

CALIFORNIA COASTAL COMMISSION

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May 23, 2013

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TO: COMMISSIONERS AND INTERESTED PERSONS

**FROM: SHERILYN SARB, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT
DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO COAST DISTRICT
TONI ROSS, COASTAL PROGRAM ANALYST, SAN DIEGO COAST DISTRICT**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF OCEANSIDE MAJOR
LCP AMENDMENT No. OCN-MAJ-3-12 (Downtown Visitor Serving
Uses) for Commission Meeting of June 12-14, 2013**

SYNOPSIS

The subject LCP Implementation Plan Amendment No. 3-12 was filed as complete on December 6, 2012. A one-year time extension was granted on January 11, 2013. As such, the last date for Commission action on this item is February 4, 2014. This report addresses the entire LCP Major Amendment No. 3-12 submittal.

SUMMARY OF AMENDMENT REQUEST

The City of Oceanside is requesting to amend its certified implementation plan, specifically its downtown zoning ordinance (Article 12 (D Downtown District)) to allow for retail sales, office uses, drive-through restaurants, and fuel pumps at minimarts within Subdistrict 6A. Specifically, the proposed amendment includes revising the "land uses matrix" for the downtown area to allow "Retail" uses to be permitted by right, as opposed to discretionary review through an administrative use permit. The types of retail uses permitted include 1) Antiques/Antique Shop; 2) Custom Retail (which can be defined as establishments primarily engaged in onsite production of goods and direct sale to consumers of those goods produced on-site); 3) Second Hand Collectibles and Clothing sales; and 4) Wine Tasting. The amendment would also modify the land use matrix for "Office" uses to permit such uses by right, as opposed to their current authorization through the issuance of a regular use permit. The types of commercial development included in this designation include 1) Administrative/Business; 2) Production (production is defined by the City's LCP as office type facility engaged in production of intellectual property including uses such as advertising agencies and architectural firms); 3) Professional (professional is defined by the City's LCP as professional or government offices such as attorneys and bookkeepers); 4) Temporary (temporary is defined by the City's LCP as mobile structures uses temporarily for office purposes such as supervision offices on construction sites); and 5) Temporary Real Estate (Temporary Real Estate

offices are defined by the City's LCP as the temporary use of a dwelling unit as a sales office for units on the same site).

Subdistrict 6A is currently comprised of approximately four city blocks and is developed with a mix of retail, hotel, restaurant and gas station developments. Subdistrict 6A also includes a 39-lot "grandfathered" mobile home park. Subdistrict 6A is located in the northern section of the City directly southeast of Oceanside Harbor, north of the San Luis Rey River, west of North Coast Highway and east of NCTD Railway (ref. Exhibit #6). The City has indicated that the addition of the above listed uses are necessary because the current list of permitted uses is too restrictive which has led to difficulty finding developers and/or lease holders and the current restrictions do not reflect the current land uses.

The City is also requesting to include an area of land located south of Subdistrict 6A and the San Luis Rey River and east of North Coast Highway currently within Subdistrict 7B into Subdistrict 6A (ref. Exhibit Nos. 4, 5, & 6). This portion of Subdistrict 7B is predominantly owned by the City and is developed with a Carrow's restaurant, the Chamber of Commerce, and the City's Welcome Center. The City is proposing to transfer this portion of land into Subdistrict 6A because the area is better suited under the land use category of Subdistrict 6A (Visitor Serving Commercial) rather than 7B (Recreational/Commercial/Residential).

SUMMARY OF STAFF RECOMMENDATION

The City is proposing two components within the subject amendment request. First, the City is requesting that a portion of land currently located within Subdistrict 7B be redesignated and incorporated into Subdistrict 6A (ref. Exhibit Nos. 4, 5 & 6). Currently, Subdistrict 7B allows for a host of land uses including office, retail and visitor-serving, as well as residential uses. Subdistrict 6A does not allow for residential uses. Thus, the proposed change would result in more of the City's downtown area being designated for higher priority, visitor serving uses. In addition, the proposed land transfer improves the current visitor-serving opportunities in an area located adjacent to Interstate 5 and the Oceanside Harbor. Therefore, redesignation of the parcels in question to a different subdistrict can be found consistent with the City's Land Use Plan as proposed.

The second component of the City's request is to add a number of permitted uses within the City's Subdistrict 6A. The additional uses proposed by the City for Subdistrict 6A (drive-through restaurants, minimarts with gas pumps, retail, and office), while not strictly considered visitor-serving, are generally consistent with the identified land use designation of Visitor Serving Commercial with the exception of the proposed "office" uses. Offices and the accessory office uses including: "Administrative/Business," "Production," and "Professional" as defined by the City's implementation plan, are currently permitted through issuance of a use permit. It is through this process that the proposed office development can be determined to be consistent/inconsistent with the overarching land use designation and goals. As proposed, office uses would be permitted by right. The outcome of this revision could be the shifting of development in the area

designated to provide visitor-serving uses to exclusive office use inconsistent with the intent of the subdistrict and inconsistent with the LUP. Therefore, staff is recommending a suggested modification that would require the City to maintain the existing requirement for issuance of a “Use Permit” for all proposed development considered “office”.

In addition, the City has indicated that since the time the City Council approved the amendment, a technical correction has been identified. Specifically, the City has indicated that the proposed modifications made to the use classification for “Food and Beverage Sales” have been placed within Article 12 of the City’s IP. The City has indicated that the revisions to this classification need to be located in the same place as the existing classifications for Food and Beverage Sales – in Policy 450 “Commercial Use Classifications” of Article 4a. Therefore, to accommodate this request, staff is suggesting an additional modification be included to address this oversight. As such, staff is recommending the Commission reject the proposed amendment as submitted and subsequently approve the amendment with the two, aforementioned, modifications.

BACKGROUND

The Commission originally certified the City’s LCP in 1986. In 1991-1992, the City updated its zoning ordinance through a city-wide, wholesale replacement of the entire zoning ordinance. However, this version of the City’s zoning ordinance was never submitted and thus never certified by the Commission as part of the City’s Implementation Plan (IP). Since the time of original certification and until recently, the only amendments submitted by the City were to the section of the zoning ordinance that regulated development within the Downtown Redevelopment Area. Thus, the standard of review for the majority of the City remains the 1986 version of the City’s LCP. Again, the Commission has, however, certified amendments to the City’s LCP within the Downtown Redevelopment Area. Because previous amendments have been certified, sections of the 1992 zoning ordinance have replaced the 1986 version of the implementation plan within the downtown area. Specifically, the 1986 version of Articles 4a (Redevelopment Project Area Use Classifications) and 12 (D Downtown District) have been replaced by the 1992 versions of the same articles. This has created discrepancy between the standard of review for the Downtown Redevelopment Area and the rest of the City’s Coastal Zone. In this case the subject LCP amendment is proposing modifications to the zoning ordinance articles pertaining to development in the Downtown Redevelopment Area **only** (Articles 4a and Article 12).

In addition, in late 2011, the California Supreme Court ruled unanimously in favor of a state law passed that abolished redevelopment agencies. As such, the area is no longer considered a redevelopment area, but is still considered the “D” Downtown area. As such, certain Articles, such as Article 4a are titled as Redevelopment but still apply within the subject Downtown Area.

The appropriate resolutions and motions begin on Page 6. The suggested modifications begin on Page 7. The findings for denial of the Implementation Plan Amendment as

submitted begin on Page 9. The findings for approval of the plan, if modified, begin on Page 11.

ADDITIONAL INFORMATION

Further information on the City of Oceanside LCP Amendment No. 3-12 (Downtown Visitor Serving Uses) may be obtained from Toni Ross, Coastal Planner, at (619) 767-2370.

PART I. OVERVIEW

A. LCP HISTORY

The City of Oceanside first submitted its Local Coastal Program Land Use Plan (LUP) to the Commission in July 1980, and it was certified with suggested modifications on February 19, 1981. This action, however, deferred certification on a portion of the San Luis Rey River valley where an extension of State Route 76 was proposed. On January 25, 1985, the Commission approved with suggested modifications the resubmitted LUP and Implementing Ordinances. The suggested modifications related to the guaranteed provision of recreation and visitor-serving facilities, assurance of the safety of shorefront structures, and the provision of an environmentally sensitive routing of the proposed Route 76 east of Interstate 5. The suggested modifications to the Zoning/Implementation phase resulted in ordinances and other implementation measures that were consistent with the conditionally certified LUP policies.

With one exception, the conditionally certified LUP and Implementing Ordinances were reviewed and approved by the City on May 8, 1985. The City requested that certification be deferred on one parcel adjacent to Buena Vista Lagoon designated by the City for "commercial" use; the Commission's suggested modification designated it as "open space." On July 10, 1985, the Commission certified the City's Local Coastal Program as resubmitted by the City, including deferred certification on the above parcel.

B. STANDARD OF REVIEW

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires local governments to provide the public with maximum opportunities to participate in the development of the LCP amendment prior to its submittal to the commission for review. The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- I. MOTION I:** *I move that the Commission reject the Implementation Program Amendment No. 3-12 for the City of Oceanside as submitted.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AS SUBMITTED:

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Oceanside and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

- II. MOTION II:** *I move that the Commission certify the Implementation Program Amendment No. 3-12 for the City of Oceanside if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM
AMENDMENT WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the Implementation Program Amendment for the City of Oceanside if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment, with the suggested modifications, conforms with and is adequate to carryout the certified Land Use Plan as amended. Certification of the Implementation Program Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

PART III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

1. Within the Land Use Regulations Matrix for the “D” Downtown District, please modify the land use designations for all Office uses including “Offices,” “Administrative/Business,” “Production,” and “Professional” from “P” (Permitted) to “U” (Use Permit).
2. Within the “Commercial Use Classifications” section of Article 4a, please adopt the following classifications:
 - I. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as Catering Services and Eating and Drinking Establishments.
 1. Convenience Markets. Retail sales of food, beverage, and small convenience items typically found in establishments with long or late hours of operation. This classification also includes mini-marts which allows fuel pumps to provide fuel for vehicles.
 - [...]
 4. Drive-through/Drive-up. Service from a building to persons in vehicles through an outdoor service window (Drive-through) or delivery service to vehicles parked in designated parking spaces (Drive-up).

**PART IV. FINDINGS FOR REJECTION OF THE CITY OF OCEANSIDE LCP
IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED**

A. AMENDMENT DESCRIPTION

The City of Oceanside is requesting to amend its certified implementation plan to modify Article 12 (D Downtown District) to allow for retail sales, office uses, drive-through restaurants, and fuel pumps at minimarts within Subdistrict 6A. Specifically, the proposed amendment includes revising the “land uses matrix” for the downtown area to modify “Retail” use from “C” (permitted through an administrative use permit) to “P” (permitted by right). The types of retail uses permitted include 1) Antiques/Antique Shop; 2) Custom Retail (which can be defined as establishes primarily engaged in onsite production of goods and direct sale to consumers of those goods produced on-site); 3) Second Hand Collectibles and Clothing sales; and 4) Wine Tasting. The amendment would also modify the land use matrix for “Office” uses to permit such uses from “U” (permitted through the issuance of a regular use permit) to “P” (permitted by right). The types of commercial development included in this designation include 1) Administrative/Business; 2) Production (production is defined by the City’s LCP as office type facility engaged in production of intellectual property including uses such as advertising agencies and architectural firms); 3) Professional (professional is defined by the City’s LCP as professional or government offices such as attorneys and bookkeepers); 4) Temporary (temporary is defined by the City’s LCP as mobile structures uses temporarily for office purposes such as supervision offices on construction sites); and 5) Temporary Real Estate (Temporary Real Estate offices are defined by the City’s LCP as the temporary use of a dwelling unit as a sales office for units on the same site).

Subdistrict 6A is currently comprised of approximately four city blocks and is developed with a mix of retail, hotel, restaurant and gas station developments. Subdistrict 6A also includes a 39-lot “grandfathered” mobile home park. Subdistrict 6A is located in the northern section of the City directly southeast of Oceanside Harbor, north of the San Luis Rey River, west of North Coast Highway and east of NCTD Railway (ref. Exhibit #56). The City has indicated that the addition of the above listed uses is necessary because the current list of permitted uses is too restrictive which has led to difficulty finding developers and/or lease holders. The City has further indicated that the current land use restrictions do not accurately reflect the existing/current land uses.

The City is also requesting to include an area of land located south of Subdistrict 6A and the San Luis Rey River and east of North Coast Highway currently within Subdistrict 7B into Subdistrict 6A (ref. Exhibit Nos. 4, 5, & 6). This portion of Subdistrict 7B is predominantly owned by the City and is developed with a Carrow’s restaurant, the Chamber of Commerce, and the City’s Welcome Center. The City is proposing to transfer this portion of land into Subdistrict 6A because the land and existing development is better suited within Subdistrict 6A (identified for Visitor Serving Commercial uses) rather than 7B (identified for Recreational/Commercial/Residential).

B. SPECIFIC FINDINGS FOR REJECTION

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

- a) **Purpose and Intent of the Ordinance.** The “D” Downtown Ordinance is intended to: A) Promote the long term viability of and rejuvenation of the Redevelopment Project Area and to protect and enhance primarily boating and water-oriented activities; and secondarily other public-oriented recreational uses in the Oceanside Small Craft Harbor; B) Maintain and enhance an appropriate mix of uses; C) Provide land-use controls and development criteria consistent with the General Plan, the Redevelopment Plan, and the Local Coastal Plan.

The Downtown District is broken down into 15 subdistricts. Each subdistrict has additional and specific objectives. The subject subdistricts amended by the City’s request include Subdistrict 6A and 7B. Subdistrict 6A is intended to provide sites for highway business and tourist/visitor uses related to the harbor and the Interstate 5 freeway, and is primarily oriented to visitor-serving commercial establishments. Subdistrict 7B is intended to provide for a mix of recreational and commercial uses conveniently located near recreational and residential areas, with residential uses being allowed as a part of a mixed use project.

b) **Major Provisions of the Ordinance.** The major provisions of the ordinance center on permitted land uses and development regulations for each subdistrict. Subdistrict 6A permitted land uses include developments such as parks and recreational facilities, restaurants, and marine sales, rentals and services. Additional development types are also permitted through the issuance of a use permit and include overnight visitor-serving accommodations, live entertainment, commercial recreational entertainment, and offices. Subdistrict 7B has similar allowable uses but allows office uses by right, and includes multi- and single-family residential developments through the issuance of a use permit.

c) **Adequacy of the Ordinance to Implement the Certified LUP Segments.**
The City’s LCP has a number of applicable land use policies and state:

Coastal Access/Low Cost Visitor Serving Amenities/Priority Uses

6. *Lower cost visitor and recreational facilities shall be protected, encouraged and, where possible, provided.*
7. *In granting approvals for new development within the Coastal Zone, the City shall give priority to visitor-serving commercial recreational facilities over private residential, general industrial or general commercial uses.*

8. *The City has reserved adequate upland areas to meet future market demand for visitor serving facilities to support coastal recreation, along the Hill Street corridor and in the Eight Street Triangle and **North River areas**. [emphasis added]*

26. *The City shall protect a minimum of 375 lower cost hotel and motel units and 220 recreational vehicle/camping sites within the coastal zone. Twenty percent of those hotel/motel units shall be maintained in shorefront locations. The City shall not allow any demolition of affordable hotel/motel units which would allow the coastal zone inventory of such units to drop below the number required by this policy...*

The City's proposed LCP amendment includes the addition of a number of permitted land uses within Subdistrict 6A (ref. Exhibit Nos. 1, 2, & 3). These include adding drive-through restaurants and minimarts with gas pumps to the defined list for Food and Beverage Sales. The proposed amendment includes revising the land uses matrix for the downtown area to allow retail uses by right, rather than require a use permit. The types of retail uses permitted include 1) Antiques/Antique Shop; 2) Custom Retail (which can be defined as establishes primarily engaged in onsite production of goods and direct sale to consumers of those goods produced on-site); 3) Second Hand Collectibles and Clothing sales; and 4) Wine Tasting. The amendment would also modify the land use matrix for "Office" uses to permit such uses by right, rather than through the issuance of a regular use permit as is currently required. The types of office development included in this designation include 1) Administrative/Business; 2) Production; 3) Professional; 4) Temporary; and 5) Temporary Real Estate (uses are described in greater detail in Subsection A – Amendment Summary above).

The City's LCP identifies the highest priority use as visitor-serving/recreational uses within the coastal zone. In addition, the City's LUP identifies specific areas, including land within Subdistrict 6A, to be set aside in order to maintain a certain level of visitor-serving uses (ref. Policy #8 above). In addition, Subdistrict 6A is a section of the City's downtown area that has been further identified for tourist/visitor serving uses. Specifically, the City's IP states:

Subdistrict 6(A): To provide sites for highway business and tourist/visitor uses related to the harbor and Interstate 5 freeway, primarily oriented to visitor-serving commercial establishments.

Thus, it is clear through multiple LUP policies and reiterated through the certified IP that visitor-serving uses shall be the priority within Subdistrict 6A. Again, the additional uses proposed by the City include drive through restaurants and minimarts with gas stations. The City's proposal also includes modifying the regulations for office and retail uses. While drive-through restaurants, gas stations and non-specific retail uses are not high-level priority visitor-serving uses, they do include a visitor serving component. However, office uses are not generally considered a visitor-serving use. Thus, permitting such uses without regulation or specific findings as to how such a use can be considered visitor-

serving and allowing such a use by right cannot be found consistent with the above stated policies. To provide an example, there is a section of store-fronts located just west of Coast Highway and within Subdistrict 6A (ref. Exhibit 7). These storefronts are located just southeast of the Oceanside Harbor and directly accessible by Interstate 5. In addition, the area is within the northernmost section of Oceanside, thus the City considers this area as the “gateway” into the City. Therefore, visitor-serving uses are not only given priority by the City’s LCP, but are also essential given the location. Currently, the storefronts are leased by a tackle shop, a paintball company, an ocean sports company and a bead shop, and thus can be considered to provide both marine-related and general visitor-serving uses. Two of the storefronts are currently vacant. As proposed, office uses could replace every storefront, and would not require discretionary review. Thus, as proposed, there is a potential that the existing and/or future visitor-serving uses could be eliminated for this area. As previously stated, this type of development is not consistent with the City’s LCP promoting new/additional visitor-serving uses in this area, and could also not provide adequate protection for the existing visitor serving uses, inconsistent with the City’s LCP.

In addition, the City has indicated that a since the time of the City’s action, a technical correction has been identified. Specifically, the City has indicated that the proposed modifications to the classification for “Food and Beverage Sales” to include minimarts with gas pumps and drive-through restaurants were incorrectly approved to be included into Article 12. The classification of Food and Beverage Sales is currently located in the Commercial Use Classifications (Section 450) of Article 4a in the City’s IP. Thus, the City is requesting a modification be proposed by the Commission to relocate the proposed changes to Food and Beverage Sales into the appropriate article (Article 4a). While this oversight does not result in direct coastal resource impacts or LUP consistency concerns, locating a portion of an existing classification into a different section of the City’s IP can lead to confusion about the certified use classification for Food and Beverage Sales, and thus may impact future development proposals. Thus, in order for the City to adequately implement the intent of its certified LUP, as well as accurately modify the use classification for Food and Beverage Sales, the proposed amendment cannot be approved as submitted.

PART V. FINDINGS FOR APPROVAL OF THE CITY OF OCEANSIDE IMPLEMENTATION PLAN AMENDMENT, IF MODIFIED

The City is proposing to modify its implementation plan for a portion of the city’s downtown area (Subdistrict 6A) in order to better reflect the current uses, add new uses (minimarts with gas pumps and drive-through restaurants), and provide some relief for regulation for potential retail and office uses. The City has indicated that including the additional uses is necessary because the current permitted uses are too restrictive and are therefore impeding development and preventing potential revitalization efforts.

In addition, the City is proposing to relocate a portion of land located south of Subdistrict 6A and currently within Subdistrict 7B into Subdistrict 6A (ref. Exhibit Nos. 4, 5, & 6).

Again, the City is proposing this modification to better reflect the current development within this portion of Subdistrict 7B. Currently, this area is developed with City's Welcome Center, the Chamber of Commerce and a Carrow's restaurant. The intent of Subdistrict 7B is to provide a mix of recreational and commercial uses, as well as some residential uses. Alternatively, the intent of Subdistrict 6A is to provide tourist/visitor serving uses related to the harbor and the Interstate 5 freeway. Therefore, the City's proposed transfer of land into Subdistrict 6A will be more consistent with its certified land use plan.

As previously discussed, the City's LUP identifies visitor-serving/recreational uses as one of the highest priority uses in the coastal zone. In addition, the City's LUP specifically calls out portions of the land contained within Subdistrict 6A to provide and be maintained as visitor-serving. The current development types include a variety of retail stores such as tackle, paddleboard, and paintball shops, a bead shop, three hotels (the Harbor Inn, the Days Inn, and the Holiday Inn), two restaurants (Denny's and Del Taco), two gas stations, a towing company, and a mobile home park. The retail storefronts are located directly adjacent and west of Coast Highway, are highly visible, and are located in an area (adjacent to Interstate 5 and southeast of Oceanside Harbor) that promotes such visitor-serving uses (ref. Exhibit 6). However, a number of these storefronts are currently vacant. The City has indicated the vacancy is due to the strict land use regulations for Subdistrict 6A. As proposed, the City would modify the review process for office and retail use proposals to be permitted by right instead of through issuance of a use permit, therefore eliminating discretionary review for retail/office proposals within existing structures.

Currently, office uses are permitted in Subdistrict 6A through the issuance of a use permit. Use permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. The main condition of approval for use permits is that it must still achieve the general purposes of the zoning district in which it is located. Thus, as currently allowed, the approval of an office use within 6A would require the level of review necessary in order to determine that such a use could still be found consistent with the intended land uses with Subdistrict 6A. Therefore, **Suggested Modification #1** requires the City to retain the required issuance of a use permit for any proposed office uses. This will insure that any permitted office use will be compatible with and accessory to principal visitor-serving orientation of this land use district.

Alternatively, the streamlined permitting process for retail use can be considered consistent with the City's LUP. Specifically, the City's LUP contains a number of policies (listed above) that protect visitor-serving uses in this area. The addition of retail use, through right, for Subdistrict 6A can be found consistent with the City's LUP. One of the primary reasons the permitting of retail without discretionary review can be found to adequately promote/protect visitor-serving uses is because the types of retail use permitted within the downtown area is highly-restricted. Specifically, as defined for the downtown area permitted retail use types are limited to 1) Antiques/Antique Shop; 2)

Custom Retail (which can be defined as establishes primarily engaged in onsite production of goods and direct sale to consumers of those goods produced on-site); 3) Second Hand Collectibles and Clothing sales; and 4) Wine Tasting. Often visitors enjoy visiting antique stores or going wine tasting within the coastal zone while on vacation or visiting for the day. Therefore, all of types of retail proposed can be considered visitor-serving and can be found consistent with the City's LUP as proposed.

In addition, the City is proposing two new types of development within the City's use classification for "Food and Beverage Sales". Currently, this use classification includes convenience markets, grocery/neighborhood markets, and specialty markets in its definition. As proposed, the definition for Food and Beverage Sales would also include minimarts which allow for fuel pumps to provide fuel for vehicles, as well as drive-through/drive-up establishments. The City is proposing the inclusion of these two development types in order to better reflect the existing land uses within Subdistrict 6A. Again, currently, the Subdistrict includes two gas stations (with minimarts) and Del Taco (a drive-through type restaurant). While drive-through restaurants and gas stations may not be considered the most desirable types of visitor-serving uses, both are appropriate in this case. Subdistrict 6A is located in the northernmost portion of the City, just southeast of Oceanside Harbor. Camp Pendleton military base is located north of Oceanside Harbor. There are no freeway off-ramps open to the public within the military base. As such, the general public must travel approximately 7 miles without the ability to exit Interstate 5. As such, Subdistrict 6A is one of the first areas that can provide general travel-related amenities such as gas stations and drive-through restaurants. Thus, not only is the inclusion of such uses consistent with the intent for development within Subdistrict 6A, but those uses will also provide the general public with highly-desirable visitor-serving uses given the location, and, can therefore, be found consistent with the City's LUP as proposed.

While not part of the City's LCP, in 2009, the City approved the Coast Highway Vision & Strategic Plan. This vision plan is intended to serve as a blueprint for the revitalization and enhancement of the Coast Highway corridor. The plan identifies Subdistrict 6A as the "Las Rambles North 'O' Node" of the vision plan. The plan further identified that area to be developed with visitor-serving development and gives priority to retail and restaurant uses. As previously discussed, the subject LCP amendment, as modified herein, will maintain and improve the visitor-serving uses in the area, and thus, the amendment will not interfere with the overarching goals contained in the uncertified vision and strategic plan for the Coast Highway corridor.

Finally, the City has indicated that since the time the amendment was certified by the City Council, a technical error has been identified. As proposed, the City's addition of drive-through restaurants and minimarts with fuel pumps would be located inappropriately in Article 12. The City has indicated that these modifications should be located within Article 4a. As such, **Suggested Modification #2** relocates the above use classification changes from Article 12 to Article 4a as requested by the City.

In conclusion, the subject LCP amendment has included a number of revisions to Subdistrict 6A within the “D” Downtown portion of the City. As proposed, additional uses within the use classification for Food and Beverage Sales, as well as the streamlined process for approving retail uses within Subdistrict 6A can be found consistent with the City’s LUP as proposed. However, the City has also proposed to include a streamlined process for approving office development within Subdistrict 6A. Office use is not considered a visitor-serving use and is therefore not consistent with the certified LUP. As such, **Suggested Modification #1** has been included to eliminate allowing office uses by right and retained the discretionary review process currently required for office uses. In addition, **Special Condition #2** has been included as requested by the City, and is intended to resolve a technical correction identified by City staff relocating a portion of the proposed language from Article 12 to Article 4a. It is only through such modifications that the proposed amendment can be found consistent with the City’s LUP, and can therefore be approved.

PART VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, as amended, does conform with CEQA provisions. As outlined in the staff report, the IP amendment, as proposed, is inconsistent with the land use policies of the certified LUP. The primary concern raised is the adequate protection of visitor-serving uses within a portion of the City’s downtown area. However, if modified as suggested, the amendment can be found in conformity with and adequate to carry out all of the land use policies of the certified LUP. Therefore, the Commission finds that approval of the LCP amendment as modified will not result in significant adverse environmental impacts under the meaning of CEQA. Therefore, the Commission certifies LCP Amendment 3-12 if modified as suggested herein.

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

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

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

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

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

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

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

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

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

WHEREAS, pursuant to the California Environmental Quality Act of 1970 (CEQA) and the State Guidelines thereto as amended to date, the Resource officer of the City of Oceanside determined that this project is exempt from CEQA under sections 15061 (b) (1) and 15061 (b) (2);

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

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

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

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

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

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

15 4. The Ordinance shall not be codified.

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EXHIBIT "A"

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

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

1. I. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as Catering Services or Eating and Drinking Establishments.
 1. Convenience Markets. Retail sales of food, beverage and small convenience items typically found in establishments with long or late hours of operation. ***This classification also includes mini-marts which allows fuel pumps to provide fuel for vehicles.***
2. Allow for both retail sales and office uses within Subdistrict 6A.
3. The area located on the east side of North Coast Highway, between the San Luis Rey River and the intersection of Highway 76 and North Coast Highway, be incorporated within Subdistrict 6A; *Visitor Serving Commercial* (please see attached map).
4. ***Drive-through/Drive-up. Service from a building to persons in vehicles through an outdoor service window (Drive-through) or delivery service to vehicles parked in designated parking spaces (Drive-up).***

Schedule D - 1
Land Use Regulations
"D" Downtown District

P - Permitted U - Use Permit C - Administrative Use Permit * - Not Permitted V - Visitor Serving Uses

Subdistrict	1	1A	2	3	4A	4B	5	5A	6A	6B	6C	7A	7B	8A	8B	9	10	11	12	13	14	15
Residential																						
Day Care - Ltd	C	C	C	C	*	*	*	*	*	*	*	*	C	C	C	C	*	*	*	*	*	*
Group Residential	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	*	*	*	*	*
Live/work	C	C	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*	C	*	*	*	*
Multi - Family	U	U	*	U	P	U	P	P	*	U	*	P	U	U	U	U	*	U	*	U	*	*
Residential Care	*	*	*	U	*	*	*	*	*	*	*	U	*	U	U	U	*	*	*	*	*	*
Single - Family	*	*	*	U	P	*	P	P	*	*	*	P	U	U	U	U	*	*	*	*	*	*
Public/ Semi - Public																						
Club / Lodge	U	U	U	U	*	*	*	*	U	*	U	*	U	*	*	U	*	*	*	*	*	V
Cultural Institution	C	C	C	C	*	*	*	*	C	*	*	*	U	U	U	U	*	*	C	U	*	V
Day Care - General	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	C	C	C	C	C
Emergency Health Care	*	*	*	*	*	*	*	*	*	*	*	*	*	P	P	U	*	*	*	*	*	*
Government Offices	P	P	P	P	*	*	*	*	P	*	U	*	*	*	*	P	*	*	U	U	U	P
Hospital	*	*	*	*	*	*	*	*	*	*	*	*	*	P	P	*	*	*	*	*	*	*
Parks & Recreation Facility	U	U	*	U	U	*	U	U	P	P	P	U	U	U	U	U	U	*	U	U	C	V
Public Safety Facility	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	P
Religious Assembly	*	*	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Residential Care - General	*	*	*	*	*	*	*	*	*	*	*	*	*	U	U	*	*	*	*	*	*	*
Utilities - Major	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
Utilities - Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Commercial																						
Ambulance Service	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	*	*	*	*	*
Animal product sales	C	C	*	C	*	*	C	*	*	*	C	*	C	*	*	C	*	*	*	*	*	*
Artist Studio	C	C	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*	C	*	*	*	V
Bank / Savings & Loan	P	P	P	P	*	*	*	*	*	*	*	*	U	*	*	P	*	*	*	*	*	*
Drive-through/drive up	U	U	U	U	*	*	*	*	*	*	*	*	U	*	*	U	*	*	*	*	*	V
Self-service ATM	C	C	C	C	*	*	*	*	*	*	*	*	C	*	*	C	*	*	*	*	*	V
Catering Service	C	C	C	*	*	*	*	*	*	*	*	*	*	*	*	C	*	*	*	*	*	*
Commercial Recreation & Entertainment	U	*	U	*	*	*	*	*	U	U	U	*	U	*	*	U	U	*	U	*	*	V
Communication Facility	U	U	U	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	U	*	*
Major Co-User	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Minor Co-User	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Reception Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Eating and drinking establishment	P	P	P	*	P	*	*	*	P	P	P	*	P	P	*	P	P	P	P	P	P	V
Restaurant	P	P	P	*	P	*	*	*	P	P	P	*	P	P	*	P	P	P	P	P	P	V
Espresso Stand	U	U	U	*	U	*	*	*	U	U	U	*	U	*	*	U	U	U	U	U	U	V

EXHIBIT #2

Existing Land Use Matrix

LCPA #3-12 Downtown Visitor Serving Uses

Schedule D - 1
Land Use Regulations
"D" Downtown District

P - Permitted U - Use Permit C - Administrative Use Permit * - Not Permitted V - Visitor Serving Uses

Subdistrict	1	1A	2	3	4A	4B	5	5A	6A	6B	6C	7A	7B	8A	8B	9	10	11	12	13	14	15	
<i>Small scale entertainment</i>	P	P	C	*	*	*	*	*	P	P	P	*	P	*	*	C	*	*	P	P	*	*	V
<i>Live entertainment</i>	U	U	*	*	*	*	*	*	U	U	U		U	*	*	*	*	*	U	U	*	*	V
<i>Fast food/takeout</i>	P	P	P	*	P	*	*	*	P	P	P	*	P	P	*	P	P	P	P	P	P	P	V
<i>Full liquor service</i>	U	U	U	*	U	*	*	*	U	U	U	*	U	*	*	U	*	U	U	U	*	U	V
Food & Beverage Sales	C	C	C	*	C	*	C	*	C	C	C	*	C	*	*	*	*	C	C	C	C	C	
<i>Convenience Market</i>	U	U	U	*	U	*	U	*	U	U	U	*	U	*	*	*	*	U	U	U	U		
<i>Grocery/Neighborhood Market store greater than 8,000 sq. ft.</i>	U	U	U	*	U	*	U	*	U	U	U	*	U	*	*	*	*	U	U	U	U	*	V
<i>Grocery/Neighborhood Market store less than 8,000 sq. ft.</i>	C	C	C	*	C	*	C	*	C	C	C	*	C	*	*	*	*	C	C	C	C	*	V
<i>Specialty Market</i>	P	P	P	*	P	*	P	*	P	P	P	*	P	*	*	*	*	P	P	P	P	*	V
Home Occupation	P	P	*	P	P	P	P	P	*	P	*	P	P	*	P	P	*	P	*	P	*	*	
Marine Sales, Rentals, and Services	*	*	*	*	*	*	*	*	P	P	P	*	U	*	*	*	*	*	*	*	*	*	
Offices	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Administrative/Business</i>	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Production</i>	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Professional</i>	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Temporary</i>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*	
<i>Temporary Real Estate</i>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	*	
Pawns shops	C	C	C	*	C	*	*	*	*	C	*	*	*	*	*	*	*	*	*	C	C	*	
Personal Improvement Services	C	C	C	*	*	*	*	*	C	C	C	*	C	*	*	*	*	C	C	C	*	*	
<i>Health/Club/Studio/Spa</i>	C	C	C	C	*	*	*	*	C	C	C	*	C	*	*	*	*	C	C	C	*	*	
<i>Day Spa</i>	P	P	P	P	*	*	*	*	P	P	P	*	P	*	*	*	*	P	P	P	*	*	V
<i>Accessory Massage</i>	U	U	U	U	*	*	*	*	U	U	U	*	U	*	*	*	*	U	U	U	*	*	V
Personal Services	C	C	C	C	*	*	*	*	C	C	C	*	C	*	*	*	*	C	C	C	*	*	
<i>Laundromat/Café</i>	U	U	U	U	*	*	*	*	*	*	*	*	*	*	*	U	*	U	*	*	*	*	V
<i>General Repair</i>	P	P	P	P	*	*	*	*	*	*	*	*	*	*	*	P	*	P	*	*	*	*	
Retail Sales	P	P	P	*	P	*	*	*	C	C	P	*	P	C	C	P	*	P	C	C	P	C	V
<i>Antiques, Antique Shop</i>	P	P	P	*	P	*	*	*	C	C	P	*	P	C	C	P	*	P	C	C	P	*	V
<i>Custom Retail</i>	C	C	C	*	C	*	*	*	*	C	*	*	*	*	*	*	*	*	*	C	C	*	V
<i>Secondhand Collectibles and Clothing Sales</i>	P	P	P	*	P	*	*	*	C	C	P	*	P	C	C	P	*	P	C	C	P	*	V
<i>Wine Tasting</i>	U	U	U	*	U	*	*	*	U	U	U	*	U	*	*	U	U	U	U	U	U	*	V
Travel Services	P	P	P	P	*	*	*	*	P	P	*	*	P	*	U	P	*	U	P	C	C	*	V
Automotive Rental (small scale)	*	*	*	*	*	*	*	*	C	C	*	*	C	*	*	C	*	*	C	C	*	*	V

Schedule D - 1
Land Use Regulations
"D" Downtown District

P - Permitted U - Use Permit C - Administrative Use Permit * - Not Permitted V - Visitor Serving Uses

Subdistrict	1	1A	2	3	4A	4B	5	5A	6A	6B	6C	7A	7B	8A	8B	9	10	11	12	13	14	15	
Visitor Accommodations																							
Bed & Breakfast	*	*	*	*	U	U	U	U	U	U	U	*	*	*	*	*	*	*	U	U	*	*	V
Hotel / Motel / Timeshare	U	U	U	*	U	U	U	*	U	U	U	*	U	*	*	U	*	*	U	U	*	*	V
Resort	U	U	U	*	U	U	U	*	U	U	U	*	U	*	*	U	*	*	U	U	*	*	V
Fractional Ownership Hotel	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	V
Condominium Hotel	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	V
Limited Use Overnight Visitor Accommodation	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	V

Schedule D - 1
Land Use Regulations
"D" Downtown District

(Proposed Changes Shown in Bold Underline)

P - Permitted U - Use Permit C - Administrative Use Permit * - Not Permitted V - Visitor Serving Uses

Subdistrict	1	1A	2	3	4A	4B	5	5A	6A	6B	6C	7A	7B	8A	8B	9	10	11	12	13	14	15
Residential																						
Day Care - Ltd	C	C	C	C	*	*	*	*	*	*	*	*	C	C	C	C	*	*	*	*	*	*
Group Residential	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	*	*	*	*	*
Live/work	C	C	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*	C	*	*	*	*
Multi - Family	U	U	*	U	P	U	P	P	*	U	*	P	U	U	U	U	*	U	*	U	*	*
Residential Care	*	*	*	U	*	*	*	*	*	*	*	U	*	U	U	U	*	*	*	*	*	*
Single - Family	*	*	*	U	P	*	P	P	*	*	*	P	U	U	U	U	*	*	*	*	*	*
Public/ Semi - Public																						
Club / Lodge	U	U	U	U	*	*	*	*	U	*	U	*	U	*	*	U	*	*	*	*	*	V
Cultural Institution	C	C	C	C	*	*	*	*	C	*	*	*	U	U	U	U	*	*	C	U	*	V
Day Care - General	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	C	C	C	C	
Emergency Health Care	*	*	*	*	*	*	*	*	*	*	*	*	*	P	P	U	*	*	*	*	*	*
Government Offices	P	P	P	P	*	*	*	*	P	*	U	*	*	*	*	P	*	*	U	U	U	P
Hospital	*	*	*	*	*	*	*	*	*	*	*	*	*	P	P	*	*	*	*	*	*	*
Parks & Recreation Facility	U	U	*	U	U	*	U	U	P	P	P	U	U	U	U	U	U	*	U	U	C	V
Public Safety Facility	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	P	
Religious Assembly	*	*	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Residential Care - General	*	*	*	*	*	*	*	*	*	*	*	*	*	U	U	*	*	*	*	*	*	*
Utilities - Major	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Utilities - Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Commercial																						
Ambulance Service	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	*	*	*	*	*
Animal product sales	C	C	*	C	*	*	C	*	*	*	C	*	C	*	*	C	*	*	*	*	*	*
Artist Studio	C	C	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*	C	*	*	*	V
Bank / Savings & Loan	P	P	P	P	*	*	*	*	*	*	*	*	U	*	*	P	*	*	*	*	*	*
Drive-through/drive up	U	U	U	U	*	*	*	*	*	*	*	*	U	*	*	U	*	*	*	*	*	V
Self-service ATM	C	C	C	C	*	*	*	*	*	*	*	*	C	*	*	C	*	*	*	*	*	V
Catering Service	C	C	C	*	*	*	*	*	*	*	*	*	*	*	*	C	*	*	*	*	*	*
Commercial Recreation & Entertainment	U	*	U	*	*	*	*	*	U	U	U	*	U	*	*	U	U	*	U	*	*	V
Communication Facility	U	U	U	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	U	*	*
Major Co-User	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Minor Co-User	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Reception Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Eating and drinking establishment	P	P	P	*	P	*	*	*	P	P	P	*	P	P	*	P	P	P	P	P	P	V
Restaurant	P	P	P	*	P	*	*	*	P	P	P	*	P	P	*	P	P	P	P	P	P	V
Espresso Stand	U	U	U	*	U	*	*	*	U	U	U	*	U	*	*	U	U	U	U	U	U	V
Drive-through/Drive-up	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*	*	*	*	*	*

EXHIBIT #3

Proposed Land Use Matrix

LCPA #3-12 Downtown Visitor Serving



Uses

Schedule D - 1
Land Use Regulations
"D" Downtown District

(Proposed Changes Shown in Bold Underline>)

P - Permitted U - Use Permit C - Administrative Use Permit * - Not Permitted V - Visitor Serving Uses

Subdistrict	1	1A	2	3	4A	4B	5	5A	6A	6B	6C	7A	7B	8A	8B	9	10	11	12	13	14	15	
<i>Small scale entertainment</i>	P	P	C	*	*	*	*	*	P	P	P	*	P	*	*	C	*	*	P	P	*	*	V
<i>Live entertainment</i>	U	U	*	*	*	*	*	*	U	U	U		U	*	*	*	*	*	U	U	*	*	V
<i>Fast food/takeout</i>	P	P	P	*	P	*	*	*	P	P	P	*	P	P	*	P	P	P	P	P	P	P	V
<i>Full liquor service</i>	U	U	U	*	U	*	*	*	U	U	U	*	U	*	*	U	*	U	U	U	*	U	V
Food & Beverage Sales	C	C	C	*	C	*	C	*	C	C	C	*	C	*	*	*	*	C	C	C	C	C	
<i>Convenience Market</i>	U	U	U	*	U	*	U	*	U	U	U	*	U	*	*	*	*	U	U	U	U		
<i>Grocery/Neighborhood Market store greater than 8,000 sq. ft.</i>	U	U	U	*	U	*	U	*	U	U	U	*	U	*	*	*	*	U	U	U	U	*	V
<i>Grocery/Neighborhood Market store less than 8,000 sq. ft.</i>	C	C	C	*	C	*	C	*	C	C	C	*	C	*	*	*	*	C	C	C	C	*	V
<i>Specialty Market</i>	P	P	P	*	P	*	P	*	P	P	P	*	P	*	*	*	*	P	P	P	P	*	V
Home Occupation	P	P	*	P	P	P	P	P	*	P	*	P	P	*	P	P	*	P	*	P	*	*	
Marine Sales, Rentals, and Services	*	*	*	*	*	*	*	*	P	P	P	*	U	*	*	*	*	*	*	*	*	*	
Offices	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Administrative/Business</i>	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Production</i>	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Professional</i>	P	P	P	P	*	*	*	*	U	U	*	*	P	U	U	P	*	P	C	P	P	*	
<i>Temporary</i>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*	
<i>Temporary Real Estate</i>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	*	
Pawns shops	C	C	C	*	C	*	*	*	C	C	C	*	C	*	*	*	*	*	*	C	C	*	
Personal Improvement Services	C	C	C	*	*	*	*	*	C	C	C	*	C	*	*	*	*	C	C	C	*	*	
<i>Health/Club/Studio/Spa</i>	C	C	C	C	*	*	*	*	C	C	C	*	C	*	*	*	*	C	C	C	*	*	
<i>Day Spa</i>	P	P	P	P	*	*	*	*	P	P	P	*	P	*	*	*	*	P	P	P	*	*	V
<i>Accessory Massage</i>	U	U	U	U	*	*	*	*	U	U	U	*	U	*	*	*	*	U	U	U	*	*	V
Personal Services	C	C	C	C	*	*	*	*	C	C	C	*	C	*	*	*	*	C	C	C	*	*	
<i>Laundromat/Café</i>	U	U	U	U	*	*	*	*	*	*	*	*	*	*	*	U	*	U	*	*	*	*	V
<i>General Repair</i>	P	P	P	P	*	*	*	*	*	*	*	*	*	*	*	P	*	P	*	*	*	*	
Retail Sales	P	P	P	*	P	*	*	*	<u>P</u>	C	P	*	P	C	C	P	*	P	C	C	P	C	V
<i>Antiques, Antique Shop</i>	P	P	P	*	P	*	*	*	<u>P</u>	C	P	*	P	C	C	P	*	P	C	C	P	*	V
<i>Custom Retail</i>	C	C	C	*	C	*	*	*	<u>P</u>	C	*	*	*	*	*	*	*	*	C	C	*	*	V
<i>Secondhand Collectibles and Clothing Sales</i>	P	P	P	*	P	*	*	*	<u>P</u>	C	P	*	P	C	C	P	*	P	C	C	P	*	V
<i>Wine Tasting</i>	U	U	U	*	U	*	*	*	<u>P</u>	U	U	*	U	*	*	U	U	U	U	U	U	*	V
Travel Services	P	P	P	P	*	*	*	*	P	P	*	*	P	*	U	P	*	U	P	C	C	*	V
Automotive Rental (small scale)	*	*	*	*	*	*	*	*	C	C	*	*	C	*	*	C	*	*	C	C	*	*	V

Schedule D - 1
Land Use Regulations
"D" Downtown District

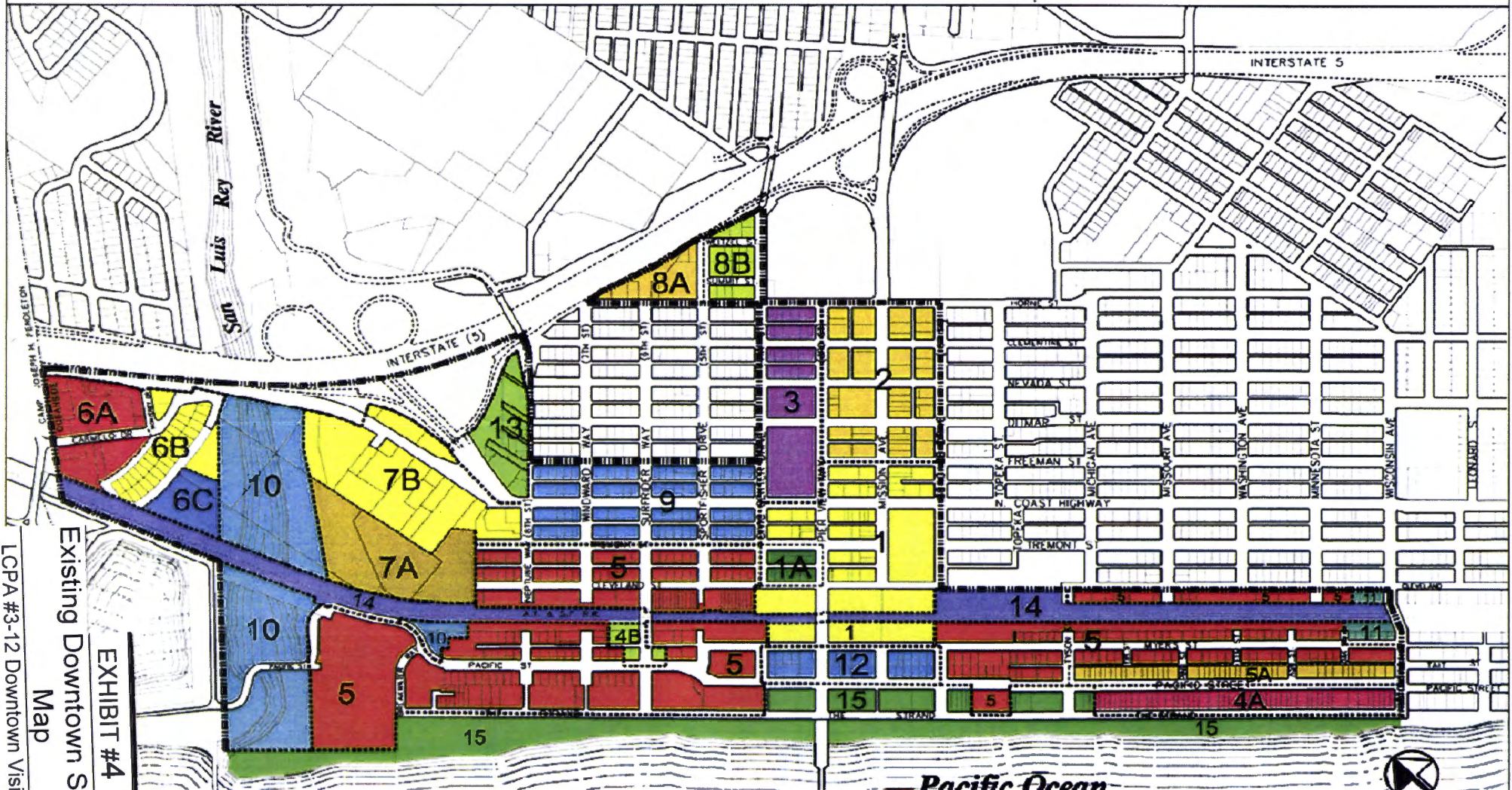
(Proposed Changes Shown in Bold Underline>)

P - Permitted U - Use Permit C - Administrative Use Permit * - Not Permitted V - Visitor Serving Uses

Subdistrict	1	1A	2	3	4A	4B	5	5A	6A	6B	6C	7A	7B	8A	8B	9	10	11	12	13	14	15	
Visitor Accommodations																							
Bed & Breakfast	*	*	*	*	U	U	U	U	U	U	U	*	*	*	*	*	*	*	U	U	*	*	V
Hotel / Motel / Timeshare	U	U	U	*	U	U	U	*	U	U	U	*	U	*	*	U	*	*	U	U	*	*	V
Resort	U	U	U	*	U	U	U	*	U	U	U	*	U	*	*	U	*	*	U	U	*	*	V
Fractional Ownership Hotel	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	V
Condominium Hotel	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	V
Limited Use Overnight Visitor Accommodation	U	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	U	*	*	*	V

Redevelopment Project Area

9. Commercial / Residential / SF & Multi (30,000 sq. ft.)
10. Open Space
11. Commercial / Residential possible / (Multi with mixed use)
12. Tourist & Visitor Serving Commercial
13. Visitor Serving Commercial / Office / Residential (Multi with mixed use)
14. Public Transportation and Railroad
15. Public Facilities, Parks, Open Space



Pacific Aeronautics

EXHIBIT #4

Existing Downtown Subdistrict

Map

LCPA #3-12 Downtown Visitor Serving

Uses

Redevelopment Project Area

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

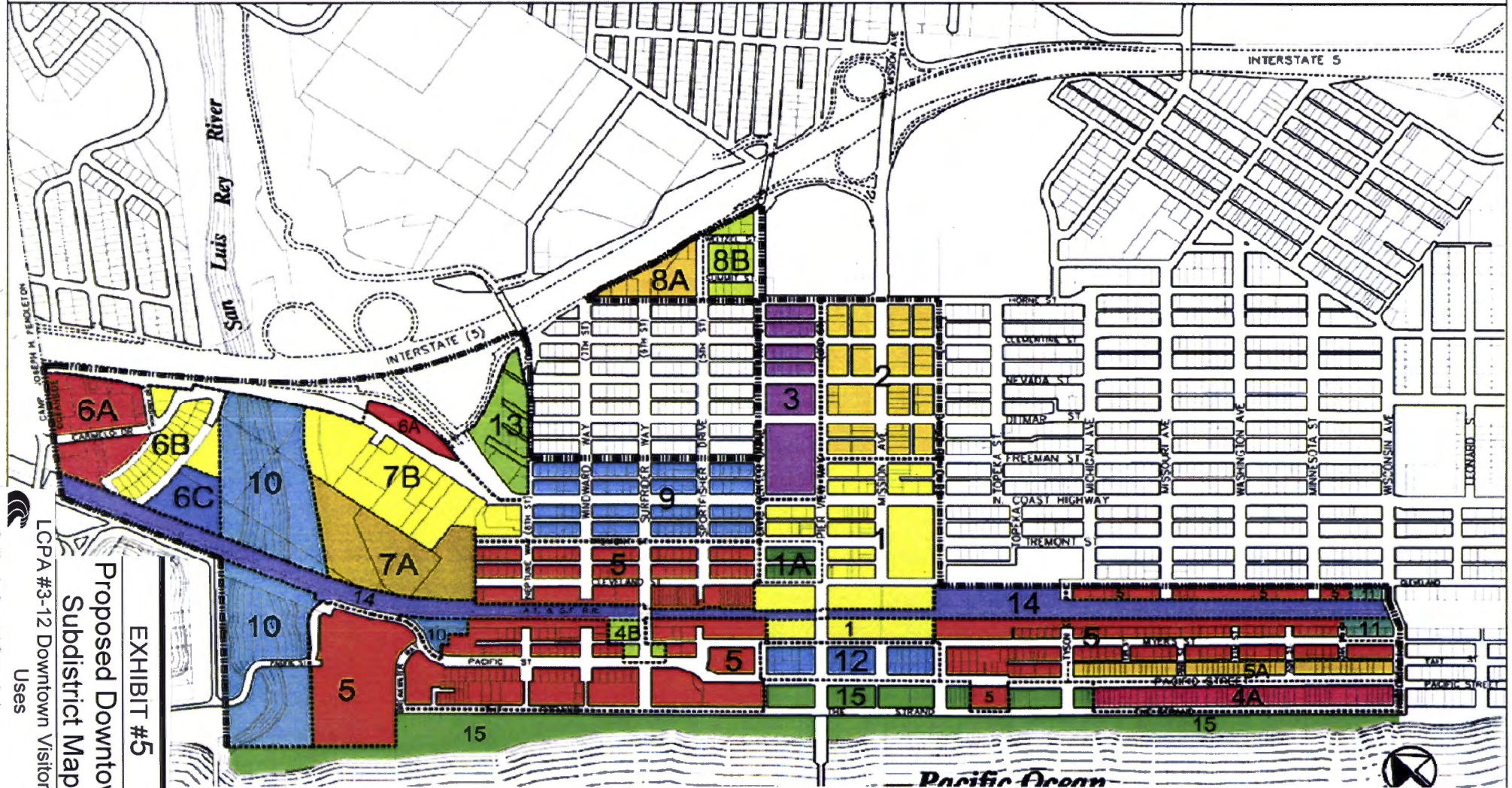



EXHIBIT #5

Proposed Downtown
Subdistrict Map

LCPA #3-12 Downtown Visitor Serving
Uses

-  Area of existing Subdistrict 6A
-  Area proposed to be added to Subdistrict 6A



EXHIBIT #6	
Areas of Existing and Proposed Subdistrict 6A	
LCPA #3-12 Downtown Visitor Serving Uses	
	California Coastal Commission

City of Oceanside LCPA 3-12 – Existing Land Uses in Current Subdistrict 6A

- 1 – Tow Yard
- 2 – Visitor-Serving Retail
- 3 – Hotel
- 4 – Mobile Home Park
- 5 – Hotel
- 6 – Hotel
- 7 – Restaurant
- 8 – Gas Station
- 9 – Restaurant
- 10 – Gas Station



EXHIBIT #7

Existing Land Uses in Current Subdistrict 6A

Uses

LCPA #3-12 Downtown Visitor Serving



California Coastal Commission

City of Oceanside LCPA 3-12 –Existing Land Uses Within Area Proposed to be Added to Subdistrict 6A



EXHIBIT #8

Existing Land Uses in
Proposed Subdistrict 6A

LCPA #3-12 Downtown Visitor Serving
Uses



California Coastal Commission