

CITY OF ESCONDIDO

Planning Commission and Staff Seating



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

B. FLAG SALUTE

C. ROLL CALL:

D. MINUTES: 09/13/16

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. CONDITIONAL USE PERMIT – PHG 16-0011:

REQUEST: A Conditional Use Permit to allow the expansion of an existing gas station (Arco AM/PM) from four (4) to six (6) pumps, including the replacement of the existing 37' x 52' fueling canopy with a larger 61' x 52' fueling canopy, and the reduction in width of the easterly driveway on E. Valley Parkway. The Conditional Use Permit is required since the existing convenience store sells beer and wine and would continue to do so. (Concurrent sales of fuel and alcoholic beverages requires a Conditional Use Permit for stations with five or more pumps.) The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: 2015 East Valley Parkway (APN 231-092-01-00) totaling 0.68 acre and located on the southeastern corner of East Valley Parkway and North Midway Drive.

ENVIRONMENTAL STATUS: The project is exempt from environmental review in conformance with the California Environmental Quality Act's section 15303 "New Construction or Conversion of Small Structures,"

APPLICANT: Fred Cohen, CJC Design

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

2. ZONING CODE AMENDMENT – AZ 16-0006:

REQUEST: An amendment of the Escondido Zoning Code (EZC) to streamline various review processes to change the reviewing authority and eliminate some public hearings for conditional use permits (CUPs) and other applications, including small lot developments, back-up/emergency generators, second dwelling units in the Old Escondido Neighborhood, easement access, animal boarding, hotels/motels, grading exemptions, listing properties on the local register of historic resources, and certain signs. Changes are proposed to EZC Articles 10,12, 13, 14, 26, 40, 55, 57, 63, 65, 66, and 70. The proposal also includes the adoption of the environmental determination prepared for the project. No development project is proposed.

PROPERTY SIZE AND LOCATION: Citywide

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

If you challenge this item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

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.

1. Precise Development Plan to remodel an existing drive-through restaurant for a new El Pollo Loco drive-through restaurant (Case No. PHG 16-0013)

Location: Del Norte Plaza Shopping Center, 350 W. El Norte Parkway, Suite A

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**

September 13, 2016

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

Commissioners present: Michael Cohen, Commissioner Gregory Johns, Commissioner; Don Romo, Commissioner; James Spann, Commissioner and Stan Weiler, Commissioner.

Commissioners absent: Jeffery Weber, Chairman; and Bob McQuead, Vice-chairman.

Staff present: Bill Martin, Director of Community Development; Jay Paul, Associate Planner; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Weiler, seconded by Commissioner Cohen, to approve the minutes of the August 9, 2016, meeting. Motion carried. Ayes: Spann, Romo, Cohen, and Weiler. Noes: None. Abstained: Johns. (4-0-1)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS –None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **TENTATIVE SUBDIVISION MAP, SPECIFIC PLAN AMENDMENT, MASTER AND PRECISE DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT – SUB 16-0001; PHG 16-0005; ENV 16-0001:**

REQUEST: A request for a one-lot Tentative Subdivision Map, Specific Plan Amendment, Master and Precise Development Plan and Development Agreement for the construction of 126 condominium units in three, four- and five-story

buildings in the Gateway Transit District of the Downtown Specific Plan. The proposed development includes approximately 1,000 square feet (SF) of flex space that could be for used commercial purposes. Proposed condominium units would range in size from approximately 810 SF to 2,090 SF with one bedroom lofts and two and three bedroom townhomes. Shared garage parking would be provided on the ground floor of each building and indoor and outdoor recreational amenities would be provided in the central area of the project for residents. The project would provide 226 parking spaces which is less than the City's multi-family standard, but higher than SANDAG's recommendation for transit oriented development. The proposed project includes a request to amend the Downtown Specific Plan (text on Page V-17, and Figure II-4 on Page II-12) to allow ground-floor residential (with permit) in all areas of the site. A Development Agreement is proposed to define construction and financial responsibilities including proposed pedestrian linkages to the Escondido Transit Center. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The approximately 2.59-acre project site is located on the southern side of West Valley Parkway and the northern side of West Grand Avenue, between Spruce Street and Quince Street, addressed as 700 W. Grand Avenue.

Bill Martin, Director of Community Development, referenced the staff report and noted staff issues were the appropriateness of the proposed amendment to the Downtown Specific Plan to allow ground-floor residential uses on the entire project site; appropriateness of the proposed project design for the downtown area; whether the proposed reduction in parking based on SANDAG's Transit-Oriented Development parking standards is appropriate for the site; whether the provisions of the proposed Development Agreement provides adequate pedestrian access to the Escondido Transit Center; if the requested fee incentives can be justified; and the appropriateness of public street vacation and use of the public right-of-way for front steps on W. Grand Avenue. Staff recommended approval based on the following: 1) The site was directly across the street from the Escondido Transit Center. Due to its unique location, the property is well-suited for a transit-oriented development including high-density residential uses. In order to achieve the necessary residential density, the applicant has requested the ability to use the entire site for residential uses rather than being required to provide commercial uses along the street frontages. They have, however, built-in flex space that could be leased for a commercial use to serve area residents and commuters. Staff supports this request since it would increase the residential population in the downtown area in support of Downtown Specific Plan goals of providing high density residential uses and the creation of an environment with convenient access and opportunities for alternative modes of transportation; 2) The applicant has provided a project that is architecturally appealing through the use of various

materials and architectural elements, including smooth and sand finish stucco, white brick, metal awnings and balcony railings, vinyl windows for the residential units, and bronze aluminum storefronts for the flex space and leasing/rec building. Landscaping would be provided throughout the site, including within the rights-of-way along both street frontages and along the side yards. The buildings have been designed with variations in setbacks from property lines and rights-of-way, have projecting and recessed elements on all floors that give relief to the scale and mass of the buildings, and have front doors facing the streets in order to maintain the urban, pedestrian-oriented environment that is envisioned for the downtown area. Staff believes the project would provide an upscale living environment for people desiring an urban lifestyle with a variety of transportation options; 3) The requested parking reduction is based on the transit-oriented nature of the proposed project and its location. Rather than relying on the City's multi-family parking standards, the applicant has requested the ability to use parking standards recommended by SANDAG for transit-oriented developments. The 226 parking spaces proposed for the project fall approximately half-way between the City requirement (246 spaces) and SANDAG's recommendation (208 spaces). Additionally, the project would provide secure bicycle storage areas in each building in support of the use of alternative transportation options that may alleviate the number of resident parking spaces required. Staff believes the proximity to the Escondido Transit Center (and to a lesser extent, the provision of secure bicycle storage areas) justifies the requested reduction in parking; 4) As part of the proposed project, the applicant will be installing signalized pedestrian crossings between the Escondido Transit Center and the project site, and between the project site and Spruce Street. They will also be providing a public pedestrian sidewalk on their property (adjacent to the NCTD right-of-way) in order for pedestrians to easily access the transit station from areas to the south of the project site. In exchange, the City would provide financial incentives in the areas of fee credits for water and wastewater connections, and would freeze impact fees at the levels in-place at the time of entitlement. Staff believes the pedestrian access improvements, in an area where alternative transportation methods are encouraged, justifies the financial incentives afforded to the project; and 5) The City has excess right-of-way along the frontage of the project site on W. Grand Avenue. The developer has requested the vacation of a nine-foot wide strip of the right-of-way in order to accommodate the project. The applicant has also requested the ability to place two to three steps within right-of-way leading up to the front doors of twelve units on W. Grand Avenue. Staff supports the right-of-way vacation and use for stairs because W. Grand Avenue, after the vacation, would still comply with the requirement for a collector street identified in the Infrastructure and Mobility Element of the General Plan, and because the stairs would not encroach into the required eight foot wide sidewalk and would enhance the pedestrian-oriented urban environment by providing direct front door access from the public street.

Commissioner Johns felt the project lent itself to overflow parking demand and questioned where this would occur. Mr. Martin noted the intent was that the parking management plan would alleviate overflow parking issues. He also stated that there could be opportunities for short-term parking along Valley Parkway and Grand Avenue, as well as possibly leasing spaces from NCTD.

Commissioner Spann and Mr. Martin discussed the proposed 9-foot street vacation.

Commissioner Weiler asked if there was a restriction on the flex space so it could not be used as a living unit. Mr. Martin replied in the negative. Mr. Owen noted the final map would have to be re-mapped in order to add another unit to the project.

Commissioner Weiler and staff discussed the proposed fee credits.

Commissioner Romo and staff discussed the location for the one-bedroom units and the sizes for the loft spaces.

Commissioner Weiler asked if the steps on the landing off of grand encroached into the right-of-way, noting his concern for the City's liability. Mr. Tunnell replied in the affirmative and noted that the City's preference would be to increase the street vacation in order to alleviate this issue.

Greg Waite, Encinitas, Applicant, noted that the project was part of the downtown specific plan being realized. He stated that the project would provide safe connectivity to its residents to access transit, provide opportunities for local construction jobs, and provide significant tax revenue to the city. He also noted that the project would provide a living environment near downtown.

Commissioner Weiler expressed his concern with parking and asked how they planned on managing parking issues. Mr. Waite provided an overview of their parking management plan, feeling this would mitigate any parking issues. He also noted that they had discussed potential parking opportunities with NCTD.

Commissioner Weiler and Mr. Waite discussed the proposed guest-parking plan.

Marie Bowman, Escondido, noted that she was the original chairman of Mercado Association. She expressed her support for the project, noting that it would boost the economy for the Mercado and entire community.

Commissioner Johns did not believe the SANDAG or City parking ratios as pertained to the subject project were appropriate to provide adequate parking.

Commissioner Weiler stated he was originally concerned with the parking for this project but noted that he felt the proposed parking management plan and staff's recommendations would mitigate issues.

Commissioner Cohen and Mr. Waite discussed the proposed parking ratios.

Commissioner Spann was in favor of the proposed project. He also felt the parking management plan would work for the project.

Commissioner Weiler recommended conditioning the project so that the flex area could not be converted to a living unit and that the project's steps along Grand Avenue not be in the right-of-way.

Commissioner Romo was favor of the project as long as there was no on-street parking along Grand Avenue. Mr. Martin noted that the applicant was not proposing or relying on any on-street parking.

ACTION:

Moved by Commissioner Weiler, seconded by Commissioner Spann, to approve staff's recommendation. The motion included conditioning the project so that the flex area could not be converted to a living unit, that the project's landing steps along Grand Avenue not be in the right-of-way, and that on-street parking along Grand Avenue was prohibited. Motion carried. Ayes: Weiler, Cohen, Romo, and Spann. Noes: None. Abstained: Johns. (4-0-1)

2. EXTENSION OF TIME FOR A TENTATIVE SUBDIVISION MAP, MODIFICATION TO A MASTER AND PRECISE DEVELOPMENT PLAN AND GRADING EXEMPTION – SUB 15-0031 and PHG 16-0010:

REQUEST: The proposed project involves a request for a three-year Extension of Time for an approved five-lot Tentative Subdivision Map (original Map Number TR 900) consisting of one 1.82-acre commercial lot and four single-family residential lots on 1.38 acres in conjunction with a modification to an approved Master and Precise Development Plan (original File No. 2004-70-PD/GE) for a 71,285 SF self-storage facility on the commercial lot. The proposed modifications to the self-storage facility include an approximately 6,782 SF increase in overall floor area (78,067 total floor area) along with a change to the architectural design of the buildings from California/Mediterranean to a more contemporary style. The overall number of stories and height of the two commercial buildings would remain the same (Building 1 two stories over a basement, and Building 2 one story). The four single-family residential lots range in size from 12,810 SF to 14,000 SF similar to

the previously approved Tentative Subdivision Map. A Grading Exemption also was approved for a combination cut slope/retaining wall up to 18 feet in height with an inclination between 1-1/2:1 to 2:1 along the eastern boundary of the commercial lot. The revised project has been designed to conform to the new storm water permit requirements. The proposal also includes the adoption of the environmental determination prepared for the project.

LOCATION: The 3.20-acre project site generally is located on the southwestern corner of Brotherton Road and Cranston Drive, east of Center City Parkway, addressed as 2319 Cranston Drive (APN 238-141-34).

Jay Paul, Associate Planner, referenced the staff report and noted staff issues were whether the design of the subdivision is consistent with the PD-C and R-1-10 development standards, appropriateness of the proposed modifications to the self-storage facility with respect to neighborhood compatibility, and whether the residential homes should be constructed prior to or concurrently with the self-storage facility. Staff recommended approval based on the following: 1) While the Planned Development-Commercial zone does not have specific development standards for a commercial lot, the proposed 1.82-acre commercial lot would be consistent with the General Commercial lot design standards. The four residential lots would be consistent with the underlying R-1-10 design standards for lot area, width and street frontage. All of the proposed lots are designed with sufficient area to develop a typical single-family residence, garage, and usable open space areas while meeting all setback and height requirements. Appropriate on-site and street frontage parking also would be available; 2) Staff felt the self-storage facility has been appropriately designed because the grading plan for the commercial development incorporates the same grading design and pad elevations as the previously approved project. Building heights also remain the same, and much of the floor area either is below ground or at grade to preserve views from the existing residence to the east and to reduce the overall mass and scale of the facility. The more contemporary building architecture incorporates residential like design elements and materials used throughout the surrounding area. The project also includes appropriate perimeter landscaping, along with the required 20-foot-wide landscape buffer and solid masonry separation/noise walls adjacent to residential development on the east and southeast; and 3) Staff did not have concerns with removing the original condition that requires the homes to be built at the same time as the self-storage facility because the Tentative Map would be required to be recorded as a single project and all street improvements, grading and storm water features associated with the commercial and residential components completed at the same time. In addition, appropriate security would be in place to ensure appropriate maintenance of any required frontage landscaping and on-site storm water features for both components of the project until the homes ultimately are completed.

Commissioner Weiler and staff discussed the timing for undergrounding the utilities and installation of sidewalks.

Commissioner Romo discussed the parameters of the extension of time.

Jim Barisic, Irvine, applicant, noted that they worked with staff for over a year on the subject project. He stated that they concurred with staff's recommendation. He also indicated that they were very pleased with changes to the architectural schemes.

Irene Shaw, Escondido, stated that she lived near the subject project. She noted that her neighborhood was unaware that the project was being expanded in size. She indicated that she was concerned with potential traffic impacts to the neighborhood. She did not feel the project would be compatible with the residential area. She also felt more neighbors would have attended the meeting had they known the project was being expanded.

Rick Ankrom, Escondido, referenced Page 63 of the staff report, noting that it did not show the full intersection of South Escondido Boulevard, Centre City Parkway, and Brotherton. He stated that this area had extensive traffic noting previous accidents at this intersection. He indicated that most of the businesses take egress and ingress off of South Escondido Boulevard. He was opposed to the access for the project being off of Brotherton and Cranston due to the streets being narrow and residential. He noted that he had never seen a storage facility in a residential area. He was concerned with the requests to change the architecture, increase the square footage, and the extension of time. Mr. Ankrom then referenced the traffic analysis, feeling the projected ADTs generated by the self-storage units needed to be further analyzed. He felt the project's residences should be built in conjunction with the facility, noting his view that this would help provide additional screening, and that the new architectural design was did not match the surrounding residential area.

Commissioner Romo and staff discussed uses that were allowed in the subject zoning.

Mark Whitehead, Irvine, stated that they had just purchased the project a year ago, noting that the original applicant was not able to finish the project. He indicated that being able to sell the residential lots individually provided more flexibility to build custom homes. He noted they were a homebuilder and would not be opposed to building homes on the four lots. He stated that the egress and ingress had not changed from what was originally approved. He noted that the change in square footage, especially for Building 2 was a more efficient use of the site while providing appropriate screening. He also noted that self-storage facilities

were very low traffic generators as well as noting that they had worked with City on the appropriate architecture design.

Commissioner Romo and staff discussed the pad elevations.

Commissioner Johns and staff discussed the locations for the closest self-storage facility to the project.

Commissioner Spann stated that self-storage facilities were low traffic generators. He felt the proposed plan was superior to the previous plan.

Commissioner Romo noted that the project had already been approved, would have minimal impacts on traffic, and in his view be the best use for the site.

ACTION:

Moved by Commissioner Cohen, seconded by Commissioner Weiler, to approve staff's recommendation. Motion carried. Ayes: Weiler, Cohen, Romo, and Spann. Noes: None. Abstained: Johns. (4-0-1)

CURRENT BUSINESS: None.

ORAL COMMUNATIONS: None.

PLANNING COMMISSIONERS:

Commissioner Weiler and staff discussed status of the South Escondido Neighborhood Plan.

Mr. Martin noted that there could be some pending items that would require a November 22nd meeting.

ADJOURNMENT:

Commissioner Romo adjourned the meeting at 8:47 p.m. The next meeting was scheduled for September 27, 2016, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Bill Martin, Secretary to the Escondido
Planning Commission

Ty Paulson, Minutes Clerk

PLANNING COMMISSION

Agenda Item No.: G.1

Date: September 27, 2016

CASE NUMBER: PHG 16-0011

APPLICANT: Fred Cohen, CJC Design

LOCATION: Southeastern corner of East Valley Parkway and South Midway Drive, addressed as 2015 East Valley Parkway (APN 231-092-0100)

PROJECT TYPE: Conditional Use Permit

PROJECT DESCRIPTION: A Conditional Use Permit to allow the expansion of an existing gas station (Arco AM/PM) from four (4) to six (6) pump islands (8 to 12 pumps), including the replacement of the existing 37' x 52' fueling canopy with a larger 61' x 52' fueling canopy, and the reduction in width of the easterly driveway on East Valley Parkway. The Conditional Use Permit is required since the existing convenience store sells beer and wine and would continue to do so. (Concurrent sales of fuel and alcoholic beverages requires a Conditional Use Permit for stations with five or more pumps.) The proposal also includes the adoption of the environmental determination prepared for the project.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: General Commercial

ZONING: CG (General Commercial)

BACKGROUND/SUMMARY OF ISSUES: The .68 acre subject site was originally developed as a Shell automotive service and gasoline station in 1971. Over the years, many changes have been made on the site, including the elimination of service bays, the construction of a convenience mart and replacement of a donut shop with a small carwash. The site also has a 1,924 SF canopy with four gasoline pump islands (8 pumps). Gasoline service stations, convenience stores, and car washes are permitted by right in this zone. State law authorized the conditional use permit procedure for the sale of alcoholic beverages where the primary business activity is the sale of motor vehicle fuel. State regulations were established to reduce the frequency of impulse buying of alcoholic beverages by motor vehicle operators or passengers and increase public awareness of the problems associated with drinking and driving. In the City of Escondido, the sale of beer and wine is allowed by right at service stations having four or fewer motor vehicle fuel pumps, however, a Conditional Use Permit is required for stations with more than four pumps. Specific operational conditions are included in Article 57 of the Escondido Zoning Code to control the sale, display and advertising of alcohol on the premises (*Section 33-1115 - Concurrent sale of motor vehicle fuel and alcoholic beverages*).

Staff feels that the issues are as follows:

1. Whether the site is suitable for the proposed expansion.
2. Appropriateness of continuing the sale of alcoholic beverages at the gasoline station.

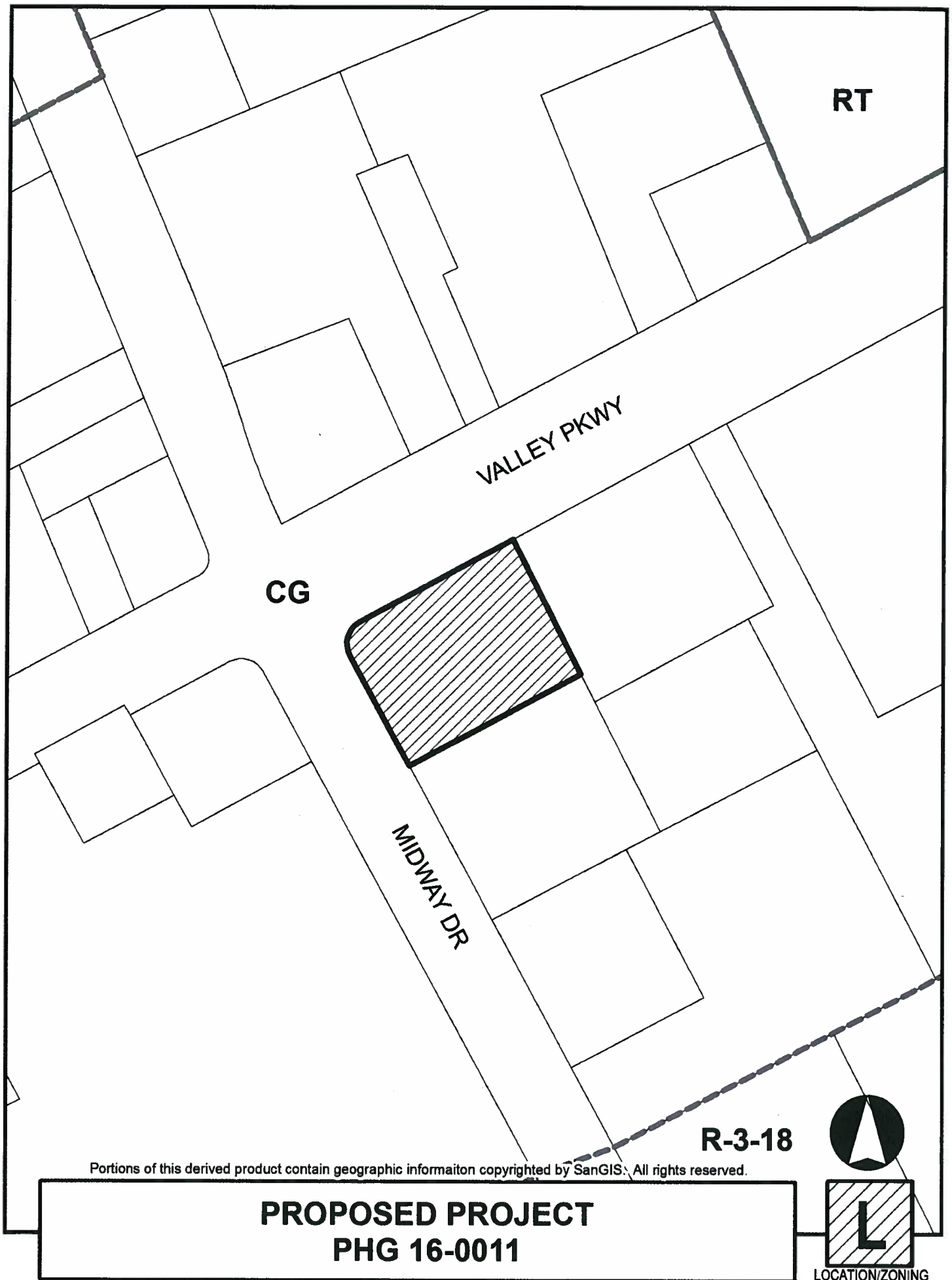
REASON FOR STAFF RECOMMENDATION:

1. The City's Building, Engineering and Fire departments have not identified any concerns that would preclude the construction necessary for the proposed expansion on this site.
2. The Police Department has not identified any concerns with approving the CUP for the sale of alcoholic beverages at the gas station. The permit contains appropriate conditions with the intent of preventing any alcohol-related problems at the business, in accordance with State law and the Escondido Zoning Code (Article 57).

Respectfully submitted,

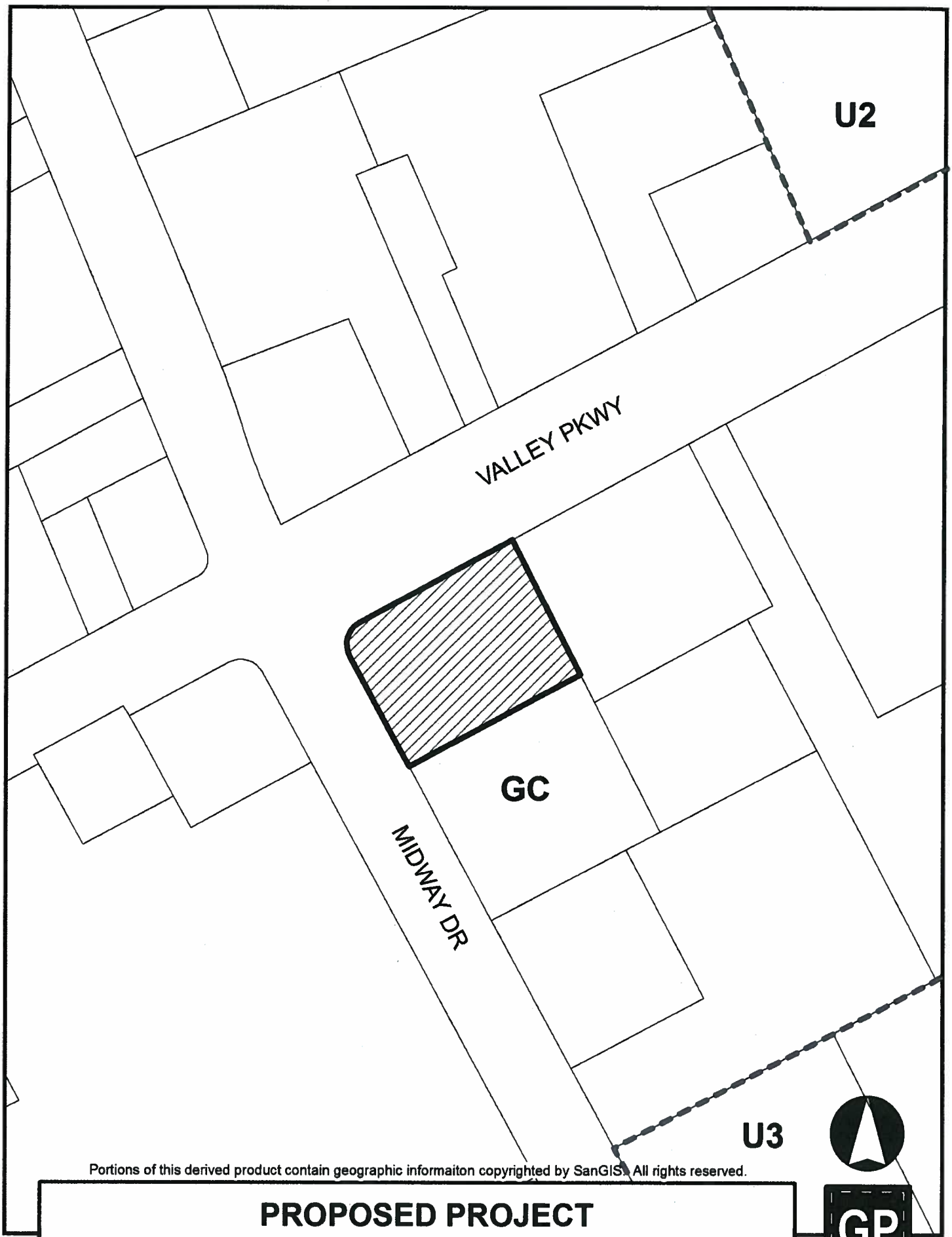


Paul K. Bingham
Assistant Planner II



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**PROPOSED PROJECT
PHG 16-0011**

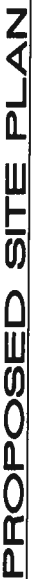


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**PROPOSED PROJECT
PHG 16-0011**

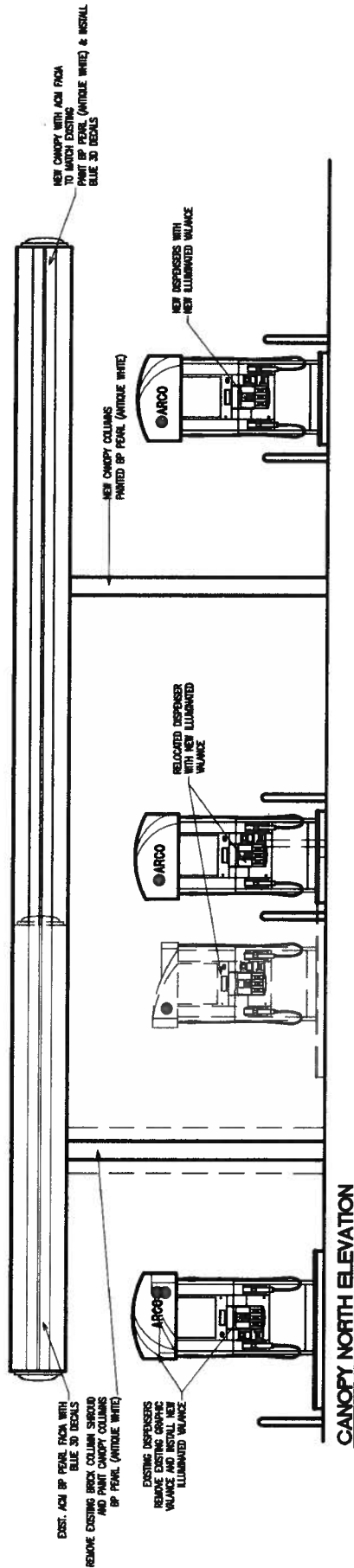


GENERAL PLAN



4

SITE PLAN



CANOPY NORTH ELEVATION

**PROPOSED PROJECT
PHG 16-0011**

E

ELEVATION



PROPOSED PROJECT
PHG 16-0011

3D

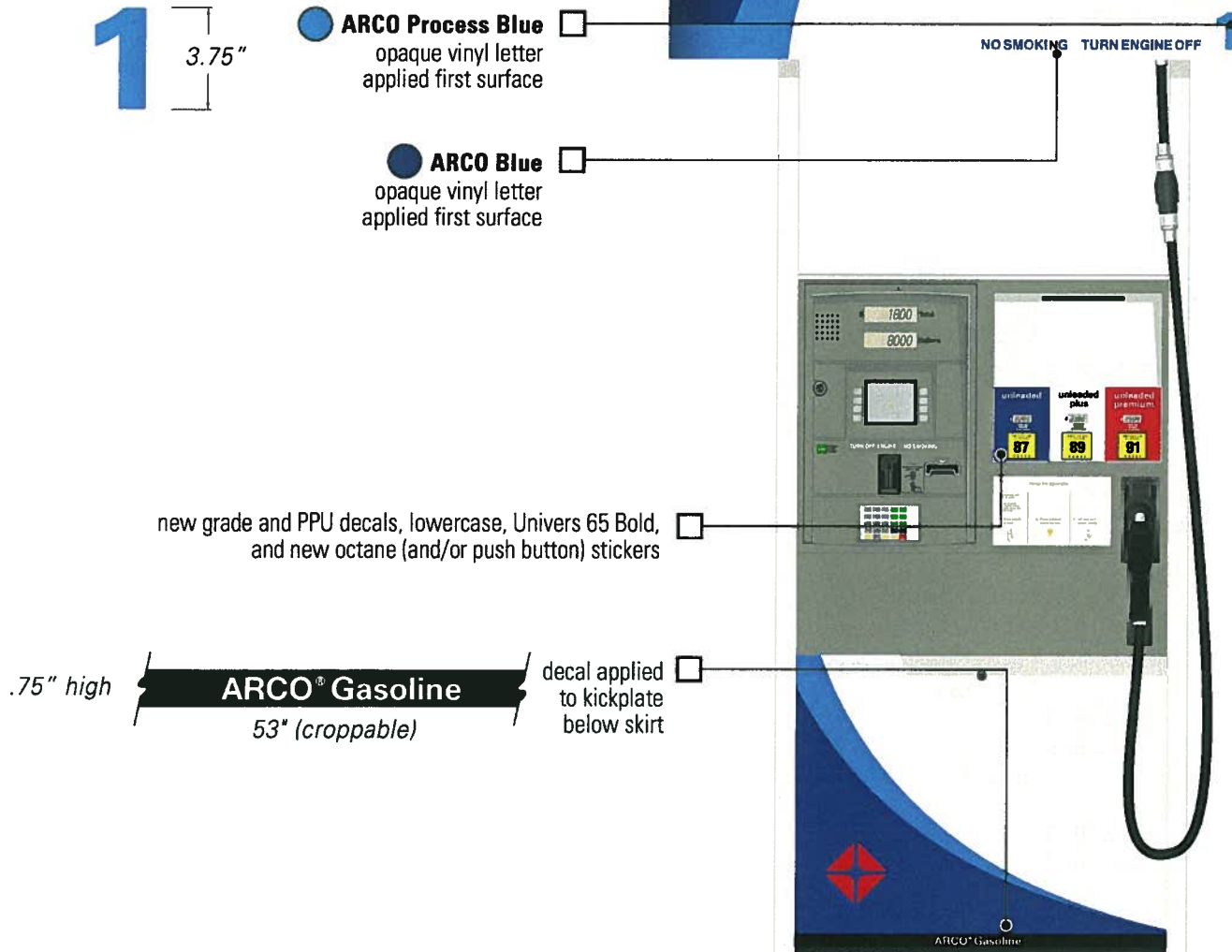
3D RENDERING

1. New decal placement

a. scope: *DURACOLOR*: Valance should be shipped with "NO SMOKING TURN ENGINE OFF" decal already applied. Pump numerals are applied in the field, depending on pump island installation location.

b: Gas/grade decals and ARCO Gasoline decals are applied in the field per locations specified below.

Gilbarco Encore (large valance)



PROPOSED PROJECT
PHG 16-0011

E

ELEVATION

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

- NORTH – CG (General Commercial) – Independent gas station at the corner and a mix of retail shops in the adjacent strip center
- SOUTH – CG (General Commercial) – Retail shops in adjacent strip center
- EAST – CG (General Commercial) – Parking lot for adjacent thrift store
- WEST – CG (General Commercial) – Palomar College eastside Escondido campus

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service – The Police Department has expressed no concern regarding their ability to provide service to the site.
2. Effect on Fire Service – The site is served by Fire Station No. 2 (451 North Midway Drive) which is about 300 feet to the north. The anticipated response time would be much less than five minutes, which is within the time specified for urbanized areas in the General Plan. This Conditional Use Permit request could contribute incremental increases in demand for fire services. Comments received from the Escondido Fire Department indicate that adequate services can continue to be provided to the site and the proposed CUP will not impact levels of service.
3. Traffic – The site has frontage on and takes access from East Valley Parkway, a Prime Arterial roadway (80' R.O.W) in the City's General Plan Circulation Element, and access from South Midway Drive, a Collector street (66' R.O.W.) in the City's General Plan Circulation Element. Both of these roadways are currently operating at Level of Service (LOS) B. The proposed Conditional Use Permit request would result in increases in daily AM and PM peak-hour traffic on weekdays and weekends, but according to the Engineering Services Division, the project will not materially degrade the levels of service on adjacent streets. The project will be conditioned to pay Traffic impact fees.
4. Utilities – City sewer and water mains with sufficient capacity to serve the project are available and existing within the adjoining street or easement. The proposed CUP does not materially degrade the levels of service of the public sewer and water systems.
5. Drainage – The project site is not located within a 100-year Flood Zone as indicated on current FEMA maps. There are no significant drainage courses within or adjoining the property. Currently a storm drain culvert exists at the corner of South Midway Drive and East Valley Parkway. No changes to this fixture are proposed. The project will not add additional paved surface or alter the existing grade and therefore will not add to the current levels of site runoff. The project does not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. In accordance with CEQA Section 15303 Class 3 (c) "New Construction or Conversion of Small Structures" the request is exempt from environmental review, and a Notice of Exemption was prepared on September 19, 2016.
2. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed expansion.
3. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan

The General Plan land-use designation on the site is General Commercial, which allows for gasoline stations, convenience stores and the sale of retail merchandise, including alcoholic beverages. The display and sale of alcoholic beverages is conditionally allowed in commercial zones at gas stations with more than four pump stations.

Whether the Site is Suitable for the Proposed Expansion.

The General Plan land-use designation on the site is General Commercial, which allows for gasoline stations, convenience stores and the sale of retail merchandise including alcohol. The display and sale of alcoholic beverages is conditionally allowed in commercial zones at gas stations with more than four pump stations.

The site has adequate area to accommodate the proposed expansion. The additional pumps and the larger overhead canopy are sited in such a way so as not to violate setbacks or impede circulation within the site. There will also be no adverse effects on required parking or access into and out of the site.

Appropriateness of Continuing the Sale of Alcoholic Beverages at the Gasoline Station

A gasoline station and convenience store is a permitted use in the CG zone. The sale of alcoholic beverages at a gasoline station with more than four pumps requires approval of a Conditional Use Permit so that appropriate operational conditions can be applied to the use in order to reduce potential adverse effects on the neighborhood and City. The site is near other commercial operations that also sell alcohol. The project request includes the addition of two motor vehicle fuel pump islands and a new larger overhead canopy to accommodate the additional pumps.

The existing station currently has four pump islands with pumps sufficient to fuel eight vehicles simultaneously. It is currently non-conforming since it sells alcohol and has more than four motor vehicle fueling stations without the benefit of a Conditional Use Permit. This CUP will bring the station into conformance with Section 33-1115 of the City's Zoning Code.

The Planning Division depends on the Police Department to evaluate a request for an alcohol license and recommend appropriate conditions for the site and use, if a license is to be granted. The Police Department did not identify any issues with the request. The project is also subject to the requirements contained in Article 57 of the Zoning Code, which regulate the display and advertising of alcohol and are included in the CUP conditions. The project is also subject to any separate provisions that might be required by the ABC license. Therefore, staff feels the CUP should be approved as conditioned.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The project site consists of an existing gasoline station, convenience store and car wash. The facility is on a flat property at the southeast corner of East Valley Parkway and South Midway Drive. Vegetation on the site consists of ornamental landscaping with no native vegetation. Access is provided from two driveways on East Valley Parkway and one driveway on South Midway Drive. The site does not connect with the neighboring retail strip centers or parking lots.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 0.68 acres (29,621 SF)
2. Size of Structures:

Approved Convenience Store	3,100 SF
Approved Retail Space	2,220 SF
Approved Car Wash	704 SF
Existing Canopy	1,924 SF
Proposed Canopy	3,172 SF
3. No. of Gas Pumps 4 pump islands (8 stations), expanding to 6 pump islands (12 stations)
4. Hours of Operation: Up to 24 hours (this CUP does not restrict the general hours of operation of the gas station or convenience store). The ABC license may stipulate hours that alcoholic beverages can be sold and set other restrictions.
5. Number of Employees: 2 or 3 existing, no new employees proposed (number to remain unchanged)

C. CODE COMPLIANCE ANALYSIS

	<u>Provided</u>	<u>Required</u>
1. Parking:	13 <u>total spaces</u>	12 total spaces minimum
	1 ADA Accessible	1/250 SF for the convenience store
	12 standard	1 per pump (provided at the pump)
2. Setbacks:		
Front	19 feet	5 feet (for corner lots in the CG zone)
Side (interior)	5 feet	5 feet (for corner lots in the CG zone)
Side (street side)	33 feet	5 feet (for corner lots in the CG zone)
Rear	13 feet	0

D. PREVIOUS CASE FILES

ADM 10-0069 Most recent signage approvals

2003-21-PPL Plot Plan for current car wash

93-92-PPL Plot Plan for current pump configuration

87-1302-PPL Original Plot Plan case file for the Shell service and gas station.

EXHIBIT "A"
FINDINGS OF FACT
PHG 16-0011

Conditional Use Permit

1. Granting the Conditional Use Permit for the proposed use would be based on sound principles of land use and in response to services required by the community since the project would expand the availability of services already existing on the site and would apply conditions to the existing sale of alcoholic beverages. All ordinance requirements also would be satisfied regarding the sale and display of alcohol.
2. Granting the Conditional Use Permit will not cause deterioration of bordering land uses or create special problems for the area since the site is zoned for commercial uses; the gasoline station, convenience store, and alcohol sales are existing and conditions relating to alcohol sales will be applied to the permit to address potential alcohol-related concerns. Adequate parking and on-site circulation also are provided.
3. The proposed Conditional Use Permit has been considered in relationship to its effect on the community or neighborhood plan and would not result in a negative impact since the property is zoned commercial, is surrounded by commercial zoning and uses, and the site is not located in a neighborhood/community area plan. Potential loitering and alcohol-related issues will be governed by the Escondido Municipal Code, the Alcohol Beverage Control board regulations, and the Conditions of Approval in Exhibit "B."
4. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15303 Class 3 (c) "New Construction or Conversion of Small Structures." A Notice of Exemption was prepared for the proposed project. In staff's opinion, the request does not have the potential for causing a significant effect on the environment.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG 12-0013

General

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, including any applicable City Wide Facilities fees.
2. Any 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.
3. 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.
4. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
5. The easterly driveway connecting to East Valley Parkway shall be narrowed by expanding the planter to the west to the satisfaction of the City Engineer.
6. The existing trash enclosures shall be covered.
7. 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 and a separate Sign Permit application is required. If there is an existing Sign Program at this location, the Sign Program will need to be followed or amended.
8. All uses shall be consistent with the Details of Request and conditions of approval contained within this report.
9. This CUP is for the expansion from four (4) motor vehicle fuel pump islands (8 pumps) to six (6) pump islands (12 pumps) in conjunction with the existing sale of alcoholic beverages at the existing convenience store. The project also is subject to any relevant conditions of approval required as part of any previous permits/approvals for the development and operation of a gas station/convenience store on this site.
10. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
11. Loitering is prohibited on or around these premises or the area under the control of the licensee.
12. No alcoholic beverage shall be displayed within five feet of the cash register or the front door.
13. No advertisement of alcoholic beverages shall be displayed at motor fuel islands.
14. No sale of alcoholic beverages shall be made from a drive-in window.
15. No display or sale of alcoholic beverages shall be made from any ice container.
16. No self-illuminating advertising for alcoholic beverages shall be located on the buildings or windows.
17. Employees selling alcoholic beverages between the hours of 10:00 p.m. and 2:00 a.m. shall be at least twenty-one years of age.
18. Coolers displaying alcoholic beverages shall be locked from 2:00 a.m. to 6:00 a.m. if the store is in operation during these hours.
19. At least two signs shall be posted in visible places on the convenience store building (one adjacent to the entrance) stating the consumption of alcoholic beverages on the premises is prohibited and that violators will be prosecuted.

20. The licensee shall comply with all conditions set forth in the premise license issued through the Department of Alcoholic Beverage Control at all times.
21. Any violation of this Conditional Use Permit or additional conditions set forth in the premise license issued by the Department of Alcoholic Beverage Control may result in a suspension or revocation of this CUP.
22. If any conflicts exist between conditions of this CUP and those imposed by the Department of Alcoholic Beverage Control, the stricter provisions shall apply.
23. Prior to building permit issuance, color elevations of the new canopy shall be submitted to the Planning Division for review and approval.
24. The project owner is responsible for modification of the existing westerly driveway approach on Valley Parkway by maintaining the west side of the driveway and reconstructing the east side to provide for a 30 foot wide alley-type driveway. A professional engineer or architect shall prepare grading, drainage and erosion control plans for the site and submit them for review and approval by the City Engineer for the driveway modification.
25. The project owner shall be responsible to remove and replace any damaged sidewalk along the project frontage on Midway Drive and Valley parkway to the requirements of the City Engineer. The project owner shall also be responsible for the repair of any damage to public improvements as a result of construction activities for the project. All improvements shall be completed prior to project completion.
26. The project owner shall provide the City with a \$5000 refundable cash clean deposit for the driveway work, prior to issuance of an Encroachment Permit by the Engineering Division.
27. The project owner is responsible to pay current Traffic Impact Fees for the additional fueling stations.
28. An Encroachment permit shall be obtained from the City's Engineering Field Office prior to beginning any work in the public Right-of-Way.
29. 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 date of the Planning Commission hearing) a check payable to the "County Clerk" of San Diego County 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.



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

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Chief Deputy Recorder Clerk
1160 Pacific Highway, Room 260
San Diego, CA 92101

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

Project Title/Case Nos.: AM/PM Station Convenience Store – case PHG 16-0011

Project Location - Specific: A .68 acre site on the southeast corner of East Valley Parkway and North Midway Drive, addressed as 2015 East Valley Parkway (APN 231-092-0100).

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

Description of Project: A Conditional Use Permit to allow the expansion of an existing gas station (Arco AM/PM) from four (4) to six (6) pumps, including the replacement of the existing 37' x 52' fueling canopy with a larger 61' x 52' fueling canopy, and the reduction in width of the easterly driveway on E. Valley Parkway. The Conditional Use Permit is required since the existing convenience store sells beer and wine and would continue to do so. (Concurrent sales of fuel and alcoholic beverages requires a Conditional Use Permit for stations with five or more pumps.) The proposal also includes the adoption of the environmental determination prepared for the project..

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Fred Cohen, CJC Design

Telephone: (714) 920-9643

Address: 22485 La Palma Ave., #202, Yorba Linda, CA 92887

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

Exempt Status:

Categorical Exemption. CEQA Section 15303 Class 3 (c) "New Construction or Conversion of Small Structures."

Reasons why project is exempt:

1. The proposed development is consistent with the General Commercial (GC) General Plan designation and General Commercial (CG) zoning on the property, and no variances are required.
2. All services and access to the property are available or can be provided to local standards.
3. The project consists of the addition of two new pump islands and the expansion of an existing canopy on a fully developed commercial site.
4. The project site lies entirely within a developed area of the city and the proposed project will not cause the removal of any sensitive vegetation or habitat nor affect any cultural or historic resources.

Lead Agency Contact Person: Paul K. Bingham

Area Code/Telephone/Extension (760) 839-4306

Signature: _____

Paul K. Bingham

Paul K. Bingham, Assistant Planner II

9/19/16

Date

☒ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant

PLANNING COMMISSION

Agenda Item No.: G.2
Date: September 27, 2016

CASE NUMBER: AZ 16-0006
APPLICANT: City of Escondido
LOCATION: Citywide
TYPE OF PROJECT: Zoning Code Amendment

PROJECT DESCRIPTION: An amendment of the Escondido Zoning Code (EZC) to streamline various review processes to change the reviewing authority and eliminate some public hearings for conditional use permits (CUPs) and other applications, including small lot developments, back-up/emergency generators, second dwelling units in the Old Escondido Neighborhood, easement access, animal boarding, hotels/motels, grading exemptions, listing properties on the local register of historic resources, and certain signs. Changes are proposed to EZC Articles 10, 12, 13, 14, 26, 40, 55, 57, 63, 65, 66, and 70. No development project is proposed.

STAFF RECOMMENDATION: Approval

BACKGROUND/SUMMARY OF ISSUES:

In 2014 the City launched the "Working Together to Get to YES!" program (YES Program) in an effort to streamline business and development approval processes. Since its inception, the City has made progress in implementing key elements of the program. The YES Program demonstrates the City's intent to create a conducive and enticing environment for private sector investment in the community. Ultimately, the YES Program seeks to align policies and codes with City Council priorities, increase administrative discretion in approving projects, enhance internal and external communication, and eliminate steps in the approval process.

The City Council's 2015-2016 Action Plan for Economic Development adopted a strategy to implement the Yes Program. Staff was directed to revamp and clean up policies, practices and standards associated with the development entitlement process to increase efficiencies by eliminating outdated and burdensome processes and reduce project timeframes and costs through the implementation of streamlined review processes. Several of the city's standards, policies and practices have already been updated since the adoption of the Action Plan including a reduction in CEQA thresholds, outsourcing production of draft CEQA documents, adoption of Rural Road Standards and adding staff discretion to reduce commercial parking standards.

The proposed amendment to the Escondido Zoning Code would revamp and update several planning processes and conditionally permitted land uses. This first phase of the Zoning Code update primarily focuses on practices where the value added by the current Planning Commission or City Council review process is negligible and results in unnecessary additional time and expense to project applicants. In most cases, review authority is downgraded to the Community Development Director or staff level (administrative review) to advance the goal of project streamlining. There are nine separate items proposed. Several of the items require the modification of more than one Article of the Zoning Code. These related amendments are listed as subitems. Generally the items involve requests/applications for a use that already has established development standards. In these instances, requests are evaluated against the standards, which can be done by the city's professional staff. Whenever there was a question as to conformance with the standards, staff would refer the item to the next higher review authority.

REASONS FOR STAFF RECOMMENDATION:

1. The proposed amendments to the Zoning Code implement a portion of the "Working Together to Get to Yes!" program associated with the City Council's 2015-2016 Action Plan Economic Development goal to "Revamp and clean up policies, practices and standards around Planning, Development, Enforcement and Economic Development."
2. The proposed amendments to the Zoning Code would streamline existing development review processes by eliminating longstanding public hearing requirements for certain applications where the value added by the process has not balanced with the time delay imposed upon project applicants. Public hearings for the affected applications generally are sparsely attended and typically generate minimal discussion by the hearing body. Lowering project review down to the administrative level results in cost savings and reduced processing times for both the project applicant and staff. Several of these items can also be addressed during the review of associated applications without relying on a separate public hearing or permit process.
3. Streamlining existing development review processes as proposed would increase efficiencies by changing some reviews from two public hearings to one hearing; a public hearing to administrative review (some with public notice); and changing several conditionally permitted uses to permitted uses subject to development standards.

Respectfully Submitted,



Rozanne Cherry
Principal Planner

SUMMARY
Proposed Changes to Review Authority

Item #		From	To
1	Easement access in R-1 zones	PC – hrg	Staff with map review TPM – NOID TSM – PC hearing
2	Small Lot Developments in multi-family zones	PC - hrg	Staff with map review TPM – NOID TSM – PC hearing
3	Animal (Dog) boarding facilities in M1/M2 zones	PC – hrg	Permitted Use with standards
4	Stand-alone Grading Exemptions & GEs part of an administrative application	PC - hrg	Staff with NOID
5	Emergency/Back-up generators	PC - hrg	Staff
6	2 nd D/U in OEN	PC - hrg	Staff PPL with HPC design review
7	Local Register Listings	CC & HPC - hrgs	HPC – current business
8	Hotel/Motels	CC & PC - hrgs	PC hrg only
9	Larger Signs (Col. B), Freeway oriented signs, & super-graphic signs	PC – design review	Staff design review
	Approval of sign deviations for historic bldgs. & historic advertising structures	PC –design review	HPC – design review

CC = City Council PC = Planning Commission HPC = Historic Preservation Commission
TPM = Tentative Parcel Map (administrative) TSM = Tentative Subdivision Map PPL = Plot Plan (administrative)
hrge = hearing NOID = Notice of Intended Decision (public notice in paper, mailed to 500' radius & posted on site)

ANALYSIS

A. ENVIRONMENTAL STATUS

The proposed code amendment is exempt from environmental review in conformance with CEQA Guideline Section 15061(b)(3). The activity is covered by the general rule that exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment. Approval of the proposed amendment to the Escondido Zoning Code would not individually or cumulatively result in the possibility of creating significant effects on the environment. Therefore, the proposed code amendment is not subject to CEQA under the General Rule and no further environmental review is necessary.

B. ANALYSIS – See attached Exhibit “B” for specific text changes for each item.

Item 1- Easement Access in R-1 Zones – Article 10

A request for private easement road access to a new residential lot proposed by a Tentative Parcel Map (TPM) or Tentative Subdivision Map (TSM) in the R-1 zone, currently requires a separate application for a Conditional Use Permit (CUP). This process automatically elevates affected TPM's from an administrative level of approval to a public hearing by the Planning Commission. The proposed amendment would eliminate the need for a CUP and require the applicant to include the request in the project description for the subdivision or parcel map. The easement access would be evaluated concurrently with the review of the tentative map and the appropriate width and alignment would be determined by the Fire Marshal and City Engineer. A tentative subdivision map with easement access would still be reviewed by the Planning Commission at a public hearing. For a tentative parcel map with easement access, a Notice of Intended Decision would still be mailed to property owners within 500-feet, providing neighbors notice of the project and the proposed easement access and the opportunity to discuss the project with a planner and appeal the intended decision to the planning commission, if they felt it was necessary.

Item 2 – Small Lot Developments: Subitem 2A – R-2 Zone, Article 12; Subitem 2B – R-3 Zone, Article 13; and Subitem 2C – R-4 Zone, Article 14

Currently, “Small Lot Planned Developments” are permitted in the multi-family R-2, R-3 and R-4 zones with a CUP application filed in conjunction with a TPM or TSM. Staff acknowledges there is confusion about the review process because the name includes “planned development”. The proposed amendment would rename the process to “Small Lot Development” and eliminate the CUP requirement. The project description will include the request for a small lot development and the project plans will show the layout and conformance with the standards spelled out in each of the multi-family zones. A TSM would be considered by the planning commission at a noticed public hearing. Review of a small lot development in conjunction with a TPM would stay at the administrative level. Neighbors would be informed about the proposed small lot development with a TPM by the Notice of Intended Decision that would be mailed to owners within 500-feet.

Item 3 – Animal Boarding Facilities in Industrial Zones – Article 26

In April 2015, City Council approved a code amendment, upon the recommendation of the planning commission, to add indoor dog boarding, training, feeding, care, grooming and “daycare” as a conditionally permitted use in the M-1 and M-2 zones. An associated CUP for a proposed dog boarding facility was also approved (PHG 14-0029) with conditions to ensure that the facility would be a good neighbor. Staff proposes to add those conditions to the zoning code as development standards for future boarding facilities. Concurrent with the adoption of the development standards, staff proposes that the use be generalized to “Animal Boarding” and changed to a permitted use in the M-1 and M-2 zones, eliminating the CUP requirement. “Animal” boarding would provide flexibility should there be a request for a “pet hotel” or other boarding facility that would accommodate cats, birds, reptiles and/or other types of pets. A boarding facility

proposed entirely within an enclosed building would be reviewed for conformance with the development standards during the review of the building plans for the tenant improvements. Since the boarding facilities are only allowed in the industrial zones, a supervised outdoor exercise area could be determined to be compatible with the industrial neighbors upon approval or conditional approval of an administrative plot plan application.

Item 4- Grading Exemptions – Article 55

Currently, requests for a grading exemption for slope heights and/or slope inclinations require a separate application and public hearing at the Planning Commission, whether they are associated with a single-family residence or a larger development project. The determination as to the appropriateness of the requested slope heights and inclinations is based on the geotechnical report prepared for the project, if needed, and the design guidelines of EZC Article 55, Section 33-1066. The proposed amendment would simplify the review process to staff level using the same reports and guidelines for the determination. For projects that do not require a public hearing, a Notice of Intended Decision would be mailed to property owners within 500 feet of the project site. This notice would give neighbors time to review the proposed plans at the Planning Division and discuss any issues with staff before the decision became effective. With these changes the application process is streamlined utilizing existing standards and guidelines and a more efficient review is established while maintaining public notification.

Item 5- Emergency Generators – Article 57

This proposed code change implements the Planning Commission's desire to have staff review requests for emergency/backup generators, such as for wireless and essential medical facilities. The changes would allow staff to review these requests, including those proposed for previously approved discretionary projects and portable generators associated with temporary events, as part of building permit applications. The standards for standby, diesel generators that are currently scattered throughout the code section would be consolidated under the new section 33-1122(c). With the standards in place and the existing noise ordinance, a CUP is not necessary. The current CUP and administrative Plot Plan processes for commercial electric generating facilities providing electricity to the power grid (CUP) and co-generation requests (Plot Plan) would continue to be required.

Item 6- Second Dwelling Units in Old Escondido Neighborhood Historic District – Articles 65 & 70

Currently, a CUP is required only for second dwelling units (2ndDU) proposed in the Old Escondido Neighborhood (OEN) historic district. Outside the district an administrative Plot Plan is required. This code amendment would make the review of 2ndDU's in the OEN consistent with the process used throughout the rest of the city. The Historic Preservation Commission (HPC) discussed this at the October 2015 meeting. The HPC supported the processing change and recommended that staff also allow 2ndDU's to be detached when access was available from an alley or when the unit was proposed above an existing garage, since there are many existing historic alley houses behind a principal residence in the OEN. In the City's early years, alley units were common. Allowing 2ndDU's to be constructed over detached garages would be in keeping with past practices while maintaining the primary residences in a more original form. Proposals would still be subject to the Secretary of the Interior Standards for Historic Properties and design review by the HPC or staff according to Article 40 standards.

Item 7- Local Register Properties – Article 40

The City is designated as a Certified Local Government (CLG) under an historic preservation program administered by the CA Office of Historic Preservation (OHP). This program requires the City to have a process for designating eligible properties as a Local Register or Local Landmark historic resource, but does not dictate the review process. The current review process requires a public hearing at both the HPC and the City Council, where each body determines if the property meets the criteria established in EZC section 33-794. Requests for Local Register/Landmark designations are submitted by the property owner or by another with the property owner's permission. As there are no potential physical impacts to neighboring properties as a result of a listing, staff recommends that the listing process be handled by the HPC as a current business item. Many times listing a property actually increases the property value and benefits the immediate neighbors.

Item 8- Transient Lodgings – Article 63

Currently, hotels/motels proposed in the CG (General Commercial) zone require CUP hearings at the Planning Commission and the City Council. Extensive guidelines for the development of lodging facilities are included in EZC Article 63. With these established guidelines, the review process can be streamlined by eliminating the second public hearing and relying on the land use decision of the Planning Commission. Should there be continuing concerns about a project, the determination of the PC could be referred to or appealed to the City Council under the existing procedures listed in EZC Article 61. Staff is also recommending additional revisions to cleanup outdated references.

Item 9- Signs – Article 66

When the Design Review Board was disbanded, design review duties were assigned to the Planning Commission, including the review of certain signs. Experience with these reviews has demonstrated that proposals following the standards and design guidelines of Article 66 (Sign Ordinance) result in pleasing and appropriately scaled freestanding commercial signs, freeway-oriented signs, and super-graphic signs. Staff recommends that design review of these signs be handled at the staff level to expedite the review of the sign permit applications. Other changes include moving commercial sign thresholds into a table format and changing the design review of requests for deviations from the sign standards for signs related to historic buildings and historic signs to the Historic Preservation Commission.

EXHIBIT "A"
FACTORS TO BE CONSIDERED
AZ16-0006

Zoning Code Amendment

1. The public health, safety and welfare would not be adversely affected by the proposed Zoning Code amendments. Pursuant to California Government Code Section 65100, the legislative body of a city shall assign the functions of a planning agency to a planning department, one or more planning commissions, administrative bodies or hearing officers, the legislative body itself, or any combination thereof, as it deems appropriate and necessary. The proposed amendments to the Zoning Code would only streamline the existing review processes by authorizing a different advisory commission or administrative body to approve, conditionally approve or deny the various project applications.
2. The proposed zoning code amendments would not conflict with any State law or be detrimental to surrounding properties because the amendments involve existing development application types and existing development standards. The amendment would not expand or reduce the type of land uses that may be established in the City and no physical improvements are proposed as part of this code amendment.
3. The proposed zoning code amendment to streamline project review processes would be consistent with the goals and policies of the General Plan because it would not diminish the Quality of Life Standards of the General Plan, nor adversely impact the community health or natural resources. In addition, the amendment would implement a portion of the "Working Together to Get to Yes!" program associated with the City Council's 2015-2016 Action Plan Economic Development goal to "Revamp and clean up policies, practices and standards around Planning, Development, Enforcement and Economic Development."
4. The proposed zoning code amendment would not affect any specific plans.

EXHIBIT "B"
STREAMLINING CUP PROCESSES

New text /deleted text

Planning Commission Draft

ITEM #1

EASEMENT ACCESS R-1 ZONES – Article 10

Change to staff review with the parcel/subdivision map application.

Sec. 33-166(c)(1)

(c) Lot frontage. Each lot or parcel of land in an R-1 zone shall abut a public street for a minimum of thirty-five (35) feet, on a line parallel to the centerline of the street or on a cul-de-sac improved to city standards. Frontage on a street end which does not have a cul-de-sac improved to city standards shall not be counted in meeting this requirement.

Exception: Access to lots or parcels may be provided by private road easement conforming to the following standards and subject to approval of ~~a conditional use permit~~ the city engineer and fire marshal:

(1) The ~~minimum easement width shall be twenty to twenty-two~~ four (2224) feet. ~~A minimum twenty (20) foot easement width may be permitted subject to approval as determined by the engineering department and fire marshal, and upon approval of an administrative adjustment filed in conjunction with the conditional use permit;~~

ITEM #2

SMALL LOT DEVELOPMENTS IN R-2, R-3 & R-4 ZONES –Articles 12, 13 & 14

Change to staff review concurrently with parcel/subdivision map

SUBITEM #2A: R-2 ZONE – Article 12

Add (a) & (b) to sec. 33-211; delete (d) of sec. 33-213; and revise sec. 33-229 as shown below.

Sec. 33-211. Permitted principal uses and structures.

The following principal uses and structures are permitted in an R-2 zone:

(a) Uses as listed below:

Use No.	Use Title
1111	Single-family dwellings, detached, including licensed residential care facilities for six (6) or fewer persons and transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
1120	Two-family dwellings including transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)

Use No.	Use Title
1130	Multiple-family dwellings, including transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
5995	Arts and crafts shows as defined in section 33-8 (with permit as required by section 33-1119 of Article 57 of this chapter)
6815	Small family day care centers as defined in section 33-8 of Article 1 of this chapter; large family day care centers as defined in section 33-8 of Article 1 of this chapter (with permit as required by section 33-1104 of Article 57 of this chapter)

(b) Small lot developments pursuant to the provisions of section 33-229 of this article.

Sec. 33-213. Conditional uses and structures.

-) ~~(d) Small lot zoning provisions of section 33-229 of this article;~~
 (de) Senior housing projects conforming to the provisions of Article XLI of this chapter.

Sec. 33-229. Small lot ~~planned~~ development.

(a) Purpose. Development and recycling opportunity in ~~the certain multi-family zones area and of the~~ city.

(b) Development standards. Development under this provision shall comply with the following requirements:

(1) The minimum lot area shall not be less than three thousand five hundred (3,500) square feet and not more than one (1) dwelling unit per lot;

(2) Setbacks for main and accessory buildings may vary in order to allow flexibility; however, the minimum front yard setback shall be ten (10) feet;

(3) Parking shall be provided at a ratio of four (4) off-street spaces per unit. Two (2) of the four (4) spaces must be covered; the additional two (2) spaces may be tandem and may occupy front and side yard setbacks. A minimum back up area of twenty-four (24) feet shall be provided;

(4) Densities per acre shall not exceed that allowed by the zone classification ~~or~~ and the general plan;

(5) Access to lots may be provided by a private road easement a minimum of twenty (20) feet wide for two (2) or fewer lots subject to approval by the fire marshal and city engineer; additional easement width may be required by the fire marshal and/or city engineer based on the number of lots served and the specific project design;

(6) The development shall be comprehensively designed to incorporate appropriate and attractive architectural elements and site features that create a quality residential environment;

(7) Process. All requests for a small lot ~~planned~~ development shall be included in the project description and plans of the associated tentative parcel map or subdivision map application. ~~file an application for a conditional use permit pursuant to Article 61, Division 1.~~

SUBITEM #2B: R-3 ZONE – Article 13

Add (a) & (b) to sec. 33-241; delete (d) of sec. 33-243; and revise sec. 33-259 as shown below.

Sec. 33-241. Principal permitted uses and structures.

The following principal uses and structures are permitted in an R-3 zone:

(a) Uses as listed below:

Use No.	Use Title
1111	Single-family dwellings, detached, including licensed residential care facilities for six (6) or fewer persons and transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
1120	Two-family dwellings including transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
1130	Multiple-family dwellings, including transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
5995	Arts and crafts shows as defined in section 33-8 (with permit as required by section 33-1119 of Article 57 of this chapter)
6815	Small family day care centers as defined in section 33-8 of Article 1 of this chapter; large family day care centers as defined in section 33-8 (with permit as required by section 33-1104 of Article 57 of this chapter)

(b) Small lot developments pursuant to the provisions of section 33-259 of this article.

Sec. 33-243. Conditional uses and structures.

~~(d) Small lot zoning provisions of section 33-259;~~

(de) Senior housing projects conforming to the provisions of Article 41 of this chapter.

Sec. 33-259. Small lot ~~planned~~ development.

(a) Purpose. Development and recycling opportunity ~~in the area and of the city~~certain multi-family zones.

(b) Development standards. Development under this provision shall comply with the following requirements:

(1) The minimum lot area shall not be less than three thousand five hundred (3,500) square feet and not more than one (1) dwelling unit per lot;

(2) Setbacks for main and accessory buildings may vary in order to allow flexibility; however, the minimum front yard setback shall be ten (10) feet;

(3) Parking shall be provided at a ratio of four (4) off-street spaces per unit. Two (2) of the four (4) spaces must be covered; the additional two (2) spaces may be tandem and may occupy front and side yard setbacks. A minimum back up area of twenty-four (24) feet shall be provided;

(4) Densities per acre shall not exceed that allowed by the zone classification ~~or~~and the general plan;

(5) A minimum density of seventy (70) percent of the maximum permitted density of the zone classification shall be provided. Exceptions to the minimum density may be granted as part of the map approval provided the development would not preclude the city from meeting its housing needs as described in the housing element of the Escondido General Plan.

(56) Access to lots may be provided by a private road easement a minimum of twenty (20) feet wide for two (2) or fewer lots subject to approval by the fire marshal and city engineer; additional easement width may be required by the fire marshal and/or city engineer based on the number of lots served and the specific project design;

(67) The development shall be comprehensively designed to incorporate appropriate and attractive architectural elements and site features that create a quality residential environment;

(78) Process. All requests for a small lot ~~planned-development~~ shall be included in the project description and plans of the associated tentative parcel map or subdivision map application file ~~an application for a conditional use permit pursuant to Article 61, Division 1.~~

SUBITEM #2C: **R-4 ZONE** – Article 14

Add (a) & (b) to sec. 33-271; delete (d) of sec. 33-273; and revise sec. 33-290 as shown below.

Sec. 33-271. Permitted principal uses and structures.

The following principal uses and structures are permitted in an R-4 zone:

(a) Uses as listed below:

Use No.	Use Title
1111	Single-family dwellings, detached, including licensed residential care facilities for six (6) or fewer persons and transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
1120	Two-family dwellings including transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
1130	Multiple-family dwellings, including transitional housing as defined in section 33-8 (subject to transitional housing criteria as specified by section 33-1121)
5995	Arts and crafts shows as defined in section 33-8 (with permit as required by section 33-1119 of Article 57 of this chapter)
6815	Small family day care centers as defined in section 33-8; large family day care centers as defined in section 33-8 (with permit as required by section 33-1104 of Article 57 of this chapter)

(b) Small lot developments pursuant to the provisions of section 33-290 of this article.

Sec. 33-273. Conditional uses and structures.

~~—(d) Small lot zoning provisions of section 33-290 of this article;~~

(de) Senior housing projects conforming to the provisions of Article 41 of this chapter.

Sec. 33-290. Small lot ~~planned-development~~.

(a) Purpose. Development and recycling opportunity in the area and of the city in certain multi-family zones.

(b) Development standards. Development under this provision shall comply with the following requirements:

(1) The minimum lot area shall not be less than three thousand five hundred (3,500) square feet and not more than one (1) dwelling unit per lot;

(2) Setbacks for main and accessory buildings may vary in order to allow flexibility; however, the minimum front yard setback shall be ten (10) feet;

(3) Parking shall be provided at a ratio of four (4) off-street spaces per unit. Two (2) of the four (4) spaces must be covered; the additional two (2) spaces may be tandem and may occupy front and side yard setbacks. A minimum back up area of twenty-four (24) feet shall be provided;

(4) Densities per acre shall not exceed that allowed by the zone classification ~~or~~ and the general plan;

(5) A minimum density of seventy (70) percent of the maximum permitted density in the zone classification shall be provided. Exceptions to the minimum density may be granted as part of the map approval provided the development would not preclude the city from meeting its housing needs as described in the housing element of the Escondido General Plan.

(56) Access to lots may be provided by a private road easement a minimum of twenty (20) feet wide for two (2) or fewer lots subject to approval by the fire marshal and city engineer; additional easement width may be required by the fire marshal and/or city engineer based on the number of lots served and the specific project design;

(67) The development shall be comprehensively designed to incorporate appropriate and attractive architectural elements and site features that create a quality residential environment;

(78) Process. All requests for a small lot ~~planned development~~ shall ~~file an application for a conditional use permit pursuant to Article 61, Division 1~~ be included in the project description and plans of the associated tentative parcel map or subdivision map application. (Zoning Code, Ch. 103, § 1037.39.10; Ord. No. 2006-41, § 4, 12-20-06; Ord. No. 2011-19R, § 5, 1-11-12)

ITEM #3:

ANIMAL BOARDING FACILITIES IN INDUSTRIAL ZONES – Article 26

Change from a CUP to Permitted Use in the M-1 and M-2 Zones by deleting dog and cat boarding and adding animal boarding and footnote 2 in Table 33-564; and adding section 33-576.

Table 33-564
PERMITTED AND CONDITIONALLY PERMITTED PRINCIPAL USES

Use Title	I-O	M-1	M-2	I-P
<u>Animal boarding (indoor boarding only) and training, feeding, care, grooming and “daycare”². Does not include animal shelters****, sales or breeding.</u>		<u>P</u>	<u>P</u>	
<u>Dog and cat boarding (indoor boarding only). Dog training, feeding and care, animal grooming and “dog daycare” also allowed. Does not include dog shelters, **** animal sales or breeding.</u>		<u>E</u>	<u>E</u>	

**** = Dog shelters generally means an establishment, especially one supported by charitable contributions, that provides a temporary home for dogs, cats and other animals that are offered for adoption.

² = Pursuant to section 33-576 of this Article (animal boarding and daycare)

Sec. 33-576. Animal boarding and day care.

The indoor boarding of animals and animal day care shall be subject to the following standards:

- (a) Outdoor boarding of animals shall not be allowed.
- (b) All animals must be kept within the enclosed building(s), except for supervised walks. A plot plan application submitted to the planning division for review is required to establish any on-site supervised outdoor animal day care activity area or training area. The submittal shall include a site plan of the entire site showing fencing, any permanent improvements in the outdoor area, parking, circulation, etc.
- (c) The site shall be maintained in a neat, orderly and sanitary condition.
- (d) Shelter and care of the animals may be on a daily or overnight basis and include feeding, grooming, training and other associated activities.
- (e) The overnight boarding area shall be a separate and secure interior space.
- (f) The overnight boarding area shall incorporate sound attenuation measures to reduce potential noise impacts to adjacent businesses.
- (g) On-site supervision and/or remote camera monitoring of the overnight boarding area shall be provided when the business closes for the evening.

Sec. 33-577 – 33-589. Reserved.

ITEM #4:

GRADING EXEMPTIONS – Article 55

Change grading exemptions from separate hearing to concurrent review with associated administrative or discretionary development application, both with public notice, by revising subsections 33-1066(b)(2); (c); and (d).

Sec. 33-1066. Design criteria.

(b) Slope heights. Slope heights should be limited to minimize impact on adjoining properties. The height of retaining walls incorporated in grading designs shall be included in calculating the overall slope height. Grading designers should strive to conform to the following criteria:

(1) Fill slopes within fifty (50) feet of the property line should be limited to five (5) feet in height. Fill slopes in this location between five (5) and ten (10) feet in height may be allowed, subject to the approval of the director;

(2) Fill slopes beyond fifty (50) feet from the property line should be limited to twenty (20) feet in height;

(3) Fill slopes adjacent to existing public and private streets should be limited to ten (10) feet in height;

(4) Cut slopes within fifty (50) feet of the property line should be limited to twenty (20) feet in height;

(c) ~~Grading exemption discretionary permit~~ Specific review by the project approval authority is required. ~~Planning commission approval will be required~~ for the following slopes:

(1) Any fill slope within fifty (50) feet of the property line which is in excess of ten (10) feet in height;

(2) Any fill slope beyond fifty (50) feet of the property line which is in excess of twenty (20) feet in height;

(3) Any cut slope in excess of twenty (20) feet in height;

(4) Any cut slope steeper than two to one (2:1) determined by the director to impact adjacent properties.

(d) ~~Submittal requirements. Application Requests~~ for approval of slopes in subsection (c) above shall be included in the project description and identified on the project plans, ~~made on the forms provided by the planning division and submitted with a filing fee, the amount of which shall be determined by the city council.~~ A statement of justification for each slope shall also be included. For those slopes which are proposed as part of an administrative request, fees for the legal notice and mailing list shall be submitted and a public Notice of Intended Decision shall be issued pursuant to Article 61, Division 6, of this Chapter. ~~another project requiring a public hearing, no~~ For a discretionary project, no separate application or filing fee will be required. When judging such requests, the ~~planning commission~~ approval authority shall consider:

- (1) The criteria contained within section 33-1066;
- (2) The stability of the slope;
- (3) The impact of the slope on surrounding properties;
- (4) The reason for the slope; and
- (5) Whether reasonable alternatives to the proposed design are available.

ITEM #5:

EMERGENCY GENERATORS – ARTICLE 57

Specify staff level of review for emergency /back-up /standby generators by revising sec. 33-1122 as shown below and adding (c).

Sec. 33-1122. Electric generating facilities.

(a) Definition. As used in this section, an electric generating facility means a structure, apparatus or feature incorporating machinery or equipment, designed to produce electricity for power consumption.

(b) Permit requirements. Except where the city's land-use-permit authority is preempted by state law, the land use permit required to authorize a proposed land use of this type is determined by the amount of electricity generated 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. ~~is required for facilities with more than a maximum production capability of five (5) kilowatts of power.~~ 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:

- (A) All buildings, structures and landscaping should be compatible with surrounding development;
- (B) Facilities shall involve combined cycle technology as appropriate;
- (C) Facilities shall utilize most efficient, state-of-the-art technology that is reasonably available.

~~Applications for standby, diesel generators shall demonstrate that the best available technology is being utilized;~~

(D) All feasible measures shall be incorporated to minimize pollutants generated by the facility;
(E) Fuel used to generate electricity shall be limited to natural gas, solar, wind or other renewable energy resources. ~~Standby, emergency generators may utilize diesel fuel;~~

(F) Noise levels produced by the generator shall comply with noise ordinance standards for the zone based on twenty-four (24) hour operation;

(G) Transmission lines and components shall be under grounded to the maximum extent feasible;

(H) Facilities, ~~except standby diesel generators,~~ shall meet the provisions for reducing NOx in section 33-1122(7);

~~(I) Standby, emergency generators may operate for no more than fifty-two (52) hours per year, except in an emergency situation where the primary power is unavailable in the community;~~

~~(J) Testing and maintenance of standby, diesel generators may only occur between the hours of 7:00 a.m. and 5:00 p.m.~~

(2) A plot plan shall be required for facilities that retrofit operations to incorporate co-generation, electric production involving any amount of electricity, ~~or for facilities with a maximum production capability of five (5) kilowatts of power through non-co-generation electric production.~~ The application shall include the following:

(A) All buildings, structures and landscaping should be compatible with surrounding development;

(B) Pollutants generated in producing electricity by the facility shall be demonstrated to constitute the lowest available emission rates;

(C) The energy generated is intended to serve facilities on-site;

(D) Noise levels produced by the generator shall comply with noise ordinance standards for the zone based on twenty-four (24) hour operation.

(c) Standby/emergency/back-up generators, including those proposed for previously approved discretionary projects, and portable generators associated with a temporary event shall conform to the following criteria:

(A) The energy generated is intended to serve facilities on-site during outages of the primary power or during a temporary event;

(B) Noise levels produced by the generator shall comply with noise ordinance standards for the zone based on twenty-four (24) hour operation;

(C) All buildings, structures and landscaping should be compatible with surrounding development;

(D) Standby, diesel generators shall demonstrate that the best available technology is being utilized;

(E) Standby, emergency generators may operate for no more than fifty-two (52) hours per year, except in an emergency situation where the primary power is unavailable in the community;

(F) Testing and maintenance of standby, diesel generators may only occur between the hours of 7:00 a.m. and 5:00 p.m.

ITEM #6:

SECOND DWELLING UNITS IN OLD ESCONDIDO NEIGHBORHOOD HISTORIC DISTRICT – Articles 65 and 70

To change to staff review via Plot Plan application with design review by the HPC.

SUBITEM #6A - Article 65 –Old Escondido Neighborhood

Add as a permitted accessory use in sec. 33-1373 and delete as a conditional use in sec. 33-1374(c) & (e).

Sec. 33-1373. Permitted accessory uses and structures.

- (a) Accessory uses and structures are permitted in the Old Escondido Neighborhood, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure (i.e., garage, storage, shed, etc.). Accessory uses and structures are permitted according to section 33-162 (R-1 zone) of this zoning code.
- (b) Second dwelling units as defined in section 33-8, subject to plot plan review in conformance with Article 70 of this chapter.

Sec. 33-1374. Conditional uses.

(c) No new structures shall be permitted for any conditional uses, ~~with the exception of second dwelling units as defined in section 33-8 and pursuant to section 33-1374(e).~~ All signs must conform to section 33-1379 of this article. Any use or structure permitted or conditionally permitted by this zone and involving hazardous materials is subject to the conditional use permit requirements of Article 30 of this chapter.

~~—(e) Second dwelling units shall be permitted with the approval of a conditional use permit and shall conform to sections 33-1470 through 33-1476 of this chapter.~~

SUBITEM #6B: Article 70 – Second Dwelling Units

Add an exception for the OEN in sec. 33-1471; sec 33-1472; and 33-1474(c) to allow detached second dwelling units.

Sec. 33-1471. Definition.

Second dwelling unit means a secondary, but independent living facility which is located or established on the same lot as an existing single family residence (for purposes of this article this existing residence shall be termed “the primary residence”). It includes permanent provisions for living, sleeping, eating, cooking and sanitation. A second dwelling must be attached to the primary residence; except in the Old Escondido Neighborhood historic district where second dwelling units may be detached when the unit is accessed from an alley or located over a detached garage.

Outside the Old Escondido Neighborhood historic district, aA second dwelling unit shall be attached to the existing dwelling unit by a contiguous, shared wall and shall also have access from the living area of the primary structure.

For purposes of this article, living area means the interior habitable area of a dwelling unit including basements and attics, but does not include a garage or any accessory structure.

Sec. 33-1472. Permitted zones.

Second dwelling units shall be permitted in the RA, RE, R1, R2, R3 and R4 zones on properties with only one (1) single-family residence on the lot, subject to the approval of a second dwelling unit permit. Second dwelling units within the Old Escondido Neighborhood shall observe the same standards and review procedures required of similar building expansions and new structures in that neighborhood. Second dwelling units shall not be permitted on property developed in a planned development zone or as a part of a planned unit approval, unless approved as a part of the original PD or PUA and the subject lot is not less than six thousand (6,000) square feet in size.

Sec. 33-1474. Development standards.

(c) Location on lot. Second dwelling units must be physically attached to the primary structure by a substantial contiguous wall and shall also have access from the primary structure; except for second dwelling units proposed in the Old Escondido Neighborhood historic district where second dwelling units may be detached when the unit is accessed from an alley or located over a detached garage.

ITEM #7:

LOCAL REGISTER PROPERTIES – Article 40

Streamline designation of local register properties to the HPC by revising sec. 33-794(b)(3) and (d); deleting subsection (c); and revising sec. 33-795 as shown below.

Sec. 33-794(b). Procedure and criteria for local register listing or local landmark designation.

(3) The HPC and city council shall each hold a ~~duly noticed public hearing~~ meeting. In their review of the request for local register listing or local landmark designation, the HPC and the city council shall consider the criteria listed in this section.

~~—(e) Notification of action. No later than five (5) working days following the city council's action, the decision of the city council shall be filed with the city clerk and a notice thereof shall be mailed to the applicant at the address shown on the application.~~

~~(d)~~ (c) Criteria. Prior to granting a resource local register or historical landmark status, the ~~city council~~ HPC shall consider the definitions for historical resources and historical districts and shall find that the resource conforms to one (1) or more of the criteria listed in this section. A structural resource proposed for the local register shall be evaluated against criteria number one (1) through seven (7) and must meet at least two (2) of the criteria. Signs proposed for the local register shall meet at least one (1) of the criteria numbered eight (8) through ten (10). Landscape features proposed for the local register shall meet criterion number eleven (11). Archaeological resources shall meet criterion number twelve (12). Local register resources proposed for local landmark designation shall be evaluated against criterion number thirteen (13). The criteria are as follows:

(1) Escondido historical resources that are strongly identified with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, region, state or nation;

(2) Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect's work and are not substantially altered;

(3) Escondido historical resources that are connected with a business or use that was once common but is now rare;

- (4) Escondido historical resources that are the sites of significant historic events;
- (5) Escondido historical resources that are fifty (50) years old or have achieved historical significance within the past fifty (50) years;
- (6) Escondido historical resources that are an important key focal point in the visual quality or character of a neighborhood, street, area or district;
- (7) Escondido historical building that is one of the few remaining examples in the city possessing distinguishing characteristics of an architectural type;
- (8) Sign that is exemplary of technology, craftsmanship or design of the period when it was constructed, uses historical sign materials and is not significantly altered;
- (9) Sign that is integrated into the architecture of the building, such as the sign pylons on buildings constructed in the Modern style and later styles;
- (10) Sign that demonstrates extraordinary aesthetic quality, creativity, or innovation;
- (11) Escondido landscape feature that is associated with an event or person of historical significance to the community or warrants special recognition due to size, condition, uniqueness or aesthetic qualities;
- (12) Escondido archaeological site that has yielded, or may be likely to yield, information important in prehistory;
- (13) Escondido significant historical resource that has an outstanding rating of the criteria used to evaluate local register requests. (Ord. No. 2000-23, § 4, 9-13-00; Ord. No. 2008-16, § 4, 7-16-08)

Sec. 33-795. Procedure and criteria for rescinding local register or landmark status.

(a) Submittal. Any person may submit a written request to the planning division to remove his or her resource from the local register or to rescind a local landmark designation. The application shall be made on forms provided by the city.

(b) Review. The HPC and city council shall each hold a ~~duly noticed public hearing~~ meeting. In their review of the request to remove a local register or landmark designation, the HPC and the city council shall consider the criteria listed in this section. Upon rescission, any associated Historic Property Preservation Agreement (Mills Act agreement) will be cancelled.

~~(c) Notification of Action. No later than five (5) working days following the city council action, the decision of the city council shall be filed with the city clerk and a notice thereof shall be mailed to the applicant at the address shown on the application.~~

(d) Criteria. The criteria listed in this section shall be used to determine whether to remove a resource from the local register or to rescind its local landmark designation.

(1) New documentation has been presented disproving the information upon which the resource was placed on the local register or given landmark status;

(2) Evidence has been presented showing that modifications and alterations to the resource have eliminated the distinctive architectural features that warranted its placement on the local register or its designation as a local landmark. (Ord. No. 2000-23, § 4, 9-13-00; Ord. No. 2008-16, § 4, 7-16-08)

ITEM #8:

TRANSIENT LODGINGS – ARTICLE 63

To streamline the public hearing review to Planning Commission only and minor cleanup of references.

Sec. 33-1342. Permitted zones.

Transient lodging facilities shall be permitted or conditionally permitted in the ~~CG, CT and CBD commercial~~ zones according to sec. 33-332 of Article 16 of this Chapter ~~subject to a conditional use permit approved by the city council upon recommendation from the planning commission.~~ Transient lodging facilities shall also be allowed within adopted specific plans subject to the language of the applicable specific plan, ~~pursuant to a conditional use permit approved by the city council upon recommendation from the planning commission. The development criteria shall also apply to transient lodging proposals in the PD zones; however, no formal CUP application need be processed concurrently with the planned development application.~~

Sec. 33-1343. Market analysis.

As part of the CUP application, a market analysis shall be submitted to the city. In order that sufficient data suitable for review is presented, the planning department shall establish a region to be encompassed by the market analysis. The market analysis shall address existing facilities, including the number and type of rooms and types of amenities; the proposed facility, including the number and type of rooms and proposed amenities; and the expected market from which the new facility will draw. In addition, the market analysis shall discuss the vacancy rates of existing facilities and the expected effect the proposed facility will have on the existing market. The market analysis shall be prepared by a qualified individual such as a fiscal or marketing consultant, to the satisfaction of the director ~~of planning and building~~. The intent of the market analysis is to establish the need for the type of transient lodging being proposed and to give the city some type of assurance that the additional rooms will be absorbed by the market.

Sec. 33-1344. Design guidelines.

Proposals for transient lodging facilities shall comply with the design guidelines for transient lodging facilities, set forth as in this section, as well as the design review guidelines which have been established for all commercial projects.

DESIGN GUIDELINES FOR TRANSIENT LODGING FACILITIES

These design guidelines are prepared as a checklist of items that affect the physical aspect of hotel/motel developments. They are not intended to restrict creativity or to limit imagination in proposals, but rather, to assist both developers and staff in preparing and reviewing projects for satisfactory design and aesthetics. ~~Please refer to Zoning Ordinance Section 1070A for zone restrictions and application requirements.~~

The overall appearance of a transient lodging facility is a product of the site design and the features offered, the relation of the site to surrounding areas, the relation of the buildings on-site and the bulk and scale of those buildings, the landscaping, lighting and signage of the facility as well as the materials and colors used and the design and location of the parking areas. Often, a creative solution to site-specific constraints results in a project highlight and a benefit to surrounding properties.

Sec. 33-1344 – I. TYPES OF TRANSIENT LODGING FACILITIES –Sec. B

B. Minimum Parcel Size. The site for a proposed facility ~~shall~~ shall meet the minimum lot size requirement for the underlying zone. Refer to the Zoning Ordinance for the minimum setback, height and floor area ratio requirements.

Sec. 33-1344 - VII. PARKING AREAS AND ACCESS (Refer to ~~Zoning Ordinance Section 1077~~ Article 39 of this Chapter for specific parking regulations.)

Sec. 33-1344 - VIII. LIGHTING DETAILS (Refer to ~~Zoning Ordinance Section 1072~~ Article 35 of this Chapter for specific outdoor lighting regulations.)

Sec. 33-1344 - XII. ~~CIVIC DEVELOPMENT SUFFIX~~ DOWNTOWN SPECIFIC PLAN PROJECTS

Proposals for facilities in ~~any zone modified by the CD (Civic Development) suffix~~ the Downtown Specific Plan Area shall consider the following:

A. Consider providing a full service type of facility, capable of accommodating meetings and conventions, that may from time to time be associated with the civic center of the City.

B. Relate the design of the site and buildings to the surrounding built environment, to be compatible with the architecture, scale and color of the civic core.

Sec. 33-1345. Threshold standards for existing facilities.

(a) The requirements for a conditional use permit under this section shall apply to existing facilities when one of the following occurs:

- (1) A facility is remodeled by more than twenty-five (25) percent of the replacement costs as determined by a building department official;
- (2) The number of rooms is altered or uses changed;
- (3) There is an increase of more than three thousand (3,000) square feet or more than a ten (10) percent increase for hotels larger than thirty thousand (30,000) square feet.

(b) Upon written application, the requirement for a CUP and/or market analysis for modification to existing facilities may be waived if the director ~~of planning and building~~ finds:

- (1) That it can be seen with certainty that the proposed renovations will not have a negative effect on the community or area plan for the area in which the facility is located;
- (2) That the proposed renovations are consistent with the goals and policies of the adopted general plan;
- (3) That the proposed renovations are so minor in nature that to require a CUP and/or a market analysis would be unduly burdensome in relationship to the scale of the project;
- (4) That it can be seen with certainty that the proposed renovations will have a negligible effect on the existing market for the type of rooms provided; or
- (5) It can be demonstrated that modifications are necessary to maintain health and safety standards pursuant to city, county and state regulations.

Sec. 33-1346. Required findings.

In addition to findings required for conditional use permits by section 33-1203 of Article 61 of this chapter, before any conditional use permit for transient lodgings can be granted or modified, the following findings shall be made:

- (a) The proposed transient lodging facility will not in itself or in combination with others significantly affect the city's ability to achieve a balanced range of transient lodging facilities;
- (b) The site is appropriate for transient lodging uses in that it is sufficiently accessible, is compatible with surrounding uses and is large enough to incorporate sufficient buffers and appropriate amenities;
- (c) The amenities and design features are appropriate for both the location and target population;
- (d) The facility conforms with any applicable specific plan and area plan criteria;
- (e) The location does not create problems which would adversely affect the city's objectives of maintaining a balanced range of lodging facilities; and
- (f) The project design incorporates the design guidelines established for transient lodging facilities.

ITEM #9**SIGNS – ARTICLE 66**

To reduce design review of certain signs to staff level by revising sec. 33-1395.2(a) and putting information in a table; and revising several other sections as shown below.

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

- (a) Size. The maximum size of freestanding signs shall be determined by the size of the lot or commercial center according to the following chart:

	<u>Column A</u>		<u>Column B</u>	
	<u>Maximum size without design review</u>		<u>Maximum size with staff design review</u>	
<u>Lot/Center Size</u>	<u>Area</u>	<u>Height</u>	<u>Area</u>	<u>Height</u>
a. Up to 7,000 SF (.16 ac)	10 SF	4'*	20 SF	15'
b. 7,001 - 10,000 SF (.23 ac)	20 SF	4'*	40 SF	15'
c. 10,001 - 25,000 SF (.57 ac)	30 SF	6'	60 SF	15'
d. 25,001 - 43,560 SF (1 ac)	30 SF	6'	80 SF	15'
e. 1+ ac - 3 ac	30 SF	6'	100 SF	15'
f. 3+ ac - 7 ac	30 SF	6'	125 SF	20'
g. 7+ ac	30 SF	6'	150 SF	30'

Permitted Freestanding Signs (CG and CN)**Column A: Maximum Size With Staff Review**

<u>Lot/Center Size</u>	<u>Area</u>	<u>Height</u>
a. Up to 7,000 SF (.16 ac)	10 SF	4'*
b. 7,001—10,000 SF (.23 ac)	20 SF	4'*

Lot/Center Size	Area	Height
c. 10,0001—25,000 SF (.57 ac)	30 SF	6'
d. 25,001—43,560 SF (1 ac)	30 SF	6'
e. 1+ ac—3 ac	30 SF	6'
f. 3+ ac—7 ac	30 SF	6'
g. 7+ ac	30 SF	6'

**Column B: Maximum Size With
Planning Commission Review**

Lot/Center Size	Area	Height
a. Up to 7,000 SF (.16 ac)	20 SF	15'
b. 7,001—10,000 SF (.23 ac)	40 SF	15'
c. 10,0001—25,000 SF (.57 ac)	60 SF	15'
d. 25,001—43,560 SF (1 ac)	80 SF	15'
e. 1+ ac—3 ac	100 SF	15'
f. 3+ ac—7 ac	125 SF	20'
g. 7+ ac	150 SF	30'

* Signs with appropriately designed bases may be up to five (5) feet high.

Individual signs which do not exceed the maximum sign area and height indicated in column A and column B of the chart in this subsection for the appropriate lot/center size category, and which are consistent with the sign design guidelines, may be approved administratively.

Sec. 33-1395.3. Sign standards—Freeway-oriented signs—CG and CN zones.

(b) Type of sign. Freeway-oriented signs may be freestanding pole or monument type signs, wall signs, structures, or other building signs which are determined by ~~the planning commission~~ staff to be consistent with the design guidelines and appropriate for the specific site and development.

(d) Size. The area of the sign shall comply with the corresponding lot center size indicated in the permitted freestanding sign chart in section 33-1395.2(a). For lots/centers twenty-five thousand (25,000) square feet or less in area, larger signs up to a maximum of eighty (80) square feet may be approved by the ~~planning commission~~ staff based on specific site characteristics, the visibility of the sign, and the demonstration of the need for a larger sign to achieve the least obtrusive design solution which provides the necessary visibility.

Sec. 33-1395.5. Sign Standards—Freestanding signs—CP and HP-zones.

(b) Size. The maximum size of any freestanding sign shall be determined by the size of the lot or professional center according to the following chart:

Lot/Center Size	Column A		Column B	
	Max. Maximum Size Without DRB Design Review		Max. Maximum Size With DRB Staff Design Review	
	Area	Height	Area	Height
a. Up to 21,000 SF	10 SF	4'*	25 SF	8'
b. 21,001 SF – 3 ac	20 SF	6'	50 SF	8'
c. 3+ ac	30 SF	8'	60 SF	12'

* Signs with appropriately designed bases may be up to five (5) feet high.

Multishingle/panel signs are encouraged in the CP and HP-zones (see definition).

Individual signs which do not exceed the maximum sign area and height indicated in column A and column B of the chart in this subsection for the appropriate lot/center size category, and which are consistent with the sign design guidelines, may be approved administratively.

Sec. 33-1395.11. Sign standards—Super-graphic signs—CG, CN, CP, HP and P-D-C zones.

(d) If deemed appropriate by the ~~planning commission~~ director, a super-graphic sign may extend above the primary wall line or parapet.

Sec. 33-1395.12. Sign standards—Signs related to historic buildings and historic signs.

(a) Historic buildings. Signs for buildings listed in the Escondido historic/cultural resource inventory or on the local register of historic places may deviate from the standards and from the design guidelines if the request is deemed historically appropriate for the significant architectural style of the building and consistent with the historic preservation incentives program. The ~~planning~~ historic preservation commission shall consider each request on a case-by-case basis.

(b) Advertising structures and signs identified by the historic preservation commission/~~planning commission~~ as having historic cultural significance may be maintained pursuant to the historic preservation incentives program. The ~~planning~~ historic preservation commission shall consider each request on a case-by-case basis.



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

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Chief Deputy Recorder Clerk
1600 Pacific Hwy, Room 260
San Diego, CA 92101

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

Project Title/Case No.: Zoning Code Amendment / AZ 16-0006

Project Applicant: City of Escondido

Project Location - Specific: Citywide

Project Location - City: Escondido

Project Location - County: San Diego

Description of Nature, Purpose and Beneficiaries of Project:

An amendment of the Escondido Zoning Code (EZC) to streamline various review processes to change the reviewing authority and eliminate some public hearings for conditional use permits (CUPs) and other applications, including small lot developments, back-up/emergency generators, second dwelling units in the Old Escondido Neighborhood, easement access, animal boarding, hotels/motels, grading exemptions, listing properties on the local register of historic resources, and certain signs. Changes are proposed to EZC Articles 10, 12, 13, 14, 26, 40, 55, 57, 63, 65, 66, and 70. No development project is proposed.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project: Rozanne Cherry, Principle Planner, City of Escondido
Telephone: (760) 839-4536 Address: 201 N. Broadway, Escondido, CA 92025

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

Exempt Status:

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

Reasons why project is exempt:

1. The proposed zoning code amendment consists of text changes and does not involve any physical modifications or lead to any physical improvements beyond those typically exempt. The amendment involves only changes to several review processes for existing types of applications and would not have the potential for causing a significant effect on the environment.
2. Future development applications will include environmental review and the preparation of appropriate individual CEQA documents.
3. In staff's opinion, the proposed code amendments would have no impact on fish and wildlife resources, sensitive species or habitat, or affect any cultural or historic resources, since there is no physical development project associated with the code changes.

Lead Agency Contact Person: Rozanne Cherry

Area Code/Telephone/Extension (760) 839-4536
Email: rcherry@escondido.org

Signature: _____

Rozanne Cherry
Rozanne Cherry, Principal Planner

9/22/16

Date

☒ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant

PLANNING COMMISSION

Agenda Item No.: H.1
Date: September 27, 2016

CASE NUMBER: PHG 16-0013

APPLICANT: El Pollo Loco

LOCATION: Del Norte Plaza Commercial Center, 350 W. El Norte Parkway

TYPE OF PROJECT: Precise Development Plan

PROJECT DESCRIPTION: A Precise Development Plan to remodel an existing restaurant building with drive-through on an outpad site within the Del Norte Plaza Commercial Shopping Center for a new El Pollo Loco restaurant.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/ZONING: Planned Commercial (PC) and Planned Development Commercial (PD-C)

BACKGROUND/SUMMARY OF ISSUES:

A Master Development Plan was approved in 1984 (Case No. 84-21-PD) for the development of the 24.5-acre Del Norte Plaza Commercial Center, and various Precise Development Plans have been approved over the years for the development of the outpad buildings. A Precise Development Plan (Case No. 86-31-PD) was approved in 1986 to construct a restaurant building with drive-through on the on the subject outpad. El Pollo Loco Restaurant has submitted a Precise Development Plan to remodel an existing 2,435 SF drive-through restaurant on an outpad site within the Del Norte Plaza shopping center. The vacant building originally was developed as a restaurant and most recently was occupied by Arby's. The Precise Plan is required due to the extent of the exterior changes to the building to incorporate the proposed El Pollo Loco corporate architectural elements, colors and other branding elements.

Staff feels the issues are as follows:

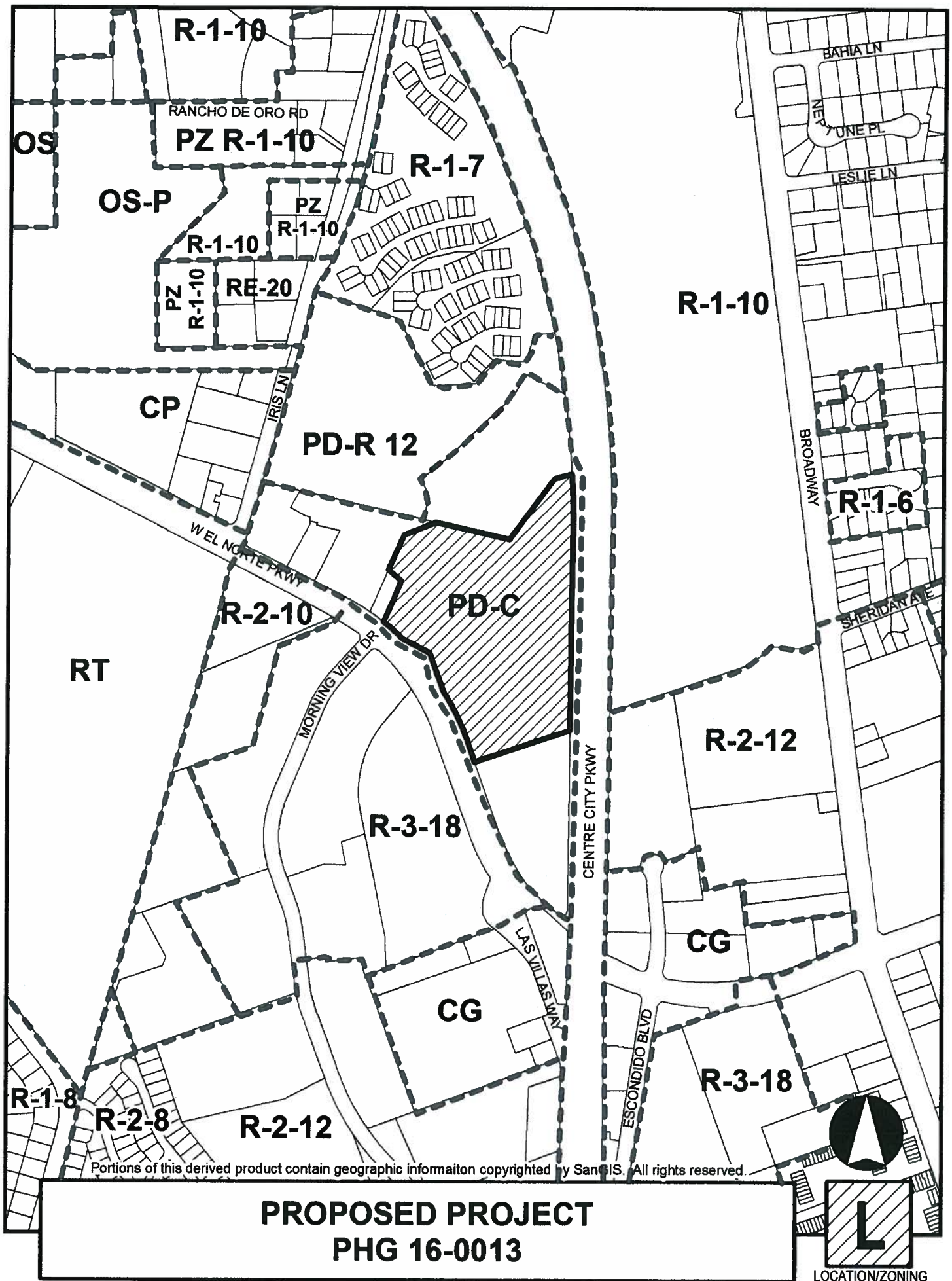
1. Whether the proposed facade improvements for the El Pollo Loco restaurant are compatible with the Del Norte Plaza Shopping Center.
2. Whether the proposed signs are appropriate for the site and consistent with the approved sign program for the shopping center.

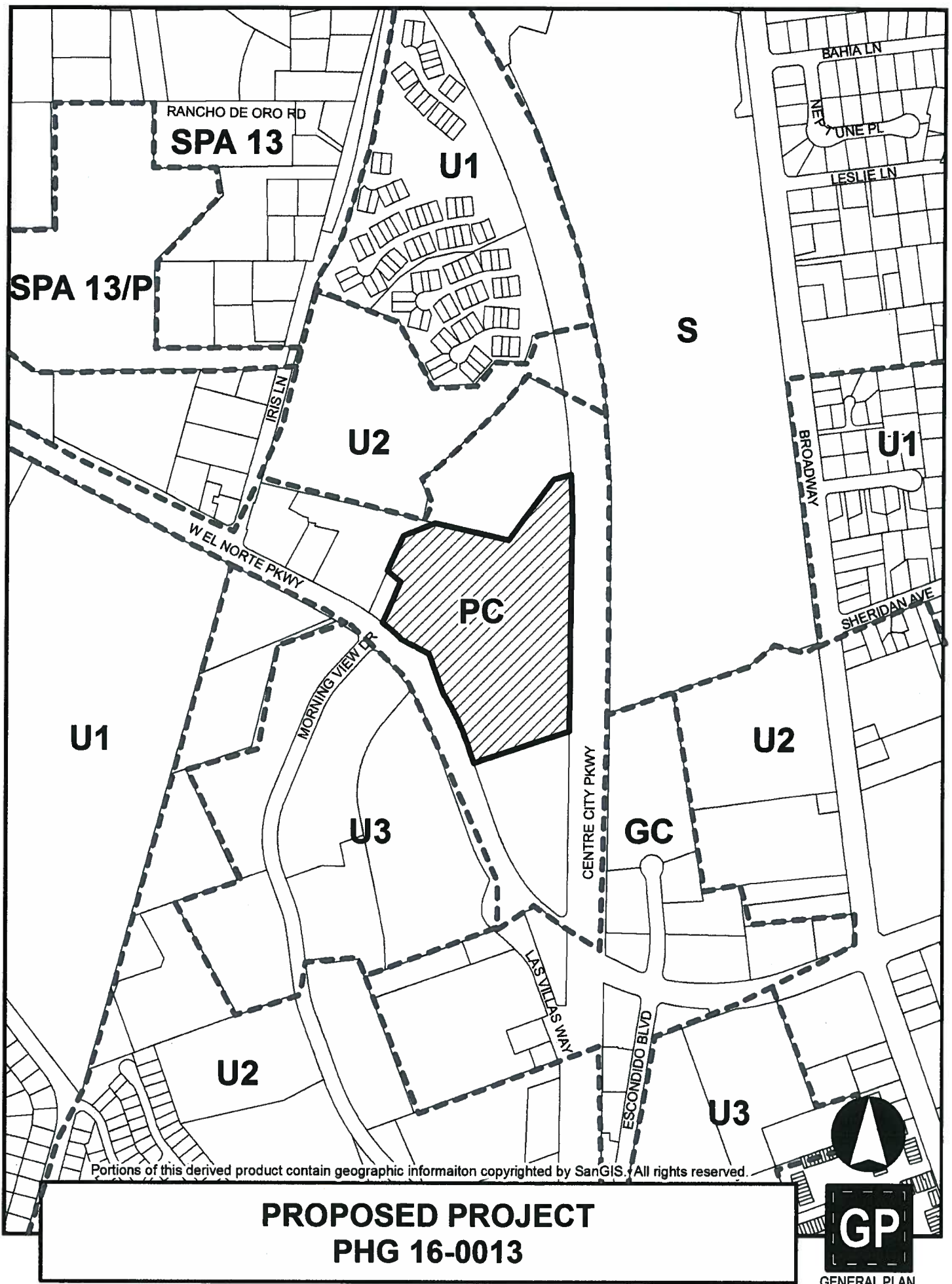
REASONS FOR STAFF RECOMMENDATION:

1. Although the exterior design and colors for the El Pollo Loco restaurant would be different from the other buildings throughout the planned shopping center, shopping centers typically have allowed outpad buildings to vary in design from the more uniform inline shops, especially those business that have a specific corporate theme/branding requirement. Staff believes that providing more variety of building styles and colors for the outpad buildings, as well as major tenant spaces provides more interest for the overall center.
2. A comprehensive sign program was approved for the shopping center that has been modified over the years to allow a variety of sign types and sizes. Staff believes the proposed wall and freestanding signs would be consistent with the existing signage throughout the center, and the larger cabinet type "El Pollo Loco" logo signs would be in proportion to the size of the building and consistent with other El Pollo Loco restaurants.

Respectfully submitted,

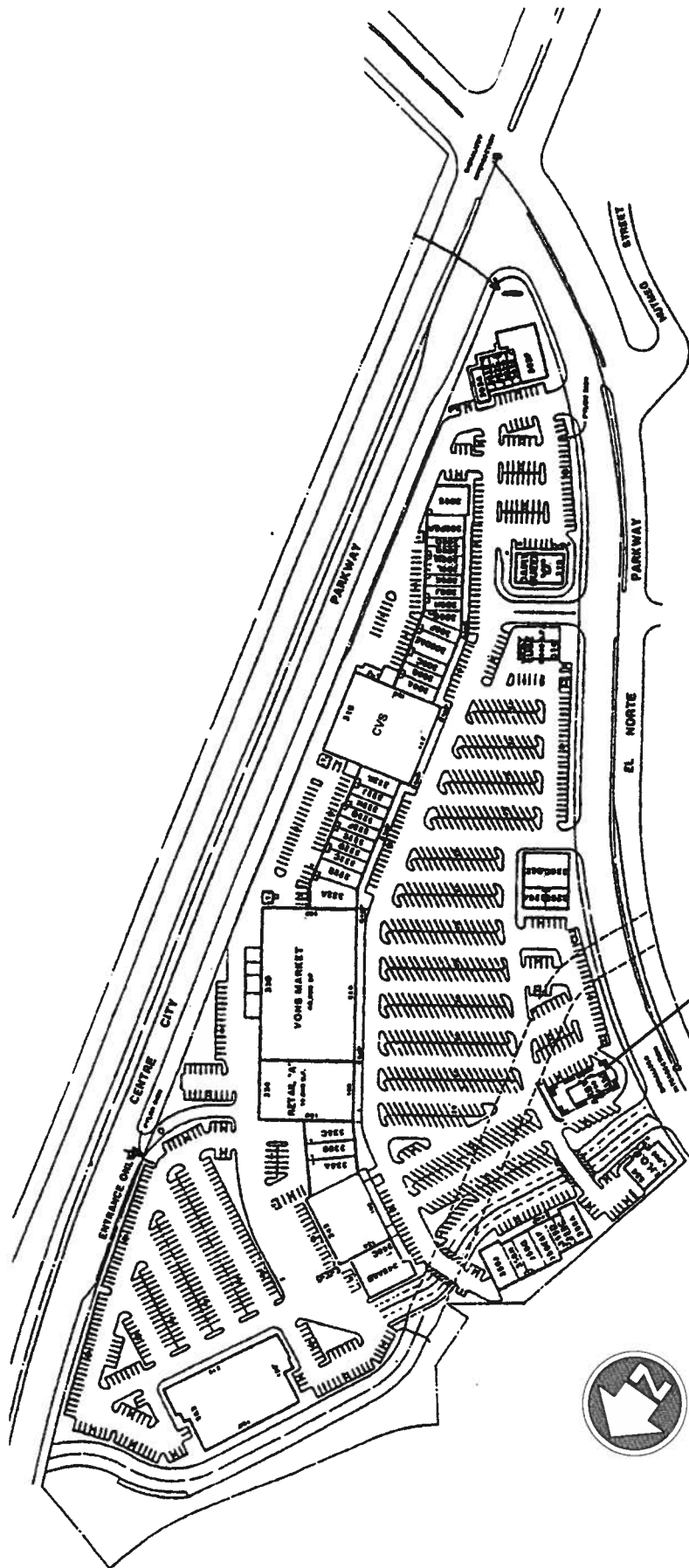

Jay Paul
Associate Planner





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**PROPOSED PROJECT
PHG 16-0013**



PROPOSED
EL POLLO LOCO

PROPOSED PROJECT
PHG 16-0013

KEYNOTES

- (1) (N) CONCRETE LANDING SLOPE NOT TO EXCEED 2% ON ANY DIRECTION.
- (2) REMOVE EXISTING DISABLED ACCESSIBLE SIGN AND RELOCATE FOR PLAN.
- (3) (N) MENU BOARD AND SPEAKER POST PER SIGN VENDOR.
- (4) (E) BOLLARD TO REMAIN.
- (5) (E) DRIVE-THRU LANE.
- (6) (E) CLEARANCE BAR.
- (7) (N) MENU PREVIEW BOARD.
- (8) (E) TRASH ENCLOSURE PAINT TO MATCH BUILDING.
- (9) (E) PARKING LOT.
- (10) (E) GAS METER.
- (11) (E) HANDICAP SYMBOL - REPAINT WHITE ON BLUE BACKGROUND.
- (12) NEW LANDSCAPE AREA.
- (13) (E) ACCESSIBLE LOADING ZONE REPAINT BLUE CORRECT SLOPE 1:2.2%.
- (14) (E) TRAFFIC ARROWS REPAINT WHITE.
- (15) (N) DRIVE THRU 24" HIGH LETTERS - PAINT WHITE.
- (16) (N) DO NOT ENTER 24" HIGH LETTERS - PAINT WHITE.
- (17) (N) MONUMENT SIGN BY VENDOR.
- (18) REMOVE PORTION OF CONCRETE AND EXTEND PLANTER.
- (19) (N) TRUNCATED CONES.
- (20) (N) ACCESSIBLE PATH OF TRAVEL.
- (21) (E) ACCESSIBLE RAMP.
- (22) (E) LANDSCAPE NO WORK.
- (23) (E) CONCRETE GUTTER.
- (24) (E) LIGHT POLE.
- (25) ELECTRICAL MAIN SWITCH BOARD SEE ELECTRICAL DRAWINGS.
- (26) (S) WALLS (TOP, HIGHWAY SIDE).
- (27) (E) WATER METER.
- (28) (E) WALKWAY.
- (29) (E) VAN ACCESSIBLE PARKING SPACE AND LOADING ZONE SLOPE NOT TO EXCEED 2% ON ANY DIRECTION.
- (30) (E) FIRE HYDRANT.
- (31) (N) TOW AWAY SIGN.

AERIAL MAP

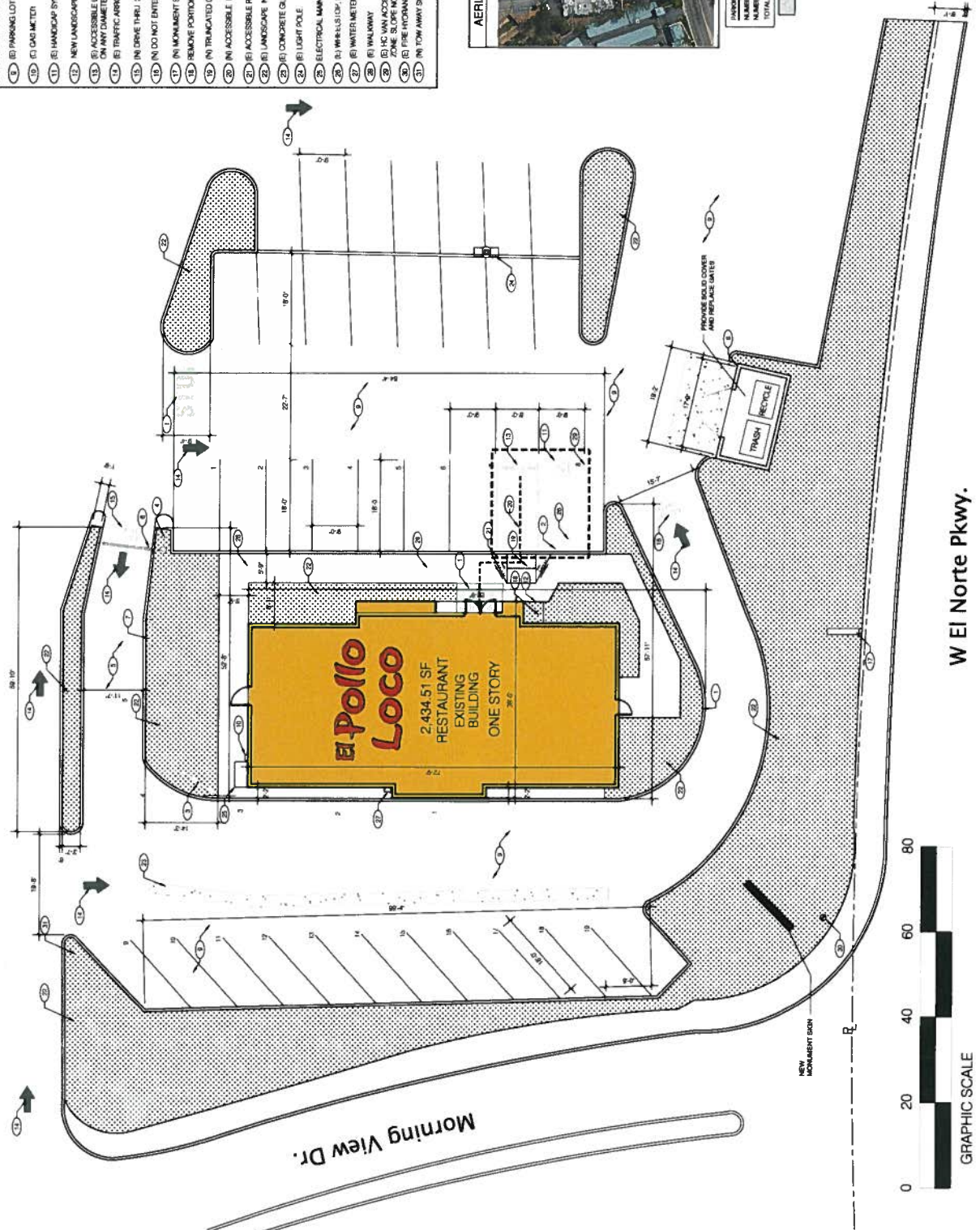


PARKING	SPACES PROVIDED
NUMBER OF DISABLED SPACES	2
NUMBER OF STANDARD SPACES	17
TOTAL PARKING	19

WHITE LINES INDICATE NEW CONCRETE



PRECISE PLAN



PROPOSED PROJECT
PHG 16-0013

SP

SITE PLAN

ELEVATIONS

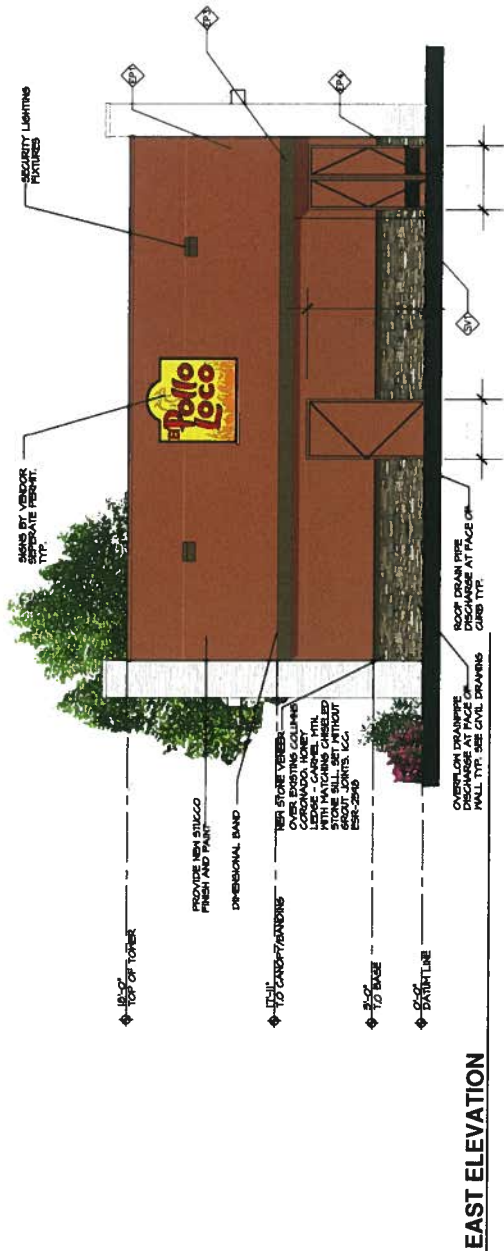
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SOUTH ELEVATION

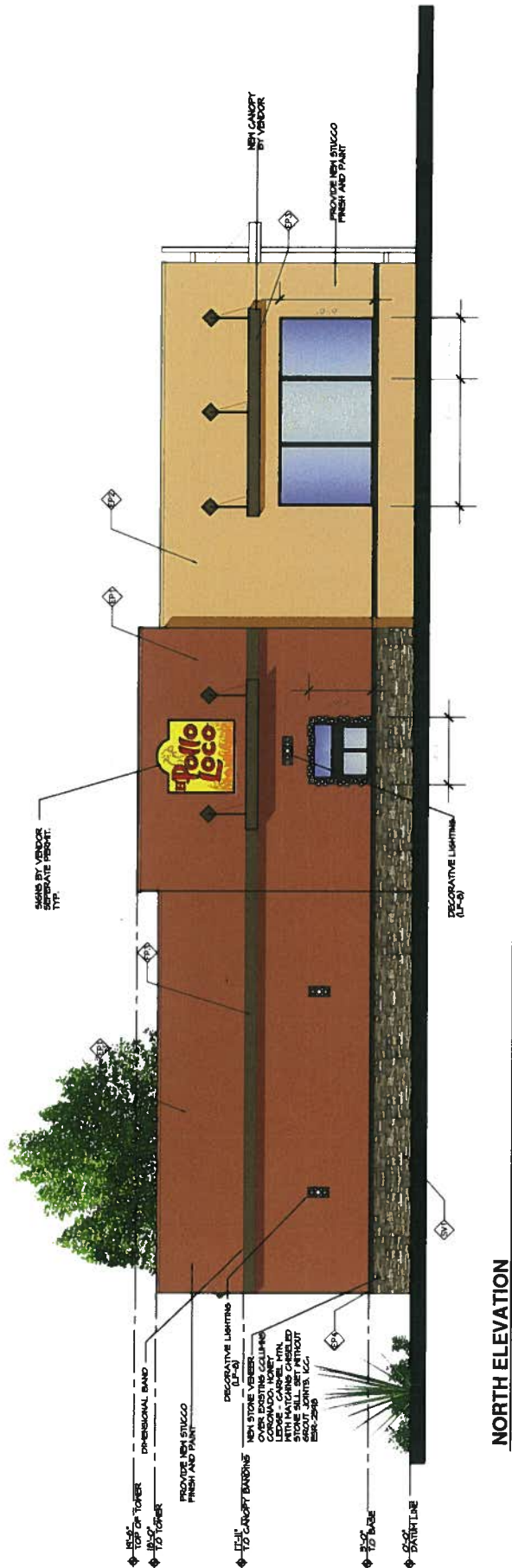
PROPOSED PROJECT PHG 16-0013

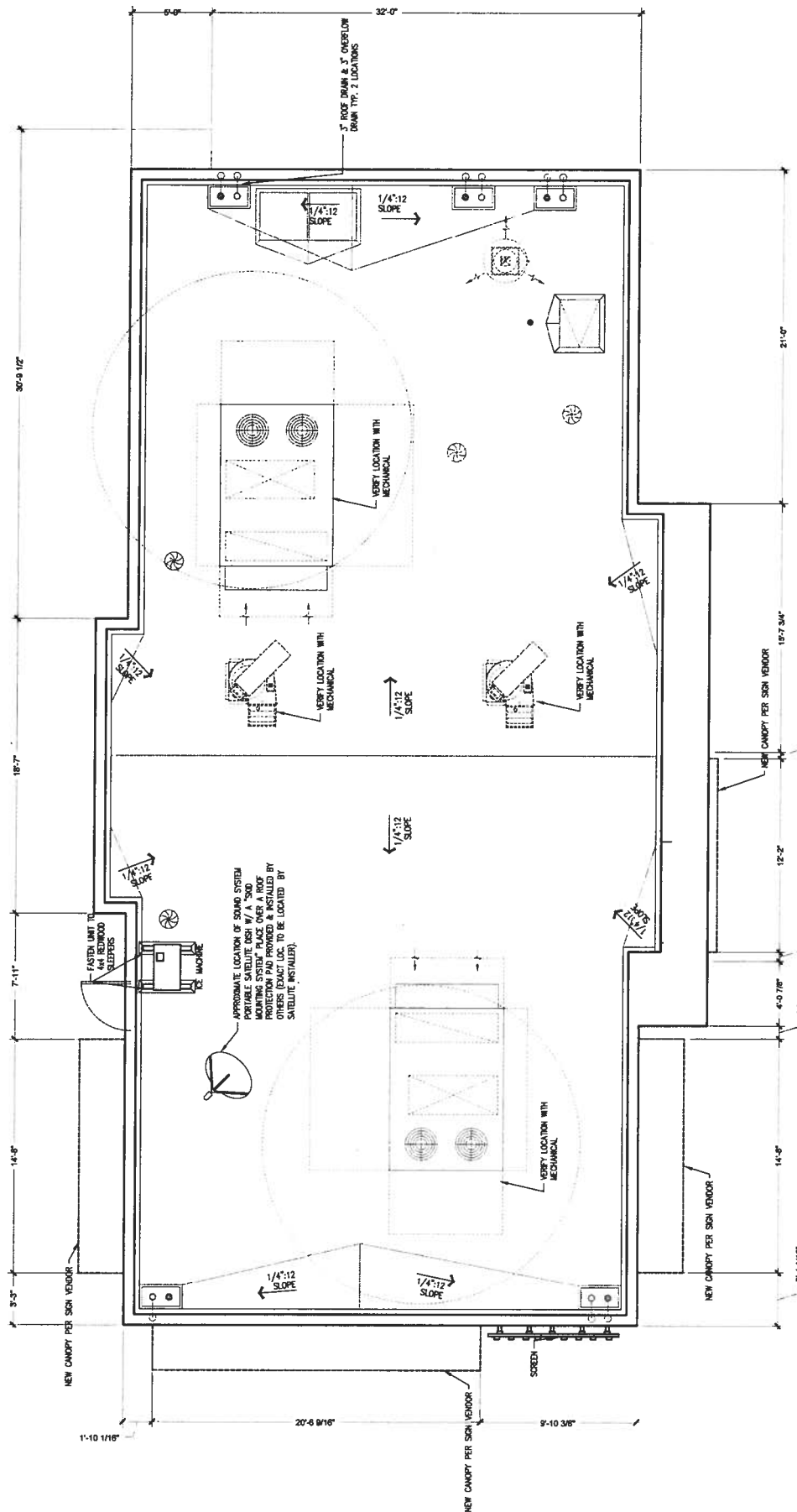
E

ELEVATIONS



LEGEND	
	GLIDDEN PROFESSIONAL - A448 SOLAR SUMMER
	GLIDDEN PROFESSIONAL - A450 WOOD TROUGH
	GLIDDEN PROFESSIONAL - A452 BRANSPORT BROWN
	GLIDDEN PROFESSIONAL - A172 COTTAGE CHOCOLATE
	GLIDDEN PROFESSIONAL - A172 SATE BROWN
	STONE VENEER - CORNWALL, HONEY LIZIE - CARVEL HTL WITH MATCHING CHECKED STONE, ALL SET WITHOUT GROUT JOINTS, ESR-2548
	DARK BRONZE ALUMINUM STONEFRONT
	ARCH GRILL BY VENDOR, EXPORT ALUMINUM - POWDER COATING FACTORY FINISH, PLATING STAINLESS BRONZE.
NOTE FOR TOUCH-UP PAINT OR CANOPIES, WOODSIE FINE BRUSH, METAL DECORATIVE FIXTURES, ETC. USE	





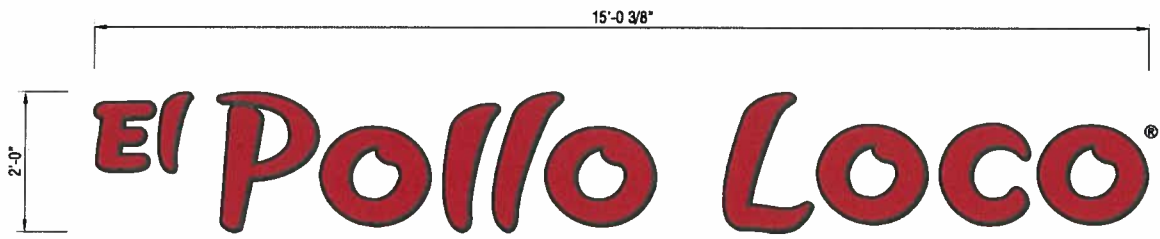
ROOF PLAN



PROPOSED PROJECT
PHG 16-0013

R

ROOF PLAN



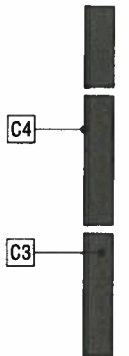
24" LINEAR LAYOUT



SIDE VIEW



24" STACKED LAYOUT



SIDE VIEW



18" LINEAR LAYOUT



SIDE VIEW

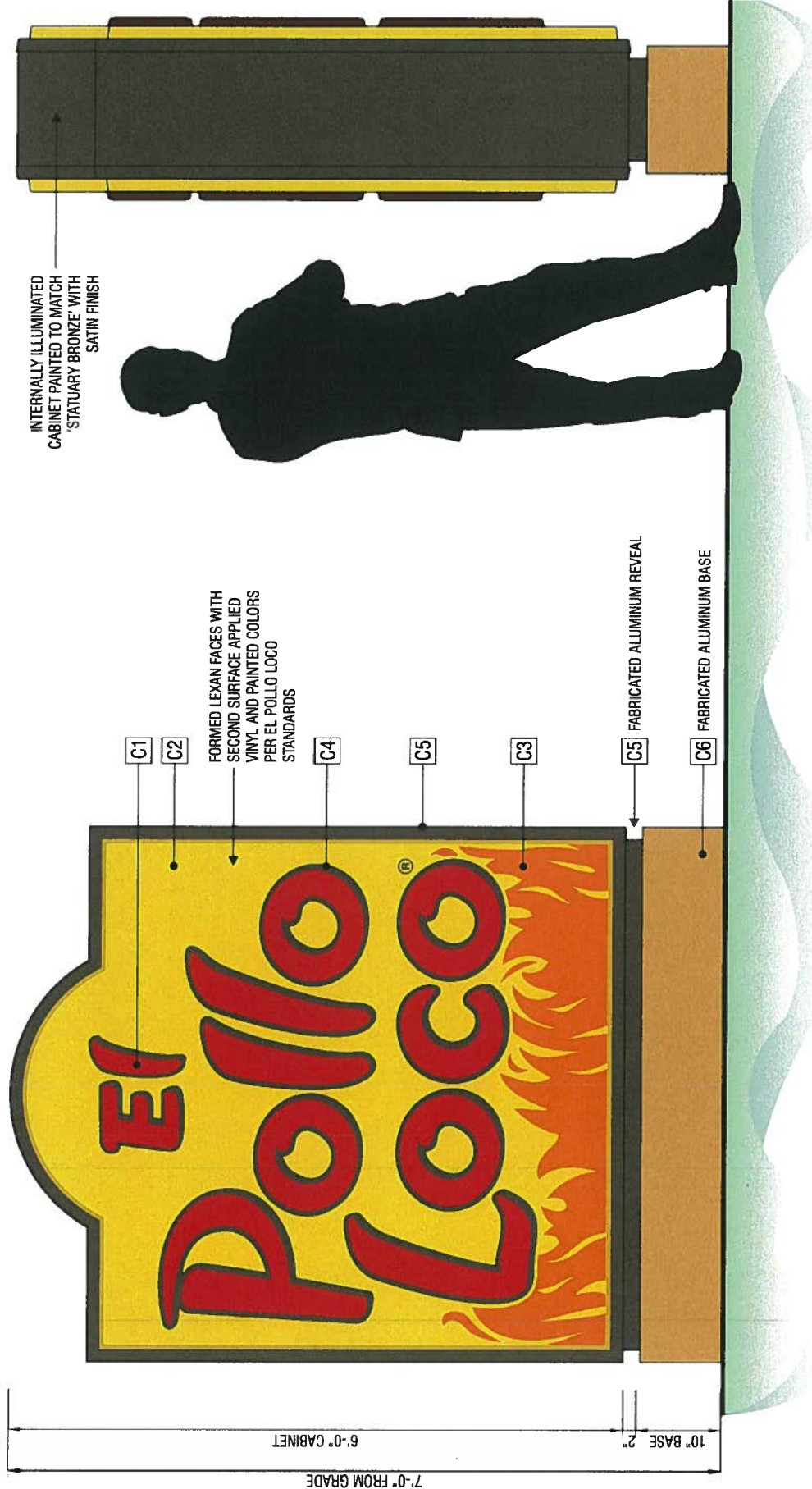
PROPOSED PROJECT
PHG 16-0013

S

SIGN PLAN

5'-2 3/4" CABINET

1'-3" CABINET
(TYP)



INTERNALLY ILLUMINATED
CABINET PAINTED TO MATCH
'STATUARY BRONZE' WITH
SATIN FINISH

FORMED LEXAN FACES WITH
SECOND SURFACE APPLIED
VINYL AND PAINTED COLORS
PER EL POLLO LOCO
STANDARDS

C5 FABRICATED ALUMINUM REVEAL

C6 FABRICATED ALUMINUM BASE

ELEVATION VIEW

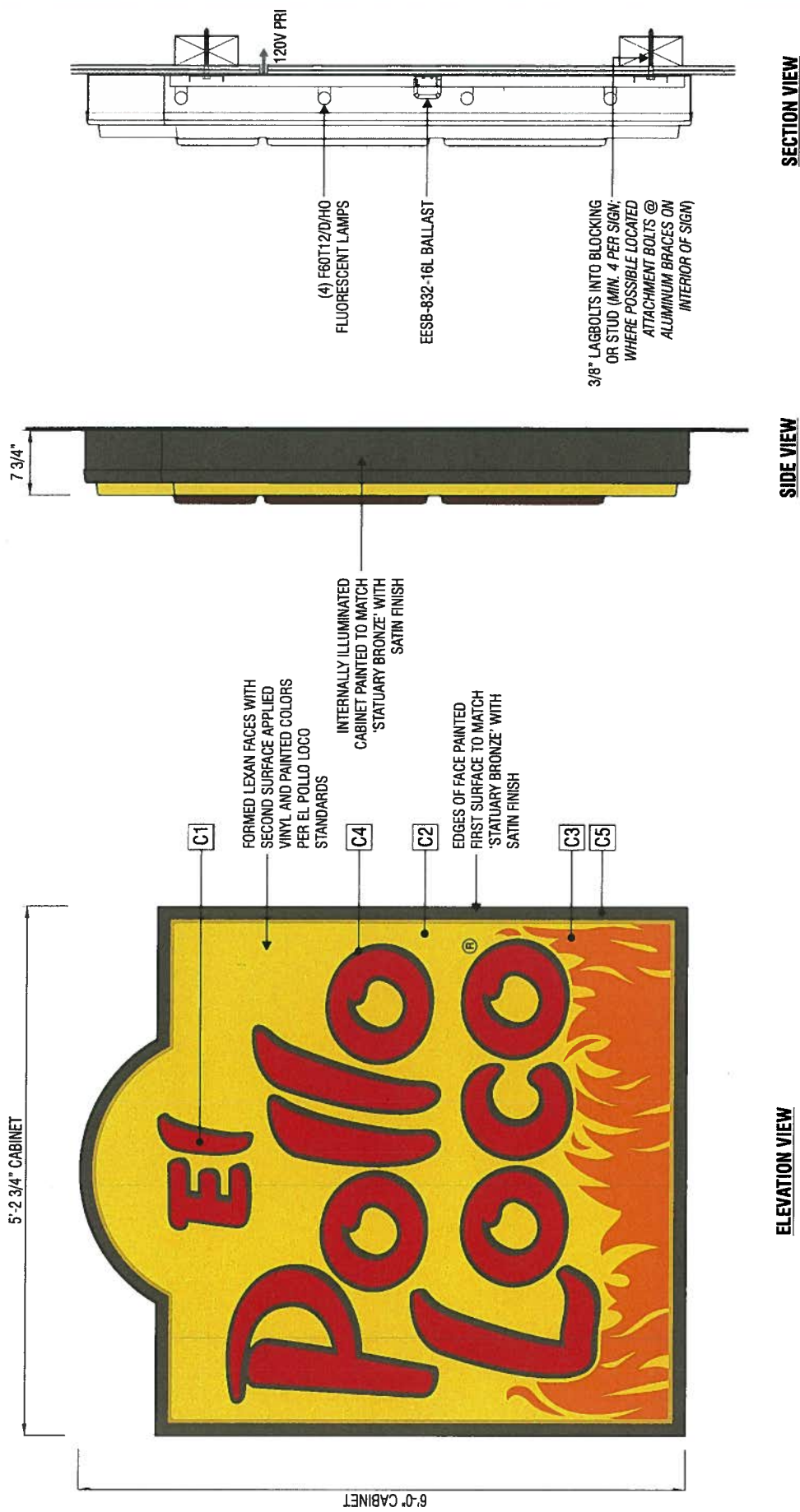
SIDE VIEW

D/F 6'-0" X 5'-2 3/4" TRIMLESS MONUMENT SIGN @ 7'-0" OAH 31.4 SQUARE FEET

PROPOSED PROJECT
PHG 16-0013

S

SIGN PLAN



PROPOSED PROJECT
PHG 16-0013

S
SIGN PLAN

ANALYSIS

A. ENVIRONMENTAL STATUS

The proposed project is categorically exempt from environmental review in conformance with CEQA Section 15301, Class 1, "Existing Facilities." CEQA provides an exemption for interior and exterior alterations to existing structures and for additions to existing structures provided the project is within an area where all public services and facilities are available to allow for maximum development in conformance with the General Plan, and the area is not environmentally sensitive. The subject site is located within an existing shopping center surrounding by urban development. In staff's opinion, the proposed Precise Development Plan for the remodel of the existing restaurant would not have a significant impact to the environment. All project related issues remain resolved through compliance with code requirements, project design and the recommended conditions of approval.

B. CONFORMANCE WITH CITY POLICY

General Plan

The General Plan land-use designation for the site is Planned Commercial, (PC) and the underlying zoning is Planned Development Commercial (PD-C) that allows for a variety of commercial retail and restaurant uses within the shopping center. The El Polo Loco restaurant is consistent with the list of permitted uses established for the shopping center and previous use of the outpad building as a restaurant with a drive-through. The proposed project would be in conformance with General Plan Economic Policies (page II-23) which encourage economic activities to expand or locate in Escondido that are clean and nonpolluting; provide additional employment opportunities; reduce the need for Escondido residents to commute out of the area; will maintain the City's fiscal stability; and are aesthetically superior. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate public facilities, on-site parking, circulation and public services are provided to the site.

C. PROJECT ANALYSIS

Appropriateness of the Proposed Design for El Pollo Loco – The Master Development Plan for the Del Norte Plaza Shopping Center included a design theme that has been implemented throughout the inline shops. The outpad buildings vary in architectural design, but have incorporated some of the inline architectural features to either include a standing seam metal roof or metal awnings, along with the lighter exterior wall colors and accents. El Pollo Loco is proposing to remodel the existing vacant restaurant building and remove the existing red metal wall awnings to incorporate their current corporate branding to include a bolder color palate (brick red, browns and golden/yellow earth tones), stone accents, decorative wall lighting sconces, and signage. The existing red metal awnings would be replaced with metal eyebrow type canopies above select door and windows. The eastern elevation would provide the main entry into the building and a portion of the wall would be built out a few feet and clad in stone veneer to provide a more prominent recessed entry feature. The windows along the western elevation (facing El Norte Parkway) would be replaced with a new door and storefront glass along with a paved walkway. This new paved area also could provide some outdoor seating opportunities (small tables and umbrellas). The western elevation will incorporate a signature metal grill feature that is backlit with red light to simulate the inside cooking grill. The existing trash enclosure would be upgraded to conform to the new storm water requirements to include a solid roof structure and new solid gates.

Commercial centers generally provide flexibility for individually designed outbuildings to suit the needs of the various businesses, corporate themes and community uses, while provide some variety throughout the center. The applicant feels the shopping center design is dated and the new El Pollo Loco design is appropriate for the site due to the separation from the main inline shops and close proximity to El Norte Parkway. They also feel the new design may trigger other buildings within the center to upgrade their current architectural design, especially because several of the inline shops and an existing outpad building are proposing to change occupancy and modify the exterior in the near future. Staff supports the new design and believes the architecture features and colors would be appropriate for the site.

Appropriateness of the Proposed Signage – A comprehensive sign program was approved for the Del Norte Plaza Shopping Center that has been modified over the years to allow a variety of sign types and sizes. The center's sign program differs from other commercial sign programs and the City's Sign Ordinance (Article 66) in

that it does not limit the amount of wall sign area to the size of the building. The typical ratio for general commercial development is 1 SF of sign area for 50 SF of building floor area, and maximum of 300 SF of wall signage. The sign program restricts wall signs based on the wall length (up to 80%) and also the height of individual letters (maximum 24 inches), with a maximum of 200 SF of wall signage. The center's comprehensive sign program also does not include a standard for logo type cabinet signs. In these instances, staff has deferred to the City's sign standards for the General Commercial (CG) zones to determine the appropriateness of these types of signs, along with final approval by the shopping center management. The project proposes several wall signs to include individual 24-inch high "El Pollo Loco" channel letters along the western elevation (facing El Norte Parkway) along with their standard El Pollo Loco cabinet type logo signs (6' x 5', 31.4 SF) on the other three elevations. Two marquee type signs also are proposed along the southern elevation that would advertise certain products and specials. Staff believes the proposed wall signs would be in substantial conformance with the center's sign program and City's Sign Ordinance, and also the size of the three cabinet signs would be in proportion to the size of the building elevations. These cabinet signs also are typical of other El Pollo Loco restaurants in Escondido and throughout San Diego.

The center also allows freestanding monument signs for each outpad building, subject to conformance with the Centers' sign program and the City's sign code, which would allow individual monument signs up to 6 feet in height and 30 SF with staff approval. Larger monument signs also may be permitted subject to Planning Commission approval. The previous Arby's restaurant had a monument sign, but was removed when the business closed. El Pollo Loco is proposing to install a new 7-foot-high, 31.4 SF monument sign in the landscape area along El Norte Parkway. Other individual freestanding monument signs within the center along El Norte Parkway range in height up to 8 feet and 46 SF in sign area. The additional height for the proposed El Pollo Loco sign (approx. 1 foot) and square footage over 30 SF (1.3 SF) comes from the half circle element on top of the sign. Staff believes the proposed monument sign size and height would be appropriate for the site and consistent with the existing monument signage throughout the center. Staff recommends the location for the new monument sign be located in the same or in close proximity to the previous Arby's monument sign in order to avoid any sight line issues and conflicts with utilities at the El Norte Parkway driveway entrance, as well as impacts to the existing landscaping at this prominent entry. The project also will require a menu/order board sign at the entrance to the drive-through aisle. This final design of the menu board has not been determined, but will require conformance with the City's Sign Ordinance and require approval of a final sign permit along with the other project signs during the building permit phase for the project.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The 24.5-acre commercial shopping center fronts onto and takes access from several driveways along El Norte Parkway and one driveway along Centre City Parkway. The site is developed with an approximately 223,341 SF of commercial buildings, parking lots and landscaping. Major tenants include Vons, CVS Pharmacy and LA Fitness, along with a combination of various other retail, service uses, auto repair and restaurants.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Building Size: 2,435 SF building interior space
2. Building Height: Parapet roofline varies in height from 18' to 19.6'.
3. Materials/Colors: El Pollo Loco to incorporate corporate theme exterior colors and newest architectural/branding elements. Smooth sand finish stucco exterior. Exterior colors include golden/yellow, dark and medium brown, and brick-red tones; dark bronze aluminum storefront windows; dark brown dimensional horizontal banding; metal slats to resemble a grill along the western elevation (with red accent lighting); stone veneer wainscot on certain elevations and on wall at main entry (southern elevation); and metal eyebrow type canopies over windows, doors and pick-up window.
4. Accent Lighting: Accent lighting around building consisting of decorative wall sconces and security lighting on certain elevations. Accent lighting also provided behind the grill element on the western elevation.
5. Signage:
 - Wall: 1 channel letters (24" high letters) "El Pollo Loco" (2'H x 15'L, 30 SF)
3 cabinet/logo 6'H x 5'-2"L, 31.4 SF each (total 94.2 SF)
2 marquee boards 4.5' x 4.5', 20.25 SF each (Total 40.5 SF)
Total Wall Sign Area 164.7 SF
 - Monument: 1 freestanding monument 7' high (6' high sign cabinet and 1' base) 31.4 SF
 - Menu Board: Final design to be in conformance with the City's Sign Ordinance (Article 66)
 - Directional: Final design to be in conformance with the City's Sign Ordinance
6. Landscaping: Ornamental landscape plant palette used around all elevations of the buildings that were installed with the original development of the building. A new concrete walkway to be added to provide access to the western elevation of the building. This area also could be utilized for outdoor seating. Existing landscape planter areas to be upgraded to replace and/or repair these areas as needed
7. Mechanical: Mechanical/HVAC equipment located on roof of building and screened by parapet walls.
8. Trash: Existing trash enclosure to accommodate up to two bins located within a landscape area towards the southwestern area of the site. The enclosure will be modified to include a solid roof structure to conform to storm water requirements along with new solid gates.
9. Parking: The center is required to provide a minimum of 1,155 parking spaces (ratio of 1:200 SF) based on the ultimate approved building area of the center at 230,920 SF. The current area of buildings within the shopping center is 223,341 SF with 1,202 spaces available throughout the various parking areas.

EXHIBIT"A"

FINDINGS OF FACT PHG 16-0013 El Pollo Loco

Precise Development Plan

1. The proposed Precise Development Plan to remodel the existing restaurant and drive-through for El Pollo Loco would be in conformance with the Planned Commercial (PC) land-use designation for the commercial shopping center and approved Master and Precise Development Plan for the 24.5-acre site because a restaurant use is consistent with the Planned Development zoning and list of permitted uses established for the shopping center. The subject outpad site also previously was developed as a restaurant with a drive-through. The proposed project would be in conformance with General Plan Economic Goals and Policies that promote a variety of commercial activities within self-contained, comprehensively planned commercial centers; and also provide high quality, diversified and employee intensive retail businesses that create and sustain a strong economic base and provide opportunities for the full employment of a diverse set of skills. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services are provided to the site.
2. The approval of the proposed Precise Development Plan would be based on sound principles of land use, would not cause deterioration of bordering land uses, and would be well integrated with the surrounding properties because the 24.5-acre site is zoned for commercial development and is developed with an approximately 233,341 SF planned commercial shopping center. The project only involves the remodel and use of an existing restaurant with a drive-through by a new restaurant. Adequate parking, circulation, utilities and access would be provided for the development. The project would not result in any adverse noise, visual or compatibility impacts with surrounding uses.
3. The overall design of the proposed building modifications and signage would produce an attractive commercial facility due to overall quality of the building design, colors and materials, and perimeter landscaping, and its location on an existing pad within a planned commercial shopping center and
4. The proposed project is categorically exempt from environmental review in conformance with CEQA Section 15301(e), Class 1, and "Existing Facilities." CEQA provides an exemption for interior and exterior alterations to existing structures, and for additions to existing structures provided that the addition will not result in an increase of more than 10,000 SF if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive. The proposal only involves the remodel of an existing restaurant with drive-through to accommodate a new restaurant and no increase in building floor area is proposed. The Engineering Department indicated that all public utilities and services are available to serve the project. Therefore, the project would not have a significant impact to the environment. All project related issues remain resolved through compliance with code requirements, project design and the recommended conditions of approval.

EXHIBIT "B"

CONDITIONS OF APPROVAL

PHG 16-0013

El Pollo Loco

General

1. All construction shall comply with all applicable requirements of the Master Development Plan for the Del Norte Plaza Shopping Center (unless specifically modified by this Precise Plan), Escondido Zoning Code and requirements of the Planning Department, Engineering Divisions, Director of Building, and the Fire Chief.
2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
3. Prior to or concurrent with the issuance of building permits, the appropriate development fees and any required Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development.
4. As proposed, the building site plan, building, architecture, colors and materials, shall be in accordance with the staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division.
5. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75). A copy of the lighting plan shall be included as part of the building plans, to the satisfaction of the Planning Division.
6. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) and the Master Sign Program for the Del Norte Plaza Shopping Center. A separate sign permit will be required for project signage. Del Norte Plaza shall approve the final sign program for the project prior to the issuance of sign and building permits for the proposed signs. Where the sign program does not contain specific criteria for certain types of signs, the City's Sign Ordinance (Article 66) shall apply. The proposed monument sign shall be located in the same location or in close proximity to the previous Arby's monument sign to avoid sight line impacts at the El Norte Parkway driveway, as well as conflicts with existing utilities and center landscaping, to the satisfaction of the Director of Community Development.
7. All trash enclosures must be designed and installed per City standards and in coordination with Engineering Department storm water control requirements, to include a solid roof structure and new solid gates. The roof structure shall be consistent with the overall design of the shopping center.
8. All rooftop equipment must be fully screened from public street view utilizing materials and colors which match the building, to the satisfaction of the Director of Community Development. The final building plans shall clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment.
9. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).

10. 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. This shall be noted on the final site plans and building plans. Accessible path(s) of travel also shall be identified on the building plans.
11. 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 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 specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) along with the appropriate plan check fee shall be submitted prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Division. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in Ordinance 93-12. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
2. The landscaping plan shall include the repair and upgrade (as may be necessary) all of the landscape planter areas around the building. Any landscape areas impacted by new the new monument sign shall be repaired. Any mature trees removed shall be replaced at a 1:1 ratio with specimen-sized trees (min. 24" box).
3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
4. Prior to occupancy 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.
5. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.



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

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Deputy County Clerk
P.O. Box 121750
San Diego, CA 92112-1750

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

Project Title/Case No.: Precise Development Plan (Case No. PHG 16-0013)

Project Location - Specific: Del Norte Plaza Commercial Center, 350 W. El Norte Parkway

Project Location - City: Escondido

Project Location - County: San Diego

Description of Project: A Precise Development Plan to remodel an existing 2,435 SF restaurant building with drive-through (formally Arby's) on an outpad site within the Del Norte Commercial Shopping Center for a new El Pollo Loco restaurant.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Gabriela Marks, (Marks Architects, Inc.)

Telephone: (619) 890-2171

Address: 2643 4th Avenue, San Diego, CA 92103

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

Exempt Status: Categorical Exemption. Section 15301, "Existing Facilities."

Reasons why project is exempt:

1. In staff's opinion, the request does not have the potential for causing a significant effect on the environment because the project only involves the interior and exterior remodel of an existing restaurant with drive-through. The intensity of the use would not be any greater than the existing uses of the site/building. No increase in the floor area of the building is proposed, nor impact to existing parking spaces or on-site circulation. No issues remain unresolved through compliance with code requirements, required county, state and federal standards and permits.
2. The site is in an area where all public services and facilities are available to allow for the proposed use.
3. The project site is within a developed 24.5-acre commercial center and surrounded by urban development on all sides. Access is provided by two Circulation Element Streets (El Norte Parkway and Centre City Parkway).
4. The project would not create any significant increase in vehicle trips, nor impact vehicular circulation on or around the site. Appropriate on-site parking is provided. The project would not generate any significant noise impacts to adjacent uses through the project design and compliance with the project Conditions of Approval. The project would not result in the destruction of desirable natural features, nor be visibly obtrusive or disharmonious with surrounding areas.

Lead Agency Contact Person: Jay Paul, Planning Division

Area Code/Telephone/Extension (760) 839-4537

Signature: Jay Paul, Associate Planner

September 21, 2016
Date

☒ Signed by Lead Agency

Date received for filing at OPR: N/A