

CITY OF ESCONDIDO

Planning Commission and Staff Seating



A. CALL TO ORDER: 7:00 p.m.

B. FLAG SALUTE

C. ROLL CALL:

D. MINUTES: 02/25/20

The Brown Act provides an opportunity for members of the public to directly address the Planning Commission on any item of interest to the public before or during the Planning Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the minutes clerk who will forward it to the chairman.

Electronic Media: Electronic media which members of the public wish to be used during any public comment period should be submitted to the Planning Division at least 24 hours prior to the meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Commission during the meeting are part of the public record and may be retained by the City.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications" which is listed at the beginning and end of the agenda. All persons addressing the Planning Commission are asked to state their names for the public record.

Availability of supplemental materials after agenda posting: any supplemental writings or documents provided to the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

The City of Escondido recognizes its obligation to provide equal access to public services for individuals with disabilities. Please contact the A.D.A. Coordinator, (760) 839-4643 with any requests for reasonable accommodation at least 24 hours prior to the meeting.

The Planning Division is the coordinating division for the Planning Commission.
For information, call (760) 839-4671.

Pursuant to Governor Newsom's Executive Orders, including N-25-20 and N-29-20: Certain Brown Act requirements for the holding of a public meeting have been temporarily suspended and members of the Planning Commission and staff will participate in this meeting via teleconference. In the interest of reducing the spread of COVID-19, members of the public are encouraged to submit their agenda and non-agenda comments online at the following link <https://www.escondido.org/public-comment-form.aspx>. Council Chambers will be closed, no public allowed.

Public Comment: To submit comments in writing, please do so at the following link: <https://www.escondido.org/public-comment-form.aspx>. If you would like to have the comment read out loud at the meeting (not to exceed three minutes), please write "Read Out Loud" in the subject line. All comments received from the public will be made a part of the record of the meeting. The meeting will be available for viewing via public television on Cox Communications Channel 19 (Escondido only). The meeting will also be live streamed online at the following link: <https://www.escondido.org/> and click on the graphic showing "live stream - meeting in progress".

E. 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."

1. Future Neighborhood Meetings

F. ORAL COMMUNICATIONS:

"Under State law, all items under Oral Communications can have no action, and may 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.

G. PUBLIC HEARINGS:

Please try to limit your testimony to 3 minutes.

1. [DOWNTOWN SPECIFIC PLAN AMENDMENT AND CONDITIONAL USE PERMIT – PHG 19-0001; & PHG 19-0002:](#)

REQUEST: An Amendment to the Downtown Specific Plan to allow weddings and receptions as a Conditionally Permitted Use within the Southern Gateway District (SG), which currently prohibits this type of use; and a Conditional Use Permit to conduct weddings and receptions in the rear-yard of a historic property (Wohlford-Ting House), at 209 E. 4th Avenue. The proposed Specific Plan Amendment enables the review and consideration of the site development plan application and would authorize future development of weddings and wedding receptions within the Southern Gateway (SG) District of the Downtown Specific Plan area with issuance of a Conditional Use Permit. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The proposed Downtown Specific Plan Amendment (SPA) would change the use allowance matrix of the Southern Gateway (SG) District. The proposed wedding venue and reception would be located within an approximately 0.48-acre parcel on the southeast side of Kalmia Street and Fourth Avenue, addressed as 209 E. 4th Avenue (APN 233-182-05 & 06).

ENVIRONMENTAL STATUS: Exemptions in conformance with CEQA Guidelines Section 15332, "In-Fill Development Projects," and Section 15061(b)(3), "Common Sense Exemption."

APPLICANT: Kristie Rocco

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

2. ZONING CODE AMENDMENT – AZ 20-0003:

REQUEST: An amendment to the City of Escondido Zoning Code to modify the types and sizes of signage allowed at car wash facilities. The amendment would allow up to one digital menu board sign, up to 24 square feet in size and six (6) feet in height, as well as one pay station, for each vehicle lane at a car wash entrance. The amendment would also allow car wash facilities to install on-site directional signs exceeding two (2) square feet in area and/or three (3) feet in height, with Zoning Administrator approval of a Comprehensive Sign Program. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

ENVIRONMENTAL STATUS: Exempt under CEQA Guidelines Section 15311, "Accessory Structures."

APPLICANT: Mark Watson, The Namou Group

STAFF RECOMMENDATION: Approval to City Council

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

H. CURRENT BUSINESS:

Note: Current Business items are those which under state law and local ordinances do not require either public notice or public hearings. Public comments will be limited to a maximum time of three minutes per person.

I. ORAL COMMUNICATIONS:

"Under State law, all items under Oral Communications can have no action and may be referred to 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.

J. PLANNING COMMISSIONERS

K. ADJOURNMENT

CITY OF ESCONDIDO

**ACTION MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION**

February 25, 2020

The meeting of the Escondido Planning Commission was called to order at 7:00 p.m. by Chairman Spann, in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: James Spann, Chairman; Don Romo, Vice-Chair; Joe Garcia, Commissioner; James McNair, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Michael Cohen, Commissioner; one vacancy.

Staff present: Mike Strong, Assistant Planning Director; Kurt Whitman, Senior Deputy City Attorney; Owen Tunnell, Assistant City Engineer; Adam Finestone, Principal Planner; and Kirsten Peraino, Minutes Clerk.

MINUTES:

Moved by Commissioner Weiler, seconded by Chairman Spann to approve the Action Minutes of the January 14, 2020 Planning Commission meeting. Motion carried unanimously (5-0-0; Cohen was absent and one vacancy).

WRITTEN COMMUNICATIONS: – Received.

FUTURE NEIGHBORHOOD MEETINGS: – None.

ORAL COMMUNICATIONS: – Introduction of new Senior City Attorney, Kurt Whitman.

PUBLIC HEARINGS:

1. ZONING CODE AMENDMENT – AZ 20-0001:

REQUEST: A series of Escondido Municipal Code and Zoning Code Amendments to address changes in state laws, correct errors, and improve existing regulations. The proposal involves minor amendments to Chapter 16 of the Municipal Code (Mobile Food Facilities), and Article 49 (Air Space Condominium and Community Apartment Projects), Article 67 (Density Bonus and Residential Incentives), and Article 70 (Accessory Dwelling Units) of the Escondido Zoning Code. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

ENVIRONMENTAL STATUS: Exemption under the Common Sense (i.e. “General Rule”), CEQA Section 15061(b)(3).

STAFF RECOMMENDATION: Approval to City Council

PUBLIC SPEAKERS:

Stan Stark, Mr. Stark requested modifications to allow larger square footages and more bedrooms in accessory dwelling units.

COMMISSIONER DISCUSSION AND QUESTIONS:

The Commissioners discussed various aspects of the project.

COMMISSION ACTION: Motion by Weiler, seconded by Chairman Spann to Adopt Planning Commission Resolution 2020-04, with the recommended change to allow up to an 850 SF accessory dwelling unit, regardless of condition of the property or size of the existing buildings on the premises. Motion carried unanimously (5-0-0 Cohen was absent, one vacancy).

CURRENT BUSINESS:

1. CLIMATE ACTION PLAN UPDATE

Update provided to Commissioners

COMMISSIONER DISCUSSION AND QUESTIONS:

The Commissioners discussed various aspects of the project.

COMMISSION ACTION: No Motion taken.

2. GENERAL PLAN PROGRESS REPORT

Update provided to Commissioners

COMMISSIONER DISCUSSION AND QUESTIONS:

The Commissioners discussed various aspects of the project.

COMMISSION ACTION: No Motion taken.

ORAL COMMUNICATIONS: Juan Bribiesca spoke regarding ADUs.

PLANNING COMMISSIONERS:

ADJOURNMENT: Chairman Spann adjourned the meeting at 8:53 p.m. The March 10, 2020 meeting was cancelled. The next regularly scheduled Planning Commission meeting will be held on Tuesday, March 24, 2020 in the City Council Chambers, 201 North Broadway Escondido, California.

Mike Strong, Secretary to the
Escondido Planning Commission

Kirsten Peraino, Minutes Clerk

PLANNING COMMISSION

Agenda Item No.: G.1
Date: May 26, 2020

PROJECT NUMBER / NAME: PHG 19-0001 (Specific Plan Amendment) & PHG 19-0002 (CUP for the Wedding Venue and Receptions)

REQUEST: An Amendment to the Downtown Specific Plan to allow weddings and receptions as a Conditionally Permitted Use within the Southern Gateway District (SG), which currently prohibits this type of use; and a Conditional Use Permit to conduct weddings and receptions in the rear-yard of an historic property (Wohlford-Ting House) located at 209 E. 4th Avenue. The proposed Specific Plan Amendment enables the review and consideration of the site development plan application and would authorize future development of weddings and receptions within the Southern Gateway (SG) District of the Downtown Specific Plan area with issuance of a Conditional Use Permit. The proposal also includes the adoption of the environmental determination prepared for the project.

LOCATION: 209 and 215 E. 4TH Avenue

APPLICANT: Kristie Rocco

APN / APNS: 233-182-05 & 06

**PRIMARY
REPRESENTATIVE:** Same

GENERAL PLAN / ZONING: SPA 9 / SP
(Downtown Specific Plan)

DISCRETIONARY ACTIONS REQUESTED: Specific Plan Amendment and Conditional Use Permit

PREVIOUS ACTIONS: PHG 19-0001 (City Council initiation of Specific Plan Amendment request on June 18, 2018)

PROJECT PLANNER: Darren Parker, Associate Planner, dparker@escondido.org

CEQA RECOMMENDATION: Exempt in conformance with CEQA Guidelines Section 15332, "In-fill Development Projects."

STAFF RECOMMENDATION: Recommend approval by the City Council, as conditioned

REQUESTED ACTION: Approve Planning Commission Resolution No. 2020-05

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

REPORT APPROVALS: ☒ Mike Strong, Community Development Director

A. BACKGROUND:

The subject property is comprised of two (2) parcels totaling approximately 0.48-acres and is located on the southeastern corner of E. 4th Avenue and S. Kalmia Street within the Southern Gateway District (GG) of the Downtown Specific Plan. The applicant previously restored and converted the approximately 2,875 SF historic residence for use as a dental studio and office (Rocco's Dental Studio), which has been in operation for over 20 years. The applicant submitted an application to be able to rent the residence and rear yard/garden to private individuals for weddings and receptions. The dental studio is planned to be discontinued and the structure made available for use by the wedding party and guests (e.g., staging, bathrooms, misc. wedding preparation, etc.). Fourteen (14) on-site parking spaces are located along the southern property line adjacent to the alley. Striped (angled) parking spaces also are located along the 4th Avenue and S. Kalmia Street frontages.

Due to its garden setting, the home and grounds have been host to a number of weddings and other social events over its history. In 1996 the Downtown Specific Plan was amended (City File No. 96-05-AZ) to allow weddings and receptions within the underlying sub district of the Specific Plan, subject to the issuance of a Conditional Use Permit. A Conditional Use Permit (City File No. 96-50-CUP-R) was approved in 1997 to conduct a limited number of outside weddings and receptions in the rear-yard of the property. However, weddings and receptions have not been conducted at the site over the past several years and the Conditional Use Permit subsequently expired from discontinuation of the use. A comprehensive amendment to the Downtown Specific Plan was adopted in 2013 and weddings and receptions within the Southern Gateway District no longer is listed as a conditionally permitted use.

The Planning Division received a request from the property owner (Kristie Rocco), to use the outdoor area and residence again to accommodate weddings and receptions. The existing property/building is classified as a Local Historic Register property (Wohlford-Ting house). Pursuant to Chapter VIII of the Downtown Specific Plan, amendments to the Specific Plan require initiation by the City Council before an application for Amendment can be submitted to the Planning Division. The City Council unanimously approved the application initiation at their meeting on June 18, 2018. Council initiation only authorizes the intake and processing of the application, but does not commit the City to a certain course of action.

B. PROJECT ANALYSIS:

1. Specific Plan Analysis

Zoning determines the type of uses permitted or conditionally allowed on a specific property as well as development. Typically, this is provided within the Zoning Code and/or Specific Plan, and land uses are categorized as primary permitted uses, accessory uses permitted in combination with a primary use, temporary uses, conditional uses, and prohibited uses. One method to regulate weddings and receptions is to control where they are conditionally permitted in the Downtown Specific Plan to ensure compatibility with surrounding uses. Conditionally permitted land uses are subject to review by the City's Zoning Administrator or Planning Commission

through a noticed public hearing. The proposed Specific Plan Amendment would add a new land use in the Downtown Specific Plan to conditionally permit weddings and reception businesses (as a primary use) in the Southern Gateway District. Additional restrictions or limitations that can be placed on the proposed use through the Conditional Use Permit can be used to ensure that weddings and receptions in the Downtown Specific Plan are consistent with the City's adopted goals and policies, and ensure the use does not have an adverse impact to the surrounding neighborhood.

Senate Bill 18 (SB18) requires City and county jurisdictions in California to invite local tribal groups to consult on a project whenever the project involves the adoption of a General Plan Amendment or Specific Plan, or the amendment of a General Plan or Specific Plan. Upon receipt of an invitation, a tribal group has ninety (90) days to request consultation with the jurisdiction. On January 22, 2019, planning staff mailed consultation invitations to sixteen (16) representatives from thirteen (13) tribal groups, per a contact list provided by the Native American Heritage Commission. Staff received no requests to consult within or after the ninety (90) day response period.

2. Conditional Use Permit

The requested Conditional Use Permit would allow weddings and receptions to be hosted on the approximately 0.48-acre property. The site consists of a 2,875 SF dental office building, detached garage and an approximately 5,000 SF rear-yard area that is screened from adjacent public views by tall hedges, mature trees and solid fencing along the alley. Weddings and receptions primarily would utilize the outdoor areas and the building would be available for use by the wedding party and guests. Conditions of approval are proposed to ensure the proposed use is compatible with the existing and future users in the area. The proposed use is not anticipated to generate adverse noise, traffic, or other impacts that would be detrimental to adjacent properties because the area is primarily comprised of offices and nonresidential uses, and adequate parking is available. Staff believes the proposed use would not create adverse impacts to nearby residences due to the restriction on the hours of operation, limitations on live and recorded music. The previous use of the site to host wedding and receptions did not generate any known code issues or complaints. Therefore, staff is recommending approval of the CUP.

Surrounding business and an adjacent church expressed concerns regarding the proposal to host outdoor weddings and receptions due to potential on-street parking and noise impacts to adjacent properties. In response to these concerns, the applicant submitted a plan that limits the number of guests to seventy-three (73) to correspond with the twenty-seven (27) parking spaces provided by the site. There is an additional paved area on the site to accommodate up to four (4) event employees/caterer, which will be designated event parking only. Thirteen (13) striped on-street parking spaces also are available across the project frontage, but these do not count towards meeting the required on-site parking for the facility. As most events generally would take place during non-peak times and/or during weekends, available parking to accommodate the site as well as serve the surrounding properties is not anticipated to be an issue.

Potential noise impacts from loud music was a concern expressed by an adjacent property owner. The applicant conducted a Noise Study (prepared by Eilar Associates, Inc, dated October 25, 2019). The noise study concluded that outdoor amplified or live music would exceed noise limits at the surrounding property lines. Therefore, the applicant has modified their request to restrict amplified and live music (disk jockey), as well as limit the type of music to single or duo musicians utilizing acoustic and/or low volume amplified instruments in order to comply with the City's noise regulations.

The project applicant/owner will provide personnel for monitoring each event as needed. The renter as required per size and nature of each event would provide additional personnel. Due to previous concerns raised by the Police Department and in order to eliminate security issues, alcohol will not be allowed per the terms of the rental agreement and each renter is required to secure a one-day event insurance policy to cover potential accidents.

C. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: Two (2) parcels, 0.48-acres (21,000 SF)
2. Building Size: 2,875 SF (single-story) and a detached garage
3. Rear-Yard Assembly Area: Approximately 5,500 SF
4. Hours of Operation: Daily 9-5 pm, including Saturday and Sunday. Events generally run 11 a.m. - 10 p.m. (depending on contracts with clients)
5. Events: Restricted to wedding rehearsals, weddings and receptions
6. Number of Employees: The owner will provide up to four (4) employees as needed to coordinate and monitor each event. Additional employees would be provided by the renter/caterer as needed.
7. Security: As required by event (to be provided by renter)
8. Bathrooms: Portable facilities provided by the renter as needed. The existing structure also provides bathrooms
9. Parking Spaces:

<u>Provided</u>	<u>Required</u>
27 total	27 total
(14 provided onsite and 13 street spaces) Plus an onsite paved area for four (4) event staff	(This is based on a projected 2.7 people per car $73/2.7=27$)

10. Music: Live music restricted to single or duo using acoustic instruments and/or low-volume amplified instruments. No disk jockey with loud amplified music, bands or PA systems allowed.
11. Alcohol Service: Restricted

D. ENVIRONMENTAL STATUS:

The project is categorically exempt pursuant to CEQA Guidelines section 15332, which covers in-fill development. The project, as proposed, is consistent with the applicable General Plan designation of SPA9 and the Specific Plan (S-P) zoning designation. The project is located on a site of no more than five acres substantially surrounded by urban uses, and has no value as habitat for endangered, rare, or threatened species. Approval of the project, as conditioned, would not result in any significant effects on the environment, and the site is connected to City sewer and water services and can adequately be served by all required utilities and public services.

Any future requests to redevelop or change the use of the property, which are unknown at this time, would need to be considered on a case-by-case basis to determine if the proposed activity would also be exempt from CEQA, or if the activity could cause environmental impacts requiring analysis.

E. CONCLUSIONS:

With approval of the Specific Plan Amendment to allow weddings and receptions as a Conditionally Permitted Use within the Southern Gateway District (SG) of the Downtown Specific Plan, the proposed project would be consistent with the Downtown Specific Plan. The project as proposed would not have a significant effect on the environment, as designed and conditioned. The location, size, design, and operating characteristics of the proposed project will not be incompatible with, adversely affect or will be materially detrimental to adjacent land uses as discussed in the above sections of the staff report. Therefore, the site is suitable for the type and intensity of use. Staff recommends the Planning Commission recommend approval of Planning Case PHG 19-0001 and PHG 19-0002, based upon the factors/findings and conditions contained in the attached Planning Commission Resolution No 2020-05 (Attachment 3).

PHG 19-0001 & PHG 19-0002
May 26, 2020
Planning Commission Meeting

Respectfully Submitted,

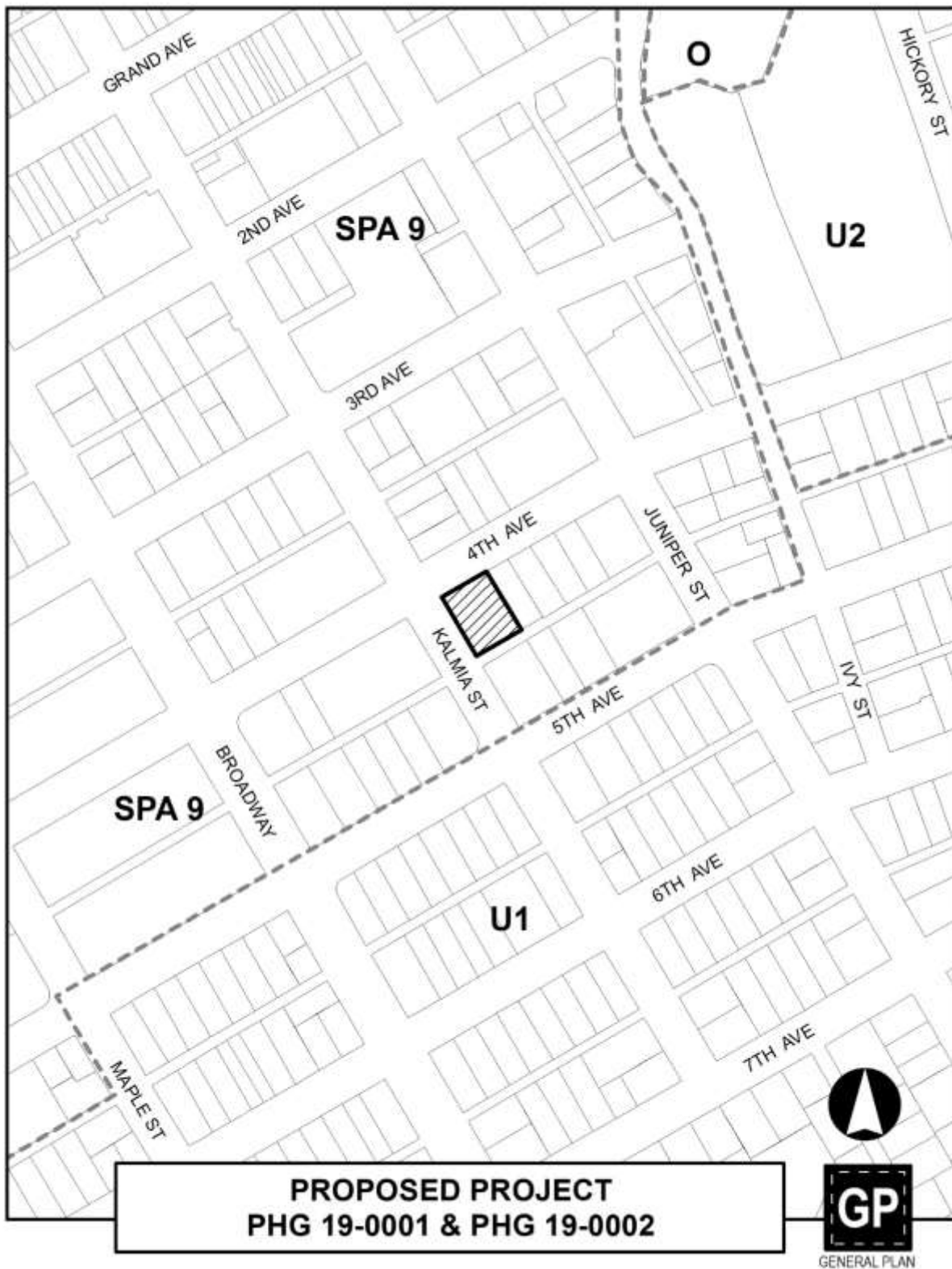
Darren Parker

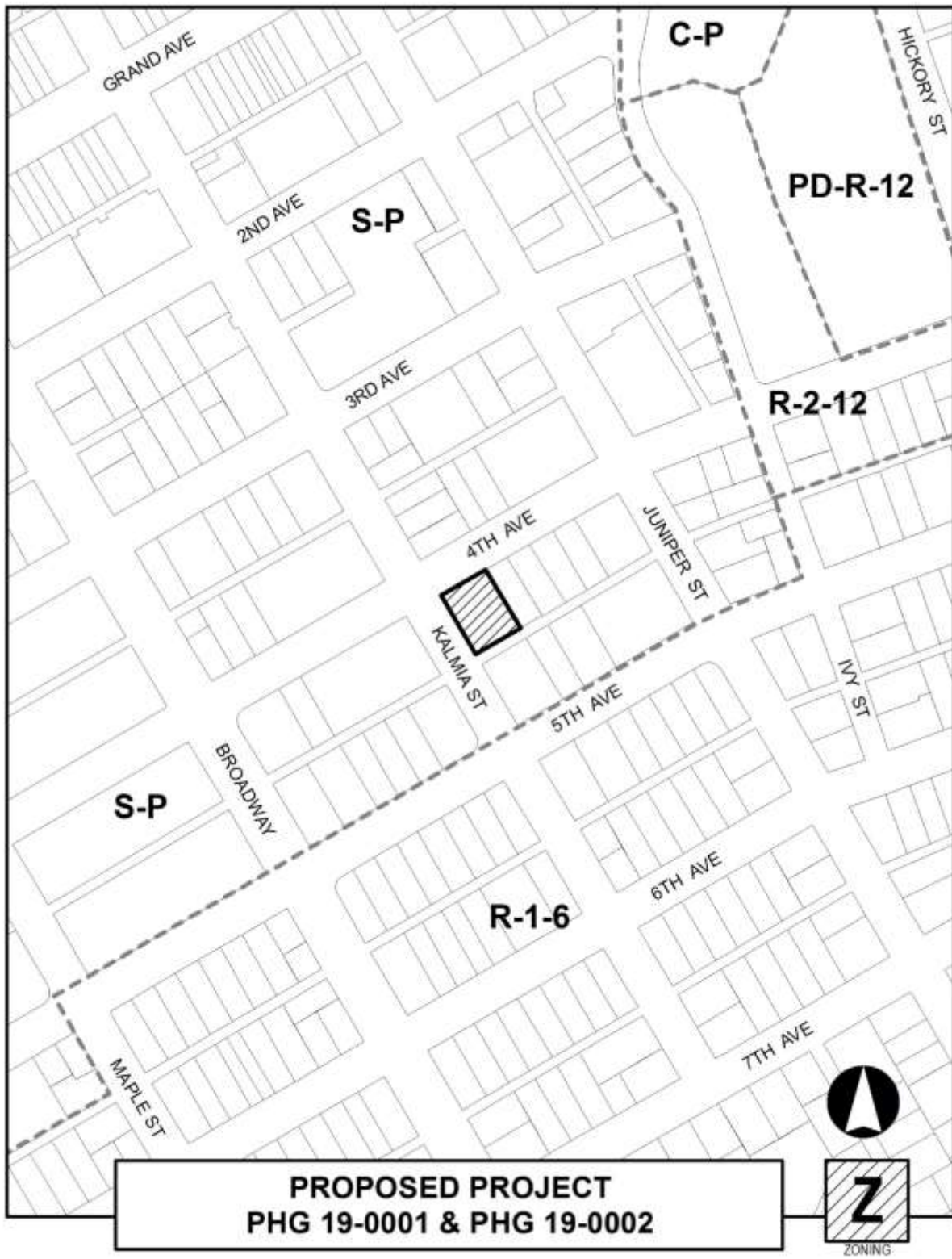
Darren Parker
Associate Planner

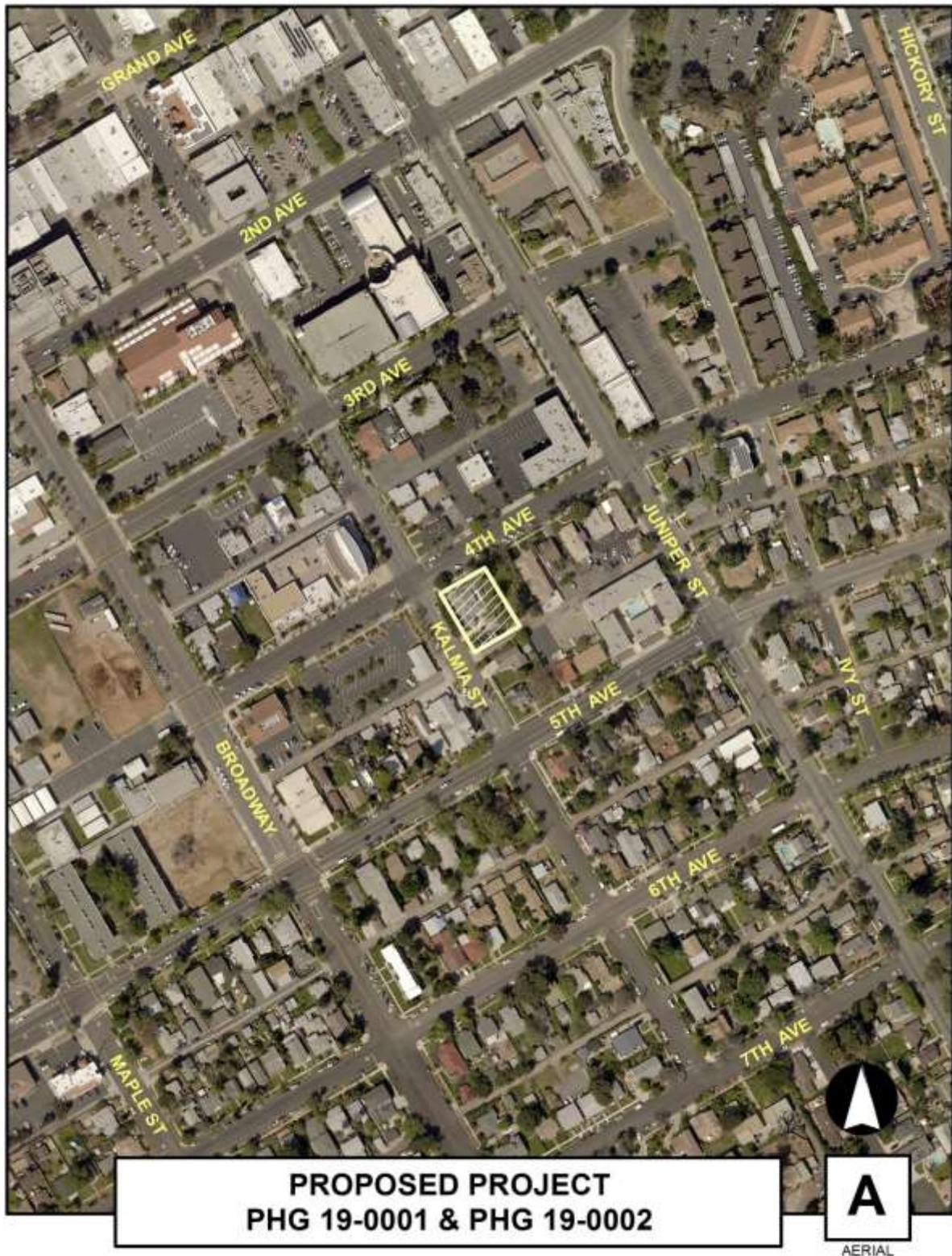
Attachments:

1. Location and General Plan Map
2. Specific Plan Amendment
3. Resolution No. 2020-05

Attachment 1







ATTACHMENT 2

PROPOSED SPECIFIC PLAN AMENDMENT LANGUAGE

SECTION 11.

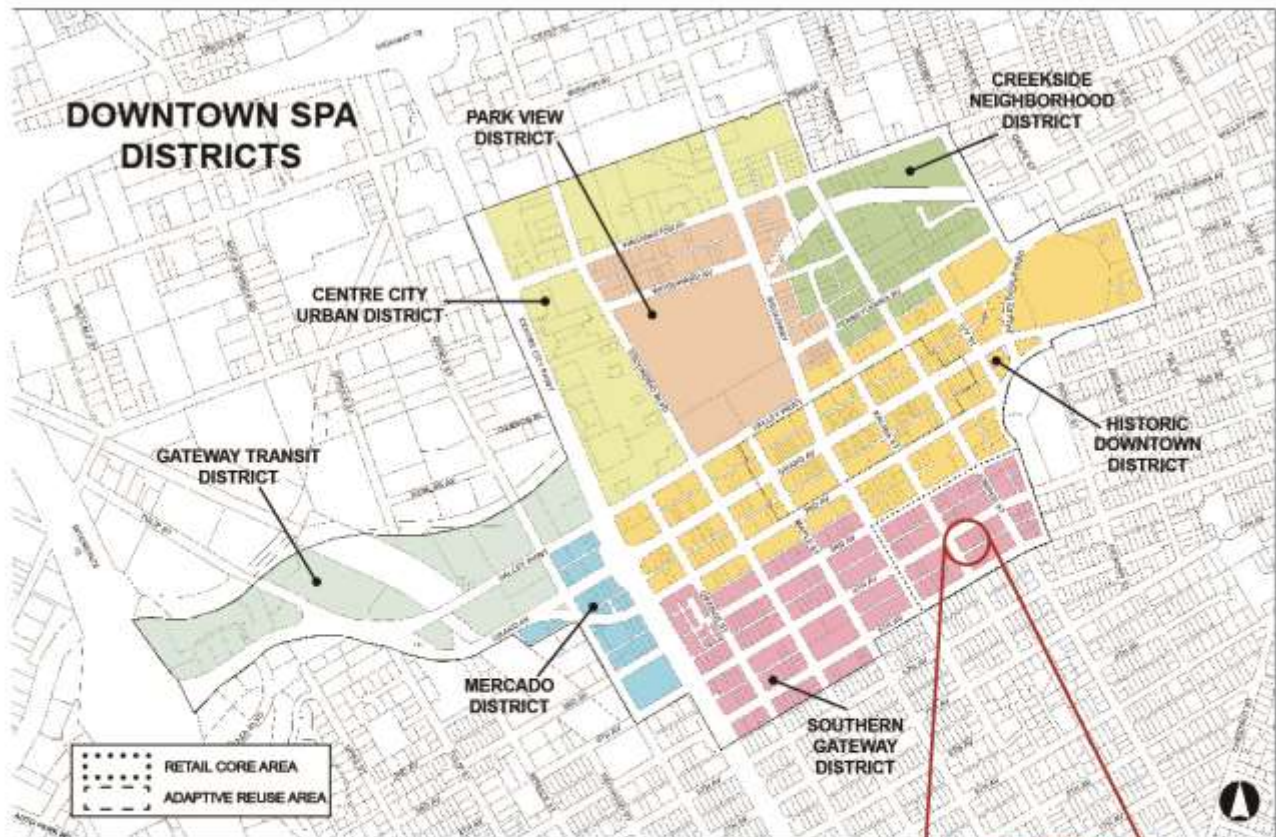
Amend the various Downtown Specific Plan sections to read as specified below (The changes are listed in order by section number, with ~~strikeout~~ typeface illustrating deletions and underline-typefaces illustrating new text.

Downtown Specific Plan, Figure II-2, Permitted and Conditional Uses. The table and footnote shall be amended to read as follows:

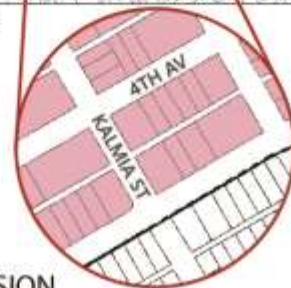
FIGURE II-2
PERMITTED AND CONDITIONAL USES
 (Page 5 of 6)

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

Social and professional organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable and similar organizations	C2	C	<u>C</u>	<u>C</u>	C	C	C
Youth Organizations		C	C	C	C	C	C
<u>Weddings and Receptions</u>						<u>C</u>	



EXISTING MAP



AREA OF MAP REVISION

ATTACHMENT 3

Planning Commission

Hearing Date: May 26, 2020

Effective Date: May 27, 2020

PLANNING COMMISSION RESOLUTION NO. 2020-05

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ESCONDIDO, CALIFORNIA,
RECOMMENDING APPROVAL OF A SPECIFIC PLAN
AMENDMENT AND A CONDITIONAL USE PERMIT
TO CONDUCT WEDDINGS AND RECEPTIONS AT
THE WOHLFORD-TING HOUSE

APPLICANT: Kristie Rocco

CASE NO: PHG 19-0001 and PHG 19-0002

WHEREAS, Kristie Rocco (herein after referred to as "Applicant"), filed a land use development application (Planning Case No PHG 19-0001 and PHG 19-0002) constituting a request for an amendment to the Downtown Specific Plan to change the land use allowance for weddings and receptions within the Southern Gateway District of the Downtown Specific Plan, and a Conditional Use Permit to allow weddings and receptions, on 0.48-acre site addressed as 209 E. 4th Avenue; 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; and

WHEREAS, the land use development application was submitted to, and processed by, the Planning Division of the Community Development 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 California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et seq.); and

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

WHEREAS, the Planning Division did study said request, performed necessary investigations, prepared a written report, and does recommend approval of the Project as depicted on the plan set shown in Exhibit "C," 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.

WHEREAS, the Planning Commission of the City of Escondido did, on May 26, 2020 hold a duly noticed public hearing as prescribed by law. At said hearing, this 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 respecting said matter. 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 May 26, 2020, 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, said 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

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

1. That the above recitations are true and correct.
2. Public resources Code Section 21084 requires the CEQA guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from the provisions of CEQA. The Planning Commission, in its independent judgment, has determined the Specific Plan Amendment to qualify for the "In-fill Development Projects" exemption under CEQA Guidelines section 15332.
3. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and in its behalf, the Planning Commission makes the following substantive findings and determinations, attached hereto as Exhibit "B," relating to the information that has been considered. In accordance with the Findings of Fact and the foregoing, the Planning Commission reached a recommendation on the matter as hereinafter set forth.

4. The Planning Commission hereby recommends that City Council approve the application to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth in Exhibit "D". This Planning Commission expressly declares that it would not have made this recommendation for this land use development application except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the Applicant, the owner, and all subsequent owners of the subject property, and all persons who use the subject property for the use permitted hereby.

5. That, considering the Findings of Fact and applicable law, the Planning Commission hereby makes a motion to recommend approval of an amendment to the Downtown Specific Plan, as described in Exhibit "E", and a Conditional Use Permit, subject to the conditions of approval attached as Exhibit "D."

6. Said plan is on file in the Planning Division of the Community Development Department and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein. This Project is conditionally approved as set forth on the application and Project drawings, all designated as approved by the Planning Commission, and shall not be altered without the express authorization by the Planning Division. Any deviations from the approved 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 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 26th day of May, 2020, by the following vote, to wit:

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

JAMES SPANN, Chairman
Escondido Planning Commission

ATTEST:

MIKE STRONG, Secretary of the
Escondido Planning Commission

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

KIRSTEN PERAINO, Minutes Clerk
Escondido Planning Commission

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

EXHIBIT "A"

LEGAL DESCRITPTION

Planning Case Nos. PHG 19-0001 & PHG 19-0002

Lots 14, 15 and 16 in Block 100 of Escondido, in the City of Escondido, County of San Diego, State of California, according to map thereof No. 336, filed in the office of the County Recorder of San Diego County, July 10, 1886.

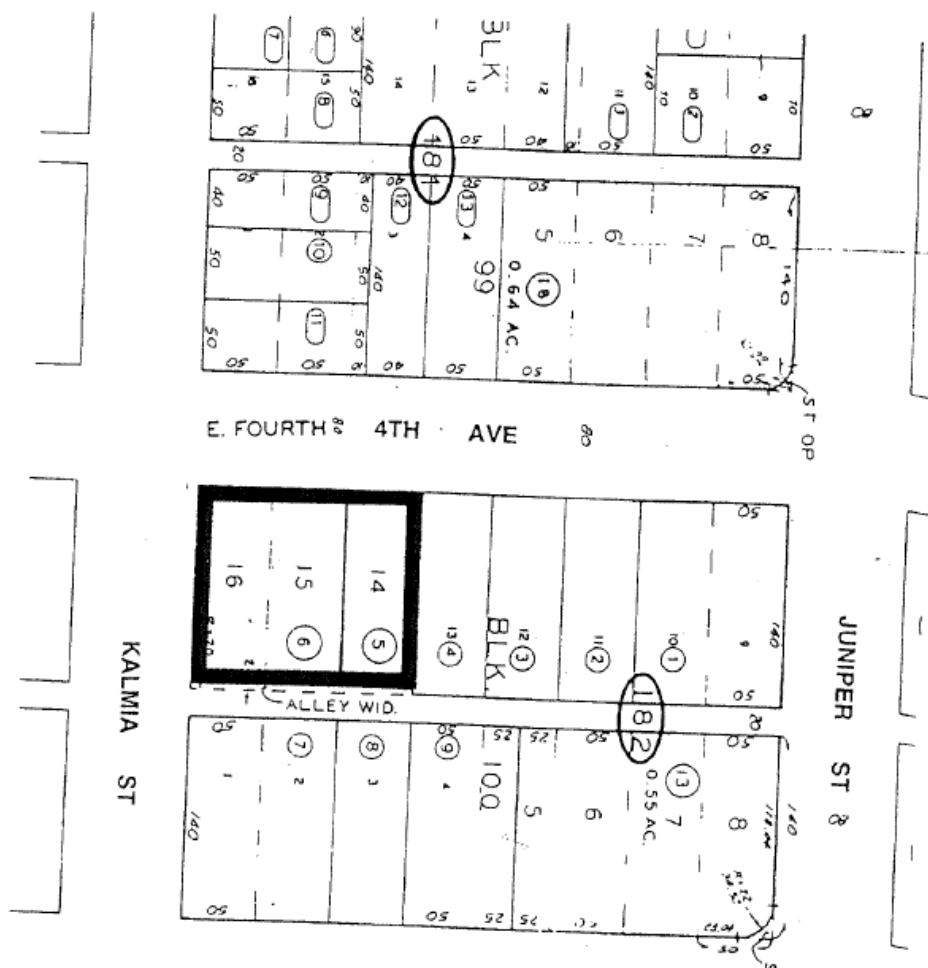


EXHIBIT “B”
FINDINGS OF FACT
PHG 19-0001, PHG 19-0002

Environmental Determination(s):

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 is the Lead Agency for the project (“Project”), as the public agency with the principal responsibility for approving the Project.
2. 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 Categorical Exemption in CEQA Guidelines section 15332, “In-fill Development Projects.” Design measures were incorporated into the Conditions of Approval to address noise and hazardous site impacts.

Specific Plan Amendment:

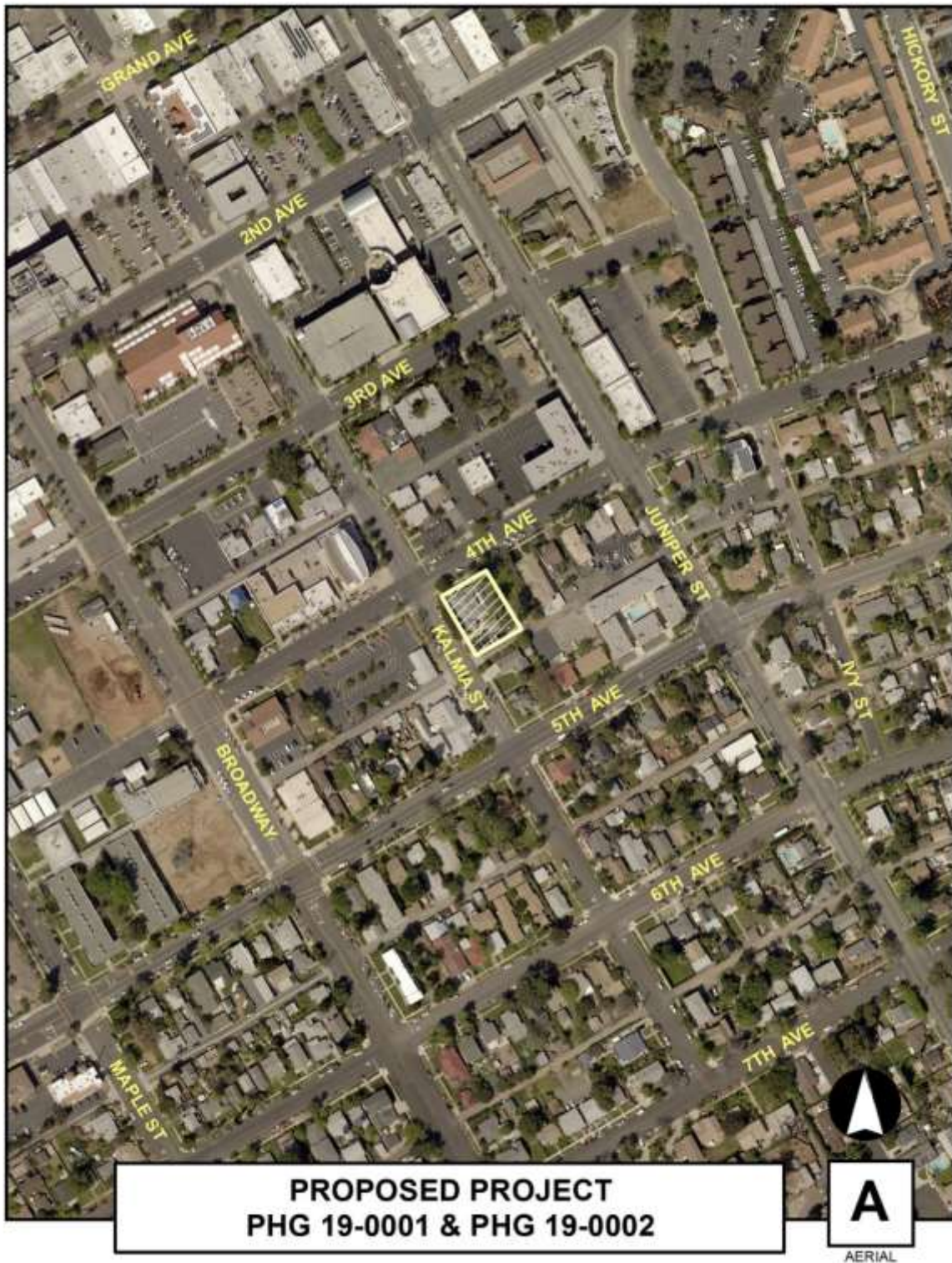
1. The public health, safety and welfare would not be adversely affected by the proposed Specific Plan Amendment. The proposed amendment revises the permitting process for wedding and reception establishments. The proposed Specific Plan Amendment, establishing special use regulations, would not be detrimental to surrounding properties because the proposed changes are to enhance neighborhood capability and land-use related buffering. Proposed and future projects must comply with any applicable laws and standards. This includes the Building Code, the Fire Code, and any property standards bylaws.
2. The proposed Specific Plan Amendment would not be detrimental to surrounding properties because weddings and reception establishments would require each request to be considered through the Conditional Use Permit process. Potential compatibility issues would be analyzed and addressed as part of the CUP process on a case-by-case basis and appropriate conditions applied.
3. The proposed Specific Plan Amendment would be consistent with the goals and policies of the General Plan because it would establish a commercial use that would enhance commercial service opportunities within the Southern Gateway District of the Downtown Specific Plan. Adaptive reuse of historic structures also is encouraged. The amendment would not, in and of itself, result in the development or any other material change to the environment. The

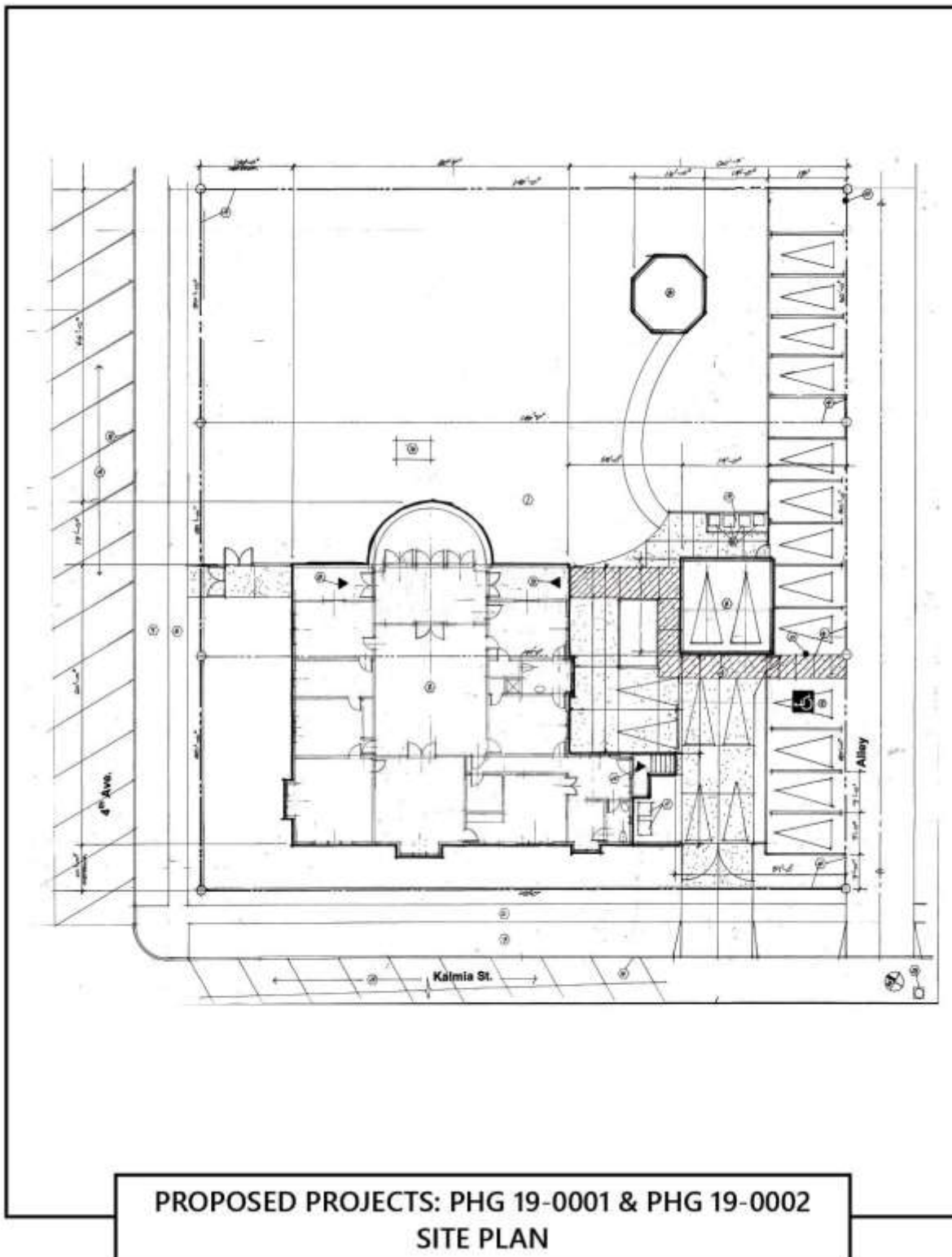
proposed Specific Plan Amendment would not diminish the Quality of Life Standards of the General Plan, nor adversely impact community health or natural resources.

Conditional Use Permit (CUP):

1. Granting the Conditional Use Permit for outdoor weddings and receptions for up to 73 people at 209 E. 4th Avenue would be based on sound principles of land use because the facility has sufficient parking to accommodate 73 guest; hours of operation would be restricted to ensure compatibility with the surrounding neighborhood; alcohol is not allowed; and entertainment/music is conditioned to meet the City Noise Ordinance. The proposed project would not diminish the Quality of Life Standards of the General Plan as the project does not materially degrade public facilities.
2. The proposed project would not cause deterioration of bordering land uses because the area is predominantly characterized by office uses and religious facilities, and that the occupancy has been right sized to accommodate up to 73 guests. The project would not materially degrade the level of service on adjacent streets and there is sufficient parking to accommodate the use. Potential noise issues have been addressed with the limitation on the type of entertainment that can be provided.
3. The Conditional Use Permit would assist in achieving the goals and policies in the General Plan and Downtown Specific Plan because it would establish a commercial use that would enhance commercial service opportunities within the Southern Gateway District of the Downtown Specific Plan. Adaptive reuse of historic structures also is encouraged.
3. The proposed CUP would provide a necessary and desirable service to the downtown community without adversely affecting the surrounding area or the city as a whole.
4. The CUP would become effective on the effective date of the proposed Zoning Code and Specific Plan Amendment.

EXHIBIT "C"







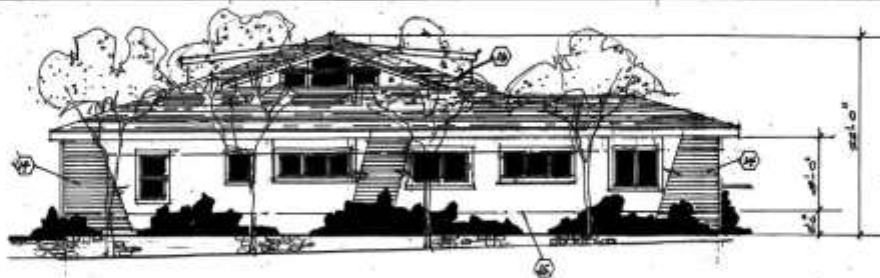
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

**PROPOSED PROJECTS: PHG 19-0001 & PHG 19-0002
ELEVATIONS**

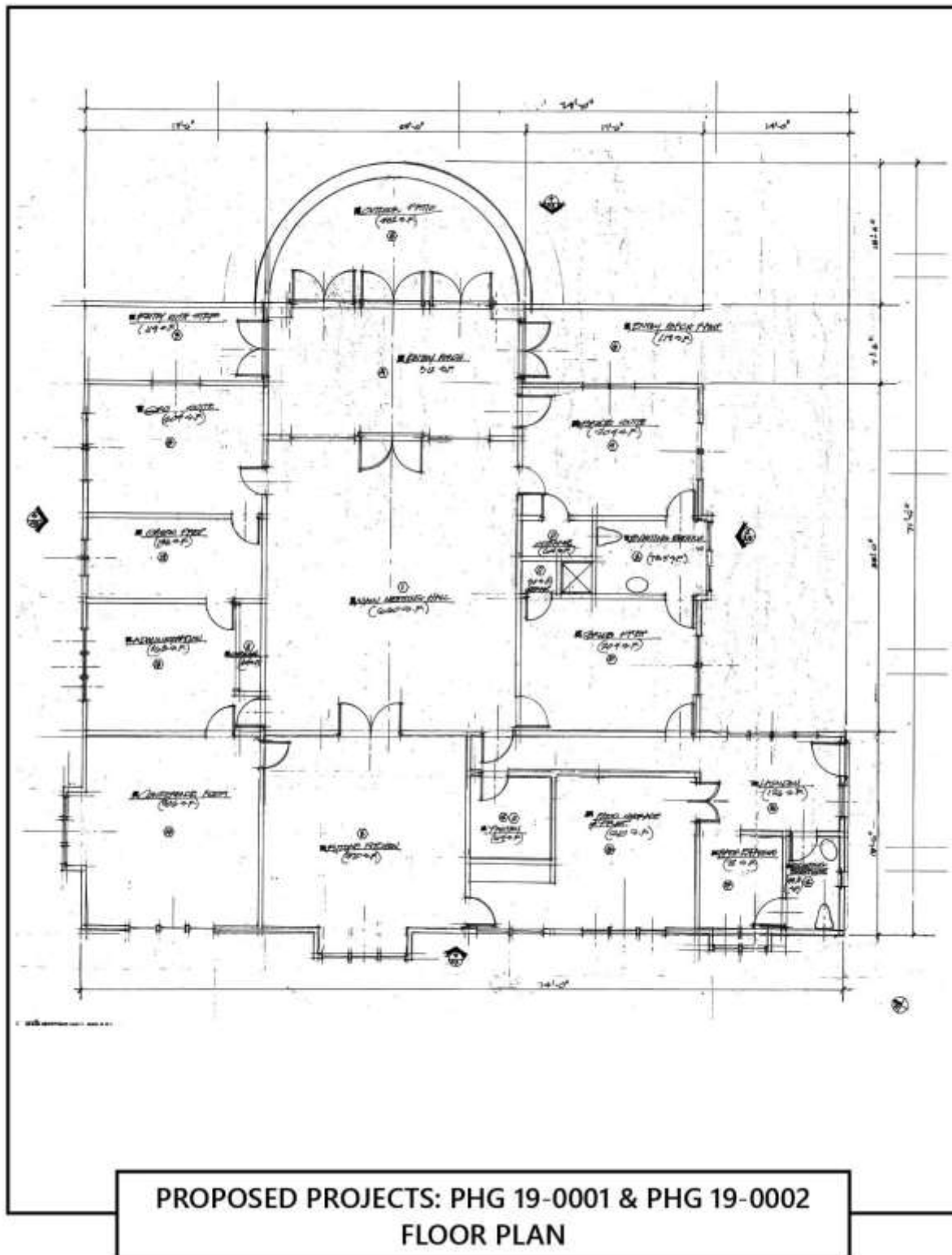


EXHIBIT “D”

CONDITIONS OF APPROVAL

Planning Case Nos. PHG 19-0001 and PHG 19-0002

Nothing in this permit shall relieve the Applicant from complying with conditions and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. **This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.**

Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the conditional use permit conditions.

A. GENERAL:

1. **Acceptance of Permit.** Should the applicant fail to file a timely and valid appeal of this Permit with 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 Permit shall automatically expire after two (2) years from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code or 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 final action on the Project. This includes amending the Project drawing as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. 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/or use of the subject property shall be consistent with the Details of Request, designated with the Approval 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 of 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 Director.

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 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 is submitted to the Building Division for the plan check processing.

8. Right of Entry. The holder of this Permit shall make the premises available for inspection by City staff during construction or opening 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.
11. **Public Partnership Program.** All requirements of the Public 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. **Exemption;** The City of Escondido hereby notifies the applicant that the 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). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project, a check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific 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.

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 Community Development 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.** The applicant shall hold harmless the City, its Council Members, its Commission and Boards, officers, agents, employees, and representatives from liability for any award, damage, cost and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this Permit and from and against any and all claims, losses, proceedings, damages, cause of action, liabilities, cost and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of applicant, or their respective contractors, licensees, invitees, agents, sub lessees, servants or employees, wherever on or adjacent to the property the same may occur;

(ii) any use of the property, or any accident, injury, death, or damage to any person or property occurring in, or on or about the property, or any part thereof, or from the conduct of the applicant or owner's business or from any activity, work or thing done, permitted or suffered by the applicant or owner or its sub lessees, contractors, employees, or invitees, in or about the property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of applicant's or ones part to performed under the terms of this Agreement, or arising from any negligence of applicant or owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees , ag4ents and representatives, by reason of any such claim, applicant or owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City. Owner further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by Agency and City in such action(s), including reasonable attorney fees.

B. Construction, Maintenance, and Operation Obligations;

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief. Approval of this request shall not waive compliance with any sections of the Municipal Code and all other applicable City regulations in effect at the time of Building Permit issuance unless specifically waived herein.
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 regulation or to obtain permits from other agencies

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 undergrounded.
4. **Signage.** All proposed signage associated with the Project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) for the underling zone, and any exhibits included in the staff report(s), to the satisfaction of the Planning Division. 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. This shall include the square footage of each sign, and dimension of each sign.

5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
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. **Parking and Loading/Unloading.**
 - a. A minimum of fourteen (14) parking spaces shall be provided on site as discussed in the staff report and another thirteen (13) spaces immediately in front of the project to the satisfaction of the City Engineer and Director of Community Development. Parking for disabled persons shall be provided in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage. All parking spaces shall remain available for operable vehicles and shall not be used for inoperable vehicles or general storage.
 - b. Staff event parking shall be clearly marked on site and to the satisfaction of the Planning Division.
 - c. Parking for disabled persons shall be provided (including "Van Accessible "space) in full compliance with the State Building Code.
11. **Specific Planning Conditions.**
 - a. The Conditional Use Permit may be referred back to the Planning Commission for review and possible revocation or modification at a noticed public hearing upon receipt

of nuisance complaints regarding performance of the operation of the facility and/or non-compliance with the conditions of approval.

- b. Weddings and receptions shall begin no earlier than 11:00 a.m. and end no later than 10:00 p.m. (excluding setup and cleanup operations).
- c. Appropriate security personnel shall be provided as required for the anticipated occupancy and nature of each event.
- d. The type of activities and hours of operation shall comply with those listed in the staff report/details of request, to the satisfaction of the Planning Division.
- e. Landscaping 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.
- f. All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.

BUILDING

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

FIRE

1. Show the locations of existing and new fire hydrants on the building plans.
2. Provide construction type and clarify if fire sprinklers and alarms are currently installed on the building plans
3. Fire alarms will be required to shown on the building plans.
4. Clarify the total occupancy load and occupancy type on the building plans.

EXHIBIT “E”
PROPOSED SPECIFIC PLAN AMENDMENT LANGUAGE

SECTION I1.

Amend the various Downtown Specific Plan sections to read as specified below (The changes are listed in order by section number, with ~~strikeout~~-typeface illustrating deletions and underline-typefaces illustrating new text.

Downtown Specific Plan, Figure II-2, Permitted and Conditional Uses. The table and footnote shall be amended to read as follows:

FIGURE II-2
PERMITTED AND CONDITIONAL USES
(Page 5 of 6)

<u>LAND USE</u>	HD*	PV	CCU	GT	M	SG*	CN
<u>ENTERTAINMENT AND RECREATION (continued)</u>							
Galleries and studios pertaining to artists, craft workers and photographers (including incidental developing and printing), libraries, museums, etc., including incidental sale of merchandise pertaining to the primary use	P	P	P	P	P	P	P6
Dance studios and schools	P	P	P	P	P	P3	P
Martial arts schools and training facilities	P10		P	P	P	P3	P6
Entertainment establishments (including internet cafes) with incidental sale of food or alcohol (excluding incidental entertainment in restaurants)	C	C	C	C	C	C3	P6
Parks- general recreation	P	P	P	P	P	P	P
Roller-skating and bowling alleys and similar indoor arena sports			P	P	C		
Swimming pools and schools		P					P6
Theater, live and motion picture	P	P	P	P			
<u>SOCIAL, PROFESSIONAL, RELIGIOUS ORGANIZATIONS</u>							

Churches, synagogues, temples, missions, religious reading rooms, and other religious activities (not allowed within Grand Avenue "historic retail core area")	C7	C	C	C	C	C	C
Social and professional organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable and similar organizations	C2	C	<u>C</u>	<u>C</u>	C	C	C
Youth Organizations		C	C	C	C	C	C
<u>Weddings and Receptions</u>						<u>C</u>	

PLANNING COMMISSION

Agenda Item No.: G.2
Date: May 26, 2020

PROJECT NUMBER / NAME: AZ 20-0003 / Amendment to Sign Ordinance for Car Wash Signs

REQUEST: A proposed amendment to Article 61 (Administration and Enforcement) and Article 66 (Sign Ordinance) of the Escondido Zoning Code, to modify requirements and standards for menu signs and directional signs at car wash businesses. The amendment would expand eligibility for menu signs to include car washes, with limits on size and quantity. Additionally, the amendment would allow car washes to install directional signage exceeding the standard height and area limits, with submittal of a Comprehensive Sign Program and approval from the Zoning Administrator. No development project is proposed.

LOCATION: Citywide

APPLICANT: Mark Watson, The Namou Group

APN / APNS: N/A

PRIMARY

GENERAL PLAN / ZONING: N/A

REPRESENTATIVE: Same

DISCRETIONARY ACTIONS REQUESTED: Zoning Code Amendment

PREVIOUS ACTIONS: Planning Case No. AZ 20-0003

PROJECT PLANNERS: Ann Dolmage, Associate Planner
adolmage@escondido.org

CEQA RECOMMENDATION: Exempt (CEQA Guidelines Section 15311(a))

STAFF RECOMMENDATION: Provide a recommendation to City Council to approve the Project

REQUESTED ACTION: Approve Planning Commission Resolution No. 2020-06

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

REPORT APPROVALS: ☒ Mike Strong, Community Development Director

A. BACKGROUND:

The Namou Group, which owns the Shell gas station and Mr. Foamy's Car Wash at 615 West El Norte Parkway, intends to transition to a business model that offers memberships for customers desiring unlimited washes for a flat fee, while also selling individual washes for non-members. As part of this process, the business would like to install new menu signs at each of the three vehicle stacking lanes near the entrance to the car wash tunnel. Two "express" lanes would each receive a digital menu sign, as well as a pay station and electronic gate. These two lanes would be shared by members using their benefits and non-members purchasing basic services. The third lane would be assigned to customers purchasing full-service packages, and would likely receive a non-digital menu sign. An employee would be stationed at the full-service lane to provide information to customers and accept payments.

To distinguish the express lanes from the full-service lane, the business also intends to install pole-mounted hanging signs over each stacking lane. Each pole would be approximately 16'7" tall, with an arm extending over the lane at a height of approximately 15'6". Each sign would have an area of approximately 18 square feet (9' wide by 2' tall).

As explained in more detail later in this report, the type of signage that The Namou Group would like to install is not allowed by the City's current Sign Ordinance. Menu signs (digital or otherwise) are restricted to food-service businesses. Directional signs (i.e., signs providing wayfinding directions or instructions to visitors of a site) are exempt from the Sign Ordinance and therefore can be installed for any land use and in any quantity, but only when the signs do not exceed an area of two (2) square feet and a height of three (3) feet. Directional signs exceeding these limits are prohibited.

Around the time that The Namou Group was discussing their proposed signage with staff, it was discovered that at least one other car wash business in Escondido, Super Star Car Wash at 680 North Centre City Parkway, already had installed digital menu signs comparable in size and style to those proposed at Mr. Foamy's, as well as miscellaneous directional signs not conforming to the height and size limits in the Sign Ordinance. Staff therefore opened a code enforcement case (C19-2622) against Super Star, and advised The Namou Group that they could apply for a Zoning Code Amendment (either alone or in conjunction with Super Star and/or other interested businesses) if they wanted to proceed with their own plans. Mark Watson of The Namou Group then filed an application for the Zoning Code Amendment on February 18, 2020.

Since the Zoning Code Amendment would have Citywide applicability if passed, it is expected that it would facilitate not only the installation of menu signs and oversized directional signage at Mr. Foamy's, but would resolve the code enforcement case against Super Star Car Wash, assuming Super Star follows the terms of the amended code language.

B. ZONING CODE ANALYSIS

Article 66 (Sections 33-1390 through 33-1409) of the City of Escondido Zoning Code contains the City's Sign Ordinance. Per Section 33-1391(42), a menu sign is "a sign, located adjacent to a drive-through lane of a food service facility, which lists the products available and the prices, and is designed to be read by the occupants of a vehicle." Specific regulations concerning the size and number of menu signs allowed per qualifying business are contained within Section 33-1395.2(a)(4). Businesses with one (1) stacking lane are allowed two (2) menu signs, each up to 32 square feet in area. Businesses with multiple stacking lanes are allowed two (2) menu signs per lane, one up to 32 square feet in area, and the other up to 24 square feet in area. In all cases, signs are limited to a height of six (6) feet. Menu signs are required to be screened from view from adjacent properties and rights-of-way to the extent possible, using barriers such as landscaping, walls, or berms. Menu signs are permitted to be internally illuminated and to utilize changeable copy, which enables qualifying businesses to take advantage of digital display technology.

At this time, the Zoning Code does not allow menu signs (digital or otherwise) for car wash businesses. The definition of "menu sign" noted above references two qualifications for such a sign: the business must serve food, and the business must have at least one drive-through lane. Not only does a car wash fail to meet the first qualification, but it does not satisfy the definition for "drive-through business" as found in Article 1 of the Zoning Code. Per that definition, "a drive-through business does not include an automated car-wash service or gas pump island; however, they may be regulated similarly."

Section 33-1391(21) defines a directional/informational sign as "an on-premises sign which contains words such as 'entrance', 'in', 'out'.... or other similar words, or a sign containing arrows or characters indicating traffic directions used either in conjunction with such words or separately." The definition limits sign area to two (2) square feet and a height of three (3) feet, and prohibits advertising and trade name information (except for minor business identification not exceeding twenty (20) percent of the sign area).

The Zoning Code Amendment proposes to modify Article 66 to allow menu signs at automated car wash facilities. Menu signs would be limited to one sign per stacking lane, and would be limited to an area of 24 square feet and a height of six (6) feet. Additionally, menu signs would need to be screened to the extent possible to avoid impacts to surrounding properties and rights of way. Staff believes that menu signs are appropriate for automated car washes since these signs are intended to display services or products for sale to customers who often remain in their vehicles while the orders are fulfilled (as with drive-through restaurants). Allowing a sign up to 24 square feet in area and six (6) feet in height ensures that visibility is maintained.

The amendment also proposes to modify Article 66 to allow car wash facilities to install directional signage exceeding two (2) square feet in area and three (3) feet in height, with approval of a Comprehensive Sign Program by the Zoning Administrator. A Comprehensive Sign Program

would establish design criteria for all signage at the car wash facility and any other tenants within the same commercial or industrial center (if applicable), to promote a cohesive appearance and ensure that signage is in scale with the site and the surrounding neighborhood.

Finally, the amendment proposes to modify Article 61, Section 33-1319 to allow the Zoning Administrator to approve Comprehensive Sign Programs for directional signage exceeding two (2) square feet and three (3) feet in height.

C. ENVIRONMENTAL STATUS:

The proposed project is categorically exempt from environmental review in conformance with CEQA Guidelines section 15311(a), "Accessory Structures," as the Zoning Code Amendment relates solely to the construction or installation of on-premise signs accessory to existing commercial car wash facilities.

D. CONCLUSIONS:

The Planning Commission has the authority under Section 33-1262 of Article 61 of the Escondido Zoning Code (Administration and Enforcement Ordinance) to review and consider amendments to the Zoning Code, which requires a Planning Commission recommendation to City Council. No other discretionary permits are requested or required.

The proposed amendments provide flexibility to car wash facilities to install menu signage that clearly identifies available services to customers waiting in their vehicles. The amendments also allow car wash facilities to install larger directional signage to improve on-site circulation for these customers. The required Comprehensive Sign Program and Zoning Administrator approval for directional signage over two (2) square feet in area and/or three (3) feet in height will ensure that the signage is in scale with the site, maintains a cohesive appearance across the site, and does not negatively affect the surrounding neighborhood.

ATTACHMENTS:

1. Proposed Text Amendments for AZ 20-0003
2. Planning Commission Resolution No. 2020-06

ATTACHMENT 1

PROPOSED TEXT AMENDMENTS

AZ 20-0003

Amend the various Zoning Code sections to read as specified below. ~~Strikeout~~ typeface illustrates deletions and underlined typeface illustrates new text.

Article 66, Sec. 33-1395.2. Sign standards—Freestanding signs—CG and CN zones.

(b)(4) Menu signs. In conjunction with a drive-through business or automated car wash:

(A) Up to two (2) freestanding menu, or other similar signs, up to thirty-two (32) square feet each and a maximum height of six (6) feet may be permitted for drive-through businesses with one (1) stacking lane.

(B) Drive-through businesses with more than one (1) stacking lane shall be allowed one (1) freestanding menu sign, or other similar sign, up to thirty-two (32) square feet and a maximum height of six (6) feet, and one (1) freestanding menu sign, or other similar sign, up to twenty-four (24) square feet and a maximum height of six (6) feet, for each stacking lane.

(C) A maximum of two (2) freestanding menu, or other similar signs, shall be oriented toward each stacking lane for drive-through businesses.

(D) Automated car washes shall be allowed one (1) freestanding menu sign or other similar sign, up to twenty-four (24) square feet and a maximum height of six (6) feet, and one (1) pay station or kiosk, for each stacking lane.

(~~D~~E) Menu signs shall be screened from view from adjacent properties and rights-of-way through the use of landscaping, earthen berms, walls, etc., to the maximum extent possible.

(~~E~~F) Menu signs may be internally illuminated and utilize changeable copy.

(~~F~~G) The area of the menu signs shall not be counted against the allowable sign area for the business.

Article 66, Sec. 33-1391. Definitions.

(17) *Comprehensive sign program* means a sign program for commercial and industrial centers consisting of two (2) or more tenant spaces, which establishes design criteria for all signs in the center and integrates them with building and landscaping design, and achieves architectural compatibility. A comprehensive sign program may also be implemented for car-wash, polishing, vacuuming, and detailing uses with directional/informational signage exceeding two (2) square feet in area or three (3) feet in height, regardless of the number of tenant spaces on the property.

(21) *Directional/informational sign* means an on-premises sign which contains words such as “entrance,” “in,” “out,” “rest rooms,” “no parking” or other similar words, or a sign containing arrows or characters indicating traffic directions used either in conjunction with such words or separately. The sign area shall not be greater than two (2) square feet and the sign not higher than three (3) feet. Signs exceeding this area and/or height may be allowed with approval of a comprehensive sign program, for car-wash, polishing, vacuuming, and detailing uses only. No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate kiosk and directional signs as defined in section 33-1396(c) and (d) shall not be included in this category.

Article 66, Sec. 33-1392. Permit administration.

(c) Comprehensive sign program for commercial and industrial zones. A comprehensive sign program shall be required for all new commercial, office or industrial centers consisting of two (2) or more tenant spaces, and for existing commercial, office or industrial centers for which the owner requests permission to remodel, expand, or enlarge the building(s) or land use which affects the existing signs. A comprehensive sign program also shall be required for all new or existing car-wash, polishing, vacuuming, and detailing uses that propose the use of directional/informational signs exceeding two (2) square feet in area or three (3) feet in height. The purpose of the program shall be to integrate signs with building and landscaping design into a harmonious architectural unit and, in the case of directional signage exceeding the aforementioned size limits, to ensure that the size and scope of this signage is appropriate for the site. All comprehensive sign programs shall be reviewed by planning staff to determine conformance with the sign design guidelines, planned development approvals, applicable overlay guidelines, and/or specific plan standards. Comprehensive sign programs to allow directional signage as described above must be reviewed and approved by the Zoning Administrator. Staff may agendize the matter to the planning commission. Method of application shall be the same as designated in section 33-1392(b). Integration of signs shall be achieved by:

- (1) Using the same background color on all signs or by using various shades as determined compatible;
- (2) Using the same type of support or method of mounting for signs of the same type, and by using the same type of construction material for components such as sign copy, cabinets and supports. Slightly dissimilar signing may be approved if determined compatible;
- (3) Using the same form of illumination for all signs, or by using varied forms of illumination where justifiable and determined compatible;
- (4) Providing a comprehensive plan for the location, placement and number of all signs to be permitted for all existing or future development in the center, or by identifying common architectural elements where tenants can physically locate their signs;
- (5) Incorporating the design standards established in the sign design guidelines, as may be adopted by city council.

Article 66, Sec. 33-1393. Exempt and prohibited signs.

(a)(7) Directional/informational signs as defined in section 33-1391. Such signs shall not exceed two (2) square feet in area. Freestanding signs shall not be higher than three (3) feet. Directional/informational signs exceeding these limits may be allowed only for car-wash, polishing, vacuuming, and detailing uses with approval of a comprehensive sign permit, as set forth in Section 33-1392(c). No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate directional and kiosk signs shall not be included in this category;

Article 61, Division 9, Sec. 33-1319. Powers and duties and procedure.

(a) The zoning administrator is authorized to consider and approve, disapprove or modify applications and/or issue use permits, for requests that include, but are not limited to:

- (1) Minor conditional use permits as defined in Division 1 of this article;
- (2) Minor conditional use permits for non-residential parking pursuant to section 33-764 of Article 39;
- (3) Variances as defined in Division 2 of this article;

- (4) Reasonable accommodation as provided in Division 5 of this article;
 - (5) Grading exemptions not associated with a discretionary project pursuant to section 33-1066(d) of Article 55;
 - (6) Proposed modifications to an approved precise development plan pursuant to section 33-411 of Article 19;
 - (7) Time extensions for maps and permits upon submittal of a written request for an extension request, justification statement, and payment of all required application fees.
 - (8) Comprehensive sign programs as specified in section 33-1392(c) of Article 66.
- (b) The zoning administrator is authorized to consider and adopt a negative declaration or mitigated negative declaration, prepared pursuant to CEQA and Article 47 of this chapter, upon completion of the CEQA public review period, for administrative projects that do not require a public hearing.
- (c) The zoning administrator shall have the power to adopt all rules and procedures necessary for the conduct of the administrator's business.
- (1) The zoning administrator shall schedule public hearings as needed.
 - (2) The zoning administrator shall hold a hearing, issue a notice of intended decision, or take an administrative action on an application as required pursuant to this chapter for the specific type of request.
 - (3) The decisions of the zoning administrator shall be filed in the planning division and a copy provided to the applicant at the address shown on the application.
 - (4) Actions of the zoning administrator may be appealed to the planning commission. (Ord. No. 2017-03R, § 4, 3-22-17; Ord. No. 2018-07R, § 7, 4-18-18)

Planning Commission
Hearing Date: May 26, 2020
Effective Date: May 27, 2020

PLANNING COMMISSION RESOLUTION NO. 2020-06

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ESCONDIDO, CALIFORNIA,
RECOMMENDING CITY COUNCIL APPROVAL OF
AN ORDINANCE TO AMEND ARTICLE 61
(ADMINISTRATION AND ENFORCEMENT) AND
ARTICLE 66 (SIGN ORDINANCE) OF THE
ESCONDIDO ZONING CODE TO MODIFY SIGN
STANDARDS FOR CAR WASH FACILITIES

APPLICANT: Mark Watson, The Namou Group

CASE NO: AZ 20-0003

WHEREAS, the Planning Commission of the City of Escondido did, on May 26, 2020, hold a Public Hearing to consider a proposal to modify Article 61 (Administration and Enforcement) and Article 66 (Sign Ordinance) of the Escondido Zoning Code to allow menu signs at car wash facilities with administrative approval of a sign permit, and to allow directional signage exceeding two (2) square feet in area and three (3) feet in height at car wash facilities with Zoning Administrator approval of a comprehensive sign program.

WHEREAS, the following determinations were made:

1. That a notice was published and mailed as required by the Escondido Zoning Code and applicable State law.
2. That the application was assessed in conformance with the California Environmental Quality Act.

3. That a staff report was presented discussing the issues in the matter.
4. That a Public Hearing was held and that all persons desiring to speak did so.

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

1. That the above recitations are true and correct.
2. The proposed Zoning Code Amendment is exempt from CEQA, pursuant to Section 15311(a), which covers on-premise signs as an example of minor structures accessory to, or appurtenant to, existing commercial, industrial, or institutional facilities.
3. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and in its behalf, the Planning Commission makes the following substantive findings and determinations, attached hereto as Exhibit "A," 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. That, considering the Findings of Fact and applicable law, the Planning Commission hereby makes a motion to recommend City Council approval of said amendment, attached as Exhibit "B."

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 26th day of May, 2020, by the following vote, to wit:

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

JAMES SPANN, Chairman
Escondido Planning Commission

ATTEST:

MIKE STRONG, Secretary of the
Escondido Planning Commission

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

KIRSTEN PERAINO, Minutes Clerk
Escondido Planning Commission

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

EXHIBIT “A”

FACTORS TO BE CONSIDERED/FINDINGS OF FACT

AZ 20-0003

Zoning Code

1. The public health, safety, and welfare would not be adversely affected by the proposed Zoning Code Amendment. The proposed amendment expands the type and size of signage permissible at car-wash facilities. The proposed Zoning Code Amendment, allowing menu signs and oversized directional signs, would not be detrimental to surrounding properties because no physical improvements are proposed as part of this Project. Car wash facilities wishing to install menu signs would be required to obtain administrative approval of a sign permit, while those wishing to install oversized directional signs would be required to obtain Zoning Administrator approval of a comprehensive sign program. In both cases, the design and placement of such signage would be reviewed by staff and/or the Zoning Administrator to ensure that it is compatible with the site and the surrounding neighborhood, and that any required screening is provided. Future construction must comply with any applicable laws and standards. This includes the Building Code, the Fire Code, and any property standards bylaws.
2. The proposed Zoning Code Amendment would be consistent with the goals and policies of the General Plan because the amendment would not, in and of itself, result in development or any other material change to the environment. The proposed Zoning Code Amendment would not diminish the Quality of Life Standards of the General Plan, nor adversely impact community health or natural resources.
3. The proposed Zoning Code Amendment does not conflict with any specific plan. The South Centre City Specific Plan, West Mission Specific Plan, and East Valley Parkway Area Plan allow car washes as a conditional use within certain districts. These plans defer to Article 66 of the Zoning Code (the Sign Ordinance) for all signage regulations, so the changes included this Zoning Code Amendment would also be applicable to these Specific Plans. The Downtown Specific Plan prohibits car washes across the entire plan area, and therefore is not affected by this Zoning Code Amendment.

EXHIBIT “B”

PROPOSED TEXT AMENDMENTS

AZ 20-0003

Article 66, Sec. 33-1395.2. Sign standards—Freestanding signs—CG and CN zones.

Amend Section 33-1395.2(b)(4) to read as follows:

(b)(4) Menu signs. In conjunction with a drive-through business or automated car wash:

(A) Up to two (2) freestanding menu, or other similar signs, up to thirty-two (32) square feet each and a maximum height of six (6) feet may be permitted for drive-through businesses with one (1) stacking lane.

(B) Drive-through businesses with more than one (1) stacking lane shall be allowed one (1) freestanding menu sign, or other similar sign, up to thirty-two (32) square feet and a maximum height of six (6) feet, and one (1) freestanding menu sign, or other similar sign, up to twenty-four (24) square feet and a maximum height of six (6) feet, for each stacking lane.

(C) A maximum of two (2) freestanding menu, or other similar signs, shall be oriented toward each stacking lane for drive-through businesses.

(D) Automated car washes shall be allowed one (1) freestanding menu sign or other similar sign, up to twenty-four (24) square feet and a maximum height of six (6) feet, and one (1) pay station or kiosk, for each stacking lane.

(E) Menu signs shall be screened from view from adjacent properties and rights-of-way through the use of landscaping, earthen berms, walls, etc., to the maximum extent possible.

(F) Menu signs may be internally illuminated and utilize changeable copy.

(G) The area of the menu signs shall not be counted against the allowable sign area for the business.

Article 66, Sec. 33-1391. Definitions.

Amend 33-1391(17) and (21) to read as follows:

(17) *Comprehensive sign program* means a sign program for commercial and industrial centers consisting of two (2) or more tenant spaces, which establishes design criteria for all signs in the center and integrates them with building and landscaping design, and achieves architectural compatibility. A comprehensive sign program may also be implemented for car-wash, polishing, vacuuming, and detailing uses with directional/informational signage exceeding two (2) square feet in area or three (3) feet in height, regardless of the number of tenant spaces on the property.

(21) *Directional/informational sign* means an on-premises sign which contains words such as “entrance,” “in,” “out,” “rest rooms,” “no parking” or other similar words, or a sign containing arrows or characters indicating traffic directions used either in conjunction with such words or separately. The sign area shall not be greater than two (2) square feet and the sign not higher than three (3) feet. Signs exceeding this area and/or height may be allowed with approval of a comprehensive sign program, for car-wash, polishing, vacuuming, and detailing uses only. No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate kiosk and directional signs as defined in section 33-1396(c) and (d) shall not be included in this category.

Article 66, Sec. 33-1392. Permit administration.

Amend Section 33-1392(c) to read as follows:

(c) Comprehensive sign program for commercial and industrial zones. A comprehensive sign program shall be required for all new commercial, office or industrial centers consisting of two (2) or more tenant spaces, and for existing commercial, office or industrial centers for which the owner requests permission to remodel, expand, or enlarge the building(s) or land use which affects the existing signs. A comprehensive sign program also shall be required for all new or existing car-wash, polishing, vacuuming, and detailing uses that propose the use of directional/informational signs exceeding two (2) square feet in area or three (3) feet in height. The purpose of the program shall be to integrate signs with building and landscaping design into a harmonious architectural unit and, in the case of directional signage exceeding the aforementioned size limits, to ensure that the size and scope of this signage is appropriate for the site. All comprehensive sign programs shall be reviewed by planning staff to determine conformance with the sign

design guidelines, planned development approvals, applicable overlay guidelines, and/or specific plan standards. Comprehensive sign programs to allow directional signage as described above must be reviewed and approved by the Zoning Administrator. Staff may agendaize the matter to the planning commission. Method of application shall be the same as designated in section 33-1392(b). Integration of signs shall be achieved by:

- (1) Using the same background color on all signs or by using various shades as determined compatible;
- (2) Using the same type of support or method of mounting for signs of the same type, and by using the same type of construction material for components such as sign copy, cabinets and supports. Slightly dissimilar signing may be approved if determined compatible;
- (3) Using the same form of illumination for all signs, or by using varied forms of illumination where justifiable and determined compatible;
- (4) Providing a comprehensive plan for the location, placement and number of all signs to be permitted for all existing or future development in the center, or by identifying common architectural elements where tenants can physically locate their signs;
- (5) Incorporating the design standards established in the sign design guidelines, as may be adopted by city council.

Article 66, Sec. 33-1393. Exempt and prohibited signs.

Amend Section 33-1393(a)(7) to read as follows:

(a)(7) Directional/informational signs as defined in section 33-1391. Such signs shall not exceed two (2) square feet in area. Freestanding signs shall not be higher than three (3) feet. Directional/informational signs exceeding these limits may be allowed only for car-wash, polishing, vacuuming, and detailing uses with approval of a comprehensive sign permit, as set forth in Section 33-1392(c). No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate directional and kiosk signs shall not be included in this category;

Article 61, Division 9, Sec. 33-1319. Powers and duties and procedure.

Amend Division 9, Section 33-1319 to add Item (8) to the list.

(a) The zoning administrator is authorized to consider and approve, disapprove or modify applications and/or issue use permits, for requests that include, but are not limited to:

- (1) Minor conditional use permits as defined in Division 1 of this article;
- (2) Minor conditional use permits for non-residential parking pursuant to section 33-764 of Article 39;
- (3) Variances as defined in Division 2 of this article;
- (4) Reasonable accommodation as provided in Division 5 of this article;
- (5) Grading exemptions not associated with a discretionary project pursuant to section 33-1066(d) of Article 55;
- (6) Proposed modifications to an approved precise development plan pursuant to section 33-411 of Article 19;
- (7) Time extensions for maps and permits upon submittal of a written request for an extension request, justification statement, and payment of all required application fees.
- (8) Comprehensive sign programs as specified in section 33-1392(c) of Article 66.

(b) The zoning administrator is authorized to consider and adopt a negative declaration or mitigated negative declaration, prepared pursuant to CEQA and Article 47 of this chapter, upon completion of the CEQA public review period, for administrative projects that do not require a public hearing.

(c) The zoning administrator shall have the power to adopt all rules and procedures necessary for the conduct of the administrator's business.

- (1) The zoning administrator shall schedule public hearings as needed.
- (2) The zoning administrator shall hold a hearing, issue a notice of intended decision, or take an administrative action on an application as required pursuant to this chapter for the specific type of request.

(3) The decisions of the zoning administrator shall be filed in the planning division and a copy provided to the applicant at the address shown on the application.

(4) Actions of the zoning administrator may be appealed to the planning commission. (Ord. No. 2017-03R, § 4, 3-22-17; Ord. No. 2018-07R, § 7, 4-18-18)