

Article 1 Title, Components, and Purposes (City-wide)

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110 Title

This ordinance shall be known and cited as the "Zoning Ordinance of the City of Oceanside," "The Comprehensive Zoning Ordinance," or "The Zoning Ordinance."

120 Components

The Zoning Ordinance shall have the following components:

- A. Regulations, known as the zoning regulations, establishing various classes of zoning districts and governing the use of land and the placement of buildings and improvements within districts.
- B. A map or set of maps, known as the zoning map, delineating the boundaries of zoning districts within the City of Oceanside.

A copy of the zoning regulations and the zoning map, together with a record of all amendments, shall be kept on file with the City Clerk and shall constitute the original record. A copy of the zoning regulations and zoning map currently in effect shall also be kept on file with the City Planner.

130 Purposes

The broad purposes of the Zoning Ordinance are to protect and promote the public health, safety, and general welfare, and to implement the policies of the City of Oceanside General Plan, as provided in the California Government Code, Title 7, Chapters 3 and 4 and in the California Constitution, Article 11, Section 7. More specifically, the Zoning Ordinance is intended to:

- A. Provide a precise guide for the physical development of the City in order to:
 - 1. Preserve the character and quality of residential neighborhoods;

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2. Foster convenient, harmonious, and workable relationships among land uses; and
 3. Achieve progressively the arrangement of land uses described in the Land Use Element of the General Plan.
- B. Promote the economic stability of existing land uses that are consistent with the Land Use Element of the General Plan and protect them from intrusions by inharmonious or harmful land uses.
 - C. Prevent excessive population densities and overcrowding of land or buildings.
 - D. Ensure the provision of adequate open space.
 - E. Permit the development of office, commercial, industrial, and related land uses that are consistent with the Land Use Element of the General Plan, in order to strengthen the city's economic base.
 - F. Conserve and enhance the city's architectural and cultural resources.
 - G. Prevent the pollution of the air and bodies of water, and to encourage the wise use and sound management of the natural resources throughout the city in order to preserve the integrity, stability, and beauty of the city and the value of the land.
 - H. Preserve the natural beauty of the topography of the city and ensure appropriate development with regard to these natural features and promote the maximum aesthetic values for all land, land uses, buildings and structures in the city.
 - I. Conserve and enhance key visual features of Oceanside's setting, including the shoreline and the strand, the Guajome Regional Park, the Mission San Luis Rey historic area, and undeveloped hillsides and ridgelines, consistent with the Land Use Element of the General Plan.
 - J. Require the provision of adequate off-street parking and loading facilities, and promote the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the city, having particular regard to the avoidance of congestion in the streets and the provision of safe and convenient vehicular and pedestrian movements.
 - K. Ensure that service demands of new development will not exceed the capacities of existing public facilities and services.
 - L. Manage and control residential and nonresidential growth by timing and phasing the extension or construction of public facilities and services consistent with the General Plan and in accordance with the planned long-term buildout of community areas as provided in capital-improvement programs.
 - M. Promote housing of such types, sizes and cost as will allow city residents of whatever
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(Bold/underlined/italicized or stricken text indicates City Council adopted revisions, in effect in inland areas only. California Coastal Commission certification of a LCPA for coastal zone properties is currently pending.)

economic condition to reside in safe, sanitary dwelling units.

- N. Encourage innovative and desirable approaches to designed development.
- O. Promote a distinctive sense of place as well as community identity within the city.
- P. Implement adopted growth-management policies.

140 Consideration and Processing of Discretionary Applications

In the consideration of any discretionary application pursuant to the provisions of this ordinance, the City official or body charged with review responsibility shall not approve any such application unless it is established that the development will be appropriately timed and phased such that the development will be supported by adequate public facilities and services, and such that appropriate measures can be taken to mitigate adverse environmental impacts. Adequacy of public facilities and services shall be determined in accordance with the planned long-term buildout of community areas as provided in capital-improvement programs in which facilities are actually available or funded and the General Plan elements in effect at the time of the consideration of the application.

When a discretionary application is contingent upon approval of a General Plan amendment and/or zoning amendment, the Planning Commission shall make a recommendation to the City Council regarding the discretionary application and the General Plan amendment and/or zoning amendment. The City Council shall then review and take final action on both the discretionary application and the general plan and/or zoning ordinance amendment.

150 Time Extensions of Discretionary Applications

Discretionary applications, when approved, authorize the establishment and/or operation of a particular development or land use at a particular location. As such, the establishment and development of an approved discretionary application shall be diligently pursued by the developer/applicant per the “Lapse of Approvals” section in the respective Articles for a particular entitlement(s) (e.g. Article 41, Section 4108A-Use Permits and Variances), which state that the entitlement shall lapse three years after the effective date of approval. Expired permits shall be considered null and void unless a request for a time extension is submitted and approved as follows:

- 1. Prior to the expiration date of the permit or approval, the applicant shall submit a time extension application which includes a justification letter detailing the reasons for the extension, along with the payment of the application fee listed on the most recent fee schedule adopted by the City Council.**
- 2. Timely filed applications shall automatically extend the entitlement(s) until a decision to approve or deny the request is rendered. If a time extension is granted, it shall be based on the original approval date of the discretionary application.**

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3. **The City Planner shall administratively, without a public hearing, extend the time within which the right or privilege granted under a permit or approval is valid, subject to the following:**
 - A. **The entitlement or approval remains consistent with the General Plan, Zoning Ordinance, City policies and standards in place during the time of original application approval.**
 - B. **Physical circumstances and surroundings near the project site have not substantially changed since the entitlement or approval was originally granted.**
 - C. **The City Planner shall grant no more than three, one-year extensions, for a total cumulative potential time extension of three years.**
 - D. **All project-related permits or approvals, which were granted concurrently, shall be extended to expire concurrently, provided all such permits are extended pursuant to the provisions of this section.**
 - E. **The original conditions of approval will apply to the proposed time extension.**
 4. **The City Planner shall announce in writing, by letter, their decision to grant or deny an extension. A copy of the letter shall be mailed to the applicant and/or the applicant's representative. A notice will be sent to recipients on the project notification list stating that a time extension has been granted or denied.**
 5. **If the City Planner determines that a time extension request does not meet the criteria above and denies the extension, then a new discretionary application may be submitted for review under the normal entitlement review process.**
 6. ***Automatic Extension. All Development Plans, Use Permits, Variances, and Regular Coastal Permits, that were unexpired as of March 16, 2020, shall be automatically extended an additional 12-months. Projects benefiting from this automatic extension shall be limited to future time extensions not to exceed a total period of two years.***

(Italicized font indicates language will not be codified as part of proposed Zoning Text Amendment)