

Article 10 Residential Districts (Inland)

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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 unit 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(A), and may be rebuilt if destroyed or damaged; such dwellings are not to be considered nonconforming uses.

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

**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

District	Single-Family Detached			Single-Family Attached			Multi dwelling Unit Structure
	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

- 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 City Planner 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 City Planner 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 City Planner determines that the project is consistent with the objectives of the General Plan and other City policies;
 - (3) The City Planner 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 City Planner determines that the project is consistent with the objectives of the General Plan and other City policies;
 - (3) The City Planner 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 City Planner 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.

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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

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

	RE	RS	RM	RH	RT	Additional Regulations
Residential Uses						(A)(B)(S)
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)
Transitional Housing	P	P	P	P	P	
Supportive Housing	P	P	P	P	P	
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	U	U	U	U	
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	L10	L10	L10	L10	
Schools, Public or Private	U	U	U	U	U	
Utilities, Major	L-7	L-7	L-7	L-7	L-7	(P)
Utilities, Minor	P	P	P	P	P	

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	RE	RS	RM	RH	RT	Additional Regulations
Visitor Accommodations						
Bed and Breakfast Inns Hotels, Motels and Timeshares	L10	L10	L10	L10	L10	(E)
Single-Room Occupancy	-	-	-	-	L-5	(F)
	-	-	-	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.

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

- 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 or transportation, 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 City Planner.
- 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 City Planner 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.
- (H) See Section 3005: Nonresidential Accessory Structures and Section 3006: Accessory Dwelling Units.
- (I) See Section 3119: Driveways and Covered Parking Structure Design and Location in R Districts.
- (J) See Section 3008: Swimming Pools and Hot Tubs.
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- (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 Article 39 (A,B,C).
- (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.
- (S) See Section 3012: Maximum Dwelling Unit Occupancy

**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.

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

**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:										
Min. Site Area / Unit (sq.ft.)	2 acres	1 acre	10,000	6,000	3,600	2,500	2,000	1,500	1,500	(A) (JJ)
Maximum Potential Density:										
Site Area / Unit (sq.ft.)	43,560	10,000	6,000	3,600	2,500	2,000	1,500	1,000	1,000	(B) (JJ)
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)

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

**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 (D)(O)(S)
Courts										(M)(N)
Maximum Height (ft.)	36	36	36	36	36	36	36	36	36	(I)(O)(S)(JJ)
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) <u>(MM)</u>
Fences and Walls	See Section 3040									(U)
Off-Street Parking and Loading										(V)(EE)(HH) <u>(LL)</u>
Signs	See Article 33									
Outdoor Facilities	See Section 3020									
Screening of Mechanical Equipment	See Section 3021									
Renewable Energy Facilities	See Section 3047									(KK)

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

**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
Electric Vehicle Parking and Charging Facilities See Section 3048									(LL)	
Urban Forestry										(MM)
Refuse Storage Areas										
Underground Utilities										
Performance Standards										
Nonconforming Structures										
Vehicular Access										
Outdoor Storage										(BB)

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

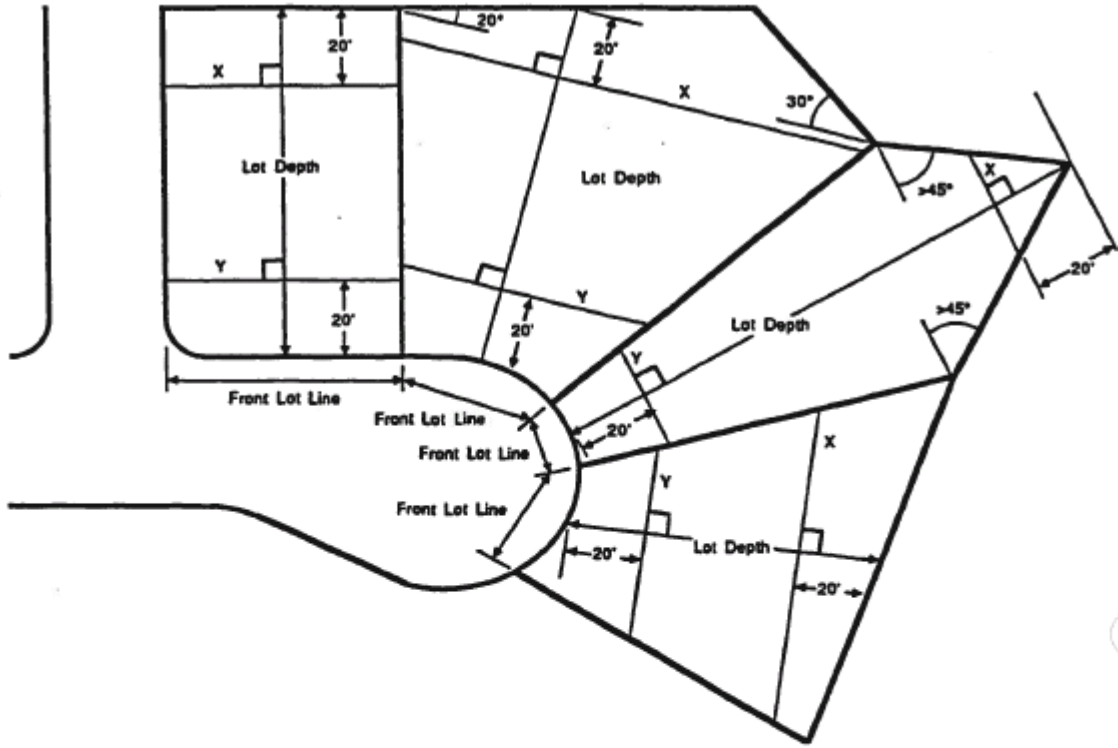
- (A) See Section 3032: Affordable Housing Density Bonus.
 - (B) The Planning Commission, for projects with more than four units, or the City Planner, for projects with four or fewer units, may approve a use permit authorizing an increase in density up to the maximum potential density for a project exceeding standards established by City Policy if the Commission or the City Planner, 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. An increase in density up to the maximum potential density may be approved without the benefit of a use permit when the applicant elects to reserve units for low-income households in accordance with Municipal Code section 14C.7. In such cases, projects remain subject to the provisions of Section 2.3 of the land Use Element of the General Plan.
 - (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 City Planner 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 Covered Parking Structure 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).
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CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

- (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
<i>(The minimum setback for a garage is 20 feet, as measured from the front of the garage)</i>		
Side (ft.)	5	5
<i>(a zero side-yard setback is allowed on the attached-unit side, provided the opposite side-yard setback is 10 feet)</i>		
Corner Side (ft.)	10	10
Rear (ft.)	15	10
<i>(a 10 foot rear-yard setback may be allowed for room additions on lots which rear upon permanently maintained open space)</i>		
Maximum Coverage	50%	50%

(I) BUILDING HEIGHT AND REQUIRED YARDS (diagram)



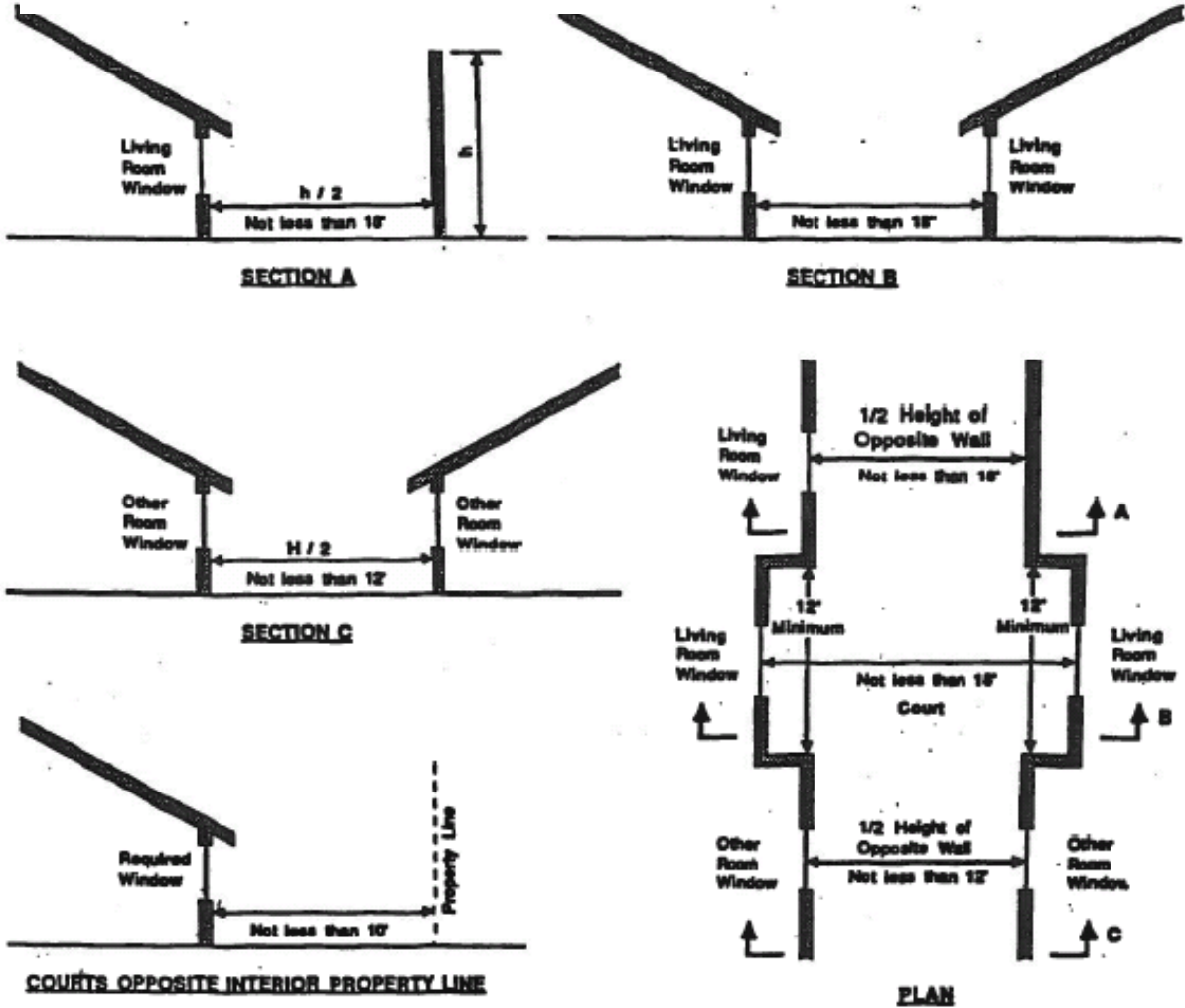
$$\text{Lot Width} = (X+Y) / 2$$

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) RESERVED

(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) RESERVED

(S) Building Height.

Buildings or structures located on lots - beyond the coastal zone boundaries - 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(ies) may obtain additional height up to a maximum of 50 feet for the principal structure subject to approval of a Conditional Use Permit by the Planning Commission, if it can be demonstrated that the project(s) exhibits superior architectural features, quality facades, dramatic roof treatments, and design elements that enhance the overall presentation of the project(s).

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

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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.

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

	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
<i>(a zero side-yard setback may be allowed, provided the opposite side-yard setback is 10 feet)</i>			
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 City Planner 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.
- (JJ) Projects exceeding base density allowances are subject to alternative inclusionary housing requirements as established in Municipal Code Chapter 14C. When such projects reserve units for low-income households in accordance with Municipal Code section 14C.7, they are eligible for the following concessions to building height and parking standards:
- Building Height: One additional story, not to exceed eight (8) additional feet above the maximum height for the surrounding zoning district.
- Parking: One (1.0) parking space per market-rate studio and one-bedroom unit; 1.5 parking spaces per market-rate unit exceeding one bedroom; 0.5 parking space per reserved studio unit; one (1.0) parking space per reserved one-bedroom unit; 1.25 parking spaces per reserved two-bedroom unit; 1.5 parking spaces per reserved unit exceeding two bedrooms.
- While these concessions to building height and parking standards are granted without the benefit of a variance, they do not preclude the discretionary review process, through which project approval will be contingent upon neighborhood compatibility, mitigation of massing impacts, compliance with the California Environmental Quality Act, and other considerations that may have the effect of limiting the overall bulk and scale of proposed development.
- (KK) Certain residential projects are required to implement renewable energy facilities, in accordance with ZO Section 3047.
- (LL) Certain residential projects are required to implement electric vehicle parking and charging facilities, in accordance with ZO Section 3048.
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(MM) Certain residential projects are required to implement urban forestry measures, in accordance with ZO Section 3049.

1060 Review of Plans

All projects, shall require development plan review as per Article 43, unless otherwise specified in this ordinance.