Item #6

CITY OF OCEANSIDE

Development Services Department

Memorandum

DATE: September 11, 2012

TO: Economic Development Commission

FROM: George Buell, Development Services Director

SUBJECT: **Streamlining- Proposed Zoning Ordinance Text Amendments**

Background and Introduction

In 2009, an Efficiency Study of the City of Oceanside's Development Services Department was completed by Palo Alto-based Matrix Consulting Group. Among numerous recommendations, the study identified potential for streamlining the review of certain types of land use applications. Instead of requiring Planning Commission approval in public hearings, it appeared prudent for both the City and applicants to allow these decisions to be made by the City Planner. As a result, a significant amount of time (three or more months) and financial resources (thousands of dollars) could potentially be saved on each application. Please see Attachment 1, which is an excerpt of applicable sections from the Matrix Study.

More recently, in an effort to implement a number of the recommended code changes, Economic Development Commission Chairman Schroeder and Planning Commission Chairman Rosales met with the City Planner and Development Services Director to review the zoning ordinance and identify non-controversial, potential "low-hanging fruit"-- review processes that might be easily amended/streamlined. Examples include the review process of karate studios or preschools located in commercial zones. Should a full public hearing before the Planning Commission be required, or would it be appropriate to amend the code to allow these decisions to be made at the staff level? Based on staff's anecdotal observation that a vast majority of these types of permit requests are met with no question or controversy when considered by the Planning Commission, staff believes the latter to be reasonable.

Pointing to a Matrix recommendation to allow hospital construction with only administratively approved permits, when the efficiency study was under review by this Commission and the Planning Commission concern from among the public was expressed with oversimplification that might eliminate public review and input on potentially significant, large projects. Staff both acknowledges and agrees with this concern. Again, the goal of this streamlining effort is to identify non-controversial amendments that can be implemented with relative ease. Should there be substantial

concern with any of the proposed amendments, staff will likely recommend to delete it from this process.

In addition to Matrix's recommendations, the City Council directed staff to amend the zoning ordinance to allow weddings, wineries and animal shows in the Morro Hills. These proposed amendments have been incorporated into this effort.

Attachment 2 shows draft recommendations identified by staff and the Economic Development and Planning Commission chairmen. Proposed text additions are underlined, and deletion proposals are shown in strike-out format. All changes appear in blue.

One member of the public, Ms. Donna McGinty, sent a letter expressing hope to allow additional types of businesses to operate in residential zones. While staff recognizes Ms. McGinty's issue, due to the nature of her request and the potential to allow additional noise- and traffic-generating commercial activity in residential zone, staff is reluctant to include her suggestion in the current process. A copy of Ms. McGinty's correspondence is provided as Attachment 3.

Checks and Balances: No Change in Appeals Process

It is important to note that although the proposed amendments will substantially streamline certain application types, the appeals process would remain. If the public or Planning Commission were to find reason for concern with a City Planner decision to approve or deny a project, that decision could still be appealed to that Commission. Similarly, all decisions of the Planning Commission are appealable to or subject to call for review by the City Council. Accordingly, important checks and balances will not be changed.

Looking Ahead: Code Amendment Review/Approval Process and Schedule

In order to implement the recommended code amendments, the zoning ordinance requires Planning Commission review and City Council approval. It is staff's goal to complete this process by the end of the year.

Recommendation

Staff recommends that the Economic Development Commission recommend that the City Council approve the proposed amendments to the Zoning Ordinance of the City of Oceanside.

List of Attachments

Attachment 1: Excerpts from the Productivity Study of the Development Services Department, Volume 1 (Matrix Consulting Group; June 3, 2009)

Attachment 2: Proposed Zoning Ordinance Text Amendments

Attachment 3: E-mail from Ms. Donna McGinty dated August 21, 2012

ATTACHMENT 1

needed to accelerate permit approval.

In evaluating the land entitlement permit processes, there are a number of opportunities for improvement to streamline the process without reducing the quality of the review to assure compliance with the general plan, zoning ordinance, and design guidelines. These opportunities are portrayed below.

(1) Authority For Approval / Disapproval Of Minor Land Entitlement Permits and Design Review Permits Should Be Delegated To the City Planner.

The City's current process for land entitlement permits is complex and not uniform. In the focus groups conducted by the project team, participants noted an excessive number of project types require Planning Commission review and approval.

Other cities have streamlined the land entitlement permit process for those types of permits that are low risk and achieve a high level of compliance with conditions of approval, and have delegated authority to staff or to the City Planner or his /her designee. This is clearly the case with two of the four cities included in the comparative survey conducted by the project team. There are 188 cities and counties in California that use a hearing officer ranging from Adelanto to Yuba County. This includes Encinitas, Solana Beach, Huntington Beach, Laguna Beach, Santa Monica, and other Southern California beach communities.

For example, the type of land entitlement permits approved by a hearing officer in San Diego County cities is presented in the table below.

City	Hearing Officer	Applications
Escondido	No	N/A
Chula Vista	Yes	Minor conditional use permits, variances, design review applications
Vista	Yes	Tentative parcel maps, minor conditional use permits, temporary use permits, site development plans for smaller scale development, and plot plan reviews
El Cajon	No	N/A

These same cities have also delegated authority to staff for the approval of land entitlement permits. Escondido, for example, while not using a hearing officer, has delegated extensive authority to staff including adjustment plats (boundary adjustments), administrative adjustments (administrative variances), certificates of appropriateness (historic structures), certificates of compliance, lot-tie agreements, tentative parcel maps, plot plans, second dwelling units, sign permits, and vegetation removal permits. Oceanside has delegated authority to the City Planner for the approval of administrative conditional use permits and administrative development plans, but these other cities have delegated to staff a greater proportion of permits.

This is clearly a policy decision that must ultimately be made by the City Council. However, the project team recommends that the City Council simplify and streamline selected land entitlement permits by delegating the approval, conditional approval, or denial of selected land entitlement permits to the City Planner. These recommendations are presented below.

- Tentative parcel maps should be approved, conditionally approved or denied, by the City Planner.
- Lot line adjustments should be approved, conditionally approved or denied, by the City Planner.
- Variances should be approved, conditionally approved, or denied, by the City Planner.

This authority granted to the City Planner should include the ability to refer these kinds of applications to the Planning Commission if it is evident the application has high exposure or impact. In addition, any applications considered by the City Planner should be publicly noticed.

Recommendation: Selected aspects of the land entitlement permits should be simplified and streamlined by delegation of authority for approval, conditional approval, or disapproval of these permits to the City Planner.

(2) The Types of Uses That Require a Conditional Use Permit Should Be Reduced.

A review of the City's zoning ordinance indicates that there are a number of uses requiring conditional use permits that would be considered "minor" in other cities based upon the experience of the Matrix Consulting Group. The Planning Division has reviewed those uses in the zoning ordinance that require a conditional use permit, and developed recommendations to increase the number and types of uses that can be approved as an Administrative Conditional Use Permit. These uses are presented in the exhibit at the end of this chapter (see exhibit 4).

Recommendation: The Planning Division should develop a proposed zoning ordinance amendment to increase the number and types of uses that can be approved as an Administrative Conditional Use Permit.

Recommendation: The Planning Division should review those uses in the zoning ordinance that require a site development permit, and develop recommendations to increase the number and types of uses that can be approved as an Administrative Site Development Permit.

(3) The Planning Division Should Reduce the Extent of Routing of Land Entitlement Permits.

Not all land entitlement permits should be routed to each division or department involved in the land entitlement permit plan review process. For example, administrative conditional use permits are routed to Engineering, Building and Safety, Fire and Water Utilities. This type of permit should not be routed to any of these divisions or departments; the Planning Division should use standard conditions of approval developed by each of these divisions or departments. In most instances, the Planning

Exhibit 4 (1)

Proposed Zoning Ordinance
Conditional Use Permit Amendments

PS District	Existing Use Permit	Proposed Use Permit
Residential Uses		
Group Residential	U	A
Public and Semi-Public		
Clubs and Lodges	U	A
Convalescent Facilities	U	A
Cultural Institutions	U	A
Day Care, General	U	A
Detention Facilities	U	A
Emergency Shelter	U	A
Government Offices	U	A
Hospitals	U	A
Maintenance and Service Facilities	U	A
Park and Recreation Facilities	U	A
Public Safety Facilities	U	A
Religious Assembly	U	A
Residential Care, General	U	A
Resource Centers	U	A
Schools, Public or Private	U	A
Transitional Housing	U	A
Commercial Uses		
Commercial Filming	U	A
Commercial Recreation and Entertainment	U	A

Legend

U = Use Permit Required
A= Administrative Use Permit Required

Exhibit 4 (2)

RE, RS, RM, RH, and RT Districts	RE		RS		RM		RH		RT	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Residential Uses										
Live / Work Quarters	-	-	-	-		-	U	A	U	A
Commercial Uses										
Artists' Studios	-	-	-	-	-	-	-	-	U	A
Public and Semi-Public										
Daycare, General	U	A	U	A	U	A	U	A	U	A
Public Safety Facilities	-	-	-	-	-	-	U	A	U	A

Legend

U = Use Permit Required
A= Administrative Use Permit Required

Exhibit 4 (3)

IL, IG, and IP Districts	IL Existing	Proposed	IG Existing	Proposed	IP Existing	Proposed
Public and SemiPublic						
Clubs and Lodges	U	A	-	-	U	A
Emergency Health Care	U	A	U	A	U	A
Public Safety Facilities	L18	-	L18	-	L18	-
Resource Centers	L17	A	L17	A	L17	A
Commercial Uses						
Commercial Recreation and Entertainment	L15	A	L15	A	L15	A
Personal Improvement Services	L18	A	L18	A	L18	A
Automobile Washing	U	A	U	A	-	-
Vehicle Storage	U	A	U	A	-	-
Industrial						
Wholesaling, Distribution and Storage	L12	A	P	P	L7	L7

Legend

U = Use Permit Required
A= Administrative Use Permit Required
P = Permitted Use

Exhibit 4 (4)

CN, CC, CG, CL, CR, CV, CS, and CP Districts	CN		CC		CG		CL		CR	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Public and SemiPublic										
Clubs and Lodges	L29	A	L29	A	L29	A	L29	A	L29	A
Cultural Institutions	L29	A	L29	A	L29	A	L29	A	L29	A
Day Care, General	U	A	U	A	U	A	U	A	U	A
Government Offices	L29	P	L29	P	L29	P	L29	P	-	-
Public Safety Facilities	U	-	U	-	U	-	U	A	U	A
Commercial										
Ambulance Services	L15	L15	L15	L15	L15	L15				
Animal Grooming	P	P	P	P	P	P	P	P	-	-
Animal Retail Sales	P	P	P	P	P	P	P	P	-	-
Artists Studios'	P	P	P	P	P	P	P	P	L28	P
Bansk and Savings and Loans	P	P	P	P	P	P	P	P	-	-
Building Materials and Services	P	P	P	P	P	P	U	P	-	-
Eating or Drinking Establishment with Full Alcoholic Beverage Service	U	A	U	A	U	A	U	A	U	A
Eating or Drinking Establishment - Drive-thru / Drive-up	L23	A	U	A	U	A	-	-	U	A
Food and Beverage Sales	L5	A	L5	A	L5	A	L5	A	L5	A
Funeral and Interment Services	L6	A	L6	A	L6	A	-	-	-	-
Personal Improvement Services	L25	A	L25	A	L25	A	L25	A	L25	A
Personal Services	P	P	P	P	P	P	P	P	L29	P
Retail Sales	P	P	P	P	P	P	P	P	L8	P

Exhibit 4 (5)

CN, CC, CG, CL, CR, CV, CS, and CP Districts	CN		CC		CG		CL		CR	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Automobile Washing	U	A	U	A	U	A	L31	A	-	-
Service Stations	U	U	U	U	U	U	L31	U	L7	L7
Vehicle Equipment Repair	L32	A	L32	A	L32	A	L31	A	-	-
Vehicle / Equipment Sales and Rentals	U	A	U	A	U	A	L31	A	L14	A
Hotels, Motes, and Time-Shares	U	A	U	A	U	A	U	A	U	-

Legend

U = Use Permit Required
A= Administrative Use Permit Required
P = Permitted Use

Exhibit 4 (6)

CN, CC, CG, CL, CR, CV, CS, and CP Districts	CV Existing	CV Proposed	CS-HO Existing	CS-HO Proposed	CS-L Existing	CS-L Proposed	CP Existing	CP Proposed
Public and SemiPublic								
Clubs and Lodges	-	-	L29	A	U	U	L29	A
Cultural Institutions	L29	A	L29	A	L29	A	L29	A
Day Care, General	U	A	U	A	U	A	U	A
Government Offices	-	-	L29	P	-	-	P	P
Public Safety Facilities	U	A	U	A	U	A	-	A
Commercial								
Ambulance Services			L15	L15	P	L15		
Animal Grooming	-	-	-	-	L16	P		
Animal Retail Sales	-	-	P	P	L16	P		
Artists Studios'	L28	P	-	P	L28	P	-	P
Bansk and Savings and Loans	-	P	P	P	P	P	P	P
Building Materials and Services	-	-	P	P	-	-	-	-
Eating or Drinking Establishment with Full Alcoholic Beverage Service	U	A	U	A	U	A	U	A
Eating or Drinking Establishment - Drive-thru / Drive-up	-	-	U	A	-	-	-	-
Food and Beverage Sales	L5	A	P	A	L5	A	-	-
Funeral and Interrment Services	-	-	L6	A	L6	A	-	-
Personal Improvement Services	-	-	L25	A	L25	A	L25	A
Personal Services	L29	P	P	P	L29	-	L29	-
Retail Sales	L8	P	P	P	P	P	-	-
Automobile Washing	-	U	A	-	-	-	-	-
Service Stations	-	-	U	U	U	U	-	-
Vehicle Equipment Repair	-	-	L32	A	L20	A	-	-

Exhibit 4 (6)

	CV		CS-HO		CS-L		CP	
CN, CC, CG, CL, CR, CV, CS, and CP Districts	**Existing**	**Proposed**	**Existing**	**Proposed**	**Existing**	**Proposed**	**Existing**	**Proposed**
Vehicle / Equipment Sales and Rentals	L14	-	U	-	-	-	-	-
Hotels, Motes, and Time-Shares	U	-	U	-	L12	A	-	-

Legend

U = Use Permit Required
A= Administrative Use Permit Required
P = Permitted Use

ATTACHMENT 2

Article 14 A Agricultural District

Sections:

1410 Specific Purposes
1420 Land Use Regulations
1430 Development Regulations
1440 Review of Plans
1450 Agricultural Activities

1410 Specific Purposes

In addition to the general purposes listed in Article 1, the specific purposes of the A district are to:

A. Provide a suitable classification for large-scale agricultural and mining operations and related open space uses.

B. Limit non-agricultural uses to those incidental to agricultural operations.

C. Permit only very low-density residential development, compatible with low-intensity agriculture and keeping of livestock.

1420 Land Use Regulations

In the following schedule, the letter "P" designates use classifications permitted in the A district. The letter "L" designates use classifications subject to certain limitations prescribed by the "Additional Use Regulations" which follow. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Article 41. The letters "P/U" designate use classifications permitted on the site of a permitted use, but requiring a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule.

A DISTRICT: LAND USE REGULATIONS

P - Permitted
U - Use Permit
L - Limited, (See Additional Use Regulations)
- - Not Permitted

	A	Additional Regulations
Residential Uses		
Day Care, Limited	P	
Single-family Residential	P	(A) (F)
Public and Semipublic		(I)
Child Care	L-5	
Public Safety Facilities	U	
Utilities, Major	L-3	
Utilities, Minor	P	(G)
Commercial Uses		(I)
Horticulture, Limited	P	(H)
Animal Sales and Services:		
Animal Boarding	L-4	
Visitor Accommodations:		
Bed and Breakfast Inns	~~L-1~~A	(B)
Weddings	A	
Wineries	A	
Dog Shows	A	
Horse Shows	A	
Agricultural and Extractive Uses		(I)
Animal Husbandry	L-2	(C)
Crop Production	P	(H)
Mining and Processing	U	
Accessory Uses	P/U	(D) (H) (I)
Nonconforming Uses		(E)

A District: Additional Use Regulations

L-1 Allowed with a administrative use permit. See Section 3031.

L-2 Administrative Use permit required for more than six domestic or exotic animals; conditions may be imposed limiting herd size and restricting grazing to designated areas to protect water resources from agricultural runoff.

L-3 A use permit is required for generating plants, electrical substations, lone switching buildings, refuse collection, transfer, recycling or disposal facilities, water reservoirs, water or wastewater treatment plants, transportation or communication utilities, and similar facilities of public agencies or public utilities. Aboveground electrical transmission lines are not permitted unless determined to be consistent with a utility corridor plan approved by the Planning Commission. Flood control or drainage facilities are permitted if they are consistent with approved master drainage and/or flood-control plans.

L-4 Administrative Use permit required and limited to the stabling of horses (See Section 3034 and the City Code).

L-5 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS, CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, a Development Plan Review is required. A Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

(A) Limited to one primary dwelling unit and one accessory dwelling unit per site, subject to the requirements of Section 3006: Accessory Dwelling Units. A mobile home shall be allowed as a primary residence or as a caretaker's unit, subject to the requirements of Section 3033. Development within an Agricultural Preserve shall also be subject to the terms of the Agricultural Preserve Contract.

(B) See Section 3031: Bed and Breakfast Inns.

(C) See Chapter 4 of the Municipal Code.

(D) Limited to facilities incidental to an agricultural or extractive use. Farmworkers' housing requires a use permit issued in accord with the provisions of Article 41. The Planning Commission shall approve or conditionally approve applications for facilities with 10 or more beds, while the Planning Director shall approve or conditionally approve applications for facilities with fewer than 10 beds. As conditions of approval, the Planning Commission or the Planning Director, as the case may be, may establish restrictions on the number of rooms and the size and location of kitchen facilities, and may limit occupancy to farmworkers employed by the owner and/or operator of the farm on which the housing is located with the objective of ensuring that a use is compatible with adjacent agricultural and residential uses.

(E) See Article 35: Nonconforming Uses and Structures.

(F) Residential development shall be permitted provided such development does not interfere with existing, proposed, or potential agricultural operations, that the open space character of the area is preserved, and that the proposed residential development is consistent with General Plan policies. In all cases the minimum lot size shall not be less than two and one-half (2.5) acres.

(G) See Section 3025: Antennas and Microwave Equipment.

(H) Agricultural Sales Stands, in conjunction with a Horticulture, Limited or Crop Production use, shall be permitted subject to the locational and development standards of Section 3038.

(I) See Section 3020: Outdoor Facilities; certain outdoor facilities are subject to the development standards of this section.

1430 Development Regulations

Development regulations shall be as specified by a use permit, provided that, if the use permit fails to regulate an element regulated by an abutting base district, the regulations of the nearest base district shall apply to each portion of an A district. The following development regulations shall apply as applicable:

1. All single-family residential dwelling units, accessory dwelling units, and nonresidential accessory structures within the A district shall comply with the development standards of the RE-A district, provided that the following standards shall be in addition and shall govern where conflicts arise:

Minimum Lot Area (acres)	2.5
Minimum Yards:	
Front (ft.)	40
Side (ft.)	30
Corner side (ft.)	40
Rear (ft.)	40
Maximum Coverage	25%

2. The maximum height of a fence or wall, including a retaining wall, shall be 6 feet and decorative fences and walls shall be allowed in the front-yard setback area upon meeting visibility standards and the approval of the Planning Director. Decorative entry gates which exceed the height of 6 feet shall require a building permit and the approval of the Traffic Engineer and the Fire Department to insure adequate accessibility for emergency vehicles and to meet visibility standards. Entry gates shall have a minimum front yard setback of 25 feet. See Section 3040 for additional fence and wall standards.

1440 Review of Plans

All projects shall require development plan review as per Article 43.

1450 Agricultural Activities

SPECIFIC PURPOSES

The specific purposes of the Agricultural Activities provisions are to:

1. Provide for a quality working and business environment for agricultural businesses within the City.

2. Recognize the potential for conflicts between agricultural uses and residential uses in the Agricultural District, and provide appropriate standards and criteria for activities associated with agriculture to avoid potential conflicts and promote compatibility between uses.

3. Provide a streamlined approach to achieving compliance with specific development standards within the Agricultural District.

A. Definitions of Agricultural Activities and Locational Criteria

For purposes of this section, the types of Agricultural activities are grouped into two categories, Growing Grounds and Other Agricultural Activities, and the regulation of such uses on a parcel are based upon their location on an Internal or Perimeter Site Area. These are defined as follows:

1. Growing Grounds: Includes crop production, both in the ground and/or in containers, the cultivation and tillage of the soil, cultivation, growing and harvesting of any agricultural or horticultural commodities, and any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, which activities are open to the sky.

2. Other Agricultural Activities: This includes agricultural uses and activities which are not growing grounds open to the sky, including crop production within structures. Specific types of agricultural activities are as follows.

   (a) Activity Hub: Includes areas of the agricultural business activity which accommodate uses other than crop production, such as staging areas, packing facilities, distribution facilities, storage areas, loading areas, offices, and similar uses.

   (b) Greenhouse: A structure covered with a translucent or transparent material to grow plants. Such facilities may include mechanical equipment for heating or cooling, such as wall fans, horizontal air flow (HAF) fans, or other similar mechanical equipment.

(c) Shade Structures: A structure which does not require a building permit and is not mechanically heated, cooled, or lighted.

3. Internal Site Area: Uses located 500 feet or more from the external property line of the agricultural use.

4. Perimeter Site Area: Uses located within 500 feet from the external property line of the agricultural uses.

B. Review Process

1. Growing Grounds - Growing Grounds are allowed to be located anywhere within the Agricultural District, and no permit is required.

2. Other Agricultural Activities (includes buildings, shade structures and activity hubs) shall be permitted subject to an approved Agricultural Activity Permit submitted on application forms prescribed by the Planning Director, based on the type of use and location on the site, as follows:

(a) **Agricultural Activity Permit** - If the proposed Agricultural Activity is located at Internal Site Areas and is consistent with the standards listed below, an Agricultural Activity Permit may be issued over the counter. No public notice, Development Plan or public hearing is required. A building or grading permit shall be obtained if otherwise required for the proposed use. An Agricultural Activity Permit may also be issued over the counter if the proposed Agricultural Activity is located within a Perimeter Site Area and each owner of any property or properties within 500 feet of the external property line of the proposed Agricultural Activity provides a written waiver of the public hearing requirement (see (B.2.c) below).

(b) **Alternate Agricultural Activity Permit** - If the proposed Other Agricultural Activity is located at Internal Site Areas and is not consistent with all of the standards listed below, alternatives to the standards may be proposed. An application for a Alternate Agricultural Activity Permit shall be submitted on forms provided by the City, and shall be reviewed by the Planning Director. Public notice is required. No Development Plan or public hearing is required, however, the following findings must be made by the Planning Director to approve or conditionally approve the proposed alternative and issue an Alternate Agricultural Activity Permit. The Planning Director may, at his discretion, forward the Alternate Agricultural Activity Permit to the Planning Commission for its review and action. A building or grading permit shall be obtained if otherwise required for the

proposed use.

Findings for an Alternate Agricultural Activity Permit:

I. There is reasonable justification for the alternative proposed.

II. The proposed use is in accordance with the objectives of the zoning ordinance and the purposes of the agricultural district.

III. The proposed use is reasonably necessary to the operation of the business at the site.

IV. Any environmental impacts can be mitigated in accordance with the California Environmental Quality Act.

V. The proposed use will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City nor shall it constitute a nuisance.

VI. The proposed modifications generally meet the intent of the guidelines herein.

(c) **Planning Commission Review** - If the proposed Other Agricultural Activity is located within Perimeter Site Areas, an Agricultural Activity Permit or an Alternate Agricultural Activity Permit shall be reviewed and approved conditionally approved or denied at a public hearing conducted by the Planning Commission. If other development-related applications are also required for aspects of the proposed project, such plans shall be reviewed concurrently by the Planning Commission. A public hearing is not required if the proposed Other Agricultural Activity is located within a Perimeter Site Area, and each owner of any property or properties within 500 feet of the external property line of the proposed Agricultural Activity provides a written waiver of the public hearing requirement.

(d) **Appeals** - Decisions of the Planning Director may be appealed to the Planning Commission and decisions of the Planing Commission may be appealed to the City Council in accord with Article 46.

C. Development Standards for Agricultural Activities

Agricultural uses shall be permitted within the A District if the following standards are met:

1. All activity shall take place on the premises, including but not limited to staging, parking of all vehicles for employees, customers, vendors, suppliers and visitors, the breaking down of trucks, and truck turn-around areas; no parking or idling or breaking down or other aspects of the Activity shall be permitted on the public streets.

2. All parking, access driveways and staging areas must be surfaced and maintained with either asphalt, concrete, DG, gravel or rock and no mud shall be tracked onto the public roads.

3. Sufficient parking spaces for employees, clients and guests must be provided onsite to meet the needs of the agricultural operation and activities.

4. Truck parking shall be provided on site that is sufficient in size and number to meet the needs of the agricultural operation and activities.

5. Adequate site access must be provided for all vehicles. See Section 3114 regarding driveway widths and clearances.

6. A truck turnaround area or other suitable truck route through the property shall be provided to accommodate trucks serving onsite operations.

7. Trucks serving the property, including but not limited to packing and greenhouse operations, cannot park and/or idle on public streets. Onsite parking must be available 24-hours per day.

8. Outdoor area lighting shall not employ a light source higher than 25 feet. Building plans submitted for building permit shall include provisions indicating the lighting is properly shielded and directed so as to prevent glare on surrounding properties or onto an adjacent street. Lighting shall comply with all City codes and ordinances in effect at the time of building permit issuance including any light pollution control measures.

9. Agricultural operations shall use Best Management Practices for dust and emissions control and erosion control and must comply with the City's Erosion Control ordinance.

10. The use and storage of chemicals and pesticides shall comply with the regulations set forth by the California State Department of Pesticide Regulation, as enforced by the San Diego County Agriculture Weights and Measures Department.

11. Agricultural operations shall meet all federal, state, regional and City requirements for discharge and drainage including, but not limited to requirements of Regional Water Quality Control Board (RWQCB) and National Pollution Discharge Elimination System (NPDES).

12. Owner/operator/tenant will be responsible for maintaining property and the street area directly adjacent to the property. All trash found within this area will be collected and disposed of properly. In addition, owner/operator/tenant will be responsible for collecting any other trash directly identifiable with the operation, and will dispose of it properly.

13. The agricultural operation shall be in compliance with all local, state and federal environmental protection laws.

14. Outdoor storage areas shall conform with the requirements of Section 3020.

15. Other Agricultural Activity areas shall not be located in any required setback or yard area, required landscape area, required drive aisle, or driveway.

16. Other Agricultural Activity areas and any associated screening or landscaping shall be maintained in good repair. Any dilapidated or dangerous conditions shall be repaired or removed. Graffiti shall be removed in accordance with the City's Graffiti Ordinance.

17. Any grading shall be done in compliance with the City's Grading Ordinance.

18. The maximum height of a fence or wall, including retaining walls, shall be 8 feet and shall be maintained. In addition, all fences and walls shall be subject to the driveway visibility requirements of Section 3115 and all retaining walls over 4 feet in height shall be a planted and irrigated crib-type wall.

19. Signs shall conform with the requirements of Article 33.

20. The screening of mechanical equipment shall conform with the requirements of Section 3021.

21. Agricultural activities shall conform with the Performance Standards in Section 3024.

22. The keeping of animals shall conform with the requirements of Section 3034.

Article 43 Development Plan Review

Sections:

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4301 Purpose and Applicability

The ensure that new development complies with all applicable requirements of this ordinance, development plans shall be required for development projects as provided in this article.

More specifically, the purposes of development plan review are to:

A. Ensure that the architectural design of structures, and that plans for the landscaping of open spaces conform with the requirements of this ordinance, and with any prior conditions of approval;

B. Ensure that new development will not create public service and facility demands exceeding the capacity of existing and planned infrastructure.

4302 Review Requirements

Development plans shall be reviewed as follows:

A. All development plans shall be reviewed by the Planning Department and by any other City department or division or governmental agency designated by the Planning Director. The Planning Director or Planning Commission shall approve, conditionally approve or deny all development plans except as provided in this section.

B. Development plans for projects in an H Historic Overlay District shall be reviewed by the Historic Preservation Advisory Commission, and approved, conditionally approved or denied by the Planning Commission. Development plans for the alteration, enlargement or demolition of a designated historical site shall be approved, conditionally approved or denied by the Historic Preservation Advisory Commission, as provided by Section 2111.

C. For development plans for projects within designated redevelopment areas, the Redevelopment Director shall recommend approval, conditional approval or denial to the Community Development Commission. For development plans within the Oceanside Small Craft Harbor, recommendations shall be made by the Harbor Chief Executive Officer for processing and action by the Harbor Board of Directors.

D. Development plans for projects in redevelopment areas shall be reviewed and approved, conditionally approved or denied by the Community Development Commission, as provided by an adopted redevelopment plan.

E. All projects within the Oceanside Small Craft Harbor shall require Development Plans which shall be reviewed and approved, conditionally approved or denied by the Harbor Board of Directors. The Board shall have final decision-making authority except for projects which are also within a redevelopment area, in which case the Community Development Commission shall have final authority.

F. The Planning Commission shall approve, conditionally approve, or disapprove development plans for projects as follows:

1. R, A, OS, PS and PD Districts. All projects except (a) single-family residences, (b) projects with less than ~~three~~ five, housing units, (c) exterior alterations and additions of less than ~~2,500~~ 5,000 square feet of floor area.

2. C Districts. All proposed projects on sites of two acres or more involving new construction,—all additions of more than ~~2,500~~ 10,000 square feet of floor area on sites of two acres or more, and any exterior alterations to existing buildings or building complexes greater than or equal to 10,000 square feet of floor area.

3. I Districts. All projects involving new construction of 100,000 square feet of floor area or more, exterior alterations to existing structures of 100,000 square feet of floor area or more, or additions of 100,000 square feet of floor area or more.

G. The Planning Director shall administratively approve, conditionally approve, or disapprove development plans for projects as follows:

1. R and A Districts. Projects as follows: (a) single-family residences in the A district, (b) projects with ~~two~~ five housing units or more in R districts.

2. C Districts. All proposed projects on sites of less than two acres involving new construction, any addition of square footage to existing structures on sites of less than two acres, and all additions of less than 2,500 square feet of floor area on sites of two acres or more.

3. I Districts. All projects involving new construction of less than 100,000 square feet of floor area, all additions of less than 100,000 square feet of floor area, and all exterior alterations to existing buildings or building complexes greater than or equal to 10,000 square feet and less than 100,000 square feet of floor area.

H. The Planning Director may refer development plans for any project to the Planning Commission for review and approval if he finds that the project may conflict with the purposes and standards of the base district and any overlay districts applicable to the project or with the purposes of this article, or if public services and facilities serving the project may be inadequate. Such projects shall be the subject of a public hearing, as provided by Section 4308.

4303 Initiation of Development Plan Review

An application for a development 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 ownership shall be submitted with the application.

4304 Application for Development Plan

The following plans and materials shall be submitted with a Development Plan application provided that the Planning Director may waive submission of items deemed unnecessary to determine compliance with applicable requirements of this ordinance:

A. A completed application package and form, signed by the property owner or authorized agent, accompanied by the required fee, plans and mapping documentation in the form prescribed by the Planning Director;

B. A fully dimensioned site plan showing:

1. The architect's or designer's name, address, and telephone number;

2. Scale of plan and north arrow;

3. Street address of site and vicinity map showing the relationship of the site to the surrounding area;

4. Existing and proposed property lines, right-of-way lines, dedications, and easements;

5. Locations of existing and proposed structures, driveways, walks and open spaces; and

6. Locations, heights, and materials of existing and proposed walls and fences.

C. A statement describing the proposed use and calculations in tabular form showing compliance with applicable density, coverage, parking, and open-space regulations.

D. A fully dimensioned landscape plan.

E. A grading plan showing proposed changes in grade and the total volume of land to be cut or filled, with proposed drainage patterns indicated by arrows.

F. A fully dimensioned parking and loading plan showing:

1. Locations and dimensions of all parking and loading spaces, driveways and vehicular entrances, with proposed traffic circulation patterns indicated by arrows; and

2. Calculations showing the number of parking and loading spaces required by size and the number proposed.

G. Elevations of proposed structures, showing exterior wall openings and describing exterior materials.

H. Floor plans showing the proposed use and exterior wall openings.

I. Locations, dimensions, and heights of all signs.

J. Any other informational items deemed necessary by the Planning Director in order to fully analyze and review the proposed development.

4305 Notice, Administrative Decision, and Public Hearing

A. Administrative Decision. For projects that require development plans to be considered by the Planning Director, the Planning Director shall administratively approve, conditionally approve, or disapprove the development plan application.

B. Public Hearing Required. For projects that require development plans to be considered by the Planning Commission, a public hearing of the Planning Commission shall be held to approve, conditionally approve, or disapprove the development plan application.

C. Time of Administrative Decision or Public Hearing. Within 10 working days after acceptance of a complete application, the Planning Director shall set a time and place for an administrative decision or a public hearing to be held within 60 days.

D. Notice. Notice of the Planning Director's administrative decision, or the Planning Commission's public hearing as the case may be, shall be given in the following manner:

1. Published Notice. Notice shall be published in at least one newspaper of general circulation within the City at least 10 days prior to the administrative decision or public hearing on the project.

2. Mailed or Delivered Notice. At least 10 days prior to the administrative decision or public hearing, notice shall be mailed to the applicant and all owners of property within 300 feet of the boundaries of the site, as shown on the last equalized property tax assessment role.

E. Contents of Notice. The notice for the administrative decision or the public hearing shall contain:

1. A description of the location of the development site and the purpose of the application;

2. A statement of the time, place, and purpose of the administrative decision or public hearing;

3. A reference to application materials on file for detailed information; and

4. A statement that any interested person or an authorized agent may comment or appear and be heard.

4306 Required Findings

The Planning Commission, or the Planning Director as the case may be, may approve an application for a development plan if, on the basis of the application, plans, materials, and testimony submitted, the Planning Commission or the Planning Director finds:

A. For the Development Plan

1. That the site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance.

2. That the Development Plan as proposed conforms to the General Plan of the City.

3. That the area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities.

4. That the project as proposed is compatible with existing and potential development on adjoining properties or in the surrounding neighborhood.

5. That the site plan and physical design of the project is consistent with the policies contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the Development Guidelines for Hillsides, and Section 3039 of this ordinance.

4307 Conditions of Approval

In approving a development plan, the Planning Commission, or the Planning Director as the case may be, may impose reasonable conditions necessary to:

A. Achieve the general purposes of this ordinance or the specific purposes of the zoning district in which the project is located, or to make it consistent with the General Plan;

B. Protect the public health, safety, and general welfare; and

C. Ensure that the site plan and physical design of the project is compatible with existing and potential uses on adjoining properties or in the surrounding neighborhood.

4308 Effective Date; Lapse of Approvals; Time Extensions; Changed Plans

A. Effective Date. Development plans administratively approved by the Planning Director shall become effective on the date of the Planning Director's administrative decision, unless appealed to the Planning Commission, as provided for in this article. Development plans approved by the Planning Commission shall become effective on the date of adoption of the Planning Commission resolution, unless appealed, as provided for in Article 46.

B. Lapse of Approvals. Development plan approvals shall lapse two years after the effective date of approval or conditional approval or at an alternate time specified as a condition of 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 Development Plan is approved concurrently with a Tentative Map and a Final Map or Parcel Map is recorded, the Development Plan shall be effective for an additional 24 months from the date of recordation of the Final Map or Parcel Map.

5. In the situation where items #1 and/or #2 above have occurred and site activity had commenced and been completed in earlier phases of the overall development plan but no site grading or building permit activity had occurred on the remaining undeveloped portion of the site for a period of five years, a new development plan must be obtained.

C. Time Extension. Upon application by the project applicant filed prior to the expiration of an approved or conditionally approved development plan, the time at which the development plan expires may be extended by the Planning Director, or the Planning Commission as the case may be, for a period or periods not to exceed a total of three years. Application for renewal shall be made in writing to the Planning Director no less than 30 days or more than 90 days prior to expiration.

D. Changed Plans. A request for changes in conditions of approval of a development plan, or a change to the 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.

4309 Appeals

A. Rights of Appeal and Review. Development plan decisions of the Planning Director may be appealed by any interested party to the Planning Commission. Development plan decisions of the Planning Commission may be appealed by any interested party to the City Council.

B. Procedures; Public Hearings. Procedures for appeals shall be as prescribed by Article 46.

Article 11 C Commercial Districts

Sections:

1110 Specific Purposes
1120 CN, CC, CG, CL, CR, CV, CS, and CP Districts: Land Use Regulations
1130 CN, CC, CG, CL, CR, CV, CS, and CP Districts: Property Development Regulations
1140 Review of Plans

1110 Specific Purposes

In addition to the general purposes listed in Article 1, the specific purposes of commercial district regulations are to:

A. Provide appropriately located areas consistent with the General Plan for a full range of office, retail commercial, and service commercial uses needed by residents of, and visitors to, the city and region.

B. Strengthen the city's economic base, and provide employment opportunities close to home for residents of the city and surrounding communities.

C. Create suitable environments for various types of commercial uses, and protect them from the adverse effects of inharmonious uses.

D. Minimize the impact of commercial development on adjacent residential districts.

E. Ensure that the appearance and effects of commercial buildings and uses are harmonious with the character of the area in which they are located.

F. Ensure the provision of adequate off-street parking and loading facilities.

G. Provide sites for public and semipublic uses needed to complement commercial development or compatible with a commercial environment.

The additional purposes of each C district are as follows:

CN Neighborhood Commercial District. To provide sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses adjoining a CN district.

CC Community Commercial District. To provide sites for commercial centers containing a wide variety of commercial establishments, including businesses selling home furnishings, apparel, durable goods, and specialty items and generally having a citywide market area. Support facilities such as entertainment and eating-and-drinking establishments are permitted, subject to certain limitations to avoid adverse effects on adjacent uses.

CG General Commercial District. To provide opportunities for the full range of retail and service businesses deemed suitable for location in Oceanside, including businesses not permitted in other commercial districts because they attract heavy vehicular traffic or have certain adverse impacts; and to provide opportunities for certain limited manufacturing uses that have impacts comparable to those of permitted retail and service uses to occupy space not in demand for retailing or services.

CL Limited Commercial District. To provide opportunities for a limited range of retail and service businesses that do not generate significant amounts of traffic, nor have high public service demands. Automobile-oriented uses, such as service stations and drive-up restaurants, are not permitted or are limited.

CR Commercial Recreation District. To provide sites for recreation-oriented residential and commercial activities conveniently located near recreational and scenic areas with easy access to freeways, expressways and arterials.

CV Visitor-Commercial District. To provide opportunities for recreation-oriented and visitor-serving commercial activities conveniently located near recreational and scenic areas. This district is intended for specialized commercial uses directly dependent, supportive or related to the Coast, including the Harbor, the San Luis River area, and the municipal pier.

CS Special Commercial District. To provide opportunities for residential, commercial, public and semipublic uses appropriate for the special commercial areas identified by the General Plan. Subdistrict designators are established as:

- HO for highway oriented commercial areas;
- L for limited commercial areas including the Mission Area and certain scenic areas.

CP Commercial Professional District. To provide a landscaped environment for offices that is protected from the more intense levels of activity associated with retail commercial development.

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

A. Establish a procedure for the development of parcels as a mixed-use development.

B. Ensure orderly and thorough planning and review procedures that will result in quality urban design.

C. Encourage 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.

1120 CN, CC, CG, CL, CR, CV, CS, and CP Districts: Land Use Regulations

In the following schedules, the letter "P" designates use classifications permitted in commercial districts. The letter "L" designates use classifications subject to certain limitations prescribed by the "Additional Use Regulations" that follow. The letter "U" designates use classifications permitted on approval of a use permit. The letters "P/U" designate use classifications permitted on the site of a permitted use, but requiring a use permit on the site of a conditional use. Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Regulations" column reference regulations following the schedule or located elsewhere in this ordinance. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

CN, CC, CG, CL, CR, CV, CS, AND CP DISTRICTS: LAND USE REGULATIONS

P - Permitted
U - Use Permit
L - Limited, (See Additional Use Regulations)
- - Not Permitted
A - Administrative Conditional Use Permit

	CN	CC	CG	CL	CR	CV	CS-HO	CS-L	CP	Add. Reg.
Residential										(A)
Day Care, Ltd.	P	P	P	P	P	P	P	P	P	
Single-family Residential	L1	-	L1	L1	L1	-	L1	L1	P	
RV Parks	-	-	U	-	-	U	-	-	-	(L)
Public and Semipublic										(A) (T)
Child Care	L-11	L-11	L-11	L-11	L-11	L-11	L-11	L-11	L-11	
Clubs and Lodges	L29	L29	L29	L29	L29	-	L29	U	L29	

C Commercial Land Use Regulations (continued)

	CN	CC	CG	CL	CR	CV	CS-HO	CS-L	CP	Add. Reg.
Convalescent Facilities	-	-	-	-	-	-	-	-	U	
Cultural Institutions	L29	L29	L29	L29	L29	L29	L29	L29	L29	
Day Care, General	~~U~~A	~~U~~A	~~U~~A	~~U~~A	~~U~~A	~~U~~A	~~U~~ A	~~U~~ A	~~U~~A	
Emergency Health Care	L15	L15	L15	-	-	-	L15	L15	L15	
Emergency Shelter	U	U	U	U	-	-	U	-	U	
Government Offices	L29	L29	L29	L29	-	-	L29	-	P	(T)
Heliports	-	-	-	-	U	-	-	-	U	(B)
Hospitals	-	U	-	-	-	-	U	-	U	
Park and Recreation Facilities	-	P	-	-	P	P	P	P	P	(C)
Public Safety Facilities	U	U	U	U	U	U	U	U	U	
Religious Assembly (M)	L26	L26	L26	L26	-	-	-	~~L33~~L26		L26
Residential Care, General	L34	L34	L34	L34	-	-	L34	L34	U	
Resource Centers	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	
Schools, Public or Private	~~U~~A	~~U~~A	~~U~~A	~~U~~A	-	-	~~U~~A	~~U~~A	~~U~~A	
Transitional Housing	U	-	U	U	-	-	U	-	U	
Utilities, Major	L19	L19	L19	L19	L19	L19	L19	L19	L19	
Utilities, Minor	P	P	P	P	P	P	P	P	P	(Q)
Commercial Uses										(A) (D) (J) (K) (T)
Adult Businesses	-	L3	L3	-	-	-	-	-	-	(E) (K)
Ambulance Services	L15	L15	L15	-	-	-	L15	-	P	

C Commercial Land Use Regulations (continued)

	CN	CC	CG	CL	CR	CV	CS-HO	CS-L	CP	Add. Reg.
Animal Sales and Services:										
Animal Boarding	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	-	-	-	-	-	
Animal Grooming	P	P	P	P	-	-	-	L16	-	
Animal Hospitals	P	P	P	P	-	-	P	L16	-	
Animals Retail Sales	P	P	P	P	-	-	P	L16	-	
Artists' Studios	P	P	P	P	L28	L28	-	L28	-	(K)
Banks and Savings & Loans:	P	P	P	P	-	-	P	P	P	
Drive-thru/ Drive-up Service	~~L27~~A	~~L27~~A	~~L27~~A	~~L27~~A	-	-	~~L27~~A	~~L27~~A	~~L27~~A	
Self Service Facilities (ATMs)	L21	L21	L21	L21	L21	L21	L21	L21	L21	
Building Materials & Services	P	P	P	U	-	-	P	-	-	(T)
Catering Services	P	P	P	P	-	-	P	P	-	
Commercial Recreation and Entertainment	L29	L29	L29	L30	L29	L29	L29	L16	-	(F) (K)
Communication Facilities	-	P	P	-	-	-	-	-	P	

C Commercial Land Use Regulations (continued)

	CN	CC	CG	CL	CR	CV	CS-HO	CS-L	CP	Add. Reg.
Eating and/or Drinking Establishments:	P	P	P	P	P	P	P	P	L4	(K) (T)
With Wine and Beer Service	P	P	P	P	P	P	P	P	L4	(K) (T)
With Full Alcoholic Beverage Service	U	U	U	U	U	U	U	U	U	(K) (T)
With Live Entertainment	~~L30~~U	~~L29~~U	~~L29~~U	~~L30~~U	~~L29~~U	~~L29~~U	~~L29~~U	~~L29~~U	-	(O) (T)
w/Take-out Service:										
Drive-thru/ Drive-up	L23	~~U~~A	~~U~~A	-	~~U~~A	-	~~U~~A	-	-	(N)
Food and Beverage Sales	L5	L5	L5	L5	L5	L5	P	L5	-	(K) (T)
Funeral and Interment Services	L6	L6	L6	-	-	-	L6	L6	-	
Home Improvement	P	P	P	P	-	-	P	-	-	(T)
Horticulture, Limited	P	P	P	P	P	P	P	P	P	(R) (S)
Laboratories	-	-	P	-	-	-	-	-	P	
Maintenance and Repair Services	P	P	P	P	-	-	-	-	-	(T)
Marine Sales and Services	-	-	P	-	-	P	-	-	-	(T)
Nurseries	L35	L35	L35	-	-	-	L35	L35	-	(T)

C Commercial Land Use Regulations (continued)

	CN	CC	CG	CL	CR	CV	CS-HO	CS-L	CP	Add. Reg.
Offices, Business & Professional	P	P	P	P	L2	L2	P	L2	P	(T)
Payday Loan/ Paycheck Adv.	-	L3	L3	-	-	-	-	-	-	(E) (T)
Pawn Shops	-	U	U	-	-	-	-	-	-	
Personal Improvement Services	L25	L25	L25	L25	L25	-	L25	L25	L25	(K)
Personal Services	P	P	P	P	L29	L29	P	L29	L29	(K)
Research and Development Services	-	-	P	-	-	-	-	-	P	(T)
Retail Sales	P	P	P	P	L8	L8	P	P	-	(T)
Secondhand Furniture/ Appliances/ Clothing	L28	L28	L28	L28	-	-	L28	L28	-	(T)
Swap Meets, recurring	-	-	U	-	-	-	-	-	-	
Travel Services	P	P	P	P	P	P	P	P	P	
Vehicle/Equipment Sales & Services:										
Automobile Washing	~~U~~A	~~U~~A	~~U~~A	~~L31~~A	-	-	~~U~~A	-	-	(G) (T)
Service Stations	~~U~~A	~~U~~A	~~U~~A	~~L31~~A	~~L7~~A	-	~~U~~A	U	-	(G) (T)
Vehicle/ Equipment Repair	~~L32~~A	~~L32~~A	~~L32~~A	~~L31~~A	-	-	~~L32~~A	~~L20~~A	-	(T)

C Commercial Land Use Regulations (continued)

	CN	CC	CG	CL	CR	CV	CS-HO	CS-L	CP	Add. Reg.
Vehicle/ Equipment Sales & Rentals	~~U~~A	~~U~~A	~~U~~A	~~L31~~A	~~L14~~A	~~L14~~A	~~U~~A	-	-	(T)
Visitor Accommodations:										
Bed and Breakfast Inns	L27	L27	L27	L27	L27	L27	L27	L27	L27	(H)
Hotels, Motels and Time-Shares	U	U	U	U	U	U	U	L12	-	(P)
SRO Hotels	-	U	U	-	-	-	-	-	-	
Warehousing and Storage, Ltd.	-	-	L9	-	-	-	-	-	(T)	
Industrial										
Food Processing	L22	L22	L22	L22	-	-	L22	L22	-	
Industry, Custom	-	-	L8	-	-	-	-	-	-	(T)
Industry, Limited	-	-	L8	-	-	-	-	-	-	(T)
Wholesaling, Distribution & Storage	-	-	L8	-	-	-	-	-	-	(T)
Agriculture and Extractive Uses										
Crop Production	L24	L24	L24	L24	L24	L24	L24	L24	L24	(R) (S)
Accessory Uses	P/U	P/U	P/U	P/U	P/U	P/U	P/U	P/U	P/U	(I) (S) (T)

C Commercial Land Use Regulations (continued)

	CN	CC	CG	CL	CR	CV	CS-HO	CS-L	CP	Add. Reg.
Nonconforming Uses										(J)
Temporary Uses										
Agricultural Special Sales, Seasonal	P	P	P	P	P	-	P	P	-	(U)
Mixed Uses	L-37	L-37	L-37	L-37	L-37	L-37	L-37	L-37	L-37	

C Districts: Additional Use Regulations

L-1 Not permitted on ground level.

L-2 Permitted as part of a mixed-use project, occupying less than 25 percent of the gross floor area.

L-3 Allowed with Conditional Use Permit, subject to the requirements of Article 36 of this Ordinance.

L-4 Permitted as a secondary use occupying no more than 1000 square feet in a building; Administrative Use Permit required for more space up to 5 percent of gross floor area of a building.

L-5 An Administrative Conditional Use Permit is required for convenience stores. Convenience stores shall not be located within 500 feet of a site occupied by a public or private school, park or recreational facilities, and no exterior vending machines shall be permitted. Convenience stores may be operated only between the hours of 6 a.m. and 10 p.m.. Longer hours may be approved with the use permit if the use is found not to have an adverse effect on neighboring uses.

L-6 Only mortuaries allowed - subject to a Administrative Conditional Use Permit.

L-7 Conditional Use Permit required. Repair services and automobile washing are prohibited.

C Districts: Additional Use Regulations

L-8 Only "limited," or "small-scale," facilities, as defined in Use Classifications allowed with a Administrative Conditional Use Permit.

L-9 Storage tanks, distribution terminals, emission-control systems, pumping stations, service yards, transportation facilities, pipelines, or any other facilities supporting offshore oil and gas drilling operations shall be prohibited.

L-10 Reserved.

L-11 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS, CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a Child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, an Administrative Development Plan Review is required. An Administrative Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

L-12 Up to 200 rooms allowed with a Conditional Use Permit.

L-13 Reserved.

L-14 Recreational vehicles and recreational equipment rentals only.

L-15 Administrative Conditional Use Permit required if use is an Ambulance Service or an Emergency Health Care facility which utilizes ambulance service and either use is also located within 1,000 feet of an R district or the boundaries of a site occupied by a Public or Private School or Park and Recreation Facility. conditions may be imposed in approving such a permit to limit vehicle speeds or use of sirens. In the CS-L district, Emergency Health Care facility permitted with a Conditional Use Permit. Not permitted within ~~if outside~~ the Mission San Luis Rey Historic Core Area.

L-16 Only permitted outside the Mission San Luis Rey Historic Core Area. "Small-scale" Commercial Recreation and Entertainment allowed, all others require an Administrative Conditional Use Permit. ~~Any "regulated" use or card room requires a Conditional Use Permit.~~

L-17 Reserved.

L-18 Only "small-scale" facilities allowed with the approval of an

Administrative Use Permit.

L-19 A Conditional Use Permit is required for generating plants, electrical substations, lone switching buildings, refuse collection, transfer, recycling or disposal facilities, water reservoirs, water or wastewater treatment plants, transportation or communication utilities, and similar facilities of public agencies or public utilities. Aboveground electrical transmission lines are not permitted unless determined to be consistent with a utility corridor plan approved by the Planning Commission. Flood control or drainage facilities are permitted if they are consistent with approved master drainage and/or flood-control plans.

L-20 Limited or "small-scale" facilities allowed with a Conditional Use Permit outside the Commercial Village Core designated in the Mission SLR Historic Guidelines within a multi-tenant structure.

L-21 Walk-up automatic teller machines (ATMs) allowed if included within or attached to a building serving another use; freestanding structures for walk-up ATMs allowed with an Administrative Use Permit.

L-22 Large Scale facilities may be allowed if they include a retail component and an area for consumption of the products produced on the site (i.e., tables, chairs, etc.). An administrative use permit, approved by the Planning Director, would define the minimum area devoted to retail customer service and office support to the principle food processing activity, but a minimum of 1/3 of the gross square footage of the building facility shall be used as a guideline for the retail service/office support area.

L-23 One drive-thru/drive-up restaurant allowed with a Administrative Conditional Use Permit in a Shopping Center of 10 acres or greater.

L-24 Allowed on sites of more than 2.5 acres with the approval of an Administrative Use Permit issued by the Planning Director.

L-25 "Small-scale" facilities allowed. All others require a Administrative Conditional Use Permit. Within the CS-HO and CS-L, a personal improvement use greater than 5,000 square feet is allowed only in a community shopping center and requires a Administrative Conditional Use Permit.

~~L-26 "Small-scale" facilities (5,000 square feet or less) allowed with the approval Administrative Conditional Use Permit issued by the Planning Director. All others allowed with the approval of a Conditional Use Permit.~~

C Districts: Additional Use Regulations (continued)

L-27 Allowed with an Administrative Use Permit issued by the Planning Director.

L-28 "Small-scale" facilities allowed. All others require the approval of an Administrative Use Permit issued by the Planning Director.

L-29 "Small-scale" facilities allowed. All others require the approval of a Administrative Conditional Use Permit. ~~"Regulated" uses or card rooms require a Conditional Use Permit.~~

L-30 Only "small-scale" facilities allowed. "Regulated" uses or card rooms require a Conditional Use Permit.

~~L-31 Allowed with a Conditional Use Permit or an Administrative Use Permit in a building existing as of October 20, 1995 that does not require substantial modifications to accommodate the use. Substantial modifications shall mean greater than a ten percent increase in square footage of the existing building. Glass installation and tinting, cellular phone installation, and stereo installation allowed with an Administrative Use Permit. All others require a Conditional Use Permit.~~

~~L-32 Glass installation and tinting, cellular phone installation, and stereo installation allowed with an Administrative Use Permit. All others require a Conditional Use Permit.~~

~~L-33 Religious assembly allowed with the approval of a Conditional Use Permit allowing for a maximum of 5 years, if the following findings can be made:~~

~~a. The location proposed is not in an area considered "prime" for immediate commercial development.~~

~~b. Parking must be provided as required by the parking regulations for religious assemblies under Article 31, except that parking may be shared with other commercial uses in the vicinity, if it can be shown that the uses will not conflict.~~

~~c. Buildings shall meet the requirements imposed by the current applicable edition of the Uniform Building Code for assembly occupancy.~~

~~d. The religious assembly activities do not interfere with the primary commercial uses in the area. The analysis of whether there is such interference shall include consideration of the immediate existing users in the vicinity, and any public health and safety issues in establishing a religious assembly use at that location.~~

~~e. Religious assembly uses are considered temporary uses, and are limited to a 5-year duration. Additional 5-year or shorter increments, whichever is deemed appropriate, may be requested through an additional Conditional Use Permit process.~~

L-34 Limited to senior, residential care assisted-living units for persons age 55 and older with the approval of a Administrative Conditional Use Permit.

L-35 An Administrative Use Permit is required for nurseries having growing or propagation areas greater than 2.5 acres.

L-36 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS, CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, a Development Plan Review is required. A Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

L-37 Mixed use development is permitted and requires the approval of a "Mixed-Use Development Plan" and Conditional Use Permit to determine compatibility with surrounding development and uses in the area.

(A) See Section 3002: Relocated Buildings (Administrative Use Permit required).

(B) See Section 3036: Helicopter Takeoff and Landing Areas.

(C) Limited to facilities on sites 2 acres or less.

(D) In the CN district, a commercial use having open parking or wall openings within 100 feet of an R district shall not operate between 10 p.m. and 7 a.m. unless authorized by a use permit.

(E) The exterior walls of any use regulated by Article 36 shall be located so as to comply with the provisions of that Article.

(F) See Section 3027: Arcades and Game Centers. Card rooms, as defined and regulated by Chapter 8 of the City Code, are not permitted in the Coastal Zone.

(G) See Section 3011: Service Stations and Automobile Washing.

(H) See Section 3031: Bed and Breakfast Inns.

(I) See Section 3005: Nonresidential Accessory Structures.

(J) See Article 35: Nonconforming Uses and Structures.

(K) All "regulated uses", as defined in Article 36, shall be subject to a use permit as well as other requirements as may be imposed by that Article.

(L) See Section 3029: Recreational Vehicle Parks.

(M) See Section 3004: Religious Assembly Yard Requirements.

(N) Uses on separate freestanding sites that are outside shopping centers and have adjoining parking shall not be closer than 500 feet to a public or private school, park, or playground. Identifiable containers and napkins shall be used for all carryout food, and all litter shall be promptly removed. A use permit may require the operator to contract with a cleanup service if it is determined that a litter problem exists.

(O) See Section 3010: Live Entertainment.

(P) See Section 3030: Time-Share Resort Projects.

(Q) See Section 3025: Antennas and Microwave Equipment.

(R) Any Horticulture, Limited or Crop Production use must conform to the City's Grading Ordinance including the requirement that the grading and/or agricultural operation will not cause significant damage to any environmentally sensitive areas nor cause elimination of any significant wildlife habitat or riparian area. Sufficient buffering of the operation should be provided from adjacent residential uses.

(S) Agricultural Sales Stands, in conjunction with a Horticulture, Limited or Crop Production use, shall be permitted subject to the locational and development standards of Section 3038.

(T) See Section 3020: Outdoor Facilities; outdoor storage, outdoor display of materials, outdoor food service, outdoor storage containers, working outdoors and temporary outdoor sales events and activities shall comply with the standards of this section.

(U) See Section 3038: Agricultural Sales; Seasonal Agricultural Specialty Sales requires a business license and is subject to the operational standards of Section 3038.

1130 CN, CC, CG, CL, CR, CS, CV, and CP Districts: Property Development Regulations

The following schedule prescribes development regulations for the CN, CC, CG, CL, CR, CS, CV, and CP districts. The columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Regulations" column reference regulations following the schedule or located elsewhere in the zoning ordinance.

CN, CC, CG, CL, CR, CS, CV, and CP DISTRICTS DEVELOPMENT REGULATIONS

	CN	CC	CL CG	CR CS CV	CP	Add. Reg.
Residential Development						(A) (X)
Nonresidential Development						(X)
Minimum Lot Area (sq. ft.)	10,000	10,000	10,000	10,000	10,000	(B) (C)
Minimum Lot Width (ft.)	-	-	-	-	-	(C)
Minimum yards:						
Front (ft.)	15	15	15	15	20	(D) (F)
Side (ft.)	-	-	-	-	-	(D) (E) (F)
Corner Side (ft.)	10	15	10	10	20	(D) (F)
Rear (ft.)	-	-	-	-	10	(D) (E) (F)
Maximum Height of Structures (ft.)	50	50	50	50	50	(G) (H) (V) (W)
Maximum Lot Coverage	50%	50%	75%	50%	50%	
Maximum Base FAR	1.0	1.0	1.0	1.0	1.0	
Maximum FAR Bonus	0.2	0.5	0.2	0.2	0.5	(I)
Minimum Site Landscaping	15%	15%		15%	15%	(J) (K)
< 5 acres			10%			
> 5 acres			15%			

CN, CC, CG, CL, CR, CS, CV, and CP DISTRICTS DEVELOPMENT REGULATIONS (continued)

	CN	CC	CL CG	CR CS CV	CP	Add. Reg.
Maximum Vertical Wall Dimension (ft.)	(L)	(L)	(L)	(L)	(L)	
Maximum Horizontal Wall Dimension (ft.)	-	200	-	-	200	(M)
Fences and Walls			See Section 3040			
Required Building Lines	-	-	(P)	(P)	-	
Off-Street Parking and Loading						(Q) (R)
Vehicular Access			See Section 3114			
Signs			See Article 33			
Outdoor Facilities			See Section 3020			(S)
Views into Buildings						(T)
Screening of Mechanical Equipment			See Section 3021			(S)
Employee Eating Areas						(U)
Refuse Storage Areas			See Section 3022			
Underground Utilities			See Section 3023			
Performance Standards			See Section 3024			
Nonconforming Structures			See Article 35			

CN, CC, CG, CL, CR, CS, CV, and CP Districts:
Additional Development Regulations

(A) Dwelling units shall be subject to the standards for height limits, maximum density, court provisions, and outdoor living areas for the RM-A District, as prescribed by Section 1050. Recreational vehicle parks shall be subject to the requirements of Section 3029.

(B) See Section 3013: Development on Substandard Lots.

(C) Smaller lot requirements may be permitted with an approved development plan and tentative subdivision maps.

(D) See Section 3015: Building Projections into Yards and Courts. Double-frontage lots shall provide front yards on each frontage.

(E) A 15-foot side or rear yard shall adjoin an R district, and structures shall not intercept a 1:1 or 45-degree daylight plane inclined inward from a height of 6 feet above existing grade at the R district boundary line (See Diagram E).

(F) At least 50 percent of each required yard shall be landscaped. This area may be counted in determining compliance with minimum site landscaping requirements. The remainder of the required yard area may be used for necessary drives and walks.

(G) See Section 3017: Measurement of Height.

(H) See Section 3018: Exceptions to Height Limits.

(I) Additional FAR shall be permitted for:

(1) Underground parking: 0.05 for each 10 percent increment of required parking that is provided underground or in structures up to a maximum of 0.4.

(2) Transfer of FAR from historic buildings: twice the amount of unused FAR (restricted by recorded covenants or deed restriction) up to a maximum of 0.2.

(3) Participation in a Planned Block Development (60,000 square feet or more of site area) approved by the City under the provisions of Article 24.

(E) REQUIRED DAYLIGHT PLANE AT ADJOINING DISTRICT (DIAGRAM)

(J) Planting Areas.

(1) All Commercial Districts. Sites in all C districts shall comply with the planting area requirements and design standards of Section 3019.

(2) CN, CG, CL, and CS Districts. Required yards shall be enclosed by a solid concrete or masonry wall at least 6 feet in height or shall be planting areas, provided that a wall within 15 feet of a street property line shall not exceed 3.5 feet in height.

(3) CN, CC, CR, CS, CV, and CP Districts. The minimum percentage of the site to be landscaped may be reduced 1 percent for each 20 percent increment of street frontage with a 25-foot-wide landscaped strip.

(K) See Section 3019: Landscaping, Irrigation and Hydroseeding.

(L) The maximum vertical wall height at the setback line shall be 26 feet in the CR and CV districts and 50 feet in all other districts. Walls shall be set back at least 1.5 feet for every foot above the maximum vertical wall height limit. During development plan review, exceptions from this standard may be granted by the Planning Commission for department stores, hotels, or other uses with unique requirements (See Diagram L).

(M) This requirement shall apply to building elements above 36 feet. A wall surface shall be no longer than 200 feet without a break: a recess or offset measuring at least 20 feet in depth and one-quarter of the building in length or a series of recesses or offsets, at intervals of not more than 40 feet, that vary the depth of the building wall by a minimum of 4 feet. Not less than 25 percent of the building wall shall be varied in this way (See Diagram M).

(N) Maximum height of a fence or wall shall be 6 feet.

(L) REQUIRED SETBACKS ABOVE BASE WALL HEIGHT (DIAGRAM)

(M) AVERAGING OPTION FOR MAXIMUM WALL LENGTH (DIAGRAM)

(O) A 6-foot solid masonry or concrete wall shall adjoin the property line of the site of a new ground-floor residential use abutting an existing non-residential use or the property line of a new non-residential use abutting the site of an existing ground-floor residential use. However, where the portion of the site within 10 feet of the property line is occupied by planting area or by a building having no openings except openings opposite a street property line, the City Planner may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3 feet in height (See Diagram O Required Walls).

(P) In the CG, CL, CR, and CV districts that are within the Coastal Zone, a minimum of 40 percent of the front building surface on a street with a collector classification or greater, as designated in the Master Street Plan, shall be at the front-yard setback line (See Diagram P).

In the CS-L Special Commercial Mission Historic Area District building lines shall be required as follows:

(1) Village Core (as designated in the Development Guidelines for the Mission Area): At the first level a minimum of 50 percent of the front building face shall be at the front-yard setback line;

(2) Major Streets (as designated in the Development Guidelines): A minimum of 25 percent of the front building face shall be at the front-building setback line.

(Q) Parking of automobiles, motorhomes, motorcycles, and other such motor vehicles is not permitted in a required front, corner side, side, or rear yard setback areas. See Section 315, Driveways; Visibility.

(R) See Article 31: Off-Street Parking and Loading Regulations.

(S) See Section 3025: Antennas and Microwave Equipment.

DIAGRAM O REQUIRED WALLS: RESIDENTIAL USE ABUTTING NONRESIDENTIAL USE

(P) BUILDING FACE AT SETBACK LINE (DIAGRAM)

(T) On frontages designated on the Zoning Map, 50 percent of the first story of that portion of a building facing a street shall consist of opening, clear or tinted glass windows providing views of merchandise displayed, building interiors, or courtyards.

Exceptions: This requirement may be waived by the Planning Director with respect to the following building types:

(1) corner buildings, provided that at least 20 percent of the site facing the street affords views into the building; or

(2) architecturally and historically significant buildings.

(U) Outdoor eating facilities for employees shall be provided for all industrial and office buildings or developments containing more than 10,000 square feet of building area. See Section 3028: Employee Eating Areas.

(V) The maximum height of structures may be increased beyond 50 feet with the approval of a use permit.

(W) Within the Coastal Zone the maximum height of structures is limited to 36 feet provided that structural height in excess of 36 feet may be granted through a Conditional Use Permit and in accordance with the necessary findings for such an approval.

(X) See Section 3042: Mixed-Use Plans.

1140 Review of Plans

All projects shall require development plan review, as per Article 43.

Article 13 I Industrial Districts

Sections:

1310 Specific Purposes
1320 IL, IG, and IP Districts: Land Use Regulations
1330 IL, IG, and IP Districts: Property Development Regulations
1340 Review of Plans

1310 Specific Purposes

In addition to the general purposes listed in Article 1, the specific purposes of the industrial district regulations are to:

A. Provide appropriately located areas consistent with the General Plan for a broad range of manufacturing and service uses.

B. Strengthen the city's economic base, and provide employment opportunities close to home for residents of the city and surrounding communities.

C. Provide a suitable environment for various types of industrial uses, and protect them from the adverse impacts of inharmonious uses.

D. Ensure that the appearance and effects of industrial uses are compatible with the character of the area in which they are located.

E. Minimize the impact of industrial uses on adjacent residential districts.

F. Ensure the provision of adequate off-street parking and loading facilities.

The additional purposes of each I district are as follows:

<u>IL Limited Industrial District</u>. To provide areas appropriate for a wide range of (1) moderate to low-intensity industrial uses capable of being located adjacent to residential areas with minimal buffering and attenuation measures and (2) commercial services and light manufacturing, and to protect these areas, to the extent feasible, from disruption and competition for space from unrelated retail uses or general industrial uses.

IG General Industrial District. To provide and protect industrial lands for the full range of manufacturing, industrial processing, general service, and distribution uses deemed suitable for location in Oceanside; and to protect Oceanside's general industrial areas, to the extent feasible, from disruption and competition for space from unrelated retail and commercial uses that could more appropriately be located elsewhere in the city. Performance standards will minimize potential environmental impacts.

IP Industrial Park District. To provide and protect industrial lands for the development of communities of high technology, research and development facilities, limited industrial activities (including production and assembly but no raw materials processing or bulk handling), small-scale warehousing and distribution, industrial office centers, and related uses in a campus or park-like setting.

1320 IL, IG, and IP Districts: Land Use Regulations

In the following schedule, the letter "P" designates use classifications permitted in industrial districts. The letter "L" designates use classifications subject to certain limitations prescribed by the "Additional Use Regulations" which follow. The letter "U" designates use classifications permitted on approval of a use permit. The letters "P/U" designate use classifications permitted on the site of a permitted use, but requiring a use permit on the site of a conditional use. Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Regulations" column reference regulations following the schedule, or located elsewhere in this Ordinance. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

IL, IG, AND IP DISTRICTS:
LAND USE REGULATIONS

P - Permitted
U - Use Permit
L - Limited, (See Additional Use Regulations)
- - Not Permitted
A - Administrative Conditional Use Permit

	IL	IG	IP	Add. Reg.
Residential				(A)
Day Care, limited	P	P	P	
Public and Semipublic				(A) (N)
Airports	U	-	-	(Q)
Child Care	L-11	L-11	L-11	
Clubs and Lodges	~~U~~A	-	~~U~~A	
Day Care, General	~~U~~A	~~U~~A	~~U~~A	
Emergency Health Care	U	U	U	
Emergency Shelter	U	U	U	
Government Offices	P	P	P	
Heliports	L1	L1	L1	(B)
Maintenance & Service Facilities	P	P	-	(N)
Park & Recreation Facilities	P	P	P	(C)
Public Safety Facilities	~~L18~~A	~~L18~~A	~~L18~~A	
Religious Assembly	L14	-	L14	(K)
Resource Centers	~~L17~~A	~~L17~~A	~~L17~~A	
Schools, Public or Private	U	-	U	
Utilities, Major	L10	L10	L10	
Utilities, Minor	P	P	P	(J)
Recycling, small-scale				
Commercial Uses				(A) (I) (N)
Ambulance Services	L22	L22	-	
Animal Sales and Services:				
Animal Boarding	L21	L21	-	

Animal Grooming	P	P	-
Animal Hospitals	P	P	-

IL, IG, and IP Districts Land Use Regulations (continued)

	IL	IG	IP	Add. Reg.
Artists' Studios	P	P	-	
Banks and Savings and Loans:	P	-	P	
Drive-through/ Drive-Up Service	~~L17~~A	-	~~L17~~A	
Self Service Facilities (ATMs)	L2	L2	L2	
Building Materials and Services	P	P	-	(N)
Catering Services	L13	L13	L13	
Commercial Recreation and Entertainment	~~L15~~A	~~L15~~A	~~L15~~A	
Communication Facilities	P	P	P	
Eating & Drinking Establishments:	L3	L3	L3	(N)
Food & Beverage Sales	L20	L20	L20	(N)
Home Improvement	P	P	P	(N)
Horticulture, Limited	P	P	P	(L) (M)
Laboratories	P	P	P	(N)
Maintenance & Repair Services	P	P	-	(N)
Marine Sales and Services	P	P	-	(N)
Nurseries	L26	L26	-	(N)
Offices, Business and Professional	L8	L8	L8	
Personal Improvement Services	~~L18~~A	~~L18~~A	~~L18~~A	
Personal Services	L5	L5	L5	
Research and Development Services	P	P	P	(N)
Retail Sales	L23	L23	L23	(N)
Travel Services	P	P	P	

IL, IG, and IP Districts Land Use Regulations (continued)

	IL	IG	IP		Add. Reg.
Vehicle/Equipment Sales and Services:					(N)
Automobile Washing	~~U~~A	~~U~~A	-		(N)
Commercial Parking Facility	~~L17~~A	~~L17~~A	-		
Service Stations	L24	~~U24~~L24		~~L9~~L24	(D) (N)
Vehicle/Equipment Repair	P	P	-		(N)
Vehicle/Equipment Sales and Rentals	~~L25~~P	~~L6~~P	-		(N)
Vehicle Storage	~~U~~A	~~U~~A	-		(N)
Visitor Accommodations					
Hotels, Motels And Timeshares	U	-	-		(P)
Warehousing and Storage, Limited	~~U~~A	~~U~~A	~~U~~A		(N)
Industrial					(A) (H) (I) (N)
Food Processing	P	P	-		(N)
Industry, Custom	P	P	P		(N)
Industry, General	-	P	U		(N)
Industry, Limited	P	P	P		(N)
Industry, R & D	P	P	P		(N)
Trucking Terminals	U	P	-		(N)
Wholesaling, Distribution and Storage	L12	P	L7		(N)
Agricultural and Extractive Uses					
Animal Husbandry	L16	L16	L16		
Crop Production	L16	L16	L16		(L) (M)
Accessory Uses	P/U	P/U	P/U		(E) (F) (H) (I) (M) (N)
Nonconforming Uses					(G)
Temporary Uses					
Agricultural Specialty Sales, Seasonal	P	P	P		(O)

IL, IG, and IP Districts: Additional Use Regulations

L-1 Conditional Use Permit and Heliport permit from California Department of Transportation, Division of Aeronautics, required, and no heliport may be located within 1,000 feet of an R district.

L-2 Walk-up automatic teller machines (ATMs) allowed if included within or attached to a building serving another use; freestanding structures for walk-up ATMs allowed with an Administrative Use Permit.

L-3 Permitted as a secondary use in a building and occupying no more than 2,500 square feet; Administrative Conditional Use Permit required for more space or for Eating and Drinking Establishment with full alcohol beverage service. No freestanding structure allowed.

L-4 Reserved.

L-5 Photocopying, word processing, packaging, postal support and office supplies, and printing permitted. Other personal service uses allowed (except self-service laundries) if "small-scale". These uses are to be ancillary to the industrial uses within the area.

~~L-6 No new or used automobile, truck or motorcycle retail sales permitted, except indoor automobile sales allowed with an Administrative Use Permit. Wholesale sales and rentals allowed with Conditional Use Permit if adequate storage and parking can be provided.~~

L-7 Only limited or small-scale facilities, as defined in Article 4, Use Classifications, allowed with a Conditional Use Permit.

L-8 Offices permitted except medical/dental offices require an Administrative Conditional Use Permit.

~~L-9 Only stations offering controlled services to individual uses within an industrial area are allowed, subject to a Conditional Use Permit.~~

L-10 A Conditional Use Permit is required for generating plants, electrical substations, lone switching buildings, refuse collection, transfer, recycling or disposal facilities, water reservoirs, water or wastewater treatment plants, transportation or communication utilities, and similar facilities of public agencies or public utilities. Above ground electrical transmission lines are not permitted unless determined to be consistent with a utility corridor plan approved by the Planning Commission. Flood control or drainage facilities are permitted if they are consistent with approved master drainage and/or flood-control plans.

L-11 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS, CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a Child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, a Development Plan Review is required. A Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

L-12 Permitted if building area is 50,000 square feet or less or when it is associated with a permitted use. Allowed with a Conditional Use Permit if independent building facilities floor area is greater than 50,000 square feet.

L-13 Permitted and the area for on-site consumption of food shall not exceed 1000 square feet.

L-14 Religious Assembly allowed with the approval of a Administrative Conditional Use Permit, allowing for a maximum of 5 years if the following findings can be made:

a. The location proposed is not in an area considered "prime" for immediate industrial development.

b. Parking must be provided as required by the parking regulations for churches under Article 31, except that parking may be shared with other industrial users in the vicinity if it can be shown that the uses will not be occurring simultaneously.

c. Buildings shall meet the requirements imposed by the current applicable edition of the Uniform Building Code for assembly occupancy.

d. The church activities do not interfere with the primary industrial uses in the area. The analysis of whether there is such interference shall include consideration of the immediate existing users in the vicinity and any public health and safety issues in establishing a religious assembly use at that location.

~~L-15 Allowed with a Conditional Use Permit (with the exception that golf courses are not allowed) or with an Administrative Use Permit for "small-scale" use. All regulated uses and card rooms require a Conditional Use Permit. Use shall be designed and oriented for principal use by employees of the surrounding industrial development or designed for general public use, after considering vehicular access, parking requirements, and location in relation to the circulation system.~~

L-16 Allowed on sites of more than 2.5 acres with the approval of an Administrative Use Permit issued by the Planning Director.

L-17 Allowed with an Administrative Conditional Use Permit issued by the Planning Director.

L-18 ~~"Small-scale" facilities allowed~~ Allowed with an Administrative Use Permit. ~~All others require a Conditional Use Permit.~~

L-19 "Adult" (no K-12) schools allowed with a Conditional Use Permit.

L-20 Permitted as a secondary use in a building and occupying no more than 1000 square feet. Administrative Conditional use permit required for more space. No freestanding structure or convenience market allowed.

L-21 Indoor boarding only. Outdoor exercise area in conjunction with indoor boarding allowed.

L-22 Administrative Conditional Use Permit required if use is located within 1,000 feet of an R district or the boundaries of a site occupied by a Public or Private School or Park and Recreation facility. Otherwise permitted by right. Conditions may be imposed in approving such a permit to limit vehicle speeds or use of sirens.

L-23 The following retail uses are allowed. "Limited" retail under the following uses shall mean "a maximum of 5000 square feet or 25% of the business floor area whichever is greater".

Auto Stereo, Mobile Phone & Alarm Service & Installation - "limited" retail allowed

Auto Parts - "limited" retail allowed

Appliance Sales and Service - "limited" retail allowed

Art Supplies - "limited" retail allowed

Bicycle Sales and Service - "limited" retail allowed

Blue Prints & Reprographic Services - allowed

Floral Supplies - "limited" retail allowed

Home Health/Medical Equipment - retail, rentals, service or wholesale allowed

Industrial Equipment Sales, Service & Rentals (Large Equipment: Compressors, Lifts, Backhoes, etc.) - allowed

Locksmiths - allowed

Office Furniture and Supplies - retail of office furniture and "limited" retail of office supplies allowed.

Photo Labs and Studios - retail allowed as part of on-site production facility

Pest Control - allowed (Administrative Use Permit if hazardous Materials: Section 3026)

Printers and Publishers - "limited" retail allowed

Playground Equipment Sales & Service - retail, rentals, service or wholesale allowed

Restaurant Equipment Sales & Service - retail, rentals, service or wholesale allowed

Sporting Goods (Fitness Machines, Kayaks, Rafts, Equestrian Supplies, etc.) - specialized store with large-scale equipment allowed. No comprehensive sporting goods stores.

L-24 Administrative Conditional Use Permit required. Food and Beverage Sales and convenience market allowed as part of the Service Station if within the same building. Car wash allowed as an affiliated part of the Service Station on the site.

~~L-25 No new or used vehicle or equipment retail sales permitted except as follows:~~

~~1. Indoor automobile sales allowed with an Administrative Use Permit.~~

~~2. Vehicle retail sales allowed with a Conditional Use Permit on sites of four acres or greater that have reasonable access to a major arterial street.~~

~~Wholesale sales and rentals allowed with a Conditional Use Permit if adequate storage and parking can be provided.~~

IL, IG, and IP Districts: Additional Use Regulations (cont.)

L-26 An Administrative Use Permit is required for nurseries having growing or propagation areas greater than 2.5 acres.

L-27 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS, CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, a Development Plan Review is required. A Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

(A) See Section 3002: Relocated Buildings (use permit required).

(B) See Section 3036: Helicopter Takeoff and Landing Areas.

(C) Limited to facilities on sites of 2 acres or less.

(D) See Section 3011: Service Stations and Automobile Washing.

(E) See Section 3005: Nonresidential Accessory Structures.

(F) Maximum: one dwelling unit per site as caretaker's housing.

(G) See Article 35: Nonconforming Uses and Structures.

(H) See Section 3026: Hazardous Materials Storage.

(I) Facilities intended to serve off-shore oil and gas exploration, drilling, or production, including storage tanks, distribution terminals, emissions-control systems, service yards, transportation facilities, pipelines, or any other facilities supporting such activities shall be prohibited.

(J) See Section 3025: Antennas and Microwave Equipment.

(K) See Section 3004: Religious Assembly Yard Requirements

(L) Any Horticulture, Limited or Crop Production use must conform to the City's Grading Ordinance including the requirement that the grading and/or agricultural operation will not cause significant damage to any environmentally sensitive areas nor cause elimination of any significant wildlife habitat or riparian area. Sufficient buffering of the operation should be provided from adjacent residential uses.

IL, IG, and IP Districts: Additional Use Regulations (cont.)

(M) Agricultural Sales Stands, in conjunction with a Horticulture, Limited or Crop Production use, shall be permitted subject to the locational and development standards of Section 3038.

(N) See Section 3020: Outdoor Facilities; outdoor storage, outdoor display of materials, outdoor food service, outdoor storage containers, working outdoors and temporary outdoor sales events and activities shall comply with the standards of this section.

(O) See Section 3038: Agricultural Sales; Seasonal Agricultural Specialty Sales requires a business license and is subject to the operational standards of Section 3038.

(P) See Section 3030: Timeshare Resort Projects.

(Q) See Art. II, Chapter 3 B / Oceanside City Code: Airport Approach Zoning.

1330 IL, IG, and IP Districts: Property Development Regulations

The following schedule prescribes development regulations for the IL, IG, and IP districts. The first four columns prescribe basic requirements for permitted and conditional uses. Letters in parentheses in the "Additional Regulations" column reference regulations following the schedule or located elsewhere in this ordinance.

IL, IG, and IP DISTRICTS: DEVELOPMENT REGULATIONS

Use Classifications	IL	IG	IP	Add. Reg.
Minimum Lot Area (sq. ft.)	20,000	40,000	40,000	(A) (B)
Minimum Lot Width (ft.)	100	150	-	(A) (B)
Minimum Yards:				
Front (ft.)	10	10	20	(C) (O)
Side (ft.)	-	-	-	(C) (D) (O)
Corner Side (ft.)	10 10	20		(C) (O)
Rear (ft.)	-	-	-	(C) (D) (O)
Maximum Height of Structures (ft.)	80	80	80	(E) (F)
Maximum Lot Coverage	75%	75%	40%	
Maximum FAR	1.0	1.0	0.8	
Minimum Site Landscaping	12%	12%	15%	(G) (H)
Maximum Horizontal Wall Dimension (ft.)	200	200	200	(I)
Fences and Walls	See Section 3040			
Off-Street Parking and Loading				(L)
Vehicular Access	See Article 31			
Signs	See Article 33			
Outdoor Facilities	See Section 3020			(M)
Screening of Mechanical Equipment	See Section 3021			(M)
Employee Eating Areas	See Section 3028			(N)
Refuse Storage Areas	See Section 3022			
Underground Utilities	See Section 3023			

IL, IG, and IP DISTRICTS: DEVELOPMENT REGULATIONS (continued)

Use Classifications	IL	IG	IP	Add. Reg.
Performance Standards	See Section 3024			
Nonconforming Uses and Structures	See Article 35			
Signs	See Article 33			

IL, IG and IP Districts: Additional Development Regulations

(A) See Section 3013: Development on Substandard Lots.

(B) Smaller lot dimensions may be permitted with an approved development plan and tentative subdivision map.

(C) See Section 3015: Building Projections into Yards and Courts. Double-frontage lots shall provide front yards on each frontage.

(D) A 10-foot interior side or rear yard shall adjoin an R district, and structures shall not intercept a 45-degree daylight plane inclined inward from a height of 12 feet above existing grade at the R district property line (See Diagram D).

(E) See Section 3017: Measurement of Height.

(F) Additional height above the maximum height standard may be allowed with a Conditional Use Permit. See also Section 3018: Exceptions to Height Limits.

(G) Planting Areas.

(1) IL and IP Districts. A minimum of 50 percent of all required yards shall be planting areas. This area may be counted in determining compliance with minimum site landscaping requirements. The remainder of the required yard area may be used for necessary drives and walks.

(2) IG District. Required yards shall be enclosed by a solid concrete or masonry wall at least 6 feet in height or shall be planting areas. A wall within 15 feet of a street property line shall not exceed 3.5 feet in height.

(D) REQUIRED DAYLIGHT PLANE AT ADJOINING DISTRICTS (diagram)

(H) See Section 3019: Landscaping, Irrigation and Hydroseeding.

(I) This requirement shall apply to building elements above 36 feet. A wall surface shall be no more than 200 feet long without a break: a recess or offset measuring at least 20 feet in depth and one-quarter of the building in length. The City Planner may waive this requirement for industrial facilities on the basis of the engineering requirements for the specific process used, which make it infeasible to provide the required break.

(J) Reserved.

(K) Reserved.

(L) See Article 31.

(M) See Section 3025: Antennas and Microwave Equipment.

(N) Outdoor eating facilities for employees shall be provided for all industrial and office buildings or developments containing more than 10,000 square feet of building area. See Section 3028: Employee Eating Areas.

(O) Parking of automobiles, motorhomes, motorcycles, and other such motor vehicles is not permitted in a required front, corner side, side, or rear-yard setback areas. See Section 3115, Driveways; Visibility.

1340 Review of Plans

All projects shall require development plan review as per Article 43.

PART II -- BASE DISTRICT REGULATIONS

Article 10 Residential Districts

Sections:

1010 Specific Purposes
1020 Definitions: Residential Unit Types
1030 Residential Unit Type Regulations
1040 RE, RS, RM, RH, and RT Districts: Land Use Regulations
1050 RE, RS, RM, RH, and RT Districts: Property Development Regulations
1060 Review of Plans

1010 Specific Purposes

In addition to the general purposes listed in Article 1, the specific purposes of residential districts are to:

A. Provide appropriately located areas for residential development that are consistent with the General Plan and with standards of public health and safety established by the City Code.

B. Ensure adequate light, air, privacy, and open space for each dwelling, and protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other adverse environmental effects.

C. Promote development of housing affordable by low-.and moderate-income households by providing a density bonus for projects in which a portion of the units are affordable for such households.

D. Protect residential areas from fires, explosions, landslides, toxic fumes and substances, and other public safety hazards.

E. Protect adjoining single-family residential districts from excessive loss of sun, light, quiet, and privacy resulting from proximity to multifamily development.

F. Achieve design compatibility with surrounding neighborhoods.

G. Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment.

H. Ensure the provision of public services and facilities needed to accommodate planned population densities.

The additional purposes of each R Residential District are:

RE Residential Estate District. To provide opportunities for very-low-density single-family residential land use (except as otherwise noted in Section 1030), compatible with the topography and public-service capacities. Two types of Residential Estate districts are established: the Estate A (RE-A) District where the base density is 0.5 dwelling units per gross acre and the maximum potential density is 0.9 dwelling units per gross acre; and the Estate B District (RE-B) where the base density is 1.0 dwelling units per gross acre and the maximum potential density is 3.5 dwelling units per gross acre.

RS Single-Family Residential District. To provide opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. Duplexes, triplexes and fourplexes existing as of the effective date of this ordinance are allowed to remain, but all new residential construction shall be single-family dwellings or approved accessory structures (except as otherwise noted in Section 1030). In the RS District, the base density is 3.6 dwelling units per gross acre and the maximum potential density is 5.9 dwelling units per gross acre.

RM Medium-Density Residential District. To provide opportunities for residential uses, including patio homes, duplexes, townhouses, multi-dwelling structures, and cluster housing, which also include landscaped common open space and common-area facilities for residents use. Single-family dwellings existing as of the effective date of this ordinance are allowed to remain, but no new single-unit conventional (SU-C) single-family dwellings, as defined in this Article, shall be permitted unless developed on a pre-existing legal lot. Three types of medium-density districts are established: the Medium Density A (RM-A) District where the base density is 6.0 dwelling units per gross acre and the maximum potential density is 9.9 dwelling units per gross acre; the Medium Density B (RM-B) District, where the base density is 10.0 dwelling units per gross acre and the maximum potential density is 15.0 dwelling units per gross acre; and the Medium Density C (RM-C) District where the base density is 15.1 dwelling units per gross acre and the maximum potential density is 20.9 units per gross acre.

RH High-Density Residential District. To provide opportunities for an intensive form of residential development, including apartments and town houses with relatively high land coverage, at appropriate locations. In the RH District the base density is 21.0 dwelling units per gross acre and the maximum potential density is 28.9 units per gross acre; in the Urban High Density Residential District (RH-U) the base density is 29.0 dwelling units per gross acre and the maximum potential density is 43.0 dwelling units per gross acre.

RT Residential Tourist District. To provide opportunities for tourist and year-round visitor-serving facilities, including permanent and transient residential and related uses, within the City's Coastal Zone. In the Residential Tourist (RT) District the base density for residential uses is 29.0 dwelling units per gross acre and the maximum potential density is 43.0 dwelling units per gross acre.

All references to gross acre in this Article exclude undevelopable land, as defined by the General Plan Land Use Element.

1020 Definitions: Residential Unit Types

For purposes of this Article, residential dwelling units types shall be defined as follows:

A. Single-Family Detached Dwellings.

1. Single Unit - Conventional (SU-C). A detached structure containing one dwelling unit. The structure is constructed to the development standards of the applicable R district and serves as the only dwelling unit on the property. The property is a legally subdivided lot with the minimum lot area and dimensions established by this Article.

2. Single Unit - Variable (SU-V). A detached structure containing one dwelling unit. The structure is constructed to the development standards of the applicable R district or as modified by an overlay district or a PD District. The property is a legally subdivided lot with the minimum lot area and dimensions established by this Article or by a development plan or a master plan. The property generally holds an interest in common areas and facilities.

3. Single Unit - Manufactured (SU-M). A detached structure containing one dwelling unit that is constructed elsewhere and transported or assembled on the site. The site is any area or tract of land in individual ownership or where two or more lots are rented or leased or held out for rent or lease to accommodate mobile homes or manufactured units used for human habitation.

B. Single-Family Attached Dwelling.

1. Two Unit - Conventional (TU-C). A structure consisting of two dwelling units attached by a common wall. Each unit is constructed on a legally subdivided lot and attached to its companion unit on the common property line. Development and lot standards are established by this Article.

2. Two Unit - Variable (TU-V). A structure consisting of two dwelling units attached by a common wall. Each unit is constructed on a legally subdivided lot and attached to its companion unit on the common property line. Development and lot standards are those of the applicable R district or as modified by an overlay district or a PD District, and are defined in a development plan or master plan, and properties generally hold an interest in common areas and facilities.

3. Multi-Plex (MP). A structure consisting of three or more dwelling units attached by common walls. Each unit is constructed on a legally subdivided lot and attached to one or more companion units on a common property line or lines. Development and lot standards are those of the applicable R district or as modified by an overlay district or a PD District, and are defined in a development plan or master plan, and properties generally hold interest in common areas and facilities.

C. Multiple Family Dwellings.

1. Multiple Unit Structures (MUS). A structure or a group of structures containing two or more dwelling units on a single property. Subdivision of the property may exist to permit ownership of air space in the form of a dwelling unit with an undivided share in common elements. The property may also be divided for the purpose of ownerships in the form of a stock cooperative.

1030 Residential Unit Type Regulations

In the following schedule, the letter "P" designates residential unit types permitted in each R district. The letter "L" designates a residential unit type that is subject to certain limitations prescribed by the "Additional Regulations for Residential Unit Types" which follow the schedule.

Single-family dwellings existing as of the date of adoption of this ordinance are allowed to remain in all R districts. Such dwellings may be expanded or enlarged subject to the provisions of Section 3102(C), and may be rebuilt if destroyed or damaged; such dwellings are not to be considered nonconforming uses.

RE, RS, RM, RH, and RT DISTRICTS: UNIT TYPE REGULATIONS

P - Permitted
U - Use Permit
L - Limited, (See Additional Regulations for Residential Unit Types)
- - Not Permitted

Residential Development Types

	Single-Family Detached			**Single-Family Attached**			**Multidwelling Unit Structure**
District	**SU-C**	**SU-V**	**SU-M**	**TU-C**	**TU-V**	**MP**	**MUS**
RE-A	P	-	L-1	-	-	-	-
RE-B	P	L-6	L-1	L-6	L-6	-	-
RS	P	L-6	L-1	L-6	L-6	-	-
RM-A	L-2	L-8	L-1	P	P	P	-
RM-B	L-5	L-8	L-1	L-3	L-3	P	P
RM-C	L-5	L-8	L-1	-	-	L-4	P
RH	L-5	L-8	L-1	-	-	-	P
RH-U	L-5	L-8	L-1	-	-	-	P
RT	L-5	-	L-1	-	-	-	P

SU-C Single Unit - Conventional
SU-V Single Unit - Variable
SU-M Single Unit - Manufactured
TU-C Two Unit - Conventional
TU-V Two Unit - Variable
MP Multi-Plex
MUS Multiple Unit Structure(s)

Additional Regulations for Residential Unit Types

Single-family dwellings existing as of the date of adoption of this ordinance, are allowed to remain in all R districts. Such dwellings may be expanded or enlarged subject to the provisions of Section 3102(C), and may be rebuilt if destroyed or damaged; such dwellings are not to be considered nonconforming uses.

L-1 Mobile homes are allowed subject to the requirements of Section 3033.

L-2 A residential development project may be developed using Single Unit - Conventional (SU-C) structures provided that:

(1) The density does not exceed 3.6 units per gross acre unless a higher density is approved by the Planning Commission or an affordable housing density bonus is granted under the provisions of Section 3032;

(2) The Planning Director determines that the project is consistent with the objectives of the General Plan and other City policies, and a Zone Amendment to the Residential Single Family District (RS) is processed;

(3) The Planning Director determines that the project will not interfere with the efficient and proper provision of City services.

L-3 A residential development project may be developed using the residential unit types allowed in an RM-A District provided that:

(1) The density does not exceed 6.0 units per gross acre unless a higher density is approved by the Planning Commission or an affordable housing density bonus is granted under the provisions of Section 3032;

(2) The Planning Director determines that the project is consistent with the objectives of the General Plan and other City policies;

(3) The Planning Director determines that the project will not interfere with the efficient and proper provision of City services.

L-4 A residential development project may be developed using Multi-Plex (MP) dwelling unit structures provided that:

(1) The density does not exceed 10.0 units per gross acre unless a higher density is approved by the Planning Commission or an affordable housing density bonus is granted under the provisions of Section 3032;

(2) The Planning Director determines that the project is consistent with the objectives of the General Plan and other City policies;

(3) The Planning Director determines that the project will not interfere with the efficient and proper provision of City services.

L-5 A single unit conventional (SU-C) unit type may be developed on a preexisting legal lot.

L-6 A single-family detached residential development project which also incorporates Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures may be developed provided that:

(1) The Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures are approved, constructed, and reserved solely for the purposes of satisfying the inclusionary housing requirements for low and moderate income households in residential projects as defined by Chapter 14C of the Oceanside City Code.

(2) The Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures meet all provisions of Chapter 14C of the Oceanside City Code, including the resale or rental restrictions and the design and construction provisions.

(3) The Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures shall meet all property development regulations required by this ordinance.

(4) If the residential development project meets the provisions of Sections (1), (2), and (3) above, the residential development project shall be considered consistent with Section 2.33, Residential Unit Types Consistent with Residential Designations, of the Land Use Element of the General Plan.

L-7 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS, CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, a Development Plan Review is required. A Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

L-8 Single Family Detached Units on a minimum of 2,500 square foot lots are allowed with a Conditional Use Permit within the RM-B, RM-C and RH Districts when determined to be compatible with existing and future land uses and plans.

1040 RE, RS, RM, RH and RT Districts: Land Use Regulations

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Article 41. The letters "P/U" designate use classifications permitted on the site of a permitted use, but requiring a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

RE, RS, RM, RH, and RT DISTRICTS: LAND USE REGULATIONS

P - Permitted
U - Use Permit
L - Limited, (See Additional Use Regulations)
- - Not Permitted
A - Administrative Conditional Use Permit

	RE	RS	RM	RH	RT	Additional Regulations
Residential Uses						(A) (B)
Day Care, Ltd.	P	P	P	P	P	
Group Residential	-	-	-	U	U	
Live/Work Quarters	-	-	-	U	U	(M)
Multifamily Residential	-	-	P	P	P	
Residential Care, Limited	P	P	P	P	P	
Single-family Residential	P	P	P	P	P	(C) (K)
Commercial Uses						
Artists' Studios	-	-	-	-	U	(A) (B)
Horticulture, Limited	L-1	L-1	L-1	L-1	L-1	(Q) (R)
Public and Semipublic						(A)
Cemetery	U	-	-	-	-	
Childcare	L-11	L-11	L-11	L-11	L-11	
Clubs & Lodges	-	-	L-2	U	U	(D)
Convalescent Facilities	-	-	L-8	L-8	-	
Cultural Institutions	-	-	-	-	U	
Day Care, General	~~U~~A	~~U~~ A	~~U~~ A	~~U~~ A	~~U~~A	
Emergency Shelter	-	-	U	U	-	
Park & Recreation Facilities	L-3	L-3	L-3	L-3	L-3	
Public Safety Facilities	U	U	U	U	U	
Religious Assembly	L-6	L-6	U	U	U	(O)
Residential Care, General	-	-	U	U	-	
Resource Centers	~~L10~~A	~~L10~~A	~~L10~~A	~~L10~~A	~~L10~~A	
Schools, Public or Private	U	U	U	U	U	
Utilities, Major	L-7	L-7	L-7	L-7	L-7	
Utilities, Minor	P	P	P	P	P	(P)

	RE	RS	RM	RH	RT	Additional Regulations
Visitor Accommodations						
Bed and Breakfast Inns	~~L10~~A	~~L10~~A	~~L10~~A	~~L10~~A	~~L10~~A	(E)
Hotels, Motels and Timeshares	-	-	-	-	L-5	(F)
Single-Room Occupancy	-	-	-	U	-	
Agricultural and Extractive Uses						
Crop Production	L-9	L-9	L-9	L-9	-	(Q), (R)
Accessory Uses	P/U	P/U	P/U	P/U	P/U	(A) (G) (H) (I) (J) (L) (R)
Nonconforming Uses						(N)

RE, RS, RM, RH, and RT Districts: Additional Use Regulations

L-1 Limited to sites of 2.5 acres or less and limited to the raising of fruits, vegetables, flowers, plants, ornamental trees, and shrubs as a wholesale commercial enterprise, subject to the requirement that nursery equipment or materials used for the operation shall be stored within structures. A Business License required and regulated as a Home Occupation subject to Section 3007.

L-2 Use permit required and only neighborhood-oriented uses occupying less than 2,500 square feet are permitted.

L-3 Use permit required. Public parks allowed without a use permit if already approved within a Master Plan. Use permit required for private noncommercial facilities, including swim clubs and tennis clubs.

L-4 Reserved.

L-5 Allowed with a use permit only adjacent to streets with a collector classification or greater, as designated in the Master Street Plan.

L-6 Use permit required, and only schools operating in conjunction with religious services are permitted as an accessory use. A general day-care facility may be allowed as

a secondary use, subject to a use permit, if the Planning Commission finds that it would be compatible with adjacent areas and not cause significant traffic impacts.

L-7 A use permit is required for generating plants, electrical substations, lone switching buildings, refuse collection, transfer, recycling or disposal facilities, water reservoirs, water or wastewater treatment plants, transportation or communication utilities, and similar facilities of public agencies or public utilities. Aboveground electrical transmission lines are not permitted unless determined to be consistent with a utility corridor plan approved by the Planning Commission. Flood control or drainage facilities are permitted if they are consistent with approved master drainage and/or flood-control plans.

L-8 Permitted as a secondary use to and as part of a General Residential Care facility with approval of a conditional use permit.

L-9 Allowed on sites of more than 2.5 acres with the approval of an Administrative Use Permit issued by the Planning Director.

~~L-10 Allowed with an Administrative Use Permit.~~

L-11 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS, CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a Child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, a Development Plan Review is required. A Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

(A) See Section 3002: Relocated Buildings (use permit required).

(B) See Section 3003: Exterior Materials in R Districts.

(C) Bedrooms in a dwelling unit may be rented for occupancy by not more than six persons.

(D) Limited to facilities on sites of fewer than two acres.

(E) See Section 3031: Bed and Breakfast Inns

(F) See Section 3030: Timeshare Resorts

(G) See Section 3007: Home Occupation in R Districts.

(H) See Section 3005: Nonresidential Accessory Structures and Section 3006: Accessory Dwelling Units.

(I) See Section 3119: Driveways and Carport Design and Location in R Districts.

(J) See Section 3008: Swimming Pools and Hot Tubs.

(K) See Section 3033: Mobile Homes.

(L) See Section 3034: Animals.

(M) See Section 3035: Live/Work Quarters.

(N) See Article 35: Nonconforming Uses and Structures.

(O) See Section 3004: Religious Assembly Yard Requirements.

(P) See Section 3025: Antennas and Microwave Equipment.

(Q) Any Horticulture, Limited or Crop Production use must conform to the City's Grading Ordinance including the requirement that the grading and/or agricultural operation will not cause significant damage to any environmentally sensitive areas nor cause the elimination of any significant wildlife habitat or riparian area. Sufficient buffering of the operation should be provided so as not to disturb adjacent residential uses.

(R) Agricultural Sales Stands, in conjunction with a Horticulture, Limited or Crop Production use, shall be permitted subject to the locational and development standards of Section 3038.

1050 RE, RS, RM, RH, and RT Districts: Property Development Regulations

The following schedule prescribes development regulations for residential districts. The schedule establishes basic requirements for permitted and conditional uses; letters in parentheses in the "Additional Regulations" column refer to "Additional Development Regulations" following the schedule.

RE, RS, RM, RH, and RT Districts:
PROPERTY DEVELOPMENT REGULATIONS

	RE-A	RE-B	RS	RM-A	RM-B	RM-C	RH	RH-U	RT	Additional Regulations
Base Density: Minimum Site Area per Unit (sq.ft.)	2 ac.	1 ac.	10,000	6,000	3,600	2,500	2,000	1,500	1,500	(A)
Maximum Potential Density: Site Area per Unit (sq.ft)	43,560	10,000	6,000	3,600	2,500	2,000	1,500	1,000	1,000	(B)
Minimum Lot Area (sq.ft.)	1 acre	10,000	6,000	5,000	7,500	7,500	7,500	10,000	6,000	(C) (D) (E) (Y) (GG) (HH)
Minimum Lot Width (ft.)	125	70	65	50	60	60	60	70	60	(F) (Y) (Z) (GG) (HH)
Minimum Yards: Front (ft.)	30	25	20	20	20	15	15	15	15	(G) (H) (W) (X) (Y) (DD) (FF) (GG) (HH)
Side (ft.)	15	7.5	7.5	5;10	5;10	5;10	5;10	5;10	5;10	(G) (I) (J) (K) (L) (M) (W) (Y) (CC) (GG) (HH)
Corner Side (ft.)	25	15	10	10	10	10	10	10	10	(G) (I) (M) (W) (X) (Y) (CC) (DD) (FF) (GG) (HH)
Rear (ft.)	30	20	15	15	15	15	15	15	10	(G) (I) (J) (R) (W) (Y) (AA) (GG)

RE, RS, RM, RH, and RT Districts:
PROPERTY DEVELOPMENT REGULATIONS (continued)

	RE-A	RE-B	RS	RM-A	RM-B	RM-C	RH	RH-U	RT	Additional Regulations (I) (O) (P) (S)
Courts										(M) (N)
Maximum Height (ft.)36	36	36	36	36	36	36	36	36	(I) (O) (P) (S)	
Maximum Coverage	30%	35%	45%	50%	60%	-	-	-	-	
Maximum Nonresidential FAR	-	-	-	-	-	-	1.0	1.0	1.0	
Outdoor Living Area										(Q) (HH)
Minimum Site Landscaping										(T)
Fences and Walls	See Section 3040									(U)
Off-Street Parking and Loading										(V) (EE) (HH)
Signs	See Article 33									
Outdoor Facilities	See Section 3020									
Screening of Mechanical Equipment	See Section 3021									

RE, RS, RM, RH, and RT Districts:
PROPERTY DEVELOPMENT REGULATIONS (continued)

	RE-A	RE-B	RS	RM-A	RM-B	RM-C	RH	RH-U	RT	Additional Regulations
Refuse Storage Areas	See Section 3022									
Underground Utilities	See Section 3023									
Performance Standards	See Section 3024									
Nonconforming Structures	See Article 35									
Vehicular Access	See Section 3114									
Outdoor Storage										(BB)

RE, RS, RM, RH, and RT DISTRICTS:
Additional Development Regulations

(A) See Section 3032: Affordable Housing Density Bonus.

(B) The Planning Commission, for projects with more than four units, or the Planning Director, for projects with four or fewer units, may approve a use permit authorizing an increase in density up to the maximum potential density for a project exceeding standards established by City Policy if the Commission or the Planning Director, as the case may be, finds the project conforms to the provisions of Section 2.3 of the Land Use Element of the General Plan. No use permit shall be granted that would directly or indirectly allow the maximum potential density to be exceeded unless specifically allowed by Section 1.13(H) of the Land Use Element of the General Plan for the Loma Alta, Fire Mountain and South Oceanside Neighborhood Planning Areas.

(C) See Section 3013: Development on Substandard Lots.

(D) See Section 3014: Development on Lots Divided by District Boundaries.

(E) The minimum site area shall be 12,000 square feet for General Day Care, General Residential Care, and Public and Private Schools.

(F) The ratio of lot depth to lot width shall not exceed 2.5:1, provided that the Planning Director may grant an exception to this requirement for lots located on a cul-de-sac or subject to specific limitations imposed by existing topography or existing property lines.

(G) Permitted Projections into Required Yards.

(1) In All Districts. See Section 3015: Building Projections into Yards and Courts.

(2) Accessory Structures. See Section 3005: Nonresidential Accessory Structures; Section 3006: Accessory Dwelling Units; and Section 3119: Driveways and Carport Design and Location in R Districts.

(H) See Section 3016: Front Yards in R Districts.

(I) Building Height and Required Yards. Except as provided

below, the width of a required interior side or rear yard adjoining a building wall exceeding 25 feet in height, excluding any portion of a roof, shall be increased five feet over the basic requirement (See Diagram I).

(1) Exceptions. If the lot width is less than 60 feet, no increase in the side yard is required.

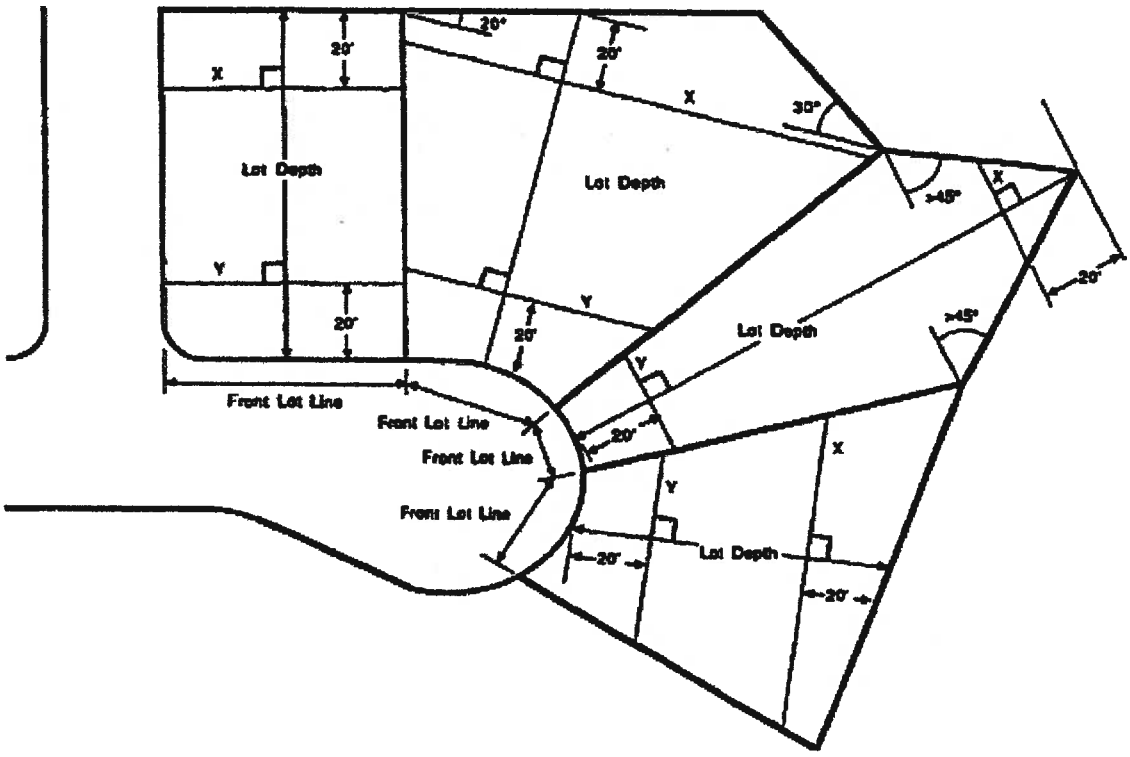
(J) Alley Setback. The width of a required interior side or rear yard adjoining an alley may be reduced to 5 feet or a zero setback for garages. The width of a rear yard adjoining an alley may be reduced to 5 feet for all other accessory structures. All other yard requirements are also required to be met (corner side yard, front yard and corner clear zone).

(K) Zero-Side Yard Development.

(1) Existing. Structures constructed in conformance with the standards for zero-side yard development in effect prior to the date this ordinance was adopted shall not be considered nonconforming structures, subject to Article 35, provided that any addition or enlargement shall be subject to the following property development regulations:

	Living Area Additions	**Patio Covers and Enclosures**
Minimum Yards:		
Front (ft.)	10	10
(The minimum setback for a garage is 20 feet, as measured from the front of the garage)		
Side (ft.)	5	5
(a zero side-yard setback is allowed on the attached-unit side, provided the opposite side-yard setback is 10 feet)		
Corner Side (ft.)	10	10
Rear (ft.)	15	10
(a 10 foot rear-yard setback may be allowed for room additions on lots which rear upon permanently maintained open space)		
Maximum Coverage	50%	50%

(I) BUILDING HEIGHT AND REQUIRED YARDS (diagram)



Lot Width = (X+Y) / 2

LOT DEPTH AND LOT WIDTH

(The diagram is illustrative)

(L) In the RM, RH, and RT districts, the average yard width shall be 10 feet, and the minimum width 5 feet, unless the sub-standard lot side-yard provisions of subsection (M) apply.

(M) The minimum side yards for substandard lots of record, as of the effective date of this ordinance, shall be as follows:

(1) For lots with a width of less than 40 feet: a minimum combined total width of 6 feet in any combination thereof.

(N) Courts Opposite Windows (RM, RH and RT Districts).

Courts are required opposite all required windows in all RM, RH and RT districts with the exception that Single Unit - Conventional (SU-C), Single Unit - Variable (SU-V), and Single Unit - Manufactured (SU-M) dwellings shall not be subject to this requirement and that courts shall not be required adjacent to a street or alley (See Diagram N).

(1) Courts Opposite Walls on the Same Site: The minimum depth shall be one-half the height of the opposite wall but not less than 18 feet opposite a living room and 12 feet opposite a required window for any other habitable room.

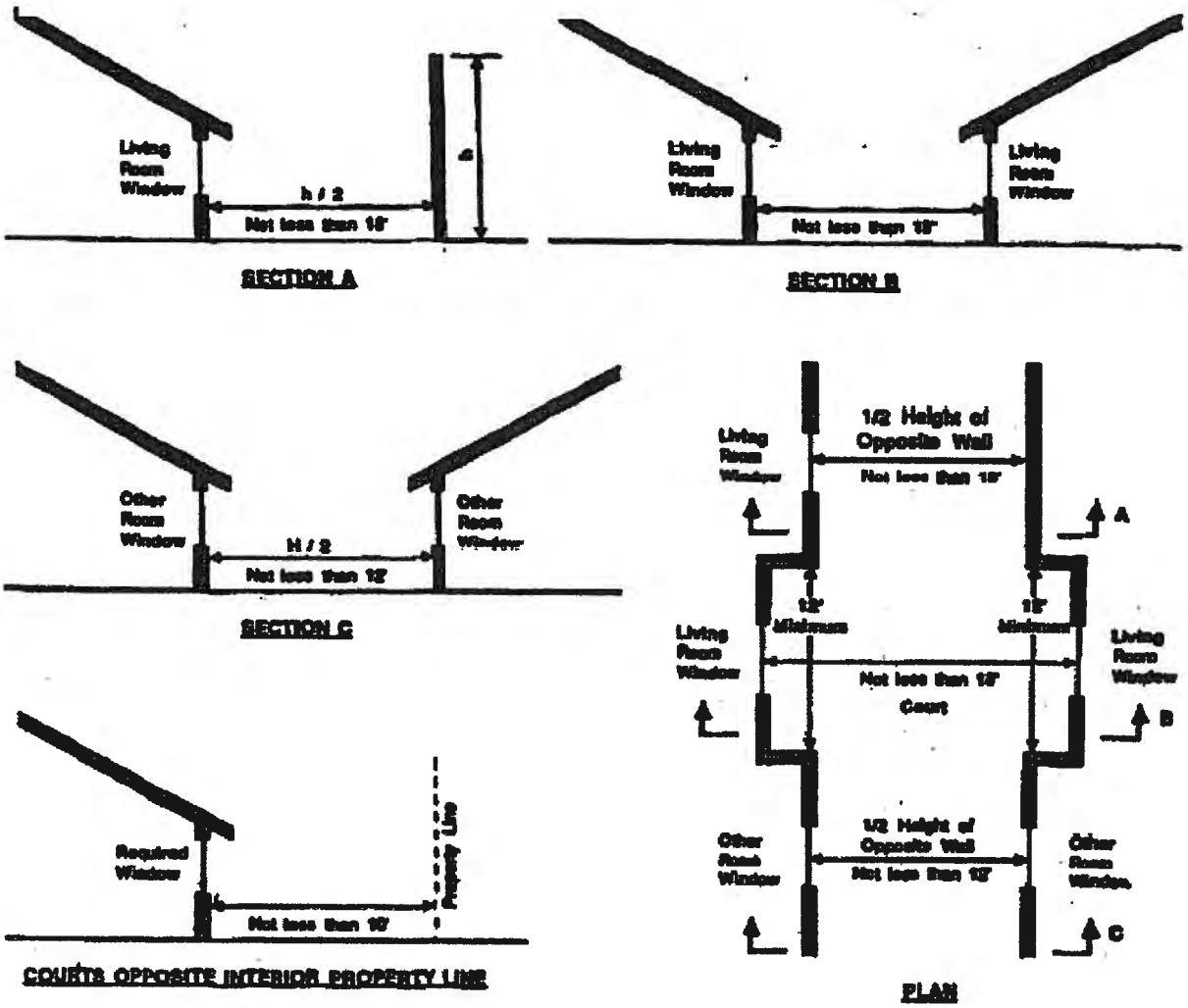
(2) Courts Opposite Interior Property Line: The minimum depth of a court for a required window of a habitable room shall be 10 feet measured from the property line.

(3) Court Dimensions: Courts shall be a minimum of 12 feet wide -- 6 feet on either side of the centerline of the required window and shall be open to the sky, provided that eaves may project 2 feet into a court.

(O) See Section 3018: Exceptions to Height Limits.

(P) In the Coastal Zone, structures shall not intercept a 45-degree daylight plane inclined inward from a height 27 feet above the front and street-side setback lines.

(N) COURTS OPPOSITE WINDOWS (diagram)



(N) COURTS OPPOSITE WINDOWS

(The diagram is illustrative)

(Q) Usable Open Space.

(1) Basic Requirement. Total usable open space on a site having three or more dwelling units shall be at least 300 square feet per dwelling unit.

(2) Private Usable Open Space. Private usable open space meeting a portion of the basic requirement may be on patios or balconies within which a horizontal rectangle has no dimension less than 5 feet.

For projects with 24 units or less, private usable open space not on patios or balconies shall be designed so that a horizontal rectangle inscribed within it has no dimension less than 10 feet and shall not include driveways or parking areas, or areas required for front or street side yards.

For projects with 25 units or more, private usable open space not on patios or balconies shall be designed so that a horizontal rectangle inscribed within it has no dimension less than 15 feet and shall not include driveways or parking areas, or areas required for front or street side yards.

(3) Common Usable Open Space. In the RM, RH and RT Districts a minimum of fifty percent (50%) of the total usable open space requirement shall be in common usable open space, provided by non-street side yards, common recreation areas, and common area patios, terraces, and rooftops.

For projects with 24 units or less, common usable open space areas shall be designed so that a horizontal rectangle inscribed within it has no dimension less than 10 feet, shall be open to the sky, and shall not include driveways or parking areas, or area required for front or street side yards.

For projects with 25 units or more, common usable open space areas shall be designed so that a horizontal rectangle inscribed within it has no dimension less than 20 feet, shall be a minimum of 1,000 square feet in size, shall be open to the sky, and shall not include driveways or parking areas, or area required for front or street side yards. Common usable open space areas shall be designed and accessible for outdoor living and recreation.

Common usable open space provided on roof tops shall be surrounded by a parapet, wall, or other enclosure that is at least 4 feet high, and shall be subject to approval by the Planning Commission.

Residential projects with 25 to 74 units shall provide at least one common, active recreation area with a minimum size of 4,000 square feet, to meet a portion of these requirements. Residential projects with 75 units or more shall provide at least two common, active recreation areas with a minimum size of 4,000 square feet, to meet a portion of these requirements. A single common, active recreation area with a minimum size of 8,000 square feet, may be provided to meet a portion of these requirements, provided the area is centrally located and easily accessible from all units within the project.

(4) Parkland Dedication. All multifamily housing projects with four or more units shall be subject to the parkland dedication requirements of the City Code, because apartments contribute to increased demand for community and neighborhood parks in the same manner as condominiums, cooperatives, and single-family housing. The applicant shall dedicate land or pay a fee, or a combination of dedication and fee as provided by the City Code and the credit for improvement and private open space of the City Code shall apply, if warranted. The fees shall be calculated according to a schedule adopted by the City Council by resolution and shall be payable at the time a building permit is issued.

(R) Stringline Setback.

Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall be compatible in scale with the existing development and shall not extend further seaward than the line established on the Stringline Setback Map.

(S) Building Height.

Buildings or structures located on lots within the Townsite area southerly of the Downtown District boundaries and the South Oceanside Neighborhood Planning Areas (as defined by the Land Use Element of the General Plan) shall be limited in height to two stories or 27 feet, whichever is less.

RH-U zoned property may obtain additional height up to a maximum of 50 feet for the principle structure subject to the approval of Conditional Use Permit by the Planning Commission that demonstrates that the project exhibits superior architectural features, quality facades, dramatic roof treatments, and design elements that enhance the overall presentation of the project.

(T) Planting Areas.

(1) Yards Adjoining Streets. A minimum of fifty percent (50%) of a required yard adjoining a street shall be planting area or landscape that may include areas covered by ornamental gravel, crushed rock or similar materials. The remainder of the required yard may be used for driveways or walks.

(2) Interior Yards. In the RM, RH and RT districts, at least 50 percent of each required interior side yard and rear yard shall be planting area having a minimum width of 5 feet adjoining a side or rear property line, provided that a nonresidential accessory structure may occupy a portion of the planting area in a rear yard.

(3) Notwithstanding subsection (T)(2) above, a continuous planting area having a minimum width of five feet shall adjoin an RS or RE-B district.

(U) Fences and Walls.

The maximum height of a fence or wall, including retaining walls shall be 6 feet except in required front yards abutting a street where the maximum height shall be 42 inches. Fences in front yards abutting a street may be up to 5-feet in height, if the fence material above 42 inches is decorative in appearance and 75 percent open. "Chainlink" or similar materials are not an acceptable decorative material for fences above 42 inches in height. In addition, all fences and walls shall be subject to the driveway visibility requirements of Section 3115 and all retaining walls over 4 feet in height shall be planted and irrigated. Tennis court fencing shall be a maximum height of 12 feet and shall not be located within any required yard.

(V) See Article 31: Off-Street Parking and Loading Regulations.

(W) Any portion of a lot subject to an easement for a major overhead electrical transmission line, vehicular access easement, permanently maintained open space easement, or public-access corridor shall be excluded in determining compliance with the minimum lot area and yard requirements, and the yard development standards shall be measured from the easement line closest to the structure.

(X) In the RM, RH and RT Districts the minimum front-yard building setback for projects with private streets or streets in private easements shall be 15 feet and the minimum cornerside setback shall be ten feet, provided that the front of a garage or entrance to an attached covered parking structure shall be set back a minimum of 20 feet. Setbacks shall be measured from the building or front of a garage or attached covered parking structure to the property line, back of sidewalk, or back of curb, whichever is most restrictive.

(Y) Panhandle access is allowed with approval of a use permit in single unit - conventional (SU-C) and single unit - variable (SU-V) developments subject to the following standards:

(1) The length of the panhandle cannot exceed three times the net width of the lot (excluding any access easement).

(2) Panhandle and pavement widths:

(a) Serving one or two lots:

- 20 foot wide panhandle
- less than 150 foot length: 16 feet of pavement
-greater than 150 foot length: 20 feet of pavement

(b) Serving three or more lots:

- 28 foot wide panhandle
- 24 feet of pavement

(3) The shortest lot line abutting the panhandle shall be considered the front property line, provided that where the two lot lines abutting the panhandle are substantially the same length, the Planning Director shall determine the location of the front property line. Once the front property line is established, side and rear property lines shall be designated accordingly, with the rear property line being immediately opposite the front property line.

(4) If an access easement exists, setbacks shall be measured from the easement line and not from the property line. A side property line abutting an access easement shall be considered a corner side and corner side setbacks shall be met and shall be measured from the easement line.

(5) In all cases, a minimum 20-foot set back for garages, as measured from the front of the garage, shall be met to provide an adequate back-up distance. If an access easement exists, the 20 foot setback shall be measured from the easement line and not from the property line.

(6) Lot area shall be calculated using the net area of the lot which shall not include the area of the access panhandle or easement.

(Z) Lots located on a cul-de-sac shall have a minimum lot frontage of 40 feet, as measured at the front lot line. Lots located on a curved street section shall have a minimum lot frontage of 45 feet, as measured at the front lot line.

(AA) In Single Unit - Conventional (SU-C) and Single Unit - Variable (SU-V) subdivisions, a usable rear yard area with no slopes greater than 5 percent shall be provided immediately adjacent to the rear of the structure. The depth of the usable rear yard area shall equal the minimum rear yard setback requirement of the underlying zoning district. The Planning Commission may approve a waiver to this provision for unique construction techniques and site design in conjunction with a Hillside Development Plan.

(BB) In RM, RH and RT Districts each unit shall be provided with a minimum of 160 cubic feet of enclosed outdoor storage area which shall be provided in garages, carports or patio areas and in which one dimension shall be at least 6 feet. Individual garages serving one unit shall be exempt from this requirement.

(CC) An addition to an existing structure may be allowed to extend to the existing side-yard setback line of the existing structure on the site provided that no side-yard setback is reduced to less than 5 feet and all other provisions and development standards of this ordinance are met.

(DD) Garages shall be set back a minimum of 20 feet, as measured from the front of the garage to the property line, back of sidewalk, or back of curb, whichever is most restrictive.

(EE) Vehicles shall not be parked in a required front, yard area and shall not project beyond the front building line of the principal structure on a site, provided that such vehicles may be parked on an approved driveway. Vehicles may not be connected to utilities or be used for habitation. Boats, trailers, and other non-motorized vehicles parked on driveways are subject to the provisions of Oceanside Traffic Code 13.25. All vehicles parked in side or rear yard areas must meet the following guidelines:

(1) Vehicles must be parked behind a 6' high view-obscuring fence.

(2) Vehicles must be parked on an acceptable surface of gravel, brick, or other paving surface.

(3) Vehicles or portions thereof, which are visible from public or adjacent private property, must be maintained in good appearance and condition at all times, i.e. free of rust, dilapidated tarps or coverings, or deteriorated paint.

(4) Vehicles must not block exterior windows or doors of habitable space in a dwelling.

(5) Vehicles must not block access to utility boxes or

meters.

(6) At least one 36″ clear side yard access aisle to the rear yard must be maintained on the property.

Exemption:

Owners of 51 percent or more of the land in a defined planning neighborhood or subdivision may file an exemption to the above front yard parking limitations by obtaining from the City and completing an Application for Exemption and providing a supporting petition with the required number of property owner signatures. The completed application and petition must be submitted to the Community Development Department on approved forms and shall include the following:

(1) A statement of purpose and explanation of why the exemption should apply to the defined planning neighborhood or subdivision;

(2) A map indicating the boundaries of all lots in the proposed exemption area;

(3) Proof of notification of intent to apply for neighborhood exemption to all owners of record within the defined planning neighborhood or subdivision.

The Community Development Department shall verify that all information submitted on the application meets the designated criteria and shall verify all petition signatures. The Community Development Department shall not act on an application and petition unless in the sole discretion of the Community Development Director, the application is complete and all criteria have been met.

If the Application for Exemption is approved, the following restrictions shall apply for additional parking in the front yard setback area:

(1) Additional parking areas must meet the driveway design requirements of Oceanside Zoning Ordinance Section 3119.A.

(2) The total paved parking area in the front yard setback, including the existing approved driveway, must not exceed one-third coverage of the front yard area.

(3) The additional parking area must not create any vehicular or pedestrian sight hazards or block emergency ingress/egress to any habitable space in a dwelling.

(4) Vehicles are not permitted to drive across sidewalks.

(5) Additional driveway curb cuts are not permitted.

(FF) Double Frontage Lots.

Each street frontage on an interior lot and the two shortest street frontages on a corner lot shall be deemed a front lot line and front yard and corner side yard setback requirements of the base district shall be met.

(GG) In the RE-B, RS, and RM-A districts the Planning Commission may approve a use permit for a single-family detached residential development project which also incorporates Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures subject to the following provisions:

(1) The Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures are approved, constructed, and reserved solely for the purposes of satisfying the inclusionary housing requirements for low and moderate-income households in residential projects as defined by the Oceanside City Code. All other residential structures must meet the residential unit-type and property development regulations of the base-zoning district.

(2) The Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures shall meet all provisions of Chapter 14C of the Oceanside City Code, including the resale or rental restrictions and the design and construction provisions.

All Single Unit-Variable (SU-V), Two Unit-Conventional (TU-C), and Two Unit-Variable (TU-V) structures approved pursuant to this section shall be subject to the property development standards of the base zoning district, provided that the standards in the following schedule shall be in addition and shall govern where conflicts arises. All other residential structures must meet all of the residential property development standards of the underlying base zoning district.

	REB	RS	RM-A
Minimum Lot Area (sq.ft.)	5,000	4,000	3,500
Minimum Lot Width (ft.)	50	40	40
Minimum Yards:			
Front (ft.)	20	20	20
Side (ft.)	5	5	5
(a zero side-yard setback may be allowed, provided the opposite side-yard setback is 10 feet)			
Corner Side (ft.)	10	10	10
Rear (ft.)	15	15	15
Maximum Coverage	50%	50%	55%

(HH) Except in the RH District bounded by South Horne Street, Weitzel Street, Michigan Street, South Freeman Street and Missouri Street, Single Family Detached Units on a minimum of 2,500 square foot lots are allowed with a Conditional Use Permit within the RM-B, RM-C and RH Districts when determined to be compatible with existing and future land uses and plans. The following minimum development regulations are also required:

Lot Width 25-feet

Open Space-None except for required yards

Lot Depth 100-feet

Setbacks

Front	10-feet	
Side	3-feet	
Corner Side	10-feet	(Maybe reduced if determined that corner clear zone can be maintained)

Garage Access: Vehicular access to garages shall be from the rear-yard via a public alley or private drive.

(II) Minimum Horse Yard Area. For the keeping of a maximum of two horses per residential lot the following minimum horse yard areas shall be maintained for the stabling and servicing of up to two (2) horses consisting of seventy-two hundred (7,200) square feet of useable area. One additional horse is

allowed for each thirty-six hundred (3,600) square feet of useable horse yard area, not to exceed a maximum of four (4) horses per lot, unless a Conditional Use Permit is approved by the Planning Director to exceed four (4) horses. Useable area for horse yards shall be defined as an area with no slopes greater than 10 to 1. The horse yard shall be able to site the following facilities exclusive of side and rear-yard setbacks.

(1) A minimum of one (1) 24 foot by 24 foot pen for the stabling and servicing of one horse.

(2) A minimum of two (2) 24 foot by 24 foot pens for the stabling and serving of two horses.

(3) A minimum area of 150 square feet for hay and tack storage.

(4) A minimum area of 250 square feet for waste storage.

(5) A minimum 50 foot diameter lunge (exercise) area.

(6) Vehicular access for hay delivery and horse trailers.

(7) No horse shall be stabled within forty (40) feet of any window or door of any on or off-site building used for human habitation. Additionally, all structures, including barns and stables, shall comply with all applicable development regulations. Corrals shall maintain a minimum side and rear-yard setback of five (5) feet and a front-yard setback of twenty-five (25) feet.

1060 Review of Plans

All projects, shall require development plan review as per Article 43.

Article 4 Use Classifications

Sections:

410 Purpose and Applicability
420 Uses Not Classified
430 Residential Use Classifications
440 Public and Semipublic Use Classifications
450 Commercial Use Classifications
460 Industrial Use Classifications
470 Agricultural and Extractive Use Classifications
480 Accessory Use Classifications
490 Temporary Use Classifications

410 Purpose and Applicability

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Planning Director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this Title. The Planning Director may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification. The Planning Director's decision may be appealed to the Planning Commission.

420 Uses Not Classified

Any new use, or any use that cannot be clearly determined to be in an existing use classification is prohibited. Provided, however, that any new use may be incorporated into the zoning regulations by a Zoning Ordinance text amendment, as provided in Article 45.

430 Residential Use Classifications

A. Day Care, Limited. Non-medical care and supervision of up to and including fourteen persons on a less than 24-hour basis within a licensee's home for children and adults.

B. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes roominghouse/boardinghouse, dormitories, fraternities, sororities, and private residential clubs, but excludes residential hotels (see Single-Room Occupancy (SRO) Residential Hotels).

C. Live/Work Quarters. An area comprising one or more rooms in a building originally designed for industrial or commercial occupancy that includes cooking space, sanitary facilities, and working space for artists, artisans and similarly activities and Custom Industry uses as defined herein.

D. Multifamily Residential. Two or more dwelling units on a site. This classification includes mobile home and factory-built housing.

E. Residential Care, Limited. Twenty-four-hour non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living.

F. Single-Family Residential. Buildings containing one dwelling unit located on a single lot. This classification includes mobile home and factory-built housing.

G. RV Parks. A facility renting or leasing space on a short-term or long-term basis to owners or users of recreational vehicles, not for permanent residence.

440 Public and Semipublic Use Classifications

A. Airport. Runways and related facilities for airplane landing and take-off.

B. Cemetery. Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery.

C. Child Care. Non-medical care and supervision on a less than 24-hour basis in any care facility of any capacity, and not within a licensee's home for persons under the age of 18.

D. Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs, youth, and senior centers.

1. Small scale. Establishments occupying no more than 5,000 square feet.

E. Convalescent Facilities. Establishments providing care on a 24-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.

F. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.

   1. Small-scale. Establishments occupying no more than 5,000 square feet.

G. Day Care, General. Non-medical care and supervision on a less than 24-hour basis in any care facility of any capacity, and not within a licensee's home for persons over the age of 18.

H. Detention Facilities. Publicly owned and operated facilities providing housing, care, and supervision for persons confined by law.

I. Emergency Health Care. Facilities providing emergency medical service with no provision for continuing care on an inpatient basis.

J. Emergency Shelter. Overnight sleeping accommodations intended to provide temporary housing to homeless families and/or individuals. Such accommodations may include basic supportive services such as food, shower and rest room facilities, laundry room, storage areas, and limited administrative or intake offices.

K. Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

   1. Small-scale. Establishments occupying no more than 5,000 square feet.

L. Heliports. Pads and facilities enabling takeoffs and landings by helicopters.

M. Hospitals. Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for outpatient treatment, as well as training, research, and administrative services for patients and employees.

N. Maintenance and Service Facilities. Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities.

O. Marinas. A boat basis with docks, mooring facilities, supplies and equipment for boats.

P. Park and Recreation Facilities. Noncommercial parks, playgrounds, recreation facilities, and open spaces.

Q. Public Safety Facilities. Facilities for public safety and emergency services, including police and fire protection.

1. Small-scale. Establishments occupying no more than 5,000 square feet.

R. Religious Assembly. Facilities for religious worship and incidental religious education and other religious facility related supportive and social services. This use classification specifically excludes private schools as defined in this section.

1. Small-scale. Establishments occupying no more than 5,000 square feet.

S. Residential Care, General. Twenty-four hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living.

T. Resource Centers. Neighborhood facilities that are City-sponsored or under the control of the City and are used for neighborhood safety, enhancement, education, health care, and other similar neighborhood programs.

U. Schools, Public or Private. Educational institutions having a curriculum comparable to that required in the public schools of the State of California.

V. Transitional Housing. Transitional housing encompasses both housing and appropriate supportive services for homeless persons designed to enable them to move to independent living within a 24-month period.

W. Utilities, Major. Generating plants, electrical substations, aboveground electrical transmission lines, lone switching buildings, refuse collection, transfer, recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or waste water

treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification.

X. Utilities, Minor. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, underground water and sewer lines, and recycling centers within convenience zones, as defined by the California Beverage Container Recycling and Litter Reduction Act.

450 Commercial Use Classifications

A. Adult Businesses. Establishments based primarily on materials or performances that depict, describe, or relate to "specified sexual activities", as defined in Article 36. This classification includes adult businesses that are listed as "regulated uses", as defined in Article 36, Section 3602.

B. Ambulance Services. Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

C. Animal Sales and Services.

1. Animal Boarding. Provision of shelter and care for animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care.

2. Animal Grooming. Provision of bathing and trimming services for animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.

3. Animal Hospitals. Establishments where animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (30 days) boarding of animals is included if incidental to the hospital use.

4. Animals: Retail Sales. Retail sales and boarding of animals provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours.

D. Artists Studios. Work and display space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.

1. Small-scale. Establishments occupying no more than 5,000 square feet.

E. Banks and Savings and Loans. Financial institutions that provide retail banking services to individuals and businesses. This classification is limited to institutions engaged in the on-site circulation of cash money including businesses offering check-cashing facilities.

1. Drive-through/Drive-up Service. Institutions providing self-service banking facilities that are not associated with a primary banking or savings and loan building located on the same site.

2. Self-service Facilities (ATM's). Institutions providing self-service banking facilities that are not associated with a primary banking or savings and loan building located on the same site.

F. Building Materials and Services. Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes establishments devoted exclusively to retail sales of paint and hardware, and activities classified under Vehicle/Equipment Sales and Services, including vehicle towing services.

G. Catering Services. Preparation and delivery of food and beverages for off-site consumption with provision for on-site pickup or consumption not to exceed 1,000 square feet. (See also Eating and Drinking Establishments.)

H. Commercial Recreation and Entertainment. Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors,
pool rooms, dance halls, ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, arcades and games centers having five or more coin-operated game machines and card rooms.

1. Limited. Indoor movie theaters and performing arts theaters.

2. Small-scale. Establishments occupying no more than 5,000 square feet.

I. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Utilities (Major). This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices.

J. Eating and Drinking Establishments. Businesses providing for the preparation and the service of food or beverages for consumption on or off the premises.

1. Drive-through/Drive-up. Service from a building to persons in vehicles through an outdoor service window (Drive-through) or delivery service to vehicles parked in designated parking spaces (Drive-up).

2. With Live Entertainment. Establishments providing live entertainment for patrons.

(a) Small-scale. Establishments with 5 or fewer performers, 75 percent food sales compared to alcohol sales, no dance floor and with entertainment provided only during typical lunch and dinner hours (11:00 AM - 11:00 PM).

K. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as Catering Services or Eating and Drinking Establishments.

1. Convenience Markets. Retail sales of food, beverage and small convenience items typically found in establishments with long or late hours of operation. This definition excludes delicatessens and other specialty food shops having a sizeable assortment of fresh fruits and vegetables, and fresh-cut meat or fish.

L. Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries.

M. Home Improvement. Retailing or wholesaling of goods to be used for home improvements or the furnishing of homes. This classification is limited to specialty businesses in which the primary inventory of the business includes one of the following merchandise; furniture, carpet and other floor coverings, window coverings, wall coverings, bed and bath products, kitchen remodels, doors and windows, garage doors, glass, paint, mattresses, cabinets and shelves, fireplaces, patios, lighting materials, pool and spas, and similar uses. This use classification does not include a comprehensive home improvement store.

N. Horticulture, Limited. The raising of fruits, vegetables, flowers, ornamental trees and shrubs on sites of 2.5 acres or less, as a wholesale commercial enterprise, provided that nursery equipment or materials necessary for the operation shall be stores on-site within structures. Wholesale commercial horticulture accessory to a dwelling unit shall be regulated as a home occupation. On-site Agricultural Sales Stands may be allowed subject to the location and development standards of Section 3038.

O. Laboratories. Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as Limited Industry.

P. Maintenance and Repair Services. Establishments providing appliance repair, office machine repair, or building maintenance services. This classification excludes maintenance and repair of vehicles or boats and ships (see Vehicle/Equipment Repair and Marine Sales and Services).

Q. Marine Sales, Rentals, and Services. Establishments providing supplies and equipment for shipping or related services, or pleasure boating and recreation. Typical uses include chandleries, yacht brokerage, sales, boat yards, boat docks, and sail-making lofts.

R. Nurseries. Wholesale or retail establishments for the selling of plants, shrubs, trees and related products in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer or chemicals of any type are stored and sold in package form only. Nurseries may include the growing and propagation of plants as part of the operation.

S. Offices, Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, real estate, insurance, investment, legal, and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

T. Payday Loan/Paycheck Advance Establishment. A person or entity that for compensation, engages in whole or in part, in the business of lending limited amounts of funds for a short-term, against the borrower's future paychecks. The aforementioned definition excludes State or federally chartered banks, savings associations, credit unions, or industrial loan companies offering direct deposit advance service to their customer that is incidental to their main purpose or business.

U. Pawn Shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property and subject to Chapter 22 of the Municipal Code.

V. Personal Improvement Services. Provision of instructional services or facilities, including: photography, fine arts, crafts, dance or music studios; driving, business or trade schools; diet centers, or reducing salons; and health/fitness studios, spas or clubs.

1. Health/Fitness Studios, Spas or Clubs. Establishments with equipment for exercise and physical conditioning.

2. Massage Establishments. Establishments providing massage service.

3. Small Scale. Establishments occupying no more than 5,000 square feet.

W. Personal Services. Provision of services of a personal nature. This classification includes: barber and beauty shops, seamstresses, tailors, shoe repair shops, laundry and dry cleaning agencies (excluding large-sale plants - see Section 460.B.1), photo-copying, word processing, packaging, postal and office supply support facilities, and self-service laundries.

1. Limited. Excludes laundry and dry cleaning agencies and self-service laundries.

2. Small-scale. Establishments occupying no more than 2,500 square feet.

X. Research and Development Services. Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electronic research firms, pharmaceutical research laboratories, and medical testing and analysis, but excludes manufacturing, except of prototypes.

Y. Retail Sales. The retail sale of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, comprehensive home improvement stores, furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies (including limited processing), electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).

1. Limited. Excludes comprehensive home improvement stores, furniture, hardware, paint and wallpaper, carpeting and floor covering, and new automotive parts and accessories.

2. Pharmacies and Medical Supplies. Establishments primarily selling prescription drugs, and medical supplies and equipment.

Z. Secondhand Furniture, Appliance, "Collectible" and Clothing Sales. The retail sale of used furniture, appliances, "collectibles" and clothing, and secondhand dealers who are subject to Chapter 22 of the Municipal Code. This classification excludes antique shops primarily engaged in the sale of antique furniture and accessories.

1. Small-scale. Establishments occupying no more than 5,000 square feet.

AA. Swap Meets, Recurring. Retail sale or exchange of handcrafted or secondhand merchandise for a maximum period of 48 hours, conducted by a sponsor on a more than twice yearly basis.

BB. Travel Services. Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies.

CC. Vehicle/Equipment Sales and Services.

1. Automobile Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles.

2. Commercial Parking Facility. Lots offering short-term or long-term parking to the public for a fee.

3. Service Stations. Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and repair of automobiles and light trucks, but excludes body and fender work or repair of heavy trucks or vehicles.

4. Vehicle/Equipment Repair. Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping.

   (a) Limited. Excludes body and fender shops.

5. Vehicle/Equipment Sales and Rentals. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, and similar equipment, including storage and incidental maintenance.

6. Vehicle Storage. Storage of operative or inoperative vehicles. This classification includes storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but does not include vehicle dismantling.

   (a) Limited. Storage of operable passenger automobiles, standard and small vans and motorcycles.

DD. Visitor Accommodations.

1. Bed and Breakfast Inns. Establishments offering lodging on a less than weekly basis in a converted single-family or multi-family dwelling, with incidental eating and drinking service for lodgers only provided from a single kitchen.

   (a) Small-scale. Establishments renting four or fewer rooms.

2. Hotels, Motels, and Time-Share Facilities.

Establishments offering commercial lodging on a less than monthly basis. This classification includes incidental eating, drinking, and banquet services intended for the convenience of guests.

3. Single-Room Occupancy (SRO) Residential Hotels. Buildings with six or more guest rooms without kitchen facilities in individual rooms, or kitchen facilities for the exclusive use of guests, and which are also the primary residences of the hotel guests.

4. Vacation Club. Prepaid point or credit based establishments offering lodging on a less than weekly basis and having kitchens. This classification includes eating, drinking and banquet services.

EE. Warehousing and Storage, Limited. Provision of storage space for household or commercial goods within an enclosed building. Access to individual storage units shall be via an interior accessway. Exterior entry to individual storage units shall not be permitted. This classification includes facilities with a maximum of 5,000 square feet of gross floor area, but excludes Wholesale, Distribution and Storage, and Vehicle Storage. "Limited" vehicle storage as part of a Warehousing and Storage, Limited, facility is permitted subject to the approval of a Conditional Use Permit.

460 Industrial Use Classifications

A. Food Processing. Establishments primarily engaged in the manufacturing or processing and packaging of food or beverages for human consumption and wholesale distribution.

1. Limited. Establishments of less than 2500 square feet of floor area.

B. Industry, Custom. Establishments primarily engaged in on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment. This use may include affiliated office and support facilities and limited showroom and a retail sales area when clearly secondary and associated with the primary business.

1. Limited. Includes mechanical equipment not exceeding two horsepower or a single kiln not exceeding eight kilowatts and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle-making shops, and

custom jewelry manufacture.

C. Industry, General. Manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, large scale laundry and dry cleaning plants, auto dismantling within an enclosed building, oil and gas refining, stonework and concrete products manufacture, small animal production and processing within an enclosed building and power generation.

1. Large Scale Laundry and Dry Cleaning Plants. A laundry or dry cleaning facility having any of the following or similar type equipment:

(a) Boiler(s) exceeding a total of 15 horsepower;

(b) Dry cleaning machine(s) exceeding 60 pounds total capacity;

(c) Dryer(s) exceeding 50 pounds total capacity;

(d) Wet cleaning washer(s) exceeding 50 pounds total capacity.

D. Industry, Limited. Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services; both within an enclosed building. This classification includes processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, and Vehicle/Equipment Services. This classification may include affiliated office and support facilities and a limited showroom and retail sales area when clearly secondary and associated with the primary business.

1. Small-Scale. Limited to a maximum gross floor area of 5,000 square feet.

E. Industry, Research and Development. Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but prohibits uses that may be objectionable in the opinion of the Planning Director, by reason of production of offensive odor, dust, noise, vibration, or storage of hazardous materials. Uses include biotechnology, films, and non-toxic computer component manufacturers. This

classification may include affiliated office and support facilities and a limited showroom and retail sales area when clearly secondary and associated with the primary business.

F. Wholesaling, Distribution and Storage. Storage and distribution facilities. This classification may include affiliated office and support facilities and a limited showroom and retail sales area when clearly secondary and associated with the primary business.

1. Trucking Terminals. Storage and distribution facilities having more than six heavy trucks on the premises at one time, but excluding trucking accessory to a Limited or General Industry classification.

2. Small-Scale. Wholesaling, distribution and storage having a maximum gross floor area of 5,000 square feet and having no more than two docks or service bays.

470 Agricultural and Extractive Use Classifications

A. Animal Husbandry. Raising of animals or production of animal products, such as eggs or dairy products, on an agricultural or wholesale commercial basis. Typical uses include grazing, ranching, animal breeding, dairy farming, and poultry farming.

B. Crop Production. Raising and harvesting of tree crops, row crops, greenhouse crops or field crops on sites of greater than 2.5 acres on an agricultural or wholesale commercial basis, including packing and processing.

C. Dog Training and Dog Shows. Dog training, holistic health care, and dog shows with 50 dogs or less. Shows with greater than 50 dogs shall require a special events permit.

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~~C~~D. Mining and Processing. Places or plants primarily devoted to surface or subsurface mining of metallic and nonmetallic minerals, oil or gas, together with essential on-site processing and production of only nonmetallic mineral products. Typical places are borrow pits, quarries, oil and gas drilling rigs, or concrete batch plants. This classification specifically excludes any activities that are directly or indirectly associated with off-shore oil and gas exploration, production, or processing.

E. Wineries. An agricultural processing facility used for the fermenting and processing of grape juice into wine; or the refermenting of still wine into sparkling wine. Tours, tastings and retail sales may be permitted as an accessory use only.

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480 Accessory Use Classifications

A. Accessory Uses and Structures. Uses and structures that are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site. This classification includes accessory dwelling units ("second units") and home occupations.

490 Temporary Use Classifications

A. Agricultural Specialty Sales, Seasonal. Retail sale of seasonal specialty items for a period not to exceed 45 days (e.g. Christmas Tree Sales, Pumpkin Sales).

B. Yard/Garage Sales. A sales event advertised by any means at a residential location where members of the public may purchase identifiable or tangible items of personal property; provided however, it shall not mean any event which constitutes a sales activity, wholesale or retail, by any business which has a current business license issued by the City. Items sold shall be limited to personal property owned by the occupant of the property and/or surrounding neighbors.

George Buell Attachment 3

From: donna mcginty <d-mcginty@cox.net>
Sent: Tuesday, August 21, 2012 10:04 AM
To: ";"
Subject: Fw: Planning COmmission Item

----- Original Message -----
From: donna mcginty
To: trosales@socwa.com
Sent: Tuesday, August 21, 2012 9:59 AM
Subject: Planning COmmission Item

Mr. Rosales:
I have spoken with Mr. George Buell regarding the item of a private property owner out on North River Road who is bringing a matter to the Planning Commission soon.
The gentlemen owns a piece of property that is frequently used for various private occasions. The man has filed for a change in his Zoning to allow for a commercial use rather than residential and would be considered an Agricultural/Commercial use. He wants to obtain a license to do business. He has been using his property for about the last 20 years for events paid for by the public. Apparently, someone complained that he did not have a license and can not get one unless the zoning is changed to accommodate his business.
I do not object to changes being allowed in the City regarding the rules for various zones. I am, and have been, a self-employed individual for many years.
I would like to appear before the Planning Commission when this item is scheduled for discussion. I want to wee what can be done, during such a rotten economy, to accommodate other small business interests and perhaps find a way to develop some small projects that are neighborhood oriented so that some of the business owners might be able to operate from the neighborhoods during hard economic times.
I have extensive background in business management and finance management and as a retiree am very interested in the current zone restrictions.
Please advise how many of your commissioners are small business owners. Also, please email me and let me know when the zone change item will be before your commission..
Thank you, Donna McGinty - Oceanside resident.