

ORDINANCE NO. 2017-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ADOPTING THE VILLAGES SPECIFIC PLAN AND ADOPTING AN AMENDMENT TO THE CITYWIDE ZONING MAP TO CHANGE THE DESIGNATION OF THE 109.3-ACRE PROJECT SITE FROM R-1-7 TO SPECIFIC PLAN (SP) TO SUPPORT THE VILLAGES – ESCONDIDO COUNTRY CLUB PROJECT PROPOSAL

APPLICANT: New Urban West Inc.  
CASE NOS.: SUB 16-0009, PHG 16-0018, and ENV 16-0010

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. The City Council makes the following findings:

a) New Urban West, Inc. ("Applicant") submitted a verified land use development application on property located in the northwest portion of the City, along both sides of West Country Club Lane west of Nutmeg Street. The Project site is approximately 109.3 acres in size and currently has an address of 1800 West Country Club Lane, Escondido CA 92025, legally described as "Exhibit D to City Council Resolution No. 2017-151," which is incorporated herein by this reference as though fully set forth herein. Said verified application was submitted to, and processed by, the Planning Division of the Community Development Department as Planning Case Nos. SUB 16-0009, PHG 16-0018, and ENV 16-0010 and seeks approval of a Specific Plan and Rezone relating to the Project site.

b) The Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for October 24, 2017. Following the public hearing on October 24, 2017,

the Planning Commission adopted Resolution No. 6015, which recommended that the City Council, among other things, approve the Project's Specific Plan and Rezone.

SECTION 2. An original copy of the proposed Specific Plan and Rezone and all other related Project materials are on file in the Office of the City Clerk, with a copy of each document submitted to the City Council for its consideration. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 3. The City Council did on November 15, 2017, hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

- a) Written information including all application materials and other written and graphical information posted on the project website.
- b) Oral testimony from City staff, interested parties, and the public.
- c) The City Council staff report, dated November 15, 2017, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including the Planning Commission's recommendation on the request.
- d) Additional information submitted during the public hearing.

SECTION 4. Pursuant to the California Environmental Quality Act, a Final Environmental Impact Report (SCH No. 2017011060) relative to the Project was prepared and the City Council has certified it, along with adopting the CEQA Findings of

Fact, a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program per City Council Resolution No. 2017-151.

SECTION 5. That upon consideration of the Findings/Factors to be Considered, attached as Exhibit "A" and incorporated herein by this reference as though fully set forth, the November 15, 2017 City Council staff report, the Planning Commission recommendation, based on the totality of the record and evidence described and referenced in this Resolution, the City Council desires to adopt the proposed Specific Plan, called the Villages - Escondido Country Club ("Villages Specific Plan"), to govern the physical development of that area of the City of Escondido. In accordance with Government Code Section 65454, no Specific Plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan. In order for zoning and other measures to comply with consistency requirements, the General Plan itself must first be complete and adequate and must be internally consistent.

SECTION 6. The City Council has approved a General Plan Amendment to enable adoption of the Villages Specific Plan, per City Council Resolution No. 2017-152.

SECTION 7. A Rezone or text/map changes to the Citywide Zoning Map is necessary to provide consistency between the General Plan, Specific Plan, Municipal Code and Zoning Code. That the Citywide Zoning Map is hereby amended to change the zoning on the subject site from R-1-7 (Single-Family Residential – 7,000 square foot minimum lot size) to Specific Plan (SP), as set forth in Exhibit "B" and incorporated herein by reference as though fully set forth.

SECTION 8. That the City Council desires at this time and deems it to be in the best public interest to approve the Specific Plan associated with the Project, and hereby adopts said Specific Plan, as attached as Exhibit "C," and incorporated herein by this reference as though fully set forth herein.

SECTION 9. The findings of the Planning Commission, contained in Planning Commission Resolution No. 6015, on file with the Office of the City Clerk and incorporated herein by reference, are hereby adopted as the findings of the City Council.

SECTION 10. All references within this Ordinance to "Applicant," "Developer," or "Subdivider" shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors of assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Project site.

SECTION 11. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 12. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13. Concurrently with this Ordinance, the City Council is taking a number of actions in furtherance of the Project, as generally described by the November 15, 2017 City Council staff report. No single component of the series of

actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its corporate limits as a statute in the manner provided by state law. Therefore, this Ordinance shall become effective after final passage and publication as required by law, and operative only if City Council Resolution Nos. 2017-151 and 2017-152 are approved.

SECTION 14. The City Council authorizes all subsequent action to be taken by City Officials consistent with this Ordinance.

SECTION 15. That the City Clerk is hereby directed to certify to the passage of this Ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

SECTION 16. The Ordinance shall become effective 30 days from the date of the passage.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 6<sup>th</sup> day of December, 2017 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MORASCO

NOES : Councilmembers: MASSON, ABED

ABSENT : Councilmembers: NONE

APPROVED:



SAM ABED, Mayor of the  
City of Escondido, California

ATTEST:



DIANE HALVERSON, City Clerk of the  
City of Escondido, California

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STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO : ss.  
CITY OF ESCONDIDO )

I, DIANE HALVERSON, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2017-13 passed at a regular meeting of the City Council of the City of Escondido held on the 6<sup>th</sup> day of December, 2017, after having been read at the regular meeting of said City Council held on the 15<sup>th</sup> day of November, 2017.



DIANE HALVERSON, City Clerk of the  
City of Escondido, California

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