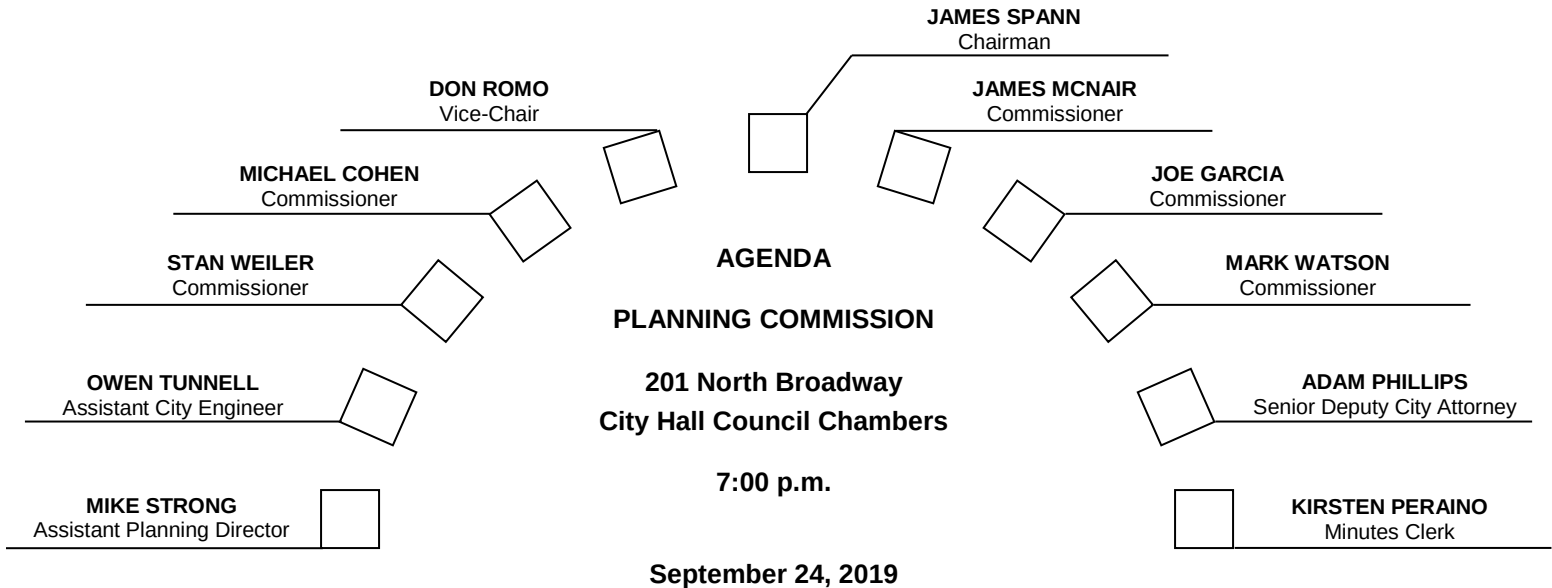


CITY OF ESCONDIDO

Planning Commission and Staff Seating



- A. CALL TO ORDER:** 7:00 p.m.
- B. FLAG SALUTE**
- C. ROLL CALL:**
- D. MINUTES:** 09/10/19

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.

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. SPECIFIC PLAN AMENDMENT – PHG 19-0023:

REQUEST: Amendment to the East Grove Specific Plan to modify the development standards associated with a trail section immediately adjacent and parallel to Hidden Trails Road to allow for a variety of trail improvements and/or conversion to landscaping or open space.

PROPERTY SIZE AND LOCATION: The East Grove Specific Plan is generally located along the eastern edge of the city, with Valley Center Road to the north.

ENVIRONMENTAL STATUS: Exemption under the General Rule, CEQA Section 15061(b)(3).

APPLICANT: Hidden Trails Community Association

STAFF RECOMMENDATION: Approval to City Council

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

2. ZONING CODE AMENDMENT AND CONDITIONAL USE PERMIT – AZ 19-0004 AND PHG 19-0047:

REQUEST: A request for an Amendment to the Zoning Code to review and update the list of permitted and conditionally permitted animals and pets for all residential zones, in conjunction with a proposal for a Conditional Use Permit to allow two (2) alpacas on an existing residential lot located at 2050 Miller Avenue. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The proposed Zoning Code Amendment would affect residential properties citywide. The proposed Conditional Use Permit is specific for 0.70-acres of property located at 2050 Miller Avenue (APN 236-352-11-00).

ENVIRONMENTAL STATUS: Exemption under the General Rule, CEQA Section 15061(b)(3).

APPLICANT: Kelly Thor

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**

September 10, 2019

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; Michael Cohen, Commissioner; Mark Watson, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Joe Garcia, Commissioner and James McNair, Commissioner.

Staff present: Bill Martin, Director of Community Development; Owen Tunnell, Assistant City Engineer; Adam Phillips, Senior Deputy City Attorney; Adam Finestone, Principal Planner; Jay Paul, Senior Planner and Kirsten Peraino, Minutes Clerk.

MINUTES:

Moved by Commissioner Cohen, seconded by Commissioner Watson to approve the Action Minutes of the August 27, 2019 meeting. Motion carried unanimously; Commissioner Garcia and Commissioner McNair were absent. (5-0)

WRITTEN COMMUNICATIONS: – Received.

FUTURE NEIGHBORHOOD MEETINGS: – None.

ORAL COMMUNICATIONS: – None.

PUBLIC HEARINGS:

1. TENTATIVE SUBDIVISION MAP, MASTER AND PRECISE DEVELOPMENT PLAN, AND DEVELOPMENT AGREEMENT – SUB 18-0008 and PHG 18-0021:

REQUEST: A one-lot Tentative Subdivision Map and a Master and Precise Development Plan to construct a four-story, 32-unit air-space condominium development with 300 SF of flex office space and a ground floor parking garage within the Mercado District of the Downtown Specific Plan. The project contains a mix of one- and two-bedroom units ranging from 700 SF to 1,123 SF; a ground-floor garage that would accommodate 43 parking spaces; podium level common outdoor spaces and individual private balconies. The overall height of the approximately 57-foot high building is within the allowable limits of the Downtown Specific Plan. Zoning provisions require a minimum of 61 parking spaces and the project is requesting a reduction in the parking requirement to provide 43 standard and 4 motorcycle spaces within the parking garage, along with three new on-street spaces along Grand Avenue. The project includes the purchase of an approximately 2,275 sf City-owned parcel fronting onto 2nd Avenue that would be used for access, utilities, storm water quality improvements, and landscaping. A Development Agreement also is requested to allow a reduction in open space (approximately 16 percent) where the zoning provisions currently require 300 SF per unit; and a credit for Art Fees in exchange for the development of a dynamic construction/art feature incorporated into the building design. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The approximately 0.45-acre site generally is located on the southern side of W. Grand Avenue, east of Quince Street, north of Second Avenue and addressed at 555 W. Grand Avenue (APNs 233-022-01, -02, -21 and portion of -23).

ENVIRONMENTAL STATUS: Exempt pursuant to a CEQA Section 15332, Class 32 In-fill development projects.

STAFF RECOMMENDATION: Recommend Approval by the City Council

PUBLIC SPEAKERS:

Ed McCoy, Applicant, Provided a brief presentation of the project.

Mark Baker, Expressed concerns with parking reduction

Anthony Widerburg, spoke in favor of the project.

Heather Thelen, shared concerns about parking reduction.

Shon Finch, spoke in favor of the project.

Maritza Ruvalcaba, expressed concerns with parking reduction.

Maria Bowman, spoke in favor of the project.

Joe Gelormini, Applicant, spoke in favor of the project.

COMMISSIONER DISCUSSION AND QUESTIONS:

The Commissioners discussed various aspects of the project.

COMMISSION ACTION:

Moved by Commissioner Watson, seconded by Commissioner Weiler to recommend City Council approval with the added condition of installing five (5) vehicle lifts in the parking garage upon initial occupancy. Motion carried unanimously; Commissioner Garcia and Commissioner McNair were absent (5-0).

2. MASTER AND PRECISE PLAN MODIFICATION TO INCREASE THE RESIDENTIAL DENSITY AND REVISE THE LIST OF PERMITTED COMMERCIAL USES FOR AN EXISTING MIXED-USE PLANNED DEVELOPMENT IN THE DOWNTOWN SPECIFIC PLAN – PHG 17-0026:

REQUEST: A Master and Precise Development Plan modification to increase the density of an existing mixed-use planned development in the Southern Gateway District of the Downtown Specific Plan. The project is a fully-developed commercial/residential mixed-use building consisting of 55 residential units and approximately 9,300 square feet of leasable commercial space. The request would increase the number of residential units by one (1) unit and decrease the leasable commercial space by approximately 1,000 square feet. The increased unit count would increase the project density from 68.75 dwelling units per acre to 70 dwelling units per acre. The revision to the list of permitted commercial would be consistent with the Downtown Specific Plan. No exterior modifications would be made to the building, and the total building square footage would not change. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: A 0.8-acre property located at the southeast corner of S. Escondido Boulevard and W. 3rd Avenue, addressed as 300 – 328 S. Escondido Boulevard (APN 233-142-14-00)

ENVIRONMENTAL STATUS: Reliance on a previously adopted Negative Declaration (Case No. ER 2007-08). The adopted negative declaration remains adequate and no further CEQA analysis is required for the project.

STAFF RECOMMENDATION: Approval

PUBLIC SPEAKERS:

Andrew Hedin, Applicant, available for questions.

COMMISSION ACTION:

Moved by Commissioner Romo, seconded by Commissioner Cohen to recommend City Council approval. Motion carried unanimously; Commissioner Garcia and Commissioner McNair were absent (5-0).

CURRENT BUSINESS: None.

ADJOURNMENT:

Chairman Spann adjourned the meeting at 8:38 p.m. to the next regularly scheduled Planning Commission meeting to be held at 7:00 p.m. on Tuesday, September 24, 2019 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: September 24, 2019

PROJECT NUMBER / NAME: PHG 19-0023 / East Grove Specific Plan Amendment

REQUEST: Amendment to the East Grove Specific Plan to modify the development standards associated with a trail section immediately adjacent and parallel to Hidden Trails Road to allow for a variety of trail improvements and/or conversion to landscaping or open space.

LOCATION: Hidden Trails Road

APPLICANT: Hidden Trails HOA

APN / APNS: N/A

PRIMARY

REPRESENTATIVE: Lindsay Berthiaume

GENERAL PLAN / ZONING: N/A

DISCRETIONARY ACTIONS REQUESTED: Specific Plan Amendment

PREVIOUS ACTIONS: N/A

PROJECT PLANNER: Mike Strong, Assistant Planning Director
mstrong@escondido.org

CEQA RECOMMENDATION: Exempt (CEQA Guidelines Section 15061(b)(3)).

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

REQUESTED ACTION: Approve Planning Commission Resolution No. 2019-21

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

REPORT APPROVALS: ☐ Bill Martin, Community Development Director
☒ Mike Strong, Assistant Planning Director

A. BACKGROUND:

The East Grove Specific Plan is generally located along the eastern edge of the city, with Valley Center Road to the north. The planning area covers approximately 507.6 acres, which is divided into different land use districts. Overall, the Specific Plan allows for 297 residential dwelling units, preserved agricultural lands, natural resources and wetlands management, and an open space system with trails. The Specific Plan also provides a circulation system to allow for the safe movement of vehicles and pedestrians throughout the East Grove area and to access the valley and surrounding lands. The terrain of this planning primarily consists of transitional foothills located between the Escondido valley floor to the west and the more mountainous area to the east. Elevations within East Grove range from 445 feet above mean sea level at the southeast corner to 1,590 feet above mean sea level to the northeast corner of the property.

Today, the planning area offers abundant recreational opportunities for residents and guests. Most of these opportunities are provided through trails and a nearby park facility. The East Grove trail system provides access and connections between living areas, schools, and recreation areas. As described by the East Grove Specific Plan, trail placement and design was intended to implement safe, non-motorized movements within the East Grove planning area. Although the East Grove trail system was planned to provide comprehensive trail access within the Specific Plan and to/from the trail areas beyond, some trails have been used more frequently than others. Although most of the trail network has easily identifiable routes for walking and hiking, some trail sections have not been maintained adequately over time. Trails that are not maintained, deteriorate and are generally not used. Because of these challenges, there appears to be a need to revisit the overall trail circulation plan to have some flexibility with implementing and managing the trail system.

The applicant, acting on behalf of the Hidden Trails homeowner's association, would like to re-designate or change a portion of a small section of trail that was installed by the developer when the subdivision was created, immediately adjacent to Hidden Trails Road within the parkway portion of the public right-of-way. Although this trail, classified as a Rural Regional Connector Trail in the Specific Plan, includes both off-road and near-road facilities, the homeowner's association is only interested in addressing the trail section that is immediately adjacent and parallel to Hidden Trails Road. This section of the facility has been washed out several times due to rain fall and steep topographic conditions. The local homeowner's association has allocated a significant amount of their resources for its upkeep and ongoing maintenance, but the association is unlikely to be able to continually service this financial obligation. The failing condition of the trail also brings up several other issues related to trail user safety, convenience, hazards, aesthetic deterioration, and association liabilities. Through the Specific Plan Amendment proposal, the homeowner's association is submitting a request to adopt more flexibility in the Specific Plan to address the recreation experiences provided to residents and guests.

B. PROJECT ANALYSIS:

The Rural Regional Connector Trail, immediately adjacent to Hidden Trails Road Trail, was installed with a polymer binder coating. This binding material typically lengthens the longevity trails. However, slope erosion is not preventable and in areas of steep slope, erosion requires frequent and/or costly maintenance. The costs to the local homeowner's association is far beyond what was anticipated and what association fees can absorb. The proposed Specific Plan Amendment, attached as Exhibit "B" to draft Resolution No. 2019-21, allows for more efficient and flexible trail planning and management over time. Should slope erosion continue to require frequent and/or costly maintenance, the design and materials for the trail may be more carefully selected. As such existing trail improvements may be replaced from time to time accordingly with crushed gravel, stone, or rocks; hard-surface aggregate; asphalt; or other acceptable binding material surfaces to prevent erosion. Since there is a separate parallel sidewalk facility that may be used for non-motorized travel, as an alternative the unpaved trail along Hidden Trails Road may be re-designated for open space and landscaping. The section of trail is redundant and is seldom used, given its proximity to the sidewalk. After each rainfall season it is anticipated that there will continue to be washed out conditions, further making the facility unfit for use. It is possible that some sections of this trail would remain as dirt and gravel (soft surface) and would not be redeveloped or convert to landscaping or open space for a variety of reasons.

The City of Escondido Planning Division supports updated trail management plans to reflect current development, utility, and operational needs. The proposed Specific Plan Amendment would be consistent with the existing General Plan goals and policies. Goal 2 et. seq. policies of the Land Use and Community Form portion of the General Plan addresses the need for regulations that clearly and effectively implement land use development goals and objectives. The basis of establishing and updating trail standards, as necessary, local standards and guidelines for ensures adequate facility use for transportation, which is contained in the Circulation Element portion of the General Plan. The section of the trail adjacent to Hidden Trails Road represents a small section of the existing trail network and does not frustrate the broader active transportation initiatives of Escondido. The proposed Specific Plan Amendment would also meet the goals and objectives of the East Grove Specific Plan. The Specific Plan outlines long-term community development goals and projects regarding transportation in the East Grove area. Including language about trails was premised as an important way for the Specific Plan to establish continued support for trail systems in the community. The proposed Specific Plan Amendment's language is still aimed at supporting trail systems in general and promoting continued regional connectivity between trails, such as the Cloverdale Trail and the Old Guejito Road trail. This will help preserve and protect some of our natural resources, maintain the beauty of the area and greatly enhance the outdoor experience of all residents and visitors, now and for future generations.

C. ENVIRONMENTAL STATUS:

The City finds that the adoption of the Zoning Code Amendments would be exempt from Environmental Review pursuant to General Rule 15061(b)(3) since there would be no possibility of a significant effect on the environment because the amendments will not directly result in development. Any future project or development as defined by the California Environmental Quality Act (CEQA) that may occur as a result of the amended language would be subject to CEQA review and analysis.

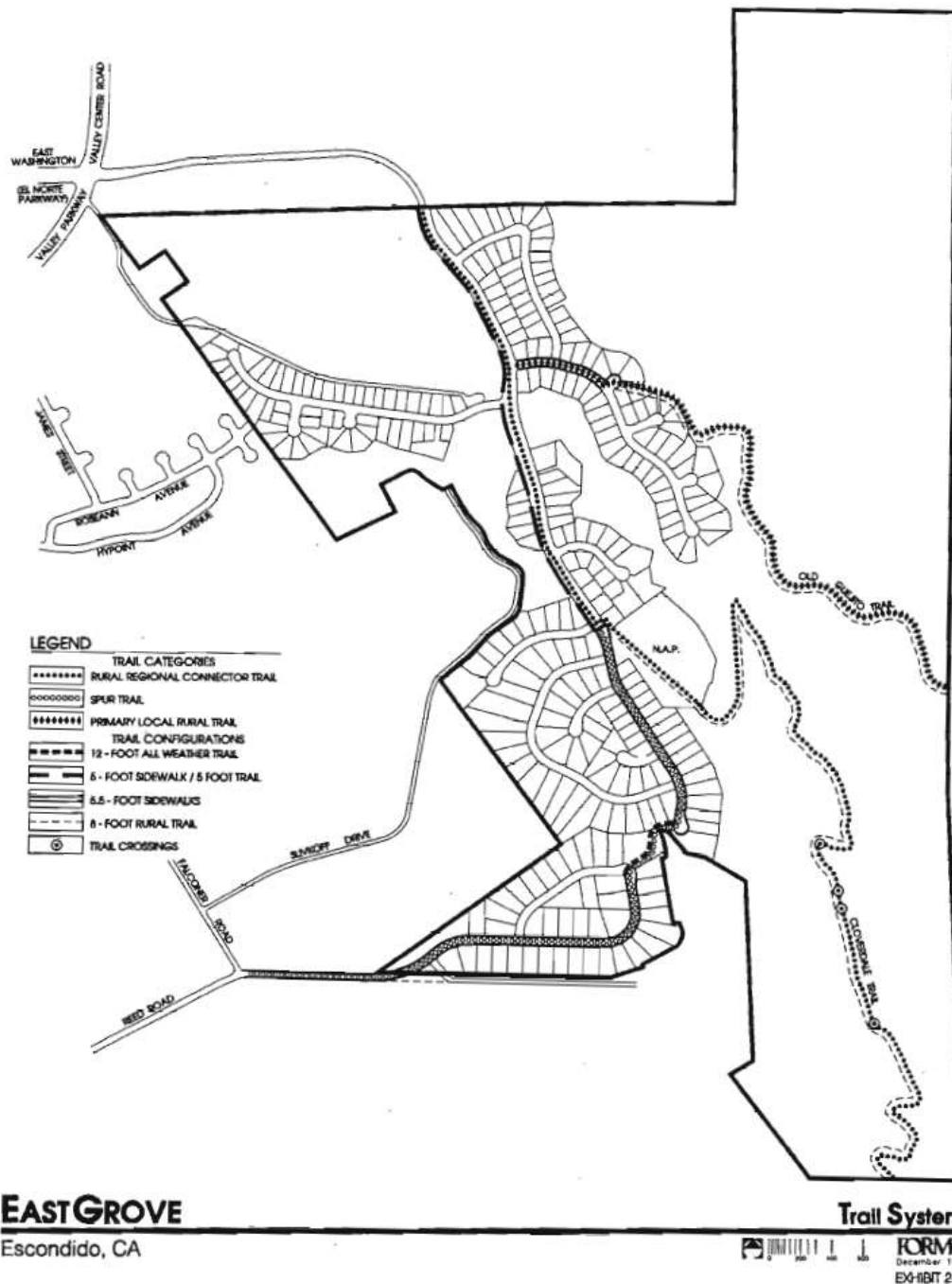
D. CONCLUSIONS:

The Planning Commission has the authority under Section 4.11.2 (Formal Amendments) of the East Grove Specific Plan, Article 18 (Specific Plan Zone Ordinance) and Section 33-1262 of Article 61 of the Escondido Zoning Code (Administration and Enforcement Ordinance) to review and consider amendments to the East Grove Specific Plan, which requires a Planning Commission recommendation to City Council. No other discretionary permits are requested or required.

ATTACHMENTS:

1. Trail Network Map, Exhibit 2-4 of the East Grove Specific Plan
2. Strikeout/Underline Amendment Language
3. Draft Planning Commission Resolution No. 2019-21, with Exhibits "A" and "B"

ATTACHMENT 1
TRAIL NETWORK MAP, EXHIBIT 2-4
PHG 19-0023



ATTACHMENT 2
SPECIFIC PLAN AMENDMENT STRIKEOUT/UNDERLINE
PHG 19-0023

Section 1.

Amend the East Grove Specific Plan to read as specified below. The changes are listed in order by section number, with ~~strikeout~~ typeface illustrating deletions and underline typeface illustrating new text.

Section 2.3.3 Project Circulation Plan

1. Rural Street “A” – Enhanced

Street “A” is the primary circulation road within the northern villages of East Grove. An off-site segment of Street “A” also provides the connection between East Grove and Valley Parkway. Seven of the East Grove Villages are provided access to Valley Parkway by way of Street “A.”

As Street “A” winds through East Grove the right-of-way dimension will vary from 56 feet to 100 feet. The enhanced segment of Street “A” extends southward from the northerly SPA boundary of Village 1 to the intersection with Street “M” in Village 5. The right-of-way dimension within the enhanced roadway will vary from 78 feet to 100 feet. South of Street “M,” Street “A” becomes a standard local rural street with a 56-foot right-of-way. The changing right-of-way width is the result of varied parkway widths. The enhanced parkways range in width from 10 to 32 feet. A meandering 10-foot sidewalk/pedestrian trail will be located on one side of the street along Villages 1, 3, 4 and 5. Should slope erosion require frequent and/or costly maintenance, the unpaved trail along Street “A” may be removed and replaced with open space and landscaping, subject to Section 2.3.5.1. The single sidewalk/pedestrian trail departs Street “A” at the Reed Reservoir property and becomes an 8-foot wide rural trail. The Street “A” pedestrian system continues southward from this point in the form of standard 5’ 6” sidewalks on both sides of the street.

[...]

Section 2.3.5 Trail System

1. Rural Regional Connector Trail

Rural trails are generally unpaved paths that encircle the city through natural undeveloped areas. The Cloverdale Trail forms one link of the city’s rural perimeter trail. This trail route begins at the San Dieguito River Park and travels northward along Cloverdale Road to East Grove. To the north of East Grove the trail continues in a northeasterly direction

through Frances Ryan Community Park toward Bottle Peak. The Cloverdale Trail through East Grove will be designed to accommodate pedestrian, bicycle and equestrian users. Within East Grove, an 8-foot wide unpaved trail will utilize existing agricultural roads from the southern SPA boundary, through the groves and the Reed Reservoir site, to the south end of the enhanced portion of Street "A." Because this southern portion of the trail will utilize the existing dirt roadways, no new construction will be required for this trail segment. The trail then continues northward along Street "A" to the northern SPA boundary via a 10-foot wide meandering sidewalk/trail to the community park. The sidewalk/trail will consist of a 5-foot wide sidewalk and a 5-foot wide unpaved trail suitable for equestrian use. The design and materials for the unpaved trail along Street "A" should be carefully selected and trail improvements may be replaced from time to time with crushed gravel, stone, or rocks; hard-surface aggregate; asphalt; or other acceptable binding material surfaces to prevent erosion. Alternatively, the unpaved trail along sections of Street "A" may be designated and replaced as open space and landscaping, subject to the standards listed in Chapter 3.4. A typical 8-foot wide rural trail section for off-road trail improvements is illustrated by Exhibit 2-5.

Planning Commission
Hearing Date: September 24, 2019
Effective Date: September 25, 2019

PLANNING COMMISSION RESOLUTION NO. 2019-21

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ESCONDIDO, CALIFORNIA,
RECOMMENDING APPROVAL OF AMENDMENTS TO
THE EAST GROVE SPECIFIC PLAN

APPLICANT: Hidden Trails Homeowner's Association

CASE NO: PHG 19-0023

WHEREAS, the Planning Commission of the City of Escondido did, on September 24, 2019 hold a Public Hearing to consider the Specific Plan Amendment request, a proposal to modify the East Grove Specific Plan; and

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 project is exempt from CEQA, pursuant to Section 15061 (b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed Municipal Code and Zoning Code Amendments would not, in and of themselves, result in development or any other material change to the environment. Projects seeking to implement the amended provisions would be subject to separate review under the California Environmental Quality Act (CEQA).
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 amendments, 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 24th day of September 2019, 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

EXHIBIT “A”
FACTORS TO BE CONSIDERED/FINDINGS OF FACT
PHG 19-0023

Specific Plan Amendment Determination:

1. The East Grove Specific Plan describes the location, intended land use and building intensity, and development concept including a circulation system for a 297-unit residential community. The Planning Commission has the authority under Section 4.11.2 (Formal Amendments) of the East Grove Specific Plan, Article 18 (Specific Plan Zone Ordinance) and Section 33-1262 of Article 61 of the Escondido Zoning Code (Administration and Enforcement Ordinance) to review and consider amendments to the East Grove Specific Plan, which requires a Planning Commission recommendation to City Council. Such a recommendation should include a review of the following amendment criteria, as set forth in Section 4.11.3 of the East Grove Specific Plan.

“The amendment application shall satisfy the following criteria:

- A. *Demonstrate that the proposed amendment meets the goals and objectives of the General Plan and Specific Plan.*
 - B. *Ensure that any impacts from the amendment can be satisfactorily mitigated.*
 - C. *Provide a strikeout/underline copy of the Specific Plan text when changes are proposed and update any Specific Plan exhibits affected by the proposed amendment.*
 - D. *Update any Specific Plan technical studies and/or provide additional environmental studies deemed necessary by the Director of [Community Development] of the City Engineer.”*
2. The proposed Specific Plan Amendment does not conflict with any Specific Plan as the project embodies several ancillary and conforming Specific Plan modifications. Furthermore, the proposed Specific Plan Amendment does not conflict with the General Plan. The East Grove community and the surrounding areas enjoy an interconnected system of accessible multi-use trails and greenways that offer diverse, healthy outdoor experiences within a rich variety of landscapes and natural habitats. The proposed Specific Plan Amendment does not interfere with this objective and it continues to support active modal transportation opportunities. The construction type of the Rural Regional Connect Trail covered by the proposed Specific Plan Amendment would be determined later and would be a function of the amount and timing of available funding, site assessments, and other factors that may arise.

It is acknowledged that trail implementation will need to balance Specific Plan objectives with a need to control costs and make careful investment decisions that maximize and fulfill community values. The long-term adequacy of financial resources to maintain the existing public investment in parks, trails and open space must be assured. The foregoing satisfies the criteria listed in Section 4.11.3(A) of the East Grove Specific Plan.

3. The Specific Plan Amendment does not create any impacts pursuant to Section 4.11.3(B) of the East Grove Specific Plan. There is no development proposal associated with this Project. Projects seeking to implement the amended provisions would be subject to separate review, through an encroachment permit and other permits required. Additionally, the Project does not impact consistency with other planning documents for which need mitigating. Completion of regional trail corridors will remain an on-going challenge. Trail corridor development can face challenges resulting from land ownership patterns, the length of time inherent to negotiating with multiple property owners, competing needs for protection of riparian corridors and habitats, natural and built environment constraints, and the availability of funding. The proposed Specific Plan Amendment has no impact to regional trail connections. The section of the trail adjacent to Hidden Trails Road represents a small section of the existing trail network and does not frustrate the broader active transportation initiatives of Escondido. Furthermore, the trail is redundant since it is immediately adjacent and parallel to a sidewalk facility. The proposed Specific Plan Amendment's language is still aimed at supporting trail systems in general and promoting continued regional connectivity between trails, such as the Cloverdale Trail and the Old Guejito Road trail.

The information provided in Exhibit "B" to this resolution contains strikeout/underline copy of changes proposed to satisfy the criteria listed in Section 4.11.3(C) of the East Grove Specific Plan. No Specific Plan technical studies are deemed necessary to support the Specific Plan Amendment (Section 4.11.3(D)).

4. The proposed Specific Plan Amendment meet the minimum requirements of Section 65451 of the Government Code.

EXHIBIT “B”
SPECIFIC PLAN AMENDMENT
PHG 19-0023

SECTION I.

Repealing in its entirety, Section 2.3.3 of the East Grove Specific Plan, and adopting in full new text to read as specified below.

Section 2.3.3 Project Circulation Plan

2. Rural Street “A” – Enhanced

Street “A” is the primary circulation road within the northern villages of East Grove. An off-site segment of Street “A” also provides the connection between East Grove and Valley Parkway. Seven of the East Grove Villages are provided access to Valley Parkway by way of Street “A.”

As Street “A” winds through East Grove the right-of-way dimension will vary from 56 feet to 100 feet. The enhanced segment of Street “A” extends southward from the northerly SPA boundary of Village 1 to the intersection with Street “M” in Village 5. The right-of-way dimension within the enhanced roadway will vary from 78 feet to 100 feet. South of Street “M,” Street “A” becomes a standard local rural street with a 56-foot right-of-way. The changing right-of-way width is the result of varied parkway widths. The enhanced parkways range in width from 10 to 32 feet. A meandering 10-foot sidewalk/pedestrian trail will be located on one side of the street along Villages 1, 3, 4 and 5. Should slope erosion require frequent and/or costly maintenance, the unpaved trail along Street “A” may be removed and replaced with open space and landscaping, subject to Section 2.3.5.1. The single sidewalk/pedestrian trail departs Street “A” at the Reed Reservoir property and becomes an 8-foot wide rural trail. The Street “A” pedestrian system continues southward from this point in the form of standard 5’ 6” sidewalks on both sides of the street.

The enhanced parkways in Villages 1 through 5 will be landscaped with drought-tolerant plantings chosen to allow for a natural countryside setting as opposed to a more formal and manicured look. The intent is that the parkways will require minimal irrigation once established. The enhanced parkways and landscaped parking islands will be maintained by the East Grove Landscape Lighting District.

The curb-to-curb paved section measurement is 42 feet from the north project boundary to Street “H” and 36 feet south of the Street “H” intersection. Street grades shall not

exceed 15%. The enhanced portion of Street "A" has a design speed of 30 miles per hour with a posted speed limit of 25 miles per hour. Additional criteria for the enhanced portion of Street "A" are shown on Exhibit 2-3.

SECTION II.

Repealing in its entirety, Section 2.3.5.1 of the East Grove Specific Plan, and adopting in full new text to read as specified below.

Section 2.3.5 Trail System

2. Rural Regional Connector Trail

Rural trails are generally unpaved paths that encircle the city through natural undeveloped areas. The Cloverdale Trail forms one link of the city's rural perimeter trail. This trail route begins at the San Dieguito River Park and travels northward along Cloverdale Road to East Grove. To the north of East Grove the trail continues in a northeasterly direction through Frances Ryan Community Park toward Bottle Peak. The Cloverdale Trail through East Grove will be designed to accommodate pedestrian, bicycle and equestrian users. Within East Grove, an 8-foot wide unpaved trail will utilize existing agricultural roads from the southern SPA boundary, through the groves and the Reed Reservoir site, to the south end of the enhanced portion of Street "A." Because this southern portion of the trail will utilize the existing dirt roadways, no new construction will be required for this trail segment. The trail then continues northward along Street "A" to the northern SPA boundary via a 10-foot wide meandering sidewalk/trail to the community park. The sidewalk/trail will consist of a 5-foot wide sidewalk and a 5-foot wide unpaved trail suitable for equestrian use. The design and materials for the unpaved trail along Street "A" should be carefully selected and trail improvements may be replaced from time to time with crushed gravel, stone, or rocks; hard-surface aggregate; asphalt; or other acceptable binding material surfaces to prevent erosion. Alternatively, the unpaved trail along sections of Street "A" may be designated and replaced as open space and landscaping, subject to the standards listed in Chapter 3.4. A typical 8-foot wide rural trail section for off-road trail improvements is illustrated by Exhibit 2-5.

PLANNING COMMISSION

Agenda Item No.: G.2
Date: September 24, 2019

PROJECT NUMBER / NAME: AZ 19-0004 and PHG 19-0047 / Animal Regulations Update

REQUEST: A request for an Amendment to the Zoning Code to review and update the list of permitted and conditionally permitted animals and pets for all residential zones, in conjunction with a proposal for a Conditional Use Permit to allow two (2) alpacas on an existing residential lot located at 2050 Miller Avenue. The proposal also includes the adoption of the environmental determination prepared for the project.

LOCATION: Citywide / 2050 Miller Avenue

APPLICANT: City of Escondido / Kelly Thor

APN / APNS: N/A

GENERAL PLAN / ZONING: N/A

PRIMARY

REPRESENTATIVE: Planning Division / Kelly Thor

DISCRETIONARY ACTIONS REQUESTED: Zoning Code Amendment / Conditional Use Permit

PREVIOUS ACTIONS: N/A

PROJECT PLANNER: Mike Strong, Assistant Planning Director
mstrong@escondido.org

CEQA RECOMMENDATION: Exempt (CEQA Guidelines Sections 15061(b)(3) and 15303(e).

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

REQUESTED ACTION: Approve Planning Commission Resolution No. 2019-22

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

REPORT APPROVALS:

☐ Bill Martin, Community Development Director

☒ Mike Strong, Assistant Planning Director

A. BACKGROUND:

Many municipal zoning codes and ordinances in California contain provisions which regulate animal keeping and livestock operations on residential properties. These codes and ordinances directly address animal keeping of a personal nature involving dogs, cats, horses, domestic birds, and other animals which are typically thought of as pets. But these are not the only animals to be considered. Small scale, animal keeping or livestock preferences may include, but are not limited to, llamas and alpacas, exotic large birds such as emus and peacocks, as well as a variety of other less typical species. On March 21, 2019 a code violation complaint was filed against a property located 2050 Miller Avenue for possessing two (2) alpacas. Although alpacas are not specifically listed as a permitted animal use in the Zoning Code, there are other animal type categories listed that are similar such as cattle, sheep, goats, and swine. The number of animals permitted on property in this category is one (1) animal per acre in the Residential Agriculture (R-A) or Residential Estate (R-E) zones. Since the subject property is less than one (1) acre in size, no cattle, sheep, goats, swine, or alpacas are allowed. Therefore, owning, possessing, or harboring any alpacas at 2050 Miller Avenue is a violation of code.

If there has been difficulty in interpreting and applying the provisions of the Escondido Zoning Code to a specific case or situation, the Planning Commission may be called upon to request an interpretation to determine the intent of the codes. This service offers guidance as to whether a proposed project, such as a new building, an addition to an existing building, or a use change, conforms to the codes. The issue surrounding the alpaca animal category is a matter that had been previously considered by the Planning Commission. A resolution of determination was issued on April 22, 2003, providing a zoning interpretation that alpacas shall be permitted in the R-E Zone and approving a Conditional Use Permit ("CUP") to allow two (2) alpacas on a 1.33-acre parcel. (Please refer to Attachment 1 for more background information on the previous determination.) Because the resolution was property specific, City staff continues to administer and enforce the one (1) large animal per acre standard elsewhere. In consideration of the previous determination of use rendered, the owner of 2050 Miller Avenue filed a request to amend the Zoning Code to allow the alpacas on the property. Through the Zoning Code Amendment application request, the Planning Commission has the ability to reconsider the determination of use on a broader basis and apply similar use allowances and limitations citywide.

B. PROJECT ANALYSIS:

1. Zoning Code Amendment

The Planning Division is responsible for conducting a periodic review of the Municipal and Zoning Codes, and provides recommendations on how to administer the codes more effectively and efficiently. In 2017, the City initiated a new, recurring work program and now, as established, the Planning Division is able to maintain a regular process and

consistent schedule for maintaining the City's codes and regulations, called Annual Omnibus Code Clean-Up. The City Council adopted the last batched group of minor amendments on August 21, 2019 by Ordinance No. 2019-10 (Planning Case No. AZ 19-0003). Among other things, Ordinance No. 2019-10 established standards for the placement of animal enclosures in residential zones. It is important note that City staff was already aware of the pending application request to modify the list of animals permitted during the course of developing Ordinance No. 2019-10. Rather than bringing the matter forward in the batched omnibus application, City staff felt that a more detailed review and discussion by the Planning Commission was warranted. In addition, the scope of the amendment covered by the application to allow alpacas at 2050 Miller Avenue is recommended by City staff to be expanded to comprehensively update the types and quantities of animals permitted in all residential zones. Ancillary and incidental amendments to Chapter 4 of the Municipal Code are needed to support the Zoning Code Amendment request. After the Planning Commission's consideration, the matter would be referred to the City Council.

Domestic animals and livestock are allowed for hobby and personal use purposes within all residential zoning districts subject to the animal quantities stated in Table 33-95a and Section 33-1116 of the Escondido Zoning Code. In addition, applicable requirements of Chapter 4 of the Municipal Code (Animal Control Ordinance) may also apply to animal keeping. While the current review and potential update to the animal regulations was initiated with a permit request to correct a code violation and allow alpacas at 2050 Miller Avenue, City staff does receive other animal-related complaints on a relatively-regular basis. The origins of conflict between uses involving animal keeping or livestock and their neighbors appear to fall within a similar range of complaints/issues.

- animal waste management,
- storage and usage areas,
- noise,
- health risks,
- odors,
- vectors,
- water pollution and treatment,
- lighting of animals,
- fencing, and
- erosion and sedimentation control.

City staff finds that the keeping of small animals, within dense residential areas has the potential to cause nuisance conditions and health violations. While most animal owners treat their pets and animals humanely and take care to avoid impacting other property owners, some do not – and the City is the agency responsible for responding to these

nuisance violations. When reviewing the preceding list of concerns, it becomes apparent that the keeping of animals on private property is ultimately a land use issue. City staff does not believe the size of an animal enclosure should be of significant concern, if the structure meets setback and lot coverage requirements, and if the enclosure is not in the front yard. And Ordinance No. 2019-10 recently established standards for the placement of animal enclosures in residential zones. With the enclosure regulations already codified, City staff believes that the resolution of the remaining concerns should be the focus of any regulation proposed or implemented. As such, draft Planning Commission No. 2019-22 has been prepared to limit issues and/or further nuisance complaints regarding the quantities and types of animals permitted or conditionally permitted on residential properties. A summary of the proposed changes is provided below.

- Temporary animal fostering, primarily of rescue puppies and kittens, is undertaken locally by private volunteer residents on behalf of local animal care organizations. Current standards in the City of Escondido prohibits this land use activity in residential zones, if the number of animals exceeds that which is permitted. The proposed Zoning Code Amendment seeks to carve out a temporary allowance for foster care.
- The City of Escondido limits the number of adult dogs and cats allowed on private residences to two (2) or three (3) in some cases, but has no similar limits on the number of roosters, turkeys, or peafowl allowed, provided that the total number does not exceed twenty-five (25). Comparably sized cities have more restrictive limits of roosters, turkeys, and peafowl allowed on non-commercial properties. The proposed Zoning Code Amendment seeks to establish a smaller quantity of animals permitted for roosters, turkeys and peafowl animal keeping, with a maximum number of animals of any single type of bird or combination of birds.
- Noise, property destruction or odors from any animals can be addressed in part by existing animal control and nuisance standards. The Zoning Code Amendment proposed slight modifications to the Animal Control Ordinance (Chapter 4 of the Municipal Code) to ensure that all animal keeping is subject to public nuisance abatement.
- City staff has observed that animal-related complaints are less likely to occur when associated with larger lots than on smaller lots. The draft code reflects this philosophy. Smaller lots (those less than ½ acre) require tighter regulation due to their inherent proximity to neighboring properties. Larger lots (those greater than 40,000 SF) probably don't need as much regulation, especially when they are not visible from the right of way.

- In each zoning district of the City of Escondido Zoning Code, specific uses are permitted for property within that zone. Each zoning district also lists various "conditionally allowed uses" which are permitted, subject to approval of a CUP by the Planning Commission. The use permit process provides the City sufficient flexibility to determine whether a specific land use with unusual characteristics will be compatible with surrounding properties while meeting the General Plan and Zoning requirements. For instances where the animal category type needs to be evaluated for such items as building placement and size, noise generation, and other related impacts, a CUP is a good tool to regulate land use activity because the permit would only be granted by the Planning Commission (or City Council on appeal) if the decision-making body can find that compatibility is ensured and if the use is appropriate in the proposed location. Conditions may be imposed as necessary to ensure the project's compatibility with the surrounding neighborhood and the General Plan. The Zoning Code Amendment proposes to introduce a CUP requirement for "roosters" in the R-E Zone, for "miniature goats" in the R-1 Zone, for "miniature horses" in the R-1 Zone, and for "alpacas" in the R-E Zone. It is important to note that the proposal to include the "alpacas" as an animal category type, with the quantities stated, is necessary to enable the consideration of allowing alpacas at 2050 Miller Avenue.

2. Conditional Use Permit

The Planning Commission may, subject to the procedures and standards set forth in Article 61 of the Escondido Zoning Code, grant, conditionally grant, or deny an application for a CUP for uses allowed by the chapter for the applicable zone. The purpose of a CUP is to allow proper integration of uses into the community which may only be suitable in specific locations and may have potentially detrimental characteristics if not properly designed, located, and conditioned. Currently, the City's regulations of animals do not allow alpacas on the subject property, but they do allow up to twenty-five (25) birds, including turkeys, and allow up to four (4) dogs. As of this writing, the residence, located at 2050 Miller Avenue has two (2) alpacas, ten (10) hens, six (6) turkeys and one (1) dog. As proposed, the Zoning Code Text Amendment enables the review and consideration of the CUP request to allow up to two (2) alpacas on residential properties in the R-E Zone. Since the Zoning Code Text Amendment also changes the number of turkeys allowed on the property, the project is conditioned to amortize the total number of turkeys to meet new code requirements. The property owner has indicated to staff that the turkey animal keeping is primarily used for food.

A. Alpacas:

Alpacas are similar to, and often confused with, the llama. However, alpacas are often noticeably smaller than llamas. An adult alpaca generally is about three (3) feet in height

at the shoulders. Alpacas usually weigh between 110 and 140 pounds. They are generally easy to care for since they are not limited to a specific type of environment and they are generally very organized and neat. While alpacas are best known for their fleece production, people keep some as pets. The average lifespan of an alpaca can range anywhere from eighteen (18) to twenty (20) years. There are currently two (2) alpacas on the property, which is not permitted by existing regulations. A Notice of Violation was issued on the property, located at 2050 Miller Avenue, on March 21, 2019 by the Code Enforcement Division.

Alpacas make a variety of lower-volume sounds, including humming, snorting, and grumbling. However, their screams can be extremely loud. They will scream when they are not handled correctly or when they are being attacked by a potential enemy. Alpacas can also make a bird-like screech, presumably intended to terrify the opponent. This sound is typically used by a male alpaca when they are in a fight over who will dominate. Since the desired use is animal keeping for pet purposes, it is anticipated that screaming and screeching noises would be kept at a minimum or infrequent basis.

The applicant has proposed to maintain the alpaca enclosure in an area of the property that is the least intrusive to surrounding property owners. The enclosure is located in the rear of the property, approximately 160 feet from the residence and four and a half (4.5) feet from the rear property line and seven and a half (7.5) feet from the side property line to the south and sixty-eight (68) feet from the side property line to the north. The enclosure is currently about one-hundred (100) feet from the nearest, adjacent residence. Pursuant to the Zoning Code, the animal enclosure must be located fifteen (15) feet from the side property line and ten (10) feet from the rear property line. The enclosure shall also be set back from any residence by twenty (20) feet. If this CUP application is approved, the property would need to conform to these standards.

Although the owner of 2050 Miller Avenue has six (6) turkeys on the premises, a lesser amount is proposed as part of the Zoning Code Amendment. As applied this particular situation, the lower number seems reasonable in consideration of neighbor complaints and the how the owner uses the animal (i.e. food vs. a pet). Turkeys are known to display aggressive behavior from time to time against other turkeys or anything else that they perceive as a threat. Because both animals on the property (turkeys and alpacas) could, at times, make noises in reaction to what is going on around them, it makes sense to reduce the capacity of these occurrences. City staff proposes a limitation of two (2) turkeys on the subject property, both through the proposed Zoning Code Text Amendment and CUP request.

C. SUPPLEMENTAL DETAILS OF THE REQUEST

1. APN: 2363521100
2. Parcel Address: 2050 Miller Avenue, Escondido
3. Zoning: RE-20
4. Acreage: 0.70 acres / 30,275 SF
5. Year the home was built: 1961
6. Alpaca animal enclosure: 24' wide x 36' long x 5' high
7. Alpaca coral cover: 24' x 10' long x 10' high, composed of corrugated metal. Additional sun screens have been added to reduce heat during summer months.
8. Fencing: Fencing around property is a mixture of chain link, horse fencing, and wooden at six (6) feet.
9. Landscaping: Bush and canopy eucalyptus trees on nearest property linen

D. ENVIRONMENTAL STATUS:

The City finds that the adoption of the Zoning Code Amendment would be exempt from Environmental Review pursuant to General Rule 15061(b)(3) since there would be no possibility of a significant effect on the environment because the amendment will not directly result in development. Any future project or development as defined by the California Environmental Quality Act (CEQA) that may occur as a result of the amended language would be subject to CEQA review and analysis.

The City finds that the adoption of the CUP request would also be exempt pursuant to Class 3 / Section 15303(e) for new construction or conversion of small structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This item covers animal enclosures and other accessory structures for both existing and new residential structures.

E. CONCLUSIONS:

The Planning Commission has the authority under Article 61 of the Escondido Zoning Code (Administration and Enforcement Ordinance) to review and consider Zoning Code Amendments, which requires a Planning Commission recommendation to City Council. The Zoning Code Amendment facilitates a conversation about how land use is classified and whether (and how) animal keeping is permitted within different residential zoning districts. The Zoning Code Amendment also enables the review of a request for a CUP to allow animal keeping on property located at 2050 Miller Avenue, which has been filed for consideration concurrent with the Zoning Code Amendment. No other discretionary permits are requested or required.

ATTACHMENTS:

1. Resolution of Determination (Resolution No. 5473)
2. April 22, 2003 Planning Commission Meeting Minutes
3. Strikeout/Underline Amendment Language
4. Draft Planning Commission Resolution No. 2019-22, with Exhibits "A," "B," and "C"

ATTACHMENT 1

Planning Commission
Approval Date 4-22-03

Effective Date 5-03-03

RESOLUTION NO. 5473

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA DETERMINING THAT ALPACAS SHALL BE PERMITTED IN THE RE ZONE AND APPROVING A CONDITIONAL USE PERMIT TO ALLOW TWO ALPACAS ON A 1.33-ACRE PARCEL IN THE RE-40 ZONE.

APPLICANT: Nicole Ragan

CASE NO: 2003-11-CUP

WHEREAS, the Planning Commission of the City of Escondido did, on April 22, 2003, hold a noticed public hearing to consider a request for a determination that alpacas (similar to bovine, sheep and goats) shall be allowed in the RE zone, and a Conditional Use Permit to allow two alpacas on a 1.33-acre parcel within the RE-40 zone (Residential Estates, 40,000 SF minimum lot size) where the zoning code allows one bovine, sheep, or goat per acre of land. The subject property is located on the eastern side of Foxley Drive, west of Lake Wohlford Road, addressed as 3745 Foxley Drive, more particularly described in Exhibit "C."

WHEREAS, the following determinations were made:

1. That a notice was published and mailed as required by the Escondido Zoning Code and applicable law.
2. That the application was assessed in conformance with the California Environmental Quality Act and that a Notice of Exemption was issued on April 8, 2003, in conformance with CEQA Section 15061(b)(3), "General Rule."
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.

ATTACHMENT 1

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

1. That the above recitations are true and correct.
2. That the Planning Commission certifies that it has reviewed and considered the environmental review and determined that it is complete and adequate for this project, and there are no significant environmental effects which have not been mitigated.
3. That the Findings of Fact, attached as Exhibit "A," were made by said Commission.
4. That, considering the Findings and applicable law, the Planning Commission hereby makes a motion to approve said Conditional Use Permit, subject to the Conditions of Approval attached as Exhibit "B".

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

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Planning and Building Department and Public Works Department. The project also is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.
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

ATTACHMENT 1

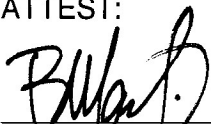
PASSED, ADOPTED AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 22nd day April 2003, by the following vote, to wit:

AYES:	COMMISSIONERS:	Allgeier, Campbell, Lorey, Newman, Quick, and Weber.
NOES:	COMMISSIONERS:	None.
ABSTAINED:	COMMISSIONERS:	None.
ABSENT:	COMMISSIONERS:	Caster.



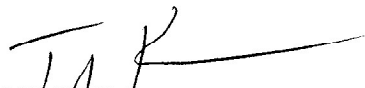
KAREN L. ALLGEIER, Chairman
Escondido Planning Commission

ATTEST:



BILL MARTIN, Secretary of the
Escondido Planning Commission

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



TY PAULSON, Minutes Clerk
Escondido Planning Commission

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

ATTACHMENT 1

FINDINGS OF FACT 2003-11-CUP EXHIBIT "A"

1. Granting this Conditional Use Permit is based on sound principles of land use since the size of the property (1.33 acres) and the proposed, fenced pasture (approximately 1,100 SF), are large enough to accommodate up to two alpacas without negatively impacting neighboring properties. Appropriate perimeter fencing would be provided to adequately contain the alpacas within the property boundaries.
2. Allowing two alpacas on the subject property would not cause a deterioration of bordering land uses or create special problems in the area since they are similar in size and behavior to other animals which are allowed within the RE zone, and the lot size is of sufficient size to accommodate up to two alpacas. In addition, the alpacas would be physically separated from adjacent properties by a minimum distance of 100 feet, and a five-foot-high chain link fence.
3. The proposed Conditional Use Permit has been considered in relationship to its effect on the neighborhood and it has been determined that approval of the CUP would not result in a negative impact to the adjacent neighborhood due to the size of the lot, the perimeter fencing, the distance from the neighboring properties, and the characteristics of alpacas.

ATTACHMENT 1

CONDITIONS OF APPROVAL 2003-11-CUP

General

1. Any proposed 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.
2. 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.
3. All alpacas must be kept within a secure enclosure or fenced yard.
4. A minimum five feet high fence of chain link or other approved material shall be permanently maintained in good condition around the pasture area where the alpacas are to be kept.
5. A maximum of two alpacas over six months of age shall be permitted on the property at any time. In addition, weanlings up to six months in age shall be permitted on the site.
6. All uses shall be consistent with the Details of Request and conditions of approval contained within this report.
7. The Conditional Use Permit shall be null and void if not utilized within twelve months of the effective date of approval.
8. This item may be referred back to the Planning Commission upon recommendation of the Director of Planning and Building for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding items such as noise, odor, roaming, and/or non-compliance with the conditions of project approval.

ATTACHMENT 1

EXHIBIT "C"

2003-11-CUP
Legal Description

Lot 5 of Vale Manor, Unit No. 2, in the County of San Diego, State of California, according to Map thereof No. 7654, filed in the Office of the County Recorder of San Diego County on June 5, 1972.

ATTACHMENT 2

CITY OF ESCONDIDO

**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION
April 22, 2003**

The meeting of the Escondido Planning Commission was called to order at 7:30 p.m. by Chairman Allgeier, in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Karen Allgeier, Chairman; Barry Newman, Commissioner; Bruce Quick, Vice-chairman; Frank Lorey, Commissioner; Jack Campbell, Commissioner; and Jeffery Weber, Commissioner.

Commissioners absent: Darol Caster, Commissioner.

Staff present: Jonathan Brindle, Assistant Planning Director; Bill Martin, Senior Planner; Fred Leudtke, Deputy Director of Public Works; Rich Buquet, CDBG Administrator; Ron Anderson, City Engineer; Steve Nelson, Senior Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Lorey, seconded by Commissioner Newman, to approve the minutes of the April 8, 2003, meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS:

Bill Martin, Senior Planner, noted the Commission had received some additional handouts for Current Business Item No. 1 (Five-Year Street Capital Improvement Program).

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

1. CONDITIONAL USE PERMIT – 2003-11-CUP:

REQUEST: A request for a determination that alpacas should be allowed in the RE zone similar to bovine, sheep and goats, and a Conditional Use Permit to allow two alpacas on a 1.33-acre lot within the RE-40 zone (Residential Estates, 40,000 SF minimum lot size), where the Zoning Code allows one bovine animal per acre of land.

LOCATION: Eastern side of Foxley Drive, west of Lake Wohlford Road, addressed as 3745 Foxley Drive.

Jonathan Brindle, Assistant Planning Director, referenced the staff report and noted staff issues were the appropriateness of allowing alpacas in the RE zone, and whether the subject property could support two alpacas. Staff recommended approval based on the following: 1) Alpacas were appropriate in the RE zone since they were not more obnoxious, detrimental or dangerous to the public and neighboring properties than other animals allowed in the RE zone, and the animal category which includes bovine, sheep and goats was the most appropriate and similar category; and 2) allowing two alpacas on the subject property would be appropriate, since there was sufficient yard area to reasonably accommodate the alpacas, they would be kept in a 1,100 SF enclosure with perimeter fencing to properly secure them, and be located a minimum of 100 feet from the closest neighbors.

Chairman Allgeier asked if any concerns had been expressed by the neighbors. Mr. Brindle replied in the negative.

Commissioner Newman noted alpacas typically gave birth to one offspring.

Nichole Ragan, Escondido, Applicant, provided the Commission with a sample of the fleece from an alpaca.

Vice-chairman Quick asked Ms. Ragan what the intent of raising the alpacas was. Ms. Ragan noted their intent was to raise them for their fleece and to sell the offspring. She also noted that they typically kept the offspring for approximately six months in order to allow enough time for them to be weaned from the parents. She then provided some background on alpacas.

Commissioner Newman asked if there would typically be three alpacas on the site, noting that Ms. Ragan had indicated that there would be two females and one offspring.

Commissioner Weber and staff discussed the Conditional Use Permit in relation to the permit being vested with the property.

ACTION:

Moved by Vice-chairman Quick, seconded Commissioner Campbell, to approve staff's recommendation. The motion included that the conditions of approval reflect that the offspring be allowed to reside on the property for six months. Motion carried unanimously. (6-0)

2. CONDITIONAL USE PERMIT – 2003-04-CUP:

REQUEST: A Conditional Use Permit for the installation of a wireless communications facility consisting of six panel antennas mounted 60-feet high on a 70-foot-high replacement ball field light standard at Jesmond Dene Park. The facility also would include a 167 SF, 12-foot-4-inch high, equipment shelter

ATTACHMENT 3
MUNICIPAL CODE AND ZONING CODE AMENDMENT
STRIKEOUT/UNDERLINE
AZ 19-0004

CHAPTER 4. ANIMAL CONTROL

Section 4-6. ~~Dogs disturbing~~Disturbing the peace and quiet prohibited; evidence required of violation.

(a) No person may own or keep a dog within the city in such a manner that the peace and quiet of the public is disturbed or in such a manner that the noise from the dog causes unreasonable annoyance or discomfort to a person of normal sensitivity.

(b) No person shall own, have in possession, or harbor any animal which by any frequent, habitual, or long continued noise causes unreasonable disturbance to surrounding residents.

~~(b)~~(c) Unless good cause exists, the written affirmation by two (2) persons having separate residences indicating that the noise made by a dog or other animal disturbs the peace and quiet or causes unreasonable annoyance or discomfort, as set forth in subsection (a) or (b) of this section, shall be required before any proceeding alleging a violation of this section. Good cause shall be the existence of circumstances preventing more than one (1) person from perceiving the disturbance, including but not limited to factors such as the hours during which the disturbance, annoyance or discomfort occurs, the physical configuration of the residences, or the physical inability of additional persons to perceive the disturbance, annoyance or discomfort.

(c) This section shall not be construed to apply to reasonable noises emanating from legally operated veterinary hospitals or animal care clinics, humane societies, animal shelters, farms or other agricultural facilities on Residential Agriculture (R-A) or Agricultural Overlay (AO) zones, or similar facilities.

(d) Any person who violates this section is guilty of a misdemeanor.

ARTICLE 6. RESIDENTIAL ZONES.

Sec. 33-95. Permitted accessory uses and structures.

(a) Accessory uses and structures are permitted in residential zones, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to those listed in Table 33-95. ~~Table 33-95a lists permitted animals as an accessory use.~~

(b) The permitted types and quantities of animals allowed in residential zones is listed in Table 33-95a. Other household pets are allowed pursuant to Section 33-1116 of Article 57 of this Chapter.

(1) At no time shall the keeping of such animals and pets constitute a nuisance or other detriment to the health, safety, or general welfare of the community.

(2) All animal keeping is subject to the animal control and humane treatment standards in Chapter 4 of the Municipal Code (Animal Control) and other regulations found in County and State codes, including, but not limited to, State Health and Safety Code.

(3) No more than the quantities of animals specifically listed in Table 33-95(a) or Section 33-1116 shall be kept on any premises, except that offspring may be kept onsite for up to four (4) months from birth.

ARTICLE 6. RESIDENTIAL ZONES.

Table 33-95a.

Permitted Animals in Residential Zones	R-A	R-E	R-1	R-T	R-2	R-3	R-4	R-5
<u>Alpacas</u>	<u>2**</u>	<u>2 with a minor CUP</u>						
Birds*: Small species as household pets including canaries, parrots, parakeets, love birds, etc.	12	12	6	3	3	3	3	3
	<u>Pursuant to Sec. 33-1116 of Article 57</u>							
Birds*: Racing or homing pigeons pursuant to Sec. 33-1116 of Article 57	100	100	100	-	-	-	-	
	<u>Pursuant to Sec. 33-1116 of Article 57</u>							
<u>Birds: Domesticated fowl. Quantity indicates total of all bird species for each parcel</u>	<u>25*</u>	<u>25*</u>	<u>6*</u>					
Birds: Domesticated fowl including chickens <u>Chickens (hens only)</u> , ducks, turkeys, etc.	25	25	6 chickens (hens only)					

raised for meat and/or egg production. Quantity indicates total of all species for each parcel. Roosters are not permitted in the R-1 zone								
<u>Turkeys, peafowl, and emus</u>	<u>2**</u>	<u>2 to 3 maximum**</u>						
<u>Roosters</u>	<u>1 to 2 maximum**</u>	<u>1 maximum** with CUP</u>						
<u>Bovine and large animals:</u> Domesticated cattle, sheep, goats, <u>llamas</u> , swine raised for meat, <u>fleece</u> , and/or milk production. Quantity indicates the total number of bovine <u>large</u> animals per acre	1	1						
Cats* (adults over 4 months)	<u>3</u>	<u>3</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
	<u>Pursuant to Sec. 33-1116 of Article 57</u>							
Dogs* (adults over 4 months)	<u>3</u>	<u>3</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
	<u>Pursuant to Sec. 33-1116 of Article 57</u>							
Emus: Same requirements as standard horses	<u>1</u>	<u>1</u>						
Goats (pygmy/ <u>miniature</u>): Subject to the same requirements as miniature horses	2	2	2 <u>with a minor CUP</u>					

Horses (miniature) ^{***} : In the R-1 zone said animals are permitted only on properties zoned R-1-10 or larger	2	2	2 with a minor CUP					
Horses (standard) ^{***} : In the R-A zone the quantity indicates the number of animals per person residing on the premises. In the R-E zone the quantity indicates the number of animals for the first 40,000 SF of lot area; 1 additional horse is permitted for each additional 20,000 SF	1 ^{**}	1 ^{**}						
Potbelly pigs*, as household pet	1	1						
Rodents*: Chinchillas, chipmunks, guinea pigs, mice (white), hamsters, rabbits (adult), squirrels, etc. Quantity indicates total of all species for each parcel	25	25	4	2	2	2	2	2
	<u>Pursuant to Sec. 33-1116 of Article 57</u>							
Tropical fish*: excluding turtles and carnivorous fresh water fish	No limit							
Other animals in RA-AO and RE-AO animal overlay zones pursuant to Article 9 of this chapter	P	P						

* ~~Household pets pursuant to section 33-1116 of Article 57 of this chapter.~~The total combined number of domesticated birds/fowl permitted shall include both those birds/fowl allowed by all categories of chickens, ducks, etc.; turkeys, peafowls, and roosters; and emus.

** The quantity indicates the number of animals permitted per lot or for the first 40,000 SF of lot area; plus 1 animal permitted for each 20,000 SF over 40,000 SF.

*** The total number of horses and the usable acreage for horses calculated shall include both those horses allowed pursuant to private horse keeping (i.e. private horse stable) as well as horses rented, shown, used or boarded on a commercial basis for compensation (i.e. commercial horse stable), and all of the combined areas for both use types.

ATTACHMENT 4

Planning Commission

Hearing Date: September 24, 2019

Effective Date: September 25, 2019

PLANNING COMMISSION RESOLUTION NO. 2019-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING APPROVAL FOR AN AMENDMENT TO THE ZONING CODE TO REVIEW AND UPDATE THE LIST OF PERMITTED AND CONDITIONALLY PERMITTED ANIMALS AND PETS FOR ALL RESIDENTIAL ZONES, IN CONJUNCTION WITH A PROPOSAL FOR A CONDITIONAL USE PERMIT TO ALLOW TWO (2) ALPACAS ON AN EXISTING RESIDENTIAL LOT LOCATED AT 2050 MILLER AVENUE

APPLICANT: Kelly Thor

CASE NO: AZ 19-0004 and PHG 19-0047

WHEREAS, the Planning Commission of the City of Escondido did, on September 24, 2019 hold a Public Hearing to consider the Zoning Code Amendment request, a proposal to modify the permitted animals in residential zones; and to consider a Conditional Use Permit to allow two (2) alpacas on an existing residential lot located at 2050 Miller Avenue.

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 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed Zoning Code Amendment would not, in and of themselves, result in development or any other material change to the environment. Projects seeking to implement the amended provisions would be subject to separate review under the California Environmental Quality Act (CEQA). The project, which also includes a Conditional Use Permit request, would also be exempt pursuant to Section 15303(e) for new construction or conversion of small structures, which covers animal enclosures.

4. 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.

5. That, considering the Findings of Fact and applicable law, the Planning Commission hereby makes a motion to recommend City Council approval of

said amendments, attached as Exhibit “B,” and recommends approval of the Conditional Use Permit, which has been conditioned as provided in Exhibit “C.” The proposed Conditional Use Permit to allow two (2) alpacas on property located at 2050 Miller Avenue shall also be referred to the City Council and be considered jointly, at the same time as the Zoning Code Amendment.

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 24th day of September 2019, by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

JAMES SPANN, Chairman
Escondido Planning Commission

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

EXHIBIT “A”
FACTORS TO BE CONSIDERED/FINDINGS OF FACT
AZ 19-0004 and PHG 19-0047

Municipal and Zoning Code Amendment Determinations:

1. The decision is based on factors pursuant to Section 33-1263 of the Escondido Zoning Code. The action to which the Planning Commission takes action on helps update the City's animal regulations and the degree to which various land use activities are permitted in each residential zoning district.
2. Cities from time to time make significant efforts to tailor their city's ordinances to create a local community that develops in a way that the local policy-makers desire. Cities use its "police power" to create laws that promote the general health, safety, and welfare of its citizens. The public health, safety, and welfare of the City of Escondido would not be adversely affected by the proposed batch of Municipal Code and Zoning Code Plan Amendments because the project establishes and updates, as necessary, local standards and guidelines for animal keeping residential areas to ensure land use compatibility is achieved, neighborhoods are preserved, and community character is protected. The adoption of the ordinances utilized to support and complete the Zoning Code and Land Use Study would enable City officials and City staff to effectively implement selected long-term objectives.
3. The Planning Commission finds that it is necessary and appropriate to amend various provisions of the Zoning Code to add, refine, and update the provisions relating to animal keeping. The public health, safety and welfare of the City and its residents require the enactment of this ordinance in order to: (1) mitigate and reduce the potential adverse effects of pets and livestock related to animal waste management, noise, health risks, odors, vectors, water pollution and treatment, lighting of animals, fencing, and erosion and sedimentation control; (2) protect the quality of life and neighborhoods in the City, local property values, and minimize the potential for nuisances; and (3) protect the peace, welfare and privacy of persons who own or reside adjacent to properties with pets or livestock. Land use regulation must strike a balance between private property rights and the public interests.
4. The Planning Commission finds that land use compatibility and its goals should be promoted through proactive planning and zoning techniques to promote and protect the public health, safety, and general welfare. It shall be unlawful, and a violation of the Escondido Zoning Code for any person to establish, construct, reconstruct, alter, or replace any use of land or structure, except in compliance with the requirements of the Zoning Code. Through this directive, the Community Development Department, Code Enforcement Division administers programs designed to protect the public's safety,

welfare, and property value through enforcement of City ordinances and State/Federal laws relating to land use, zoning, housing, public nuisances, and animal keeping. The Code Enforcement Division works in partnership with citizens to ensure, improve, and maintain safe and desirable Escondido neighborhoods. The Planning Commission finds that the keeping of small animals, including roosters, chickens, and other animals, within dense residential areas has the potential to cause nuisance conditions and health violations when basic best practices are not maintained. While most animal owners treat their pets and animals humanely and take care to avoid impacting other property owners, some do not – and the City is the agency responsible for responding to these nuisance violations. The Planning Commission further finds that the revisions to the City's Municipal Code and Zoning Code implemented by this ordinance are necessary in order to respond to recent complaints, further a legitimate governmental and community interest, protect residents, businesses, and other community members from various animal keeping nuisances. Specifically, the revisions and amendments to the City's Municipal Code and Zoning Code included in this ordinance are essential and necessary to ensure the orderly land use regulation as to uses within the City and thereby protect the public peace, safety and general welfare in the City of Escondido.

5. The proposed Zoning Code Amendments do not conflict with any Specific Plan as the project.
6. There are no assurances to residents and project proponents that the affected chapters and sections of this project will not be subject to future revisions.

Conditional Use Permit Determinations:

1. In accordance with Article 61 of the Escondido Zoning Code, all decisions granting or denying a CUP shall be in writing and shall state the reasons for the decision. In granting a conditional use permit, the following guidelines shall be observed:
 - (a) A CUP should be granted upon sound principles of land use and in response to services required by the community. The environmental impacts, health concerns, and sustainability of animal keeping and ecological practices has been duly reviewed and considered as part of the CUP request. A number of special conditions have been added to the project approval to help create and maintain best practices on the property.
 - (b) A CUP should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located. The subject property is suitable in size to accommodate the proposed alpaca animal keeping use. The nearest residence is approximately one hundred (100) feet away from the animal enclosure. The nature of the CUP request, to allow two (2) alpacas on the property is commensurate with other small-bodied animals which may be located on a residential property. Special conditions have been added to the project approval

to mitigate and reduce the potential adverse effects of pets and livestock related to animal waste management, noise, health risks, odors, vectors, water pollution and treatment, lighting of animals, fencing, and erosion and sedimentation control.

- (c) A CUP must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located. The proposed alpaca animal keeping is proposed, and as conditioned, to be consistent with the requirements of the Zoning Ordinance, which was established to promote limited animal keeping, while maintain basic protections of land use compatibility. The CUP was reviewed in consideration of the total amount of animal keeping and the size of the property is adequate to maintain the proposed use on the property. Furthermore, the CUP shall be subject to those conditions already developed and any additional conditions the Planning Commission determines necessary and desirable to preserve the public health, safety and general welfare of the surrounding area.

EXHIBIT “B”
MUNICIPAL CODE AND ZONING CODE AMENDMENT
AZ 19-0004

SECTION I.

Repealing in its entirety, Section 4-6 of Chapter 4 of the Municipal Code, and adopting in full new text to read as specified below.

CHAPTER 4. ANIMAL CONTROL

Section 4-6. Disturbing the peace and quiet prohibited; evidence required of violation.

(a) No person may own or keep a dog within the city in such a manner that the peace and quiet of the public is disturbed or in such a manner that the noise from the dog causes unreasonable annoyance or discomfort to a person of normal sensitivity.

(b) No person shall own, have in possession, or harbor any animal which by any frequent, habitual, or long continued noise causes unreasonable disturbance to surrounding residents.

(c) Unless good cause exists, the written affirmation by two (2) persons having separate residences indicating that the noise made by a dog or other animal disturbs the peace and quiet or causes unreasonable annoyance or discomfort, as set forth in subsection (a) or (b) of this section, shall be required before any proceeding alleging a violation of this section. Good cause shall be the existence of circumstances preventing more than one (1) person from perceiving the disturbance, including but not limited to factors such as the hours during which the disturbance, annoyance or discomfort occurs, the physical configuration of the residences, or the physical inability of additional persons to perceive the disturbance, annoyance or discomfort.

(c) This section shall not be construed to apply to reasonable noises emanating from legally operated veterinary hospitals or animal care clinics, humane societies, animal shelters, farms or other agricultural facilities on Residential Agriculture (R-A) or Agricultural Overlay (AO) zones, or similar facilities.

(d) Any person who violates this section is guilty of a misdemeanor.

SECTION II.

Repealing in its entirety, Section 33-95 of Article 6 of the Zoning Code, and adopting in full new text to read as specified below.

ARTICLE 6. RESIDENTIAL ZONES.

Sec. 33-95. Permitted accessory uses and structures.

(a) Accessory uses and structures are permitted in residential zones, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to those listed in Table 33-95.

(b) The permitted types and quantities of animals allowed in residential zones is listed in Table 33-95a. Other household pets are allowed pursuant to Section 33-1116 of Article 57 of this Chapter.

(1) At no time shall the keeping of such animals and pets constitute a nuisance or other detriment to the health, safety, or general welfare of the community.

(2) All animal keeping is subject to the animal control and humane treatment standards in Chapter 4 of the Municipal Code (Animal Control) and other regulations found in County and State codes, including, but not limited to, State Health and Safety Code.

(3) No more than the quantities of animals specifically listed in Table 33-95(a) or Section 33-1116 shall be kept on any premises, except that offspring may be kept onsite for up to four (4) months from birth.

Table 33-95a.

Permitted Animals in Residential Zones	R-A	R-E	R-1	R-T	R-2	R-3	R-4	R-5
Alpacas	2**	2 with a minor CUP						
Birds: Small species as household pets including canaries, parrots, parakeets, love birds, etc.	Pursuant to Sec. 33-1116 of Article 57							
Birds: Racing or homing pigeons	Pursuant to Sec. 33-1116 of Article 57							
Birds: Domesticated fowl. Quantity indicates total of all bird species for each parcel	25*	25*	6*					
Chickens (hens only), ducks, etc. raised for	25	25	6					

meat and/or egg production								
Turkeys, peafowl, and emus	2**	2 to 3 maximum**						
Roosters	1 to 2 maximum**	1 maximum** with CUP						
Bovine and large animals: Domesticated cattle, sheep, goats, llamas, swine raised for meat, fleece, and/or milk production. Quantity indicates the total number of bovine large animals per acre	1	1						
Cats (adults over 4 months)	Pursuant to Sec. 33-1116 of Article 57							
Dogs (adults over 4 months)	Pursuant to Sec. 33-1116 of Article 57							
Goats (pygmy/miniature):	2	2	2 with a minor CUP					
Horses (miniature)***: In the R-1 zone said animals are permitted only on properties zoned R-1-10 or larger	2	2	2 with a minor CUP					
Horses (standard)***:	1**	1**						
Potbelly pigs, as household pet	1	1						
Rodents: Chinchillas, chipmunks, guinea pigs, mice (white), hamsters, rabbits (adult), squirrels,	Pursuant to Sec. 33-1116 of Article 57							

etc. Quantity indicates total of all species for each parcel								
Tropical fish*: excluding turtles and carnivorous fresh water fish	No limit							
Other animals in RA-AO and RE-AO animal overlay zones pursuant to Article 9 of this chapter	P	P						

* The total combined number of domesticated birds/fowl permitted shall include both those birds/fowl allowed by all categories of chickens, ducks, etc.; turkeys, peafowls, and roosters; and emus.

** The quantity indicates the number of animals permitted per lot or for the first 40,000 SF of lot area; plus 1 animal permitted for each 20,000 SF over 40,000 SF.

*** The total number of horses and the usable acreage for horses calculated shall include both those horses allowed pursuant to private horse keeping (i.e. private horse stable) as well as horses rented, shown, used or boarded on a commercial basis for compensation (i.e. commercial horse stable), and all of the combined areas for both use types.

EXHIBIT “C”
CONDITIONS OF APPROVAL
PHG 19-0047

1. The property shall be maintained to conform to the regulations regarding animal keeping found in Section 33-95 of the Escondido Zoning Code (i.e. quantities of animals permitted or conditionally permitted), subject to enclosure requirements of Sections 33-144(b) and 33-145, and maintained to standard best management practices in compliance with the grading, stormwater, and watershed protection ordinances.
2. The location, size, and design of the alpaca animal enclosure(s) including any other pens, coops, hutches, stables, barns, corrals, and similar accessory structures that may be installed or maintained on the property shall be compatible with adjacent uses, residences, buildings or structures, subject to the satisfaction of the Community Development Director with consideration given to the suitability of the site for the total number of animals on the premises at any given point, and the harmful effect, if any, upon desirable neighborhood character. No pet or group of pets, regardless of the number allowed, shall be kept in any fashion to constitute a nuisance, hazard, or other detriment to the health, safety, or general welfare, of the adjacent neighbors. The premises shall be kept in a clean and sanitary manner by the removal of waste and by the use of spray and disinfectants or other control measures to prevent the accumulation of flies.
3. The alpaca enclosure shall be screened with landscaping on the south property line. Said landscaping shall be maintained in a flourishing manner with a variety of vertical coverages.
4. The alpaca enclosure shall be adequate to contain the animals intended to be enclosed and in all cases the alpacas shall be contained within the boundaries of the property on which they are housed.
5. Electrical fencing may be maintained on the property line at a maximum of six (6) feet in height, and to when the fence is shared with another property owner, the electric fencing shall be kept on the inside of a non-electrical fence. Building permits shall be obtained from the Building Department unless exempt. If installed, appropriate signage shall be posted to give notice of the electrical fencing.
6. Manure Management. Daily removal of manure to a manure management area shall be done on a daily basis to prevent the accumulation of flies, the spread of disease, or offensive odor. Manure shall be kept in the manure management area in a covered or enclosed area, bin or container. The manure management area shall meet animal

enclosure setback as specified by Section 33-145 of the Escondido Zoning Code. Animal manure odors shall not be detectable beyond the property lines of the property where the enclosure(s) are located.

7. There are no assurances that the referenced or affected chapters and sections related to these conditions or referenced herein will not be subject to future revisions. Future condition compliance will be measured against the relevant standard or regulation in effect at that time.