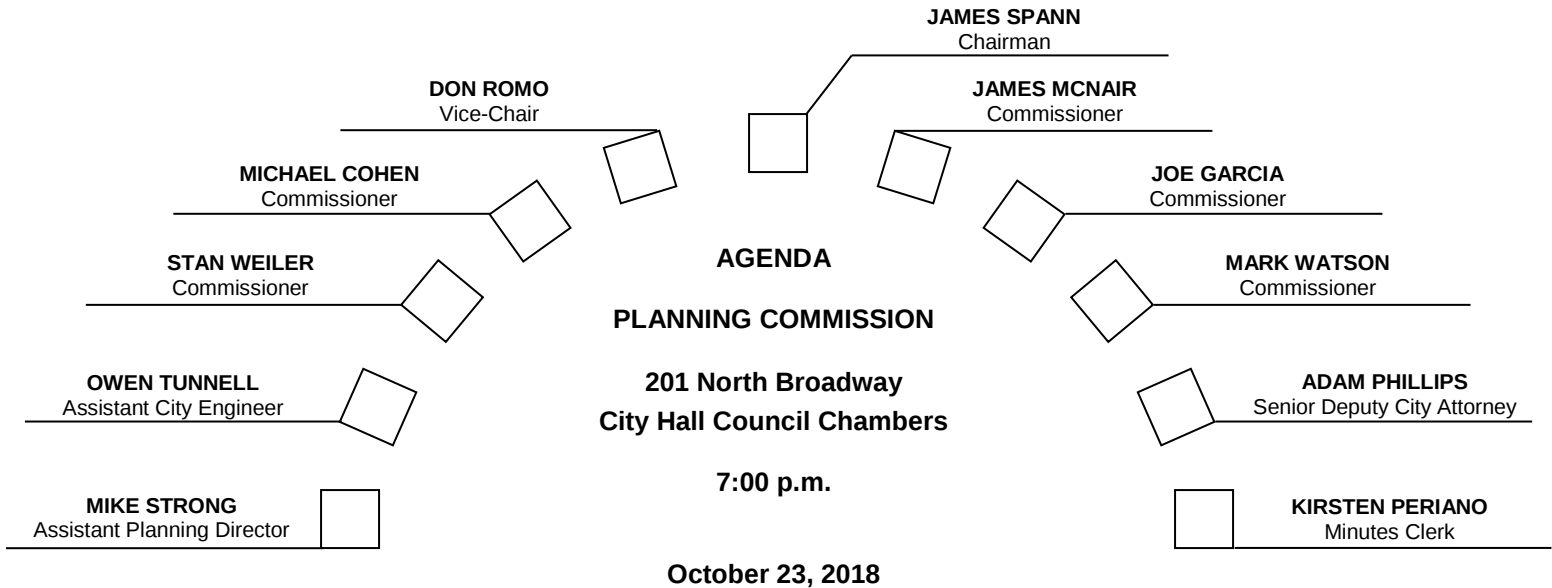


CITY OF ESCONDIDO

Planning Commission and Staff Seating



- A. CALL TO ORDER:** 7:00 p.m.
- B. FLAG SALUTE**
- C. ROLL CALL:**
- D. MINUTES:** 09/11/18

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 2-5 minutes.

1. TENTATIVE MAP MODIFICATION, EXTENSION OF TIME AND DEVELOPMENT AGREEMENT – SUB 16-0012 and PHG 18-0028:

REQUEST: A modification to a previously approved ten-lot Tentative Subdivision Map (TR 878) to revise the design and project conditions of approval to conform to current storm water standards, eliminate an extraneous emergency access road to Bear Valley Parkway, revise retaining wall designs and locations, allow for an increase in the retaining walls along the northern property boundary up to approximately six feet in height in limited locations due to existing topographic constraints, modify pad grading and accommodate off-site grading/improvements. The number of lots would remain the same and pad elevations along the northern property boundary would remain in conformance with the previous Tentative Map. The project also includes a request for an Extension of Time and a proposed Development Agreement to extend the expiration date of the map to July 11, 2020. The proposal relies on previously adopted environmental determinations prepared for the project.

PROPERTY SIZE AND LOCATION: Approximately 3.19 acres generally located east of Lion Valley Road, south of Bear Valley Parkway, addressed as 323 Lion Valley Road.

ENVIRONMENTAL STATUS: A Negative Declaration (City File ER 2004-16) was adopted for the originally approved project. In conformance with CEQA Section 15162, no additional environmental documentation need be prepared because there are no substantial changes to the project that would require important revisions to the previous environmental documentation.

APPLICANT: Oleander Partners, LLC

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

2. ZONING CODE AMENDMENT – AZ 18-0008:

REQUEST: An amendment to Article 66 (Sign Ordinance) of the Escondido Zoning Code to allow certain signs to be placed within the public right-of-way. The intent of the amendment is to provide limited opportunities for the placement of monument signs in the public right-of-way, immediately adjacent to private, commercially zoned properties, in situations where existing public utilities otherwise preclude the placement of said signs on said private property. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

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

APPLICANT: City of Escondido

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE: November 28, 2018

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.

- 1. Adoption of Planning Commission by-laws and proposed changes ([MISC 17-0013](#)) to the procedures and protocols of the Planning Commission.**

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 11, 2018

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-chairman; Michael Cohen, Commissioner; James McNair, Commissioner; Mark Watson, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Joe Garcia, Commissioner.

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

MINUTES:

Moved by Chairman Spann, seconded by Commissioner Weiler, to approve the Action Minutes of the August 28, 2018, meeting. Motion carried unanimously (6-0)

WRITTEN COMMUNICATIONS – None.

FUTURE NEIGHBORHOOD MEETINGS: – None.

ORAL COMMUNICATIONS: – None.

PUBLIC HEARINGS:

1. ZONING CODE AMENDMENT – AZ 18-0007:

REQUEST: A series of Escondido Zoning Code Amendments to address changes in state laws, correct errors, and improve existing regulations. The proposal involves minor amendments to Articles 1, 6, 16, 26, 30, 39, 40, 41, 45, 46, 56, 57, 65, and 73 of the Escondido Zoning Code. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

STAFF REPORT PRESENTATION: Staff report presented by Assistant Planning Director Mike Strong

RECOMMENDATION: Approval

COMMISSIONER DISCUSSION AND QUESTIONS.

ACTION:

Moved by Commissioner Weiler, seconded by Commissioner Cohen to approve staff's recommendation with the following modifications:

1. Recommended change to Section 33-100 footnote No. 1 for side yard setbacks to be increased to 16 feet minimum width to accommodate Fire Department access.
2. Recommended change to Section 33-100 footnote No. 4 as it relates to paving driveway materials.
3. Clarify that roof rust prevention is only necessary when metal roofs are proposed on trash enclosures.

Motion carried unanimously. (6-0)

CURRENT BUSINESS: – None.

ORAL COMMUNICATIONS: – None.

ADJOURNMENT:

Chair Spann adjourned the meeting at 7:30 p.m. The Planning Commission meeting scheduled for September 25, 2018 has been cancelled. The next regularly scheduled Planning Commission meeting will be held at 7:00 p.m. on Tuesday, October 9, 2018 in the City Council Chambers, 201 North Broadway Escondido, California.

Mike Strong, Secretary to the Planning Commission

Kirsten Peraino, Minutes Clerk

PLANNING COMMISSION

Agenda Item No.: G.1
Date: October 23, 2018

CASE NUMBER: SUB 16-0012 and PHG 18-0028, related to Case No. TR 878

APPLICANT: Oleander Partners, LLC

LOCATION: Approximately 3.19 acres generally located east of Lion Valley Road, south of Bear Valley Parkway, addressed as 323 Lion Valley Road

TYPE OF PROJECT: Tentative Subdivision Map Modification, Extension of Time, and Development Agreement

PROJECT DESCRIPTION: A modification to a previously approved ten-lot Tentative Subdivision Map (TR 878) to revise the design and project conditions of approval to conform to current storm water standards, eliminate an extraneous emergency access road to Bear Valley Parkway, revise retaining wall design and locations, allow for an increase in the height of the retaining walls along the northern property boundary up to approximately six feet in height in limited locations due to existing topographic constraints, modify pad grading and accommodate off-site grading/improvements. The number of lots would remain the same and pad elevations along the northern property boundary would remain in conformance with the previous Tentative Map. The project also includes a request for an Extension of Time and a proposed Development Agreement to extend the expiration date of the map to July 11, 2020 (18 months). The project relies on previously adopted environmental determinations prepared for the project.

STAFF RECOMMENDATION: Approval, subject to conditions

GENERAL PLAN DESIGNATION: Suburban (up to 3.3 du/ac)

ZONING: R-1-10 (Single-Family Residential, 10,000 SF min. lot size)

BACKGROUND/SUMMARY OF ISSUES:

A Tentative Subdivision Map for a 10-lot single-family residential subdivision was approved by the Planning Commission on January 11, 2005. An approved Tentative Map does not divide the property, rather it sets the conditions under which a division can occur. To actually divide the property an applicant must file and record a Final Map prior to its expiration date, unless a time extension is granted in conformance with the provisions of the Subdivision Map Act and City's Subdivision Ordinance. The Tentative Subdivision Map originally was approved for three years and was scheduled to expire in 2008. The Planning Commission approved a three-year extension of time in 2008 which extended the Tentative Map until 2011. Previous State legislative actions (AB 333, AB 208 and AB116) automatically extended the Tentative Map until January 11, 2017. The map still is eligible for a local time extension up to two additional years in accordance with the City's Subdivision Ordinance (Chapter 32) and the Subdivision Map Act which would extend the Tentative Map until January 11, 2019. The applicant submitted a local time extension request on December 29, 2016, which was received prior to the January 11, 2017 expiration date. This action suspends expiration of the map until a final decision is made regarding the extension request.

Since the map was approved in 2005, the original project applicant/owner submitted plans to begin the map recordation process, but did not pursue the project any further beyond the three-year extension request in 2008. The property subsequently sold and the new applicant/owner has been working on a modification to the Tentative Map to incorporate the necessary drainage/storm water features in conformance with the City's storm water requirements; redesign the street to the Suburban design; accommodate updated water infrastructure requirements and necessary easements; and to eliminate the secondary emergency access, which is no longer required by the Fire Department. The applicant also has recently obtained the necessary permission from an adjacent property owner for proposed off-site grading/improvements necessary to support the project design and retaining wall along the bulb of the cul-de-sac. Although the applicant has been able to redesign the project

to conform to current standards and has obtained the necessary permission for off-site grading improvements, the applicant indicated there is not sufficient time left to prepare all of the necessary improvement plans to record the map allowed by the initial requested two-year extension to January 11, 2019. Therefore, the applicant is also requesting a Development Agreement for the project that would allow an additional extension beyond the discretionary extensions totaling five years (expiration date of January 11, 2019). Pursuant to Government Code Section 66452.6(a)(1), a Tentative Map subject to a Development Agreement may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement.

An extension of time is not automatic and the purpose of this agenda item is to review and consider the extension request. The City has the ability to review whether or not an approval should be extended given any changes in circumstances that might have occurred in the intervening years, and to revise the project conditions of approval accordingly. The criteria for determining the appropriateness for granting an extension of time is based on the map's compliance with the City's current General Plan, Zoning Ordinance, and the requirements of the California Environmental Quality Act (CEQA). Because legal authority exists for combining various extension strategies for maximum relief, City staff supports the originally requested two-year extension of time and additional 18-month extension requested through the Development Agreement. The project is consistent with the General Plan policies and density provisions which allows for the development of single-family residential development on the project site. The project has been designed to conform with current zoning and storm water requirements, and all of the lots provide sufficient pad size and configuration to accommodate a single-family residence. The proposed modifications to the Tentative Map and Extension of Time also are in conformance with the California Environmental Quality Act (CEQA) as the project would not result in a significant impact to the environment. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval. The original Planning Commission staff reports and adopted Mitigated Negative Declaration may be viewed on the City's web site at the following link:

<https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/LionValley/LionValleyPCreportsTR878.pdf>

Staff feels the issues are as follows:

1. Appropriateness of the project design and grading, and whether the proposed modifications would be compatible with surrounding development.
2. Appropriateness of the two-year discretionary extension and 18-month Development Agreement extension of time.

REASONS FOR STAFF RECOMMENDATION:

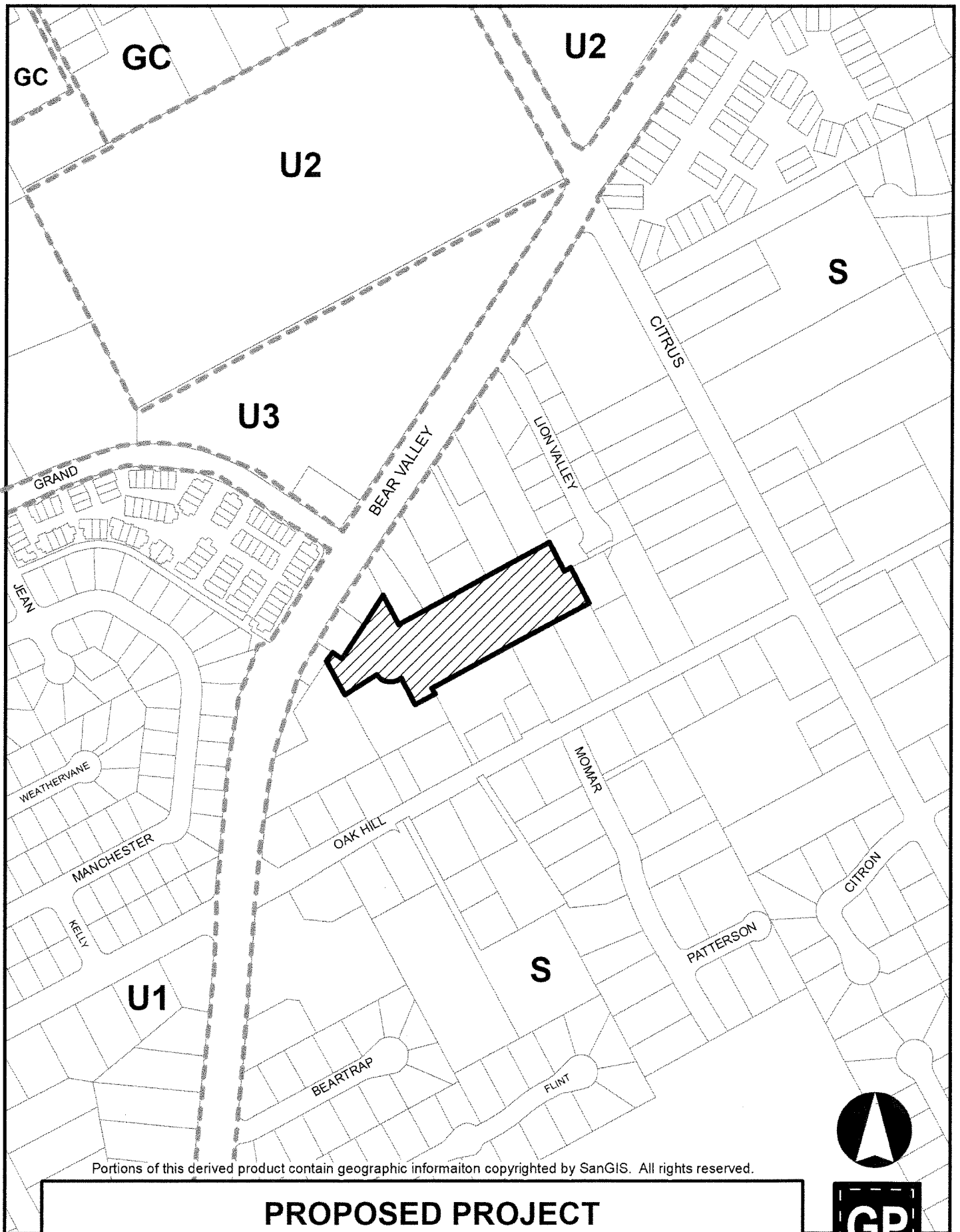
1. Staff believes the proposed development of the ten lots for the subject site (and modification to a previously approved ten-lot Tentative Subdivision Map) would be appropriate because the project density and lot sizes are consistent with the Suburban land-use designation and R-1-10 zoning designation. The lots sizes ranging from approximately 10,000 SF to 12,628 SF would be compatible to the range of lots sizes throughout the surrounding neighborhood. The project layout and grading design provides adequate pad area to support the development of reasonably sized homes and usable yard area without the need for extensive manufactured slope/grades. The design and orientation of the lots would not create any adverse visual or compatibility impacts with adjacent lots. Adequate access and public utilities/services could be provided to the site. The proposed street design is appropriate for this development because the project design could accommodate a minimum of six cars on each lot (typical three in a garage and three in the driveway) along with a minimum of 1.5 on-street spaces per lot in accordance with the Suburban Street Design Standard. The proposed grading design would be in substantial conformance with the previously approved design and would not result in any adverse impacts to adjacent properties.
2. Uncapped by statute as to duration, a Development Agreement can be used to extend the life of a Tentative Map for the life of the Development Agreement (Government Code Section 66452.6(a)(1)). The request for a Development Agreement would be appropriate for this project because it helps facilitate new home construction in a manner that is consistent with the various General Plan goals and policies, including the

suburban land-use designation of the Land Use Element portion of the General Plan. The terms of the Development Agreement also provide a public benefit not available through the Tentative Map process to provide funding for off-site improvements/maintenance within the City's Kit Carson Park. The approval of the two-year discretionary extension, combined with the one-year Development Agreement extension of time, is necessary to allow sufficient time for the applicant to prepare a final map and improvement plans.

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read "Jay Paul", is written over the text "Respectfully Submitted:". The signature is stylized with a large, sweeping loop.

Jay Paul
Senior Planner

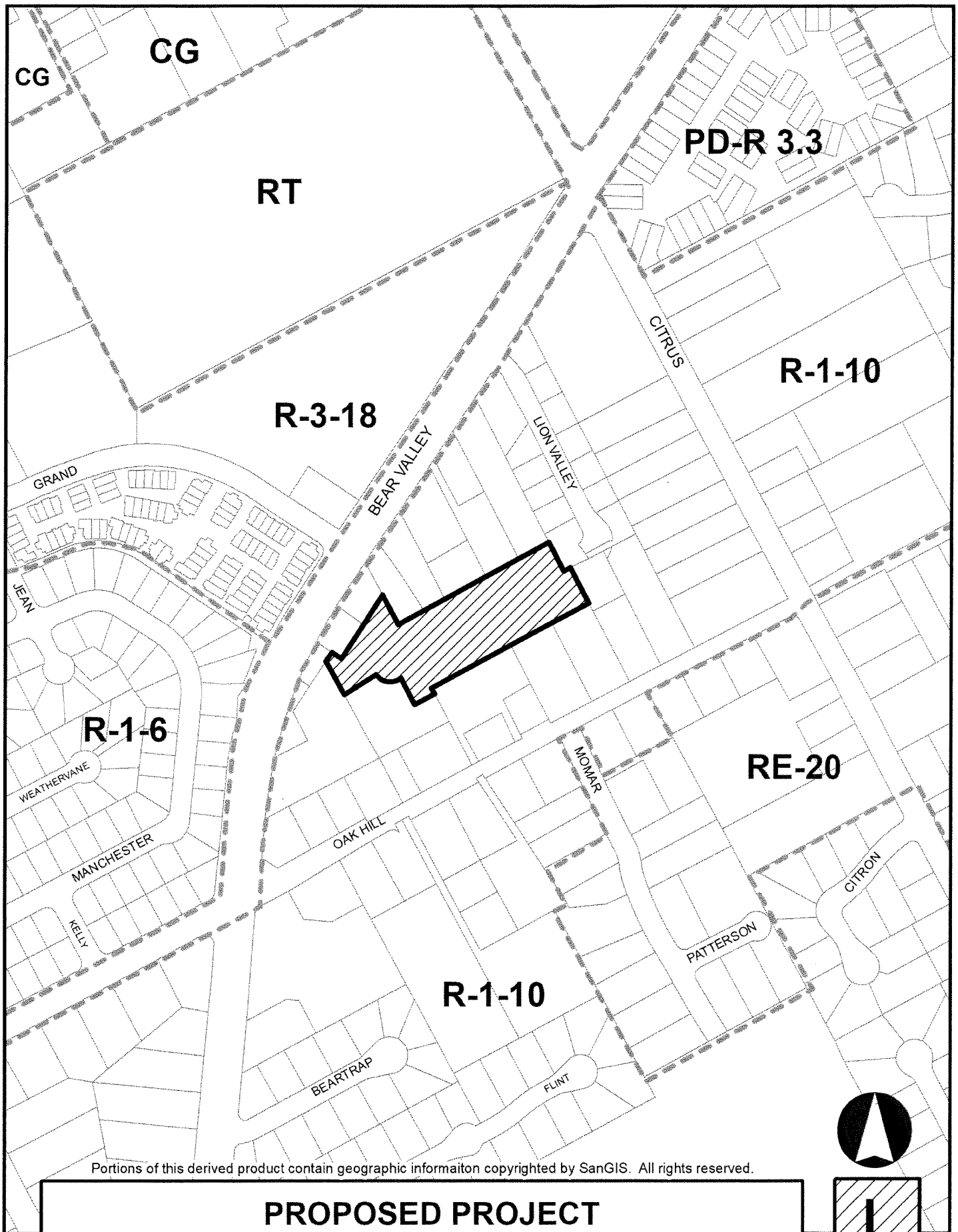


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PROPOSED PROJECT SUB 16-0012

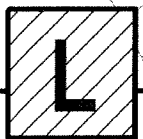


GENERAL PLAN



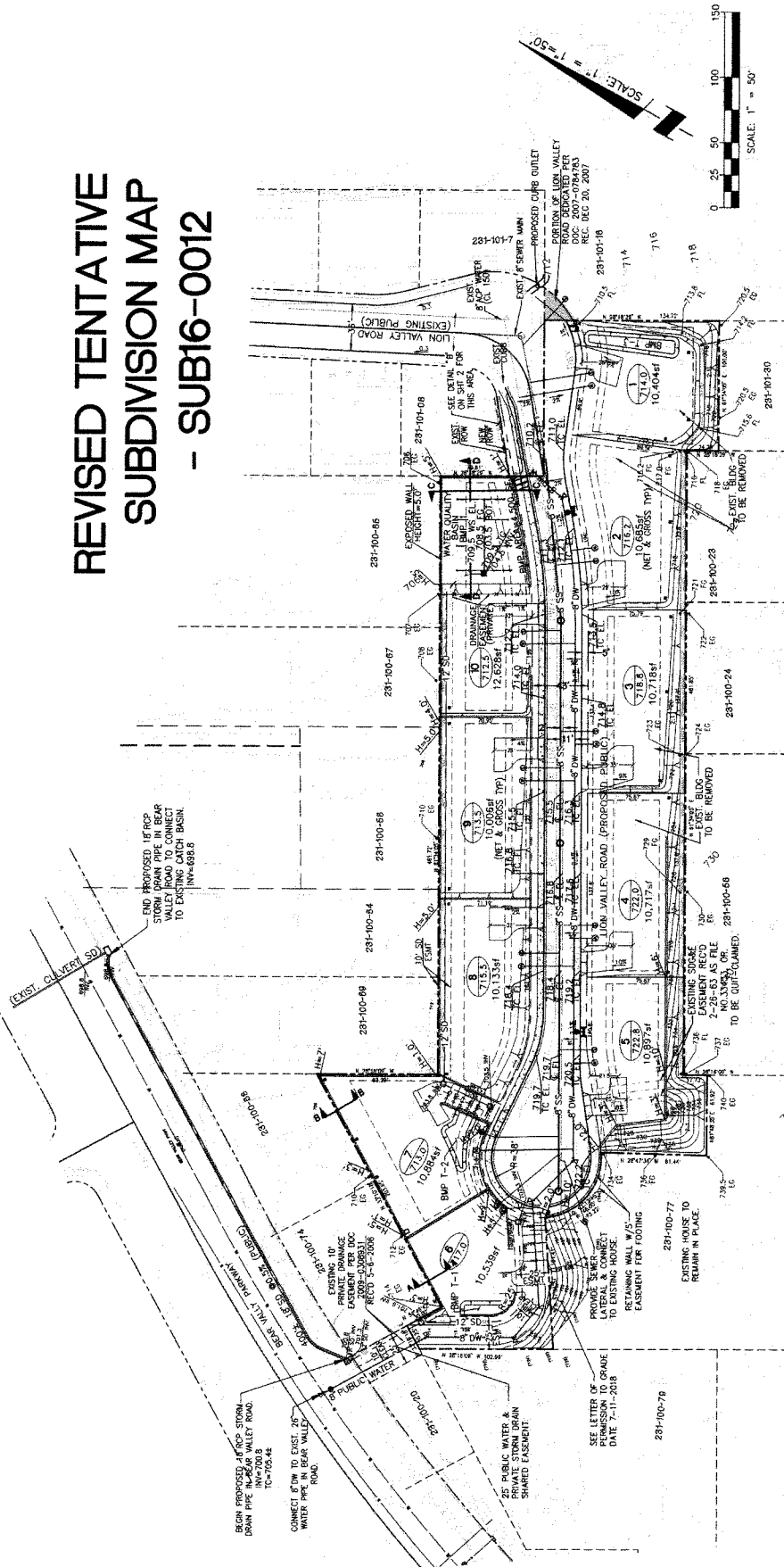
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**PROPOSED PROJECT
SUB 16-0012**

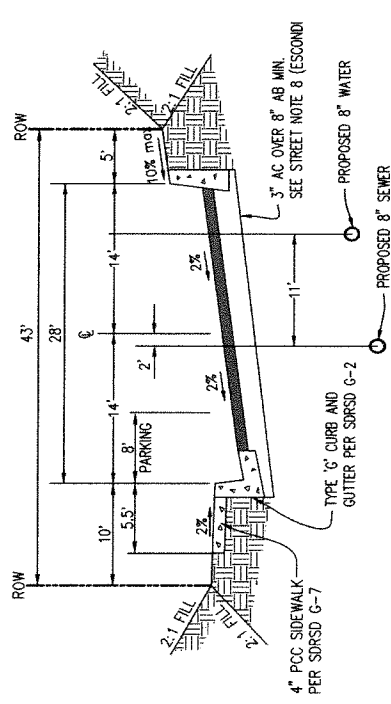
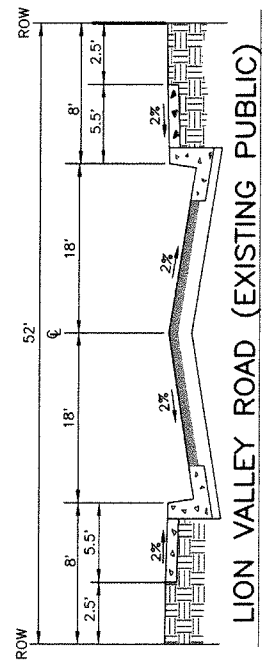


LOCATION/ZONING

REVISED TENTATIVE SUBDIVISION MAP - SUB16-0012

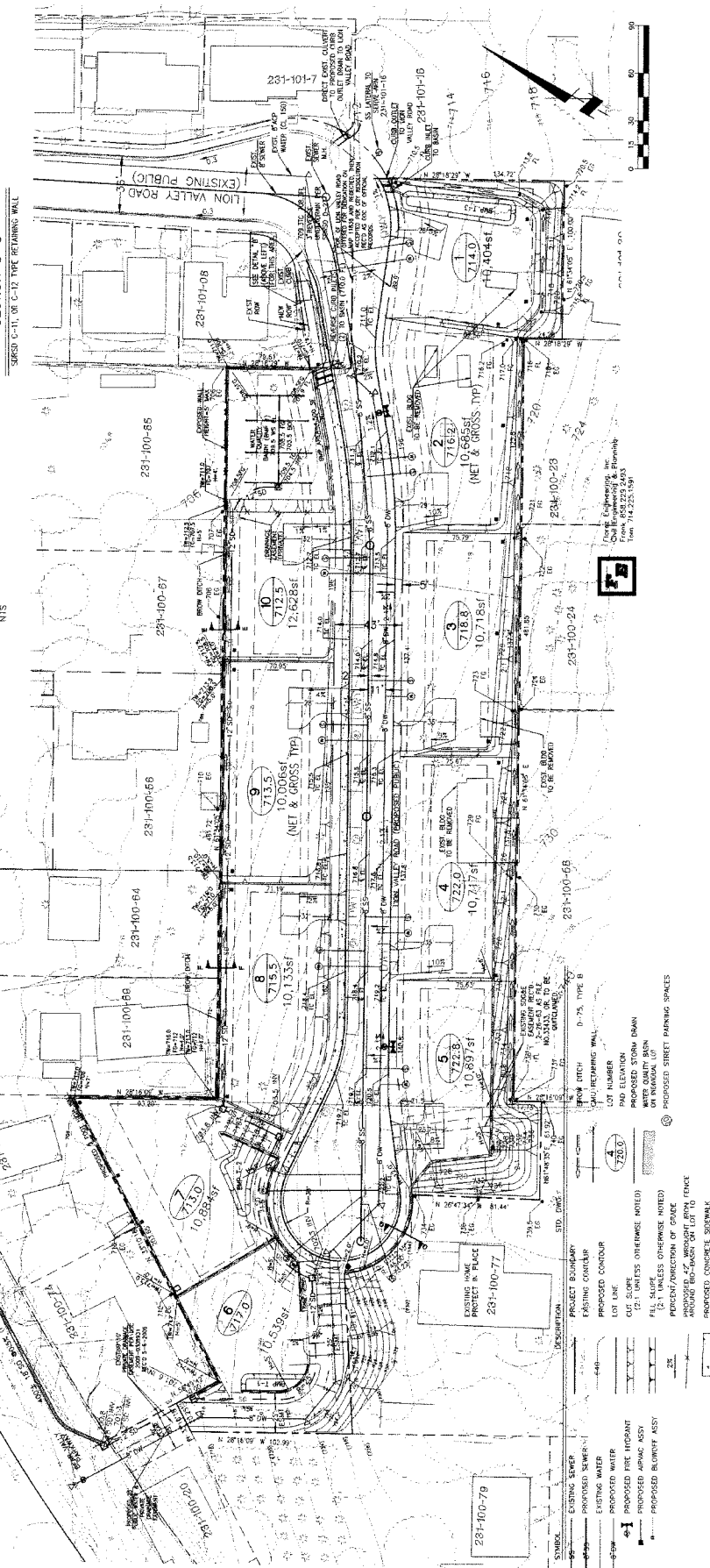
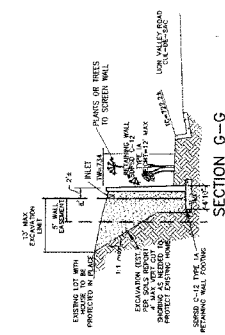
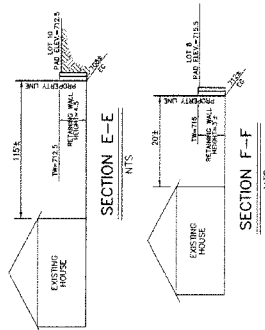


SYMBOL	DESCRIPTION	STD. DIM.
SS	EXISTING SEWER	
PS	PROPOSED SEWER	
EW	EXISTING WATER	
PW	PROPOSED WATER	
PH	PROPOSED HYDRANT	
PA	PROPOSED AIR/VAC ASSY	
BL	PROPOSED BLOWOFF ASSY	
PE	PROJECT BOUNDARY	
EC	EXISTING CONTOUR	
PC	PROPOSED CONTOUR	
LI	LOT LINE	
CS	CUT SLOPE	
FS	FILL SLOPE	
PD	PERCENT/DIRECTION OF GRADE	
WQ	WROUGHT IRON FENCE	
CS	CONCRETE SIDEWALK	
BR	BROW DITCH	
RM	RETAINING WALL	
LN	LOT NUMBER	
EL	ELEVATION	
SD	PROPOSED STORM DRAIN	
WB	WATER QUALITY BASIN	
SS	PROPOSED STREET PARKING SPACES	



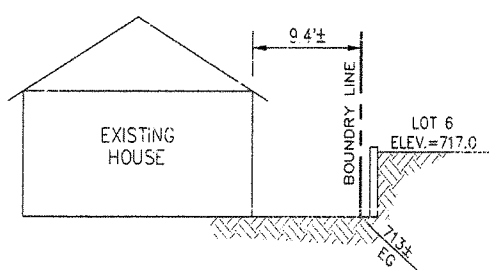
PROPOSED PROJECT
SUB 16-0012-6.

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TENTATIVE MAP

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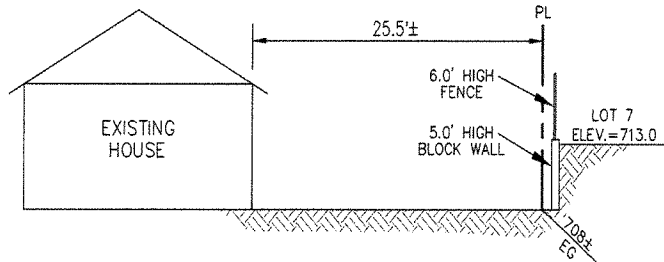
**PROPOSED PROJECT
SUB 16-0012.7.**

SG



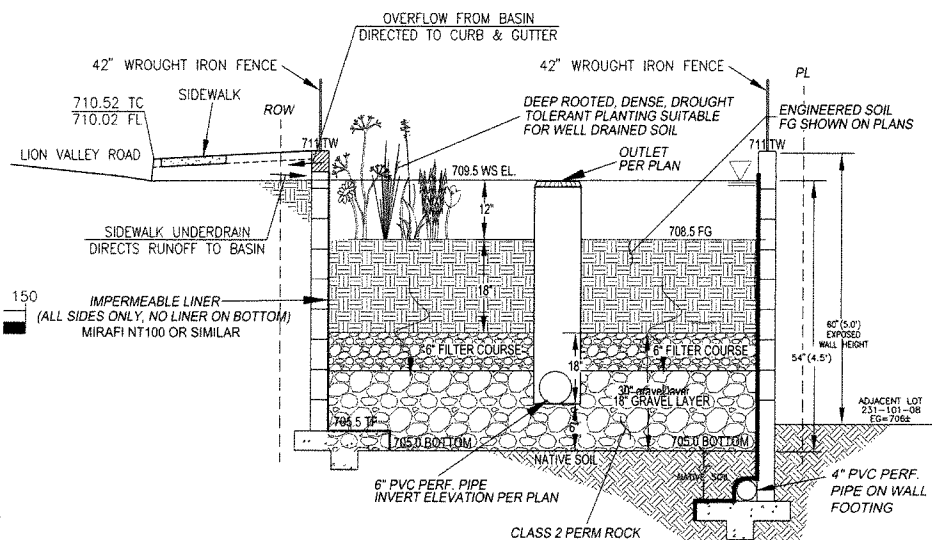
SECTION A-A

NTS



SECTION B-B

NTS

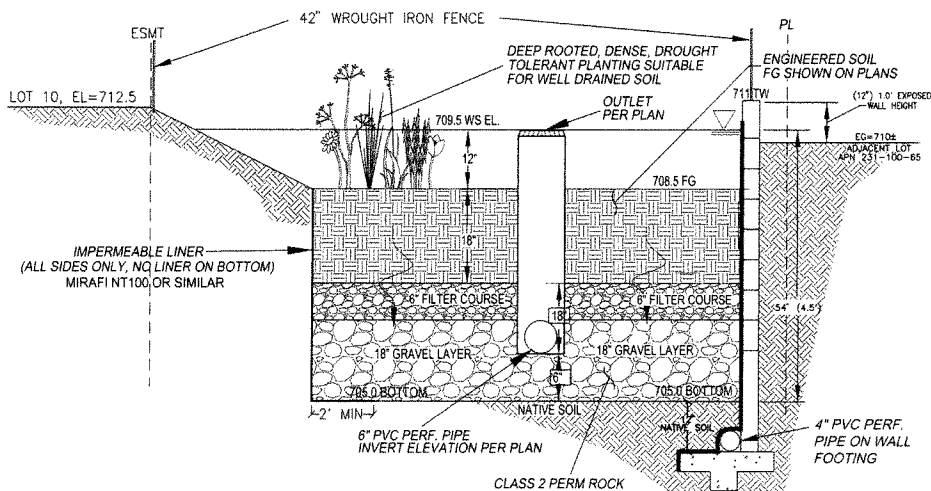


BIORETENTION ENGINEERED SOIL LAYER SHALL BE MINIMUM 18" DEEP "SANDY LOAM" SOIL MIX WITH NO MORE THAN 5% CLAY CONTENT. THE MIX SHALL CONTAIN 50-60% SAND, 20-30% COMPOST OR HARDWOOD MULCH, AND 20-30% TOPSOIL.

SEC C-C

BIORETENTION DETAIL FOR LID IMP

NTS



BIORETENTION ENGINEERED SOIL LAYER SHALL BE MINIMUM 18" DEEP "SANDY LOAM" SOIL MIX WITH NO MORE THAN 5% CLAY CONTENT. THE MIX SHALL CONTAIN 50-60% SAND, 20-30% COMPOST OR HARDWOOD MULCH, AND 20-30% TOPSOIL.

SEC D-D

BIORETENTION DETAIL FOR LID IMP

NTS

PROPOSED PROJECT
SUB 16-0012.g.

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: R-1-10 zoning (Single-Family Residential, 10,000 SF min. lot size). Single-family residential homes are located north of the project site on lots ranging in size from 10,000 SF to 0.95 acres. The rear of the adjacent lots orient towards the project site. The project site slopes downward towards the north and the adjacent lots generally are located at a lower elevation than the project site.

SOUTH: R-1-10 zoning (Single-Family Residential, 10,000 SF min. lot size). Single-family residences are located to the south on lots ranging in size from approximately 10,00 SF to 0.87 acres. The rear yards of the adjacent homes orient towards the project site. The project site slopes towards the north and the adjacent homes on the south are situated at a higher elevation.

EAST: R-1-10 zoning (Single-Family Residential, 10,000 SF min. lot size). Single-family residential homes are located east of the project site on lots ranging in size from approximately 6,000 SF to 0.80 acres. The side yards of the adjacent homes orient towards the project site.

WEST: R-1-10 zoning (General Commercial). Single-family residential homes are located to the west on lots ranging from 10,000 SF to 0.80 acres. Bear Valley Parkway is located further to the west and northwest.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department expressed no concern regarding the proposed development and their ability to serve the site.
2. Effect on Fire Service -- The Fire Department indicated that adequate services can be provided to the site and the proposed project would not impact levels of service. Appropriate on-site circulation is provided to accommodate emergency vehicles. The site is served by Fire Station No. 2 located at 421 N. Midway Drive.
3. Traffic -- The project fronts onto and will take access from Lion Valley Road, which is an unclassified residential street. Lion Valley Road intersects with Bear Valley Parkway to the north, which is designated as a Major Road on the City's Mobility Element. Lion Valley Road is proposed to be developed as a Suburban roadway with 28 feet paved curb-to-curb, with parking and sidewalk on one side of the street. The Suburban design standard requires the lots to be developed to provide a minimum of six on-site parking spaces (typically three car garage and three cars in the driveway) and 1.5 parking spaces per each lot which would require a minimum of 15 on-street parking spaces. The proposed lots can accommodate three-car garages and the street can accommodate a minimum of 15 on-street spaces in accordance with the design requirements.

Bear Valley Parkway in the project vicinity provides four travel lanes (two eastbound and two westbound) with a raised center median. Access to Lion Valley Road is limited to right-in and right-out only. Bear Valley Parkway currently operates a LOS "C" or better under current conditions.

Based on the SANDAG Guide to Vehicular Traffic Generation Rates the ten-lot subdivision would generate approximately 10 trips per residence or 100 average daily trips (ADT). This traffic would be added to the residential traffic on Lion Valley Road that is generated by the existing 12 homes on the street. Although the proposed project would almost double the amount of traffic on Lion Valley Road, the new traffic generation rate of 220 trips would be well within the capacity of the street. The Engineering Division has indicated the proposed project would not materially degrade the levels of service on adjacent streets or intersections.

4. Utilities -- Water and sewer is available from existing mains in the adjoining street or easements. The Engineering Department indicated the project would not result in a significant impact to public services or other utilities.

5. Solid Waste – Trash service is provided by Escondido Disposal. Individual pick up would be provided along the street for each lot.
6. Drainage – There are no significant drainage courses within or adjoining the property. The project site generally slopes and drains from south to north. A Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP) was prepared for the project to address the design of drainage and water quality features for the project. The Engineering Department has determined that runoff from the project would not be significant, existing drainage facilities within the area are adequate to support the project, and the project would not materially degrade water quality nor violate any water quality standards or waste discharge requirements. Proposed on-site improvements include bioretention/filtration basins that would drain to proposed and existing improvements in Bear Valley Parkway. The project is required to install approximately 400 feet of storm drain shall be in Bear Valley Parkway and connect to an existing catch basin in Bear Valley Parkway. The individual on-site basins would be maintained by the project homeowners' association or other acceptable method approved by the Engineering Division.

C. ENVIRONMENTAL STATUS

The project requests an extension of time for a previously-approved Tentative Map. Potential environmental impacts were analyzed as part of a Negative Declaration (City File No. ER 2004-16) and approved by the City Council in 2005. The setting for the project has not significantly changed since the adoption of the environmental documents. Surrounding properties have either remained undeveloped or have developed in accordance with the land use plan which was anticipated as part of the original project. The proposed project modifications and requested extension of time and Development Agreement does not involve any adverse physical changes in the environment and, hence, does not have the potential for causing a significant effect on the environment. Therefore, the previously-adopted environmental documents are sufficient and, pursuant to State CEQA Guidelines Section 15162 which identifies the requirements for which subsequent analysis is required, no further environmental review is required.

D. CONFORMANCE WITH CITY POLICY

General Plan Density and Yield

The General Plan land-use designation is "Suburban," which allows a maximum density of up to 3.3 dwelling units per acre (du/ac). The project density of 3.13 du/ac is consistent with the "Suburban" designation. All lot sizes also would be consistent with the required minimum net lot area of 10,000 SF. The project will be required to conform to the provisions of the Citywide Facilities Plan through the payment of fees to ensure the Quality of Life Standards will continue to be met.

E. PROJECT MODIFICATIONS/ANALYSIS

Grading Design and Retaining Walls

The proposed lot sizes range from approximately 10,006 SF to 12,628 SF which would be similar to the originally approved map and the number of lots remains the same at ten. The following highlights some of the key changes related to grading design and retaining wall placement and/or height.

- Lot 10 was increased in size to accommodate the necessary storm water basin and to provide suitable development area.
- The cut slopes for the southern lots have been reduced in height, which would not have any impacts to the adjacent properties. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.
- The height of the proposed lots along the northern boundary was an issue with the original project design, with potential visual and privacy impacts to the adjacent homes. The Tentative Subdivision Map (TR 878) project was conditioned to limit retaining wall/fill slope heights along for the northern lots (Lots 6 – 10) to a maximum of five feet in height. The retaining wall height also limited the pad elevations for the subject lots. The proposed revisions to the Tentative Map has retained the same pad elevations for Lots 6 –10, in accordance with previous conditions, to continue to address this issue; however, during the course of developing more detailed improvement/grading plans indicated that a wall/slope height of maximum five feet in height may not be feasible in all instances. Several small sections of existing

topography along the property boundary vary. In some areas along the property boundary, the visible wall height facing the adjacent property owners may vary to accommodate for the existing topographic conditions, but the primary issue to restrict the pad heights would remain as originally approved for these lots. Although most project conditions associated with Planning Case No. TR 878 have been proposed to carry over to the map modification request, the original condition that restricts walls on the north side to a maximum of five feet has been modified to allow for these topographic constraints. The original map was conditioned to install a six-foot-high wooden fence along the northern property boundary (on top of the retaining walls/slopes) for privacy screening and to limit potential overlooking into the adjacent lots. The condition has been modified to provide a higher quality wall/fence construction (with more aesthetically pleasing type vinyl fence rather than a standard good neighbor type fence) due to the overall height of the combination retaining wall and fence.

- The applicant has indicated that due to limited depth of the lots, the future homes would result in two-story designs on each lot. The Planning Commission required the original project to limit the homes on Lots 7 and 8 to one story to address potential overlooking on the adjacent properties, and this restriction is retained with this modification. The final design of the homes would be further addressed during the design review stage for the building plans.

Storm Water Design

In order to conform to current storm water requirements to retain and treat storm water runoff from the project site and street, the project was redesigned to incorporate several on- and off-site storm water improvements. These features include four storm water basins located on Lots 1, 6, 7 and 10. The basin on Lot 10 is the largest and designed to handle and treat the bulk of the storm water runoff. The smaller basin on Lot 1 would accommodate runoff from Lot 1 and a small portion of the runoff from the eastern section of Lion Valley Road. The smaller basins on Lots 6 and 7 are designed to accommodate the runoff from the individual lots as they are located at a lower elevation than the street. The basin located on Lot 10 would be maintained by the homeowners' association, while the other lots could be maintained by the HOA and/or individual owners, subject to the appropriate maintenance provisions/agreements. Fencing along the rear and western side of the larger basin is required to be open decorative type metal tubular fencing.

Street Design

The original Tentative Map proposed a standards residential street design of 56-foot right-of-way with 36 feet curb-to-curb width, with sidewalk and parking on both sides. In order to provide slightly larger and more usable lots for the future homes and to accommodate the necessary on-site storm water features, the applicant has modified the map to utilize the "Suburban" street standard which allows for a narrower street (28 feet curb-to-curb width) with sidewalk and parking along one side of the street. The "Suburban" standard is allowed for projects with minimum 10,000 SF lots, but requires each lot to provide parking for a minimum of six cars on each lot (typically a three-car garage and three cars in the driveway) along with on-street parking of 1.5 spaces per lot. This would require a minimum of 15 on-street spaces and the project could provide up to 17 on-street spaces depending on the final design of the roadway and placement of the driveways. The project has been conditioned to complete the eastern off-site portion of the street at the 90-degree knuckle. An adjacent property owner to the east of Lot 10 (APN 231-101-08) has constructed fencing and other structures within the existing right-of-way that will need to be removed when Lion Valley Road is extended and fully improved on- and off-site. The applicant will need to coordinate with the adjacent property owner regarding any necessary replacement of private improvements and landscaping within the parkway area. Maintenance of any off-site parkways is the responsibility of the adjacent home owner that fronts onto the improvements in accordance with the City's Municipal Code.

The previous approved design required a 24-foot-wide secondary emergency access at the terminus of the cul-de-sac out to Bear Valley Parkway. This required the applicant to obtain the necessary easements for the road and any off-site grading/slopes. The Fire Department indicated the secondary access is no longer required and has been eliminated from the design. This reduces the amount of off-site improvements and grading required for the project; potential impacts to the adjacent parcel(s) on the east; and long-term HOA maintenance responsibilities for the future for the road and gate. However, the Utilities Division requires water lines to be looped which would require the new water line extension in Lion Valley Road to connect to the existing main in Bear Valley Parkway. In order to accommodate the water line, a minimum 25-foot-wide public easement is required through Lot 6 to accommodate the public water line and private storm drain. This would affect the development potential for Lot 6. Therefore, the applicant has included a concept design that demonstrates the

ability to develop a reasonably sized home and usable open space area on the lot. The paved public easement also would serve as the driveway to the garage and parking also would be allowed within the easement.

Discretionary Extensions and Development Agreement Extensions of Time

Government Code Section 66452.6(e) allows for discretionary extensions totaling up to five years. As of this writing, a discretionary extension of three years has been approved by the City. The map still is eligible for a local time extension up to two additional years in accordance with the City's Subdivision Ordinance (Chapter 32) and the Subdivision Map Act which would extend the Tentative Map until January 11, 2019, if approved by the appropriate decision-making body. The applicant submitted a local time extension request on December 29, 2016, which was received prior to the January 11, 2017 expiration date. This action suspends expiration of the map until a final decision is made regarding the extension request. (A timely request for a discretionary extension in and of itself extends the map for 60 days or longer as may be necessary to process the extension request).

The proposed Development Agreement is requested to extend the life of the 10-lot Tentative Map and associated entitlements beyond the scheduled expiration date of January 11, 2019, to July 11, 2020. The proposed Development Agreement Terms, provided below, sets forth the individual points in the proposed agreement as recommended by the City Attorney, City Manager's Office, Engineering Division and Community Development Division, and negotiated with the project applicant. Staff supports the proposed terms of the agreement and believes that an extension of 18 months is sufficient time for the applicant to prepare the necessary plans (i.e., grading, landscape, final map, improvement plans, etc.) and to record the map. The terms also provide for a public benefit through a cash payment of \$10,000 towards the necessary infrastructure improvements within Kit Carson Park. The final agreement will need to be considered and approved by the City Council at a subsequent public hearing. After the City Council completes the public hearing, it may approve, modify or disapprove the development agreement

Development Agreement Draft Terms

1. 10 residential lots on 3.13 acres for Escondido Subdivision Map 878 (SUB16-0012)
2. 18-month term for the Development Agreement (land-use entitlements only) to be presented to the Planning Commission and City Council for final approval.
3. Cash payment of \$10,000 to be used by the City for infrastructure/roadway maintenance within Kit Carson Park.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The project site is comprised of two parcels and is completely surrounded by single-family residential development. There currently are two residences on the site, which would be removed. The remainder of the site generally is vacant with vegetation consisting primarily of weedy, invasive species with some remnant ornamental species and trees. The project site does not contain and native vegetation or sensitive habitat.

B. SUPPLEMENTAL DETAILS OF REQUEST

	<u>Proposed</u>	<u>R-1-10 Requirement</u>
1. Property Size:	3.19 acres (2 parcels)	N/A
2. No. Proposed Lots:	10 single-family lots	Up to 10 based on General Plan yield
3. Residential Density:	3.13 dwelling unit/acre (10 lots /3.19 ac)	Up to 3.3 du/ac
Note: The original project site used to be 3.87 acres, but was reduced to 3.13 acres with the recordation of a boundary adjustment that resulted in a portion of the site being removed from the development in accordance with the project conditions of approval the changed the project from 11 lots to 10 lots.		
4. Lot Size:	10,006 SF to 12,628 SF	Min. 10,000 SF
5. Lot Width:	80' average lot width	80' average
6. Landscaping:	All landscaping to comply with the City's Landscape Ordinance and Tree Replacement Ordinance requirements including street trees, slope planting, erosion control and specimen sized trees.	
7. Walls/Fencing:	Masonry retaining wall along northern property boundary (ranging from 5 to 6 feet in height) along with solid fencing on top (up to six feet in height). Decorative open type metal fencing around the main storm water feature on Lot 1. Internal retaining walls ranging from 1 foot up to approximately 12 feet in height.	
8. Grading:	Grading of the project site would include approximately 15,800 cubic yards (cy) of cut, and approximately 3,575 cy of fill (export 11,868 cy). The previous design anticipated 18,985 cy cut and 2,922 cy fill. No grading exemptions are proposed.	
9. Street Design:	Public Street, Suburban Design Standard of 28 feet curb-to-curb width within 43 feet to accommodate parkway, sidewalk on one side, utilities, etc. On-street parking limited to one side only.	
10. Parking:	In accordance with the "Suburban" street standards, parking for six cars would be provided on each lot and a min. of 1.5 on-street spaces would be provided (22' for each linear space). A minimum of 15 on-street spaces would be required and up to 17 on-street spaces could be provided depending on final street design and driveway locations.	

EXHIBIT" A"
FINDINGS OF FACT
SUB16-0012 and PHG18-0028 (TR 878)

Environmental Determinations:

1. The requirements of the California Environmental Quality Act (CEQA) have been met and a Negative Declaration (City File No. ER 2004-16) was adopted for the project in 2005.

No special circumstances exist that would create a reasonable possibility that the Tentative Map Modification, granting the Tentative Map Extension, and approving the Development Agreement will have a significant effect on the environment beyond what was previously analyzed and disclosed. All of the requirements of the CEQA have been met and no additional environmental review is required in conformance with CEQA Section 15162(a) "Use of Previous Document." No significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval. The project does not include any substantial changes which would require any revisions to the environmental document due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects.

Tentative Subdivision Map Modification

1. The General Plan land-use designation for the 3.19-acre site is Suburban, which permits a maximum density of 3.3 du/acre with a minimum lot size of 10,000 SF. The proposed 10-lot subdivision map with a density 3.13 du/ac would be consistent with the General Plan yield and density provisions. All lot sizes also would be consistent with the required minimum net lot area of 10,000 SF. The project is consistent with the adopted General Plan land use designation, which anticipates single-family residential development on the project site.
2. The proposed residential project would not disrupt or divide the physical arrangement of the area because the project is zoned for residential development, is infill in nature, and is adjacent to similar single-family residential uses to the north, south and east and west. Access would be provided by the extension of Lion Valley Road to serve the project. Development of the project and street and utility extensions would not adversely alter or impact the existing circulation pattern throughout the surrounding neighborhood, nor preclude the development of surrounding parcels. Adequate public facilities are available, and water and sewer service can be provided to the project with extension of nearby existing facilities. The design and improvements of the proposed subdivision map are consistent with all requirements and development standards of the General Plan and the Zoning Code, because the proposed lot sizes, configuration, and access are consistent with the Suburban land-use designation and the R-1-10 zone, based on the applicant's proposal and the conditions of approval.
3. The proposed residential project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the project site is infill in nature and adjacent to residential development. The project site currently is development with residential structures and does not contain any significant visual resources or prominent topographical features. Existing vegetation would be permanently replaced by residential development, associated infrastructure and new landscaping. The development of the future homes would not result in any adverse visual impacts or result in the obstruction of any scenic view or vista open to the public. The project also would not damage any significant scenic resources within a designated State scenic highway or create an aesthetically offensive site open to the public. The proposed grading design would not result in any manufactured slopes or pads that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. All manufactured slopes would be required to be landscaped in conformance with the City's Landscape Ordinance to screen and soften visual impacts, as well as views from surrounding properties. Any grading and subsequent compaction of the site, as necessary, will be per City standards (Article 55, Escondido Zoning Code) to the satisfaction of the City Engineer.

4. The site is suitable for the single-family residential type of development and density proposed as the site is zoned for single-family development, and is located within a neighborhood developed with single-family homes. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and would not degrading the level of service on the adjoining streets or intersections. All grading will be in conformance with the Grading Ordinance, and appropriate access and utilities are available to the site.
5. The proposed residential development would not conflict with the provisions of an adopted Specific Plan or proposed Habitat Conservation Plan. The project site is not located within any area identified for preservation on the City's draft Multiple Habitat Conservation Program (MHCP) nor does it contain any sensitive resources as identified in General Plan Resource Conservation Element. The project site is not listed on the City's Parks, Trails and Open Space Plan, or any local or regional parks and open space.
6. The design of the residential map and the type of improvements are not likely to cause serious public health problems because the project would not degrade the levels of service on the adjoining streets or drainage systems, with the implementation of the recommended Conditions of Approval. City water and sewer are existing and available to the site, and existing service to surrounding properties would not be adversely impacted. The project would not create any adverse noise impacts to adjacent properties due to the residential nature of the project and limited traffic generated by the project.
7. The design of the map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map because any existing easements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.
8. The design of the subdivision map has provided, to the extent feasible, for passive or natural heating or cooling opportunities in the subdivision. Unit sizes and configuration provide opportunities for passive/solar heating and landscaping provides passive cooling opportunities.
9. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to recordation of the map. The Tentative Subdivision Map meets all of the requirements or conditions imposed by the Map Act and Escondido Zoning Code and is consistent with the General Plan

Extension of Time Tentative Subdivision Map

1. The City's Subdivision Ordinance (Chapter 32) and Government Code Section 66452.6(e) allows for discretionary extensions of Tentative Map totaling up to five years. The applicant's request to further extend the life of the previously-approved Tentative Map (TR 878) upon filing a timely application for an extension of time, the tentative map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.
2. The Planning Commission finds that the two-year discretionary extension request, to January 11, 2019, is reasonable, was filed within the time periods specified, and meets all requisite findings for extension of time on the Tentative Map.
3. Because legal authority exists for combining various extension strategies for maximum relief, this two-year discretionary extension relates to other related extension requests under the Subdivision Map Act (i.e. Government Code Section 66452.6(a)(1), which allows extension through Development Agreement).

Development Agreement Findings

1. A Development Agreement can be used to extend the life of a Tentative map for the life of the Development Agreement (Government Code Section 66452.6(a)(1). Although uncapped by statute as to duration, the Planning Commission finds that an additional one-year extension sufficiently accommodates time for the applicant to prepare a final map and improvement plans.
2. The proposed Development Agreement is consistent with the goals, policies, general land uses and programs specified in the General Plan because the approved residential development is consistent with the requirements of the "Suburban" land-use designations which allows single-family residential development on

the site. The residential subdivision for the project previously was approved by the Planning Commission on January 11, 2005.

3. The General Plan land-use designation for the southern portion of the project site is "Suburban" (up to 3.3 single-family dwelling units per acre) with a minimum lot size of 10,000 SF. The project is consistent with the adopted General Plan land use designations, which anticipates single-family residential development on the project site. The approved subdivision is consistent with the General Plan density provisions because the density of the project is approximately 3,13 du/ac within the "Suburban" land-use designation. Proposed lot sizes range from approximately 10,000 SF to 12,268 SF, which would be consistent with the proposed R-1-10 zoning designation designations.
4. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for the land-use district in which the real property is located, along with all other provisions of Title 21 of the Zoning Code, because the project meets all requirements of the General Plan and Zoning Code, as stated above.
5. The proposed Development Agreement is in conformity with public convenience, general welfare, and good land use practices. The design of the residential map and the type of improvements would not degrade the levels of service on the adjoining streets or drainage systems, with the implementation of the recommended Conditions of Approval. City water and sewer are existing and available to the site, and existing service to surrounding properties would not be adversely impacted. The project would not create any adverse noise impacts to adjacent properties due to the residential nature of the project and limited traffic generated by the project. The project would be in conformance with the General Plan as noted in Section 2 above.
6. The proposed Development Agreement would not adversely affect the orderly development of property or the preservation of property values because the proposed project would not disrupt or divide the physical arrangement of the area because the site is zoned for residential uses, and is adjacent to single-family residential uses on all sides. The project density, yield, and lot sizes would be consistent with the underlying "Suburban" land-use designation, and consistent with adjacent residential development and lot sizes. Access would be provided by the extension of Lion Valley Road, which is an existing residential street. Development of the project and proposed improvements to Lion Valley Road would not adversely alter or impact the existing circulation pattern throughout the surrounding neighborhood, nor preclude the development of surrounding parcels. Adequate public facilities are available and water service can be provided to the project with nominal extension of nearby existing facilities.

In addition to being compatible with the uses in, and the regulations prescribed for, the "Suburban" land use district, public benefits would be provided with the payment of fees to help maintain the Kit Carson Park infrastructure.

7. The proposed Development Agreement is consistent with the provisions of Government Code Sections 65864 et seq.

EXHIBIT "B"

CONDITIONS OF APPROVAL

SUB16-0012 (TR 878)

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, Engineering Division, and the Fire Chief.
2. Access for use of heavy fire fighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal. The number and location of fire hydrants shall be approved by the Fire Department.
3. Any fire lanes and no parking areas shall be appropriately signed no parking, to the satisfaction of the Fire Department and City Engineer.
4. 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.
5. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development.
6. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
7. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
8. All new utilities shall be underground.
9. In accordance with the Suburban street design standard, a minimum of six cars shall be accommodated on each lot and 1.5 on-street spaces per lot. On-street spaces shall be a minimum of 22 feet in length. On-street spaces shall only be allowed on one side of the street and the other side marked and signed "No Parking" to the satisfaction of the City Engineer and Fire Department.
10. Any proposed retaining walls shall incorporate decorative block materials and cap. This shall be noted on the project improvement plan (i.e., type of block, color, decorative cap, etc.).
11. All lots shall meet the average lot width and net lot area requirements of the underlying zone. Conformance with these requirements shall be demonstrated on the certified map, grading plan and final map. Non-compliance with these minimum standards will result in a revision to the map.
12. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall be in substantial conformance with the conceptual grading plan as shown on the Tentative Map. All fill slopes and retaining walls heights for Lots 6, 7, 8, 9 and 10 shall be limited to a maximum of five feet in height, with limited areas up to six feet in height to account for off-site

topographic conditions along the property boundary, as depicted on the Tentative Map. The retaining wall within the northeastern corner of Lot 7 shall step down at the corner to maintain an approximate not-to-exceed height of five feet. Minor adjustment to the overall height may be approved by the Director of Community Development based on the final design and topography along the property boundary to substantially conform to this requirement.

13. Prior to submittal of the grading and improvements plans for the project, a final Tentative Map (TM) shall be submitted for review and certification, along with the appropriate review fee. The certified TM shall include/incorporate any relevant conditions of approval and notes that need to be reflected on the TM, final storm water design elements, as well as the final grading and site design and/or necessary modifications as approved by the Planning Commission and City Council.
14. Prior to recordation of the Tentative Map, copies of the CC&Rs shall be submitted for review and approval. The CC&Rs shall be submitted to the Engineering Division (along with the appropriate review fee). The CC&Rs shall contain provisions for the maintenance of any common facilities, landscaping, drainage and storm water facilities, and walls, etc.
15. Prior to occupancy for Lots 6, 7, 8, 9, and 10, a solid vinyl type fence with picket or lattice topper (up to six feet in height, maximum) shall be constructed at the top of slope or retaining wall along each lot. The overall height of the fencing may vary in height to adjust for the transition in the retaining wall design, topography along the property line, and visual impacts of the combination wall/fence, to the satisfaction of the Director of Community Development. Said wall/fence construct shall be of high quality and craftsmanship, with elegant panel height section transitions that occur at property line or integrated, joint plate lines; and shall be similar in quality and material design with other property fencing, elsewhere on the five lots and the project site. The final design, materials and color shall be identified on the landscape plans.
16. Prior to occupancy, the developer shall post the address of each residence on the exterior of the home.
17. Staff Design Review approval of the proposed plotting and architectural design of the future residences within the subdivision shall be required prior to the submittal of the plans for building permit. Appropriate colored elevations and materials samples shall be submitted.
18. No street names are part of this approval. A separate request shall be submitted prior to final map.
19. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less. An interior noise analysis shall be submitted with the building plan submittal to demonstrate compliance with the interior noise requirements. Any required measures shall be incorporated into the architectural plans.
20. Setback for the garages and/or covered parking structure shall will be measured from the back of the Public Utility Easement and shall provide a minimum 25-foot-setback from the back of the sidewalk.
21. As required by the Planning Commission, Lots 7 and 8 shall be limited to one-story residences to minimize overlooking onto adjacent properties. No single-residence or structural roof element, or accessory structure on the two lots shall exceed 18 feet in height, unless otherwise exempted by the Escondido Zoning Code. This restriction also shall be included in the CC&Rs.

22. Prior to recordation of the final map, the applicant shall complete the boundary adjustment between the subject property and the Regan property (ADJ. Plat 2004-10) and record Certifications of Compliance for each affected parcel.
23. Prior to recordation of the final map, the applicant shall execute the Development Agreement.
24. Prior to recordation of the final map, all existing structures on the site to be removed shall be removed and the existing accessory building on the adjacent property that encroaches onto Lot 1 shall be modified to meet the setback requirements.

Landscaping

1. Six copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division in conjunction with the submittal of the Final Map and Grading Plans, and shall be equivalent or superior to the concept plan attached as exhibit(s) in the staff report(s). A plan check fee of will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in the City's Landscape Ordinance (Article 62) as well as the State Model Water Efficient Landscape Ordinance. The plans shall be prepared by, or under the supervision of a licensed landscape architect and include a signed statement noting compliance with these provisions.
2. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with the Landscape Ordinance and City of Escondido Street Tree List. A minimum of 26, 24-inch box-sized trees shall be incorporated into the landscape design to mitigate the removal of existing mature trees on the site as required by the Tree Preservation Ordinance (Ord. 93-11) to the satisfaction of the Planning Division.
3. The final fencing, gates, and wall design shall be included with the landscape plans. Any fencing proposed for detention basins shall incorporate decorative open metal type fencing and shall conform to the height and setback requirements for the underlying R-1-10 zone.
4. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
5. The proposed storm water basins shall be designed with an appropriate mix of plant materials and shall be designed as a visual amenity for the project. The type of fencing, including any perimeter and lot fencing shall be indicated on the landscape plans. All fencing shall conform to the height and setback requirements for the underlying R-1 zone.
6. Appropriate landscaping shall be installed and maintained along the street parkway area in front of the retaining wall along the bulb of the cul-de-sac, to include trees and shrubs. Should the final design of the wall footing preclude the use of trees, then appropriate shrubs and vines shall be utilized to provide appropriate screening along the face of the wall. The landscaping shall be maintained by the project homeowners' association.
7. All off-site slopes shall be landscaped with a combination of ground cover, shrubs and trees to adequately control erosion. The final design shall be coordinated with the adjacent property owner in accordance with the necessary permission to grade. Appropriate permanent irrigation also shall be required and noted on the landscape plans.
8. Prior to occupancy of the buildings, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

9. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

**ENGINEERING CONDITIONS OF APPROVAL
ESCONDIDO TRACT NUMBER SUB16-0012 LION VALLEY
(TR 878)**

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.
4. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
7. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary and up to the existing terminus point of Lion Valley Road:

STREET

CLASSIFICATION

Lion Valley Road

Suburban Residential Road (28' curb to curb)

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall grind (5' header cut) along lip of gutter and overlay (2") of asphalt concrete on Lion Valley Road, from Bear Valley Parkway to the existing terminus point, as determined by the City Engineer prior to occupancy.
4. All damaged curb, gutter, and sidewalk along the existing section of Lion Valley Road shall be removed and reconstructed to the satisfaction of the City Engineer.
5. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.
6. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
7. All cul-de-sacs shall conform to the current Escondido Design Standards.
8. All knuckles within the public rights-of-way shall conform to current Escondido Design Standards.
9. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
10. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping shall be done by the developer's contractor. The developer shall be responsible for all signage and striping for the project.
11. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.
12. Street lighting shall be required on Lion Valley Road in accordance with Escondido Design Standards.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.
3. Increased cut slope setbacks may be required along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas and may be required to avoid encountering ground water problems. Actual setbacks to be used will be based on recommendations of the soils engineer. The requirements of the San Diego County Health Department should be consulted in this regard. In lieu of these requirements, or if the County Health Department requirements cannot be met, the developer must arrange to connect adjoining existing dwelling units, now on private septic systems, to the public sewer system. In this regard, the developer will be required to make necessary arrangements for all main extensions, easements, and payment of all connection and permit fees. Any dwellings in the unincorporated areas must have special approval of the City Council before being connected to the City sewer system. This requirement shall also apply to off-site road and utility improvements where existing septic systems are jeopardized as a result of these improvements.
4. It shall be the responsibility of the developer to pay all plan check and inspection fees required by the San Diego County Health Department.
5. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
6. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
7. A Construction General Permit is required from the State Water Resources Control Board for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of one or more acres.
8. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches. All cut slopes created shall have brow ditches installed at the top of slope in accordance with San Diego Regional Standard drawings.
9. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

10. All existing foundations and structures, other than those designated "to remain" on the Tentative Map, shall be removed or demolished from the site.
11. Unless specifically permitted to remain by the County Health Department, all existing wells within the project or affected by the off-site improvements shall be abandoned and capped, and all existing septic tanks within the project or affected by the off-site improvements shall be pumped and backfilled per County Health Department requirements prior to issuance of the Grading Permit.
12. The developer will be required to obtain permission from adjoining property owners for any off-site grading and slopes necessary to construct the project and/or the required improvements.
13. Cross-lot drainage may be allowed on a case-by-case basis, to be approved by the City Engineer. Brow ditches or storm drain pipes that convey cross lot drainage shall have drainage easements to the HOA on the Final Map.
14. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.
15. All lot lines shall be located at the top of slope unless otherwise approved by the City Engineer.
16. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Wall footings shall not be placed under curb and gutter. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in their report. Structural calculations shall be submitted for all walls not covered by the Regional or City Standard Drawings. The cost of any independent third party review deemed necessary by the City Engineer shall be reimbursed by the developer. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Department plan review and permit process.
17. Structural calculations for all retaining walls that are part of post-construction storm water treatment measures (basins) shall be submitted to the City for review. The cost of any independent third party review deemed necessary by the City Engineer shall be reimbursed by the developer. Retaining walls shall be designed for hydrostatic pressure for the basin's maximum water surface elevation.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.

2. Approximately 400 feet of storm drain shall be installed in Bear Valley Parkway and connect to an existing catch basin in Bear Valley Parkway (near APN 231-100-64). The responsibility for maintenance of storm drain on APN 231-100-20, up to the nearest clean out and/or storm drain inlet in Bear Valley Parkway, shall be that of the homeowners' association. Provisions stating this shall be included in the CC&Rs. The storm drain from said clean out (near APN 231-100-20) to the existing catch basin in Bear Valley Parkway (near APN 231-100-64) shall be public. All public storm drain shall be reinforced concrete pipe (RCP) and 18" minimum.
3. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains shall be that of the homeowners' association. Provisions stating this shall be included in the CC&Rs.
4. The project shall limit drainage flows to their pre-construction rates. Details and calculations for the detention basin shall be submitted and approved as part of the grading plan check.
5. A Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include post-construction storm water treatment measures, and maintenance requirements. Project area not treated by post-construction storm water treatment measures shall meet the definition of De Minimis Drainage Management Areas (DMAs) in Escondido's Storm Water Design Manual. Underdrains for post-construction storm water treatment measures shall be connected to the private storm drain system. The SWQMP shall be approved prior to issuance of the Grading Permit.
6. All site drainage with emphasis on the roadway, parking, and driveway areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
7. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts from buildings shall be directed to landscaping, or storm water treatment facilities, to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.
8. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement (SWCFMA). This recorded SWCFMA shall be referenced in the CC&Rs.

WATER SUPPLY

1. All water main locations and sizing shall be to the satisfaction of the Utilities Engineer. Required water main improvements shall include extension of the existing 8-inch water line in Lion Valley Road and looped to connect to the existing water line in Bear Valley

Parkway. All proposed water mains shall be sized to provide the required fire flow while still meeting City Standards.

2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
3. Because fire sprinklers are required by the Fire Department, a 1" minimum water service, 1" water meter, and back flow prevention device shall be required for each lot. Water meters and back flow prevention devices shall not be installed within the driveway apron or private drive areas.
4. No trees or deep rooted plants shall be planted within 10 feet of any water service.
5. All water services shall be installed per current City of Escondido Design Standards and Standard Drawings.
6. The developer shall provide an all-weather access road (suitable for use by maintenance vehicles) to all water mains within easements.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the Utilities Engineer. Required sewer main improvements include extension of the existing 8-inch sewer main to the Lion Valley Road cul-de-sac.
2. The developer shall install a sewer lateral to the single family home on APN 231-100-77, connect the existing home to the new sewer lateral, and pay sewer connection fees prior to Final Map recordation.
3. A private 4" minimum PVC sewer lateral with a standard clean-out within 18" of the right-of-way shall be constructed for each Lot and shown on the Improvement and Grading plans. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings. The construction of all sewer laterals shall be included in the improvement plans and bonding quantities.
4. No trees or deep rooted bushes shall be planted within 10' of any sewer lateral, or within 15' of any sewer main.
5. All sewer laterals will be considered a private sewer system. The property owners and/or the Home Owners Association will be responsible for all maintenance of their individual sewer laterals to the sewer main. Provisions stating this shall be included in the CC&Rs.

LANDSCAPE

1. A site landscaping and irrigation plan shall be submitted to the Engineering Department with the first submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees.
2. Graded slopes outside the subdivision boundary (on parcels adjacent to the subdivision) shall be landscaped and irrigation installed by the developer. These slopes shall be

maintained by either the homeowner's association or adjacent property owner(s) and the party providing maintenance shall provide water to the irrigation system. If adjacent property owner(s) are designated to maintain slope(s), the developer shall demonstrate the property owner(s) have agreed to provide long-term maintenance of the landscaping, and irrigation for the slope(s) is connected to this property owners' water meter. If the developer cannot demonstrate this, the homeowner's association shall irrigate and maintain slopes. Provisions stating whom will be responsible for maintenance and irrigation shall be included in the CC&Rs.

3. Damaged landscape and/or irrigation on APN 231-100-20 shall be replaced with appropriate groundcover, shrubs and trees (where feasible due to the location of utilities), and shall be to the satisfaction of the City Engineer.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET

CLASSIFICATION

Lion Valley Road

Suburban Residential Road (43' right-of-way width)

2. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
3. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
4. Private drainage easements shall be shown on the Final Map and granted to the Homeowners' Association upon transfer of title for all private drainage facilities including any brow ditches (5' min. wide) and drain pipes (5' min. wide) needed to convey storm water within the project.
5. Existing Irrevocable Offers of Dedications (IOD's) needed for completion of improvements on Lion Valley Road shall be accepted by the City prior to recordation of the Final Map. This acceptance with document numbers shall be shown on the Final Map.
6. The developer shall acquire a private storm drain easement from the City of Escondido for the private storm drain on APN 231-100-20 prior to recordation of the Final Map. The developer shall compensate the City fair market value of the easement prior to recordation of the Final Map.
7. The developer shall acquire private easements for retaining walls from property owners adjacent to the subdivision prior to recordation of the Final Map and issuance of the Grading Permit. Private easements shall include wall footings. If the developer cannot

secure private easements for retaining walls, the Lion Valley cul-de-sac and/or retaining wall shall be designed in a manner that does not need private easements.

8. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the Final Map. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

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

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association drainage swales, storm water treatment facilities, all onsite and offsite storm drains, and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The developer shall make provisions in the CC&Rs for maintenance, repair and access to all brow ditches and drain pipes which pass from one lot through an adjacent lot. Copies of an approved wording and format for this section of the CC&Rs may be obtained from the Engineering Department.
4. The CC&Rs must state that the homeowners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the homeowner's association when repair or replacement of private utilities is done.

5. The developer shall make provisions in the CC&Rs for maintenance and irrigation of graded slopes outside the subdivision boundary in accordance with Landscape Condition 2.
6. The CC&Rs must state that (if stamped concrete is used in the private driveways) the Homeowners' Association is responsible for replacing the stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer may request a waiver of this condition by writing a letter to the City Engineer explaining his/her reasons for requesting the waiver. The developer will be required to pay a waiver fee as adopted by City Council resolution.
2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

PLANNING COMMISSION

Agenda Item No.: G.2
Date: October 23, 2018

CASE NUMBER: AZ 18-0008

APPLICANT: City of Escondido

LOCATION: Citywide

TYPE OF PROJECT: Zoning Code Amendment

PROJECT DESCRIPTION: A proposed amendment to Article 66 (Sign Ordinance) of the Escondido Zoning Code to allow certain signs within the public right-of-way. The intent of the amendment is to provide limited opportunities for the placement of monument signs in the public right-of-way, immediately adjacent to commercially zoned properties, in situations where existing public utilities otherwise preclude the placement of said signs on said private property. The proposal also includes the adoption of the environmental determination prepared for the project.

STAFF RECOMMENDATION: Recommend City Council approval of the proposed Zoning Code Amendment as set forth in Exhibit "B."

BACKGROUND/SUMMARY OF ISSUES: Signage in Escondido is regulated by Article 66 of the Escondido Zoning Code (also referred to as the Sign Ordinance). Amendments to sign regulations typically have been made in response to a particular community interest, such as a request made from a business or stakeholder group. The last amendment to the Escondido Sign Ordinance occurred in July of 2018, addressing standards for menu board signs for drive-through facilities.

Recently, city staff was made aware of a situation where existing public utilities prevent the placement of a monument sign along the street frontage of a commercial property. In this instance, an 18-inch public sewer main is located in a space previously identified for the placement of a monument sign. Existing structural improvements, on-site parking, and other utilities make the placement of a monument sign elsewhere along the project frontage unfeasible or impractical. As such, to encourage creative and innovative approaches to advertising, City staff and the property owner looked at the potential placement of a monument sign within the public right-of-way immediately adjacent to the project site.

Staff is not currently aware of other specific locations around the City where this situation exists, although it is acknowledged that they likely do exist. In certain limited circumstances, staff believes that the provision of aesthetically suitable signage in the public right-of-way may be appropriate based on conditions specific to particular locations. In order to preclude a proliferation of said signs, staff has identified a number of specific criteria that must exist, and conditions that must be applied in order to support these types of signs, which are discussed in the analysis section later in this staff report. Staff has also proposed to revise the definition of a "billboard" so that it does not include monument signs allowed in the public right-of-way in a manner covered and authorized by this proposed amendment. The proposed Zoning Code Amendment language is included as Exhibit "B" to this staff report.

REASONS FOR STAFF RECOMMENDATION: Staff recommends approval of the proposed Resolution, recommending that the City Council adopt, with any suggested edits, amendments to Article 66 of the Zoning Code, for the following reasons:

1. The proposed Zoning Code Amendment would update sign regulations to allow monument signs in the right-of-way immediately adjacent to commercially zoned parcels and parcels designated for commercial use in very limited situations where existing public utilities preclude the placement of said monument signs on the parcel.
2. The proposed Zoning Code Amendment would not allow additional signage beyond that allowed for other similarly zoned properties. Rather, signage would encroach into a more functional space in order to provide comparable opportunities for signage that do not otherwise exist.
3. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, the suitability or appropriateness of signs and sign structures help set the aesthetic tone of the neighborhood. In order to preclude the proliferation of monument signs in the public right-of-way, the proposed amendment has been tailored to allow them only when very specific conditions exist.
4. The proposed Zoning Code Amendment consists of standards that would address potential impacts to the public health, safety and welfare. Through the processing of future sign permit applications, the City would still control and regulate the design, size, location, quality of materials, construction, and maintenance of signs and sign structures. It is the also intent of the amendment to limit the size, type, and location of signs in order to minimize their distracting effect on pedestrians and vehicular traffic and thereby improve public safety.

Respectfully submitted,

Adam Finestone, AICP
Principal Planner

ENVIRONMENTAL STATUS:

The proposed Zoning Code Amendment is exempt from review under the California Environmental Quality Act (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 itself, result in development or any other material change to the environment. Projects seeking to implement the amended provisions of the Sign Ordinance would be subject to separate review under CEQA. Therefore, pursuant to CEQA Guidelines Section 15061(b)(3), the proposed Zoning Code amendment does not have the potential for causing a significant effect on the environment and is not subject to CEQA review.

ZONING CODE AMENDMENT ANALYSIS:

Sign regulations are established by cities and counties to provide a comprehensive system of regulations for signs that are visible from the public right-of-way, parking lots, and driveways on properties in non-residential zones. The intent of these regulations is to provide a set of standards that are designed to optimize communication and messaging for a variety of land uses and types, while protecting the public and the aesthetic character of a community or neighborhood. Cities and counties regularly monitor their specific standards and adjust the standards as necessary to achieve balance among the following differing, and at times competing, goals:

- encourage the effective use of signs as a means of communication for businesses, organizations, and individuals;
- protect the health, safety and welfare of the public by minimizing hazards to pedestrian and vehicular traffic; and
- minimize the possible adverse effect of signs on nearby public and private property.

It is regularly expected that commercial shopping centers of a certain size will have some sort of freestanding signage along their street frontage(s) for the purposes of identifying the shopping center and/or its tenants. In most cases, this “freestanding” signage is in the form of a monument or pole sign on the shopping center’s property, usually adjacent to the public right-of-way. These signs play a vital role in the viability of certain shopping centers because they allow passing road users to identify the center and/or its tenants.

In some instances, existing on-site conditions, including factors outside the control of a shopping center’s owner, make the placement of a freestanding sign in a location on the shopping center’s property that is visible to road users infeasible. When previously existing public utilities create this situation, placement of a freestanding sign in the public right-of-way immediately adjacent to the shopping center could serve the purpose of providing comparable signage opportunities for identification of the center and its tenants. When it is clear that there are no viable opportunities for placement of monument signage on the shopping center’s property, and as long as appropriate measures are taken to ensure that there are no adverse impacts associated with placement of signage in the right-of-way, staff believes that under certain conditions, allowing such signs would be acceptable provided that the application is duly reviewed and considered on an ad-hoc basis.

Prior to commencing a discussion with the City regarding placement of a monument sign in the public right-of-way, a property owner must explore all opportunities to place said sign on their own property. If it is clear that no such opportunity exists due to existing improvements, on-site parking, and public utilities on the site, as determined by the Director of Community Development, the property owner may

request the ability to place a monument sign in the right-of-way immediately adjacent to their property, only under the following circumstances:

- Sufficient right-of-way exists between the ultimate edge of pavement or back of sidewalk, whichever is applicable, and the property line.
- The property owner obtains an encroachment permit from the City, and agrees to remove the sign at their own cost when requested by the City.
- The property has frontage along a prime arterial or major road.
- The property is zoned commercially, designated for commercial use, and has an operating commercial land use activity.
- The commercial property is at least four (4) acres in size.
- The need to place the sign in the right-of-way is not the result of construction of new buildings and associated public and/or private utilities.
- No other monument sign exists for the commercial center along that same street frontage

Any monument sign permitted to be placed within the public right-of-way would have to comply with the following requirements:

- The sign would be considered an on-site sign for the immediately adjacent shopping center.
- Development standards for the sign (size, illumination, etc.) shall be the same as those required for signs on the adjacent commercial property.
- New sign permit applications are reviewed for design quality and will be subject to staff design review.
- The sign must have a decorative base and enhanced landscaping must be provided around the base of the sign.
- The sign shall be as close as possible to the immediately adjacent property.
- The sign shall be at least 100 feet from any intersection and shall not create or exacerbate an existing sight-distance issue. Other minimum standards may be applied through sign permit review to safeguard public health, safety and welfare, and to promote traffic safety by controlling the design, size, location, quality of materials, construction, and maintenance of signs and sign structures.
- Placement of the sign shall not necessitate the removal of any trees, either for installation of the sign or for visibility of the sign.

Both the Director of Community Development and the Director of Engineering Services would retain the right to deny any request for signage in the public right-of-way if they determine that said signage would pose a threat to the public health, safety and welfare for any reason.

EXHIBIT “A”
FACTORS TO BE CONSIDERED / FINDINGS OF FACT
AZ 18-0008

Zoning Code Amendment

1. The public health, safety, and welfare would not be adversely affected by the proposed Zoning Code Amendment. In order to preclude any adverse effects, the Zoning Code Amendment would allow monument signs to be placed in the public right-of-way only in very limited situations. A property owner must clearly demonstrate that no practical location exists for the placement of a monument sign on their property. Other considerations include limited roadway classifications, the existence of sufficient right-of-way, sight visibility issues, size and zoning of the adjacent private property, and proximity to an intersection. These limitations would preclude a proliferation of such signs in the public right-of-way.
2. The proposed Zoning Code Amendment would not be detrimental to surrounding properties because no physical improvements are proposed as part of this Zoning Code Amendment. Future sign construction must comply with any applicable laws and standards. Furthermore, in the review and consideration of future sign permit applications, the City would ensure future signs are compatible with the structure and/or property adjacent to which they are installed, do not adversely impact the visual character of the surrounding area, and do not provide additional signage beyond that which would be allowed if the sign were on the adjacent property.
3. The proposed Zoning Code Amendment would be consistent with the goals and policies of the General Plan because the amended Sign Ordinance would not, in and of itself, result in development or any other material change to the environment. The proposed amendment provides for new sign standards that facilitate economic development and economic development activity, which is generally consistent with the General Plan. The proposed Zoning Code Amendment would not diminish the Quality of Life Standards of the General Plan, nor adversely impact the community health or natural resources.
4. The proposed Zoning Code Amendment does not conflict with any specific plan.
5. The proposed Zoning Code Amendment is exempt from review under the California Environmental Quality Act (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.

EXHIBIT “B”
PROPOSED CHANGES TO THE ZONING CODE
AZ 18-0008

Amend the various Zoning Code sections 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.

ARTICLE 66. SIGN ORDINANCE

Section 33-1391. Definitions.

(7) Billboard means a sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the property on which the sign is located (e.g., off-premises signs or outdoor advertising). A sign placed within the public right-of-way, immediately adjacent to commercially zoned property and property designated for commercial use, for which there is a valid encroachment-removal agreement shall not be considered a billboard.

Section 33-1393. Exempt and prohibited signs.

(b) Prohibited signs. Any sign not specifically authorized by this article shall be prohibited unless required by law or otherwise exempted by a local agency pursuant to the Government Code, sections 53090 et seq., of the State of California. The following signs are expressly prohibited:

(10) Signs within the public right-of-way, except where required by a government agency or otherwise permitted by sections 33-1396(c) and 33-1396(j).

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

(c) Other limitations specific to properties on Centre City Parkway. Location. Freestanding signs for businesses adjacent to Centre City Parkway shall be oriented toward the vehicular entries on the cross streets or vehicular entries from Centre City Parkway, if any. A Notwithstanding subsection (b) above, a maximum of one (1) freestanding sign along Centre City Parkway shall be permitted for each vehicular entry from Centre City Parkway.

Section 33-1396. General Use Signs.

(j) Signs within the public right-of-way for commercial activities for which there is a valid encroachment-removal agreement.

(1) Monument signs for which there is a valid encroachment-removal agreement may be placed within the public right-of-way, only under the following circumstances:

(A) Sufficient right-of-way exists between the ultimate edge of pavement or back of sidewalk, whichever is applicable, and the adjacent property line, as determined by the City Engineer.

(B) Existing underground public utilities preclude the placement of a monument sign on the property immediately adjacent to the location where the sign is proposed.

(C) The right-of-way is classified as a Major Road or Prime Arterial in the General Plan.

(D) The public right-of-way intended for placement of a monument sign must be immediately adjacent to a commercially zoned property or property designated for commercial use, with an operating commercial land use activity, and the commercial property must be at least four (4) acres in size.

(E) The encroachment-removal agreement must be between the City of Escondido and the owner of the property immediately adjacent to the location where the sign is placed.

(F) No other freestanding sign is allowed for the adjacent shopping center along the street where the monument sign will be placed.

(G) New buildings have not been constructed on the property immediately adjacent to the location where the sign is proposed after the effective date of this ordinance in a location that would have otherwise provided an opportunity for a monument sign on said adjacent property.

(2) Monument signs placed within the public right-of-way shall be subject to the following conditions:

(A) Development standards (size, height, illumination, etc.) shall be the same as those applicable to the adjacent commercial property.

(B) The sign is considered an on-site sign for the immediately adjacent shopping center and shall be subject to all laws and regulations applicable to the subject shopping center for the duration of the encroachment-removal agreement.

(C) The sign shall be subject to Design Review.

(D) The sign shall have a decorative base and enhanced landscaping must be provided around the base of the sign.

(E) The sign shall be as close as possible to the immediately adjacent property line.

(F) The sign must be at least 100 feet from any intersection and shall not create or exacerbate an existing sight-distance issue.

(G) Placement of the sign shall not necessitate the removal of any trees, either for installation of the sign and/or visibility of the sign.

(3) The City may deny any request to place a sign in the public right if necessary to preserve the public health, safety, and welfare, or other public interest concerning the right-of-way.



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

Notice of Exemption

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

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

Project Title/Case No.: Zoning Code Amendment / AZ 18-0008

Project Applicant: City of Escondido

Project Location - Specific: Citywide

Project Location - City: Escondido

Project Location - County: San Diego

Description of Nature, Purpose and Beneficiaries of Project: An amendment to Article 66 (Sign Ordinance) of the Escondido Zoning Code to allow certain signs to be placed within the public right-of-way. The intent of the amendment is to provide limited opportunities for the placement of monument signs in the public right-of-way, immediately adjacent to private, commercially zoned properties, in situations where existing public utilities otherwise preclude the placement of said signs on said private property.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Adam Finestone, Principal Planner, City of Escondido

Address: 201 N. Broadway, Escondido, CA 92025

Phone: (760) 839-6203

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

Exempt Status:

Categorical Exemption. CEQA Section 15061(b)(3) "General Rule".

Reasons why project is exempt:

1. The proposed zoning code amendment consists of text changes and does not involve any physical modifications or lead to any physical improvements beyond those typically exempt.
2. Future development applications will include environmental review and the preparation of appropriate individual CEQA documents.
3. The proposed code amendments would have no impact on fish and wildlife resources, sensitive species or habitat, or affect any cultural or historic resources, since there is no physical development project associated with the code changes.

Lead Agency Contact Person: Adam Finestone, AICP

Area Code/Telephone/Extension: (760) 839-6203

Email: afinestone@escondido.org

Signature: _____

Adam Finestone, Principal Planner

Date

☒ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant

PLANNING COMMISSION

Agenda Item No.: H.1
Date: October 23, 2018

CASE NUMBER: MISC 17-0013

APPLICANT: City of Escondido

LOCATION: Citywide

TYPE OF PROJECT: Administrative / Miscellaneous

PROJECT DESCRIPTION: Adoption of Planning Commission by-laws and proposed changes to the procedures and protocols of the Planning Commission.

STAFF RECOMMENDATION: Approve Planning Commission Resolution No. 2018-01

BACKGROUND/SUMMARY OF ISSUES: The City of Escondido Planning Commission is governed by State laws, City ordinances, and other policies established by the City Council. These standards and policies collectively provide guidance to have a fair decision-making process and to make appropriate determinations concerning land use or community development applications.

With new members recently joining the Planning Commission, it seemed like a good opportunity to review existing procedures and protocols and consider possible changes to existing policies and creation of new policies. As part of the overall effort to address operating needs of the Commission, City staff reviewed how Planning Commissions in other jurisdictions operate. Based on this review, City staff identified some areas where changes could be made. Those areas primarily include packet distribution and staff report formatting,

At the October 23, 2018 meeting, City staff will present its report and recommendations for proposed changes. The purpose of the proposed changes is to ensure that the Planning Commission is able to conduct its business effectively, openly, with appropriate public input, and to organize and consolidate policy issues. At their meeting, Commissioners are expected to provide input and direction on public meeting procedures and protocols. If Commission members accept the general approach and recommendations for proposed changes, City staff will help the Commission implement these new operating procedures, effective immediately. If additional time is needed, City staff will plan to return in November for any follow-up discussion prior to implementation.

REASONS FOR STAFF RECOMMENDATION: Staff recommends approval of Planning Commission Resolution No. 2018-01 to adopt Planning Commission By-Laws and modifications to current operating procedures and protocols. The proposed changes will help ensure that the

Planning Commission is able to conduct its business effectively, openly, with appropriate input, and to organize and consolidate all meeting material for ease of access.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "MDS", written in a cursive, stylized font.

Mike Strong
Assistant Planning Director

ANALYSIS

ENVIRONMENTAL STATUS:

This action is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

ANALYSIS OF OPERATING PROCEDURES AND PROTOCOLS:

The Escondido Planning Commission is established in accordance with Chapter 20 of the Escondido Municipal Code. The Planning Commission created by this chapter consists of seven (7) members who are appointed by the City Council. Each member has a four (4) year term of office, ending on March 31st of the fourth year. There may be a number of reasons why a jurisdiction has adopted, or should adopt specific operating procedures or protocols for their Planning Commission. Adopting and regularly monitoring the Commission's procedures and protocols would provide an opportunity to make City governance run more smoothly. At the October 23, 2018 meeting, City staff will present information about potential changes to the current operating procedures and protocols as described below.

1. Written Notice and Posting of Agenda

Current law only requires a meeting agenda be posted in the principal office of the agency that will hold the meeting, or in the building where the meeting will be held (Government Code Sections 54954 and 54956). Individuals who wish to know when meetings will be held and their agenda are not always able to make it to those places. Though most agencies already post meeting agendas online, City staff recommends the practice of putting all-relevant Planning Commission material and information in conspicuous locations online.

The Planning Commission's website (<https://www.escondido.org/planning-commission.aspx>) has since been reformatted to include advertisement of notices, staff reports, and meeting minutes. These changes increase public access to information related to Commission activities and increases government transparency or accountability.

Some of these changes have been incorporated into a set of proposed by-laws, which are included as Exhibit "A" to Planning Commission Resolution No. 2018-01.

2. Packet Distribution

For each Commission meeting, City staff provides each Commissioner with a hardcopy packet of meeting materials. The packet typically includes the agenda, draft minutes, and staff reports with exhibits/plans. Agenda packets are delivered approximately 96 to 72

hours in advance of the meeting so Commissioners have time to reflect and can have their questions, issues, or concerns ready.

A number of public bodies have been moving toward electronic media for all of their work, including the Escondido City Council, which is working to go 100 percent electronic. With electronic meeting preparation, the compiler uses special software to build the Commission packet, rather than the slow process of collating, copying, page numbering, and binding. City staff recommends moving towards a more paper-less distribution method as a default option. This change in policy would save paper, time, and resources.

It is important to note that Commissioners may still request hard copies if preferred. Additionally, a hard copy set would be placed at the Planning Division counter approximately 96 to 72 hours in advance of the meeting for public viewing and/or inspection.

These suggested revisions have been included in the attached by-laws.

3. Staff Reports

The Community Development Director, and/or a designee, prepares the agenda and staff reports for items of business on the Commission's agenda. The reports contain factual background information and professional planning analysis to guide the Commission in their actions.

City staff recommends simplifying the staff reports, focusing on the parts that matter most. Staff reports at Planning Commission should be brief and high level, with more detail only if requested by the Commission. City staff also recommends creating a more cohesive approach to attachment organization to help manage their content. A resolution to approve, approve with conditions, or deny a project should also be included in with the staff report packet to be reviewed in advance of the meeting; set to form through Planning Commission action; and to help connect the dots between the project, how it was analyzed, and the underlying decision. It is important for the Commission to review the full administrative record and all necessary findings required by statute or ordinance to support a decision.

The updated staff report format has been provided as Attachment "1."

4. Staff Presentation

Staff presentations at Planning Commission meetings should be brief and high level, with more detail only if requested by the Commission.

5. Speakers

The public is allowed to comment on items which appear on the agenda. Speaker slips are available in the Council Chambers to be submitted by persons wishing to speak on an agenda item. The normal time allowed for a person to speak typically has been three (3) minutes. However, the agenda states that speakers will have between two (2) to five (5) minutes. Staff recommends that public speakers be limited to three (3) minutes – and advertise that precise time on all meeting material.

These suggested revisions have been included in the attached by-laws.

With the conclusion of the procedures and protocol study, the Planning Commission is asked to take formal action by creating its by-laws. The proposed by-laws are attached to Planning Commission Resolution No. 2018-01. Adopting the resolution, and the by-laws inclusive of the changes to procedures and policies of the Commission, will bring the Commission's operation into alignment with the City Council's operating policies and set clear expectations for each Commissioner. The foregoing changes would go into effect immediately following adoption.

ATTACHMENTS:

1. New staff report format
2. Planning Commission Resolution No. 2018-01, with Exhibit "A"