



DATE: November 19, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC12-00017) TO PERMIT THE REMOVAL OF THREE CONDITIONS FROM A PREVIOUSLY APPROVED COASTAL PERMIT RESOLUTION FOR THE REMODELING OF AN EXISTING HOME LOCATED AT 30 SAINT MALO BEACH – STONE VAIL REVISION – APPLICANT: GREG STONE & CINDY VAIL**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3 Categorical Exemption for New Construction or Conversion of Small Structures; and adopt Planning Commission Resolution No. 2012-P53 approving Regular Coastal Permit (RC12-00017) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: On September 24, 2012 the Planning Commission approved a Regular Coastal Permit (RC12-00012) to permit several new additions to an existing single-family residence located at 30 Saint Malo Beach. The renovations consisted of the construction of 1,025 square feet of new floor area to an existing 3,230-square foot home with a new total square footage of 4,255 square feet. The scope of work will consist of enclosing a portion of the exterior patio to connect the main house to the garage with a 85-square foot hall and stairwell area, a new 120-square foot den addition with a walk-in closet, a 70-square square foot extension of the dining room, a new 100-square foot porch accessed from the west facing second story bedroom, and a 582-square foot multi-purpose room with storage area and one full bath. The multi-purpose room would consist of two decks, one 28-square foot deck on the south elevation and the second 29-square foot deck that would overlook the existing courtyard at the west facing elevation. The west facing second story porch attached to the master bedroom would be constructed one foot from the established stringline and all improvements and

additions would be constructed within the parameters of the stringline and existing home. The additions will not extend further seaward/westward than the existing parameters of the home.

After Planning Commission approval, the applicant has asked the Coastal Commission and City Staff to remove three conditions from the approved resolution 2012-P45. Conditions 16, 18 and 19 addressed easement recordation for public access, no future seaward extensions of shoreline protection devices or future repair/maintenance of the revetment, and protection of accessory structures. These three conditions had been drafted by the California Coastal Commission Staff and were incorporated into the resolution to enable public beach access, no future extensions of the revetment westward, and protection of accessory structures. On October 25, 2012 City Staff and Coastal Commission Staff conducted a conference call and concluded that the three conditions could be eliminated, due to the fact these conditions only apply to new development of homes and for projects that extend seaward/westward of an existing residence footprint. The project proposal is not for the development of a new home, nor do the additions extend past the existing footprint of the home, so the three conditions are not warranted.

Site Review: The site is zoned R-1 (Single-Family Residential) and has a land use designation of Single-Family Detached Residential (SFD-R). The underlying neighborhood district is South Oceanside and surrounding land uses include: Single-Family Residential (R-1) homes to the north, east, south, and the Pacific Ocean to the west.

Being situated within the coastal zone, the project requires a Regular Coastal Permit, pursuant to Section III.D.1 of the Coastal Permit Handbook adopted May 8, 1985. The property is also within the "appeal jurisdiction" of the City's Coastal Zone. Under the certified Local Coastal Program (LCP), any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

Project Description: The project application is comprised of a Regular Coastal Permit.

Regular Coastal Permit (RC12-00017) represents a request for the following:

- (a) The proposed project would permit the demolition of an existing 2,998-square foot single-family residence to allow the removal three approved conditions from the approved resolution 2012-P45. Conditions 16, 18 and 19 regarding easement recordation for public access, no future seaward extensions of shoreline protection devices or future repair or maintenance of the revetment, and protection of accessory structures.

See the attached Memorandum for the removed conditions from the previously approved resolution 2012-P45.

ENVIRONMENTAL DETERMINATION

The project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 3, Section 15303(b) New Construction or Conversion of Small Structures.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to residents within a 300-foot radius, and property owners of record within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

SUMMARY

The proposed Regular Coastal Permit (RC12-00017), as conditioned, is consistent with the land use policies of the General Plan, the requirements of the Zoning Ordinance, and the policies of the Local Coastal Program. The project has been conditioned to meet or exceed all applicable standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

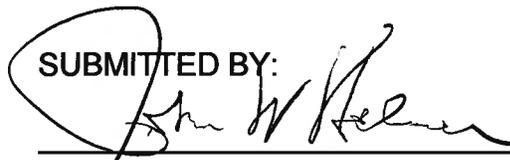
- Move to approve Regular Coastal Permit (RC12-00017) and adopt Planning Commission Resolution No. 2012-P53 as attached.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



John Helmer
Interim City Planner

JH/SN/fil

Attachments:

1. Planning Commission Resolution No. 2012-P53
2. Staff Report RC12-00012 and Resolution 2012-P45
3. Memorandum

1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P53

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

6 APPLICATION NO: RC12-00017
7 APPLICANT: Greg Stone and Cindy Vail
8 LOCATION: 30 St. Malo Beach

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 (RC12-00012) under the
13 provisions of the City of Oceanside Local Coastal Program to permit the following:

14 to permit the removal of three conditions (16, 18, 19) from the previously approved
15 resolution 2012-P45 from Regular Coastal Permit RC12-00012 to permit several
16 additions to an existing single-family residence located at 30 Saint Malo Beach;
17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 19th day
19 of November, 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 categorically exempt from environmental
23 review per Article 19, Section 15303 (a) "New Construction or Conversion of Small Structures";

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

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

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1	Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
8			
9			
10	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)
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15	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)
16			
17			
18	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.
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22	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.
23			
24			
25	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.
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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 additions to an existing residence at 30 St. Malo Beach is consistent with
22 the land use policies of the Local Coastal Program as implemented through the Zoning
23 Ordinance. Specifically, the project will not substantially alter or impact existing public
24 views of the coastal zone area and the physical aspects of the project are consistent with
25 existing development on neighboring sites. The applicant has designed the
26 improvements within the confines of the existing single family home.
- 27 2. The proposed improvements will not obstruct any existing, planned, or required public
28 beach access; therefore, the project is in conformance with the policies of Chapter 3 of
29 the Coastal Act.

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1 3. The project will not result in the loss of any on-street public parking spaces, as the minor
2 improvements to the existing single family residence, will not trigger additional parking
3 or take away from the existing parking fronting the project site.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
5 approve Regular Coastal Permit (RC12-00017) subject to the following conditions:

6 **Building:**

- 7 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
8 Building Division plan check.
- 9 2. Construction shall comply with the latest edition of the California Codes.
- 10 3. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.
- 11 4. The developer shall monitor, supervise and control all building construction and
12 supporting activities so as to prevent these activities from causing a public nuisance,
13 including, but not limited to, strict adherence to the following:
- 14 a) Building construction work hours shall be limited to between 7:00 a.m. and
15 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00
16 p.m. for work that is not inherently noise-producing. Examples of work not
17 permitted on Saturday are concrete and grout pours, roof nailing and activities
18 of similar noise-producing nature. No work shall be permitted on Sundays and
19 Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day,
20 Thanksgiving Day, Christmas Day) except as allowed for emergency work
21 under the provisions of the Oceanside City Code Chapter 38 (Noise
22 Ordinance).
- 23 b) The construction site shall be kept reasonably free of construction debris as
24 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
25 approved solid waste containers shall be considered compliance with this
26 requirement. Small amounts of construction debris may be stored on-site in a

26 **Fire:**

- 27 5. Fire Department requirements shall be placed on plans in the notes section.
- 28 6. Smoke alarms required per 2010 California Fire Code, California Building Code and
29 California Residential Code.

1 7. Carbon monoxide alarms required per 2010 California Fire Code, California Building
2 Code and California Residential Code.

3 **Planning:**

4 8. This Regular Coastal Permit shall expire two years from its effective date (i.e., on
5 November 19, 2014 if not appealed), unless implemented per the Zoning Ordinance or
6 unless the Planning Commission grants a time extension.

7 9. This Regular Coastal Permit approves the renovations and additions to an existing single-
8 family home located at 30 Saint Malo Beach, as presented to the Planning Commission
9 for review and approval. No deviation from these approved plans and exhibits shall occur
10 without Planning Division approval. Substantial deviations shall require a revision to the
11 Regular Coastal Permit or a new Regular Coastal Permit.

12 10. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
13 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
14 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
15 annul an approval of the City, concerning Regular Coastal Permit (RC12-00012). The City
16 will promptly notify the applicant of any such claim, action or proceeding against the
17 City and will cooperate fully in the defense. If the City fails to promptly notify the
18 applicant of any such claim action or proceeding or fails to cooperate fully in the
19 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
20 harmless the City.

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

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- 1 12. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new
3 owner and or operator. This notification's provision shall run with the life of the project
4 and shall be recorded as a covenant on the property.
- 5 13. Failure to meet any conditions of approval for this development shall constitute a violation
6 of the Regular Coastal Permit.
- 7 14. Unless expressly waived, all current zoning standards and City ordinances and policies
8 in effect at the time building permits are issued are required to be met by this project.
9 The approval of this project constitutes the applicant's agreement with all statements in
10 the Description and Justification and other materials and information submitted with this
11 application, unless specifically waived by an adopted condition of approval.
- 12 15. Elevations, siding materials, colors, roofing materials and floor plans shall be
13 substantially the same as those approved by the Planning Commission. These shall be
14 shown on plans submitted to the Building Division and Planning Division.
- 15 16. Future Maintenance. The permittee shall maintain the existing revetment in their
16 approved state. Any change in the design of the revetment or future
17 additions/reinforcement of the revetment beyond exempt maintenance as defined in
18 Section 13252 of Title 14 of the California Code of Regulations to restore the structure
19 to its original condition will require a coastal development permit. However, in all
20 cases, if after inspection, it is apparent that repair and maintenance is necessary, the
21 permittee shall contact the Executive Director to determine whether a coastal
22 development permit or an amendment to this permit is legally required, and, if required,
23 shall subsequently apply for a coastal development permit or permit amendment for the
24 required maintenance.
- 25 17. The improvements to living space shall be substantially the same material, colors, and
26 design as the existing single-family residence.

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1 18. Prior to issuance of a building permit, the applicant and landowner, shall execute and
2 record a covenant, in a form and content acceptable to the City Attorney.

3 PASSED AND ADOPTED Resolution No. 2012-P53 on December 10, 2012 by the
4 following vote, to wit:

- 5 AYES:
- 6 NAYS:
- 7 ABSENT:
- 8 ABSTAIN:

9
10 _____
11 Tom Rosales, Chairperson
12 Oceanside Planning Commission

13 ATTEST:

14 _____
15 Amy Fousekis, Secretary

16 I, AMY FOUSEKIS, Secretary of the Oceanside Planning Commission, hereby certify that this
17 is a true and correct copy of Resolution No. 2012-P53.

18 Dated: November 19, 2012
19

20 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
21 be required as stated herein:
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23 _____
24 Applicant/Representative Date
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AGENDA NO. 3



PLANNING COMMISSION

STAFF REPORT

DATE: September 24, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC12-00012) TO PERMIT SEVERAL RENOVATIONS AND ADDITIONS TO AN EXISTING RESIDENCE LOCATED AT 30 SAINT MALO BEACH – STONE VAIL REMODEL – APPLICANT: GREG STONE & CINDY VAIL**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3 Categorical Exemption for New Construction or Conversion of Small Structures; and adopt Planning Commission Resolution No. 2012-P45 approving Regular Coastal Permit (RC12-00012) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The 0.26-acre site is within the South Oceanside Neighborhood, and within the Saint Malo Beach residential community. The property contains a 3,235-square foot single-family residence constructed prior to the 1945 Local Coastal Program adoption date, so a regular coastal permit was not necessary at the time of the home's original construction.

The property is relatively flat with a minimal grade differential of six feet between the highest and lowest points of the site. Surrounding land uses include single-family residential (R1) developments in all directions and the Pacific Ocean/beach to the west.

The subject site is currently zoned Single-Family Residential (R1) and the General Plan land use designation is Residential.

Site Review: The site is zoned R-1 (Single-Family Residential) and has a land use designation of Single-Family Detached Residential (SFD-R). The underlying neighborhood district is South Oceanside and surrounding land uses include: Single-Family Residential (R-1) homes to the north, east, south, and the Pacific Ocean to the west.

Being situated within the coastal zone, the project requires a Regular Coastal Permit, pursuant to Section III.D.1 of the Coastal Permit Handbook adopted May 8, 1985. The property is also within the "appeal jurisdiction" of the City's Coastal Zone. Under the certified Local Coastal Program (LCP), any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

Project Description: The project application is comprised of a Regular Coastal Permit.

Regular Coastal Permit (RC12-00012) represents a request for the following:

- (a) This project would allow the construction of 1,025 square feet of new floor area to an existing 3,230-square foot home with a new total square footage of 4,255 square feet. The scope of work will consist of enclosing a portion of the exterior patio to connect the main house to the garage with a 85-square foot hall and stairwell area, a new 120-square foot den addition with a walk-in closet, a 70-square square foot extension of the dining room, a new 100-square foot porch accessed from the west facing second story bedroom, and a 582-square foot multi-purpose room with storage area and one full bath. The multi-purpose room would consist of two decks, one 28-square foot deck on the south elevation and the second 29-square foot deck that would overlook the existing courtyard at the west facing elevation. The west facing second story porch attached to the master bedroom would be constructed one foot from the established stringline and all improvements and additions would be constructed within the parameters of the stringline.

Several interior upgrades are included with the construction, but these upgrades do not require a Coastal Permit, because the changes do not alter the exterior of the home or square footage.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. **General Plan Compliance**

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 the visual image of the surrounding neighborhood.

The proposed improvements and additions would not extend southward or westward beyond the existing footprint of the single-family residence. The proposed additions would not alter public views or any views of adjoining neighbors, because the improvements are within the footprint of the home and not within proximity of public beach access areas. The proposed project is in conformance with the General Plan; therefore the project is compatible to the surrounding properties and neighborhood character.

2. Zoning Ordinance Compliance

The existing structure and the proposed addition shall meet all of the development regulations of the underlying R1 zone per the 1986 Oceanside Zoning Ordinance in effect in the Coastal Zone. Such projects are reviewed for compatibility with existing and surrounding development, as well as applicable public beach access regulations.

The purpose of the R1 District is to provide opportunities for tourist and year-round visitor-serving facilities, including permanent and transient residential and related uses, within the City's Coastal Zone.

Table 1 compares the existing structure to local property development regulations pursuant to Article 32, Residential Tourist Zone Property Development Regulations.

Table 1 Development Standards

Requirement	Required	Existing	Proposed
Front	20 feet	20 feet	No change
Side	5 feet	5 feet	No change
Minimum Rear Yard	Required Stringline	1'-10" over the Stringline (Existing)	1'-2" eastward from the stringline for all new additions
Height	35 feet	26 feet	28 feet

3. Local Coastal Program Compliance

The proposed project is within the appeal jurisdiction of the Local Coastal Program (LCP) and complies with all provisions of this program. The proposed improvements to the home will not exceed the 35-foot height limit within the Single-Family Residential (R1) District. The Local Coastal Program's established stringline exist 1'-10" into the first floor family room and a majority of this area is encompassed within the stringline. This area within the stringline is predominantly transparent window area; therefore this area will meet Section 1703 (e) for non view impairing appurtenances over the stringline. The 1986 Oceanside Zoning Ordinance Section 1703 (e) allows decks, balconies, and other appurtenances to extend seaward of the stringline setback line, providing that they do not substantially impair the views from adjoining properties. The proposed westward addition, otherwise known as the second story porch would not alter public views or any views of adjoining neighbors, because a majority of the structure is open and transparent. All local coastal findings have been met with the project and as listed below:

- The permit history of the revetment (pre-coastal, maintenance activities).
- That the revetment is located as far inland as possible (this is most important if there is an access easement west of the property, or if the revetment is located near the MHTL). That the existing revetment is necessary to protect the existing/proposed structure. That the existing revetment is adequate to protect the proposed structure in its proposed location and the revetment is currently in good working order. No repairs or augmentation are necessary for the revetment. There is adequate room on the site to augment or repair the revetment in the future without seaward encroachment.

DISCUSSION

Issue: Project Compatibility with the Existing Neighborhood and surrounding properties

Will all improvements to the property be consistent with, and compatible to, the existing residence and the adjoining homes in the surrounding area?

Recommendation: Staff finds that (in terms of height, design, bulk and distance from the established setback areas) all new additions as described in the description and depicted on the plans would be consistent with the existing residence and will be consistent with the surrounding neighborhood. Many of the adjoining neighbors in the area have constructed similar additions and many of the homes mimic the design of the proposed additions, so the improvements will not be out of character with the surrounding neighborhood. The proposed design and material will be architecturally consistent with the existing home, and will keep with the French Normandy architectural theme within the Saint Malo community.

ENVIRONMENTAL DETERMINATION

The project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 3, Section 15303(b) New Construction or Conversion of Small Structures.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to residents within a 300-foot radius, and property owners of record within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

SUMMARY

The proposed Regular Coastal Permit (RC12-00012), as conditioned, is consistent with the land use policies of the General Plan, the requirements of the Zoning Ordinance, and the policies of the Local Coastal Program. The project has been conditioned to meet or exceed all applicable standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

- Move to approve Regular Coastal Permit (RC12-00012) and adopt Planning Commission Resolution No. 2012-P45 as attached.

PREPARED BY:


 Scott Nightingale
 Planner II

SUBMITTED BY:


 John Helmer
 Interim City Planner

JH/SN/fil

Attachments:

1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2012-P45

1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P45

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

6 APPLICATION NO: RC12-00012
7 APPLICANT: Greg Stone and Cindy Vail
8 LOCATION: 30 St. Malo Beach

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 (RC12-00012) under the
13 provisions of the City of Oceanside Local Coastal Program to permit the following:

14 to allow for 1,025-square feet of renovations and additions to an existing 3,230-square
15 foot residence located at 30 Saint Malo Beach;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 24th day
18 of September, 2012 conduct a duly advertised public hearing as prescribed by law to consider said
19 application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; this project has been found to be categorically exempt from environmental
22 review per Article 19, Section 15303 (a) "New Construction or Conversion of Small Structures";

23 WHEREAS, there is hereby imposed on the subject development project certain fees,
24 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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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 additions to an existing residence at 30 St. Malo Beach is consistent with
22 the land use policies of the Local Coastal Program as implemented through the Zoning
23 Ordinance. Specifically, the project will not substantially alter or impact existing public
24 views of the coastal zone area and the physical aspects of the project are consistent with
25 existing development on neighboring sites. The applicant has designed the
26 improvements within the confines of the existing single family home.
- 27 2. The proposed improvements will not obstruct any existing, planned, or required public
28 beach access; therefore, the project is in conformance with the policies of Chapter 3 of
29 the Coastal Act.

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1 3. The project will not result in the loss of any on-street public parking spaces, as the minor
2 improvements to the existing single family residence, will not trigger additional parking
3 or take away from the existing parking fronting the project site.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
5 approve Regular Coastal Permit (RC12-00010) subject to the following conditions:

6 **Building:**

7 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
8 Building Division plan check.

9 2. Construction shall comply with the latest edition of the California Codes.

10 3. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.

11 4. The developer shall monitor, supervise and control all building construction and
12 supporting activities so as to prevent these activities from causing a public nuisance,
13 including, but not limited to, strict adherence to the following:

14 a) Building construction work hours shall be limited to between 7:00 a.m. and
15 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00
16 p.m. for work that is not inherently noise-producing. Examples of work not
17 permitted on Saturday are concrete and grout pours, roof nailing and activities
18 of similar noise-producing nature. No work shall be permitted on Sundays and
19 Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day,
20 Thanksgiving Day, Christmas Day) except as allowed for emergency work
21 under the provisions of the Oceanside City Code Chapter 38 (Noise
22 Ordinance).

23 b) The construction site shall be kept reasonably free of construction debris as
24 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
25 approved solid waste containers shall be considered compliance with this
26 requirement. Small amounts of construction debris may be stored on-site in a

27 **Fire:**

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

29 6. Smoke alarms required per 2010 California Fire Code, California Building Code and
California Residential Code.

1 7. Carbon monoxide alarms required per 2010 California Fire Code, California Building
2 Code and California Residential Code.

3 **Planning:**

4 8. This Regular Coastal Permit shall expire two years from its effective date (i.e., on August
5 27, 2014 if not appealed), unless implemented per the Zoning Ordinance or unless the
6 Planning Commission grants a time extension.

7 9. This Regular Coastal Permit approves the renovations and additions to an existing single
8 family home located at 30 Saint Malo Beach, as presented to the Planning Commission
9 for review and approval. No deviation from these approved plans and exhibits shall occur
10 without Planning Division approval. Substantial deviations shall require a revision to the
11 Regular Coastal Permit or a new Regular Coastal Permit.

12 10. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
13 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
14 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
15 annul an approval of the City, concerning Regular Coastal Permit (RC12-00012). The City
16 will promptly notify the applicant of any such claim, action or proceeding against the
17 City and will cooperate fully in the defense. If the City fails to promptly notify the
18 applicant of any such claim action or proceeding or fails to cooperate fully in the
19 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
20 harmless the City.

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

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- 1 12. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new
3 owner and or operator. This notification's provision shall run with the life of the project
4 and shall be recorded as a covenant on the property.
- 5 13. Failure to meet any conditions of approval for this development shall constitute a violation
6 of the Regular Coastal Permit.
- 7 14. Unless expressly waived, all current zoning standards and City ordinances and policies
8 in effect at the time building permits are issued are required to be met by this project.
9 The approval of this project constitutes the applicant's agreement with all statements in
10 the Description and Justification and other materials and information submitted with this
11 application, unless specifically waived by an adopted condition of approval.
- 12 15. Elevations, siding materials, colors, roofing materials and floor plans shall be
13 substantially the same as those approved by the Planning Commission. These shall be
14 shown on plans submitted to the Building Division and Planning Division.
- 15 16. Prior to the approval of the issuance of building permits, the property owner shall
16 execute and record against the project property a Declaration of Restrictive Covenants,
17 in a form satisfactory to the City Attorney, designed to preserve existing lateral public
18 access and passive recreational use along the shoreline adjacent to the property. The
19 document must provide that the property shall be held, transferred, conveyed, leased or
20 otherwise disposed of, occupied, and used subject to lawful public access to and passive
21 recreational use of the entire width of the property. The location and geometrics of the
22 shoreline access shall be in accordance with the City's Local Coastal Program and shall
23 not extend any farther landward than the toe of the existing revetment or shoreline
24 protective device. The Declaration of Restrictive Covenants shall be recorded free of
25 prior liens, other than preexisting mortgages, and free of any other encumbrances which
26 may affect said interest; shall give the City of Oceanside the right, but not the obligation,
27 to enforce the covenants; and shall run with the land and be binding on Declarant's
28 heirs, successors in interest, administrators, assigns, lessees, and other occupiers and
29 users of the property or any portion of it.
17. Future Maintenance. The permittee shall maintain the existing revetment in their
approved state. Any change in the design of the revetment or future

1 additions/reinforcement of the revetment beyond exempt maintenance as defined in
2 Section 13252 of Title 14 of the California Code of Regulations to restore the structure
3 to its original condition will require a coastal development permit. However, in all
4 cases, if after inspection, it is apparent that repair and maintenance is necessary, the
5 permittee shall contact the Executive Director to determine whether a coastal
6 development permit or an amendment to this permit is legally required, and, if required,
7 shall subsequently apply for a coastal development permit or permit amendment for the
8 required maintenance.

9 18. No Future Seaward Extension of Shoreline Protective Devices. By acceptance of this
10 Permit, the applicant agrees, on behalf of himself and all successors and assigns, that no
11 future repair or maintenance, enhancement, reinforcement, or any other activity affecting
12 the existing shoreline protective device, as shown on the plans, shall be undertaken if
13 such activity extends the footprint seaward of the subject shoreline protective device.
14 By acceptance of this Permit, the applicant waives, on behalf of itself (or himself or
15 herself, as applicable) and all successors and assigns, any rights to such activity that may
16 exist under Public Resources Code Section 30235.

17 19. Protection of Accessory Structures. In the event that erosion or flooding threatens the
18 outdoor patios, decks or other similar accessory improvements associated with the
19 proposed home, they shall be removed. The patios and decks associated with the
20 proposed home are authorized to remain in place only until it is threatened by erosion or
21 flooding. Prior to removal of the outdoor patios and decks or other similar accessory
22 improvements, the permittee shall obtain a coastal development permit for such removal
23 unless the Executive Director determines that no permit is required.

24 20. The improvements to living space shall be substantially the same material, colors, and
25 design as the existing single-family residence.

26 ///////////////
27 ///////////////
28 ///////////////
29 ///////////////

1 21. Prior to issuance of a building permit, the applicant and landowner, shall execute and
2 record a covenant, in a form and content acceptable to the City Attorney.

3 PASSED AND ADOPTED Resolution No. 2012-P45 on September 24, 2012 by the
4 following vote, to wit:

5 AYES: Rosales, Scrivener, Neal, Martinek, Troisi, Balma and Ross

6 NAYS: None

7 ABSENT: None

8 ABSTAIN: None

9
10 
11 Tom Rosales, Chairperson
Oceanside Planning Commission

12 ATTEST:

13 
14 Richard Greenbauer, Secretary

15
16 I, RICHARD GREENBAUER, Secretary of the Oceanside Planning Commission, hereby
17 certify that this is a true and correct copy of Resolution No. 2012-P45.

18 Dated: September 24, 2012
19

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

23 _____
Applicant/Representative

_____ Date

***DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION***

MEMORANDUM

DATE: November 19, 2012

TO: Chairperson and Members of the Planning Commission

FROM: John Helmer, Interim City Planner

SUBJECT: Removal of conditions 16, 18, and 19 from approved resolution 2012-P45 as per the Coastal Commission's request (RC12-00012)

Please find that the conditions below will be removed from the approved resolution 2012-P45 of Regular Coastal Permit (RC12-00012) and will be replaced with a new Regular Coastal Permit (RC12-00017) and new resolution approved on November 19, 2012. Please see below of the conditions that have been removed from the project:

16. Prior to the approval of the issuance of building permits, the property owner shall execute and record against the project property a Declaration of Restrictive Covenants, in a form satisfactory to the City Attorney, designed to preserve existing lateral public access and passive recreational use along the shoreline adjacent to the property. The document must provide that the property shall be held, transferred, conveyed, leased or otherwise disposed of, occupied, and used subject to lawful public access to and passive recreational use of the entire width of the property. The location and geometrics of the shoreline access shall be in accordance with the City's Local Coastal Program and shall not extend any farther landward than the toe of the existing revetment or shoreline protective device. The Declaration of Restrictive Covenants shall be recorded free of prior liens, other than preexisting mortgages, and free of any other encumbrances which may affect said interest; shall give the City of Oceanside the right, but not the obligation, to enforce the covenants; and shall run with the land and be binding on Declarant's heirs, successors in interest, administrators, assigns, lessees, and other occupiers and users of the property or any portion of it.

18. No Future Seaward Extension of Shoreline Protective Devices. By acceptance of this Permit, the applicant agrees, on behalf of himself and all successors and assigns, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the existing shoreline protective device, as shown on the plans, shall be undertaken if such activity extends the footprint seaward of the subject shoreline protective device. By acceptance of this Permit, the applicant waives, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, any rights to such activity that may exist under Public Resources Code Section 30235.

19. Protection of Accessory Structures. In the event that erosion or flooding threatens the outdoor patios, decks or other similar accessory improvements associated with the proposed home, they shall be removed. The patios and decks associated with the proposed home are authorized to remain in place only until it is threatened by erosion or flooding. Prior to removal of the outdoor patios and decks or other similar accessory improvements, the permittee shall obtain a coastal development permit for such removal unless the Executive Director determines that no permit is required.



Application for Discretionary Permit

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

STAFF USE ONLY

ACCEPTED

11/1/12

BY

SN.

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT <i>Greg Stone & Cindy Nail</i>	2. STATUS <i>OWNER</i>
3. ADDRESS <i>556 Prospect Blvd.</i>	4. PHONE/FAX/E-mail <i>619-204-6802</i>
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)	
6. ADDRESS	7. PHONE/FAX/E-mail

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P.
VARIANCE
COASTAL <i>RC12-00017</i>
O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION	9. SIZE <i>14,222 SF.</i>		
10. GENERAL PLAN <i>RS</i>	11. ZONING <i>R1</i>	12. LAND USE <i>SFD</i>	13. ASSESSOR'S PARCEL NUMBER <i>155-103-59</i>
14. LATITUDE	15. LONGITUDE		

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION
Removal of three conditions (16, 18, 19) from the approved Reso. 2012-P45. Due to discussions with the Coastal Commission

17. PROPOSED GENERAL PLAN <i>/</i>	18. PROPOSED ZONING <i>/</i>	19. PROPOSED LAND USE	20. NO. UNITS <i>1</i>	21. DENSITY
22. BUILDING SIZE <i>4,255 sq ft</i>	23. PARKING SPACES <i>3</i>	24. % LANDSCAPE <i>47.4%</i>	25. % LOT COVERAGE or FAR <i>22%</i>	

PART IV - ATTACHMENTS

26. DESCRIPTION/JUSTIFICATION	27. LEGAL DESCRIPTION	28. TITLE REPORT
29. NOTIFICATION MAP & LABELS	30. ENVIRONMENTAL INFO FORM	31. PLOT PLANS
32. FLOOR PLANS AND ELEVATIONS	33. CERTIFICATION OF POSTING	34. OTHER (See attachment for required reports)

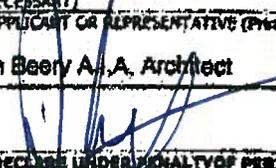
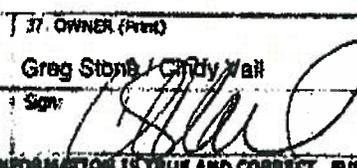
PART V - SIGNATURES

SIGNATURES FROM 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 PAGAS AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print):	36. DATE	37. OWNER (Print)	38. DATE
Sign:		<i>See attached</i>	

• I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.

• I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.

 <p>Application for Discretionary Permit Development Services Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885</p>			STAFF USE ONLY	
			ACCEPTED 6/5/12	BY SN.
Please Print or Type All Information			HEARING	
PART I - APPLICANT INFORMATION			GPA	
1. APPLICANT Greg Stone & Cindy Vail		2. STATUS OWNER		MASTER/SP. PLAN
3. ADDRESS 556 PROSPECT BLVD, CA 92038		4. PHONE/FAX/E-MAIL 619-204-6902		ZONE CH.
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) John Beery A.L.A. Architect				TENT. MAP
6. ADDRESS 2091 LAS PALMAS DRIVE, SUITE D		7. PHONE/FAX/E-mail 760.438.2963 X123		PAR. MAP
PART II - PROPERTY DESCRIPTION			DEV. PL.	
8. LOCATION LOT ST. MALO BEACH			C.U.P.	
			VARIANCE	
			CONST. RC12-00012	
			O.H.P.A.C.	
9. SIZE 14,222 S.F.				
10. GENERAL PLAN RS	11. ZONING R-1	12. LAND USE SFD	13. ASSESSOR'S PARCEL NUMBER 155-103-69-00	
14. LATITUDE 33 10'05.06"N		15. LONGITUDE 117 21'34.07"W		
PART III - PROJECT DESCRIPTION				
16. GENERAL PROJECT DESCRIPTION The project scope of work is to provide interior remodel to part of the home. Main House additions include connecting Main House to the Garage, new Den, and addition to Dining Room. Second story addition over the existing Garage with two exterior decks.				
17. PROPOSED GENERAL PLAN No Change	18. PROPOSED ZONING No Change	19. PROPOSED LAND USE SFD- No Change	20. NO. UNITS 1	21. DENSITY
22. BUILDING SIZE 4,255 s.f.	23. PARKING SPACES 3 (735 SF Garage)	24. % LANDSCAPE 47.4%	25. % LOT COVERAGE or PAR 3,121 SF / 22 % Lot Coverage	
PART IV - ATTACHMENTS				
<input checked="" type="checkbox"/> 26. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 27. LEGAL DESCRIPTION	28. TITLE REPORT		
<input checked="" type="checkbox"/> 29. NOTIFICATION MAP & LABELS	<input type="checkbox"/> 30. ENVIRONMENTAL INFO FORM	31. PLOT PLANS		
<input checked="" type="checkbox"/> 32. FLOOR PLANS AND ELEVATIONS	<input type="checkbox"/> 33. CERTIFICATION OF POSTING	34. OTHER (See attachment for required reports)		
PART V - SIGNATURES				
SIGNATURES FROM 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. APPLICANT OR REPRESENTATIVE (Print) John Beery A.L.A. Architect		36. DATE 6/4/12	37. OWNER (Print) Greg Stone / Cindy Vail	
38. SIGNATURE 		39. SIGNATURE 		38. DATE 6.4.12
* I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTAND THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS. * I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.				

LEGAL DESCRIPTION

Project: Stone Vail Remodel / Addition

Location: 30 Saint Malo Beach

PARCEL 1:

PARCEL "B" OF PARCEL MAP NO. 4811 IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SANDIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, BEING A DIVISION OF A PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL 2:

EASEMENTS AND RIGHTS OF WAY FOR INGRESS AND EGRESS AND ROAD PURPOSES OVER, ALONG AND ACROSS THOSE PORTIONS OF PARCEL MAP NO. 4811, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF ON FILE IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, BEING DESCRIBED AS PARCELS B-1, B-2 AND B-3 AS FOLLOWS:

PARCEL B-1:

THE NORTHWESTERLY 10.00 FEET OF PARCEL "C" OF SAID PARCEL MAP NO. 4811 AND THAT PORTION OF THE SOUTHWESTERLY 10.00 FEET OF SAID PARCEL "C" OF PARCEL MAP NO. 4811 WHICH LIES SOUTHEASTERLY OF THE NORTHWESTERLY 10.00 FEET OF SAID PARCEL "C" AND NORTHWEST OF THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 10.00 FEET OF PARCEL "B" OF SAID PARCEL MAP NO. 4811.

PARCEL B-2:

THE SOUTHEASTERLY 10.00 FEET OF PARCEL "D" OF SAID PARCEL MAP NO. 4811.

PARCEL B-3:

THAT PORTION OF THE NORTHEASTERLY 10.00 FEET OF PARCEL "A" OF SAID PARCEL MAP NO. 4811 WHICH LIES SOUTHEASTERLY OF THE SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY 10.00 FEET OF PARCEL "D" OF SAID PARCEL MAP NO. 4811.

PARCEL 3:

THAT PORTION OF LOT 3, IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF PACIFIC STREET, AS SAID STREET IS SHOWN ON MAP NO. 909 OF OCEAN FRONT ADDITION, ON FILE IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, WITH THE NORTH LINE OF SAID LOT 3; THENCE SOUTH $41^{\circ} 16'$ EAST ALONG THE SOUTHEASTERLY PROLONGATION OF SAID CENTER LINE OF PACIFIC STREET 176.34 FEET; THENCE SOUTH $48^{\circ} 44'$ WEST 109.02 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 64.90 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 100 FEET; THENCE TANGENT TO SAID CURVE SOUTH $39^{\circ} 33'$ EAST 658.14 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 954.92 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 118.38 FEET; THENCE LEAVING THE ARC OF SAID CURVE SOUTH $51^{\circ} 33' 10''$ WEST 20.22 FEET; THENCE SOUTH $31^{\circ} 56' 50''$ EAST 15.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE RETRACING NORTH $31^{\circ} 56' 50''$ WEST 15.16 FEET AND NORTH $51^{\circ} 33' 10''$ EAST 20.22 FEET TO SAID 954.92 FOOT RADIUS CURVE, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO A LINE THAT BEARS NORTH $51^{\circ} 33' 10''$ EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH $51^{\circ} 33' 10''$ WEST 20.22 FEET TO THE TRUE POINT OF BEGINNING.



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** GregStone & Cindy Vail
2. **ADDRESS:** 556 Prospect Blvd. Pasadena CA. 91103
3. **PHONE NUMBER:** (619) 204-6802
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner
6. **PROJECT TITLE:** RC12-00012 Stone/Vail Remodel
- (a) 7. **DESCRIPTION:** This project would allow the construction of 1,025 square feet of new floor area to an existing 3,230-square foot home with a new total square footage of 4,255 square feet. The scope of work will consist of enclosing a portion of the exterior patio to connect the main house to the garage with a 85-square foot hall and stairwell area, a new 120-square foot den addition with a walk-in closet, a 70-square square foot extension of the dining room, a new 100-square foot porch accessed from the west facing second story bedroom, and a 582-square foot multi-purpose room with storage area and one full bath. The multi-purpose room would consist of two decks, one 28-square foot deck on the south elevation and the second 29-square foot deck that would overlook the existing courtyard at the west facing elevation. The west facing second story porch attached to the master bedroom would be constructed one foot from the established stringline and all improvements and additions would be constructed within the parameters of the stringline.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project is generally for an internal modification of an existing building, with a parking lot modification. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- [X] 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 ____, [name of section] (Section xxxxx); or,
- [] The project does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Planner

Date: 9/24/12