



SEE ALSO OZO. 3020(A)(3)
Sidewalk Cafes & Outdoor Food Service

CITY OF OCEANSIDE

PLANNING DEPARTMENT

OUTDOOR EATING AREA GUIDELINES

May 1998

The following guidelines are for Outdoor Eating Areas within the City of Oceanside. The guidelines are meant as a supplement to the standards and policies of Section 3020 of the City of Oceanside's Zoning Ordinance.

Outdoor Eating Areas can be defined as an outdoor extension of a restaurant, delicatessen, ice cream parlor, coffee house or similar food service use.

Sidewalk cafes can be defined as outdoor eating areas in which the majority of the seating capacity of the eating establishment is located indoors and where exterior seating is located on a sidewalk and may occur partially or wholly on the public right-of-way.

Location and Design Criteria

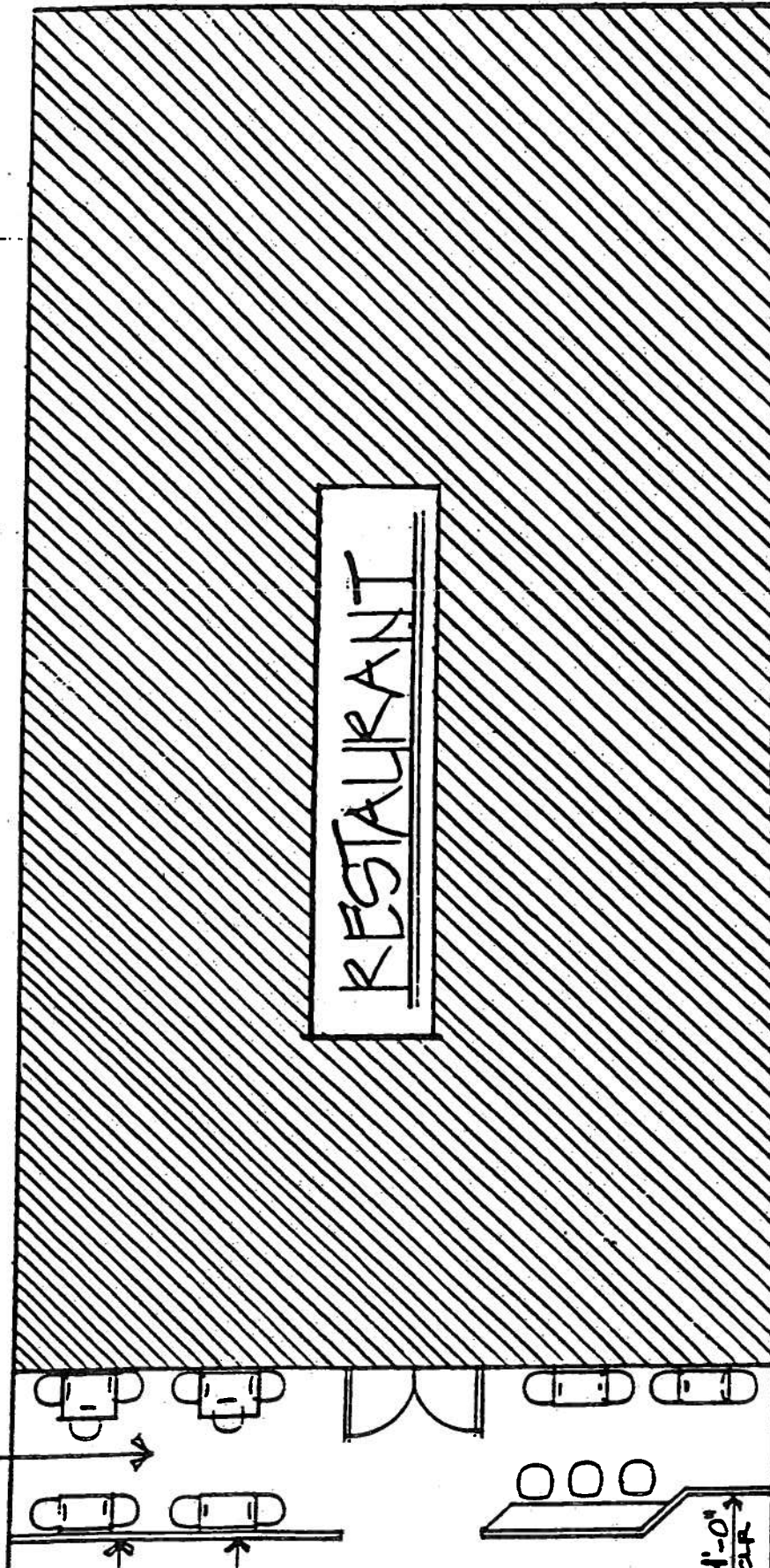
1. Outdoor eating tables shall be limited to use at food service and eating and drinking establishments.
2. Tables and chairs shall not disrupt pedestrian and vehicular movement. Tables and chairs shall not be placed within 2 feet of any street or parking lot curb unless proper safety features are demonstrated and specifically approved by the Planning Director or Redevelopment Director through the permit process.
3. A clear area of at least four feet in width of linear paved sidewalk, free of all obstructions, shall be maintained to allow adequate pedestrian movement on the sidewalk.
4. If installed, all fixtures, barriers, railings, landscaping or combination thereof shall be in place when the sidewalk cafe is in operation and shall be stationary and fixed to the sidewalk. All furniture and other fixtures within the public right-of-way shall be removed when the sidewalk cafe is closed.
5. Tables are encouraged to be placed in line with tree wells, streetlights and other street furnishing elements in order to maximize a linear unobstructed area.
6. Where tables are placed next to a building facade, a clear area of at least four feet in width shall be maintained to building entries.

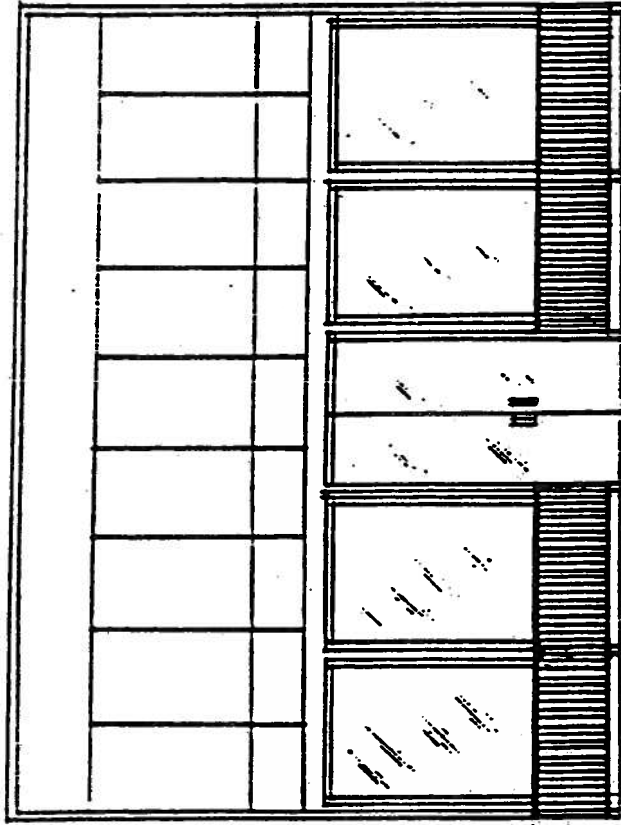
7. Tables must not block access to fire emergency facilities (e.g., fire hydrants).
8. Tables, chairs and umbrellas shall not encroach on the frontage of an adjacent business or property.
9. All sidewalk cafe furniture, including tables, chairs, umbrellas and planters shall be movable. All sidewalk obstructions, including nonpermanent trash receptacles should be removed completely from the public right-of-way daily prior to close of business.
10. Furniture and umbrellas shall have a uniform color and design scheme for the business and shall be of substantial construction to withstand outdoor use. Furniture shall be maintained in good condition, quality and repair.
11. Umbrellas shall be made of a wood or metal framework and shall be covered with a material or fabric meeting the approval of the fire marshall, if required. Umbrellas must be secured with a minimum base of not less than 60 pounds and should not encroach into any required pedestrian accessways unless a clearance height of 7 feet is maintained.
12. No signage shall be allowed in the outdoor dining area except for the name of the establishment or other uniform product signage on an awning or umbrella.
13. All exterior surfaces within the outdoor dining area shall be easy to maintain and shall be kept clean at all times by the permittee. Trash receptacles shall be provided and the outdoor eating area shall be kept free of litter.
14. An encroachment permit from the Engineering Department is necessary for any sidewalk cafe that encroaches into the City right-of-way. The encroachment permit shall remain in effect for as long as the sidewalk cafe permittee and/or new owner remains in compliance with the approved permit.
15. If the sidewalk cafe encroaches into the sidewalk area within the City right-of-way, the permittee shall steam clean the area at least once a month or such shorter interval as necessary to maintain the sidewalk reasonably clean.
16. An outdoor eating area or sidewalk cafe within a public right-of-way or a front or corner sideyard setback area shall be decoratively fenced to delineate the outdoor eating area as per the following guidelines:
 - a. Fences or walls shall be decorative in nature and consistent with the attached illustrations. Acceptable materials include decorative wrought iron, tubular steel or wood. Planter boxes are encouraged to be used in combination with other fencing. A solid masonry wall is acceptable outside of the public right-of-way.
 - b. The maximum height of the fence or wall shall be 3.5 feet.

- c. Fences within the public right of way shall be designed to be removable. Temporary footings shall be decorative in nature and consistent with the fence design and color and with the attached illustrations.
 - d. The requirement of fencing may be waived for seating of 12 persons or less if the following apply:
 - 1) an alternate method of delineation of the outdoor eating area, such as landscaping or another buffer/barrier, is acceptable to the City;
 - (2) the outdoor eating area is not located within a high pedestrian or traffic area; and
 - (3) the outdoor eating area is not open after dusk.
17. Outdoor eating areas outside the public right-of-way or front or corner sideyard setback area shall be fenced as per the following guidelines:
- a. A fence or wall shall be required for an outdoor eating area with more than 20 seats unless it is determined by the City, through the permit process, that the outdoor eating area can be appropriately delineated and managed by some other method such as landscaping or other buffering /barriers.
 - b. The maximum height of the fence or wall shall be 6 feet (8 feet if abutting a residential district or within the Downtown District).
 - c. Outdoor eating areas adjacent to residential districts shall be appropriately buffered by the use of a minimum, solid, 6-foot high fence or wall (8-foot maximum) to the satisfaction of the Planning Director or Redevelopment Director.
 - d. Fences and walls shall be decorative in nature to the satisfaction of the Planning Director and Redevelopment Director. Acceptable materials include wrought iron, tubular steel, wood and decorative masonry.
18. *Further restrictions for fencing and other standards may be placed on the business by the State of California Department of Alcohol and Beverage Control (ABC) and the City of Oceanside's Police Chief and Planning Director if alcoholic beverages are proposed to be served in the outdoor eating area.*

HEAVY 3'-6" HIGH
WROUGHT IRON RAIL

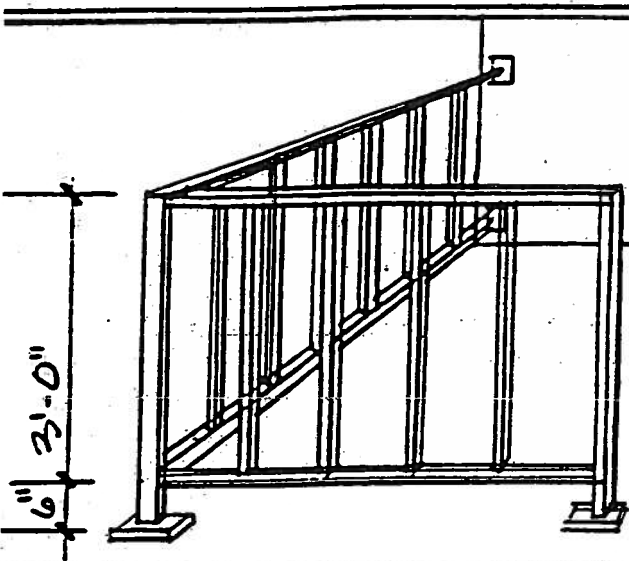
ALL MOVEABLE FURNITURE
PROVIDED BY OWNER



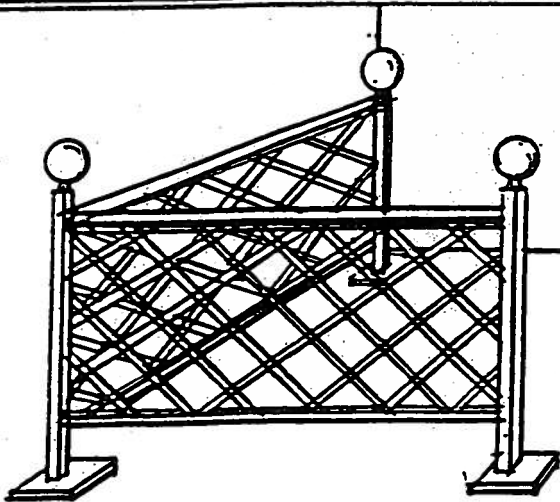
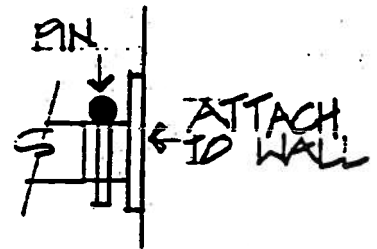


MAX. 9'-6"

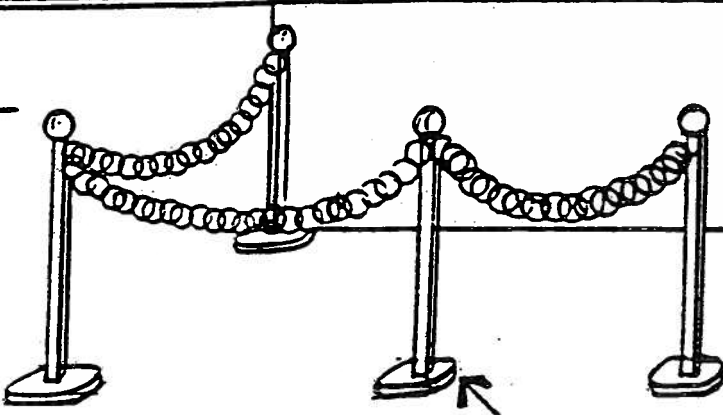
RESTAURANT ELEVATION



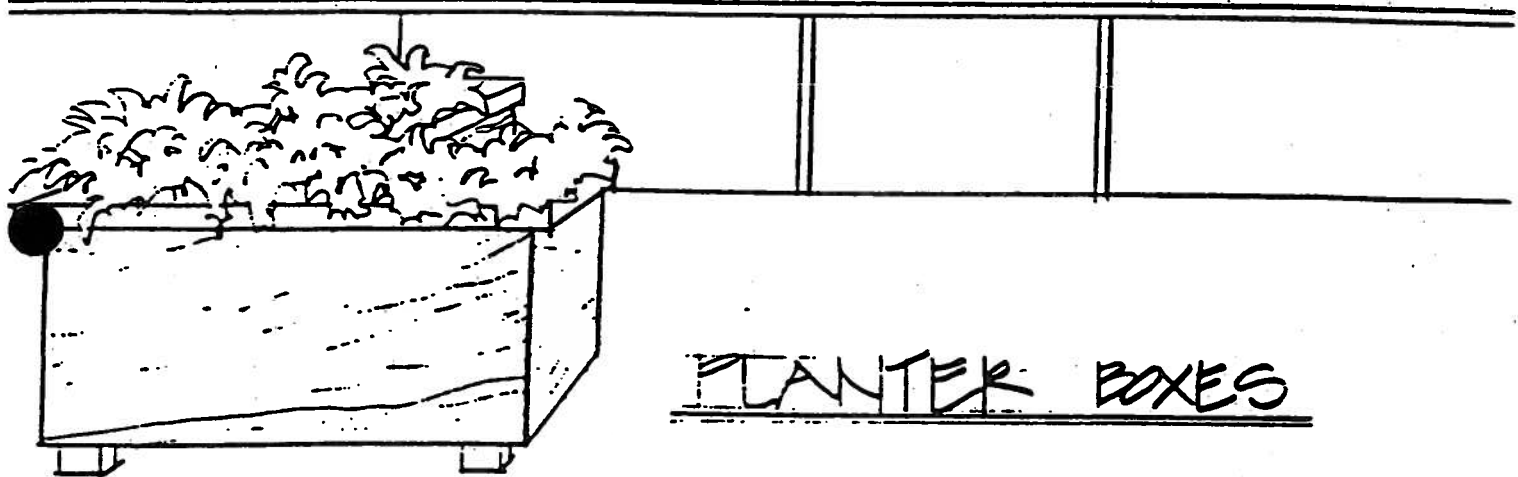
WROUGHT IRON
PAINTED TO
MATCH BUILDING



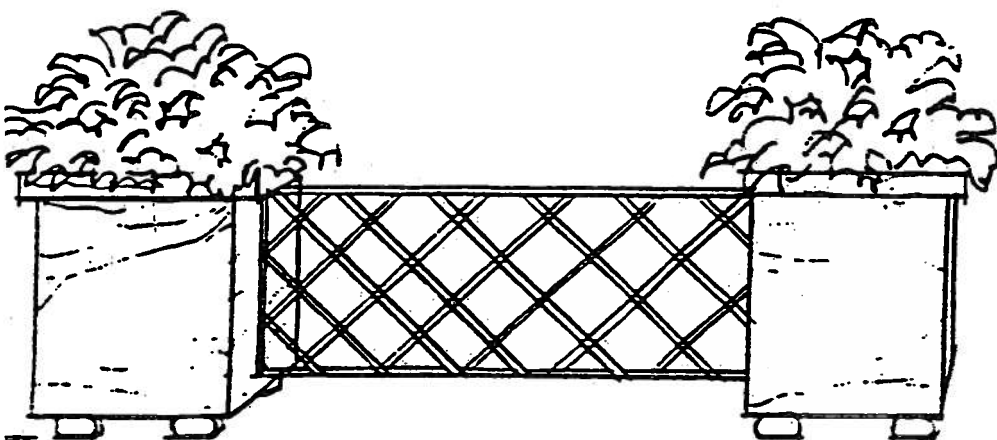
WOOD LATTICE



BOLLARD WITH
CHAIN (REMOVABLE)



PLANTER BOXES



PLANTER BOXES WITH LATTICE FENCING

3. SIDEWALK CAFES AND OUTDOOR FOOD SERVICE ACCESSORY TO AN EATING AND DRINKING ESTABLISHMENT

Sidewalk cafes or outdoor food service accessory to an Eating and Drinking Establishment shall be permitted within the CN, CC, CL, CG, CR, CS, CV, IL, IP and D Districts subject to the review and the approval of an Outdoor Eating Permit issued by the Planning Director or Redevelopment Director (for projects within the Downtown District) if the following standards are met:

- (a) The outdoor eating area is less than 500 square feet.
- (b) Existing parking spaces or landscape areas are not removed unless the new parking or landscape areas are shown to comply with the regulations of this Zoning Ordinance.
- (c) The outdoor eating area does not directly abut a residential district or a sensitive habitat area (Separation by a street or alley will be considered as not directly abutting).
- (d) The serving of alcoholic beverages is subject to the approval of the State of California Department of Alcohol Beverage Control (ABC), and the City of Oceanside's Police Chief and Planning Director.

- (e) No outdoor preparation of food or beverages is permitted, except as permitted for outdoor barbecues pursuant to California Health and Safety Code, Article 9, Section 27641.
- (f) Live entertainment is prohibited within the outdoor eating area.
- (g) The outdoor eating area is not located within any setback area or public right-of-way, with the exception of sites west of Interstate 5 and sites within the Mission Historic Core area. Outdoor eating areas in these areas may be located within public right-of-ways or front or corner side-yard setback areas.

An outdoor eating area in the public right-of-way shall require an encroachment permit issued by the City Engineer.

An outdoor eating area within a public right-of-way or a front or corner side-yard setback area may require additional landscaping, decorative paving and/or fencing subject to the satisfaction of the Planning Director or Redevelopment Director.

- (h) All outdoor eating areas shall meet the established "Outdoor Eating Area Guidelines", including the fencing requirements, as confirmed by the Planning Director or the Redevelopment Director.

ALTERNATIVE PROCESS: Outdoor Eating and Drinking Establishments not meeting all of the above standards are prohibited unless supported by an Administrative Use Permit issued by the Planning Director or approval of the Community Development Commission for projects within the D District. Permit applications shall be reviewed based on the standards set forth in items (a) through (h) above, the Outdoor Eating Area Guidelines and the findings required for approval of a conditional use permit.

4. OUTDOOR STORAGE CONTAINERS

For the purposes of this section an Outdoor Storage Container is defined as a metal container previously used as a shipping container, truck trailer or other similar use and not exceeding 8' in width by 40' in length or a total enclosed area of 320 square feet.

**CITY OF OCEANSIDE
PLANNING DEPARTMENT
REDEVELOPMENT DEPARTMENT
BUILDING DEPARTMENT**

**APPLICATION
OUTDOOR EATING PERMIT**

5/98

	Permit No.
Business Address:	Date of Application:
Business Name:	APN:
Business Owner /Lessee:	Phone:
Property Owner:	Phone:
Property Owner Address:	
Description of Outdoor Eating Area Request:	

DESCRIPTION /JUSTIFICATION LETTER REQUIRED : Please provide a description of the outdoor eating area including; location on property or public right-of-way, size of area, number of tables/chairs, use of materials, fencing or other barrier details, hours of operation, etc.

LOT PLAN REQUIRED: Please provide a plot plan on the back of this form or a separate sheet showing the outdoor eating area and the following items within the vicinity of the eating area: property lines, structures, corridors, public utilities, sidewalk and required pedestrian walkway area, parking and landscape areas, tables and chair layout, fencing/barriers and all dimensions.

I have read the outdoor eating area standards and outdoor eating area guidelines and agree to comply with them and any specific conditions for my permit at all times.

Signature:

Date:

PLOT PLAN: Please provide a fully dimensioned plot plan, to scale, of the site and outdoor eating area.

CONDITIONS: The owner/lessee of the business shall comply with all regulations of the Section 3020A.3. of the Zoning Ordinance and the Outdoor Cafe Guidelines unless specifically modified by this permit) and the additional conditions as listed below:

APPROVALS	PLANNING DEPT/ REDEVELOPMENT DEPT	BUILDING DEPARTMENT
	APPROVED BY:	APPROVED BY:
	DATE:	DATE:

Article 30-20, Section 3 (Outdoor Facilities)

SIDEWALK CAFES AND OUTDOOR FOOD SERVICE ACCESSORY TO AN EATING AND DRINKING ESTABLISHMENT

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- (c) The outdoor eating area does not directly abut a residential district or a sensitive habitat area (Separation by a street or alley will be considered as not directly abutting).
- (d) The serving of alcoholic beverages is subject to the approval of the State of California Department of Alcohol Beverage Control (ABC), and the City of Oceanside's Police Chief and Planning Director.
- (e) No outdoor preparation of food or beverages is permitted, except as permitted for outdoor barbecues pursuant to California Health and Safety Code, Article 9, Section 27641.
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- (g) The outdoor eating area is not located within any setback area or public right-of-way, with the exception of sites west of Interstate 5 and sites within the Mission Historic Core area. Outdoor eating areas in these areas may be located within public right-of-ways or front or corner side-yard setback areas.

An outdoor eating area in the public right-of-way shall require an encroachment permit issued by the City Engineer.

An outdoor eating area within a public right-of-way or a 30-23 front or corner side-yard setback area may require additional landscaping, decorative paving and/or fencing subject to the satisfaction of the Planning Director or Redevelopment Director.

- (h) All outdoor eating areas shall meet the established "Outdoor Eating Area Guidelines", including the fencing requirements, as confirmed by the Planning Director or the Redevelopment Director.

ALTERNATIVE PROCESS: Outdoor Eating and Drinking Establishments not meeting all of the above standards are prohibited unless supported by an Administrative Use Permit issued by the Planning Director or approval of the Community Development Commission for projects within the D District. Permit applications shall be reviewed based on the standards set forth in items (a) through (h) above, the Outdoor Eating Area Guidelines and the findings required for approval of a conditional