



DATE: November 28, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **ADOPTION OF A RESOLUTION APPROVING THE DEFERRED IMPROVEMENT AGREEMENT AND PARCEL MAP FOR 1814 AVOCADO ROAD SUBDIVISION (TENTATIVE MAP NO. P-2-05)**

SYNOPSIS

Staff recommends that the City Council adopt a resolution approving the deferred improvement agreement and parcel map for 1814 Avocado Road Subdivision, a 3-lot subdivision located at 1814 Avocado Road, and authorize the City Clerk to record the deferred improvement agreement and parcel map with the San Diego County Recorder.

BACKGROUND

The 1814 Avocado Road Subdivision is a 3-lot subdivision located at 1814 Avocado Road. Exhibit "A" is a vicinity map showing the location of the aforementioned property.

On December 2, 2009, the Planning Commission passed and adopted Resolution No. 09-R0797-1, approving the tentative map with an expiration date of December 2, 2011. The tentative map then received a 4-year extension per new language added to the Subdivision Map Act (Sections 66452.22 and 66452.23), which changed its expiration date to November 2, 2015.

ANALYSIS

Section 902 of the Subdivision Ordinance of the City of Oceanside authorizes the deferment of frontage area improvements along existing frontage streets for a subdivision of 4 or fewer lots when deemed necessary by the City Engineer. When improvements are deferred, the owner of the real property must enter into an agreement with the City in a form acceptable to the City Engineer and City Attorney, for the installation of all frontage improvements at a time in the future as specified by the City.

The 1814 Avocado Road Subdivision is a 3-lot subdivision, and the City Engineer has deemed the deferment of Avocado Road frontage area improvements necessary.

The owner has executed a deferred improvement agreement. The agreement has been reviewed by the City Engineer and a deputy of the City Attorney's office, on behalf of the City Attorney.

Construction of the improvements are deferred until such time that a permit or other development approval for any of the 3 lots is issued by the City or until such a time that the City, in its sole discretion, determines that fulfillment of the construction requirements is necessary for either of the following reasons:

- 1) Public health and safety, or
- 2) The required construction is a necessary prerequisite to the orderly development of the surrounding area.

All financial arrangements relating to the parcel map have been satisfactorily completed. All pertinent documents related to the parcel map have been properly executed by the owner. All grading and drainage comply with City ordinances.

The parcel map is consistent with applicable general and specific plans and the site is physically suitable for the type of development. Conditions and restrictions have been imposed to ensure its compatibility with adjacent areas and the entire City.

FISCAL IMPACT

All fees and securities required to have been paid and secured prior to parcel map approval, by the conditions of approval of Tentative Map No. P-2-05, have been collected.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving the deferred improvement agreement and parcel map for 1814 Avocado Road Subdivision, a 3 lot subdivision located at 1814 Avocado Road, and authorize the City Clerk to record the deferred improvement agreement and parcel map with the San Diego County Recorder.

PREPARED BY:



Gary Smith
Associate Engineer

SUBMITTED BY:



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

George Buell, Development Services Director

Scott O. Smith, City Engineer



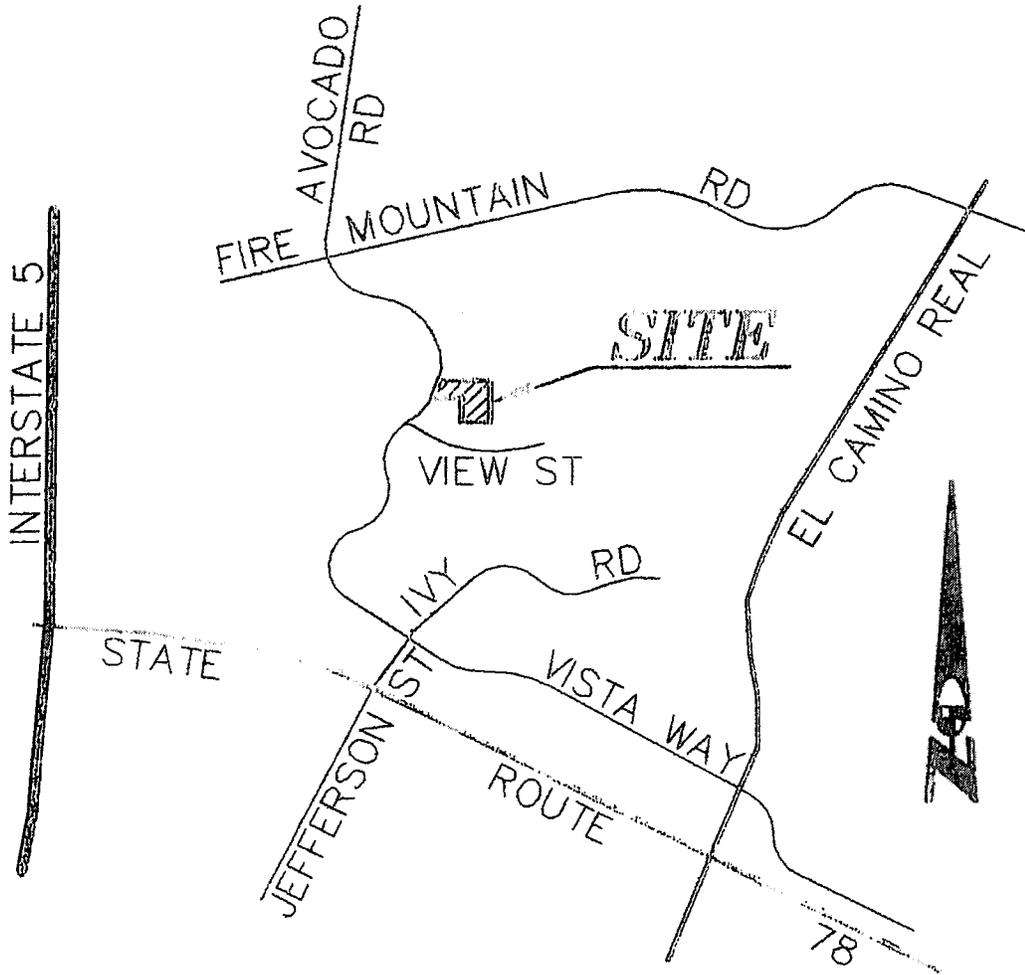




Attachments:

1. Exhibit "A"
2. Resolution

EXHIBIT "A"



VICINITY MAP

NO SCALE

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE APPROVING THE DEFERRED IMPROVEMENT
4 AGREEMENT AND PARCEL MAP FOR 1814 AVOCADO ROAD
5 SUBDIVISION

6 WHEREAS, the City staff indicates that the owner of 1814 Avocado Road Subdivision
7 (Tentative Map No. P-2-05), located at 1814 Avocado Road, has entered into a deferred
8 improvement agreement for the frontage area improvements on Avocado Road in accordance
9 with Section 902 of the Subdivision Ordinance of the City of Oceanside and has substantially
10 satisfied all tentative map requirements and conditions as set forth in Planning Commission
11 Resolution No. 09-R0797-1.

12 NOW, THEREFORE, the City Council of the City of Oceanside does resolve the
13 following:

14 SECTION 1: That the deferred improvement agreement and parcel map of
15 1814 Avocado Road Subdivision is approved.

16 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
17 this _____ day of _____, 2012, by the following vote:

- 18 AYES:
- 19 NAYS:
- 20 ABSENT:
- 21 ABSTAIN:
- 22
- 23

24 _____
25 MAYOR OF THE CITY OF OCEANSIDE

26 ATTEST:
27 _____
28 CITY CLERK

26 APPROVED AS TO FORM:
27 
28 CITY ATTORNEY

