

ORDINANCE NO. 2014-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, REZONING APPROXIMATELY 16.93-ACRES FROM RE-30 (RESIDENTIAL ESTATES, 30,000 SF MINIMUM LOT SIZE) TO RE-20 (RESIDENTIAL ESTATES, 20,000 SF MINIMUM LOT SIZE) FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF CRANSTON DRIVE, NORTH OF CITRACADO PARKWAY, AND ON BOTH SIDES OF CRANSTON CREST ADDRESSED AS 205 TO 270 CRANSTON CREST, AND 2414 TO 2470 CRANSTON DRIVE

Applicant: Bill Yen & Associates  
Case No.: PHG13-0003, SUB13-0001 & ENV13-0004

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

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

SECTION 2. That on May 27, 2014, the Planning Commission recommended approval of the proposed zone change from RE-30 to RE-20 and the Tentative Subdivision Map for six lots on 7.41-acres with easement access (Resolution #6012).

SECTION 3. That the City Council has reviewed and considered the Mitigated Negative Declaration prepared for this project issued on February 5, 2014, (City # ENV13-0004), in conformance with CEQA Section 21080 (c) (2), and has determined that all environmental issues have been addressed and no significant environmental impacts will result from the approval of this project.

SECTION 4. That upon consideration of the Findings/Factors to be considered, attached as Exhibit "A" and incorporated by this reference, the staff report, Planning Commission recommendation, and all public testimony presented at the hearing held on this project, this City Council finds that the Zone Change is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 5. That the Zone District Map of the City of Escondido is hereby amended by reclassifying the real property from RE-30 to RE-20, as depicted in Exhibit "B" attached, and incorporated by this reference.

SECTION 6. 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 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 7. That 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 8. Those as of effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 23rd day of July, 2014 by the following vote to wit:

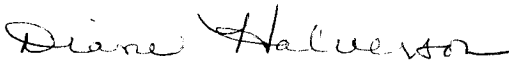
AYES : Councilmembers: GALLO, MASSON, MORASCO, ABED  
NOES : Councilmembers: NONE  
ABSENT : Councilmembers: NONE

APPROVED:



SAM ABED, Mayor of the  
City of Escondido, California

ATTEST:



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

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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. 2014-14 passed at a regular meeting of the City Council of the City of Escondido held on the 23rd day of July, 2014, after having been read at the regular meeting of said City Council held on the 25th day of June, 2014.



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

ORDINANCE NO. 2014-14

**FINDINGS OF FACT AND FACTORS TO BE CONSIDERED  
SUB13-0001 & PHG13-0003  
EXHIBIT "A"**

**Tentative Parcel Map TPM SUB13-0001**

1. The General Plan Land Use designation for the project site is Estate II (up to two single-family dwelling units per acre) with a minimum lot size of 20,000 SF. The project is consistent with General Plan land use designation, which anticipates single-family residential estate development on the project site. The proposed subdivision would be consistent with the General Plan density provisions since the density of the project would be approximately 0.80 du/ac. Six lots also would be consistent with the allowable yield for the project site, which would allow up to 6.44 lots based on the slope analysis prepared for the project.
2. The design and improvements of the proposed six-lot subdivision map with 20,000+ SF lot sizes are consistent with the Estate II (E2) General Plan designation which requires a minimum lot size of 20,000 SF.
3. The site is physically suited for the residential development proposed, as the site is zoned for single-family residential development, and is bordered by existing residential development of similar density and lot sizes.
4. The site is physically suitable for the proposed density of development since the project is an infill development surrounded by development of similar density, and adequate building pads can be provided without negative impact to the surrounding properties.
5. The design of the subdivision map and proposed improvements are not likely to cause serious public health problems since all vehicular traffic generated by the project would not materially degrade the level of service on the adjoining streets or intersections. Adequate sewer and water service could be provided to all parcels through the proposed private road easement which would tie into Cranston Drive.
6. The design of the subdivision map and proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish, wildlife, or their habitat since no stream course or endangered wildlife or sensitive habitat exists on the property.
7. The design of the map and the type of improvements would not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map. This was determined based on review of all available maps and a preliminary title report submitted by the applicant. Neither the City nor its employees assume any responsibility for the completeness or accuracy of these documents.
8. All of the requirements of the California Environmental Quality Act (CEQA) have been met and a Mitigated Negative Declaration was issued for the proposed project on March 3, 2014. The findings of the analysis identified impacts that might potentially be significant, but mitigation measures would reduce these impacts to a less than significant level. The mitigation measures have been included in the Conditions of Approval.
9. The design of the Subdivision Map has provided to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Lot sizes and subdivision

configuration provide opportunities for passive/solar heating. Landscaping would provide passive cooling opportunities via shading each unit.

10. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to the recordation of the map.

**FINDINGS OF FACT AND FACTORS TO BE CONSIDERED  
SUB13-0001 & PHG13-0003  
EXHIBIT "A"**

**Zone Change PHG13-0003:**

1. The public health, safety and welfare will not be adversely affected by the proposed Zone Change since the resulting densities and lot sizes are consistent with the General Plan designation and the surrounding properties, no new islands of zoning would be created.
2. The site is physically suitable for the uses permitted by the proposed zone, since the permitted single-family residential uses are the same in the existing and proposed zones.
3. The uses permitted by the proposed zone would not be detrimental to surrounding properties, since similar single-family residential uses occur on adjacent properties.
4. The proposed Zone Change from RE-30 (Residential Estates 30,000 SF minimum lot size) to RE-20 (Residential Estates, 20,000 SF minimum lot size) is consistent with the Estate II (E2) General Plan designation, since it allows minimum lot sizes of 20,000 SF.
5. The proposed Zone Change would not conflict with any specific plans since there are no plans affecting this property.
6. As the existing 19 developed lots to the north of the proposed Tentative Subdivision Map currently have smaller non-conforming lot sizes than the current RE-30 zone standard, the re-zone of these lots to RE-20 will bring ten of those lots into compliance with the minimum 20,000 SF lot area required by the new zone, and make the other nine lots closer to conformance with minimum lot area.

### EXHIBIT "B" AREA OF ZONE CHANGE FROM RE-30 TO RE-20

