

**LOCAL
COASTAL
PROGRAM**

Chapter Three-

LAND USE PLAN and
PERMIT REGULATIONS

I. COASTAL ZONE LAND USE CLASSIFICATIONS

The City's Land Use Element of the General Plan provides a basic framework for the City's LCP Land Use Plan Map (see Exhibit A). Several modifications to land uses have been proposed in response to Coastal Act requirements. These include:

- Shorefront properties from The Strand south to Cassidy Street are shown as "Mixed High Density/Transient Residential". This designation was previously applied to portions of The Strand by the Redevelopment Agency, and is intended to allow a mixture of both permanent residential and transient residential uses (such as seasonal rentals, tourist cottages, hotels and motels).
- As required by the Coastal Act, the Land Use Plan makes a distinction between "general commercial" uses and "coastal dependent, recreation and visitor serving commercial" uses. The latter specialized commercial uses are concentrated near the pier (as proposed in the Redevelopment Neighborhood Plan), the Harbor and the San Luis Rey River area.
- A specialized transportation and utility designation is proposed for the AT&SF Railroad right-of-way and the La Salina Treatment Plant. This is more reflective of existing uses than the current "institutional open space" designation.
- Several modifications to residential densities have been proposed based on Coastal Project Committee recommendations, and findings of the draft LCP Housing Study. The most significant of these changes is an increase in densities on portions of the San Luis Rey River Specific Plan area.

The proposed Coastal Zone Land Use designations consist of both a map (Exhibit A) and the narrative text, which follows. A breakdown of land use categories by acreage is provided in Appendix D.

A. COMMERCIAL LAND USES

1. General Commercial - The general commercial category allows a variety of retail, service, and office uses. Visitor uses, such as restaurants, hotels and motels may be located in this designation, especially on sites with good freeway access and exposure. The major general commercial corridor in the Coastal Zone is along Hill Street.
2. Coastal Dependent, Recreation, and Visitor Serving Commercial - This land use category encompasses specialized commercial uses which are directly dependent, supportive or related to the coast. Such uses provide services or goods for coastal industries or recreationists,

and include boat sales, supplies, and service; diving, commercial fishing, and sportfishing establishments; restaurants, snack bars and convenience markets; gift, sundries, and novelty shops; transient accommodations such as hotels, motels, tourist cottages, campgrounds and recreational vehicle parks; and recreational equipment rentals (such as bicycles, roller skates, surfboards).

The majority of coastal dependent, recreation and visitor serving commercial areas in the Coastal Zone are in three locations: in the Harbor area, near the San Luis Rey River, and east of the municipal pier.

3. Harbor - The Harbor classification applies to all land and water areas governed by the Oceanside Small Craft Harbor District. This is a multiple use category, primarily for boating and Harbor-dependent uses, and secondarily for harbor-related and support services such as open space, recreation, public facilities, visitor-serving commercial, and residential/transient accommodations. The intent of this classification is to ensure that the limited land and water areas in the Harbor are assigned to highest priority uses. Implementation of this land use classification is achieved through development of a specific plan. The Harbor Precise Plan, which was approved by the Harbor District on October 25, 1979, was prepared to serve that function.

B. INDUSTRIAL LAND USES

1. Light Industrial - Industrial uses have generally been phased out of the Coastal Zone due to land use compatibility problems and a lack of sites large enough to successfully develop and buffer light industrial uses.

Only one light industrial site of 11 acres remains in the Coastal Zone. This site is bordered by the Loma Alta Creek Channel on the south, the AT&SF Railroad and La Salina Sewage Treatment Plant on the west, the Escondido railroad spur line on the north and the Hill Street commercial corridor on the east.

First priority for use of this area would be small Coastal-dependent or related industries such as boat building, sail making or a boat repair yard. If, because of the site's small size and isolated location, such coastal dependent uses are not possible, light industrial uses should be allowed.

Any development on this site should be designed to be visually unobtrusive and compatible with the surrounding area.

2. Transportation and Utility - This classification encompasses the two major public utilities in the Coastal Zone: the La Salina Sewage Treatment Plant and the Atchison, Topeka and Santa Fe Railroad.

The treatment plant site includes the plant itself (with area available for possible expansion) and the open space necessary to buffer the plant from surrounding land uses. In the future, land excess to those needs may be considered for conversion to public recreation use, such as beach parking.

The railroad corridor serves as a link in the major passenger and freight line between Los Angeles and San Diego. The corridor includes open space which buffers the railroad from surrounding noise-sensitive land uses and also serves as a reserve corridor for future transportation needs. Air rights or multiple-use of the rail corridor in the downtown area may be possible in the future, but only if future transportation options are not foreclosed and substantial public benefits can be gained.

The railroad corridor also includes a site designated for a possible multi-modal transportation facility. This facility would interface rail, local bus, inter-city bus, and taxi service in a single facility and, as such, is strongly supported in the LCP policies.

C. RESIDENTIAL LAND USES

1. Low Density Residential - The low density residential classification of 0-7 dwelling units per acre has been applied to neighborhoods which are predominantly built-out with single family residences. This designation is intended to preserve existing single family residences in neighborhoods which have basically sound stock with a substantial remaining economic life. Three neighborhoods which possess special character are within this designation: the single family neighborhood above Buena Vista Lagoon between Hill Street and I-5; the portion of the Eastside north of Laurel Street; and, the St. Malo area.
2. Medium Density Residential - The medium density classification allows up to 15 units per acre. It is proposed in areas which are generally inappropriate for traditional single family construction, but lack the infrastructure, physical characteristics, or access necessary for high density development. Medium density offers a transition between single family and high density development.

A medium density designation is proposed for the mobile home parks located near Loma Alta Creek, as a means to protect that existing development.

3. High Density Residential - The need for affordable housing, energy considerations and the goal of protecting agricultural and rural areas all dictate that the City reserve areas for high density residential development. High density uses have been proposed for flat, accessible sites where community facilities and public services are available to serve the higher numbers of people.

High density development should not be confused with overcrowding. The City should insist upon good design and site planning to ensure that new high density development does not detract from the attractiveness and "liveability" of the urban environment. In addition, the City should ensure that high density areas are served nearby by higher levels of amenities and services --- such as public transportation, shopping areas, parks, churches, etc. --- than are normally provided for low and medium density areas.

The density range for this classification is 15 units per acre and up with the upper limit set by the Zoning Ordinance and Redevelopment Design Guidelines. The density for any given project in this category should be based upon site characteristics, compatibility with the surrounding neighborhood, project type, and service availability. For instance, a senior citizen project in the downtown area may be more appropriate for a higher density than a family-oriented project in South Oceanside.

The high density areas in the Coastal Zone have generally been proposed for the lands west of Hill Street. In addition, high density use is also proposed for the one large vacant "unconstrained" parcel left in the Coastal Zone, which is located above Lawrence Canyon.

4. Mixed High Density/Transient Residential - This category is intended to allow both high density residential use and transient accommodations, such as hotels, motels, tourist cottages, and seasonal rentals. Also, limited office or commercial uses which are incidental or ancillary to transient residential uses ---- such as seasonal rental or property management offices -- may be allowed in this designation. Uses in this classification should be designed to be compatible with surrounding development and should not overcrowd public recreational amenities.

The mixed high density/transient residential classification is proposed for shorefront properties from Ninth Street south to Cassidy Street.

5. Cluster Overlay - The cluster overlay is intended to allow grouping of residential units on the least constrained portions of sites which have some environmental limitations. For example, on a one-acre site designated for low density which is about half flat and half hilly, the cluster overlay would allow up to seven units to be built on the flat portion of the site, with the remainder left in open space.

The cluster overlay is used to augment the underlying land use designation. It has been applied to two properties in the San Luis Rey River area which are affected by steep terrain.

D. OPEN SPACE

The open space classification encompasses several distinct types of land use. Significant habitat areas such as the San Luis Rey River and Buena Vista Lagoon are to be left in a natural state, with only limited passive recreation use allowed. Public parks, beaches, and coastal accessways are intended to support active public recreation uses. The only "institutional" open space use in the Coastal Zone is Laurel School, which is used primarily for education purposes but does offer limited recreation benefits to the surrounding neighborhood. The final class of open space is constrained lands which are to remain undeveloped because of public health and safety concerns. These lands include the Loma Alta Creek Channel and steep slopes in the San Luis Rey River area.

II. LOCAL COASTAL PERMIT REGULATIONS

This Local Coastal Program Land Use Plan contains many policies which are to be implemented at the time of development permit issuance. For example, one of the access policies states that major new developments on Pacific Street, south of Cassidy Street, should be required to dedicate and build public accessways if adequate access is not available nearby. Other policies require that buffers be maintained adjacent to sensitive habitat areas, drainage improvements be designed to protect water quality, and projects in certain neighborhoods incorporate special design themes.

The overall goal of this section is that permitting procedures for coastal development applicants be consolidated and simplified. Rather than having to obtain several separate permits from the City, Redevelopment Agency, Harbor District and/or Coastal Commission, the LCP proposes that applicants would have to obtain only one permit at the local level, with only limited appeal authority retained by the State Coastal Commission.

In order to uniformly apply all LCP Land Use Plan policies, it is recommended that the City amend its Zoning Ordinance and other regulatory provisions to establish consolidated local discretionary review and approval procedures for the Coastal Zone.

1. Coastal Development Permits would be required of all projects which because size, intensity or location require special review and approval by one or more of the following decision-making bodies: the City Council, Redevelopment Agency, Harbor District Board, or Planning Commission. Where other discretionary permit requirements already exist (such as major subdivisions, development plans, conditional use permits, Redevelopment permits, or Harbor District permits), the Local Coastal Program requirements should be incorporated into those existing procedures.
2. Design Review would be required for all projects where aesthetic issues (such as compatibility with the neighborhood, landscaping adequacy and conformance to design "themes") are a concern. In instances where other discretionary permits (described above) are required, design review should be consolidated with those permit processes. In instances where no other permits are required, design review should be accomplished by either an administrator (such as the Planning Director) or a professional review board, with possibility for appeals to the Planning Commission and City Council.
3. Discretionary Demolition Permits would be required for any demolitions of sound buildings in the permit appeals area and for demolition of sound residences only in the remainder of the Coastal Zone. Under State law, the Building Director has sole authority for determining whether a building should be demolished for health and safety reasons. Therefore, the demolition of condemned buildings, as defined in the State Building Code, would not require any discretionary permits. Regulation of the demolition of sound structures will enable the City to enforce policies concerning Coastal-dependent, recreation, and visitor serving uses, as well as low and moderate cost housing.

Table 2 provides a matrix delineating the type of discretionary approvals which are required to implement the Local Coastal Program. Most of these discretionary approvals are already required by the City. Additional costs encumbered in administering these procedures should be recovered through permit application fees or State reimbursement. The level of review proposed for different types of projects varies according to the size, location or intensity of the project. For example, single family residences outside the Permit Appeals Area would require no discretionary permits (unless subdivision of land or a zoning variance is involved). Small multi-family or commercial projects outside the Appeal Area would require only administrative design review. Large projects or projects in sensitive areas will require full local hearings for approval. Conditions of approval may be applied to such projects to fully meet the requirements of the LCP.

LOCAL DISCRETIONARY REVIEW REQUIREMENTS

TYPE OF PROJECT	COASTAL DEVELOPMENT PERMIT	DESIGN REVIEW	DEMOLITION PERMIT (where applicable)
Projects within Coastal Appeal Area:			
All developments	X	X	*
Projects Outside the Coastal Appeal Area:			
Single Family Residences			Residential Demolitions Only
Multi Family Projects of 2 to 20 units			*
Multi Family Projects of 20 or more units	X		"
Commercial Uses on sites of less than 2½ acres		X	"
Commercial Uses on sites greater than 2½ acres	X	X	"
Industrial Uses	X	X	"
Subdivisions pursuant to the State Subdivision Map Act	X		
All developments within the Redevelopment Area pursuant to the Redevelopment Design Guidelines	X	X	"
All developments in the Harbor Precise Plan Area pursuant to the Harbor Design Guidelines and Application Procedures	X	X	X

Table 2 (continued)

LOCAL DISCRETIONARY REVIEW REQUIREMENTS

TYPE OF PROJECT	COASTAL DEVELOPMENT PERMIT		DESIGN REVIEW	DEMOLITION PERMIT (where applicable)
	COASTAL DEVELOPMENT PERMIT	DESIGN REVIEW		
All developments within the San Luis Rey River Specific Plan Area	X		X	* Residential Demolitions Only
Any other uses requiring Conditional Use Permits pursuant to the City's Zoning Ordinance	X		X	"
Sign Permits				
Public Projects such as parks, community buildings, and recreational facilities	X		X	
Shoreline structure projects, such as seawalls, revetments, jetties, groins, etc.				
Mining or extraction of materials	X			

X Indicates projects for which local permits are already required.

* Indicates projects which are currently regulated by the Coastal Commission, but not by the City. The City would assume permit authority for these types of projects upon certification of the LCP.

III. COASTAL PERMIT APPEALS

Once Oceanside's LCP is certified, the City will have sole discretion over the issuance of Coastal Development Permits, except for limited permit and appeal authority to be retained by the State Coastal Commission. Appeals will be allowed only in the following instances:

- For any projects within the permit appeal area, shown on Exhibit B;
- For any major public works projects, costing in excess of \$25,000*.

As an LCP Implementation Measure, the City will adopt permit notification, hearing and appeals procedures pursuant to the Local Coastal Program Implementation Regulations recently adopted by the Coastal Commission.

*The Coastal Commission is contemplating a change to their regulations which would raise this amount to \$50,000.