

AGENDA NO. 6

DEVELOPMENT SERVICES DEPARTMENT/ PLANNING DIVISION

MEMORANDUM

DATE: October 24, 2011

TO: Chairperson and Members of the Planning Commission

FROM: Jerry Hittleman, City Planner 

SUBJECT: **MUDGE RESIDENCE (RC11-00014, REV. RC-2-08) MODIFYING CONDITIONS OF APPROVAL AND ADDING REVETMENT FINIDINGS BASED UPON A REVISED COASTAL HAZARD WAVE RUN UP ANALYSIS ASSOCIATED WITH PLANNING COMMISSION RESOLUTION 2009-P49.**

On November 2, 2009, the Planning Commission held a public hearing on the proposed Mudge Residence project. The project included the demolition of an existing 997-square foot single-story home and construction of a new 3,143-square foot two-story home on property located at 1721 S. Pacific Street. The project site is located within the Coastal Zone and within the appeal jurisdiction of the California Coastal Commission. At the time the project went through entitlement processing, Planning Staff recommended approval of the project and the Planning Commission took action to approve the project based upon findings and subject to conditions of approval. Staff concluded the following findings of fact for consistency with the City's Local Coastal Program (LCP) and established the findings within PC Resolution 2009-P49:

For the Regular Coastal Permit (RC-2-08):

1. The proposed single-family home conforms to the Local Coastal Program (LCP), including the policies of that plan; as implemented through the Zoning Ordinance. Specifically, the project will not substantially alter or impact existing public views of the coastal zone area and the physical aspects of the project are consistent with the properties neighboring the project site.

2. The proposed single-family residence will not obstruct any existing, planned, or required public beach access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act. The residence is constructed similar in height and bulk to other single-family residences within the 1700 block of South Pacific Street recently approved by the Planning Commission. There is public beach access within 300 feet of the existing project site.
3. The project site is situated within the appeal area of the LCP and conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. The 1700 block of South Pacific Street is 450 feet in length. This adequately satisfies the requirement that every 500 feet public beach access be accommodated. Public access is provided at Cassidy Street and between the properties at 1639 and 1643 South Pacific Street.

The California Coastal Commission staff exercising their authority to call a project up on appeal, brought Regular Coastal Permit (RC-2-08) in front of the full California Coastal Commission and determined that the City's action to approve the subject project without Revetment Findings of Fact was incorrect and not consistent with the City's obligatory requirements for implementing the Local Coastal Program. The primary issue was that plans submitted for review and approval included modifications and maintenance to the existing shore protection "Revetment" consisting of off site quarry stone. The potential impacts associated with wave run up, coupled with the proposed modifications to the revetment requires additional findings referred to as, "Revetment Findings" as part of the City's action to approve the project. These findings were inadvertently overlooked; subsequently, requiring that the previous approved plans be revised and reviewed prior to the California Coastal Commission signing off on the improvements and/or dropping the appeal.

Subsequent to the appeal by the Coastal Commission, the Engineer of record re-evaluated the existing revetment in conjunction with the approved single-family residence; as well as, an addendum to the Coastal Hazard Wave Run Up Report and further amended the original conclusions and recommendations to attest that the revetment is not in need of modification and or maintenance as proposed on the originally approved plans. Due to these new findings, staff has determined that the action of the Planning Commission should be to modify PC Resolution 2009-P49 by creating a new PC Resolution that conditions the projects original approvals in a manner that makes all proposed modifications and maintenance of the revetment as denoted on plan as being null and void, and establishing a finding that the proposed single-family residence proximity to the Pacific Ocean coupled with the height of the existing revetment will not pose an imminent hazard to the structure and is consistent with the intent of the LCP.

Since the original Resolution for the project was for approval, staff has revised the Findings and for the project, including the Following Revetment Finding:

- Based upon the revision to the proposed development, the Finished Floor (FF) elevation of the proposed structure is +18 MSL. This is above any flooding and wave run-up potential based upon the Updated Coastal Hazard Study & Wave Run-up Study dated

June 21, 2011. Based upon this information there is no need for any improvement or necessity to raise the existing elevation of the existing revetment. Additional shore protection, other than normal maintenance, with not be required over the 75-year life of the structure.

Attached for consideration by the Commission is a new resolution and language that shows that all conditions of approval associated with Planning Commission Resolution No. 2009-P49 have been carried over to the new PC Resolution No. 2011-Pxx, and the following Condition of Approval was added: “Plans reviewed and approved as part of RC-2-08 and illustrating proposed modifications and maintenance of the existing shoreline protection revetment are hereby modified in a manner that now deems any proposed action to the existing revetment null and void based upon this approval.”

Attachments:

1. Planning Commission Resolution No. 2011-P36
2. Planning Commission Resolution No. 2009-P49
3. Update for Coastal Hazard Study & Wave Run Up Study Dated June 21, 2011
4. Planning Commission Staff Report dated March 8, 2010

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PLANNING COMMISSION
RESOLUTION NO. 2011-P36

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

APPLICATION NO: RC11-00014 Rev. RC-2-08
APPLICANT: Ken & Leora Mudge
LOCATION: 1721 South Pacific Street

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 10, and 40 of the Zoning Ordinance of the City of Oceanside to permit the following:

addition of a revetment finding that that illustrates proposed modifications and maintenance of the existing shoreline protection revetment is not required as part of the original approval of plans associated with Regular Coastal Permit (RC-2-08) that allowed for the demolition of an existing single-family residence and construction of a new two-story 3,143-square foot residence with two car garage;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 24th day of October, 2011 conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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

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

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<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 (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG).
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,597 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 \$6,313 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 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;

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside

1 City Code and the City expressly reserves the right to amend the fees and fee calculations
2 consistent with applicable law;

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

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

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

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

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

16 FINDINGS:

17 For the Regular Coastal Permit (RC11-00014 Rev. RC-2-08):

- 18 1. The proposed single-family home conforms to the Local Coastal Program (LCP),
19 including the policies of that plan; as implemented through the Zoning Ordinance.
20 Specifically, the project will not substantially alter or impact existing public views of
21 the coastal zone area and the physical aspects of the project are consistent with the
22 properties neighboring the project site.
- 23 2. The proposed single-family residence will not obstruct any existing, planned, or
24 required public beach access; therefore, the project is in conformance with the policies
25 of Chapter 3 of the Coastal Act. The residence is constructed similar in height and bulk
26 to other single-family residences within the 1700 block of South Pacific Street recently
27 approved by the Planning Commission. There is public beach access within 300 feet of
28 the existing project site.
29

1 3. The project site is situated within the appeal area of the LCP and conforms to the public
2 access and recreation policies of Chapter 3 of the Coastal Act. The 1700 block of South
3 Pacific Street is 450 feet in length. This adequately satisfies the requirement that every
4 500 feet public beach access be accommodated. Public access is provided at Cassidy
5 Street and between the properties at 1639 and 1643 South Pacific Street.

6 4. Based upon the revision to the proposed development, which has the Finished Floor
7 (FF) elevation of the proposed structure at +18 MSL which is above any flooding and
8 wave run-up potential based upon the Updated Coastal Hazard Study & Wave Run-up
9 Study dated June 21, 2011, there is no need for any improvement or necessity to raise
10 the existing elevation of the existing revetment. Additional shore protection, other than
11 normal maintenance, will not be required over the 75-year life of the structure and
12 conforms to the Local Coastal Program (LCP), including the policies of that plan; as
13 implemented through the Zoning Ordinance.

14 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
15 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California
16 Environmental Quality Act and approve Regular Coastal Permit (RC11-00014 Rev. RC-2-08)
17 subject to the following conditions:

18 **Building:**

- 19 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
20 Building Division plan check (Currently the 2007 California Building Code, and 2007
21 California Electrical Code).
- 22 2. The granting of approval under this action shall in no way relieve the applicant/project
23 from compliance with all State and Local building codes.
- 24 3. The building plans for this project are required by State law to be prepared by a licensed
25 architect or engineer and must comply with this requirement prior to submittal for building
26 plan review.
- 27 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the
28 property shall be underground (City Code Sec. 6.30).
- 29 5. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
plans.

- 1 6. 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, and
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 7. Separate/unique addresses will 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 8. 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 9. A Building (Demo) Permit will be required for the demolition of any existing structures.
23 Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water, &
24 sewer) are properly terminated/capped in accordance with the requirements of the utility
25 service provider. All/any underground septic or water storage tanks must be removed or
26 filled in accordance with the Uniform Plumbing Code and/or the City's Grading
27 Ordinance.
- 28 10. As part of your plan check submittal for a Building Permit, submit a "plat" drawing
29 showing the first floor elevations for each segment, the locations of the points where the
floor level is six feet above grade, and the lowest elevation within five feet from the
building for each segment or property line.

- 1 11. Setbacks and Type of Construction must comply with the 2007 California Building Code.
2 Exterior openings less than five feet from the property line must be protected per table
3 704.8 of the CBC. Exterior walls less than five feet to the property line must be one hour
4 rated per Table 602 of the CBC.
- 5 12. All wired glass windows or doors between three and five feet from the property line must
6 meet requirements of the new 2007 California Building Code table 715.5 and 715.5.3.
- 7 13. Building levels below grade (on all sides) shall be provided with a mechanical drainage
8 system that provides drainage to an approved location/receptor.

9 **Fire:**

- 10 14. The size of fire hydrant outlets shall be 2 ½ "X 4".
- 11 15. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the
12 site plan.
- 13 16. Single-family dwellings require four-inch address numbers.
- 14 17. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval
15 prior to the issuance of building permits.
- 16 18. Buildings shall meet Oceanside Fire Department's current codes at the time of building
17 permit application.
- 18 19. Provide a 13R fire sprinkler system. The system shall be designed per N.F.P.A. 13R and
19 U.B.C. Standard 9-3, Installation of Sprinklers Systems in Residential Occupancies up to
20 and including four stories in height.
- 21 20. In accordance with the Uniform Fire Code Sec. 901.1.4, approved addresses for residential
22 occupancies shall be placed on the structure in such a position as to be plainly visible and
23 legible from the street or roadway fronting the property. Numbers shall contrast with their
24 background.
- 25 21. Future development of the property will require compliance with all applicable Fire
26 Department standards.
- 27 22. A minimum fire flow of 1500 gallons per minute shall be provided.
- 28 23. Fire Department requirements shall be placed on the plans and in the note section of the
29 plans.

1 **Engineering:**

2 24. This project involves demolition of an existing structure; an erosion control plan shall
3 be submitted and approved by the City Engineer before issuance of any demolition
4 permit. No grading operation shall be allowed in conjunction with the demolition
5 operation without an approved grading plan. No demolition shall be permitted without
6 an approved erosion control plan.

7 25. All right-of-way alignments, exact geometrics and widths shall be constructed or
8 replaced as required by the City Engineer.

9 26. Design and construction of all improvements shall be in accordance with the City of
10 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
11 engineering and specifications of the City of Oceanside and subject to approval by the
12 City Engineer.

13 27. Prior to issuance of a building permit all public improvement requirements shall be
14 covered by a development agreement and secured with sufficient improvement
15 securities or bonds guaranteeing performance and payment for labor and materials,
16 setting of monuments, and warranty against defective materials and workmanship.

17 28. Where proposed off-site improvements, including but not limited to public utility
18 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
19 own expense, obtain all necessary easements or other interests in real property and shall
20 dedicate the same to the City of Oceanside as required. The owner/developer shall
21 provide documentary proof satisfactory to the City of Oceanside that such easements or
22 other interest in real property have been obtained prior to issuance of any grading
23 permit for the development. Additionally, the City of Oceanside, may at its sole
24 discretion, require that the owner/developer obtain at his sole expense a title policy
25 insuring the necessary title for the easement or other interest in real property to have
26 vested with the City of Oceanside or the owner/developer, as applicable.

27 29. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
28 neighborhood meeting with all of the area residents located within 300 feet of the
29 project site, to inform them of the grading and construction schedule, and to answer
questions.

1 30. 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
7 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
8 engineering related construction activities shall be conducted on Saturdays,
9 Sundays or legal holidays unless written permission is granted by the City
10 Engineer with specific limitations to the working hours and types of permitted
11 operations. All on-site construction staging areas shall be as far as possible
12 (minimum 100 feet) from any existing residential development. Because
13 construction noise may still be intrusive in the evening or on holidays, the City
14 of Oceanside Noise Ordinance also prohibits "any disturbing excessive or
15 offensive noise which causes discomfort or annoyance to reasonable persons of
16 normal sensitivity."

17 c) The construction site shall accommodate the parking of all motor vehicles used
18 by persons working at or providing deliveries to the site. An alternate parking
19 site can be considered by the City Engineer in the event that the lot size is too
20 small and cannot accommodate parking of all motor vehicles.

21 d) The owner/developer shall complete a haul route permit application (if required
22 for import/export of dirt) and submit to the City of Oceanside Engineering
23 Department forty eight hours (48) in advance of beginning of work. Hauling
24 operations (if required) shall be 8:00 a.m. to 3:30 p.m. unless approved
25 otherwise.

26 e) It is the responsibility of the owner/developer to evaluate and determine that all
27 material as defined by the City and the County of San Diego Department of
28 Environmental Health. Exported or imported soils shall be properly screened,
29 tested, and documented regarding hazardous contamination.

31. A traffic control plan shall be prepared according to the City traffic control guidelines
and approved to the satisfaction of the City Engineer prior to the start of work within

1 the public right-of-way. Traffic control during construction of streets that have been
2 opened to public traffic shall be in accordance with construction signing, marking and
3 other protection as required by the Caltrans Traffic Manual and City Traffic Control
4 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
5 approved otherwise.

6 32. Approval of this development is conditioned upon payment of all applicable impact fees
7 and connection fees in the manner provided in chapter 32B of the Oceanside City Code.
8 All traffic signal fees and contributions, highway thoroughfare fees, park fees,
9 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
10 the issuance of any building permits, in accordance with City Ordinances and policies.

11 33. Sight distance requirements at the project driveway shall conform to the corner sight
12 distance criteria as provided by SDRSD DS-20A and or DS-20B. The private driveway
13 alignments and geometric layouts shall meet the City of Oceanside Engineers Design
14 and Processing Manual.

15 34. Pavement sections and improvements for Pacific Street and the private driveway shall
16 be based upon approved soil tests and traffic indices. The pavement design is to be
17 prepared by the owner/developer's soil engineer and must be in compliance with the
18 City of Oceanside Engineers Design and Processing Manual and be approved by the
19 City Engineer, prior to paving.

20 35. Prior to approval of the grading plans, the owner/developer shall contract with a
21 geotechnical engineering firm to perform a field investigation of the existing pavement
22 on South Pacific Street adjacent to the project boundary. The limits of the study shall
23 be half-street plus 12 feet along the project's frontage. The field investigation shall
24 include one pavement boring. Should the existing pavement thickness be determined to
25 be less than the current minimum standards as set forth in the table for City of
26 Oceanside Pavement Design Guidelines in the City of Oceanside Engineers Manual, the
27 Owner/developer shall remove and reconstruct the pavement section as determined by
28 the pavement analysis submittal process detailed in the condition listed below:

- 29 a) Upon review of the pavement investigation, the City Engineer shall determine
whether the owner/developer shall: 1) Repair all failed pavement sections per
the direction of the City Engineer; or 2) Perform R-value testing and submit a

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

7 36. Any existing or damaged broken pavement, concrete curb, gutter and sidewalk during
8 construction of the project, shall be repaired or replaced as directed by the City
9 Engineer. Sidewalk shall be constructed per the ADA standards and requirements.

10 37. The owner/developer shall comply with all the provisions of the City's cable television
11 ordinances including those relating to notification as required by the City Engineer.

12 38. Drainage facilities shall be designed and installed to adequately accommodates the local
13 storm water runoff and shall be in accordance with the San Diego County Hydrology
14 and Design Manual and in compliance with the City of Oceanside Engineers Design
15 and Processing Manual to the satisfaction of 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
18 but not limited to FEMA, the U. S. Army Corps of Engineers, California Department of
19 Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water
20 Quality Control Board (including NPDES), San Diego County Health Department, prior
21 to the issuance of grading permits.

22 40. The approval of the project shall not mean that proposed grading or improvements on
23 adjacent properties (including any City properties/right-of-way or easements) is granted
24 or guaranteed to the owner/developer. The owner/developer is responsible for obtaining
25 permission to grade to construct on adjacent properties. Should such permission be
26 denied, the project shall be subject to going back to the public hearing or subject to a
27 substantial conformity review.

28 41. Prior to any grading of any part of the project, a comprehensive soils and geologic
29 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
control, and soil integrity. No grading shall occur until a detailed grading plan, to be

1 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved
2 by the City Engineer.

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

7 43. A precise grading and improvement plan shall be prepared, reviewed, secured and
8 approved prior to the issuance of any building permits. The plan shall reflect all
9 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, footprints of all
10 structures, walls, drainage devices and utility services.

11 44. Shoring is required for the construction of the proposed development. The shoring
12 design plans and structural calculations shall be submitted at the final engineering as
13 part of a grading permit. The plans and documents shall be submitted concurrently with
14 the grading plans.

15 45. Landscaping plans, including plans for the construction of walls, fences or other
16 structures at or near intersections, must conform to intersection sight distance
17 requirements. Landscape and irrigation plans for disturbed areas shall be submitted to
18 the City Engineer prior to the issuance of a grading permit and approved by the City
19 Engineer prior to the issuance of occupancy permits. Frontage landscaping shall be
20 installed prior to the issuance of any certificates of occupancy. Any project fences,
21 sound or privacy walls shall be shown on, bonded for and built from the landscape
22 plans. These features shall also be shown on the precise grading plans for purposes of
23 location only. Plantable, segmental walls shall be designed, reviewed and constructed
24 by the grading plans and landscaped/irrigated through project landscape plans. All
25 plans must be approved by the City Engineer and a pre-construction meeting held, prior
26 to the start of any improvements.

27 46. The drainage design on development plan is conceptual only. The final design shall be
28 based upon a hydrologic/hydraulic study to be approved by the City Engineer during
29 final engineering. All drainage picked up in an underground system shall remain
underground until it is discharged into an approved channel, or as otherwise approved
by the City Engineer. All public storm drains shall be shown on City standard plan and

1 profile sheets. All storm drain easements shall be dedicated where required. The
2 owner/developer shall be responsible for obtaining any off-site easements for storm
3 drainage facilities.

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

7 48. The owner/developer shall provide a copy of the title/cover page of an approved SWMP
8 with the first engineering submittal package. The SWMP shall be prepared by the
9 owner/developer's Civil Engineer. All Storm water documents shall be in compliance
10 with the latest edition of submission requirements.

11 49. Following approval of the SWMP by the City Engineer and prior to issuance of grading
12 permits, the owner/developer shall submit and obtain approval of an Operation &
13 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M
14 Plan shall include an approved and executed Maintenance Mechanism pursuant to
15 Section 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP).
16 The O&M shall satisfy the minimum Maintenance Requirements pursuant to Section
17 4.3 of the ISUSMP. At a minimum the O&M Plan shall include the designated
18 responsible party to manage the stormwater BMP(s), training program and duties,
19 operating schedule, maintenance frequency, routine service schedule, specific
20 maintenance activities, copies of resource agency permits, cost estimate for
21 implementation of the O&M Plan, a security to provide maintenance in the event of
22 noncompliance to the O&M Plan, and any other necessary elements. The
23 owner/developer shall provide the City with access to site for the purpose of BMP
24 inspection and maintenance by entering into an Access Rights Agreement with the City.
25 The owner/developer shall complete and maintain O&M forms to document all
26 operation, inspection, and maintenance activities. The owner/developer shall retain
27 records for a minimum of 5 years. The records shall be made available to the City upon
28 request.

29 50. The owner/developer shall enter into a City-Standard Stormwater Facilities
Maintenance Agreement (SWFMA) with the City obliging the owner/developer to
maintain, repair and replace the Storm Water Best Management Practices (BMPs)

1 identified in the project's approved SWMP, as detailed in the O&M Plan into
2 perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of
3 any precise grading permit and shall be recorded at the County Recorder's Office prior
4 to issuance of any building permit. Security in the form of cash (or certificate of
5 deposit payable to the City) or an irrevocable, City standard letter of credit shall be
6 required prior to issuance of a precise grading permit. The amount of the security shall
7 be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to
8 exceed a total of \$25,000. The owner/developer's civil engineer shall prepare the O&M
9 cost estimate. At a minimum, the SWFMA shall require a training program, inspection
10 and maintenance of all BMPs on an annual basis.

11 51. The SWFMA shall include a copy of executed onsite and offsite access easement and or
12 access rights necessary for the operation and maintenance of BMPs that shall be binding
13 on the land throughout the life of the project to the benefit of the party responsible for
14 the O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include
15 a copy of the O&M Plan approved by the City Engineer.

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

20 53. During final engineering design the Engineer of Record shall evaluate potential impact
21 to flood hazard areas. Elevation and flood proofing shall be in accordance with the City
22 of Oceanside Ordinance 94-03 and Federal Emergency Management Agency (FEMA)
23 requirements.

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

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

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

7 57. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
8 and Specifications for Landscape Development (latest revision), Water Conservation
9 Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the
10 maintenance of such landscaping, shall be reviewed and approved by the City Engineer
11 prior to the issuance of building permits. Landscaping shall not be installed until bonds
12 have been posted, fees paid, and plans signed for final approval. The following
13 landscaping requirements shall be required prior to plan approval and certificate of
occupancy:

14 a) Final landscape plans shall accurately show placement of all plant material such
15 as but not limited to trees, shrubs, and groundcovers.

16 b) Landscape Architect shall be aware of all utility, sewer, storm drain easement
17 and place planting locations accordingly to meet City of Oceanside
18 requirements.

19 c) All required landscape areas shall be maintained by owner. The landscape areas
20 shall be maintained per City of Oceanside requirements.

21 d) Proposed landscape species shall be native or naturalized to fit the site and meet
22 climate changes indicative to their planting location. The selection of plant
23 material shall also be based on cultural, aesthetic, and maintenance
24 considerations. In addition proposed landscape species shall be low water users
as well as meet all fire department requirements.

25 e) All planting areas shall be prepared with appropriate soil amendments,
26 fertilizers, and appropriate supplements based upon a soils report from an
27 agricultural suitability soil sample taken from the site.

28 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
29 from the sun, evapotranspiration and run-off. All the flower and shrub beds

1 shall be mulched to a 3" depth to help conserve water, lower the soil
2 temperature and reduce weed growth.

- 3 g) The shrubs shall be allowed to grow in their natural forms. All landscape
4 improvements shall follow the City of Oceanside Guidelines.
- 5 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving
6 surface is located within 6 feet of a trees trunk on site (private) and within 10
7 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5
8 feet in each direction from the centerline of the trunk, for a total distance of 10
9 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around
10 the tree's root ball is unacceptable.
- 11 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
12 obtain planning department approval for these items in the conditions or
13 application stage prior to 1st submittal of working drawings.
- 14 j) For the planting and placement of trees and their distances from hardscape and
15 other utilities/ structures the landscape plans shall follow the City of
16 Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 17 k) An automatic irrigation system shall be installed to provide coverage for all
18 planting areas shown on the plan. Low precipitation equipment shall provide
19 sufficient water for plant growth with a minimum water loss due to water run-
20 off.
- 21 l) Irrigation systems shall use high quality, automatic control valves, controllers
22 and other necessary irrigation equipment. All components shall be of non-
23 corrosive material. All drip systems shall be adequately filtered and regulated
24 per the manufacturer's recommended design parameters.
- 25 m) All irrigation improvements shall follow the City of Oceanside Guidelines and
26 Water Conservation Ordinance.
- 27 n) The landscape plans shall match all plans affiliated with the project.
- 28 o) Landscape plans shall comply with Biological and/or Geotechnical reports, as
29 required, shall match the grading and improvement plans, comply with SWMP
Best Management Practices and meet the satisfaction of the City Engineer.

1 p) Existing landscaping on and adjacent to the site shall be protected in place and
2 supplemented or replaced to meet the satisfaction of the City Engineer.

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

12 59. In the event that the conceptual landscape plan (CLP) does not match the conditions of
13 approval, the resolution of approval shall govern.

14 **Planning:**

15 60. The Regular Coastal Permit RC11-00014 Rev. RC-2-08 shall expire on October 24, 2014
16 unless implemented as required by the Zoning Ordinance.

17 70. The Regular Coastal Permit RC11-00014 Rev. RC-2-08 is granted for the following
18 purposes only:

19 a) The demolition of the existing 997-square-foot single-family home on property
20 located at 1721 South Pacific Street, and construction of a 3,143-square foot,
21 two-story over basement home, with an attached 460-square-foot two-car
22 garage. No deviation from these approved plans and exhibits shall occur without
23 Planning Commission approval. Substantial deviations shall require a revision to
24 the Regular Coastal Permit or a new Coastal Permit.

25 72. Regular Coastal Permit RC11-00014 Rev. RC-2-08 shall be called for review by the
26 Planning Commission if complaints are filed and verified as valid by the City Planner or
27 the Code Enforcement Officer concerning the violation of any of the approved
28 conditions or the project assumptions demonstrated under the application approval.

29 73. The validity of Regular Coastal Permit RC11-00014 Rev. RC-2-08 shall not be affected
by changes in ownership or tenants.

- 1 75. Regular Coastal Permit RC-2-08 that are exercised in violation of a condition of
2 approval or a provision of the Zoning Ordinance may be revoked, as provided in
3 Section 4706.
- 4 76. A request for changes in conditions of approval of a variance, or a change to the
5 approved plans that would affect a condition of approval shall be treated as a new
6 application. The City Planner may waive the requirements for a new application if the
7 changes requested are minor, do not involve substantial alterations or addition to the
8 plan or the conditions of approval, and are consistent with the intent of the project's
9 approval or otherwise found to be in substantial conformance.
- 10 77. Plans reviewed and approved as part of RC-2-08 and illustrating proposed
11 modifications and maintenance of the existing shoreline protection revetment are hereby
12 modified in a manner that now deems any proposed action to the existing revetment null
13 and void based upon this approval.
- 14 78. Regular Coastal Permit RC11-00014 Rev. RC-2-08 may be revised or renewed in
15 accordance with the provisions of the Zoning Ordinance. The application for RC11-
16 00014 Rev. RC-2-08 revision or renewal shall also be evaluated against the existing
17 land use policies and any site area and neighborhood changes.
- 18 79. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
19 harmless the City of Oceanside, its agents, officers or employees from any claim, action
20 or proceeding against the City, its agents, officers, or employees to attack, set aside,
21 void or annul an approval of the City, concerning Regular Coastal Permit (RC11-00014
22 Rev. RC-2-08). The City will promptly notify the applicant of any such claim, action or
23 proceeding against the City and will cooperate fully in the defense. If the City fails to
24 promptly notify the applicant of any such claim action or proceeding or fails to
25 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to
26 defend, indemnify or hold harmless the City.
- 27 80. A covenant or other recordable document approved by the City Attorney shall be
28 prepared by the applicant and recorded prior to the issuance of building permits. The
29 covenant shall provide that the property is subject to this resolution, and shall generally
list the conditions of approval.

- 1 81. Prior to issuance of a building permit, the applicant and landowner, shall execute and
2 record a covenant, in a form and content acceptable to the City Attorney, which shall
3 provide:
- 4 a) That the applicant understands that the site may be subject to extraordinary
5 hazard from waves during storms and from erosion and the applicants assumes
6 the liability from those hazards.
- 7 b) That the applicant unconditionally waives any claim of liability on the part of
8 the City and agrees defend and indemnify and hold harmless the City and its
9 advisors relative to the City's approval of the project for any damage due to
10 natural hazards.
- 11 82. Prior to the transfer of ownership and or operation of the site the owner shall provide a
12 written copy of the applications, staff report and resolutions for the project to the new
13 owner and or operator. This notification's provision shall run with the life of the project
14 and shall be recorded as a covenant on the property.
- 15 83. Failure to meet any conditions of approval for this project shall constitute a violation of
16 the Regular Coastal Permit RC11-00014 Rev. RC-2-08.
- 17 84. Unless expressly waived, all current zoning standards and City ordinances and policies
18 in effect at the time building permits are issued are required to be met by this project.
19 The approval of this project constitutes the applicant's agreement with all statements in
20 the Description and Justification and other materials and information submitted with
21 this application, unless specifically waived by an adopted condition of approval.
- 22 85. Side and rear elevations and window treatments shall be trimmed to match the front
23 elevations. A set of building plans shall be reviewed and approved by the City Planner
24 prior to the issuance of building permits.
- 25 86. Elevations, siding materials, colors, roofing materials and floor plans shall be
26 substantially the same as those approved by the Planning Commission. These shall be
27 shown on plans submitted to the Building Division for building permits.
- 28 87. All mechanical rooftop and ground equipment shall be screened from public view as
29 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
mechanical equipment, screen and vents shall be painted with non-reflective paint to
match the roof. All roof top surfaces shall have a non-reflective surface and mechanical

1 appurtenances shall be painted to match the roof color. This information shall be shown
2 on the building plans.

3 88. The HVAC case shall be fully enclosed and not project into a required yard or project
4 above the district's height requirement.

5 89. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or
6 earlier, so that its surface does not reflect light. Non-metallic roofing material is
7 preferred and non-reflective roofing material is required. The copper roofing shall be
8 treated to have a non-reflective surface (patina) at the time it is installed.

9 90. Lots is situated on the westerly side of the 1700 block of South Pacific Street have an
10 average front yard depth of 14 inches. The structure shall be set back from the front
11 property line a minimum of 14 inches.

12 91. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall
13 be compatible in scale with the existing development and shall not extend further
14 seaward than the line established on the Stringline Setback Map.

15 92. Fence height limitations and opacity requirements are subject to Section 1050(U) of the
16 Zoning Ordinance and required front yards. Fence materials shall be 75 percent open/
17 transparent.

18 93. All wood fences adjacent to public right-of-way, visible from the public right-of-way,
19 or facing the shore will be stained or otherwise finished with a waterproof material.

20 94. The developer's construction of all fencing and walls associated with the project shall
21 be in conformance with the approved Regular Coastal Permit. Any substantial change
22 in any aspect of fencing or wall design from the approved Regular Coastal Permit shall
23 require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

24 95. If any aspect of the project fencing and walls is not covered by an approved Regular
25 Coastal Permit, the construction of fencing and walls shall conform to the development
26 standards of the City Zoning Ordinance. In no case, shall the construction of fences and
27 walls (including combinations thereof) exceed the limitations of the zoning code, unless
28 expressly granted by a Variance or other development approval.

29 96. A minimum of 50 percent of a required yard adjoining a street shall be planting areas
and landscaped.

- 1 97. Compliance with Oceanside Zoning Ordinance 1050(T) shall be required. Fifty percent
2 of the required interior side yard shall be landscaped.
- 3 98. The project shall dispose of or recycle solid waste in a manner provided in City
4 Ordinance 13.3.
- 5 99. In the event any subsurface archaeological resources are encountered during grading or
6 construction activities, such activities in the locality of the find shall be halted
7 immediately. An archaeologist, certified by the Society of Professional Archaeologists
8 (SOPA), shall be brought in to determine the significance of the archaeological
9 resources and implement appropriate mitigations prior to recommending earthwork.
- 10 100. A letter of clearance from the affected school district in which the property is located
11 shall be provided as required by City policy at the time building permits are issued.
- 12 101. Prior to the issuance of building permits the developer or owner shall make an
13 irrevocable offer of dedication to the City of Oceanside an easement for lateral public
14 access and passive recreational use along the shoreline adjacent to this property. The
15 document shall provide that the offer of dedication shall not be used or construed to
16 allow anyone, prior to acceptance of the offer, to interfere with any rights of public
17 access acquired through a use which may exist on the property. The easement shall be
18 located along the entire width of the property line to the toe of the bluff (toe of the
19 seawall, a line 25 feet inland of the daily high water line, which is understood to be
20 ambulatory from day to day). The easement shall be recorded free of prior liens and
21 free of any other encumbrances which may affect said interest. The easement shall run
22 with the land in favor of the City of Oceanside, and is binding to all successors and
23 assignees.
- 24 102. Photo documentation of structures shall be accomplished in the following manner:
25 Format (4" X 5") to include black and white shots of all exterior elevations of the
26 cultural resource, producing archival quality negatives and contacts. Interior shots shall
27 be accomplished in the same format. Color slide photo documentation shall be
28 required, with the number of shots to be determined by a member of the OHPAC. All
29 photo documentation shall be accomplished under the direction of a designated member
of the OHPAC and to the satisfaction of the City Planner.

1 103. If the residential unit is used as vacation rental, a business license shall be obtained by
2 the owner prior to issuance of an occupancy permit.

3 **Water:**

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

8 105. The property owner shall maintain private water and wastewater utilities located on private
9 property.

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

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

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

18 109. No trees, structures or building overhang shall be located within any water or wastewater
19 utility easement.

20 110. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
21 be paid to the City and collected by the Water Utilities Department at the time of Building
22 Permit issuance.

23 //

24 //

25 //

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1 111. All new development of single-family and multi-family residential units shall include hot
2 water pipe insulation and installation of a hot water recirculation device or design to
3 provide hot water to the tap within 15 seconds in accordance with City of Oceanside
4 Ordinance No. 02-OR126-1.

5 PASSED AND ADOPTED Resolution No. 2011-P36 on October 24, 2011 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12 _____
13 Tom Rosales, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16 _____
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2011-P36 on October 24, 2011.

20 Dated: October 24, 2011

21
22 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees
23 may be required as stated herein:
24

25 _____
26 Applicant/Representative

25 _____
26 Date

RECEIVED

OCT 04 2011

CITY OF OCEANSIDE
DEVELOPMENT SERVICE

PLANNING COMMISSION
RESOLUTION NO. 2009-P49

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

APPLICATION NO: RC-2-08
APPLICANT: Ken & Leora Mudge
LOCATION: 1721 South Pacific Street

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 10, and 40 of the Zoning Ordinance of the City of Oceanside to permit the following:

demolition of an existing single-family residence and to allow for the construction of a new two story 3,143-square-foot residence with two car garage;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 2nd day of November, 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; this project has been found to be categorically exempt per Article 19 from environmental review;

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

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

///

///

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1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre).
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential.
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
10			
11	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.
12			
13	Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG).
14			
15	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 \$4,597 per unit.
16			
17	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 \$6,313 per unit.
18			
19	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.
20			
21			
22			
23			

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

28 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be
29 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside

1 City Code and the City expressly reserves the right to amend the fees and fee calculations
2 consistent with applicable law;

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

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

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

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

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

16 FINDINGS:

17 For the Regular Coastal Permit (RC-2-08):

- 18 1. The proposed single-family home conforms to the Local Coastal Program (LCP),
19 including the policies of that plan; as implemented through the Zoning Ordinance.
20 Specifically, the project will not substantially alter or impact existing public views of
21 the coastal zone area and the physical aspects of the project are consistent with the
22 properties neighboring the project site.
- 23 2. The proposed single-family residence will not obstruct any existing, planned, or
24 required public beach access; therefore, the project is in conformance with the policies
25 of Chapter 3 of the Coastal Act. The residence is constructed similar in height and bulk
26 to other single-family residences within the 1700 block of South Pacific Street recently
27 approved by the Planning Commission. There is public beach access within 300 feet of
28 the existing project site.
29

1 3. The project site is situated within the appeal area of the LCP and conforms to the public
2 access and recreation policies of Chapter 3 of the Coastal Act. The 1700 block of South
3 Pacific Street is 450 feet in length. This adequately satisfies the requirement that every
4 500 feet public beach access be accommodated. Public access is provided at Cassidy
5 Street and between the properties at 1639 and 1643 South Pacific Street.

6 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
7 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California
8 Environmental Quality Act and approve Regular Coastal Permit (RC-2-08) subject to the
9 following conditions:

10 **Building:**

- 11 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
12 Building Division plan check (Currently the 2007 California Building Code, and 2007
13 California Electrical Code).
- 14 2. The granting of approval under this action shall in no way relieve the applicant/project
15 from compliance with all State and Local building codes.
- 16 3. The building plans for this project are required by State law to be prepared by a licensed
17 architect or engineer and must comply with this requirement prior to submittal for building
18 plan review.
- 19 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the
20 property shall be underground (City Code Sec. 6.30).
- 21 5. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
22 plans.
- 23 6. The developer shall monitor, supervise and control all building construction and
24 supporting activities so as to prevent these activities from causing a public nuisance,
25 including, but not limited to, strict adherence to the following:
 - 26 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
27 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
28 work that is not inherently noise-producing. Examples of work not permitted on
29 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
producing nature. No work shall be permitted on Sundays and Federal Holidays
(New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and

1 Christmas Day) except as allowed for emergency work under the provisions of the
2 Oceanside City Code Chapter 38 (Noise Ordinance).

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

8 7. Separate/unique addresses will be required to facilitate utility releases. Verification that
9 the addresses have been properly assigned by the City's Planning Division must
10 accompany the Building Permit application.

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

13 9. A Building (Demo) Permit will be required for the demolition of any existing structures.
14 Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water, &
15 sewer) are properly terminated/capped in accordance with the requirements of the utility
16 service provider. All/any underground septic or water storage tanks must be removed or
17 filled in accordance with the Uniform Plumbing Code and/or the City's Grading
Ordinance.

18 10. As part of your plan check submittal for a Building Permit, submit a "plat" drawing
19 showing the first floor elevations for each segment, the locations of the points where the
20 floor level is six feet above grade, and the lowest elevation within five feet from the
21 building for each segment or property line.

22 11. Setbacks and Type of Construction must comply with the 2007 California Building Code.
23 Exterior openings less than five feet from the property line must be protected per table
24 704.8 of the CBC. Exterior walls less than five feet to the property line must be one hour
rated per Table 602 of the CBC.

25 12. All wired glass windows or doors between three and five feet from the property line must
26 meet requirements of the new 2007 California Building Code table 715.5 and 715.5.3.

27 13. Building levels below grade (on all sides) shall be provided with a mechanical drainage
28 system that provides drainage to an approved location/receptor.
29

1 **Fire:**

- 2 14. The size of fire hydrant outlets shall be 2 ½ "X 4".
- 3 15. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the
4 site plan.
- 5 16. Single-family dwellings require four-inch address numbers.
- 6 17. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval
7 prior to the issuance of building permits.
- 8 18. Buildings shall meet Oceanside Fire Department's current codes at the time of building
9 permit application.
- 10 19. Provide a 13R fire sprinkler system. The system shall be designed per N.F.P.A. 13R and
11 U.B.C. Standard 9-3, Installation of Sprinklers Systems in Residential Occupancies up to
12 and including four stories in height.
- 13 20. In accordance with the Uniform Fire Code Sec. 901.1.4, approved addresses for residential
14 occupancies shall be placed on the structure in such a position as to be plainly visible and
15 legible from the street or roadway fronting the property. Numbers shall contrast with their
16 background.
- 17 21. Future development of the property will require compliance with all applicable Fire
18 Department standards.
- 19 22. A minimum fire flow of 1500 gallons per minute shall be provided.
- 20 23. Fire Department requirements shall be placed on the plans and in the note section of the
21 plans.

21 **Engineering:**

- 22 24. This project involves demolition of an existing structure; an erosion control plan shall
23 be submitted and approved by the City Engineer before issuance of any demolition
24 permit. No grading operation shall be allowed in conjunction with the demolition
25 operation without an approved grading plan. No demolition shall be permitted without
26 an approved erosion control plan.
- 27 25. All right-of-way alignments, exact geometrics and widths shall be constructed or
28 replaced as required by the City Engineer.
- 29 26. Design and construction of all improvements shall be in accordance with the City of
Oceanside Engineers Design and Processing Manual, City Ordinances, and standard

1 engineering and specifications of the City of Oceanside and subject to approval by the
2 City Engineer.

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

7 28. Where proposed off-site improvements, including but not limited to public utility
8 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
9 own expense, obtain all necessary easements or other interests in real property and shall
10 dedicate the same to the City of Oceanside as required. The owner/developer shall
11 provide documentary proof satisfactory to the City of Oceanside that such easements or
12 other interest in real property have been obtained prior to issuance of any grading
13 permit for the development. Additionally, the City of Oceanside, may at its sole
14 discretion, require that the owner/developer obtain at his sole expense a title policy
15 insuring the necessary title for the easement or other interest in real property to have
16 vested with the City of Oceanside or the owner/developer, as applicable.

17 29. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
18 neighborhood meeting with all of the area residents located within 300 feet of the
19 project site, to inform them of the grading and construction schedule, and to answer
20 questions.

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

24 a) Dirt, debris and other construction material shall not be deposited on any public
25 street or within the City's storm water conveyance system.

26 b) All grading and related site preparation and construction activities shall be
27 limited to the hours of 7 a.m. to 6 p.m., Monday through Friday. No engineering
28 related construction activities shall be conducted on Saturdays, Sundays or legal
29 holidays unless written permission is granted by the City Engineer with specific
limitations to the working hours and types of permitted operations. All on-site
construction staging areas shall be as far as possible (minimum 100 feet) from

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

5 c) The construction site shall accommodate the parking of all motor vehicles used
6 by persons working at or providing deliveries to the site. An alternate parking
7 site can be considered by the City Engineer in the event that the lot size is too
8 small and cannot accommodate parking of all motor vehicles.

9 d) The owner/developer shall complete a haul route permit application (if required
10 for import/export of dirt) and submit to the City of Oceanside Engineering
11 Department forty eight hours (48) in advance of beginning of work. Hauling
12 operations (if required) shall be 8:00 a.m. to 3:30 p.m. unless approved
13 otherwise.

14 e) It is the responsibility of the owner/developer to evaluate and determine that all
15 material as defined by the City and the County of San Diego Department of
16 Environmental Health. Exported or imported soils shall be properly screened,
17 tested, and documented regarding hazardous contamination.

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

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

30 33. Sight distance requirements at the project driveway shall conform to the corner sight
31 distance criteria as provided by SDRSD DS-20A and or DS-20B. The private

1 driveway alignments and geometric layouts shall meet the City of Oceanside Engineers
2 Design and Processing Manual.

3 34. Pavement sections and improvements for Pacific Street and the private driveway shall
4 be based upon approved soil tests and traffic indices. The pavement design is to be
5 prepared by the owner/developer's soil engineer and must be in compliance with the
6 City of Oceanside Engineers Design and Processing Manual and be approved by the
7 City Engineer, prior to paving.

8 35. Prior to approval of the grading plans, the owner/developer shall contract with a
9 geotechnical engineering firm to perform a field investigation of the existing pavement
10 on South Pacific Street adjacent to the project boundary. The limits of the study shall
11 be half-street plus twelve (12) feet along the project's frontage. The field investigation
12 shall include one pavement boring. Should the existing pavement thickness be
13 determined to be less than the current minimum standards as set forth in the table for
14 City of Oceanside Pavement Design Guidelines in the City of Oceanside Engineers
15 Manual, the Owner/developer shall remove and reconstruct the pavement section as
16 determined by the pavement analysis submittal process detailed in the condition listed
17 below:

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

27 36. Any existing or damaged broken pavement, concrete curb, gutter and sidewalk during
28 construction of the project, shall be repaired or replaced as directed by the City
29 Engineer. Sidewalk shall be constructed per the ADA standards and requirements.

30 37. The owner/developer shall comply with all the provisions of the City's cable television
31 ordinances including those relating to notification as required by the City Engineer.

- 1 38. Drainage facilities shall be designed and installed to adequately accommodates the local
2 storm water runoff and shall be in accordance with the San Diego County Hydrology
3 and Design Manual and in compliance with the City of Oceanside Engineers Design
4 and Processing Manual to the satisfaction of the City Engineer.
- 5 39. The owner/developer shall obtain any necessary permits and clearances from all public
6 agencies having jurisdiction over the project due to its type, size, or location, including
7 but not limited to FEMA, the U. S. Army Corps of Engineers, California Department of
8 Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water
9 Quality Control Board (including NPDES), San Diego County Health Department, prior
10 to the issuance of grading permits.
- 11 40. The approval of the project shall not mean that proposed grading or improvements on
12 adjacent properties (including any City properties/right-of-way or easements) is granted
13 or guaranteed to the owner/developer. The owner/developer is responsible for obtaining
14 permission to grade to construct on adjacent properties. Should such permission be
15 denied, the project shall be subject to going back to the public hearing or subject to a
16 substantial conformity review.
- 17 41. Prior to any grading of any part of the project, a comprehensive soils and geologic
18 investigation shall be conducted of the soils, slopes, and formations in the project. All
19 necessary measures shall be taken and implemented to assure slope stability, erosion
20 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
21 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved
22 by the City Engineer.
- 23 42. This project shall provide year-round erosion control including measures for the site
24 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
25 control plan, designed for all proposed stages of construction, shall be reviewed,
26 secured by the owner/developer with cash securities and approved by the City Engineer.
- 27 43. A precise grading and improvement plan shall be prepared, reviewed, secured and
28 approved prior to the issuance of any building permits. The plan shall reflect all
29 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, footprints of all
structures, walls, drainage devices and utility services.

- 1 44. Shoring is required for the construction of the proposed development. The shoring
2 design plans and structural calculations shall be submitted at the final engineering as
3 part of a grading permit. The plans and documents shall be submitted concurrently with
4 the grading plans.
- 5 45. Landscaping plans, including plans for the construction of walls, fences or other
6 structures at or near intersections, must conform to intersection sight distance
7 requirements. Landscape and irrigation plans for disturbed areas shall be submitted to
8 the City Engineer prior to the issuance of a grading permit and approved by the City
9 Engineer prior to the issuance of occupancy permits. Frontage landscaping shall be
10 installed prior to the issuance of any certificates of occupancy. Any project fences,
11 sound or privacy walls shall be shown on, bonded for and built from the landscape
12 plans. These features shall also be shown on the precise grading plans for purposes of
13 location only. Plantable, segmental walls shall be designed, reviewed and constructed
14 by the grading plans and landscaped/irrigated through project landscape plans. All
15 plans must be approved by the City Engineer and a pre-construction meeting held, prior
16 to the start of any improvements.
- 17 46. The drainage design on development plan is conceptual only. The final design shall be
18 based upon a hydrologic/hydraulic study to be approved by the City Engineer during
19 final engineering. All drainage picked up in an underground system shall remain
20 underground until it is discharged into an approved channel, or as otherwise approved
21 by the City Engineer. All public storm drains shall be shown on City standard plan and
22 profile sheets. All storm drain easements shall be dedicated where required. The
23 owner/developer shall be responsible for obtaining any off-site easements for storm
24 drainage facilities.
- 25 47. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
26 disposed of in accordance with all state and federal requirements, prior to storm water
27 discharge either off-site or into the City drainage system.
- 28 48. The Owner/developer shall provide a copy of the title/cover page of an approved
29 SWMP with the first engineering submittal package. The SWMP shall be prepared by
the owner/developer's Civil Engineer. All Storm water documents shall be in
compliance with the latest edition of submission requirements.

1 49. Following approval of the SWMP by the City Engineer and prior to issuance of grading
2 permits, the owner/developer shall submit and obtain approval of an Operation &
3 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M
4 Plan shall include an approved and executed Maintenance Mechanism pursuant to
5 Section 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP).
6 The O&M shall satisfy the minimum Maintenance Requirements pursuant to Section
7 4.3 of the ISUSMP. At a minimum the O&M Plan shall include the designated
8 responsible party to manage the storm water BMP(s), training program and duties,
9 operating schedule, maintenance frequency, routine service schedule, specific
10 maintenance activities, copies of resource agency permits, cost estimate for
11 implementation of the O&M Plan, a security to provide maintenance in the event of
12 noncompliance to the O&M Plan, and any other necessary elements. The
13 owner/developer shall provide the City with access to site for the purpose of BMP
14 inspection and maintenance by entering into an Access Rights Agreement with the City.
15 The owner/developer shall complete and maintain O&M forms to document all
16 operation, inspection, and maintenance activities. The owner/developer shall retain
17 records for a minimum of 5 years. The records shall be made available to the City upon
18 request.

19 50. The owner/developer shall enter into a City-Standard Stormwater Facilities
20 Maintenance Agreement (SWFMA) with the City obliging the owner/developer to
21 maintain, repair and replace the Storm Water Best Management Practices (BMPs)
22 identified in the project's approved SWMP, as detailed in the O&M Plan into
23 perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of
24 any precise grading permit and shall be recorded at the County Recorder's Office prior
25 to issuance of any building permit. Security in the form of cash (or certificate of
26 deposit payable to the City) or an irrevocable, City standard letter of credit shall be
27 required prior to issuance of a precise grading permit. The amount of the security shall
28 be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to
29 exceed a total of \$25,000. The owner/developer's civil engineer shall prepare the O&M
cost estimate. At a minimum, the SWFMA shall require a training program, inspection
and maintenance of all BMPs on an annual basis.

1 51. The SWFMA shall include a copy of executed onsite and offsite access easement and or
2 access rights necessary for the operation and maintenance of BMPs that shall be binding
3 on the land throughout the life of the project to the benefit of the party responsible for
4 the O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include
5 a copy of the O&M Plan approved by the City Engineer.

6 52. The BMPs described in the project's approved SWMP shall not be altered in any way,
7 unless reviewed and approved to the satisfaction of the City Engineer. The
8 determination of whatever action is required for changes to a project's approved SWMP
9 shall be made by the City Engineer.

10 53. During final engineering design the Engineer of Record shall evaluate potential impact
11 to flood hazard areas. Elevation and flood proofing shall be in accordance with the City
12 of Oceanside Ordinance 94-03 and Federal Emergency Management Agency (FEMA)
13 requirements.

14 54. The approval of the project shall not mean that closure, vacation, or abandonment of
15 any public street, right of way, easement, or facility is granted or guaranteed to the
16 owner/developer. The owner/developer is responsible for applying for all closures,
17 vacations, and abandonments as necessary. The application(s) shall be reviewed and
18 approved or rejected by the City of Oceanside under separate process(es) per codes,
19 ordinances, and policies in effect at the time of the application. The City of Oceanside
20 retains its full legislative discretion to consider any application to vacate a public street
21 or right-of-way.

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

26 56. In the event that the conceptual plan does not match the conditions of approval, the
27 resolution of approval shall govern.

28 57. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
29 and Specifications for Landscape Development (latest revision), Water Conservation
Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the
maintenance of such landscaping, shall be reviewed and approved by the City Engineer

1 prior to the issuance of building permits. Landscaping shall not be installed until bonds
2 have been posted, fees paid, and plans signed for final approval. The following
3 landscaping requirements shall be required prior to plan approval and certificate of
4 occupancy:

- 5 a) Final landscape plans shall accurately show placement of all plant material such
6 as but not limited to trees, shrubs, and groundcovers.
- 7 b) Landscape Architect shall be aware of all utility, sewer, storm drain easement
8 and place planting locations accordingly to meet City of Oceanside
9 requirements.
- 10 c) All required landscape areas shall be maintained by owner. The landscape areas
11 shall be maintained per City of Oceanside requirements.
- 12 d) Proposed landscape species shall be native or naturalized to fit the site and meet
13 climate changes indicative to their planting location. The selection of plant
14 material shall also be based on cultural, aesthetic, and maintenance
15 considerations. In addition proposed landscape species shall be low water users
16 as well as meet all fire department requirements.
- 17 e) All planting areas shall be prepared with appropriate soil amendments,
18 fertilizers, and appropriate supplements based upon a soils report from an
19 agricultural suitability soil sample taken from the site.
- 20 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
21 from the sun, evapotranspiration and run-off. All the flower and shrub beds
22 shall be mulched to a 3" depth to help conserve water, lower the soil
23 temperature and reduce weed growth.
- 24 g) The shrubs shall be allowed to grow in their natural forms. All landscape
25 improvements shall follow the City of Oceanside Guidelines.
- 26 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving
27 surface is located within 6 feet of a trees trunk on site (private) and within 10
28 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5
29 feet in each direction from the centerline of the trunk, for a total distance of 10
feet. Root barriers shall be 24 inches in depth. Installing a root barrier around
the tree's root ball is unacceptable.

- 1 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
2 obtain planning department approval for these items in the conditions or
3 application stage prior to 1st submittal of working drawings.
- 4 j) For the planting and placement of trees and their distances from hardscape and
5 other utilities/ structures the landscape plans shall follow the City of
6 Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 7 k) An automatic irrigation system shall be installed to provide coverage for all
8 planting areas shown on the plan. Low precipitation equipment shall provide
9 sufficient water for plant growth with a minimum water loss due to water run-
10 off.
- 11 l) Irrigation systems shall use high quality, automatic control valves, controllers
12 and other necessary irrigation equipment. All components shall be of non-
13 corrosive material. All drip systems shall be adequately filtered and regulated
14 per the manufacturer's recommended design parameters.
- 15 m) All irrigation improvements shall follow the City of Oceanside Guidelines and
16 Water Conservation Ordinance.
- 17 n) The landscape plans shall match all plans affiliated with the project.
- 18 o) Landscape plans shall comply with Biological and/or Geotechnical reports, as
19 required, shall match the grading and improvement plans, comply with SWMP
20 Best Management Practices and meet the satisfaction of the City Engineer.
- 21 p) Existing landscaping on and adjacent to the site shall be protected in place and
22 supplemented or replaced to meet the satisfaction of the City Engineer.

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

1 59. In the event that the conceptual landscape plan (CLP) does not match the conditions of
2 approval, the resolution of approval shall govern.

3 **Planning:**

4 60. The Regular Coastal Permit RC-2-08 shall expire on November 2, 2012 unless
5 implemented as required by the Zoning Ordinance.

6 70. The Regular Coastal Permit RC-2-08 is granted for the following purposes only:

7 a) The demolition of the existing structure on the property located 1721 South
8 Pacific Street, to allow the demolition of an existing 997-square-foot single-
9 family home to allow for the construction of a new two story with basement
10 home, consisting of 3,143 square feet with an attached 460-square-foot two car
11 garage. No deviation from these approved plans and exhibits shall occur without
12 Planning Commission approval. Substantial deviations shall require a revision to
13 the Regular Coastal Permit or a new Coastal Permit.

14 71. Regular Coastal Permit RC-2-08 shall lapse three years after the effective date of
15 approval unless implemented as provided in Section 4108.A of the Zoning Ordinance
16 and as provided in the conditions as adopted herein.

17 72. Regular Coastal Permit RC-2-08 shall be called for review by the Planning Commission
18 if complaints are filed and verified as valid by the City Planner or the Code
19 Enforcement Officer concerning the violation of any of the approved conditions or the
20 project assumptions demonstrated under the application approval.

21 73. The validity of Regular Coastal Permit RC-2-08 shall not be affected by changes in
22 ownership or tenants.

23 74. Regular Coastal Permit RC-2-08 shall lapse if the exercise of rights granted by it is
24 discontinued for six consecutive months.

25 75. Regular Coastal Permit RC-2-08 that are exercised in violation of a condition of
26 approval or a provision of the Zoning Ordinance may be revoked, as provided in
27 Section 4706.

28 76. A request for changes in conditions of approval of a variance, or a change to the
29 approved plans that would affect a condition of approval shall be treated as a new
application. The City Planner may waive the requirements for a new application if the
changes requested are minor, do not involve substantial alterations or addition to the

1 plan or the conditions of approval, and are consistent with the intent of the project's
2 approval or otherwise found to be in substantial conformance.

3 77. Regular Coastal Permit RC-2-08 may be revised or renewed in accordance with the
4 provisions of the Zoning Ordinance. The application for RC-2-08 revision or renewal
5 shall also be evaluated against the existing land use policies and any site area and
6 neighborhood changes.

7 78. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
8 harmless the City of Oceanside, its agents, officers or employees from any claim, action
9 or proceeding against the City, its agents, officers, or employees to attack, set aside,
10 void or annul an approval of the City, concerning Regular Coastal Permit (RC-2-08).
11 The City will promptly notify the applicant of any such claim, action or proceeding
12 against the City and will cooperate fully in the defense. If the City fails to promptly
13 notify the applicant of any such claim action or proceeding or fails to cooperate fully in
14 the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or
15 hold harmless the City.

16 79. A covenant or other recordable document approved by the City Attorney shall be
17 prepared by the applicant and recorded prior to the issuance of building permits. The
18 covenant shall provide that the property is subject to this resolution, and shall generally
19 list the conditions of approval.

20 80. Prior to issuance of a building permit, the applicant and landowner, shall execute and
21 record a covenant, in a form and content acceptable to the City Attorney, which shall
22 provide:

23 a) That the applicant understands that the site may be subject to extraordinary
24 hazard from waves during storms and from erosion and the applicants assumes
25 the liability from those hazards.

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

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

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

3 82. Failure to meet any conditions of approval for this project shall constitute a violation of
4 the Regular Coastal Permit RC-2-08.

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

10 84. Side and rear elevations and window treatments shall be trimmed to match the front
11 elevations. A set of building plans shall be reviewed and approved by the City Planner
12 prior to the issuance of building permits.

13 85. Elevations, siding materials, colors, roofing materials and floor plans shall be
14 substantially the same as those approved by the Planning Commission. These shall be
15 shown on plans submitted to the Building Division for building permits.

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

22 87. The HVAC case shall be fully enclosed and not project into a required yard or project
23 above the district's height requirement.

24 88. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or
25 earlier, so that its surface does not reflect light. Non-metallic roofing material is
26 preferred and non-reflective roofing material is required. The copper roofing shall be
27 treated to have a non-reflective surface (patina) at the time it is installed.

28 89. Lots is situated on the westerly side of the 1700 block of South Pacific Street have an
29 average front yard depth of 14 inches. The structure shall be set back from the front
property line a minimum of 14 inches.

- 1 90. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall
2 be compatible in scale with the existing development and shall not extend further
3 seaward than the line established on the Stringline Setback Map.
- 4 91. Fence height limitations and opacity requirements are subject to Section 1050(U) of the
5 Zoning Ordinance and required front yards. Fence materials shall be 75 percent
6 transparent.
- 7 92. All wood fences adjacent to public right-of-way, visible from the public right-of-way,
8 or facing the shore will be stained or otherwise finished with a waterproof material.
- 9 93. The developer's construction of all fencing and walls associated with the project shall
10 be in conformance with the approved Regular Coastal Permit. Any substantial change
11 in any aspect of fencing or wall design from the approved Regular Coastal Permit shall
12 require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.
- 13 94. If any aspect of the project fencing and walls is not covered by an approved Regular
14 Coastal Permit, the construction of fencing and walls shall conform to the development
15 standards of the City Zoning Ordinance. In no case, shall the construction of fences and
16 walls (including combinations thereof) exceed the limitations of the zoning code, unless
17 expressly granted by a Variance or other development approval.
- 18 95. A minimum of 50 percent of a required yard adjoining a street shall be planting areas
19 and landscaped.
- 20 96. Compliance with Oceanside Zoning Ordinance 1050(T) shall be required. Fifty percent
21 of the required interior side yard shall be landscaped.
- 22 97. The project shall dispose of or recycle solid waste in a manner provided in City
23 Ordinance 13.3.
- 24 98. In the event any subsurface archaeological resources are encountered during grading or
25 construction activities, such activities in the locality of the find shall be halted
26 immediately. An archaeologist, certified by the Society of Professional Archaeologists
27 (SOPA), shall be brought in to determine the significance of the archaeological
28 resources and implement appropriate mitigations prior to recommending earthwork.
- 29 99. A letter of clearance from the affected school district in which the property is located
shall be provided as required by City policy at the time building permits are issued.

1 100. Prior to the issuance of building permits the developer or owner shall make an
2 irrevocable offer of dedication to the City of Oceanside an easement for lateral public
3 access and passive recreational use along the shoreline adjacent to this property. The
4 document shall provide that the offer of dedication shall not be used or construed to
5 allow anyone, prior to acceptance of the offer, to interfere with any rights of public
6 access acquired through a use which may exist on the property. The easement shall be
7 located along the entire width of the property line to the toe of the bluff (toe of the
8 seawall, a line 25 feet inland of the daily high water line, which is understood to be
9 ambulatory from day to day). The easement shall be recorded free of prior liens and
10 free of any other encumbrances which may affect said interest. The easement shall run
11 with the land in favor of the City of Oceanside, and is binding to all successors and
12 assignees.

13 101. Photo documentation of structures shall be accomplished in the following manner:
14 Format (4" X 5") to include black and white shots of all exterior elevations of the
15 cultural resource, producing archival quality negatives and contacts. Interior shots shall
16 be accomplished in the same format. Color slide photo documentation shall be
17 required, the number of shots to be determined by the OHPAC. All photo
18 documentation shall be accomplished under the direction of a designated member of the
19 OHPAC and to the satisfaction of the City Planner.

20 102. A management plan for the duplex shall be reviewed and approved by the City Planner
21 prior to the issuance of an occupancy permit.

22 103. If the residential units are used as vacation rentals, a business license shall be obtained
23 by the owner prior to issuance of an occupancy permit.

24 **Water:**

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

29 105. The property owner shall maintain private water and wastewater utilities located on private
property.

- 1 106. Water services and sewer laterals constructed in existing right-of-way locations are to be
- 2 constructed by approved and licensed contractors at developer's expense.
- 3 107. All Water and Wastewater construction shall conform to the most recent edition of the
- 4 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
- 5 the Water Utilities Director.
- 6 108. All public water and/or sewer facilities not located within the public right-of-way shall be
- 7 provided with easements sized according to the Water, Sewer, and Reclaimed Water
- 8 Design and Construction Manual. Easements shall be constructed for all weather access.
- 9 109. No trees, structures or building overhang shall be located within any water or wastewater
- 10 utility easement.
- 11 110. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
- 12 be paid to the City and collected by the Water Utilities Department at the time of Building
- 13 Permit issuance.
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1 111. All new development of single-family and multi-family residential units shall include hot
2 water pipe insulation and installation of a hot water recirculation device or design to
3 provide hot water to the tap within 15 seconds in accordance with City of Oceanside
4 Ordinance No. 02-OR126-1.

5 PASSED AND ADOPTED Resolution No. 2009-P49 on November 2, 2009 by the
6 following vote, to wit:

7 AYES: Troisi, Neal, Balma, Martinek, Bertheaud, Rosales and Scrivener

8 NAYS: None

9 ABSENT: None

10 ABSTAIN: None

11 

12 Claudia Troisi, Chairperson
13 Oceanside Planning Commission

14 ATTEST:

15 

16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
18 this is a true and correct copy of Resolution No. 2009-P49.

19
20 Dated: November 2, 2009

LEGAL DESCRIPTION

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

PARCEL B AS SHOWN ON CERTIFICATE OF COMPLIANCE NO. PLA 01-91 AS EVIDENCED BY DOCUMENT RECORDED AS JUNE 11, 1991 AS INSTRUMENT NO. 91-279085 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

LOT 42 OF BLOCK "E" OF OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904, THE SOUTHEASTERLY LOT LINE OF SAID LOT 42 BEING PARTICULARLY DESCRIBED IN THAT CERTAIN JUDGMENT, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 15, 1976 AS INSTRUMENT NO. 76-13347 OF OFFICIAL RECORDS AND SHOWN ON RECORD OF SURVEY MAP NO. 12245, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 6, 1989 AS INSTRUMENT NO. 89-357197 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM, THAT PORTION, IF ANY, LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.

PARCEL B:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTHERLY 16 INCHES OF LOT 41 OF BLOCK "E" OF OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904.

PARCEL C:

AN EASEMENT FOR MAINTAINING A WIRE FENCE, FOR MAINTAINING TWO POSTS, FOR DRAINAGE, AND FOR ACCESS TO AND FROM THE PACIFIC OCEAN OVER THE AREA DESCRIBED AS FOLLOWS:

COMMENCING AT THE TRUE POINT OF BEGINNING OF THE LINE BETWEEN LOTS 42 AND 43 AS DESCRIBED IN THIS ORDER; THENCE WESTERLY ALONG SAID BOUNDARY LINE 69 FEET TO A POINT DESCRIBED AS "A"; THENCE CONTINUING WESTERLY ALONG THE SAID BOUNDARY LINE, 42.5 FEET TO A POINT ON SAID LINE DESCRIBED AS POINT "B"; THENCE LEAVING SAID COURSE AT RIGHT ANGLES IN AN EASTERLY DIRECTION, 32-3/4 INCHES TO A POINT DESCRIBED AS POINT "C"; THENCE PERPENDICULAR TO SAID EASTERLY LINE, IN AN EASTERLY DIRECTION 20 FEET TO A POINT 22-1/4 INCHES EASTERLY OF THE AFORESAID DESCRIBED BOUNDARY LINE, SAID POINT BEING DESCRIBED AS POINT "D"; THENCE CONTINUING IN AN EASTERLY DIRECTION 22.5 FEET TO A POINT 27 INCHES EASTERLY OF THE AFORESAID DESCRIBED BOUNDARY LINE, SAID POINT BEING DESCRIBED AS POINT "E"; THENCE WESTERLY AT RIGHT ANGLES 27 INCHES TO POINT "A".

APN: 153-091-45-00



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 11/2/2009
Removal: 04/27/2010
(180 days)

1. **APPLICANT:** Ken & Leora Mudge
2. **ADDRESS:** 1721 S. Pacific Street
3. **PHONE NUMBER:** (760) 476-0933
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** RC-2-08 - Dillon Residence
7. **DESCRIPTION:** A Regular Coastal Permit to permit the demolition of an existing single family residence to allow a 3,143 square foot home with two car garage located at 1721 South Pacific Street. The project site is zoned R1 (Residential Single Family) and is situated within the South Oceanside Neighborhood and the Coastal Zone.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on 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).



Scott Nightingale, Planner II

Date: November 2, 2009

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

GeoSoils, Inc.

June 21, 2011

Dr. & Mrs. Mudge
c/o Paul Longton
Studio 4 Architects
2909 Mesa Drive
Oceanside, CA 92054

RECEIVED
OCT 04 2011
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

SUBJECT: Update for Coastal Hazard Study & Wave Runup Study, 1721 South Pacific Street, Oceanside, CA and Plan Review.

References: Coastal Hazard & Wave Runup Study, 17217 South Pacific Street, Oceanside, CA., dated July 23, 2009, by GeoSoils Inc.

"Mudge Residence, 1721 S. Pacific St, Oceanside, CA 92054" plans dated April 29, 2011, by Paul Longton, Studio 4 Architects

Dear Dr. & Mrs Mudge:

At your request and authorization GeoSoils Inc, (GSI) is pleased to provide this update to the referenced coastal hazard study and review of the referenced new plans. The current proposed development differs from the proposed development that was considered for the coastal hazard analysis. In original development the lowest proposed floor was a storage room with a finished floor (FF) at or above elevation +12' MSL and that the structure would be about 40' back from the top of the revetment. The current proposed plans do not include a below-grade storage room and lowest level of the structure has a FF elevation of +18' MSL and is set back about 33' from the top of the revetment. While the GSI hazard analysis is still valid and pertinent, the and recommendations of the report should be modified based upon the change in the proposed development. The following recommendations supersede the recommendations in the referenced GSI hazard study.

RECOMMENDATIONS

- A. Because the proposed development is set back from the revetment and the lowest FF elevated above any potential wave runup flooding hazard the revetment does not need to be reconfigured to conform to the City Standard Drawing M-19.
- B. While infrequent it is possible that wave runup may reach the patio wall at the back of the beach. The patio wall is higher than approximate 1 foot high runup bore and will not overtop the patio. The revetment and perched beach (space from the top of the revetment to the structure), are sufficient to protect the improvements from damage (spray and splash may occur).
- C. The revetment is not in need of maintenance at this time. However, the long term stability of the site will depend on the future maintenance of the revetment. Maintenance includes replacement of the stones lost due to the combined effects

GeoSoils, Inc.

of settlement, scour, and wave action dislodging the stones. The revetment can be maintained without any further seaward encroachment. The revetment slope can be 2/1 but no steeper than 1.5/1 (h/v). Maintenance may include the addition of about 2 or 3 new 4 ton (min) stones and the optional placement of filter fabric per the standard drawing. The maintenance should be performed under the supervision of a licenced engineer specializing in coastal structures (coastal engineer).

- D. The revetment should be inspected by a coastal engineer if any changes are noted or after very significant wave attack.

We have reviewed the referenced plans and the habitable areas of the proposed development are reasonably safe from flooding and inundation. Based upon our review of the plans, there are no additional recommendations necessary to mitigate potential coastal hazards. Additional shore protection will not be required to protect the proposed development over the next 75 years. The proposed development will neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or adjacent area.

The opportunity to be of service is sincerely appreciated. If you should have any questions, please do not hesitate to contact our office.

Respectfully submitted,



GeoSoils, Inc.
David W. Skelly MS, PE
RCE#47857

GeoSoils, Inc.

**COASTAL HAZARD
WAVE RUNUP
&
SHORE PROTECTION STUDY**

**LOT 18, 800 BLOCK
SOUTH PACIFIC STREET**

OCEANSIDE, CA

RECEIVED

OCT 04 2011

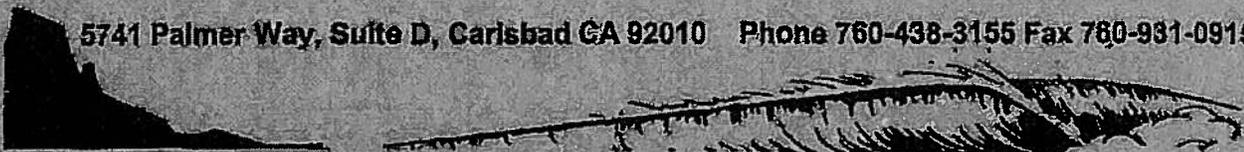
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

June 2007

Prepared For

Beach City LLC

5741 Palmer Way, Suite D, Carlsbad CA 92010 Phone 760-438-3155 Fax 760-931-0915



GeoSoils Inc.

June 21, 2007

Beach City LLC
c/o Evergreen Hebron
P.O. Box 1454
Rancho Santa Fe, CA 92067

SUBJECT: Wave Runup, Coastal Hazard, and Shore Protection Study, Lot 18, 800 Block of South Pacific Street, Oceanside, CA.

Dear Sirs:

The following letter report is in response to your request for a wave runup, coastal hazard, and shore protection study for the property located at Lot 18, 800 Block of South Pacific Street, Oceanside, CA. The analysis is based upon a site elevations, existing published reports concerning the local coastal processes, our site inspection, and knowledge of local coastal conditions. This report constitutes an investigation of the wave and water level conditions expected at the site in consequence of extreme storm and wave action. It also provides conclusions and recommendations regarding the stability of the existing shore protection system and the vulnerability of the site and proposed improvements to wave action and hazards.

INTRODUCTION

The property, located at Lot 18, 800 Block of South Pacific Street, California, lies on the face of a sea cliff between the Oceanside Harbor and the Buena Vista Lagoon. This section of shoreline is fronted by a sand beach and backed by the sea cliff and Pacific Avenue. Figure 1 is an aerial photograph of the site down loaded from the California Coastal Records Project web site (<http://www.californiacoastline.org/>). There is currently an older multi family structures on the site that occupies Lots 15 through 18. It is our understanding that a new residential development is proposed for Lot 18. The proposed development is to be at or just landward of the approved string line. The lot is fronted by a recently maintained (by the City of Oceanside) quarry stone revetment which, based on our observations and area knowledge, has been overtopped by waves in the past. The beach in front of the revetment was recently nourished (Fall 2001) with sand as part of a regional beach nourishment program. In the past, under extreme winter storm conditions the beach often consist of cobbles which lie below the sand at about elevation +1.0 feet MSL.

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Figure 1. Subject site in fall 2006.

DATUM & DATA

The datum used in this report is Mean Sea Level (MSL), which is +0.19 feet National Geodetic Vertical Datum (NGVD). In the open ocean of the San Diego County coast, Mean High Water (MHW) is 1.87 feet above MSL. The units of measurement in this report are feet (ft), pounds force (lbs), and second (sec). Site elevations were taken from a topographic map, dated July 19, 2007, prepared by Taylor Group Inc. Preliminary development plans and elevations were discussed with the project developer.

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EXISTING SHORE PROTECTION EVALUATION

A visual inspection of the existing shore protection in front of the site and the adjacent shore protection was performed on June 18, 2007. The existing shore protection is an offsite quarry stone revetment backed by minor vegetation, and then a low height wood privacy fence. The wooden fence is just west of the western property line of the site. The wood fence, vegetation and revetment are on public lands but well landward of the mean high tide line. It is our understanding that a sewer main is located below grade parallel to the shoreline between the revetment and the subject property. The properties to the north of the subject site is fronted by the same type revetment. The revetment continues in front of the Hayes Street end to the south of the site. The revetment is located on public lands and not on the site. The visible stones in the revetment are both rounded and angular in shape and range in size from 300 lbs to about 5 tons. The average visible armor stone size is about 3.0 tons.

During the site visit the approximate location of the toe of the revetment fronting Lot 18 was located by the undersigned. The toe is located ~196 feet west of the Pacific Street centerline. A review of an aerial photograph of the revetment at the City of Oceanside, dated December 5, 1983, visually confirms the approximate location of the toe. The original construction date of the revetment is not known but the 1979 Coastal Records image shows some larger rock fronting the site. This initial rock was likely supplemented with additional rock shortly after the 1982 -83 El Nino winter. It is our understanding that the City of Oceanside maintains this structure. No geotextile fabric was observed behind the revetment. The crest elevation of the revetment fronting the site is at about +16.0 feet MSL. The slope of the revetment varies from 2/1 to 1.5/1 (h/v). The shore protection system has been in place for over three decades and has protected the existing site improvements behind it from the extreme storms during that time, including the "400 year" wave event in January 1988.

WAVE RUNUP AND OVERTOPPING ANALYSIS

As waves encounter the beach in front of this section of shoreline the water rushes up the beach and the revetment, and sometimes over the revetment. Often, wave runup strongly influences the design and the cost of coastal projects. Wave runup is defined as the vertical height above the still water level to which a wave will rise on a structure (beach slope) of infinite height. Overtopping is the flow rate of water over the top of a finite height structure (the steep beach berm) as a result of wave runup.

Wave runup and overtopping is calculated using the US Army Corps of Engineers

(USACOE) Automated Coastal Engineering System (ACES). ACES is an interactive computer based design and analysis system in the field of coastal engineering. The methods to calculate runup and overtopping implemented within this ACES application are discussed in greater detail in Chapter 7 of the Shore Protection Manual (1984) and the 2001 USACOE Coastal Construction Manual. The overtopping estimates calculated herein are corrected for the effect of onshore winds. Figure 2 is a diagram showing the analysis terms.

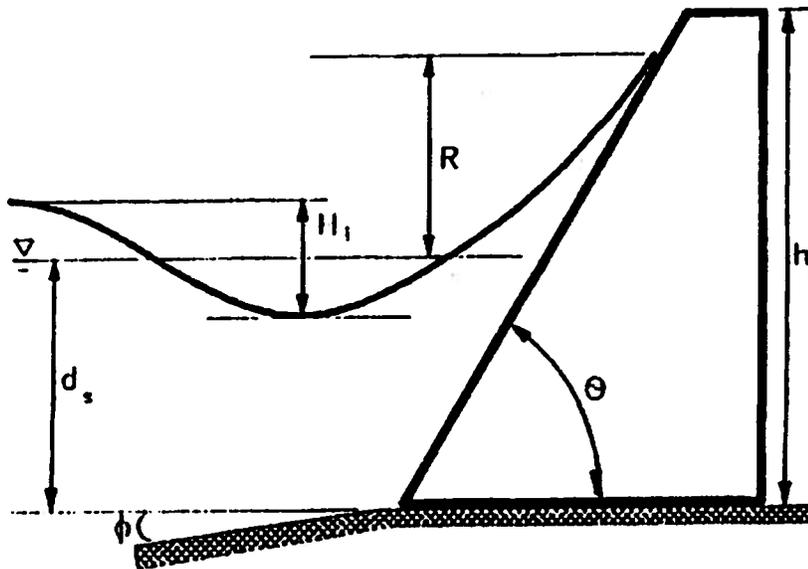


Figure 2. Wave runup terms from ACES analysis.

The wave, wind and water level data used as input to the ACES runup and overtopping application was taken from the historical data reported in USACOE 1988 and 1991. The North County shoreline has experienced a series of storms over the years. These events have impacted coastal property and beaches depending upon the severity of the storm, the direction of wave approach and the local shoreline orientation. The ACES analysis was performed on oceanographic conditions that represent a typical 50-75 year recurrence storm. The onshore wind speed was chosen to be 40 knots. During storm conditions the sea surface rises along the shoreline (super-elevation) and allows waves to break closer to the shoreline and runup on the revetment. Superelevation of the sea surface can be accounted for by: wave set-up (1 to 2.5 feet), wind set-up and inverse

barometer (0.5 to 1.5 feet), wave group effects (1 to 2.5 feet) and El Niño effects (0.5 to 1.0 feet). These conditions rarely occur simultaneously. The extreme water elevation used in this analysis is +6.5 feet MSL (100 year recurrence water level). This still water elevation uses EPA (Titus & Narayanan 1995) estimates of 8 inches of sea level rise in the next 75 years.

The wave that has the greatest runup is the wave that has not yet broken when it reaches the toe of the structure. It is not the largest wave to come into the area. The larger waves break offshore of the revetment and lose most of their energy before reaching the shoreline. If the total water depth is 6.5 feet, based upon a maximum scour depth of 0.0 feet MSL at the toe of the revetment and a water elevation of +6.5 feet MSL, then the design wave height would be about 6 feet. These conditions may not occur at the site over the life time of the structure but are considered herein to insure a conservative analysis. The height of the revetment is about +16.0 feet MSL (the lowest top of revetment). The visible slope of the revetment varies from 2/1 to 1.5 to/1 and the nearshore slope was chosen to be 1/60. Table I is the ACES output for these design conditions.

Table I

AUTOMATED COASTAL ENGINEERING SYSTEM ... Version 1.02 6/21/2007 10:32
 Project: COASTAL HAZARD STUDY LOT 18 800 BLOCK SOUTH PACIFIC

WAVE RUNUP AND OVERTOPPING ON IMPERMEABLE STRUCTURES				
Item		Unit	Value	
Wave Height at Toe	Hi:	ft	6.000	Rough Slope
Wave Period	T:	sec	18.000	Runup and
COTAN of Nearshore Slope			60.000	Overtopping
Water Depth at Toe	ds:	ft	7.600	
COTAN of Structure Slope			1.500	
Structure Height Above Toe	hs:	ft	16.000	
Rough Slope Coefficient	a:		0.956	
Rough Slope Coefficient	b:		0.398	
Deepwater Wave Height	H0:	ft	3.470	
Relative Height	(ds/H0):		2.190	
Wave Steepness	(H0/gT ²):		0.333E-03	
Wave Runup	R:	ft	11.749	
Onshore Wind Velocity	U:	ft/sec	67.512	
Overtopping Coefficient	Alpha:		0.600E-01	
Overtopping Coefficient	Qstar0:		0.150	
Overtopping Rate	Q:	ft ³ /s-ft	0.848	

Under the extreme, worst case (>75 year recurrence), oceanographic conditions the analysis shows the revetment can be overtopped at a rate of about 1.0 ft³/s-ft. This is less than one foot of water coming over the top of the revetment for each wave (18 second period). The impact of revetment overtopping waters on the proposed development

behind it is reduced by the ~30 feet wide space between the revetment and the proposed development. According to the USACOE Coastal Engineering Manual (USACOE 2002), wave overtopping water height is reduced by about 1 foot per every 25 feet horizontal distance behind the revetment. This observational rule of thumb means that the overtopping water may not reach the lowest floor of the development. In the event the water does reach the structure the water velocity will be significantly reduced. However, flooding of the lowest floor area may occur.

COASTAL HAZARDS

Based upon the types of information required by FEMA for flood hazard analysis for the East and Gulf coast of the United States, we would like to offer the following discussion on coastal hazards at the site. There are three different potential coastal hazards identified at this site; shoreline erosion, flooding, and waves. For ease of review each of these hazards will be analyzed and discussed separately followed by a summary of the analysis including conclusions and recommendations as necessary.

Erosion Hazard

The back shore area of the subject site has been stabilized by a quarry stone revetment. This revetment prevents erosion of the site from waves. The beach fronting the site is subject to seasonal erosion and occasionally subject to artificial sand nourishment. This section of shoreline was subject to an extensive study by the US Army Corps of Engineers as part of the Coast of California Storm and Tidal Wave Study (CCSTWS). Historically, the shoreline is supplied sand by the San Luis Rey and Santa Margarita Rivers. The construction of Oceanside Harbor and development within the watershed has reduced the amount of sand reaching the shoreline and fronting the site. The local history of erosion for this area is rather complex due to the impacts of dams, coastal structures, severe El Nino conditions, and beach nourishment projects. The reviewer is referred to the CCSTWS Main Report dated September 1999 for a comprehensive history of erosion.

Analysis of historical aerial photographs contained in the California Coastal Records Project web site (<http://www.californiacoastline.org/>) shows some form of quarry stone revetment fronting the site since at least 1979. The revetment has been in place for about three decades and has functioned as intended. No maintenance history of the structure is available. However, it has recently been maintained by the City of Oceanside. There are no signs of significant erosion landward of the revetment over the last ±30 years. Because the shoreline is stabilized by the revetment and as long as the revetment is maintained, the site is reasonable safe from erosion hazards.

Flooding Hazard

The lowest proposed finished floor on site is above elevation +12 feet MSL. This is above any potential sustained flood elevation from storm surge or extreme tides (maximum still water elevation of >+7 feet MSL), including future sea level rise. Potential flooding associated with wave runup is considered in the next section. Site flooding due to waters other than from the ocean are mitigated through the site drainage plan designed by the project civil engineer.

Wave Attack & Wave Runup

The site is safe from direct wave attack due to the presence of the revetment and the elevation of the proposed improvements. The wave runup analysis herein uses the maximum possible wave that will break at the site in the next 75 years. The wave that produces the maximum runup on the structure is the one that breaks at the toe of the structure not the largest wave in deep water. The design wave will be depth limited by the depth of water from the maximum scour to the maximum sea level elevation. As determined in this study the maximum possible unbroken wave at the structure in the next 75 years is 6.0 foot high wave with a long period of 18 seconds.

Under the extreme, worst case (100 year), oceanographic conditions the revetment can be overtopped at a rate of about 1.0 ft³/s-ft. This is less than one foot of water coming over the top of the revetment for each wave (18 second period). This overtopping is managed by the sandy area behind the revetment which is about 30 feet from the proposed structure. The US Army Corps of Engineers Coastal Engineering Manual (2003) states that overtopping waters are reduce about 1 foot in elevation for every 25 feet of horizontal travel across the beach. The area between the top of the revetment and the structure is adequate to significantly dissipate the overtopping waters. Ocean waters that make it past this area, to the structure, will have a reduced velocity and can be managed using flood shields. The overtopping water will ultimately percolate back into the sandy soils, and back towards the ocean.

CONCLUSIONS

- A. The existing revetment does not quite conform with the City of Oceanside Standard Drawing M-19 "Typical Seawall Drawing". The top of the revetment is about +16 feet MSL which is at the minimum of +16.0 feet MSL. However, filter fabric was not observed behind the revetment during the site inspection and some of the existing stone size is smaller than 3 to 4 ton recommended standard stone.
- B. A worst case wave event, similar to the January of 1988 or the winter of 1982-83

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with a 75 year rise in sea level, will produce wave overtopping of the revetment. This overtopping will amount to about 1.0 ft³/s-ft or about one foot. This amount of overtopping will occur on each wave cycle (18 seconds) but only during a 30 minute window when the sea level is the highest. The proposed development is about 30 feet away from the top of the revetment with a finished floor elevation that may be susceptible to short term nuisance flooding under these conditions.

- C. The existing shore protection system (revetment and perched beach), if maintained, is adequate to protect the proposed development from significant wave induced structural damage but not adequate to prevent flooding of the lowest floor and nuisance water damage.

RECOMMENDATIONS

- A. The revetment is in good condition and may be reconfigured to conform to the City Standard Drawing M-19 during the next maintenance. The revetment maintenance is the responsibility of the City of Oceanside. The revetment can be reconfigured without any further seaward encroachment.
- B. While infrequent, it is possible that wave runup may reach the lowest floor of the proposed development. It is our understanding that storm/flood shields will be used at the lowest floor to reduce or prevent flooding. The flood shields, in combination with the revetment and perched beach (space from the top of the revetment to the structure), are sufficient to protect the improvements from significant damage. Infrequent, less than yearly, flooding of the lowest floor is to be expected and a drainage system is recommended to manage the flood waters.
- C. The revetment should be inspected by a coastal engineer if any changes are noted or after very significant wave attack.
- D. Final plans for the development should be reviewed by this office for conformance with the recommendations of this report.

In closing, the subject site and proposed development are reasonably safe from coastal hazards provided the recommendations contained in this study are properly implemented. If you have any questions please contact us at the number below.

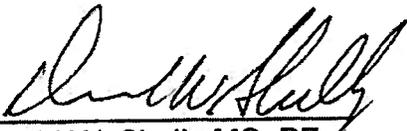
GeoSoils Inc.

PAGE 9

LIMITATIONS

Coastal engineering is characterized by uncertainty. Professional judgements presented herein are based partly on our evaluation of the technical information gathered, partly on our understanding of the proposed construction, and partly on our general experience. Our engineering work and judgements have been prepared in accordance with current accepted standards of engineering practice; we do not guarantee the performance of the project in any respect. This warranty is in lieu of all other warranties expressed or implied.

Sincerely,



David W. Skelly MS, PE
Coastal Engineer, RCE# 47857



REFERENCES

FEMA, 2003, Guidelines and Specifications for Flood Hazard Mapping Partners.

Inman, D.L. and S.A. Jenkins, 1983, "Oceanographic Report for Oceanside Beach Facilities", prepared for the City of Oceanside, California, 206 pp.

Titus and Narayanan, 1995, "The Probability of Sea Level Rise" (EPA 230-R-95-008).

USACOE 1984, Shore Protection Manual.

USACOE 1988, CCSTWS report #88-6 "Historic Wave and Water Level Data Report San Diego Region.

USACOE 1991, CCSTWS Main Report, State of the Coast Report San Diego Region.

USACOE 2002, Coastal Engineering Manual.



Application for Public Hearing

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

RECEIVED

STAFF USE ONLY
ACCEPTED OCT 04 2011
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

BY

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT
Ken Mudge

2. STATUS
Owner

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P.
VARIANCE
COASTAL
O.H.P.A.C.

3. ADDRESS
1721 S. Pacific St. 92054

4. PHONE/FAX/E-mail
909-792-7103

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)
Paul Longton

6. ADDRESS
2909 Mesa Dr., 92054

7. PHONE/FAX/E-mail
760 722.4904

PART II - PROPERTY DESCRIPTION

8. LOCATION
1721 S. Pacific St

9. SIZE
6290 SF (.144 Acre)

10. GENERAL PLAN
UHD

11. ZONING
RT.

12. LAND USE
Residential

13. ASSESSOR'S PARCEL NUMBER
153-091-45-00

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
This application is solely for a revision to Resolution # 2009-P49 to provide findings for the revetment. The findings were missing in the original resolution.

15. PROPOSED GENERAL PLAN
UHD

16. PROPOSED ZONING
RT / ANY

17. PROPOSED LAND USE
Residential

18. NO. UNITS
1

19. DENSITY
6.92 DU/Acre

20. BUILDING SIZE
NA

21. PARKING SPACES
NA

22. % LANDSCAPE
NA

23. % LOT COVERAGE or FAR
NA

PART IV - ATTACHMENTS

Handwritten mark

24. DESCRIPTION/JUSTIFICATION

25. LEGAL DESCRIPTION

26. TITLE REPORT

27. NOTIFICATION MAP & LABELS

28. ENVIRONMENTAL INFO FORM

29. PLOT PLANS

30. FLOOR PLANS AND ELEVATIONS

31. CERTIFICATION OF POSTING

32. OTHER (See attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):
Paul Longton

34. DATE
9/29/11

SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

Sign:

35. OWNER (Print)
Ken Mudge

36. DATE
9/30/11

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

Sign:

LEGAL DESCRIPTION

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

PARCEL B AS SHOWN ON CERTIFICATE OF COMPLIANCE NO. PLA 01-91 AS EVIDENCED BY DOCUMENT RECORDED AS JUNE 11, 1991 AS INSTRUMENT NO. 91-279085 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

LOT 42 OF BLOCK "E" OF OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904, THE SOUTHEASTERLY LOT LINE OF SAID LOT 42 BEING PARTICULARLY DESCRIBED IN THAT CERTAIN JUDGMENT, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 15, 1976 AS INSTRUMENT NO. 76-13347 OF OFFICIAL RECORDS AND SHOWN ON RECORD OF SURVEY MAP NO. 12245, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 6, 1989 AS INSTRUMENT NO. 89-357197 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM, THAT PORTION, IF ANY, LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.

PARCEL B:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTHERLY 16 INCHES OF LOT 41 OF BLOCK "E" OF OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904.

PARCEL C:

AN EASEMENT FOR MAINTAINING A WIRE FENCE, FOR MAINTAINING TWO POSTS, FOR DRAINAGE, AND FOR ACCESS TO AND FROM THE PACIFIC OCEAN OVER THE AREA DESCRIBED AS FOLLOWS:

COMMENCING AT THE TRUE POINT OF BEGINNING OF THE LINE BETWEEN LOTS 42 AND 43 AS DESCRIBED IN THIS ORDER; THENCE WESTERLY ALONG SAID BOUNDARY LINE 69 FEET TO A POINT DESCRIBED AS "A"; THENCE CONTINUING WESTERLY ALONG THE SAID BOUNDARY LINE, 42.5 FEET TO A POINT ON SAID LINE DESCRIBED AS POINT "B"; THENCE LEAVING SAID COURSE AT RIGHT ANGLES IN AN EASTERLY DIRECTION, 32-3/4 INCHES TO A POINT DESCRIBED AS POINT "C"; THENCE PERPENDICULAR TO SAID EASTERLY LINE, IN AN EASTERLY DIRECTION 20 FEET TO A POINT 22-1/4 INCHES EASTERLY OF THE AFORESAID DESCRIBED BOUNDARY LINE, SAID POINT BEING DESCRIBED AS POINT "D"; THENCE CONTINUING IN AN EASTERLY DIRECTION 22.5 FEET TO A POINT 27 INCHES EASTERLY OF THE AFORESAID DESCRIBED BOUNDARY LINE, SAID POINT BEING DESCRIBED AS POINT "E"; THENCE WESTERLY AT RIGHT ANGLES 27 INCHES TO POINT "A".