

AGENDA NO. 4

PLANNING COMMISSION



STAFF REPORT

DATE: July 23, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC-4-09) TO ALLOW THE DEMOLITION OF AN EXISTING DUPLEX AND CONSTRUCTION OF A NEW SINGLE-FAMILY HOME AT 1441 SOUTH PACIFIC STREET – SOTO RESIDENCE – APPLICANTS: RON AND JANIS SOTO**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3 Categorical Exemption per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act; and
- (2) Approve Regular Coastal Permit (RC-4-2009) by adopting Planning Commission Resolution No. 2012-P35 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The subject property is a 6,962-square foot beachfront lot on South Pacific Street between Buccaneer Beach and Witherby Street. The property lies immediately across South Pacific Street from the La Salina Wastewater Treatment Facility and within 250 feet of Loma Alta Creek and Buccaneer Beach.

One of more than 130 beachfront lots created as part of the Ocean Front addition to Oceanside in 1904, the subject site is typical of nearby properties with its narrow frontage and rear boundary determined by the mean high tide line. However, the topography of the site is somewhat unique; while most beachfront properties in the vicinity slope downward from South Pacific Street to the beach, the subject property slopes in the opposite direction, such that the grade elevation at the street frontage is roughly three feet below that at the coastal stringline.

The site now accommodates a 2,986-square foot two-story duplex, constructed in the mid-1970s. Like most beachfront development in the vicinity, the existing duplex maintains minimal front yard setback, lying less than four feet from the front property line. The duplex adheres to the minimum three-foot setback from the southern side yard property line but maintains no setback from the northern side yard property line.¹ The duplex lies roughly three feet inland of the coastal stringline. Exhibiting a non-descript architectural style and finished with three-inch vertical plywood siding, the duplex features a two-car garage and an adjacent open parking stall. As evidenced in photographs appended to this staff report as Attachment 3, the existing duplex is in somewhat worn condition, with rusting hardware, collapsing planter boxes, and mismatched windows.

Due primarily to an existing curb cut that spans nearly the entire width of the front property line, there is currently no sidewalk across the street frontage.

The neighboring property to the south was redeveloped with a duplex in 2008; the duplex features two stories over enclosed parking on a daylighted basement level. The next property to the south is the 18-unit Whitewater Village condominium complex; occupying 180 feet of street frontage, the condominium complex features two stories over an at-grade parking structure. To the north, between the subject property and Witherby Street, existing development consists primarily of two-story single-family homes, with some multi-family development at the north end of the block. Photographs appended to this staff report as Attachment 3 show existing development in the vicinity of the subject property.

Site Review: The subject property bears a Local Coastal Program land use designation of Mixed High Density/Transient Residential and a zoning designation of Residential-Tourist (R-T). Situated within the Coastal Zone and the South Oceanside Neighborhood Planning Area, the property is subject to the policies and design guidelines of the City's Local Coastal Program, as well as the land use and development standards of the 1986 Zoning Ordinance (which superseded the 1992 Zoning Ordinance in May 2009).

As noted earlier in this staff report, the subject property is one of only a few beachfront lots that slope downward from the beach to the adjoining street frontage. This condition places the front property line at South Pacific Street roughly three feet below the elevation of the beach at the coastal stringline (90 feet westward of the front property line). While this topographic condition slightly increases the potential for wave inundation, the developable portions of the subject site are protected by the coastal revetment and lie above the FEMA-designated 100-year flood elevation of 11 feet MSL.

¹ Despite the fact that the duplex lies at the northern side yard property line, the current lines of occupation at 1441 and 1439 South Pacific Street provide for six feet of separation between the buildings on these two properties.

As previously noted, the subject property is part of a subdivision platted more than 100 years ago. In the 1400 Block of South Pacific Street, subsequent surveys have shown disparities between the recorded legal descriptions of the individual lots in this area and the lines of occupation for existing development (i.e., where the buildings and ancillary improvements are situated). At present, approximately three lineal feet of land, extending laterally across the street frontage and westward to the mean high tide line, remains unassigned to any private property within the block.

Project Description: The proposed project involves the demolition of the existing duplex and its replacement with a new two-story, 5,065-square foot single-family residence with a 477-square foot first floor mezzanine, a 925-square foot semi-subterranean basement, and a 142-square foot roof deck. The proposed new residence would occupy the same percentage of the subject site (29%) now covered by the existing residence, retreating roughly three feet from the existing front yard setback while extending roughly three feet farther into the rear yard, to the coastal stringline. The new residence would maintain the minimum three-foot interior side yard setbacks required of properties of 30 feet or less in width.

Exterior Elevations: The proposed new residence would rise to a height of 35 feet, as measured to the top of the parapet around the roof deck. A stair and elevator enclosure providing access to the roof deck would project an additional 5' 6" above the 35-foot height limit, as allowed under Zoning Ordinance Section 1709.

To accommodate the semi-subterranean basement and raise ground-level habitable space farther above the base flood elevation, the finished floor of the first story would be situated approximately four feet above that of the existing duplex, placing the primary entrance nearly five feet above the adjacent street elevation. Located on the south-facing elevation more than 50 feet westward of the front property line, the primary entrance would be accessed by a stepped walkway.

Exhibiting a somewhat contemporary design, the proposed new residence would feature a prominent pitched roof element on the front elevation, broken in the middle by a 5' 6" wide ledge designed to accommodate potted plant material. The front elevation would also include two small deck areas placed at the corners of the building immediately above the street-level garage. These deck areas would be separated by a curved wall segment articulated with glass block.

The side elevations of the proposed residence would feature extensive fenestration, with the south-facing elevation articulated with a series of angled windows and a second-story open deck.

The rear elevation of the proposed residence would be highly transparent, with two stacked panels of seven-foot tall windows at the beach level and a second-story open deck with glass railing and an expansive sliding glass door. A pitched roof element would overhang the second-story open deck.

Floor Plans: On-site parking would be provided by a street-facing two-car garage. Situated at street level, the garage would screen the semi-subterranean basement as viewed from the street frontage.

Composed of a game room, a full bathroom, and a storage closet, the semi-subterranean basement would not include sleeping quarters, as sleeping quarters are prohibited in spaces that do not include emergency egress windows.

The first floor would be comprised of contiguous living, dining, and kitchen areas, an enclosed den, and a full bathroom. With more than 18 feet of vertical clearance between floor and ceiling, the first floor includes a mezzanine.

At its eastern edge, the first-floor mezzanine would transition to a lower portion of the second floor. Located directly over the garage, this portion of the second floor would be comprised of two bedrooms, each with a small open deck facing South Pacific Street.

The upper portion of the second floor, situated directly above the first-floor and mezzanine, would function as a master bedroom/bathroom suite. The suite would include sleeping quarters, two bathrooms, a laundry room, and three open deck areas.

Landscape: Given the narrowness of the subject site, opportunities for landscaping are limited. To mitigate the lack of plantable area, the applicant has worked with City staff to integrate landscape into the architectural design and balance landscape and pedestrian amenities at the street frontage.

To provide for additional plantable area in the front yard setback, the Planning Division suggested and the applicant agreed to reduce the driveway width from over 25 feet to 16 feet. The reduced driveway width allows for planter areas in the right-of-way that afford enough space for small tree species without interfering with pedestrian passage across the street frontage. In addition to these planters in the right-of-way, planters are proposed adjacent to the front elevation on both sides of the garage. To provide additional texture and color, the driveway and contiguous hardscape areas would be colored and scored, with the public sidewalk across the property clearly distinguished.

Within the side yard areas, vine pockets and espaliers adjacent to the residence would accommodate jasmine and a variety of ground cover species would be interspersed among decorative stepping stones.

Plantable surfaces have been incorporated into the architecture of the proposed residence, with a ledge notched into the pitched roof on the front elevation accommodating a trailing vine species and raised planters on the second-story open deck on the rear elevation providing for small palm tree species.

Lot Line Adjustment: The applicants propose a lot line adjustment with the abutting property to the north (1439 South Pacific Street), which is also under their ownership. The proposed lot line adjustment would shift roughly three feet of street frontage from 1439 South Pacific Street to the subject property, thereby increasing the lot width of the subject property from 27.29 feet to 29.98 feet. The proposed lot line adjust will make the northerly boundary of the subject property consistent with the existing line of occupation between 1439 and 1441 South Pacific Street.

The proposed lot line adjustment would not fully resolve the issue of the roughly three feet of unassigned street frontage in the 1400 Block of South Pacific Street for which title is not clear, but it would confine this issue to the two properties immediately north of the subject property – i.e., 1439 and 1437 South Pacific Street. It is anticipated that the applicants will seek a civil judgment regarding the dispensation of the unassigned property, likely asking the court to establish the existing lines of occupation at 1439 and 1437 South Pacific Street as the legal boundaries of these two abutting properties. Such a determination would leave both 1439 and 1437 with roughly 30 feet of street frontage.

California case law has established that lot line adjustments within the Coastal Zone qualify as “development” under the California Coastal Act, and the City of Oceanside has thus determined that lot line adjustments within the Coastal Zone are subject to approval of a Regular Coastal Permit. Appended to the resolution of approval for the proposed project is a condition that the proposed lot line adjustment be recorded on the property title prior to issuance of any grading permits.

Staff supports the proposed line lot adjustment as an appropriate interim step toward final resolution of property boundary issues in the 1400 Block of South Pacific Street.

ANALYSIS

The proposed project is subject to the following City policies and regulations:

- Local Coastal Program (LCP)
- Zoning Ordinance (1986)
- California Environmental Quality Act (CEQA)

KEY PLANNING ISSUES

Local Coastal Program (LCP)

Being located within the City’s Coastal Zone, the subject property is under the jurisdiction of the City’s Local Coastal Program (LCP), which includes a land use plan and a series of goals and policies intended to ensure that development within the City’s Coastal Zone complies with the California Coastal Act and its basic goal of protecting, maintaining, enhancing, and restoring the overall quality of the state’s coastal environment.

A. Land Use Plan

Under the Land Use Plan of the Local Coastal Program, the subject property is designated Mixed High Density/Transient Residential. Staff finds that the proposed project is consistent with the purpose and intent of this land use designation, which allows for high density residential uses and transient accommodations that are “compatible with surrounding development and [do not] overcrowd public recreational amenities.”

The proposed single-family home would constitute a density of less than seven dwelling units per acre, substantially below the maximum allowable density of 43 dwelling units per acre. Given the narrowness of the lot, development constraints imposed by the coastal stringline, and current on-site parking requirements, the subject site cannot feasibly accommodate more than two dwelling units. It is staff’s position that replacing the existing duplex with a single-family home – and thereby reducing the density of the subject site – would lessen the potential for adverse impacts on nearby public recreational amenities (e.g. Buccaneer Beach) and associated on-street parking resources.

B. LCP Goals and Policies

The proposed project was reviewed by staff for compliance with the goals and policies of the LCP. Staff finds that the application complies with all applicable components of the LCP, including those that speak to public access to the shoreline, compatibility with the existing neighborhood character, adequate parking resources, water quality, flood hazard mitigation, and public enjoyment of Coastal Zone scenic resources.

1. Public Access to the Shoreline

The proposal does not trigger a requirement to provide additional public beach access because **a)** the subject property maintains less than 70 feet of street frontage; **b)** public beach access lies within 500 feet of the subject property (at Buccaneer Beach); and **c)** the proposal does not involve duplex or multi-family development.

The proposal contributes to public access to the shoreline by providing public sidewalk across the street frontage where it does not currently exist. To ensure that this public sidewalk remains unimpeded, staff has included in the resolution of approval a condition that parking be prohibited in the driveway (precedent for which was recently established in conjunction with the approval of duplex conversions at 811, 813, and 815 South Pacific Street).

2. Compatibility with Existing Neighborhood Character

As noted earlier in this staff report, the subject property is in proximity to existing single-family, duplex, and multi-family development that extends both north and

south along the beachfront. The two properties that lie between the subject property and Buccaneer Beach – a duplex and an 18-unit condominium complex – are of comparable height to that proposed on the subject property. While the proposed single-family residence is limited to two stories above a basement, in accordance with R-1 development standards, the duplex and condominium complex to the south benefit from a three-story allowance. The condominium complex (Whitewater Village) features two habitable stories over a ground-level parking structure and rises to a height of over 30 feet. The adjacent duplex (1439 S. Pacific St.), which currently features two stories over a daylighted basement and also rises to a height of over 30 feet, received City approval for a third-story addition in 2009. The third story has yet to be constructed, but the entitlement for this addition remains valid until January 2014.

Existing development immediately north of the subject property consists primarily of two-story single-family homes that conform to the 27-foot height limit of the now-superseded 1992 Zoning Ordinance. However, while these nearby homes are not as tall as the proposed residence, they lie at higher grade elevations than that of the subject property, due to the upward slope of South Pacific Street in the direction of Witherby Street. Situated on one of the lowest-lying properties on South Pacific Street, the proposed residence would not have adverse massing impacts on nearby private properties or public spaces, nor would it appear out of scale with the surrounding neighborhood as viewed from South Pacific Street or the beach.

The tallest elements of the proposed residence would be removed from the front property line by more than 28 feet and from the coastal stringline by more than 50 feet. Limited to central portions of the lot, the tallest elements of the proposed residence would consequently have minimal visibility from the street frontage, the beach, and nearby properties.

Relative to the existing duplex, the proposed residence would exhibit a greater front yard setback, more articulation (both horizontally and vertically), more transparency, and more landscaping. It is thus staff's position that the proposed residence would constitute an aesthetic improvement over existing conditions on the subject property.

3. On-Street Parking Resources in the Vicinity

The proposed residence would meet current on-site parking requirements. With only three bedrooms, the proposed residence would not generate a significant demand for parking, and with one less dwelling unit on the subject property, the potential for impacts to off-site parking resources would be reduced.

The east side of 1400 Block of South Pacific Street (where the La Salina Wastewater Treatment Plan is located) provides more curbside parking spaces than any other block between Wisconsin Street and Buccaneer Beach. Regular field observation by Planning Division staff during peak summer hours reveals that public parking resources in the vicinity of the subject property are adequate to meet typical demand.

4. Water Quality

In accordance with regional water quality requirements, the applicant has provided a stormwater management plan (SWMP) that demonstrates that stormwater runoff would be properly contained and treated on the subject site before entering the receiving waters of the Pacific Ocean and Alta Loma Creek.

5. Flood Hazard Mitigation

Because the finished floor of the proposed semi-subterranean basement lies below the base flood elevation of 11 MSL, City staff required the applicant to submit the proposed plan to the Federal Emergency Management Agency (FEMA), which subsequently found the proposal to be consistent with all applicable federal regulations related to the mitigation of flood risk.

As previously noted in this staff report, the first floor of the proposed residence would be elevated approximately four feet above the finished first floor of the existing duplex, thereby reducing the likelihood of flooding occasioned by extreme wave action.

6. Public Enjoyment of Coastal Zone Scenic Resources

Extensive field observation by Planning Division staff reveals that the proposed residence would have no adverse impacts on existing public view corridors. Staff further finds that incidental public views of the shoreline and the ocean would be enhanced by the proposal, as it would replace existing opaque fencing in the side yards with transparent fencing.

I. 1986 Zoning Ordinance

The subject property is located in an R-T (Residential-Tourist) zoning district. The R-T zoning designation allows for a range of housing types serving both residents and visitors. Single-family homes are allowed in R-T zoning districts, subject to single-family development standards (i.e., those established for R-1 zoning districts). Single-family homes in R-T zoning districts can function as owner-occupied housing (primary residences and second homes), long-term rentals, and short-term vacation rentals. Staff finds that the proposed project conforms to applicable zoning regulations, which require that single-family residences within R-T zones be limited to two stories and a maximum lot coverage of 40 percent (whereas multi-family

development in R-T zones have a three-story allowance and no lot coverage maximum). The following table outlines applicable development standards and illustrates how the proposed project complies with these standards:

**TABLE 1
R-1 Development Standards (Applicable to
Single-Family Development in R-T Zoning Districts)**

	STANDARD	EXISTING	PROPOSED
FRONT YARD	Front Yard Stringline	~ 3'-6"	6'-9"
SIDE YARD	3' Minimum	3' at Southern PL 0' at Northern PL	3' at Southern PL 3' at Northern PL
REAR YARD	Coastal Stringline ¹	3' Inland of Coastal Stringline	Coastal Stringline
LOT COVERAGE	40% Maximum	29%	29%
HEIGHT	35' to Ceiling of Uppermost Story	~ 23'-0"	35' to Top of Parapet, with 5'-6" Projection
STORIES	Two	Two	Two, with Mezzanine and Basement

¹ As determined by photographic exhibits on file in the Planning Division

While the standard front yard setback requirement for R-T properties is a minimum of 10 feet, the 1986 Zoning Ordinance provides two means of achieving a reduced front yard setback. Section 1716 of the 1986 Zoning Ordinance allows a front yard setback consistent with a stringline drawn between the forward extent of existing development on those lots abutting the subject property on either side. In this case, the stringline allows new development to come to within 6'-9" of the front property line. Field observation by Planning Division staff indicates that this front yard setback is consistent with typical front yard setbacks in the 1400 Block of South Pacific Street.

The existing duplex maintains no setback from the northern side yard property line. The proposed lot line adjustment would allow the proposed residence to achieve a similar width to that exhibited by the existing duplex, while maintaining the required minimum side yard setback of three feet.

Building height is measured from the average finished grade, which is calculated as the average of the highest and lowest finished grade points adjacent to the building. While Section 1709 of the 1986 Zoning Ordinance allows building height to be measured to the ceiling of the uppermost story, the Planning Division has generally made its support of similar Coastal Zone projects contingent upon buildings remaining under the 35-foot height limit as measured to the top of the primary roof. Such is the case with this

proposal. Section 1709 of the 1986 Zoning Ordinance further allows certain ancillary features to project above the 35-foot height limit, including stair and elevator enclosures. Staff has worked with the applicant to limit the square footage and height of the proposed stair and elevator enclosure, and to ensure that it is architecturally compatible with the rest of the residence.

While the proposed residence would have three levels of enclosed space, along with a first-floor mezzanine, it qualifies as a two-story building. The semi-subterranean basement meets the two key criteria for a basement: 1) the vertical span between the floor and ceiling of the proposed basement is more than 50 percent below the average finished grade elevation (calculated as the mean of the finished grade elevations at the center of the four walls of the residence); and 2) the finished floor of the level above the proposed basement is less than six feet removed from the average finished grade elevation.

ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and found to be exempt under the provisions of the California Environmental Quality Act (CEQA) Class 3 15303(a), Categorical Exemption "New Construction or Conversion of Small Structures."

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius and occupants within a 100-foot radius of the subject property, individuals and or organizations requesting notification, the applicant, and other interested parties. As of July 15, 2012, no communication regarding the proposal had been received by City staff.

SUMMARY

Regular Coastal Permit (RC-4-09) is consistent with the land use plan and relevant policies of the Local Coastal Program and conforming to applicable zoning standards. The proposed residence would be in scale with the surrounding built environment, and site improvements would not significantly alter existing landforms. The proposal would not impair water quality or exacerbate flood risk. The proposal would not have adverse impacts on existing public view corridors or public access to the coastline. Consequently, staff recommends that the Planning Commission approve the proposed project based on the required findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

- Confirm issuance of a Class 3 Categorical Exemption for New Construction or Conversion of Small Structures under the California Environmental Quality Act (CEQA).
- Move to approve Regular Coastal Permit RC-4-09 and adopt Planning Commission Resolution No. 2012-P35 as attached.

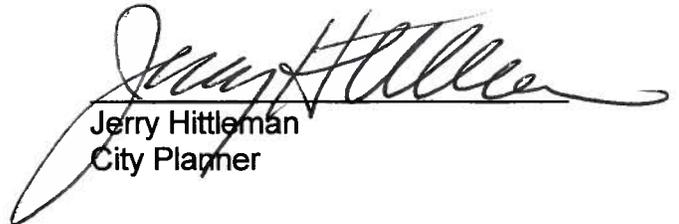
PREPARED BY:



Russ Cunningham
Senior Planner

JH/RC/fil

SUBMITTED BY:



Jerry Hittleman
City Planner

Attachments:

1. Planning Commission Resolution No. 2012-P35
2. Plans
3. Photographs

1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P35

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

6 APPLICATION NO: RC-4-09
7 APPLICANTS: Ron and Janis Soto
8 LOCATION: 1441 South Pacific Street

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Regular Coastal Permit (RC-4-09) under the provisions
13 of the City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit the
following:

14 the demolition of an existing duplex and its replacement with a new two-story single-
15 family residence with a first-story mezzanine, a semi-subterranean basement, and a roof
16 deck at 1441 South Pacific Street, with a concomitant lot line adjustment between 1439
17 South Pacific Street and 1441 South Pacific Street.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd day
19 of July, 2012 conduct a duly advertised public hearing as prescribed by law to consider said
20 application;

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto, this project has been found to be exempt from environmental review per Article
23 19, Section 15303(a);

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

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

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28 //////////////

29 //////////////

1	Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
2			
3			
4	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
5			
6	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
7			
8	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
9			
10			
11	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside (\$.42 for Vista and Fallbrook) \$2.63 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
12			
13			
14			
15			
16	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)
17			
18			
19	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; Non-residential is \$36,775 for a 2" meter.
20			
21			
22			
23	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; Non-residential is \$50,501 for a 2" meter.
24			
25			
26			
27	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit; Non-residential is \$22,495 for a 2" meter.
28			
29			

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

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

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

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

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

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

19 FINDINGS:

20 For the Regular Coastal Permit:

- 21 1. The proposed demolition of the existing duplex and its replacement with a new single-
22 family residence are consistent with the land use policies of the Local Coastal Program
23 as implemented through the Zoning Ordinance. Specifically, the project will not
24 compromise existing public access to the shoreline, conflict with the visual character of
25 the surrounding neighborhood, impede existing public view corridors, burden public
26 parking resources, impair water quality, or increase flood risk. The concomitant lot line
27 adjustment is also consistent with the land use policies of the Local Coastal Program as
28 implemented through the Zoning Ordinance, as it conforms to existing lines of
29 occupation and results in lot widths typical of properties in the vicinity.

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1 2. The proposed demolition of the existing duplex, the construction of a new single-family
2 residence, and the associated lot line adjustment will not obstruct any existing, planned,
3 or required public beach access, thereby conforming with the policies of Chapter 3 of
4 the Coastal Act.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 approve Regular Coastal Permit (RC-4-09) subject to the following conditions:

7 **Building:**

- 8 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
9 Building Division plan check. As of July 23, 2012, the following codes and
10 ordinances are in effect: the 2010 California Building Code based on the 2009
11 International Building Code (Title 26); the 2010 California Electrical Code based on
12 the 2008 National Electrical Code (Title 27); the 2010 California Plumbing Code
13 based on the 2009 Uniform Plumbing Code (Title 28); the 2010 California
14 Mechanical Code based on the 2009 Uniform Mechanical Code (Title 29); the 2010
15 California Residential Code based on the 2009 International Residential Code (Title
16 30); the 2010 California Green Building Standards Code (Title 31).
- 17 2. Construction shall comply with the 2010 edition of the California Codes.
- 18 3. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.
- 19 4. The developer shall monitor, supervise and control all building construction and
20 supporting activities so as to prevent these activities from causing a public nuisance,
21 including, but not limited to, strict adherence to the following:
- 22 a) Building construction work hours shall be limited to between 7:00 a.m. and
23 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00
24 p.m. for work that is not inherently noise-producing. Examples of work not
25 permitted on Saturday are concrete and grout pours, roof nailing and activities
26 of similar noise-producing nature. No work shall be permitted on Sundays and
27 Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day,
28 Thanksgiving Day, Christmas Day) except as allowed for emergency work
29 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

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

6 **Fire:**

- 7 5. Smoke detectors are required, and detector locations must be indicated on the
8 construction drawings.
9 6. All proposed and existing fire hydrants within 400 feet of the project site shall be shown
10 on the construction drawings.
11 7. In accordance with Oceanside Fire Code Section 505, approved address for residential
12 occupancies shall be placed on the structure in such a position as to be plainly visible
13 and legible from the street or roadway fronting the property. Numbers shall be
14 contrasting with their background and meet the current City of Oceanside size and
15 design standard.
16 8. Single-family dwellings require four-inch address numbers. Minimum specifications are
17 set forth in Oceanside Fire Code Section 505.1, and the Fire Marshal may establish other
18 requirements as deemed necessary.
19 9. Construction drawings shall be submitted to the Fire Prevention Bureau for plan check
20 review and approval prior to the issuance of building permits.
21 10. Provide a horn strobe device on the exterior of the building to be activated by fire
22 sprinkler water flow.
23 11. NFPA 13-D fire sprinklers are required, due to structures being within five feet of
24 property lines.
25 12. Department requirements shall be placed on plans in the notes section.

26 **Planning:**

- 27 13. This Regular Coastal Permit shall expire on July 23, 2014, unless implemented per the
28 Zoning Ordinance or unless the Planning Commission grants a time extension.
29 14. This Regular Coastal Permit approves only the demolition of an existing duplex and its
 replacement with a new two-story, 5,065-square foot single-family residence with a semi-
 subterranean basement, first-story mezzanine, and roof deck, and a concomitant lot line

1 adjustment shifting 2.69 feet of street frontage from 1439 South Pacific Street to 1441
2 South Pacific Street, as presented to the Planning Commission for review and approval.
3 No deviation from these approved plans and exhibits shall occur without Planning Division
4 approval. Substantial deviations shall require a revision to the Regular Coastal Permit or a
5 new Regular Coastal Permit.

6 15. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
7 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
8 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
9 annul an approval of the City, concerning Regular Coastal Permit (RC-4-09). The City
10 will promptly notify the applicant of any such claim, action or proceeding against the
11 City and will cooperate fully in its defense. If the City fails to promptly notify the
12 applicant of any such claim action or proceeding, or fails to cooperate fully in the
13 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
14 harmless the City.

15 16. All mechanical rooftop and ground equipment shall be screened from public view as
16 required by the Zoning Ordinance: that is, on all four sides. Roof jacks, mechanical
17 equipment, screens and vents shall be painted with non-reflective paint to match the roof.
18 This information shall be shown on the building plans.

19 17. Prior to the issuance of building permits, compliance with the applicable provisions of the
20 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
21 and approved by the Planning Division. These requirements, including the obligation to
22 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
23 Architectural Site Plan and shall be recorded in the form of a covenant affecting the subject
24 property. A covenant or other recordable document approved by the City Attorney shall
25 be prepared by the applicant and recorded prior to the issuance of building permits. The
26 covenant shall provide that the property is subject to this resolution, and shall generally
27 list the conditions of approval.

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

- 1 19. Failure to meet any conditions of approval for this development shall constitute a violation
2 of the Regular Coastal Permit.
- 3 20. Unless expressly waived, all current zoning standards and City ordinances and policies
4 in effect at the time building permits are issued are required to be met by this project.
5 The approval of this project constitutes the applicant's agreement with all statements in
6 the Description and Justification and other materials and information submitted with this
7 application, unless specifically waived by an adopted condition of approval.
- 8 21. Elevations, siding materials, colors, roofing materials and floor plans shall be
9 substantially the same as those approved by the Planning Commission. These shall be
10 shown on plans submitted to the Building Division and Planning Division.
- 11 22. Parking shall be prohibited in the driveway of the subject property, so as to avoid
12 impeding pedestrian access across the adjacent public sidewalk. Vehicles parked in the
13 driveway and extending into the public right-of-way shall constitute a code violation and
14 be subject to fines.
- 15 23. Prior to issuance of building permits, the applicant shall make an irrevocable offer of
16 dedication to the City of Oceanside an easement for lateral public access and passive
17 recreational use along the shoreline adjacent to this property. The document shall provide
18 that the offer of dedication shall not be used or construed to allow anyone, prior to
19 acceptance of the offer, to interfere with any rights of public access acquired through a use
20 which may exist on the property. The easement shall be located along the entire width of
21 the property to the toe of the bluff (toe of the seawall, a line 25 feet inland of the daily high
22 water line, which is understood to be ambulatory from day to day). The easement shall be
23 recorded free of prior liens and free of any other encumbrances which may affect said
24 interest. The easement shall run with the land in favor of the City of Oceanside, and is
25 binding to all successors and assignees.

26 **Engineering:**

- 27 24. A covenant or other recordable document approved by the City Attorney shall be prepared
28 by the applicant and recorded prior to issuance of building permits. The covenant shall
29 provide that the property is subject to this Resolution, and shall generally list the conditions
of approval.

- 1 25. For the demolition of any existing structure or surface improvements; grading plans shall
2 be submitted and erosion control plans be approved by the City Engineer prior to the
3 issuance of a demolition permit. No demolition shall be permitted without an approved
4 erosion control plan.
- 5 26. Design and construction of all improvements shall be in accordance with the City of
6 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
7 engineering and specifications of the City of Oceanside and subject to approval by the City
8 Engineer.
- 9 27. Prior to issuance of a building permit all improvement requirements shall be covered by a
10 development agreement and secured with sufficient improvement securities or bonds
11 guaranteeing performance and payment for labor and materials, setting of monuments, and
12 warranty against defective materials and workmanship.
- 13 28. Where proposed off-site improvements, including but not limited to slopes, public utility
14 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
15 own expense, obtain all necessary easements or other interests in real property and shall
16 dedicate the same to the City of Oceanside as required. The owner/developer shall provide
17 documentary proof satisfactory to the City of Oceanside that such easements or other
18 interest in real property have been obtained prior to issuance of any grading permit for the
19 development. Additionally, the City of Oceanside, may at its sole discretion, require that
20 the owner/developer obtain at his sole expense a title policy insuring the necessary title for
21 the easement or other interest in real property to have vested with the City of Oceanside or
22 the owner/developer, as applicable.
- 23 29. A Declaration of Covenants, Conditions and Restrictions (DCC&R) is required prior to
24 issuance the grading permit, and will be reviewed and approved by the City Attorney. The
25 Declaration of Covenants, Conditions and Restrictions (DCC&R) shall be recorded
26 attesting to these improvement conditions prior to issuance of any grading permit.
- 27 30. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
28 neighborhood meeting with all of the area residents located within 300 feet of the project
29 site, to inform them of the grading and construction schedule, and to answer questions.

- 1 31. The owner/developer shall monitor, supervise and control all construction and
2 construction-supportive activities, so as to prevent these activities from causing a public
3 nuisance, including but not limited to, insuring strict adherence to the following:
- 4 32. Dirt, debris and other construction material shall not be deposited on any public street or
5 within the City's storm water conveyance system.
- 6 33. All grading and related site preparation and construction activities shall be limited to the
7 hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related
8 construction activities shall be conducted on Saturdays, Sundays or legal holidays unless
9 written permission is granted by the City Engineer with specific limitations to the working
10 hours and types of permitted operations. All on-site construction staging areas shall be as
11 far as possible (minimum 100 feet) from any existing residential development. Because
12 construction noise may still be intrusive in the evening or on holidays, the City of
13 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise
14 which causes discomfort or annoyance to reasonable persons of normal sensitivity."
- 15 34. The construction site shall accommodate the parking of all motor vehicles used by persons
16 working at or providing deliveries to the site. An alternate parking site can be considered
17 by the City Engineer in the event that the lot size is too small and cannot accommodate
18 parking of all motor vehicles.
- 19 35. The owner/developer shall complete a haul route permit application (if required for
20 import/export of dirt) and submit to the City of Oceanside Engineering Department 48
21 hours in advance of beginning of work. Hauling operations (if required) shall be 8:00 a.m.
22 to 3:30 p.m. unless approved otherwise.
- 23 36. Shoring may be required for the construction of the proposed development. The shoring
24 design plans and structural calculations shall be submitted concurrently with the precise
25 grading plan.
- 26 37. It is the responsibility of the owner/developer to evaluate and determine that all soil
27 imported as part of this development is free of hazardous and/or contaminated material as
28 defined by the City and the County of San Diego Department of Environmental
29 Health. Exported or imported soils shall be properly screened, tested, and documented
regarding hazardous contamination.

- 1 38. A traffic control plan shall be prepared according to the City traffic control guidelines and
2 approved to the satisfaction of the City Engineer prior to the start of work within the public
3 right-of-way. Traffic control during construction of streets that have been opened to public
4 traffic shall be in accordance with construction signing, marking and other protection as
5 required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic
6 control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 7 39. Pacific Street shall provide a minimum of 10 feet parkway between the face of curb and the
8 right of way line. Sidewalk improvements along the property frontage shall comply with
9 ADA requirements.
- 10 40. Sight distance requirements at the project driveway along Pacific Street shall conform to
11 the corner sight distance criteria as provided by SDRSD, DS-20.
- 12 41. Pavement sections for Pacific Street, driveway access shall be based upon approved soil
13 tests and traffic indices. The pavement design is to be prepared by the owner/developer's
14 soil engineer and must be in compliance with the City of Oceanside Engineers Design and
15 Processing Manual and be approved by the City Engineer, prior to paving.
- 16 42. A pavement evaluation for Pacific Street, half street plus 12 feet, along the property
17 frontage shall be submitted to the Engineering Division. Upon review of the pavement
18 evaluation, the City Engineer shall determine whether the Owner/developer shall: 1) Repair
19 all failed pavement sections, grind and construct a two (2) inch thick AC overlay; or 2)
20 Perform R-value testing and submit a study that determines if the existing pavement meets
21 current City standards/traffic indices. Should the study conclude that the pavement does
22 not meet current requirements, rehabilitation/mitigation recommendations shall be provided
23 in a pavement evaluation report, and the owner/developer shall reconstruct the pavement
24 per these recommendations, subject to approval by the City Engineer.
- 25 43. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
26 ramps and sidewalk within the project, or adjacent to the project boundary that are already
27 damaged or damaged during construction of the project, shall be repaired or replaced as
28 directed by the City Engineer.
- 29 44. The approval of the project shall not mean that proposed grading or improvements on
adjacent properties (including any City properties/right-of-way or easements) is granted or
guaranteed to the owner/developer. The owner/developer is responsible for obtaining

1 permission to grade to construct on adjacent properties. Should such permission be denied,
2 the project shall be subject to going back to the public hearing or subject to a substantial
3 conformity review.

4 45. Prior to any grading of any part of the project, a comprehensive soils and geologic
5 investigation shall be conducted of the soils, slopes, and formations in the project. All
6 necessary measures shall be taken and implemented to assure slope stability, erosion
7 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
8 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by
9 the City Engineer.

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

14 47. A precise grading and private improvement plan shall be prepared, reviewed, secured and
15 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
16 flatwork, landscaped areas, special surfaces, curbs and gutters, footprints of all structures,
17 walls, drainage devices and utility services.

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

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- 1 49. The drainage design shown on the site plan or preliminary grading plan, and the drainage
2 report for this project is conceptual only. The final drainage report and drainage design
3 shall be based upon a hydrologic/hydraulic study that is in compliance with the latest San
4 Diego County Hydrology and Drainage Manual to be approved by the City Engineer
5 during final engineering. All drainage picked up in an underground system shall remain
6 underground until it is discharged into an approved channel, or as otherwise approved by
7 the City Engineer. All public storm drains shall be shown on City standard plan and profile
8 sheets. All storm drain easements shall be dedicated where required. The owner/developer
9 shall be responsible for obtaining any off-site easements for storm drainage facilities.
- 10 50. Drainage facilities shall be designed and installed to adequately accommodates the local
11 storm water runoff and shall be in accordance with the San Diego County Hydrology and
12 Design Manual and in compliance with the City of Oceanside Engineers Design and
13 Processing Manual to the satisfaction of the City Engineer.
- 14 51. The owner/developer shall place a covenant on the title sheet of the grading plans agreeing
15 to the following: "The present or future owner/developer shall indemnify and save the City
16 of Oceanside, its officers, agents, and employees harmless from any and all liabilities,
17 claims' arising from any flooding that occurs on this site."
- 18 52. Storm drain facilities shall be designed and located such that the inside travels lanes on
19 Pacific Street shall be passable during conditions of a 100-year frequency storm.
- 20 53. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
21 of in accordance with all state and federal requirements, prior to stormwater discharge
22 either off-site or into the City drainage system.
- 23 54. The Owner/developer shall provide a copy of the title/cover page of an approved Storm
24 Water Mitigation Plan (SWMP). The SWMP shall be prepared by the owner/developer's
25 Civil Engineer. All Storm Water documents shall be in compliance with the latest edition
26 of submission requirements.
- 27 55. Following approval of the SWMP by the City Engineer and prior to issuance of grading
28 permits, the owner/developer shall submit and obtain approval of an Operation &
29 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M
Plan shall include an approved and executed Maintenance Mechanism pursuant to Section
5 of the Standard Urban Storm Water Mitigation Plan (SUSMP). The O&M shall satisfy

1 the minimum Maintenance Requirements pursuant to Section 5 of the SUSMP. At a
2 minimum the O&M Plan shall include the designated responsible party to manage the
3 storm water BMP(s), employee training program and duties, operating schedule,
4 maintenance frequency, routine service schedule, specific maintenance activities, copies of
5 resource agency permits, cost estimate for implementation of the O&M Plan, a non-
6 refundable cash or an irrevocable, City-Standard Letter of Credit security to provide
7 maintenance funding in the event of noncompliance to the O&M Plan, and any other
8 necessary elements. The owner/developer shall provide the City with access to site for the
9 purpose of BMP inspection and maintenance by entering into an Access Rights Agreement
10 with the City. The owner/developer shall complete and maintain O&M forms to document
11 all operation, inspection, and maintenance activities. The owner/developer shall retain
12 records for a minimum of 5 years. The records shall be made available to the City upon
13 request.

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

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

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- 1 58. The Agreement shall include a copy of executed onsite and offsite access easement and or
2 access rights necessary for the operation and maintenance of BMPs that shall be binding on
3 the land throughout the life of the project to the benefit of the party responsible for the
4 O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include a copy
5 of the O&M Plan approved by the City Engineer.
- 6 59. The BMPs described in the project's approved SWMP shall not be altered in any way,
7 unless reviewed and approved to the satisfaction of the City Engineer. The determination
8 of whatever action is required for changes to a project's approved SWMP shall be made by
9 the City Engineer.
- 10 60. The owner/developer shall comply with all the provisions of the City's cable television
11 ordinances including those relating to notification as required by the City Engineer.
- 12 61. Approval of this development project is conditioned upon payment of all applicable impact
13 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
14 Code. All traffic signal fees and contributions, highway thoroughfare fees, drainage fees,
15 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
16 prior the issuance of any building permits, in accordance with City Ordinances and
17 policies.
- 18 62. The owner/developer shall obtain any necessary permits and clearances from all public
19 agencies having jurisdiction over the project due to its type, size, or location, including but
20 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,
21 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
22 (including NPDES), San Diego County Health Department, prior to the issuance of grading
23 permits.
- 24 63. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
25 will be subject to prevailing wage requirements as specified by Labor Code section 1720(b)
26 (4). The owner/developer shall agree to execute a form acknowledging the prevailing wage
27 requirements prior to the granting of any fee reductions or waivers.
- 28 64. A digital file of the as-built grading and as-built improvement plans in a format consistent
29 with the City's requirements for digital submittals shall be submitted to the City of
Oceanside prior to occupancy permit.

1 **Landscaping:**

2 65. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and
3 Specifications for Landscape Development (latest revision), Water Conservation Ordinance
4 No. 91-15, Engineering criteria, City code and ordinances, including the maintenance of
5 such landscaping, shall be reviewed and approved by the City Engineer prior to the
6 issuance of building permits. Landscaping and irrigation shall not be installed until bonds
7 have been posted, fees paid, and plans signed for final approval. Prior to the installation of
8 the landscape improvements, a pre-construction meeting shall be conducted with the
9 landscape architect of work, landscape contractor, general contractor, owner/developer's
10 representative, and the city public works inspector. The following landscaping
11 requirements shall be required prior to plan approval and certificate of occupancy:

- 12 a) Final landscape plans shall accurately show placement of all plant material such as
13 but not limited to trees, shrubs, and groundcovers.
- 14 b) Landscape Architect shall be aware of all utility, sewer, water, storm drain and gas
15 lines (including utility easements) and place planting locations accordingly to meet
16 City of Oceanside requirements.
- 17 c) All required landscape areas shall be maintained by owner (including public rights-
18 of-way). The landscape areas shall be maintained per City of Oceanside
19 requirements.
- 20 d) Proposed landscape species shall be native or naturalized to fit the site and meet
21 climate changes indicative to their planting location. The selection of plant material
22 shall also be based on cultural, aesthetic, and maintenance considerations. In
23 addition proposed landscape species shall be low water users as well as meet all fire
24 department requirements.
- 25 e) All planting areas shall be prepared with appropriate soil amendments, fertilizers,
26 and appropriate supplements based upon a soils report from an agricultural
27 suitability soil sample taken from the site.
- 28 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from
29 the sun, evapotranspiration and run-off. All the flower and shrub beds shall be
mulched to a 3" depth to help conserve water, lower the soil temperature and
reduce weed growth.

- 1 g) The shrubs shall be allowed to grow in their natural forms. All landscape
2 improvements shall follow the City of Oceanside Guidelines.
- 3 h) All proposed pots on the upper deck facing the Pacific Ocean and Pacific Street
4 shall be self-watering contained pots (i.e. Garden Art, formerly Jardinier
5 Corporation). The maintenance of such pots shall include replacing any plant
6 material as needed in perpetuity.
- 7 i) On the upper roof deck facing Pacific Street, specify the variety of *Lantana*
8 *sellowiana*/ Trailing Lantana proposed to be planted in the self-watering contained
9 pots. The plant variety shall ultimately grow to 10-feet long to allow to cascade
10 over the roof making the plant(s) visible to Pacific Street.
- 11 j) Root barriers shall be installed adjacent to all paving surfaces, where a paving
12 surface is located within 6 feet of a trees trunk on site (private) and within 10 feet of
13 a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in each
14 direction from the centerline of the trunk, for a total distance of 10 feet. Root
15 barriers shall be 24 inches in depth. Installing a root barrier around the tree's root
16 ball is unacceptable.
- 17 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
18 obtain planning department approval for these items in the conditions or application
19 stage prior to 1st submittal of working drawings.
- 20 l) For the planting and placement of trees and their distances from hardscape and
21 other utilities/ structures the landscape plans shall follow the City of Oceanside's
22 (current) Tree Planting Distances and Spacing Standards.
- 23 m) An automatic irrigation system shall be installed to provide coverage for all
24 planting areas shown on the plan. Low volume equipment shall provide sufficient
25 water for plant growth with a minimum water loss due to water run-off.
- 26 n) Irrigation systems shall use high quality, automatic control valves, controllers and
27 other necessary irrigation equipment. All components shall be of non-corrosive
28 material. All drip systems shall be adequately filtered and regulated per the
29 manufacturer's recommended design parameters.
- o) All irrigation improvements shall follow the City of Oceanside Guidelines and
Water Conservation Ordinance.

- 1 p) The landscape plans shall match all plans affiliated with the project.
2 q) Landscape plans shall comply with Biological and/or Geotechnical reports, as
3 required, shall match the grading and improvement plans, comply with SWMP Best
4 Management Practices and meet the satisfaction of the City Engineer.
5 r) Existing landscaping on and adjacent to the site shall be protected in place and
6 supplemented or replaced to meet the satisfaction of the City Engineer.

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

16 67. In the event that the conceptual landscape plan (CLP) does not match the conditions of
17 approval, the resolution of approval shall govern.

18 **Water Utilities:**

19 68. The developer will be responsible for developing all water and sewer utilities necessary to
20 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
21 the developer and shall be done by an approved licensed contractor at the developer's
22 expense.

23 69. The property owner shall maintain private water and wastewater utilities located on private
24 property.

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

27 71. All Water and Wastewater construction shall conform to the most recent edition of the
28 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
29 the Water Utilities Director.

72. Per the 2010 California Fire Code, all new residential units shall be fire sprinklered. The
minimum allowable water meter for a fire sprinklered home is 3/4-inch.

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

4 74. No trees, structures or building overhang shall be located within any water or wastewater
5 utility easement.

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

10 76. If a larger water meter is required, then Water and Wastewater Buy-in fees and the San
11 Diego County Water Authority Fees are to be paid to the City and collected by the Water
12 Utilities Department at the time of Building Permit issuance.

13 77. All Water Utilities Fees are due at the time of building permit issuance per City Code
14 Section 32B.7, unless the developer/applicant applies and is approved for a deferral of all
15 fees per City of Oceanside Ordinance No. 09-OR0676-1.

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

5 PASSED AND ADOPTED Resolution No. 2012-P35 on July 23, 2012 by the following
6 vote, to wit:

- 7 AYES:
- 8 NAYS:
- 9 ABSENT:
- 10 ABSTAIN:

11 _____
12 Tom Rosales, Chairperson
13 Oceanside Planning Commission

14 ATTEST:
15 _____
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
18 this is a true and correct copy of Resolution No. 2012-P35.

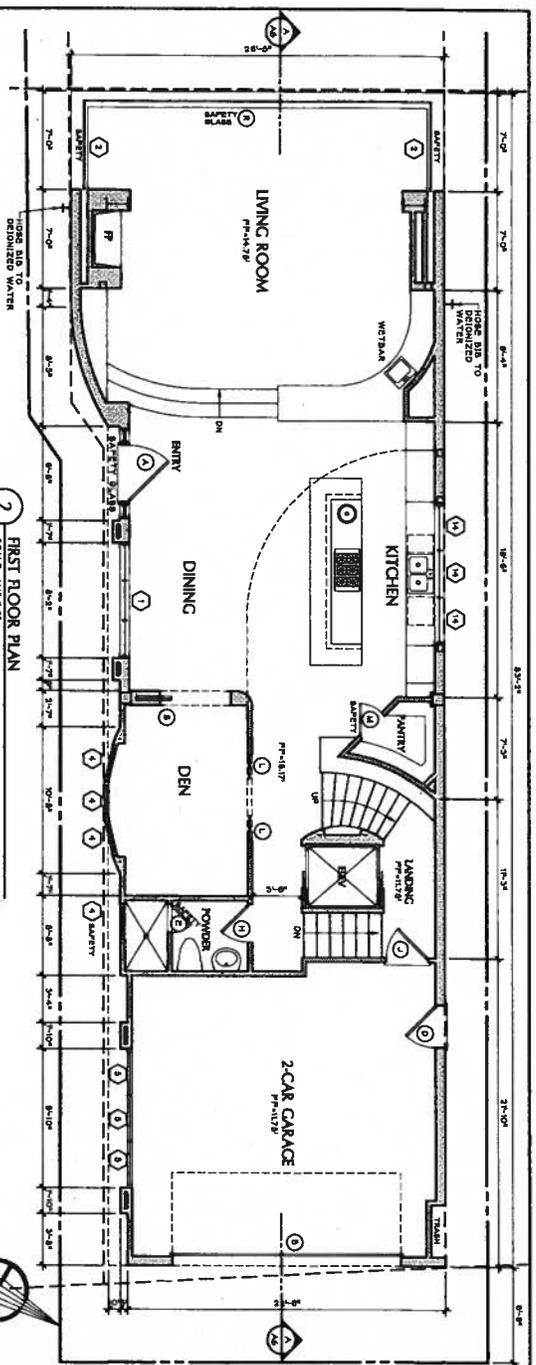
19
20 Dated: July 23, 2012

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

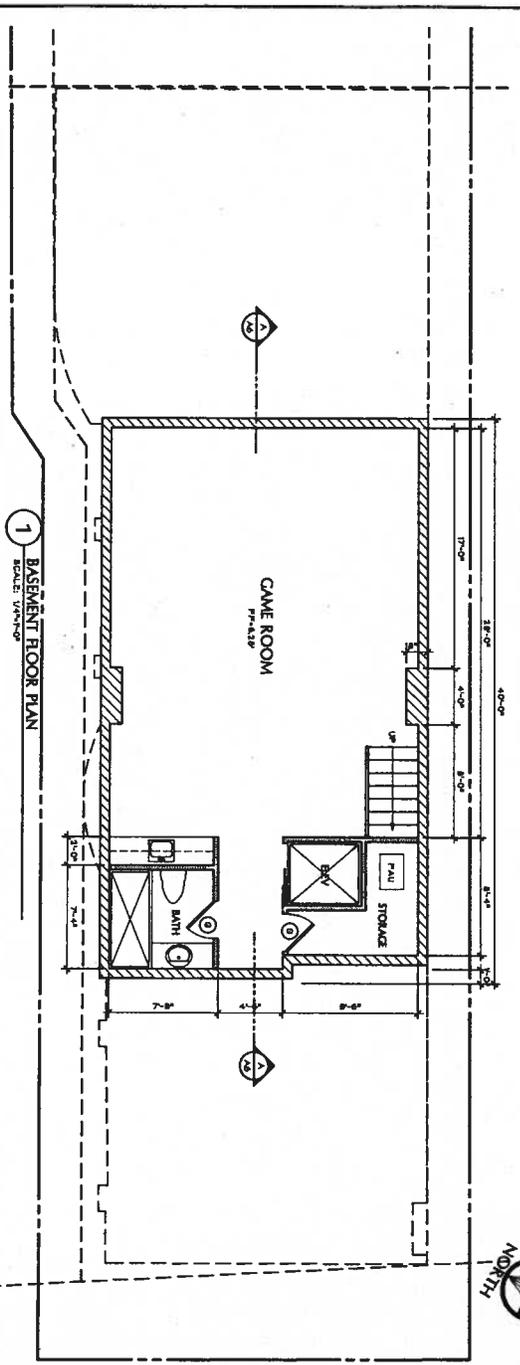
24
25 _____ Date

26 Applicant/Representative

27
28
29



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



1 BASEMENT FLOOR PLAN
SCALE: 1/8"=1'-0"

FLOOR PLAN NOTES:

A. MISCELLANEOUS

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC) AND THE INTERNATIONAL ELECTRICAL CODE (IEC).
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND ALARM CODE (IFAC) AND THE INTERNATIONAL FIRE AND ALARM CODE (IFAC).
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND ALARM CODE (IFAC) AND THE INTERNATIONAL FIRE AND ALARM CODE (IFAC).

B. KITCHEN, BATH & LAUNDRY

1. PROVIDE MECHANICAL VENTILATION CAPABLE OF PROVIDING FIVE AIR CHANGES PER HOUR IN KITCHEN AND BATH AND FOUR AIR CHANGES PER HOUR IN LAUNDRY.
2. DISCHARGE FROM THE ROOF SHALL BE AT LEAST 3 FEET FROM ANY OPENING WHICH ALLOWS AIR ENTRY INTO OCCUPIED PORTION OF THE BUILDING. SEE SECTION 1503.0.
3. PROVIDE ALL HOSE BIBS AND SPRINKLER SYSTEMS WITH BACK FLOW PREVENTION DEVICES.
4. PROVIDE MECHANICAL VENTILATION FOR ALL WATER HEATING AND WATER HEATING EQUIPMENT.

C. GARAGE / STAIR FIRE PROTECTION

1. ALL WALLS DIVIDING TO RESIDENCE AND GARAGE SHALL BE FIRE PROTECTED. USE 1/2" GYPSUM BOARD ON GARAGE SIDE OF COMMON WALLS. FLOOR TO ROOF BRICKTILE.
2. THE CEILING OF GARAGE SHALL BE FIRE PROTECTED. USE ONE LAYER OF 5/8" GYPSUM BOARD ON GARAGE SIDE OF COMMON WALLS. FLOOR TO ROOF BRICKTILE.
3. PROVIDE MECHANICAL VENTILATION FOR ALL WATER HEATING AND WATER HEATING EQUIPMENT.
4. PROVIDE MECHANICAL VENTILATION FOR ALL WATER HEATING AND WATER HEATING EQUIPMENT.

D. WATER HEATER & FAN

1. WATER HEATER SHALL BE INSTALLED IN ATTIC. PROVIDE A PERMANENT CONDENSATE LINE, LEAD OUTSIDE TO THE EXTERIOR THROUGH THE ROOF. PROVIDE A PERMANENT CONDENSATE LINE, LEAD OUTSIDE TO THE EXTERIOR THROUGH THE ROOF. PROVIDE A PERMANENT CONDENSATE LINE, LEAD OUTSIDE TO THE EXTERIOR THROUGH THE ROOF.
2. WATER HEATER SHALL BE INSTALLED IN ATTIC. PROVIDE A PERMANENT CONDENSATE LINE, LEAD OUTSIDE TO THE EXTERIOR THROUGH THE ROOF. PROVIDE A PERMANENT CONDENSATE LINE, LEAD OUTSIDE TO THE EXTERIOR THROUGH THE ROOF.
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4. WATER HEATER SHALL BE INSTALLED IN ATTIC. PROVIDE A PERMANENT CONDENSATE LINE, LEAD OUTSIDE TO THE EXTERIOR THROUGH THE ROOF. PROVIDE A PERMANENT CONDENSATE LINE, LEAD OUTSIDE TO THE EXTERIOR THROUGH THE ROOF.

E. FINE STOPS

1. PROVIDE FINE STOPS AT THE FOLLOWING LOCATIONS FOR SECTION 2001.1:
2. PROVIDE FINE STOPS AT THE FOLLOWING LOCATIONS FOR SECTION 2001.1:
3. PROVIDE FINE STOPS AT THE FOLLOWING LOCATIONS FOR SECTION 2001.1:
4. PROVIDE FINE STOPS AT THE FOLLOWING LOCATIONS FOR SECTION 2001.1:
5. PROVIDE FINE STOPS AT THE FOLLOWING LOCATIONS FOR SECTION 2001.1:

G. REFRIGERATION

1. REFRIGERATION WITH GAS LINE LIMITERS ARE REQUIRED TO HAVE THE GAS LIMITERS PERMANENTLY TIGHT IN THE OPEN POSITION AND REFRIGERATION WITH GAS LINE LIMITERS TO HAVE NO STIFF OR STUCK OPERATIONALS. SEE REC. 501 AND REC. 502.4.
2. REFRIGERATION WITH GAS LINE LIMITERS ARE REQUIRED TO HAVE THE GAS LIMITERS PERMANENTLY TIGHT IN THE OPEN POSITION AND REFRIGERATION WITH GAS LINE LIMITERS TO HAVE NO STIFF OR STUCK OPERATIONALS. SEE REC. 501 AND REC. 502.4.
3. REFRIGERATION WITH GAS LINE LIMITERS ARE REQUIRED TO HAVE THE GAS LIMITERS PERMANENTLY TIGHT IN THE OPEN POSITION AND REFRIGERATION WITH GAS LINE LIMITERS TO HAVE NO STIFF OR STUCK OPERATIONALS. SEE REC. 501 AND REC. 502.4.
4. REFRIGERATION WITH GAS LINE LIMITERS ARE REQUIRED TO HAVE THE GAS LIMITERS PERMANENTLY TIGHT IN THE OPEN POSITION AND REFRIGERATION WITH GAS LINE LIMITERS TO HAVE NO STIFF OR STUCK OPERATIONALS. SEE REC. 501 AND REC. 502.4.

F. ELEVATOR

1. ELEVATOR SHAFTS SHALL BE IN A DESIGNATED SHAFT SECTION 707.14.
2. ELEVATOR SHAFTS SHALL BE IN A DESIGNATED SHAFT SECTION 707.14.
3. ELEVATOR SHAFTS SHALL BE IN A DESIGNATED SHAFT SECTION 707.14.
4. ELEVATOR SHAFTS SHALL BE IN A DESIGNATED SHAFT SECTION 707.14.

G. DECK NOTES

1. DECK SHALL BE CONCRETE ON GRAVEL. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS.
2. DECK SHALL BE CONCRETE ON GRAVEL. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS.
3. DECK SHALL BE CONCRETE ON GRAVEL. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS.
4. DECK SHALL BE CONCRETE ON GRAVEL. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS. PROVIDE 2" MINIMUM THICKNESS.

PROJECT:
THE SOTO
RESIDENCE

OWNER:
M & J PAPER ST
OKLAHOMA CITY, OKLAHOMA

OWNER:
RON & JANS
SOTO

OWNER:
M & J PAPER ST
OKLAHOMA CITY, OKLAHOMA

OWNER:
M & J PAPER ST
OKLAHOMA CITY, OKLAHOMA

OWNER:
M & J PAPER ST
OKLAHOMA CITY, OKLAHOMA

**BASE & 1st
F.P.'s**

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

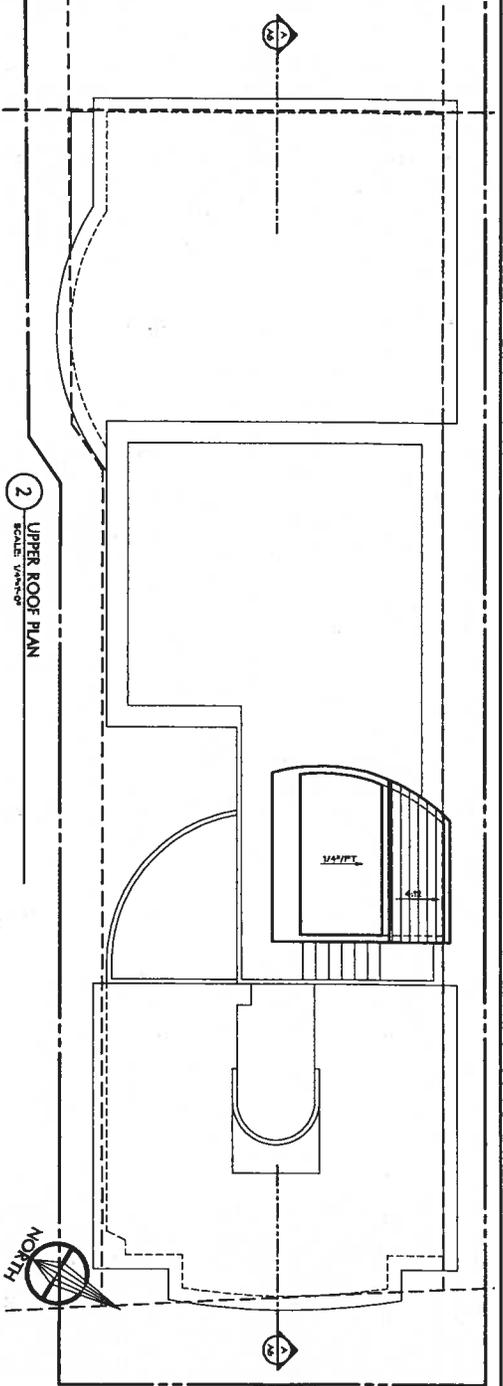
DATE:
10/20/2010

BY:
[Signature]

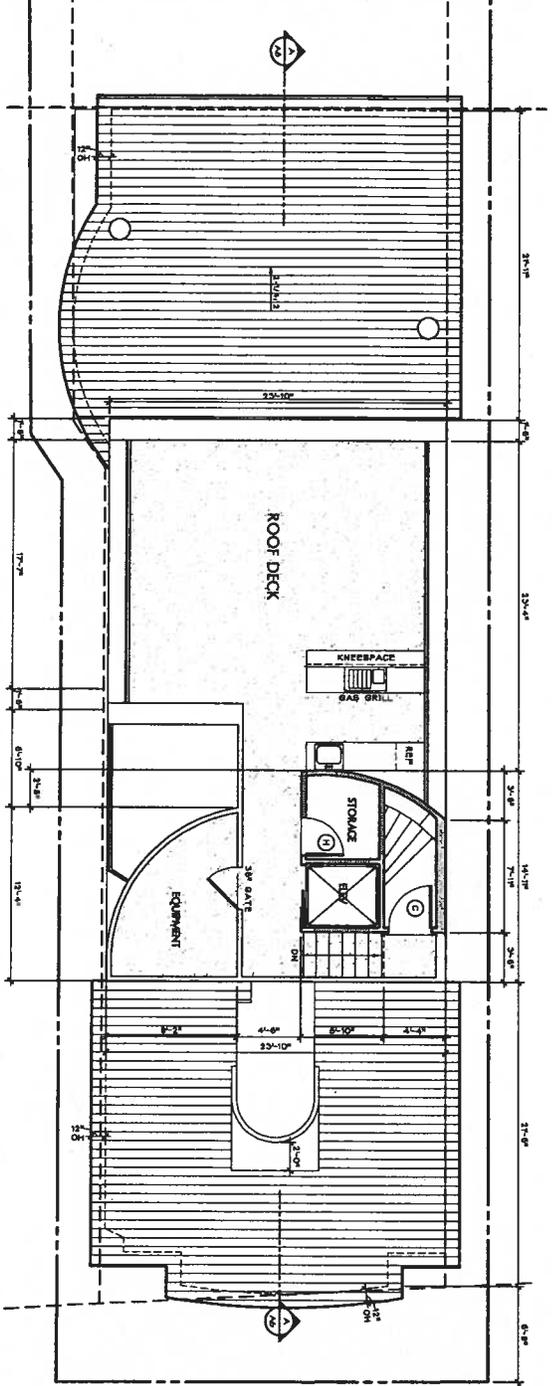
CHECKED BY:
[Signature]

APPROVED BY:
[Signature]

PROJECT NO.:
A1



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



1 ROOF DECK & LOWER ROOF PLAN
SCALE: 1/8"=1'-0"

ROOF PLAN NOTES:

1. PROVIDE MIN. 1/2" LAYER FOR FELT UNDERLAYMENT. INSTALL FELT FOR WATER & RECOMMENDATION FOR FLASHING. PROVIDE SHED STOPS TO MATCH ROOF PITCH.
2. NO SHUTTERS & ROOM OVERHANG. LANGRISH PANEL SHALL PROVIDE ATTIC AREA OF 1000 SQ' ATTIC AREA. AT LEAST 6" BOX OF THE VENTS TO VENT 12" & LEAST 3'-0" ABOVE SAME VENTS ON CORNERS.
3. PROVIDE COPPER ROOF FLASHING & ALL ROOF and WALL INTERSECTIONS. WALLS AND OVERHEAD WATER OCCURS.
4. PROVIDE MEANS FOR PROTECTING AND ALL FLASHING & WATER TO NATURAL ROOF FLOW. VAP VENT, MIN. & VALLETS.

ATTIC VENTING NOTES:

1. NO ATTIC VENTING REQUIRED

ARCHITECT:

STUDIO 4

3800 BELLA DRIVE
OCCOGEN, CA 92660
TEL: 714-480-7700
FAX: 714-480-7700
P: paul.london@studio4.com

PROJECT:

THE SOTO RESIDENCE

OWNER:

MH & MACIE ST
OCCOGEN, CA 92664

OWNER:

RON & JANS SOTO

OWNER REF:

MH & MACIE ST
OCCOGEN, CA 92664

DESIGNED BY:

**PAUL LONDON
STUDIO 4 ARCHITECTS**

3800 BELLA DRIVE
OCCOGEN, CA 92664
Tel: 714-480-7700

RELEASE DATES:

SHEET: 07/27/16

DATE: 07/27/16

BY: [Signature]

FOR: [Signature]

DATE: 07/27/16

BY: [Signature]

SHEET NO.:

A.3

ROOF DECK PLANS

SHEET TITLE:

PL

DATE: 07/27/16

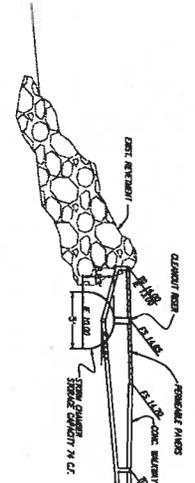
BY: [Signature]

FOR: [Signature]

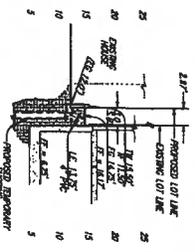
DATE: 07/27/16

BY: [Signature]

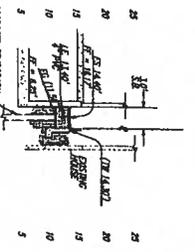
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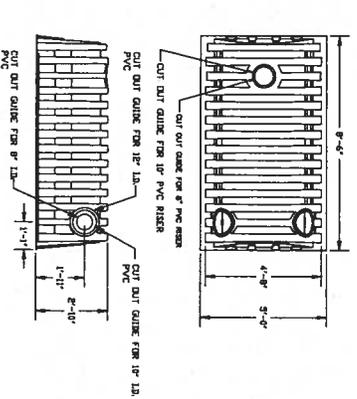
SECTION C-C-C
STORM CHAMBER CROSS SECTION
HORIZ. SCALE: 1"=4'
VERT. SCALE: 1"=5'



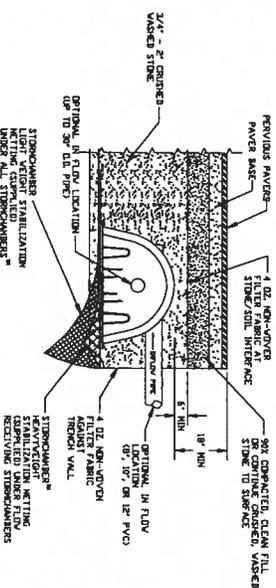
SECTION B-B-B
CROSS SECTION ON NORTHERLY BOUNDARY
HORIZ. SCALE: 1"=10'
VERT. SCALE: 1"=10'



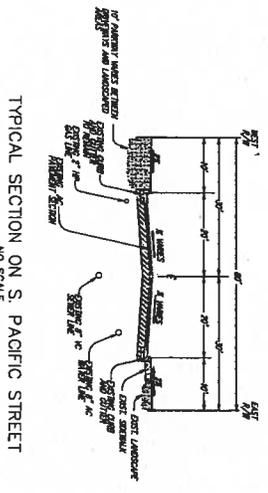
SECTION A-A-A
CROSS SECTION ON SOUTHERLY BOUNDARY
HORIZ. SCALE: 1"=10'
VERT. SCALE: 1"=10'



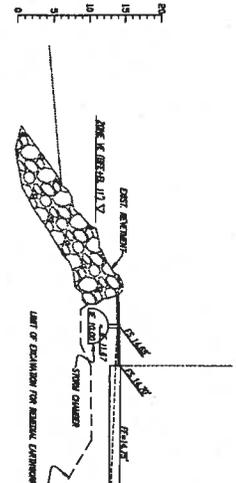
DETAIL 1. STORM CHAMBER DIMENSIONS
NO SCALE



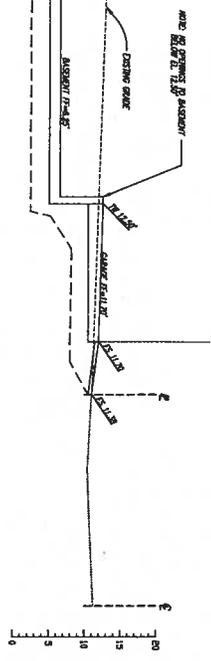
DETAIL 2. STORM CHAMBER INSTALLATION
BELOW PERVIOUS PAVERS
NO SCALE



TYPICAL SECTION ON S. PACIFIC STREET
NO SCALE



SECTION D-D-D
GRADING CROSS SECTION
SCALE: 1"=4'



SECTION D-D-D
GRADING CROSS SECTION
SCALE: 1"=4'

ENGINEER OF WORK:
TAYLOR GROUP, INC.
REGISTERED PROFESSIONAL ENGINEER
No. 020001
Civil
12/1/2008
12/1/2008



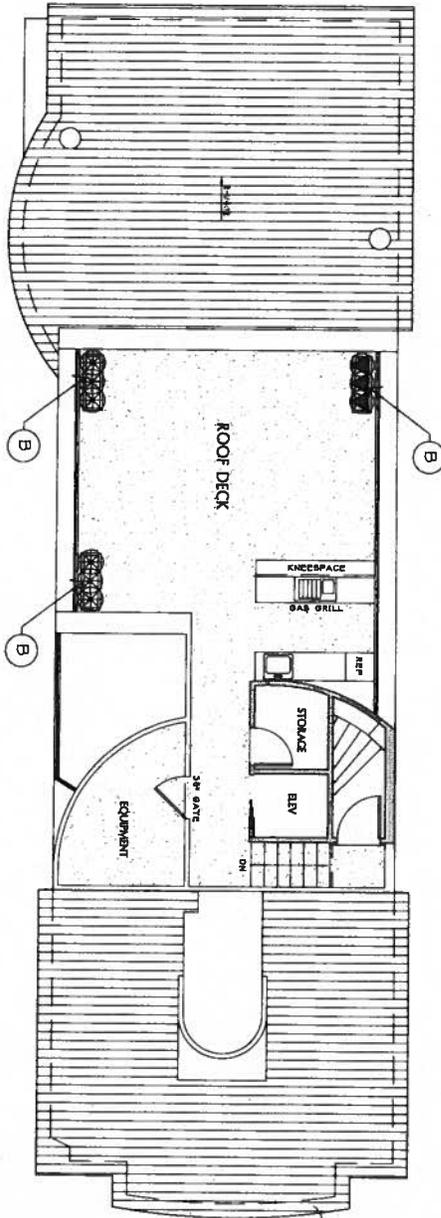
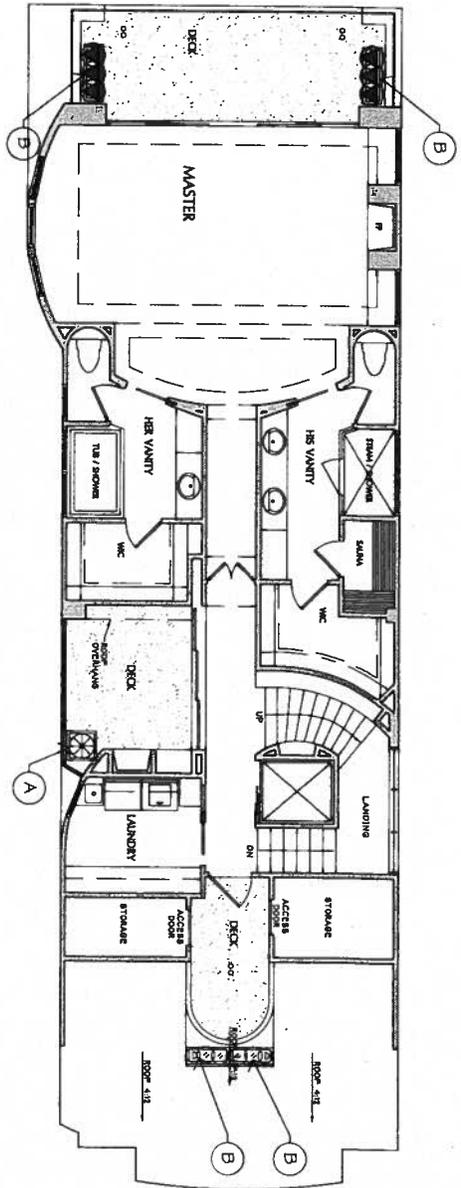
SHEET NUMBER:
PGP.2

CROSS SECTIONS

SECTION	DATE	BY	CHKD.
SECTION A-A-A	12/1/08	...	...
SECTION B-B-B	12/1/08	...	...
SECTION C-C-C	12/1/08	...	...
SECTION D-D-D	12/1/08	...	...
DETAIL 1	12/1/08	...	...
DETAIL 2	12/1/08	...	...
TYPICAL SECTION	12/1/08	...	...

PRELIMINARY GRADING PLAN
PROPOSED SINGLE FAMILY RESIDENCE
1441 South Pacific Street, Oceanside, California
Assessor's Parcel No. 153-012-46

tgi TAYLOR GROUP, INC.
GEOTECHNICAL & ENGINEERING CONSULTANTS
301 Mission Ave., Suite 201
Oceanside, CA 92054
Tel. 760.721.9990
Fax. 760.721.9991
www.VisitTGI.com
Geotechnical Engineering
Civil Engineering
Environmental Science



POT SCHEDULE

CALLOUT	MODEL NUMBER	SIZE (LxWxH)	COLOR	RESERVOIR MODEL	MANUFACTURER
A	M825	25'x25'x2'	6008	R824	JARDINIER
B	M825A	48"x18"x30"	8008	RL38	JARDINIER

GARDEN ART INTERNATIONAL, 714-241-4200
WWW.JARDINIERCORP.COM

CONTAINER PLANT PALETTE:

SYMBOL	PLANT USE & BOTANICAL/COMMON NAME	CONTAINER SIZE (LENGTH x WIDTH)	QUANTITIES
(Symbol: Circle with cross)	LANTANA 'SUNSHINE' & P. O.C.	3 GAL. (24" x 24")	7
(Symbol: Circle with diagonal line)	FLORIBUNDA 'SUNSHINE' & P. O.C.	6 GAL. (24" x 24")	9
(Symbol: Circle with triangle)	LANTANA 'SUNSHINE' & P. O.C.	1 GAL. (24" x 10")	4
(Symbol: Circle with square)	FLORIBUNDA 'SUNSHINE' & P. O.C.	1 GAL. (18" x 18")	2

RC-4-09 COSTAL DEVELOPMENT PERMIT

L-2

SHEET TITLE:
CONCEPTUAL LANDSCAPE PLAN

PROJECT:
SOTO RESIDENCE
1441 S. PACIFIC STREET
OCEANSIDE, CA 92054



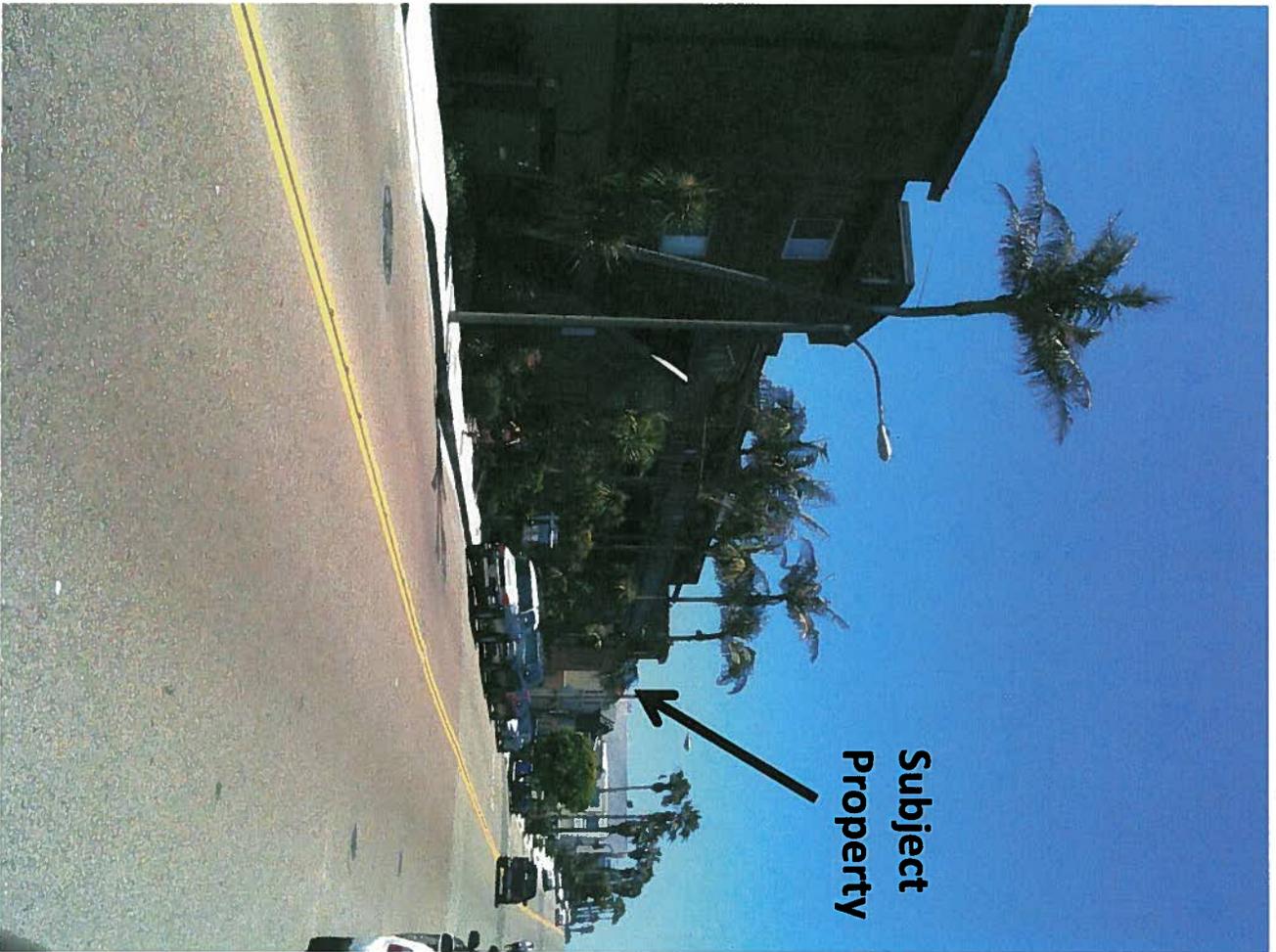
LANDSCAPE ARCHITECT:
MBR designs
#108 PASO DEL VISTA, CARLSBAD, CA 92008
TEL: 760-461-8800 FAX: 760-461-8800
WWW.MBRDESIGNS.COM
MATTHEW ONG
PRINCIPAL, LA 00000

NO.	REVISIONS
1	7/1/18 POC SA





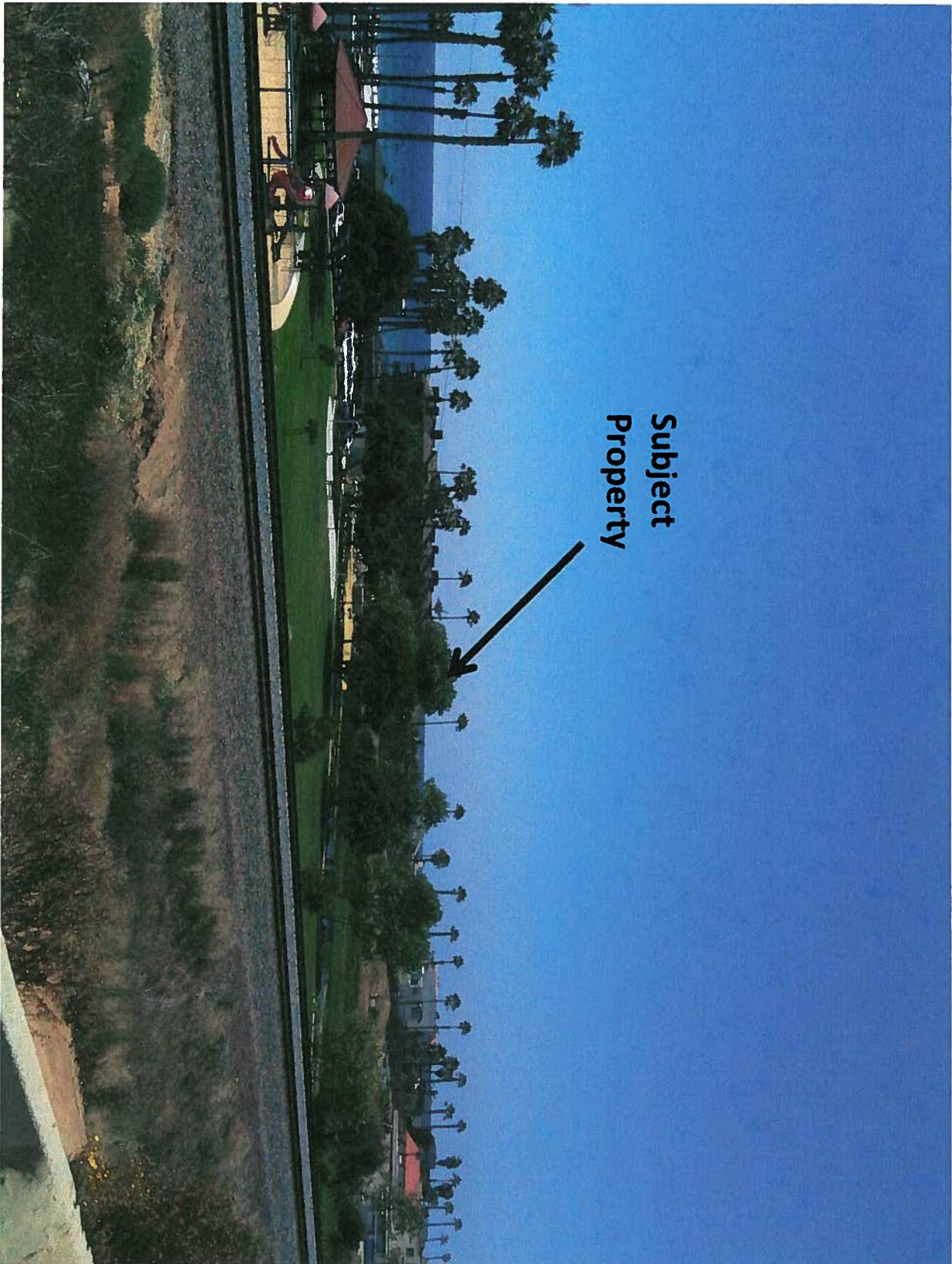
**Subject
Property**



**Subject
Property**



**Subject
Property**



**Subject
Property**

SOTO Residence I

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				ACCEPTED	BY
				8/28/09	SH
PART I - APPLICANT INFORMATION				HEARING	
1. APPLICANT		2. STATUS		GPA	
RONALD & JANIS SOTO		MARRIED		MASTER/SP.PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
1441 SOUTH PACIFIC ST. OCEANSIDE				TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				PAR. MAP	
DAVID LEE SCANES, ARCHITECT				DEV. PL.	
6. ADDRESS		7. PHONE/FAX		C.U.P.	
6378 PASSEO POTRERO CARLSBAD CA 92009		760.476.0938 760.476.0937		VARIANCE	
PART II - PROPERTY DESCRIPTION				COASTAL RC-4-09	
8. LOCATION				9. SIZE	
1441 SOUTH PACIFIC ST.				7667 SF	
10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER		
COMMERCIAL	RT	MULTI-FAMILY	153-012-46		
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION					
TO DEMOLISH EXISTING TWO STORY, TWO FAMILY DWELLING & CONSTRUCT A NEW 4514 SF RESIDENCE, TWO STORY OVERBASEMENT, WITH 2 CAR GARAGES.					
15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY	
NO CHANGE	RT	SINGLE FAMILY	1	12 DU/ACRES	
20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE		
4986 SF	2	08%	27%		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.s & TENT. MAPS		
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION		<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS		
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST		<input checked="" type="checkbox"/> 31. CONSTRUCTION SCHEDULE		
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS		<input checked="" type="checkbox"/> 32. OTHER		
PART V - SIGNATURES					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			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).		
33. APPLICANT OR REPRESENTATIVE (Print):		34. DATE		37. OWNER (Print)	
RONALD SOTO		6.15.09		RONALD SOTO	
Sign: <i>Ronald Soto</i>		Sign: X		38. DATE	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		39. OWNER (Print):		6.15.09	
35. APPLICANT (Print):		36. DATE		40. DATE	
RONALD SOTO		6.15.09		JANIS SOTO	
Sign: X <i>Ronald Soto</i>		Sign: <i>Janis Soto</i>			

CHRIS H.

**Description & Justification
For Soto Residence
At
1441 S Pacific St, Oceanside, 92054**

May 14, 2012

Owner: Ron & Janis Soto

Statistics at a glance

Address --	1441 S Pacific St
APN --	153-012-46-00
Zoning --	RT
Proposed zoning --	No Change
Lot Size --	6,962 SF (0.16 Acres)
Existing Land Use --	Single Family Residence
Proposed Land Use --	No Change
Number of units --	1
Density/acre --	6.26 du/acre
Existing lot coverage -	29.0 %
Proposed Lot Coverage	29.0 %
Proposed Landscaping --	21.5 % (Includes decorative paving)

Existing Single Family Residence to be demolished

New Construction - habitable

Basement	925 SF
First Floor	1546 SF
Mezzanine	477 SF
Second Floor	1975 SF
Total	4923 SF

Garage (2 Spaces)	475 SF
-------------------	--------

Decks and courtyard

Second Floor Deck	269 SF
Roof Deck	463 SF
Equipment Deck	88 SF

Original Design by David Lee Soanes
The Architecture is by Paul Longton, Architect
The Soil's Report is by The Taylor Group.
The Preliminary Grading Plan is by the Taylor Group
The Existing Conditions Map is by the Taylor Group

Property Location

The property is located at 1441 S Pacific Street on the west side of Pacific St. between Witherby St to the north and Buccaneer Beach to the south.

Demolition

The existing Single Family Residence will be demolished for the proposed project.

Lot Line Adjustment

As part of the Resolutions of Approval, a lot line adjustment will be made that adjusts the lot line between 1441 S Pacific St and 1439 S Pacific St. Both properties are owned free and clear by the same owners. The description of the adjustment is in the Civil Engineering plans.

Compatibility with Neighborhood

The home will be consistent with the bulk and scale of the new structures on the street; structure has 4,992 SF, plus a 2-space 475-SF garage, plus 820 SF of decks. The home will be similar to the adjacent structures at 1443 S Pacific to the south and 1439 S Pacific St to the north.

Proposed Structure

The project provides a contrasting high visual quality façade observable from the beach and the street. The residence sits below the line of 35' above average grade (per the 1986 Zoning Ordinance definition). The residence provides a two-story over basement configuration in multi-levels. The basement is devoted to a 925 SF Game Room. The main floor has a kitchen, dining, den with step down into the living rear at the west end, a mezzanine library, and a garage to the front. The second story is comprised of the bedrooms, a wind protected outdoor courtyard and an occupied roof deck above.

Parking

No public parking spots will be taken up with this proposed building. There is an existing curb cut on Pacific St for the existing garages. All access is from Pacific Street.

The proposed project is required to have a minimum of 2-parking spaces. There are two proposed parking spaces.

Proposed Materials

Some of the 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.

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.



NOTICE OF EXEMPTION

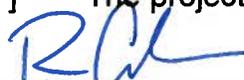
City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANTS:** Ron and Janis Soto
2. **ADDRESS:** 1441 S. Pacific Street
3. **PHONE NUMBER:** Paul Longton (Studio 4 Architecture): (760) 722-4904
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT PLANNER:** Russ Cunningham, Senior Planner
6. **PROJECT TITLE:** RC-4-09 (Soto Residence)
7. **DESCRIPTION:** The proposed project involves the demolition of a two-story, 2,986 square-foot duplex and the construction of a two-story, 5,065 square-foot single-family residence with a semi-subterranean basement and first-story mezzanine at 1441 South Pacific Street. Situated within the South Oceanside Neighborhood Planning Area and the Coastal Zone, the subject property bears a zoning designation of Residential-Tourist (R-T).

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

- The project qualifies for a Class 3 categorical exemption under Section 15303(a) "New Construction or Conversion of Small Structures;"
- "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, _____ (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Russ Cunningham, Senior Planner

Date: July 17, 2012

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