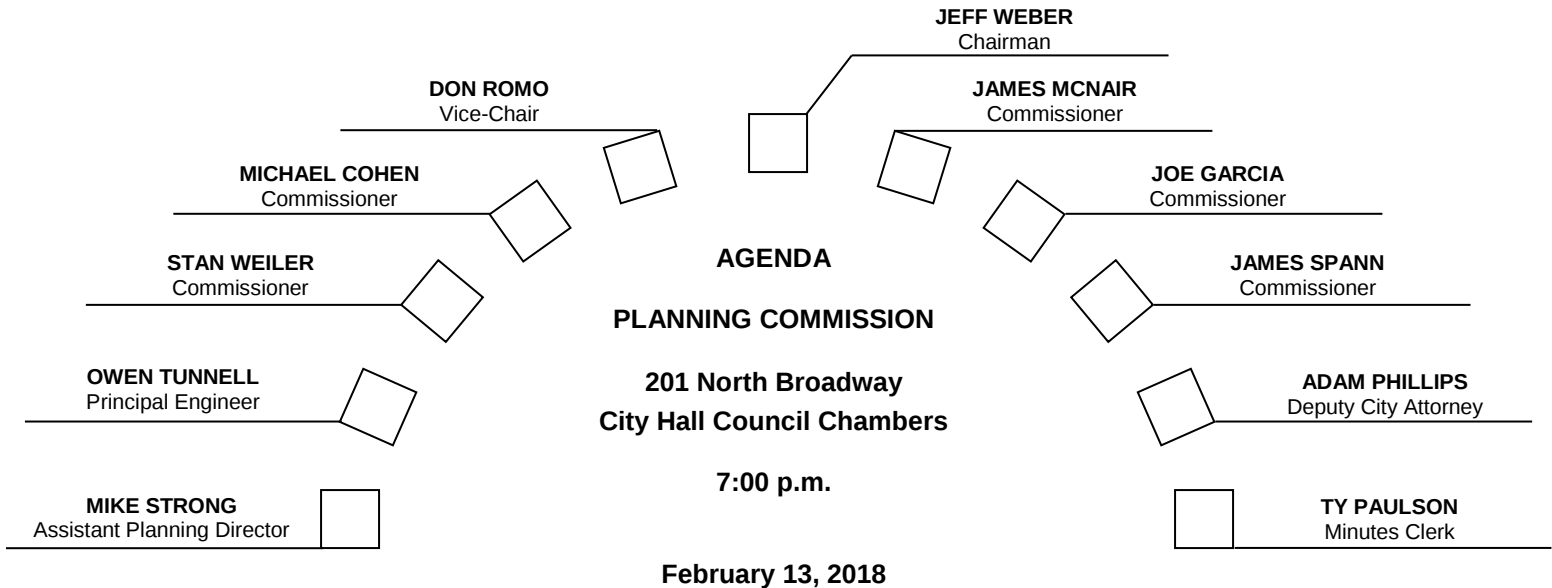


CITY OF ESCONDIDO

Planning Commission and Staff Seating



- A. CALL TO ORDER: 7:00 p.m.
- B. FLAG SALUTE
- C. ROLL CALL:
- D. MINUTES: 01/09/18

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 SUBDIVISION MAP, REZONE, MASTER DEVELOPMENT PLAN, GRADING EXEMPTION, SPECIFIC ALIGNMENT PLAN, AND DEVELOPMENT AGREEMENT – SUB 15-0002; PHG 15-0004; ENG 17-0004; PHG 16-0022; and ENV 15-0001 (Continue to a Date Uncertain):

REQUEST: The project consists of the following components:

- A Tentative Subdivision Map for 55 residential lots (net sizes ranging from 10,015 SF to 24,557 SF), eight open space lots, one private street lot, and one emergency access road lot.
- A Rezone of the residential development site from RE-20 (Residential Estates; minimum lot size of 20,000 SF) to PD-R (Planned Development- Residential).
- A Master Development Plan to allow lot clustering and reduction of lot sizes below the 20,000 SF required for the Estate II designation of the General Plan.
- Grading Exemptions for cut and fill slopes exceeding height limits specified in the Grading Ordinance.
- A Specific Alignment Plan (SAP) for street improvements to Bear Valley Parkway in the vicinity of the project. The applicant or developer would bear the full responsibility for SAP improvements along the residential project frontage (approximately 2,937 linear feet on the east side of Bear Valley Parkway), to include an additional northbound travel lane, curb, gutter, sidewalk, overhead power line relocation, parkway, and bike lane improvements.
- A proposed Development Agreement to define the terms of shared responsibility (between the developer and the City) for SAP improvements along 262 linear feet of the "triangle lot" to the direct south of the residential development site, as well as transitional improvements between Sunset Drive and the south boundary of the triangle lot.

The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The 40.62-acre development site is located on the east side of Bear Valley Parkway, just south of the intersection with Choya Canyon Road and north of the intersection with Sunset/Ranchito Drive, and is addressed as 661 Bear Valley Parkway (APNs 237-131-01 and 237-131-02).

ENVIRONMENTAL STATUS: A Final Environmental Impact Report (SCH#2016111060) has been prepared pursuant to CEQA (Public Resources Code 21000-21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000-15387).

APPLICANT: Jack Henthorn and Associates

STAFF RECOMMENDATION: Continue to Date Uncertain

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

2. MODIFICATION TO A CONDITIONAL USE PERMIT – PHG 16-0020:

REQUEST: A Modification to a Conditional Use Permit for the expansion of the Self-Realization Fellowship church facility. The proposed project would occur across four phases, with the first phase starting within three years of project approval (ideally by the end of 2019), and remaining phases occurring as funding allows. Phase 1 would construct a new sanctuary and meditation building (7,424 SF) with an outdoor entry/gathering court at the northeast corner of the project site, expand the parking lot from 56 spaces to 99 spaces, and construct two bioretention basins at the southwest corner of the site. Phase 2 would remove two freestanding caretaker units at the south end of the site and construct a new Sunday school building (3,973 SF and containing eight classrooms) in their place. Phase 3 would replace the existing multipurpose building at the east side of the property with a new multipurpose building (4,278 SF) and adjoining patio/performance stage. Finally, Phase 4 would expand the existing two-story bookstore building (which contains the bookstore on the ground floor and a caretaker unit on the upper floor) from 1,300 SF to 1,644 SF. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The 2.55-acre development site is located on the south side of Scenic Drive, at its intersection with Del Dios Road (APN 235-190-05).

ENVIRONMENTAL STATUS: The proposal is exempt from the California Environmental Quality Act in accordance with CEQA Section 15332, In-Fill Development Projects.

APPLICANT: Self Realization Fellowship Center

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

3. ZONING CODE AMENDMENT – AZ 16-0008:

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, 3, 6, 16, 25, 26, 34, 39, 40, 43, 45, 46, 47, 48, 56, 57, 58, 61, 65, 68, 69, 70, 73, and 75 of the Escondido Zoning Code. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

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

APPLICANT: City of Escondido

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

H. CURRENT BUSINESS:

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

I. ORAL COMMUNICATIONS:

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

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

J. PLANNING COMMISSIONERS

K. ADJOURNMENT

CITY OF ESCONDIDO
MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION

January 9, 2018

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

Commissioners present: Jeffery Weber, Chairman; Don Romo, Vice-chairman; Michael Cohen, Commissioner; James McNair, Commissioner; James Spann, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Joe Garcia, Commissioner.

Staff present: Mike Strong, Assistant Planning Director; Owen Tunnell, Principal Engineer; Ann Dolmage, Associate Planner; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Spann, seconded by Commissioner McNair, to approve the minutes of the November 28, 2017 meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS: None.

PUBLIC HEARINGS:

1. **CONDITIONAL USE PERMIT FOR AN EXPANSION OF THE CHALICE UNITARIAN UNIVERSALIST CONGREGATION FACILITY – PHG 15-0039 and ENV 17-0009:**

REQUEST: A Conditional Use Permit (CUP) for an expansion of the Chalice Unitarian Universalist Congregation facility. The property is currently developed with a two-story, 3,300-SF building containing a chapel, kitchen, meeting area,

restrooms, and offices. A detached 330-SF cottage also exists on the site and is used as meeting space. The property is served by a private septic system and has a parking lot with 39 spaces. The proposed expansion would occur across two phases. Phase 1 would construct a new 2,659-SF multipurpose building (to contain classrooms, office space, storage space, and restrooms), install two new stormwater detention basins, expand the parking lot from 39 to 49 spaces, and construct street improvements on Miller Avenue. Phase 2 would remodel the kitchen/restroom/office area on the first floor of the chapel building and add 422 SF of foyer space to that building. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The 2.34-acre project site is located at 2324 Miller Avenue, at the northwest corner of the intersection of Miller Avenue and Hamilton Lane.

Ann Dolmage, Associate Planner, referenced the staff report and noted staff issues were whether all of the components of the phased Conditional Use Permit were appropriate for the site, and whether the project would have any adverse visual, noise, and compatibility impacts to surrounding residential uses, whether sufficient parking is provided to accommodate the range of anticipated uses, and whether continued use of the septic system is appropriate for the project (as an alternative to connecting to City sewer). Staff recommended approval based on the following:

1) The 2.34-acre project site had sufficient area to accommodate both of the proposed phases, including parking and setbacks from residential uses. The site was zoned RE-20 and church uses were allowed in this zone with approval of a Conditional Use Permit. The site had been occupied by Chalice Unitarian Universalist Congregation for over ten years. The proposed multipurpose building had been designed to be visually compatible with the existing chapel building, and located to address any potential visual, noise, or compatibility impacts to surrounding uses. The project would expand and improve its parking area to increase its capacity from 39 to 49 spaces, in the same general location as the existing parking. Construction noise was expected to occur during project implementation, but mitigation measures have been proposed in the project's Mitigated Negative Declaration to minimize these impacts to a less than significant level;

2) Currently, the facility has 39 parking spaces to accommodate its congregation. Upon completion of the project, the church would have a new 2,569-SF multipurpose building (containing classrooms and offices) and an additional 422 SF of foyer space in the chapel building. A conservative parking calculation (i.e., the worst-case scenario) for this site would assume that all buildings are in use at the same time. Off-street parking standards require one parking space for every

100 SF of church assembly space when non-fixed seating is used. The facility would have 3,446 SF of assembly space at full buildout (1,416 SF in the chapel building, 1,700 SF in the multipurpose building, and 330 SF in the accessory building), for an assembly parking requirement of 34 spaces. The parking standards require one parking space for every 300 SF of office space, and since the site would have 1,170 SF of offices (966 SF in the chapel building and 204 SF in the multipurpose building), the office parking requirement would be three spaces. Therefore, the total parking requirement for the site would be 37 spaces, and the site would have a surplus of 12 spaces; and

3) The original County-issued Major Use Permit for this facility assumed a congregation size of no more than 150 people (75 people for each of the two Sunday services). The project site is served by a septic system with a capacity of 875 gallons per day, which is adequate for a congregation of that size, with some extra space for at least 25 additional people (175 people total per day). According to the applicant's architect, the system most likely can accommodate even more people than this, since plumbing codes assume that each person flushes three times per day and include a 50% safety factor on top of that. The applicant has stated that there are no current plans to increase the size of the congregation, so the existing septic system would continue to be adequate once the project is implemented. The project has been conditioned to limit usage of the site to 175 people per day, and proposed increases in this number would require further review and approval from the Planning Division.

Chairman Weber asked if a provision was necessary to restrict outside public events. Ms. Dolmage noted the Commission could add this as a condition.

Peter Bussett, Architect for the project, noted he was available for questions.

Commissioner Weiler and Spann expressed their support for the project.

ACTION:

Moved by Commissioner Weiler, seconded by Commissioner Spann, to approve staff's recommendation. Motion carried unanimously. (6-0)

2. SOUTH CENTRE CITY SPECIFIC PLAN – A GENERAL PLAN AMENDMENT, REZONE, ZONING CODE AMENDMENT, AND ESTABLISHMENT OF A NEW SPECIFIC PLAN – PHG 15-0003 / ENV 17-0005:

REQUEST: The Project involves a series of actions to create and implement the South Centre City Specific Plan. The proposed Specific Plan contains guiding principles, goals, policies, implementation strategies, allowable land uses, zoning, development standards, and various supporting maps, including a land use plan map. These components outline a cohesive, long-term, community driven vision that will guide future decisions related to development and land use, natural resources, mobility, infrastructure, public services, and other issues of interest to the City within this planning area. The Project also involves a request to change the existing General Plan Land Use Designation on all properties within the planning area to Specific Planning Area No. 15 (SPA #15) to facilitate the Specific Plan process. A companion Rezone is proposed to change the existing Zoning to SP (Specific Plan). The proposed amendment to Article 44 would establish a Major Home Occupation Permit to allow residents to operate a small business in their homes, in areas defined by the new Specific Plan. The proposed amendment to Article 65 is to reconcile the geographic alignment of the Old Escondido Neighborhood. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The South Centre City planning area consists of about 420 acres of land in the neighborhoods surrounding Quince Street, South Escondido Boulevard, and Centre City Parkway in southwest Escondido.

Mike Strong, Assistant Planning Director, and Claudia Tedford, Principal at City Place Planning provided a presentation and overview of the Specific Plan planning process and referenced the staff report with the staff recommendation to have the Planning Commission review the draft plan and do the following:

- 1) Recommend City Council adoption of the Initial Study/Negative Declaration and make findings that the project, if approved by City Council, will not have significant effect on the environment; and
- 2) Recommend the City Council approve the proposed General Plan Amendment, Rezone, Zoning Code Amendment to Article 44 and 65, and adopt the South Centre City Specific Plan.

Chairman Weber and staff discussed Page 9, Bullet Points 2 and 3 of the staff report.

Commissioner Spann referenced a property that was removed from the OEN and asked if it would now be allowed commercial uses. Mr. Strong replied in the affirmative.

Commissioner Weiler and staff discussed the Build to Line Range (BTLR).

Commissioner Weiler and staff discussed Table 4.2 with regard to allowing self-storage facilities and the City Council action plan for these uses.

Vice-chairman Romo asked if the amount of mini storage facilities could be prohibited in the southern gateway to the City, feeling residential would be preferable. He also felt incentives might help promote residential. Mr. Strong replied the land use table is a component of the Planning Commission's review and that the body could make changes. Mr. Strong also responded in the affirmative that the draft plan proposes several incentives and also removes constraints to housing construction.

Discussion ensued regarding pre-designating parcels for hydro-modification.

Vice-chairman Romo did not feel mixed use projects were viable. Additional discussion ensued regarding reducing the requirement for mixed-use projects, and/or permitting standalone residential projects.

Chairman Weber referenced the Visual Preference Survey Results as outlined in the staff report, and noted that the facilities being built did not provide the amount of setbacks being visualized. He felt the regulatory standards for requiring larger setbacks and active open space needed to be addressed. Mr. Strong referenced 5.3.12.3 Residential Amenities in Multi-Family Residential as outlined in the staff report, feeling this would help provide streetscapes. He then referenced Section 3.9.4.1, Paragraph 1 (Development Standards) and Paragraph 5 of 3.9.4.2 (Design Guidelines) as outlined in the staff report. Mr. Strong stated that new projects would be evaluated for conformance with design guidelines and the ability for new projects to promote the goals and objections, rather than relying on development standards alone.

Don Steigerwald, Escondido, noted that he lived in the Quince Street area. He expressed concerned with the amount of vehicles parking on the streets on the east side of Quince between 9th and 13th Avenues. He questioned whether any streets in the subject area would be widened, such as 11th Avenue. He also felt there was a need for redevelopment.

Chairman Weber directed Mr. Steigerwald to staff, noting they would be able to provide him the requested information.

Mr. Steigerwald noted that the presentation shows large streetscapes, which the City did not have.

Michael Nonahal, Escondido, representing Anaheim Foundation, noted that they owned several properties off of 9th Avenue, noting they currently were considering a development project in the area of 9th and 10th Avenues. He stated that the current codes prevented meaningful projects for the area. He suggested revising the plan to include a mixed-use plan from 9th Avenue to 10th Avenue, ending at Quince along with increasing the building heights. They felt this would attract businesses conducive to the gateway of Escondido, reduce crime, and increase the City's tax base. He stated that cities across the globe were heading toward mixed-use projects, noting the need for retail was being reduced by ecommerce.

Ann Maioriello, Escondido, stated that several individuals in the impacted areas did not receive notice about the proposed changes, questioning whether they would have a chance to provide input.

Ivana Treuoce, Escondido, Member of the South Tulip Neighborhood Group, noted that they did not receive notice about the proposed plans. She questioned what impacts the plan would have on the residents from 9th Avenue to 13th Avenue to Quince. Mr. Strong referenced the neighborhood group meetings that had been held and noted that the only change for the Quince District was more flexibility for accessory dwelling units and home occupational permits.

ACTION:

Moved by Chairman Weber, seconded by Commissioner Cohen, to approve staff's recommendation. Motion carried unanimously. (6-0)

3. ZONING CODE AMENDMENT – AZ 17-0005:

REQUEST: A proposed amendment to Article 57 of the Escondido Zoning Code to reasonably regulate, certain medical and non-medical ("recreational") marijuana-based land uses and activities to the extent permitted by State law. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

Mike Strong, Assistant Planning Director, referenced the staff report and noted staff recommended approval of the proposed Zoning Code Amendment because the proposed Zoning Code Amendment brings the City's marijuana based land use controls into compliance with State Proposition 64, while continuing to exercise the

strictest levels of local control over marijuana cultivation, processing and sales, as appropriate under Federal law.

ACTION:

Moved by Commissioner Spann, seconded by Commissioner McNair, to approve staff's recommendation. Motion carried unanimously. (6-0)

CURRENT BUSINESS ITEMS: None.

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS:

Chairman Weber noted that commissioner term applications were due.

ADJOURNMENT:

Chairman Weber adjourned the meeting at 8:36 p.m. The next meeting was scheduled for February 13, 2018, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Mike Strong, Secretary to the Planning
Commission

Ty Paulson, Minutes Clerk

February 8, 2018

TO: Planning Commission

FROM: Ann Dolmage, Associate Planner

SUBJECT: PC Agenda Item G.1 – Residential Development at 661 Bear Valley Parkway (SUB 15-0002, PHG 15-0004, ENG 17-0004, PHG 16-0022, and ENV 15-0001)

As requested by the applicant, staff respectfully requests the Planning Commission continue this item to a date uncertain, to allow the applicant to resolve Development Agreement issues with staff.

PLANNING COMMISSION

Agenda Item No.: G.2
Date: February 13, 2018

CASE NUMBER: PHG 16-0020

APPLICANT: John Pyjar, Domus Studio Architecture, for Self-Realization Fellowship

LOCATION: The project site is located on the south side of Scenic Drive, just east of the intersection with Del Dios Road, and is addressed as 1840 Del Dios Road (APN 235-190-05).

TYPE OF PROJECT: Modification to a Conditional Use Permit

PROJECT DESCRIPTION: Modification to a Conditional Use Permit for the phased expansion of the Self-Realization Fellowship church facility, to include construction of a new sanctuary/meditation building and Sunday school building, replacement of an existing multipurpose building with a new one, and expansion of an existing two-story bookstore building (which contains the bookstore on the first floor and a caretaker unit on the second floor). The existing parking lot would be expanded from 56 spaces to 99 spaces, and two bioretention basins would be constructed at the southwest corner of the project site. Two (2) free-standing caretaker units at the south end of the site would be removed to make room for the new Sunday school building, leaving only the unit in the bookstore building.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: E2 (Estate II)

ZONING: RE-20 (Residential Estates; 20,000 square feet minimum lot size)

BACKGROUND/SUMMARY OF ISSUES:

The project site was originally developed as an assisted-living care facility, but was converted to a religious facility by the Self-Realization Fellowship in 2002, under Conditional Use Permit No. 2002-17-CUP. Eight (8) buildings occupied the site at the time of conversion, which included: a 4,112-square foot main building, three (3) residential caretaker units, two (2) storage buildings, one additional garage/storage building, and a well pump structure. The original CUP proposed to utilize seven of those buildings with minimal alteration (only the garage/storage building was removed from the site). The main structure became a multipurpose building for the Fellowship's core functions, with the living room and dining hall used as a chapel for meditation services, the kitchen and laundry rooms used for cooking and floral set-up/storage, and additional rooms serving as classrooms, a reading room, a storage room, and the minister's office. A small outdoor patio adjacent to this building was proposed for socializing and planning gatherings. The three residential units were maintained as church caretaker units, while the storage buildings also kept their original function. No new buildings were constructed on the site under this original CUP approval.

The site plan for the original CUP proposed a 64-space paved parking lot, plus a grass overflow parking area to accommodate 35-40 additional vehicles during special events. This was determined to be more than adequate to satisfy the Fellowship's needs at that time, given the relatively small square footage of development on the site and in consideration of the anticipated, low-capacity needs of the facility. The CUP was conditioned to require at least 51 paved and striped parking spaces and 35 overflow parking spaces (bringing the total minimum parking requirement to 86 spaces).

The proposed project is a Modification to the CUP for an expansion of church campus, to occur across four (4) phases, with Phase 1 starting within three years of approval (ideally by the end of 2019), and remaining phases occurring approximately five years apart, as funding allows. Phase 1 would construct a new sanctuary and meditation building (7,424 gross square feet) at the undeveloped northeast corner of the site, to include an outdoor entry court and gathering court at the building entrance, as well as a dining/exercise patio between the sanctuary and the existing multipurpose building. Phase 1 would also expand the parking lot from 56 spaces to 99 spaces and construct two bioretention basins at the southwest corner of the site. Phase 2 would remove the two (2) caretaker cottages at the south end of the site and construct a new Sunday

school building (3,973 gross square feet) in their place. Phase 3 would replace the existing multipurpose building at the east side of the property with a new multipurpose building (4,278 gross square feet) in approximately the same location, and add an approximately 4,500-square foot patio with performance/display stage on the west side of this building. This new, large patio will replace the smaller dining/exercise patio to be installed between the sanctuary and multipurpose building under Phase 1. Finally, Phase 4 would expand the existing bookstore building to 1,644 square feet (822 gross square feet for the bookstore on the first floor, and 822 gross square feet for the caretaker unit on the second floor). Said improvements would cumulatively increase the total size of the congregation facility from 6,974 square feet to 17,320 square feet.

The applicant has provided a schedule of proposed activities and events for the church, including expected attendance for each. This schedule is included as an attachment to the staff report.

Staff believes that the issues are as follow:

1. Whether the design of the proposed project is attractive and compatible with the surrounding neighborhood.
2. Whether the on-site parking provisions are sufficient for the land use and proposed schedule of activities and events.
3. Whether the proposed outdoor activities would exceed City noise standards and create a nuisance for neighboring residences.

REASON FOR STAFF RECOMMENDATION:

1. The completion of the project would result in new improvements to an existing chapel/sanctuary. The proposed project design is compatible with the surrounding types of use and structures. The proposed colors, materials, and architectural features are well coordinated and complementary to the site and its surroundings and would enhance the appearance of the neighborhood. Buildings would be constructed with white plaster walls with light gray accents and a blue tile band running along most rooflines. The meditation chapel/sanctuary would feature a tower topped with a gold dome. Similar (but smaller) domes would be located on a pillar adjacent to the Sunday school building, as well on a pillar attached to a wall at the front of the property. The three main buildings on the site (meditation chapel/sanctuary, multipurpose building, and Sunday school) would shield the patio area from the residential properties to the north, east, and south of the project site, serving to minimize noise and visual impacts related to the church's outdoor activities.
2. Currently, the Self-Realization Fellowship parking lot contains 56 parking spaces. The proposed project would increase the size of this lot to 99 spaces. As explained in detail in the "Conformance with City Policy" section of this staff report, parking requirements for churches are determined based on square footage of the facility (or number of seats in the assembly area, if seating is fixed), not number of congregants. Adding up the square footage of all structures proposed for this site would result in a parking requirement larger than 99. A parking calculation that adds together just the buildings in use at a given time results in a parking requirement of fewer than 99 spaces on most days, though certain special events could have significantly higher parking needs. A condition of approval has been proposed that would require the applicant to monitor parking conditions at the largest special events to verify that parking needs can be accommodated with the on-site parking lot. If parking cannot be accommodated within the on-site lot, the applicant would be required to implement additional efforts to reduce parking impacts on surrounding off-site public streets, as further described in the staff report.
3. In general, the existing and proposed buildings are designed, situated, and landscaped so that sounds from chapel/sanctuary activities will not carry into surrounding properties. Most regular church activities would occur indoors under the proposed project, but some special events would include outdoor activities. As explained in detail in the "Conformance with City Policy" section of this staff report, these types of events are limited and would be subject to all regulations as would be applied to permanent uses located within the same zone. Also, the applicant has provided a noise evaluation that analyzes the project's potential noise impacts on the site and the surrounding neighborhood. The noise evaluation states that no permanent amplified sound equipment would be installed in any outdoor areas of the church campus, though some outdoor special events (specifically the once-yearly performance/dinner, which would include a concert, play, and/or a speaker) would likely utilize temporary speakers. The speakers would be located far enough from property lines to conform to noise standards outlined in the City of Escondido Municipal Code, assuming they would be volume-controlled as specified in the noise evaluation. A condition of approval has been proposed to require the applicant to conform to the noise standards in the Municipal Code at all times.

Respectfully Submitted,

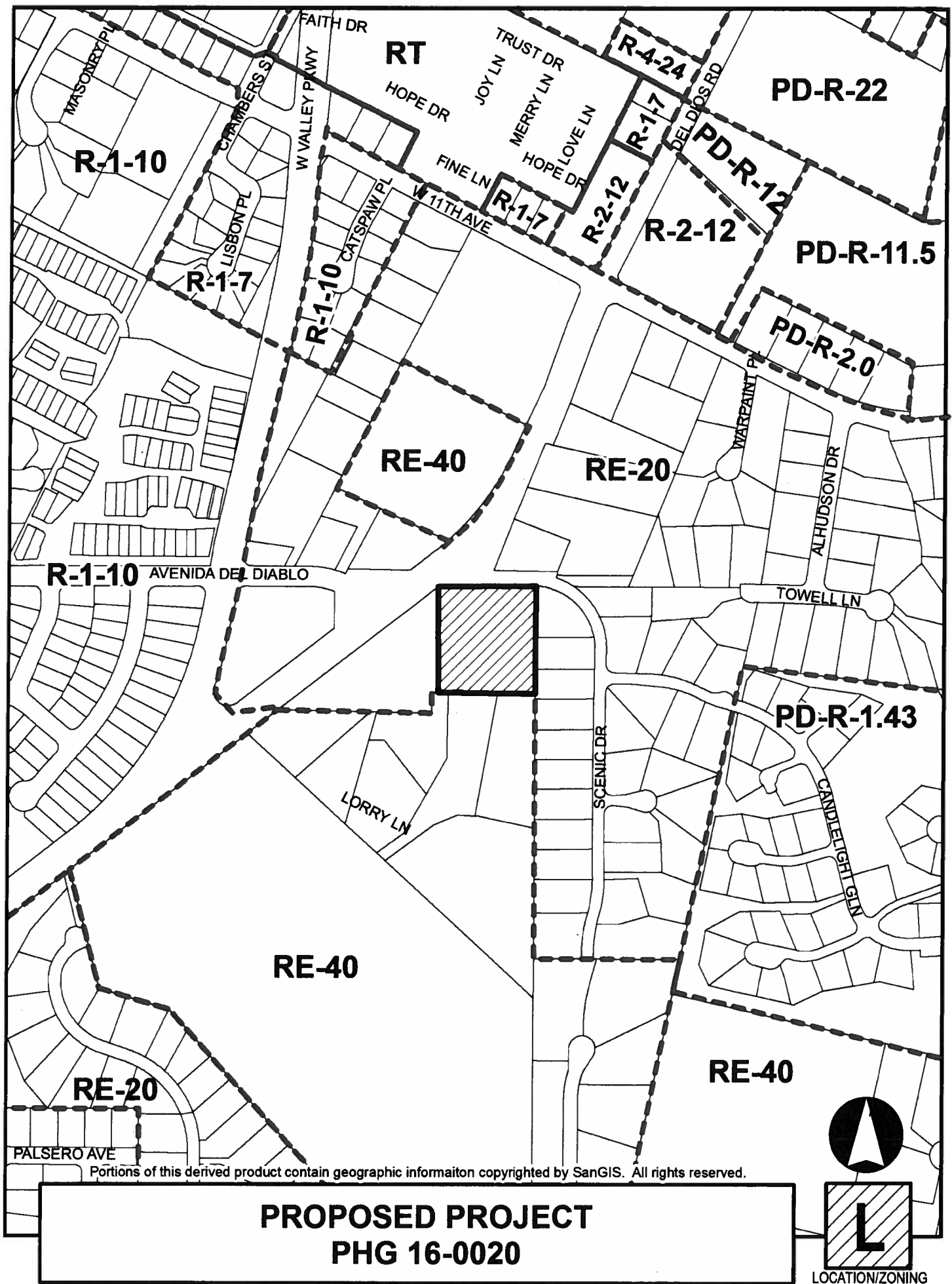
Ann Dolmage
Associate Planner

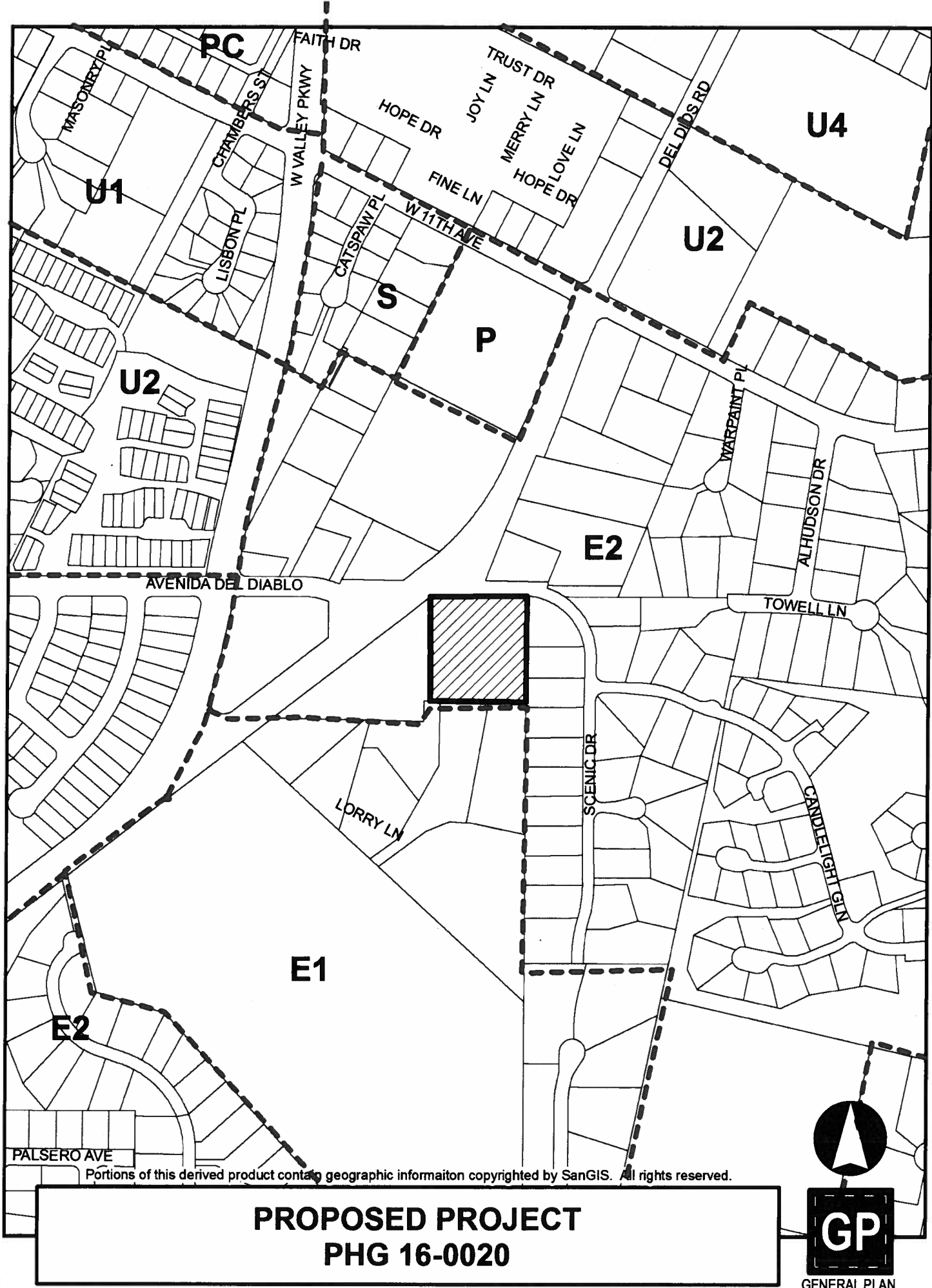
Exhibits

A - Findings of Fact
B - Conditions of Approval

Attachments

Schedule of Activities and Events
Letter from Ms. Lauri Doval (October 19, 2016)
Response Letter from City Manager to Ms. Doval (December 1, 2016)
Notice of Exemption



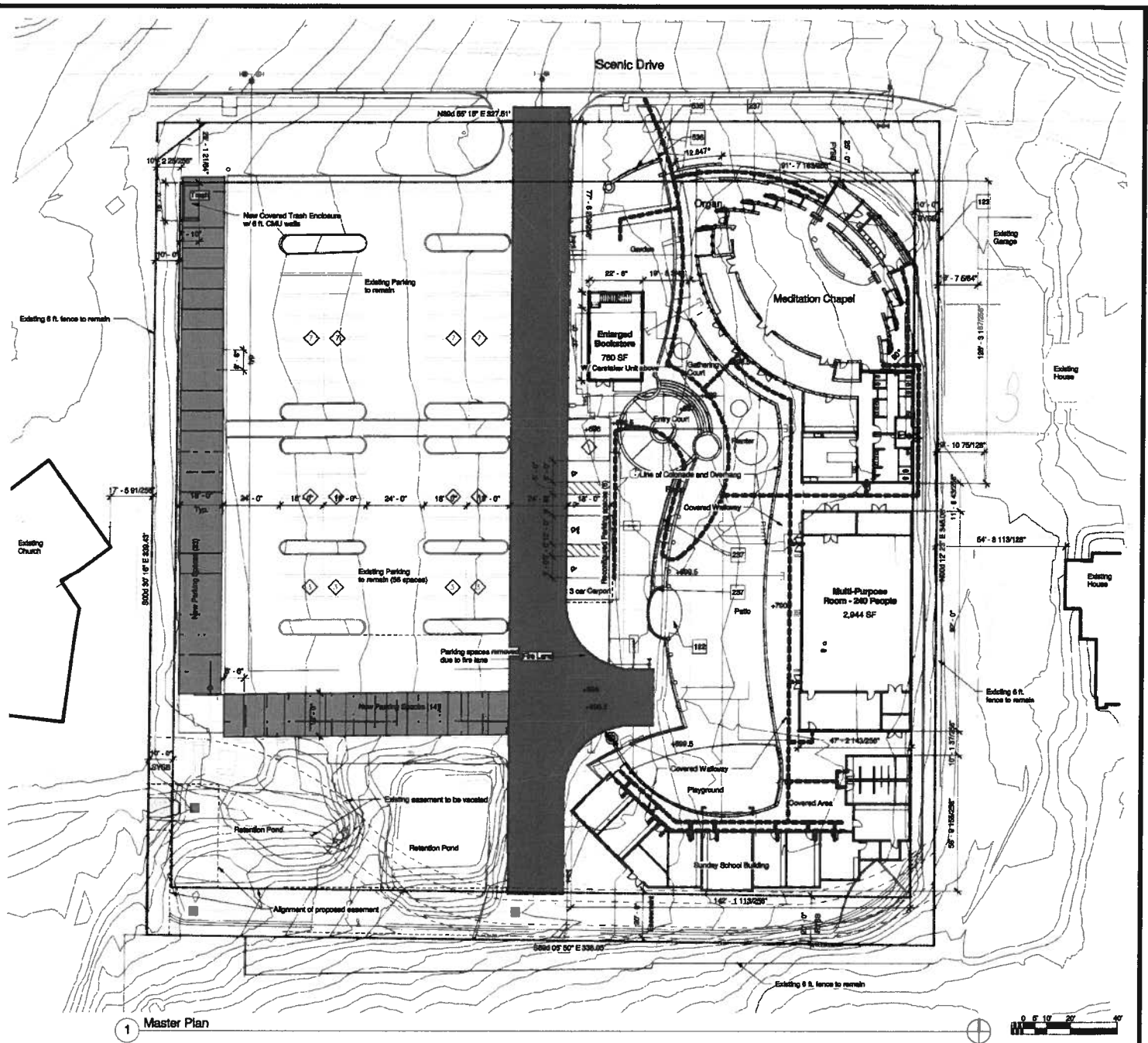


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GENERAL PLAN

PROPOSED PROJECT PHG 16-0020



Notes

Building Coverage:

Area: $17,320 - 822 = 16,498$

Percent: $16,498 / 112,316 = .15 = 15\%$

Parking:

Standard: 95 (including 1 in carport)

Accessible: 4 (1 van) [including 2 in carport (1 van)]

Total: 99

Area Schedule (Gross Building)		
Name	Area	Number
Meditation Chapel	7,424 SF	100
Multi-purpose Building	4,278 SF	101
Sunday School	3,973 SF	102
Bookstore	822 SF	103
Bookstore 2nd Level Caretaker Unit	822 SF	105
Grand total	17,320 SF	

Covered Porch Area Schedule (Gross Building)		
Name	Area	Number
Covered Walk (Sanctuary)	881 SF	200
Covered Walk (Multi-purpose)	1,478 SF	201
Covered Walk (Sunday School)	1,811 SF	202
Carport	715 SF	205
Grand total	4,885 SF	

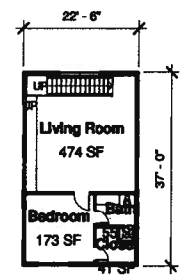
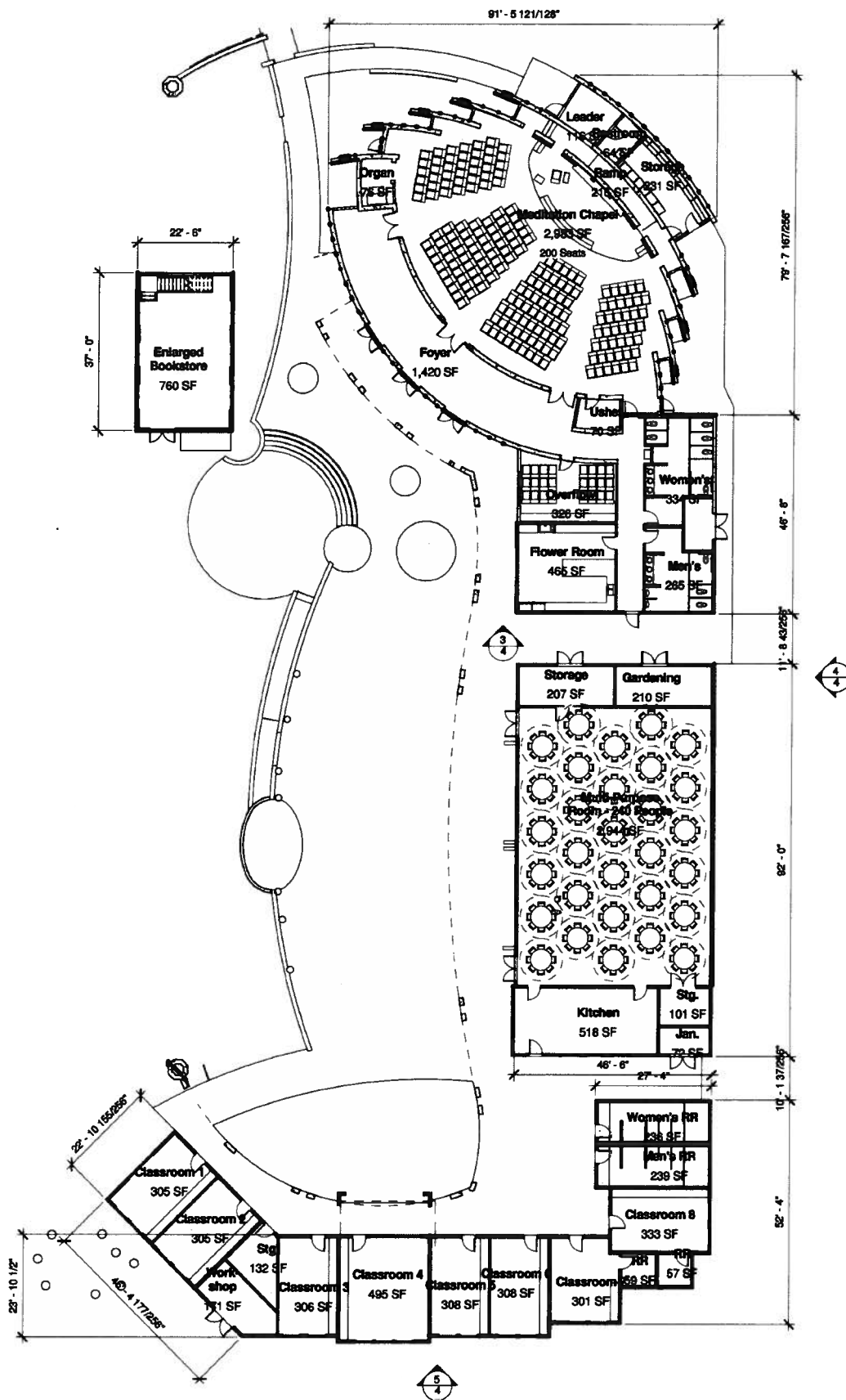
- 122 Raised floral display area
- 123 Existing Fence to remain
- 237 New Site wall - 6 ft. maximum in height from grade. Plaster finish - White
- 535 New Monument Sign - 7 ft. high maximum from grade with 12" high metal letters
- 536 Address numbers - 8" high metal letters attached to site wall

Accessible Path of Travel

PROPOSED PROJECT
PHG 16-0020

S

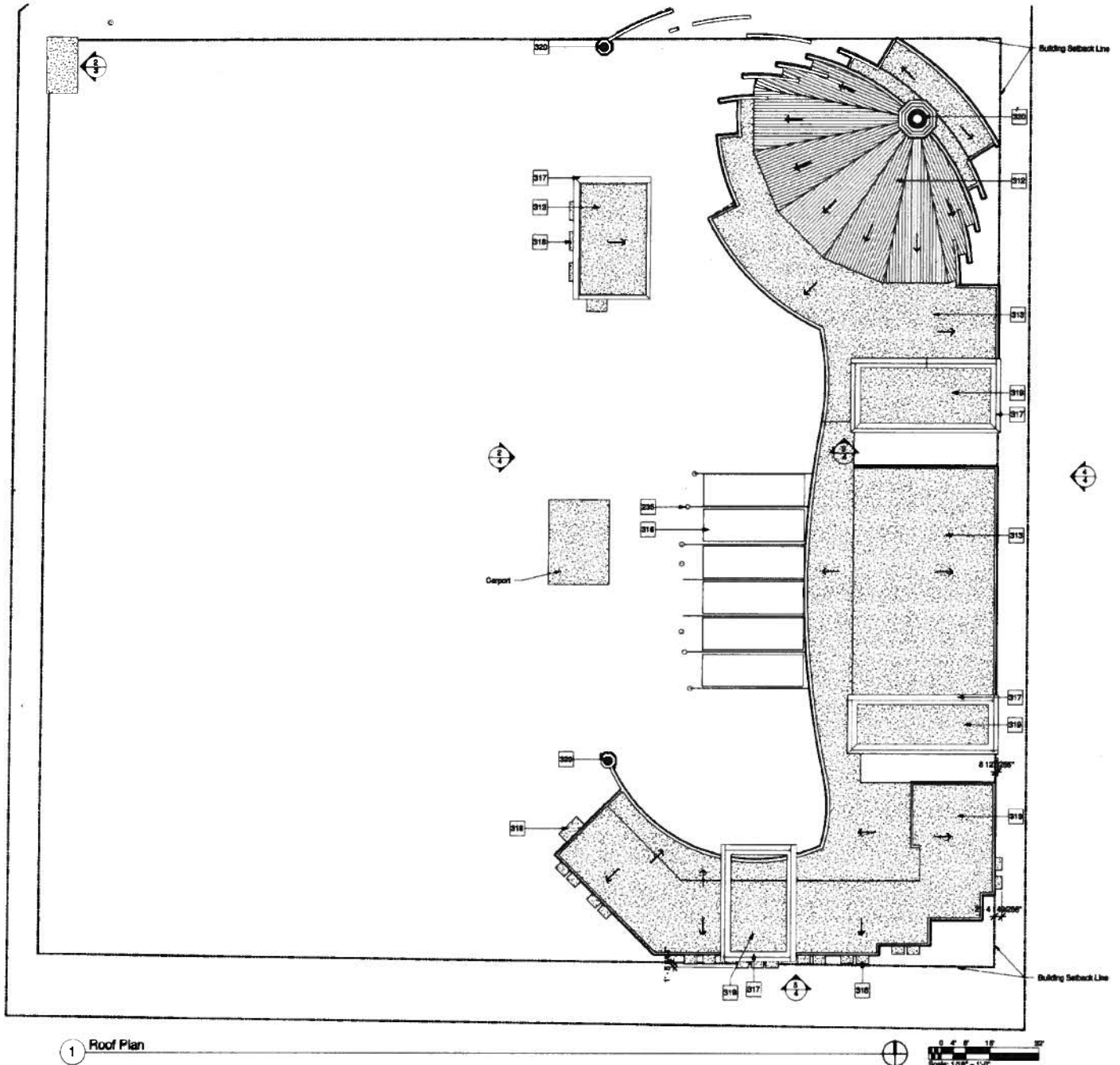
SITE PLAN



PROPOSED PROJECT
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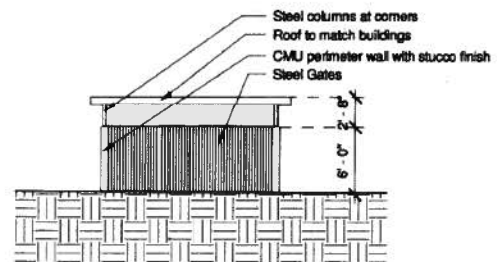
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FLOOR PLAN



Notes

- 235 Cast in place Concret column with plaster finish - White
- 312 Single ply roofing - Slope 2:12 indicated with arrows - Grey
- 313 Single ply roofing - Low slope (1/2" per foot) indicated with arrows - Grey
- 316 Retractable shade canopy on cable supports
- 317 Parapet Overhang
- 318 Window Shade Eyebrow
- 319 Mechanical Equipment Well
- 320 Metal Dome with Gold paint

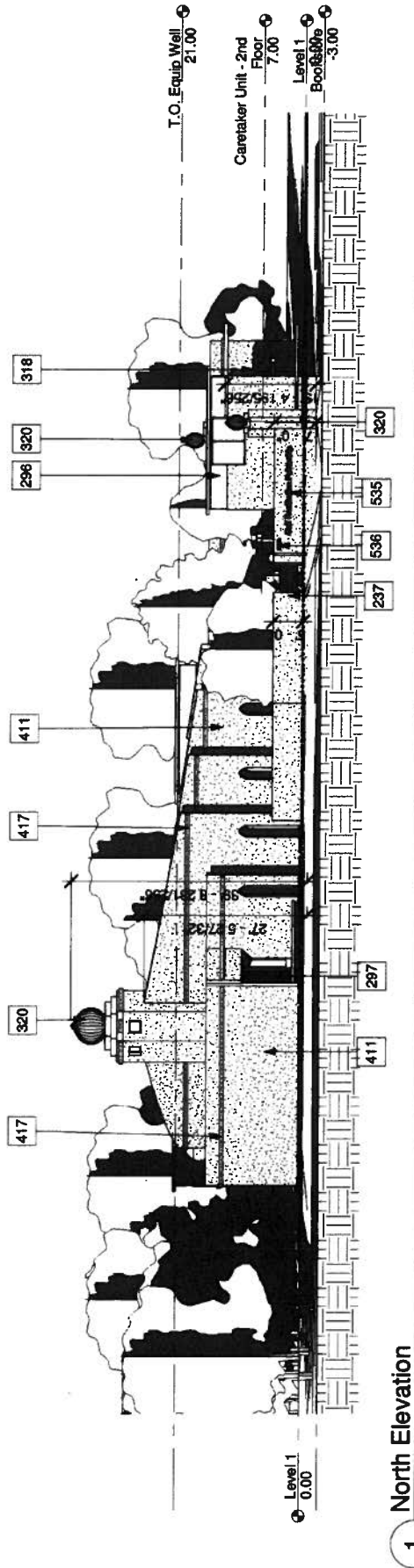


PROPOSED PROJECT
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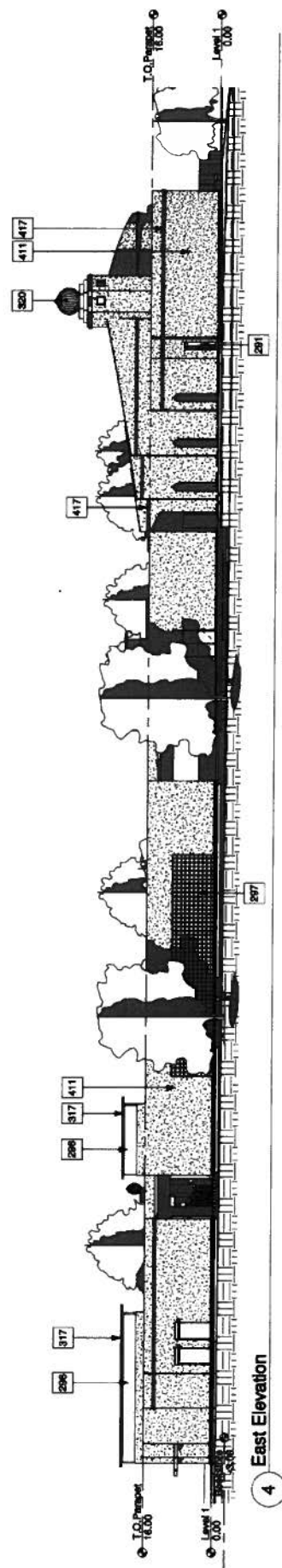
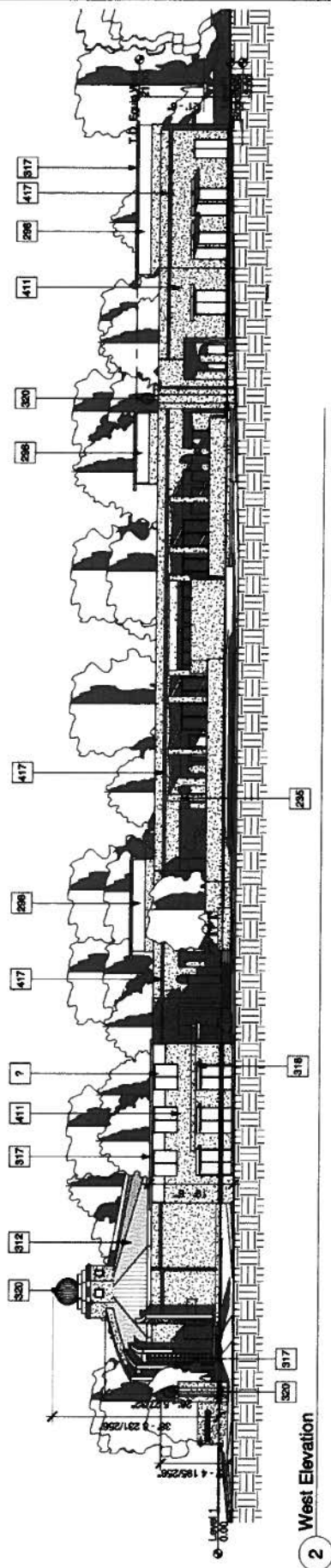
Notes

- 235 Cast in place Concrete column with plaster finish - White
- 237 New Site wall - 6 ft. maximum in height from grade. Plaster finish - White
- 291 Door - Dark Bronze frame
- 292 Aluminum Window/Sidefront - Dark Bronze frame
- 296 Metal Mechanical Equipment Screen/Grill
- 297 Window with shade grill
- 312 Single ply roofing - Slope 2:12 indicated with arrows - Grey
- 317 Parapet Overhang
- 318 Window Shade Eyebrow
- 320 Metal Dome with Gold paint
- 411 Exterior Plaster - White
- 417 Blue tile banding
- 535 New Monument Sign - 7 ft. high maximum from grade with 12" high metal letters
- 538 Address numbers - 8" high metal letters attached to site wall



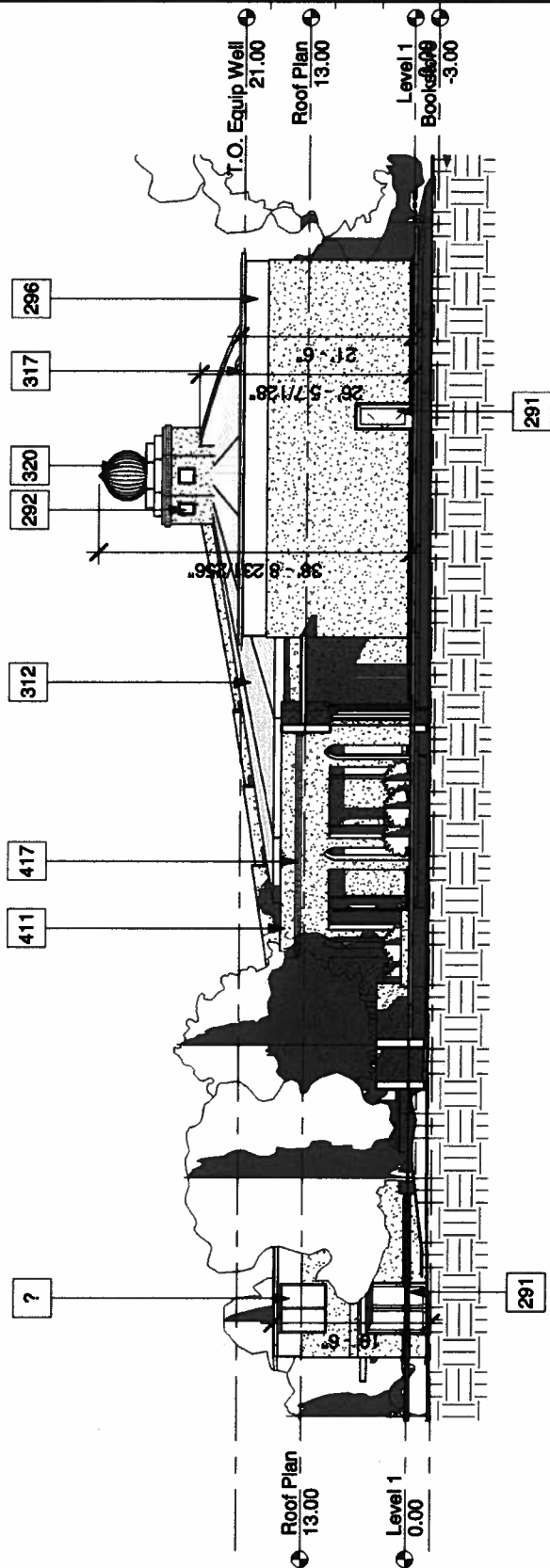
PROPOSED PROJECT
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E

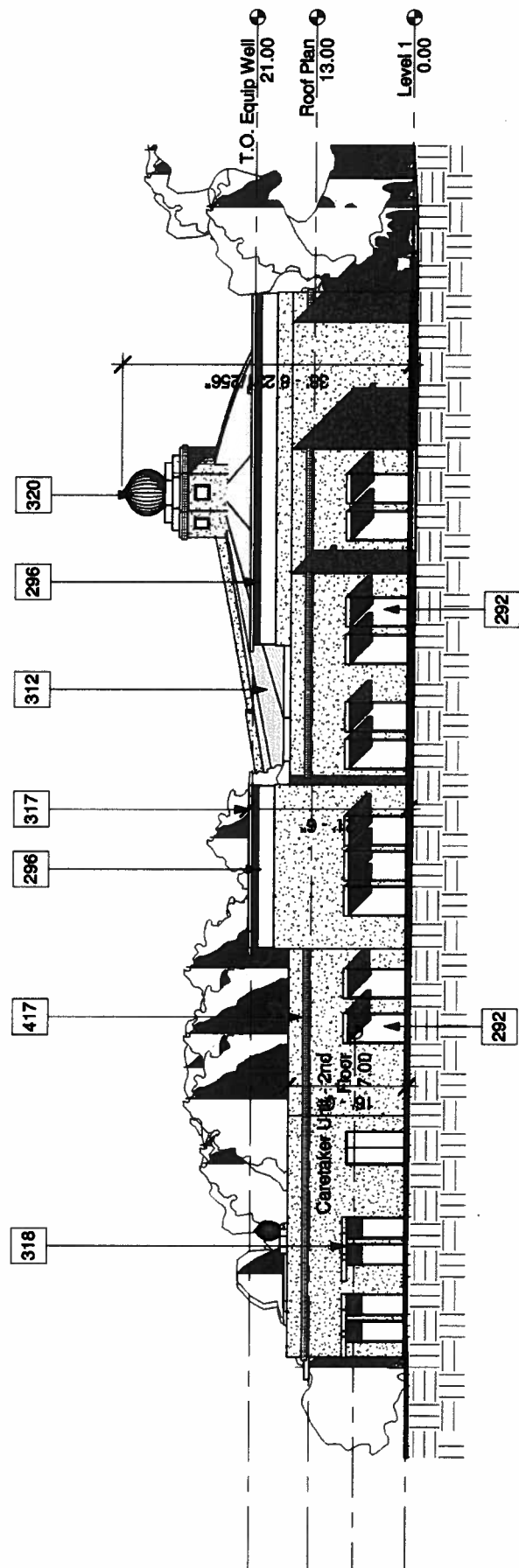


Notes

- | | |
|-----|---|
| 235 | Cast in place Concrete column with plaster finish - White |
| 237 | New Site wall - 6 ft. maximum in height from grade. Plaster finish - White |
| 291 | Door - Dark Bronze frame |
| 292 | Aluminum Window/Storefront - Dark Bronze frame |
| 298 | Metal Mechanical Equipment Screen/Gill |
| 297 | Window with shade gill |
| 312 | Single ply roofing - Slope 2:12 indicated with arrows - Grey |
| 317 | Parapet Overhang |
| 318 | Window Shade Eyebrow |
| 320 | Metal Dome with Gold paint |
| 411 | Exterior Plaster - White |
| 417 | Blue tile banding |
| 535 | New Monument Sign - 7 ft. high maximum from grade with 12" high metal letters |
| 538 | Address numbers - 8" high metal letters attached to site wall |



3 South Sanctuary Elevation



5 South Elevation

PROPOSED PROJECT
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E

ELEVATIONS

LEGEND

NEW PERMEABLE PAVEMENT (DETAIL 3/C-1.1)	
NEW CONCRETE PAVEMENT	
NEW DG WALKWAY	
NEW AC PAVEMENT	
NEW RETAINING WALL	
NEW SITE WALL	
NEW CONTOUR	
NEW SLOPE	
RIP RAP (2 TON BACKING)	
RIP RAP	
U-TYPE HEADWALL	
STRAIGHT HEADWALL	
STORM DRAIN CLEANOUT	
AREA DRAIN	
PRECAST CATCH BASIN	
SUB DRAIN	
STORM DRAIN	
LIMITS OF GRADING	
BROW DITCH	

CONSTRUCTION NOTES

- PROTECT EXISTING CONCRETE SWALE
- REMOVE EXISTING CATCH BASIN
- REMOVE EXISTING HEADWALL
- PROTECT EXISTING STORM DRAIN
- NEW PRECAST CATCH BASIN
- NEW STORM DRAIN CLEANOUT
- NEW CONCRETE HEADWALL
- BIO-FILTRATION WITH PARTIAL RETENTION. BASIN 1 = MIN V=11,000 CF, MIN TREATMENT AREA = 3,000 SF. BASIN 2 = MIN V=5,690 CF, MIN TREATMENT AREA = 2,275 SF
- CONNECT TO EXISTING 30" STORM DRAIN
- NEW ASPHALT CONCRETE PAVEMENT
- NEW CONCRETE PAVEMENT
- NEW TYPE A-4 STORM DRAIN CLEANOUT PER RSD D-09
- NEW RIP RAP PER DETAIL SDD-104. FILTER BLANKET PER STANDARD SPECS FOR PUBLIC WORKS CONSTRUCTION
- BIO-FILTRATION BASIN OUTLET RISER
- NEW RETAINING WALL
- GRADED SWALE
- NEW 24" WIDE EMERGENCY VEHICLE ACCESS EASEMENT
- NEW TRASH ENCLOSURE
- NEW STORMWATER UNDERGROUND VAULT PER DETAIL 1/C-1.1. THIS SHEET. PERFORATIONS ON TOP OF VAULT IN AREA BELOW PERVIOUS PAVEMENT.
- NEW RIP RAP PER SDD-104, NO. 2 BACKING ROCK @ 1.5 FT THICKNESS. FILTER BLANKET PER STANDARD SPECS FOR PUBLIC WORKS CONSTRUCTION
- NEW TYPE-B DRAINAGE BROW DITCH PER SDD-106
- NEW RIP RAP PER SDD-104, NO. 1 BACKING ROCK (FACING CLASS) @ 1.5 FT THICKNESS. FILTER BLANKET PER STANDARD SPECS FOR PUBLIC WORKS CONSTRUCTION
- NEW STORMWATER UNDERGROUND VAULT PER DETAIL 2/C-1.1. THIS SHEET. PERFORATIONS ON TOP OF VAULT IN AREA BELOW PERVIOUS PAVEMENT.
- INDUSTRIAL TYPE FIRE HYDRANT PER COE W-3-E

EARTHWORK QUANTITIES

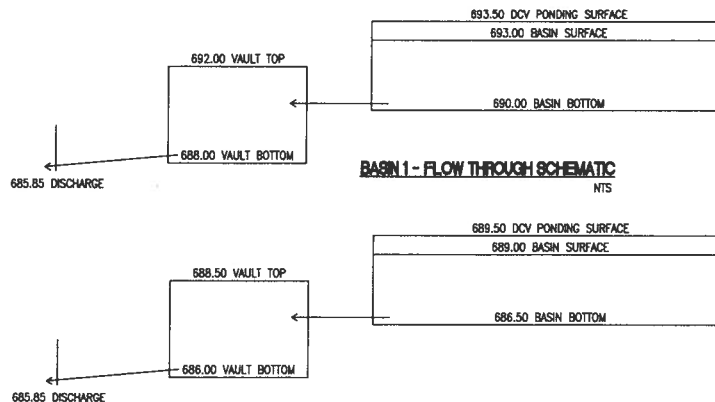
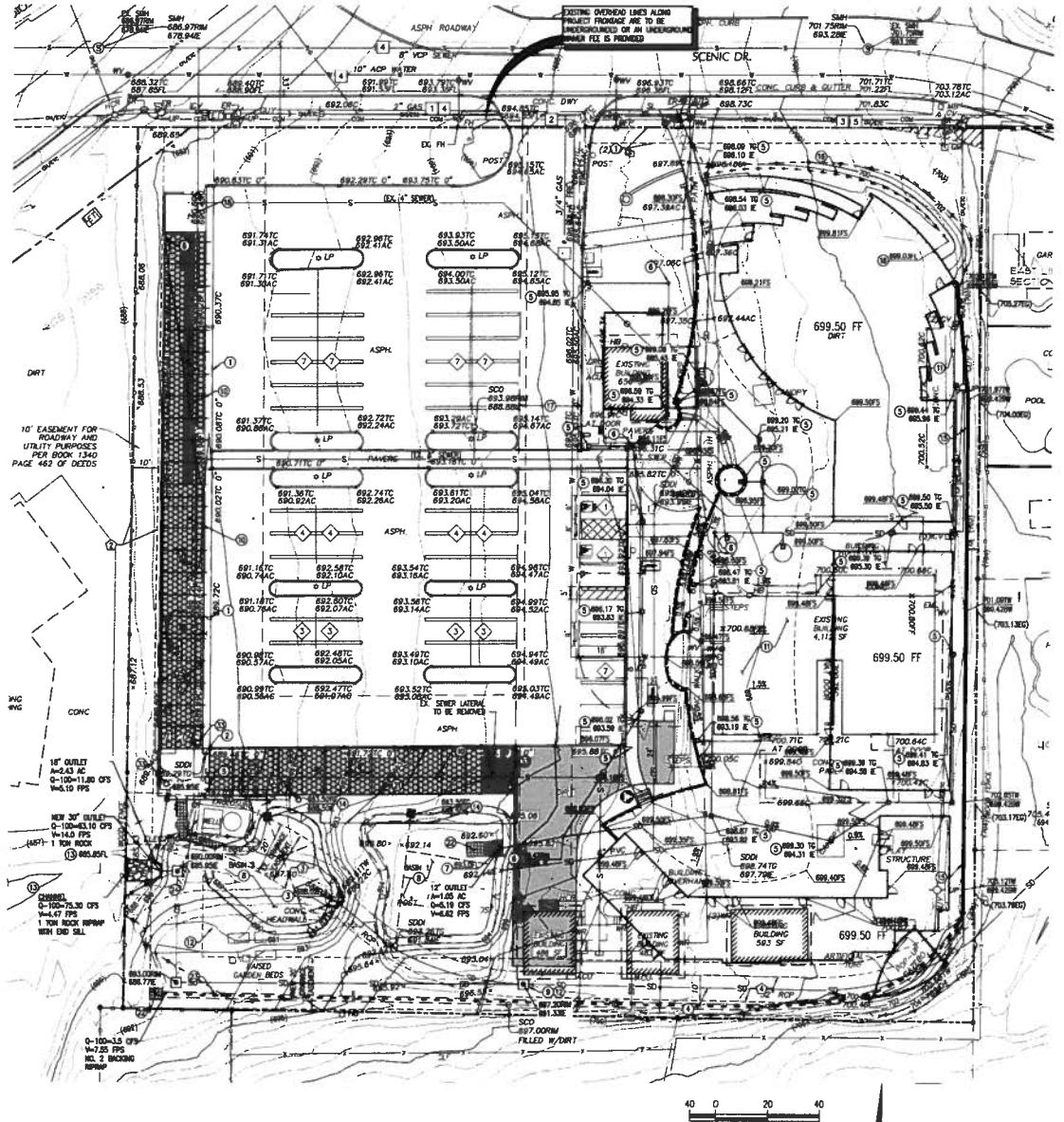
CUT: 995 CY
FILL: 670 CY
NET: 325 CY EXPORT

EARTHWORK NOTE

EARTHWORK QUANTITIES SHOWN ARE FOR BONDING AND PERMIT PURPOSES ONLY. ACTUAL QUANTITIES MAY VARY WITH SHRINKAGE, LOSSES DUE TO CLEARING OPERATIONS, REMOVAL & RECOMPACTION, SETTLEMENT, ETC. CONTRACTOR SHALL VERIFY EXACT QUANTITIES PRIOR TO BIDDING. QUANTITIES DO NOT INCLUDE TRENCHING EXISTING IMPROVEMENT DEMOLITION, OVEREXCAVATION REMOVALS OR SLOPE CUTBACKS

EASEMENT NOTES

- EXISTING 6' EASEMENT PER BOOK 1799, PG. 184 OF DEEDS
- EXISTING 10' UTILITY EASEMENT PER BOOK 1340, PG. 462 OF DEEDS
- EXISTING 20' DRAINAGE EASEMENT PER O.R. 80-286344
- EXISTING 10' DRAINAGE EASEMENT PER O.R. 80-286344



BASIN 1 - FLOW THROUGH SCHEMATIC
NTS

BASIN 2 - FLOW THROUGH SCHEMATIC
NTS

IMPERVIOUS AREA TABULATION			
BASIN	TRIBUTARY IMPERVIOUS AREA	REQUIRED 3% AREA	SURFACE AREA PROVIDED
1	34,788 SF	1,043 SF	1,975 SF
2	32,400 SF	973 SF	1,255 SF

PROPOSED PROJECT
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G

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

- NORTH – RE-20 and RE-40 (Residential Estates; 20,000 SF and 40,000 SF maximum lot size) zoning – The neighborhood north of Scenic Drive and east of Del Dios Road is zoned RE-20 and is occupied by single-family residences on properties up to two acres in size. The neighborhood north of Scenic and west of Del Dios is primarily zoned RE-20, though one 4.75-acre property is zoned RE-40. The Escondido Fire Station #6 is located about 630 feet north of the project site, at 1735 Del Dios Road.
- SOUTH – RE-40 zoning – The area to the immediate south of the project site is occupied by single-family residences on properties up to 3.81 acres in size (with most between one and two acres). Del Lago Academy is located further south, at 1740 Scenic Trail Way.
- EAST - RE-20 zoning – The area to the east of the project site (along both sides of Scenic Drive, as well as Candlelight Avenue and Easter Place) is occupied by single-family residences with RE-20 zoning, though the roughly half-acre lots in this area are smaller than the properties to the north and south of the project site.
- WEST - RE-20 and R-1-10 (Single Family Residential; 10 units/acre) zoning – The property to the immediate west of the project site is 2.18 acres in size and occupied by a single family residence. The Vista Del Lago Memory Care Center is located just west of that, and a residential neighborhood zoned R-1-10 occupies the area west of West Valley Parkway.

B. ENVIRONMENTAL STATUS

The proposal is exempt from the California Environmental Quality Act in accordance with CEQA Section 15332, In-Fill Development Projects. In-fill development meeting the following conditions is exempt:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

The proposed project is consistent with the General Plan designation of E2 and the zoning designation of RE-20, since religious facilities are a conditional use in this zoning designation. The project site is within City limits, is under five acres in size, and is substantially surrounded by urban uses as defined in CEQA. No significant impacts related to traffic, noise, air quality, or water quality have been identified in the review of the proposal, and the site can be adequately served by required utilities and public services.

C. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department has reviewed the project application and has expressed no concern regarding their ability to serve the site.
2. Effect on Fire Service -- The project site is located less than 700 feet from City of Escondido Fire Station #6 at 1735 Del Dios Road. The Fire Department has reviewed the project application and provided comments, which have been incorporated into the project design. Per consultation with Fire and Utilities, the project will provide four hydrants with a minimum flow of 2,500 gallons per minute (assuming Type VB or IIB construction). Fire has also reviewed the design of the fire lane and hammerhead turnaround in the proposed parking lot and found them to be adequate for use by emergency vehicles.
3. Traffic – Primary access to the project site would continue to be provided via a 30'-wide driveway entrance off of Scenic Drive, which is an unclassified residential street. Project frontage improvements were installed on Scenic Drive to

Residential standards under the original CUP for this facility (2002-17-CUP). Per the San Diego Association of Governments (SANDAG) traffic generation rates for the San Diego region, a church use generates approximately 30 average daily trips (ADTs) per acre, with quadruple rates on days of assembly. For this 2.55-acre site, this would translate to an ADT of 77 for non-peak days, and 308 on days of assembly, and SANDAG estimates that 5 percent of this traffic is generated in the AM peak hours (6:30 to 9:30 AM) while 8 percent is generated in the PM peak hours (3:30 to 6:30 PM). The average trip length for project users at 5.1 miles. Unlike some churches, the proposed project does not include a daily school with instruction, such as a preschool, or primary or secondary school; therefore, it is not anticipated to generate high levels of traffic in the neighborhood on a consistent basis. City of Escondido Engineering Division staff have determined that a traffic impact analysis is not necessary for this proposed modification to CUP permit. The project does propose occasional special events that could attract as many as 400-500 attendees, which could lead to parking issues. A condition of approval has been proposed to require the applicant to monitor on-site parking at the larger events. Should the on-site lot be insufficient to accommodate parking needs, the applicant would be required to identify and implement measures to reduce parking impacts on public streets (such as shared parking arrangements, use of parking attendants, way-finding, special event announcements, or reduction in event capacity).

4. **Utilities** – City sewer and water mains are available within the adjoining street or easement. The Utilities Division has reviewed the project proposal and provided comments which have been incorporated into the project design.
5. **Drainage** –The project site is primarily flat, but generally slopes in an east to west direction. Per a drainage study prepared for the project by BWE, off-site drainage from the east flows through a 30" reinforced concrete storm drain pipe that runs along the south end of the site (within a 20' storm drain easement), and discharges into an earthen channel at the southwest corner of the site, before leaving the site in a westerly direction. On-site runoff from the parking lot is conveyed to this earthen channel via a ribbon gutter, and runoff from an existing detention basin also discharges into the 30" storm drain pipe (and then the earthen channel) via a grate inlet structure located within the basin. Run-on from an area south of the project site is captured by an earthen swale at the south end of the site, or by the detention basin, before being discharged to the west. The project proposes to add an additional bioretention basin to the site (for a total of two basins), and would reroute the storm drain pipe, easement, and outlet to bypass those basins. The general drainage pattern would remain the same, with all drainage leaving the site from its southwest corner. The Engineering Services and Utilities Departments have reviewed the drainage study and Stormwater Quality Management Plan submitted by the applicant and found it to be adequate, pending some revisions/clarifications to be addressed at the final engineering stage.

D. CONFORMANCE WITH CITY POLICY

General Plan - The proposed Modification to the Conditional Use Permit is consistent with the goals and policies of the General Plan, since churches and related religious activities are conditionally permitted within residential zones. The proposal includes sufficient parking to accommodate the applicant's day-to-day activities, and a condition of approval has been proposed to address the potential for increased parking demand during certain special events. Therefore, the project would not diminish the Quality of Life Standards of the General Plan, since it would not materially degrade the levels of service on adjacent streets or public facilities.

Project Design and Neighborhood Compatibility – The proposed colors, materials, and architectural features are well coordinated and complementary to the site and its surroundings and would enhance the appearance of the neighborhood. The proposed project would incorporate a contemporary, Mediterranean design. Exterior walls of all buildings would have a white plaster finish, with light gray accents throughout (window shade grills on the sanctuary and multipurpose building, window awnings/eyebrows, a shade cover over the patio, parapets on rooftop mechanical equipment screens, and portions of the sanctuary tower). A cobalt blue tile band would run along the top of most buildings, near the roofline. Gray membrane roofing material is proposed for all project roofs. The meditation chapel/sanctuary would feature a tower topped with a gold-painted metal dome. The tower feature would have a height of approximately 39 feet. Though development in the RE zone generally is limited to a height of 35 feet, Section 33-1075 of the Zoning Code allows church towers/steeple to exceed the height limit of the applicable zone, assuming no habitable area is located in the portion of the tower that exceeds the limit. A sloped portion of the sanctuary's roof (just behind the tower) would be visible from the ground, and as noted above, would be covered in gray membrane roofing material. Similar (but smaller) gold domes would be located on a pillar adjacent to the Sunday school building, as well as on a pillar attached to a wall at the front of the property. Said wall is shown on the plans as being six to seven feet tall from finished grade, not including the pillar and dome, but would be subject to the height limits described in Section 33-1080 of the Zoning Code (three feet tall within the front setback area and six feet tall elsewhere on the site). Landscaping would be provided throughout the site as shown on the provided landscape plan, to enhance the visual appeal of the campus and screen the parking lot from view of surrounding properties.

The overall design of the project would orient outdoor activities toward the interior of the site. The three main buildings (meditation chapel/sanctuary, multipurpose building, and Sunday school) would provide a barrier between the patio area and residential properties to the north, east, and south of the project site, serving to minimize noise and visual impacts related to the church's outdoor events.

The project underwent staff design review on December 8, 2016. During that meeting, staff expressed no concerns with the overall project appearance, but noted that the plans included no path of egress from the door shown on the east side of the sanctuary building to the street or the parking lot. The applicant revised the plans to provide a path of travel from the east side of the sanctuary building to the parking lot.

Parking – Parking requirements for churches can be challenging to determine, since it is common for a single building to serve multiple purposes, and not all buildings on the site may be in use at any given time. Pursuant to Article 39 (Off-Street Parking) of the Escondido Zoning Code, churches and their accessory uses require one (1) parking space for each five (5) seats of one (1) parking space for every one hundred (100) square feet of gross floor area for assembly areas without fixed seating. Based on the square footage proposed for the sanctuary/chapel, caretaker residence, bookstore, and "Sunday school," the required parking is 87 spaces. Although the number of people using the site can fluctuate from hour to hour and day-to-day, this parking calculation assumes that all buildings are in use at the same time. Phase 1 of the project would expand the parking lot to 99 spaces. Therefore, the project provides adequate parking for day-to-day operations (Table 2). However, the applicant has also indicated that the premises will be used for special events on occasion, as listed in Table 3 of this staff report, which would generate additional parking demand. Therefore, the review and consideration of the Modification of the CUP should consider these ancillary and temporal activities. The table below describes the project's parking obligation per this expanded method of analysis, and calculates a requirement of 161 spaces if all parking requirements were combined. Since the project proposes 99 spaces, this parking calculation would result in a shortage of 62 spaces during special events.

TABLE 1: PARKING ANALYSIS FOR DAY-TO-DAY OPERATIONS AND SPECIAL EVENT PARKING

	Building/Use	Square Footage or Number of Rooms/Units	Parking Standard, per Zoning Code §33-765	Parking Requirement
Day-to-Day Operations Parking Needs	Bookstore (1 st floor of bookstore building)	822 SF gross; 760 SF net	1 space per 250 SF (general retail)	3 spaces
	Caretaker Unit (2 nd floor of bookstore building)	1 unit	2 spaces per unit	2 spaces
	Sanctuary/Chapel	7,424 SF gross	1 space per 100 SF (religious assembly; non-fixed seats)	74 spaces
	Sunday School	8 classrooms	1 space per employee and faculty member	8 spaces
	Subtotal			87 spaces
Additional Special Event Parking	Patio	4,500 SF (does not include covered walkway areas immediately adjacent to structures)	1 space per 100 SF (religious assembly; non-fixed seats)	45 spaces
	Multipurpose Building	4,278 SF gross; 2,944 SF net (net area includes main room only; excludes storage room, gardening room, kitchen, staging room, and janitor's closet)	1 space per 100 SF (religious assembly; non-fixed seats)	29 spaces
	Subtotal			74 spaces
	GRAND TOTAL			161 spaces

The applicant has provided a schedule of services and events that includes both daily and weekly activities, as well as special events that occur anywhere from one (1) to eight (8) times a year. The schedule is provided in Tables 2 and 3, and as an attachment to this staff report. Using this activity schedule for guidance, an analysis of peak parking conditions is provided below. The analysis indicates that the proposed 99 parking spaces should be sufficient to support the church's regular schedule, as well as the commemoratives that are held eight (8) times a year and the fellowship/dining events that are held six (6) times a year. The 99 spaces should be enough to accommodate the twice-yearly retreats based on square footage of occupied structures, but based on a potential attendance of 500 people per retreat, there is a possibility for shortage. The 99 spaces would not be enough to accommodate the once-yearly performance/dinner event, based on either square footage of occupied structures or expected attendance (again up to 500 people per event). To address this issue of potential parking shortages during larger events, several conditions of approval have been added to the permit. One proposed condition of approval requires the event organizer to obtain a temporary use permit, which would enable the review and consideration of off-site parking impacts. Another proposed condition of approval would require the applicant to monitor parking conditions during the retreats and performance/dinner events to verify whether the on-site lot can accommodate all vehicles. If the lot does not meet parking demand, the applicant would be responsible for implementing measures to minimize the impacts of off-street parking in the surrounding neighborhood, to the satisfaction of the Community Development Director. If problems persist, the issue would be presented to the Planning Commission for further action.

TABLE 2: REGULAR DAY-TO-DAY SERVICES AND ACTIVITIES

Day	Anticipated Buildings in Use
Sunday	9 AM to 12 NOON: Chapel (33 spaces) and Sunday School (8 spaces) = 41 spaces 12 NOON to 6 PM: Bookstore = 3 spaces 6 PM to 9 PM: Chapel and Sunday School = 41 spaces All Day: Caretaker Unit = 2 spaces Max spaces needed during peak occupancy: 43 (33 for Chapel, 8 for Sunday School, 2 for Caretaker Unit)
Saturday	6 PM to 9 PM: Chapel (33 spaces) and Sunday School (8 spaces) = 41 spaces All Day: Caretaker Unit = 2 spaces Max spaces needed during peak occupancy: 43 (33 for Chapel, 8 for Sunday School, 2 for Caretaker Unit)
Weekday	8 AM to 2 PM: Chapel (and general grounds/patio use) = 33 spaces 6 PM to 9 PM: Chapel (33 spaces) and Sunday School (8 spaces) = 41 spaces All Day: Caretaker Unit = 2 spaces Max spaces needed during peak occupancy: 43 (33 for Chapel, 8 for Sunday School, 2 for Caretaker Unit)

TABLE 3: SPECIAL EVENTS AND ACTIVITIES

Event	Frequency and Times	Buildings in Use for Event	Spaces Needed During Event
Commemoratives (up to 200 people; adults only)	Eight (8) times/year in the evening	• Chapel • Caretaker unit (all day)	35 spaces (33 for Chapel plus 2 for Caretaker Unit)
Fellowship/Dining (up to 200 people; all ages)	Six (6) times/year on Sundays from 11 AM to Noon	• Multipurpose Building • Patio • Caretaker Unit (all day)	76 spaces (29 for Multipurpose Building, 45 for Patio, and 2 for Caretaker Unit)
Retreats (up to 400 people; all ages)	Two (2) times/year on Saturdays from 9 AM to 5 PM	• Multipurpose Building • Chapel • Patio • Caretaker Unit (all day)	109 spaces (29 for Multipurpose Building, 33 for Chapel, 45 for Patio, and 2 for Caretaker Unit)
Performance/Dinner (up to 500 people; all ages)	One (1) time/year; Saturday from 5 PM to 9 PM	• Multipurpose Building • Patio • Caretaker Unit (all day)	76 spaces (29 for Multipurpose Building, 45 for Patio, and 2 for Caretaker Unit)

Noise – The staff report for the original Conditional Use Permit for this use (2002-17-CUP) described no outdoor activities for the church, other than socializing and friendship teas on the small patio adjacent to the existing multipurpose building. No Temporary Use Permits have been obtained for any events on this site, aside from a permit issued in November 2017 for a harvest festival.

For the proposed project, the applicant has provided a schedule of events that includes several outdoor activities, including exercise sessions (Thursday and some Saturday mornings), a fellowship and dining event (six Sundays per year, at mid-day), a retreat (two Saturdays per year, all day), and a performance/speaker with dinner (one Saturday per year, in the evening). Pursuant to the Escondido Zoning Code, these events do not require a temporary use permit; however, a condition of approval has been added to this permit to require the event organizer to receive approval of a temporary use permit prior to a special event occurrence. This condition is applicable to special events that exceed 200 people, as defined by Table 3 of this staff report. According to the applicant, these events are already occurring and are held inside and around the existing multipurpose building, albeit at a lower attendance level than anticipated for the future. Upon full buildout of the project, these scheduled activities would utilize the proposed patio to the direct west of the proposed multipurpose building (in addition to various interior spaces) and could attract as many as 500 people of mixed ages. The project would also include an outdoor playground at the north side of the proposed Sunday school building.

The applicant has provided a noise evaluation by dBF Associates (March 27, 2017), which analyzes the project's potential noise impacts on the site and the surrounding neighborhood. The noise evaluation states that no permanent amplified sound equipment would be installed in any outdoor areas of the church campus. Some special events on the new patio (specifically the once-yearly performance/dinner, which would include a concert, play, and/or a speaker) would likely utilize temporary amplified sound equipment. This temporary equipment would likely consist of two speakers positioned at the west side of the patio, facing the Multipurpose Building (approximately 80 feet from the east and south property lines of the project site). The speakers would be volume-controlled so as not to exceed 75 dBA at three feet. Using point source propagation characteristics (a reduction in sound of 6 dBA per doubling of distance) and logarithmic decibel addition, the

two speakers would be expected to produce up to 50 dBA at the east and south property lines, assuming no barriers are in the way. Because the proposed Multipurpose Building and Sunday School would be constructed between the patio and the east and south property lines, these buildings would serve as barriers and would further diminish the noise level reaching neighboring properties.

Escondido Municipal Code Section 17-229 sets forth sound level limits for properties in various zoning categories. Properties in residential zones may not exceed a one-hour average sound level of 50 decibels between 7 AM and 10 PM. Assuming the project conforms to the details provided in the noise evaluation, it should not exceed the sound level limits stated in the Municipal Code. Nonetheless, the project has been conditioned to explicitly state these noise limits and to prohibit the applicant from exceeding them at any time or during any event.

E. PUBLIC INPUT

The applicant hosted a “meet and greet” at the project site on October 15, 2016, to invite neighbors to visit the site and learn more about the expansion project. This event took place before the project application was submitted, and City staff did not participate.

On October 19, 2016, one neighbor of the project, Lauri Doval, sent a letter to the applicant and supplied a copy to the City. Ms. Doval stated in the letter that she was unable to attend the meet and greet, but wanted to comment on the project. She encouraged the applicant to choose a design that is modern and attractive, yet subtle, and that reflects the residential character of the neighborhood. The City Manager’s Office responded to Ms. Doval on December 1, 2016, to explain that staff had received an application on November 14, 2016, for a modification to the facility’s original Conditional Use Permit, and that staff would review the application and eventually schedule the project for a public hearing. Since Ms. Doval lives within 500 feet of the project site, she was informed that a copy of the public hearing notice would be mailed to her in advance of that hearing. In the meantime, she was provided with the name and contact information for the project planner, and encouraged to contact staff if she had additional questions or wanted to view the project application. Copies of Ms. Doval’s letter and the City’s response are attached.

As of this writing, no additional public correspondences have been received.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The project site is generally level. It has been occupied by its current church use since 2002, and was occupied by an assisted-living facility prior to that. The entire property has been disturbed under this current and past use. Vegetation on the site consists primarily of ornamental trees and shrubs, with some open areas of patchy weeds. An existing 10' roadway easement runs along the full width of the west side property line, and a 20' drainage easement cuts across the southwest corner of the site, but would be realigned under this project to bypass the two proposed bioretention basins.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 2.55 acres

2. Existing Congregation Buildings:

Multipurpose Building	4,112 SF
Bookstore	650 SF
Caretaker Unit No. 1 (above Bookstore)	650 SF
Caretaker Cottage No. 2	483 SF
Caretaker Cottage No. 3	486 SF
Storage Shed	593 SF
Total	6,974 SF

3. Proposed Congregation Buildings:

Meditation Chapel/Sanctuary	7,424 SF
Multipurpose Building	4,278 SF
Sunday School	3,973 SF
Bookstore	822 SF
Caretaker Unit No. 1 (above Bookstore)	822 SF
Total	17,320 SF

4. Floor Area Increase: 10,346 SF

5. Other Project Features:

- Parking lot expanded from 56 spaces to 99 spaces
- Two stormwater detention basins
- Playground
- Patio with stage for floral displays or speakers/performances
- Carport (covers three spaces in the parking lot, to satisfy caretaker unit's requirement for covered parking)

6. Colors/Materials: Main exterior finish in white plaster. Gray accents on window grills and eyebrows, parapets of rooftop equipment enclosures, parapet of bookstore building, sanctuary tower, and patio shade covering. Cobalt blue accent tile banding along rooflines. Gray membrane roofing. Dark bronze door and window frames. Gold metal cladding on domes (large dome on tower on sanctuary/meditation chapel; smaller domes on pillar near Sunday school and pillar attached to entry wall).

7. Landscaping and fencing/walls: New landscaping: New trees throughout site (to include strawberry tree, purple orchid tree, western redbud, dragon tree, Lombardy poplar, river birch, coast live oak, and African tulip tree), with a variety of shrubs. California gray rush, NCN, and deer grass in biofiltration basins. Hardscape areas to include natural gray concrete with retardant finish and decomposed granite.

Existing landscaping to remain: Street trees along Scenic Drive frontage and west property line, as well as trees and shrubs in parking lot islands.

Walls: New wall at front of sanctuary/meditation chapel (white with plaster finish; proposed to be approximately 20' long and 7' tall at its highest point, though portion of wall encroaching into front yard setback will be limited to 3' in height per Zoning Code).

8. Church Hours of Operation: Open daily. Most activities would occur during daytime hours (8 AM to 2 PM), but some worship services and special events would take place in the evening (ending by 9 PM). See full schedule attached to staff report for details. Church employees would be on-site from Monday through Saturday as needed, from 9:00 AM to 4:00 PM. A caretaker would be housed full-time on the project site, in the unit above the bookstore.

9. Employees: Five (approximately)

C. CODE COMPLIANCE ANALYSIS:

	<u>Proposed</u>	<u>RE-20 Zone Requirements</u>
1. Setbacks		
Front	25' (to Sanctuary/Meditation Chapel)	25' min
Side (East)	10' (to Sanctuary/Meditation Chapel, Multipurpose Building, and Sunday School)	10' min
Side (West)	176' (to Sunday School)	10' min
Rear	22' (to Sunday School)	20' min
2. Building Height		
Sanctuary/Meditation Chapel	27' to top of roof parapet; 39'6" to top of tower (church steeples/towers are permitted to exceed height limits per Zoning Code §33-1075)	35' max
Multi-Purpose Building	16' to top of roof parapet; 21' to top of equipment well	35' max
Bookstore/Caretaker Building	19'6"	35' max
Sunday School	16' to top of roof parapet; 21' to top of equipment well	35' max
3. Lot Coverage	15%	30% max
4. Floor Area Ratio (FAR)	0.16	0.5 max
5. Parking	99 spaces	See analysis in "Conformance with City Policy" section

D. HISTORY/RELATED CASES:

2002-17-CUP: Conditional Use Permit to convert the use of the property from an assisted-living facility to a religious facility.

ADM 08-0039: Minor Design Review for the addition of a laundry/storage room between the two caretaker cottages.

EXHIBIT "A"

FINDINGS OF FACT PHG16-0020

Conditional Use Permit

1. The project complies with all criteria listed Article 57 (Miscellaneous Use Restrictions) of the Escondido Zoning Code in that the site is over 20,000 square feet; all buildings, structures, and landscaping is compatible with surrounding development; and that the buildings are designed, situated, and landscaped so that sounds from church activities will not carry into surrounding properties.
2. Granting this Modification to a Conditional Use Permit for the proposed Self-Realization Fellowship expansion is based on sound principles of land use and in response to services required by the community. The project would be located on a site that has been used for church purposes since 2002. All proposed development conforms to site development standards for the RE-20 zoning district, including setbacks, building heights, lot coverage, and floor area ratio, and has been designed to coordinate aesthetically with existing development. The project underwent staff design review on December 8, 2016, and recommendations from that meeting were incorporated into the project design. The site will provide sufficient parking for its regular services and its smaller special events, and the project has been conditioned to monitor parking demand at larger special events. Currently, services and activities related to the Self-Realization Fellowship are confined to the existing multipurpose building, a bookstore (which was not included under the original CUP), and three caretaker units (two free-standing cottages and one unit above the bookstore). The Fellowship anticipates growth in its membership, and construction of additional church buildings would enable them to accommodate this growth. Inclusion of the bookstore in the Modification to the CUP allows staff to consider its impacts to the site and the larger community along with the rest of the development.
3. Granting this Modification to the Conditional Use Permit would not create a nuisance, cause deterioration of bordering land uses, or create special problems for the area in which it is located. The applicant is proposing to intensify a use that has existed on the site since 2002. An acoustic evaluation was conducted to determine whether noise from the Fellowship's outdoor events would create a nuisance for its neighbors, particularly the residences to the east of the project site. The evaluation described the type and location of temporary amplified equipment that would be used for these events and explained that the equipment would be set at a volume that would prevent the site from exceeding community noise level limits described in the General Plan. The project has been conditioned to require the Fellowship to observe the volume settings noted in the acoustic evaluation, as well as to conform to the noise level limits in the General Plan. Sufficient parking will be provided for regular services, and a condition of approval has been proposed to ensure that impacts to on-street parking is minimized to prevent guests from blocking adjacent streets with their vehicles. Two bioretention basins have been proposed to accommodate the project site's stormwater runoff.
4. The project site is not located within any community or specific plans. As described above, it is located in the RE-20 zoning district, which allows religious facilities with approval of a Conditional Use Permit.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG16-0020

General

1. The proposed church shall be subject to all relevant Conditions of Approval required as part of previous Conditional Use Permits for the site, unless specially authorized or superseded by this use permit.
2. All uses, capacity, hours of operation and outdoor activities shall be substantially consistent with the Details of Request, which are listed in Tables 2 and 3 of the February 13, 2018 Planning Commission staff report and incorporated herein by this reference as though fully set forth. All uses and activities on the premises shall comply with the conditions of approval contained within this report.
3. Colors, materials and design of the project shall conform to the exhibits and references in the staff report and the recommendations of the staff design review meeting of December 8, 2016, to the satisfaction of the Planning Division.
4. 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, including any applicable City Wide Facilities fees.
5. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
6. Each project phase shall be subject to the stormwater regulations and policies in effect at the time of implementation.
7. 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.
8. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 2014-20). Any outdoor lighting adjacent to residential uses shall provide appropriate shields to prevent light from adversely affecting the adjacent properties. This shall be demonstrated on the building and site plans for the parking plot/buildings.
9. No signage is approved as part of this permit. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance.
10. All new utilities shall be placed underground.
11. Any new rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building(s). All rooftop equipment shall be assumed visible unless demonstrated otherwise to the satisfaction of the Community Development Director, and adequate structural support shall be incorporated into the building design. Rooftop vent pipes shall be combined below the roof and shall utilize decorative caps where visible from any point. Ground mounted mechanical and electrical equipment shall also be screened through the use of a wall, fence, landscaping, berm, or combination thereof to the satisfaction of the Community Development Director.
12. Any new walls and/or retaining walls shall incorporate decorative materials or finishes, and shall be indicated on the building, grading and landscape plans. Walls shall incorporate a decorative cap (rolled mortar caps are not allowed). Walls and fences shall conform to the height limits described in Section 33-1080 of the City of Escondido Zoning Code.

13. The project shall provide 99 parking spaces as shown on the approved site plan. Parking spaces shall be striped and dimensioned per City standards (striping shall be shown on building plans or a note shall be included on the plans indicating the intent to stripe per City standards). Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage.
14. On-site parking areas for daily operations and special events shall remain available in the designated areas at all times, unless a temporary use of that space is authorized by the issuance of a temporary use permit, subject to conditions and the satisfaction of the Community Development Director. Said designated on-site parking areas may also be used for temporary construction staging for phased improvements to the chapel/sanctuary and/or accessory buildings, provided that a Construction Staging and Management Plan is first reviewed and approved to the satisfaction of the Community Development Director, prior to the issuance of any related building permit. Contact the Planning Division regarding compliance with this condition prior to submission of construction plans to the Building Division for plan check processing.
15. The approval of a duly issued temporary use permit is required for all "retreats" and "performance dinners," as listed in the February 13, 2018 Planning Commission staff report, and for any special events or gatherings that exceed 200 people. The Community Development Director shall have the authority to impose reasonable conditions and restrictions as are directly related to the proposed temporary use permit. Upon granting of said permit, any such conditions must be met in connection with the issuance of the permit. No more than four (4) temporary use permits for special events shall be permitted for this location in a 12-month calendar-year period, which accommodates all special event activities listed in Table 3 of the February 13, 2018 Planning Commission staff report, plus one (1) more additional event.
16. An event organizer shall be present during all special events, as defined therein the February 13, 2018 Planning Commission staff report or gatherings that exceed 200 people, at all times to manage special event activities and to address any standards violation or off-site parking issue immediately upon notice of the City or receipt of complaint from a member of the public.
17. Special event organizers are responsible for ensuring that the event area and adjacent areas are clean and that all debris and litter removed immediately following the event. If City property is destroyed or damaged by reason of event users use and is directly attributed to an event attendee, the event organizer will be required to reimburse the City for the actual replacement or repair cost of the destroyed or damaged property.
18. The applicant shall monitor parking conditions at all special events described in the staff report (including commemoratives, fellowship/dinning, retreats, and performance/dinners) to ensure that all parking for these events can be accommodated in the on-site parking lot. If the on-site lot cannot accommodate all vehicles, the applicant shall implement measures to minimize the impacts of on-street parking on the surrounding public streets. These measures may include any or all of the following: shared parking arrangements with other similar facilities in the area, use of parking attendants and/or wayfinding measures to direct guests to alternative parking areas, special event announcements, or reduction in event attendance. If requested by the Director of the Engineering Services Department or the Director of the Community Development Department, the applicant or project proponent shall provide documentation of parking demand during these events as well as any measures taken to reduce impacts to public streets.
19. At no time shall the applicant exceed noise standards as described in Chapter 17, Article 12 of the City of Escondido Municipal Code. The use of outdoor amplified sound equipment shall be temporary and for the special events described in the staff report.
20. This permit authorizes Sunday school services or similar drop-in, short-term child day care services, whereby care is provided while parents, guardians, or other person, participate in other on premises activities and where the parents, guardians, or other person are on the premises and easily accessible. No other child

care, preschool, primary, or secondary school use or service instruction shall be permitted on the site without further review and approval from the Planning Division.

21. At all times, during the effective period of this permit, the responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the operation of the authorized activity.
22. In the event that any of the conditions of this permit are not satisfied, the Planning Division shall cause a noticed hearing to be set before the authorized decision-making body to determine whether the City should revoke this permit. Upon showing of compelling necessity demonstrated at a noticed hearing, the City, acting through the authorized decision-making body may add, amend, or delete conditions and regulations contained in this permit.
23. The CUP shall remain valid as long as the first phase commences construction within three years of the Planning Commission approval date.
24. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division prior to issuance of Grading or Building permits. A plan check fee will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in Escondido Zoning Code Article 62 (Water Efficient Landscape Standards) and include a drought tolerant design. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
2. Any existing trees to remain and any trees to be removed shall be identified on the landscape and grading plans, to the satisfaction of the Planning Division. Specimen sized trees (min. 24" box) shall be used to replace any mature trees to be removed.
3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
4. Prior to occupancy of future 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.

ENGINEERING CONDITIONS OF APPROVAL
PHG16-0020 - Self Realization Fellowship Facility Master Plan

GENERAL

1. The Developer shall provide the City Engineer with a current Preliminary Title Report covering subject property with the submittal of the final engineering plans.
2. The location of all existing on-site utilities and drainage facilities shall be determined by the Developer's engineer. If a conflict occurs with proposed structures, these facilities shall be relocated subject to approval of the owner of the utility/facility prior to issuance of Building Permits.
3. Improvement plans prepared by a Civil Engineer are required for all public street, water and storm drain improvements and a Grading/Private Improvement plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect.
4. The Developer shall post securities in accordance with a City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up deposit for all grading, private Improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. This Cash Clean Up Deposit amount shall be 10% the total cost of the project private improvements, drainage and landscaping. The project owner is required to provide Performance (100% of total public improvement cost estimate), Labor and Material (50% of total public improvement cost estimate) and Guarantee and Warranty (10 % of total public improvement cost estimate) bonds for all public improvements prior to approval Improvement Plans and issuance of Building Permit. All improvements shall be completed prior to issuance of Occupancy Permit.
5. As surety for the construction of required public improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the Developer with the City of Escondido prior to the approval of Grading Permit and/or Final Subdivision Map.
6. 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.
7. 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.
8. The Developer shall submit to the Planning Department 3 copies of the approved Plot Plan certified by the Planning Department and must be included in the first submittal for final plans plan check, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Adequate horizontal sight distance shall be provided at all project entrances, and restrictions on landscaping may be required at the discretion of the City Engineer.

2. The Developer will be required to provide a detailed detour and traffic control plans, for all construction within existing right-of-way, to the satisfaction of the City Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
3. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer and the City Building Official.
4. All damaged paving on Scenic Drive shall be replaced. As directed by the City Engineer, a 1 1/2" grind and 2" min. AC overlay may be required in whole lane widths where multiple utility trench patches associated with this project have degraded the surface of the roadway.
5. All gated entrances and areas shall be designed and improved to the satisfaction of the City Engineer and the Fire Marshal.

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 and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.
2. A site landscaping and irrigation plan prepared by a Licensed Architect or Landscape Architect shall be submitted to the Engineering Dept. with the 2nd submittal of the grading plans.
3. All onsite parking and access drives are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. All proposed onsite project improvements shall be included on Grading Plans and be subject to review and approval by the City Engineer, Fire Marshall and Planning Director.
4. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. 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 the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.
5. Erosion control, including silt fences, straw wattles, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
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 General Construction Activity Permit is required from the State Water Resources Board prior to issuance of Grading Permit and the WDID number shall be listed on the Grading plans.

8. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The existing 30" RCP public storm drain along the southerly property line of the project shall be realigned and extended to allow for the construction of the proposed bio-retention basins needed for the project. The Developer shall be solely responsible for the design and construction of this 30" RCP public storm drain realignment and extension to the satisfaction of the City Engineer.
3. A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for the project and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements.
4. All site drainage with emphasis on the parking and drive way 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 basins as the primary method of storm water treatment and hydro-modification compliance. The landscape plans will need to reflect these areas of storm water treatment.
5. All on-site trash enclosure areas shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer.
6. All onsite area and parking lot drains, storm water storage facilities and bio-retention basins and storage vaults constructed with this project shall be considered private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the property owner.
7. The Developer will be required to submit a signed, notarized copy of the Storm Water Control Facility Maintenance Agreement to the City Engineer for acceptance and recording. The maintenance agreement shall indicate property owner's responsibility for maintenance of the proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drainage systems.

WATER SUPPLY

1. The Developer shall be responsible to design and construct a minimum 8-inch onsite looped public water main system together with adequate water supply and fire hydrants to meet the requirements of the Fire Marshal and Utilities Engineer. All proposed water mains shall be sized to provide the required fire flow while still meeting City Standards.
2. If the fire flow requirement for the construction of any phase of this Facility Master Plan exceeds 2,500 gpm, then offsite improvements to the existing public water distribution system in Del Dios

Rd. and/or Avenida Del Diablo shall be designed and constructed to the satisfaction of the Utilities Engineer prior to issuance of Building Permits for same.

3. All onsite detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and approved by the Utilities Engineer and shall be covered by a public waterline easement.
4. No trees or deep rooted plants shall be planted within 10 feet of any water main or service.
5. All water mains, services, and appurtenances within the City of Escondido's service area shall be installed per current City of Escondido Design Standards and Standard Drawings.

SEWER

1. All sewer laterals will be considered a private sewer system. The property owner will be responsible for all maintenance of these laterals to the public sewer main.
2. All sewer laterals shall be 6" PVC minimum with a standard clean-out at the edge of the public right of way and at all angle points and shall be designed and constructed per current UPC.
3. No trees or deep rooted bushes shall be planted within 10' of any sewer lateral.

EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the grading and improvement plans.
2. Necessary public waterline easements shall be granted to the City. The minimum easement width is 20 feet.
3. Additional public storm drain easements shall be granted to the City to cover the existing 30" storm drain both the section to remain as well as the sections that will be realigned and extended. The minimum public storm drain easement width shall be 20 feet with additional width as needed for access.
4. The Developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to issuance of building permit, unless approved by the easement owner. If an easement of record contains an existing utility or storm drain that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to issuance of Grading or Building permits, as determined by the City Engineer.

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

REPAYMENTS, FEES AND CASH SECURITIES

1. The Developer 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.

2. A cash security deposit 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 project owner 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 deposit for the project shall be at 10% of the total estimate of the grading, landscaping, erosion control, and private onsite improvements with maximum cap of \$50,000.

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 Undergrounding 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. All new dry utilities to serve the project shall be constructed underground.
3. 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.

Escondido SRF Schedule of Activities/Events

Regular Weekly Functions

<u>Day/Time</u>	<u>Use</u>	<u>Space</u>	<u>Current Attendees</u>	<u>Proposed Attendees</u>	<u>Net Increase</u>	<u>Ages</u>
Sunday						
9:00 AM to 12:00 PM	Worship	Chapel	100	200	100	Adults
9:00 AM to 12:00 PM	Sunday school	Sunday school	40	80	40	Youths
6:00 PM to 9:00 PM	Worship	Chapel/Sunday School	10-20	15-40	20	Adults
Monday, Tuesday, Wednesday, Friday						
6:00 PM to 9:00 PM	Worship	Chapel/Sunday School	10-20	15-40	20	Adults
Thursday						
8:00 AM to 8:30 AM	Exercise	Patio	20	40	20	Adults
8:30 AM to 2:00 PM	Worship	Chapel	20	40	20	Adults
6:00 PM to 9:00 PM	Worship	Chapel/Sunday School	10-20	15-40	20	Adults
1st Saturday of Month						
8:00 AM to 8:30 AM	Exercise	Patio	50	50	0	Adults
8:30 AM to 2:00 PM	Worship	Chapel	50	50	0	Adults
6:00 PM to 8:00 PM	Worship	Chapel	20	20	0	Adults
2nd Saturday of Month						
9:30 AM to 11 AM	Worship	Chapel	75	75	0	Adults
6:00 PM to 8:00 PM	Worship	Chapel	20	20	0	Adults
3rd Saturday of Month						
8:00 AM to 2:00 PM	Day of Service	Chapel/Grounds	20	20	0	Adults
6:00 PM to 8:00 PM	Worship	Chapel	20	20	0	Adults
4th Saturday of Month						
8:00 AM to 2:00 PM	Young Adult Gathering	Chapel	15	15	0	Young Adults
6:00 PM to 8:00 PM	Worship	Chapel	20	20	0	Adults

(Worship activities include a combination of meditation services, readings, answers to spiritual questions, and Spanish-language services)

Special Functions

<u>Day/Time</u>	<u>Use</u>	<u>Space</u>	<u>Current Attendees</u>	<u>Proposed Attendees</u>	<u>Net Increase</u>	<u>Ages</u>
8 times per year – various evenings 7:00 PM to 9:00 PM	Commemoratives	Chapel	100	200	100	Adults
6 times per year - Sunday 11:00 AM to 12:30 PM	Fellowship & Dining	MP/Patio	100	200	100	All
2 times per year - Saturday 9:00 AM to 5:00 PM	Retreat	MP/Chapel/Patio	200	400	100	All
1 time per year - Saturday 5:00 PM to 9:00 PM	Performance/Dinner	MP/Patio	400-500	Same	0	All

RECEIVED

NOV 0 / 2016

CITY MANAGER'S OFFICE

Lauri Doval
1321 Scenic Drive
Escondido, CA 92029

October 19, 2016

Mr. Steve Wilkinson
The Escondido of Self Realization Fellowship
1299 Scenic Drive
Escondido, CA 92029

Dear Mr. Wilkinson:

I recently received a notice that your fellowship is planning to update your facility—congratulations! I imagine, given the age of the buildings, a more modern campus will be much appreciated.

Unfortunately, I could not attend the meeting on Saturday, October 15, 2016, but hope you had good turn out and received helpful feedback. I'd like to take this opportunity to express my opinion on the plan, as presented on the flyer.

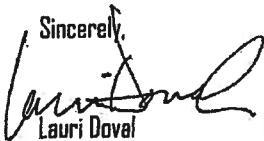
I wish the new, most prominent structure would be subtler. Given that it is the entrance to our neighborhood, I feel like it should be reflective of a residential area. I understand and support the need for a facility that will, not only accommodate your participants, but be a positive contributor to their experience, however I'm confident one can be designed to meet these objectives, without being flamboyant. I'm aware that there are many grandiose religious and spiritual structures in existence across the globe, and that has been the tradition for centuries. But, I am of the opinion that this is a contradiction to what the institutions claim to be their priority--spirituality.

Please understand, I appreciate the beauty of the structure in the image, but I also believe that the fundamental nature of the group should be reflected in the architecture of its facility, if possible. This is your opportunity to achieve this. I have no doubt one can achieve a beautiful, modern facility which is appropriate for both the neighborhood and the fellowship's mission. Frank Lloyd Wright comes to mind, with his common objective of creating structures based on the landscape and surrounding area.

I implore you and your fellow members to reconsider the current plan in favor of one more suitable to its location, mission and be sensitive to those who live in the neighborhood and will pass it many times, every day.

Thank you for your consideration.

Sincerely,



Lauri Doval

cc: City of Escondido



December 1, 2016

Lauri Doval
1321 Scenic Drive
Escondido, CA 92029

Dear Ms. Doval,

I apologize for the delay in my response, I have received a copy of your October 19 letter to the Escondido Center of Self-Realization Fellowship, in which you provide feedback on the Fellowship's plans to redevelop its campus at 1840 Del Dios Road (at the intersection of Del Dios Road and Scenic Drive).

On November 14, the Fellowship submitted a formal application to the City to seek approval to carry out this project through a modification to its original Conditional Use Permit. The application is currently under review by several City departments. When the review is complete, the project will be scheduled for a public hearing before the Planning Commission, who will make a decision on approval or denial. A notice announcing the public hearing will be mailed to all addresses within 500 feet of the project site, approximately two weeks before the hearing takes place. Since your residence is located within 500 feet of the site, you will receive a copy of this notice. If the project should require environmental review prior to the public hearing (as mandated by the California Environmental Quality Act), a notice of availability of any environmental documentation will also be mailed to your address.

If you have any comments or concerns about the project, you may contact Ann Dolmage, associate planner, at 760-839-4548 or adolmage@escondido.org. If you wish to view the project file, you may visit the Planning counter on the first floor of City Hall at any time during regular business hours (Monday through Friday, 8 a.m. to 5 p.m.)

Sincerely,

A handwritten signature in black ink, appearing to read "Graham Mitchell", with a long horizontal line extending to the right.

Graham Mitchell
City Manager



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.: PHG 16-0020 (Self-Realization Fellowship Expansion)

Project Applicant: John Pyjar, Domus Studio Architecture, for the Self-Realization Fellowship

Project Location - Specific: On the south side of Scenic Drive, just east of Del Dios Road, addressed as 1840 Del Dios Road (APN 235-190-05).

Project Location - City: Escondido

Project Location - County: San Diego

Description of Nature, Purpose and Beneficiaries of Project:

Modification to a Conditional Use Permit for the phased expansion of the Self-Realization Fellowship church facility, to include construction of a new sanctuary/meditation building and Sunday school building, replacement of an existing multipurpose building with a new one, and expansion of an existing two-story bookstore building (which contains the bookstore on the first floor and a caretaker unit on the second floor). The existing parking lot would be expanded from 56 spaces to 99 spaces, and two bioretention basins would be constructed at the southwest corner of the project site. Two (2) free-standing caretaker units at the south end of the site would be removed to make room for the new Sunday school building, leaving only the unit in the bookstore building. The project site is located within the E2 (Estate II) designation of the General Plan and is zoned RE-20 (Residential Estates; 20,000 SF minimum lot size).

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project: John Pyjar, Domus Studio Architecture
Telephone: (619) 692-9393 x14 Address: 2800 Third Avenue, San Diego, CA 92103

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

Exempt Status: Categorical Exemption. CEQA Section 15332, "In-Fill Development Projects".

Reasons why project is exempt:

1. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with the applicable zoning designation and regulations. Religious facilities are allowed in the RE-20 zone with approval of a Conditional Use Permit.
2. The proposed development occurs within city limits on a project site of no more than five acres, and is substantially surrounded by urban uses.
3. The project site has no value as habitat for endangered, rare, or threatened species (the entire site was disturbed when it was originally developed as an assisted living facility and later converted to a religious facility).
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
5. The site can be adequately served by all required utilities and public services.

Lead Agency Contact Person: Ann Dolmage

Area Code/Telephone/Extension (760) 839-4548

Signature: _____, Associate Planner

_____ Date

☒ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant

PLANNING COMMISSION

Agenda Item No.: G.3
Date: February 13, 2018

CASE NUMBER: AZ 16-0008

APPLICANT: City of Escondido

LOCATION: Citywide

TYPE OF PROJECT: Zoning Code Amendment

PROJECT DESCRIPTION: A series of proposed Zoning Code Amendments to address changes in state laws, correct errors, and improve existing regulations. The proposal involves minor amendments to Articles 1, 3, 6, 16, 25, 26, 34, 39, 40, 43, 45, 46, 47, 48, 56, 57, 58, 61, 65, 68, 69, 70, 73, and 75 of the Escondido Zoning Code. The proposal also includes the adoption of the environmental determination prepared for the project.

STAFF RECOMMENDATION: Recommend the City Council approve the proposed batch of Zoning Code Amendments.

BACKGROUND/SUMMARY OF ISSUES: It is important that municipalities periodically review and update their codes and regulations to ensure that they stay current and up-to-date. The City proposes to amend the Zoning Code to correct minor errors in the text, incorporate code interpretations, and improve existing regulations to eliminate uncertainty for staff, customers, and the public. The proposed amendments affect many articles of the Zoning Code. These amendments have been combined into a single clean-up batch proposal as a means of efficiently modifying the Zoning Code.

REASONS FOR STAFF RECOMMENDATION: Staff recommends approval of the proposed Zoning Code Amendments for the following reasons:

- The batch of amendments relate to organizational effectiveness and efficiency and are considered a housekeeping measure.
- The proposed Zoning Code changes would make the code more internally consistent and easier to understand and apply. The amendments make corrections, clarifications, and updates to improve the application process or how the codes are administered.

Respectfully Submitted,



Mike Strong
Assistant Planning Director

EXHIBITS:

- A Factors to be Considered/Findings of Fact
- B Proposed Zoning Code Amendment

ENVIRONMENTAL ANALYSIS:

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

ZONING CODE AMENDMENT ANALYSIS:

For the Annual Omnibus Code Cleanup, the suggested amendment list includes amendments to various articles of the Zoning Code. Many of the proposed changes are self-explanatory consisting of grammar and punctuation corrections or simple updates to position titles to reflect those currently used by the City. The explanation for the proposed changes that require further explanation can be found below.

Article 1, Section 8. This amendment adds definitions for “carports” and “multi-family housing development” to the Zoning Code. This amendment is necessary to establish parameters to understanding the code, as words that have common meanings in everyday usage may have different definitions in terms of zoning regulation.

Article 6, Section 33-102. This amendment revises regulations for accessory structures within side yard setbacks in residential zones. Currently, there are no restrictions in accessory building height; however, the proposed change limits accessory buildings to one (1) story and 16 feet in height within a side yard setback. This amendment is important because the relationship between a setback and building height helps address access to parcels in the event of an emergency. A height limit would also be used for structural and aesthetic reasons, and would help ensure that yards are provided more open space and adequate light and air.

Article 6, Section 33-103. This amendment revises regulations for accessory structures within rear yard setbacks in residential zones. Currently, accessory buildings must comply with the setback requirements of the underlying zone for the primary structure, which can be up to 20 feet in some cases. Over time this has been shown to limit reasonable property use. The proposed amendment revises the regulations for accessory structures so that the accessory buildings may be located closer to the property line, provided that a portion of the rear yard remains open. The amendment also would limit accessory buildings to one (1) story and 16 feet in height within a rear yard setback. This portion of the amendment is important because the relationship between a setback and building height helps address access to parcels in the event of an emergency. A height limit would also

be used for structural and aesthetic reasons, and would help ensure that yards are provided more open space and adequate light and air

Article 6, Section 33-104. This amendment provides for a setback for ground-mounted equipment, which is necessary to establish standards for their placement.

Article 16, Section 33-341. This amendment addresses minor clarifications regarding the standards for drive-through facilities, which include drive-through banks and fast food restaurants, among other things. This amendment also includes minor changes to the regulations to reflect administrative practice, clarify existing interpretations, and make adjustments to the existing regulations to ensure that entering and exiting vehicles do not disrupt vehicle or pedestrian circulation patterns. Also, a new minimum separation requirement of 200 feet is proposed to reduce the side-by-side proliferation of fast-food restaurants in neighborhood centers. Multiple drive-through facilities within one shopping center may still occur, but the amendment proposes spatial considerations over their location within each center. This amendment is necessary to provide for the maximum ease and convenience in ingress and egress to private property, as well as the safety and the least interference to the traffic flow on private property, relative to the size of the property served.

Article 61, Section 33-1319. This amendment delegates tentative map extension requests to be reviewed and approved under the authority of the Zoning Administrator. This would help streamline the development review process so applicants who follow planner recommendations can obtain building permits more quickly. Please note that this particular amendment would also need to be supplemented with a similar amendment to the Subdivision Ordinance, which is provided for in Chapter 32 of the Municipal Code. Amendments to Chapter 32 would be prepared for Council review at a future meeting date.

EXHIBIT “A”

FACTORS TO BE CONSIDERED/FINDINGS OF FACT

AZ 16-0008

Zoning Code Amendments

1. Over the years, staff and customers have found certain sections of the Zoning Code are vague, unclear, or conflicting, which results in confusion and disagreement in code interpretation. It is important that the City of Escondido review policies and procedures on an on-going basis to ensure a customer-focused government through transparent services and positive organizational culture.

The Planning Division maintains a regular process and schedule for maintaining the City’s codes and regulations. Those issues that have been identified are being addressed as part of this clean-up effort, whereby all code amendments have been combined in a single batch, called an omnibus. Additional items to correct or improve the Zoning Code may be considered in the next annual omnibus code clean-up cycle.

2. The public health, safety, and welfare would not be adversely affected by the proposed batch of Zoning Code Amendments because they correct internal inconsistencies, improve readability, update references to other code sections or regulatory documents, codify prior interpretations, and make the code consistent with changing state or federal regulations.
3. The proposed batch of Zoning Code Amendments would be consistent with the goals and policies of the General Plan because they address changes in state laws, correct errors, and improve existing regulations to eliminate uncertainty for staff, customers, and the public. This effort is not intended to be a comprehensive update to the local code or change land use densities or intensities.
4. The proposed Zoning Code amendment does not conflict with any specific plan.

EXHIBIT “B”

PROPOSED ZONING CODE AMENDMENT

AZ 17-0005

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 1, Section 33-8. Definitions:

Carport means a permanently covered motor vehicle shelter, consisting of a roof and supporting members such as columns or beams, which are affixed to a permanent foundation per applicable building codes. A carport must be open on two (2) or more sides except for structural supports. Carports as used in this chapter do not include temporary shelters or canopies. Any structure designed or used for the storage of motor vehicles which does not meet this definition must comply with all regulations relating to a garage.

Multi-family housing development means a building designed for multiple dwelling unit occupancy in a multiple-residential zoning district (R-2, R-3, R-4, and R-5) or mixed-use zoning district. Units in multi-family housing developments are not classified as single-unit attached structures.

Article 1, Section 33-13. Determination of permitted uses:

The lists of uses included in various articles of this chapter are typical of permitted and conditionally permitted uses in their respective zones.

The ~~director~~Director of Community Development may determine that uses similar to the listed uses are permitted, or conditionally permitted, uses within the various zones. Such determinations will thereafter be uniformly applied and the director shall keep a record of all such determinations.

Article 3, Section 33-42. Permitted accessory uses and structures:

Accessory uses and structures are permitted in open space zones, provided they are incidental to, and do not substantially alter the operating character of the permitted principal use or structure as determined by the ~~director of planning and building~~Director of Community Development.

Article 3, Section 33-44. Plan approval required:

Park plans and park master plans may be referred to the planning commission upon the determination of the ~~director of planning and building~~Director of Community Development.

Article 6, Section 33-102. Accessory buildings side setback and building requirements:

(e) An accessory building that is seventy (70) feet or more from the front property line in single- and multi-family zones, or fifty (50) feet in the R-T zone, but which does not meet the requirements of subsection (b) above, may not be located closer than five (5) feet from the interior side property line in single- and multi-family zones, or three (3) feet in the R-T zone (unless superseded by Title 25). Awnings, cornices, eaves, belt courses, sills, buttresses or other similar architectural features may project into an accessory building setback area by no more than two (2) feet.

(f) In the R-A and R-E zones, setbacks for accessory structures do not apply to animal enclosures.

(g) Accessory buildings located within a required side yard setback area for the primary structure shall be limited to one (1) story and 16 feet in height.

(h) A minimum of five (5) feet is maintained for clear access between the detached accessory building and any other building or structure.

(i) Accessory dwelling units, shall conform to the setback requirements of the underlying residential zone for the primary structure, unless otherwise permitted by Article 70.

Article 6, Section 33-103. Accessory buildings rear setback and building requirements:

(b) An accessory building may be located on the rear property line in all residential zones (except the R-T zone) if, and only if, all the following conditions are met:

(2) Has facilities for the discharge of all roof drainage onto the subject lot or parcel of land.

(c) For accessory buildings that do not meet the conditions listed in section 33-103(b), accessory building(s) may be located within a required rear yard setback area in all residential zones, but only in the following circumstances:

(1) In the R-A and R-E zone districts, detached accessory building(s) may be located within a required rear yard setback area provided that such building(s) are located no closer than ten (10) feet to a rear lot line, and shall not cover more than 50 percent of the width of the rear setback area.

(2) In all other single-family and multi-family zones (except the R-T zone), detached accessory building(s) may be located within the rear yard setback provided that a minimum of five (5) feet is maintained, and shall not cover more than 50 percent of the width of the rear setback area. Additional usable open space requirements may apply on the premises, depending on the requirements of the underlying zoning district.

(3) Awnings, cornices, eaves, belt courses, sills, buttresses or other similar architectural features may project into an accessory building setback area by no more than two (2) feet.

(4) Accessory buildings located within a required rear yard setback area for the primary structure shall be limited to one (1) story and 16 feet in height.

~~(e)~~(d) An accessory building having direct vehicular access from an alley shall be located not less than twenty-five (25) feet from the edge of the alley farthest from the building.

~~(d)~~(e) On a reverse corner lot the rear property line of which is also the side property line of the contiguous property, an accessory building shall be located not less than five (5) feet from the rear property line.

~~(e)~~(f) In the R-A and R-E zones, setbacks for accessory structures do not apply to animal enclosures.

~~(f)(g)~~ Accessory dwelling units, shall conform to the aforementioned rear yard setback requirements of the underlying residential zone for the primary structureaccessory building, unless otherwise permitted by Article 70.

Article 6, Section 33-104. Projections into setbacks (single- and multi-family zones, excluding R-T zone):

(a) The following structures may be erected or projected into any required setback in all residential zones (excluding the R-T zone):

- (1) Fences and walls in accordance with codes or ordinances;
- (2) Landscape elements, including trees, shrubs and other plants, except that no hedge shall be grown or maintained at a height or location other than that permitted by city codes or ordinances;
- (3) Necessary appurtenances for utility services;
- (4) Ground-mounted mechanical equipment, including heating and air conditioning units, provided the auxiliary structure is at least three (3) feet to interior side and rear lot lines.
- (5) Pools and pool equipment, subject to Article 57.

Article 16, Section 33-341. Commercial drive-through facilities requirements:

(b) Development Standards. The following development standards shall apply to all drive-through commercial facilities to ensure that such developments do not have negative impacts on traffic, safety, air quality and visual character of the area in which they are located:

- (1) Pedestrian walkways that intersect the drive-through drive aisles, shall have clear visibility, and be emphasized by enriched paving or striping.
- (2) Drive-through aisles shall have a minimum twelve (12) foot width on curves and a minimum eleven (11) foot width on straight sections.
- (3) The drive-through stacking lane shall be situated so that any overflow from the stacking lane shall not spill out onto public streets or major aisles of any parking lot. Sufficient vehicle stacking room shall be provided on-site behind the speaker area where orders are taken to accommodate a minimum of six (6) vehicles or greater if determined necessary by the Director of Community Development. The drive-through stacking lane shall be separated physically from the user's parking lot and shall have a capacity of twenty (20) linear feet per vehicle.
- (4) Drive-through aisles shall be constructed with (PCC) concrete.
- (5) Drive-through aisles and associated structures should be oriented away from public streets and surrounding land uses unless significant screening is provided to the satisfaction of the ~~director~~Director of Community Development by means of heavy landscaping, decorative walls, and sound attenuating devices.
- (6) No ingress and egress points shall conflict with turning movements at nearby street intersections.
- (7) Buildings with drive-through facilities shall be located with a minimum separation of 200 feet from any other structure containing a drive-through facility. Certain types of drive-through services may require less separation if substantiated by acceptable data.

Article 25, Section 33-554. Development standards:

(a) Rear Yards. A recreational vehicle may be parked in the rear yard, subject to all of the following:

(1) A minimum separation of three (3) feet shall be provided between the recreational vehicle and any wall along habitable portions of the existing structure on the same property containing windows and doors, as determined by the ~~director of planning and building~~ Director of Community Development;

Article 25, Section 33-554. Development standards:

(c) Front Yards. A recreational vehicle may be parked in the front yard only on properties where access to feasible parking in the side or rear yard is unavailable, in accordance with all of the following:

(2) Parking Not in Driveway. RV parking in the front yard other than the driveway may be permitted only if conforming driveway parking is not available. In addition to standards required in subdivision (1) of this subsection, all of the following standards shall be required:

(E): On properties where the recreational vehicle cannot be parked in the driveway or in a perpendicular manner in accordance with the development standards, the recreational vehicle may be parked parallel to the street which provides driveway access in the R-1-6, R-1-7 and R-1-8 zones only, subject to approval of an administrative permit approved by the ~~director of planning and building~~ Director of Community Development. The administrative permit shall include conditions requiring a three-foot-high wall or fence and/or vision-obscuring landscaping provided along the street side parallel to and along the entire length of the recreational vehicle; additionally, the sight visibility setback may be reduced by up to twenty (20) percent upon approval by the city engineer.

Article 26, Section 33-569. Development standards:

Off-street loading; Number of docks	Building over 10,000 SF shall provide minimum of one (1) loading space for each additional 10,000 SF of gross floor area or fraction thereof, unless fewer loading docks are determined to be required for the use of the Director of Planning and	Building over 10,000 SF shall provide minimum of one (1) loading space for each additional 10,000 SF of gross floor area or fraction thereof, unless fewer loading docks are determined to be required for the use of the Director of Planning and	Building under 30,000 SF - one (1) loading dock. Building over 30,000 SF - two (2) loading dock/first 30,000 SF, plus one (1) loading dock for each additional 20,000 SF (or fraction thereof) located to the rear of the	A maximum of one (1) off-street or alley loading space
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	<u>BuildingCommunity Development</u>	<u>BuildingCommunity Development</u>	buildings so that the door does not face toward a public street or adjoining residential property	
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Article 34, Section 33-702. Definitions:

Camouflaged or Stealthy means a personal wireless service facility that is disguised, hidden, integrated into the architecture of an existing or proposed structure or placed within an existing or proposed structure, and designed to be compatible with the existing scale and pattern of development and/or characteristics of the site, as determined by the ~~director of planning and building~~ Director of Community Development.

Article 34, Section 33-704. Personal wireless service facilities—Development and operating standards:

(b): Screening. All personal wireless utility equipment (i.e., antennas, support structures, mounts, equipment, etc.) shall be screened from view of adjacent properties or public rights-of-way to the maximum extent possible. Screening may include integrating architectural elements, color and texture of the antenna structure, fencing, landscaping, or other method appropriate to the specific situation. Screening may be waived by the ~~director of planning and building~~ Director of Community Development if the available methods of screening create a greater visual impact, or call greater attention to the facility than if otherwise left unscreened.

(f): Noise. Noise levels generated by wireless equipment shall not exceed the noise level limits of the underlying zone and receiving land use, whichever is less. Appropriate siting and building measures shall be incorporated into the facility to comply with the city's noise requirements. An acoustical study may be required, as determined by the ~~director of planning and building~~ Director of Community Development.

(k) Public Right-of-Way. All requirements of this article shall apply to the placement, construction, modification or reconstruction of any personal wireless service facilities proposed within the public right-of-way, except to the extent precluded by state or federal law. The following general requirements also shall apply:

(3) All personal wireless service facilities in the right-of-way shall be sited in order to minimize potential visual and compatibility impacts with adjacent properties. ~~In residential areas, placing~~ Placing wireless facilities along non-classified residential streets and/or along the front yard of single-family residential properties should be avoided. Wireless facilities must be designed to be visually unobtrusive with design elements and techniques that mimic or blend with the underlying support structure, surrounding environment and adjacent uses. The equipment must be painted or textured to match the color or surface of the structure on which they are attached, or otherwise screened to reduce their visibility.

Article 34, Section 33-705. Personal wireless service facilities—Application requirements:

(a) The following shall be included with an application for all personal wireless service facilities

(3) Existing before photographs and after visual simulations. A sight line representation drawn to scale) may also be required (as determined by the ~~director of planning and building~~ Director of Community Development) which shall be drawn from adjacent public roads and the adjacent properties (viewpoint) to the highest point (visible point) of the personal wireless service facility. Each sight line shall be depicted in profile and show all intervening trees and buildings, and be accompanied by photographs of what currently can be seen from the specific site and a visual simulation of the proposed facility. An on-site mock-up or balloon simulation also might be required for highly visible or sensitive sites to adequately assess the potential visual impact of the proposed facility.

Article 39, Section 33-765. Parking spaces required:

Pushcart food sales	No parking shall be required for pushcart food sales facilities except as required on a case-by-case basis as determined by the director of planning and building <u>Director of Community Development</u> as part of plot plan review procedure.
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Article 39, Section 33-774. Common facilities:

Common parking facilities may be provided in lieu of the individual requirements contained herein provided an agreement establishing the permanent preservation of said facilities be submitted and approved by the ~~community development director~~ Director of Community Development, and that the total of such off-street parking spaces, when used together, shall not be less than the sum of the various uses computed separately, unless otherwise specified in this article

Article 40, Section 33-790. Purpose and definitions:

(b) Definitions. Whenever the following terms are used in this article, they shall have the meaning established by this section.

(5) *Certificate of appropriateness* means a certificate issued by the ~~director of planning and building~~ Director of Community Development approving alteration, restoration, construction, removal, relocation in whole or in part, of or to a property on the local register or to an improvement within an historical district.

Article 40, Section 33-802. Procedure for obtaining an emergency demolition permit.

(b) Review. On a case-by-case evaluation and upon consultation with a minimum of two (2) historic preservation commissioners and an architect or engineer, the ~~director of planning and building~~ Director of Community Development may, without a public hearing, issue a permit for a complete or partial demolition of an historical resource if it is determined that the catastrophic event has rendered

said resource immediately hazardous and dangerous and/or detrimental to the public health and/or safety as defined in the latest adopted California Building Code or California Housing Law.

(c) Considerations for demolition. In determining the appropriateness of demolishing a resource under this emergency provision, the ~~director of planning and building~~ Director of Community Development shall give consideration to demolishing only those portions of a resource that are immediately hazardous, thereby allowing for the preservation/reconstruction of non-hazardous portions. The director shall also consider whether the damage to the resource is so substantial that it alters the historic character of the resource.

Article 40. Section 33-803. Procedure and findings for obtaining a nonemergency demolition permit:

(b) Review. The HPC and city council shall each hold a duly noticed public hearing prior to the demolition of a significant historic resource. The applicant shall provide, at a minimum, the following items to the satisfaction of the ~~community development director~~ Director of Community Development or his or her designee.

Article 40. Section 33-805. Historic street markings:

(a) In order to preserve the integrity of historic street markings throughout the City of Escondido, the following procedures shall be followed:

(3) Efforts shall be made to preserve a marking in its original location. However, if the ~~director of planning and building~~ Director of Community Development concurs that no other alternative exists but to relocate the marking, the applicant shall:

Article 43. Section 33-832. Abatement of nuisance—Initiation, service and posting:

Upon discovery of conditions indicating that a service station may have been abandoned, the community development director shall cause a notice to be served personally or by mail on the owner of the real property on which the service station is located at his address as disclosed on the last equalized assessment roll on file in the assessor's office of San Diego County or as known to the community development director, and on the person, if any, occupying or otherwise in real or apparent charge and control of the service station. The ~~community development director~~ Director of Community Development also shall cause the notice to be posted on the service station.

Article 43. Section 33-833. Abatement of nuisance—Additional service:

The community development director also shall cause the notice to be served on each of the following persons: The holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or interest of record in or to the service station or the real property on which such service station is located. The failure of the ~~community development director~~ Director of Community Development to make or attempt service to any person who is required to be served pursuant to the provisions of this subsection shall not invalidate any proceedings hereunder as to any other person duly served.

Article 43. Section 33-834. Time of service and posting:

The ~~community development director~~Director of Community Development shall cause the notice to be served and posted pursuant to the provisions of this section at least fifteen (15) days before the date of any hearing as set in such notice.

Article 43. Section 33-836. Contents of notice:

The notice shall contain the following:

(b) A statement that the ~~community development director~~Director of Community Development has discovered conditions, and a description of such conditions, indicating that the service station may have been abandoned.

Article 43. Section 33-840. Enforcement of order:

(a) If the public nuisance is not abated pursuant to the planning commission's decision and order, in addition to any other lawful procedure authorized by this code, the ~~community development director~~Director of Community Development shall enforce such decision and order in the following manner.

(b) The ~~community development director~~Director of Community Development shall issue an order to the ~~public works director~~Director of Public Works to accomplish the following work: removal of all buildings or structures, safeguarding or removing of any flammable or combustible liquid storage tanks, and cleaning of the site, all pursuant to applicable provisions of this code.

(e) The ~~public works director~~Director of Public Works shall keep an itemized account of the net expense incurred by the city in the work to abate the nuisance of an abandoned service station. Upon completion of such work, the public works director shall prepare and file with the city clerk a report specifying the work done, the itemized net cost of the work, a description of the real property upon which the service station is or was located, the names and addresses of the persons entitled to notice pursuant to section 33-831 of this article and the amount of the assessment against each lot or parcel of land proposed to be levied to pay the cost of the work. Any such report may include or on any number of buildings or structures on any number of parcels of property, whether or not contiguous to each other.

(f) Upon receipt of the report of the ~~public works director~~Director of Public Works, the clerk shall fix time and place, when and where the council will hear and pass upon the report. The clerk shall cause notice of the proposed assessment, as shown in the report, to be given in the manner and to the persons specified in section 33-832 of this article. Such notice shall contain a description of the property sufficient to enable the persons served to identify it, and shall specify the day, hour, and place when the council will hear and pass upon the report, together with any objections or protests, if any, which may be raised by any property owner liable to be assessed for the cost of such work, and any other interested persons. Such notice of the hearing shall be so given not less than fifteen (15) days prior to the time fixed by the clerk for the hearing, and shall also be published one (1) time, at least fifteen (15) days prior to the date of hearing, in a daily newspaper published and circulated in the city.

(g) Any interested person may file a written protest with the city clerk at any time prior to the time set for the hearing on the report of the ~~public works director~~Director of Public Works. Each such protest shall contain a description of the property in which the person signing the protest is interested

and the grounds of such protest. The city clerk shall endorse on every such protest the date and time of filing and shall present such protest to the council at the time set for the hearing.

(h) Upon the day and hour fixed for the hearing the council shall consider the report of the ~~public works director~~Director of Public Works, together with any protests which have been filed with the city clerk as hereinabove provided. The council may make such revision, correction or modification in the report as it may deem just, and when the council is satisfied with the correctness of the assessment, the report and proposed assessment, as submitted or as revised, corrected or modified, shall be confirmed. The decision of the council on the report and the assessment and on all protests shall be final and conclusive. The council may adjourn the hearing from time to time.

(j) Immediately upon the confirmation of the assessment by the council, ~~community development director~~Director of Community Development shall file in the office of the county recorder of San Diego County a certificate in substantially the following form:

NOTICE OF LIEN

Pursuant to the authority vested in the ~~community development director~~Director of Community Development by the provisions of Article XLIII of the Escondido Zoning Code, the ~~community development director~~Director of Community Development did on or about the day of _____, ~~2019~~____, cause on the property hereinafter described the removal of all buildings or structures, the safeguarding or removal of any flammable or combustible liquid storage tanks, and the cleaning up of the site, in order to abate a nuisance on such real property; and the Council of the City of Escondido did on the day of _____, 19____, assess the cost of such upon the real property hereinafter described, and the same has not been paid nor any part thereof, and the said City of Escondido does hereby claim a lien on said real property for the net expense of the doing of such work in the amount of such assessment, to wit: the sum of \$ _____, and the same shall be a lien upon said real property until the sum has been paid in full and discharged of record.

The real property hereinabove mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Escondido, California, County of San Diego, State of California, and particularly described as follows:

(Description)

DATED: This _____ day of _____, ~~2019~~ ____.

COMMUNITY DEVELOPMENT

~~DIRECTOR~~DIRECTOR OF COMMUNITY DEVELOPMENT

Article 45, Section 33-865. Yard requirements:

(a) Adjustments to the following requirements of up to twenty-five (25) percent may be approved or conditionally approved by the ~~community development director~~Director of Community Development upon demonstration that the proposed adjustment will be compatible with and will not prove detrimental to adjacent property or improvements. The applicant for an adjustment shall pay a fee to the city in an amount to be established by resolution of the city council.

(b) The ~~community development director~~Director of Community Development shall give notice of his intended decision using the procedures outlined in section 33-1300 of Article ~~LXIV~~LXI of this chapter.

Article 45, Section 33-872. Other requirements:

(a) Adjustments to the following requirements of up to twenty-five (25) percent may be approved or conditionally approved by the ~~community development director~~Director of Community Development upon demonstration that the proposed adjustment will be compatible with and will not prove detrimental to adjacent property or improvements. The applicant for an adjustment shall pay a fee to the city in an amount to be established by resolution of the city council.

(b) The ~~community development director~~Director of Community Development shall give notice of his intended decision using the procedures outlined in section 33-1300 of ~~Art.~~Article 61.

Article 45, Section 33-874. Landscaping:

The following landscaping provisions shall apply to all mobilehome parks:

(b) For all new development, the ~~director of planning and building~~Director of Community Development shall require a minimum of one (1) street tree for every thirty (30) linear feet of street frontage within or adjacent to the development.

Article 45, Section 33-875. Trash storage:

(a) Containers for trash storage shall be of a size, type and quantity approved by the ~~director of planning and building~~Director of Community Development. They shall be placed so as to be concealed from the street and shall be maintained.

Article 45, Section 33-883. Enforcement:

Should the ~~building official or the planning director~~Director of Community Development determine that there has been a violation of the provisions of this article or of any conditional use permit issued pursuant thereto, he shall notify, in writing, the owner or manager of the mobilehome park, specifying the particular violation or violations and shall make demand that such violations be corrected within sixty (60) days after receipt of said notice.

Article 46, Section 33-897. Yard requirements:

(b) Adjustments to the following requirements of up to twenty-five (25) percent may be approved or conditionally approved by the ~~community development director~~Director of Community Development upon demonstration that the proposed adjustment will be compatible with and will not prove detrimental to adjacent property or improvements. The applicant for an adjustment shall pay a fee to the city in an amount to be established by resolution of the city council.

(c) The ~~community development director~~Director of Community Development shall give notice of his intended decision using the procedures outlined in section 33-1300 of Article 61 of this chapter.

Article 46, Section 33-913. Enforcement:

Should the ~~building official or the planning director~~ Director of Community Development determine that there has been a violation of the provisions of this article or of any conditional use permit issued pursuant thereto, he shall notify, in writing, the owner or manager of the travel trailer park, specifying the particular violation or violations and shall make demand that such violations be corrected within sixty (60) days after receipt of said notice.

Article 47, Section 33-925. City responsibility for environmental documentations and determinations:

(b) The city, at its sole discretion, may decide to utilize the services of a private consulting firm to prepare or review all studies, reports and other documents required or permitted by the guidelines, including those submitted by the proponent or any other party. In all cases, the consultant shall enter into a contract with and shall be responsible directly to the city. All services shall be performed to the satisfaction of the ~~director of planning and building~~ Director of Community Development, or designee.

Article 48, Section 33-931. Approval:

No person shall place, move on, or affix to the land in any manner any building which was formerly located in another site, unless written approval of the ~~community development director~~ Director of Community Development has first been obtained. The term "building" as used herein, means any structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property, and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes. An accessory structure having a floor area of less than one hundred (100) square feet, and being less than eight (8) feet high shall not fall within this definition. The provisions herein shall not prohibit the installation of new prefabricated houses in accordance with applicable regulations.

Article 48, Section 33-932. Application:

A person seeking approval hereunder shall file an application for such approval with the ~~community development director~~ Director of Community Development.

(a) Form. The application shall be made in writing upon forms provided by the ~~community development director~~ Director of Community Development, and shall be filed in the office of the community development director.

(b) Contents. The application shall set forth and contain:

(5) Photographs of the building or such elevations as the ~~community development director~~ Director of Community Development may direct.

(6) Any additional information which the ~~community development director~~ Director of Community Development may find necessary to a fair determination of whether the application should be approved.

Article 48, Section 33-934. Standards and criteria for relocated buildings:

Before approving an application hereunder, the ~~community development director~~Director of Community Development shall determine that all the following conditions are satisfied:

Article 48, Section 33-935. Conditional approval:

The ~~community development director~~Director of Community Development may approve a proposed relocation subject to such conditions as the director may deem warranted by the circumstances. Said conditions may include specified landscaping and exterior finishing, dedication and improvement of streets and alleys adjoining the property, and time for completion of the work and improvements required. Such conditional approval shall not become effective, nor shall any action be taken thereon, unless and until security is furnished as required by section 33-937 of this article.

Article 48, Section 33-936. Expiration:

Unless otherwise specified in the action approving the building relocation, if a building which has been approved for relocation is not relocated with twelve (12) months of the date of the approval, such approval shall become null and void. However, an extension of time, not to exceed an additional twelve (12) months, may be granted by the ~~community development director~~Director of Community Development.

Article 48, Section 33-937. Security:

If approval is granted subject to performance of conditions by the applicant, a cash deposit, a cashier's check or a certified check payable to the City of Escondido shall be furnished by the applicant. Such cash deposit or check shall be in the amount of the cost of performance of the conditions as estimated by the ~~community development director~~Director of Community Development or and shall be conditional upon and shall guarantee the performance of the conditions enumerated by the community development director and any work ordered done by the ~~community development director~~Director of Community Development pursuant to section 33-938 of this article.

Article 48, Section 33-938. Inspection of work:

The cash deposit or check shall not be released or the bond shall not be exonerated as the case may be, nor shall the removed building be occupied until the community development director certifies that all work and improvements specified by the community development director have been satisfactorily completed. The ~~community development director~~Director of Community Development shall cause an inspection of the building at its new location to be made upon request therefor by the owner or applicant, or at the expiration of the time designated by the ~~community development director~~ for completion of the work. The ~~community development director~~ may require any minor items of work to be done, such as an exterior trim, painting where needed or clean-up which in his judgment is required to meet the purpose and intent of this article.

Article 48, Section 33-939. Appeal:

The applicant shall have the right to appeal any decision of the ~~community development director~~Director of Community Development to the planning commission. Any decision of the planning commission may be appealed to the city council, whose determination thereon shall be final.

Sec. 33-940. Moving permit also required:

Approval or conditional approval of the ~~community development director~~Director of Community Development or city council hereunder is not a building moving permit, and such approval shall not relieve the applicant from compliance with the provisions of the building code or from any other requirement of law.

Article 48, Section 33-941. Violations:

Any person, firm or corporation violating any of the provisions of this article, or disregarding any condition or term imposed by the ~~community development director~~Director of Community Development or city council hereunder, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding five hundred dollars (\$500.00) or imprisonment in the County Jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

Article 55, Section 33-1052. Definitions:

Director shall refer to the ~~director of community development~~Director of Community Development.
Professional shall refer to a qualified botanist, certified arborist, or other qualified professional acceptable to the ~~director of planning and building~~Director of Community Development.

Article 56, Section 33-1075. Permitted structures in excess of height limit:

Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, smokestacks, silos, water tanks, windmills, windbreaks, wireless masts or other similar structures (subject to the provisions of Article 34 (Communication Antennas)) may be erected above the height limits established for the various zones provided that no portion of the structure in excess of the allowable building height shall be used for sleeping or eating quarters, nor shall such portion of the structures in excess of the allowable building height be used for the purpose of providing additional habitable floor space or be deemed as an excessive or unreasonable use of space that creates an unnecessary aesthetic impact on surrounding properties (as determined by the ~~director of planning and building~~Director of Community Development).

Article 56, Section 33-1080. Fences, walls and hedges:

- (a) Single-family residential zones:
 - (1) Front and street side setbacks: Fences, walls or hedges not exceeding three (3) feet in height may be located anywhere on the lot or parcel.

Fences, walls or hedges not exceeding six (6) feet in height may be located anywhere on a lot or parcel of ten (10) acres or greater where horticulture specialties, orchards or vineyards occur pursuant to section 33-161 and subject to the design criteria under section 33-1081(b) through (e) and subject to approval by the ~~director of planning and building~~Director of Community Development.

Fences, walls or hedges not exceeding three and one-half (3 1/2) feet in height, if constructed of materials which are fifty percent (50%) open, may be located anywhere on the lot or parcel.

Fences, walls or hedges not exceeding six (6) feet in height may be constructed at the setback lines for principal structures.

(2) Interior side and rear setbacks: Fences, walls or hedges not exceeding six (6) feet in height may be located anywhere within the interior side and rear yard setbacks.

Fences, walls or hedges not exceeding eight (8) feet in height may be located anywhere within the rear and the interior side setbacks when abutting a public facility, and/or multi-family, commercial and industrial zones pursuant to the design criteria under section 33-1081(a) and (b) subject to approval by the ~~director of planning and building~~Director of Community Development. (See Figure 33-1081.2)

(3) Play fields: Fences up to fifteen (15) feet in height in conjunction with play fields associated with schools and youth organizations may be approved as conditional uses in specified residential zones subject to planning commission approval upon consideration of the design criteria under section 33-1081(f) and (g).

(b) Multi-family residential zones:

(1) Front and street side setbacks: Same as in section 33-1080(a)(1), except that fences, walls or hedges not exceeding six (6) feet in height may be located anywhere within the street side and front yard setbacks pursuant to the design criteria under section 33-1081(a) through (e) subject to approval by the ~~director of planning and building~~Director of Community Development. (See Figure 33-1081.1)

(2) Interior side and rear setbacks: Same as in section 33-1080(a)(2), except that fences, walls or hedges not exceeding eight (8) feet in height may be located anywhere within the rear and the interior side setbacks (except when adjacent to single-family zones) pursuant to the design criteria under section 33-1081(a) through (e) subject to approval by the director of planning and building. (See Figure 33-1081.2)

(3) Play fields: Fences up to fifteen (15) feet in height in conjunction with play fields associated with schools and youth organizations may be approved as conditional uses in specified residential zones subject to planning commission approval upon consideration of the design criteria under section 33-1081(f) and (g).

(c) Commercial/industrial zones:

(1) Front and street side setbacks: Same as in section 33-1080(a)(1), except that fences or walls not exceeding eight (8) feet in height may be constructed in any location allowed for principal structures.

Adequate sight distance pursuant to section 33-1081(b) shall be provided for all fences.

(2) Interior side and rear setbacks: Fences or walls not exceeding eight (8) feet in height may be constructed in any location allowed for principal structures.

(3) Play fields: Fences up to fifteen (15) feet in height in conjunction with play fields associated with schools and youth organizations may be approved as conditional uses in specified residential zones subject to planning commission approval upon consideration of the design criteria under section 33-1081(f-g).

Article 57, Section 33-1109. Swimming pools:

(b) Front, Side and Rear Yards.

(1) All swimming pools constructed after the effective date of the ordinance codified in this article shall be subject to the front yard and side yard setback requirements as set forth in the applicable zoning regulation, but in no case shall a swimming pool be located closer than five (5) feet from any property line;

(2) Tanks, heating, filtering and pumping equipment shall be subject to the front yard and side yard setback requirements of the applicable zone, except that such accessories may be located within such required yards if installed entirely below the finished grade of the site and covered with a permanent protective cover. In the rear yard, tanks, filtering and pumping equipment must provide at least a five (5) foot separation to the rear lot lines.

(d) Variances and Exemptions.

(1) The building inspector may waive the fencing requirements of this section upon an adequate showing that an alternative safeguard against unauthorized entry to the swimming pool exists or will be provided, and that the physical conditions of the site make the erection of a fence or wall impractical;

~~_____ (2) _____ The provisions of this section shall not apply to swimming pools used or maintained by a hotel, motel or trailer park consisting of ten (10) or more units where someone is on duty twenty-four (24) hours a day;~~

~~_____ (3) _____ All swimming pools which are in the R-A or R-E-40 zones shall be exempt from the provisions of the swimming pool fence requirements.~~

Article 57, Section 33-1110. Subdivision sales office:

A subdivision sales office may be established within the boundaries of a new subdivision, in residential zones in which subdivision sales activities are a permitted use, subject to the following conditions:

(b) That such subdivision sales office shall not be operated or maintained for a period exceeding eighteen (18) months, or until all the lots in the subdivision have been sold, whichever occurs first. The ~~planning director~~ Director of Community Development may, for good cause, grant an extension of said period up to one (1) additional year.

Article 57, Section 33-1114. Motor vehicle, aircraft, marine craft, trailer and camper, motorcycle, equipment rental and leasing dealerships:

The city council shall, after recommendation by the city planning commission, adopt a resolution setting forth site development standards for motor vehicle, aircraft, marine craft, trailer and camper, motorcycle, equipment rental and leasing dealerships ~~(SLUC use numbers 5501, 5590 and 6394 respectively)~~ in the industrial zones.

The standards and criteria established by said resolution shall be applied as conditions for approval of all plot plans falling within the above categories of uses unless specific findings are made and enumerated by the ~~community development director~~ Director of Community Development stating unique circumstances and undue hardship which would require a modification of the standards and criteria.

Article 57, Section 33-1119. Arts and crafts shows.

Arts and crafts shows (as defined in section 33-8 of Article 1 of this chapter) shall conform to all standards for the zone in which they are held, and may be held only upon issuance of an administrative permit issued by the ~~director of planning and building~~Director of Community Development pursuant to the criteria described in this section. No person shall advertise, announce, conduct, operate or sponsor an arts and crafts show within a residentially zoned neighborhood in conflict with the requirements of this section. Proposals which, in the opinion of the ~~director of planning and building~~Director of Community Development, do not readily conform to the criteria for administratively approving an arts and crafts show, will be required to obtain approval of a minor conditional use permit issued by the planning commission at a noticed public hearing.

(a) Application Procedures. An administrative permit for an arts and crafts show may be issued in accordance with the following procedure:

(2) Notice of Intended Decision. Not less than fifteen (15) days prior to the date on which the decision will be made on the application, the ~~director of planning and building~~Director of Community Development shall give notice of the proposed use by mail or delivery to all owners shown on the last equalized assessment roll as owning real property within a five hundred (500) foot radius of the exterior boundaries of the residence which is the proposed location for the arts and crafts show. In addition, if the proposed show is within a cul-de-sac street, the residents of the entire cul-de-sac shall receive notice.

(3) Appeal. The applicant or other affected person may appeal the administrative decision of the ~~director of planning and building~~Director of Community Development to the planning commission which will review the case at a noticed public hearing in accordance with the provision of section 33-1303 of Article 61 of this chapter. The cost of the appeal, if any, shall be borne by the appellant.

(4) Approval of Show and Subsequent Events. Once final approval of the arts and crafts show has been given, the city will send the applicant a letter of approval. The applicant will be required to post the letter of approval in a visible location for display to any city official which may inspect the property during the event.

Prior to conducting subsequent shows the applicant will be required to notify the planning division in writing sixty (60) days prior to advertising of the event. No new application form or fee will be required. If the ~~director of planning and building~~Director of Community Development determines that significant modifications are proposed, a new application, fee, and approval process will be required. Problems associated with an operation (i.e., parking, nuisance, violation of conditions of approval) will be considered in the approval of future events.

(b) Approval Criteria/Findings. The ~~director of planning and building~~Director of Community Development shall approve an arts and crafts permit based upon the following findings:

(3) Parking and Access.

(A) At least a twenty (20) foot clear access for emergency vehicles and surrounding residents must be maintained at all times to the satisfaction of the city engineer, the fire department and the ~~director of planning and building~~Director of Community Development. Factors which will be examined will include, but are not limited to, street width, street configuration, condition of the street and parking availability in the surrounding area.

(B) Adequate on-street parking, within reasonable proximity to the proposed site/residence, must be available in the surrounding area to accommodate the arts and crafts show. The amount of on-street parking available must be commensurate with the size of the property and scale of the proposed

show, such that the anticipated parking demand will not result in an adverse parking impact to the surrounding neighborhood. Applicants may choose to identify an off-site parking area from which patrons may walk (without impeding vehicular traffic), and/or be shuttled to the subject residence. The ~~director of planning and building~~Director of Community Development may approve alternative parking plans which include, but are not limited to: (i) off-site parking and shuttle service, and (ii) parking agreements to utilize nearby parking lots.

(7) Inspection of Site and Property. During all reasonable hours and in any reasonable manner, the ~~director of planning and building~~Director of Community Development (or designee), business license officer, code enforcement officer, or any law enforcement officer, may inspect the site at which an arts and crafts show is being advertised, or the personal property which may be displayed or offered for sale, for the purpose of assuring compliance with the provisions of this chapter.

(8) Findings. In order for the ~~director of planning and building~~Director of Community Development or the planning commission to grant approval of an arts and crafts permit, the following findings must be made:

Article 57, Section 33-1122. Electric generating facilities:

(b) Permit Requirements. Except where the city's land-use-permit authority is preempted by state law, the land use permit required is determined by the type of facility, as follows:

(1) A conditional use permit is required for commercial electric generating facilities proposed for the primary purpose of providing electricity to the power grid. Solar-energy systems are exempt from this requirement and design review unless the building official determines the solar-energy system would have a specific, adverse impact upon the public health and safety and there is no feasible method to avoid the specific adverse impact. Decisions of the building official may be appealed to the planning commission by filing a written request with any required fee, with the department of community development not more than ten (10) days following the final decision of the building official. The appeal shall state the reasons why the determination is contested and which findings, the appellant believes, were made in error. Decisions of the planning commission may be appealed to the city council pursuant to Article 61, Division 6 of the Zoning Code. Facilities shall conform to the following criteria:

(H) Facilities shall meet the provisions for reducing NOx in section 33-1122(d)(7);

(h) Photovoltaic Generating Facilities for Residential and Commercial Sites.

(D) Tower access. Towers shall be constructed to provide one of the following means of access control, or other appropriate method approved by the ~~planning director~~Director of Community Development:

(H) Distance from structures. Horizontal axis wind turbines shall be placed at a distance of at least two (2) times the total tower height from any occupied structure. Vertical axis wind turbines shall be placed at a distance of at least ten (10) blade diameters from any structure or tree. A modification may be granted by the ~~director of planning and building~~Director of Community Development for good cause shown, however, in no case shall the turbine be located closer than three (3) blade diameters to any occupied structure.

Article 58, Section 33-1131. Forms and information:

(a) Except as otherwise provided in this chapter, the ~~community development director~~Director of Community Development shall prescribe the form for each application, notice and document provided for or required under this article for the preparation and implementation of development agreements.

(b) The ~~community development director~~Director of Community Development may require an applicant to submit such information and supporting data as the city development director considers necessary to process the application.

Article 58, Section 33-1132. Fees:

(a) A fee or fee deposit established by city council resolution shall be paid by the applicant at the time of filing the application.

(b) Nothing in this chapter shall relieve the applicant from the obligation to pay any other fee for a city approval, permit or entitlement required by this chapter.

Article 58, Section 33-1133. Qualification as an applicant:

Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person who has legal or equitable interest in the real property which is the subject of the development agreement. The term "applicant" includes authorized agent. The ~~city development director~~Community Development Director shall require an applicant to submit proof of his interest in the real property and of the authority of the agent to act for the applicant. Before processing the application, the ~~community development~~ director shall obtain the opinion of the city attorney as to the sufficiency of the applicant's interest in the real property to enter into the agreement.

Article 58, Section 33-1135. Review of application:

(a) The ~~community development director~~Director of Community Development shall review the application and may reject it if it is incomplete or inaccurate for processing. If he or she finds that the application is complete, he or she shall accept it for filing.

(b) The ~~community development director~~Director of Community Development shall review the application and proposed agreement and shall prepare a report and recommendation to the planning commission on the agreement.

(c) The ~~community development director~~Director of Community Development shall forward a copy of the application and agreement to the city attorney for review. The city attorney shall prepare a report and recommendation to the planning commission on the agreement.

Article 58, Section 33-1136. Transmittal to planning commission:

The ~~community development director~~Director of Community Development shall transmit the application to the planning commission for a public hearing when all the necessary reports and recommendations are completed. Notice of the public hearing shall be given as provided in this chapter.

The application for a development agreement may be considered concurrently with other discretionary permits for the project.

Article 58, Section 33-1137. Planning commission report:

After a public hearing, the planning commission shall consider the application and prepare a report and recommendation for the city council. The report and recommendation shall include findings on the matters ~~stated in Section 21.70.050(b)~~ substantially set to the same form as set forth in Section 33-1138(b) of this article. This report and recommendation shall be forwarded to the city clerk who shall set the matter for public hearing before the city council.

Article 58, Section 33-1138. Decision by city council:

(b) The city council shall not approve the development agreement unless it finds that the agreement:

(2) Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located and all other provisions of ~~Title 21 of this Code Chapter 33 of this Code;~~

Article 58, Section 33-1140. Required notice:

(a) Notice of public hearing required by this chapter shall be given as provided in section 33-1300 of ~~Article LXI of this chapter~~ Article 61.

Article 58, Section 33-1144. Periodic review:

(a) The city council shall review the development agreement every twelve (12) months from the date the agreement is entered into.

(b) The time for review may be shortened either by agreement between the parties or by initiation in one or more of the following ways:

- (1) Recommendation of the ~~city development director~~ Director of Community Development;
- (2) Resolution of intention by the planning commission;
- (3) Resolution of intention of the city council.

(c) The ~~community development director~~ Director of Community Development shall begin the review proceeding by giving written notice that the city council intends to undertake a periodic review of the development agreement to the property owner. He or she shall give the notice at least ten (10) days in advance of the time at which the matter will be considered by the council.

Article 58, Section 33-1145. Procedure for periodic review:

(a) The city council or the planning commission, if the matter has been referred pursuant to subsection (d) of section ~~33-1114~~ 33-1144 of this article, shall conduct a public review hearing at which the property owner must demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue is upon the property owner.

Article 61, Section 33-1319. Powers and duties and procedure.

- (a) The zoning administrator is authorized to consider and approve, disapprove or modify applications and/or issue use permits, for requests that include, but are not limited to:
- (1) Minor conditional use permits as defined in Division 1 of this article;
 - (2) Minor conditional use permits for non-residential parking pursuant to section 33-764 of Article 39;
 - (3) Variances as defined in Division 2 of this article;
 - (4) Reasonable accommodation as provided in Division 5 of this article;
 - (5) Grading exemptions not associated with a discretionary project pursuant to section 33-1066(d) of Article 55;
 - (6) Proposed modifications to an approved precise development plan pursuant to section 33-411 of Article 19.
 - (7) Time extensions for maps and permits upon submittal of a written request for an extension request, justification statement, and payment of all required application fees.

Article 64, Section 33-1358. Design review process:

The design review process shall be as follows:

- (d) For administrative projects that require planning division review, the planning division staff shall submit recommendations to the ~~director~~Director of Community Development.

Article 65, Section 33-1376. Property development standards:

- (c) Lot dimensions for newly created parcels may vary from the underlying zone standard in order to facilitate the relocation of a historic single-family residence, provided the lot maintains the minimum square footage established for the zone and the relocated residence meets all other criteria established by the city to the satisfaction of the ~~community development director~~Director of Community Development.

Article 68, Section 33-1435. Implementation of facilities and improvements requirements.

The ~~director of building and planning~~Director of Community Development shall monitor the citywide development activity. An annual report should be prepared which includes a development activity analysis, a facilities and improvements adequacy analysis, a facility revenue/expenditure analysis, and any necessary amendments to the citywide facilities plan, if necessary.

Article 69, Section 33.1455. Processing of development applications:

- (b) An application shall be submitted in accordance with the requirements of the planning and building divisions. An application determined to be complete and in compliance with the requirements of the California Environmental Quality Act by the ~~director of planning~~Director of Community Development shall be submitted to the council economic development subcommittee in the case of projects for which no public hearing is required, or the city council in the case of projects for which a public hearing is required.

Article 69, Section 33-1457. Administrative adjustments:

Those standards set forth in sections 33-335 and 33-336 of Article 16, section 33-569 of Article 26, section 33-765 of Article 39, sections 33-1326, 33-1327, 33-1328, and 33-1333 of Article 62, in Chapter 5 of the South Centre City Specific Plan, and Figure 11-2 of the ~~downtown-specific plan~~Downtown Specific Plan shall be eligible for administrative adjustments. Adjustments of up to twenty-five (25) percent may be approved or conditionally approved by the ~~director of planning~~Director of Community Development upon demonstration that the proposed adjustment will be compatible with and will not prove detrimental to, adjacent property or improvements. The director shall give prior notice of an intended decision to provide an administrative adjustment pursuant to Article 61 of this chapter. Any applicant for an administrative adjustment shall pay a fee for such adjustment in an amount to be established by resolution of the city council.

Article 70, Section 33-1474. Development standards:

Accessory dwelling units shall be subject to all development standards of the zone in which the property is located, except as modified below:

(i) Parking requirements. Off-street parking for the primary dwelling shall conform to the current parking standards, as required in Article 39 of the Escondido Zoning Code and:

(1) One additional off street parking space, covered or uncovered, shall be provided for an accessory dwelling unit. Parking provisions may be provided as tandem parking on an existing driveway or permitted within a setback area in accordance with Sections 28-300 and 33-110 of the Escondido Zoning Code, in locations determined to be satisfactory by the ~~director of community development~~Director of Community Development, unless the director determines that parking in setback areas or tandem parking is not feasible based on specific site or regional topographical or fire and life safety conditions, or not permitted anywhere else in the jurisdiction.

Article 70, Section 33-1477. Application and procedure:

The ~~director of community development~~Director of Community Development shall approve a permit for an accessory dwelling unit within one hundred twenty (120) days of submission of a complete application, unless it is determined that the permit does not meet the requirements of this article or disapprove an application for an accessory dwelling unit, ministerially, within 120 days after receiving the application. The director may refer any ~~unit~~application to the planning commission or historic preservation commission prior to the director's decision for conformance with the specific criteria outlined in section 33-1474.

Article 73, Section 33-1533. Permitted uses.

(a) Outdoor display.

(2) The ~~director of the planning and building department~~Director of Community Development is authorized to permit additional retail items to be displayed outdoors if it can be determined that the use is consistent with the purpose of this article.

Article 75, Sec. 33-1575. Review:

(1) All requests for building permits, plot plans, business licenses and discretionary permits must be reviewed by the ~~director of planning and building~~Director of Community Development to determine if the use is permitted by the underlying zone and the development is appropriate with the purpose and intent of the overlay zone.