



CITY of ESCONDIDO

PLANNING COMMISSION MEETING

July 11, 2023 at 7:00 PM

Council Chambers: 201 North Broadway, Escondido, CA 92025

WELCOME TO YOUR COMMISSION MEETING

We welcome your interest and involvement in the legislative process of Escondido. This agenda includes information about topics coming before the Commission.

CHAIR

Rick Paul

VICE CHAIR

Katharine Barba

COMMISSIONERS

David Barber

Carrie Mecaro

Judy Fitzgerald

Barry Speer

Stan Weiler

MINUTES CLERK

Alex Rangel

HOW TO WATCH

The City of Escondido provides one way to watch a Commission meeting:

In Person



201 N. Broadway, Escondido, CA 92025

HOW TO PARTICIPATE

The City of Escondido provides two ways to communicate with the Commission during a meeting:

In Person



Fill out Speaker Slip and Submit to City Clerk

In Writing



<https://escondido-ca.municodemeetings.com>



CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, JULY 11, 2023

ASSISTANCE PROVIDED

If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 760-839-4869. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired – please see the City Clerk.





CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, JULY 11, 2023

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL

WRITTEN COMMUNICATIONS

Under state law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

ORAL COMMUNICATIONS

Under state law, all items under Oral Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

PUBLIC HEARINGS

Please limit your testimony to three minutes.

1. PL23-0109/Downtown Specific Plan Text Amendment to Creekside Neighborhood District List of Allowable Uses

REQUEST: A request to amend the land use matrix table of permitted and conditional uses (Figure II-2) of the Downtown Specific Plan (DSP). The amendment consists of a text amendment to allow “All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and / or dessert service from an on-site operating commercial-grade freezer / refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries and outdoor dining, but with no drive-through), with no live amplified entertainment or dancing” as a permitted use within the Creekside Neighborhood (CN) district of the DSP. The text amendment will only affect properties located on the south side of Pennsylvania Avenue.

PROPERTY SIZE AND LOCATION: The .17-acre site is located on E Pennsylvania Avenue and is addressed at 341 Pennsylvania Avenue. (Assessor’s Parcel Number(s): 229-392-17-00)

APPLICANT: Carina Kennedy



CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, JULY 11, 2023

CEQA RECOMMENDATION: Categorical Exemption – CEQA Guidelines Section 15061 (Common Sense Exemption)

STAFF RECOMMENDATION: Recommend Approval

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

CURRENT BUSINESS

FUTURE AGENDA ITEMS

ORAL COMMUNICATIONS

Under state law, all items under Oral Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

PLANNING COMMISSIONERS REPORT

CITY PLANNER'S REPORT

[2.](#) Tentative Future Agenda

ADJOURNMENT



STAFF REPORT

DATE: July 11, 2023

PL23-0109 – Downtown Specific Plan Text Amendment

**PROJECT NUMBER /
NAME:**

**PL23-0109/Downtown Specific Plan Text Amendment to Creekside Neighborhood
District List of Allowable Uses**

REQUEST: A request to amend the land use matrix table of permitted and conditional uses (Figure II-2) of the Downtown Specific Plan (DSP). The amendment consists of a text amendment to allow “All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and / or dessert service from an on-site operating commercial-grade freezer / refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries and outdoor dining, but with no drive-through), with no live amplified entertainment or dancing” as a permitted use within the Creekside Neighborhood (CN) district of the DSP. The text amendment will only affect properties located on the south side of Pennsylvania Avenue.

PROPERTY SIZE AND LOCATION: The .17-acre site is located on E Pennsylvania Avenue and is addressed at 341 Pennsylvania Avenue. (Assessor’s Parcel Number(s): 229-392-17-00)

APPLICANT: Carina Kennedy

GENERAL PLAN / ZONING: Downtown Specific Plan (SPA 9) / Specific Plan Area (S-P)

PRIMARY REPRESENTATIVE: Carina Kennedy (James Coffee Co.)

DISCRETIONARY ACTIONS REQUESTED: Downtown Specific Plan Text Amendment

PREVIOUS ACTIONS: On March 22, 2023, the City Council authorized the intake of the application and a reduction in fees for processing the application.

CEQA RECOMMENDATION: Categorical Exemption – CEQA Guidelines Section 15061 (Common Sense Exemption)

STAFF RECOMMENDATION: Recommend Approval

REQUESTED ACTION: Approve Planning Commission Resolution No. 2023-10

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

REPORT APPROVALS: ☐ Andrew Firestine, Director of Development Services

☒ Adam Finestone, City Planner



CITY of ESCONDIDO

STAFF REPORT

Item 1.

BACKGROUND

The Downtown Specific Plan (DSP) was adopted on August 7th, 2013, by the City Council (PHG13-0018). The purpose of the DSP is to envision Downtown Escondido as a dynamic, attractive, and economically vital city center. Downtown is a pedestrian oriented environment meant to attract local and non-local visitors. Since its adoption, the DSP has been amended several times to reflect changes in land use patterns, and to facilitate development of the Downtown area.

SUMMARY OF REQUEST

Carina Kennedy ("Applicant") has submitted a request to amend the list of permitted and conditional uses outlined in Figure II-2 of the DSP. The text amendment consists of revising the table to allow for "All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and / or dessert service from an on-site operating commercial-grade freezer / refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries and outdoor dining, but with no drive-through), with no live amplified entertainment or dancing" within a portion of the Creekside Neighborhood (CN) district of the DSP ("Project"). This will allow for the Applicant to apply for a license to sell alcohol from the State of California Department of Alcoholic Beverage Control. The text amendment will only affect 12 properties located on the south side of Pennsylvania Avenue that are within the CN district.

The subject property is located at 341 Pennsylvania Avenue and is bounded by North Juniper Street to the west and North Ivy Street to east (see Attachment 1 for Location, General Plan land use designation, and zoning).

SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: .17 gross acres

PROJECT ANALYSIS

1. General Plan Conformance:
 - a. Land Use and Community Form:

The City's 2012 General Plan land use designation for the project site is Specific Plan Area (SPA 9, Downtown Specific Plan) which encompasses approximately 475 gross acres. The proposed Project conforms to several policies outlined in SPA 9 Guiding Principles such as offering a dynamic, attractive, economically vital center to residents and non-residents. The Project will provide additional amenities to an area of the Downtown Specific Plan that currently lacks restaurant uses, and is consistent with the vision outlined in the City's 2012 General Plan.

- b. Economic Prosperity

The Project is consistent with several policies outlined in the Economic Prosperity Element of the City's 2012 General Plan including:



CITY of ESCONDIDO

STAFF REPORT

Item 1.

Small Business and Entrepreneurship Policy 3.2: Identify and remove obstacles to the formation and expansion of local business, where appropriate.

The Project would allow a small business expand its current offerings to include the sale of alcoholic beverages in conjunction with the coffee and pastries they already offer. This additional service would allow for the business to expand its offerings and contribute to its success as a small business.

2. Zoning or Specific Plan Conformance:

The Project site is located within the Creekside Neighborhood (CN) of the Downtown Specific Plan (DSP). As stated above, the purpose of the DSP is to facilitate an economically vibrant downtown with a variety of services and business for locals and non-locals. The CN district encompasses approximately 28 acres located in the northeast corner of the DSP, Pennsylvania and Washington avenues (north/south) and Kalmia and Hickory streets (east/west). The area is in close proximity to Downtown's amenities, and would offer an additional service to those who live within the CN district and surrounding area. Additionally, the proposed text amendment would affect only a small number of parcels located on the south side of Pennsylvania Avenue, and would not affect the entirety of the CN district.

ENVIRONMENTAL ANALYSIS

California Environmental Quality Act ("CEQA") Guideline's list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The Project qualifies for an exemption under CEQA Guidelines section 15061 (Common Sense Exemption) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The CEQA Notice of Exemption prepared for the Project is incorporated into this staff report by this reference (see Attachment 2). The Notice of Exemption demonstrates that the Project qualifies for these exemptions and will not have a significant effect on the environment.

PUBLIC INPUT

The project was noticed consistent with the requirements of both the Escondido Zoning Code and the State Law. Staff has not received any correspondence from the public regarding the project as of the preparation of this report.

CONCLUSION AND RECOMMENDATION

Staff has found that the proposed project is consistent with the guiding principles identified in the Land Use and Community Form Element and the Economic Prosperity Element of the Escondido General Plan, and the Downtown Specific Plan.

Staff recommends that the Planning Commission adopt Resolution No. 2023-10, recommending approval of the proposed Downtown Specific Plan Text Amendment as described in this staff report, as detailed in Exhibits "A" and "B" of Resolution No. 2023-10. The draft Planning Commission Resolution No. 2023-10, including Exhibits "A" and "B", is included as Attachment 3 to this staff report.



CITY *of* ESCONDIDO

STAFF REPORT

Item 1.

ATTACHMENTS

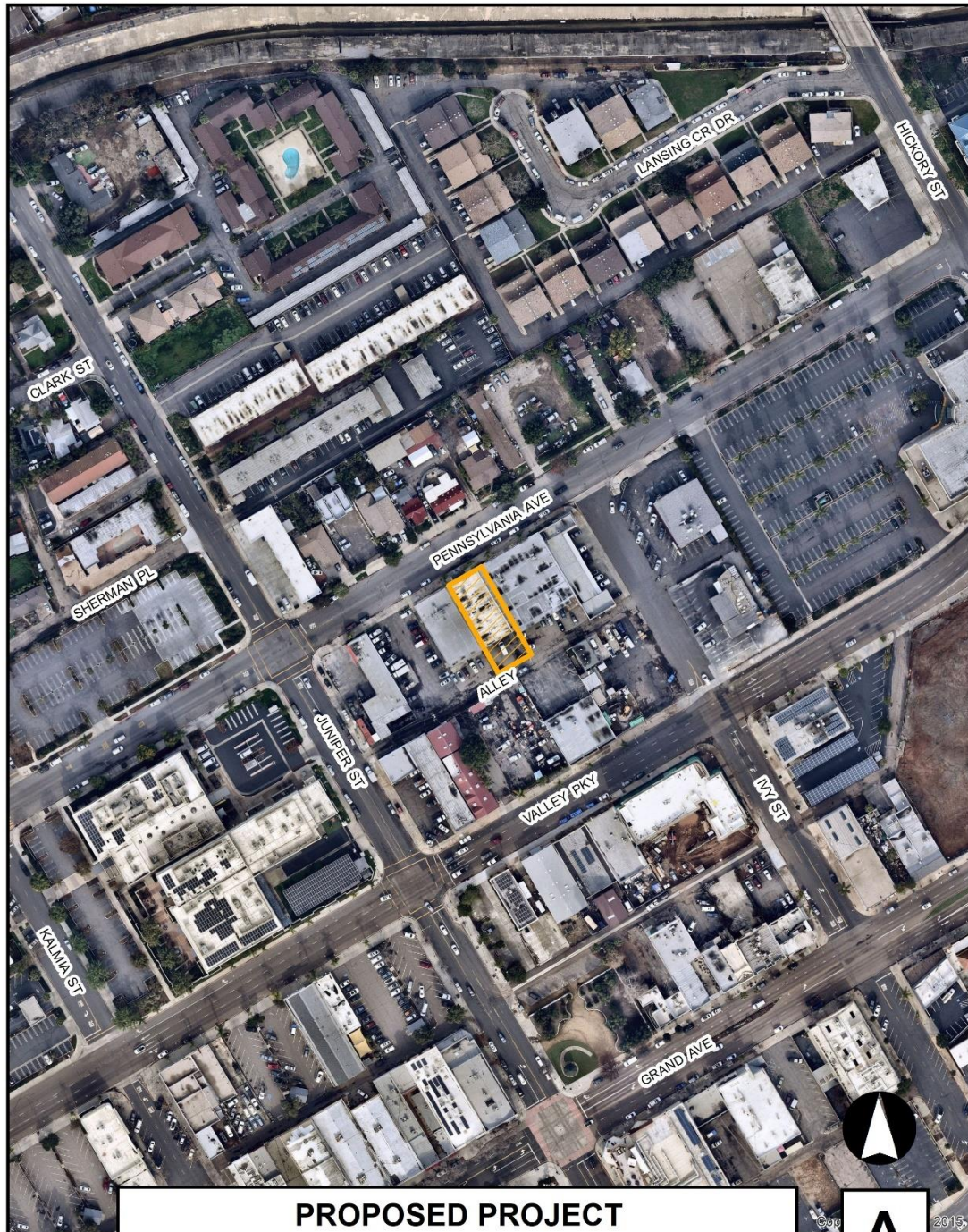
1. Location and General Plan Map
2. CEQA Notice of Exemption
3. Draft Planning Commission Resolution No. 2023-10 including Exhibits A and B



CITY of ESCONDIDO

STAFF REPORT

Attachment 1



**PROPOSED PROJECT
PL 23-0109**



A

AERIAL



CITY of ESCONDIDO

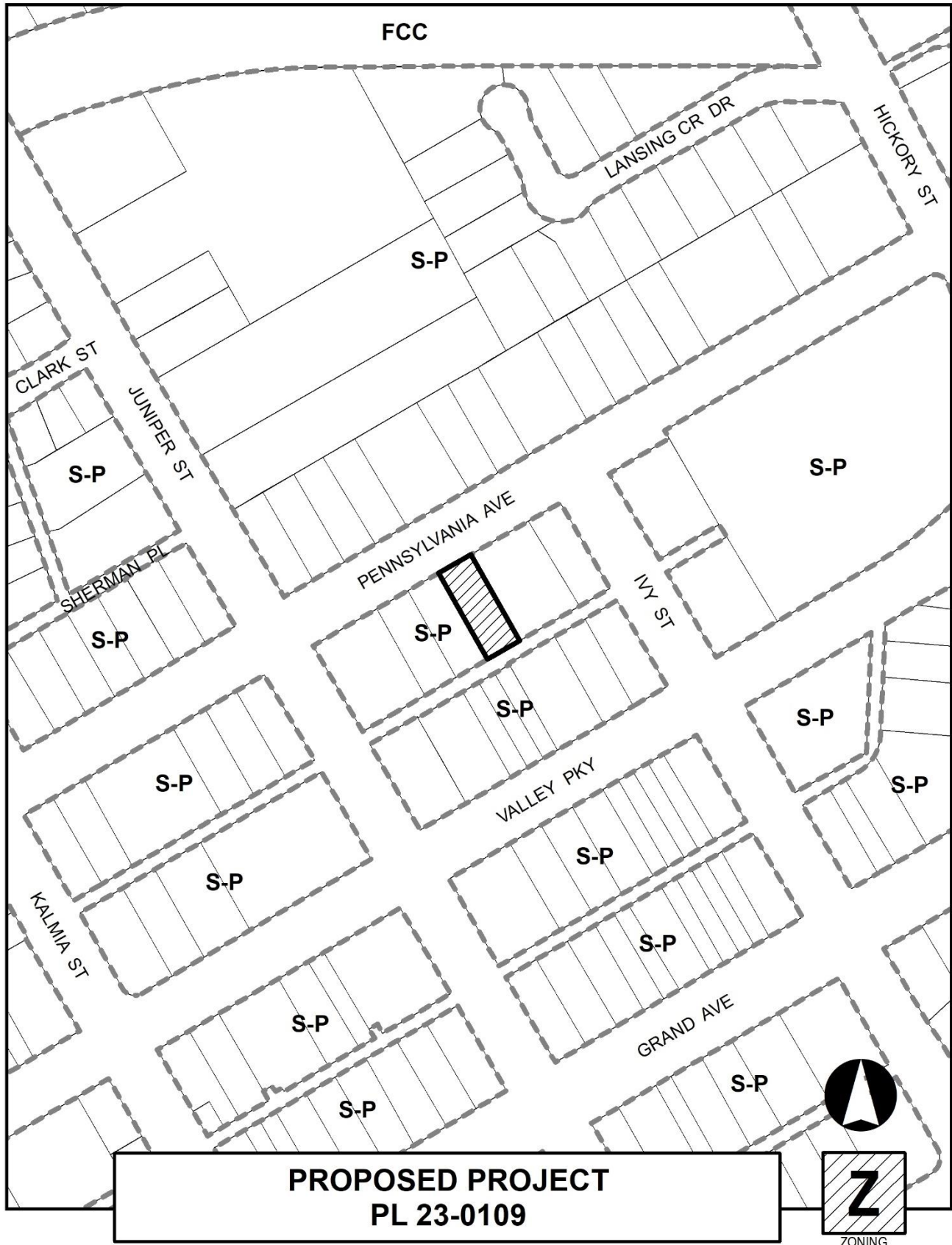
STAFF REPORT





CITY of ESCONDIDO

STAFF REPORT





CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
760-839-4671

Notice of Exemption

To: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Hwy, Room 260
San Diego, CA 92101
MS: A-33

From: City of Escondido
Planning Division
201 North Broadway
Escondido, CA 92025

Project Title/Case No: PL23-0109/Downtown Specific Plan Text Amendment

Project Location - Specific: The Project site is located at 341 Pennsylvania Avenue and is bounded by Juniper Street to the west and Ivy Street to the east. The Project would affect 12 properties south of Pennsylvania Avenue bounded by Kalmia Street to the west and Ivy Street to the east.

Project Location - City: Escondido **Project Location - County:** San Diego

Description of Project: A request to amend the land use matrix table of permitted and conditional uses (Figure II-2) of the Downtown Specific Plan (DSP). The amendment consists of a text amendment to allow "All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and / or dessert service from an on-site operating commercial-grade freezer / refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries and outdoor dining, but with no drive-through), with no live amplified entertainment or dancing" as a permitted use within a portion of the Creekside Neighborhood (CN) district of the DSP. The text amendment will only affect properties located on the south side of Pennsylvania Avenue.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Carina Kennedy (James Coffee Co.)

Address: 341 Pennsylvania Avenue
Escondido, CA 92025

Telephone: 619-961-5805

☒ Private entity ☐ School district ☐ Local public Agency ☐ State agency ☐ Other special district

Exempt Status: The project is categorically exempt pursuant to CEQA Guidelines section 15061 (Common Sense Exemption) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Reasons why project is exempt: The project is a minor text amendment to a list of permitted uses within the CN district of the DSP. The project does not require the construction of buildings for the newly permitted use. The type of use being permitted through this project is subject to existing City policies and ordinances that would minimize any impacts to the environment.

Lead Agency Contact Person: Ivan Flores

Area Code/Telephone/Extension: 760-839-4529

Signature: _____
Ivan Flores, AICP
Associate Planner

_____ Date

☐ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant

Planning Commission

Hearing Date: July 11, 2023

Effective Date: July 12, 2023

PLANNING COMMISSION RESOLUTION NO. 2023-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A TEXT AMENDMENT TO THE DOWNTOWN SPECIFIC PLAN TO ALLOW RESTAURANTS WITHIN A PORTION OF THE CREEKSIDE NEIGHBORHOOD DISTRICT

APPLICANT: James Coffee Co. (Carina Kennedy)

CASE NO: PL23-0109

WHEREAS, Carina Kennedy (“Applicant”), filed a land use development application, Planning Case No. PL23-0109 (“Application”), constituting a request for a text amendment to the list of permitted and conditionally permitted uses identified in Figure II-2 of the Downtown Specific Plan (“Project”) to allow for “all types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and / or dessert service from an on-site operating commercial-grade freezer / refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries and outdoor dining, but with no drive-through), with no live amplified entertainment or dancing” in the Creekside Neighborhood (CN) district of the Specific Plan Area (S-P) Zone; and

WHEREAS, the request would expand land use allowances for a limited number of properties within the CN district. WHEREAS, the Application was submitted to, and processed by, the Planning Division of the Development Services Department in accordance with the rules and regulations of the Escondido Zoning Code and the applicable procedures and time limits specified by the Permit Streamlining

Act (Government Code section 65920 et seq.) and the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"); and

WHEREAS, pursuant to CEQA and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the City is the Lead Agency for the Project, as the public agency with the principal responsibility for approving the proposed Project; and

WHEREAS, the Planning Division studied the Application, performed necessary investigations, prepared a written report, and **hereby recommends approval** of the Project as depicted on the amended Figure II-2 (Permitted and Conditional Uses) of the Downtown Specific Plan shown in Exhibit "A," which is attached hereto and made a part hereof by this reference as though fully set forth herein; and

WHEREAS, City staff provided public notice of the application in accordance with City and State public noticing requirements; and

WHEREAS, on July 11, 2023, the Planning Commission held a duly noticed public hearing as prescribed by law, at which time the Planning Commission received and considered the reports and recommendation of the Planning Division and gave all persons full opportunity to be heard and to present evidence and testimony regarding the Project. Evidence was submitted to and considered by the Planning Commission, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted by the Applicant;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated July 11, 2023, with its attachments as well as City staff's recommendation on the Project, which is incorporated herein as though fully set forth herein; and
- d. Additional information submitted during the public hearing; and

WHEREAS, the public hearing before the Planning Commission was conducted in all respects as required by the Escondido Municipal Code and the rules of this Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido that:

1. The above recitations are true and correct.
2. The Planning Commission, in its independent judgment, has determined the Project to be exempt from environmental review pursuant to CEQA Guidelines section 15061 (Common Sense Exemption) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
3. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and on its behalf, the Planning Commission makes the substantive findings and determinations attached hereto as Exhibit "B," relating to the information that has been considered. In accordance with the Findings of Fact and the foregoing, the Planning Commission reached a recommendation on the matter as hereinafter set forth.
4. The Application is hereby **recommended for approval to the City Council**.

BE IT FURTHER RESOLVED that, pursuant to Government Code section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the Project is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval. The Project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Public Works Departments. The Applicant shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued. It is the City's intent that the costs representing future development's share of public facilities and capital improvements be imposed to ensure that new development pays the capital costs associated with growth. The Applicant is advised to review the Planned Fee Updates portion of the web page, www.escondido.org, and regularly

monitor and/or review fee-related information to plan for the costs associated with undertaking the Project.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution, and any such protest must be in a manner that complies with Government Code section 66020.

PASSED, ADOPTED, AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 11th day of July, 2023, by the following vote, to wit:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

RICK PAUL, Chair
Escondido Planning Commission

ATTEST:

ADAM FINESTONE, Secretary of the
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.

ALEX RANGEL, Minutes Clerk
Escondido Planning Commission

Decision may be appealed to City Council
pursuant to Zoning Code Section 33-1303

Exhibit “A”

Amended Figure II-2 of Permitted and Conditional Uses

FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 1 of 8)



LAND USE	HD*	PV	CCU	GT	M	SG*	CN
RESIDENTIAL AND LODGING (in accordance with Figure II-3A)							
Bed-and-breakfast establishments (subject to regulations of Article 32 of the Zoning Code)						C	C
Residential-care facilities						C	C
Hotels and Motels (subject to regulations of Article 63 of the Zoning Code)	C	C	C	C	C	C3	
Residential above ground floor in specified areas, in conjunction with permitted non-residential use on ground floor (refer to Figure II-3 for appropriate locations and housing types)	P	P9	P	P	P	P	P
Residential, on ground floor in specified areas (refer to Figures II-3 and II-4 for appropriate locations and housing types)	P7, P8	P8, P9	P8	P8	P8	P8	P
Home Occupations (subject to regulations of Article 44 of the Zoning Code)	P5	P5	P5	P5	P5	P5	P5
GENERAL RETAIL							
New merchandise sold in department stores, drugstores, pharmacies, and retail establishments selling toys, flowers, gifts, stationery, jewelry, leather, apparel, shoes (including repair), china, glassware, pottery, crafts, cigars, yardage goods, pets, hobbies, art supplies, automobile supply stores (without installation), video sales and rental, music (including incidental recording, instruction and instrument repair), books / magazines / newspapers, sporting goods, bicycles / cameras / electronics / office business / small household appliance sales and service, and other similar retail goods and incidental services NEC.	P12	P12	P12	P12	P12	P12	P12
Automobile supply stores with incidental installation				P		P3	

NOTES:

P = Permitted C = Conditional Use Permit required

- 1 Under 3,000 square feet.
- 2 Within Grand Avenue's "retail-core area" use is not permitted on ground floor facing Grand Avenue unless located behind a solid wall, and such wall shall be located at least 25% of the building depth back from the front, with a minimum of 25 feet of front retail depth, whichever is more. Primary entrance to this use must be from the alley. No signage facing Grand Avenue is permitted.
- 3 Only permitted on Escondido Boulevard.
- 4 Only permitted within a multi-tenant building, and shall not occupy more than 30% of the gross floor area.
- 5 Only in conjunction with an approved residential project.
- 6 Only permitted on Pennsylvania Avenue and the north side of Valley Parkway between Kalmia and Ivy Streets.
- 7 Not allowed along Grand Avenue on ground floor within the "retail core area."
- 8 Residential and mixed-use projects are permitted in specified areas, subject to a Planned Development approval in Article 19 of the Zoning Code.
- 9 No residential uses permitted between Woodward Avenue, Washington Avenue, Escondido Boulevard and Broadway.
- 10 Not allowed along Grand Avenue on ground floor between Grand and adjacent alleys.
- 11 Permitted on Local Historic Register properties.
- 12 Drive-through establishments shall be permitted with a Conditional Use Permit, subject to the provisions in Article 16, Section 33-341
- 13 Prohibited on corner lots of the retail core area.
- 14 Use Shall have a minimum building floor area of 15,000 square feet.
- 14.15 Only permitted on parcels south of Pennsylvania Avenue.
- * Existing automobile dealerships are a non-conforming use. Conversion of these sites to a new and substantially different use shall require plot plan review or a Conditional Use Permit subject to the provisions in the Permitted Use Matrix.
- ** The use which contains a drive-through facility as a primary use shall be located on a site having minimum frontage of 100 feet on a Circulation Element Street as indicated in the City's General Plan, and must have a minimum separation of 500 feet from any other business that operates a drive-through as a primary use.

DOWNTOWN DISTRICTS:

HD	Historic Downtown
PV	Park View
CCU	Centre City Urban
GT	Gateway Transit
M	Mercado
SG	Southern Gateway
CN	Creekside Neighborhood

NOTE: Should a conflict arise between this matrix and the land-use district text, the land use district text discussion shall take precedence in determining the appropriateness of the land use.

FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 2 of 8)

Item 1.

LAND USE	HD*	PV	CCU	GT	M	SG*	CN
GENERAL RETAIL (continued)							
Bargain basement store							
Carpet and floor covering and installations	P6			P		P3	P6
Consignment store (subject to Article 57 of the Zoning Code)		C	C	C	C	C	C
Large appliance sales	P7	P	P	P	P1	P3	P6
Home Furnishings with retail display (not including "mattress only", carpet, and discount furniture stores)	P	P	P	P	P1	P3	P6
Hardware, paint, glass, tools, home improvement	P	P	P	P	P1	P1, P3	P6
Medical equipment sales/rentals and supplies	P7		P	P	P1	P3	P6
Outdoor vending machines		P					
Pawn shop (subject to Article 57 of the Zoning Code)							
Secondhand store (subject to Article 57 of the Zoning Code)							
Tobacco product store							
Thrift shop (subject to Article 57 of the Zoning Code)			C14				

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- 13 Prohibited on corner lots of the retail core area.
- 14 Use Shall have a minimum building floor area of 15,000 square feet.
- 1415 Only permitted on parcels south of Pennsylvania Avenue.
- * Existing automobile dealerships are a non-conforming use. Conversion of these sites to a new and substantially different use shall require plot plan review or a Conditional Use Permit subject to the provisions in the Permitted Use Matrix.
- ** The use which contains a drive-through facility as a primary use shall be located on a site having minimum frontage of 100 feet on a Circulation Element Street as indicated in the City's General Plan, and must have a minimum separation of 500 feet from any other business that operates a drive-through as a primary use.

DOWNTOWN DISTRICTS:

HD	Historic Downtown
PV	Park View
CCU	Centre City Urban
GT	Gateway Transit
M	Mercado
SG	Southern Gateway
CN	Creekside Neighborhood

NOTE: Should a conflict arise between this matrix and the land-use district text, the land use district text discussion shall take precedence in determining the appropriateness of the land use.

FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 3 of 8)

Item 1.



LAND USE	HD*	PV	CCU	GT	M	SG*	CN
EATING AND DRINKING ESTABLISHMENTS							
All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and / or dessert service from an on-site operating commercial-grade freezer / refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries and outdoor dining, but with no drive-through), with no live amplified entertainment or dancing	P	P	P	P	P	P3, P11	P15
Eating establishment as drive-through businesses			C12**	C12**			
Eating establishments (as defined above) with indoor amplified entertainment and/or dancing	P	P	P	P	P	C3	
Wine- and beer-tasting establishments (only with retail sales involving related merchandise that includes a significant portion of the sales area)	P	P	P	P	P	P3	
FOOD AND LIQUOR SALES (excluding convenience and package stores)							
Convenience markets, excluding package stores		C	C	C			
General grocery stores exceeding 7,000 SF of sales area with, or without, alcohol sales	P7	P	P		P	P3	P6
General grocery stores less than 7,000 SF and specialty foods, including imported and/or unique food products, produce, candy, baked goods, meat, etc., specialty liquor sales involving off-sale unique brands of beer, wine, and distilled spirits	P	P	P	P	P	P3	P6
Liquor stores, packaged (off-sale)							

NOTES:

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- 8 Residential and mixed-use projects are permitted in specified areas, subject to a Planned Development approval in Article 19 of the Zoning Code.
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- 13 Prohibited on corner lots of the retail core area.
- 14 Use Shall have a minimum building floor area of 15,000 square feet.
- 1415 Only permitted on parcels south of Pennsylvania Avenue.
- * Existing automobile dealerships are a non-conforming use. Conversion of these sites to a new and substantially different use shall require plot plan review or a Conditional Use Permit subject to the provisions in the Permitted Use Matrix.
- ** The use which contains a drive-through facility as a primary use shall be located on a site having minimum frontage of 100 feet on a Circulation Element Street as indicated in the City's General Plan, and must have a minimum separation of 500 feet from any other business that operates a drive-through as a primary use.

DOWNTOWN DISTRICTS:

HD	Historic Downtown
PV	Park View
CCU	Centre City Urban
GT	Gateway Transit
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NOTE: Should a conflict arise between this matrix and the land-use district text, the land use district text discussion shall take precedence in determining the appropriateness of the land use.

FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 4 of 8)

Item 1.

LAND USE	HD*	PV	CCU	GT	M	SG*	CN
GENERAL OFFICE AND FINANCIAL SERVICES							
Administrative, business and professional offices, employment agencies, secretarial services, realtors/real estate offices and counseling services, travel and ticket agencies	P2	P	P	P	P	P	P6
ATM Kiosk	P	P	P	P	P	P	P
ATM Kiosk with drive-through		C12	C12	C12	C12	C12	C12
Check cash / pay day							
Financial institutions, banks, savings and loans ¹³	P	P	P	P	P	P	P
Financial institutions, banks, savings and loans with drive-through		C12	C12	C12	C12	C12	C12
Off-site sales and call centers	P10					P	P6
Short-term political campaign offices with a maximum duration of six months	P	P	P	P	P	P	P6
HEALTH AND PERSONAL SERVICES							
Medical/dental/optical/offices, clinics and laboratories, licensed alternative health-care establishments, day spas, excluding acupressure and massage establishments as primary uses.	P2	P	P	P	P	P	P6
Barber, beauty salons including cosmetology involving ear piercing, permanent eye and lip lining, excluding other body piercing, body art, and inking parlors	P	P	P	P	P	P3	P6
Tattoo parlor and body piercing* (subject to Chapter 17 of the Municipal Code)							
Massage Establishments (permitted in centers pursuant to Article 38)			P				

NOTES:

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- 2 Within Grand Avenue's "retail-core area" use is not permitted on ground floor facing Grand Avenue unless located behind a solid wall, and such wall shall be located at least 25% of the building depth back from the front, with a minimum of 25 feet of front retail depth, whichever is more. Primary entrance to this use must be from the alley. No signage facing Grand Avenue is permitted.
- 3 Only permitted on Escondido Boulevard.
- 4 Only permitted within a multi-tenant building, and shall not occupy more than 30% of the gross floor area.
- 5 Only in conjunction with an approved residential project.
- 6 Only permitted on Pennsylvania Avenue and the north side of Valley Parkway between Kalmia and Ivy Streets.
- 7 Not allowed along Grand Avenue on ground floor within the "retail core area."
- 8 Residential and mixed-use projects are permitted in specified areas, subject to a Planned Development approval in Article 19 of the Zoning Code.
- 9 No residential uses permitted between Woodward Avenue, Washington Avenue, Escondido Boulevard and Broadway.
- 10 Not allowed along Grand Avenue on ground floor between Grand and adjacent alleys.
- 11 Permitted on Local Historic Register properties.
- 12 Drive-through establishments shall be permitted with a Conditional Use Permit, subject to the provisions in Article 16, Section 33-341
- 13 Prohibited on corner lots of the retail core area.
- 14 Use Shall have a minimum building floor area of 15,000 square feet.
- 1415 Only permitted on parcels south of Pennsylvania Avenue.
- * Existing automobile dealerships are a non-conforming use. Conversion of these sites to a new and substantially different use shall require plot plan review or a Conditional Use Permit subject to the provisions in the Permitted Use Matrix.
- ** The use which contains a drive-through facility as a primary use shall be located on a site having minimum frontage of 100 feet on a Circulation Element Street as indicated in the City's General Plan, and must have a minimum separation of 500 feet from any other business that operates a drive-through as a primary use.

DOWNTOWN DISTRICTS:

HD	Historic Downtown
PV	Park View
CCU	Centre City Urban
GT	Gateway Transit
M	Mercado
SG	Southern Gateway
CN	Creekside Neighborhood

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FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 5 of 8)

LAND USE	HD*	PV	CCU	GT	M	SG*	CN
SPECIALTY SERVICES (includes similar ancillary uses NEC)							
Animal services (indoor only) to include pet training, boarding, pet spas, pet day care and veterinary clinics, excluding kennels	P7		P	P	P	P3	P6
Photographic developing and photocopy services, watch and clock repair, locksmiths	P	P	P	P	P	P	P6
Music recording/practice studios	P2	P4	P	P	P	P4	P1, 6
Custom-furniture upholstery and repair	P7					P3	P6
Picture framing shops	P	P4	P	P	P	P3	P6
Postal services including parcel delivery (public/private)	P2	P	P	P	P	P	P
Cleaning and laundering services without on-site cleaning	P7	P1	P1	P1		P1, 4	P1, 5, 6
Cleaning establishments and laundries, self-service or coin operated	P10	P				C	P1, 5, 6
Mortuaries	C10	C				C	C6
Tailors and dressmakers and alterations	P2	P	P	P	P	P	P5, 6
Private smokers lounge							
ENTERTAINMENT, RECREATION AND CULTURAL							
Dance facilities, pinball and electronic game arcades	C		C		C		
Athletic clubs, health studios, yoga, jazzercise, aerobics, zumba and similar programs	P7	P	P	P	P	P3	P6

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- ** The use which contains a drive-through facility as a primary use shall be located on a site having minimum frontage of 100 feet on a Circulation Element Street as indicated in the City's General Plan, and must have a minimum separation of 500 feet from any other business that operates a drive-through as a primary use.

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FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 6 of 8)

Item 1.

LAND USE	HD*	PV	CCU	GT	M	SG*	CN
ENTERTAINMENT AND RECREATION (continued)							
Galleries and studios pertaining to artists, craft workers and photographers (including incidental developing and printing), libraries, museums, etc., including incidental sale of merchandise pertaining to the primary use	P	P	P	P	P	P	P6
Dance studios and schools	P	P	P	P	P	P3	P6
Martial arts schools and training facilities	P10		P	P	P	P3	P6
Entertainment establishments (including internet cafes) with incidental sale of food or alcohol (excluding incidental entertainment in restaurants)	C	C	C	C	C	C3	C6
Parks - general recreation	P	P	P	P	P	P	P
Roller-skating and bowling alleys and similar indoor arena sports			P	P	C		
Swimming pools and schools		P					P6
Theater, live and motion picture	P	P	P	P			
SOCIAL, PROFESSIONAL, RELIGIOUS ORGANIZATIONS							
Churches, synagogues, temples, missions, religious reading rooms, and other religious activities (not allowed within Grand Avenue "historic retail core area")	C7	C	C	C	C	C	C
Social and professional organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable and similar organizations	C2	C	C	C	C	C	C
Youth Organizations		C	C	C	C	C	C
Weddings and Receptions						C	

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- ** The use which contains a drive-through facility as a primary use shall be located on a site having minimum frontage of 100 feet on a Circulation Element Street as indicated in the City's General Plan, and must have a minimum separation of 500 feet from any other business that operates a drive-through as a primary use.

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PERMITTED AND CONDITIONAL USES
 (Page 7 of 8)

Item 1.

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<u>EDUCATION</u>							
Educational facilities for adults	C	P	C	P	P	P	C6
Daycare facilities	C10	C	C	C	C	C	C6
Schools (primary education)		C		C	C	C	C
Schools (secondary education)	C6	C		C	C	C	C
<u>COMMUNICATIONS (wireless facilities subject to Article 34)</u>							
Broadcasting (radio and/or television stations)	C7	C	C	C	P	C	C6
Newspaper printing and publishing	C7		C1	C1	C1	C1	C6
<u>TRANSPORTATION AND MISCELLANEOUS SERVICES (subject to Article 57)</u>							
Boutique car sales							
Car dealership, excluding car-rental services							
Car-rental services, excluding maintenance and repair of vehicles			C				
Fleet Storage (as a primary use)							
Fleet Storage (as an accessory use)	P	P	P	P	P	P	P
Junkyard and wrecking yard							
Parking lots (municipal)	P	P	P	P	P	P	P
Parking lots (private full fee)	C	C	C	C	C	C	C
Taxicab, trolley, shuttle and pedicab stands	P	P	P	P	P	P	P

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FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 8 of 8)

Item 1.

LAND USE	HD*	PV	CCU	GT	M	SG*	CN
TRANSPORTATION AND MISCELLANEOUS SERVICES (subject to Article 57) (continued)							
Tow yard storage							
Tow truck operation incidental to repair				P/C		P/C	
Tractor or heavy truck sales, storage, or rental							
Transit stations including maintenance and repair				P			
Vehicle repair (light)						C	
Vehicle repair (general or commercial)							
Seasonal sales not exceeding 30 days, (including pumpkin, Christmas tree and wreath sales between October 1 and December 31, both dates inclusive, to the extent permitted by other statutory and ordinance provisions). Structures and materials used for seasonal sales shall be removed from the premises immediately after December 31 and the property shall be restored to a neat condition	P	P	P	P	P	P	P
Miscellaneous Government Operations that do not provide direct contact with the public	C	C	C	C	C	C	C

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EXHIBIT “B”

PLANNING CASE NO. PL23-0109

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Environmental Determinations:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) (“CEQA”), and its implementing regulations (14 C.C.R. § 15000 et seq.) (“CEQA Guidelines”), the City of Escondido (“City”) is the Lead Agency for the project (“Project”), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15061 (Common Sense Exemption) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

The Project also does not trigger any exceptions to the categorical exemption as listed in CEQA Guidelines section 15300.2.

3. The Planning Commission has independently considered the full administrative record before it, which includes but is not limited to the July 11, 2023 Planning Commission Staff Report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Amendments and Zone Changes (Section 33-1263)

1. *That the public health, safety and welfare will not be adversely affected by the proposed change;*

The Project includes a text amendment to the Downtown Specific Plan (DSP) to allow restaurants, with or without alcohol sales, within a portion of the Creekside Neighborhood (CN) district. The Project would only affect the 12 properties, on the south side of Pennsylvania Avenue, which consist of mostly non-residential uses. The Project would not encroach into the residential

properties that fall within the CN district. The proposed amendment would not adversely affect the public health, safety, and welfare.

2. That the property involved is suitable for the uses permitted by the proposed zone;

The Project would amend the DSP to allow restaurants with or without alcohol sales in a portion of the CN district. The proposed amendment would affect a total of 12 properties south of Pennsylvania Avenue which consist of several parking lots and nonresidential uses mainly consisting of commercial businesses. Given the commercial buildout of the area, the affected properties would be suitable for the newly permitted use.

3. That the uses permitted by the proposed zone would not be detrimental to surrounding properties;

The Project would allow a newly permitted use within the CN district, and does not include a zone change. The Project would amend the DSP to allow restaurants with or without alcohol sales in the CN district.

4. That the proposed change is consistent with the adopted general plan;

The Project does not include a zone change and consist of text amendment to the DSP. The text amendment would amend the list of permitted and conditionally permitted uses within the CN district of the DSP. The proposed amendment would be consistent with several General Plan policies as discussed in the staff report.

5. That the proposed change of zone does not establish a residential density below seventy (70) percent of the maximum permitted density of any lot or parcel of land previously zoned R-3, R-4, or R-5 unless the exceptions regarding dwelling unit density can be made pursuant to the provisions set forth in Article 6;

The Project is to amend the list of permitted and conditionally permitted uses of the CN district within the DSP. The Project does not include a residential component.

6. That the relationship of the proposed change is applicable to specific plans.

The Project is to amend the list of permitted and conditionally permitted uses in the CN district of the DSP. The proposed change will be applicable only to 12 properties south of Pennsylvania Avenue within the DSP.

Downtown Specific Plan Strategic Goals (Chapter 1 Section C)

Amendments to the Downtown Specific Plan shall be reviewed against the Downtown SPA Strategic Goals:

7. An economically viable Downtown with an appropriate mix of retail, office, residential, entertainment and cultural uses.

The Project would allow for an expansion of an existing business to offer additional amenities including the sale of alcohol for on-site consumption. The expansion would allow for new businesses such as restaurants to operate in an area that would serve as a connector between residential uses to the north and commercial uses on Grand Avenue to the south.

8. *A local and regional destination for specialty shopping, dining, nightlife, employment, culture, and the arts.*

The Project would offer an additional amenity to residents that reside within the CN district of the DSP. The Project is adjacent to residential uses to the north, and further to the west. The Project would expand the business's current offerings, and will result in additional employment opportunities. Additionally, new businesses may be attracted to this area of the DSP that previously did not allow restaurant uses.

9. *A vibrant and exciting environment with land uses that foster an "18-hour" atmosphere, in addition to areas that provide mixed use, office employment and high-density residential opportunities.*

The Project would allow for non-residential uses such as restaurants that will foster a "18-hour" atmosphere in the DSP, adjacent to high-density residential.

10. *Development and signage that strengthen the character of Downtown and are architecturally compatible with the existing urban fabric.*

The Project does not include any signage, and is to amend the list of permitted and conditionally permitted uses within a portion of the CN district of the DSP. Any proposed signage would be evaluated against the established signage regulations outlined within the DSP. Additionally, no new development is proposed.

11. *Street level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.*

The Project does not include any new or remodeled developments as it is limited to a text amendment to the list of permitted and conditionally permitted uses in the CN district of the DSP.

12. *Preserved historically significant sites and structures that enhance the character of Downtown.*

The Project consist of a text amendment to allow restaurant uses, with or without alcohol, in the CN district of the DSP. No impacts to historically significant sites and structures from the Project are anticipated.

13. *Pedestrian-oriented, ground-floor, specialty retail and restaurant use on Grand Avenue that reinforce and expand its unique character.*

The Project consist of a text amendment to allow restaurant uses, with or without alcohol, in the CN district of the DSP. The Project would only affect 12 properties, on the south side of Pennsylvania Avenue that fall within the CN district, and are approximately two blocks north of Grand Avenue. The Project would allow the affected properties to serve as a connector to the specialty retail and restaurant uses on Grand Avenue.

14. *Higher residential densities in key locations that support Downtown non-residential uses.*

The Project consist of a text amendment to allow additional non-residential uses adjacent to higher density residential areas. The residential areas would be able to support the expanded non-residential uses in the CN district.

15. *A pedestrian environment that provides connections, convenient access and opportunities for alternative modes of transportation.*

The Project consist of a text amendment to allow restaurants, with or without alcohol sales, in an area of the DSP that currently lacks a significant pedestrian environment. The Project would allow uses that activate the street through active uses such as restaurants and outdoor dining. This would provide an additional opportunity to enhance the pedestrian environment.

16. *Embellished landscaping, public art, comfortable street furniture and décor that improves walkability and pedestrian connections.*

The Project consist of a text amendment to allow restaurants, with or without alcohol sales, within the CN District. No improvements are proposed at this time.

17. *Maximized parking opportunities.*

The Project consist of a text amendment to allow restaurants, with or without alcohol sales, within the CN district. The Project would affect 12 properties south of Pennsylvania Avenue, and is north of the Vehicle Parking Districts. The patrons of the existing and future businesses would be able to utilize parking opportunities on Grand Avenue and the surrounding public streets.



CITY of ESCONDIDO

STAFF REPORT

Agenda Item No. 2

July 11, 2023

Tentative Future Agenda Items

DATE: July 11, 2023

TO: Planning Commissioners

FROM: Adam Finestone, City Planner

SUBJECT: Tentative Future Agenda Items

The items listed below are anticipated to be brought to the Planning Commission for consideration, discussion, and/or recommendation to the City Council over the next several months. Because there are factors out of City staff's control, this list is subject to change. The intent is to provide visibility regarding projects that the Commission should expect to see in the near future. (Items are listed in no particular order.)

Additionally, these items shall not be considered to be agenda items for this meeting so no discussion is permitted other than clarification of what the item is.

Private Development Projects:

- Bear Valley Parkway Wireless Facility
- Christ Community Reform Church (additional classroom space)
- In-n-Out / Coffee Bean & Tea Leaf
- Goal Line Energy (battery storage facility)
- Vermont Street Apartments (Plot Plan modification)

Policy Work:

- Sign Ordinance Update
- Environmental Justice Element – Policy Language Discussion
- Short-Term Rental Ordinance
- General Plan Amendment – EVSP Follow-Up

Informational Presentations:

- Community Facilities Districts
- North County Mall
- Comprehensive Economic Development Strategy
- California Environmental Quality Act