

ORDINANCE NO. 2018-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING ARTICLE 1 (DEFINITIONS), ARTICLE 16 (COMMERCIAL ZONES), ARTICLE 26 (INDUSTRIAL ZONES), AND ARTICLE 57 (MISCELLANEOUS USE RESTRICTIONS) OF THE ESCONDIDO ZONING CODE; AMENDING TABLE 4.1 OF THE EAST VALLEY PARKWAY AREA PLAN; AND AMENDING TABLE 4.2 OF SOUTH CENTRE CITY SPECIFIC PLAN TO LIMIT SELF-STORAGE FACILITIES AND MAXIMIZE THE CITY'S ABILITY TO EXERCISE DISCRETIONARY REVIEW OF SELF-STORAGE FACILITY APPLICATIONS

APPLICANT: City of Escondido
PLANNING CASE NO.: AZ 18-0002

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

SECTION 1. That proper notices of a public hearing have been given and public hearings have been held before the Planning Commission and City Council on this issue.

SECTION 2. The Planning Commission conducted a public hearing on April 24, 2018, to discuss and consider the proposed amendments, considered public testimony, and made a recommendation to the City Council.

SECTION 3. The City Council has duly reviewed and considered all evidence submitted at said hearings, including, without limitation:

- a. Written information;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated May 23, 2018, which along with its attachments is incorporated herein by this reference as though fully set forth herein; and
- d. Additional information submitted during the Public Hearing.

SECTION 4. The City Council finds that recent commercial real estate investment trends and rentable self-storage space demand has created a surge in development inquiries and pre-application meetings for self-storage facilities. At this time, the City Council of the City Escondido desires to amend the Escondido Zoning Code to limit self-storage facilities and maximize the City's ability to exercise discretionary review of self-storage facility applications. The Zoning Code Amendment requires ancillary and conforming amendments to the East Valley Parkway Area Plan and South Centre City Specific Plan to ensure self-storage facilities are reviewed and considered consistently, Citywide.

SECTION 5. This action is exempt from environmental review pursuant to California Environmental Quality Act Guidelines ("CEQA" and "CEQA Guidelines") Section 15061(b)(3) since there would be no possibility of a significant effect on the environment because the amendments will not directly result in development. Any future project or development as defined by the CEQA that may occur as a result of the amended language would be subject to CEQA review and analysis.

SECTION 6. That upon consideration of the staff report, Planning Commission recommendation, Planning Commission staff report, all public testimony presented at the hearing held on this project, and the "Findings of Fact," attached as Exhibit "A" to this Ordinance and incorporated herein by this reference as though fully set forth herein, this City Council finds the proposed amendments are consistent with the General Plan and all applicable specific plans of the City of Escondido, as amended.

SECTION 7. That the specified sections of the Escondido Zoning Code, East Valley Parkway Area Plan, and South Centre City Specific Plan are amended as set forth

in Exhibit "B" to this Ordinance and incorporated herein by this reference as though fully set forth herein.

SECTION 8. 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 9. That as of the effective date of this Ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. 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.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 6th day of June, 2018 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MASSON, MORASCO, ABED

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:



SAM ABED, Mayor of the
City of Escondido, California

ATTEST:



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

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. 2018-12 passed at a regular meeting of the City Council of the City of Escondido held on the 6th day of June, 2018, after having been read at the regular meeting of said City Council held on the 23rd day of May, 2018.



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

ORDINANCE NO. 2018-12

EXHIBIT "A"

FACTORS TO BE CONSIDERED/FINDINGS OF FACT

Zoning Code and Specific Plan Amendments

1. The public health, safety, and welfare would not be adversely affected by the proposed Zoning Code and Specific Plan Amendments. The proposed amendment develops new land use limitations and revises the permitting process for self-storage facilities, which requires findings of necessity and strategies necessary to capture economic investment and locate development appropriately. The proposed Zoning Code and Specific Plan Amendments would not be detrimental to surrounding properties because no physical improvements are proposed as part of these proposed amendments. Future construction must comply with any applicable laws and standards. This includes the Building Code, the Fire Code, and any property standards bylaws.
2. The proposed Zoning Code and Specific Plan Amendments help ensure land resources are more closely aligned with critical overarching economic goals of the city, while addressing neighborhood concerns about certain types of businesses.
3. The proposed Zoning Code and Specific Plan Amendments, implemented over time though updated permit processing and review criteria, would likely lead to increased property values by promoting higher quality self-storage facility development and/or preventing unwanted or unsightly forms of development in key areas where high employment uses are desired.
4. The proposed Zoning Code and Specific Plan Amendments would be consistent with the goals and policies of the General Plan because the amendments would not, in and of themselves, result in development or any other material change to the environment. Updating key portions of the Zoning Code establishes specific conditions or standards that would apply to future projects to promote land use compatibility, reflect current community needs, and ensure their consistent application regardless of zone district type. The proposed Zoning Code and Specific Plan Amendments would not diminish the Quality of Life Standards of the General Plan, nor adversely impact community health or natural resources. This Project requires ancillary and conforming amendments to the East Valley Parkway Area Plan and South Centre City Specific Plan to ensure self-storage facilities are reviewed and considered consistently, citywide.
5. This Project requires an ancillary and conforming amendments to the East Valley Parkway Area Plan and South Centre City Specific Plan to ensure self-storage facilities are reviewed and considered consistently, citywide. The proposed Zoning Code and Specific Plan Amendments do not conflict with any specific plan.

EXHIBIT "B"

PROPOSED ZONING CODE AND SPECIFIC PLAN AMENDMENTS

AZ 18-0002

SECTION I.

Amend the Chapter 32 of the Escondido Zoning Code to read as specified below. The changes are listed in order by section number, with ~~strikeout~~ typeface illustrating deletions and underline typeface illustrating new text.

Article 1, Section 33-8. Definitions. Add "mini-warehouse storage" as a defined use.

Mini-warehouse storage facility, also known as "self-storage" or "mini-storage," means an establishment containing individual compartmentalized spaces or warehousing space for rent or lease to the general public for personal storage, including businesses and individuals.

Article 16, Sec. 33-332. Table 33-332, Permitted and Conditionally Permitted Principal Uses. Change source of special use regulations.

Mini-warehouse storage facilities* (~~section 33-339~~Article 57)

Article 16, Sec. 33-339. ~~Mini-warehouse storage facilities requirements.~~Reserved.

~~— In addition to the requirements set forth in sections 33-335 through 33-337 of this article, no mini-warehouse storage facility projects shall be granted a CUP unless the following requirements are satisfied:~~

~~— (a) Adequate security shall be provided by managers during hours of operation and/or full-time resident caretakers.~~

~~— (b) All storage shall be within completely enclosed structures.~~

~~— (c) Goods or products which are hazardous, toxic or obnoxious, shall be prohibited.~~

~~— (d) The development shall provide adequate fire and vehicular access and parking to accommodate anticipated vehicle types and quantities including, but not limited to, moving vans, trucks, fire equipment and automobiles.~~

~~— (e) The proposed development should be compatible with surrounding development (existing and/or anticipated) in terms of scale, mass and setbacks.~~

~~— (f) Screening should be provided as necessary to visually buffer the proposed development from surrounding streets and properties, particularly residential and may consist of any combination of landscaping, fencing, or other suitable method. Setbacks greater than those required within the CG zone may also be required to reduce impacts to surrounding properties.~~

Article 26, Sec. 33-564, Table 33-564, Permitted and Conditionally Permitted Principal Uses. Add "mini-warehouse storage" as a land use activity under warehousing and distribution and establish land use authorization for self-storage facilities, by conditional use permit.

	I-O	M-1	M-2	I-P
<u>Mini-warehouse storage facilities</u>		<u>C</u>		

Article 57, Sec. 33-1121. Reserved Mini-warehouse storage facilities requirements.

Mini-warehouse storage facility projects shall be allowed as provided in any Permitted and Conditionally Permitted Principal Use Matrix and shall comply with the development standards of the zoning district, general development standards, and this section. No mini-warehouse storage facility project shall be granted a permit unless the following requirements are satisfied:

- (a) Adequate security shall be provided by managers during hours of operation and/or full-time resident caretakers.
- (b) All storage shall be within completely enclosed structures.
- (c) Goods or products which are hazardous, toxic or obnoxious, shall be prohibited.
- (d) Electrical service to storage units shall be for lighting and climate control only. No electrical outlets are permitted inside individual storage units. Lighting fixtures and switches shall be of a secure design that will not allow tapping the fixtures for other purposes.
- (e) The development shall provide adequate fire and vehicular access and parking to accommodate anticipated vehicle types and quantities including, but not limited to, moving vans, trucks, fire equipment and automobiles.
- (f) The proposed development should be compatible with surrounding development (existing and/or anticipated) in terms of scale, mass and setbacks. Mini-warehouse facility buildings shall be surfaced in high-quality materials. Unfaced concrete block, painted masonry, tilt-up and pre-cast concrete panels and prefabricated metal sheets are prohibited. Prefabricated buildings are not allowed.
- (g) Screening should be provided as necessary to visually buffer the proposed development from surrounding streets and properties, particularly residential and may consist of any combination of landscaping, fencing, or other suitable method. Setbacks greater than those required within the underlying zone may also be required to reduce impacts to surrounding properties.
- (h) Accessory uses such as the rental of trucks, trailers or moving equipment (hand carts, jacks and lifts, etc.), the installation of trailer hitches, or the sale of boxes or packing materials are permitted only if they are otherwise permitted in the zone in which the facility is located, and shall meet all use and development standards of the zone. Incidental or accessory manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances or other electrical equipment, any other industrial activity, and/or retail sales or services related to storage unit garage or estate sales or auctions are prohibited.
- (i) Demand analysis and mitigation as specified in Section 33-1125 of this article.

Article 57, Sec. 33-1125. Reserved Land uses and activities that require special study for potential economic impact.

This section establishes a process to analyze the economic impact of certain new development proposals and land use decisions. The analysis required below shall be reviewed and considered in conjunction with other discretionary permit application requirements and review procedures associated with the project. Modifications or additions to existing facilities shall be subject to the same review procedure and approval criteria; however, the review shall be limited in scope to the modification request.

(a) Demand Analysis. An applicant shall prepare or pay for the preparation of a market demand analysis that analyzes and substantiates the need for the proposed facility in the City.

(b) Approval. Projects subject to this section may be approved if the use is in the best interest of the public health, safety and general welfare based on consideration of the demand analysis and the following criteria:

(1) The economic impact of the project to the City, including, but not limited to a demonstrated positive fiscal benefit to the City;

(2) The extent to which the proposed project avoids the displacement of uses that would generate tax revenue for the City in preferred locations;

(3) Any proposed mitigation measures that would reduce the economic impacts of a non-tax or non-job-producing use or uses.

SECTION II.

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

Table 4.1. Permitted and Conditionally Permitted Principal Uses. Change source of special use regulations.

Mini-warehouse storage facilities (~~Section 33-339~~Article 57*)

SECTION III.

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

Chapter 4, Table 4.2. Permitted Land Uses for Specified Districts/Subareas. Change source of special use regulations.

Mini-warehouse storage ~~or personal self-storage~~ (Subject to ~~Section 33-339~~Article 57 of the EZC)