

**Article 4 Use Classifications (Inland & Coastal Districts – Exclusive of Downtown)**

**Sections:**

- 410 Purpose and Applicability
- 411 Uses Not Classified
- 412 Residential Use Classifications
- 413 Public and Semipublic Use Classifications
- 414 Commercial Use Classifications
- 415 Industrial Use Classifications
- 416 Agricultural and Extractive Use Classifications
- 417 Accessory Use Classifications
- 418 Temporary Use Classifications

**410 Purpose and Applicability**

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The City Planner shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this Title. The City Planner may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification. The City Planner’s decision may be appealed to the Planning Commission.

**411 Uses Not Classified**

Any new use, or any use that cannot be clearly determined to be in an existing use classification is prohibited. Provided, however, that any new use may be incorporated into the zoning regulations by a Zoning Ordinance text amendment, as provided in Article 45.

**412 Residential Use Classifications**

- A. Day Care, Limited. Non-medical care and supervision of up to and including fourteen persons on a less than 24-hour basis within a licensee's home for children and adults.
- B. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes rooming house/boardhouse, dormitories, fraternities, sororities, and private residential clubs, but excludes residential hotels (see Single-Room Occupancy (SRO) Residential Hotels).
- C. Live/Work Quarters. An area comprising one or more rooms in a building originally designed for industrial or commercial occupancy that includes cooking space, sanitary facilities, and working space for artists, artisans and similarly activities and Custom Industry uses as defined herein.

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## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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- D. Multifamily Residential. Two or more dwelling units on a site. This classification includes mobile home and factory-built housing.
- E. Residential Care, Limited. Twenty-four-hour non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living.
- F. Single-Family Residential. Buildings containing one dwelling unit located on a single lot. This classification includes mobile home and factory-built housing.
- G. RV Parks. A facility renting or leasing space on a short-term or long-term basis to owners or users of recreational vehicles, not for permanent residence.
- H. Transitional Housing. Buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of assisted units to other eligible program recipients at some predetermined future point in time, which shall be no less than six months and no more than 24 months from initial occupancy. Transitional housing offers either on or off-site access to social services, counseling, and other programs to assist formerly homeless residents in the transition to permanent housing. This classification does not include facilities licensed for residential care by the State of California or homeless shelters.
- I. Supportive Housing. Rental housing developments receiving assistance under the Multifamily Housing Program regulated through California Code of Regulations, Title 25, Article 7, Section 4. Such housing is occupied by a target population, as defined by Health and safety Code Section 53260(d), and linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing has no limit on length of stay.

### **413 Public and Semipublic Use Classifications**

- A. Airport. Runways and related facilities for airplane landing and take-off.
- B. Cemetery. Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery.
- C. Child Care. Non-medical care and supervision on a less than 24-hour basis in any care facility of any capacity, and not within a licensee's home for persons under the age of 18.
- D. Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs, youth, and senior centers.
  - 1. Small scale. Establishments occupying no more than 5,000 square feet.

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## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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- E. Convalescent Facilities. Establishments providing care on a 24-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.
- F. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.
  - 1. Small-scale. Establishments occupying no more than 5,000 square feet.
- G. Day Care, General. Non-medical care and supervision on a less than 24-hour basis in any care facility of any capacity, and not within a licensee's home for persons over the age of 18.
- H. Detention Facilities. Publicly owned and operated facilities providing housing, care, and supervision for persons confined by law.
- I. Emergency Health Care. Facilities providing emergency medical service with no provision for continuing care on an inpatient basis.
- J. Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of 120 days or less in a 365-day period. No individual or household may be denied emergency shelter because of an inability to pay. Such accommodations may include basic supportive services such as food, shower and rest room facilities, laundry room, storage areas, and limited administrative or intake offices.
- K. Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.
  - 1. Small-scale. Establishments occupying no more than 5,000 square feet.
- L. Heliports. Pads and facilities enabling takeoffs and landings by helicopters.
- M. Hospitals. Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for outpatient treatment, as well as training, research, and administrative services for patients and employees.
- N. Maintenance and Service Facilities. Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities.
- O. Marinas. A boat basis with docks, mooring facilities, supplies and equipment for boats.

- P. Park and Recreation Facilities. Noncommercial parks, playgrounds, recreation facilities, and open spaces.
- Q. Public Safety Facilities. Facilities for public safety and emergency services, including police and fire protection.
  - 1. Small-scale. Establishments occupying no more than 5,000 square feet.
- R. Religious Assembly. Facilities for religious worship and incidental religious education and other religious facility related supportive and social services. This use classification specifically excludes private schools as defined in this section.
  - 1. Small-scale. Establishments occupying no more than 5,000 square feet.
- S. Residential Care, General. Twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living.
- T. Resource Centers. Neighborhood facilities that are City-sponsored or under the control of the City and are used for neighborhood safety, enhancement, education, health care, and other similar neighborhood programs.
- U. Schools, Public or Private. Educational institutions having a curriculum comparable to that required in the public schools of the State of California.
- V. Utilities, Major. Generating plants, electrical substations, aboveground electrical transmission lines, lone switching buildings, refuse collection, transfer, recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or waste water treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification.
- W. Utilities, Minor. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, underground water and sewer lines, and recycling centers within convenience zones, as defined by the California Beverage Container Recycling and Litter Reduction Act.

#### **414 Commercial Use Classifications**

- A. Adult Business. An Adult Business is any business, where employees, independent contractors, or patrons expose "specified anatomical areas" or engage in "specified sexual activities," or any business which offers to its patrons services or entertainment characterized by an emphasis on matter depicting, exposing, describing, discussing or relating to "specified sexual activities or "specified anatomical areas".

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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A use which has a majority of its conduct of activities, floor area, stock-in-trade, or revenue derived from, material characterized by an emphasis on matter depicting, exposing, describing, discussing or relating to "specified sexual activities" or "specified anatomical areas", shall be considered to be an Adult Business.

Adult Businesses do not include bona fide medical establishments operated by properly licensed and registered medical personnel with appropriate medical credentials for the treatment of patients.

Adult Businesses include, but are not limited to the following:

1. **Adult Bookstore/Novelty Store/Video Store.** An establishment which has: (1) a substantial or significant portion of its gross revenues or of its stock in trade, books, magazines, and other periodicals or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas"; or (2) a substantial or significant portion of its stock in trade, instruments, devices or paraphernalia designed for use in connection with "Specified Sexual Activities".
2. **Adult Entertainment Business.** Any establishment that (1) is customarily only open to adults and excludes minors by reason of age, and (2) devotes a substantial or significant portion of its stock in trade to the sale or display of instruments, devices, or paraphernalia which are designed for use in connection with "Specified Sexual Activities".
3. **Adult Cabaret.** A nightclub, bar, restaurant, or similar commercial establishment which regularly features: (1) persons who appear in a state of nudity; or (2) live performances which are characterized by the exposure of "Specified Anatomical Areas" or by "Specified Sexual Activities"; or (3) films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas".
4. **Adult Motel.** A motel or similar establishment offering public accommodations for any consideration, which provides patrons with material distinguished or characterized by an emphasis on depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas".
5. **Adult Motion Picture Theater.** An enclosed building used for presenting motion picture films, video cassettes, cable television, or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
6. **Adult Theater.** A theater, concert hall, auditorium, or other similar establishment, either

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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indoor or outdoor in nature, which regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

7. **Figure Studio.** Any premises on which the business of furnishing nude models who pose for the purpose of being photographed, sketched, painted, drawn or observed by persons who pay a fee, or other consideration or compensation, or a gratuity, for the right or opportunity to depict or observe the model, or for admission to, or for permission to remain upon, or as a condition for remaining upon, the premises.

The term model shall include: Any person, male or female, who poses nude to be photographed, sketched, painted, drawn or observed.

The term nude shall include: Completely without clothing; or with any pubic area exposed; or with the pubic area covered in such a manner that the private parts are visible or the form thereof discernible; or with the breasts exposed by female so that the nipples thereof are exposed.

"Figure studio" does not include any studio or classroom which is operated by any public agency, or any private post-secondary educational institution authorized by California state law to issue and confer a diploma or degree.

8. **Peep-Show Establishment.** Peep-Show Establishment as defined in the Oceanside City Code.

B. Ambulance Services. Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

C. Animal Sales and Services.

1. Animal Boarding. Provision of shelter and care for animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care.
2. Animal Grooming. Provision of bathing and trimming services for animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.
3. Animal Hospitals. Establishments where animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (30 days) boarding of animals is included if incidental to the hospital use.
4. Animals: Retail Sales. Retail sales and boarding of animals provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use, and boarding of animals not offered for sale for a

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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maximum period of 48 hours.

D. Artists' Studios. Work and display space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.

1. Small-scale. Establishments occupying no more than 5,000 square feet.

E. Banks and Savings and Loans. Financial institutions that provide retail banking services to individuals and businesses. This classification is limited to institutions engaged in the on-site circulation of cash money including businesses offering check-cashing facilities.

1. Drive-through/Drive-up Service. Institutions providing self-service banking facilities that are not associated with a primary banking or savings and loan building located on the same site.

2. Self-service Facilities (ATM's). Institutions providing self-service banking facilities that are not associated with a primary banking or savings and loan building located on the same site.

F. Bars and Cocktail Lounges. Any premises designed, used or intended to be used for the selling or serving of alcoholic beverages to the public for consumption on the premises, and in which food is not sold or served to the public as in a bona fide restaurant. Ancillary tasting facilities associated with craft breweries and craft wineries shall not be considered to constitute bars or cocktail lounges as here defined.

G. Bath Houses. Any establishment or business which has as its primary activity or service the provision of communal or private bathing in a sauna, jacuzzi or other therapeutic bath, save and except for bathing conducted as part of a hydrotherapy treatment practiced by or under the supervision of a medical practitioner who is formally associated therewith.

H. Brewery, Craft. A small-scale beer manufacturing facility that includes designated floor area (comprising no less than 20 percent and no more than 40 percent of the total floor area) for product sampling and/or retail sales of beer conforming to state requirements.

Retail sales of craft brewery merchandise including mugs, pint glasses, growlers, tap handles, coasters, apparel, signs, bottle openers, and books are also permitted. A craft brewery shall produce a minimum of 250 barrels annually and not exceed a maximum output of 15,000 barrels annually (with a barrel of beer being equal to 31 U.S. gallons). Facilities housing a craft brewery shall not exceed 15,000 square feet of floor area. The category of a craft brewery (based upon floor area and scale of operation) shall determine the appropriate review and approval process, as specified below. Such facilities shall be subject to the following limitations:

1. Other than business name and/or logo, such uses shall not display exterior signage (including advertising directed to the exterior from interior spaces) that promotes the availability of alcoholic beverages.

2. There shall be no amusement or video machines maintained on the premises.

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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3. There shall be no “happy hour” or regular periods of reduced-priced alcoholic beverages.
4. Amplified live entertainment shall require issuance of an Administrative Use Permit.
5. Ancillary food service involving outdoor equipment (e.g., food trucks) shall require issuance of an Outdoor Facilities Permit.
6. Delivery/distribution activities involving Class 4 or higher vehicles shall not occur between the hours of 10 p.m. and 7 a.m.
7. Hours of operations shall not extend beyond 10 p.m., unless extended hours of operation are approved through a Conditional Use Permit.

Craft breweries shall be regulated under the following tiered review and approval process:

1. Tier 1: Produces at least 250 and no more than 10,000 barrels annually and does not exceed 10,000 square feet of floor area. Tier 1 facilities are subject to approval of an Administrative Conditional Use Permit (ACUP) when not abutting residential zoning districts, schools, and/or churches. Tier 1 facilities abutting residential zoning districts, schools, and/or churches are subject to approval of a Conditional Use Permit (CUP).
  2. Tier 2: Produces at least 750 and no more than 15,000 barrels annually and does not exceed 15,000 square feet of floor area. Tier 2 facilities are subject to approval of a Conditional Use Permit (CUP).
- I. Building Materials and Services. Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes establishments devoted exclusively to retail sales of paint and hardware, and activities classified under Vehicle/Equipment Sales and Services, including vehicle towing services.
- J. Catering Services. Preparation and delivery of food and beverages for off-site consumption with provision for on-site pickup or consumption not to exceed 1,000 square feet. (See also Eating and Drinking Establishments.)
- K. Commercial Recreation and Entertainment. Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, pool rooms, dance halls, ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, arcades and games centers having five or more coin-operated game machines and card rooms.
1. Dance Establishment. Any premises wherein a public dance, as defined in the Oceanside City Code, is held.
  2. Pool Rooms, Billiard Rooms, and Shooting Galleries. Pool rooms, billiard rooms, and shooting galleries as defined in the Oceanside City Code.

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CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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3. Arcades and Game Centers. Any place having five or more coin-operated, slug-operated, or any type of amusement or entertainment machines for which payment is necessary for operation. These include, but are not limited to pinball machines and video games, but do not include merchandise vending machines or mini-jukeboxes (See Section 3027, Arcades and Game Centers).
  4. Limited. Indoor movie theaters and performing arts theaters.
  5. Small-scale. Establishments occupying no more than 5,000 square feet.
- L. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Utilities (Major). This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices.
- M. Food and Beverage Kiosk. An establishment that provides walk-up and/or drive-thru food and beverage services only through a kiosk window for off-site consumption. The sale and consumption of alcoholic beverages is prohibited.
- N. 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 definition excludes delicatessens and other specialty food shops having a sizeable assortment of fresh fruits and vegetables, and fresh-cut meat or fish.
  2. Liquor Store. A place or business engaged in the primary business of off-sale alcoholic beverages. For the purposes of this ordinance, primary business shall mean 25 percent or more of the shelf area of a business.
- O. Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries.
- P. Home Improvement. Retailing or wholesaling of goods to be used for home improvements or the furnishing of homes. This classification is limited to specialty businesses in which the primary inventory of the business includes one of the following merchandises; furniture, carpet and other floor coverings, window coverings, wall coverings, bed and bath products, kitchen remodels, doors and windows, garage doors, glass, paint, mattresses, cabinets and shelves, fireplaces, patios, lighting materials, pool and spas, and similar uses. This use classification does not include a comprehensive home improvement store.

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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- Q. Horticulture, Limited. The raising of fruits, vegetables, flowers, ornamental trees and shrubs on sites of 2.5 acres or less, as a wholesale commercial enterprise, provided that nursery equipment or materials necessary for the operation shall be stored on-site within structures. Wholesale commercial horticulture accessory to a dwelling unit shall be regulated as a home occupation. On-site Agricultural Sales Stands may be allowed subject to the location and development standards of Section 3038.
- R. Laboratories. Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as Limited Industry.
- S. Maintenance and Repair Services. Establishments providing appliance repair, office machine repair, or building maintenance services. This classification excludes maintenance and repair of vehicles or boats and ships (see Vehicle/Equipment Repair and Marine Sales and Services).
- T. Marine Sales, Rentals, and Services. Establishments providing supplies and equipment for shipping or related services, or pleasure boating and recreation. Typical uses include chandleries, yacht brokerage, sales, boat yards, boat docks, and sail-making lofts.
- X. Nurseries. Wholesale or retail establishments for the selling of plants, shrubs, trees and related products in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer or chemicals of any type are stored and sold in package form only. Nurseries may include the growing and propagation of plants as part of the operation. This classification excludes Cannabis Nurseries.
- V. Offices, Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, real estate, insurance, investment, legal, and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.
- W. Payday Loan/Paycheck Advance Establishment. A person or entity that for compensation, engages in whole or in part, in the business of lending limited amounts of funds for a short-term, against the borrower's future paychecks. The aforementioned definition excludes State or federally chartered banks, savings associations, credit unions, or industrial loan companies offering direct deposit advance service to their customer that is incidental to their main purpose or business.
- X. Pawn Shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property and subject to Chapter 22 of the Municipal Code.
- Y. Personal Improvement Services. Provision of instructional services or facilities, including: photography, fine arts, crafts, dance or music studios; driving, business or trade schools;

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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diet centers, or reducing salons; and health/fitness studios, spas or clubs.

1. Health/Fitness Studios, Spas or Clubs. Establishments with equipment for exercise and physical conditioning.
  2. Massage Establishments. Establishments providing massage service.
  3. Small Scale. Establishments occupying no more than 5,000 square feet.
- Z. Personal Services. Provision of services of a personal nature. This classification includes: tattooing establishments, body piercing establishment, escort services, barber and beauty shops, seamstresses, tailors, shoe repair shops, laundry and dry-cleaning agencies (excluding large-sale plants - see Section 15.C.1), photo-copying, word processing, packaging, postal and office supply support facilities, and self-service laundries.
1. Tattooing Establishment. Any establishment or business engaged in "tattooing" as defined in the Oceanside City Code, excluding "micropigmentation" or "permanent cosmetic makeup" typically provided at beauty salon or day spas.
  2. Body Piercing Establishment. Any establishment or business engaged in "body piercing". Body piercing means the creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration. This includes, but is not limited to, piercing of an ear, lip, tongue, nose, eyebrow, naval, male genitals, female breasts or female genitals. "Body piercing" does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.
  3. Escort Services. Any premises where patrons can purchase the social company or companionship of another person.
  4. Limited. Excludes laundry and dry-cleaning agencies and self-service laundries.
  5. Small-scale. Establishments occupying no more than 2,500 square feet.
- AA. Research and Development Services. Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electronic research firms, pharmaceutical research laboratories, and medical testing and analysis, but excludes manufacturing, except of prototypes. This classification excludes Cannabis Testing Laboratories.
- BB. Restaurants, Fast Food. A bona fide restaurant establishment where the principal business is the sale of prepared or rapidly prepared food and beverages to guests via counter, walk up, or window service for consumption on or off the premises. The sale beer and wine for on-site consumption is permitted. As used in this definition, a "bona fide" restaurant shall have suitable kitchen facilities for cooking and/or preparation of meals. The word "meals" means the assortment of food commonly ordered at various hours of the day.

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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1. Restaurants, Fast Food with Drive-thru or Drive-up. A restaurant establishment providing service from a building to patrons in vehicles through an outdoor service window (Drive-thru) or delivery service to vehicles parked in designated parking spaces (Drive-up). The sale and consumption of alcoholic beverages at a restaurant with a Drive-thru or Drive-up window is prohibited.
- CC. Restaurant Full Service. A bona fide restaurant establishment where the principal business is the sale of food and beverages to guests via table service for consumption on the premises. The sale of beer and wine for on-site consumption shall be considered incidental to the full-service restaurant. Delivery service to vehicles parked in designated parking spaces (i.e. drive-up) is allowed as an ancillary service to the Restaurant Full Service. As used in this definition, a “bona fide” full service restaurant shall have suitable kitchen facilities for cooking of complete meals. The word “meals” means the assortment of foods commonly ordered at various hours of the day; the service of only such foods as sandwiches or salads does not meet the bona fide restaurant definition.
1. Restaurants Full Alcohol. A bona fide restaurant establishment authorized to sell distilled spirits for consumption on licensed premises. The sale of liquor is included as an appurtenant use to full service restaurants having table seating and service for more than 50 guests.
  2. Restaurants Full Service with Live Entertainment – (Small Scale). Restaurant establishments providing live entertainment to patrons with 5 or fewer performers at restaurant facilities with no dance floor during typical lunch and dinner hours (11:00 a.m. – 11:00 p.m.) and having 75 percent food sales compared to alcohol sales.
- DD. Retail Sales. The retail sale of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, comprehensive home improvement stores, furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies (including limited processing), electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).
1. Limited. Excludes comprehensive home improvement stores, furniture, hardware, paint and wallpaper, carpeting and floor covering, and new automotive parts and accessories.
  2. Pharmacies and Medical Supplies. Establishments primarily selling prescription drugs, and medical supplies and equipment.
  3. Cannabis Delivery (Type 9 Non-Storefront Retailer). A Type 9 licensed non-storefront retailer conducting retail cannabis sales exclusively by delivery as defined in Business and Professions Code section 26001(s) and applicable state regulations. For the

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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purpose of licensing, a cannabis delivery non-storefront shall not be considered a cannabis dispensary.

4. Cannabis Storefront Retailer (Type 10). Commercial retailer of cannabis products with a physical location that is open to customers, as defined by Business and Professions Code section 26011(ay). Cannabis Storefront Retailers shall not include drive-through, drive-up, or curbside delivery services.
- EE. Secondhand Furniture, Appliance, "Collectible" and Clothing Sales. The retail sale of used furniture, appliances, "collectibles" and clothing, and secondhand dealers who are subject to Chapter 22 of the Municipal Code. This classification excludes antique shops primarily engaged in the sale of antique furniture and accessories.
1. Small-scale. Establishments occupying no more than 5,000 square feet.
- FF. Sex Supermarket/Sex Mini-Mall. The establishment or operation within the same building of more than one of any of the following Adult Businesses: adult bookstore or adult video store, adult cabaret, adult entertainment business, adult motion picture theater, adult theater, or peep-show establishment.
- GG. Swap Meets, Recurring. Retail sale or exchange of handcrafted or secondhand merchandise for a maximum period of 48 hours, conducted by a sponsor on a more than twice yearly basis.
- HH. Tobacco and Drug Paraphernalia Establishment. Any tobacco and drug paraphernalia establishment, as defined in the Oceanside City Code.
- II. Travel Services. Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies.
- JJ. Vehicle/Equipment Sales and Services.
1. Automobile Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles.
  2. Commercial Parking Facility. Lots offering short-term or long-term parking to the public for a fee.
  3. Service Stations. Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and repair of automobiles and light trucks, but excludes body and fender work or repair of heavy trucks or vehicles.
  4. Vehicle/Equipment Repair. Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender

CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping.

(a) Limited. Excludes body and fender shops.

5. Vehicle/Equipment Sales and Rentals. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, and similar equipment, including storage and incidental maintenance.

6. Vehicle Storage. Storage of operative or inoperative vehicles. This classification includes storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but does not include vehicle dismantling.

(a) Limited. Storage of operable passenger automobiles, standard and small vans and motorcycles.

KK. Visitor Accommodations.

1. Bed and Breakfast Inns. Establishments offering lodging on a less than weekly basis in a converted single-family or multi-family dwelling, with incidental eating and drinking service for registered guests. A Bed and Breakfast may only serve breakfast, or similar early morning meals to its registered guests per Restricted Food Service Facility Regulations Section 113893 of the California Retail Food Code. The price of food must be included in the price of the overnight transient occupancy accommodation. Bed and breakfasts may include incidental amenities for registered guests including spa facilities or swimming pools.

(a) Small-scale. Establishments renting four or fewer rooms.

2. Hotels, Motels, and Time-Share Facilities. Establishments offering commercial lodging on a less than monthly basis. This classification includes incidental eating, drinking, and banquet services intended for the convenience of guests.

3. Single-Room Occupancy (SRO) Residential Hotels. Buildings with six or more guest rooms without kitchen facilities in individual rooms, or kitchen facilities for the exclusive use of guests, and which are also the primary residences of the hotel guests.

4. Vacation Club. Prepaid point or credit-based establishments offering lodging on a less than weekly basis and having kitchens. This classification includes eating, drinking and banquet services.

LL. Warehousing and Storage, Limited. Provision of storage space for household or commercial goods within an enclosed building. Access to individual storage units shall be via an interior access way. Exterior entry to individual storage units shall not be permitted. This classification includes facilities with a maximum of 5,000 square feet of gross floor area,

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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but excludes Wholesale, Distribution and Storage, and Vehicle Storage. "Limited" vehicle storage as part of a Warehousing and Storage, Limited, facility is permitted subject to the approval of a Conditional Use Permit.

**MM. Winery, Craft.** A small-scale winemaking facility that includes designated floor area (comprising no less than 20 percent and no more than 40 percent of the total floor area) for product sampling and/or retail sales of wine conforming to state requirements. Retail sales of craft winery merchandise including wine glasses, wine bottles, decanters, corkscrews, home décor, apparel, signs, books, and other wine paraphernalia are also permitted. A craft winery shall produce a minimum of 300 cases annually and not exceed a maximum output of 10,000 standard cases annually (with a standard case of wine containing twelve 750 ml bottles or nine liters of wine). Facilities housing a craft winery shall not exceed 15,000 square feet of floor area. The category of a craft winery (based upon floor area and scale of operation) shall determine the appropriate review and approval process, as specified below. Such facilities shall be subject to the following limitations:

1. Other than business name and/or logo, such uses shall not display exterior signage (including advertising directed to the exterior from interior spaces) that promotes the availability of alcoholic beverages.
2. There shall be no amusement or video machines maintained on the premises.
3. There shall be no "happy hour" or regular periods of reduced-priced alcoholic beverages.
4. Amplified live entertainment shall require issuance of an Administrative Use Permit (ACUP).
5. Ancillary food service involving outdoor equipment (e.g., food trucks) shall require issuance of an Outdoor Facilities Permit.
6. Delivery/distribution activities involving Class 4 or higher vehicles shall not occur between the hours of 10 p.m. and 7 a.m.
7. Hours of operations shall not extend beyond 10 p.m., unless extended hours of operation are approved through a Conditional Use Permit.

Craft wineries shall be regulated under the following tiered review and approval process:

1. Tier 1: Produces at least 300 and no more than 7,000 standard cases annually and does not exceed 10,000 square feet of floor area. Tier 1 facilities are subject to approval of an Administrative Conditional Use Permit (ACUP) when not abutting residential zoning districts, schools, and/or churches. Tier 1 facilities abutting residential zoning districts, schools, and/or churches are subject to a Conditional Use Permit (CUP).
2. Tier 2: Produces at least 900 and no more than 10,000 standard cases annually and does not exceed 15,000 square feet of floor area. Tier 2 facilities shall be subject to

approval of a Conditional Use Permit (CUP).

#### **415 Industrial Use Classifications**

- A. Cannabis Distribution Site. A location where cannabis obtained from a licensed cannabis cultivator or cannabis products from a licensed cannabis manufacturer is temporarily stored, prior to delivery to a licensed cannabis dispensary and as part of performing a cannabis distributor's duties under state law. A cannabis distributor is a person engaged in the procurement, sale, and transport of cannabis and cannabis products between licensees.
- B. Cannabis Manufacturing. The production, preparation and compounding of cannabis and cannabis products, without the use of a volatile solvent. Nonvolatile cannabis manufacturing includes and is not limited to the extraction of a substance from a cannabis plant with nonvolatile solvents, the infusion or mixture of cannabis into another substance, the preparation of an edible item that includes cannabis, and the packaging and labeling of cannabis or cannabis products. Nonvolatile cannabis manufacturing does not include cannabis cultivation.
- C. Cannabis Testing Laboratory. Laboratory, facility, or entity that offers or performs tests of cannabis or cannabis products and that is both of the following: (1) Accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state. (2) Licensed by the state of California to perform cannabis testing consistent with Business and Professions Code section 26001.
- D. Food Processing. Establishments primarily engaged in the manufacturing or processing and packaging of food or beverages for human consumption and wholesale distribution.
  - 1. Limited. Establishments of less than 2500 square feet of floor area.
- E. Industry, Custom. Establishments primarily engaged in on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment. This use may include affiliated office and support facilities and limited showroom and a retail sales area when clearly secondary and associated with the primary business.
  - 1. Limited. Includes mechanical equipment not exceeding two horsepower or a single kiln not exceeding eight kilowatts and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle-making shops, and custom jewelry manufacture.
- F. Industry, General. Manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, large scale laundry and dry-cleaning plants, auto dismantling within an enclosed building, oil and gas refining, stonework and concrete products manufacture,

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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small animal production and processing within an enclosed building and power generation.

1. Large Scale Laundry and Dry Cleaning Plants. A laundry or dry-cleaning facility having any of the following or similar type equipment:

- (a) Boiler(s) exceeding a total of 15 horsepower;
- (b) Dry cleaning machine(s) exceeding 60 pounds total capacity;
- (c) Dryer(s) exceeding 50 pounds total capacity;
- (d) Wet cleaning washer(s) exceeding 50 pounds total capacity.

G. Industry, Limited. Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services; both within an enclosed building. This classification includes processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, and Vehicle/Equipment Services. This classification may include affiliated office and support facilities and a limited showroom and retail sales area when clearly secondary and associated with the primary business.

1. Small-Scale. Limited to a maximum gross floor area of 5,000 square feet.

H. Industry, Research and Development. Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale. Uses include biotechnology, films, and non-toxic computer component manufacturers, specifically excluding uses which produce offensive odors, dust, and/or noise. This classification may include affiliated office and support facilities and a limited showroom and retail sales area when clearly secondary and associated with the primary business.

I. Wholesaling, Distribution and Storage. Storage and distribution facilities. This classification may include affiliated office and support facilities and a limited showroom and retail sales area when clearly secondary and associated with the primary business.

1. Trucking Terminals. Storage and distribution facilities having more than six heavy trucks on the premises at one time, but excluding trucking accessory to a Limited or General Industry classification.

2. Small-Scale. Wholesaling, distribution and storage having a maximum gross floor area of 5,000 square feet and having no more than two docks or service bays.

### 416 Agricultural and Extractive Use Classifications

A. Agricultural Accessory Structure. Structures that are incidental to the principal permitted or conditionally permitted agricultural use or structure on a site and are customarily on the same site. This classification includes shade structures, hay barns, animal enclosures such as corrals or pens, and agricultural related accessory structures, but excludes horse stables and

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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greenhouses.

- B. Agricultural Food and Product Processing, Limited. Agricultural establishments primarily engaged in the manufacturing or processing and packaging of food or non-alcoholic beverages for human consumption and distribution or agricultural materials, non-food crops, commodities, or bi-products into products, including craft or artisan goods, for retail sale or distribution. The facility shall be accessory to a farm or ranch where the food or product processing involves a primary or signature ingredient produced on the premises or within southern California. Additional ingredients shall be sourced locally or regionally when available. Tours, tastings, sampling and retail sales may be permitted as an accessory use only. Tasting rooms shall not exceed 25% of the square-footage of the facility or 2,500 square-feet, whichever is less. This classification excludes Cannabis Cultivation Facilities.
- C. Agricultural Home Stay. Overnight visitor accommodations located on a farm or ranch that produces agricultural products as its primary source of income. 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 any time 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. Home Stays may include incidental amenities for registered guests including spa facilities or swimming pools.
- D. Agricultural Sales Stand. A 500 square-foot or less sales stand accessory to a property devoted to the growing of agricultural crops that are offered for sale on the premises. Sales shall be limited to agricultural products. No other merchandise shall be offered. All agricultural products sold at the site must be grown by the operator either on the site, or within the region.
- E. Agricultural Sales Store. A store or stand larger than 500 square-feet for the retail sale of agricultural products primarily produced on the premises of a farm or ranch, within southern California. Retail sales of merchandise that is produced by or affiliated with the agricultural operation or has an agricultural theme, including artisan goods, may be permitted as an accessory use only.
- F. Agricultural Supply Services. Retail sale of products supporting agricultural uses including, but not limited to, tack, feed and hay, seed, soil and mulch, hardware, farm equipment, machinery, irrigation supplies, and similar support services for farming operations.
- G. Animal Boarding. Provision of shelter and care for domestic farm animals or domestic animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care.
- H. Animal, Horse and Dog Training and Shows. Animal training, holistic natural animal health care, and dog shows with 50 dogs or less. Shows with greater than 50 dogs shall require a special events permit.
- I. Animal Husbandry. Raising of animals or production of animal products, such as eggs or dairy

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## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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products, on an agricultural or wholesale commercial basis. Typical uses include grazing, ranching, animal breeding, and dairy farming. For purposes of this section, domestic farm animals includes horses, donkeys, llamas, alpacas, mules, cows, sheep, goats, hogs. Similar animals shall be permitted subject to review and approval by the City Planner. Domestic animals and Exotic animals as defined in Article 3 of the Zoning Ordinance are excluded from this section.

- J. Assembly, ceremonies, and weddings. An activity involving assembly or the intention of attracting people for ceremonial, educational, and celebratory purposes at one specific location. Such assembly includes, but is not limited to: receptions, weddings, recitals, exhibits, private parties, and social gatherings.
- K. Aquaculture. Facility dedicated to the propagation, cultivation, maintenance, and harvesting of fish, shellfish and plants in marine, brackish, and fresh water. This classification includes aquaponics defined as the symbiotic cultivation of plants and aquatic animals in a balanced recirculating environment. Aquaculture is subject to registration and approval by the California Department of Fish and Wildlife.
- L. Aviculture. The breeding and keeping of domestic birds including chicken, turkey, ostriches, goose, fowl, pheasant, quail, pigeons, and similar birds. This classification excludes exotic animals.
- M. Bee Keeping. The keeping of bees shall be permitted pursuant to Section 29000 of the California Food and Agriculture Code. An apiary is defined as a managed honey bee colony(s) or hive(s) that are kept in a structure(s) intentionally provided for honey bee housing, 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. Beekeepers shall register the apiary with the San Diego County Agricultural Commissioner within 30 days of establishing the apiary. Beekeepers shall follow best management practices prescribed by the Agricultural Commissioner.
- N. Campgrounds. An area of an agricultural property dedicated for short term camping as either day use or overnight use. Campsites may include tents, temporary shelters, or permanent structures such as cabins. 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. For the purposes of this section, “short term camping” shall mean occupancy of a campground by the same persons, equipment, or vehicles for a maximum time limit of 7 consecutive days, not to exceed a total of 30 days in any calendar year. 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.
- O. Cannabis Cultivation Facility means a facility wherein cannabis is propagated, planted, grown, harvested, dried, cured, graded, labeled, tagged for tracking or trimmed, or that does all or any combination of those activities. This definition excludes the cultivation of no more than six cannabis plants by a person twenty-one years of age or older for personal use in a private residence provided the cultivation is in a fully enclosed structure that is secure, not

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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visible from a public space and otherwise exempt from state licensing requirements.

- P. Cannabis Nursery means a facility that produces only clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis.
- Q. Commercial Recreation, Outdoor. The use of agricultural properties for outdoor recreational activities including, but not limited to hiking, biking, axe throwing, archery, zip lines, and similar uses.
- R. Composting. A facility where agricultural material or green material is decomposed in a controlled environment into compost, soil amendment, or other products. “Agricultural Material” means waste material of plant or animal origin, which results directly from the conduct of agriculture, animal husbandry, horticulture, aquaculture, vermiculture, viticulture and similar activities undertaken for the production of food or fiber for human or animal consumption or use, which is separated at the point of generation, and which contains no other solid waste. Material that is defined as “food material” or “vegetative food material” is not agricultural material. Agricultural material includes, but is not limited to, manures, orchard and vineyard prunings, grape pomace, and crop residues. “Green Material” means any plant material except food material and vegetative food material that is separated at the point of generation, contains no greater than 1.0 of percent physical contaminants by dry weight. Green material includes, but is not limited to, tree and yard trimmings, untreated wood wastes, natural fiber products, wood waste from silviculture and manufacturing, and construction and demolition wood waste. Green material does not include food material, vegetative food material, biosolids, mixed material, material separated from commingled solid waste collection or processing, wood containing lead-based paint or wood preservative, or mixed construction and demolition debris. Agricultural material that meets this definition of “green material” may be handled as either agricultural material or green material. Additional materials not specifically listed may be considered as part of a use permit.
- S. Crop Production. Raising and harvesting of tree crops, row crops, greenhouse crops or field crops on sites of greater than 2.5 acres on an agricultural or wholesale commercial basis, including packing and processing. Cannabis Cultivation Facilities are excluded from the definition of Crop Production.
- T. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.
- U. Educational Programs. An educational program or facility accessory to a farm or ranch dedicated to teaching students about agriculture, food, natural resources, as well as research and development. Programs are typically affiliated with schools or organizations or operated by the proprietor of the farm or ranch. This classification excludes intermittent field trips or visits to a farm or ranch by schools or organizations unless the field trips are considered part of an enterprise.
- V. Farm Brewery. A small-scale craft beer manufacturing facility that includes floor area for

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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product sampling and retail sales of beer primarily produced on the premises. The facility shall be accessory to a farm or ranch where a primary or signature ingredient is produced on the premises or within southern California. Additional ingredients shall be sourced locally or regionally when available. A farm brewery shall produce a minimum output of 2,000 barrels annually and shall not exceed a maximum output of 16,000 barrels annually (with a barrel of beer equal to 31 U.S. gallons). A craft brewery shall not occupy more than 15,000 square feet of floor area. Tours, tastings and retail sales may be permitted as an accessory use only. A craft brewery must contain an ancillary tasting and/or retail component that comprises no less than 20 percent and no more than 40 percent of the facility's total floor area.

- W. Farm Distillery. A small-scale craft distilled spirits manufacturing facility that includes floor area for product sampling and retail sales of distilled spirits primarily produced on the premises. The facility shall be accessory to a farm or ranch where a primary or signature ingredient is produced on the premises or within southern California. Additional ingredients shall be sourced locally or regionally when available. A farm distillery shall produce no more than 120,000 750 ml bottles per year or 100,000 gallons, whichever is less. A craft farm distillery shall not occupy more than 15,000 square feet of floor area. Tours, tastings and retail sales may be permitted as an accessory use only. A farm distillery must contain an ancillary tasting and/or retail component that comprises no less than 20 percent and no more than 40 percent of the facility's total floor area. Direct sales of bottles shall be limited to no more than 2.25 liters per day per customer who has attended an instructional tasting conducted by the craft licensee.
- X. Farm Tours. An agricultural operation that allows the general public to tour farm or ranch facilities for recreational or educational purposes. Farm tours are generally guided group tours conducted by a representative of the farming operation. The sale of agricultural products or related merchandise shall be subject to the provisions for Agricultural Sales Stands or Agricultural Sale Stores. Farm tour operations shall be subject to the performance standards outlined in Article 14 of the Zoning Ordinance. A designated parking area shall be provided on the property.
- Y. Farmworker Housing. 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.
- Z. Mining and Processing. Places or plants primarily devoted to surface or subsurface mining of metallic and nonmetallic minerals, oil or gas, together with essential on-site processing and production of only nonmetallic mineral products. Typical places are borrow pits, quarries, oil and gas drilling rigs, or concrete batch plants. This classification specifically excludes any activities that are directly or indirectly associated with off-shore oil and gas exploration, production, or processing.

## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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- AA. Petting Zoo. A zoo accessory to a farm or ranch where visitors may handle and feed domestic farm animals in a controlled environment.
- BB. Research & Development Agricultural Products. Research, development, and controlled production of agricultural products or commodities for sale ancillary to a farm or ranch. This classification may include affiliated office, laboratory, and support facilities and a showroom and retail sales area when clearly secondary and associated with the farm or ranch. This classification excludes Cannabis Cultivation Facilities and Cannabis Nurseries per Section 1420.
- CC. Restaurants and Cafes, Farm. A restaurant or café located accessory to a farm or ranch where farm products and value-added farm products are the primary food offerings. Food prepared in the eating establishment shall be sourced on site or within the region to the extent possible. Facilities may include either indoor or outdoor eating areas. The sale of beer and wine for consumption on the premises shall be considered incidental. 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 Conditional Use Permit.
- DD. Retail Nursery. A nursery operation that grows and/or imports plants and trees for direct sale to consumers. This classification excludes Cannabis Nursery per Section 1420.
- EE. Seasonal Attractions. Activities or events occurring on a temporary basis during various growing seasons or holiday periods. Attractions include, but are not limited to, Christmas tree farms, pumpkin patches, and harvest events. A Special Event Permit shall be required. Agricultural crops that are exclusively produced on the premises of a farm or ranch and are offered for sale on the premises shall not be considered a seasonal attraction and can be conducted through and agricultural sales stand, agricultural sales store, or u-pick operation.
- FF. U-Pick. Farming operation that allows the general public to directly harvest and purchase produce or other products from a farm or ranch. U-pick operations shall be subject to the performance standards outlined in Article 14 of the Zoning Ordinance.
- GG. Wineries. An agricultural processing facility used for the fermenting and processing of fruit juice into wine; or the refermenting of still wine into sparkling wine. Tours, tastings and retail sales may be permitted as an accessory use only.

### **417 Accessory Use Classifications**

- A. Accessory Uses and Structures. Uses and structures that are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site. This classification includes accessory dwelling units ("second units") and home occupations.

### **418 Temporary Use Classifications**

- A. Agricultural Specialty Sales, Seasonal. Retail sale of seasonal specialty items for a period

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## CITY OF OCEANSIDE COMPREHENSIVE ZONING ORDINANCE

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not to exceed 45 days (e.g. Christmas Tree Sales, Pumpkin Sales).

- B. Yard/Garage Sales. A sales event advertised by any means at a residential location where members of the public may purchase identifiable or tangible items of personal property; provided however, it shall not mean any event which constitutes a sales activity, wholesale or retail, by any business which has a current business license issued by the City. Items sold shall be limited to personal property owned by the occupant of the property and/or surrounding neighbors.