

ORDINANCE NO. 2012-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF OCEANSIDE AMENDING ARTICLE 12 OF THE
ZONING ORDINANCE, (RZA12-00001)

(City of Oceanside –Applicant)
(RZA12-00001)

WHEREAS, the broad purpose of the Oceanside Zoning Ordinance is to protect and promote the public health, safety and general welfare and to implement the policies of the City of Oceanside General Plan, and specifically to provide a precise guide for the physical development of the City;

WHEREAS, the City of Oceanside Downtown Project Area was created to eliminate and prevent the spread of blight and deterioration in the Project Area and due to the specific needs of the Downtown Project Area, the Community Development Commission has created development standards applicable to this area only;

WHEREAS, Article 12 of the Zoning Ordinance regulates development standards within Redevelopment Project Area of the City;

WHEREAS, Article 12 of the Oceanside Zoning Ordinance, currently regulates all land uses within the Redevelopment Project Area;

WHEREAS, it is in the public interest and will further the purposes of the Downtown Project Area to amend Article 12 add to provide a more comprehensive land uses within Subdistrict 6A;

WHEREAS, the proposed amended Article 12 will provide a more comprehensive land uses within Subdistrict 6A as more particularly described in Exhibit “A”, attached hereto and incorporated herein by reference;

WHEREAS, the City Council and Community Development Commission of the City of Oceanside, after giving the required notice did on the 7th day of November, 2012, conduct a duly advertised public hearing on the amendment to Article 12 of the Zoning Ordinance;

WHEREAS, pursuant to the California Environmental Quality Act of 1970 (CEQA) and the State Guidelines thereto as amended to date, the Resource officer of the City of Oceanside determined that this project is exempt from CEQA under sections 15061 (b) (3) and 15332 (a) (b) (c) (d) (e), of the

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1 CEQA Guidelines and has prepared a Notice of Exemption pursuant to section 15062 of the CEQA
2 Guidelines.

3 WHEREAS, based upon such evidence, testimony and staff reports, the City Council and the
4 Community Development Commission finds the proposed amendment to Article 12 as conforming to
5 the City's General Plan;

6 NOW, THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as follows:

7 1. That Zone Amendment Application RZA12-00001 amending Article 12 as specified in
8 Exhibit "A" is hereby approved and the Downtown Development Manager is hereby directed to amend
9 Article 12 of the Zoning Ordinance text as specified in this Exhibit.

10 2. Provisions of Exhibit "A", as incorporated, have been included for informational
11 purposes only and reflect the amended sections of the Zoning Ordinance which have been stricken,
12 removed or otherwise modified by the enactment of this Ordinance.

13 3. Notice is hereby given that the time within which judicial review must be sought on this
14 decision is governed by California Government Code Section 65009 (c) (1) (B).

15 4. The Ordinance shall not be codified.

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5. The City Clerk of the City of Oceanside is hereby directed to publish the title of this Ordinance and a summary of Exhibit "A" once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside. This Ordinance shall take effect and be in force on the thirtieth (30) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California, held on the _____ 2012, and, thereafter,

PASSED AND ADOPTED by the Oceanside City Council on this _____ day of _____, 2012, by the following vote:

AYES:

NAYS:

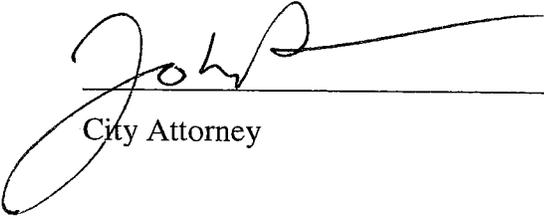
ABSENT:

ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

City Clerk

APPROVED AS TO FORM:


City Attorney

EXHIBIT "A"

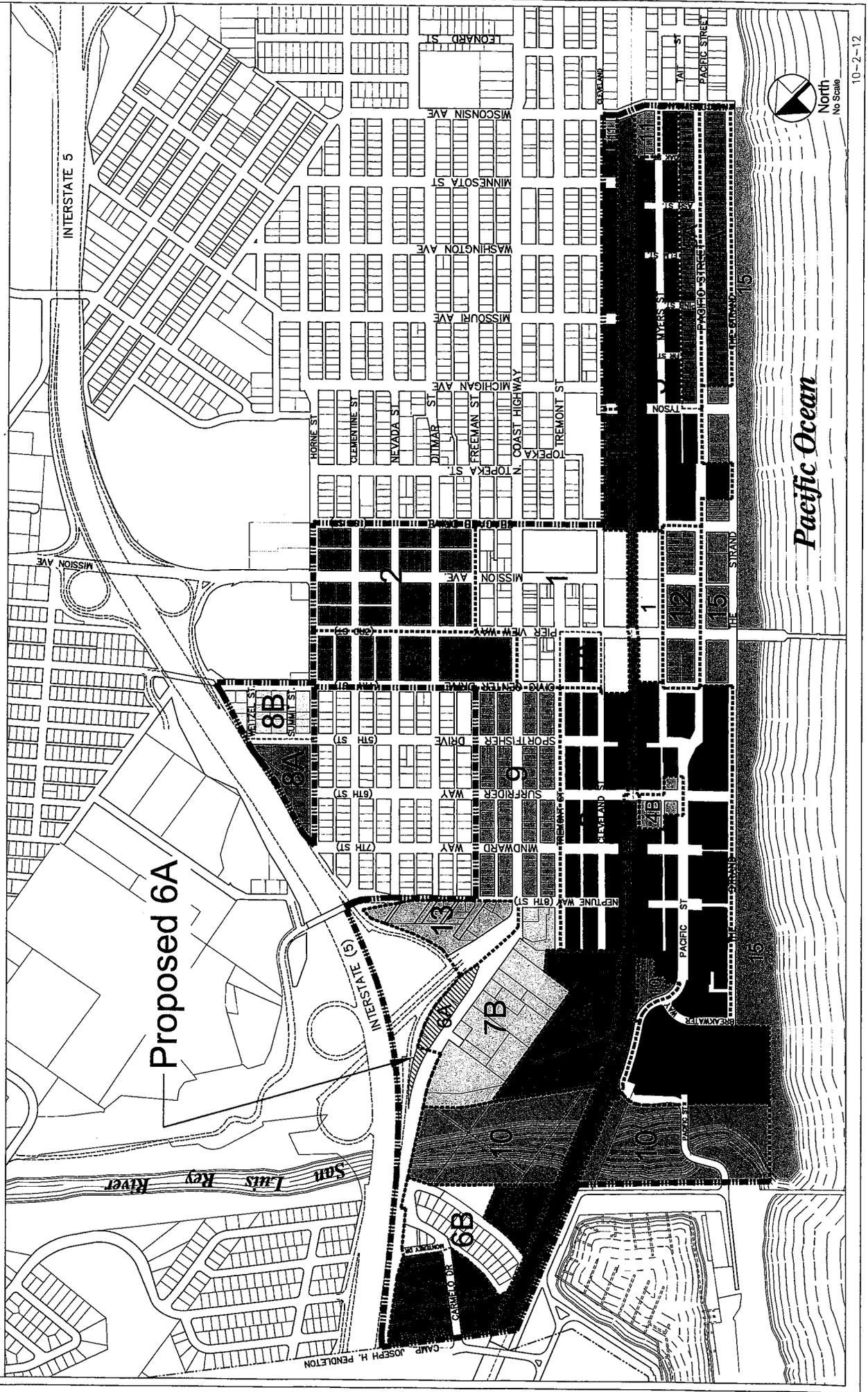
"D" Downtown District Ordinance
Zoning Text Amendment
RZA12-00001 & LCPA12-00002

The following are the proposed changes to Downtown "D" District Zoning Ordinance:

1. I. 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 classification also includes mini-marts which allows fuel pumps to provide fuel for vehicles.***
2. Allow for both retail sales and office uses within Subdistrict 6A.
3. The area located on the east side of North Coast Highway, between the San Luis Rey River and the intersection of Highway 76 and North Coast Highway, be incorporated within Subdistrict 6A; *Visitor Serving Commercial* (please see attached map).
4. ***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).***

Downtown Project Area

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|--|---|--|
| 1. Commercial Retail and Office / Residential possible | 5A. Medium Density Residential | 9. Commercial / Residential / SF & Multi (30,000 sq. ft.) |
| 1A. Commercial Retail and Office / Historic / Residential possible | 6A. Visitor Serving Commercial | 10. Open Space |
| 2. Office Professional / Office Professional | 6B. Visitor Serving Commercial / Residential possible | 11. Commercial / Residential possible / (Multi with mixed use) |
| 3. Office Professional / Residential possible (SF & Multi) | 6C. Harbor | 12. Tourist & Visitor Serving Commercial |
| 4A. Transient Uses & Residential (SF & Multi) | 7A. High Density Residential (SF & Multi) | 13. Visitor Serving Commercial / Office / Residential (Multi with mixed use) |
| 4B. Transient Uses & Residential (Multi) | 7B. Recreational / Commercial / Residential (SF & Multi) | 14. Public Transportation and Railroad |
| 5. High Density Residential (SF & Multi) | 8A. Hospital / Medical (SF) | 15. Public Facilities, Parks, Open Space |
| | 8B. Hospital / Medical / Office / Residential possible (SF & Multi) | |



Pacific Ocean

