



# RECORD OF CITY ENGINEER'S APPROVAL

City of Oceanside, California

PARCEL MAP  
(P19-00003)

# AGENDA NO. 1

1. **APPLICANT:** Joshua Renner
2. **APPLICANT ADDRESS:** PO Box 600455, San Diego, CA 92160
3. **REP., PHONE NUMBER:** Joshua Renner, (619) 990-8942
4. **PROJECT MANAGER:** Veronica Morones, Planning Consultant
5. **APPLICATION NO. & NAME:** Tentative Parcel Map (P19-00003), Rockledge by the Sea Tentative Parcel Map
6. **LOCATION/ADDRESS:** APNs: 148-272-19 and 37
7. **PROJECT DESCRIPTION:**

The project application is a request for a tentative Parcel Map to allow the subdivision of two parcels totaling 0.71-acre (30,965 square feet) into three parcels pursuant to Article VI of the Oceanside Subdivision Ordinance. The proposed Parcel Map would create three lots: a 10,462 SF parcel (Parcel 1), a 10,462 SF parcel (Parcel 2), and a 10,041 SF parcel (Parcel 3). All three lots would take access from Dixie Street. Concurrent with this application for a subdivision of two lots into three, the applicant proposed an administrative conditional use permit (CUP) requesting to exceed the base density of 3.6 dwelling units per acre (dus/ac) to 4.2 dus/ac. Attachment 5 details the administrative approval of the CUP and associated conditions for exceeding base density.

The proposed Parcel Map is for subdivision purposes only and does not include a request for grading, demolition, development, or site improvements as a part of the tentative Parcel Map. Should a development proposal occur at a later date, improvements would be required pursuant to the CA Subdivision Map Act, the City of Oceanside Subdivision Ordinance, the provisions of the Zoning Ordinance, and conditions of approval.

The project site is located on Dixie Street within the Loma Alta Neighborhood Planning Area, bounded by Dixie Street to the north, Maxon Street to the south, Grace Street to the east and Barnes Street to the west. The project site has a General Plan land use designation of Single Family Detached Residential (SFD-R) and Zoning designation of Single Family Residential (RS). The project site is currently vacant. The land uses and zoning designations provide for detached single-family residential uses. Surrounding properties include single-family residences to the west, east and south, and single-family residences and church to the north. The existing site contains a single curb cut

on Dixie Street, and a power pole. Table 1 summarizes the required and proposed development standards for the proposed subdivision.

**Table 1: Subdivision Requirements Per Article 10**

<b>Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies with Code</b>
Dwelling Units/Acre (Density)	3.6 – 5.9	4.2	Yes*
Min. Lot Width	65-feet	77-feet min. proposed	Yes - Exceeded
Min. Lot Area	6,000 SF	10,041 SF min. proposed	Yes - Exceeded

\*The density proposed is within the allowable range, subject to CUP19-00012.

**PUBLIC NOTIFICATION:** Legal notice was published in the newspaper and notices were sent to property owners of record within a 1,500-foot radius of the subject property, tenants within a 100-foot radius, individuals and/or organizations requesting notification, the applicant and other interested parties. This notification was sent as a part of notification requirements for CUP19-00012.

**ENVIRONMENTAL DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA). Based on that review, staff finds that the project is categorically exempt per Class 15, "Minor Land Divisions" (Section 15315), because the project consists of the division of property in a residential zone into four or fewer parcels. All services and access to the proposed parcels is available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope of greater than 20-percent.

**FINDINGS**

For Parcel Map (P19-00003):

1. That the proposed map is consistent with the General Plan or other applicable provisions of the Subdivision Ordinance, in that:
  - A. The Parcel Map consists of minimum lot areas and lot widths which exceed the minimums outlined by Article 10 of the Zoning Ordinance. The proposed parcels are 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; and,

- B CUP19-00012 permits tentative Parcel Map (P19-00003) to exceed base density in subdividing of land and requires subsequent administrative review at the time development is proposed to ensure full design consistency with the General Plan Land Use Element Section 2.3.**
- 2. The site is physically suitable for the type and proposed density of development in that:**
  - A. The Parcel Map consists of minimum lot areas and lot widths which exceed the minimums outlined by Article 10 of the Zoning Ordinance. The proposed parcels are 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; and,**
  - B. CUP19-00012 permits tentative Parcel Map (P19-00003) to exceed base density in subdividing of land and requires subsequent administrative review at the time development is proposed to ensure full design consistency with the General Plan Land Use Element Section 2.3.**
- 3. The design of the subdivision 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, in that:**
  - A. the subdivision would not involve any variances from the regulations established at the time of this approval and the development will meet all required development standards for the RS zone;**
  - B. The Parcel Map consists of minimum lot areas and lot widths which exceed the minimums outlined by Article 10 of the Zoning Ordinance. The proposed parcels are 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; and,**
  - C. CUP19-00012 permits tentative Parcel Map (P19-00003) to exceed base density in subdividing of land and requires subsequent administrative review at the time development is proposed to ensure full design consistency with the General Plan Land Use Element Section 2.3.**

**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 not requested with any other development applications which require review by a higher decision-making body, such as the Planning Commission. 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 that review, staff finds that the project is categorically exempt per Class 15, "Minor Land Divisions" (Section 15315), because the project consists of the division of property in a residential zone into four or fewer parcels. All services and access to the proposed parcels is available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope of greater than 20-percent. 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 January 27, 2020, and subject to the following condition(s):

1. This Tentative Parcel Map shall expire on January 27, 2022, unless a time extension is granted by the City Engineer pursuant to Section 607 of the Subdivision Ordinance.
2. 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 P19-00003. 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. The Parcel Map shall be recorded as one. The City Engineer shall require the dedication and construction of necessary utilities, streets and other improvements outside the area of any particular parcel map, if such is needed for circulation, parking, access or for the welfare or safety of future occupants of the development.

5. Pursuant to the State Map Act, 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 map; (b) they object or do not object to the filing of the 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 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.
6. Pursuant to the State Map Act, improvements shall be required at the time of development. A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these improvement conditions and a certificate setting forth the recordation shall be placed on the Parcel Map.
7. If a subdivider is required under this division or any other provision of law to make a dedication for specified public purposes on a Parcel Map, the local agency shall specify whether the dedication is to be in fee for public purposes or an easement for public purposes.
8. Vehicular access rights to Dixie Street shall be relinquished to the City from all abutting lots except for the project driveways (s). The relinquishment will occur either on the Parcel Map or through a separate instrument, after the project driveways are determined.

**Planning:**

9. Conditions of approval outlined under CUP19-00012 (Attachment 5) shall be applicable to this tentative Parcel Map (P19-00003), approved on January 24, 2020. CUP19-00012 is the City Planner approval for the conditional use permit which allows the base density to be exceeded from 3.6 dus/ac to 4.2 dus/ac.
10. This Tentative Parcel Map approves only the subdivision of a 0.71-acre parcel into three lots: a 10,462 SF parcel (Parcel 1), a 10,462 SF parcel (Parcel 2), and a 10,041 SF parcel (Parcel 3), for subdivision purposes only. No deviation from these approved plans and exhibits shall occur without Planning Division approval.
11. Future land use or development on Parcel 1, 2, or 3 shall be subject to all applicable provisions of the Zoning Ordinance.
12. 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.

13. 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.
14. Failure to meet any conditions of approval for this development shall constitute a violation of the Tentative Parcel Map.

APPROVED AND ADOPTED this 27<sup>th</sup> day of January, 2020.

---

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 February 6, 2020 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 (*online*)
2. Description and Justification (*online*)
3. Photographs (*online*)
4. Location Map (*online*)
5. Record of Administrative Approval for CUP19-00012, including Conditions of Approval (DRAFT) (*online*)
6. Attachments (Application Page, Legal Description, Notice of Exemption) (*online*)

cc: Project file (P19-00003)