



DATE: March 26, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF DEVELOPMENT PLAN (D12-00001)/REGULAR COASTAL PERMIT (RC12-00001), DEVELOPMENT PLAN D12-00002)/REGULAR COASTAL PERMIT (RC12-00002) AND DEVELOPMENT PLAN (D12-00003)/REGULAR COASTAL PERMIT (RC12-00003) TO ALLOW THE CONVERSION OF THREE EXISTING SINGLE-FAMILY HOMES TO DUPLEXES WITH THE ADDITION OF 1,409 SQUARE FEET OF HABITABLE SPACE AND A NEW THIRD STORY ON EACH DUPLEX BUILDING AT 811, 813 AND 815 SOUTH PACIFIC STREET – SOUTH PACIFIC DUPLEX CONVERSIONS – APPLICANTS: REVX PACIFIC NORTH LLC; REVX PACIFIC SOUTH LLC; STEVE LOOMIS**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Approve Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001), Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002) and Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) by adopting Planning Commission Resolution Nos. 2012-P15, 2012-P16, 2012-P17.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** Situated within the Coastal Zone and the Townsite Neighborhood Planning Area, the subject properties comprise three contiguous beachfront lots, each measuring 25 feet in width and 130 feet in depth. Each lot is presently developed with a 4,501-square foot single-family home. Comprised of two stories over a daylight basement, each residence includes nine bedrooms and nine bathrooms. Each residence is served by four

enclosed parking spaces, configured as two pairs of tandem stalls. All three of these homes were approved in March 2005 under the provisions of the then-applicable 1992 Zoning Ordinance. The existing tandem parking configuration required approval of a Variance, as the parking standards of the 1992 Zoning Ordinance require that single-family homes comprised of more than 2,500 square feet of habitable space furnish three independently-accessible enclosed parking spaces.

Since their construction, these homes have functioned as vacation rental properties. In the spring of 2011, the City was made aware that the homes had been converted to duplexes, allowing the basement level of each residence to serve as a separate rental unit independent of the first and second-story floor area. In response to code enforcement action, the property owners have removed unpermitted cooking facilities, removed door signage indicating multiple dwelling units in each structure, and made other changes necessary to reestablish the existing buildings as single-family residences.

The current proposal is subject to the City's General Plan, Local Coastal Program and 1986 Zoning Ordinance, which was formally reinstated for Coastal Zone properties outside of the Downtown Redevelopment Area in May 2009.

On November 7, 2011, the Planning Commission unanimously approved a proposal identical to the one that is the subject of this staff report – i.e., the conversion of the three existing single-family homes to duplexes, with the addition of 1,409 square feet of enclosed habitable space and a new third story on each duplex building. The Planning Commission's approval was appealed by representatives of property owners at 901 South Pacific Street – a three-story condominium complex with a semi-subterranean parking garage. Among its 25 points of contention, the appeal established that the proposal required approval of a Development Plan as well as issuance of a Regular Coastal Permit. Upon further analysis of the 1986 Zoning Ordinance, staff determined that, indeed, within the R-T zoning district, residential projects involving two or more dwelling units require approval of a Development Plan (in addition to a Regular Coastal Permit). To address this requirement for an additional entitlement, the applicant chose to withdraw the original application and formally re-apply for both Regular Coastal Permit and Development Plan approval.

**Site Review:** Per the 1986 Zoning Ordinance, the subject properties bear a zoning designation of Residential-Tourist (R-T). The subject properties have a land use designation of Urban High-Density Residential (UHD-R). These designations provide for single and multi-family residential uses serving both residents and visitors. The subject properties abut multi-family development to the north and south, bungalow-style apartments to the east and the Pacific Ocean to the west. The legal nonconforming 25' x 130' dimensions of each lot are typical of beachfront properties south of Wisconsin Avenue. The properties occupy a portion of coastal bluff that descends approximately 10 vertical feet from South Pacific Street to the beach immediately inland of the revetment.

Like other properties in the 800 Block of South Pacific Street, the subject sites were excavated to allow beach-level habitable space (defined as basement) to extend eastward to the front yard setback. Beach-level development on the subject sites has little to no visibility from South Pacific Street, depending upon one's vantage point within the public right-of-way.

All three of the existing residences are situated six inches from the front property line, in accordance with the blockface averaging provisions of the 1992 Zoning Ordinance. All three homes maintain three-foot side yard setbacks, and all three homes extend westward to the coastal stringline, which is approximately 15 feet inland of the rear property line. The homes achieve lot coverage of 63 percent, where 40 percent lot coverage is the maximum allowed for single-family development under the now-applicable 1986 Zoning Ordinance.

The existing residences exhibit a similar architecture, with each presenting a different roof configuration; one residence displays a gabled roof on the front elevation; another displays a rounded barrel roof; and another displays a shed roof. The front elevations of the residences are further distinguished by different second-story window configurations. The rear elevations are essentially identical, featuring extensive fenestration at the basement and street levels and substantially recessed second stories that provide for open deck areas to the west.

Photographs of existing site conditions are attached to this staff report as Exhibit 2.

**Project Description:** The applicants seek to convert the existing single-family residences to duplexes. The proposed conversions would be achieved by reconfiguring primary entrances and stairwells such that habitable space at the beach and street levels of each structure would be segregated from habitable space above street level.

As part of the proposed conversions, the applicants seek to enclose much of the open deck area on the existing second story, while adding an entirely new third story. As proposed, the conversions would add 546 square feet of habitable space to the existing second story and an additional 825 square feet of habitable space on the new third story. The existing second story would be extended westward another 29 feet, bringing it to within eight feet of the rear building line at the street level. The expanded portions of the second story would accommodate a great room and a kitchen. The remaining eight feet above the street level would serve as open deck area. The new third story would extend westward of an existing roof projection that serves as a stair enclosure and storage space. The western extent of the new third story would come to within eight feet of the rear building line of the second story, with the remaining eight feet above the second story utilized as open deck area. Habitable space on the third story would consist of a game room and two bathrooms.

The basement and street levels of each structure would function as one independent unit, with the second and third stories serving as a second independent unit. The lower unit would include five bedrooms and five bathrooms. The upper unit would include four bedrooms and six bathrooms.

The proposed project would not alter the existing parking configuration; each structure would continue to be served by four enclosed parking spaces, arranged as two pairs of tandem stalls. While the space within the existing garage would not be partitioned, each pair of tandem stalls would be assigned to a specific unit.

Exterior wall finishes, roof materials and window products associated with the proposed additions would match those of the existing structures: exterior walls would be finished with sand float stucco; new roof elements would be finished with natural slate tile; and new windows would be composed of dual-paned glass in vinyl frames.

The proposed project would not alter existing hardscape, landscape or other exterior features.

Upon conversion, the duplex structures are expected to continue to serve as vacation rentals, though each unit could also function as a long-term rental or an owner-occupied residence.

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

1. General Plan Land Use Element
2. 1986 Zoning Ordinance
3. Local Coastal Program
4. California Environmental Quality Act (CEQA)

## **ANALYSIS**

### **KEY PLANNING ISSUES**

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

The General Plan Land Use Map designation for the subject property is Urban High Density Residential (UHD-R). The proposed project is consistent with this land use designation as well as the goals and objectives of the City's General Plan, as follows:

##### **A. Land Use Element**

###### **Goal 1.23: Architecture**

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatments, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

It is staff's position that the proposed project would maintain the architectural integrity of the existing structures, both in terms of building form and finish materials. As viewed from South Pacific Street, the structures would read essentially as they do now, given that the proposed additions would be more than 42 feet removed from the front property line and largely screened by existing development.

As measured from street grade, the proposed duplexes would be only 18 inches taller than the existing single-family homes, which are roughly 22 feet above the street at the front building line and roughly 28.5 feet above the street at their highest point (48 feet removed from the front property line). As viewed from the beach, the tallest elements of the proposed duplexes would be situated 15 feet eastward of the coastal stringline (30 feet from the rear property line). It is staff's position that the terraced design of the proposed duplexes would mitigate potential massing impacts on both South Pacific Street and the public beach areas to the west. The proposed additions would have the most significant massing impacts on the adjacent properties to the north and south, which are managed by the same vacation rental company.

#### Goal 1.32: Coastal Zone

Objective: To provide for the conservation of the City's coastal resources and fulfill the requirements of the California Coastal Act of 1976.

Policy A: The City shall utilize the certified Local Coastal Plan for review of all proposed projects within the Coastal Zone. Specifically, the goals and policies of the Local Coastal Program Land Use Plan are the guiding policy review document.

The proposed project has been reviewed by staff for compliance with the policies of the Local Coastal Program (LCP). Staff finds that the application complies with applicable policies of the LCP, as follows:

#### *Adequate access to and along the coast shall be provided and maintained.*

Proposals that constitute multi-family development or involve at least 70 feet of street frontage are required to dedicate and construct public access to the beach when such access is not already present within 250 feet of the proposed project. With each lot maintaining only 25 feet of street frontage, the proposed projects are not subject to this public beach access requirement. Furthermore, existing public beach access is located within 250 feet of all three properties, at Wisconsin Avenue to the north and Hayes Street to the south.

The City shall maintain existing view corridors through public rights-of-way.

Located on interior lots substantially removed from existing public view corridors at Wisconsin Avenue and Hayes Street, the proposed projects would not impact any existing public view corridors. Existing ocean views within the required side yard setback areas would be maintained.

The City shall ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.

The proposed improvements would be consistent with existing development on the west side of the 800 Block of South Pacific Street, in terms of both architecture and site design. Neighborhood compatibility would be achieved by situating additional building height away from the public right-of-way, thereby reducing potential massing impacts and maintaining the terraced design characteristic of the rear elevations of existing beachfront development in the immediate area.

New development shall utilize optimum landscaping to accent and enhance desirable site characteristics and architectural features.

As evidenced by existing development along South Pacific Street between Wisconsin Avenue and the City's southern boundary, front yard landscaping is highly constrained by the narrowness of the typical lot, which often affords only enough width for driveways and pedestrian access. Such is the case with the subject properties. Additional landscaping at the street frontage would further compromise pedestrian circulation along the west side of South Pacific Street, which is already made difficult by the absence of sidewalk. For this reason, staff is not recommending that additional landscaping be required in conjunction with the proposed projects.

The City shall require that all new residential development provides adequate on-site parking.

Duplex development on each of the subject properties is required to provide three enclosed parking spaces (1.5 spaces per unit), with no requirement that all of these spaces be side-by-side or independently accessible. Each proposed duplex would be served by the existing four-vehicle garage, where parking is configured as two pairs of tandem stalls. The existing four-vehicle garage on each property would thus supply one more stall than is minimally required under current parking standards. However, as shown on the proposed plans, the garages are not presently of sufficient dimension to provide the requisite 9' x 20' clear space for each of the four parking stalls. Consequently, staff has included a condition of approval that requires that western portions of the garages be redesigned to accommodate a minimum clear space depth of 40 feet from the garage doors to the walls that separate the garages from adjacent habitable spaces. Staff has consulted with the applicant to verify that this condition can be met with relatively minor changes to the orientation of walls and doorways.

The proposed projects would not impact on-street parking resources in the immediate area, as existing driveway curb-cuts would be maintained at their current dimensions.

*Beachfront development shall provide a report prepared by a licensed civil engineer or geologist experienced in coastal processes [stating] that development as proposed will not be imperiled by erosion during the expected life of the structure.*

In conjunction with the review and approval of the existing single-family residences, the applicant provided geotechnical analysis and wave run-up studies demonstrating that the residences would not be threatened by erosion or wave action. As the proposed duplex conversions and associated additions would not expand the footprints of the existing single-family residences, City staff required only that the applicant demonstrate

that existing geologic conditions are capable of supporting the increased structural load that would be occasioned by the proposed additions. Such assurances were provided by a licensed civil engineer in written correspondence to City staff.

## 2. Zoning Compliance

As noted above, the proposed project is subject to the standards of the 1986 Zoning Ordinance, which was reinstated for properties in those portions of the Coastal Zone located outside of the Downtown Redevelopment Area. The 1986 Zoning Ordinance identifies both multi-family residences and vacation rentals as land uses permitted within the R-T (Residential-Tourist) Zone. Staff finds that the proposed project complies with all applicable development standards for the R-T Zone, including the reduced front yard setback allowed through calculation of a stringline that accounts for the front yard setbacks of existing structures on abutting sites. Per the stringline provision, the minimum required front yard setback for the subject properties is roughly two feet less restrictive than the front yard setback now maintained by the existing single-family homes.

The following table illustrates the proposal's conformance to R-T development standards:

**Table 1: Development Standards**

	REQUIRED	PROPOSED
MINIMUM FRONT YARD	2 feet, 3 inches <sup>1</sup>	4 feet (No change)
MINIMUM SIDE YARD	3 feet	3 feet
MINIMUM REAR YARD	Coastal stringline	Coastal stringline
MAXIMUM HEIGHT	35 feet above average finished grade	35 feet above average finished grade
MINIMUM PARKING SPACES	3	4

<sup>1</sup> As established by the stringline calculation methodology outlined in Zoning Ordinance Section 1716.

<sup>2</sup> While Zoning Ordinance Section 1723 requires that primary entrances facing side yards maintain a minimum setback of 10 feet from side yard property lines, Section 3204(1) allows for reduced setbacks when they are deemed to be architecturally compatible with development on adjacent parcels. Given the narrowness of beachfront lots on South Pacific Street, side-facing primary entrances are common. The vast majority of these side-facing primary entrances maintain side yard setbacks of substantially less than 10 feet.

As noted in the table above, the proposed duplexes would rise to the maximum allowable building height of 35 feet above average finished grade. For a depth of 48 feet westward of the front building line, the height of the proposed duplexes would not exceed that of the existing single-family homes (i.e. 22.5 feet above street grade).

Furthermore, only at a point nearly 70 feet removed from the front building line would the proposed duplexes achieve an actual profile of 35 feet relative to adjacent grade (rising to as much as 40 feet above adjacent grade at a point roughly 82 feet removed from the front building line). On the rear elevation, the proposed duplexes would be terraced back at the third and fourth levels above the beach, incorporating open deck areas and pitched roof elements to reduce massing impacts.

While applicable R-T development standards allow for certain ancillary features (e.g. parapet walls, stair and elevator enclosures, architectural elements, chimneys) to project above the 35-foot height maximum, the proposed duplexes would not include any such height projections.

Under an exemption granted to properties with total lot area of less than 7,500 square feet, duplexes on the subject sites require a total of three parking spaces (1.5 spaces per unit). As noted earlier, each duplex building would furnish four parking spaces, in a tandem configuration. The 1986 Zoning Ordinance does not prohibit tandem parking for residential uses other than single-family detached homes.

Garbage and recyclable bins for the existing single-family homes are currently stored within the garage of each residence. The applicant intends to continue to maintain these receptacles within the garages, utilizing the clear space that lies beyond the required parking areas. With reconfiguration of the interior clear space of each garage, as discussed in a subsequent section of this staff report, additional clear space would be afforded for storage of garbage and recyclable materials. Being stored indoors, the garbage and recyclable bins would not be subject to screening and containment requirements applicable to receptacles located outdoors.

## **DISCUSSION**

*Issue: Project compatibility with the existing neighborhood and surrounding properties:* Is the proposed conversion of single-family homes to duplexes consistent with the existing pattern of beachfront land use and development along the 800 Block of South Pacific Street?

*Recommendation:* The proposed duplexes would provide for tourist-serving facilities in keeping with the purpose and intent of the Residential-Tourist zoning designation. The proposed duplexes would be compatible in bulk and scale with the surrounding built environment, as established in previous sections of this staff report.

*Issue: Project consistency with development standards of the 1986 Zoning Ordinance:* Do the proposed residences conform to the setback, height, parking and landscaping requirements of the R-T zone?

*Recommendation:* The proposed duplexes would be consistent with all applicable R-T development standards, with the exception of landscape requirements specified in Zoning Ordinance Section 1731. Because virtually all of the front and side yard setback

areas must be utilized for pedestrian circulation and vehicular access, it is not possible to meet the codified requirement that a minimum of 60 percent of required front and side yard setback areas be landscaped. Furthermore, underground utilities at the street frontage make it impossible to install tree species or deep-rooted shrubbery in the small triangular planter areas that now lie between the existing driveways. Staff thus sees no practical way to augment the existing landscape on the subject properties.

*Issue: Appropriate definition and calculation of "basement":*

Do the respective beach levels of the three existing residences qualify as basements under the definition thereof in the 1986 Zoning Ordinance?

*Recommendation:* In written correspondence provided to the Planning Division, an attorney representing property owners at 901 South Pacific Street has argued that the beach level of the three existing residences does not qualify as a basement under the definition thereof in the 1986 Zoning Ordinance, which reads as follows: "...that portion of a building between floor and ceiling which is partly above and partly below ground but so located that the vertical distance from grade to the floor below is [more] than the vertical distance from grade to ceiling." It is the attorney's contention that this definition precludes daylighted basements, given that portions of daylighted basements are wholly above-ground.

Staff can find no evidence that such a restrictive interpretation of "basement" has ever been applied in Oceanside, where many residential buildings include daylighted basements. Were the City to adopt such a restrictive interpretation, a substantial percentage of beachfront development south of Wisconsin Street would be rendered inconsistent with current zoning standards – including the three-story condominium at 901 South Pacific Street. In the context of the basement definition found in the 1986 Code, the Planning Division views the terms "ground" and "grade" to be interchangeable, with both referring to the average of the finished ground level at the center of all walls of a building. In the absence of any definition of "ground" in the 1986 Code, and in light of the prevalence of daylighted basements on beachfront properties, the Planning Division finds it appropriate to continue to interpret "ground" and "grade" as being synonymous in the context of the definition of "basement" in the 1986 Code.

The attorney representing property owners at 901 South Pacific Street further argues that, for the purposes of defining the respective beach levels of the three structures as basements, the applicant has applied inaccurate grade elevations in the calculation of average finished grade. In response to this complaint, staff required the applicant to provide topographic survey data from a licensed surveyor that confirms the grade elevations used to determine average finished grade. Appended to this staff report as

Attachment 3 is a topographic exhibit, stamped and signed by licensed surveyor David Jolly, which shows the grade elevations at the center of all walls of the three existing residences. When average finished grade for each property is calculated from these grade elevations, the respective beach levels of the three existing residences qualify as basements per the definition thereof in the 1986 Zoning Ordinance.

### **ENVIRONMENTAL DETERMINATION**

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and State Guidelines thereto (Section 15303(b)) and found to qualify for a Class 3 categorical exemption (New Construction or Conversion of Small Structures), as it involves the construction of a duplex or similar multi-family residential structure, totaling no more than four dwelling units

### **PUBLIC NOTIFICATION**

Ten days in advance of the Planning Commission public hearing on the proposal, legal notice was published in the North County Times and notices were sent to occupants and property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant, and other interested parties.

### **SUMMARY**

Development Plan (D12-00001)/Regular Coastal Permit (RC11-00001), Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002), Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) are consistent with the requirements of the Zoning Ordinance, the land use policies of the General Plan and the policies of the Local Coastal Program, which encourage visitor-serving uses in the surrounding R-T zoning district. The proposed projects meet all applicable development standards for the surrounding R-T zoning district. The scale and architecture of the proposed projects would comport with the surrounding neighborhood, avoid adverse massing impacts, and preserve existing public views of the ocean or coastline. Accordingly, staff recommends that the Planning Commission approve the proposals subject to the conditions contained in the attached resolutions. Staff recommends that the Planning Commission:

- Confirm issuance of Class 3 Categorical Exemption for New Construction or Conversion of Small Structures, pursuant to CEQA Guidelines Section 15303(b).

- Move to approve Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001), Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002) and Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) and adopt Planning Commission Resolution Nos. 2012-P, 2012-P and 2012-P as attached.

PREPARED BY:



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Russ Cunningham  
Senior Planner

SUBMITTED BY:



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Jerry Hittleman  
City Planner

JH/RC/fil

Attachments:

1. Planning Commission Resolution Nos. 2012-P15, 2012-P16 and 2012-P17
2. Plans
3. Topographic Survey Data
4. Renderings
5. Letter from Erik L. Schraner, Esq.

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2012-P15

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 DEVELOPMENT PLAN AND REGULAR COASTAL PERMIT  
6 ON CERTAIN REAL PROPERTY IN THE CITY OF  
OCEANSIDE

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7 APPLICATION NO: D12-00001/RC12-00001  
8 APPLICANT: REVX Pacific South, LLC  
9 LOCATION: 815 South Pacific Street  
APN 150-356-16-00

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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 a Regular Coastal Permit under the provisions of the  
14 City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit the following:

15 conversion of an existing single-family residence to a duplex, with the addition of 1,409  
16 square feet of new habitable space and a new third story;

17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 7th day  
19 of November 2011 conduct a duly advertised public hearing as prescribed by law to consider said  
20 proposal;

21 WHEREAS, the Planning Commission did unanimously approve said proposal through  
22 the issuance of a Regular Coastal Permit;

23 WHEREAS, following the timely appeal of the Regular Coastal Permit, the Planning  
24 Division determined that said proposal requires approval of a Development Plan, in addition to a  
Regular Coastal Permit;

25 WHEREAS, on the 20<sup>th</sup> day of December 2011, the applicant did withdraw said project;  
26 and

27 WHEREAS, on the 20<sup>th</sup> day of January 2012, said proposal was resubmitted to the  
28 Planning Division for review and approval of both a Regular Coastal Permit and Development  
29 Plan; and

1 WHEREAS, the Planning Commission, after giving the required notice, did on the 26th  
2 day of March 2012 conduct a duly advertised public hearing as prescribed by law to consider said  
3 proposal;

4 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
5 Guidelines thereto (Section 15303(b)); this project qualifies for a Class 3 categorical exemption  
6 (New Construction or Conversion of Small Structures), as it involves the construction of a  
7 duplex or similar multi-family residential structure, totaling no more than four dwelling units;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre).
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.
Thoroughfare Fee (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.

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2	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.
3	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.

8  
9 WHEREAS, the current fees referenced above are merely fee amount estimates of the  
10 impact fees that would be required if due and payable under currently applicable ordinances and  
11 resolutions, presume the accuracy of relevant project information provided by the applicant, and  
12 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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

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

23 WHEREAS, this resolution becomes effective 10 days from its adoption in the absence of  
24 the filing of an appeal or call for review;

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

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

1 FINDINGS:

2 For the Development Plan (D12-00001) to allow conversion of an existing single-family  
3 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising  
4 a new third story:

- 5 1. The approval of the proposed duplex conversion and associated addition will be subject  
6 to conditions that, in view of the size and shape of the parcel and the present zoning and  
7 use of the subject property, provide the same degree of protection to adjoining  
8 properties, including protection from unreasonable interference with the use and  
9 enjoyment of said properties, depreciation of property values, and any potentially  
10 adverse impacts on the public peace, health, safety and welfare.
- 11 2. The application for Development Plan approval has been processed in a manner  
12 consistent with Article 21 of the 1986 Zoning Ordinance (Procedures, Hearings, Notices  
and Fees).

13 For the Regular Coastal Permit (RC12-00001) to allow conversion of an existing single-family  
14 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising  
15 a new third story:

- 16 1. The proposed duplex conversion conforms to the policies of the Local Coastal Program  
17 (LCP), including those pertinent to coastal access (Article 2), recreation (Article 3),  
18 land resources (Article 5) and development (Article 6), in that it:
- 19 • Does not interfere with the public's right to access to the coastline and ocean,  
20 given that dedicated public access ways exist within 250 feet of the subject site;
  - 21 • Provides for recreational use of private oceanfront land;
  - 22 • Does not impact environmentally sensitive habitat area or prime agricultural  
23 land;
  - 24 • Occurs in an already-developed area with adequate public services;
  - 25 • Protects views to and along the ocean;
  - 26 • Is visually compatible with the character of surrounding areas.
- 27 2. The project site, at 815 South Pacific Street, is situated within the Appeal Area of the  
28 Coastal Zone and conforms to the public access and recreation policies of Chapter 3 of  
29 the Coastal Act. The entire 800 Block of South Pacific Street measures 450 feet in  
length, with public beach access located at both ends (where South Pacific Street

1 intersects with Wisconsin Avenue and Hayes Street). Thus, all properties in the 800  
2 Block of South Pacific Street are situated within 250 feet of existing public beach  
3 access.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
5 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California  
6 Environmental Quality Act and approve Development Plan (D12-00001)/Regular Coastal Permit  
7 (RC12-00001) subject to the following conditions:

8 **Building:**

- 9 1. Construction shall comply with the 2010 edition of the California Codes.
- 10 2. The developer shall monitor, supervise and control all building construction and  
11 supporting activities so as to prevent these activities from causing a public nuisance,  
12 including, but not limited to, strict adherence to the following:
  - 13 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
14 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
15 work that is not inherently noise-producing. Examples of work not permitted on  
16 Saturday are concrete and grout pours, roof nailing and activities of similar noise-  
17 producing nature. No work shall be permitted on Sundays and Federal Holidays  
18 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,  
19 Christmas Day) except as allowed for emergency work under the provisions of the  
20 Oceanside City Code Chapter 38 (Noise Ordinance).
  - 21 b) The construction site shall be kept reasonably free of construction debris as  
22 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
23 approved solid waste containers shall be considered compliance with this  
24 requirement. Small amounts of construction debris may be stored on-site in a neat,  
25 safe manner for short periods of time pending disposal.
- 26 3. Separate/unique addresses will be required to facilitate utility releases. Verification that  
27 the addresses have been properly assigned by the City's Planning Division must  
28 accompany the Building Permit application.

27 **Fire:**

- 28 4. Fire Department requirements shall be placed on plans in the notes section.

1 **Water Utilities:**

- 2 5. The developer will be responsible for developing all water and sewer utilities necessary to  
3 develop the property. Any relocation of water and/or sewer utilities is the responsibility of  
4 the developer and shall be done by an approved licensed contractor at the developer's  
5 expense.
- 6 6. The property owner shall maintain private water and wastewater utilities located on private  
7 property.
- 8 7. Water services and sewer laterals constructed in existing right-of-way locations are to be  
9 constructed by approved and licensed contractors at developer's expense.
- 10 8. All Water and Wastewater construction shall conform to the most recent edition of the  
11 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by  
12 the Water Utilities Director.
- 13 9. Residential units shall be metered individually. Private utility systems for residential  
14 developments are not allowed.
- 15 10. 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 11. No trees, structures or building overhang shall be located within any water or wastewater  
19 utility easement.
- 20 12. All lots with a finish pad elevation located below the elevation of the next upstream  
21 manhole cover of the public sewer shall be protected from backflow of sewage by  
22 installing and maintaining an approved type backwater valve, per the Uniform Plumbing  
23 Code (U.P.C.).
- 24 13. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to  
25 be paid to the City and collected by the Water Utilities Department at the time of Building  
26 Permit issuance.
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28 Section 32B.7, unless the developer/applicant applies and is approved for a deferral of all  
29 fees per City of Oceanside Ordinance No. 09-OR0676-1.

1 **Planning:**

2 15. Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001) shall expire two  
3 years from the effective date unless implemented as required by the Zoning Ordinance.  
4 Absent the timely appeal of this approval, it will expire on November 7, 2013 unless  
5 implemented as required by the Zoning Ordinance.

6 16. Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001) is granted for  
7 the following purposes only:

8 a) Conversion of an existing single-family residence to a duplex, involving the  
9 relocation of primary entrances and the modification of interior stairs;

10 b) Addition of 1,409 square feet of new habitable space, 825 square feet of which  
11 will constitute a new third story above basement.

12 No deviation from these approved plans and exhibits shall occur without Planning  
13 Commission approval. Substantial deviations shall require a revision to the Development  
14 Plan and/or Regular Coastal Permit or entirely new entitlements.

15 17. Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001) shall be called  
16 for review by the Planning Commission if complaints are filed and verified as valid by  
17 the City Planner or the Code Enforcement Officer concerning the violation of any of the  
18 approved conditions or the project assumptions demonstrated under the application  
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20 18. The validity of Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001)  
21 shall not be affected by changes in ownership or tenants.

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27 be in substantial conformance.

28 20. Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001) may be revised  
29 or renewed in accordance with the provisions of the Zoning Ordinance. Any  
application for Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001)

1 revision or renewal shall also be evaluated against existing land use and development  
2 policies as well as any intervening changes to the site area and/or neighborhood.

3 21. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
4 harmless the City of Oceanside, its agents, officers or employees from any claim, action  
5 or proceeding against the City, its agents, officers, or employees to attack, set aside,  
6 void or annul an approval of the City concerning Development Plan (D12-  
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9 fully in the defense. If the City fails to promptly notify the applicant of any such claim  
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11 thereafter, be responsible to defend, indemnify or hold harmless the City.

12 22. A covenant or other recordable document approved by the City Attorney shall be  
13 prepared by the applicant and recorded prior to the issuance of building permits. The  
14 covenant shall provide that the property is subject to this resolution, and shall generally  
15 list the conditions of approval.

16 23. Prior to issuance of a building permit, the applicant and landowner shall execute and  
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18 provide:

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20 hazard from waves during storms and from erosion and the applicants assumes  
21 the liability from those hazards.

22 b) That the applicant unconditionally waives any claim of liability on the part of  
23 the City and agrees to defend, indemnify and hold harmless the City and its  
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25 natural hazards.

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28 owner and or operator. This notification provision shall run with the life of the project  
29 and shall be recorded as a covenant on the property.

25. Failure to meet any conditions of approval for this project shall constitute a violation of  
Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001).

- 1 26. Unless expressly waived, all current zoning standards and City ordinances and policies  
2 in effect at the time building permits are issued are required to be met by this project.  
3 The approval of this project constitutes the applicant's agreement with all statements in  
4 the Description and Justification and other materials and information submitted with  
5 this application, unless specifically waived by an adopted condition of approval.
- 6 27. Elevations, siding materials, colors, roofing materials and floor plans shall be  
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- 9 28. All mechanical rooftop and ground equipment shall be screened from public view as  
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12 match the roof. All roof top surfaces shall have a non-reflective surface and mechanical  
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- 15 29. HVAC casings shall be fully enclosed and shall not project into a required yard or  
16 project above the district's height requirement.
- 17 30. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or  
18 earlier, so that its surface does not reflect light. Non-metallic roofing material is  
19 preferred and non-reflective roofing material is required. The copper roofing shall be  
20 treated to have a non-reflective surface (patina) at the time it is installed.
- 21 31. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall  
22 be compatible in scale with the existing development and shall not extend further  
23 seaward than the line established on the Stringline Setback Map.
- 24 32. Fence height limitations and opacity requirements are subject to Section 1721 of the  
25 Zoning Ordinance. Fencing materials shall be 75 percent transparent.
- 26 33. All wood fences adjacent to public right-of-way, visible from the public right-of-way,  
27 or facing the shore will be stained or otherwise finished with a waterproof material.
- 28 34. The developer's construction of all fencing and walls associated with the project shall  
29 be in conformance with the approved Regular Coastal Permit. Any substantial change  
in any aspect of fencing or wall design from the approved Regular Coastal Permit shall  
require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

- 1 35. If any aspect of the project fencing and walls is not covered by an approved Regular  
2 Coastal Permit, the construction of fencing and walls shall conform to the development  
3 standards of the City Zoning Ordinance. In no case shall the construction of fences and  
4 walls (or combinations thereof) exceed the limitations of the Zoning Ordinance, unless  
5 expressly granted by a Variance or other development approval.
- 6 36. The project shall dispose of or recycle solid waste in a manner provided in City  
7 Ordinance 13.3.
- 8 37. 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.
- 10 38. The applicant shall revise the proposed additions at the second and third stories to  
11 incorporate angled walls/windows that conform to the angled walls/windows at the  
12 beach and street levels of the existing building.
- 13 39. The applicant shall post signage no more than 1.5 square feet in area indicating that  
14 parking is not permitted in the driveway in front of the garages and providing contact  
15 information for property management. The applicant shall work with Planning Division  
16 staff to determine the most appropriate size, design and material for said signage.

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40. The applicant shall revise the proposed plans to show the clear space within the garage maintaining a minimum depth of 40 feet, in compliance with Section 2702 of the 1986 Zoning Ordinance. These plans shall be reviewed and approved by the City Planner prior to the issuance of building permits.

PASSED AND ADOPTED Resolution No. 2012-P15 on March 26, 2012 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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

ATTEST:

\_\_\_\_\_  
Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2012-P15.

Dated: March 26, 2012

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

\_\_\_\_\_  
Applicant/Representative

\_\_\_\_\_  
Date

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PLANNING COMMISSION  
RESOLUTION NO. 2012-P16

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

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APPLICATION NO: D12-00002/RC12-00002  
APPLICANT: Evergreen Hebron, LP  
LOCATION: 813 South Pacific Street  
APN 150-356-15-00

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Regular Coastal Permit under the provisions of the City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit the following:

conversion of an existing single-family residence to a duplex, with the addition of 1,409 square feet of new habitable space and a new third story;  
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 7th day of November 2011 conduct a duly advertised public hearing as prescribed by law to consider said proposal;

WHEREAS, the Planning Commission did unanimously approve said proposal through the issuance of a Regular Coastal Permit;

WHEREAS, following the timely appeal of the Regular Coastal Permit, the Planning Division determined that said proposal requires approval of a Development Plan, in addition to a Regular Coastal Permit;

WHEREAS, on the 20<sup>th</sup> day of December 2011, the applicant did withdraw said project;  
and

WHEREAS, on the 20<sup>th</sup> day of January 2012, said proposal was resubmitted to the Planning Division for review and approval of both a Regular Coastal Permit and Development Plan; and

1 WHEREAS, the Planning Commission, after giving the required notice, did on the 26th  
2 day of March 2012 conduct a duly advertised public hearing as prescribed by law to consider said  
3 proposal;

4 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
5 Guidelines thereto (Section 15303(b)); this project qualifies for a Class 3 categorical exemption  
6 (New Construction or Conversion of Small Structures), as it involves the construction of a  
7 duplex or similar multi-family residential structure, totaling no more than four dwelling units;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre).
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.
Thoroughfare Fee (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.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 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 City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

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

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

WHEREAS, this resolution becomes effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

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

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

1 FINDINGS:

2 For the Development Plan (D12-00002) to allow conversion of an existing single-family  
3 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising  
4 a new third story:

- 5 1. The approval of the proposed duplex conversion and associated addition will be subject  
6 to conditions that, in view of the size and shape of the parcel and the present zoning and  
7 use of the subject property, provide the same degree of protection to adjoining  
8 properties, including protection from unreasonable interference with the use and  
9 enjoyment of said properties, depreciation of property values, and any potentially  
10 adverse impacts on the public peace, health, safety and welfare.
- 11 2. The application for Development Plan approval has been processed in a manner  
12 consistent with Article 21 of the 1986 Zoning Ordinance (Procedures, Hearings, Notices  
and Fees).

13 For the Regular Coastal Permit (RC12-00002) to allow conversion of an existing single-family  
14 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising  
15 a new third story:

- 16 1. The proposed duplex conversion conforms to the policies of the Local Coastal Program  
17 (LCP), including those pertinent to coastal access (Article 2), recreation (Article 3),  
18 land resources (Article 5) and development (Article 6), in that it:
- 19 • Does not interfere with the public's right to access to the coastline and ocean,  
20 given that dedicated public access ways exist within 250 feet of the subject site;
  - 21 • Provides for recreational use of private oceanfront land;
  - 22 • Does not impact environmentally sensitive habitat area or prime agricultural  
23 land;
  - 24 • Occurs in an already-developed area with adequate public services;
  - 25 • Protects views to and along the ocean;
  - 26 • Is visually compatible with the character of surrounding areas.
- 27 2. The project site, at 813 South Pacific Street, is situated within the Appeal Area of the  
28 Coastal Zone and conforms to the public access and recreation policies of Chapter 3 of  
29 the Coastal Act. The entire 800 Block of South Pacific Street measures 450 feet in  
length, with public beach access located at both ends (where South Pacific Street

1 intersects with Wisconsin Avenue and Hayes Street). Thus, all properties in the 800  
2 Block of South Pacific Street are situated within 250 feet of existing public beach  
3 access.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
5 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California  
6 Environmental Quality Act and approve Development Plan (D12-00002)/Regular Coastal Permit  
7 (RC12-00002) subject to the following conditions:

8 **Building:**

- 9 1. Construction shall comply with the 2010 edition of the California Codes.
- 10 2. The developer shall monitor, supervise and control all building construction and  
11 supporting activities so as to prevent these activities from causing a public nuisance,  
12 including, but not limited to, strict adherence to the following:
  - 13 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
14 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
15 work that is not inherently noise-producing. Examples of work not permitted on  
16 Saturday are concrete and grout pours, roof nailing and activities of similar noise-  
17 producing nature. No work shall be permitted on Sundays and Federal Holidays  
18 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,  
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4. Fire Department requirements shall be placed on plans in the notes section.

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22 be compatible in scale with the existing development and shall not extend further  
23 seaward than the line established on the Stringline Setback Map.
- 24 32. Fence height limitations and opacity requirements are subject to Section 1721 of the  
25 Zoning Ordinance. Fencing materials shall be 75 percent transparent.
- 26 33. All wood fences adjacent to public right-of-way, visible from the public right-of-way,  
27 or facing the shore will be stained or otherwise finished with a waterproof material.
- 28 34. The developer's construction of all fencing and walls associated with the project shall  
29 be in conformance with the approved Regular Coastal Permit. Any substantial change  
in any aspect of fencing or wall design from the approved Regular Coastal Permit shall  
require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

- 1 35. If any aspect of the project fencing and walls is not covered by an approved Regular  
2 Coastal Permit, the construction of fencing and walls shall conform to the development  
3 standards of the City Zoning Ordinance. In no case shall the construction of fences and  
4 walls (or combinations thereof) exceed the limitations of the Zoning Ordinance, unless  
5 expressly granted by a Variance or other development approval.
- 6 36. The project shall dispose of or recycle solid waste in a manner provided in City  
7 Ordinance 13.3.
- 8 37. 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.
- 10 38. The applicant shall revise the proposed additions at the second and third stories to  
11 incorporate angled walls/windows that conform to the angled walls/windows at the  
12 beach and street levels of the existing building.
- 13 39. The applicant shall post signage no more than 1.5 square feet in area indicating that  
14 parking is not permitted in the driveway in front of the garages and providing contact  
15 information for property management. The applicant shall work with Planning Division  
16 staff to determine the most appropriate size, design and material for said signage.

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1 40. The applicant shall revise the proposed plans to show the clear space within the garage  
2 maintaining a minimum depth of 40 feet, in compliance with Section 2702 of the 1986  
3 Zoning Ordinance. These plans shall be reviewed and approved by the City Planner  
4 prior to the issuance of building permits.

5 PASSED AND ADOPTED Resolution No. 2012-P16 on March 26, 2012 by the  
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11  
12 \_\_\_\_\_  
13 Tom Rosales, Chairperson  
Oceanside Planning Commission

14 ATTEST:

15  
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. 2012-P16.

20 Dated: March 26, 2012

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

24  
25 \_\_\_\_\_  
Applicant/Representative

26 \_\_\_\_\_  
Date

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2012-P17

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 DEVELOPMENT PLAN AND REGULAR COASTAL PERMIT  
6 ON CERTAIN REAL PROPERTY IN THE CITY OF  
OCEANSIDE

---

7 APPLICATION NO: D12-00003/RC12-00003  
8 APPLICANT: REVX North Pacific, LLC  
9 LOCATION: 811 South Pacific Street  
APN 150-356-14-00

---

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 a Regular Coastal Permit under the provisions of the  
14 City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit the following:

15 conversion of an existing single-family residence to a duplex, with the addition of 1,409  
16 square feet of new habitable space and a new third story;

17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 7th day  
19 of November 2011 conduct a duly advertised public hearing as prescribed by law to consider said  
20 proposal;

21 WHEREAS, the Planning Commission did unanimously approve said proposal through  
22 the issuance of a Regular Coastal Permit;

23 WHEREAS, following the timely appeal of the Regular Coastal Permit, the Planning  
24 Division determined that said proposal requires approval of a Development Plan, in addition to a  
25 Regular Coastal Permit;

26 WHEREAS, on the 20<sup>th</sup> day of December 2011, the applicant did withdraw said project;  
27 and

28 WHEREAS, on the 20<sup>th</sup> day of January 2012, said proposal was resubmitted to the  
29 Planning Division for review and approval of both a Regular Coastal Permit and Development  
Plan; and

1 WHEREAS, the Planning Commission, after giving the required notice, did on the 26th  
2 day of March 2012 conduct a duly advertised public hearing as prescribed by law to consider said  
3 proposal;

4 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
5 Guidelines thereto (Section 15303(b)); this project qualifies for a Class 3 categorical exemption  
6 (New Construction or Conversion of Small Structures), as it involves the construction of a  
7 duplex or similar multi-family residential structure, totaling no more than four dwelling units;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre).
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.
Thoroughfare Fee (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.

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	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.
4			
5			
6	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.
7			
8			

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

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

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

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

23 WHEREAS, this resolution becomes effective 10 days from its adoption in the absence of  
24 the filing of an appeal or call for review;

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

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

1 FINDINGS:

2 For the Development Plan (D12-00003) to allow conversion of an existing single-family  
3 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising  
4 a new third story:

- 5 1. The approval of the proposed duplex conversion and associated addition will be subject  
6 to conditions that, in view of the size and shape of the parcel and the present zoning and  
7 use of the subject property, provide the same degree of protection to adjoining  
8 properties, including protection from unreasonable interference with the use and  
9 enjoyment of said properties, depreciation of property values, and any potentially  
10 adverse impacts on the public peace, health, safety and welfare.
- 11 2. The application for Development Plan approval has been processed in a manner  
12 consistent with Article 21 of the 1986 Zoning Ordinance (Procedures, Hearings, Notices  
13 and Fees).

14 For the Regular Coastal Permit (RC12-00003) to allow conversion of an existing single-family  
15 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising  
16 a new third story:

- 17 1. The proposed duplex conversion conforms to the policies of the Local Coastal Program  
18 (LCP), including those pertinent to coastal access (Article 2), recreation (Article 3),  
19 land resources (Article 5) and development (Article 6), in that it:
- 20 • Does not interfere with the public's right to access to the coastline and ocean,  
21 given that dedicated public access ways exist within 250 feet of the subject site;
  - 22 • Provides for recreational use of private oceanfront land;
  - 23 • Does not impact environmentally sensitive habitat area or prime agricultural  
24 land;
  - 25 • Occurs in an already-developed area with adequate public services;
  - 26 • Protects views to and along the ocean;
  - 27 • Is visually compatible with the character of surrounding areas.
- 28 2. The project site, at 811 South Pacific Street, is situated within the Appeal Area of the  
29 Coastal Zone and conforms to the public access and recreation policies of Chapter 3 of  
the Coastal Act. The entire 800 Block of South Pacific Street measures 450 feet in  
length, with public beach access located at both ends (where South Pacific Street

1 intersects with Wisconsin Avenue and Hayes Street). Thus, all properties in the 800  
2 Block of South Pacific Street are situated within 250 feet of existing public beach  
3 access.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
5 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California  
6 Environmental Quality Act and approve Development Plan (D12-00003)/Regular Coastal Permit  
7 (RC12-00003) subject to the following conditions:

8 **Building:**

- 9 1. Construction shall comply with the 2010 edition of the California Codes.
- 10 2. The developer shall monitor, supervise and control all building construction and  
11 supporting activities so as to prevent these activities from causing a public nuisance,  
12 including, but not limited to, strict adherence to the following:
  - 13 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
14 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
15 work that is not inherently noise-producing. Examples of work not permitted on  
16 Saturday are concrete and grout pours, roof nailing and activities of similar noise-  
17 producing nature. No work shall be permitted on Sundays and Federal Holidays  
18 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,  
19 Christmas Day) except as allowed for emergency work under the provisions of the  
20 Oceanside City Code Chapter 38 (Noise Ordinance).
  - 21 b) The construction site shall be kept reasonably free of construction debris as  
22 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
23 approved solid waste containers shall be considered compliance with this  
24 requirement. Small amounts of construction debris may be stored on-site in a neat,  
25 safe manner for short periods of time pending disposal.
- 26 3. Separate/unique addresses will be required to facilitate utility releases. Verification that  
27 the addresses have been properly assigned by the City's Planning Division must  
28 accompany the Building Permit application.

27 **Fire:**

- 28 4. Fire Department requirements shall be placed on plans in the notes section.

29

1 **Water Utilities:**

- 2 5. The developer will be responsible for developing all water and sewer utilities necessary to  
3 develop the property. Any relocation of water and/or sewer utilities is the responsibility of  
4 the developer and shall be done by an approved licensed contractor at the developer's  
5 expense.
- 6 6. The property owner shall maintain private water and wastewater utilities located on private  
7 property.
- 8 7. Water services and sewer laterals constructed in existing right-of-way locations are to be  
9 constructed by approved and licensed contractors at developer's expense.
- 10 8. All Water and Wastewater construction shall conform to the most recent edition of the  
11 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by  
12 the Water Utilities Director.
- 13 9. Residential units shall be metered individually. Private utility systems for residential  
14 developments are not allowed.
- 15 10. 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 11. No trees, structures or building overhang shall be located within any water or wastewater  
19 utility easement.
- 20 12. All lots with a finish pad elevation located below the elevation of the next upstream  
21 manhole cover of the public sewer shall be protected from backflow of sewage by  
22 installing and maintaining an approved type backwater valve, per the Uniform Plumbing  
23 Code (U.P.C.).
- 24 13. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to  
25 be paid to the City and collected by the Water Utilities Department at the time of Building  
26 Permit issuance.
- 27 14. All Water Utilities Fees are due at the time of building permit issuance per City Code  
28 Section 32B.7, unless the developer/applicant applies and is approved for a deferral of all  
29 fees per City of Oceanside Ordinance No. 09-OR0676-1.

1 **Planning:**

2 15. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) shall expire two  
3 years from the effective date unless implemented as required by the Zoning Ordinance.  
4 Absent the timely appeal of this approval, it will expire on November 7, 2013 unless  
5 implemented as required by the Zoning Ordinance.

6 16. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) is granted for  
7 the following purposes only:

8 a) Conversion of an existing single-family residence to a duplex, involving the  
9 relocation of primary entrances and the modification of interior stairs;

10 b) Addition of 1,409 square feet of new habitable space, 825 square feet of which  
11 will constitute a new third story above basement.

12 No deviation from these approved plans and exhibits shall occur without Planning  
13 Commission approval. Substantial deviations shall require a revision to the Development  
14 Plan and/or Regular Coastal Permit or entirely new entitlements.

15 17. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) shall be called  
16 for review by the Planning Commission if complaints are filed and verified as valid by  
17 the City Planner or the Code Enforcement Officer concerning the violation of any of the  
18 approved conditions or the project assumptions demonstrated under the application  
19 approval.

20 18. The validity of Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003)  
21 shall not be affected by changes in ownership or tenants.

22 19. A request for changes in conditions of approval or a change to the approved plans that  
23 would affect conditions of approval shall be treated as a new application. The City  
24 Planner may waive the requirements for a new application if the changes requested are  
25 minor, do not involve substantial alterations or addition to the plan or the conditions of  
26 approval, and consistent with the intent of the project's approval or otherwise found to  
27 be in substantial conformance.

28 20. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) may be revised  
29 or renewed in accordance with the provisions of the Zoning Ordinance. Any  
application for Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003)

1 revision or renewal shall also be evaluated against existing land use and development  
2 policies as well as any intervening changes to the site area and/or neighborhood.

3 21. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
4 harmless the City of Oceanside, its agents, officers or employees from any claim, action  
5 or proceeding against the City, its agents, officers, or employees to attack, set aside,  
6 void or annul an approval of the City concerning Development Plan (D12-  
7 00003)/Regular Coastal Permit (RC12-00003). The City will promptly notify the  
8 applicant of any such claim, action or proceeding against the City and will cooperate  
9 fully in the defense. If the City fails to promptly notify the applicant of any such claim  
10 action or proceeding or fails to cooperate fully in the defense, the applicant shall not,  
11 thereafter, be responsible to defend, indemnify or hold harmless the City.

12 22. A covenant or other recordable document approved by the City Attorney shall be  
13 prepared by the applicant and recorded prior to the issuance of building permits. The  
14 covenant shall provide that the property is subject to this resolution, and shall generally  
15 list the conditions of approval.

16 23. Prior to issuance of a building permit, the applicant and landowner shall execute and  
17 record a covenant, in a form and content acceptable to the City Attorney, which shall  
18 provide:

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

22 b) That the applicant unconditionally waives any claim of liability on the part of  
23 the City and agrees to defend, indemnify and hold harmless the City and its  
24 advisors relative to the City's approval of the project for any damage due to  
25 natural hazards.

26 24. Prior to the transfer of ownership and or operation of the site, the owner shall provide a  
27 written copy of the applications, staff report and resolutions for the project to the new  
28 owner and or operator. This notification provision shall run with the life of the project  
29 and shall be recorded as a covenant on the property.

25. Failure to meet any conditions of approval for this project shall constitute a violation of  
Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003).

- 1 26. Unless expressly waived, all current zoning standards and City ordinances and policies  
2 in effect at the time building permits are issued are required to be met by this project.  
3 The approval of this project constitutes the applicant's agreement with all statements in  
4 the Description and Justification and other materials and information submitted with  
5 this application, unless specifically waived by an adopted condition of approval.
- 6 27. Elevations, siding materials, colors, roofing materials and floor plans shall be  
7 substantially the same as those approved by the Planning Commission. These shall be  
8 shown on plans submitted to the Building Division for building permits.
- 9 28. All mechanical rooftop and ground equipment shall be screened from public view as  
10 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,  
11 mechanical equipment, screening and vents shall be painted with non-reflective paint to  
12 match the roof. All roof top surfaces shall have a non-reflective surface and mechanical  
13 appurtenances shall be painted to match the roof color. This information shall be shown  
14 on the building plans.
- 15 29. HVAC casings shall be fully enclosed and shall not project into a required yard or  
16 project above the district's height requirement.
- 17 30. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or  
18 earlier, so that its surface does not reflect light. Non-metallic roofing material is  
19 preferred and non-reflective roofing material is required. The copper roofing shall be  
20 treated to have a non-reflective surface (patina) at the time it is installed.
- 21 31. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall  
22 be compatible in scale with the existing development and shall not extend further  
23 seaward than the line established on the Stringline Setback Map.
- 24 32. Fence height limitations and opacity requirements are subject to Section 1721 of the  
25 Zoning Ordinance. Fencing materials shall be 75 percent transparent.
- 26 33. All wood fences adjacent to public right-of-way, visible from the public right-of-way,  
27 or facing the shore will be stained or otherwise finished with a waterproof material.
- 28 34. The developer's construction of all fencing and walls associated with the project shall  
29 be in conformance with the approved Regular Coastal Permit. Any substantial change  
in any aspect of fencing or wall design from the approved Regular Coastal Permit shall  
require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

- 1 35. If any aspect of the project fencing and walls is not covered by an approved Regular  
2 Coastal Permit, the construction of fencing and walls shall conform to the development  
3 standards of the City Zoning Ordinance. In no case shall the construction of fences and  
4 walls (or combinations thereof) exceed the limitations of the Zoning Ordinance, unless  
5 expressly granted by a Variance or other development approval.
- 6 36. The project shall dispose of or recycle solid waste in a manner provided in City  
7 Ordinance 13.3.
- 8 37. 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.
- 10 38. The applicant shall revise the proposed additions at the second and third stories to  
11 incorporate angled walls/windows that conform to the angled walls/windows at the  
12 beach and street levels of the existing building.
- 13 39. The applicant shall post signage no more than 1.5 square feet in area indicating that  
14 parking is not permitted in the driveway in front of the garages and providing contact  
15 information for property management. The applicant shall work with Planning Division  
16 staff to determine the most appropriate size, design and material for said signage.

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1 40. The applicant shall revise the proposed plans to show the clear space within the garage  
2 maintaining a minimum depth of 40 feet, in compliance with Section 2702 of the 1986  
3 Zoning Ordinance. These plans shall be reviewed and approved by the City Planner  
4 prior to the issuance of building permits.

5 PASSED AND ADOPTED Resolution No. 2012-P17 on March 26, 2012 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. 2012-P17.

20 Dated: March 26, 2012

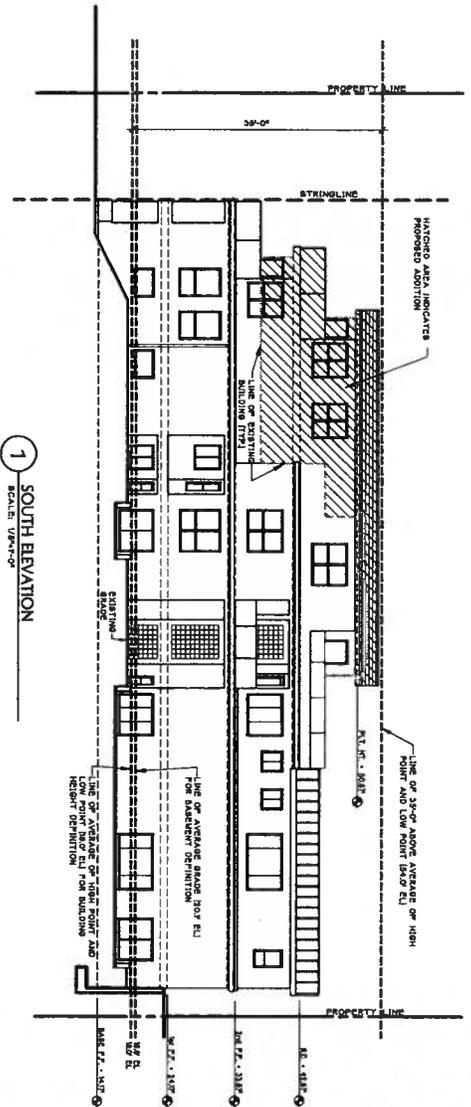
21  
22 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees  
23 may be required as stated herein:

24  
25 \_\_\_\_\_  
26 Applicant/Representative

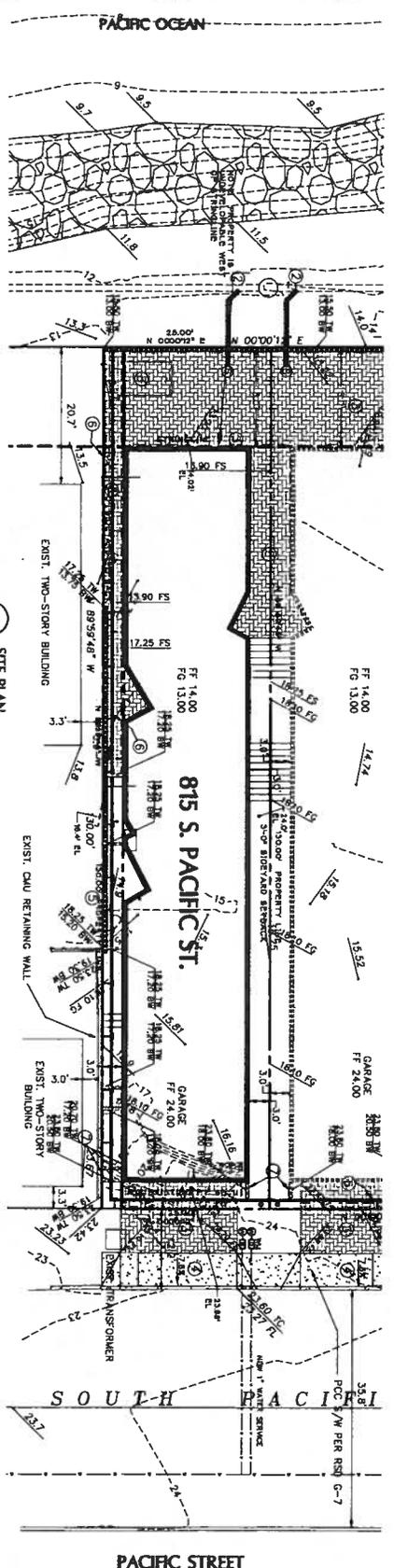
25 \_\_\_\_\_  
26 Date



# GRADE, BASEMENT AND BUILDING HEIGHT EXHIBIT PER THE 1986 ZONING ORDINANCE



1 SOUTH ELEVATION  
SCALE: 1/8"=1'-0"



1 SITE PLAN  
SCALE: 1/8"=1'-0"

**ARTICLE 22**  
**MINIMUM MIN. YOUNG ZONE (R1 ZONE)**  
SECTION 2201. SECTION 2201.1. SECTION 2201.2. SECTION 2201.3. SECTION 2201.4. SECTION 2201.5. SECTION 2201.6. SECTION 2201.7. SECTION 2201.8. SECTION 2201.9. SECTION 2201.10. SECTION 2201.11. SECTION 2201.12. SECTION 2201.13. SECTION 2201.14. SECTION 2201.15. SECTION 2201.16. SECTION 2201.17. SECTION 2201.18. SECTION 2201.19. SECTION 2201.20. SECTION 2201.21. SECTION 2201.22. SECTION 2201.23. SECTION 2201.24. SECTION 2201.25. SECTION 2201.26. SECTION 2201.27. SECTION 2201.28. SECTION 2201.29. SECTION 2201.30. SECTION 2201.31. SECTION 2201.32. SECTION 2201.33. SECTION 2201.34. SECTION 2201.35. SECTION 2201.36. SECTION 2201.37. SECTION 2201.38. SECTION 2201.39. SECTION 2201.40. SECTION 2201.41. SECTION 2201.42. SECTION 2201.43. SECTION 2201.44. SECTION 2201.45. SECTION 2201.46. SECTION 2201.47. SECTION 2201.48. SECTION 2201.49. SECTION 2201.50. SECTION 2201.51. SECTION 2201.52. SECTION 2201.53. SECTION 2201.54. SECTION 2201.55. SECTION 2201.56. SECTION 2201.57. SECTION 2201.58. SECTION 2201.59. SECTION 2201.60. SECTION 2201.61. SECTION 2201.62. SECTION 2201.63. SECTION 2201.64. SECTION 2201.65. SECTION 2201.66. SECTION 2201.67. SECTION 2201.68. SECTION 2201.69. SECTION 2201.70. SECTION 2201.71. SECTION 2201.72. SECTION 2201.73. SECTION 2201.74. SECTION 2201.75. SECTION 2201.76. SECTION 2201.77. SECTION 2201.78. SECTION 2201.79. SECTION 2201.80. SECTION 2201.81. SECTION 2201.82. SECTION 2201.83. SECTION 2201.84. SECTION 2201.85. SECTION 2201.86. SECTION 2201.87. SECTION 2201.88. SECTION 2201.89. SECTION 2201.90. SECTION 2201.91. SECTION 2201.92. SECTION 2201.93. SECTION 2201.94. SECTION 2201.95. SECTION 2201.96. SECTION 2201.97. SECTION 2201.98. SECTION 2201.99. SECTION 2201.100.

**ARTICLE 23**  
**MINIMUM MIN. YOUNG ZONE (R1 ZONE)**  
SECTION 2301. SECTION 2301.1. SECTION 2301.2. SECTION 2301.3. SECTION 2301.4. SECTION 2301.5. SECTION 2301.6. SECTION 2301.7. SECTION 2301.8. SECTION 2301.9. SECTION 2301.10. SECTION 2301.11. SECTION 2301.12. SECTION 2301.13. SECTION 2301.14. SECTION 2301.15. SECTION 2301.16. SECTION 2301.17. SECTION 2301.18. SECTION 2301.19. SECTION 2301.20. SECTION 2301.21. SECTION 2301.22. SECTION 2301.23. SECTION 2301.24. SECTION 2301.25. SECTION 2301.26. SECTION 2301.27. SECTION 2301.28. SECTION 2301.29. SECTION 2301.30. SECTION 2301.31. SECTION 2301.32. SECTION 2301.33. SECTION 2301.34. SECTION 2301.35. SECTION 2301.36. SECTION 2301.37. SECTION 2301.38. SECTION 2301.39. SECTION 2301.40. SECTION 2301.41. SECTION 2301.42. SECTION 2301.43. SECTION 2301.44. SECTION 2301.45. SECTION 2301.46. SECTION 2301.47. SECTION 2301.48. SECTION 2301.49. SECTION 2301.50. SECTION 2301.51. SECTION 2301.52. SECTION 2301.53. SECTION 2301.54. SECTION 2301.55. SECTION 2301.56. SECTION 2301.57. SECTION 2301.58. SECTION 2301.59. SECTION 2301.60. SECTION 2301.61. SECTION 2301.62. SECTION 2301.63. SECTION 2301.64. SECTION 2301.65. SECTION 2301.66. SECTION 2301.67. SECTION 2301.68. SECTION 2301.69. SECTION 2301.70. SECTION 2301.71. SECTION 2301.72. SECTION 2301.73. SECTION 2301.74. SECTION 2301.75. SECTION 2301.76. SECTION 2301.77. SECTION 2301.78. SECTION 2301.79. SECTION 2301.80. SECTION 2301.81. SECTION 2301.82. SECTION 2301.83. SECTION 2301.84. SECTION 2301.85. SECTION 2301.86. SECTION 2301.87. SECTION 2301.88. SECTION 2301.89. SECTION 2301.90. SECTION 2301.91. SECTION 2301.92. SECTION 2301.93. SECTION 2301.94. SECTION 2301.95. SECTION 2301.96. SECTION 2301.97. SECTION 2301.98. SECTION 2301.99. SECTION 2301.100.

**ARTICLE 24**  
**MINIMUM MIN. YOUNG ZONE (R1 ZONE)**  
SECTION 2401. SECTION 2401.1. SECTION 2401.2. SECTION 2401.3. SECTION 2401.4. SECTION 2401.5. SECTION 2401.6. SECTION 2401.7. SECTION 2401.8. SECTION 2401.9. SECTION 2401.10. SECTION 2401.11. SECTION 2401.12. SECTION 2401.13. SECTION 2401.14. SECTION 2401.15. SECTION 2401.16. SECTION 2401.17. SECTION 2401.18. SECTION 2401.19. SECTION 2401.20. SECTION 2401.21. SECTION 2401.22. SECTION 2401.23. SECTION 2401.24. SECTION 2401.25. SECTION 2401.26. SECTION 2401.27. SECTION 2401.28. SECTION 2401.29. SECTION 2401.30. SECTION 2401.31. SECTION 2401.32. SECTION 2401.33. SECTION 2401.34. SECTION 2401.35. SECTION 2401.36. SECTION 2401.37. SECTION 2401.38. SECTION 2401.39. SECTION 2401.40. SECTION 2401.41. SECTION 2401.42. SECTION 2401.43. SECTION 2401.44. SECTION 2401.45. SECTION 2401.46. SECTION 2401.47. SECTION 2401.48. SECTION 2401.49. SECTION 2401.50. SECTION 2401.51. SECTION 2401.52. SECTION 2401.53. SECTION 2401.54. SECTION 2401.55. SECTION 2401.56. SECTION 2401.57. SECTION 2401.58. SECTION 2401.59. SECTION 2401.60. SECTION 2401.61. SECTION 2401.62. SECTION 2401.63. SECTION 2401.64. SECTION 2401.65. SECTION 2401.66. SECTION 2401.67. SECTION 2401.68. SECTION 2401.69. SECTION 2401.70. SECTION 2401.71. SECTION 2401.72. SECTION 2401.73. SECTION 2401.74. SECTION 2401.75. SECTION 2401.76. SECTION 2401.77. SECTION 2401.78. SECTION 2401.79. SECTION 2401.80. SECTION 2401.81. SECTION 2401.82. SECTION 2401.83. SECTION 2401.84. SECTION 2401.85. SECTION 2401.86. SECTION 2401.87. SECTION 2401.88. SECTION 2401.89. SECTION 2401.90. SECTION 2401.91. SECTION 2401.92. SECTION 2401.93. SECTION 2401.94. SECTION 2401.95. SECTION 2401.96. SECTION 2401.97. SECTION 2401.98. SECTION 2401.99. SECTION 2401.100.

**OWNER:**  
PACIFIC SOUTH LLC  
14000 JAMES  
DAN OGDON  
4700 FIRST  
SUITE 100  
SAN DIEGO, CA 92108

**PROJECT:**  
RENOVATION & ADDITION TO 815 S. PACIFIC ST. OCEANVIEW, CA 92034

**OWNER'S REP:**  
PAUL LONGTON  
STUDIO 4 ARCHITECTS  
2000 MAIN DRIVE  
OCEANVIEW, CA 92034  
(619) 732-4000

**DESIGNER:**  
DATE: 07/20/12  
SCALE: 1/8"=1'-0"

**DATE:**  
07/20/12

**PROJECT NO.:**  
07/20/12

**PROJECT TITLE:**  
EXHIBIT

**SHEET NO.:**  
EX.1

**DATE:**  
07/20/12

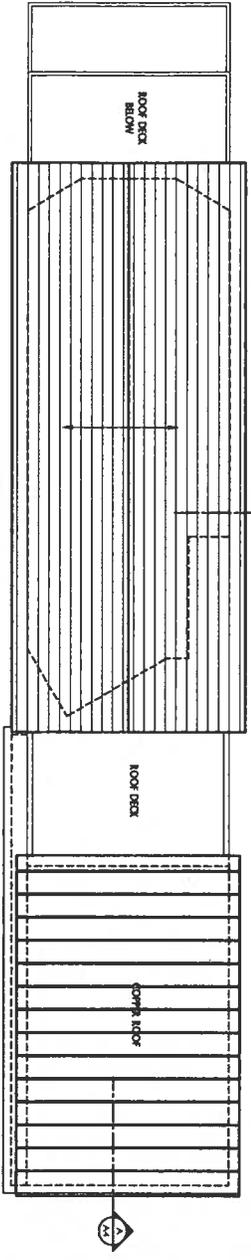
**SCALE:**  
1/8"=1'-0"

**PROJECT NO.:**  
07/20/12

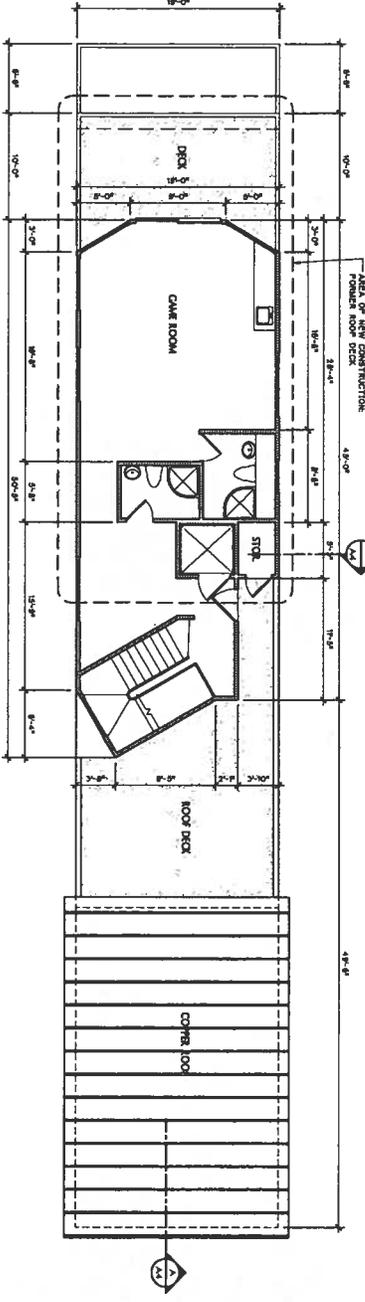
**PROJECT TITLE:**  
EXHIBIT

**SHEET NO.:**  
EX.1

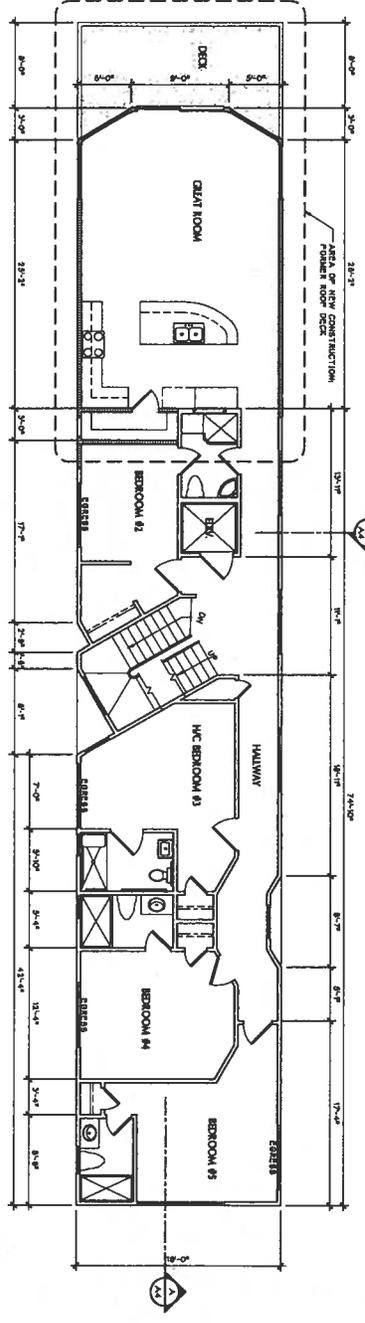




3 ROOF PLAN  
SCALE: 3/8"=1'-0"



2 3rd FLOOR PLAN  
SCALE: 3/8"=1'-0"



1 2nd FLOOR PLAN  
SCALE: 3/8"=1'-0"

UNIT B - 2nd AND 3rd STORIES

**ARCHITECT**  
**STUDIO 4**  
1700 17th Street  
Oceanside, CA 92054  
760 731-4654  
P: 619 731-4654  
F: 619 731-4654  
PALL.LONGTON@STUDIO4.COM  
PALL.LONGTON  
PRINCIPAL

**PROJECT:**  
RENOVATE &  
ADDITION TO  
PACIFIC SOUTH LLC

**OWNER:**  
PACIFIC SOUTH LLC  
JAMES DOUGLAS  
AND Q. LINDSEY  
WALKER, INC. 181855

**OWNER'S REP.:**  
PALL LONGTON  
STUDIO 4 ARCHITECTS  
1700 17th Street  
Oceanside, CA 92054  
760 731-4654

**DESIGN DATE:**  
2012  
**ISSUE DATE:**  
01/2012

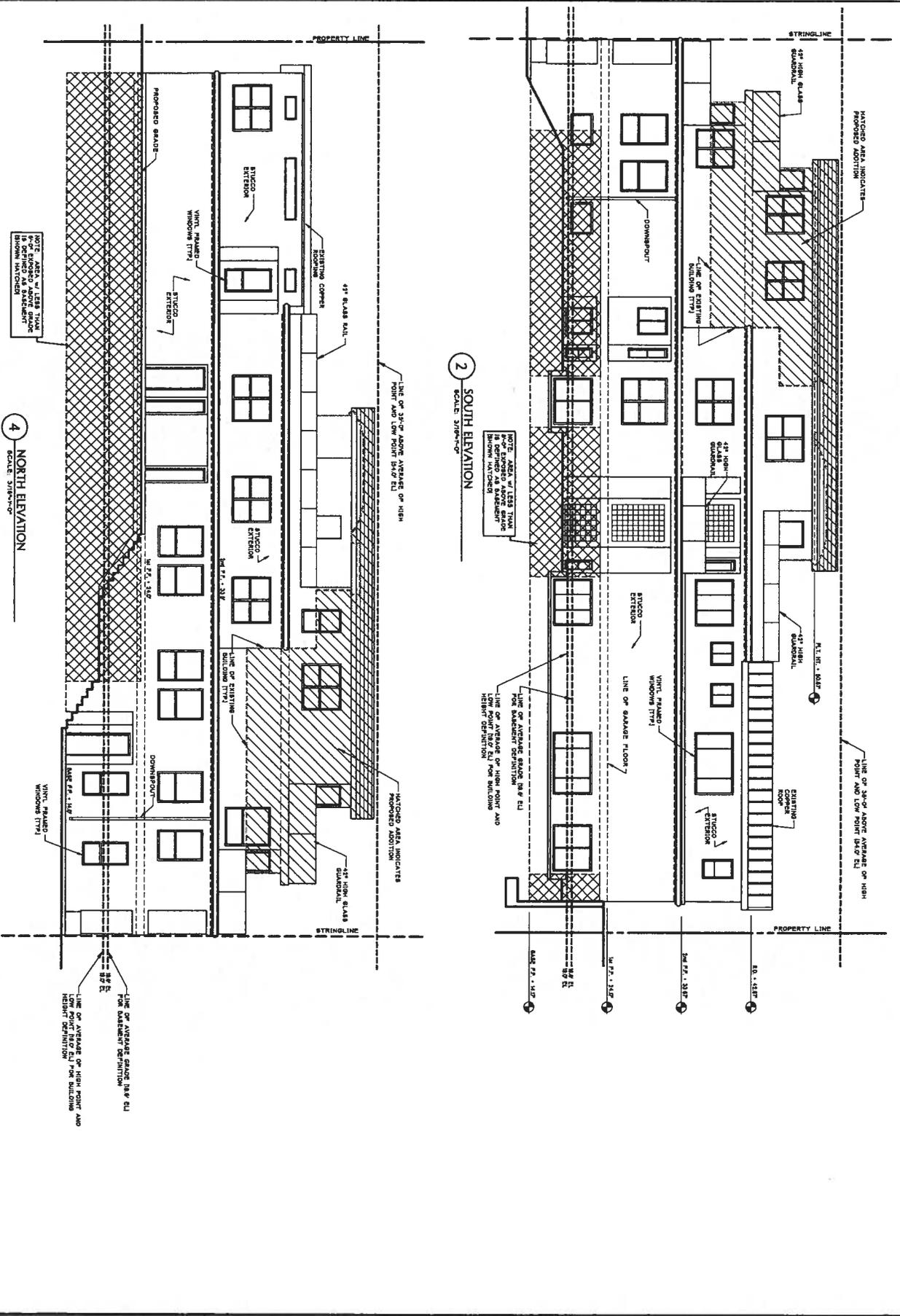
**DRAWING TITLE:**  
FLOOR PLANS

**DATE:**  
**SCALE:**  
**PROJECT NO.:**  
**SHEET NO.:**

**APPROVED:**  
PALL LONGTON  
ARCHITECT  
DATE: 01/2012

**REVISIONS:**  
NO. DESCRIPTION  
1. CORRECTED CONSTRUCTION

**PROJECT TITLE:**  
FLOOR PLANS  
**SCALE:**  
**SHEET NO.:**  
**A-2.0**



NOTE: AREA OF LESS THAN 48\"/>

4 NORTH ELEVATION  
SCALE: 3/8\"/>

2 SOUTH ELEVATION  
SCALE: 3/8\"/>

NOTE: AREA OF LESS THAN 48\"/>

**ARCHITECT**

**STUDIO 4**  
3100 NEVA DRIVE  
OCCIDENT, CA 92084  
TEL 760 721-4800 FAX  
760 721-4800  
P:ALUM@STUDIO4.COM  
PAUL LONGTON  
PRINCIPAL

**PROJECT:**

ADDON &  
ADDITION TO  
85 S PACIFIC ST.  
OCCIDENT, CA 92084

**OWNER:**

NEW  
PACIFIC SOUTH LLC

**ARCHITECT:**

STUDIO 4  
3100 NEVA DRIVE  
OCCIDENT, CA 92084  
TEL 760 721-4800

**DATE:**

08/07/12

**SCALE:**

3/8\"/>

**DRAWING:**

EXTERIOR ELEVATIONS  
SHEET NO. A-3.0

**REVISIONS:**

NO. DESCRIPTION  
1. INITIAL DESIGN  
2. REVISED DESIGN  
3. REVISED DESIGN  
4. REVISED DESIGN  
5. REVISED DESIGN  
6. REVISED DESIGN  
7. REVISED DESIGN  
8. REVISED DESIGN  
9. REVISED DESIGN  
10. REVISED DESIGN

**DATE:**

08/07/12

**SCALE:**

3/8\"/>

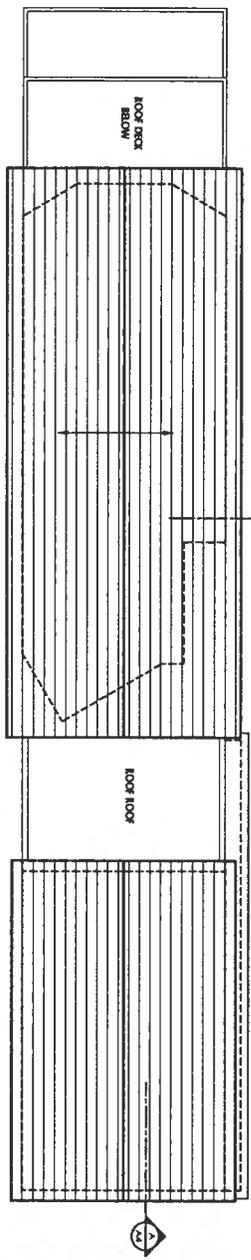




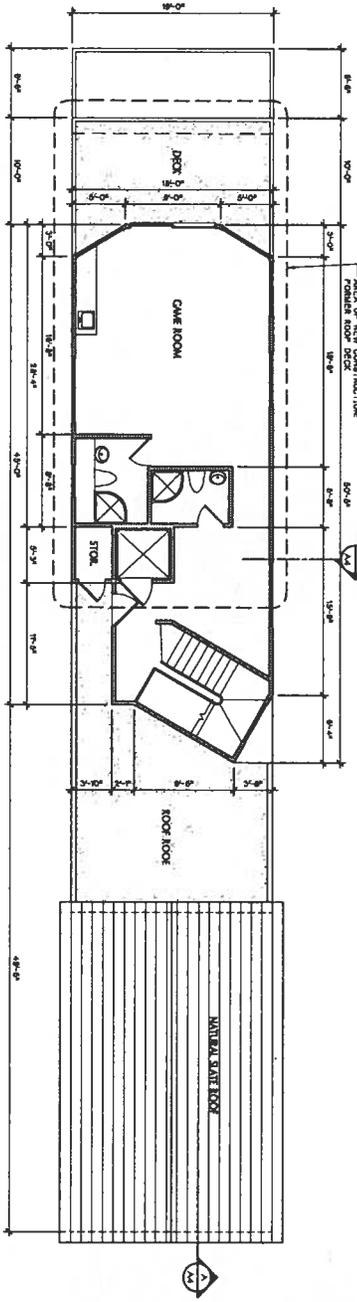




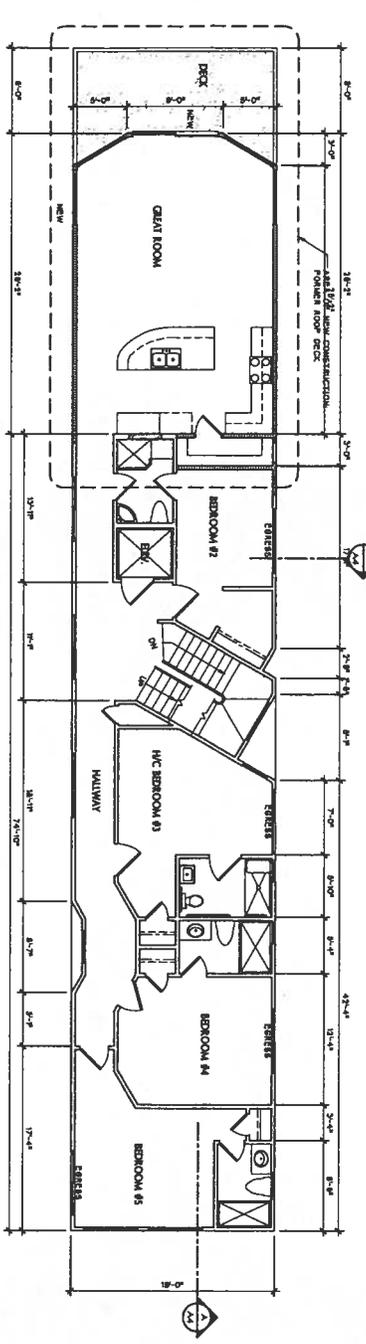




3 ROOF PLAN  
SCALE: 3/8"=1'-0"



2 3RD FLOOR PLAN  
SCALE: 3/8"=1'-0"



1 2ND FLOOR PLAN  
SCALE: 3/8"=1'-0"

UNIT B - 2nd AND 3rd STORIES

**ARCHITECT:**  
STUDIO 4  
1250 731-4804 PH  
1250 731-4805 FX  
1250 731-4805 TX  
PALL LANTON  
PRINCIPAL

**PROJECT:**  
REMODEL & ADDITION TO 813 S MAPLE ST. COVINA, CA 91704

**OWNER:**  
EVENSON  
HEBON, LP  
5811 LOMA LAMAR  
813 S MAPLE ST. COVINA, CA 91704  
PRINCIPAL

**OWNER'S REP:**  
PALL LANTON  
STUDIO 4 ARCHITECTS  
2895 NAVA DRIVE  
OCCIDENT, CA 95854  
(916) 724-9444

**ISSUE DATE:**  
DATE: 07/07/18  
REVISION:

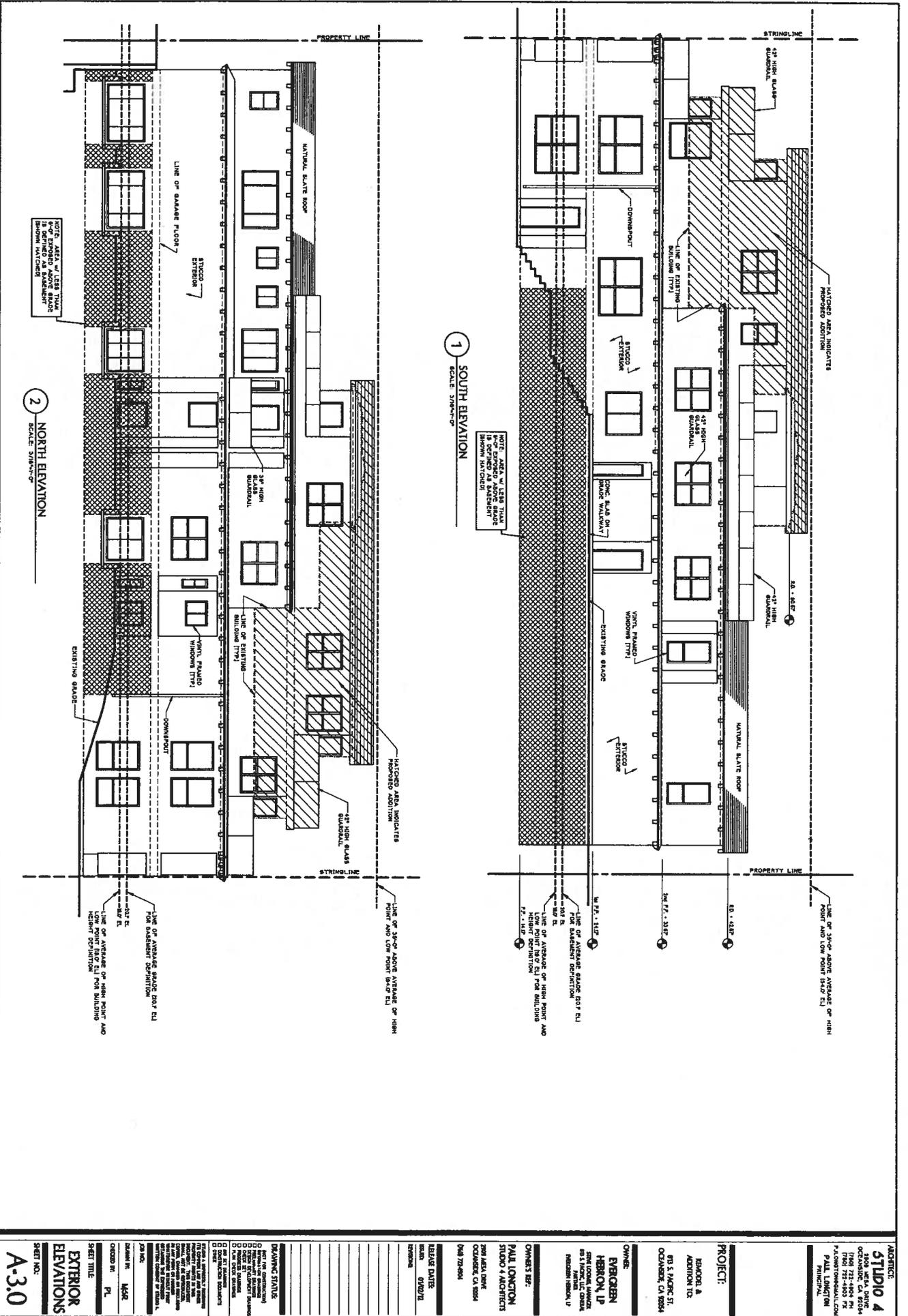
**DRAWING STATUS:**  
 NOT FOR CONSTRUCTION  
 PRELIMINARY DESIGN  
 PRELIMINARY PERMITS  
 PERMITS  
 CONTRACT DOCUMENTS  
 FOR OFFER  
 FOR RECORD

**THESE DRAWINGS ARE THE PROPERTY OF STUDIO 4 ARCHITECTS. NO PART OF THESE DRAWINGS IS TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF STUDIO 4 ARCHITECTS.**

**DATE:** 07/07/18  
**DESIGNER:** PL  
**CHECKED BY:** PL  
**SCALE:** 3/8"=1'-0"

**SHEET TITLE:**  
FLOOR PLANS

**SHEET NO.:**  
A-2.0



**ARCHITECT:**  
**STUDIO 4**  
 6250 W. 10TH ST. SUITE 200  
 LOS ANGELES, CA 90048  
 TEL: 310.441.1111  
 FAX: 310.441.1112  
 WWW.STUDIO4ARCHITECTS.COM  
**PAUL LONGTON**  
 PRINCIPAL

**PROJECT:**  
 BRANCH &  
 ADDITION TO  
 873 S. MARCO ST.  
 OCEANA, CA 94953

**OWNER:**  
**EVERGREEN**  
**HERON LP**  
 5801 LOCAL AVENUE  
 80 S. MARCO, LLC DBA  
 EVERGREEN HERON LP

**OWNER'S REP:**  
**PAUL LONGTON**  
 STUDIO 4 ARCHITECTS  
 2200 MAIN DRIVE  
 OCEANA, CA 94953  
 (707) 772-2400

**RELEASE DATES:**  
 SHEET: 02/07/16  
 DRAWING: 02/07/16

**DRAWING STATUS:**  
 THIS SET OF DRAWINGS IS THE PROPERTY OF STUDIO 4 ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF STUDIO 4 ARCHITECTS.

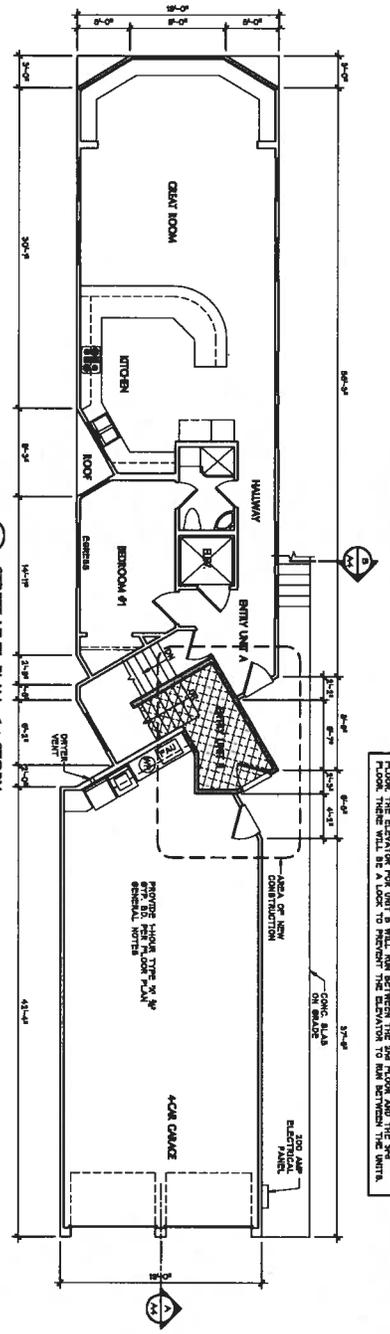
**DATE:**  
 02/07/16  
**DESIGNER:**  
 PAUL LONGTON  
**CHECKED BY:**  
 PAUL LONGTON  
**DATE:**  
 02/07/16

**SHEET TITLE:**  
 EXTERIOR  
 ELEVATIONS  
**SHEET NO.:**  
 A-3.0

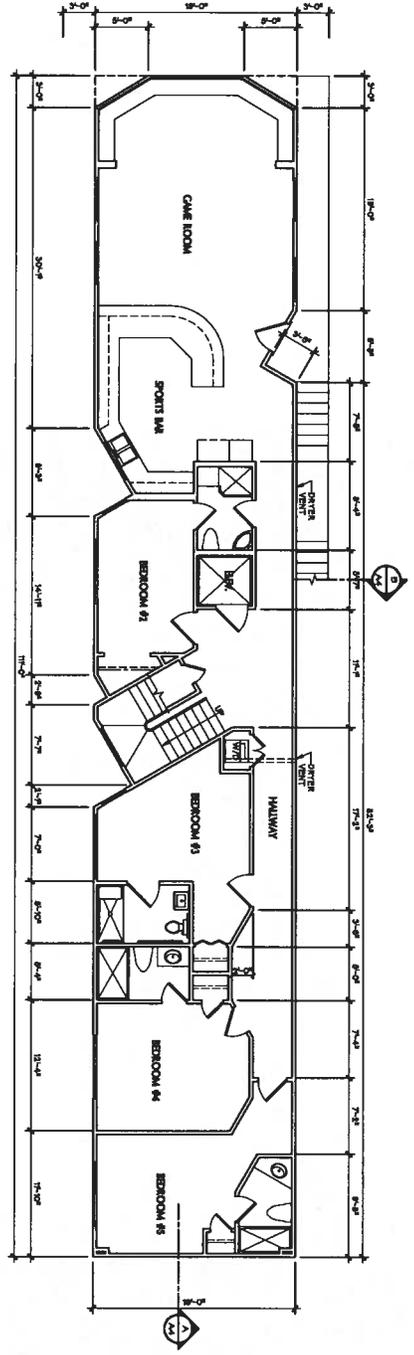




REVISIONS AND COMMENTS TO UNIT A AND B ARE INDICATED THE BLUE TO UNIT A ROOF CORRELATES TO THE BLUE LINE, THE BLUE TO UNIT B ROOF CORRELATES TO THE BLUE LINE. THE ELEVATION FOR UNIT A WILL REMAIN THE SAME AS THE ELEVATION FOR UNIT B. THE ELEVATION FOR UNIT B WILL BE A LOCK BETWEEN THE ELEVATION TO UNIT A AND THE ELEVATION TO UNIT B.



2 STREET LEVEL PLAN - 1ST STORY  
SCALE: 3/8"=1'-0"



1 BEACH LEVEL PLAN - BASEMENT  
SCALE: 3/8"=1'-0"

APPROXIMATE TYPICAL  
P.A. - FINISH FLOOR ELEVATION  
P.B. - FINISH BASEMENT ELEVATION  
Z.N. - FINISH SUBGRADE

UNIT A - BASEMENT AND 1ST STORY

**5STUDIO 4**  
300 NEVA DRIVE  
OCEANVIEW, CA 92084  
TEL: 760-721-4800  
WWW.5STUDIO.COM  
P:ALAN@5STUDIO.COM  
M:PAUL@5STUDIO.COM

**PROJECT:**  
RENDER & ADDITION TO  
371 S. PACIFIC ST.  
OCEANVIEW, CA 92084

**OWNER:**  
RENY  
PACIFIC NORTH LLC  
140000 LUMBER  
400 S. STREET  
SANTA ANA, CA 92701

**OWNER'S SR.:**  
PAUL LONDON  
STUDIO & ARCHITECTS  
200 NEVA DRIVE  
OCEANVIEW, CA 92084  
(760) 721-4800

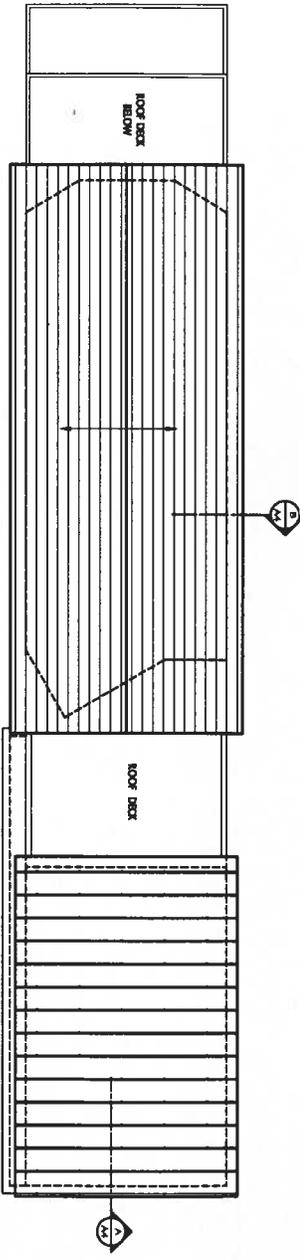
**RELEASE DATES:**  
SHEET: 5/10/13  
REVISIONS:

**DRAWING STATUS:**  
 NOT FOR CONSTRUCTION  
 PRELIMINARY DRAWING  
 CONTRACT DOCUMENT DRAWING  
 CONTRACT DOCUMENT DRAWING  
 FINAL DESIGN DRAWING  
 AS BUILT DRAWING  
 OTHER

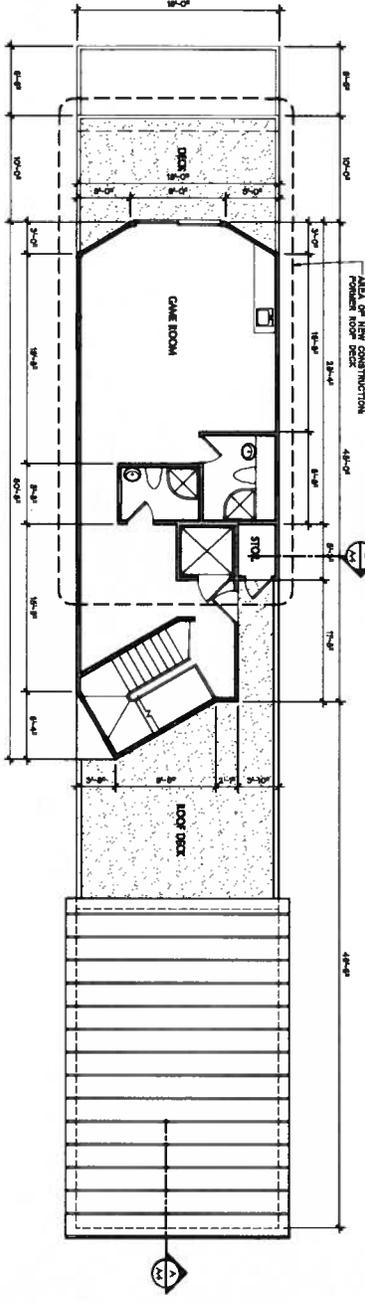
**DATE:** 5/10/13  
**DESIGNED BY:** MLD  
**CHECKED BY:** PL  
**SCALE:** 3/8"=1'-0"

**SHEET TITLE:**  
FLOOR PLANS

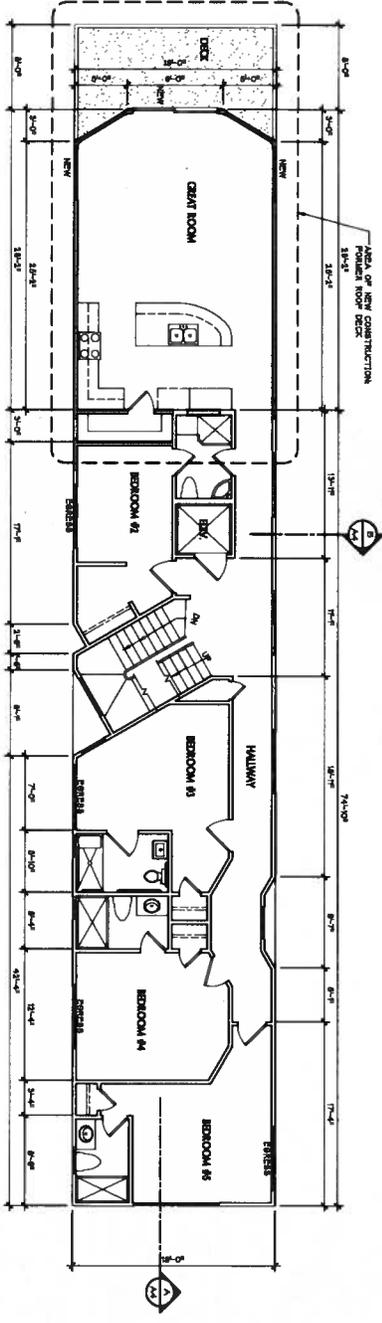
**SHEET NO.:**  
A-1.10



3 ROOF PLAN  
SCALE 3/8"=1'-0"



2 3rd FLOOR PLAN  
SCALE 3/8"=1'-0"



1 2nd FLOOR PLAN  
SCALE 3/8"=1'-0"

UNIT B - 2nd AND 3rd STORIES

**STUDIO 4**  
3800 NEPA DRIVE  
OCCIDENTAL, CA 92654  
TEL: 714-464-7100  
FAX: 714-464-7101  
P:ALAN@STUDIO4.COM  
P:PAUL@STUDIO4.COM  
M:MICHAEL

**PROJECT:**  
RENDER &  
ADDITION TO  
371 S. PACIFIC ST.  
OCCIDENTAL, CA 92654

**OWNER:**  
RBYX  
PACIFIC NORTH LLC  
MANAGER: JAMES  
MAY 11, 2008  
AT 0.0000  
RMB: CTV, M. BARR

**OWNER REP:**  
PAUL LONGTON  
STUDIO 4 ARCHITECTS  
359 N. 15th ST.  
OCCIDENTAL, CA 92654  
TEL: 724-4641

**RELEASE DATES:**  
DATE: 01/07/11  
BY: [Signature]

**REVISIONS:**

NO.	DATE	DESCRIPTION

**PERMITS:**

NO.	DATE	DESCRIPTION

**DESIGNER:**  
STUDIO 4 ARCHITECTS  
359 N. 15th ST.  
OCCIDENTAL, CA 92654  
TEL: 724-4641  
FAX: 714-464-7101  
P:ALAN@STUDIO4.COM  
P:PAUL@STUDIO4.COM  
M:MICHAEL

**DATE:** 01/07/11  
**DESIGNER:** PL  
**CHECKED BY:** PL  
**SCALE:** AS SHOWN

**SHEET TITLE:**  
ROOF  
FLOOR  
PLANS  
**SHEET NO.:**  
A-2.0

**PROJECT:**  
 BRIDGE &  
 ADDITION TO  
 311 S. MAIN ST.  
 OAKLAND, CA 94612

**OWNER:**  
 BSAK  
 PACIFIC NORTH LLC  
 MANAGER: JAMES  
 WARD 11 DORRAN  
 471 O STREET  
 SEASIDE CITY, NE 68582

**OWNER'S REP.:**  
 PAUL LONDON  
 2881 ALBA DRIVE  
 OAKLAND, CA 94612  
 (415) 721-4401

**RELEASE DATES:**  
 SCALE: 1/8"=1'-0"  
 DRAWING:

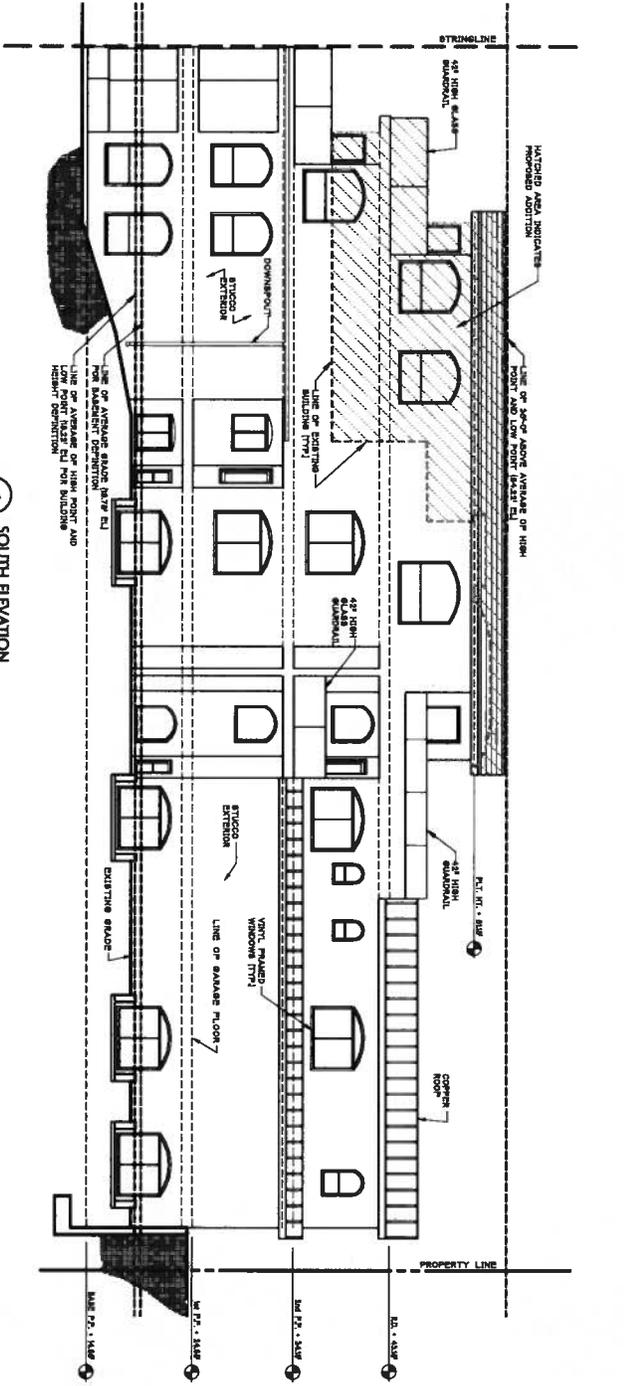
**DRAWING STATUS:**

NOT FOR CONSTRUCTION
FOR PERMIT SUBMISSION
FOR ARCHITECTURAL RECORD
FOR CONSTRUCTION
FOR OTHER PURPOSES

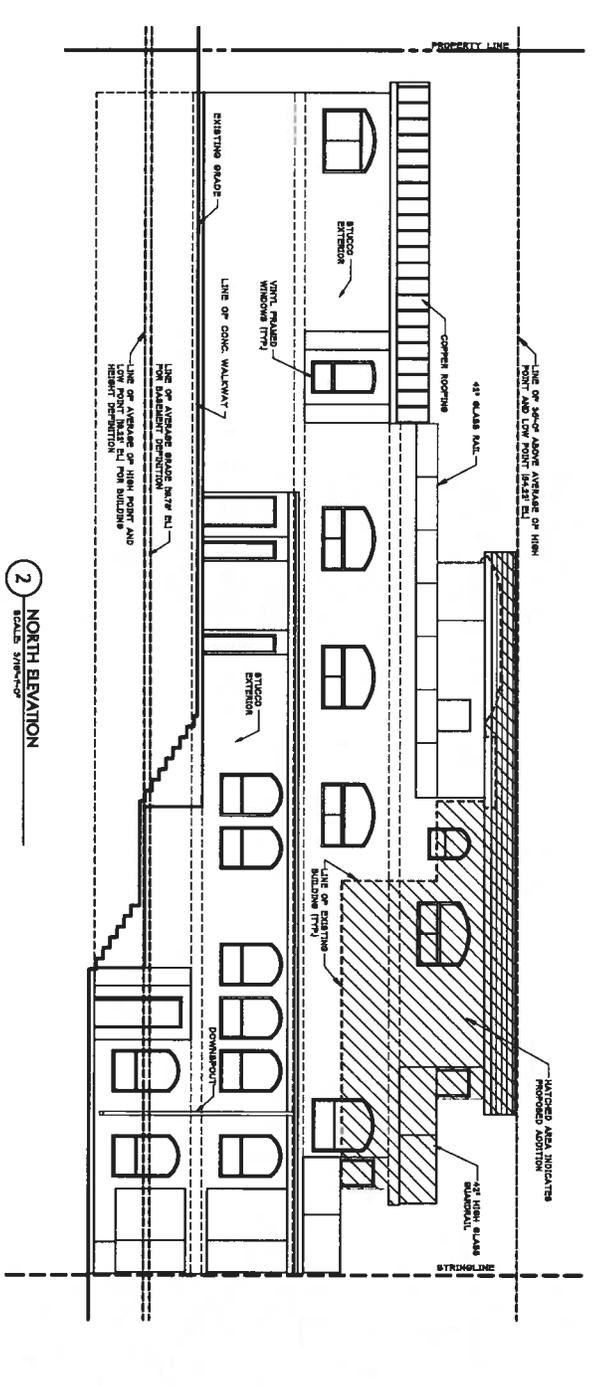
**DATE:** 07/20/12  
**BY:** [Signature]  
**CHECKED BY:** [Signature]  
**DATE:** 07/20/12

**PROJECT TITLE:**  
 EXTERIOR  
 ELEVATIONS

**SHEET NO.:**  
 A-3.0



**1 SOUTH ELEVATION**  
 SCALE: 1/8"=1'-0"



**2 NORTH ELEVATION**  
 SCALE: 1/8"=1'-0"

PROJECT:

RENOV &  
ADDITION FOR  
581 S. PACIFIC ST.  
OCCASKEY, CA 95044

OWNER:

BNK  
PACIFIC NORTH LLC  
AMERICAN LUMBER  
4400 N. OGDON  
ST. 0, SUITE  
WASH. D.C., 20004

OWNER'S REP:

PALL LONGTON  
STUDIO 4 ARCHITECTS  
200 IONA DRIVE  
OCCASKEY, CA 95044  
(707) 724-0441

RELEAS DATES:

DATE: 01/07/16  
BY: P/L

DRAWING STATUS:

DATE FOR CONSTRUCTION  
DATE FOR PERMITTING  
DATE FOR CONTRACT SIGNING  
DATE FOR BIDDING  
DATE FOR START OF WORK

NOTES:

1. REFER TO ALL OTHER DRAWINGS FOR NOTES AND SPECIFICATIONS.  
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.  
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.  
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
5. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.  
6. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.

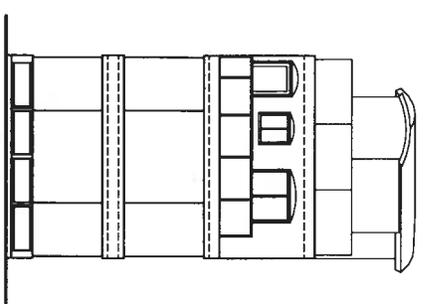
DATE: 01/07/16

BY: P/L

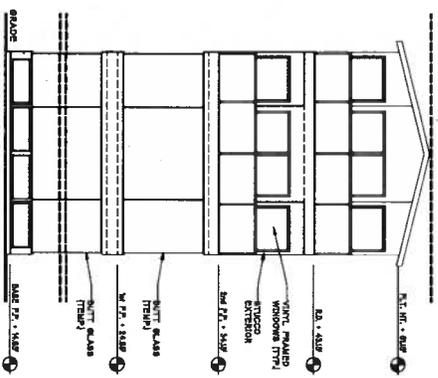
SHEET TITLE:

BUILDING SECTIONS

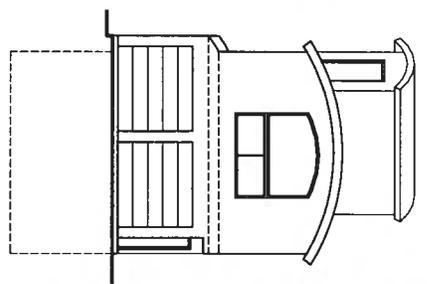
SHEET NO. A-4.0



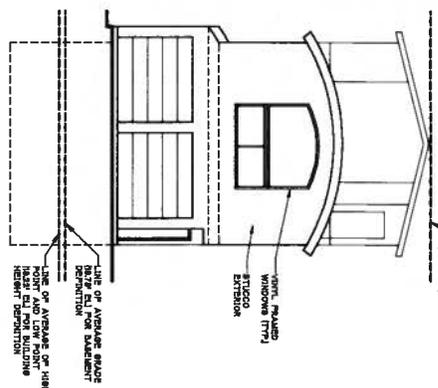
X2 EXISTING WEST ELEVATION  
SCALE: 3/8"=1'-0"



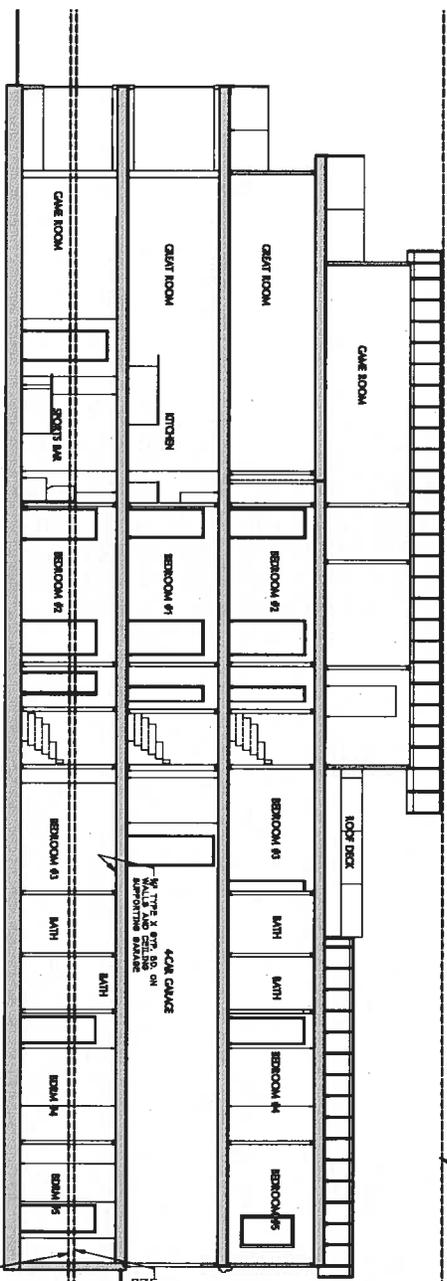
2 PROPOSED WEST ELEVATION  
SCALE: 3/8"=1'-0"



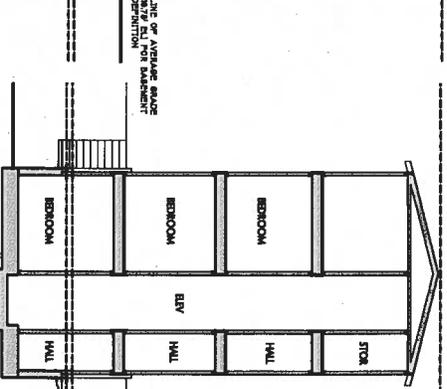
X1 EXISTING EAST ELEVATION  
SCALE: 3/8"=1'-0"



1 PROPOSED EAST ELEVATION  
SCALE: 3/8"=1'-0"



A BUILDING SECTION  
SCALE: 3/8"=1'-0"



B BUILDING SECTION  
SCALE: 3/8"=1'-0"

LINE OF 3'-0" ABOVE AVERAGE  
GRADE ELL

LINE OF 3'-0" ABOVE AVERAGE  
GRADE ELL

LINE OF AVERAGE GRADE  
REPRESENTATION

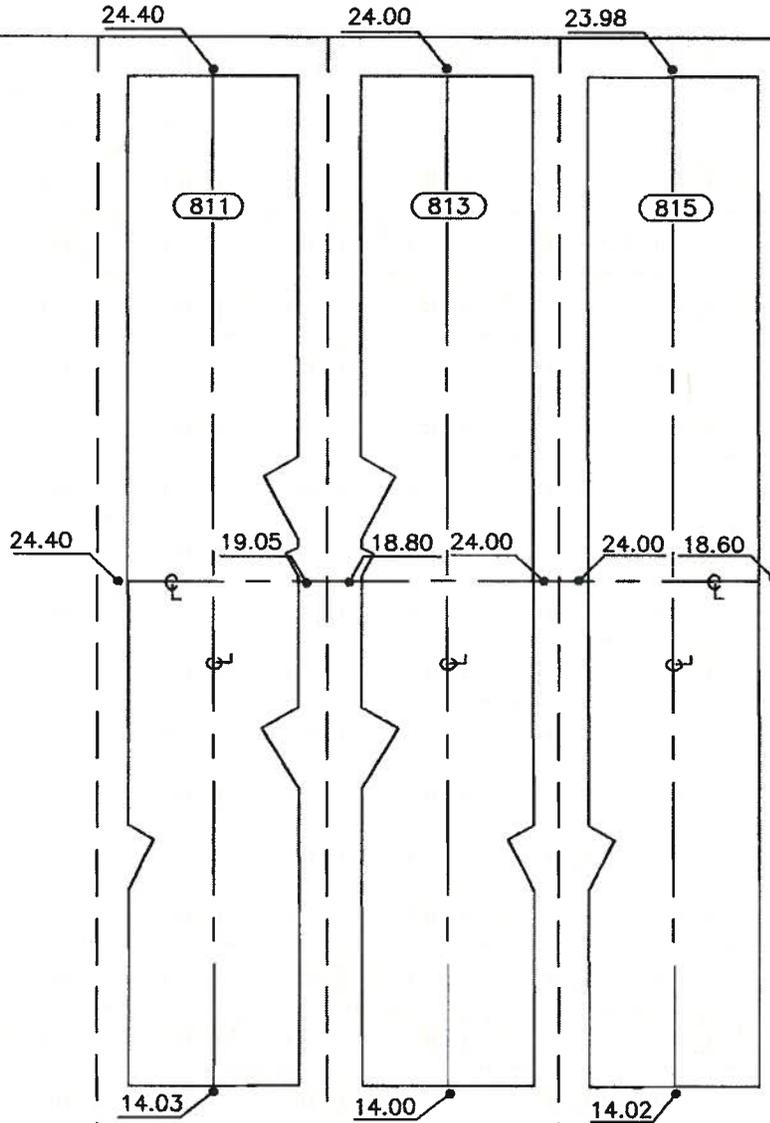
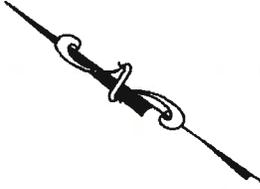
LINE OF AVERAGE OF HIGH  
POINT AND LOW POINT REAR ELL  
REPRESENTATION

LINE OF AVERAGE GRADE  
REPRESENTATION





S. PACIFIC STREET



BENCH MARK:

CITY OF OCEANSIDE #F-5  
 BRASS CAP STAMPED "COS  
 BM F-5" ON TOP CURB  
 N.P.C., NORTHWESTERLY  
 CURB RETURN AT WISCONSIN  
 AND PACIFIC STREETS  
 1984 ADJUSTED ELEVATION  
 = 28.835 FEET

LEGEND

*P a c i f i c O c e a n*

- 24.00 INDICATES EXISTING SPOT ELEVATION
- INDICATES CENTERLINE
- (811) INDICATES STREET ADDRESS

*[Handwritten signature]*



EXHIBIT

SHOWING EXISTING ELEVATIONS AT CENTER OF  
 EXTERIOR WALLS OF  
 811-815 S. PACIFIC ST.  
 OCEANSIDE, CA

DATE: MARCH 20, 2012      DRAWN: D. JOLLY, L.S.



**PUBLIC PARKING PROHIBITED**  
APARTMENT BUILDING  
NO PARKING OR TOWING  
100-55-2286

811

813

**S E L T Z E R | C A P L A N | M C M A H O N | V I T E K**  
A LAW CORPORATION

ERIK L. SCHRANER, ESQ.  
schraner@scmv.com  
619.685.3187  
619.702.6848 FAX

March 6, 2012

Mr. Russ Cunningham  
City of Oceanside  
300 North Coast Highway  
Oceanside, California 92054

**Via Email & U.S. Mail**

Office of the City Attorney  
City of Oceanside  
300 North Coast Highway  
Oceanside, California 92054

**Re: 811, 813, and 815 South Pacific Street**

Dear Mr. Cunningham & Office of the City Attorney:

We represent Beachin, LLC, concerning the applications for a coastal permit and a development plan for 811, 813, and 815 South Pacific Street.

**Requested Action.**

We request that the City require that the applicant for 811, 813, and 815 South Pacific Street comply with the certified Local Coastal Program by (1) limiting the structures to three stories or less, (2) complying with the 35-foot height limit, (3) providing the required 10-foot side yard setback, (4) complying with the Americans with Disabilities Act and 2010 Building Code accessibility requirement for "transient" lodging, (5) no tandem parking spaces, (6) submitting a beach erosion report, and (7) providing refuse storage.

**Discussion.**

811, 813, and 815 South Pacific Street are existing 4,501 square foot single-family residences used as transient hotel/motel operations. The applicant proposes to add: (1) a fourth story, (2) a 1,371 square foot addition, and (3) a second unit to each of the three existing single-family buildings. With the proposed additions, the 3,250 square foot lots will be developed with 5,872 square foot buildings rising up four stories from the beach.

Mr. Russ Cunningham and Office of the City Attorney  
City of Oceanside  
March 6, 2012  
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Applicant intends to operate a six-unit hotel/motel operation with transient occupancy in the three residential buildings. These facilities also qualify as a "place of lodging". The vacation rental management company operating the three buildings also operates 817, 819, 821, 823, 825, 831, and 833 South Pacific Street. These operations, and the pending applications for 817 and 819 South Pacific and 833 South Pacific, should all be addressed in one master development plan and analyzed as one project in accordance with the California Environmental Quality Act.

The applications submitted for these three properties violate the following regulations:

1. Four-Story Structures Are Forbidden.

Applicant proposes to add a new fourth floor to the three existing structures. The 1986 Zoning Ordinance, however, limits buildings on the project sites to three stories.<sup>1</sup>

The City's 1986 Zoning Ordinance defines a "story" as that portion of a building included between the surface of any floor and the surface of the floor next above it.<sup>2</sup> Although a basement does not count as a story, a **basement is limited to that portion of a building between floor and ceiling which is partly below and partly above ground.**<sup>3</sup>

Section 207: Basement. "Basement" means that portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Thus, only the portion of the buildings located partly below and partly above ground qualifies as a basement.

The bottom floor of applicant's structures fail to qualify as a basement for two reasons. First, applicant's plans show that the western portion of the existing structures is located entirely above ground. Since the area located entirely above-ground cannot qualify as a basement, the above-ground portion of the bottom floor qualifies as a story.

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<sup>1</sup> 1986 Zoning Ordinance §1709.

<sup>2</sup> 1986 Zoning Ordinance §274.

<sup>3</sup> 1986 Zoning Ordinance §207.

Mr. Russ Cunningham and Office of the City Attorney  
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Second, "if the finished floor level directly above the basement or cellar is more than six feet above grade, such basement or cellar shall be considered a story."<sup>4</sup> The first step is to calculate "grade". Grade is defined as:

Section 234: Grade. "Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks.

The applicant's plans calculated "grade" using the following measurements:

Center East Wall	24 Feet
Center South Wall	18.4 Feet
Center West Wall	14 Feet
Center North Wall	24 Feet

The resulting average as stated on the plans is 20.1 feet. These measurements, however, do not comply with the City's definition for "grade".

Grade must be measured using "finished ground level" at the center of the walls. According to the plans, finished ground level is 13-feet MSL. Thus, the measurements at the center of the west wall cannot be 14-feet MSL. It is 13-feet MSL.

Applicant makes a different error on the south and north wall measurements. Although the location of these measurements for the south and north walls are not specified on the plans, the measurements appear to be taken from the top of the walkways located along the south and north walls. Applicant, however, must measure from the center of the north and south walls, not the walkways.

While the 1986 Zoning Ordinance walls allows grade for walls parallel to and within five feet of a sidewalk to be measured from the above-ground level at the sidewalks, the areas to the north and south of the structures do not qualify as a sidewalk. Although the 1986 Zoning Ordinance does not define "sidewalk," the California Building Code in effect in 1986 (copy attached) defines a "sidewalk" as:

"Sidewalk is a surfaced pedestrian way contiguous to a street used by the public. NOTE: See definition for a walk."<sup>5</sup>

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<sup>4</sup> 1986 Zoning Ordinance §274.

Mr. Russ Cunningham and Office of the City Attorney  
City of Oceanside  
March 6, 2012  
Page 4

And defines a "walk" as:

"Walk is a surfaced pedestrian way not located contiguous to a street used by the public. (See definition for 'sidewalk'.)"<sup>6</sup>

This is consistent with the common definition for sidewalks, which defines a sidewalk as a paved walk for pedestrians at the side of a street.<sup>7</sup>

To qualify as a sidewalk, a sidewalk must be contiguous to a street. "Contiguous" means to be in actual contact, touching along a boundary or at a point.<sup>8</sup> The areas along the south and side wall are not contiguous to a street used by the public and cannot, therefore, qualify as sidewalks. Thus, the south and north wall must be measured from finished ground level at the center of these wells.

This results in the following measurements:

Center East Wall	24 Feet
Center South Wall	13 Feet
Center West Wall	13 Feet
Center North Wall	13 Feet

Average grade is therefore 15.75-foot MSL. Thus, the finished floor directly above the basement is more than six feet above grade and the bottom floor qualifies as a story.

## 2. Building Height.

Applicant's proposed structures do not comply with the RT zone height restriction. The RT zoning regulations restrict "building height" to 35 feet<sup>9</sup> and define "building height" as "the vertical distance measured from the average level of the highest and lowest point of that portion of the building site covered by the building to the ceiling of the uppermost story."<sup>10</sup>

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<sup>5</sup> 2010 California Building Code section 2-420(d).

<sup>6</sup> 2010 California Building Code section 2-424(a).

<sup>7</sup> Merriam-Webster Dictionary.

<sup>8</sup> Merriam Webster Dictionary.

<sup>9</sup> 1986 Zoning Ordinance §3203.

<sup>10</sup> 1986 Zoning Ordinance §211 (emphasis added.).

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Page 5

The plans submitted by the applicant claim that the average level of the highest and lowest point is 19-feet MSL. This is incorrect.

The finished grade for the portion of the building site covered by the building is 13-feet MSL. The average level of the highest and lowest point of the portion of the building site covered by the building is therefore 13-feet MSL.

The plans identify the height of the ceiling of the uppermost story as 50.67-feet MSL. The proposed building height is therefore 37.67 feet, which exceeds the 35-foot height limit.

c. Other adopted plans or policy of the City.

In addition, the 1986 Zoning Ordinance imposes the following additional height restriction: **"No building or structure shall exceed any adopted height restrictions that may appear in any other adopted Plan or Policy of the City ..."**<sup>11</sup> The Zoning Ordinance adopted in 1988 by the City Council is another adopted City plan or policy. The 1988 Zoning Ordinance restricts building height to 27 feet. The projects exceed this height limit by more than 10 feet.

3. Increase of Side Yard Where Dwelling Unit Fronts Upon a Side Yard.

To add an additional unit, each of the projects must provide a 10 foot side yard setback on the side where the primary entrance is located. Section 1723 of the Zoning Ordinance requires the following side yard setback:

The minimum width of the side yard upon which a primary entrance to a dwelling unit is provided shall be no less than ten (10) feet.<sup>12</sup>

Since applicant proposes to locate two primary entrances within the side yard, applicant must provide a 10-foot side yard on the side yard where the primary entrances will be located. Applicant proposes to only provide a 3-foot side yard setback on the side yard with both primary entrances.

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<sup>11</sup> 1986 Zoning Ordinance §3203.

<sup>12</sup> 1986 Zoning Ordinance §1723.

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4. Americans with Disabilities Act.

Applicant will operate the proposed structures as a hotel/motel and an assembly hall used by transient renters, which qualifies the proposed structures as a "place of lodging" and as "transient" occupancy. New ADA regulations require "places of lodging" to comply with ADA accessibility regulations and structures used for "transient" occupancy must comply with the 2010 California Building Code accessibility regulations. Applicant's projects qualify as "places of lodging" and "transient" occupancies. Thus, to operate a structure used by transient renters using the premises for fewer than 30 days, the three structures will have to comply with the Americans with Disabilities Act and the 2010 California Building Code accessibility regulations.

5. Tandem Parking Spaces.

Applicant proposes to provide four tandem parking spaces to comply with the minimum parking requirements. The City shall require that all new residential development provides adequate on-site parking. In areas where beach parking demand is critical, parking requirements for new residential development shall be strictly enforced.<sup>13</sup> Nothing in the 1986 Zoning Ordinance, however, authorizes the use of tandem parking spaces to comply with the parking requirements.

In addition, tandem parking spaces do not comply with the requirement that parking spaces "be provided with adequate ingress and egress" and the General Plan requirement that "developments shall design parking areas to maximize efficiency, safety, convenience, and open space."<sup>14</sup> Tandem parking spaces do not provide adequate ingress and egress, particularly in structures that will be used as vacation rental by transient renters.

6. Beach Erosion Report.

The Local Coastal Program requires new development west of Pacific Street from Wisconsin to the south City limits to provide a report prepared by a licensed civil engineer or geologist experienced in coastal processes that development as proposed would not be imperiled by erosion during the expected life of the structure (generally 75 years for new residential development). Applicant has not submitted the required beach erosion report.

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<sup>13</sup> Local Coastal Program Policy 17.

<sup>14</sup> 1986 Zoning Ordinance §2702; General Plan Policy 1.20.

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City of Oceanside  
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7. Refuse Storage.

The 1986 Zoning Ordinance requires refuse storage that is 5-feet high, 6-feet deep, and 8-feet wide constructed of concrete block or masonry walls with gates.<sup>15</sup> The plans do not identify a refuse storage that meets these criteria.

Conclusion.

The applicant has proposed a structure using interpretations from the 1992 Zoning Ordinance, which is no longer applicable within the Coastal Zone. We request that the City require the applicant to comply with the certified Local Coastal Program – the 1986 Zoning Ordinance.

Thank you.

Very truly yours,



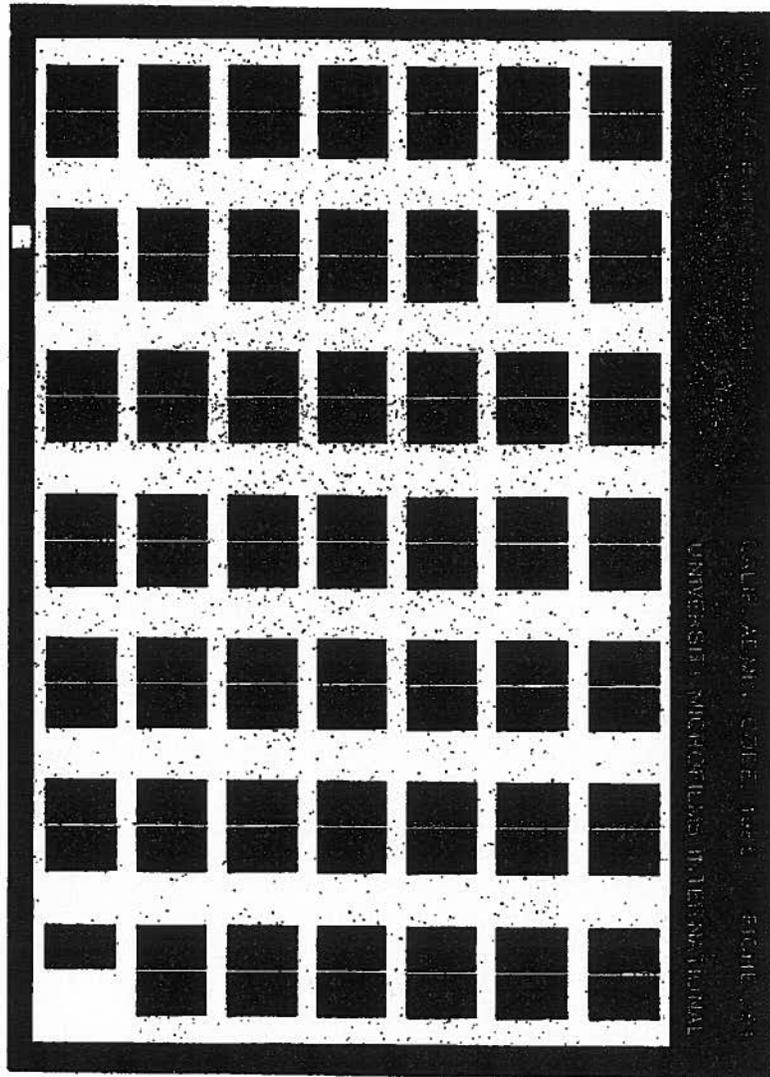
Erik L. Schraner, Esq.  
Seltzer Caplan McMahon Vitek  
A Law Corporation

ELS/cll  
Enclosure

cc: Beachin, LLC (w/enclosure)  
California Coastal Commission, San Diego Coast District Office (w/enclosure)

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<sup>15</sup> 1986 Zoning Ordinance §1730.



**TITLE 24**

**BUILDING STANDARDS**

(Register 61, No. 11--34471)

(p. ix)

**TITLE 24. BUILDING STANDARDS**

(Originally filed 9-16-59)

(Revision filed 7-9-63)

- PART 1. STATE BUILDING STANDARDS COMMISSION**
- PART 2. BASIC BUILDING REGULATIONS**
- PART 3. BASIC ELECTRICAL REGULATIONS**
- PART 4. BASIC MECHANICAL REGULATIONS**
- PART 5. BASIC PLUMBING REGULATIONS**
- PART 6. SPECIAL BUILDING REGULATIONS**
- PART 7. ELEVATOR SAFETY REGULATIONS**
- PART 8. STATE HISTORICAL BUILDING CODE**

**S**

**Sec. 2-422.** (a) **Sanitary Facility** is any single unit or a combination of water closets, urinals, lavatories, bathtubs or showers, together with the room or space in which they are housed.

(b) **Shopping Center** one or more sales establishments or stores.

(c) **Should:**

**NOTE:** See Recommendation.

(d) **Sidewalk** is a surfaced pedestrian way contiguous to a street used by the public.

**NOTE:** See definition for "Walk".

(e) **Single Accommodation Sanitary Facility** is a room that has not more than one of each type of sanitary fixture, is intended for use by only one person at a time, has no partition around the toilet, and has a door that can be locked on the inside by the room occupant.

**NOTES:** 1. See Section 2-1711.

2. For bathrooms serving Group B Occupancies, see Section 2-1213.

(f) **Site Development** is "on site" and "off site" work including, but not limited to, walks, sidewalks, ramps, curbs, curb ramps, parking facilities, stairs, planting areas, pools, promenades, exterior gathering or assembly areas and raised or depressed paved areas.

(g) **Smoke Detector** is a device which senses visible or invisible particles of combustion.

(h) **Special Access Lift** is a hoisting and lowering mechanism equipped with a car or platform, or support which serves two landings of a building or structure and is designed to carry a passenger or passengers and (or) luggage or other material a vertical distance as may be allowed.

**T**

**Sec. 2-421.** (a) **Temporary** shall mean buildings and facilities intended for use at one location for not more than one year and seats intended for use at one location for not more than 90 days.

(b) **Tread** is the horizontal surface of a step in a stair.

**U**

**Sec. 2-422.** (a) **UBC** shall mean the 1979 Edition of the Uniform Building Code as published by the International Conference of Building Officials.

**EXCEPTIONS:** 1. UBC as it relates to the Jurisdiction of the Office of the State Architect relative to public school buildings and in reference to Chapters 2-23 through 2-30, inclusive, 2-32, 2-37, 2-47 and 2-54 of Part 2 and in Division T21 of Part 6 shall be construed to mean the 1976 Edition.

2. UBC as it relates to the jurisdiction of the Office of Statewide Health Planning and Development relative to hospital buildings and in reference to Chapters 2-23 through 2-30, inclusive, 2-32, 2-37 and 2-47 of Part 2 and in Division T22 of Part 6 shall be construed to mean the 1976 Edition.

3. UBC as it is used in reference to the State Housing Law, Building Standards for hotels, motels, lodging houses, apartment houses, and dwellings, or portions thereof, and buildings and structures accessory thereto shall comply with provisions contained in the 1979 Uniform Building Code. See Chapter 2-12.

(b) **UBC Standards** shall mean the 1979 Edition of the Uniform Building Code Standards as published by the International Conference of Building Officials.

**EXCEPTION:** Exceptions (1), (2) and (3) of Section 2-422(a) relating to UBC shall apply to UBC Standards.

(c) **Unreasonable Hardship:** An unreasonable hardship exists when the enforcing agency finds that compliance with the building standard would make the specific

work of the project affected by the building standard, unfeasible based upon an overall evaluation of the following factors:

1. The cost of providing access.
2. The cost of all construction contemplated.
3. The impact of proposed improvements on financial feasibility of the project.
4. The nature of the accessibility which would be gained or lost.
5. The nature of the use of the facility under construction and its availability to handicapped persons.

The details of any finding of unreasonable hardship shall be recorded and entered in the files of the enforcing agency.

**W**

**Sec. 2-434. (a) Walk** is a surfaced pedestrian way not located contiguous to a street used by the public. (See definition for "Sidewalk".)

**(b) Wheelchair** is a chair mounted on wheels to be propelled by its occupant manually or with the aid of electric power, of a size and configuration conforming to the recognized standard models of the trade.

**(c) Wheelchair Occupant or Wheelchair User** is an individual who, due to a physical impairment or disability, utilizes a wheelchair for mobility.



**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  
**RECEIVED**  
 JAN 20 2012  
 CITY OF OCEANSIDE  
 DEVELOPMENT SERVICES

BY  
 RC

Please Print or Type All Information

HEARING

**PART I - APPLICANT INFORMATION**

1. APPLICANT **REV X Pacific South LLC** 2. STATUS **Owner**  
 3. ADDRESS **421 Q Street Beaver City, NE 68926** 4. PHONE/FAX/E-mail  
 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) **Paul Longton**  
 6. ADDRESS **2909 Mesa Drive Oceanside, CA 92054** 7. PHONE/FAX/E-mail **760 722-4904**

GPA  
 MASTER/SP.PLAN  
 ZONE CH.  
 TENT. MAP  
 PAR. MAP  
 DEV. PL. **D12-00001**  
 C.U.P.  
 VARIANCE  
 COASTAL **RC12-00001**  
 O.H.P.A.C.

**PART II - PROPERTY DESCRIPTION**

8. LOCATION **815 S. Pacific St.**  
 10. GENERAL PLAN 11. ZONING **RT.** 12. LAND USE **Single Family Res.**

9. SIZE **3,250 SF (.075 Acres)**  
 13. ASSESSOR'S PARCEL NUMBER **150.356.16-00**

**PART III - PROJECT DESCRIPTION**

14. GENERAL PROJECT DESCRIPTION  
**Convert existing single family residence to a duplex. Add a 'Great Room' to the 2nd Floor and a 'Game Room' to the 3rd Floor.**

15. PROPOSED GENERAL PLAN 16. PROPOSED ZONING **RT (no change)** 17. PROPOSED LAND USE **Duplex**  
 20. BUILDING SIZE **5910 SF** 21. PARKING SPACES **4** 22. % LANDSCAPE **20%**

18. NO. UNITS **2** 19. DENSITY **26.8 Du/acre**  
 23. % LOT COVERAGE or FAR **63.2%**

**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):  
**Paul Longton**  
 Sign:

34. DATE **1/4/12**  
 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).  
 35. OWNER (Print) **James Dodson** 36. DATE **1/2/12**  
 Managing Member  
 Sign:

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

**Description & Justification  
To Convert an Existing Single Family Res to  
A Duplex  
At  
Lot 10, 815 S Pacific St, Oceanside, 92054**

January 17, 2012

Owner:

REVX  
Pacific South LLC

Managing Member  
James Dodson

421 Q Street  
Beaver City, NE 68926

**Statistics at a glance**

Address –	815 S Pacific St
APN –	150-356-16-00
Zoning –	RT
Proposed zoning –	No Change
General Plan	UHD
Proposed Gen Plan	No Change
Lot Size –	3,250 SF (.075 Acres)
Existing Land Use –	Single Family Residence
Proposed Land Use –	Duplex
Number of units –	2
Density/acre –	26.8 units/acre
Existing lot coverage -	63.2%
Proposed Lot Coverage	No Change
Existing Building Size:	
Beach Level	2054 SF
Street Level	1079 SF
Second Story	1368 SF
<u>Total Habitable</u>	<u>4501 SF</u>

Garage (4-spaces) 861 SF

Decks 562 SF

**Proposed Construction**

Beach Level	-0-
First Story	38 SF
Second Story	546 SF
Third Story	825 SF
<b>Total New Const.</b>	<b>1409 SF</b>

**Building SF when complete (2-units)**

<b>Unit #1</b>	
Beach Level	2054 SF
First Story	1117 SF
<b>Total Unit #1</b>	<b>3171 SF</b>

<b>Unit #2</b>	
Second Story	1914 SF
Third Story	825 SF
<b>Total Unit #2</b>	<b>2739 SF</b>

**Total both units 5910 SF**

**Decks Total 357 SF**  
**(There will be 205 SF of deck that will be replaced with habitable space)**

**Parking required – 3 spaces**

**Parking provided – 4 spaces**

**The Architecture is by Paul Longton, Architect**

**Subject property is in the R-T Zone**

**Scope of Work**

**The scope of work is to remodel and add to an existing single family home. When complete the residence will add 1409 SF and will be a duplex.**

## **Pertinent Definitions (per Oceanside City Ordinance)**

### **Article 32: Residential Tourist Zone (R-T Zone)**

**Section 3200: Purpose.** The R-T Zone is intended to accommodate tourist and year round visitor serving facilities by providing permanent and transient residential and related use to serve all income levels. The R-T Zone is primarily designated on the shorefront property in order to optimize public access to the beach.

**Section 234: Grade.** "Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks.

**Section 207: Basement.** "Basement" means that portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from grade, see section 234 above, to the floor below is less than the vertical distance from grade to ceiling.

**Section 211: Building Height.** "Building Height" means that the vertical distance measured from the average level of the highest and lowest point of that portion of the building-site covered by the building to the ceiling of the uppermost story.

**Section 3203: Height of buildings.** Building Height is Limited to 35 feet unless a conditional use permit is issued in accordance with Article 15.

Permitted Height to ceiling of top story = EL 19.0' + 35' = EL 54.0'

Proposed Height to ceiling of top story = EL 50.67'

Proposed Building is 3.33' Below maximum permitted

## **Proposed Construction**

The proposed construction will remodel the existing single family residence to a duplex. There will be no change to the eastern (Pacific Street side) portion of the building. The view of the building as seen from the street will be unchanged. Currently the stair and elevator tower go to the roof deck. All of the proposed construction will be west of the stair and elevator tower.

There will be no increase in bedrooms. The building will add a "Great Room" to the 2<sup>nd</sup> Floor. This Great Room will be the kitchen and living room for the 2<sup>nd</sup> Unit. There will be a deck to the west of the new Great Room. The second floor steps back from the west – giving the elevation a "tiered" look.

The construction will add a Game Room as the 3<sup>rd</sup> floor construction. The Game Room will have a deck to the west. The 3<sup>rd</sup> floor will step back from the west adding to the "tiered appearance"

The new construction at the 3<sup>rd</sup> floor will not change the height of the building. The new Game Room will be at the height of existing stair and elevator tower.

### **Parking**

Parking for the building will remain unchanged at 4 covered parking spots. The intensity of use will not change with the number of bedrooms remaining unchanged.

### **Preservation of Public Views**

The public view corridors will remain unchanged. The corners of the building at the west end are "clipped" to allow better views. The proposed construction at the 2<sup>nd</sup> and 3<sup>rd</sup> stories will step back from the west face.

### **Proposed Materials**

Some of the existing features of the home are: a 50 year roof, copper flashings, elevator, laminated glass for sound proofing and UV protection, non-corrosive materials for prolonged life and low maintenance beachfront living, maintenance of north/south access at the beach level so the public access is maintained at all times and tides.

The interior materials will be superior for ease of living, low maintenance and energy efficiency. The furnace will be high efficiency. The appliances are all Energy Star approved. The water heaters are of the "Instant" variety that are much more energy efficient than the "tank" type. Bathroom floors are heated. Lights and fans in the bathrooms are occupant initiated for convenience and, ultimately, for energy efficiency.

Extra care is taken to use materials that isolate sound from floor to floor and from inside to outside, or the reverse.

The new construction will maintain this high standard of materials.

### **Engineering**

The existing residence was built using a "mat slab". Per the conversations with the structural engineer, there will be no need to upgrade the existing foundation. Similarly since the footprint of the building will not change, the civil engineering need not change nor would there be any need for a Wave Up-rush Study.

## **Regular Coastal**

The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinances. Specifically the physical aspects of the project are consistent with the adjoining properties and those in the neighborhood. The project will not substantially alter or impact existing public views of the coastal zone area.

The proposed project will not obstruct any existing planned public beach access including any beach areas fronting the existing property; therefore the proposed project is in conformance with the policies of Chapter 3 of the Coastal Act.

## **Development Plan Findings**

Adoption of the Development Plan may be subject to conditions and it may be amended in the same manner as it was first adopted pursuant to Oceanside zoning ordinance, section 1611.f.1. Additionally, the City Planner may approve by the endorsement on the approved Development Plan, minor modifications in design which do not substantially alter the approved plan or the use permitted. Such minor modifications shall be reported to the authority which has approved the Development Plan. (Section 1611.g).

The Development plan for the proposed construction to remodel and convert the existing single family residence to a duplex has taken into consideration the surrounding properties and is consistent with the land use policies of the Local Coastal Program as implemented through the Zoning Ordinance. The project will not compromise existing public views within the Coastal Zone area nor produce adverse massing or property depreciation impacts on neighboring properties.

The proposed Development plan will not substantially depreciate or interfere with the use or enjoyment of property in the vicinity, nor will it endanger the public peace, health, safety or general welfare.

The application for a Development Plan shall be heard by the Planning Commission and their action shall be final unless appealed to the City Council under the manner as specified in Article 21 of the City of Oceanside's Zoning Ordinance.

**LEGAL DESCRIPTION**

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

LOT 8 IN BLOCK "C" OF MYER'S ANNEX TO OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 984, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 13, 1906.

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

APN: 150-356-14-00



## NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:  
(180 days)

1. **APPLICANT:** Paul Longton, Studio 4 Architects
2. **ADDRESS:** 2909 Mesa Drive Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 722-4904
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Russ Cunningham, Senior Planner
6. **PROJECT TITLE:** Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001), South Pacific Duplex Conversion (815 South Pacific Street)
7. **DESCRIPTION:** Request to allow conversion of an existing single-family residence to a duplex, with the addition of 1,409 square feet of habitable space and a new third story. Situated within the Coastal Zone and the Townsite Neighborhood Planning Area, the project site bears a Local Coastal Plan designation of High-Density Residential and a zoning designation of Residential-Tourist (R-T).

**ADMINISTRATIVE DETERMINATION:** The proposal involves the construction of a duplex or similar multi-family residential structure totaling no more than four dwelling units. Pursuant to the California Environmental Quality Act (CEQA) and applicable state guidelines, the proposal is not subject to further environmental review, consistent with the following determination:

- "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 3, "New Construction or Conversion of Small Structures" (Section 15303); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

A handwritten signature in black ink, appearing to read "Russ Cunningham".

Russ Cunningham, Senior Planner

Date: March 26, 2012

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



**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 BY

RC

Please Print or Type All Information

HEARING

**PART I - APPLICANT INFORMATION**

1. APPLICANT Evergreen Hebron, L.P.	2. STATUS Owner
3. ADDRESS 1821 S. Coast Hwy Oceanside, CA 92054	4. PHONE/FAX/E-mail
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Paul Longton	7. PHONE/FAX/E-mail 760 722-4908
6. ADDRESS 2909 Mesa Dr. Oceanside 92054	

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL. D12-00002
C.U.P.
VARIANCE
COASTAL RC12-00002
D.H.P.A.C.

**PART II - PROPERTY DESCRIPTION**

8. LOCATION 813 S. Pacific St	10. GENERAL PLAN UHD	11. ZONING RT	12. LAND USE Single Family Res
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9. SIZE 3,250 SF (.075 acres)	13. ASSESSOR'S PARCEL NUMBER 150-356-15-00
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**PART III - PROJECT DESCRIPTION**

14. GENERAL PROJECT DESCRIPTION  
Convert existing single family residence to a duplex. Add a 'Great Room' to the 2nd story and a 'Game Room' to the 3rd story

15. PROPOSED GENERAL PLAN No Change	16. PROPOSED ZONING No Change	17. PROPOSED LAND USE Duplex
20. BUILDING SIZE 5910	21. PARKING SPACES 4	22. % LANDSCAPE 20%

18. NO. UNITS 2	19. DENSITY 26.8 DU/Acre
23. % LOT COVERAGE or FAR 63.2%	

**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):  
Paul Longton

34. DATE  
1/4/12

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) Steve Lomis  
Managing Partner

36. DATE  
1/2/12

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

Sign:

**Description & Justification  
To Convert an Existing Single Family Res to  
A Duplex  
At  
Lot 9, 813 S Pacific St, Oceanside, 92054**

January 17, 2012

Owner:

Evergreen Hebron, LP

**Managing Member  
Steve Loomis**

813 S. Pacific Street  
Oceanside, CA 92054

**Statistics at a glance**

Address –	813 S Pacific St
APN –	150-356-15-00
Zoning –	RT
Proposed zoning –	No Change
General Plan	UHD
Proposed Gen Plan	No Change
Lot Size –	3,250 SF (.075 Acres)
Existing Land Use –	Single Family Residence
Proposed Land Use –	Duplex
Number of units –	2
Density/acre –	26.8 units/acre
Existing lot coverage -	63.2%
Proposed Lot Coverage	No Change
<b>Existing Building Size:</b>	
Beach Level	2054 SF
Street Level	1079 SF
Second Story	1368 SF
<u>Total Habitable</u>	<u>4501 SF</u>

**Garage (4-spaces)            861 SF**

**Decks                            562 SF**

**Proposed Construction**

**Beach Level                    -0-  
First Story                    38 SF  
Second Story                 546 SF  
Third Story                    825 SF  

---

Total New Const.    1409 SF**

**Building SF when complete (2-units)**

**Unit #1  
Beach Level                    2054 SF  
First Story                    1117 SF  

---

Total Unit #1            3171 SF**

**Unit #2  
Second Story                 1914 SF  
Third Story                    825 SF  

---

Total Unit #2            2739 SF**

**Total both units            5910 SF**

**Decks Total                    357 SF  
(There will be 205 SF of deck that will be replaced with habitable space)**

**Parking required –            3 spaces  
Parking provided –            4 spaces**

**The Architecture is by Paul Longton, Architect**

**Subject property is in the R-T Zone**

**Scope of Work**

**The scope of work is to remodel and add to an existing single family home. When complete, the residence will add 1409 SF and will be a duplex.**

## **Pertinent Definitions (per Oceanside City Ordinance)**

### **Article 32: Residential Tourist Zone (R-T Zone)**

**Section 3200: Purpose.** The R-T Zone is intended to accommodate tourist and year round visitor serving facilities by providing permanent and transient residential and related use to serve all income levels. The R-T Zone is primarily designated on the shorefront property in order to optimize public access to the beach.

**Section 234: Grade.** "Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks.

**Section 207: Basement.** "Basement" means that portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from **grade**, see section 234 above, to the floor below is less than the vertical distance from grade to ceiling.

**Section 211: Building Height.** "Building Height" means that the vertical distance measured from the average level of the highest and lowest point of that portion of the building-site covered by the building to the ceiling of the uppermost story.

**Section 3203: Height of buildings.** Building Height is Limited to 35 feet unless a conditional use permit is issued in accordance with Article 15.

Permitted Height to ceiling of top story = EL 19.0' + 35' = EL 54.0'

Proposed Height to ceiling of top story = EL 51.5'

Proposed Building is 2.5' Below maximum permitted

## **Proposed Construction**

The proposed construction will remodel the existing single family residence to a duplex. There will be no change to the eastern (Pacific Street side) portion of the building. The view of the building as seen from the street will be unchanged. Currently the stair and elevator tower go to the roof deck. All of the proposed construction will be west of the stair and elevator tower.

There will be no increase in bedrooms. The building will add a "Great Room" to the 2<sup>nd</sup> Floor. This Great Room will be the kitchen and living room for the 2<sup>nd</sup> Unit. There will be a deck to the west of the new Great Room. The second floor steps back from the west – giving the elevation a "tiered" look.

The construction will add a Game Room as the 3<sup>rd</sup> floor construction. The Game Room will have a deck to the west. The 3<sup>rd</sup> floor will step back from the west adding to the "tiered appearance"

The new construction at the 3<sup>rd</sup> floor will not change the height of the building. The new Game Room will be at the height of existing stair and elevator tower.

### **Parking**

Parking for the building will remain unchanged at 4 covered parking spots. The intensity of use will not change with the number of bedrooms remaining unchanged.

### **Preservation of Public Views**

The public view corridors will remain unchanged. The corners of the building at the west end are "clipped" to allow better views. The proposed construction at the 2<sup>nd</sup> and 3<sup>rd</sup> stories will step back from the west face.

### **Proposed Materials**

Some of the existing features of the home are: a 50 year roof, copper flashings, elevator, laminated glass for sound proofing and UV protection, non-corrosive materials for prolonged life and low maintenance beachfront living, maintenance of north/south access at the beach level so the public access is maintained at all times and tides.

The interior materials will be superior for ease of living, low maintenance and energy efficiency. The furnace will be high efficiency. The appliances are all Energy Star approved. The water heaters are of the "Instant" variety that are much more energy efficient than the "tank" type. Bathroom floors are heated. Lights and fans in the bathrooms are occupant initiated for convenience and, ultimately, for energy efficiency.

Extra care is taken to use materials that isolate sound from floor to floor and from inside to outside, or the reverse.

The new construction will maintain this high standard of materials.

### **Engineering**

The existing residence was built using a "mat slab". Per the conversations with the structural engineer, there will be no need to upgrade the existing foundation. Similarly since the footprint of the building will not change, the civil engineering need not change nor would there be any need for a Wave Up-rush Study.

## **Regular Coastal**

The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinances. Specifically the physical aspects of the project are consistent with the adjoining properties and those in the neighborhood. The project will not substantially alter or impact existing public views of the coastal zone area.

The proposed project will not obstruct any existing planned public beach access including any beach areas fronting the existing property; therefore the proposed project is in conformance with the policies of Chapter 3 of the Coastal Act.

## **Development Plan Findings**

Adoption of the Development Plan may be subject to conditions and it may be amended in the same manner as it was first adopted pursuant to Oceanside zoning ordinance, section 1611.f.1. Additionally, the City Planner may approve by the endorsement on the approved Development Plan, minor modifications in design which do not substantially alter the approved plan or the use permitted. Such minor modifications shall be reported to the authority which has approved the Development Plan. (Section 1611.g).

The Development plan for the proposed construction to remodel and convert the existing single family residence to a duplex has taken into consideration the surrounding properties and is consistent with the land use policies of the Local Coastal Program as implemented through the Zoning Ordinance. The project will not compromise existing public views within the Coastal Zone area nor produce adverse massing or property depreciation impacts on neighboring properties.

The proposed Development plan will not substantially depreciate or interfere with the use or enjoyment of property in the vicinity, nor will it endanger the public peace, health, safety or general welfare.

The application for a Development Plan shall be heard by the Planning Commission and their action shall be final unless appealed to the City Council under the manner as specified in Article 21 of the City of Oceanside's Zoning Ordinance.

**LEGAL DESCRIPTION**

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

LOT 8 IN BLOCK "C" OF MYER'S ANNEX TO OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 984, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 13, 1906.

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

APN: 150-356-14-00



## NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:  
(180 days)

1. **APPLICANT:** Paul Longton, Studio 4 Architects
2. **ADDRESS:** 2909 Mesa Drive Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 722-4904
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Russ Cunningham, Senior Planner
6. **PROJECT TITLE:** Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002), South Pacific Duplex Conversion (813 South Pacific Street)
7. **DESCRIPTION:** Request to allow conversion of an existing single-family residence to a duplex, with the addition of 1,409 square feet of habitable space and a new third story. Situated within the Coastal Zone and the Townsite Neighborhood Planning Area, the project site bears a Local Coastal Plan designation of High-Density Residential and a zoning designation of Residential-Tourist (R-T).

**ADMINISTRATIVE DETERMINATION:** The proposal involves the construction of a duplex or similar multi-family residential structure totaling no more than four dwelling units. Pursuant to the California Environmental Quality Act (CEQA) and applicable state guidelines, the proposal is not subject to further environmental review, consistent with the following determination:

- "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 3, "New Construction or Conversion of Small Structures" (Section 15303); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

A handwritten signature in black ink, appearing to read "Russ Cunningham".

Russ Cunningham, Senior Planner

Date: March 26, 2012

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



**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

1-20-2012

BY

PC

Please Print or Type All Information

HEARING

**PART I - APPLICANT INFORMATION**

1. APPLICANT REVX Pacific North LLC	2. STATUS Owner
3. ADDRESS 421 Q Street Beaver City, NE 68926	4. PHONE/FAX/E-mail
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Paul Longton	7. PHONE/FAX/E-mail 760 722.4904
6. ADDRESS 2909 Mesa Drive Oceanside, CA 92054	

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL. D12-00003
C.U.P.
VARIANCE
COASTAL RC12-00003
O.H.P.A.C.

**PART II - PROPERTY DESCRIPTION**

8. LOCATION 811 S. Pacific St.	9. SIZE 3,250 SF (.075 Acres)		
10. GENERAL PLAN	11. ZONING RT	12. LAND USE Single Family Res.	13. ASSESSOR'S PARCEL NUMBER 150.356.14.00

**PART III - PROJECT DESCRIPTION**

14. GENERAL PROJECT DESCRIPTION  
Convert existing single family residence to a duplex. Add a 'Great Room' to the 2<sup>nd</sup> Floor and a 'Game Room' to the 3<sup>rd</sup> Floor.

15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING RT (no change)	17. PROPOSED LAND USE Duplex	18. NO. UNITS 2	19. DENSITY 26.8 Du/acre
20. BUILDING SIZE 5910 SF	21. PARKING SPACES 4	22. % LANDSCAPE 20%	23. % LOT COVERAGE or FAR 63.2%	

**PART IV - ATTACHMENTS**

24. DESCRIPTION/JUSTIFICATION	25. LEGAL DESCRIPTION	26. TITLE REPORT
27. NOTIFICATION MAP & LABELS	28. ENVIRONMENTAL INFO FORM	29. PLOT PLANS
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**PART V - SIGNATURES**

33. APPLICANT OR REPRESENTATIVE (Print): Paul Longton	34. DATE 1/4/12	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) James Dodson Managing Member	36. DATE 1/2/12
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		Sign:

**Description & Justification  
To Convert an Existing Single Family Res to  
A Duplex  
At  
Lot 8, 811 S Pacific St, Oceanside, 92054**

January 17, 2012

Owner:

REVX  
Pacific North LLC

Managing Member  
James Dodson

421 Q Street  
Beaver City, NE 68926

**Statistics at a glance**

Address –	811 S Pacific St
APN –	150-356-14-00
Zoning –	RT
Proposed zoning –	No Change
General Plan	UHD
Proposed Gen Plan	No change
Lot Size –	3,250 SF (.075 Acres)
Existing Land Use –	Single Family Residence
Proposed Land Use –	Duplex
Number of units –	2
Density/acre –	26.8 units/acre
Existing lot coverage -	63.2%
Proposed Lot Coverage	No Change
<b>Existing Building Size:</b>	
Beach Level	2054 SF
Street Level	1079 SF
Second Story	1368 SF
<u>Total Habitable</u>	<u>4501 SF</u>

**Garage (4-spaces)            861 SF**

**Decks                            562 SF**

**Proposed Construction**

**Beach Level                    -0-  
First Story                    38 SF  
Second Story                 546 SF  
Third Story                    825 SF**  

---

**Total New Const.   1409 SF**

**Building SF when complete (2-units)**

**Unit #1  
Beach Level                    2054 SF  
First Story                    1117 SF**  

---

**Total Unit #1            3171 SF**

**Unit #2  
Second Story                 1914 SF  
Third Story                    825 SF**  

---

**Total Unit #2            2739 SF**

**Total both units            5910 SF**

**Decks Total                    357 SF  
(There will be 205 SF of deck that will be replaced with habitable space)**

**Parking required –            3 spaces  
Parking provided –            4 spaces**

**The Architecture is by Paul Longton, Architect**

**Subject property is in the R-T Zone**

**Scope of Work**

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**Section 211: Building Height.** "Building Height" means that the vertical distance measured from the average level of the highest and lowest point of that portion of the building-site covered by the building to the ceiling of the uppermost story.

**Section 3203: Height of buildings.** Building Height is Limited to 35 feet unless a conditional use permit is issued in accordance with Article 15.

Permitted Height to ceiling of top story = EL 19.22' + 35' = EL 54.22'

Proposed Height to ceiling of top story = EL 51.15'

Proposed Building is 3.07' Below maximum permitted

## **Proposed Construction**

The proposed construction will remodel the existing single family residence to a duplex. There will be no change to the eastern (Pacific Street side) portion of the building. The view of the building as seen from the street will be unchanged. Currently the stair and elevator tower go to the roof deck. All of the proposed construction will be west of the stair and elevator tower.

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Extra care is taken to use materials that isolate sound from floor to floor and from inside to outside, or the reverse.

The new construction will maintain this high standard of materials.

### **Engineering**

The existing residence was built using a "mat slab". Per the conversations with the structural engineer, there will be no need to upgrade the existing foundation. Similarly since the footprint of the building will not change, the civil engineering need not change nor would there be any need for a Wave Up-rush Study.

## **Regular Coastal**

The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinances. Specifically the physical aspects of the project are consistent with the adjoining properties and those in the neighborhood. The project will not substantially alter or impact existing public views of the coastal zone area.

The proposed project will not obstruct any existing planned public beach access including any beach areas fronting the existing property; therefore the proposed project is in conformance with the policies of Chapter 3 of the Coastal Act.

## **Development Plan Findings**

Adoption of the Development Plan may be subject to conditions and it may be amended in the same manner as it was first adopted pursuant to Oceanside zoning ordinance, section 1611.f.1. Additionally, the City Planner may approve by the endorsement on the approved Development Plan, minor modifications in design which do not substantially alter the approved plan or the use permitted. Such minor modifications shall be reported to the authority which has approved the Development Plan. (Section 1611.g).

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

APN: 150-356-14-00



# NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:  
(180 days)

1. **APPLICANT:** Paul Longton, Studio 4 Architects
2. **ADDRESS:** 2909 Mesa Drive Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 722-4904
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Russ Cunningham, Senior Planner
6. **PROJECT TITLE:** Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003), South Pacific Duplex Conversion (811 South Pacific Street)
7. **DESCRIPTION:** Request to allow conversion of an existing single-family residence to a duplex, with the addition of 1,409 square feet of habitable space and a new third story. Situated within the Coastal Zone and the Townsite Neighborhood Planning Area, the project site bears a Local Coastal Plan designation of High-Density Residential and a zoning designation of Residential-Tourist (R-T).

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- "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 3, "New Construction or Conversion of Small Structures" (Section 15303); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Russ Cunningham, Senior Planner

Date: March 26, 2012

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