

# Memorandum

# AGENDA NO. 146

To: Planning Commission

From: Mixed Use Planning Commission Ad Hoc Committee

Date: April 23, 2007

Subject: Mixed Use Ad Hoc Committee recommendations

The Planning Commission Ad Hoc Committee on Mixed Use has, as part of their work program, evaluated existing Zoning Ordinance regulations, zoning districts and sites where mixed use may be permitted. The Committee has determined that the diversity of potential mixed use development sites (their location, size and configuration) warrants implementation of a three-tiered strategy in order to encourage and regulate mixed use development.

- I. Implement Mixed Use Zoning Ordinance Amendments (Attachment 1) to ensure that: 1) the specific purposes of mixed use Development are more precisely defined; and 2) a balance between commercial and residential development is achieved in future mixed use development proposals.
- II. Establish Planned Block Overlay Districts for sites over 60,000 sq. ft. to implement desirable pedestrian-friendly high quality mixed use developments.

The following locations are recommended for site-specific master plans to be taken on as future projects and addressed by planning staff with consultant support:

- a. Mixed Use Planned Block Overlay District and Development for the Oceanside Boulevard corridor between I-5 and El Camino Real (there is an ongoing visioning effort focused on this area)
- b. Mixed Use Planned Block Overlay District and Development for the area extending south of the Redevelopment Area boundary (D District) along Coast Highway to the southernmost City limits (This planning effort will necessitate a study for an LCP amendment to permit mixed use development beyond the Redevelopment Area within the coastal zone).

- c. Mixed Use Planned Block Overlay District and Development for parcels fronting 4 quadrants of the intersection of Melrose and Oceanside Blvd.
- d. Other Mixed Use Planned Block Overlay District and Development for parcels within the Smart Growth Community Center sites identified in the SANDAG smart growth concept Map (Attachment 2).

The Ad Hoc Committee recommends that the project areas above be addressed through an open and inclusive public process resulting in the creation of a plan that is implemented through form-based development regulations. While the City of Oceanside will, in all cases, assume a “gatekeeper” role in such planning processes, master plans and related public processes may be initiated and funded by others (property owners or coalitions of property owners, for example).

- III. Create new form-based mixed-use guidelines that would serve as an educational tool and design resource for those intending to submit plans for future mixed-use development. Such guidelines function as a kit of parts, specifying desired building and street types which can be linked to individual parcels within an applicant’s master plan. Once approved by city council, the site-specific master plan and referenced building and street types becomes the binding ordinance for that development. In this scenario, planning staff plays an important role in communicating the goals and recommendations contained within the guidelines, thus helping to optimize the ultimate quality of plans. Note that staff has identified several such mixed-use guideline documents\* in use by other municipalities that could be modified for use by the City of Oceanside. This modification work could be performed with staff support by outside consultants for minimal cost (\$~30,000).

**RECOMMENDATION:**

The Ad Hoc Committee recommends that the Planning Commission consider and approve the proposed three-tier strategy and associated elements for implementation of mixed use development within the City of Oceanside and forward it to the City Council for consideration and approval.

\*available for review upon request

**ATTACHMENT 1**

# Mixed Use Ordinance Ad Hoc Committee

## LEGISLATIVE DRAFT

4/23/07

### 3042 Mixed-use Plans

- A. Any mixed-use development with commercial and residential land uses combined on one site requires the submission of a "Mixed-Use Development Plan" and Conditional Use Permit. Base District Regulations and Property Development Regulations for Residential Districts and Commercial Districts shall serve as the guideline for a mixed-use development. Any deviations from the development regulations shall be evaluated based upon the merits of the development plan. In addition, the "Mixed-Use Development Plan" is subject to the following requirements.

#### Specific Purposes

The specific purposes of the Mixed-Use Plan are to:

- A. Establish a procedure for the development of parcels as pedestrian friendly a mixed-use development neighborhoods, or districts where, if possible, jobs are located near housing.
- B. Ensure orderly and thorough planning and review procedures that will result in quality urban design.
- C. Encourage the fine grained mix of land uses that foster pedestrian activity, reduce automobile trips and incorporate the maximum number destinations (work, shopping, recreation etc.) one has to access on a daily basis within ¼ mile (5 minute walk) from home. ~~variety and avoid monotony in developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenities.~~
- D. Provide a mechanism whereby the City may authorize desirable developments consistent with the General Plan without inviting speculative rezoning applications, ~~which, if granted, often could deprive other owners of development opportunities without resulting in construction of the proposed facilities.~~
- E. Encourage the preservation of serviceable existing structures of historic value or artistic merit by providing the opportunity to use them imaginatively

for purposes other than that for which they were originally intended.

- F. Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.
- G. Encourage development of plans with specialized open space in the form of squares, greens, and parks whose frequent use is encouraged through placement and design.
- H. Provide a community design that conserves resources and minimizes waste.
- I. Ensure that developments provide for the efficient use of water through the use of natural drainage, drought tolerant landscaping, and recycling.
- J. Enhance community character and increase opportunities to revitalize older commercial corridors.
- K. Encourage new housing and innovative retail that is less automobile dependent.

#### Land Use Regulations

No use, other than a use existing at the time of establishment of a Mixed-Use Plan, shall be permitted in a Mixed-Use Plan except in accord with a Mixed-use Plan. Any permitted or conditional use authorized by this ordinance may be included in an approved Mixed-Use Plan, consistent with the underlying General Plan land use designation(s).

#### Development Regulations

- A. Minimum Area. The area of a Mixed-Use Plan shall be ~~1-~~ 20,000 square feet. However, smaller sites may be approved if found to meet the intent and purposes of a Mixed-Use Plan.
- B. Residential Unit Density. Residential unit types included in a Mixed-Use Plan shall not exceed ~~29~~ 25 dwelling units per net acre for the total area of parcels designated for mixed-use and 50% of the total floor to area ratio.
- C. Performance Standards. The performance standards prescribed by Section 3024 shall apply.

D. Design. The Mixed-Use Plan shall be an integrated plan. Uses shall be placed as to share parking, traffic circulation, open space etc.

E. Other Development Regulations. Other development regulations shall be as prescribed by the Mixed-Use Plan. The development standards of an existing overlay district may be modified by the Mixed-Use Plan if demonstrated to promote superior design.

### **Initiation**

A Mixed-Use Plan shall be initiated by a property owner or authorized agent. If the property is not under a single ownership, all owners shall join in the application, and a map showing the extent of ownerships shall be submitted with concept plans and materials.

### **Required Plans and Materials**

An application for a Mixed-Use Plan shall include a Mixed Use Development Plan incorporating the materials required for design review by Article 43. The Planning Director also may require one or more of the following items, based on the type, location, and potential impacts of proposed development:

- A. A map showing proposed plan boundaries and the relationship of the district to uses and structures within a 300-foot radius of the district boundaries.
- B. A map or aerial photo of the proposed plan and 100 feet beyond its boundary showing sufficient topographic data to indicate clearly the character of the terrain; the type, location, and condition of mature trees and other natural vegetation; and the location of existing development.
- C. The proposed pattern of land use, with acreage and residential density computations.
- D. The proposed street and lot pattern.
- E. Any other informational items deemed necessary by the Planning Director in order to fully analyze and review the proposed development.

## **Planning Commission Action**

The Planning Commission shall consider an application for Mixed-Use Plan and Mixed-Use Development Plan accompanying the application. The Planning Commission may approve, approve with conditions or deny a proposed Mixed-Use Development Plan.

A. Required Findings. The Planning Commission may approve or conditionally approve a Mixed-Use Plan and a Mixed-Use Development Plan, upon finding that:

1. The Mixed-Use Development Plan is consistent with the adopted Land Use Element of the General Plan and other applicable policies and are compatible with surrounding development;
2. The Mixed-Use Development Plan will enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if they were not approved;
3. Deviations from the base district regulations that otherwise would apply are justified by compensating benefits of the Mixed-Use Development Plan; and
4. The Mixed-Use Plan and Mixed-Use Development Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems.

## **Status of Mixed-Use Plan and Mixed-Use Development Plan**

A. Effective Date. A Mixed-Use Plan and Mixed-Use Development Plan shall be effective on the date of their approval.

B. Lapse of Approvals. A Mixed-Use Plan and Mixed-Use Development Plan shall expire two years after the effective date of approval or conditional approval unless:

1. A grading permit has been issued and grading has been substantially completed and/or a building permit has been issued and construction diligently pursued; or

2. An occupancy permit has been issued; or
3. The approval is extended; or
4. In cases where a Mixed-Use Plan and Mixed-Use Development Plan is approved concurrently with a Tentative Map, and a Final Map or Parcel Map is recorded, the Mixed-use Plan and Mixed-Use Development Plan shall be effective for an additional 24 months from the date of recordation of the Final Map or Parcel Map.

An approved Mixed-Use Plan and Mixed-Use Development Plan may specify a development staging program exceeding two years, provided the development staging program is reviewed and approved by the Planning Commission as a part of the Mixed-Use Plan and Mixed-Use Development Plan.

C. Time Extension. The Commission may extend a Mixed-Use Plan and Mixed-Use Development Plan for a period or periods not to exceed a total of three years, if it finds the time extension is consistent with the purposes of this Article. Application for a time extension shall be made in writing to the Planning Director not less than 30 days or more than 90 days prior to expiration. Denial of a request for time extension of a Mixed-Use Plan and Mixed-Use Development Plan may be appealed using the procedures as prescribed in Article 46.

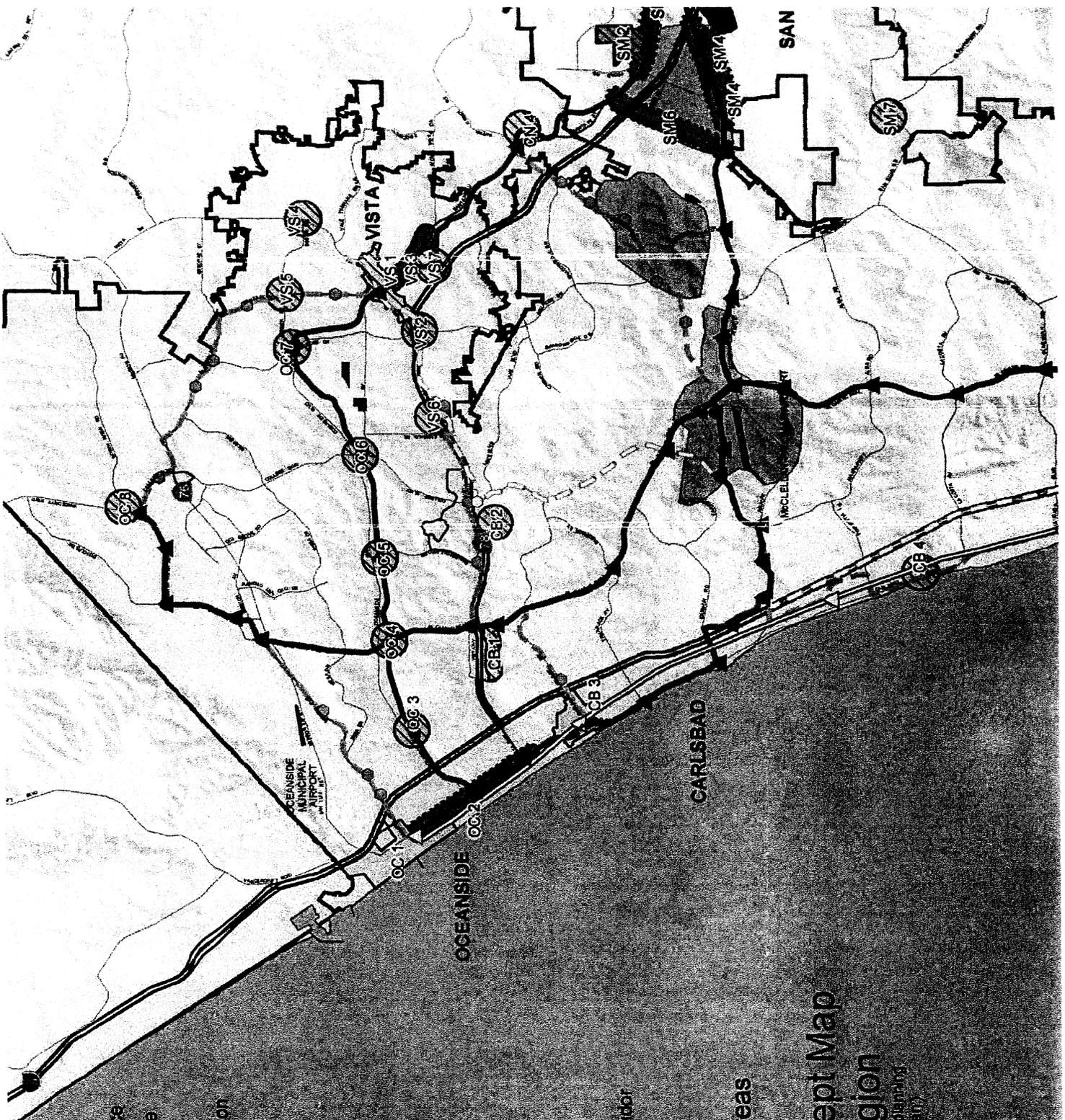
D. Changed Plans. A request for changes in conditions of approval of a Mixed-Use Plan and Mixed-Use Development Plan, or a change to the Mixed-Use Plan and Mixed Use Development Plan that would affect a condition of approval, shall be treated as a new application. The Planning Director may waive the requirement for a new application if the changes requested are minor, do not involve substantial alterations or addition to the plan or the conditions of approval, and are consistent with the intent of the project's approval or otherwise found to be in substantial conformance. An application for approval of a new Mixed-Use Plan and Mixed-Use Development Plan or for a revision of a Mixed-Use Plan and Mixed-Use Development Plan shall be considered by the Planning Commission at a public hearing with notice given as prescribed for a Development Plan in Article 43.

**Building Permits**

Proposed structures or alterations must be consistent with the adopted Mixed-Use Plan and the Mixed-Use Development Plan for the issuance of building permits.

Draft

**ATTACHMENT 2**



- Existing
- Potential
- Regional Transit Service
- Corridor Transit Service
- High Frequency Local Service
- Regional/Corridor Station
- Corridor Station

**Smart Growth Areas**

- Existing
- Potential
- Metropolitan Center
- Urban Center
- Town Center
- Community Center
- Rural Village (with core area)
- Mixed Use Transit Corridor
- Special Use Center

**Major Employment Areas**

**Smart Growth Concept Map  
North County Subregion**

(Accepted by the SANDAG Board of Directors for planning purposes for the 2007 Regional Rate Corridor Plan)

