWPPP shall be continuously implemented and enforced until the  
2 owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The  
3 owner/developer is required to retain records of all monitoring information, copies of all  
4 reports required by this General Permit, and records of all data used to complete the NOI  
5 for all construction activities to be covered by the General Permit for a period of at least  
6 three years from the date generated. This period may be extended by request of the  
7 SWRCB and/or RWQCB.

8 56. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project  
9 will be subject to prevailing wage requirements as specified by Labor Code section  
10 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing  
11 wage requirements prior to the granting of any fee reductions or waivers.

12 57. Following approval of the SWMP by the City Engineer and prior to issuance of grading  
13 permits, the owner/developer shall submit and obtain approval of an Operation &  
14 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M  
15 Plan shall include an approved and executed Maintenance Mechanism pursuant to Section  
16 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP). The O&M  
17 shall satisfy the minimum Maintenance Requirements pursuant to Section 4.3 of the  
18 ISUSMP. At a minimum the O&M Plan shall include the designated responsible party to  
19 manage the stormwater BMP(s), employee training program and duties, operating  
20 schedule, maintenance frequency, routine service schedule, specific maintenance activities,  
21 copies of resource agency permits, cost estimate for implementation of the O&M Plan, a  
22 security to provide maintenance in the event of noncompliance to the O&M Plan, and any  
23 other necessary elements. The Project Proponent shall provide the City with access to site  
24 for the purpose of BMP inspection and maintenance by entering into an Access Rights  
25 Agreement with the City. The Project Proponent shall complete and maintain O&M forms  
26 to document all operation, inspection, and maintenance activities. The Project Proponent  
27 shall retain records for a minimum of five years. The records shall be made available to  
28 the City upon request.

29 58. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance  
Agreement with the City obliging the owner/developer to maintain, repair and replace the  
Storm Water Best Management Practices (BMPs) identified in the project's approved

1 SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be approved  
2 by the City Attorney prior to issuance of any precise grading permit and shall be recorded  
3 at the County Recorder's Office prior to issuance of any building permit. Security in the  
4 form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard  
5 Letter of Credit shall be required prior to issuance of a precise grading permit. The  
6 amount of the security shall be equal to 10 years of maintenance costs, as identified by the  
7 O&M Plan, but not to exceed a total of \$25,000. The developer's Civil Engineer shall  
8 prepare the O&M cost estimate.

9 59. At a minimum, maintenance agreements shall require the staff training, inspection and  
10 maintenance of all BMPs on an annual basis. The project proponent shall complete and  
11 maintain O&M forms to document all maintenance activities. Parties responsible for the  
12 O&M plan shall retain records at the subject property for at least five years. These  
13 documents shall be made available to the City for inspection upon request at any time.

14 60. The Agreement shall include a copy of executed on-site and off-site access rights  
15 necessary for the operation and maintenance of BMPs that shall be binding on the land  
16 throughout the life of the project to the benefit of the party responsible for the O&M of  
17 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the  
18 O&M Plan approved by the City Engineer.

19 61. The BMPs described in the project's approved SWMP shall not be altered in any way,  
20 unless reviewed and approved to the satisfaction of the City Engineer. The determination  
21 of whatever action is required for changes to a project's approved SWMP shall be made by  
22 the City Engineer.

23 62. The owner/developer shall provide a copy of the title/cover page of the approved SWMP  
24 with the first engineering submittal package. The appropriate document shall be submitted  
25 for review and approval by the City Engineer. All Storm-water documents shall be in  
26 compliance with the latest edition of submission requirements.

27 63. The approval of the tentative map/development shall not mean that closure, vacation, or  
28 abandonment of any public street, right-of-way, easement, or facility is granted or  
29 guaranteed to the developer. The owner/developer is responsible for applying for all  
closures, vacations, and abandonments as necessary. The application(s) shall be reviewed  
and approved or rejected by the City of Oceanside under separate process per codes,

1 ordinances, and policies in effect at the time of the application. The City of Oceanside  
2 retains its full legislative discretion to consider any application to vacate a public street or  
3 right-of-way.

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

6 **Fire:**

7 65. Submit a copy of as-built plans on a CD for all projects on the job site. A site plan  
8 indicating the fire access and hydrant locations must also be submitted on CD Rom.

9 66. Fire Department requirements shall be placed on plans in the notes section.

10 67. Smoke detectors are required, and detector locations must be indicated on the plans.

11 68. A minimum fire flow of 1500 gallons per minute shall be provided.

12 69. The size of fire hydrant outlets shall be 2 ½ "X 4".

13 70. All proposed and existing fire hydrants within 400 feet of the project shall be shown on  
14 the site plan.

15 71. The fire hydrants shall be installed and tested prior to placing any combustible materials  
16 on the job site.

17 72. Provide on-site hydrants and mains capable of supplying the required fire flow.

18 73. The developer shall supply the Fire Department with updated map and hydrant locations  
19 in a digital format compatible with the Fire Department's mapping program upon  
20 approval of final improvements plans.

21 74. Blue hydrant identification markers shall be placed as per Oceanside's Engineers  
22 Design and Processing Manual Standard Drawing No. M-13.

23 75. All weather access roads shall be installed and made serviceable prior to and maintained  
24 during time of construction.

25 76. A fire apparatus access road shall be provided within 150 feet of all exterior walls of the  
26 first floor of the building. The route of the fire apparatus access road shall be approved  
27 by the Fire Department. The 150 feet is measured by means of an unobstructed route  
28 around the exterior of the building.

29 77. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A  
minimum vertical clearance of 14 feet shall be provided for the apparatus access roads.

- 1 78. The Fire Department access roadway shall be provided with adequate turning radius for  
2 Fire Department apparatus: a 50-foot outside and 30-foot inside turning radius.
- 3 79. Fire Department emergency access shall meet grade requirements per the Oceanside  
4 Fire Code Section 503.2.7
- 5 80. Cul-de-sacs shall be shown on the site plan with a 40-foot radius minimum.
- 6 81. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per  
7 Vehicle Code Section 22500.1. Any markings, signs and/or fire lane identification shall  
8 be in accordance with the Fire Department Standard Guidelines for Emergency Access.
- 9 82. In accordance with the Oceanside Fire Code Section 505, approved addresses for  
10 commercial, industrial, and residential occupancies shall be placed on the structure in  
11 such a position as to be plainly visible and legible from the street or roadway fronting  
12 the property. Numbers shall be contrasting with their background and meet the current  
13 City of Oceanside size and design standard.
- 14 83. Single-family dwellings require four-inch address numbers. Commercial buildings and  
15 multi-family dwellings require six-inch address numbers. Industrial buildings require  
16 12-inch address numbers. Minimum specifications are set forth in Oceanside Fire Code  
17 Section 505.1, and the Fire Marshal may establish other requirements as deemed  
18 necessary.
- 19 84. Plans shall be submitted to the Fire Prevention Bureau for plan check review and  
20 approval prior to the issuance of building permits.
- 21 85. All dead-end fire apparatus access roads in excess of 150 feet shall be provided with an  
22 approved area for turning around the fire apparatus.
- 23 86. The gradient for a fire apparatus access roadway shall not exceed 15 percent.
- 24 87. Any new development that necessitates updating of emergency response maps by virtue  
25 of new structures, hydrants, roadways or similar features, shall be required to provide  
26 map updates in a format (PDF, GIS and/or CAD) as approved by the FAHJ or  
27 compatible with current department mapping services. The Fire Department is  
28 authorized to charge a reasonable fee for updating all response maps.
- 29 88. All water mains which support fire hydrants shall be looped as required by City of  
Oceanside Engineer's Manual.

1 89. As shown on the plans presented to Planning Commission, an additional fire hydrant is  
2 required on private access road.

3 **Planning:**

4 90. This Tentative Map T-6-06 shall expire two years from the effective date of this  
5 resolution.

6 91. This Development Plan D-9-06 shall expire two years from the effective date of this  
7 resolution unless implemented as required by the Zoning Ordinance.

8 92. This Development Plan approves only construction of 16 residential units as shown on the  
9 plans and exhibits presented to the Planning Commission for review and approval. No  
10 deviation from these approved plans and exhibits shall occur without Planning Division  
11 approval. Substantial deviations shall require a revision to the Development Plan or a new  
12 Development Plan.

13 93. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
14 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
15 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
16 annul an approval of the City, concerning Tentative Map T-6-06 and Development Plan  
17 D-9-06. The City will promptly notify the applicant of any such claim, action or  
18 proceeding against the city and will cooperate fully in the defense. If the City fails to  
19 promptly notify the applicant of any such claim action or proceeding or fails to  
20 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to  
21 defend, indemnify or hold harmless the City.

22 94. All mechanical rooftop and ground equipment shall be screened from public view as  
23 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,  
24 mechanical equipment, screen and vents shall be painted with non-reflective paint to match  
25 the roof. This information shall be shown on the building plans. Photo-voltaic equipment  
26 is not required to be screened across the top.

27 95. Model Landscape plans and Front Yard Landscape plans, designed in compliance with  
28 Water Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and  
29 shall be approved and signed by the City Engineer and the City Planner prior to the  
issuance of building permits. No bonding shall be required. Precise Grading Plans for  
model homes shall be prepared by a Civil Engineer and shall be approved by the City

1 Engineer prior to the issuance of building permits. Prior to the issuance of occupancy  
2 permits, the City's Landscape Technician/Inspector shall review each unit requested for  
3 occupancy to ensure that the installation of planting and irrigation has occurred in  
4 conformance with the approved schematic drawings. The irrigation system will also be  
5 tested to ensure adequate operation and coverage.

6 96. All single-family or multi-family unit dwelling projects shall dispose of or recycle solid  
7 waste in a manner provided in City Code Section 13.3.

8 97. A covenant or other recordable document approved by the City Attorney shall be prepared  
9 by the applicant and recorded prior to the approval of the Final Map. The covenant shall  
10 provide that the property is subject to this resolution, and shall generally list the conditions  
11 of approval.

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

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

22 100. Failure to meet any conditions of approval for this development shall constitute a violation  
23 of the Development Plan.

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

29 102. The developer's construction of all fencing and walls associated with the project shall be in  
conformance with the approved Development Plan. Any substantial change in any aspect

1 of fencing or wall design from the approved Development Plan shall require a revision to  
2 the Development Plan or a new Development Plan.

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

8 104. All rear wood fences adjacent to public right-of-way and/or visible from the public  
9 right-of-way will be stained or otherwise finished with a waterproof material.

10 105. The applicant shall provide for the maintenance of all common open space, medians and  
11 commonly owned fences and walls and adjacent parkways. Maintenance shall include  
12 normal care and irrigation of landscaping, repair and replacement of plant material and  
13 irrigation systems as necessary; and general cleanup of the landscaped and open area,  
14 parking lots and walkways. The applicant shall provide for the following to the project  
15 site, its development, and use:

- 16 a) A prohibition of parking or storage of recreational vehicles, trailers or boats.
- 17 b) Provisions regulating individual patio covers, room additions and other  
18 appurtenances.
- 19 c) Provisions for the ongoing maintenance of median landscaping.
- 20 d) Provisions for the maintenance of all common open space and open space  
21 easements on private lots, including provisions establishing mechanisms to ensure  
22 adequate and continued monetary funding for such maintenance.
- 23 e) Provisions that restrict any private use of open space easement areas. Restrictions  
24 shall include, but are not limited to, removing retaining walls, installing structures  
25 such as trellises, decks, retaining walls and other hardscape and any individual  
26 landscape improvements.
- 27 f) An acknowledgement that the City of Oceanside does not have a view preservation  
28 ordinance and those views may be subject to change with maturing off-site  
29 landscape and the potential for future off-site building.
- g) The selection of trees to be planted on the easterly slope of the project site, shall  
include slow growing varieties and be known for heights at maturity that would be

1 unlikely to obstruct the ocean views enjoyed by adjoining property owners. When  
2 views are obstructed, then the tree shall be either replaced or reduced in height (i.e.  
3 cut).

4 106. All street names shall be approved by the City Planner prior to the approval of the Final  
5 Map for each phase of development.

6 107. The following unit type and floor plan mix, as approved by the Planning Commission,  
7 shall be indicated on plans submitted to the Building Division and Planning Division for  
8 building permit:

9 Plan Type	Sq.Ft.	# Bedrms	# Baths	# Stories	# Units	Percent
10 A	1,984 SF	3	3.5	3	8	50%
11 B	2,256 SF	4	3.5	3	6	38 %
12 C	1,975 SF	3	3.5	3	2	12 %

13 108. Side and rear elevations and window treatments shall be trimmed to substantially match  
14 the front elevations. A set of building plans shall be reviewed and approved by the  
15 Planning Division prior to the issuance of building permits.

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

19 110. This project is subject to the provisions of Chapter 14C of the City Code regarding  
20 Inclusionary Housing.

21 111. This project shall comply with all provisions of the City's Affirmative Fair Housing  
22 Marketing Agreement Policy as required in the project's Affirmative Fair Housing  
23 Marketing Agreement. Such agreement shall be submitted to and approved by the  
24 Housing and Neighborhood Services Director prior to the issuance of a building permit for  
25 the project.

26 112. Garages shall be kept available and useable for the parking of tenant's automobiles at all  
27 times.

28 113. At all times, the sidewalk shall be free of obstructions, including private vehicles and other  
29 objects. Vehicles, or other objects, parked in the driveway shall not project over or  
obstruct the sidewalk.

1 114. Lease and rental agreements shall be for the dwelling unit with the garage. The garage  
2 shall be used for the purpose of vehicular parking and the owner or tenant shall not lease or  
3 rent the garage separately from the dwelling unit.

4 **Water Utilities:**

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

9 116. The property owner will maintain private water and wastewater utilities located on private  
10 property.

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

13 118. All Water and Wastewater construction shall conform to the most recent edition of the  
14 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by  
15 the Water Utilities Director.

16 119. The following conditions shall be met prior to the approval of engineering design plans:

17 a) All public water and/or sewer facilities not located within the public right-of-way  
18 shall be provided with easements sized according to the Water, Sewer, and  
19 Reclaimed Water Design and Construction Manual. Easements shall be  
20 constructed for all weather access.

21 b) No trees, structures or building overhang shall be located within any water or  
22 wastewater utility easement.

23 c) All lots with a finish pad elevation located below the elevation of the next  
24 upstream manhole cover of the public sewer shall be protected from backflow of  
25 sewage by installing and maintaining an approved type backwater valve, per the  
26 Uniform Plumbing Code (U.P.C.).

27 d) The developer shall construct a public reclamation water system that will serve  
28 each lot and or parcels that are located in the proposed project in accordance with  
29 the City of Oceanside Ordinance No. 91-15. The proposed reclamation water  
system shall be located in the public right-of-way or in a public utility easement.

1 120. Prior to the issuance of a building permit, Water and Wastewater Buy-in fees and the San  
2 Diego County Water Authority Fees are to be paid to the City and collected by the Water  
3 Utilities Department at the time of Building Permit Issuance.

4 121. Prior to building occupancy, all new development of single-family and multi-family  
5 residential units shall include hot water pipe insulation and installation of a hot water  
6 recirculation device or design to provide hot water to the tap within 125 seconds in  
7 accordance with City of Oceanside Ordinance No. 02-OR126-1.

8 PASSED AND ADOPTED Resolution No. 2009-P11 on February 23, 2009 by the  
9 following vote, to wit:

10 AYES: Troisi, Parker, Neal and Bertheaud

11 NAYS: Martinek, Balma

12 ABSENT: None

13 ABSTAIN: Rosales

14 

15 \_\_\_\_\_  
16 Claudia Troisi, Chairperson  
17 Oceanside Planning Commission

18 ATTEST:

19   
20 \_\_\_\_\_  
21 Jerry Littleman, 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. 2009-P11.

24 Dated: February 23, 2009  
25  
26  
27  
28  
29

**PLANNING COMMISSION**



**STAFF REPORT**

DATE: February 23, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE SUBDIVISION MAP (T-6-06) AND DEVELOPMENT PLAN (D-9-06) TO CONSTRUCT 16 RESIDENTIAL CONDOMINIUM UNITS ON A 3.35-ACRE SITE, WITH ACCESS BEING PROVIDED DIRECTLY OFF OF RANCHO DEL ORO DRIVE. THE SITE IS ZONED MEDIUM DENSITY A RESIDENTIAL (RM-1) DISTRICT AND IS SITUATED BETWEEN RANCHO DEL ORO DRIVE AND THE WESTERN TERMINUS OF MIRA PACIFIC DRIVE IN THE MIRA COSTA NEIGHBORHOOD – VISTA PACIFIC – APPLICANT: QUALITY INVESTORS, LLC**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Adopt a Mitigated Negative Declaration for Vista Pacific Project, in light of the whole record that the project will not have a significant effect on the environment by adopting Planning Commission Resolution No. 2009-P06.
- (2) Approve Tentative Subdivision Map T-6-06 and Development Plan D-9-06 by adopting Planning Commission Resolution No. 2009-P11 with findings and conditions of approval attached herein.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** This project site is situated within the Mira Costa Neighborhood along 2300 block of Rancho del Oro Drive. The proposed project site is Lot 4 of Vista del Oro Map 13018, which was recorded in 1992. The applicant is Quality Investors, LLC of San Diego, California and their initial application was filed on July 6, 2006. In response to comments on the Mitigated Negative Declaration, the applicant reduced the scope of the project by eliminating one unit.

**Site Review:** *General Plan and Zoning District designations:* The residential land use designation for the project site is Medium Density A (MDA-R). The zone is Medium Density A Residential (RM-A) District.

*Existing uses and development on site:* The proposal includes construction of 16 detached residential condominium units on an undeveloped 3.35-acre site. The project is subject to Hillside Development Regulations because on-site slopes are more than 20 percent and elevation differentials are more than 25 feet.

*Topography:* This is an irregular shaped parcel of land with steep to moderate steep terrain that predominately slopes from the east to the west. The majority of the slopes on-site are characteristic of the surrounding terrain, but some slopes have been eroded (and made steeper) by the discharge of water. An approximate 20-acre upstream drainage basin consisting of the existing Costa Serena development along the project site's easterly boundary flows towards the site and discharges runoff onto the site. Flows converge and then continue across the site, within an eroded canyon drain. Approximately 1.5-acre of on-site area also flows toward the canyon drain. (Section 1.0 of the "Preliminary Drainage Report for Vista Pacific," prepared by Buccola Engineering is attached).

*Surrounding land uses:* The project site is on the east side of Rancho del Oro Drive and west of the 697-unit Costa Serena Subdivision, which includes the western terminus of Mira Pacific Drive. The project site is north of the 120-unit Vista del Oro condominiums (located on the northeast corner of Rancho del Oro Drive and Vista Way) and south of a vacant 8.76-acre open space lot (that is owned by the Mission del Oro Hills Association as part of the Del Oro Hills Village 10 Map 12472). The surrounding land use designations are residential, including MDA-R, MDB-R, and specific plan S-2-84 for Del Oro Hills. The surrounding land use is principally multi-family, including residential condominiums, duplexes, and detached residential units. Lands at the intersection of Rancho del Oro and Vista Way have a Special Commercial (SC) land use designation.

**Project Description:** The project application is comprised of two components, a Tentative Subdivision Map and a Development Plan, as follows:

Tentative Subdivision Map T-6-06 represents a request to subdivide and create 16 cloud condominiums on the existing 3.35-acre site pursuant to Article III of the Subdivision Ordinance.

Development Plan D-9-06 represents a request to construct 16 single unit-variable (SU-V) units pursuant to Articles 10, 30 and 43 of the Zoning Ordinance. The detached structures contain one dwelling unit.

Access to the project would be from Rancho del Oro Drive. The applicant proposes a private street with guest parking paralleling one side of the street. The project site includes two areas with slopes in excess of 40 percent. (A geotechnical analysis of the site has been submitted and accepted by the City Engineer). One area is adjacent to Rancho del Oro Drive and other area is eroded slopes created by water discharging on

to the site. This second area of steep slopes is proposed to be graded to allow a portion of the private street to cross over undevelopable lands. The Zoning Ordinance accommodates access routes over undevelopable land, when no alternative access exists. Staff has received comments from Costa Serena residents that affirm the applicant's position that developing the site with access from Mira Pacific Drive is politically charged.

The proposed Tentative Subdivision Map includes one lot with 16 detached residential "cloud condominium" units that satisfy the ownership requirements of the RM-A District for undivided ownership of land under each dwelling unit. (A cloud condominium subdivision allows the owner of each unit to own the area of land under the detached residential unit). All other areas would be owned in common interest. Fenced areas adjacent to each residential unit would be owned in common, but enjoy exclusive use easements. These easements would afford owners with a fenced front, side, and rear yard area for their exclusive use.

The proposed density is 4.94 dwelling units per net developable acre. This is below the base density RM-A District density of six dwelling units per acre. Project amenities include a tot lot on-site and the applicant proposes construction of one on-site inclusionary housing unit (Plan C model type).

The proposed architecture is cubist with flat floor plans and flat rooflines. Building elevations are enhanced with stone veneers. Each unit's front door would open to a side courtyard. The garage doors of each unit would face the private street and would provide direct access to the two-car garage.

In addition to the garage situated on the ground floor, generally each unit would include three stories, stairs, elevators, and one ground-floor bedroom with bath. The typical design provides for common living areas (kitchen, dining, and family room) on the second floor and private space (bedrooms and bathrooms) on the third floor. Plan type B differs from Plan Types A and B, because the kitchen is on the ground floor and an elevator is not proposed. See table 1 for a schedule comparing the proposed unit types.

**Table 1: Comparison of Proposed Plan Types**

<b>Plan Types</b>	<b>Unit Area</b>	<b>Bed Bath Ratio</b>	<b>Deck Area</b>	<b>Quantity</b>
Plan Type A	1,984 SF	3 : 3.5	43 SF	8
Plan Type B	2,256 SF	4 : 3.5	109 SF	6
Plan Type C	1,975 SF	3 : 3.5	40 SF	2
<b>Total</b>				<b>16</b>

Individual unit amenities would include a large kitchen, living rooms oriented to take advantage of views, fireplaces, and private decks.

The project is required to provide 5,100 square feet of usable open space (300 square feet per dwelling unit). Half the required area is proposed as common open space areas easily accessible to all of the residents. The proposed tot lot with benches, picnic table, and active recreation for young children and the proposed open space (between lots 6 and 7) with a meandering path concluding with a view point and picnic table constitute the proposed common open space areas. The remainder of the required open space areas are proposed as private yards within exclusive use easements adjacent to the front, side, and rear of each unit. See Table 2 for specific details.

**Table 2: Schedule of on-site parking and open space areas**

	Required	Proposed
Usable open space	5,100 SF	20,424 SF
Common usable open space	2,550 SF	3,612 SF
Private usable open space	2,550 SF	16,812 SF
Multi-family unit parking	34 spaces	34 spaces
On-site guest parking	5 spaces	10 spaces

The proposed terracing of the site would maintain a smooth transition from elevations along Rancho del Oro Drive, the developed portion of the site, and the Costa Serena Subdivision, which is situated above the project site. The project site includes 0.11 acres of undevelopable lands. A portion of this area is included in the grading for the proposed private street, which is accommodated by the regulations for hillside developments. Hillside regulations include the preservation of significant topographical features, which includes slopes of 20 percent or more with a minimum elevation differential of 50 feet. Units 2 through 8 are sited on significant topographical features, but the detached unit type with a single loaded driveway allows the site development pattern to preserve the terrain. Units are sited to preserve existing views, lower structural heights below adjacent ridgelines, and provide substantive yard areas between the property line and proposed site improvements.

The applicant is required to mitigate for the loss of an existing palm tree and to establish 50-foot minimum setback from a grouping of brodiaea plants on-site.

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

1. General Plan Land Use Element
2. Subdivision Ordinance
3. Zoning Ordinance
4. California Environmental Quality Act (CEQA)

## **ANALYSIS**

### **KEY PLANNING ISSUES**

#### **1. General Plan Conformance**

The General Plan Land Use Map designation on the subject property is Medium Density A (MDA-R). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan, as follows:

#### **Land Use Element 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.

**Objective 1.24 Topographic Resources:** 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.

#### **Policies:**

- B. Lands considered to possess significant natural topographical features shall be preserved and integrated into project designs. Such lands include natural slopes of twenty percent or more with a minimum elevation differential of 50 feet; major canyons and/or watercourses; significant rock outcroppings, trees, and native vegetation.
- D. The term "natural slope" shall also apply to any man-made or altered slope which, over a period of years, re-vegetation and/or erosion has made indistinguishable from the natural terrain.
- E. Structures shall be designed to adapt to hillside conditions.
- H. Slopes shall be rounded and contoured to blend with the existing topography, unless on an individual site this practice would diminish open space or significant natural features of the site
- S. The clustering of residential units to preserve natural topographic features shall be encouraged provided: (1) It has been clearly and distinctly demonstrated that the residential cluster provides the most appropriate design to ensure preservation of the topographic resources. (3) The dwelling units of the residential cluster are consistent with the land use designation. (4) The common open areas are well integrated within the boundaries of the residential cluster and provide equitable access to all residents.

The site design proposes locating many of the units in areas with reduced slope (less than 20 percent slope) and the applicant has reduced the project's impact to significant topographic features by eliminating one unit. The proposed clustering of units reduces impacts to "lands considered to possess significant natural topographical features." The proposed 16 dwelling unit development is below the MDA-R base density of six dwelling units per gross acre. The proposed tot-lot location is accessible to all of the units. Generally, the grading of existing slopes would create rounded contours that blend with the existing topography.

Objective 1.25 Undevelopable Lands: To enhance the community welfare and increase public safety through: (1) preservation of significant natural resources, or (2) the provision of adequate building setbacks from natural hazards; and to ensure that the proposed development on the developable area of a site is compatible with surrounding developments within the same land use designation.

Policies:

- A. Lands considered undevelopable shall be unbuildable and shall not be included in density calculations that define the development potential on a site. Undevelopable lands include slopes in excess of 40 percent with a minimum elevation differential of 25 feet ... ..
  
- C. The following criteria governs the applicability of 1.25 Undevelopable Lands: (7) Parcels of land which become virtually undevelopable as a result of applying these development potential policies may, at the discretion of the Planning Commission or City Council as applicable, be granted an exception to the strict adherence of these policies through one of the following methods: (b) An exception from, or a modification to the specific requirements of these policies may be granted upon a finding that (1) such exception or modification fulfills the overall objective, purpose, and intent of these policies, and (2) the exception or modification demonstrates a superior and more compatible relationship to pre-existing surrounding uses and the MDA-R land use category.

The applicant requests that the Planning Commission grant an exemption from hillside provisions because the proposed site design demonstrates a superior and more compatible relationship to pre-existing surrounding uses and the MDA-R land use category. The site design includes clustering 16 detached dwelling units to one area of the 3.35-acre site. The development would include extensive landscaping to alleviate the visible bulk of the structures, obscure views of roof areas, and reduce views of the backyards from Rancho del Oro Drive. The proposal incorporates a tot-lot park for the enjoyment of future residents and provides for guest parking on one side of the private

drive. The surrounding uses are multi-family condominium units to the south and north; single-family and age-restricted units to the east; and residential to the west of Rancho del Oro Drive. The proposed detached, multi-family development complements the surrounding land uses. As such the proposed 16 residential units and the proposed tentative subdivision map complies with Community Development Land Use Goal and its Objectives 1.24 and 1.25.

## 2. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article IV Tentative subdivision maps - five or more parcels). Pursuant to Section 401 of the Subdivision Ordinance, this proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Department. The property is a legally subdivided lot with the minimum lot area and dimensions established by Article 10 of the Zoning Ordinance. The proposed subdivision generally holds an interest in common areas and facilities.

## 3. Zoning Ordinance Compliance

This project is located in the Medium Density A Residential (RM-A) District and complies with the requirements of that zone. The project site is subject to Articles 10 and 30, including Section 3039 Hillside Development Provisions (see Table 3).

**Table 3: Section 3039.E Hillside Development Regulations**

<b>Regulation</b>	<b>Proposed</b>
<b>Lands not to be developed</b> pursuant to 3039.E (A)	Slope analysis identifies the location of slopes in excess of 40 percent with a minimum elevation differential of 25 feet (refer to the Slope Analysis Legend on page 4 of the TM).
<b>Lands considered to possess significant natural topographical features</b> pursuant to 3039.E (R)	Slope analysis identifies the location of natural slopes of 20 percent or more with a 50 feet minimum elevation differential. (This area is colored grey on sheet 4 of the TM.)
<b>Minimum lot area</b> is 5,000 square-feet or 0.11 acre	3.24 net developable acres
<b>Minimum lot area per unit</b> is 6,000 square-feet or 0.14 acre per unit	0.21 acre per unit 4.94 dwelling units per net developable acre
<b>Minimum front yard</b> is 15 feet	85 feet from front property line
<b>Minimum side yard</b> is 20 feet	35 feet from southern property line and 29 feet from northern property line
<b>Minimum rear yard</b> is ~10 feet	66 feet from easterly property line
<b>Maximum structural height</b> is 30 feet from existing grade	29.83 feet from grade

<b>Regulation</b>	<b>Proposed</b>
<b>Grading limitations</b> pursuant to 3039.E (J)(Q)	(J) The approximate length of the proposed two parallel retaining walls is 600 lineal feet. These walls would establish the toe of an alteration to the existing contours of land. (Q) Proposed cut and fill grading quantities (7,436 cubic yards) are less than the requirement (when remedial grading is excluded).
<b>Building design</b> pursuant to 3039.E (L)	Use of flatland building styles requires Planning Commission approval. Flat roofs are an aspect of the project design.
<b>Visible bulk</b> pursuant to 3039.E (L)(M)	Planning Commission may find that the proposed design and landscape plan minimizes the bulk visible from public streets and the structures are in reasonable harmony with the character of the area.
<b>Screening of mechanical equipment</b> pursuant to 3039.E (N)	Proposed building parapets to screen rooftop mechanical equipment
<b>Driveways and off-street parking</b> pursuant to 3039.E (P)	Required parking for guests is located within 100-feet of the dwelling unit they are intended to serve.

The proposal complies with the required yards, parking, screening of mechanical equipment, and maximum height limitations of the Zoning Ordinance. Each unit is proposed to have two enclosed parking spaces and conditions of approval address concerns regarding the potential to block the sidewalk by prohibiting obstructions in this area. The required number of guest parking spaces is five. Ten guest parking spaces are proposed along one-side of the private road.

The proposal includes 25,460 cubic yards of cut and 8,730 cubic yards of fill. The grading quantities proposed are 7,436 cubic yards per acre (or 7,600 cubic yards per acre with the inclusion of remedial grading quantities). Section 3039.E(Q) states that "the amount of hillside grading shall be limited to 7,500 cubic yards per acre or less. A reduced amount of grading shall be encouraged wherever possible."

The Planning Commission may grant the following exceptions to the regulations by finding that the proposed site design and landscape plan minimize the bulk visible from public streets and the structures are in reasonable harmony with the character of the area:

1. *Construction on lands with significant natural topographical features:* The submitted slope analysis identified that a large area of the site includes natural slopes of 20 percent or more with a 50 feet minimum elevation differential. These lands are, by definition, considered to possess significant natural topographical features. The applicant proposes to locate Units 2 through 8 in this area.

2. *Manufacturing slopes exceeding 40 feet in length:* The project includes the construction of two parallel retaining walls that are horizontally separated by approximately 10 feet. These proposed wall footings are easterly of the proposed development. Generally, these retaining walls heights are four or five feet and are

proposed to be plantable walls. The retaining walls would create a new toe to the newly contoured slope above. These walls are designed to meander and would be curvilinear. The overall linear length of the walls exceed 400 feet (approaching 600 feet), but this measurement includes the southern retaining wall segment of ~200 feet and the northern segment of ~80 feet. Landscaping is proposed between the two retaining walls and on the slope above.

3. *Use of flatland building styles and flat roofs:* On portions of the site where slopes are 20 percent or greater, conventional flatland building styles are to be avoided. Alternative building styles are encouraged, including split level construction. The dominate roof slope shall substantially follow the slope of the natural grade. Flat roofs should be avoided. Each unit would be constructed on a flat building pad. The applicant proposes to locate solar panels on the roof and feels that a flat roof pitch provides the best opportunity to capture solar energy. Views of the solar panels would be obstructed by proposed building parapets. The structures would appear to have a flat roof from the street level.

4. *Visible bulk:* The proposed conceptual landscape plan minimizes views of the sixteen units. Views from Rancho del Oro Drive would include trees and shrubs planted on the slopes between the street and the development. Landscaping in this area would obscure views of the proposed private yards and residences. Views from the east and the Costa Serena Subdivision would not be substantially reduced because the proposed building elevation and locations were selected to minimize impacts to Costa Serena residents' view of the ocean. But the easterly slopes of the project are proposed to be landscaped with trees and shrubs. This slope landscaping would obscure the Costa Serena Unit #6 (lots directly abutting the project site) residents' views of the proposed 16 unit development.

## **ENVIRONMENTAL DETERMINATION**

The proposed project could result in potentially significant impacts, all of which can be mitigated, to the following environmental resources: aesthetics, biological resources, cultural resources, hydrology/water quality, noise, and geology and soils. A Mitigated Negative Declaration was prepared with mitigation measures pursuant to the provisions of the California Environment Quality Act (CEQA). The following technical reports were distributed with the Initial Study: Vista Pacific Residential Project Traffic Impact Analysis dated February 29, 2008; Preliminary Drainage Report for Vista Pacific dated July 20, 2007; Biological Resources Survey, Mira Pacific Property dated April 20, 2006; *Brodiaea filifolia* Survey, Mira Pacific Property dated August 3, 2006; and Mira Pacific Archaeological Constraints Study dated April 18, 2006.

The City Planner advertised a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for 30 days commencing on April 7, 2008 and ending on May 7, 2008. Comments were received from the following: (Letter A) Governor's Office of Planning and Research, (Letter B) US Fish and Wildlife Service and Department of Fish and

Game, (Letter C) Native American Heritage Commission, (Letter D) San Luis Rey Band of Mission Indians, (Letter E) Preserve Calavera and (Letter F) from Mr. Bob Drew. The comments received and staff's responses to the comments are attached herein. (Each correspondent received a response to their comments on the MND).

In response to comments received, the location of the *Brodiaea filifolia* was surveyed during May, 2008 and the minimum distance between the plant and built environs was increased to 40 and 46 feet. One residential unit was eliminated and another was re-oriented to accommodate the change in the minimum setback from the brodiaea.

The MND notice and Initial Study are attached herein. Prior to any action on T-6-06 and D-9-06 Vista Pacific, it is necessary for the Planning Commission to review and adopt the Mitigated Negative Declaration as having been prepared in accordance with CEQA. Staff is recommending that the Mitigated Negative Declaration be adopted.

### **PUBLIC NOTIFICATION**

Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1,500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant.

Correspondence was received from Mr. Ronald Thompson, Mr. Bob Drew (twice), Ms. Barbara Henderson, and Ms. Christa Sherrod. During March, 2008, I received telephone calls from Ms. Lola Juris, Ms. Beverly Riasin, and Ms. Di Devine. Staff received mixed comments from the public; some support the scope of the project and others are hesitant to endorse the proposal.

### **SUMMARY**

In summary, staff finds that the Tentative Map (T-6-06) and Development Plan (D-9-06) are consistent with the land use policies of the General Plan, the requirements of the Subdivision Ordinance and the Zoning Ordinance. The project meets all applicable development standards. The site design and land use is compatible with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached draft resolution. Staff recommends that the Planning Commission:

- Move to adopt the Mitigated Negative Declaration, and associated findings and mitigation monitoring and reporting program and adopt Planning Commission Resolution No. 2009-P06; and,

- Move to approve Tentative Subdivision Map (T-6-06) and Development Plan (D-9-06) by adopting Planning Commission Resolution No. 2009-P11.

PREPARED BY:

SUBMITTED BY:



Juliana von Hacht  
Associate Planner



Jerry Hittleman  
City Planner

JH/JH/fil

Attachments:

1. Tentative Subdivision Map, Slope Analysis, Development Plan, Conceptual Landscape Plans
2. Planning Commission Resolution 2009-P06
3. Planning Commission Resolution 2009-P11
4. Notice of Intent to Adopt a Mitigated Negative Declaration, Initial Study
5. Response to comments on the Mitigated Negative Declaration
6. Public comments on the proposed project

Received by: holly  
via: hand delivered  
Copy to: George Buell, Jerry  
Hittleman, Clerk, Juliana

ATTACHMENT 6  
RECEIVED

MAR 02 2009

OCEANSIDE CITY CLERK

**ACCEPTANCE OF APPEAL**  
(OFFICE USE ONLY)

Appeal of: Vista Pacific Planning Commission Res 2009-P11 ✓

Date of Final Action: 2-23-09 Date Filed: 3-2-09 Res 2009-P06

Form of Appeal: \$820 Appeal Fee \_\_\_\_\_ Petition \_\_\_\_\_

Person Submitting Appeal: Mee Plevine

Company/Developer Representative, Company Name: \_\_\_\_\_

Name of Person who Prepared the Appeal: Costa Serena

Senior Cons. Mee Plevine & Nancy Porter

Name of Spokesperson for the Appeal: Mee Plevine

Address: 3260 Calle Osuna

Phone Number: 760-7213456

E-mail and/or Fax: nancy-porter@att.net

Appeals must be filed within 10 days of the date of final action. **Section 4604:** To appeal by petition for a waiver of the appeal fee, the appeal must be accompanied by the signatures of 50% of the property owners within the noticed area or 25 signatures of the property owners or tenants within the noticed area, whichever is less.

I hereby certify that this appeal is being submitted in accordance with the Zoning Ordinance and meets the criteria specified in Section 4604 for an appeal by petition.

Signature: Debra N. Plevine

Date: 3-2-09

VISTA PACIFIC PROJECT  
APPEAL

WE, residents living within the area of the Proposed Vista Pacific project, which was approved by the City of Oceanside Planning Commission on February 23, 2009 by a vote of 4-2-1, do hereby appeal the Planning Commission's split decision. We ask that our City Council review this project and further that our City Council Members vote AGAINST this project.

We appeal the adoption of the Mitigated Negative Declaration; we feel that the project will have a significant effect on the environment. We also appeal Tentative Subdivision Map T-6-06, Development Plan D-9-06, and Planning Commission Resolution No. 2009-P11, including all findings.

The grounds for our appeal are as follows:

We believe the project, which is to be constructed on "undevelopable land," will have significant immitigable effects on the environment. The land is too steep for development, subject to sliding, and is in violation of the City of Oceanside's Hillside Development Regulations. We feel that the City should not waive the Hillside Development Regulations, as the regulations were created to protect us, residents, and the City of Oceanside.

The development is too intense; it has inferior architecture, including flat roofs. Over and over it was said that the landscaping would "hide" the project, proof that the architecture, mass, height and density are unacceptable and inferior. There is just too much concrete! We are also very concerned that access will someday be made into Costa Serena.

In summary, we feel that the findings and decisions of the Planning Commission are unsupported by the facts. We wish to have the City Council review the entire project anew and further that our City Council reject the project in its current configuration. Thank you!

<u>NAME</u>	<u>ADDRESS</u>
1. <u>DeLoris Deveni</u>	<u>3260 Calle Osuna, Oceanside</u>
2. <u>Nancy Porter</u>	<u>3301 Buena Hills Dr, Oceanside</u>
3. <u>Tom GRAY</u>	<u>3201 BUENA HILLS DR, OCEANSIDE</u>
4. <u>Hills Klein</u>	<u>3586 NINA ST. O'side, CA 92056</u>
5. <u>Susan R. Hen</u>	<u>3271 ANCHOR CR. O'SIDE 92056</u>

NAMEADDRESS

6. Richard F. Ruff 3271 ANCHOR CIRCLE, O'SIDE, CA 92056
7. Raymond Doll 3641 MIRAPACIFIC O'SIDE "
8. John H. Drew 3185 BUENA HILLS DR O'SIDE "
9. Ben. Reuser 3529 ~~San~~ Santa Monica Oceanside 92056
10. Virginia Wortham Shakerjan 3579 Mira Pacific, Oceanside
11. Phil Hanson 3295 Buena Hills Dr. Oceanside 92056
12. Lillian Bay 3201 Buena Hills Dr. Oceanside 92056
13. Catherine Thompson 3295 Buena Hills, Oceanside 92056
14. Violet Smoger 3542 Mira Pacific Dr Oceanside 92056
15. Pureen Mc Gee 3299 Buena Hills Dr. Oceanside CA 92056
16. Paul White 3299 Buena Hills Dr. Oceanside CA 92056
17. Ella Garrison 3231 Calle Santa Oceanside 92056
18. Christie L. Hines 3615 Freusel Circle Oceanside 92056
19. Rosalva Gonzalez 3513 Santa Maria St Oceanside 92056
20. John Ruppel 3156 Calle Santa Oceanside 92056
21. Russell E. Kay 3270 ANCHOR CIRCLE O'SIDE 92056
22. Hubert Russel 3721 NORTH WAY, OCEANSIDE 92056
23. Evelyn F. Kay 3270 Anchor circle Oceanside 92056
24. Earl Sargent 3558 Santa Maria Oceanside 92056
25. Dorothy Berresford 3133 Buena Hills Dr 92056

- 26 Ann Evans  
27 3558 Santa Maria St Oceanside 92056
- 28 JOAN CARTWRIGHT. 3285 ISABELLA DR. Oceanside
- 29 Kurt P. Wieland 3364 Buena Hills Dr. Oceanside
- 30 BELLE Teuben 3646 Mira Pacific Dr. Oceanside
- 31 ANDRE H TEUBEN 3648 MIRA PACIFIC DR. OCEANSIDE
- 32 Richard H Caldwell 3195 Calle Buena Buena Oceanside
- 33 MARILYN S. DAVEY 3195 CALLE BUENA, O'SIDE, CA  
3521 SANTA MARINA S O'SIDE
- 34 AIGNE L. OTTO
- 35 Paphine Hendry 3670 Seaflower Lane, Oceanside 92056
- 36 Ruth Hartung 3599 NINA ST., OCEANSIDE, 92056
- 37 Earl Hendry 3670 Seaflower Lane Oceanside 92056
- 38 Karu Helbe 3665 Mira Pacific Drive, Oceanside 92056
- 39 Jean Glenn 3047 Mira Pacific Drive Oceanside CA 92056
- 40 Carol LeDill 3243 Buena Hills Dr Oceanside, CA 92056
- 41 Kathy Christy 3552 Mira Pacific Dr Oceanside, CA 92056
- 42 Bob Chitty 3552 Mira Pacific Dr Oceanside Ca 92056
- 43 Elena Goa 3309 Buena Hills DR O'SIDE CA 92056
- 44 Carol F. Ridgway 3325 Buena Hills Dr. Oside Ca. 92056
- 45 Carol F. Ridgway 3317 Buena Hills Dr. Oside Ca. 92056
- 46 Pat Federman 3333 Buena Hills Dr. Oside Ca. 92056
- 47 Gloria S. Vagney 3340 Buena Hills Dr O'Side 92056
- 48 John Lesate 3332 Buena Hills Dr. O'Side
- 49 Helen Sewell 2307A Carinaga Way Carlsbad, Ca. 92008
- 50 John Krossin 2525 Cedar Bridge Way Carlsbad Ca. 92010