

RECORD OF CITY ENGINEER'S APPROVAL

City of Oceanside, California

PARCEL MAP (P15-00002) – 665 SLEEPING INDIAN ROAD

1. APPLICANT: Ralph Winestock

2. APPLICANT ADDRESS: 7600 Appaloosa Lane, Emmett, ID 83617

3. REP. PHONE NUMBER: (760) 728-1134

4. PROJECT MANAGER: Sergio Madera, Senior Planner

5. APPLICATION NO. & NAME: Parcel Map (P15-00002), 665 Sleeping Indian Road

6. LOCATION/ADDRESS: 665 Sleeping Indian Road, Oceanside, CA 92054

PROJECT DESCRIPTION: The project application is a request for a Tentative Parcel Map (P15-00002) to allow the subdivision of a 20-acre parcel into two lots pursuant to Article VI of the Oceanside Subdivision Ordinance. The project is within the Agriculture (A) Zone District, which requires a minimum lot area of 2.5 acres per the Oceanside Zoning Ordinance. The proposed Parcel Map would create two lots, each with 10 acres. The existing single-family residence would be located on Parcel 1, while a number of accessory structures would be located on Parcel 2. Both parcels would have frontage on Sleeping Indian Road.

The proposed subdivision is for financing or conveyance purposes only. No grading, demolition, development, or site improvements are proposed with the tentative Parcel Map. Should a development proposal occur at a later date, improvements would be required pursuant to the CA Subdivision Map Act and the provisions of the Zoning Ordinance.

The project is located within the Agriculture (District) and is subject to development standards specified in Article 14 of the Inland Zoning Ordinance. Table 1 summarizes the required and proposed development standards for the proposed subdivision.

Table 1: Subdivision Requirements Article 14

	Required	Proposed
Minimum Lot Size	2.5 acre	Parcel 1: 10.0 acres Parcel 2: 10.0 acres

FINDINGS

For Parcel Map (P15-00002):

- The proposed Tentative Parcel Map is consistent with the General Plan of the City as the parcels would be consistent with the minimum lot area of 2.5 acres per legal parcel required in the Agricultural Zone District and would allow for viable agricultural practices to be conducted on each parcel. The parcels would also be comparable in size with other parcels in the vicinity and would be in compliance with applicable provisions of the Zoning Ordinance and the Subdivision Ordinance.
- 2. The site is physically suitable for the type and proposed density of development by providing lot areas consistent with the South Morro Hills Neighborhood Planning Area and the Agricultural zoning district pursuant to Article 14 of the Zoning Ordinance and the Land Use Element of the General Plan.
- The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as the project proposes no development or disturbance to wildlife and habitat.
- 4. The design of the subdivision or the type of improvements meets City standards and will not conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision as the proposed subdivision and all improvements will be designed, constructed and maintained consistent with City standards.
- 5. The project is in compliance with all other applicable ordinances, regulations, and guidelines of the City of Oceanside with respect to the proposed subdivision including Hillside regulations, and the Local Floodplain Ordinance.

ADMINISTRATIVE DETERMINATION: Section 603(D) of the Subdivision Ordinance grants the City Engineer express authority to approve Parcel Maps. Staff has determined that the proposed project qualifies for approval by the City Engineer based on the fact that the tentative Parcel Map is the only approval being requested. Furthermore, staff has reviewed the project for consistency with applicable provisions of the General Plan, Oceanside Zoning Ordinance, and the California Environmental Quality Act (CEQA). The project is exempt from the provisions of CEQA, based on the "common sense" exemption that CEQA applies only to projects which have the potential of causing a significant effect on the environment (CEQA Section 15061(b)(3)). Based on this review, the City Engineer finds that the proposed project is consistent with the General Plan and the Oceanside Zoning Ordinance. The record of the City Engineer's approval is dated August 12, 2019, and subject to the following condition(s):

- 1. This Tentative Parcel Map shall expire on August 12, 2021, unless a time extension is granted by the Planning Commission.
- A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant (developer, subdivider) and recorded prior to the approval of the Final Parcel Map. The covenant shall provide that the property is subject to this Resolution, and shall list the conditions of approval.
- 3. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Tentative Parcel Map P15-00002. The City will promptly notify the applicant of any such claim, action or proceeding against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not; thereafter, be responsible to defend, indemnify or hold harmless the City.

Engineering:

- 4. Design and construction of all improvements shall be in accordance with the City of Oceanside Engineers Design and Processing Manual, City Ordinances, and standard engineering and specifications of the City of Oceanside and subject to approval by the City Engineer.
- 5. The Parcel Map shall be recorded and developed as one. A minimum of thirty feet (30') half street right-of-way (by fee title) shall be required and dedicated on Sleeping Indian Road along the property frontage per City Standards.
- 6. All right-of-way alignments, street dedications, exact geometrics and width of Sleeping Indian Road and shall be dedicated as required by the City Engineer.
- 7. The geometric layout and alignment of the proposed onsite private driveway shall comply with the City of Oceanside Design Standards.
- 8. The sight distance at the intersection of the proposed driveway with Sleeping Indian Road shall comply with the City of Oceanside Engineers Design Standards.
- 9. Provide the City of Oceanside with a certification from each public utility and each public entity owning easements within the proposed project stating that: (a) they have received from the owner/developer a copy of the proposed Parcel Map; (b) they object or do not object to the filing of the Parcel Map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the Parcel Map when required by the governing body. In addition, the owner/developer shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the project.

- 10. A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these conditions and a certificate setting forth the recordation shall be placed on the Parcel Map.
- 11. The owner/developer shall place a covenant on the non-title sheet of the Parcel Map agreeing to the following: "The present or future owner/developer shall indemnify and save the City of Oceanside, its officers, agents, and employees harmless from any and all liabilities, claims arising from any flooding that occurs on this site, and any flooding that is caused by this site impacting adjacent properties".
- 12. The owner/developer shall obtain any necessary permits and clearances from all public agencies having jurisdiction over the project due to its type, size, or location, including but not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County Health Department, prior to the issuance of grading permits.
- 13. Advisory note: Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in Chapter 32B of the Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of the Parcel Map or the issuance of any Building permits, in accordance with City Ordinances and policies. The owner/developer shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative Parcel Map (project) shall constitute the owner/developer's approval of such payments, and his agreement to pay for any other similar assessments or charges in effect when any increment is submitted for Parcel Map or Building permit approval, and to join, contribute, and/or participate in such districts.
- 14. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project will be subject to prevailing wage requirements as specified by Labor Code section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging the prevailing wage requirements prior to the granting of any fee reductions or waivers.
- 15. In the event that the conceptual plan does not match the conditions of approval, the Resolution of approval shall govern.

Planning:

- 16. This Tentative Parcel Map approves only the subdivision of a 20-acre parcel into two lots, containing 10-acres each, for financing/conveyance purposes only. No deviation from these approved plans and exhibits shall occur without Planning Division approval.
- 17. Future land use or development on Parcels 1 or 2 shall be subject to the provisions of the Zoning Ordinance, including but not limited to Articles 14, 30, 36, 41, and 43.

- 18. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the applications, staff report, resolutions, and the recorded covenant for the project to the new owner and or operator. This notification provision shall run with the life of the project.
- 19. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time of final map processing or Building permit issuance are required to be met by this project. The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification, and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.
- 20. Failure to meet any conditions of approval for this development shall constitute a violation of the Tentative Parcel Map.

APPROVED AND ADOPTED this 12th day of August, 2019.

Brian Thomas, City Engineer

Pursuant to the Oceanside Subdivision Ordinance Section 603(D), the City Council has delegated approval authority to the City Engineer for certain types of Subdivision applications. Any aggrieved person may file an appeal of the City Engineer's decision. Pursuant to Subdivision Ordinance Section 605, an appeal of the City Engineer's decision must be filed in writing with the Planning Division within ten (10) days of the "APPROVED AND ADOPTED" date. The appeal period for this approval shall end on August 22, 2019, at 5:00 p.m. The filing of an appeal stays the City Engineer's approval until Planning Commission determination on the appeal.

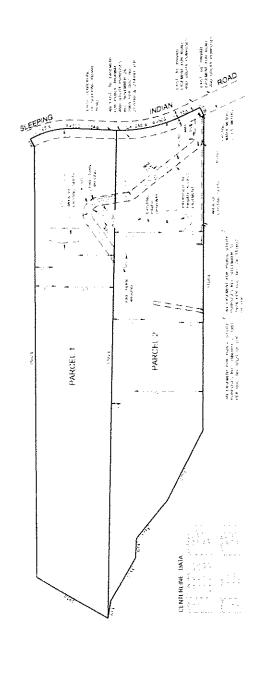
Attachments:

- 1. Plans
- 2. Notice of Exemption
- 3. Other Attachments (Application Page, Description and Justification, Legal Description)

cc: Project file (P15-00002)

NOTES

TENTATIVE PARCEL MAP



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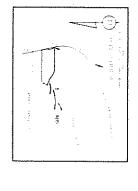
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1.	APPLICANT:	Ralph Winestock
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ADDRESS: 7600 Appaloosa Lane, Emmett, ID 83617
 PHONE NUMBER: (760) 728-1134; Applicant Rep. Scott Harry

4. LEAD AGENCY: City of Oceanside

5. PROJECT MGR.: Sergio Madera, Senior Planner

6. PROJECT TITLE: Winestock Parcel Map

7. **DESCRIPTION:** PARCEL MAP (P15-00002) to subdivide a 20-acre parcel (APN 122-100-12) into two lots, 10 acres each, for subdivision purposes only. The project site is located at 665 Sleeping Indian Road within the South Morro Hills Neighborhood Planning Area and has a General Plan land use designation of Agricultural (A) and a zoning designation of Agriculture (A).

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. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

[]	The project is	categorically	exempt,	Class _	<u>1_</u> ,	"Existing	Facilities,"	Section	15301; or,
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[X] The activity is covered by the common sense 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,

Date: August 12, 2019

- [] The project is statutorily exempt, Section _____, ____; or,
- [] The project does not constitute a "project" as defined by CEQA (Section 15378).

Sergio Madera, Senior Planner

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

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KARN Engineering and Surveying, Inc. Civil Engineering • Surveying • Land Planning

PROJECT DESCRIPTION

665 Sleeping Indian Road Oceanside, CA 92057

A.P.N. 122-100-12

Tentative Parcel Map Application

The proposed project is a two (2) parcel minor subdivision of an approximately 20 acre parcel within the City of Oceanside, CA. The property is zoned and has a General Plan Designation of "Agriculture". The purpose of the subdivision is to effectuate a private agreement between family members that one party will receive the north half of the property and the other party will receive the south half of the property. No improvements or new construction are proposed as part of the subdivision. An existing single family dwelling exists on the north half of the property and will remain. Several agricultural structures exist on the south half of the property and will remain. Access to the property is via an existing asphalt driveway from Sleeping Indian Road that will become a private road and utility easement through the subdivision process. The project is consistent with the current Land Use Element, the Oceanside Zoning Ordinance, Article 14 Agricultural District, and Section 3039 Hillside Development Provisions.

9201 09/11/2014 LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL 1

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 10 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED DECEMBER 27, 1870, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ALONG THE SOUTH LINE THEREOF NORTH 89' 10' 13" EAST (RECORD NORTH 89° 38' 45" EAST) 195.70 FEET TO AN ANGLE POINT IN THE BOUNDARY OF LAND DESCRIBED IN THE DEED TO EDWIN RICHARD FISCHER JR. ET UX RECORDED MARCH 18, 1963 AS DOCUMENT NO. 46609 OF OFFICIAL RECORDS: THENCE ALONG SAID BOUNDARY NORTH 62° 57' 10" WEST (RECORDED NORTH 60° 17' WEST) 165.28 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 45' 40" EAST 1099.78 FEET TO THE WESTERLY LINE OF THE EASEMENT DESCRIBED IN PARECL LOF DEED TO MURIAL DONOVAN ET AL RECORDED OCTOBER 9, 1957 IN BOOK 6785, PAGE 48 OF OFFICIAL RECORDS; THENCE NORTH 64° 14' 01" EAST 30 FEET TO THE CENTERLINE OF SAID EASEMENT; THENCE ALONG SAID CENTERLINE NORTH 25° 45' 59" WEST 71.76 FEET TO A TANGENT 500 FOOT RADIUS CURVE CONCAVE EASTERLY, THENCE NORTHERLY ALONG SAID CURVE 245.22 FEET THROUGH AN ANGLE OF 28° 06'; THENCE TANGENT TO SAID CURVE, NORTH 02° 20' 01" EAST 133.94 FEET TO A TANGENT 300 FOOT RADIUS CURVE CONCAVE WESTERLY; THENCE NORTHERLY ALONG SAID CURVE 163.71 FEET THROUGH AN ANGLE OF 31° 16'; THENCE RADIAL TO SAID CURVE SOUTH 61° 04' 01" WEST 30 FEET TO THE WESTERLY LINE OF SAID EASEMENT; THENCE SOUTH 89: 50' 13" 1502.29 FEET; THENCE SOUTH 29° 54" 12" WEST 284.60 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAID FISCHER LAND; THENCE ALONG SAID BOUNDARY SOUTH 80 10' EAST 61.41 FEET; SOUTH 60° 17' EAST 173.23 FEET; SOUTH 86 51' EAST 67.08 FEET; SOUTH 50° 17' EAST 172.75 FEET AND SOUTH 62° 57' 10" EAST 275.96 TO THE TRUE POINT OF BEGINNING

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION

SCOTT R. HARRY



CITY OF OCEANSIDE

DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

NOTICE OF CITY ENGINEER PUBLIC HEARING, CITY OF OCEANSIDE

On Monday, August 12, 2019, at 3:00 p.m. in the City Council Chambers, 300 North Coast Hwy, pursuant to section 603(B) of the Subdivision Ordinance, the City Engineer will conduct a Public Hearing on the following application:

Consideration of a PARCEL MAP (P15-00002) to subdivide a 20-acre parcel (APN 122-100-12) into two parcels for conveyance purposes only. The project site is located at 665 Sleeping Indian Road within the South Morro Hills Planning Area and has a General Plan land use designation of Agricultural (A) and a zoning designation of Agriculture (A) – WINESTOCK PARCEL MAP - Applicant: Ralph H. Winestock

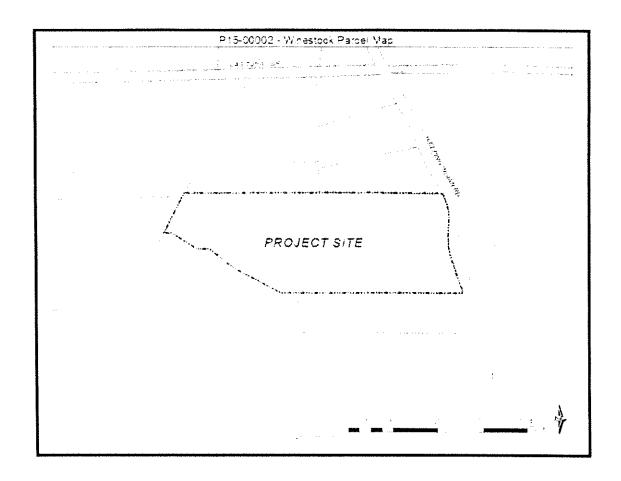
In accordance with the California Environmental Quality Act (CEQA), the project qualifies for an exemption from CEQA based on the common-sense exemption that CEQA applies only to projects which have the potential of causing a significant effect on the environment (CEQA Section 15061(b)(3)).

You are being notified of this hearing because you are listed as either an owner of real property within 500 feet or an occupant residing within 100 feet of the exterior boundary of the site. This notice invites you to attend and provide testimony at the forthcoming public hearing. You may also submit written comments on the application prior to the public hearing; these comments will be provided to the City Engineer and entered into the public record.

You may review the application file, including any CEQA-related documents, at the Planning Division, 300 North Coast Hwy., between 7:30 a.m. and 5:00 p.m. (Monday – Thursday), and 7:30 a.m. and 4:00 p.m. (Friday). The meeting agenda and staff report are available on the City's Website at http://www.ci.oceanside.ca.us/services/comms/pc.asp. For more information, please contact Project Planner Sergio Madera at (760) 435-3539 or via email at smadera@oceansideca.org.

Should you wish to challenge this project at some future time, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City Engineer at or prior to the public hearing.

Pursuant to section 605 of the Subdivision Ordinance, this action may be appealed to the Planning Commission by filing a written appeal with the City Planner within 10 days of the City Engineer Public Hearing. As prescribed by City policy, the appeal must be accompanied by an appeal fee or a petition.



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/ 26. DESCRIPTION/JUST		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 PAGAES						
AS NECESSARY). 35. APPLICANT OR REPRESENTATIVE (Print): 36. DATE 37. QWNER (Print) 38. DATE						
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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 						
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