

GENERAL PLAN AMENDMENT

General Plan Amendments are typically requested to either amend the policies within the text of the General Plan or the General Plan Land Use designation of a particular property.

By State Law, each Element of the City's General Plan can be amended no more than four times in any single calendar year. It is estimated that a General Plan Amendment takes approximately eleven (11) months to process, beginning with the authorization of the request by the City Council.

From time to time, the Planning Division will accept letters of interest from property owners desiring a General Plan Amendment (GPA). The Planning Division will transmit these letters of interest to the City Council along with recommendations, if appropriate, on whether or not each request should be authorized to begin the GPA process.

Proponents of requests authorized by the Council must submit a General Plan Amendment application to the Planning Division. Simultaneous with the application procedure, the City will begin the Environmental Initial Study, which may result in the preparation of an Environmental Impact Report (EIR). Individual applicants will be assessed their pro-rata share of the cost to prepare this document. Payment of these costs by the applicants shall be required within three (3) weeks of notice by the City. Failure to make such payments shall terminate the GPA application.

Note: The General Plan consists of a map and text, describing City policy directions for the future development patterns of the City, in terms of commercial, industrial and residential uses of varying densities. Zoning designations are intended to prescribe specific development regulations (i.e., lot sizes, setbacks, parking requirements, etc.) for specific properties. The General Plan designation and the Zoning of the property must be consistent. Any amendments to the General Plan could require concurrent rezones to implement the new General Plan designation.

Prior to the submittal of a General Plan Amendment application, a pre-application meeting with a member of the Planning staff is necessary to answer any questions, and to ensure that the application will be completed as required. Appointments for a pre-application meeting can be made by contacting the Planning Division at (760) 839-4671.

Submittal Requirements

The following shall be required in order to accept an application as complete. As determined by the Director of Community Development, additional information not listed below may be required to make a complete application. This will be determined on a case-by-case basis.

1. Completed and signed [Discretionary Permit General Application Form](#) and Authorization Form ([see attached](#)).
2. Site plan showing all properties to be rezoned or prezoned, including the following:
 - a. North arrow and graphic scale
 - b. Exterior boundaries of subject properties and property dimensions
 - c. All existing structures and streets
 - d. Existing topography
 - e. Mature vegetation
3. Slope analysis depicting slope categories and acreage within each category, for all subject properties, as follows:
0-15%, 15-25%, 25-35%, over 35%

Note: If entire site is less than 10% slope, a statement to that effect, by a licensed civil engineer, may be accepted in lieu of a slope analysis.

4. One 8½" x 11" photo reduction of **each sheet** of the plan set (**Xerox reductions shall not be accepted**). Graphics must be clear enough to be reproduced several times and still be legible.
5. Photographs of the site and the adjacent properties, mounted on 8½" x 11" paper and labeled.
6. Written statement of facts to substantiate the need for the General Plan Amendment (Substantiation of Request form – [see attached](#)).
7. Details of Request form ([see attached](#)).
8. If the GPA involves a concurrent rezone of the property, submit a separate [Zone Change Application](#) and a written statement of facts to support the following findings (Factors to be Considered):
 - a. The public health, safety, and welfare will not be adversely affected by the proposed change.
 - b. The property involved is suitable for the uses permitted by the proposed zone.
 - c. The uses permitted by the proposed zone would not be detrimental to surrounding properties.
 - d. The proposed change of zone is consistent with the adopted General Plan.
 - e. The relationship of the proposed change of zone is applicable to specific plans.
9. Any related applications necessary to make findings for General Plan consistency or associated application (such as Adjustment Plats necessary to meet General Plan and Zoning requirements).
10. [Fees](#).
11. A completed [Initial Study Form – Part I](#).

Procedure

General Plan Amendments are administered pursuant to State Law and [GPA Policy E.2](#) of the General Plan.

General Plan Amendments are required when proposals:

- a. request the development of the site for use or density/intensity other than indicated on the Land-Use Map or within the text of the General Plan;
- b. do not meet or exceed adopted Quality of Life Standards;
- c. request changes in or are not substantially consistent with General Plan policies, goals or objectives;
- d. are determined by the City to be inconsistent with policies contained in the General Plan text;
- e. request designation of a new area as a Specific Planning Area; or propose realignments of adopted neighborhood tier boundaries.

When reviewing the GPA requests, the City shall consider whether physical, social, or city-wide economic factors or changes have made the plan designation, policy statement goal, or intent in question

inappropriate from the standpoint of the general public welfare. Unless the applicant provides substantial documentation that the changes have occurred, the GPA request shall be denied.

Once the application is submitted, the Planning staff will review the information for completeness. The application will be routed to other City Departments and to outside agencies as necessary. Once comments are received, staff will review the application and will notify the applicant if corrections to the application is required. An Environmental Initial Study shall be processed in conformance with the California Environmental Quality Act (CEQA). A determination shall be made whether an Environmental Impact Report, Negative Declaration or Statement of Exemption is required. The appropriate document shall be prepared (at the owner's expense) and circulated for public review in accordance with CEQA requirements, prior to the hearing.

After the staff's analysis and environmental review is complete the application will be placed on the next available agenda for review by the Planning Commission. A public hearing notice will be prepared and mailed in accordance with [Section 33-1300](#) of the Zoning Code. **Note: The applicant will be responsible for posting a sign(s) on the site, if applicable, 10 days prior to all hearing dates for the Planning Commission and City Council.** These signs are available for a fee at the Planning Division, see attachment for further information. Prior to the hearing, staff will prepare a report to the Planning Commission, which will analyze the proposal and recommend approval or denial of the request.

The Planning Commission shall review the request and shall vote to recommend approval or denial of the request. The City Council by a majority vote may approve, modify, or disapprove the decision of the Planning Commission. The decision of the City Council is final.

State Law requires that zoning and the General Plan be consistent, therefore, any amendments to the General Plan could require concurrent rezones to implement the new General Plan designation.

Signatures. Applicant and property owner signature lines must be signed, even if the applicant and property owner are the same. The signature of the architect and/or engineer is also required if drawings are submitted by professional architects and/or engineers.

Applicant

As part of this application the applicant hereby agrees to defend, indemnify and hold harmless the City of Escondido, its Council, boards and commissions, officers, employees, volunteers, and agents from any claim, action, or proceeding against the City of Escondido, its Council, boards and commissions, officers, employees, volunteers and agents, to attack, set aside, void or annul an approval of the application or related decision, including environmental documents, or to challenge a denial of the application or related decisions. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth herein. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed.

By signing below, I hereby certify that the application I am submitting, including all additional required information, is complete and accurate to the best of my knowledge. I understand that any misstatement or omission of the requested information or of any information subsequently requested may be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper by the City of Escondido.

Applicant: _____

Date: _____

Property Owner

By signing below, I hereby certify under penalty of perjury, that I am the owner of record of the property described herein and that I consent to the action requested herein. All other owners, lenders or other affected parties on the title to the property have been notified of the filing of this application. Further, I hereby authorize City of Escondido employees and officers to enter upon the subject property, as necessary to inspect the premises and process this application.

In order to facilitate the public review process, the City requires that property owners agree to allow any plans or drawings submitted as part of the application to be copied for members of the public. Property owner(s) hereby agree to allow the City to copy the plans or drawings for the limited purpose of facilitating the public review process.

Property Owner: _____

Date: _____

Architect/Engineer

In order to facilitate the public review process, the City requires that architects and engineers agree to allow any plans, drawings, studies or reports submitted as part of the application to be copied for members of the public. Architect/Engineer hereby agrees to allow the City to copy the plans, drawings, studies or reports for the limited purpose of facilitating the public review process.

Architect: _____

Date: _____

Engineer: _____

Date: _____

DETAILS OF REQUEST
General Plan Amendment

Property Addresses: _____ Tier/Neighborhood: _____

General Plan Designation: _____ Zone: _____

Assessor Parcel Number(s): _____ Overlay Zone: _____

Project Data:	Existing	Proposed
1. Acreage		
Gross:	_____	_____
Net:	_____	_____
2. General Plan Land Use		
Designation:	_____	_____
3. Density: (per General Plan Designation)	_____	_____
4. Lot Size: (minimum)	_____	_____
5. Zoning:	_____	_____
		(to correspond to GP Designation if GPA is approved)

SUBSTANTIATION OF REQUEST

In reviewing GPA requests, the criterion listed within [General Plan Amendment Policy E2.2](#) must be substantially documented. The City of Escondido takes the position that the existing General Plan is valid, and the burden to prove otherwise is placed on the individual private applicant. Based upon the criterion of the General Plan Amendment Policy E2.2 and this position, my request for a General Plan Amendment is substantiated for the following reasons: (**NOTE:** Use additional sheets as necessary.)

AUTHORIZATION

I hereby consent to my property being considered by the City of Escondido for a General Plan Amendment, as well as a subsequent rezone to a corresponding zone. I also consent to paying my fair share of the costs incurred in City staff analysis of this request, including filing fees and contribution to the cost of Environmental Review.

Signature of Applicant: _____ Date: _____

Signature of Property Owner(s): _____ Date: _____

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____