

Article 14 A Agricultural District (Inland)

Sections:

- 1410 Specific Purposes
- 1420 Land Use Regulations
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- 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. Allow agritourism uses incidental and compatible with agricultural operations.
- C. Limit non-agricultural uses to those incidental to agricultural operations.
- D. 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 "A" designates use classifications permitted through approval of an administrative use permit and the letter "U" designates use classifications permitted on approval of a use permit, as provided in Article 41. The letters AAP designate use classifications permitted through approval of an Agricultural Activities Permit. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule.

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

A DISTRICT: LAND USE REGULATIONS

P - Permitted
 U - Use Permit
 L - Limited, (See Additional Use Regulations)
 - - Not Permitted
 A - Administrative Use Permit
 ADP - Administrative Development Plan
 A - Agricultural Activities Permit
 SEP - Special Event Permit

	A	Additional Regulations
Residential Uses		
Day Care, Limited	P	
Single-family Residential	ADP	(A)(F)
Farmworker Housing	(L-5)	(D)
Public and Semipublic		
		(I)
Child Care	L-4	
Public Safety Facilities	U	
Utilities, Major	L-2	(G)
Utilities, Minor	P	
Cultural Institutions	(L-6)	
Educational Programs	(A)	
Commercial Uses		
		(I)
Horticulture, Limited	P	(H)
Animal Sales and Services:		
Animal Boarding	A	(R)
Animal, Horse and Dog Training and Shows	A	
Visitor Accommodations:		
Bed and Breakfast Inns	L-7	(B)
Agricultural Homestay	L-8	(K)
Campground	L-9	(L)
Assembly, Ceremonies and Weddings	A	(B)
Wineries	A	
Farm Brewery	L-10	
Farm Distillery	L-10	
U-pick Operation	AAP	(M)
Farm Tours	AAP	(M)

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Petting Zoo	AAP	(M)
Commercial Recreation, Outdoor	A	(N)
Retail Nursery	L-16	(O)
Restaurants and Cafes, Farm	L-11	
Agricultural Supply Services	L-12	
Agricultural and Extractive Uses		(I)
Animal Husbandry	L-1	(C)
Crop Production	P	(H)
Mining and Processing	U	
Aviculture	L-13	
Aquaculture	P	
Medical Cannabis Cultivation Facility	U	(J)
Medical Cannabis Nursery	U	(J)
Agricultural Food Processing, Limited	L-14	
Agricultural Product Processing, Limited	L-14	
Research and Development Agricultural Products	L-3	
Bee Keeping	P	
Composting	L-15	
Accessory Uses	P	(I)
Agricultural Sales Stand	P	(H)
Agricultural Sales Store	ADP	
Seasonal Attractions	SEP	
Horse Stables	AAP	
Greenhouses	P	(S)
Outdoor Facilities	P	(I)
Agricultural Accessory Structures	P	(Q)
Nonconforming Uses		(E)

A District: Additional Use Regulations

- L-1 Permitted. Administrative Use permit required for more than 40 domestic farm animals on a single property; conditions may be imposed limiting herd size and restricting grazing to designated areas to protect water resources from agricultural runoff.
- L-2 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

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

- Commission. Flood control or drainage facilities are permitted if they are consistent with approved master drainage and/or flood-control plans.
- L-3 Agricultural Activities Permit required for facilities greater than 5,000 square-feet.
- L-4 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-5 Permitted with a maximum of 36 beds. Use Permit required for farmworker housing with more than 36 beds.
- L-6 Administrative Use permit required for facilities 5,000 square feet or less. Use Permit required for cultural institutions greater than 5,000 square feet.
- L-7 Permitted. Limited to a maximum of two (2) guest rooms. Administrative Use Permit Use Permit required for bed and breakfasts with more than two guest rooms up to a maximum of twelve guest rooms.
- L-8 Permitted. Limited to a maximum of six (6) rooms. Use Permit required for agricultural homestays requiring the construction of new guest accommodations, attached or detached, or associated facilities.
- L-9 Limited to a maximum of six (6) campsites on parcels 15 acres or larger with an Administrative Use Permit. Use Permit required for campgrounds with more than six (6) campsites or parcels less than 15 acres.
- L-10 Limited to facilities 5,000 square-feet or less with an Administrative Use Permit on parcels five acres or larger. Use Permit required for facilities greater than 5,000 square feet up to a maximum of 15,000 square-feet or parcels less than five acres.
- L-11 Limited to facilities 1,500 square feet or less with an Administrative Use Permit. Use Permit required for facilities greater than 1,500 square feet. The sale of distilled spirits for consumption on the premises shall be permitted incidental to a bona fide eating establishment subject to approval of a Use Permit.
- L-12 Administrative Development Plan required for facilities 5,000 square feet or less. Development Plan required for facilities greater than 5,000 square feet.
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- L-13 Agricultural Activities Permit required for the keeping of more than 100 chickens or other small domestic fowl for the purposes of egg production. Administrative Use Permit required for the keeping of more than 100 domestic birds not exclusively kept for egg production.
- L-14 Agricultural Activities Permit required for facilities 2,500 square feet or less. Administrative Development Plan required for facilities greater than 2,500 square feet to a maximum of 7,500 square feet. Development Plan required for facilities greater than 7,500 square feet.
- L-15 Agricultural Activities Permit required for composting incidental and accessory to a farming operation where the agricultural or green material is generated on the premises, or on any property within South Morro Hills owned or leased by the operator, and the finished material is intended for exclusive use on the farm or ranch. Administrative Use Permit required for a compost facility accepting raw material from off-site locations within South Morro Hills, not owned or leased by the operator. Use Permit required for a compost facility accepting raw material from outside of the South Morro Hills area.
- L-16 Agricultural Activities Permit required for retail nursery facilities where all plants, flowers, or trees are grown on the property where the retail nursery is located. Administrative Use Permit required for a retail nursery that imports plants, trees, and flowers from an offsite location.

A District: Additional Use Regulations (continued)

- (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) Individual parcels with a minimum lot size of 2.5 acres shall be permitted ten domestic farm animals. One additional adult animal shall be permitted for every additional quarter acre of a property above 2.5 acres. Parcels less than 2.5 acres but 20,000 square-feet or greater shall be permitted one adult animal per 10,000 square-feet of lot area. No person owning or having control or custody of any domestic animal shall confine or keep the same in any manner within thirty-five (35) feet of any building used as a dwelling other than that of the owner of such animals or within twenty-five (25) feet of the frontage street of any lot. See Chapter 4 of the Municipal Code

- (D) Farmworker housing, as defined in Section 17008(a) of the California Health and Safety Code, may be provided by the employer and maintained in connection with the work or place where work is being performed and must comply with all provisions of Section 17000 of the California Health and Safety Code. Farmworker housing not maintained in connection with any workplace and provided by someone other than an agricultural employer must comply with all provisions of Section 17008(b) of the California Health and Safety Code.
- (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 Article 39.
- (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. The stand shall be no larger than 500 square feet.
- (I) Outdoor storage of merchandise, materials and equipment related to Commercial Uses shall be subject to the screening requirements of Section 3020 (D). Outdoor storage containers shall be permitted subject to Section 3020 (A.4). See Section 3020: Outdoor Facilities; certain outdoor facilities are subject to the development standards of this section.
- (J)
 - i. Medical Cannabis Cultivation Facilities and Medical Cannabis Nurseries shall be limited to the A district and shall require the approval of a conditional use permit in accordance with Article 36 of the Zoning Ordinance. Medical Cannabis Cultivation Facilities and Medical Cannabis Nurseries shall not be permitted in any other zoning district even where agricultural uses are otherwise permitted. The City Council may establish by resolution the maximum number of Medical Cannabis Cultivation Facilities or Medical Cannabis Nurseries that may be permitted.
 - ii. No person or entity shall operate a Medical Cannabis Cultivation Facility or Medical Cannabis Nursery without obtaining the required state license and a Local License in accordance with Chapter 7 of the Oceanside City Code and remaining in compliance with all applicable terms of the state and Local License.
 - iii. All cultivation within a Medical Cannabis Cultivation Facility or Medical Cannabis Nursery shall take place in the interior of a fully enclosed, secured structure as required by the Local License. No light source used to cultivate cannabis shall be visible from a public right of way or from any adjacent property. Medical

Cannabis Cultivation Facilities or Medical Cannabis Nurseries shall not be subject to an Agricultural Activity Permit, however Section 1450.C. Development Standards for Agricultural Activities shall be implemented via a conditional use permit.

iv. Medical Cannabis Cultivation Facilities and/or Medical Cannabis Nurseries shall not exceed, either individually or combined 20% lot coverage.

- (K) A Home Stay facility shall have six or fewer guestrooms and is restricted to a maximum of 15 guests. The homestay may serve meals and light foods or snacks to its registered guests at anytime per Restricted Food Service Facility Regulations Section 113893 of the California Retail Food Code. A home stay established within an existing house or detached structure(s) shall be permitted.
- (L) Restroom facilities shall be provided on the premises. Trailer and RV sites may be provided, but shall not exceed 25% of the designated camp sites. No campground shall be located closer than one thousand, five hundred (1,500) feet from any other campground as measured in a straight line from the defined boundary of each campground.
- (M) The use shall provide a designated parking area and shall be subject to the Development Standards for Agricultural Activities specified in Section 1450.
- (N) A minimum lot size of five acres or larger is required. Temporary or special events, such as races or obstacle courses, are not subject to an Administrative Use Permit and may be authorized through a Special Event Permit.
- (O) This classification excludes Medical Cannabis Nursery specified in Section 1420
- (P) An apiary shall be located a minimum of 50 feet from roads and 100 feet from neighboring dwelling units. An apiary with more than 20 colonies shall be located 100 feet from roads and 300 feet from neighboring dwellings.
- (Q) Agricultural accessory structures shall conform with the requirements of Section 1430 and Section 3034 (Animals). A building or grading permit shall be obtained if otherwise required for the proposed use.
- (R) The maximum number of animals boarded shall be as determined by the Administrative Use Permit.

4. The maximum height of buildings or accessory structures for agricultural or agritourism purposes may be increased beyond the maximum height with the approval of a use permit or as permitted by Section 3018 Exceptions to Height Limits. Windmills, silos, or similar structures for agricultural purposes are exempt from the height requirement.
5. Buildings, structures, and accessory structures for agricultural purposes may encroach into a required yard area, not to exceed a twenty five percent reduction, subject to review and approval of an Alternate Agricultural Activity Permit as specified in Section 1450.
6. The maximum height of a fence or wall, including a retaining wall, shall be 8 feet and decorative fences and walls shall be allowed in the front-yard setback area upon meeting visibility standards and the approval of the City Planner. 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 review and approval as specified by this Ordinance. Projects requiring a use permit or development plan shall be subject to the provisions of Articles 41 and 43, respectively.

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. Allow agritourism uses incidental and accessory to agricultural operations, and provide appropriate standards to avoid potential conflicts and promote compatibility between uses.
4. Provide a streamlined approach to achieving compliance with specific development standards within the Agricultural District.

A. Agricultural Activities Permit (AAP)

An Agricultural Activity Permit (AAP) shall be required for all uses identified in this section. An AAP is a ministerial permit and does not require a public notice, Development Plan or public hearing. An AAP shall be submitted on a form as prescribed by the City Planner. A building or grading permit shall be obtained if otherwise required for the proposed use. Uses shall also comply with all county, state, and federal regulations.

1. Exempt Activities

- a. 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.
- b. Agricultural Accessory Structures: Includes shade structures, hay barns, animal enclosures, agricultural related accessory structures, or similar structures. Excludes horse stables and greenhouses.
- c. Greenhouses subject to compliance with setback requirements.

2. Agricultural Activities Permit

- a. Activity Hub: Includes areas of the agricultural business activity which accommodates uses other than crop production, such as staging areas, packing facilities, distribution facilities, storage areas, loading areas, offices, and similar uses.
- b. All uses identified in Section 1420 requiring as Agricultural Activity Permit.

3. Alternate Agricultural Activity Permit

If a proposed use subject to an Agricultural Activity Permit is located within 100 feet of an adjacent property not under the same ownership, the City Planner may require an Alternate Agricultural Activity Permit for review and approval if the City Planner finds that the proposed agricultural activity may conflict with the purposes and standards of the base district, or if public services and facilities serving the project may be inadequate. An application for an Alternate Agricultural Activity Permit shall be submitted on forms provided by the City, and shall be reviewed by the City Planner. Public notice is required. No Development Plan or public hearing is required, however, the following findings must be made by the City Planner to approve or conditionally approve the proposed alternative and issue an Alternate Agricultural Activity Permit. The City Planner has the discretion to forward an 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. The proposed use is in accordance with the objectives of the zoning ordinance and the purposes of the agricultural district.
 - II. The proposed use and location is reasonably necessary to the agricultural operation or agritourism activity at the site.
 - III. Any environmental impacts can be mitigated in accordance with the California Environmental Quality Act.
 - IV. The proposed use is compatible with adjacent agricultural operations and 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.
 - V. The proposed use complies with development standards for agricultural activities specified in Section 1450.
4. **Appeals** – Decisions of the City Planner may be appealed to the Planning Commission and decisions of the Planning Commission may be appealed to the City Council in accord with Article 46.

B. 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, unless specifically authorized by a ministerial, administrative, or discretionary permit..
 2. All parking, access driveways and staging areas must be surfaced and maintained with either asphalt, concrete, DG, gravel, rock, or similar material 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. The number of parking spaces required for agritourism uses shall be in accordance with similar uses specified in Article 31 or as prescribed by the ministerial, administrative, or discretionary permit.
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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. Agricultural Activities shall not be located in any required setback or yard area, required landscape area, required drive aisle, or driveway unless expressly authorized by this Ordinance.

16. 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.
23. Agritourism uses providing food service or food handling shall obtain the necessary permits from the County of San Diego Department of Environment Health.
24. Agritourism uses providing direct-marketing or visitor serving venues shall provide restrooms and hand washing facilities as required by the County of San Diego Department of Environmental Health.
25. Amplified music or live entertainment may be permitted in conjunction with uses requiring an Administrative Use Permit, Use Permit, or Special Event Permit.