



DATE: December 12, 2011

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF TENTATIVE PARCEL MAP (P-7-08), AND  
CONDITIONAL USE PERMIT (C-22-08) FOR A TWO-LOT  
RESIDENTIAL SUBDIVISION ON A .50-ACRE SITE LOCATED  
AT THE SOUTH WEST CORNER OF FIRE MOUNTAIN DRIVE  
AND RIDGEWAY ROAD – THE HAHN PARCEL MAP –  
APPLICANT: ANDREAS AND STEPHANIE HAHN**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

1. Confirm issuance of a Class 15 categorical exemption for minor land divisions pursuant to Section 15315 of the California Environmental Quality Act; and
2. Approve Tentative Parcel Map (P-7-08) and Conditional Use Permit (C-22-08) by adopting Planning Commission Resolution No 2011-P44 with findings and conditions of approval attached herein.

**PROJECT DESCRIPTION AND BACKGROUND**

**Site Review:** The subject 0.50 –acre lot is a portion of the North Carlsbad Annex Lot 22 that was created in 1924, and it is currently vacant. The existing elevation at the street is approximately 180 feet, and the slopes on the land do not exceed 20 percent.

The proposed pad elevations are 184.0 feet and access to the existing parcel and the new parcel two is via an easement road entitled Victoria Lane. Victoria Lane was established in 1960 for the purposes of access to various parcels within this area.

Surrounding land uses include single-family detached residences on 10,000-square foot minimum lots in all directions. The zoning designation for the site is Residential Estate B (RE-B) District and the General Plan Land Use Category is Estate B Residential (EB-R), which permits 1.0-3.5 dwelling units per gross acre.

**Project Description:** The project application is comprised of three components: a Tentative Parcel Map and Conditional Use Permit.

Tentative Parcel Map (P-7-08) represents a request for the following:

1. To subdivide an approximately 0.50-acre site into two single-family residential lots pursuant to Article VI of the Oceanside Subdivision Ordinance. Lot 1 will consist of 0.27 acres and the existing 1,577-square foot home will remain. Lot 2 will consist of 0.23 acres and will be vacant, until development with a single-family home. The proposed project is within the Residential Estate – B (RE-B) Zone District and as per the Oceanside Zoning Ordinance the minimum lot area in this zoning district is 10,000 square feet.

Conditional Use Permit (C-22-08) represents a request for the following:

2. To exceed the base density of 1.0 dwelling units per gross acre, pursuant to Section 1050(B) of the Oceanside Zoning Ordinance.

## **ANALYSIS**

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

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

## **KEY PLANNING ISSUES**

### **1. General Plan conformance**

#### **A. Land Use Element I. Community Enhancement**

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

Objective 1.13 Neighborhood Character: To promote and reinforce the unique and positive attributes of individual neighborhoods of Oceanside while strengthening citywide goals, involvement, and identity.

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

with the underlying Land Use designation of Estate B Residential (EB-R).

The project site is located within the Fire Mountain Neighborhood Planning Area. The applicant has applied for a conditional use permit to exceed the base density of one (1) dwelling unit per gross acre. The proposed division of land will create two single-family lots that are at least 10,000 square feet, pursuant to Policy H of the General Plan, which is consistent with the underlying Land Use designation of the Estate B Residential. The proposed lot sizes are 11,930 net and gross square feet, and 10,018 net and gross square feet.

The General Plan Land Use Map designation on the subject property is Estate B Residential (EB-R). The proposed project is consistent with this designation and compatible with surrounding lot sizes. Table 1 provides comparisons with adjacent lots.

**Table 1 Land Use compatibility with surrounding developments**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	EB-R	RE-B	Residential
North of the site	EB-R	RE-B	Residential
East of the site	EB-R	RE-B	Residential
South of the site	EB-R	RE-B	Residential
West of the site	EB-R	RE-B	Residential

The Fire Mountain Neighborhood is distinctive in Oceanside, because it is characterized by single unit-conventional (SU-C) developments, a lack of sidewalks and curbs, and subdivisions with panhandle lots. The architecture of the area is eclectic and frequently includes custom homes. The proposed subdivision of land will contribute to the character and image of the City of Oceanside as a safe, attractive desirable and well-balanced community in that it proposes residential lots that are larger than the typical 10,000-square foot lots in the Fire Mountain Neighborhood. This proposal includes lot sizes that reinforce the unique and positive attributes of the Fire Mountain Neighborhood. As such, the proposal satisfies General Plan Community Enhancement Goal, its Objective 1.13 and Policy H.

Policy B: The area which includes the Fire Mountain single-family residential district shall ensure that the rustic and rural nature of the district is preserved and enhanced. A key to this objective is providing for:

- 1) Minimum lot sizes of 10,000 square feet or greater,
- 2) View preservation, and
- 3) Extensive landscaping

The proposed two-lot subdivision has taken Policy B into consideration, and is proposing to implement the three elements denoted above into the site planning and overall design of the development. This will be accomplished through the creation of

similar lot sizes as many of the surrounding homes in the area and through the requirement to obtain an Administrative Development Plan (ADP) that will ensure future development of parcel 2 with a custom home that will be reviewed for architecture and landscaping at the time of development. Furthermore, the General Plan Land Use Element establishes polices regarding residential densities and requires that subdivisions of land that proposes to exceed the established base densities shall be favorably considered if the overall residential project possesses an excellence of design features.

Although the proposed project does not include conceptual residential designs as part of this application overall review and approval, it is the requirement for each parcel to submit and gain approval of an Administrative Development Plan (ADP) that will ensure that the rustic and rural nature of the district is enhanced and that an excellence in design features is utilized.

The General Plan Land Use Map designation on the subject property is Estate B Residential (EB-R). The proposed project is consistent with this designation and compatible with surrounding lot sizes. Table 1 provides comparisons with adjacent lots.

Staff further concludes that the design of the subdivision and the type of improvements proposed will not result in any serious public safety or health issues for the surrounding Fire Mountain neighborhood.

## 2. Zoning Compliance

This project is located in the Residential Estate B District (RE-B) and complies with the requirements of that zone. The application does not include a proposal for development. Rather, development standards are proposed as part of the application (see the *Description and justification*) and incorporated into the conditions of approval. In accordance with Article 43 of the Oceanside Zoning Ordinance, future applicant(s) will need to submit a development plan for each of the proposed three lots. Table 2 summarizes applicable development standards for the project site.

**Table 2 Development standards**

	REQUIRED	PROPOSED
MINIMUM LOT SIZE	10,000 SF or 0.23 net acres	Parcel 1: 0.27 net acres Parcel 2: 0.23 net acres
PARKING SPACES	2-car garage	2-car garage
FRONT YARD	25-feet	25-feet
CORNER SIDE YARD	15-feet	15-feet
INTERIOR SIDE YARD	7.5-feet	7.5-feet
REAR YARD	20-feet	20-feet
MINIMUM LOT WIDTH	70-feet	Parcel 1: 101.59 feet wide Parcel 2: 98.4 feet wide
MAXIMUM HEIGHT	36-feet	All Parcels: 36-feet

The proposal to create two residential lots has been determined by staff to meet the intent of the regulations of the Zoning Ordinance for the Residential Estate –B (RE-B) zoned parcel, and subject to approval of an Administrative Development Plan (ADP) will ensure that future design and development of single-family residential structures provides superior architectural features consistent with the pattern of development within the Fire Mountain Neighborhood.

### **3. Subdivision Ordinance**

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

A. Article VI Subdivision of Four or Fewer Parcels:

Pursuant to Section 600 of the Subdivision Ordinance, the proposed Tentative Parcel Map has been prepared to the satisfaction of the City Engineer, and as conditioned would allow for a two-lot subdivision.

## **DISCUSSION**

*Issue: Project Compatibility with the Existing Neighborhood Character:* The proposed subdivision has been determined by staff to be consistent with the overall character of the Fire Mountain Neighborhood to provide large estate type lots with custom single-family homes. The subject project would provide additional housing stock for independent ownership consistent with the City's Zoning Ordinance and General Plan vision to provide for an estate type development. Although a varied mix of architectural designs exists throughout the Fire Mountain Community, no one neighborhood design characteristic dominates future direction on architectural design. In order for the project to be compatible with the neighborhood character, the project has been conditioned to process an Administrative Development Plan prior to developing the newly created lots with single-family residences.

*Recommendation:* Staff finds and recommends that the Planning Commission concur with staff that the overall conceptual site design of the project is consistent with the existing neighborhood character, and compatible with the surrounding developed area of Fire Mountain.

## **ENVIRONMENTAL DETERMINATION**

Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based upon that review, staff finds that the proposed project constitutes a division of property in an urbanized area zoned for residential into four or fewer parcels, and the project is categorically exempt, Class 15, "Minor Land Divisions" (Section 15315).

**PUBLIC NOTIFICATION**

Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals/organizations requesting notification, applicant, and interested parties. As of December 12, 2011, no communication supporting or opposing the request had been received.

**SUMMARY**

The proposed Tentative Parcel Map (P-7-08) and Conditional Use Permits (C-22-08) are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project is compatible in terms of density and site design with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

- Move to approve Tentative Parcel Map (P-7-08) and Conditional Use Permit (C-22-08) by adopting Planning Commission Resolution No. 2011-P44 as attached.

PREPARED BY:

  
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Scott Nightingale  
Planner

SUBMITTED BY:

  
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Jerry Hittleman  
City Planner

Attachments:

1. Planning Commission Resolution No. 2011-P44
2. Plans/Site Map

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2011-P44

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 TENTATIVE PARCEL MAP AND A CONDITIONAL USE  
6 PERMITS ON CERTAIN REAL PROPERTY IN THE CITY OF  
OCEANSIDE

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7 APPLICATION NO: P-7-08, C-22-08  
8 APPLICANT: Andreas Hahn  
9 LOCATION: Southwest corner of Fire Mountain Drive and Ridgeway Road

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

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

15 to subdivide a .50-acre lot into two new parcels, that exceeds the base density for the RE-  
16 B District;  
17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 12th  
19 day of December, 2011 conduct a duly advertised public hearing as prescribed by law to consider  
20 said application.

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
22 Guidelines thereto; this project has been found to be categorically exempt per Article 19 Section  
23 15315 "Minor Land Divisions" from further environmental review;

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

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

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

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

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

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

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

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

19 FINDINGS:

20 For the Tentative Parcel Map (P-7-08):

21 1. That the proposed Tentative Parcel Map is consistent with the General Plan of the City by  
22 meeting and exceeding lot size requirements and other applicable provisions of the  
23 Zoning Ordinance and the Subdivision Ordinance. The Fire Mountain Neighborhood  
24 Planning Area is designated Estate B (1 - 3.5 dwelling unit/acre) and with the  
25 corresponding zoning of Residential Estate – B (RE-B), a minimum lot size of 10,000  
26 square feet as defined in the Zoning Ordinance shall be considered consistent with the  
27 underlying Land Use designation of Estate B Residential (EB-R). The subject subdivision  
28 would create two lots that are approximately 11,761.2 and 10,938.8 gross square feet in  
size respectively.

2. That the site is physically suitable for the type and proposed density of development by  
providing lot areas consistent with the Fire Mountain Neighborhood Planning Area. The

1 proposed subdivision will create two lots that are approximately 11,761.2 and 10,938.8  
2 gross square feet in size; therefore, making the proposal consistent with the character and  
3 pattern of development in the area and the underlying land use designation.

4 3. That the design of the subdivision or the proposed improvements will not cause  
5 substantial environmental damage or substantially and avoidably injure fish or wildlife or  
6 their habitat and has been categorically exempted from review under the California  
7 Environmental Quality Act.

8 4. That the design of the subdivision or the type of improvements meets City standards and  
9 will not conflict with easements, acquired by the public at large, for access through or the  
10 use of property within the proposed subdivision.

11 5. That the subdivision complies with all other applicable ordinances, regulations and  
12 guidelines of the City of Oceanside. The proposed subdivision would not involve any  
13 variances from the regulations established at the time of this approval and subject to  
14 approval of an Administrative Development Plan (ADP) would ensure that future  
15 development implements superior architectural design features as required by the City's  
16 ordinances and regulations.

17 For the Conditional Use Permit – For exceeding base density (C-22-08):

18 1. The subject property is zoned RE-B with a corresponding Land Use designation of  
19 Estate-B Residential (1-3.5 dwelling units per acre). The density of 2.2 dwelling units per  
20 acre is consistent with the density range of 1–3.5 dwelling units per acre established by  
21 the Residential Estate–B designation and through a requirement to process an  
22 Administrative Development Plan will ensure that future developments implement and  
23 possess an excellence in design features.

24 2. The location of the conditional use permit and proposed conditions under which the  
25 Tentative Parcel Map will be implemented will not cause detriment to the public health  
26 safety or welfare of persons residing or working in or adjacent to the neighborhood of  
27 such use or to properties or improvements in the vicinity. The proposed two lot  
28 subdivision will improve the right-of-way areas adjacent to the site and will not result in  
any development that would be unsafe for the persons residing or working in the area.

3. The Tentative Parcel Map has been adequately conditioned and designed to comply with  
applicable requirements of the Zoning Ordinance. Approval of an Administrative

1 Development Plan prior to each parcels development will ensure zoning ordinance  
2 compliance.

3 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
4 approve Tentative Parcel Map (P-7-08) and Conditional Use Permit (C-22-08) subject to the  
5 following conditions:

6 **Engineering:**

- 7 1. For the demolition of any existing structure or surface improvements; grading plans shall  
8 be submitted and erosion control plans be approved by the City Engineer prior to the  
9 issuance of a demolition permit. No demolition shall be permitted without an approved  
10 erosion control plan.
- 11 2. Vehicular access rights to Fire Mountain Drive shall be relinquished to the City from the  
12 two proposed lots (parcel one and parcel two).
- 13 3. All right-of-way alignments, street dedications, exact geometrics and widths shall be  
14 dedicated and constructed or replaced as required by the City Engineer.
- 15 4. Design and construction of all improvements shall be in accordance with the City of  
16 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard  
17 engineering and specifications of the City of Oceanside and subject to approval by the  
18 City Engineer.
- 19 5. Prior to approval of the parcel map or any increment, all improvement requirements, within  
20 such increment or outside of it if required by the City Engineer, shall be covered by a  
21 subdivision agreement and secured with sufficient improvement securities or bonds  
22 guaranteeing performance and payment for labor and materials, setting of monuments, and  
23 warranty against defective materials and workmanship.
- 24 6. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian ramps  
25 and sidewalk within the project, or adjacent to the project boundary that are damaged during  
26 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 27 7. Proof of legal access for parcels one and two to Victoria Lane shall be provided prior to the  
28 recordation of parcel map.
8. The owner/developer shall provide public street dedication for Fire Mountain Road if  
required to serve the property to the satisfaction of the City Engineer.

- 1 9. Where proposed off-site improvements, including but not limited to slopes, public utility  
2 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his own  
3 expense, obtain all necessary easements or other interests in real property and shall dedicate  
4 the same to the City of Oceanside as required. The owner/developer shall provide  
5 documentary proof satisfactory to the City of Oceanside that such easements or other  
6 interest in real property have been obtained prior to the approval of parcel map or issuance  
7 of any grading, building, or improvement permit for this project. Additionally, the City of  
8 Oceanside, may at its sole discretion, require that the owner/developer obtain at his sole  
9 expense a title policy insuring the necessary title for the easement or other interest in real  
10 property to have vested with the City of Oceanside or the owner/developer, as applicable.
- 11 10. Pursuant to the State Map Act, improvements shall be required at the time of development.  
12 A Declaration of Covenants, Conditions and Restrictions (DCC&R) is required prior to the  
13 recordation of parcel map, and will be reviewed and approved by the City Attorney. The  
14 Declaration of Covenants, Conditions and Restrictions (DCC&R) shall be recorded attesting  
15 to these improvement conditions prior or concurrent with the recordation of parcel map.
- 16 11. A precise grading and private improvement plan shall be prepared, reviewed, secured and  
17 approved prior to the issuance of any building permits. The plan shall reflect all pavement,  
18 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,  
19 footprints of all structures, walls, drainage devices and utility services.
- 20 12. This project shall provide year-round erosion control including measures for the site  
21 required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
22 control plan, designed for all proposed stages of construction, shall be reviewed, secured by  
23 the owner/developer with cash securities and approved by the City Engineer.
- 24 13. Prior to any grading of any part of this project, a comprehensive soils and geologic  
25 investigation shall be conducted of the soils, slopes, and formations in the project. All  
26 necessary measures shall be taken and implemented to assure slope stability, erosion  
27 control, and soil integrity. No grading shall occur until a detailed grading plan, to be  
28 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by  
the City Engineer.
14. It is the responsibility of the owner/developer to evaluate and determine that all soil  
imported as part of this development is free of hazardous and/or contaminated material as

1 defined by the City and the County of San Diego Department of Environmental Health.  
2 Exported or imported soils shall be properly screened, tested, and documented regarding  
3 hazardous contamination.

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

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

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

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

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

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

17. 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 the

1 public right-of-way. Traffic control during construction of streets that have been opened  
2 to public traffic shall be in accordance with construction signing, marking and other  
3 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 18. Fire Mountain Drive shall be constructed with curbs and gutters and sidewalk along  
7 property frontage. New offsite pavement taper transitions shall be constructed east and west  
8 of the proposed widening, in accordance with the City of Oceanside Engineers Design  
9 standards.

10 19. Victoria Lane shall be widened and paved to a minimum of 28 feet wide (14 feet wide from  
11 the centerline of the 60 feet Victoria Lane) along property frontage.

12 20. Fire Mountain Drive along property frontage shall provide a minimum of 10 feet parkway  
13 between the face of curb and the right of way line. New sidewalk improvements along the  
14 property frontage on Fire Mountain Road shall comply with ADA requirements.

15 21. Sight distance requirements at the intersection of Victoria Lane along Fire Mountain Road  
16 for each direction of traffic shall conform to the corner sight distance criteria as provided by  
17 SDRSD, DS-20A and or DS-20B.

18 22. Pavement sections for Fire Mountain Drive and Victoria Lane and parking areas shall be  
19 based upon approved soil tests and traffic indices. The pavement design is to be prepared  
20 by the owner/developer's/owner's soil engineer and must be in compliance with the City of  
21 Oceanside Engineers Design and Processing Manual and be approved by the City  
22 Engineer, prior to paving.

23 23. Prior to approval of the grading plans, the owner/developer shall contract with a  
24 geotechnical engineering firm to perform a field investigation of the existing pavement on  
25 Fire Mountain Drive and Victoria Lane adjacent to the project boundary. The limits of the  
26 study shall be half-street plus twelve (12) feet along the project's frontage. The field  
27 investigation shall include a minimum of one pavement boring per every one fifty\_(50')  
28 linear feet of street frontage. Should the existing AC thickness be determined to be less  
than the current minimum standard for AC and Class II Base as set forth in the table for City  
of Oceanside Pavement Design Guidelines in the City of Oceanside Engineers Manual, the

1 owner/developer shall remove and reconstruct the pavement section as determined by the  
2 pavement analysis submittal process detailed in the condition listed below:

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

11 25. The drainage design shown on the preliminary grading plan and the drainage report for this  
12 tentative parcel map is conceptual only. The final drainage report and drainage design shall  
13 be based upon a hydrologic/hydraulic study that is in compliance with the latest San Diego  
14 County Hydrology and Drainage Manual to be approved by the City Engineer during final  
15 engineering. All public storm drains shall be shown on City standard plan and profile  
16 sheets. All storm drain easements shall be dedicated where required. The owner/developer  
17 shall be responsible for obtaining any off-site easements for storm drainage facilities.

18 26. There shall be no drainage discharge directed to adjacent properties. In particular there  
19 shall be no drainage runoff directed or discharged from parcels one and two to adjacent  
20 properties. The owner/developer shall place a covenant on the title sheet of the parcel  
21 map agreeing to the following: "The present or future owner (s) shall indemnify and save  
22 the City of Oceanside, its officers, agents, and employees harmless from any and all  
23 liabilities, claims arising from any flooding that occurs on this site."

24 27. All **new extension services** for the development of the project, including but not limited to,  
25 electrical, cable and telephone, shall be placed underground per Section 901.G. of the  
26 Subdivision Ordinance (R91-166) and as required by the City Engineer and current City  
27 policy.

28 28. The owner/developer shall obtain any necessary permits and clearances from all public  
agencies having jurisdiction over the project due to its type, size, or location, including but  
not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,  
U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board

1 (including NPDES), San Diego County Health Department, prior to the issuance of grading  
2 permits.

3 29. The approval of the project shall not mean that proposed grading or improvements on  
4 adjacent properties (including any City properties/right-of-way or easements) is granted  
5 or guaranteed to the owner/developer. The owner/developer is responsible for obtaining  
6 permission to grade to construct on adjacent properties. Should such permission be  
7 denied, this tentative parcel map shall be subject to going back to the public hearing or  
8 subject to a substantial conformity review.

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

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

24 32. The owner/developer shall comply with the provisions of National Pollution Discharge  
25 Elimination System (NPDES) General Permit for Storm Water Discharges Associated  
26 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The  
27 General Permit continues in force and effect until a new General Permit is issued or the  
28 SWRCB rescinds this General Permit. Only those owner/developers authorized to  
discharge under the expiring General Permit are covered by the continued General  
Permit. Construction activity subject to the General Permit includes clearing, grading,  
and disturbances to the ground such as stockpiling, or excavation that results in land

1 disturbances of equal to or greater than one acre. The owner/developer shall obtain  
2 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a  
3 Waste Discharge Identification Number (WDID#) from the State Water Resources  
4 Control Board (SWRCB). In addition, coverage under the General Permit shall not occur  
5 until an adequate SWPPP is developed for the project as outlined in Section A of the  
6 General Permit. The site specific SWPPP shall be maintained on the project site at all  
7 times. The SWPPP shall be provided, upon request, to the United States Environmental  
8 Protection Agency (USEPA), SWRCB, Regional Water Quality Control Board  
9 (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The  
10 SWPPP is considered a report that shall be available to the public by the RWQCB under  
11 section 308(b) of the Clean Water Act. The provisions of the General Permit and the site  
12 specific SWPPP shall be continuously implemented and enforced until the  
13 owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The  
14 owner/developer is required to retain records of all monitoring information, copies of all  
15 reports required by this General Permit, and records of all data used to complete the NOI  
16 for all construction activities to be covered by the General Permit for a period of at least  
17 three years from the date generated. This period may be extended by request of the  
18 SWRCB and/or RWQCB.

18 33. Following approval of the Storm Water Mitigation Plan (SWMP) by the City Engineer  
19 and prior to issuance of grading permits, the owner/developer shall submit and obtain  
20 approval of an Operation & Maintenance (O&M) Plan, prepared to the satisfaction of the  
21 City Engineer. The O&M Plan shall include an approved and executed Maintenance  
22 Mechanism pursuant to Section 5 of the Standard Urban Storm Water Mitigation Plan  
23 (SUSMP). The O&M shall satisfy the minimum Maintenance Requirements pursuant to  
24 Section 5 of the SUSMP. At a minimum the O&M Plan shall include the designated  
25 responsible party to manage the storm water BMP(s), employee training program and  
26 duties, operating schedule, maintenance frequency, routine service schedule, specific  
27 maintenance activities, copies of resource agency permits, cost estimate for  
28 implementation of the O&M Plan, a non-refundable cash (or certificate of deposit payable  
to the City), or an irrevocable, City-Standard Letter of Credit security to provide  
maintenance funding in the event of noncompliance to the O&M Plan, and any other

1 necessary elements. The owner/developer shall provide the City with access to site for  
2 the purpose of BMP inspection and maintenance by entering into an Access Rights  
3 Agreement with the City. The owner/developer shall complete and maintain O&M forms  
4 to document all operation, inspection, and maintenance activities. The owner/developer  
5 shall retain records for a minimum of 5 years. The records shall be made available to the  
6 City upon request.

7 34. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance  
8 Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair and  
9 replace the Storm Water Best Management Practices (BMPs) identified in the project's  
10 approved SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be  
11 approved by the City Attorney prior to issuance of any precise grading permit and shall be  
12 recorded at the County Recorder's Office prior to issuance of any building permit. A  
13 non-refundable Security in the form of cash (or certificate of deposit payable to the City)  
14 or an irrevocable, City Standard Letter of Credit shall be required prior to issuance of a  
15 precise grading permit. The amount of the non-refundable security shall be equal to 10  
16 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of  
\$25,000. The owner/developer's civil engineer shall prepare the O&M cost estimate.

17 35. At a minimum, maintenance agreements shall require the staff training, inspection and  
18 maintenance of all BMPs on an annual basis. The owner/developer shall complete and  
19 maintain O&M forms to document all maintenance activities. Parties responsible for the  
20 O&M plan shall retain records at the subject property for at least 5 years. These  
documents shall be made available to the City for inspection upon request at any time.

21 36. The Agreement shall include a copy of executed onsite and offsite access easement and or  
22 access rights necessary for the operation and maintenance of BMPs that shall be binding  
23 on the land throughout the life of the project to the benefit of the party responsible for the  
24 O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include a  
25 copy of the O&M Plan approved by the City Engineer.

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

- 1 38. The owner/developer shall provide a copy of the title/cover page of an approved SWMP  
2 with the first engineering submittal package. If the project triggers the City's Stormwater  
3 requirements but no approved Stormwater document (SWMP) exists, the appropriate  
4 document shall be submitted for review and approval by the City Engineer. The SWMP  
5 shall be prepared by the owner/developer's Civil Engineer. All Stormwater documents  
6 shall be in compliance with the latest edition of submission requirements.
- 7 39. Provide the City of Oceanside with a certification from each public utility and each public entity  
8 owning easements within the proposed project stating that: (a) they have received from the  
9 owner/developer a copy of the proposed map; (b) they object or do not object to the filing of the  
10 map without their signature; (c) in case of a street dedication affected by their existing easement,  
11 they will sign a "subordination certificate" or "joint-use certificate" on the map when required by  
12 the governing body. In addition, the owner/developer shall furnish proof to the satisfaction of  
13 the City Engineer that no new encumbrances have been created that would subordinate the City's  
14 interest over areas to be dedicated for public road purposes since submittal of the project.
- 15 40. The owner/developer shall comply with all the provisions of the City's cable television ordinances  
16 including those relating to notification as required by the City Engineer.
- 17 41. Approval of this development project is conditioned upon payment of all applicable impact fees and  
18 connection fees in the manner provided in chapter 32B of the Oceanside City Code. All traffic  
19 signal fees and contributions, highway thoroughfare fees, park fees, reimbursements, and other  
20 applicable charges, fees and deposits shall be paid prior to recordation of the parcel map or the  
21 issuance of any building permits, in accordance with City Ordinances and policies. The  
22 owner/developer shall also be required to join into, contribute, or participate in any improvement,  
23 lighting, or other special district affecting or affected by this project. Approval of the tentative  
24 parcel map shall constitute the owner/developer's approval of such payments, and his agreement to  
25 pay for any other similar assessments or charges in effect when any increment is submitted for  
26 parcel map or building permit approval, and to join, contribute, and/or participate in such districts.
- 27 42. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project will  
28 be subject to prevailing wage requirements as specified by Labor Code section 1720(b) (4). The  
owner/developer shall agree to execute a form acknowledging the prevailing wage requirements  
prior to the granting of any fee reductions or waivers.
43. In the event that the conceptual plan does not match the conditions of approval, the resolution of  
approval shall govern.

1 **Building:**

- 2 44. Construction shall comply with the current addition edition of the California Codes.  
3 45. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.  
4 46. California Residential Code requires each new one and two family dwellings to install an  
5 Automatic Fire Sprinkler System designed and installed in accordance with CRC Section  
6 R 313.3 or NFPA 13D.  
7 47. All new one and two family dwellings shall comply with the current California Green  
8 Code.

8 **Fire Prevention:**

- 9 48. Fire Department requirements shall be placed on plans in the notes section.  
10 49. All proposed and existing fire hydrants within 600 feet of the project shall be shown on  
11 the site plan.  
12 50. An approved fire sprinkler system must be installed throughout the residential buildings.  
13 The system shall be designed per N.F.P.A. 13D.

14 **Planning:**

- 15 51. This Tentative Parcel Map (P-7-08) and Conditional Use Permit (C-22-08) shall expire  
16 two years from the effective date of the Planning Commission action, unless a time  
17 extension is granted by the Planning Commission.  
18 52. The Tentative Parcel Map and Conditional Use Permit approves only a two-lot  
19 subdivision and exceeding base density, as shown on the plans and exhibits presented to  
20 the Planning Commission for review and approval. No deviation from these approved  
21 plans and exhibits shall occur without City Planner approval. Substantial deviations shall  
22 require a revision to the Tentative Parcel Map and Conditional Use Permits.  
23 53. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold  
24 harmless the City of Oceanside, its agents, officers or employees from any claim, action  
25 or proceeding against the City, its agents, officers, or employees to attack, set aside, void  
26 or annul an approval of the City, concerning Tentative Parcel Map (P-7-08) and  
27 Conditional Use Permit (C-22-08). The City will promptly notify the applicant of any  
28 such claim, action or proceeding against the City and will cooperate fully in the defense.  
If the City fails to promptly notify the applicant of any such claim action or proceeding or

1 fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to  
2 defend, indemnify or hold harmless the City.

3 54. All single-family dwelling units shall dispose of or recycle solid waste in a manner  
4 provided for in City Code Section 13.3.

5 55. A covenant or other recordable document approved by the City Attorney shall be  
6 prepared by the applicant and recorded prior to the approval of the final Parcel Map. The  
7 covenant shall provide that the property is subject to this resolution, and shall generally  
8 list the conditions of approval.

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

15 57. Prior to the transfer of ownership of the property the applicant shall provide a written  
16 copy of the applications, staff report(s), and resolution(s) to the new owner(s). This  
17 notification's provision shall run with the life of the Tentative Parcel Map and shall be  
18 recorded as a covenant on the property.

19 58. Failure to meet any conditions of approval for this residential subdivision shall constitute  
20 a violation of the Tentative Parcel Map (P-7-08) and Conditional Use Permit (C-22-08).

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

27 60. Pursuant to General Plan Objective 1.24, Policy R, topsoil from excavated areas shall be  
28 stockpiled for reuse on the site where appropriate.

61. Pursuant to General Plan Objective 1.24, Policy Q, as construction proceeds groundcover  
shall be re-established and or planted new as early as possible.

- 1 62. Panhandle access ways shall have recorded joint maintenance agreements and cross  
2 easements for use.
- 3 63. The developer is prohibited from entering into any agreement with a cable television  
4 franchisee of the City which gives such franchisee exclusive rights to install, operate, and  
5 or maintain its cable television system in the development.
- 6 64. This Tentative Parcel Map is subject to the provisions of Chapter 14C of the City Code  
7 regarding Inclusionary Housing.
- 8 65. Pursuant to Article 43, Development Plan(s) shall be submitted, processed, and approved  
9 for Parcels 1 and 2 of the Tentative Parcel Map prior to the issuance of building permits  
10 for each lot. The Development on each lot shall provide superior architectural,  
11 landscaping design and materials compatible with those found within the Fire Mountain  
12 Neighborhood Planning Area. Front yard landscaping shall be provided by the developer  
13 of each lot and shall be shown on each Development Plan application.
- 14 66. Building floor plans, elevations, architectural style and color and materials palette on the  
15 design of structures on each lot shall differ from but compliment development on  
16 adjoining parcels.
- 17 67. Development on Parcel 2 created by this Tentative Parcel Map shall meet the following  
18 design guidelines:
- 19 a) Use of retaining walls shall be avoided. Where use of retaining walls cannot be  
20 avoided, such walls shall be screened to the maximum extent possible and use of  
21 plantable walls shall be employed as part of the design solution.
- 22 b) Structures shall complement the surrounding natural and built environment in  
23 pattern, function, scale, character and materials.
- 24 c) Variable structural setbacks shall be provided along vehicle access routes and  
25 between adjoining properties in order to establish different patterns of open space,  
26 thereby achieving an aesthetically pleasing building frontages and minimizing  
27 privacy loss between dwellings.
- 28 d) Garages shall be designed to be subordinate to the main dwelling. Garages with  
side entries, split, recessed garages or motor courts are required.
- e) Garage doors shall incorporate multi-panel designs, windows or architectural  
detailing to reduce their impact and scale.

- 1 f) Garage frontages shall be setback from the dwelling's first story façade. Garages  
2 may project in front of the dwelling only if they occupy no more than 50 percent  
3 of the building frontage and incorporate at least one of the following mitigating  
4 design features: (i) A porch not less than 12 feet wide and 8 feet deep in front of  
5 the living area; or (ii) A trellis and or arbor extending not less than 2 feet beyond  
6 the front of the garage; or (iii) A balcony above the garage with a trellis or roof  
7 along the garage frontage.
- 8 g) A minimum 15-foot wide landscaped planting area shall be provided between  
9 adjacent driveways to minimize adverse visual impacts from expansive driveway  
10 surfaces.
- 11 h) Walls and fences visible from public right-of-ways shall be architecturally  
12 enhanced and complimented by adjoining, tiered landscaping.
- 13 i) Pursuant to General Plan Objective 1.24, Policy M, permeable (and all weather)  
14 surfaces shall be used to pave driveways and the panhandle easement to the  
15 satisfaction of the City Engineer and City Planner. The use of impervious  
16 surfacing shall be limited and shall be designed to support the natural drainage  
17 system.
- 18 j) The type and location of site and building lighting shall preclude direct glare onto  
19 adjoining properties and streets.
- 20 k) Dwelling structures shall be designed to compliment, yet be distinguishable from  
21 adjacent structures. Buildings shall relate in terms of mass but utilize different  
22 form and detail compositions to create a unique design statement. The same  
23 building elevations shall not be repeated within the subdivision.
- 24 l) One story architectural elements and massing shall be incorporated into two-story  
25 building designs to the greatest extent possible. Where two-story building  
26 massing occurs, one or more of the following features should be used to soften the  
27 visual impact of a two-story wall surface: (1) variety of hip and gable roofs; (2)  
28 arbors, trellises and shade structures; (3) balconies; and (4) cantilevered building  
elements.

- 1 m) Roof designs shall be compatible in terms of type, slope, size, materials and colors  
2 to surrounding residential structures. Flat roofs are discouraged, unless they are  
3 appropriate to the selected architectural style.
- 4 n) All building elevations shall be architecturally enhanced. The selected  
5 architectural design shall be consistently employed on all building elevations.
- 6 o) Unarticulated building wall planes and monolithic forms are prohibited. Use of  
7 horizontal and vertical massing offsets is required.
- 8 p) Selection and application of building materials and colors shall take into  
9 consideration and relate to surrounding development. Use of colors that reduce  
10 and eliminate reflectivity and blend structures into the terrain is recommended.
- 11 q) Materials shall stylistically compliment architectural details. Frequent changes in  
12 materials shall be avoided. Changes in colors and materials shall occur at interior  
13 corners and shall coincide with vertical and horizontal wall plane changes.
- 14 r) Landscaping shall frame, soften and embellish the quality of the residential  
15 environment, buffer residences from noise and enhance privacy. Tiered planting  
16 shall be used to enhance the character of the project. Preservation of existing  
17 vegetation, to the maximum extent possible, and effective integration within the  
overall landscaping plan shall be required.

18 68. In the event any subsurface archaeological resources are encountered during grading or  
19 construction activities, such activities in the locality of the find shall be halted  
20 immediately. An archaeologist, certified by the Society of Professional Archaeologists  
21 (SOPA), shall be brought in to determine the significance of the archaeological resources  
and implement appropriate mitigations prior to recommending earthwork.

22 69. An archaeologist and a Native American monitor shall be present for a pre-grade meeting  
23 to discuss the monitoring program with the grading contractor, City staff and the  
24 developer. The archaeologist and the Native American monitor may determine, in  
25 coordination with City staff, that the full-time presence of a monitor is not required, that  
26 checking the grading at regular intervals is sufficient. Alternatively, they may determine  
27 that an archaeologist and a Native American monitor be on-site during grading and  
28 trenching within the project area.

- 1 70. If archaeological materials are encountered, their importance must be evaluated to assess  
2 the significance of impacts. If significant cultural resources are encountered, mitigation  
3 would be accomplished through documentation and excavation of features, cataloging  
4 and analysis of cultural material collected, and preparation of a report detailing the  
5 methods and results of the monitoring/data recovery program.
- 6 71. Any cultural material recovered shall be accurate at an appropriate facility, except as  
7 stipulated differently in the pre-excavation agreement.
- 8 72. A letter of clearance from the affected school district in which the property is located  
9 shall be provided as required by City policy at the time building permits are issued.

9 **Water Utilities:**

- 10 73. The developer will be responsible for developing all water and sewer utilities necessary to  
11 develop the property. Any relocation of water and/or sewer utilities is the responsibility of  
12 the developer and shall be done by an approved licensed contractor at the developer's  
13 expense.
- 14 74. The property owner shall maintain private water and wastewater utilities located on  
15 private property.
- 16 75. All Water and Wastewater construction shall conform to the most recent edition of the  
17 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by  
18 the Water Utilities Director.
- 19 76. Residential units shall be metered individually. Private utility systems for residential  
20 developments are not allowed.
- 21 77. All public water and/or sewer facilities not located within the public right-of-way shall be  
22 provided with easements sized according to the Water, Sewer, and Reclaimed Water  
23 Design and Construction Manual. Easements shall be constructed for all weather access.
- 24 78. No trees, structures or building overhang shall be located within any water or wastewater  
25 utility easement.
- 26 79. All lots with a finish pad elevation located below the elevation of the next upstream  
27 manhole cover of the public sewer shall be protected from backflow of sewage by  
28 installing and maintaining an approved type backwater valve, per the Uniform Plumbing  
Code (U.P.C.).

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

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

8 PASSED AND ADOPTED Resolution No. 2011-P44 on December 12, 2011 by the  
9 following vote, to wit:

10 AYES:

11 NAYS:

12 ABSENT:

13 ABSTAIN:

14 \_\_\_\_\_  
Tom Rosales, Chairperson  
Oceanside Planning Commission

15 ATTEST:

16 \_\_\_\_\_  
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this  
19 is a true and correct copy of Resolution No. 2011-P44.

20 Dated: \_\_\_\_\_  
21 December 12, 2011

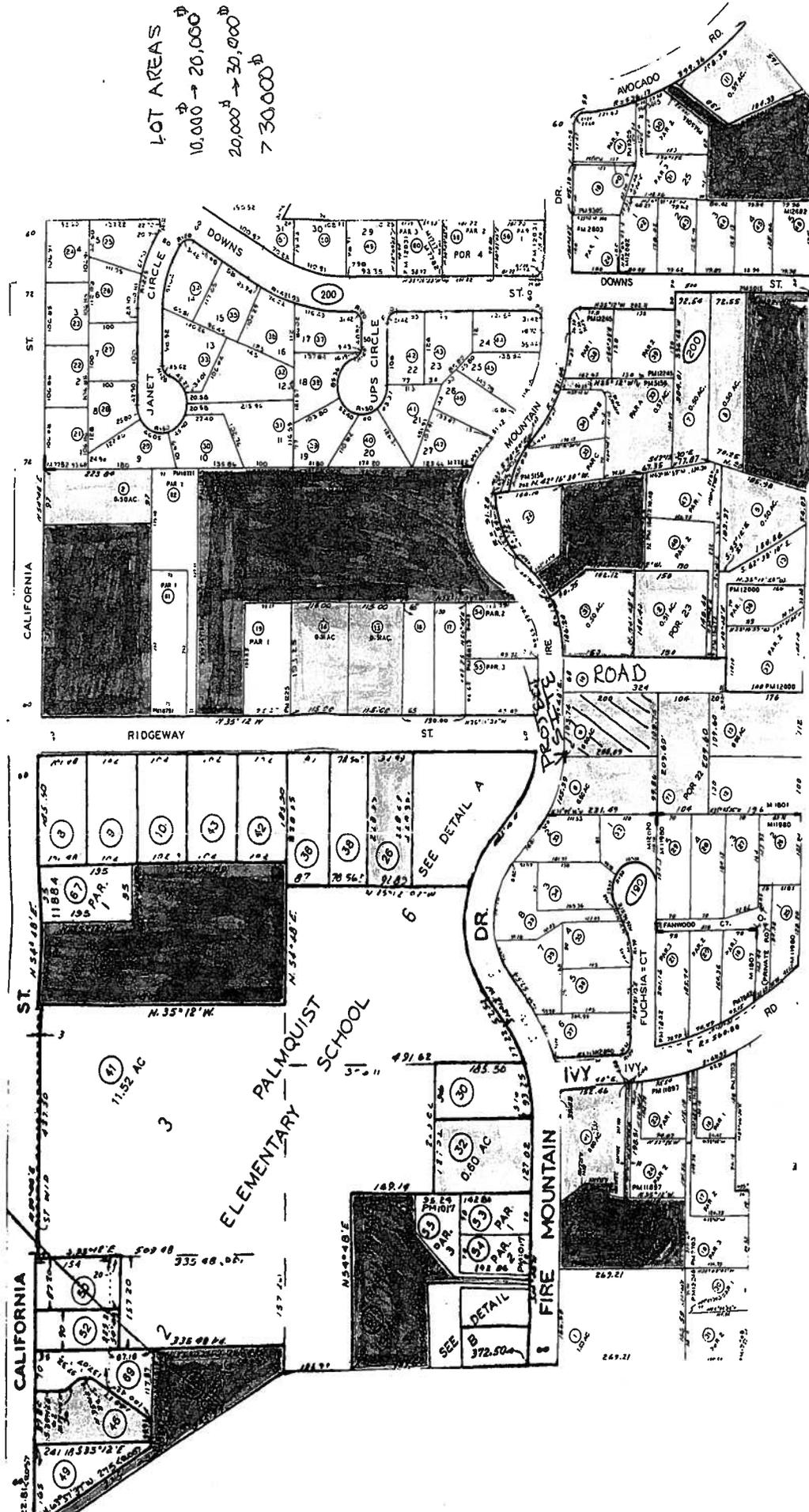
22  
23 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may  
24 be required as stated herein:

25  
26 \_\_\_\_\_  
Applicant/Representative

27 \_\_\_\_\_  
Date



LOT AREAS  
 10,000 → 20,000  
 20,000 → 30,000  
 7 30,000



Hahn Parcel Map



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

**STAFF USE ONLY**  
 ACCEPTED 5/5/08 BY  
 RECEIVED  
 MAY - 6 2008  
 @yahoo.com  
 Planning Department

Please Print or Type All Information ahahnconstruction

**PART I - APPLICANT INFORMATION**

1. APPLICANT STEPHANIE HAHN & ANDREAS HAHN  
 2. STATUS OWNER  
 3. ADDRESS 1945 FIRE MTN. DR (760) 415-2272  
 4. PHONE/FAX/E-mail  
 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) GREGORY D. MAYER  
 6. ADDRESS 2234 IVY RD. OCEANSIDE, CA 92054  
 7. PHONE/FAX/E-mail (760) 889-8998

**HEARING**  
 GPA  
 MASTER/SP.PLAN  
 ZONE CH.  
 TENT. MAP  
 PAR. MAP P-7-08  
 DEV. PL.  
 C.U.P. C-22-08  
 VARIANCE  
 COASTAL  
 O.H.P.A.C.

**PART II - PROPERTY DESCRIPTION** gregoryd.mayer@gmail.com

8. LOCATION 1945 FIRE MTN. DRIVE  
 10. GENERAL PLAN SF.RES.  
 11. ZONING R-1  
 12. LAND USE RESIDENTIAL

9. SIZE 0.50 ACRE  
 13. ASSESSOR'S PARCEL NUMBER 154-190-09-00

**PART III - PROJECT DESCRIPTION** Rev 9/24/09

14. GENERAL PROJECT DESCRIPTION  
 SUBDIVISION OF 0.5 ACRE LOT INTO TWO 0.25 ACRE LOTS - NO PROPOSED GRADING OR DEVELOPMENT. EXISTING SFD TO REMAIN.

15. PROPOSED GENERAL PLAN SINGLE FAM. RES.  
 16. PROPOSED ZONING R-1  
 17. PROPOSED LAND USE RESIDENTIAL  
 18. NO. UNITS 2  
 19. DENSITY 4/ACRE  
 20. BUILDING SIZE NA  
 21. PARKING SPACES NA  
 22. % LANDSCAPE NA  
 23. % LOT COVERAGE or FAR NA

**PART IV - ATTACHMENTS**

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): GREGORY D. MAYER  
 34. DATE 4-15-08

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: [Signature]  
 35. OWNER (Print) ANDREAS HAHN  
 36. DATE 4-29-08

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.  
 Sign: [Signature]

OWNER: [Signature]  
 DATE: 4/30/08  
 STEPHANIE HAHN

RECEIVED

# DESCRIPTION AND JUSTIFICATION

## HAHN PARCEL MAP

P-7-08  
C-22-08

RECEIVED  
MAY 05 2008  
Planning Department

### Introduction

The subject Tentative Parcel Map (TPM) application proposes the subdivision of one single-family residential parcel into two (2) single-family parcels. The subject TPM proposes to preserve the existing single family dwelling (SFD), and meets or exceeds all minimum setbacks. This entitlement involves no grading and no development of any kind. City imposed frontage improvements will be the only proposed construction necessary to subdivide this parcel.

The Hahn parcel consists of 0.50 acres located at 1945 Fire Mountain Drive in the Fire Mountain neighborhood (APN154-190-09). The Site has a Residential (4.0 du/acre) general plan designation and is zoned R-1.

The parcel is surrounded by existing single-family residences and undeveloped single-family parcels. The surrounding land use designation is Residential (4.0 du/acre) general plan designation and is zoned R-1.

### Tentative Parcel Map

The proposed TPM consists of the creation of two (2) residential parcels, "Parcel 1" and "Parcel 2" with sizes of 11,294 and 10,486 square feet, respectively. The proposed project Density is 4 dwelling units per acre, which is at the base density of for the property's Residential R-1 general plan designation (4.0 du/acre). Access for the property will be from Victoria Lane,

*a private residential street/driveway.*

*The existing improvements to Victoria consist of a 60-foot right-of-way with a +/-24-foot wide asphalt concrete road with no curb/gutter or sidewalk. The additional improvements to Fire Mountain Drive are proposed to be the addition of curb/gutter and additional street widening to a standard of 20 feet from centerline along the project frontage on the west side of the street. Water and all dry utilities are available in both Victoria Lane and the project will be served by sewer via an existing public sewer in Fire Mountain Drive . Sewer, water, police, fire, and drainage services are provided by the City of Oceanside. The site is located within the Oceanside Unified School District. Telephone service is provided by AT&T, gas and electric service is provided by San Diego Gas and Electric and cable is provided via Cox Communications.*

### *Summary*

*The proposed subdivision will include two (2) residential parcels on 0.50 acres. The existing SFD is proposed to remain and meet all setback requirements. No development or grading is proposed with this entitlement.*

*The minimum lot size (10,486 square feet) is in conformance with the previously approved lot sizes for subdivisions adjacent to the site. The proposed project density is at the maximum permitted under the proposed general pan designation and is similar to the density achieved by existing, adjacent residential development.*

*Your favorable consideration of this Tentative Parcel Map is appreciated.*

Received

SEP 28 2009

Planning Division

# **Development Guidelines**

## **Hahn Tentative Parcel Map**

**P-07-08, C-22-08**

- 1. Minimum floor area for future single family dwelling on proposed Parcel 2 shall be 2,500 square feet.**
- 2. Minimum garage size shall accommodate three (3) cars, not including tandem parking spaces or carports.**
- 3. Rear and front yard setbacks shall be a minimum of 25 feet.**
- 4. Side-yard setbacks shall be a minimum of 10 feet.**
- 5. Front, side and rear elevations of structure shall have similar treatments with at least 15% of the surface area any side to have at least 2 feet of depth variation.**
- 6. All windows shall be finished with raised detail framing.**
- 7. The front elevation shall utilize at least two different types of surface finish.**

**LEGAL DESCRIPTION**

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

**PARCEL A:**

THAT PORTION OF LOT 22 OF NORTH CARLSBAD, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1807, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, OCTOBER 24, 1924, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF SAID LOT 22; THENCE SOUTH 83°16' EAST ALONG THE NORTHERLY LINE OF SAID LOT 22 A DISTANCE OF 42.93 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 193.52 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 8°46'35" A DISTANCE OF 29.64 FEET TO THE BOUNDARY LINE OF LAND DESCRIBED IN DEED TO VAN R. SQUIER, ET UX., RECORDED IN BOOK 1180, PAGE 363 OF DEEDS, THENCE CONTINUING EASTERLY ALONG SAID CURVE AND SAID NORTHERLY LOT LINE THROUGH AN ANGLE OF 31°22'51" A DISTANCE OF 105.99 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 35°12' EAST 200.09 FEET TO THE NORTHWESTERLY LINE OF LAND DESCRIBED IN DEED TO DONALD M. COLTMAN, ET UX., RECORDED JUNE 18, 1958, IN BOOK 7126, PAGE 488 OF OFFICIAL RECORDS, THENCE NORTH 54°48' EAST ALONG SAID NORTHWESTERLY LINE 109.74 FEET TO THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 60 FEET OF SAID LOT, THENCE NORTH 35°12' WEST ALONG SAID SOUTHWESTERLY LINE 200.00 FEET TO SAID NORTHERLY LOT LINE; THENCE SOUTH 54°48' WEST ALONG SAID NORTHERLY LOT LINE 103.74 FEET TO THE EASTERLY TERMINUS OF SAID 193.52 FOOT RADIUS CURVE; THENCE WESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 1°46'34" A DISTANCE OF 6.00 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL B:**

AN EASEMENT AND RIGHT OF WAY FOR ROAD, SEWER, WATER, GAS, POWER AND TELEPHONE LINES AND APPURTENANCES THERETO OVER, UNDER, ALONG AND ACROSS THE NORTHWESTERLY 200.00 FEET OF THE NORTHEASTERLY 60.00 FEET OF LOT 22 OF NORTH CARLSBAD, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, SATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1807, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON OCTOBER 24, 1924

APN: 154-190-09



## NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 12/13/11  
Removal:  
(180 days)

1. **APPLICANT:** Andreas & Stephanie Hahn
2. **ADDRESS:** 1945 Fire Mountain Dr. Oceanside CA. 92054
3. **PHONE NUMBER:** (760) 415-2272
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott nightingale, Planner
6. **PROJECT TITLE:** P-7-08 & C-22-08
7. **DESCRIPTION:** A request for approval of a two lot subdivision that exceeds base density.

**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Associate Planner finds that the proposed project constitutes subdivision of land and the deferral of utility conversion. Therefore, the Associate Planner determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section \_\_\_\_\_, <name> ( Sections 15260-15277); or,
- The project is categorically exempt, Class 15, Section 15315 Minor Land Divisions; or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

  
\_\_\_\_\_  
Scott Nightingale, Planner

Date: December 13, 2011

cc:  Project file  Counter file  Library

Posting:  County Clerk Admin. Fee