



CITY of ESCONDIDO

PLANNING COMMISSION MEETING

September 12, 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, SEPTEMBER 12, 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, SEPTEMBER 12, 2023

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) August 22, 2023

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.

- [2.](#) **PL23-0174 – Christ Community Reformed Church**

REQUEST: A modification to a Conditional Use Permit to add a 2,400 square foot, single-story modular building at the Christ Community Reformed Church. The structure would be used as additional classrooms and meeting space to support ongoing activities as the facility.

PROPERTY SIZE AND LOCATION: The 6.8-acre site is located on the south side of Felicita Avenue, west of South Redwood Street and east of Montview Drive, address at 777 West Felicita Avenue. (Assessor's Parcel Number(s): 236-240-04-00, 236-240-34-00, 236-240-40-00 and 236-240-46-00)

APPLICANT: Christ Community Reformed Church

CEQA RECOMMENDATION: Categorical Exemption



CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, SEPTEMBER 12, 2023

STAFF RECOMMENDATION: Approve Planning Commission Resolution 2023-17

CITY COUNCIL HEARING REQUIRED: ___YES ___X___NO

3. **PL23-0176 and ADM19-0092/Vermont Avenue Apartments**

REQUEST: An applicant request to modify a Major Plot Plan in order to eliminate Condition of Approval No. 15 requirement to fund ongoing operational costs of providing municipal services to the project.

PROPERTY SIZE AND LOCATION: The 1.05-acre site is located at the northeast corner of S. Escondido Blvd. and Vermont Avenue and is addressed at 1860, 1866, 1870 & 1896 S. Escondido Blvd. (Assessor's Parcel Number(s): 236-260-34, -35, -36 and 236-260-37-00)

APPLICANT: Vermont Escondido Apartments, LLC.

CEQA RECOMMENDATION: The previously approved project was determined to be Categorically Exempt – CEQA Guidelines Section 15332 (In-Fill Development Projects)

STAFF RECOMMENDATION: Recommend City Council to deny the modification request and uphold the Director's Decision

CITY COUNCIL HEARING REQUIRED: ___X___YES ___NO

CURRENT BUSINESS

4. **PL23-0061 – Comprehensive Sign Ordinance Update.**

REQUEST: Status report on Sign Ordinance update based on feedback received from the Planning Commission subcommittee, and the City Council Economic Development Subcommittee.

PROPERTY SIZE AND LOCATION: Citywide

APPLICANT: Development Services Department

CEQA RECOMMENDATION: Not a project under CEQA, pursuant to CEQA Guidelines Section 15378 (b)(5)

STAFF RECOMMENDATION: None.

CITY COUNCIL HEARING REQUIRED: ___YES ___X___NO

FUTURE AGENDA ITEMS

ORAL COMMUNICATIONS



CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, SEPTEMBER 12, 2023

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

[5.](#) Tentative Future Agenda

ADJOURNMENT



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

August 22, 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

Judy Fitzgerald

Carrie Mecaro

Barry Speer

Stan Weiler

MINUTES CLERK

Alex Rangel

HOW TO WATCH

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

In Person



201 N. Broadway, Escondido, CA 92025



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

THURSDAY, AUGUST 22, 2023

MINUTES

CALL TO ORDER: 6:35 p.m.

FLAG SALUTE: Rick Paul

ROLL CALL:

Commissioners Present: Rick Paul, Chair; Katharine Barba, Vice-Chair; David Barber, Commissioner; Judy Fitzgerald, Commissioner; Carrie Mecaro, Commissioner; Barry Speer, Commissioner; and Stan Weiler, Commissioner.

Commissioner Speer arrived at 6:55 p.m.

Commissioner Absent: None.

City Staff Present: Adam Finestone, City Planner; Dare DeLano, Senior Deputy City Attorney; Owen Tunnell, Assistant City Engineer; Alex Rangel, Minutes Clerk.

WORKSHOP

The City Clerk's office provided training to the Planning Commission on the new City Council Chambers voting system.

Chair Paul called for a recess at 6:50 p.m. The Planning Commission meeting resumed at 7 p.m.

APPROVAL OF MINUTES: August 8, 2023

Motion: Commissioner Barber; Second: Vice-Chair Barba.

Motion carried (6-0) to approve the minutes.

Ayes: Paul, Barba, Barber, Fitzgerald, Mecaro, and Weiler. Absent: Speer.

WRITTEN COMMUNICATIONS:

None.

ORAL COMMUNICATIONS:

None.

PUBLIC HEARINGS:

1. PL23-0176 and ADM19-0092 / Vermont Avenue Apartments



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

THURSDAY, AUGUST 22, 2023

REQUEST: A request to waive an existing condition of approval requiring funding ongoing operational costs of providing municipal services for an approved 44-unit apartment project.

PROPERTY SIZE AND LOCATION: The 1.05-acre site is located at the northeast corner of S. Escondido Blvd. and Vermont Avenue and is addressed at 1860, 1866, 1870 & 1896 S. Escondido Blvd. (Assessor's Parcel Number(s): 236-260-34, -35, -36 and 236-260-37-00)

ENVIRONMENTAL STATUS: The previously approved project was determined to be Categorical Exemption – CEQA Guidelines Section 15332 (In-Fill Development Projects)

APPLICANT: Vermont Escondido Apartments, LLC.

This item has been continued to the September 12, 2023 meeting of the Planning Commission.

2. PL22-0221 – 1725 Bear Valley Parkway / Verizon's Modification

REQUEST: A modification to a previously approved Conditional Use Permit (95-43-CUP) to remove five existing rooftop omnidirectional antennas and one digital dish located on the seminary rooftop, and replace with a new 62-foot-high faux eucalyptus tree to provide service coverage for new technology. The new faux eucalyptus tree will be located to the east of the existing facility, adjacent to existing parking and mature trees. The equipment enclosure will remain in its current location and the communications equipment will be modified or replaced to update and improve communication services.

PROPERTY SIZE AND LOCATION: The 8.58-acre site is located on the east side of Bear Valley Parkway and is addressed at 1725 Bear Valley Parkway (Assessor's Parcel Number: 234-030-34-00)

ENVIRONMENTAL STATUS: Categorical Exemption – CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures)

APPLICANT: Verizon Westminster SD

STAFF RECOMMENDATION: Approval

The applicant has requested that this item be continued to a future Planning Commission meeting, date uncertain.

COMMISSION DISCUSSION:

None.

COMMISSION ACTION:

None.



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

THURSDAY, AUGUST 22, 2023

3. **PL23-0270 / Extension of Time for 661 Bear Valley Development Agreement**

REQUEST: A request for an Extension of Time to amend a previously executed Development Agreement for SUB15-0002, PHG15-0004, and ENV15-0001 (661 Bear Valley Parkway Development). The Extension of Time is to extend the term of the Development Agreement by two years while the applicant finalizes permits for the Final Map, grading permit, and other post-entitlement permits related to the Project.

PROPERTY SIZE AND LOCATION: The approximately 42-acre site is located on the east side of Bear Valley Parkway, and is addressed at 661 Bear Valley Parkway. (Assessor's Parcel Numbers: 237-131-01-00 and 237-131-02-00)

ENVIRONMENTAL STATUS: The City Council certified a Final Environmental Impact Report (SCH No. 2016111060) on August 22, 2018.

APPLICANT: Trumark Homes

STAFF RECOMMENDATION: Approval

COMMISSION DISCUSSION:

The commissioners briefly discussed the aspects of the existing permits and entitlement.

COMMISSION ACTION:

Motion: Commissioner Speer, to approve. Second: Weiler.

Motion carried 7-0 to recommend approval to the City Council.

Ayes: Paul, Barba, Barber, Fitzgerald, Mecaro, Speer, Weiler.

CURRENT BUSINESS:

1. **PL23-0061 – Comprehensive Sign Ordinance Update**

REQUEST: Status report on Sign Ordinance update based on feedback received from the Planning Commission subcommittee, and the City Council Economic Development Subcommittee.

PROPERTY SIZE AND LOCATION: Citywide.

ENVIRONMENTAL STATUS: Not a project under CEQA, pursuant to CEQA Guidelines Section 15378 (b)(5).

APPLICANT: Development Services Department.

STAFF RECOMMENDATION: None.



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

THURSDAY, AUGUST 22, 2023

This item has been continued to the September 12, 2023 meeting of the Planning Commission.

2. Comprehensive Economic Development Strategy

REQUEST: Receive presentation on the City of Escondido's Comprehensive Economic Development Strategy.

PROPERTY SIZE AND LOCATION: Citywide.

ENVIRONMENTAL STATUS: Not a project under CEQA, pursuant to CEQA Guidelines Section 15378 (b)(2).

APPLICANT: N/A.

STAFF RECOMMENDATION: None.

COMMISSION DISCUSSION:

The commissioners briefly discussed multiple aspects of the Comprehensive Economic Development Strategy and future plans.

COMMISSION ACTION:

None.

FUTURE AGENDA ITEMS:

None.

ORAL COMMUNICATIONS:

None.

PLANNING COMMISSIONERS:

None.

CITY PLANNER'S REPORT:

City Planner Finestone provided information related to the upcoming September 12, 2023, Planning Commission meeting.

ADJOURNMENT



CITY *of* ESCONDIDO

PLANNING COMMISSION MINUTES

THURSDAY, AUGUST 22, 2023

Chair Paul adjourned the meeting at 7:40 p.m.

Adam Finestone, Secretary to the Escondido
Planning Commission

Alex Rangel, Minutes Clerk

PLANNING COMMISSION

Agenda Item No.: 2
Date: September 12, 2023

PROJECT NUMBER / NAME: PL23-0174 – Christ Community Reformed Church

REQUEST: The Project is a request for a modification to a Conditional Use Permit to add a 2,400 square foot, single-story modular building at the Christ Community Reformed Church. The structure would be used as additional classrooms and meeting space to support ongoing activities as the facility.

LOCATION: The 6.8-acre site is located on the south side of Felicita Avenue, west of South Redwood Street and east of Montview Drive, address at 777 West Felicita Avenue

APN / APNS: APNs 236-240-04-00, 236-240-34-00, 236-240-40-00 and 236-240-46-00

GENERAL PLAN / ZONING: Suburban (S) / R-1-12 (Single-Family Residential, 12,000 square foot minimum lot size)

APPLICANT: Christ Community Reformed Church

PRIMARY REPRESENTATIVE: Gary Cass, Christ Community Reformed Church

DISCRETIONARY ACTIONS REQUESTED: Conditional Use Permit Modification

PREVIOUS ACTIONS: None

PROJECT PLANNER: Jay Paul, Senior Planner

CEQA RECOMMENDATION: Categorical Exemption

STAFF RECOMMENDATION: Approval

REQUESTED ACTION: Approve Planning Commission Resolution No. 2023-17

CITY COUNCIL HEARING REQUIRED: ☐ YES ☒ NO

REPORT APPROVALS: ☒ Dare DeLano, Sr. Deputy City Attorney

☐

BACKGROUND:

The Community Reformed Church has been located on the subject site since 1963 when it was constructed under the County's jurisdiction subject to a County Special Use Permit. The property eventually annexed into the City of Escondido in 1975 and several major expansions to the facility (CUP modifications) have been approved to include a new sanctuary building, construction of a multi-purpose building and 60-foot-high bell tower, and redesign of the bell tower to accommodate a wireless communication facility for AT&T. The new sanctuary and multi-purpose buildings were never constructed and the permits subsequently expired.

SUMMARY OF REQUEST:

The Community Reformed Church ("Applicant") submitted an application to add a 2,400 square foot single-story modular building on the subject site that is developed with a main sanctuary/fellowship hall and classrooms. The property also contains a separate parsonage building and covered parking. The modular building is proposed to be used as additional classroom space to support the existing preschool (Infusion Christian Preschool), Sunday school activities and also for other church related meetings. The church maintains a congregation of up to 100 members and the preschool has a current enrollment of 50 children with a staggered schedule. No expansion to the number of preschool students, congregation or operational characteristics are proposed as part of this project. The modular building (four separate sections) was donated to the Church and the building sections have been moved onto the site in order to take advantage of the donation. However, the building sections have been secured to prevent unauthorized access/use and cannot be occupied until a final decision regarding the Conditional Use Permit by the Planning Commission and appropriate building permits issued.

A. SUPPLEMENTAL DETAILS OF REQUEST:

- | | |
|---|--|
| 1. Property Size: | 6.8 acres (4 parcels) |
| 2. Existing Buildings: | |
| Fellowship Hall | 3,798 SF (Congregation up to 100) |
| Classroom/Office | 3,740 SF (7 classrooms) |
| Parsonage | 3,886 SF |
| 3. Parking: | Up to 110 provided |
| Fellowship Hall | 1 space/100 SF assembly area = 38 spaces |
| Office | 1 space/300 SF = 6 spaces |
| <u>Classrooms</u> | <u>1 per classroom = 7 spaces plus appropriate drop off</u> |
| Total Required | 51 spaces |
| 4. Days - Hour of Operation | Church 9:00 A.M. – 5:00 P.M. |
| Days/Hours are typical and may vary as needed | Office/School 6:30 A.M. – 6:00 P.M.
(Director and Office Assistant) |

School 6:30 A.M. – 6:00 P.M.
 (4 teachers)
 Monday – Friday (up to 50 students)

	<u>R-1 Requirements</u>	<u>Proposed</u>
5. Setbacks		
Front	15' Felicita Ave	375'
Side	5' and 10'	60' to east P/L
Rear	5' for detached accessory structures	175' and 250'
6. Building Height	35'	15' to ridgeline

B. PROJECT ANALYSIS:

General Plan Conformance:

The City's General Plan land-use designation for the project site is Suburban (S). The proposed CUP modification is consistent with the goals and policies of the General Plan because schools, churches and related activities are conditionally permitted within residential zones, and previous Conditional Use Permits have been approved for the development of the site as a religious and school facility. The proposed addition to the campus would not adversely impact traffic or circulation, or create adverse parking impacts. There are adequate parking and drop-off areas to accommodate students. Therefore, the proposed addition would not diminish the Quality-of-Life Standards of the General Plan as the project does not materially degrade the levels-of-service on adjacent streets or public facilities.

Design and Neighborhood Compatibility:

The modular building is single-story in height (up to 15 feet) and would be setback up to 60 feet from the eastern property boundary to provide a wide buffer from the adjacent single-family residential properties. The entries to the building would orient away from the eastern property boundary. The pastor of the Church (Gary Cass) indicated that Church representatives met with several of the adjacent neighbors to discuss the project and a new wooden fence was installed along a section of the eastern property boundary to provide appropriate screening/buffer as requested by the property owners. The wooden fence replaced a chain-link fence. The project has been conditioned to install a row of tall growing shrubs along the eastern building elevation to provide additional visual screening. Staff has not received any written correspondence or phone calls from the public regarding the proposal. Project plans are included as Exhibit "B" to draft Planning Commission Resolution No. 2023-17, which itself is included with this report as Attachment 3.

C. ENVIRONMENTAL STATUS:

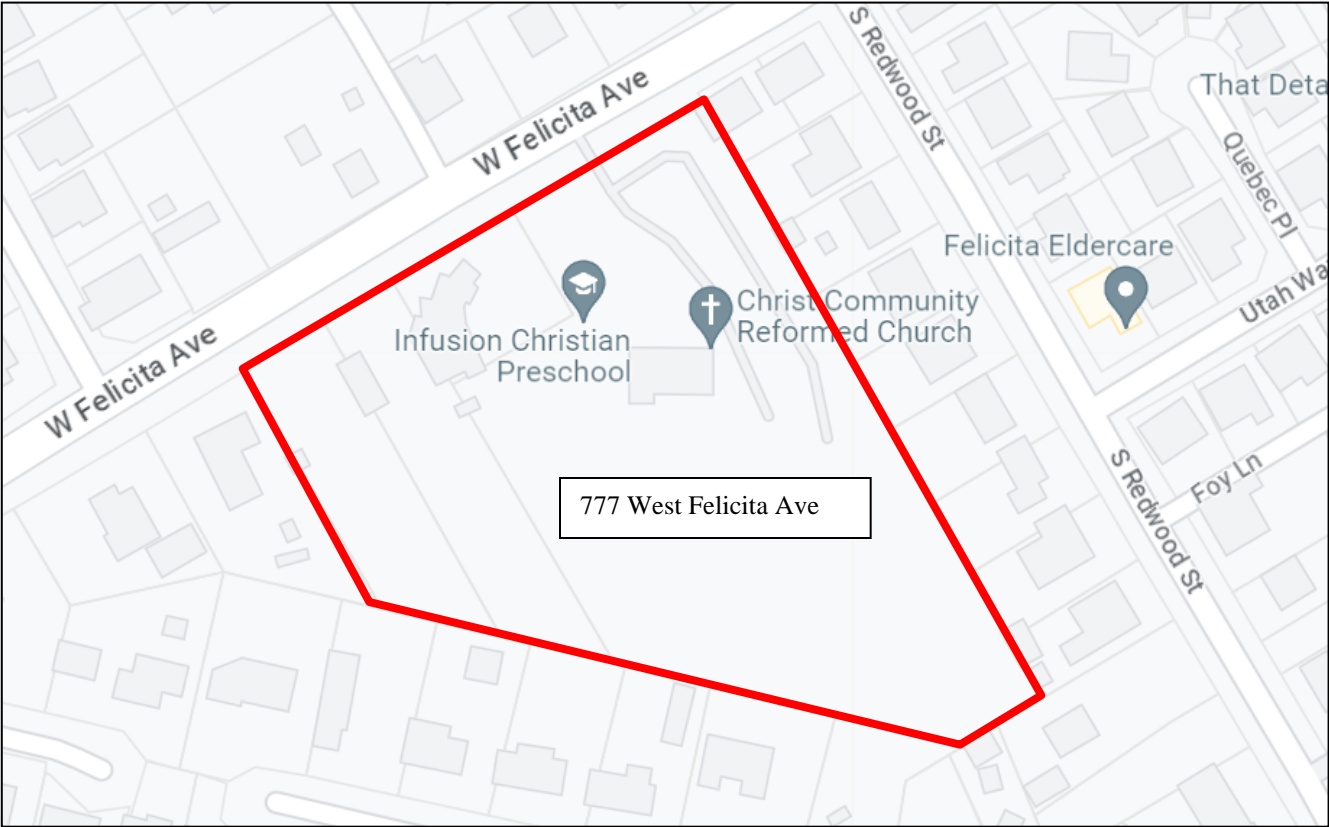
The project qualifies for an exemption under the California Environmental Quality Act ("CEQA") Guidelines sections 15301 (Existing Facilities) and section 15303 (New Construction of Small Structures), which is included as Attachment 2 to this report.

CONCLUSION AND RECOMMENDATION:

The location, size, design, and operating characteristics of the proposed project will not be incompatible with, adversely affect, nor will be materially detrimental to adjacent land uses. The site is suitable for the type and intensity of use which is proposed. Staff recommends that the Planning Commission approve the project based upon the findings and conditions as described in this staff report and as detailed in Exhibits "A" through "D" to Draft Planning Commission Resolution No. 2023-17.

ATTACHMENTS:

1. Location and Aerial
2. Notice of Exemption
3. Planning Commission Resolution No. 2023- 17, with Exhibits "A" through "D"





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

Notice of Exemption

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

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

Project Title/Case No.: Christ Community Reformed Church / PL23-0174

Project Location - Specific: 777 West Felicita Avenue (Assessor's Parcel Nos. 236-240-04-00, 236-240-34-00, 236-240-40-00 and 236-240-46-00)

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

Description of Project: The Project includes a modification to a Conditional Use Permit to add a 2,400 square foot, single-story modular building at the Christ Community Reformed Church. The structure would be used as additional classrooms and meeting space to support ongoing activities as the facility.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Gary Cass

Telephone: (954) 551-9770

Address: 777 West Felicita Avenue, Escondido, CA 92025

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

Exempt Status: The project is categorically exempt from further CEQA review pursuant to CEQA Guidelines sections 15301 "Existing Facilities" and 15303, "New Construction or Conversion of Small Structures."

Reasons why project is exempt:

The Modification to the Conditional Use Permit involves a minor alteration to the site that includes adding a modular structure less than 2,500 square feet. The project will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such zone or vicinity in which the property is located.

Lead Agency Contact Person: Jay Paul, Planning Division Area Code/Telephone/Extension (760) 839-4537

Signature J Paul
Jay Paul, Senior Planner

September 5, 2023
Date

☒ Signed by Lead Agency

Date received for filing at OPR: N/A

Planning Commission
Hearing Date: September 12, 2023
Effective Date: September 23, 2023

PLANNING COMMISSION RESOLUTION NO. 2023-17

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A MODIFICATION TO A CONDITIONAL
USE PERMIT TO ADD A 2,400 SQUARE FOOT
MODULAR BUILDING AT THE CHRIST COMMUNITY
REFORMED CHURCH

APPLICANT: Christ Community Reformed Church

CASE NOS: PL23-0174

WHEREAS, Christ Community Reformed Church, ("Applicant"), filed a land use development application, Planning Case No. PL23-0174 ("Application"), constituting a request for a Modification to a Conditional Use Permit to add a 2,400 square foot modular building to the religious and school facility to provide additional classroom and meeting space ("Project"), on approximately a 6.8-acre property parcel located on the south side of Felicita Avenue, west of South Redwood Street and east of Montview Drive, addressed at 777 West Felicita Avenue (Assessor's Parcel Numbers 236-240-00, 236-240-34-00, 236-240-40-00 and 236-240-46-00); and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as though fully set forth herein ("Property"); and

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, religious activities, and schools and related uses are conditionally permitted uses within the R-1-12 (Single-Family Residential) Zone, subject to the approval of a Conditional Use Permit accordance with Article 61, Division 1 of the Escondido Zoning Code; 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 plan set shown in Exhibit "B," 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 September 12, 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 September 12, 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; and

WHEREAS, Ordinance No. 78-02, enacted pursuant to Section 65974 of the Government Code and pertaining to the dedication of land and fees for school facilities, has been adopted by the City of Escondido.

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 15301 (Existing Facilities) and section 15303 (New Construction of Small Structures).
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 detailed in Exhibit “C,” which is attached hereto and made a part hereof by this reference as though fully set forth herein, 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 to use the Property for the Project, subject to each and all of the conditions hereinafter set forth in Exhibit “D,” is hereby approved by the Planning Commission. The Planning Commission expressly declares that it would not have approved this Application except upon and subject to each and all of said conditions, each and all of which shall run with the land and be binding upon the Applicant, the owner, and all subsequent owners of the Property, and all persons who use the Property for the use permitted hereby.

5. The Planning Commission therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of San Diego in accordance with the CEQA Guidelines.

6. The development plans for the Project are on file in the Planning Division of the Development Services Department and are available for inspection by anyone interested herein, and the development plans are incorporated herein by this reference as if they were fully set forth herein. The Project is conditionally approved as set forth on the Application and Project drawings, all designated as approved by the Planning Commission, and which shall not be altered without the express authorization by the Planning Division. Any deviations from the approved development plans shall be

reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.

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 12th day of September, 2023, by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ABSENT: COMMISSIONERS:

Rick Paul, Chair
Escondido Planning Commission

ATTEST:

Chris McKinney, 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

EXHIBIT "A"

Item 2.

Legal Description Resolution No. 2023-17

PARCEL 1:

ALL THAT PORTION OF LOT 2 IN BLOCK 255 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 1 IN SAID BLOCK 255; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF LOTS 1 AND 2, A DISTANCE OF 775 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY AT RIGHT ANGLES 130 FEET; THENCE NORTHEASTERLY PARALLEL WITH SAID NORTHWESTERLY LINE 160 FEET; THENCE NORTHWESTERLY AT RIGHT ANGLES 130 FEET TO SAID NORTHWESTERLY LINE; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE 160 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

THAT PORTION OF LOTS 1 AND 2 IN BLOCK 255 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT A DISTANCE OF 600.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE NORTHWESTERLY LINE OF SAID LOT A DISTANCE OF 300.00 FEET TO A POINT IN A LINE THAT IS PARALLEL WITH AND DISTANT 200.00 FEET, MEASURED AT RIGHT ANGLES NORTHEASTERLY FROM THE SOUTHWESTERLY LINE OF SAID BLOCK 255; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE 600.00 FEET MORE OR LESS, TO THE NORTHWESTERLY LINE OF LAND CONVEYED TO MARTIN B. TAYLOR, ET AL, BY DEED FILED MARCH 9, 1955 IN THE OFFICE OF THE REGISTRAR OF LAND TITLES AS TORRENS DOCUMENT NO. 32642; THENCE ALONG SAID NORTHWESTERLY LINE NORTH 59° 03' EAST TO A POINT ON THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 167.00 FEET OF SAID LOT 2; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF THE NORTHEASTERLY 167.00 FEET OF SAID LOT 2 TO A POINT IN THE NORTHWESTERLY LINE OF SAID LOT 2; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINES OF SAID LOTS TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE SOUTHWESTERLY 175.00 FEET THEREOF, SAID DISTANCE BEING MEASURED ALONG THE NORTHWESTERLY LINE OF SAID LOTS 1 AND 2.

ALSO EXCEPTING ALL THAT PORTION OF SAID LOT 2, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 1 IN SAID BLOCK 255; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF LOTS 1 AND 2 A DISTANCE OF 775.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY AT RIGHT ANGLES 130.00 FEET; THENCE NORTHEASTERLY PARALLEL WITH SAID NORTHWESTERLY LINE 160.00 FEET; THENCE NORTHWESTERLY AT RIGHT ANGLES 130.00 FEET TO SAID NORTHWESTERLY LINE; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE 160.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

THAT PORTION OF LOTS 1 AND 2 IN BLOCK 255 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

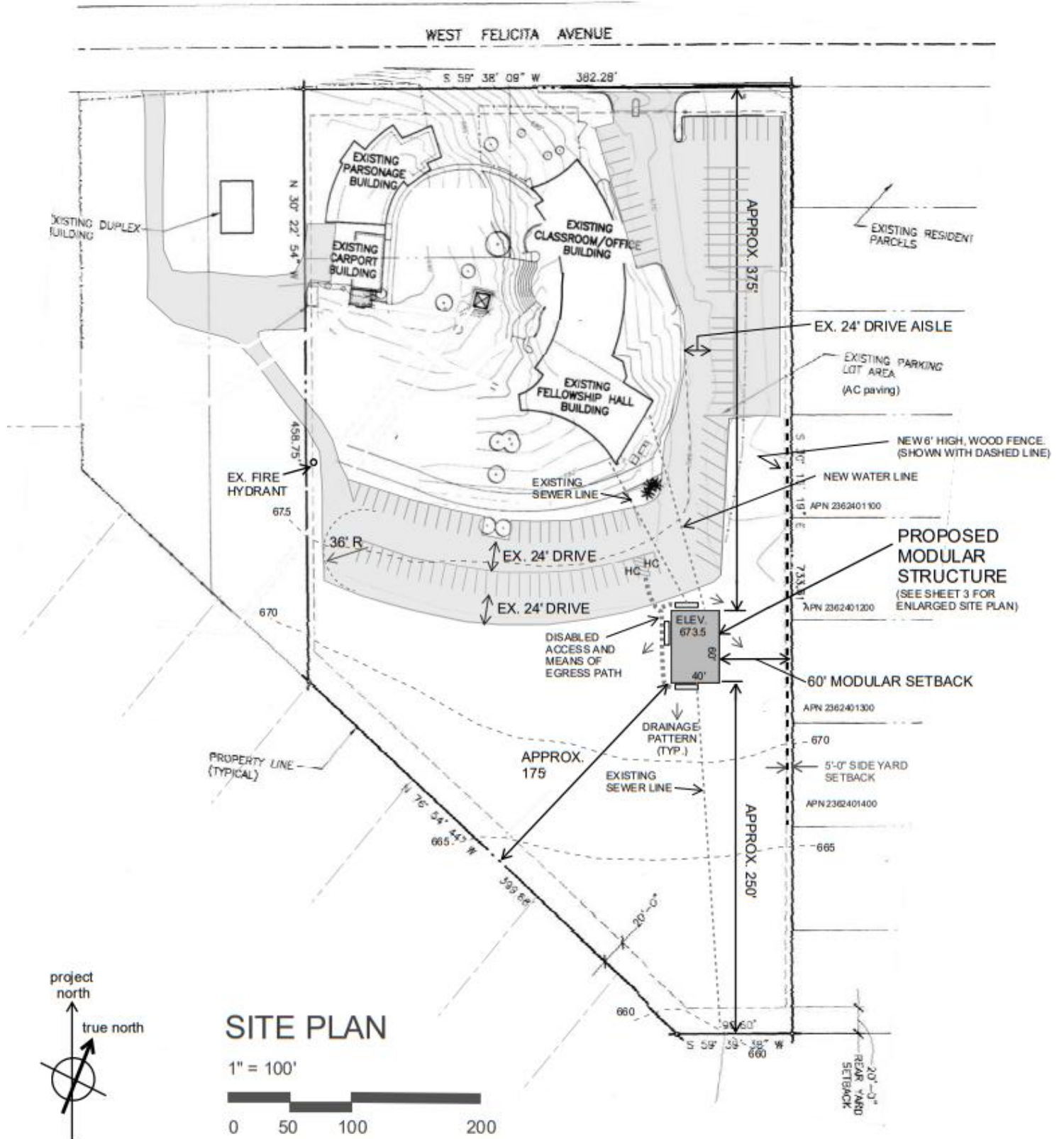
BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID BLOCK, A DISTANCE OF 700.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG THE SAID NORTHWESTERLY LINE 75.00 FEET; THENCE AT RIGHT ANGLES SOUTHEASTERLY TO THE NORTHERLY BOUNDARY OF MOUNTAINVIEW ESTATES, ACCORDING TO MAP THEREOF NO. 3600, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE WESTERLY ALONG SAID NORTHERLY BOUNDARY TO A LINE WHICH BEARS SOUTHEASTERLY AT RIGHT ANGLES TO THE NORTHWESTERLY LINE OF SAID BLOCK FROM THE TRUE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG SAID LINE TO THE TRUE POINT OF BEGINNING.

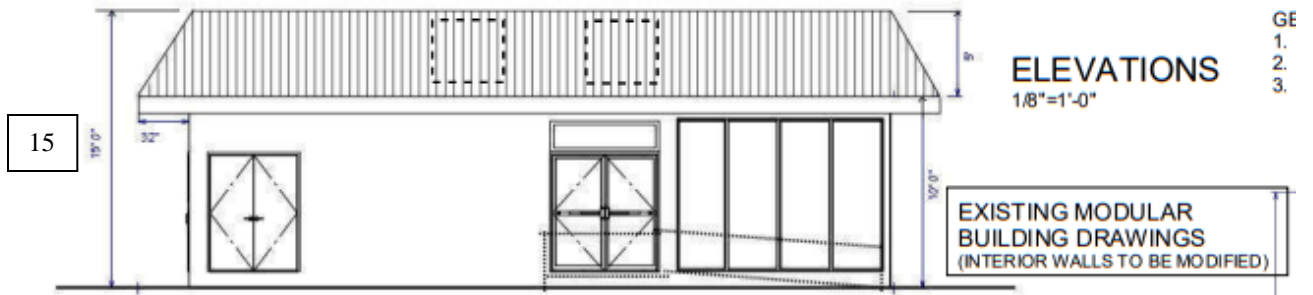
PARCEL 4:

THE SOUTHWESTERLY 100.00 FEET OF THAT PORTION OF LOTS 1 AND 2 IN BLOCK 255 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, LYING NORTHEASTERLY AND NORTHERLY OF THE NORTHEASTERLY AND NORTHERLY BOUNDARY OF MOUNTAINVIEW ESTATES, ACCORDING TO MAP THEREOF NO. 3600, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 27, 1957.

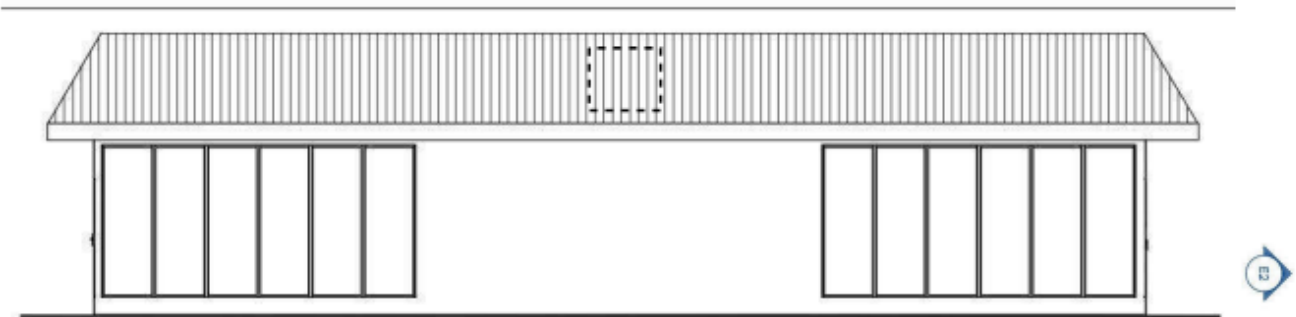
EXHIBIT "B"

Plans
Resolution No. 2023-17



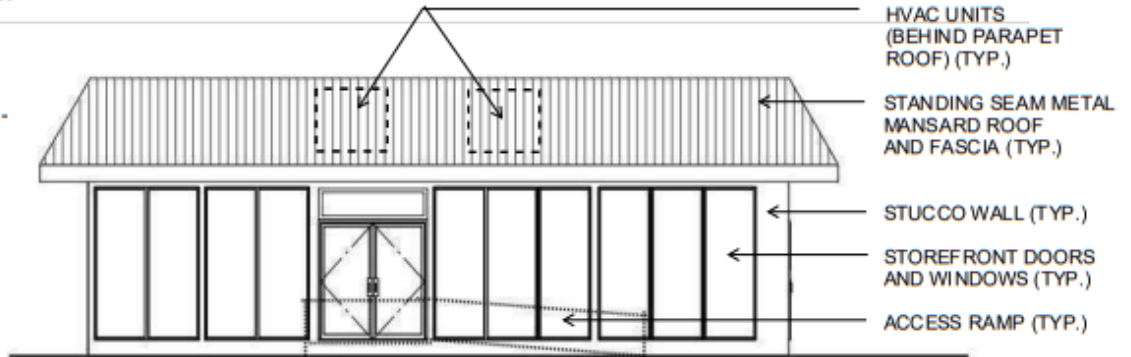


Elevation 1 - South

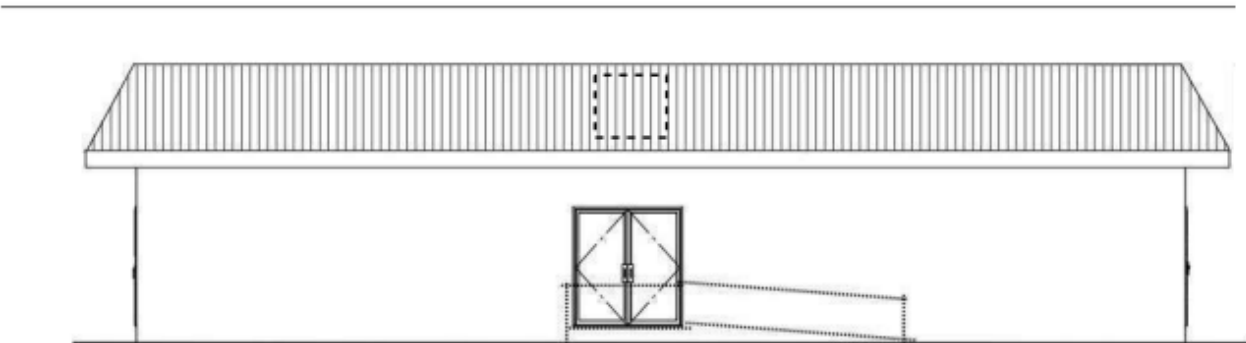


Elevation 2 - East

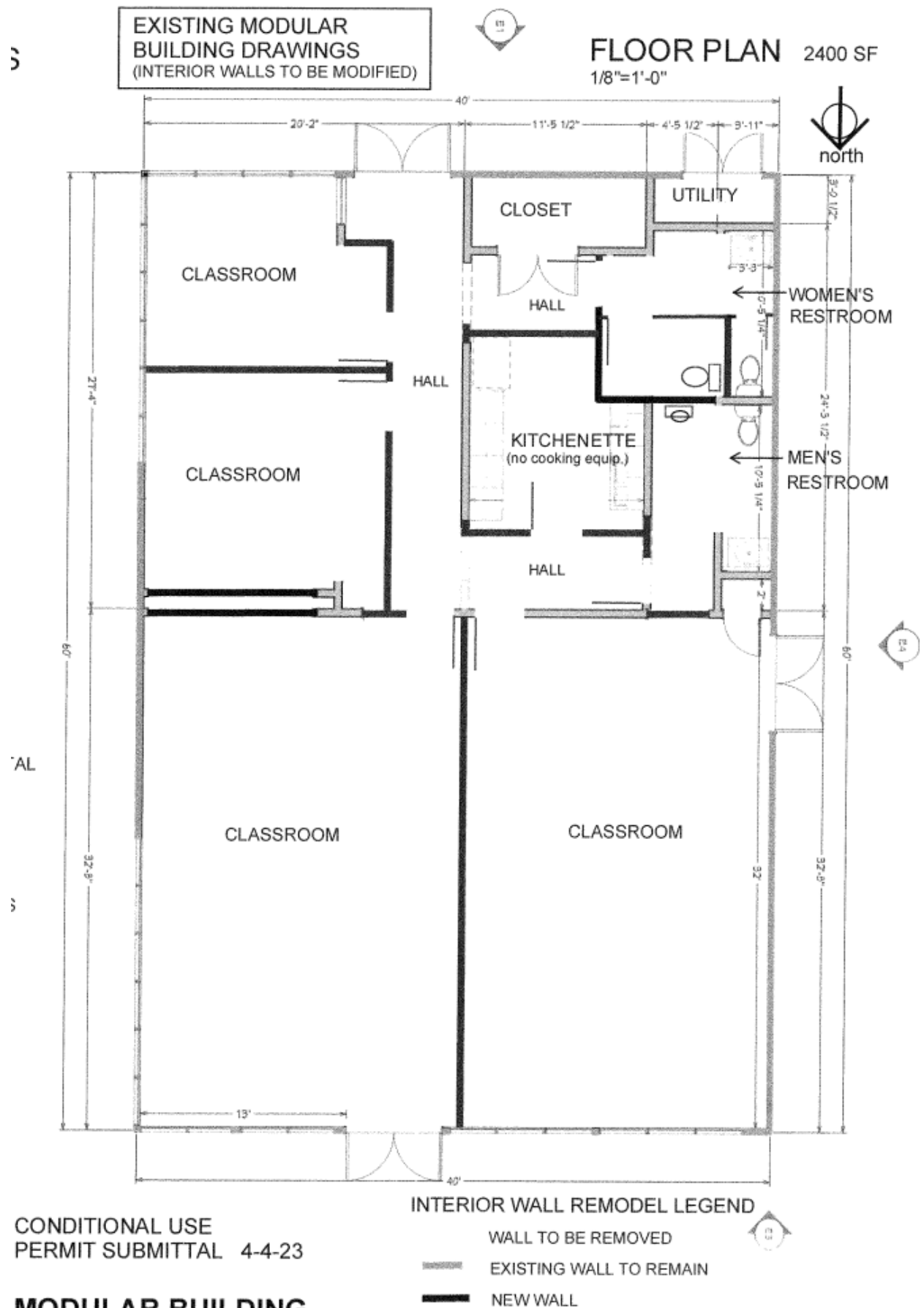
EXISTING COLORS TO REMAIN:
ROOF AND FASCIA - LIGHT GRAY
STOREFRONT - BRONZE
WALL - LIGHT BEIGE
RAMP - LIGHT GRAY



Elevation 3 - North



Elevation 4 - West



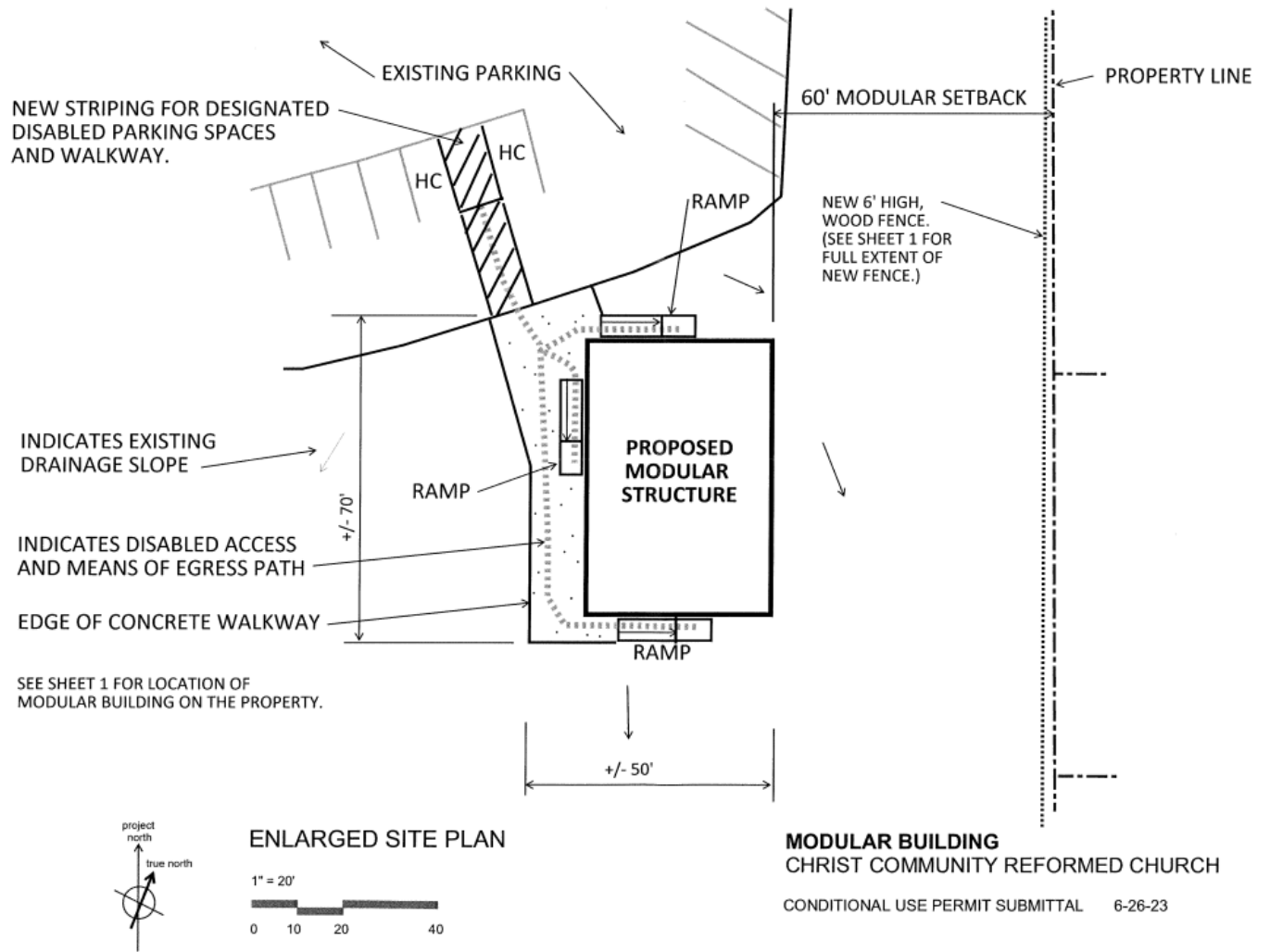


EXHIBIT “C”

FINDINGS OF FACT

Resolution No. 2023-17

PLANNING CASE NUMBER: PL23-0174

Environmental Determinations:

1. Pursuant to the California Environmental Quality Act, ("CEQA"), Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq., 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 15301 (Existing Facilities) and section 15303 (New Construction of Small Structures). The proposed development is located on an infill residential site parcel surrounded by residential/urban uses and proposes a building addition less than 10,000 square feet. The site has previously been developed with a church and school facility. The site has no value for special status species. The property can be adequately served by all required utilities and public services, and the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. 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 September 12, 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.
3. All of the requirements of the California Environmental Quality Act have been met because it was found that the project will not have a significant effect on the environment as demonstrated in the CEQA Exemption prepared for the Project.

Conditional Use Permit Determinations

1. Granting the Conditional Use Permit to add a 2,400 square foot modular building at the site for additional classroom and meeting space is based on sound principles of land use because adequate parking, access, on-site circulation, utilities and storm water facilities. The proposed Project would not diminish the quality of life standards of the General Plan because the Project would not materially

degrade the level of service on adjacent streets or public facilities, nor create excessive noise, and adequate public services are currently provided on-site. The proposed development would be well integrated into its surroundings because the single-story structure would maintain a 60-foot setback from the nearest residential properties on the east, and also would incorporate compatible architectural design, materials, and colors. The new building would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties. The proposed use is in response to services required by the community because the facility as the structure provides additional classroom and meeting space to support the continue religious and school/preschool operations on the site. Appropriate conditions have been incorporated to address any potential impacts to surrounding uses.

2. The proposed Conditional Use Permit will not cause deterioration of bordering land uses or create special problems for the area in which it is located. The Engineering/Traffic Division determined that all vehicular traffic generated by the Project would be accommodated safely and would not create any adverse impacts to the adjacent roadways or intersections. On-site grading/ground disturbance would be minimal. The proposed building would be consistent with the height limits of the underlying residential zone and the single-story structure would be compatible with the mix of residential structures located throughout the surrounding neighborhood. The structure would be setback up to 60 feet from the adjacent residential homes on the east and a new six-foot-high wooden fence would be constructed along a section of the eastern property boundary to provide visual screening of the building. Additional landscaping also would be installed along the eastern building elevation to provide an additional visual buffer.
3. The proposed Conditional Use Permit has been considered in relationship to its effect on the neighborhood and it has been determined to be compatible with the surrounding residential properties and General Plan policies because the use would not create any land use or other adverse impacts that are not adequately mitigated. The Conditional Use Permit is subject to conditions of approval necessary and desirable to preserve the public health, safety, and general welfare. The use also would not create any excessive noise, traffic, or other adverse impacts, as noted in the sections above. The proposed use is in response to services required by the community because the proposed modular building would provide additional space to support the ongoing functions of the church and congregation.

CONDITIONS OF APPROVAL

PLANNING CASE NO. PL23-0174

This Project is conditionally approved as set forth on the application received by the City of Escondido April 13, 2023, and the Project drawings consisting of Site Plans, Floor Plans and Architectural Elevations; all designated as approved on September 12, 2023, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, and the Applicant’s successors in interest, as may be applicable.

A. General:

- 1. Acceptance of Permit.** If the Applicant fails to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a.** Acceptance of the Permit by the Applicant; and
 - b.** Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
- 2. Permit Expiration.** The rights granted within this Permit shall be utilized within two years from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code, or it shall expire and become null and void.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 3. Certification.** The Director of Development Services, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.

4. Conformance to Approved Plans.

- a. The operation and use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
- b. Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
- c. Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Development Services to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.

5. Limitations on Use. Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Development Services Department.**6. Certificate of Occupancy.**

- a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
- b. Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Development Services.

7. Availability of Permit Conditions.

- a. Prior to building and/or grading permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Development Services.
- b. The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.

8. Right to Entry. The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other

materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.

- 9. Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

- 10. Fees.** The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Development Services. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Development Services Department.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

- 11. Public Art Partnership Program.** All requirements of the Public Art Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

12. Clerk Recording.

- a.** State Law (SB 1535), effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. If the Project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, or if the Project was analyzed through a negative declaration or environmental impact report, the Applicant shall remit to the City of Escondido Planning Division, within two working days of the effective date of the adoption of the environmental document, a check payable to the "San Diego County Clerk," in the amount that is published by the County Clerk's Office. Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no

project shall be operative, vested, or final until all the required filing fees are paid. The County Clerk's Office filing fees for other environmental review documents are adjusted annually by the California Department of Fish and Wildlife. If the fee increase after the date of this approval, the Applicant shall be responsible for the increase.

- b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

13. Legal Description Adequacy. The legal description attached to the application has been provided by the Applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

14. Application Accuracy. The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

15. Revocation, Suspension, Modification. At any time after Project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred to the appropriate decision-making body upon recommendation of the Director of Development Services for review and possible revocation or modification of the Permit regarding non-compliance with the Conditions of Approval.

This Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing, and after the following findings are fully investigated:

- a. A violation of any term or condition not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance, state law, or federal law not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates or constitutes a nuisance.

16. Indemnification, Hold Harmless, Duty to Defend.

- a. The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies,

- costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner of the Property (including the Applicant's or the owner of the Property's contractors, subcontractors, licensees, sublessees, invitees, agents, consultants, employees, or volunteers), or such activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City).
- b.** The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project's environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant's payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).
- c.** The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written Deposit Account

Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

B. Construction, Maintenance, and Operation Obligations:

- 1. Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Development Services, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

- 2. Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulations or to obtain permits from other agencies to make certain on- or off-site improvements prior to Final Map recordation, grading permit issuance, building permit issuance, or certificate of occupancy as required. This review may result in conditions determined by the reviewing agency.

At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

- 3. Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
- 4. Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.

5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 9008).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
7. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.
8. **Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
9. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
10. **Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
11. **Trash Enclosures.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
12. **Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
13. **Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
14. **Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof, demonstrating compliance with the California Green Building Standards Code sections cited above.

15. Construction Equipment Emissions. Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board ("CARB") certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii) functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall demonstrate to the satisfaction of the Director of Development Services that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model ("CalEEMod") or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.

16. Phasing. A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

C. Parking and Loading/Unloading.

1. A minimum of 51 parking spaces shall be provided on the site. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.
3. In accordance with the California Green Building Standard Code, clean air vehicles (CAV) parking spaces shall be provided as required by the Building Division and building code.
4. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the

property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.
6. Applicant shall install all required improvements including any screening walls/fencing, storm improvements, and landscaping as may be required by this use permit.

E. Specific Planning Division Conditions:

1. The use of the modular building for classroom and meeting space shall be consistent with the details of request identified in the Planning Commission staff report.
2. A wooden fence up to six-feet high shall be installed and maintained along the eastern property boundary of the subject site, as detailed on the site plan.
3. The use of the site shall be subject to all relevant conditions of Case No. 76-45-CUP, other executed entitlements and previously approved details of request, unless specifically amended by this Conditional Use Permit.
4. Shrubs (tall growing) shall be planted along the eastern side of the modular building. This can be identified on the final building plans/site plans.

F. Specific Building Division Conditions:

1. Approval and subsequent development are subject to all conditions and requirements of the California Building Code and Building Division.

G. Specific Fire Department Conditions:

1. Approval and subsequent development are subject to all conditions and requirements of the Fire Code.
2. Fire alarms, monitored with pull stations, are required.

H. Specific Engineering Division Conditions:

General

1. All easements, both private and public, affecting subject property shall be shown and delineated on all Building plans and waterline improvement plans if required.
2. All improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be corrected by the Owner to the satisfaction of the City Engineer.

Street Improvements and Traffic

1. Pedestrian access routes meeting current ADA requirements shall be provided into the project to the satisfaction of the City Engineer and City Building Official.
2. The Developer will be required to provide a detailed detour and traffic control plan, for any construction activities within the Felicita Avenue right-of-way to the satisfaction of the City Engineer. If required, this plan shall be approved prior to the issuance of an Encroachment Permit for construction or other project activities within the public right-of-way.

Erosion Control

1. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The Developer shall be responsible for maintaining all erosion control facilities throughout the project.
2. The Developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

Drainage

1. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains shall be that of the Property Owner.
2. Any on-site storm water conveyance and treatment facilities and drains including any permeable paver areas shall be considered private. The responsibility for maintenance of these post construction storm water facilities shall be that of the Property Owner.

Water Supply

1. If required, fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshall. Fire hydrants shall connect to a minimum 8-inch water main.
2. The final locations and sizing of any required water mains, water services, fire hydrants, detector check assemblies, and other water appurtenances shall be designed and installed to the satisfaction of the Director of Utilities and the Fire Marshal.
3. If required, any fire suppression and sprinkler systems beyond the Detector Check Valves are private and shall be designed and constructed per current Building, Plumbing, and Fire Code Standards, and per the requirements of the City Fire Marshal and City Building Official and shall be approved by a separate submittal to the Building Department.

4. All on-site water lines and backflow prevention devices beyond the City water meter or DCA shall be considered a private water system. The property owner shall be responsible for all maintenance of these water lines and appurtenances.
5. No trees or deep-rooted bushes shall be planted within 10-feet of any water mains.
6. If required, improvement plans for the extension of water mains shall be prepared by a Civil Engineer and submitted to the City of Escondido for review and approval.

Sewer

1. If a connection to City sewer is required, the placement of the portable classrooms shall be such that they can be gravity connected without a pump.
2. If a new sewer lateral connection to the public main in Felicita is required, a 6-inch minimum PVC private sewer lateral with a standard clean-out within 18-inches of the public right-of-way shall be constructed. Sewer laterals shall connect to the sewer main with a wye or Inserta-Tee.
3. The portion of any new sewer laterals within the public right-of-way shall be constructed per current City of Escondido Design Standards and Standard Drawings and per the current Uniform Plumbing Code for the portion outside of the public right-of-way.



STAFF REPORT

September 12, 2023

PL23-0176 and ADM19-0092 – Vermont Avenue Apartments

PROJECT NUMBER / NAME: PL23-0176 and ADM19-0092/Vermont Avenue Apartments

REQUEST: An applicant request to modify a Major Plot Plan in order to eliminate Condition of Approval No. 15 requirement to fund ongoing operational costs of providing municipal services to the project.

PROPERTY SIZE AND LOCATION: The 1.05-acre site is located at the northeast corner of S. Escondido Blvd. and Vermont Avenue and is addressed at 1860, 1866, 1870 & 1896 S. Escondido Blvd. (Assessor's Parcel Number(s): 236-260-34, -35, -36 and 236-260-37-00)

APPLICANT: Vermont Escondido Apartments, LLC.

GENERAL PLAN / ZONING: Specific Plan Area No. 15 / Specific Plan (S-P; South Centre City Specific Plan)

PRIMARY REPRESENTATIVE: William Yang, Vermont Escondido Apartments, LLC

DISCRETIONARY ACTIONS REQUESTED: Modification to a Major Plot Plan Condition of Approval No. 15 related to funding ongoing operational costs of providing municipal services to the project.

PREVIOUS ACTIONS: The Major Plot Plan was administratively approved by the Director of Development Services on April 5, 2022.

CEQA RECOMMENDATION: The previously approved project was determined to be Categorical Exempt – CEQA Guidelines Section 15332 (In-Fill Development Projects)

STAFF RECOMMENDATION: Recommend City Council to deny the modification request and uphold the Director's Decision

REQUESTED ACTION: Approve Planning Commission Resolution No. 2023-15

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

REPORT APPROVALS:

_____ Andrew Firestine, Director of Development Services

_____ Adam Finestone, City Planner



CITY of ESCONDIDO

STAFF REPORT

Item 3.

BACKGROUND

An administrative approval for a Major Plot Plan, inclusive of a density bonus, was issued on April 5, 2022, for a 44-unit apartment complex located at northeastern corner of S. Escondido Blvd. and Vermont Avenue and is addressed as 1860, 1866, 1870 & 1896 S. Escondido Blvd. The Project approvals include four (4) units that will be deed-restricted for very-low-income households. Refer to Attachment 1 (Plot Plan Approval)

Density bonus law (Government Code section 65915 et. seq.) and Article 67 of the Escondido Zoning Code (Density Bonus and Residential Incentives) are intended to encourage the development of affordable housing. This is accomplished through the allowance for an increase in residential density above what would typically be allowed for a property, and through the provision of incentives and waivers from development standards that make construction of the Project infeasible.

Allowable increases in density are based on a sliding scale that involves both the percentage of affordable units being provided, and the level of affordability of those units. Zoning for the subject property would have allowed a total of 32 units; however, by deed restricting 13% of those units (amounting to four units) for very-low-income households, the Project was eligible for a 42.5% increase in allowable density, resulting a total allowance of 14 units, however, the applicant requested taking 12 additional units for a total of 44 units.

On April 5, 2022 the Major Plot Plan was approved, including the additional 12 units, and subject to certain Conditions of Approval. The City's Conditional Approval is included as Attachment 1 to this report.

SUMMARY OF REQUEST

The applicant is requesting to modify the Major Plot Plan to eliminate the condition of approval that requires the developer to fund ongoing operational costs of providing municipal services required for the Project. The modification request is based on the premise that it is necessary in order to make the project financially feasible, and on the additional reasons stated in the request letter submitted by the applicant. Refer to Attachment 2 (Applicant Letter). All other aspects of the Project have been previously approved and are not subject to this request.

This request was originally noticed and docketed to be heard on August 22, 2023 by the Planning Commission, however the applicant team was unable to make this date and requested a continuance to September 12, 2023.

SUPPLEMENTAL DETAILS OF REQUEST

In its April 11, 2023, request letter, the applicant points out that the percentage of affordable units and level of affordability would have entitled the applicant to two density bonus incentives or concessions (these terms are used interchangeably) at the time of project approval. Nonetheless, the applicant elected to request only one density bonus concession for reduction in the amount of required open space (from 300 square feet per unit to 205 square feet per unit).

The applicant is now requesting an additional financial incentive in the elimination of the requirement to fund ongoing operational costs of providing municipal services required for the Project, as stated in Attachment 2 to this staff report. Condition of Approval No. 15 in the Letter of Conditional Approval dated April 5, 2022, and included as Attachment 1 to this staff report states:



CITY of ESCONDIDO

STAFF REPORT

“Community Facility District or Funding Mechanism. *The Applicant shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding to be determined by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District (“CFD”) or the establishment of another lawful funding mechanism reasonably acceptable to the City (“Public Services Funding Agreement”). The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager’s designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City’s issuance of any permit for the Project.”*

Both state law and the City’s Municipal Code allow but do not require the City Council to grant the applicant’s request. Government Code section 95915(l) states that density bonus law “...does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.”

Similarly, section 33-1414(a)(2)(E) of the City of Escondido Municipal Code states that “the city council may, but is not required to, provide direct financial incentives, including direct financial aid in the form of a loan or grant, the provision of publicly owned land, or the waiver of fees or dedication requirements.” Staff has consistently interpreted this to mean that the City is not required under density bonus law to waive fees or provide other direct financial incentives for a housing development and that staff does not have the authority to do so under the City of Escondido Municipal Code or the current City Council adopted policy concerning the funding of municipal services by new development.

HISTORY OF COST OF MUNICIPAL SERVICES

The condition cited above is consistent with existing City Council policy requiring all residential development to offset its impact on the general fund by providing an ongoing funding source to pay for public services demanded by the project. The following is a brief history of the creation, purpose, and implementation of that policy:

- On June 12, 2019, the City Council directed staff to investigate all options to address the structural budget deficit to ensure the budget deficit does not grow as the City develops, including evaluating the feasibility of a Citywide Services CFD as a streamlined means for projects to offset their ongoing impact to the general fund.
- On April 8, 2020, the City Council indicated its intent to require new residential development to offset the ongoing costs of providing public services.
- On May 13, 2020, the City Council held a duly noticed public hearing and adopted Resolution No. 2020-44 (Resolution of Formation) establishing CFD 2020-1, the Citywide Services CFD.
- On September 16, 2020, the City Council adopted Resolution No. 2020-115 annexing five projects with 66 units into CFD 2020-1 creating the second (2) zone of the Services CFD (Zone 2020-2).
- On September 23, 2020, the City Council restated its intent to require new residential development to offset the ongoing costs of providing public services, specifically noting that the requirement be applied to any project approved after May 13, 2020.



CITY of ESCONDIDO

STAFF REPORT

Item 3.

- On October 21, 2020, the City Council adopted Resolution No. 2020-147 annexing a 42-unit project located at 2608 S. Escondido Blvd. into CFD 2020-1 and creating the third (3) zone of the Services CFD (Zone 2020-03).
- On November 18, 2020, the City Council adopted Resolution No. 2020-160 annexing two (2) projects containing 21 units into CFD 2020-1 creating the fourth zone of the Services CFD (Zone 2020-04).
- On July 21, 2021, the City Council adopted Resolution No. 2021-77 approving the special tax rate for CFD 2020-1 (Public Services).

FISCAL ANALYSIS

The Applicant/Owner has signed a "Acknowledgement and Acceptance of Conditions of Approval", dated April 14, 2020, which includes Condition of Approval No. 15 to fund operational costs of providing municipal services for Community Facilities District (CFD) No. 2020-01. Therefore, a Condition No. 15 was added to the Conditions of Approval, Director Decision on ADM19-0092, to reflect the Applicant's submission of the acknowledgement statement and interest to annex the Project into the CFD. Based on the adopted Director Decision, the subject property falls under the "Urban V" rate at \$778.01 (Fiscal Year 22-23) per unit per year through June 30, 2023. This rate reflects the overall project density of 40 units/acre. Based on the proposed 44-unit development, the current estimated annual amount for ongoing services is \$32,232, subject to annual adjustments. Refer to Attachment 3 (Executed Acknowledgement Statement)

ENVIRONMENTAL ANALYSIS

The previously approved Project was determined to be Categorical Exemption – CEQA Guidelines Section 15332 (In-Fill Development Projects)

CONCLUSION AND RECOMMENDATION

The Director of Development Services applied Condition No. 15 to the Project approval, requiring the Project to fund all on-going operational costs of providing municipal services. Because the condition is consistent with current City Council policy, and because neither the Government Code nor the City of Escondido Municipal Code require the City to provide direct financial assistance to a density bonus project, staff does not support the waiver of said condition. As such, and because the Planning Commission is serving in an advisory role to City Council on this waiver request, staff recommends that the Planning Commission adopt Resolution No. 2023-15, recommending City Council to deny the waiver request and uphold the Director's decision to approve the Project subject to all Conditions of Approvals contained in the Conditional Letter of Approval attached to this staff report.

ATTACHMENTS

1. Plot Plan Conditional Letter of Approval dated April 5, 2022
2. Waiver request of Condition of Approval Letter dated April 11, 2023
3. Acknowledgement and Acceptance of Conditions of Approval, dated April 14, 2020
4. Planning Commission Resolution No. 2023 - 15, including Exhibits A, B, & C



Adam Finestone, AICP
Interim Director of Community Development
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4671 Fax: 760-839-4313

April 5, 2022

Ms. Gina Garza
Touchstone Communities
9909 Mira Mesa Boulevard Suite 150
San Diego, CA 92131

Subject: 44-unit affordable housing project (ADM19-0092)

Location: 1860 S. Escondido Blvd. (APN: 236-260-37-00)

Applicant: Touchstone Communities

Dear Ms. Garza:

This letter serves to inform you that the City of Escondido has completed its review, and does hereby conditionally approve Planning Case No. ADM 19-0092, which is a Major Plot Plan for the construction of a three-story, 44-unit apartment complex, including landscaping and off-street parking. The General Plan land use designation for the property is SPA (Specific Plan Area 15). The subject property is zoned SP (Specific Plan – South Centre City Specific Plan) and allows multi-family residential developments up to 30 units per acre. Density bonuses are allowed per Article 67 of the City of Escondido Zoning Code.

This approval is subject to the Conditions of Approval attached as Exhibit "A" hereto. Compliance with the Conditions of Approval must be demonstrated on subsequently submitted plans for the project (building plans, grading/improvement plans, landscape plans, etc.). Said plans shall be in substantial conformance with those attached as Exhibit "B" hereto and on file with the Planning Division, except as modified by the Conditions in Exhibit "A."

Please note that the Plot Plan was reviewed for consistency with current City ordinances and policies and in no way vests any rights to the developer to construct to these standards in the future, should the City ordinances and policies change. Additionally, please be aware that the Plot Plan was reviewed based on the assumption that the legal description for the subject property furnished by you, the applicant, and attached as Exhibit "C" hereto, is accurate, and that all easements, covenants, conditions, and other encumbrances and restrictions relating to the property have been completely and accurately depicted, described, disclosed, etc. Neither the City of Escondido nor any of its officers or employees assumes responsibility for the accuracy of said information.

PLAN PROCESSING REQUIREMENTS:

Three (3) revised copies of the Plot Plan reflecting the Conditions of Approval shall be submitted for review by the Planning Division. Said Plot Plan must be certified by the Planning Division prior to submittal of other plans (building, grading, landscape, etc.) for the project.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City's Development Fee Inventory on file in both the

ADM 19-0092
April 5, 2022
Page 2

Community Development and Engineering Services Departments. Said fees shall be paid prior to or concurrent with the issuance of building permits, in accordance with the prevailing fee schedule in effect at the time of building permit issuance. The project may also be subject to dedications, reservations, and exactions as specified in the conditions of approval. NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this letter begins on the date of this letter and any such protest must be in a manner that complies with Section 66020.

ENVIRONMENTAL DETERMINATION

This project has been determined to be exempt from environmental review, pursuant to CEQA regulations. A Notice of Exemption has been prepared for the project, a copy of which is attached to this letter as Exhibit "D." Approval of the subject project includes approval of the CEQA exemption.

The City of Escondido hereby notifies the applicant that the San Diego County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). The applicant shall remit to the City of Escondido Planning Division a check payable to the "San Diego County Clerk" in the amount of \$50.00 within two working days of the date of this letter. Per California Environmental Quality Act (CEQA) section 15062, the filing of a Notice of Exemption and the posting with the San Diego County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's determination that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

CONCLUSION

The owner, or his/her authorized agent, shall sign the Acknowledgement and Acceptance of Conditions of Approval form included with this letter, and submit that within ten (10) days of receipt of this letter. Approval of this Plot Plan, including the Conditions of Approval applied to it, may be appealed as prescribed in Section 33-1303 of the Escondido Zoning Code. If no appeal is filed, the approval shall become final on the 11th day following the date of this letter.

This Plot Plan approval will expire one year from the date of this letter. If no building permit is obtained during this period, the approval shall be considered null and void. A one-year extension of the conditional approval may be granted, after consideration of the Director of Community Development, upon written request and submittal of the required fee prior to the expiration date.

Please be advised that if you seek judicial review of the final decision in this matter pursuant to Code of Civil Procedure section 1094.5, the time within which judicial review must be sought is governed by California Code of Civil Procedure section 1094.6.

ADM 19-0092
April 5, 2022
Page 3

Please feel free to contact me at (760) 839-4546, or via email at snicholas@escondido.org, if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Nicholas". The signature is fluid and cursive, with the first name "S." and the last name "Nicholas" clearly distinguishable.

Sean Nicholas, AICP
Principal Planner

Exhibits:

- A. Conditions of Approval
- B. Project Plans
- C. Legal Description
- D. CEQA Notice of Exemption

EXHIBIT "A"

PLANNING CASE NOS. ADM19-0092 CONDITIONS OF APPROVAL ADM 19-0092

This Project is conditionally approved as set forth on the application received by the City of Escondido on May 16, 2019, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as approved on April 5, 2022, and shall not be altered without express authorization by the Community Development Department.

For the purpose of these conditions, the term "Applicant" shall also include the Project proponent, owner, permittee, and the Applicant's successors in interest, as may be applicable.

I. GENERAL

- 1. Acceptance of Permit.** If the Applicant fails to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a.** Acceptance of the Permit by the Applicant; and
 - b.** Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
- 2. Permit Expiration.** This Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 3. Certification.** The Director of Community Development, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and

modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. Three copies of final Approved Plan set, shall be submitted to the Planning Division for certification. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.

4. Conformance to Approved Plans.

- a.** The operation and use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
- b.** Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
- c.** Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Community Development to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.

5. Limitations on Use. Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.

6. Certificate of Occupancy.

- a.** No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
- b.** Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Community Development.

7. Availability of Permit Conditions.

- a.** Prior to building/grading permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Community Development.
- b.** The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.

8. Right to Entry. The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.

9. Compliance with Federal, State, and Local Laws. Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. Fees. The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

- 11. Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

PLANNING DIVISION

II. GENERAL:

1. One trash enclosure and enclosed area dedicated for recyclable materials shall be provided, and shall be screened from public view. The design, size, location, appropriate access and method of roofing of the enclosure shall be detailed on the building plans and approved by the Planning Division and Engineering Services Department.
2. The architectural elevations (design, color, materials, etc.) for the project shall be as shown on the color elevations approved by City Staff Design Review on December 6, 2018, and revised December 13, 2018, which are on file in the Planning Division, except as modified by these conditions of approval. Any changes to the approved architecture shall require review further design review by City staff.
3. All mechanical equipment (ground level, wall-mounted, and/or roof mounted) and appurtenances shall be screened from public view to the satisfaction of the Planning Division. The preferred method of screening is by screen wall, landscaping, building parapet, or other architectural feature, which shall be clearly demonstrated on the building plans to the satisfaction of the Planning Division
4. All new exterior lighting shall be arranged so as not to reflect upon adjoining property or streets. Exterior lighting shall conform to Article 35 of the Zoning Code. Photometric plans and lamp/light fixture specifications shall be included with the building plans.
5. Minor utility equipment, such as utility meters which are less than thirty-six (36) inches in height and width, or junction boxes shall be screened to the maximum extent practicable through the use of the building design integration and concealment, enclosure, or surface color paint matching, and be screened by walls or fences or sight-obscuring landscaping.
6. All new utility service shall be underground.

7. This project shall conform to the Public Art Partnership Program, Article 37 of the Escondido Zoning Code.
8. No outside storage is approved for this site (aside from residential storage boxes, or storage closets for management/employee use, as shown on the approved plans and/or conditioned herein).
9. The minimum area of usable open space as approved for the plot plan shall be provided and noted on the plans. Common areas shall measure a minimum of ten (10) feet in all directions and may include outdoor landscaping, walks, fountains, recreational facilities, etc. and interior common recreation areas. All private areas directly accessed from residential units shall measure a minimum of five feet in all directions.
10. A minimum of eighty (80) cubic feet of private storage area shall be provided for each dwelling unit. The storage shall have a minimum of dimension of two (2) feet, and shall be in addition to normally expected cabinets and closets.
11. Approval of this plot plan in no way implies approval of any sign or sign location. A separate permit is required.
12. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning, Engineering, and Building Divisions have been completed.
13. The plans submitted for building permits shall include notes or details containing the necessary work involved in complying with these project conditions.
14. The applicant shall work with the Housing Division to record the required covenants for the provision of at least 4 of the 44-unit project to be for very low-income households. The agreement shall be a minimum of 55 years. The agreement shall be recorded prior to issuance of any construction permits (Engineering or Building).
15. **Community Facility District or Funding Mechanism.** The Applicant shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding to be determined by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District ("CFD") or the establishment of another lawful funding mechanism reasonably acceptable to the City ("Public Services Funding Agreement"). The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager's designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City's issuance of any permit for the Project.

III. PARKING:

1. A minimum of 64 parking spaces shall be required in conjunction with the proposed project, as shown on the approved plans. At least 44 of these spaces must be covered.
2. All parking spaces shall be double-striped to a minimum dimension of eight and one-half feet wide and 18 feet deep.
3. The required number of parking spaces for disabled persons must be provided. Said spaces shall be 17-feet wide and 18-feet deep, level, and marked "Van Accessible". All spaces must comply with Chapter 2-71, Part 2 of Title 24 of the State Building Code. The grading plans shall indicate that the slope of the disabled access parking will not exceed 2%.
4. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
5. The parking lot shall be striped in conformance with the revised site plan submitted on August 5, 2021.
6. Provisions for electric vehicle charging station(s) must be provided in conformance with the California Building Code.

IV. LANDSCAPING:

1. A Landscape Documentation Package shall be prepared for the project by, or under the supervision of, a licensed design professional and shall conform to Article 62 of the Escondido Zoning Code, and to the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO). The plans shall indicate any existing trees or landscaping that are to remain as well as new landscape areas.
2. All existing and proposed landscaping shall be permanently maintained in a flourishing manner. Any landscaping that is removed shall be replaced and noted on the site plan to the satisfaction of the Planning Division.
3. All areas in this proposed development, which are not used for structures, parking, driveways, approved storage, or walkways utilities shall be landscaped.
4. The landscape plan shall be revised to reflect the required revisions to the site plan. It shall also show all locations of fire hydrants, transformers, utility boxes, driveways, utility easements and other easements of record.
5. Appropriate screening landscaping shall be required around any transformers and shall be shown on the landscape plan to the satisfaction of the Planning Division.

ADM 19-0092
 April 5, 2022
 Page 10

6. Trees located within six-feet of pavement shall be provided with root barriers.
7. A minimum of three (3) street trees will be required along each project frontage (South Escondido Blvd and W. Vermont), and shall be shown on the landscape plan. The minimum tree size shall be 15-gallon, six feet tall planted, and have a tree trunk caliper of at least two inches. The precise location and species of trees shall be consistent with current street tree list. Existing trees may be counted as street trees if their variety, location, and size meet minimum requirements and they are identified on the landscape plan. Street trees should be located behind the ultimate right-of-way line.
8. Required front, side, and rear yard setbacks shall be landscaped with trees, shrubs, and groundcover, and/or turf (where permitted), and shown on the final landscape plans to the satisfaction of the Planning Department. Plant selection shall be low-water, drought tolerant species.
9. The revised site plan and/or landscape plan shall incorporate measures to the satisfaction of the Planning Division, which screen peripheral views of parking areas from adjacent streets and alleys. Possible screening measures may include a combination of screen walls, fencing, or landscaping in connection with berming.
10. A separate exhibit shall be included in the landscape plans that shows the common area in front of the south elevation.
11. All required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner prior to occupancy. The required landscape areas shall be free of all foreign matter, weeds and plant materials not approved as part of the landscape plan.
12. The installation of the landscaping and irrigation shall be inspected by the project design professional upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
13. All landscaping shall be permanently maintained in a flourishing manner. All permanent irrigation shall be maintained in fully operational condition.

ENGINEERING SERVICES DEPARTMENT:

V. General

1. The project owner shall provide the City Engineer with a Title Report covering subject property.

2. The location of any existing on-site utilities and drainage facilities shall be determined by the Engineer. If a conflict occurs with proposed structures, these facilities shall be relocated subject to approval of the owner of the utility/facility prior to issuance of Building Permits for the structure in conflict.
3. Improvement plans prepared by a Civil Engineer are required for all public alley, street and utility improvements and a Grading/Private Improvement plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. All improvements shall be completed prior to issuance of an Occupancy Permit.
4. As surety for the construction of required off-site or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of Grading and Improvement plans and issuance of Building Permits.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
6. All new public improvements shall be constructed in a manner that does not damage existing public improvements designated to remain. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
7. The project owner shall submit to the Planning Department 3 copies of the approved Plot Plan to be certified by the Planning Department and must be included in the first submittal for plan check.

STREET IMPROVEMENTS AND TRAFFIC

1. Public streets improvements shall be designed and constructed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.
2. The developer may be responsible for an overlay of S. Escondido Blvd and Vermont Avenue due to the many utility trenches necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.
3. The alley along the project's frontage shall be widened 2 feet with full structural section paving and shall be repaired with a minimum 1 1/2" grind and 2" asphalt concrete overlay. All existing cracked or damaged concrete shall be replaced to the satisfaction of the City Engineer.

4. The developer shall design the project entrance off 10th Avenue as a 24-foot wide Alley-type driveway apron per Escondido Standard Drawing G-5-E.
5. All damaged, lifted, or cracked concrete sidewalk, curbs and gutters, on South Escondido Blvd and W. Vermont shall be replaced, and due to utility trenching and project construction activities, a 1 1/2" min. grind and 2" min. asphalt concrete overlay may be required as directed by the City Engineer.
6. All unused driveways shall be removed and replaced with full height curb, gutter, and sidewalk in accordance with City standards.
7. The project owner will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
8. Adequate horizontal sight distance shall be provided at all street intersections and driveway entrances. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.

An engineered improvement plan is required for all public improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.

GRADING

1. A site grading and erosion control plan shall be prepared by a Registered Civil Engineer approved by the Engineering Department prior to issuance of building permits. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations. The project shall conform to the City of Escondido's Storm Water Management Requirements. Both Construction BMPs and Permanent Treatment BMPs shall be provided for the project.
2. A site landscaping and irrigation plan shall be submitted with the 2nd submittal of the Grading Plan to the Engineering Department.
3. Erosion control, including riprap, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
4. All on-site private improvements shall be designed in accordance with the City's Design Standards and shall be subject to review and approval by the Fire, Engineering, and Planning Departments.

ADM 19-0092
 April 5, 2022
 Page 13

5. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.
6. The developer shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities associated with this project.
7. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
8. A Construction General Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one (1) or more acres. A WDID number shall be obtained and included on the grading plans and permit.
9. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches.
10. After the approval of the site grading and erosion control plan, and prior to the start of construction of the grading and onsite improvements, the developer will be required to obtain a Grading Permit and Encroachment Permit from the Engineering Field Office.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The project shall limit drainage flows to their pre-construction rates. Details and calculations shall be submitted and approved as part of the grading plan check.
3. The project owner shall be responsible for design and construction of all permeable surfaces proposed for the project to the specifications of the version of the [County of San Diego Green Streets manual](#) approved by the county at the time the grading permits are issued. All permeable surfaces within the project footprint that are subject to vehicular traffic shall be designed for H20 loading.
4. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts of the building shall be directed to landscaping to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.

ADM 19-0092
 April 5, 2022
 Page 14

5. All on-site trash enclosure areas shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer.
6. The project owner shall perpetually maintain all permeable surfaces in accordance to the standards established by the County of San Diego Green Streets manual in effect at the time the grading permits are issued. City shall have the right to inspect all permeable surfaces as needed to ensure they function as designed. City shall have the right to require qualified third party testing at the property owner's expense when surface failure is suspected. Contractor qualifications are outlined in the County of SD Green Streets manual. The project owner will be required to repair or reinstall the permeable surface for all failing surfaces to County of SD Green Streets manual standards in place at the time of the grading permit. In the event of failure to maintain the permeable pavers system that result in not functioning as designed, the project owner will be responsible to replace the pervious pavers system with an alternate method of storm water treatment system or will be required to transition the project to a priority storm water development project by complying with the applicable requirements, including development of a Storm Water Quality Management Plan and the installation of structural best management practices.

*All site grading and erosion control plans shall be prepared by a Registered Civil Engineer. A separate submittal to the Engineering Department is required for the site grading and erosion control plans. Plans will **not** be forwarded from the Building Department.*

UTILITIES

1. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public water improvements and sewer connections. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required fire service and /or fire hydrant improvements shall be constructed prior to issuance of final occupancy by the City.
2. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

WATER SUPPLY

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
2. No trees or deep rooted plants shall be planted within 10 feet of any water service.

ADM 19-0092
 April 5, 2022
 Page 15

3. The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of Utilities Engineer.
4. The project may be required to construct a water main from Escondido Blvd., through the site and connect it to the existing water main in the alley in order to serve the required fire hydrant. New water meters shall be connected and meters located on either Escondido Blvd or Vermont.
5. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer

SEWER

1. Separate sewer laterals may be required to be installed from the public main to each building and shall be 6" PVC minimum with a standard clean-out at the property line. All sewer laterals shall be installed at right angle to the main in conformance with the Design Standards.
2. All unused and abandoned laterals and services shall be removed or capped and so noted on the improvement plans to the satisfaction of the Director of Utilities.
3. No trees or deep rooted plants shall be planted within 10' of sewer mains and sewer laterals. All sewer laterals are private and shall be maintained by the owner.
4. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

EASEMENTS AND DEDICATIONS

1. The project owner shall dedicate 2 feet of right-of-way along the alley on the north side of the parcel.
2. Necessary public utility easements (for sewer, water and storm drain) shall be granted to the City. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly to the requirements of Director of Utilities.
3. All existing easements, both private and public, affecting subject property shall be shown and delineated on the plot plan and grading plans.
4. The project owner is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the Grading and Building Permits. If an easement of record contains an existing

ADM 19-0092
 April 5, 2022
 Page 16

utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to issuance of the Grading or Building Permits, as determined by the City Engineer.

Material necessary for processing a dedication or easement shall include: a current grant deed or title report, a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying (document size) and traverse closure tapes. The City will prepare all final documents

REPAYMENTS, FEES AND CASH SECURITIES

1. The developer will be required to pay all development fees of the City in effect at the time, and in such amounts as may prevail when Building Permits are issued.
2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public/private property and improvements, install new BMP's, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for clean-up or damage will be drawn from this security. The remaining portion of this clean-up security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, retaining wall, landscaping, and best management practices item of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the project boundary or along the project's alley or street frontages shall be relocated underground as required by the City's adopted Utility Undergrounding Ordinance.
2. All new dry utilities to serve the project shall be constructed underground.
3. The project owner shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground

BUILDING DIVISION:

VI: GENERAL

1. **Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Community Development, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive

ADM 19-0092
April 5, 2022
Page 17

compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

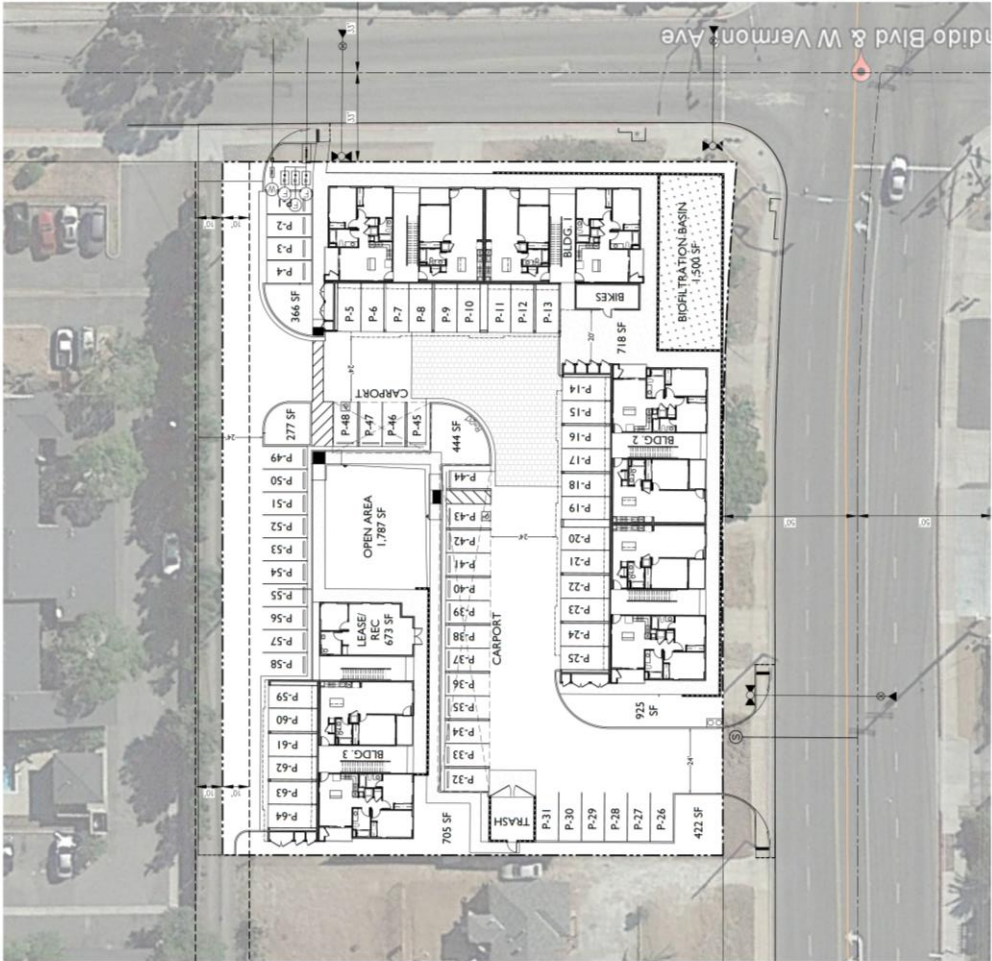
As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

ADM 19-0092
April 5, 2022
Page 18

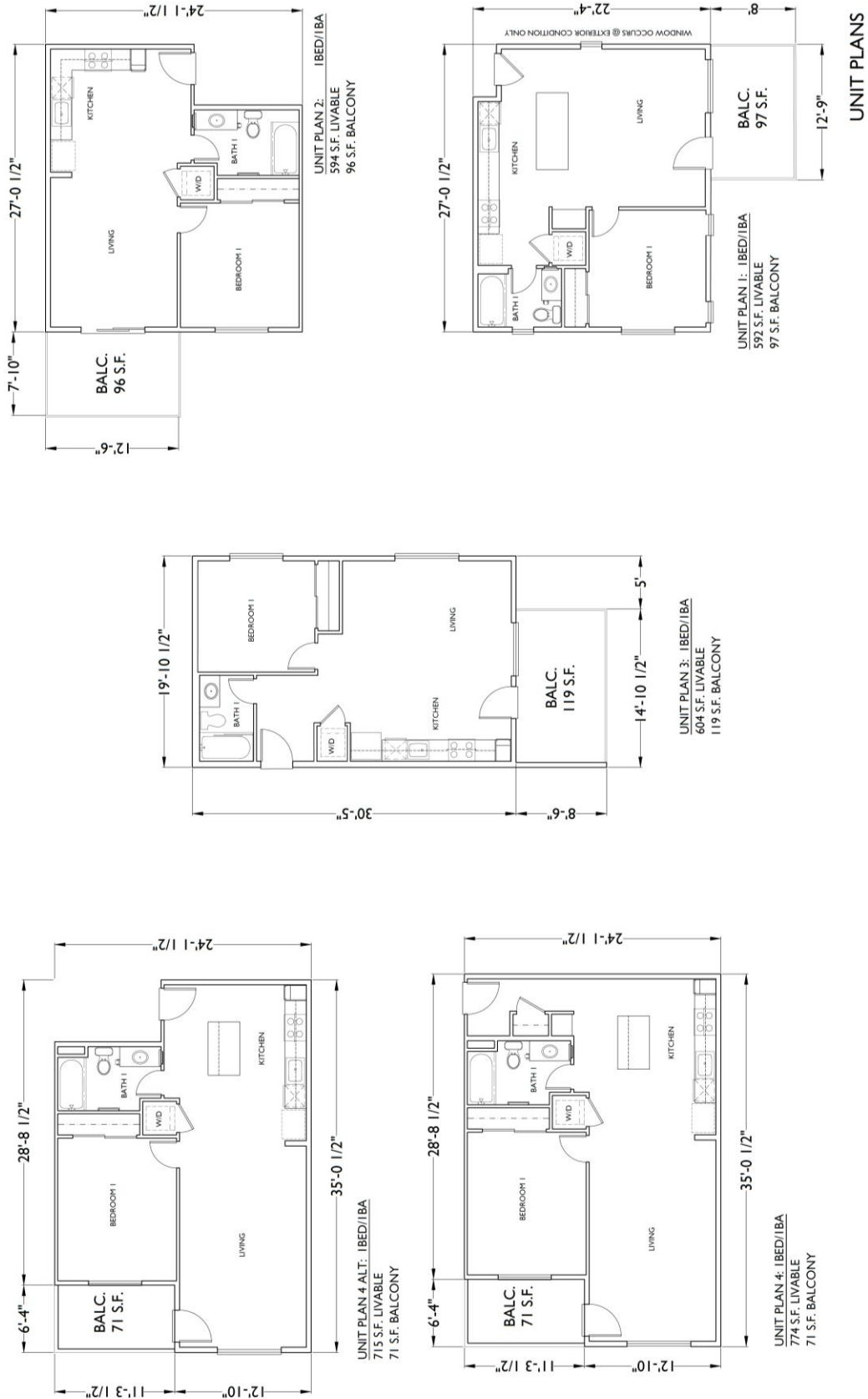
EXHIBIT B
PROJECT PLANS
ADM 19-0092

3 STORY MULTI-FAMILY			
APN: 236-260-34, 35, 36 & 37			
44 TOTAL UNITS			
11,606 S.F. (2,716 S.F.)			
40 DU/ACRE			
LOT COVERAGE = 34.1% (16,377 S.F.)			
FAR = 98.1% (47,017 S.F.)			
BUILDING AREA SUMMARY			
BLDG 1: 1ST FLOOR - 5,897 S.F.			
2ND FLOOR - 5,413 S.F.			
3RD FLOOR - 4,681 S.F.			
TOTAL AREA = 16,281 S.F.			
BLDG 2: 1ST FLOOR - 6,267 S.F.			
2ND FLOOR - 6,435 S.F.			
3RD FLOOR - 5,797 S.F.			
TOTAL AREA = 18,499 S.F.			
BLDG 3: 1ST FLOOR - 4,123 S.F.			
2ND FLOOR - 4,307 S.F.			
3RD FLOOR - 4,307 S.F.			
TOTAL AREA = 12,737 S.F.			
UNIT SUMMARY			
PLAN	QTY	TYPE	GROSS BALC
PL 1	4	1 BD/1 BA	590 SF 97
PL 2	4	1 BD/1 BA	594 SF 96
PL 3	4	1 BD/1 BA	604 SF 119
PL 4	9	1 BD/1 BA	774 SF 71
PL 4 ALT	2	1 BD/1 BA	715 SF 71
PL 5	4	1 BD/1 BA	604 SF 0
PL 6	4	2 BD/2 BA	799 SF 0
PL 7	11	2 BD/2 BA	799 SF 50
PL 8	2	3 BD/2 BA	1,153 SF 65
ALL GROUND FLOOR UNITS ARE ADA ADAPTABLE			
UNITS			
237 S.F. BIKE STORAGE ROOM			
OPEN SPACE SUMMARY			
2,709 S.F. PRIV. BALCONIES (50 SF MIN/ST DIM)			
5,644 S.F. COMMON OPEN			
6,555 S.F. COMMON AREAS			
9,026 S.F. TOTAL (20.1 S.F./UNIT)			
PARKING SUMMARY			
44 CARPORT/COVERED STALLS			
20 OPEN			
64 STALLS TOTAL (1.45 STALLS/UNIT)			
STORAGE - 3,821 CUFT / 44 DU = 86.8 CUFT/UNIT			
PROJECT SHALL BE SPRINKLERED PER NFP 13R			
AND ALARMED PER NFP 72			
(DEFERRED SUBMITTAL)			
CONSTRUCTION TYPE - VA			

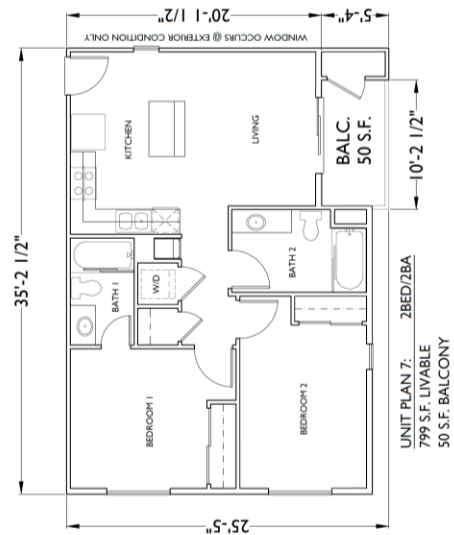
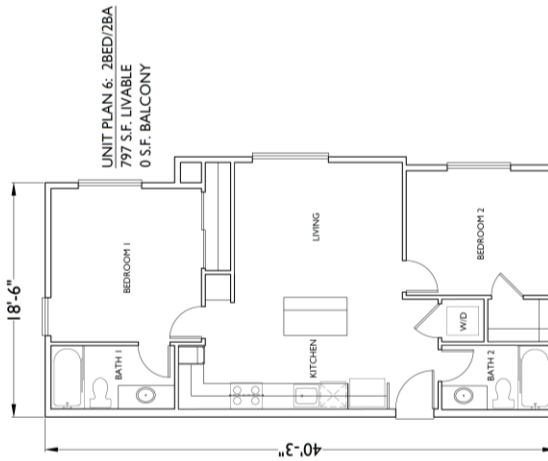
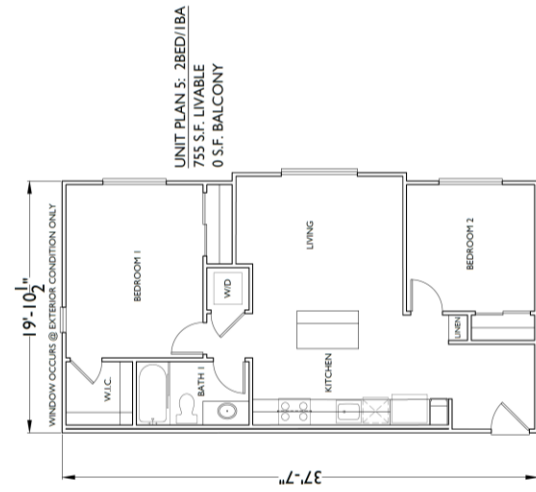
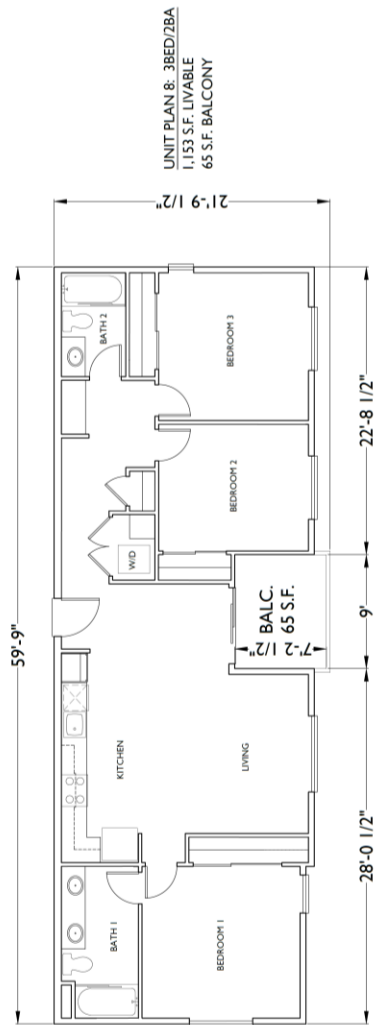
SITE PLAN



ADM 19-0092
April 5, 2022
Page 19



ADM 19-0092
April 5, 2022
Page 20

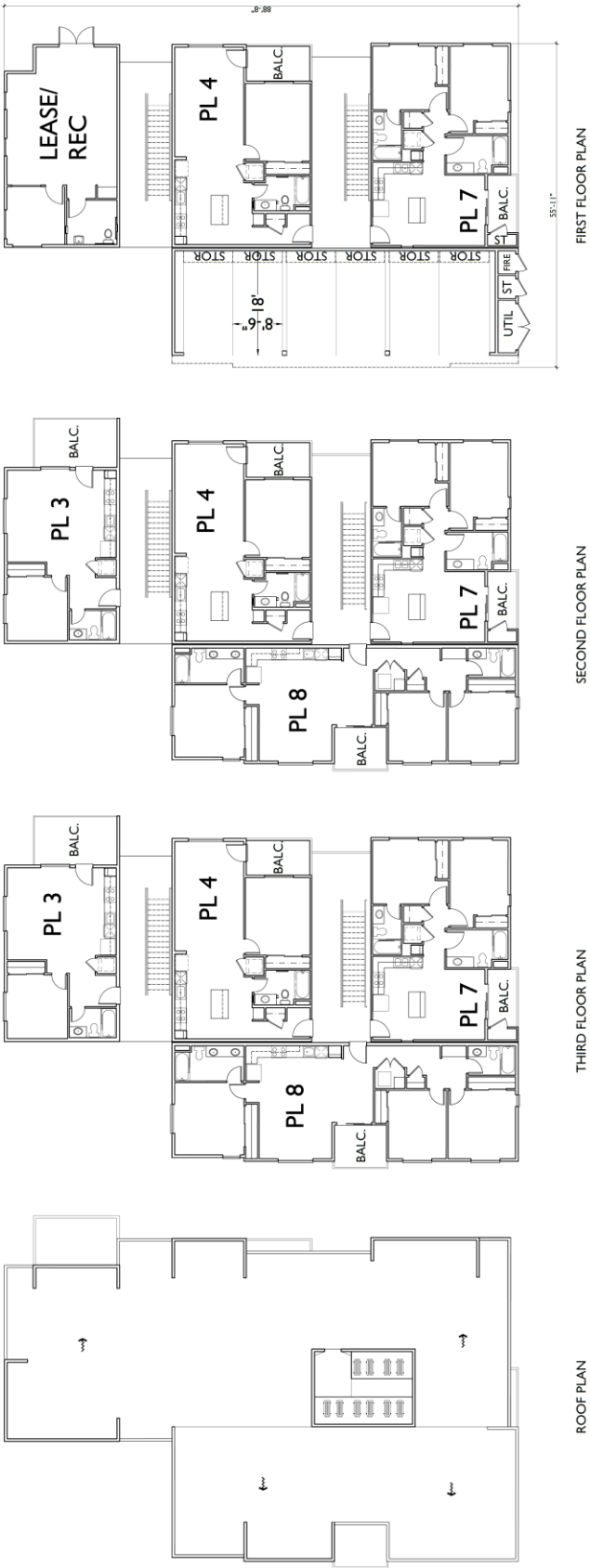




ADM 19-0092
April 5, 2022
Page 22



ADM 19-0092
April 5, 2022
Page 23



- MATERIAL SCHEDULE
- 1. STUCCO PARAPET WALL AT FLAT ROOF
 - 2. EXTERIOR SAND FINISH STUCCO
 - 3. EXTERIOR STUCCO
 - 4. DECORATIVE STUCCO RECESS
 - 5. LOW STUCCO WALL AT PATIO
 - 6. EXTERIOR STUCCO
 - 7. DECORATIVE METAL AWNING
 - 8. METAL REGLET
 - 9. EXTERIOR LIGHT FIXTURE



NORTHEAST (RIGHT) ELEVATION



NORTHWEST (REAR) ELEVATION



SOUTHWEST (LEFT) ELEVATION



SOUTHEAST (FRONT) ELEVATION

BUILDING I ELEVATIONS

ADM 19-0092
 April 5, 2022
 Page 25

EXHIBIT "C" LEGAL DESCRIPTION ADM 19-0092

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: [236-260-34](#))

THAT PORTION OF LOT 1 IN BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 1; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE THEREOF 425.20 FEET TO THE MOST SOUTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO CHARLES STEED ET UX, RECORDED [DECEMBER 1, 1947 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS](#), SAID CORNER BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LAND NORTH 30°45' WEST 62 FEET TO THE MOST EASTERLY CORNER OF THE LAND DESCRIBED IN DEED TO LAWRENCE A. CROW, ET UX, RECORDED FEBRUARY 25, 1952 IN BOOK 4380, PAGE 195 OF OFFICIAL RECORDS; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LAND SOUTH 59°16' WEST 202.46 FEET MORE OR LESS TO A POINT IN THE NORTHEASTERLY LINE OF LAND CONVEYED TO STATE OF CALIFORNIA FOR HIGHWAY PURPOSES BY DEED RECORDED [JULY 27, 1936 IN BOOK 540, PAGE 187 OF OFFICIAL RECORDS](#); THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE BEING ALONG THE ARC OF A 1550 FOOT RADIAL CURVE CONCAVE SOUTHWESTERLY 62 FEET MORE OR LESS TO A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 59°16' EAST ALONG SAID SOUTHEASTERLY LINE 190.60 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

PARCEL 2: (APN: [236-260-35](#))

THAT PORTION OF LOT 1 IN BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), MADE BY J.N. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE, RECORDED [DECEMBER 1, 1847 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS](#); THENCE NORTH 30°45' WEST ALONG THE SOUTHWESTERLY LINE OF STEED LAND 62 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 60 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT A DISTANCE OF 60 FEET TO INTERSECTION WITH LINE BEARING SOUTH 59°16' WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.46 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 3: (APN: [236-260-36](#))

THAT PORTION OF LOT 1, BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), BY J.M. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE, RECORDED

ADM 19-0092
April 5, 2022
Page 26

DECEMBER 1, 1947 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE OF STEED LAND 122.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 60.0 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, A DISTANCE OF 60 FEET TO THE INTERSECTION WITH A LINE BEARING SOUTH 59°16' WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.45 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 4: (APN: 236-260-37)

THAT PORTION OF LOT 1, BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725 BY J.M. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE AND RECORDED DECEMBER 1, 1947, IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE OF STEED LAND 182 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 75.00 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT A DISTANCE OF 75.0 FEET TO AN INTERSECTION WITH A LINE BEARING SOUTH 59°16' WEST FROM A TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.46 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

ADM 19-0092
 April 5, 2022
 Page 27

EXHIBIT D

NOTICE OF EXEMPTION ADM 19-0092



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

Notice of Exemption

To: San Diego Assessor/Recorder/County Clerk Attn: Fish & 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
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Project Title/Case No.: Vermont Avenue Apartments/ADM 19-0092

Project Location - Specific: 1860, 1866, 1870, and 1896 S. Escondido Blvd. (APNs 236-260-37-00, 236-260-36-00, 236-260-35-00, and 236-260-34-00)

Project Location - City: Escondido

Project Location - County: San Diego

Description of Project:

The project is a Plot Plan for a new apartment complex, consisting of 44 total units across three buildings. Units will range in size from 592 to 1,153 square feet, and will contain one to three bedrooms each. Amenities will include indoor/outdoor recreation areas, private storage, private balconies or patios for most units, and in-unit laundry. An off-street parking lot containing 44 parking spaces will be provided, as well as landscaping and bioretention facilities. The project includes a density bonus of 12 units in addition to the 32 units allowed by current zoning, with four units being reserved for very low-income households in accordance with state density bonus law. As a concession for affordable units, the project includes less open space than normally required for a multi-family project.

ADM 19-0092
April 5, 2022
Page 28

Public Agency Approving Project: City of Escondido

Person or Agency Carrying Out Project: Gina Garza, Touchstone Communities
9909 Mira Mesa Boulevard, Suite 150,
San Diego, CA 92131
(858) 257-4060

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

Exempt Status: Categorical Exemption. The Plot Plan is exempt under CEQA Guidelines section 15332, "Infill Development".

Reasons why project is exempt:

1. The project is consistent with the applicable General Plan designation and all applicable General Plan policies, as well as with the South Centre City Specific Plan.
2. The project site is located within City of Escondido limits, on a site that is less than five acres in size, and is substantially surrounded by urban uses.
3. The project site has no value as habitat for endangered, rare, or threatened species.
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Lead Agency Contact Person: Sean Nicholas, Principal Planner

Area Code/Telephone/Extension: (760) 839-4546

Signature: _____
Sean Nicholas, Principal Planner Date _____

☒ Signed by Lead Agency Date received for filing at OPR: _____

☐ Signed by Applicant

April 11, 2023

By email only: (gmattson@escondido.org)

Greg Mattson, Planner
City of Escondido
201 North Broadway
Escondido, CA 92025-2798

Re: Request to Amend Major Plot Plan (Planning Case No. ADM 19-0092)

Dear Mr. Mattson:

I represent Alfa Made, LLC (“Alfa Made”), the new owner and developer of a 44-unit apartment complex, including landscaping and off-street parking located at 1860, 1866, 1870, and 1896 S. Escondido Boulevard, which was entitled by a Major Plot Plan (Planning Case No. ADM 19-0092) on April 5, 2022. The purpose of this letter is to request a modification pursuant to Escondido Municipal Code (“EMC”) section 33-1315(c) to add fencing to the project and to delete the Plot Plan General Condition of Approval Number 15 (“COA 15”), which reads as follows:

Community Facility District or Funding Mechanism. The Applicant shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding to be determined by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District (“CFD”) or the establishment of another lawful funding mechanism reasonably acceptable to the City (“Public Services Funding Agreement”). The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager’s designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City’s issuance of any permit for the Project.

Presumably, this Condition of Approval refers to annexation into Community Facilities District (“CFD”) No. 2020-1, as that is the only citywide CFD in currently in existence. For the reasons discussed in more detail below, Alfa Made’s Plot Plan should be amended to delete General COA 15.

The Project Is Entitled to an Additional Incentive or Concession Under the Escondido Density Bonus Law

The Project will create forty (40) workforce units and four (4) affordable (very low income) housing units on a site with prior single-family residential use. The Project was entitled to two incentives under Escondido’s Density Bonus law, even though it only took advantage of one. The breakdown of the application of density bonus and incentives is as follows:

DENSITY BONUS – Escondido Municipal Code ¹	
CALCULATION	
Allowable Units at Max Density	32
Affordable Units Provided (Very Low Income) (13% of Allowed Units)	4
Density Bonus Units (42.5% per EMC 33-1413(b)(1)(B)=14 units, but Alfa Made only taking 12)	12
Base Units	32
Density Bonus Units	12
Total Units	44
Market Rate Units	40
Affordable Units	4
Total Units	44
% Affordable per EMC 33-1414(b) ²	13%
Incentives Allowed Per EMC 33-1414(a)(1)(A) Table E	2

The Project only used one density bonus concession: reduced open space. As such, it was entitled to a second incentive or concession. Alfa Made requests a financial incentive—elimination of COA 15—as its second incentive.

The California density bonus law directs cities to grant incentives, concessions and waivers to developers providing affordable housing projects. (Ca. Gov. Code § 65915.). The City of Escondido has complied with the state requirement in its municipal code. Escondido Municipal Code (“EMC”) section 33-1414(D) allows the City to grant regulatory incentives or concessions proposed by the developer that result in identifiable, financially sufficient, and actual cost reductions that contribute to the economic feasibility of a project. EMC section 33-1414(E) allows the City to provide direct financial incentives in the form of a waiver of fees or dedication requirements.

Community Facilities District No. 2020-1 is Legally Unsound

On February 26, 2021, the Building Industry Association of San Diego County filed a Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief against the City of Escondido and the City Council of Escondido (“Petition”) challenging the legality of Council Resolution No. 2020-44

¹ All calculations for density bonus that result in a fraction are rounded up. EMC 33-1412(b).

² The density bonus incentive calculation is based on the original number of allowable units (32 in this case) and does not include the density bonus units. EMC 33-1413(a).

(“Resolution”), which establishes the requirement of future annexation into the CFD.³ The Petition alleges the CFD was improperly formed, the Resolution and the CFD violate California state law and the California Constitution, and that the City Council acted without proper authority, among many other allegations. The lawsuit is underway, and no trial date has been set.

Alfa Made submits the City should not be implementing the CFD and Resolution until the lawsuit is decided. It is arbitrary and capricious to subject Alfa Made to a requirement that is legally questionable, if not unconstitutional.

The CFD is Inequitable

CFD No. 2020-1 was enacted to finance public services for a new single-family, large-scale master planned community subdivision at the edge of the City limits. There had never been any other development there, and extending necessary public services came with a cost. That cost was covered by CFD No. 2020-1. The City went on to require all new residential projects be included in the CFD. Alfa Made’s Project is a multi-family, workforce, infill project that is replacing existing development. At least some of the costs contemplated by CFD No. 2020-1 are already provided for in the current budget. The blanket application of CFD No. 2020-1 ignores the locational efficiencies of infill development.

On November 16, 2022, the Escondido City Council directed staff to review the CFD, suggesting that the applicability of the CFD is very much in flux. The CFD should not be applied until the City Council has sorted its applicability.

Alfa Made Will Pay Significant Fees For the Project Without COA 15

The Project will pay approximately \$1,372,492.00 in development impact fees. Furthermore, the property taxes will increase from approximately \$7,000.00 per year to more than \$176,000.00 per year. Conversely, the CFD requirement would decrease the value of the Project by \$821,000.00 annually, causing the Project severe economic hardship.

The City has waived the annexation into the CFD in the past. The Council made a decision not to apply the CFD of some much larger market-rate housing development on the former Palomar Hospital site which was in the pipeline at the time of CFD approval. While exempting pipeline projects is common, the practical result is more workhouse and affordable housing projects inequitably bear extraordinary financial burdens beyond the already significant impact fees and taxes that will be paid for the project.

For the foregoing reasons, Alfa Made respectfully requests the City waive COA 15 for this affordable housing project.

³ *Building Industry of San Diego County v. City of Escondido, et al.*, Superior Court for the County of San Diego, Case No. 37-2021-00008423.

Fencing

In addition to the above, Alfa Made is submitting the attached documentation in support of modifying the plot plan to allow for fencing around the Project.

Thank you for your attention to this request for modification.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrea Contreras".

Andrea Contreras


Cc: Andrew Firestine (afirestine@escondido.org)

ADM19-0092ACKNOWLEDGMENT AND ACCEPTANCE OF CONDITIONS OF APPROVAL

I hereby certify that I am the owner or owner's authorized agent of the property located at 1860 South Escondido Blvd. (APN 236-260-37-00). I am aware that Planning Case No. ADM19-0092, for the construction of a 44-unit apartment project including 4 units reserved for affordable for very-low income, has been conditionally approved for said property.

I acknowledge that I have received and read the Conditions of Approval applied to the Plot Plan, attached as Exhibit "A" to the conditional letter of approval dated April 5, 2022. I understand that development of the project shall occur in accordance with said conditions.

By signing below, I acknowledge my acceptance of the Conditions of Approval applied to the project, and agree to abide by them during project development, implementation, and operation.

Signature:  Date: 4/14/2022
Owner/Agent

Name: Addison Garza, Touchstone Communities
(Printed)

Planning Commission

Hearing Date: September 12, 2023

Effective Date: September 13, 2023

PLANNING COMMISSION RESOLUTION NO. 2023-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL DENY A REQUEST TO MODIFY A MAJOR PLOT PLAN APPROVAL TO ELIMINATE THE REQUIREMENT TO OFFSET COSTS ASSOCIATED WITH FUNDING OF ONGOING MUNICIPAL SERVICES

APPLICANT: Vermont Escondido Apartments, LLC

CASE NO: PL23-0176 and ADM19-0092

WHEREAS, Vermont Escondido Apartments, LLC ("Applicant"), filed a land use development application, Planning Case No. Planning Case No's PL23-0176 and ADM19-0092 ("Application"), constituting a request for a Plot Plan for a 44-unit apartment complex, inclusive of a density bonus request which included four deed-restricted very-low-income units ("Project"), on a 1.05-acre site located at 1860, 1866, 1870 & 1896 S. Escondido Blvd. (Assessor's Parcel Numbers 236-260-34-00, 236-260-35-00, 236-260-36-00, and 236-260-37-00), in the South Centre City Specific Plan; and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as though fully set forth herein ("Property"); and

WHEREAS, the Project was approved by the Director of Development Services, on April 5, 2022, 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, the Applicant filed a request to modify the Project on April 11, 2023, in order to eliminate a condition of approval requiring the funding of ongoing operational costs of providing municipal services to the project; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and hereby recommends denial of the request. Such denial keeps in-tact the Director's April 5, 2022, decision to approve the Project subject to all Conditions of Approvals, shown in Exhibit "B" 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 waiver request in accordance with City and State public noticing requirements; and

WHEREAS, on September 12, 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 person's 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 September 1, 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. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and on its behalf, the Planning Commission makes the following substantive findings and determinations, attached hereto as Exhibit "C," 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.

3. The Planning Commission hereby recommends that the City Council deny the request to modify the Project approval and maintain all Conditions applied to the Project approval.

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 12nd day of September, 2023, by the following vote, to wit:

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

RICK PAUL, Chair
Escondido Planning Commission

ATTEST:

Secretary of the Escondido Planning Commission

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

Alexander Rangel, Minutes Clerk
Escondido Planning Commission

Exhibit "A"

Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: [236-260-34](#))

THAT PORTION OF LOT 1 IN BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 1; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE THEREOF 425.20 FEET TO THE MOST SOUTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO CHARLES STEED ET UX, RECORDED [DECEMBER 1, 1947 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS](#), SAID CORNER BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LAND NORTH 30°45' WEST 62 FEET TO THE MOST EASTERLY CORNER OF THE LAND DESCRIBED IN DEED TO LAWRENCE A. CROW, ET UX, RECORDED FEBRUARY 25, 1952 IN BOOK 4380, PAGE 195 OF OFFICIAL RECORDS; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LAND SOUTH 59°16' WEST 202.46 FEET MORE OR LESS TO A POINT IN THE NORTHEASTERLY LINE OF LAND CONVEYED TO STATE OF CALIFORNIA FOR HIGHWAY PURPOSES BY DEED RECORDED [JULY 27, 1936 IN BOOK 540, PAGE 187 OF OFFICIAL RECORDS](#); THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE BEING ALONG THE ARC OF A 1550 FOOT RADIAL CURVE CONCAVE SOUTHWESTERLY 62 FEET MORE OR LESS TO A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 59°16' EAST ALONG SAID SOUTHEASTERLY LINE 190.60 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

PARCEL 2: (APN: [236-260-35](#))

THAT PORTION OF LOT 1 IN BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), MADE BY J.N. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE, RECORDED [DECEMBER 1, 1847 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS](#); THENCE NORTH 30°45' WEST ALONG THE SOUTHWESTERLY LINE OF STEED LAND 62 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 60 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT A DISTANCE OF 60 FEET TO INTERSECTION WITH LINE BEARING SOUTH 59°16' WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.46 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 3: (APN: [236-260-36](#))

THAT PORTION OF LOT 1, BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), BY J.M. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE, RECORDED

EXHIBIT A
(Continued)

DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE, RECORDED DECEMBER 1, 1947 IN [BOOK 2563, PAGE 7](#) OF OFFICIAL RECORDS; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE OF STEED LAND 122.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 60.0 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, A DISTANCE OF 60 FEET TO THE INTERSECTION WITH A LINE BEARING SOUTH 59°16' WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.45 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 4: ([APN: 236-260-37](#))

THAT PORTION OF LOT 1, BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#) BY J.M. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE AND RECORDED DECEMBER 1, 1947, IN [BOOK 2563, PAGE 7](#) OF OFFICIAL RECORDS; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE OF STEED LAND 182 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 75.00 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT A DISTANCE OF 75.0 FEET TO AN INTERSECTION WITH A LINE BEARING SOUTH 59°16' WEST FROM A TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.46 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 5:

A NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS FOR ALLEY PURPOSES OVER THE SOUTHWESTERLY 10 FEET OF LAND DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 1 IN BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE ALONG THE SOUTHEASTERLY LINE THEREOF, SOUTH 59° 16' WEST, 312.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT, NORTH 30° 45' WEST 367 FEET; THENCE PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, SOUTH 59° 16' WEST 112.70 FEET; THENCE PARALLEL WITH SAID NORTHEASTERLY LINE OF LOT 1, SOUTH 30° 45' EAST, 400 FEET TO THE CENTER LINE OF THE STREET ADJOINING SAID LOT ON THE SOUTHEAST AS SHOWN ON SAID [MAP NO. 725](#); THENCE ALONG SAID CENTER LINE, NORTH 59° 16' EAST 112.70 FEET TO AN INTERSECTION WITH A LINE BEARING SOUTH 30° 45' EAST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 30° 45' WEST, 33 FEET TO THE TRUE POINT OF BEGINNING.

[APN: 236-260-34, 35, 36 & 37](#)

Adam Finestone, AICP
Interim Director of Community Development
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4671 Fax: 760-839-4313

April 5, 2022

Ms. Gina Garza
Touchstone Communities
9909 Mira Mesa Boulevard Suite 150
San Diego, CA 92131

Subject: 44-unit affordable housing project (ADM19-0092)

Location: 1860 S. Escondido Blvd. (APN: 236-260-37-00)

Applicant: Touchstone Communities

Dear Ms. Garza:

This letter serves to inform you that the City of Escondido has completed its review, and does hereby conditionally approve Planning Case No. ADM 19-0092, which is a Major Plot Plan for the construction of a three-story, 44-unit apartment complex, including landscaping and off-street parking. The General Plan land use designation for the property is SPA (Specific Plan Area 15). The subject property is zoned SP (Specific Plan – South Centre City Specific Plan) and allows multi-family residential developments up to 30 units per acre. Density bonuses are allowed per Article 67 of the City of Escondido Zoning Code.

This approval is subject to the Conditions of Approval attached as Exhibit "A" hereto. Compliance with the Conditions of Approval must be demonstrated on subsequently submitted plans for the project (building plans, grading/improvement plans, landscape plans, etc.). Said plans shall be in substantial conformance with those attached as Exhibit "B" hereto and on file with the Planning Division, except as modified by the Conditions in Exhibit "A."

Please note that the Plot Plan was reviewed for consistency with current City ordinances and policies and in no way vests any rights to the developer to construct to these standards in the future, should the City ordinances and policies change. Additionally, please be aware that the Plot Plan was reviewed based on the assumption that the legal description for the subject property furnished by you, the applicant, and attached as Exhibit "C" hereto, is accurate, and that all easements, covenants, conditions, and other encumbrances and restrictions relating to the property have been completely and accurately depicted, described, disclosed, etc. Neither the City of Escondido nor any of its officers or employees assumes responsibility for the accuracy of said information.

PLAN PROCESSING REQUIREMENTS:

Three (3) revised copies of the Plot Plan reflecting the Conditions of Approval shall be submitted for review by the Planning Division. Said Plot Plan must be certified by the Planning Division prior to submittal of other plans (building, grading, landscape, etc.) for the project.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City's Development Fee Inventory on file in both the

ADM 19-0092
April 5, 2022
Page 2

Community Development and Engineering Services Departments. Said fees shall be paid prior to or concurrent with the issuance of building permits, in accordance with the prevailing fee schedule in effect at the time of building permit issuance. The project may also be subject to dedications, reservations, and exactions as specified in the conditions of approval. NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this letter begins on the date of this letter and any such protest must be in a manner that complies with Section 66020.

ENVIRONMENTAL DETERMINATION

This project has been determined to be exempt from environmental review, pursuant to CEQA regulations. A Notice of Exemption has been prepared for the project, a copy of which is attached to this letter as Exhibit "D." Approval of the subject project includes approval of the CEQA exemption.

The City of Escondido hereby notifies the applicant that the San Diego County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). The applicant shall remit to the City of Escondido Planning Division a check payable to the "San Diego County Clerk" in the amount of \$50.00 within two working days of the date of this letter. Per California Environmental Quality Act (CEQA) section 15062, the filing of a Notice of Exemption and the posting with the San Diego County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's determination that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

CONCLUSION

The owner, or his/her authorized agent, shall sign the Acknowledgement and Acceptance of Conditions of Approval form included with this letter, and submit that within ten (10) days of receipt of this letter. Approval of this Plot Plan, including the Conditions of Approval applied to it, may be appealed as prescribed in Section 33-1303 of the Escondido Zoning Code. If no appeal is filed, the approval shall become final on the 11th day following the date of this letter.

This Plot Plan approval will expire one year from the date of this letter. If no building permit is obtained during this period, the approval shall be considered null and void. A one-year extension of the conditional approval may be granted, after consideration of the Director of Community Development, upon written request and submittal of the required fee prior to the expiration date.

Please be advised that if you seek judicial review of the final decision in this matter pursuant to Code of Civil Procedure section 1094.5, the time within which judicial review must be sought is governed by California Code of Civil Procedure section 1094.6.

ADM 19-0092
April 5, 2022
Page 3

Please feel free to contact me at (760) 839-4546, or via email at snicholas@escondido.org, if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Nicholas". The signature is fluid and cursive, with the first name "S." being more prominent.

Sean Nicholas, AICP
Principal Planner

Exhibits:

- A. Conditions of Approval
- B. Project Plans
- C. Legal Description
- D. CEQA Notice of Exemption

ADM 19-0092
 April 5, 2022
 Page 4

EXHIBIT "A"

PLANNING CASE NOS. ADM19-0092 CONDITIONS OF APPROVAL ADM 19-0092

This Project is conditionally approved as set forth on the application received by the City of Escondido on May 16, 2019, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all designated as approved on April 5, 2022, and shall not be altered without express authorization by the Community Development Department.

For the purpose of these conditions, the term "Applicant" shall also include the Project proponent, owner, permittee, and the Applicant's successors in interest, as may be applicable.

I. GENERAL

- 1. Acceptance of Permit.** If the Applicant fails to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a.** Acceptance of the Permit by the Applicant; and
 - b.** Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
- 2. Permit Expiration.** This Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 3. Certification.** The Director of Community Development, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and

modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. Three copies of final Approved Plan set, shall be submitted to the Planning Division for certification. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.

4. Conformance to Approved Plans.

- a.** The operation and use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
- b.** Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
- c.** Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Community Development to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.

5. Limitations on Use. Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.

6. Certificate of Occupancy.

- a.** No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
- b.** Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Community Development.

7. Availability of Permit Conditions.

- a.** Prior to building/grading permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Community Development.
- b.** The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.

8. Right to Entry. The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.

9. Compliance with Federal, State, and Local Laws. Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. Fees. The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.

ADM 19-0092
 April 5, 2022
 Page 7

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

- 11. Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

PLANNING DIVISION

II. GENERAL:

1. One trash enclosure and enclosed area dedicated for recyclable materials shall be provided, and shall be screened from public view. The design, size, location, appropriate access and method of roofing of the enclosure shall be detailed on the building plans and approved by the Planning Division and Engineering Services Department.
2. The architectural elevations (design, color, materials, etc.) for the project shall be as shown on the color elevations approved by City Staff Design Review on December 6, 2018, and revised December 13, 2018, which are on file in the Planning Division, except as modified by these conditions of approval. Any changes to the approved architecture shall require review further design review by City staff.
3. All mechanical equipment (ground level, wall-mounted, and/or roof mounted) and appurtenances shall be screened from public view to the satisfaction of the Planning Division. The preferred method of screening is by screen wall, landscaping, building parapet, or other architectural feature, which shall be clearly demonstrated on the building plans to the satisfaction of the Planning Division
4. All new exterior lighting shall be arranged so as not to reflect upon adjoining property or streets. Exterior lighting shall conform to Article 35 of the Zoning Code. Photometric plans and lamp/light fixture specifications shall be included with the building plans.
5. Minor utility equipment, such as utility meters which are less than thirty-six (36) inches in height and width, or junction boxes shall be screened to the maximum extent practicable through the use of the building design integration and concealment, enclosure, or surface color paint matching, and be screened by walls or fences or sight-obscuring landscaping.
6. All new utility service shall be underground.

7. This project shall conform to the Public Art Partnership Program, Article 37 of the Escondido Zoning Code.
8. No outside storage is approved for this site (aside from residential storage boxes, or storage closets for management/employee use, as shown on the approved plans and/or conditioned herein).
9. The minimum area of usable open space as approved for the plot plan shall be provided and noted on the plans. Common areas shall measure a minimum of ten (10) feet in all directions and may include outdoor landscaping, walks, fountains, recreational facilities, etc. and interior common recreation areas. All private areas directly accessed from residential units shall measure a minimum of five feet in all directions.
10. A minimum of eighty (80) cubic feet of private storage area shall be provided for each dwelling unit. The storage shall have a minimum of dimension of two (2) feet, and shall be in addition to normally expected cabinets and closets.
11. Approval of this plot plan in no way implies approval of any sign or sign location. A separate permit is required.
12. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning, Engineering, and Building Divisions have been completed.
13. The plans submitted for building permits shall include notes or details containing the necessary work involved in complying with these project conditions.
14. The applicant shall work with the Housing Division to record the required covenants for the provision of at least 4 of the 44-unit project to be for very low-income households. The agreement shall be a minimum of 55 years. The agreement shall be recorded prior to issuance of any construction permits (Engineering or Building).
15. **Community Facility District or Funding Mechanism.** The Applicant shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding to be determined by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District ("CFD") or the establishment of another lawful funding mechanism reasonably acceptable to the City ("Public Services Funding Agreement"). The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager's designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City's issuance of any permit for the Project.

III. PARKING:

1. A minimum of 64 parking spaces shall be required in conjunction with the proposed project, as shown on the approved plans. At least 44 of these spaces must be covered.
2. All parking spaces shall be double-striped to a minimum dimension of eight and one-half feet wide and 18 feet deep.
3. The required number of parking spaces for disabled persons must be provided. Said spaces shall be 17-feet wide and 18-feet deep, level, and marked "Van Accessible". All spaces must comply with Chapter 2-71, Part 2 of Title 24 of the State Building Code. The grading plans shall indicate that the slope of the disabled access parking will not exceed 2%.
4. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
5. The parking lot shall be striped in conformance with the revised site plan submitted on August 5, 2021.
6. Provisions for electric vehicle charging station(s) must be provided in conformance with the California Building Code.

IV. LANDSCAPING:

1. A Landscape Documentation Package shall be prepared for the project by, or under the supervision of, a licensed design professional and shall conform to Article 62 of the Escondido Zoning Code, and to the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO). The plans shall indicate any existing trees or landscaping that are to remain as well as new landscape areas.
2. All existing and proposed landscaping shall be permanently maintained in a flourishing manner. Any landscaping that is removed shall be replaced and noted on the site plan to the satisfaction of the Planning Division.
3. All areas in this proposed development, which are not used for structures, parking, driveways, approved storage, or walkways utilities shall be landscaped.
4. The landscape plan shall be revised to reflect the required revisions to the site plan. It shall also show all locations of fire hydrants, transformers, utility boxes, driveways, utility easements and other easements of record.
5. Appropriate screening landscaping shall be required around any transformers and shall be shown on the landscape plan to the satisfaction of the Planning Division.

ADM 19-0092
 April 5, 2022
 Page 10

6. Trees located within six-feet of pavement shall be provided with root barriers.
7. A minimum of three (3) street trees will be required along each project frontage (South Escondido Blvd and W. Vermont), and shall be shown on the landscape plan. The minimum tree size shall be 15-gallon, six feet tall planted, and have a tree trunk caliper of at least two inches. The precise location and species of trees shall be consistent with current street tree list. Existing trees may be counted as street trees if their variety, location, and size meet minimum requirements and they are identified on the landscape plan. Street trees should be located behind the ultimate right-of-way line.
8. Required front, side, and rear yard setbacks shall be landscaped with trees, shrubs, and groundcover, and/or turf (where permitted), and shown on the final landscape plans to the satisfaction of the Planning Department. Plant selection shall be low-water, drought tolerant species.
9. The revised site plan and/or landscape plan shall incorporate measures to the satisfaction of the Planning Division, which screen peripheral views of parking areas from adjacent streets and alleys. Possible screening measures may include a combination of screen walls, fencing, or landscaping in connection with berming.
10. A separate exhibit shall be included in the landscape plans that shows the common area in front of the south elevation.
11. All required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner prior to occupancy. The required landscape areas shall be free of all foreign matter, weeds and plant materials not approved as part of the landscape plan.
12. The installation of the landscaping and irrigation shall be inspected by the project design professional upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
13. All landscaping shall be permanently maintained in a flourishing manner. All permanent irrigation shall be maintained in fully operational condition.

ENGINEERING SERVICES DEPARTMENT:

V. General

1. The project owner shall provide the City Engineer with a Title Report covering subject property.

2. The location of any existing on-site utilities and drainage facilities shall be determined by the Engineer. If a conflict occurs with proposed structures, these facilities shall be relocated subject to approval of the owner of the utility/facility prior to issuance of Building Permits for the structure in conflict.
3. Improvement plans prepared by a Civil Engineer are required for all public alley, street and utility improvements and a Grading/Private Improvement plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. All improvements shall be completed prior to issuance of an Occupancy Permit.
4. As surety for the construction of required off-site or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of Grading and Improvement plans and issuance of Building Permits.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
6. All new public improvements shall be constructed in a manner that does not damage existing public improvements designated to remain. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
7. The project owner shall submit to the Planning Department 3 copies of the approved Plot Plan to be certified by the Planning Department and must be included in the first submittal for plan check.

STREET IMPROVEMENTS AND TRAFFIC

1. Public streets improvements shall be designed and constructed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.
2. The developer may be responsible for an overlay of S. Escondido Blvd and Vermont Avenue due to the many utility trenches necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.
3. The alley along the project's frontage shall be widened 2 feet with full structural section paving and shall be repaired with a minimum 1 1/2" grind and 2" asphalt concrete overlay. All existing cracked or damaged concrete shall be replaced to the satisfaction of the City Engineer.

4. The developer shall design the project entrance off 10th Avenue as a 24-foot wide Alley-type driveway apron per Escondido Standard Drawing G-5-E.
5. All damaged, lifted, or cracked concrete sidewalk, curbs and gutters, on South Escondido Blvd and W. Vermont shall be replaced, and due to utility trenching and project construction activities, a 1 1/2" min. grind and 2" min. asphalt concrete overlay may be required as directed by the City Engineer.
6. All unused driveways shall be removed and replaced with full height curb, gutter, and sidewalk in accordance with City standards.
7. The project owner will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
8. Adequate horizontal sight distance shall be provided at all street intersections and driveway entrances. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.

An engineered improvement plan is required for all public improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.

GRADING

1. A site grading and erosion control plan shall be prepared by a Registered Civil Engineer approved by the Engineering Department prior to issuance of building permits. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations. The project shall conform to the City of Escondido's Storm Water Management Requirements. Both Construction BMPs and Permanent Treatment BMPs shall be provided for the project.
2. A site landscaping and irrigation plan shall be submitted with the 2nd submittal of the Grading Plan to the Engineering Department.
3. Erosion control, including riprap, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
4. All on-site private improvements shall be designed in accordance with the City's Design Standards and shall be subject to review and approval by the Fire, Engineering, and Planning Departments.

ADM 19-0092
 April 5, 2022
 Page 13

5. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.
6. The developer shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities associated with this project.
7. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
8. A Construction General Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one (1) or more acres. A WDID number shall be obtained and included on the grading plans and permit.
9. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches.
10. After the approval of the site grading and erosion control plan, and prior to the start of construction of the grading and onsite improvements, the developer will be required to obtain a Grading Permit and Encroachment Permit from the Engineering Field Office.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The project shall limit drainage flows to their pre-construction rates. Details and calculations shall be submitted and approved as part of the grading plan check.
3. The project owner shall be responsible for design and construction of all permeable surfaces proposed for the project to the specifications of the version of the [County of San Diego Green Streets manual](#) approved by the county at the time the grading permits are issued. All permeable surfaces within the project footprint that are subject to vehicular traffic shall be designed for H20 loading.
4. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts of the building shall be directed to landscaping to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.

5. All on-site trash enclosure areas shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer.
6. The project owner shall perpetually maintain all permeable surfaces in accordance to the standards established by the County of San Diego Green Streets manual in effect at the time the grading permits are issued. City shall have the right to inspect all permeable surfaces as needed to ensure they function as designed. City shall have the right to require qualified third party testing at the property owner's expense when surface failure is suspected. Contractor qualifications are outlined in the County of SD Green Streets manual. The project owner will be required to repair or reinstall the permeable surface for all failing surfaces to County of SD Green Streets manual standards in place at the time of the grading permit. In the event of failure to maintain the permeable pavers system that result in not functioning as designed, the project owner will be responsible to replace the pervious pavers system with an alternate method of storm water treatment system or will be required to transition the project to a priority storm water development project by complying with the applicable requirements, including development of a Storm Water Quality Management Plan and the installation of structural best management practices.

*All site grading and erosion control plans shall be prepared by a Registered Civil Engineer. A separate submittal to the Engineering Department is required for the site grading and erosion control plans. Plans will **not** be forwarded from the Building Department.*

UTILITIES

1. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public water improvements and sewer connections. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required fire service and /or fire hydrant improvements shall be constructed prior to issuance of final occupancy by the City.
2. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

WATER SUPPLY

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
2. No trees or deep rooted plants shall be planted within 10 feet of any water service.

ADM 19-0092
April 5, 2022
Page 15

3. The project owner is required to design and construct water improvements for the project in accordance with City Design Standards and Standard Drawings and to the requirements of Utilities Engineer.
4. The project may be required to construct a water main from Escondido Blvd., through the site and connect it to the existing water main in the alley in order to serve the required fire hydrant. New water meters shall be connected and meters located on either Escondido Blvd or Vermont.
5. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer

SEWER

1. Separate sewer laterals may be required to be installed from the public main to each building and shall be 6" PVC minimum with a standard clean-out at the property line. All sewer laterals shall be installed at right angle to the main in conformance with the Design Standards.
2. All unused and abandoned laterals and services shall be removed or capped and so noted on the improvement plans to the satisfaction of the Director of Utilities.
3. No trees or deep rooted plants shall be planted within 10' of sewer mains and sewer laterals. All sewer laterals are private and shall be maintained by the owner.
4. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

EASEMENTS AND DEDICATIONS

1. The project owner shall dedicate 2 feet of right-of-way along the alley on the north side of the parcel.
2. Necessary public utility easements (for sewer, water and storm drain) shall be granted to the City. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly to the requirements of Director of Utilities.
3. All existing easements, both private and public, affecting subject property shall be shown and delineated on the plot plan and grading plans.
4. The project owner is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the Grading and Building Permits. If an easement of record contains an existing

ADM 19-0092
 April 5, 2022
 Page 16

utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to issuance of the Grading or Building Permits, as determined by the City Engineer.

Material necessary for processing a dedication or easement shall include: a current grant deed or title report, a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying (document size) and traverse closure tapes. The City will prepare all final documents

REPAYMENTS, FEES AND CASH SECURITIES

1. The developer will be required to pay all development fees of the City in effect at the time, and in such amounts as may prevail when Building Permits are issued.
2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public/private property and improvements, install new BMP's, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for clean-up or damage will be drawn from this security. The remaining portion of this clean-up security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, retaining wall, landscaping, and best management practices item of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the project boundary or along the project's alley or street frontages shall be relocated underground as required by the City's adopted Utility Undergrounding Ordinance.
2. All new dry utilities to serve the project shall be constructed underground.
3. The project owner shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground

BUILDING DIVISION:

VI: GENERAL

1. **Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Community Development, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive

ADM 19-0092
April 5, 2022
Page 17

compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

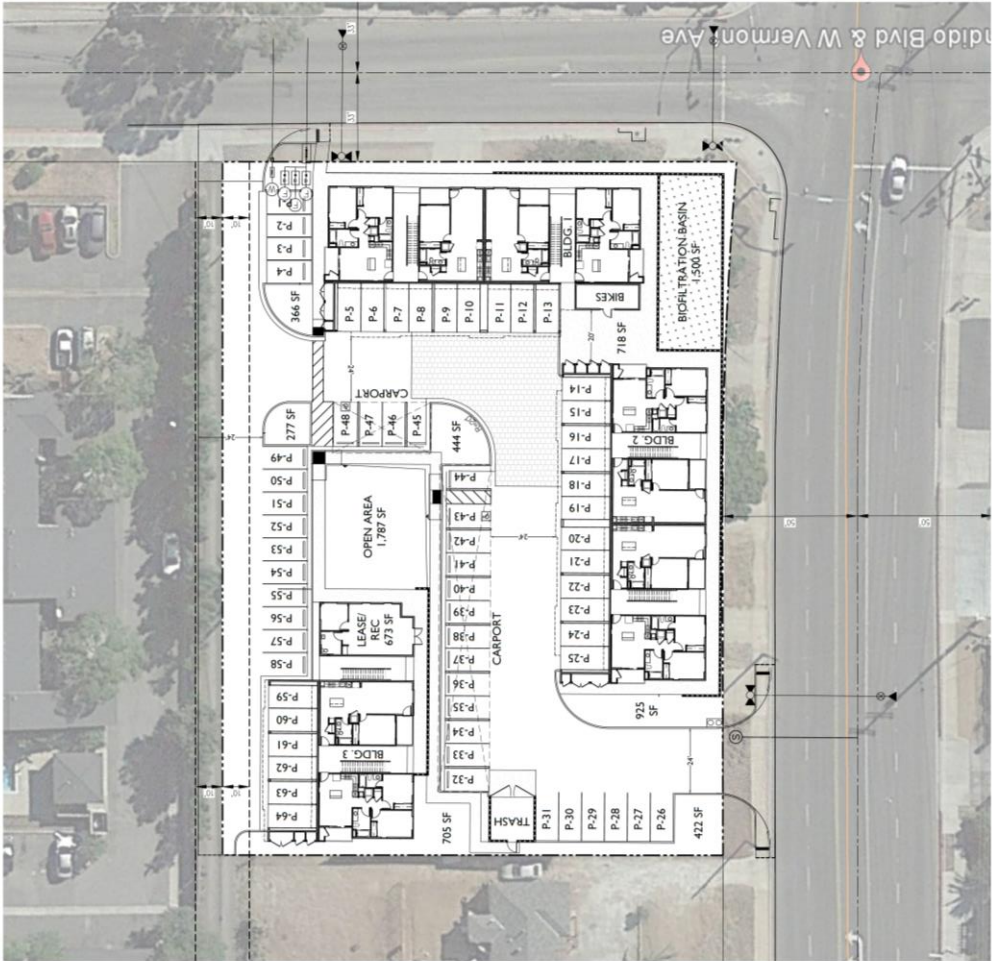
As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

ADM 19-0092
April 5, 2022
Page 18

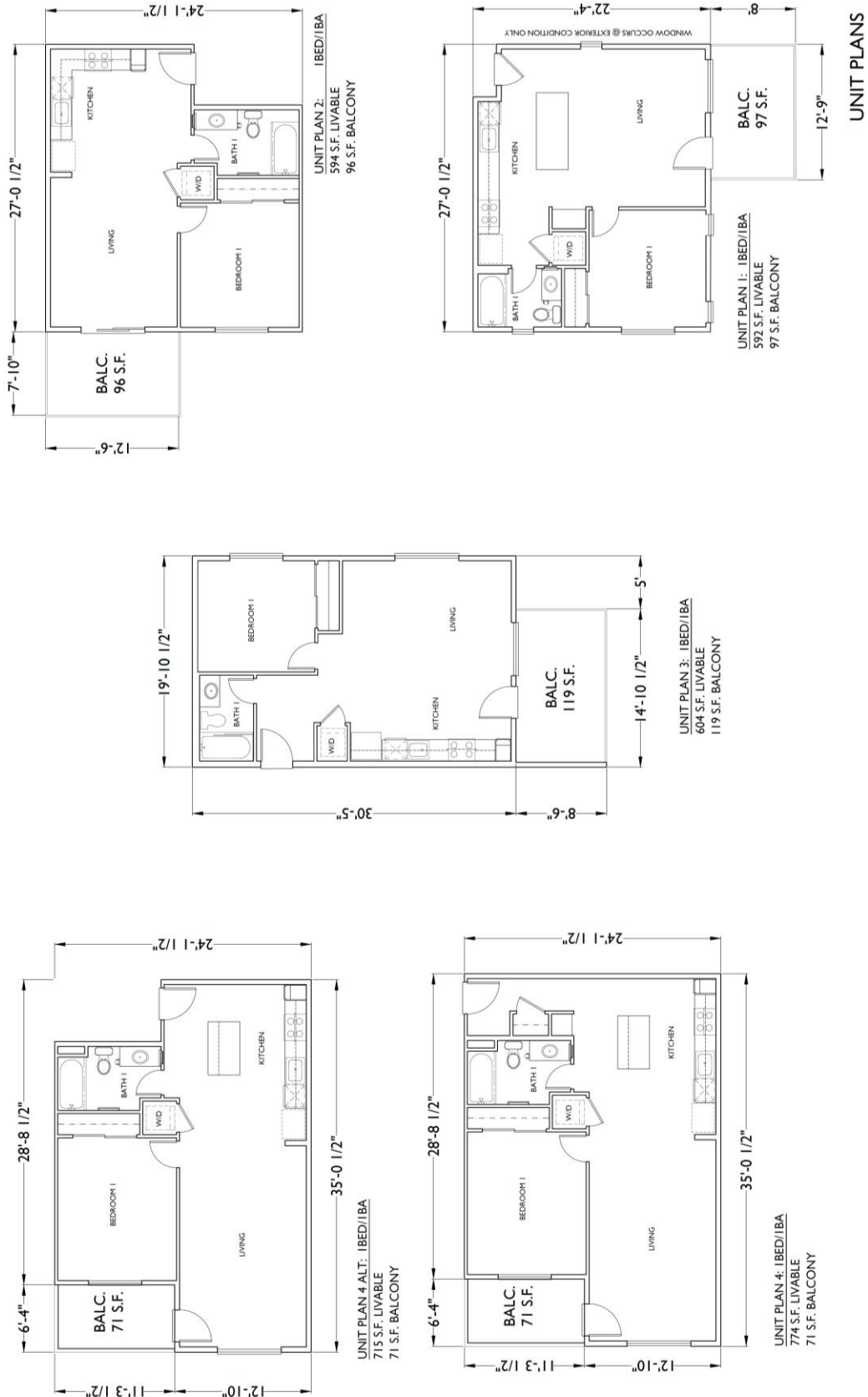
EXHIBIT B
PROJECT PLANS
ADM 19-0092

3 STORY MULTI-FAMILY			
APN: 236-260-34, 35, 36 & 37			
44 TOTAL UNITS			
11,606 S.F. (1,916 S.F.)			
40 DU/ACRE			
LOT COVERAGE = 34.1% (16,377 S.F.)			
FAR = 98.1% (47,017 S.F.)			
BUILDING AREA SUMMARY			
1ST FLOOR - 5,897 S.F.			
2ND FLOOR - 5,413 S.F.			
3RD FLOOR - 4,681 S.F.			
TOTAL AREA = 16,281 S.F.			
BLDG 1:			
1ST FLOOR - 6,267 S.F.			
2ND FLOOR - 6,435 S.F.			
3RD FLOOR - 5,797 S.F.			
TOTAL AREA = 18,499 S.F.			
BLDG 2:			
1ST FLOOR - 4,123 S.F.			
2ND FLOOR - 4,307 S.F.			
3RD FLOOR - 4,307 S.F.			
TOTAL AREA = 12,737 S.F.			
BLDG 3:			
1ST FLOOR - 4,123 S.F.			
2ND FLOOR - 4,307 S.F.			
3RD FLOOR - 4,307 S.F.			
TOTAL AREA = 12,737 S.F.			
UNIT SUMMARY			
PLAN	QTY	TYPE	GROSS
PL 1	4	1 BD/1 BA	590 SF
PL 2	4	1 BD/1 BA	594 SF
PL 3	4	1 BD/1 BA	604 SF
PL 4	9	1 BD/1 BA	774 SF
PL 4 ALT	2	1 BD/1 BA	715 SF
PL 5	4	1 BD/1 BA	715 SF
PL 6	4	2 BD/2 BA	799 SF
PL 7	11	2 BD/2 BA	799 SF
PL 8	2	3 BD/2 BA	1,153 SF
ALL GROUND FLOOR UNITS ARE ADA ADAPTABLE			
UNITS			
237 S.F. BIKE STORAGE ROOM			
OPEN SPACE SUMMARY			
2,709 S.F. PRIV. BALCONIES (50 SF MIN/ST DIM)			
5,644 S.F. COMMON OPEN			
6,555 S.F. COMMON OPEN			
9,026 S.F. TOTAL (20.1 S.F./UNIT)			
PARKING SUMMARY			
44 CARPORT/COVERED STALLS			
20 OPEN			
64 STALLS TOTAL (1.45 STALLS/UNIT)			
STORAGE - 3,821 CUFT / 44 DU = 86.8 CUFT/UNIT			
PROJECT SHALL BE SPRINKLERED PER NFP 13R			
AND ALARMED PER NFP 72			
(DEFERRED SUBMITTAL)			
CONSTRUCTION TYPE - VA			

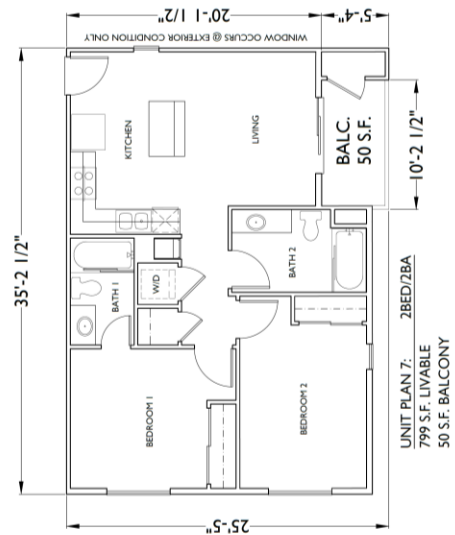
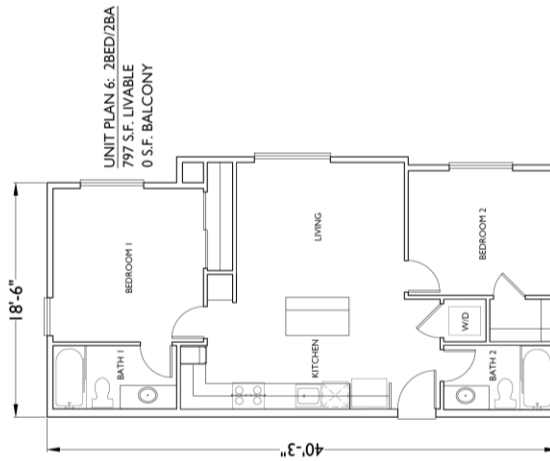
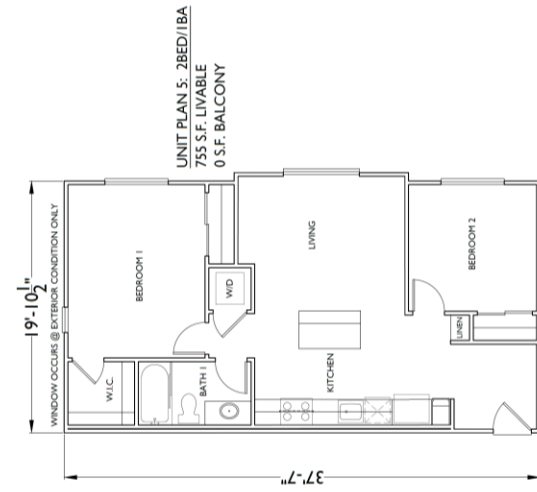
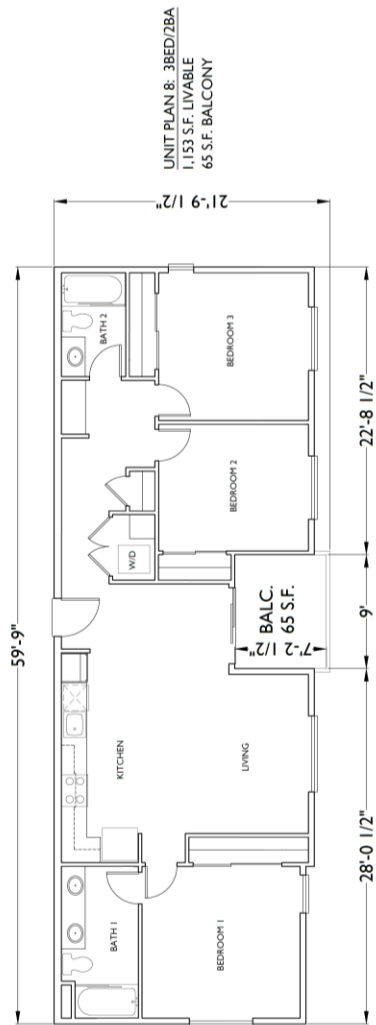
SITE PLAN



ADM 19-0092
April 5, 2022
Page 19



ADM 19-0092
April 5, 2022
Page 20



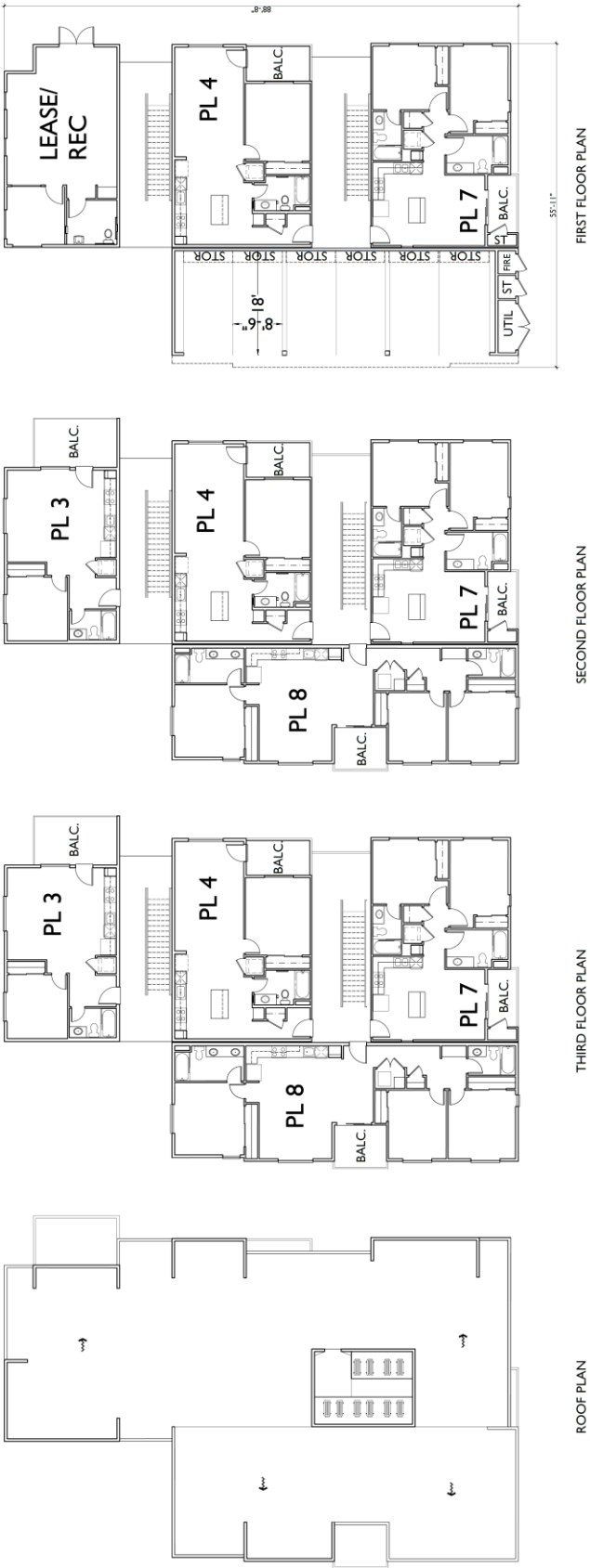
ADM 19-0092
April 5, 2022
Page 21



ADM 19-0092
April 5, 2022
Page 22



ADM 19-0092
April 5, 2022
Page 23



BLDG PLAN 3

- MATERIAL SCHEDULE
- 1. STUCCO PARAPET WALL AT FLAT ROOF
 - 2. EXTERIOR SAND FINISH STUCCO
 - 3. EXTERIOR STUCCO
 - 4. DECORATIVE STUCCO RECESS
 - 5. LOW STUCCO WALL AT PATIO
 - 6. EXTERIOR STUCCO
 - 7. DECORATIVE METAL AWNING
 - 8. METAL REGLET
 - 9. EXTERIOR LIGHT FIXTURE



NORTHEAST (RIGHT) ELEVATION



NORTHWEST (REAR) ELEVATION



SOUTHWEST (LEFT) ELEVATION



SOUTHEAST (FRONT) ELEVATION

BUILDING | ELEVATIONS

ADM 19-0092
 April 5, 2022
 Page 25

EXHIBIT "C" LEGAL DESCRIPTION ADM 19-0092

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: [236-260-34](#))

THAT PORTION OF LOT 1 IN BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 1; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE THEREOF 425.20 FEET TO THE MOST SOUTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO CHARLES STEED ET UX, RECORDED [DECEMBER 1, 1947 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS](#), SAID CORNER BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LAND NORTH 30°45' WEST 62 FEET TO THE MOST EASTERLY CORNER OF THE LAND DESCRIBED IN DEED TO LAWRENCE A. CROW, ET UX, RECORDED FEBRUARY 25, 1952 IN BOOK 4380, PAGE 195 OF OFFICIAL RECORDS; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LAND SOUTH 59°16' WEST 202.46 FEET MORE OR LESS TO A POINT IN THE NORTHEASTERLY LINE OF LAND CONVEYED TO STATE OF CALIFORNIA FOR HIGHWAY PURPOSES BY DEED RECORDED [JULY 27, 1936 IN BOOK 540, PAGE 187 OF OFFICIAL RECORDS](#); THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE BEING ALONG THE ARC OF A 1550 FOOT RADIAL CURVE CONCAVE SOUTHWESTERLY 62 FEET MORE OR LESS TO A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 59°16' EAST ALONG SAID SOUTHEASTERLY LINE 190.60 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

PARCEL 2: (APN: [236-260-35](#))

THAT PORTION OF LOT 1 IN BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), MADE BY J.N. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE, RECORDED [DECEMBER 1, 1847 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS](#); THENCE NORTH 30°45' WEST ALONG THE SOUTHWESTERLY LINE OF STEED LAND 62 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 60 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT A DISTANCE OF 60 FEET TO INTERSECTION WITH LINE BEARING SOUTH 59°16' WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.46 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 3: (APN: [236-260-36](#))

THAT PORTION OF LOT 1, BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO [MAP THEREOF NO. 725](#), BY J.M. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE, RECORDED

ADM 19-0092
 April 5, 2022
 Page 26

DECEMBER 1, 1947 IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE OF STEED LAND 122.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 60.0 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, A DISTANCE OF 60 FEET TO THE INTERSECTION WITH A LINE BEARING SOUTH 59°16' WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.45 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 4: (APN: 236-260-37)

THAT PORTION OF LOT 1, BLOCK 253 OF RANCHO RINCON DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 725 BY J.M. GRAHAM, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE SOUTH 59°16' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 425.20 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES STEED AND ELIZABETH STEED, HUSBAND AND WIFE AND RECORDED DECEMBER 1, 1947, IN BOOK 2563, PAGE 7 OF OFFICIAL RECORDS; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE OF STEED LAND 182 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30°45' WEST ALONG SAID SOUTHWESTERLY LINE 75.00 FEET; THENCE SOUTH 59°16' WEST 202.55 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT A DISTANCE OF 75.0 FEET TO AN INTERSECTION WITH A LINE BEARING SOUTH 59°16' WEST FROM A TRUE POINT OF BEGINNING; THENCE NORTH 59°16' EAST 202.46 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

ADM 19-0092
 April 5, 2022
 Page 27

EXHIBIT D

NOTICE OF EXEMPTION ADM 19-0092



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

Notice of Exemption

To: San Diego Assessor/Recorder/County Clerk Attn: Fish & 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
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Project Title/Case No.: Vermont Avenue Apartments/ADM 19-0092

Project Location - Specific: 1860, 1866, 1870, and 1896 S. Escondido Blvd. (APNs 236-260-37-00, 236-260-36-00, 236-260-35-00, and 236-260-34-00)

Project Location - City: Escondido

Project Location - County: San Diego

Description of Project:

The project is a Plot Plan for a new apartment complex, consisting of 44 total units across three buildings. Units will range in size from 592 to 1,153 square feet, and will contain one to three bedrooms each. Amenities will include indoor/outdoor recreation areas, private storage, private balconies or patios for most units, and in-unit laundry. An off-street parking lot containing 44 parking spaces will be provided, as well as landscaping and bioretention facilities. The project includes a density bonus of 12 units in addition to the 32 units allowed by current zoning, with four units being reserved for very low-income households in accordance with state density bonus law. As a concession for affordable units, the project includes less open space than normally required for a multi-family project.

ADM 19-0092
April 5, 2022
Page 28

Public Agency Approving Project: City of Escondido

Person or Agency Carrying Out Project: Gina Garza, Touchstone Communities
9909 Mira Mesa Boulevard, Suite 150,
San Diego, CA 92131
(858) 257-4060

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

Exempt Status: Categorical Exemption. The Plot Plan is exempt under CEQA Guidelines section 15332, "Infill Development".

Reasons why project is exempt:

1. The project is consistent with the applicable General Plan designation and all applicable General Plan policies, as well as with the South Centre City Specific Plan.
2. The project site is located within City of Escondido limits, on a site that is less than five acres in size, and is substantially surrounded by urban uses.
3. The project site has no value as habitat for endangered, rare, or threatened species.
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Lead Agency Contact Person: Sean Nicholas, Principal Planner

Area Code/Telephone/Extension: (760) 839-4546

Signature: _____
Sean Nicholas, Principal Planner Date _____

☒ Signed by Lead Agency Date received for filing at OPR: _____

☐ Signed by Applicant

EXHIBIT “C”

FINDINGS OF FACT

The Planning Commission has reviewed the record, and makes the following findings for the denial of the Plot Plan modification to eliminate a condition of approval requiring funding of ongoing operational costs of providing municipal services required by the Project.

- a. On September 23, 2020, following multiple public hearings, the City Council adopted a policy requiring all new residential development approved after May 13, 2020, to pay for their ongoing costs of providing municipal services.
- b. Granting of the requested modification is contrary to the City Council adopted policy requiring future residential projects to fund all on-going operational costs of providing municipal services.



STAFF REPORT

September 12, 2023

PL23-0061 – Comprehensive Sign Ordinance Update

PROJECT NUMBER / NAME: PL23-0061 – Comprehensive Sign Ordinance Update.

REQUEST: Status report on Sign Ordinance update based on feedback received from the Planning Commission subcommittee, and the City Council Economic Development Subcommittee.

PROPERTY SIZE AND LOCATION: Citywide

APPLICANT: Development Services Department

GENERAL PLAN / ZONING: N/A

PRIMARY REPRESENTATIVE: Ivan Flores, AICP
Associate Planner

DISCRETIONARY ACTIONS REQUESTED: N/A

PREVIOUS ACTIONS: On May 23, 2023, the Planning Commission formed a subcommittee to discuss the Sign Ordinance Update

CEQA RECOMMENDATION: Not a project under CEQA, pursuant to CEQA Guidelines Section 15378 (b)(5)

STAFF RECOMMENDATION: None.

REQUESTED ACTION: None.

CITY COUNCIL HEARING REQUIRED: ☐ YES ☒ NO

REPORT APPROVALS: ☐ Andrew Firestine, Director of Development Services

☐ Adam Finestone, City Planner



CITY of ESCONDIDO

STAFF REPORT

Item 4.

BACKGROUND

The 2022/2023 Planning Commission Work Plan identifies a range of policies to be considered through its two-year horizon, and includes a comprehensive update to Article 66 (Sign Ordinance) of the Escondido Zoning Code.

SUMMARY OF REQUEST

At this time, Planning staff is providing an update on the feedback received from the Planning Commission subcommittee and the City Council Economic Development Subcommittee.

SUPPLEMENTAL DETAILS OF REQUEST

In June, Planning staff met with the Planning Commission subcommittee comprised of Chair Paul, Vice Chair Barba, and Commissioner Barber. The attached memo was provided to the subcommittee prior to the meeting (see Attachment 1).

On August 7, Planning staff presented to the City Council Economic Development Subcommittee. A summary of both meetings is provided below.

Planning Commission Subcommittee Feedback

The subcommittee was generally supportive of the effort and the direction of the sign ordinance update. The main discussion points can be broken down as follows:

Definitions: The subcommittee discussed the inclusion of new definitions to reflect changing technologies and nomenclature related to signs. Additionally, the subcommittee identified redundant terms that may be deleted from the sign ordinance.

Signs for businesses no longer in service: There was a robust discussion on signs for businesses no longer in service. Staff conveyed to the subcommittee that this was an enforcement issue, but will research other cities policies to see if there is an appropriate tool or process for the removal of such signs.

Sign Design Guidelines: The City of Escondido has sign design guidelines that were adopted by resolution separately from the Sign Ordinance. The subcommittee supports the incorporation of sign design guidelines into the sign ordinance. Staff will review surrounding cities to understand the implication of incorporating the sign design guidelines into the ordinance itself.

Signs within the public right of way: The subcommittee had general concerns regarding the placement of signs within the public right of way, specifically signs related to realtors. The current sign ordinance has regulations for real estate signs; however, these signs do not require a sign permit. Staff does not anticipate requiring a permit for these signs, but will explore additional standards regarding placement within the City.

Comprehensive Sign Programs: A significant change that staff is exploring as a part of the comprehensive update is the allowance for deviation from sign ordinance standards through a Comprehensive Sign Program (CSP). Currently, CSPs reiterate provisions of the sign ordinance and only regulate color, type of sign, and consistency among signs within a center. The only processes for deviating from the sign ordinance are the adoption of a Specific Plan or Master Plan; however, the adoption of these plans for the sole purpose of signage is overly burdensome. Allowance



CITY of ESCONDIDO

STAFF REPORT

Item 4.

for deviation from sign ordinance standards through a CSP is currently allowed in some nearby cities (notably Carlsbad and Vista). The subcommittee was supportive of this effort, and staff will evaluate the implications of incorporating this into the sign ordinance update.

City Council Economic Development Subcommittee

Staff provided a brief presentation the City Council Economic Development Subcommittee (comprised of Mayor White and Deputy Mayor Garcia). The conversation focused on the following items:

Digital Media Signage: Staff is exploring the allowance of digital media signage within certain properties in the City. The subcommittee is supportive of this type of signage within the City, and the potential inclusion of public service announcements as a condition of their approval. Staff will continue researching the appropriate application process and design parameters for this type of sign.

"For Lease" Signage: The subcommittee had a brief discussion regarding "For Lease" signs, particularly for tenant spaces that were no longer vacant. This concern is similar to the concerns the Planning Commission subcommittee had relative to signs for business no longer in service. Staff will evaluate current enforcement language within the sign ordinance and explore potential solutions to this through the code compliance process.

Methodology for calculating sign area: Planning staff is also evaluating the calculation used to determine allowable sign area (that is the amount of signage a business is allowed). Escondido is an outlier in this respect as most nearby cities calculate allowable sign area based on building and/or lot frontage while Escondido uses building square footage. The current method is disadvantageous for smaller tenants or end cap tenants within shopping centers. The subcommittee was generally supportive of an alternative method to allow more signage for businesses within the City.

ENVIRONMENTAL ANALYSIS

The primary purpose of this agenda item is to provide an update to the Planning Commission on the feedback received from the Planning Commission subcommittee and the City Council Economic Development Subcommittee. The content of this agenda report is provided for informational purposes only, and is "not a project" under the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines section 15378(b)(5), which excludes from the definition of "project" "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment."

CONCLUSION AND RECOMMENDATION

Planning staff will continue working through the sign ordinance update through the course of the year. Staff anticipates having the ordinance to the Planning Commission for a recommendation to City Council in late Winter.

ATTACHMENTS

1. Planning Commission Subcommittee Memo



PLANNING COMMISSION

TO: Planning Commission Subcommittee

FROM: Ivan Flores, AICP, Associate Planner

SUBJECT: Sign Ordinance Update Purpose and Goals

The purpose of this memorandum is to provide a brief background to the Planning Commission subcommittee on why the Planning Division is undertaking an update to the Sign Ordinance (Article 66), and proposed modifications to the sign ordinance. This memo will also outline the role of the Planning Commission in this process, and the purpose of this subcommittee.

Scope of Work

The proposed project entails the repeal and replacement of Article 66 ("Sign Ordinance"), which will create new regulations for signage within the City of Escondido. In addition to new regulations, the new ordinance will consolidate, simplify, and clarify existing regulations that will remain as a part of the update. The new regulations include, but are not limited to: increased sign area allowance, inclusion of new types of signage within the City, provisions to allow for deviations from the sign ordinance, operational standards, and signage for temporary uses.

Background

The Sign Ordinance ("Ordinance") was first adopted by City Council on November 4, 1992 (Ordinance No. 92-47 – see attached document). Additionally, the City Council adopted sign design guidelines (Resolution N. 92-441) to further regulate sign design. The Ordinance has been revised over the last two decades with the most recent update earlier this year (Ord. No. 2023-07); however, this effort represents the first comprehensive update to the Ordinance as the foundation of the Ordinance has remained largely intact including minimum allowable sign area square-footage, calculation method for determining allowable sign area, and general structure.

Planning Commission and Subcommittee Role

The Sign Ordinance exist to regulate signage within the City of Escondido on private property. It is the intent of the sign ordinance to preserve and enhance the aesthetic values of the community while respecting the rights of business owners to publicize their business. The Planning Commission acts as an advisory body to the Council on the adoption of the final ordinance. The Planning Commission has jurisdiction over the following types of sign permits:

- o Reviews Regional Market Signs with recommendation to City Council

- o Electronic changeable copy signs – design review
- o Appeals of the Director’s decision on signage
- o Director may refer sign permits to the Planning Commission
- o Zoning Administrator approves comprehensive sign program

Overview of Proposed Changes

The following section will provide a brief overview of the changes that are being considered under the update.

(Section 33-1390 – Purpose and Applicability): The purpose and applicability section outline the purpose of the sign ordinance, and a general statement as to its applicability to signs. **Staff does not anticipate any changes to this section.**

(Section 33-1391 – Definitions): This section outlines the definition for terms used throughout the sign ordinance. **Staff does anticipate changes to this section to be made to remove, clarify, and add new terms.**

(Section 33-1392 – Permit Administration): This section outlines the process for obtaining a sign permit and required material (e.g., site plan, photos, etc.). **Staff does anticipate modifications to the section. Most notably, streamlining the sign permit process by combining it with the building permit process. This section also discusses the Comprehensive Sign Program which may have its own section.**

(Section 33-1393 – Exempt and Prohibited Signs): This section outlines the types of signs that are not required to obtain a sign permit, and signs that are not allowed within the City. **Staff does not anticipate any changes to this section.**

(Section 33-1394 – Construction and Maintenance of Signs): This section outlines the general construction and maintenance standards for signs. **Staff does anticipate changes to this section to include lighting standards.**

(Section 33-1395 – Sign Standards – General): This section outlines regulations for freestanding signs. **Staff does anticipate removing this section to cover another topic, or removing it entirely.**

(Section 33-1395.1 through Section 33-1395.12 – Sign Standards for Type of Sign and Zone): These sections comprise the bulk of the sign regulations pertaining to the types of signs that are allowed within the City. **Staff does anticipate substantive changes to these section; most notably, staff intends to consolidate these sections.**

(Section 33-1396 – General Use Signs): This section covers temporary signage within the City, in addition to regulations for specific types of uses including on-site subdivision signs, real estate kiosk signs, and sign regulations for nonresidential uses in residential zones. **Staff does anticipate changes to this section. Those changes include adding a separate section for temporary signage, and combining sections with other proposed sections as appropriate.**

(Section 33-1397 – Temporary Signage on Private Property): This section discusses temporary signage on private property that is not commercially related to the use on site including but not limited to signs for political expression. **Staff does anticipate changes to this section.**

(Section 33-1398 – Enforcement and Penalties): This section outlines the penalties associated with not obtaining a sign permit. **Staff does not anticipate any changes to this section.**

(Section 33-1399 – Nonconforming Signs): This section discusses nonconforming signs (legally permitted signs that are out of compliance due to code changes) and the process by which a sign may lose its nonconforming status. **Staff does not anticipate any changes to this section.**

Other Items for Consideration

In addition to the clean up existing sections, staff is also exploring several other items through the sign ordinance update. Those items are as follows:

New Types of Signage/Processed Allowed

1. Allowing Digital Media Signs
2. Allowing Roof Signs
3. Allowing for A-Frame/Sandwich board signs which are currently only allowed in the Downtown Specific Plan.
4. Allowing deviation from the sign ordinance regulations via the Comprehensive Sign Programs.

Sign Design Guidelines

Potentially rescinding them or incorporating them into the sign ordinance. They would have their own section. A similar example would be City of Carlsbad and has been highlighted in their ordinance.

Allowable Sign Area/Methodology

Establishing a minimum or maximum allowable sign area. The Ordinance currently allows for 15 sq. ft. regardless of building size. On that note, another item to be considered is how we calculate the allowable sign area which is currently 1 sq. ft. of sign area for 50 sq. ft. of building area. An example of this is a tenant with a 950 sq. ft. building and who is allowed 19 sq. ft.; the tenant may allocate that 19 sq. ft. to as many signs as they like as long as they don't exceed the maximum. The attached documents from the comparison cities outline their methodology for calculating allowable sign area.

Conclusion

This memo is intended to provide the subcommittee with the background and information needed to make recommendations to staff on the proposed update.



CITY of ESCONDIDO

STAFF REPORT

Agenda Item No. 5

September 12, 2023

Tentative Future Agenda Items

DATE: September 12, 2023

TO: Planning Commissioners

FROM: Chris McKinney, Deputy City Manager

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:

- In-n-Out / Coffee Bean & Tea Leaf
- Goal Line Energy (battery storage facility)
- Costco

Policy Work:

- General Plan Amendment – EVSP Follow-Up
- 2023 Zoning Code Omnibus

Informational Presentations:

- Community Facilities Districts
- North County Mall
- California Environmental Quality Act
- Parklets
- Short-Term Rental Ordinance