

# AGENDA NO. 3

PLANNING COMMISSION  
RESOLUTION NO. 2011-P25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DENYING A REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

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APPLICATION NO: RC11-00004  
APPLICANT: John MacDonald  
LOCATION: 1639 S. Pacific Street

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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 Regular Coastal Permit under the provisions of Articles 5 & 17 of the Zoning Ordinance of the City of Oceanside to permit the following:

the conversion of an existing west facing open second story balcony to living space by enclosing the balcony;  
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day of August, 2011, conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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

FINDINGS:

For the Regular Coastal Permit:

1. To allow an existing second story open front balcony to be enclosed at an existing residence 1639 South Pacific Street is not consistent with the land use policies of the Local Coastal Program as implemented through the Zoning Ordinance. Specifically, the physical aspects of the project are not consistent with existing development on neighboring sites and approving the balcony enclosure will create front elevation that

1 would set a precedence that would be detrimental to massing of building views along  
2 Pacific Street.

3 2. The proposed improvements will not obstruct any existing, planned, or required public  
4 beach access; therefore, the project is in conformance with the policies of Chapter 3 of  
5 the Coastal Act.

6 3. The project will not result in the loss of any on-street public parking spaces, as the 82-  
7 square foot open patio conversion to living space would be within the existing foot print  
8 of the existing home and it will not trigger additional parking or take away from the  
9 existing parking fronting the project site.

10 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
11 deny Regular Coastal Permit (RC11-00004).

12 PASSED on August 8, 2011 by the following vote, to wit:

13 AYES: Rosales, Neal, Ross

14 NAYS: Balma, Martinek, Troisi, Scrivener

15 ABSENT: None

16 ABSTAIN: None

17 ADOPTED Resolution No. 2011-P25 on September 19, 2011.

18  
19 \_\_\_\_\_  
20 Tom Rosales, Chairperson  
21 Oceanside Planning Commission

22 ATTEST:

23 \_\_\_\_\_  
24 Jerry Hittleman, Secretary

25 I, Jerry Hittleman, Secretary of the Oceanside Planning Commission, hereby certify that this is a  
26 true and correct copy of Resolution No. 2011-P25.

27 Dated: September 19, 2011

**LEGAL DESCRIPTION**

**Lots 29 and 30 in Block E of Ocean Front Addition in the City of Oceanside, in the County of San Diego, State of California, according to map thereof No. 909 filed in the office of County Recorder of San Diego, June 8, 1904.**

**RECEIVED**  
**FEB 16 2006**  
Planning Department



**NOTICE OF EXEMPTION**  
City of Oceanside, California

Post Date:  
Removal:  
(180 days)

1. **APPLICANT:** John MacDonald
2. **ADDRESS:** 1639 S. Pacific Street
3. **PHONE NUMBER:** (818) 846-7941
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** RC11-00004 ( MacDonald Addition)
7. **DESCRIPTION:** The project involves enclosing an existing 64-square foot second floor balcony to enable additional den space. The balcony conversion to living space would be designed with materials and colors consistent with those of the existing residence.

**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on this review, the Environmental Coordinator has determined that further environmental evaluation is not required because:

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

  
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Scott Nightingale, Planner II

Date: July 11, 2011

cc:  Project file  Counter file  Library Posting:  County Clerk \$50.00 Admin. Fee