

## PLANNING COMMISSION

Agenda Item No.: \_\_\_\_\_  
Date: February 9, 2010

**CASE NUMBER:** AZ 09-0005

**APPLICANT:** City of Escondido

**LOCATION:** Within the Downtown Specific Plan Area

**TYPE OF PROJECT:** Amendments to the Interim Downtown Specific Plan

### PROJECT DESCRIPTION:

The project proposes miscellaneous amendments to the Interim Downtown Specific Plan primarily focused on the following subitems:

**Subitem A:** Amendment to Interim Downtown Specific Plan, Figure II-2, permitted use matrix, to alleviate inconsistencies between which districts allow religious assembly uses and other miscellaneous assembly uses.

**Subitem B:** Amendment to Interim Downtown Specific Plan, Figure II-1, map of districts within the Specific Plan Area, to adjust the boundary of the Retail Core Area to align with the property line of property addressed as 333-351 East Grand Avenue.

**Subitem C:** Amendment to Interim Downtown Specific Plan, Sections III.B.5, VI.A.1.b and VIII.A.1.d, and Figure VIII-1, to add a definition of murals, distinguish them from signs, and establish a process for their review.

**Subitem D:** Amendment to Interim Downtown Specific Plan, Section III.C, to add language related to permitted uses in existing structures where a Planned Development has been approved, but not yet constructed.

**Subitem E:** Amendment to Interim Downtown Specific Plan, Figure III-4, Land-Use District Development Standards, and Section VI.A.4.a, to modify the required setbacks for signs to coincide with the required setbacks for structures in various districts.

**Subitem F:** Amendment to the Interim Downtown Specific Plan, Figure II-2, permitted use matrix, to allow retail furniture and home furnishing sales in the historic Retail Core Area.

**STAFF RECOMMENDATION:** Approval of Subitems A, B, C, D, E and F

**SUBITEM A: Amendment to Interim Downtown Specific Plan, Figure II-2, permitted use matrix, to alleviate inconsistencies between which districts allow religious assembly uses and other miscellaneous assembly uses.**

**BACKGROUND/SUMMARY OF ISSUES:** The Interim Downtown Specific Plan (IDSP) was adopted on March 21, 2007, and includes seven land-use districts. Figure II-2 of the IDSP is the permitted use matrix for all districts within the Specific Plan Area. An issue has been raised about a discrepancy in the downtown area between districts that permit religious assembly uses and those that permit non-religious assembly uses. A Specific Plan Amendment is being proposed which would make the land use matrix of the IDSP more consistent in the districts in which various assembly uses are permitted.

**REASON FOR STAFF RECOMMENDATION:**

1. Staff feels the various assembly uses permitted in the downtown area with a Conditional Use Permit should be permitted in the same districts for consistency in application of the IDSP. The proposed Specific Plan Amendment would clarify which districts permit the various assembly uses listed in the permitted use matrix with a CUP, continuing to implement the city's goal of attracting visitors downtown and distinguishing the Grand Avenue Retail Core from the surrounding City fabric with pedestrian-scaled street spaces, historic character, specialty retail, entertainment venues, restaurants, sidewalk cafes, antiques shops, art galleries/studios, and professional offices.

**ANALYSIS**

The City desires to allow religious and secular assembly uses in the districts of the Specific Plan on similar terms, to make application of the Plan more consistent. Currently, assembly uses are generally permitted in the districts of the Specific Plan with a Conditional Use Permit. "Churches, synagogues, temples, missions, religious reading rooms, and other religious activities" are permitted with a CUP in the Southern Gateway and Creekside Neighborhood districts. "Social, professional and youth organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable and similar organizations" are permitted in each of the seven districts with a CUP, except that they are not permitted within the Retail Core Area on Grand Avenue within the front one-third or 1,000 SF of building space, whichever is greater, similar to other non-retail uses.

The distinctions in operational characteristics between the groups of assembly uses are minimal, since they have similar occupant loads and consist of similar gatherings of groups of people. Allowing all of the assembly groups listed above in each of the seven districts with a Conditional Use Permit would generally not have a negative impact on the downtown area or any of the districts and staff and the Planning Commission would retain discretion over individual uses through the CUP process. The requirement that the uses within the Retail Core Area not be permitted on the ground floor on Grand Avenue within the front one-third or 1,000 SF of building space, whichever is less, would remain for all "social and professional" assembly uses to preserve the retail character in that area. "Youth organizations" will be removed from this category and given its own category in the matrix. "Youth organizations" would be prohibited in the Historic Downtown district and "churches, synagogues, temples, missions, religious reading rooms, and other religious activities" would be permitted with a Conditional Use Permit in all seven districts, but would not be allowed within the Grand Avenue "historic retail core area," because the State Department of Alcoholic Beverage Control (ABC) has minimum distance requirements between establishments serving or selling alcohol and churches, schools and youth organizations. Allowing youth or religious assembly uses along Grand Avenue could preclude a future desirable use locating nearby which would conflict with the City's goal of attracting visitors downtown and

distinguishing the Retail Core area as an entertainment and retail corridor with specialty retail, restaurants, and sidewalk cafes. Those uses would be excluded from the Retail Core Area in order to preserve the entertainment and retail nature of the Grand Avenue corridor.

The category “public assembly, miscellaneous, including amphitheaters, auditoriums and exhibition halls”  
Would be entirely removed from the matrix since the uses are repetitive with other existing use categories.

**SUBITEM B: Amendment to Interim Downtown Specific Plan, Figure II-1, map of districts within the Specific Plan Area, to adjust the boundary of the Retail Core Area to align with the property line of property addressed as 333-351 East Grand Avenue.**

**BACKGROUND/SUMMARY OF ISSUES:** Figure II-1 of the Interim Downtown Specific Plan is a map which shows the boundaries of the Specific Plan, the boundaries of each of the seven districts, and the location of the Retail Core Area overlay. The Retail Core Area fronts on both sides of Grand Avenue and is located within a portion of the Historic Downtown district. It is bound roughly by Valley Parkway on the north, 2nd Avenue on the south, Juniper Street on the east and just west of Maple Street on the west. To further the City's goals of attracting visitors and customers to the Grand Avenue area, there are specific requirements for land uses in the Retail Core Area, in addition to the requirements of the Historic Downtown district. "Active-retail" uses involving the sale of a physical product on the premises and pedestrian related uses are highly encouraged. Many uses require a front portion of the building floor area to be designated as retail display.

An approximately 10,000 SF building and an associated paved parking area, addressed as 333-351 East Grand Avenue, were constructed on two adjacent parcels in the 1940s. The eastern parcel, which includes all the parking plus a portion of the building is not located within the Retail Core Area and the western parcel with the majority of the building is located within the Retail Core Area. The western boundary of the Retail Core Area is located between the two parcels, and through the center of the building. Staff wants to adjust the boundary of the Retail Core Area to the east approximately 75 feet to include the entire development at 333 East Grand Avenue, including the building and the parking area. This minor boundary change would provide more consistency in applying zoning requirements to the site.

In the future the City will investigate expanding the boundaries of the Retail Core Area easterly and westerly along Grand Avenue, at the request of the Downtown Business Association.

**REASON FOR STAFF RECOMMENDATION:**

1. Staff feels the proposed Amendment to the Interim Downtown Specific Plan should be approved since it would provide for a consistent zoning designation for the property addressed as 333-351 East Grand Avenue, provide more consistency in applying zoning requirements, and result in the development not being split-zoned.

**ANALYSIS**

The development addressed as 333 East Grand Avenue consists of an approximately 10,000 SF building and paved parking on a 17,500 SF lot. The two parcels over which the building and parking were constructed are under the same ownership. The western boundary of the Retail Core Area overlay is located through the center of the existing building. The intent of the Retail Core Area has been to attract customers and visitors to the downtown area with pedestrian-scaled street spaces and pedestrian related uses. Having the boundary of the overlay in the middle of the property has caused difficulties determining permitted uses both for the City and the property owner. The building is currently vacant, while the previous use was a retail antique mall. Under the proposed amendment the Retail Core Area boundary would be relocated approximately 75 feet to the east to include the entire building and associated paved parking. The revised boundary would be more logical than the current boundary. No other parcels would be affected. The building is immediately adjacent to the building to the west, which is within the Retail Core, providing continuity in the streetscape and storefronts to pedestrians and passing vehicles.

**SUBITEM C: Amendment to Interim Downtown Specific Plan, Sections III.B.5, VI.A.1.b and VIII.A.1.d, and Figure VIII-1, to add a definition of murals, distinguish them from signs, and establish a process for their review.**

**BACKGROUND/SUMMARY OF ISSUES:** There are several sections in the IDSP which address signage, including Chapter VI, which includes sign criteria and guidelines for each type of sign in the various districts. Murals are not currently addressed anywhere in the Specific Plan. The City has received several requests from business and property owners to paint murals on their building walls. Staff desires to address murals in the IDSP and distinguish them from signs to encourage creativity by businesses and aesthetically enhance the downtown.

**REASON FOR STAFF RECOMMENDATION:**

1. Staff feels the proposed Amendment to the Interim Specific Plan should be approved since it would establish a definition and a specific review procedure for murals. Allowing murals and distinguishing them from signs would encourage creativity among business and property owners and could enhance the appearance of building wall surfaces in the downtown area.

**ANALYSIS**

Currently, there is no reference to murals in the IDSP, including Chapter VI, "Sign Criteria and Guidelines." The City has received several requests for murals on the walls of businesses, especially in the downtown area, and they have been reviewed by staff and the Design Review Board on a case-by-case basis. Staff and the Downtown Business Association desire to codify the policy of allowing business and property owners to have murals to encourage creativity downtown, without them being counted against their allowable sign area. A definition of a mural would be added to the IDSP to distinguish a mural from a sign. Also, murals would be limited to commercial, mixed-use, and multi-family residential uses/businesses (not single-family residential) in the downtown.

A mural would be defined as "A picture, painting, or representation, in any type of medium, applied to and made integral with an exterior surface of a building or garden wall, that does not contain the name of the business, product, or service located on the premises." Prohibiting the name of a business, product or service on the premises allows murals to be distinguished from signs. Murals would be subject to review and approval by the Design Review Board, including the design, any proposed exterior illumination, and the size of any text. Murals also would be specifically listed in the IDSP Chapter VIII, "Implementation and Administration," as a project requiring DRB review and approval.

**SUBITEM D: Amendment to Interim Downtown Specific Plan, Section III.C to add language related to permitted uses in existing structures where a Planned Development has been approved, but not yet constructed.**

**BACKGROUND/SUMMARY OF ISSUES:** Section III.B.13 of the Interim Downtown Specific Plan contains provisions for mixed-use developments throughout the downtown area where non-residential uses are permitted. In the past several years some mixed-use developments have been approved in the downtown area utilizing the standards established in the IDSP. While some of the projects have been constructed, others have been put on hold by the developers due to financial constraints or other reasons. In many cases those buildings remain vacant. In the meantime, there is a demand to occupy some of these vacant commercial buildings by new businesses, but the zoning changes approved with the mixed-use development anticipated demolition of existing structures and do not allow re-use of these remaining buildings.

The IDSP would be amended to establish permitted uses on a site when a Planned Development has been approved, but not constructed, and the previous building remains on the site. The permitted uses would be those permitted in the underlying district.

**REASON FOR STAFF RECOMMENDATION:**

1. The proposed amendment to the Interim Downtown Specific Plan clarifies language related to permitted uses on sites where a mixed-use development has been approved but not yet constructed. Since the permitted uses would be the same as those of the underlying district, the proposed amendment would make leasing or occupying some vacant commercial buildings easier, and there would be no negative impact to any site or neighborhood during the time between the structure(s) being demolished and the approved mixed-use development being constructed.

**ANALYSIS**

Mixed-use developments are permitted in many districts in the downtown where non-residential uses are permitted, through the Planned Development (PD) process. When a specific mixed-use development is approved the zoning is changed to PD and a list of permitted uses is adopted which is often more narrow than the permitted uses in the underlying district. In some cases an approved mixed-use project is not constructed immediately. A developer may not want to demolish a building until he is ready to construct the new project, and there may be a market for the interim use of the existing building by new businesses. During the period between approval of a project and demolition of the structure(s), staff sees a need to establish permitted uses for any potential tenants in an existing building. Allowing tenants to locate in building(s) where a PD has been approved reduces the number of abandoned/unoccupied buildings, and does not impact the future of any approved project.

A section would be added to the Interim Downtown Specific Plan in chapter III, "Design Principles, Guidelines, and Standards," under section C, "General Provisions." The new section would be entitled "Permitted Uses Within Mixed-Use Planned Development Zones." It would establish that the permitted uses for a site where a Planned Development has been approved, but not yet constructed, shall be those of the underlying district, until the existing structures are demolished. Any new uses would be consistent with the previously permitted uses and would not have a negative impact on any site or neighborhood.

**SUBITEM E: Amendment to Interim Downtown Specific Plan, Figure III-4, Land-Use District Development Standards, and Section VI.A.4.a, to modify the required setbacks for signs to coincide with the required setbacks for structures in various districts.**

**BACKGROUND/SUMMARY OF ISSUES:** The Interim Downtown Specific Plan includes a table that summarizes the development standards applicable to each district (Figure III-4), including maximum building height, setbacks, minimum lot size and maximum building coverage. Each district has its own required front-, side-, street side-, and rear-yard setbacks. In three of the seven districts there is no required setback from a property line to a structure, while there is a required setback for signs. The proposed amendment would provide consistency in the required setbacks for buildings and signs in all districts within the Specific Plan Area.

**REASON FOR STAFF RECOMMENDATION:**

1. The proposed amendment to the Interim Specific Plan would provide consistency to the required setbacks of structures and signs, since there is no reason for signs to have a greater setback than a structure, provided there is no sight distance issue. All visibility requirements would remain and no district would have a greater required setback for a sign than for a structure.

**ANALYSIS**

The required development standards of each district in the IDSP are summarized in Figure III-4. The Park View (PV), Centre City Urban (CCU), and Gateway Transit (GT) districts each have required minimum setbacks that are different for signs and buildings. There is no required front setback for all three districts, and no side, street-side or rear setbacks in the Gateway Transit district for structures. However, in each instance there is a five-foot setback for signs. There has been a request to reconcile this apparent inconsistency.

Signs are subject to the requirements of Chapter VI, "Sign Criteria and Guidelines" of the IDSP, including design, height, and size. In that section there are existing requirements that signs cannot create a traffic hazard at driveways or corners, and that signs over 3 ½ feet in height are not permitted within 10 feet of driveway entrances. In addition, the section relating to pole signs states that a pole sign is subject to the setback requirements of the district. The monument sign section, however, indicates that a monument sign "may encroach to within 5 feet of property line adjacent to the street." If there is no sight distance issue for vehicles or pedestrians, as already required, there is no reason to have a greater setback for signs than structures.

The reference to "& signs 5' " in the development standards matrix (page III-27) would be removed from the front yard requirement for the Park View, Centre City Urban, and Gateway Transit districts; and from the side, street-side and rear yard requirements of the Gateway Transit district. All other setbacks in the districts would remain the same. The reference to setbacks for monument signs in the sign chapter would be changed to read "May encroach to within 5 feet of property line adjacent to the street, or as required in the district, whichever is less," to allow signs to have no setback when there is no required setback for structures in a district.

**SUBITEM F: Amendment to the Interim Downtown Specific Plan, Figure II-2, permitted use matrix, to allow retail furniture and home furnishing sales in the historic Retail Core Area.**

**BACKGROUND/SUMMARY OF ISSUES:** Figure II-2 of the IDSP is the permitted use matrix for all districts within the Plan area. One of the categories of uses includes “Furniture and large appliance sales (including incidental service).” Those uses are permitted in five of the seven districts, including the Historic Downtown district. Within the “historic retail core area” of the Historic Downtown district, the uses are not allowed on the ground floor along Grand Avenue.

There has been interest from the Downtown Business Association (DBA) to allow retail sales of specialized furniture and home furnishings within the Retail Core Area. The amendment would establish a new use category for home furnishings that is permitted within the Retail Core Area of the Historic Downtown district.

**REASON FOR STAFF RECOMMENDATION:**

1. The proposed amendment to the IDSP would further clarify that the primary goal of the historic Retail Core Area is to provide retail uses that promote the downtown area and attract pedestrians and other visitors. The type of furniture and furnishings permitted within the Retail Core Area would be specialized and would include the type of retail use that would promote and preserve the long-term viability of the Retail Core Area.

**ANALYSIS**

Currently, the category of uses “furniture and large appliance sales (including incidental service)” is permitted outright or with conditions in five of the downtown districts of the IDSP. In the Historic Downtown district the use is not permitted along Grand Avenue on the ground floor within the historic Retail Core Area. There has been a desire expressed by the Downtown Business Association to permit businesses selling specialized furniture and home furnishings in the historic Retail Core Area. The use would be distinguished from appliance sales and would not include “mattress only” stores and “discount furniture” stores. The types of businesses that would be categorized in the “home furnishings” category would typically include design services and display of room arrangements. There would be two categories of furniture/appliance uses in the permitted use matrix. “Large appliance sales (including incidental service)” would continue to be permitted in the same districts as they are currently. A new category, “home furnishings, not including “mattress only” and discount furniture stores,” would be permitted in the same districts as appliance sales, with the exception that they also would be permitted within the Retail Core Area. This change would further promote the retail nature of the downtown area and attract pedestrians and other visitors to Grand Avenue.

Respectfully submitted,

Kristina Owens  
Assistant Planner II

## **A. ENVIRONMENTAL STATUS**

1. The proposed Amendments to the Interim Downtown Specific Plan are exempt pursuant to CEQA Section 15061(b)(3), "General Rule."
2. In staff's opinion, the proposed Zoning Code Amendment would not result in a significant impact to the environment, since the proposal involves minor code amendments which refine the existing language in the Specific Plan for consistency and clarity.
3. The project will not have an impact on fish and wildlife resources since no sensitive or protected habitat would be impacted by the proposed Downtown Specific Plan provisions.

## **B. CONFORMANCE WITH GENERAL PLAN**

The proposed Zoning Code Amendments would be consistent with the General Plan, since modifications are being proposed to existing language in the Interim Downtown Specific Plan for consistency and clarity. No General Plan policies or land use designations would be modified or impacted.

**FACTORS TO BE CONSIDERED**  
**AZ 09-0005**  
**EXHIBIT “A”**

1. The public health, safety and welfare would not be adversely affected by the proposed Amendments to the Interim Downtown Specific Plan, since they would not modify any policies, but only clarify language, provide consistency to the document, and codify existing policies.
2. The proposed Amendments to the Interim Downtown Specific Plan would not be detrimental to surrounding properties, since they would only refine existing language in the Specific Plan to provide consistency and clarity within the document, while preserving the existing policies of the downtown area.
3. The proposed Amendments to the Interim Downtown Specific Plan would be consistent with the General Plan, since no land uses or policies would be amended or impacted. The amendments would only clarify language and codify existing policies for consistency and clarity in the document, and to strengthen redevelopment efforts in the downtown

**EXHIBIT “B”  
AZ 09-0005**

**SUBITEM A**

PROPOSED AMENDMENT TO RESOLUTION 2007-35, THE INTERIM DOWNTOWN SPECIFIC PLAN:

Amend Figure II-2:

<u>LAND USE</u>	HD	PV	CCU	GT	M	SG	CN
<b>ENTERTAINMENT AND RECREATION (continued)</b>							
Galleries and studios pertaining to artists, craft workers and photographers (including incidental developing and printing), libraries, museums, etc., including incidental sale of merchandise pertaining to the primary use	P	P	P	P	P	P	P6
Dance and martial arts studios	P2		P	P	P	P3	P6
Entertainment establishments (including internet cafes) with incidental sale of food or alcohol (excluding incidental entertainment in restaurants)	C	C	C	C	C	C3	
Parks - general recreation	P	P	P	P		P	P
<del>Public assembly, miscellaneous, including amphitheaters, auditoriums and exhibition halls</del>	<del>C</del>	<del>C</del>					
Roller-skating and bowling alleys and similar indoor arena sports			P	P	C		
Swimming pools and schools		P					P6
Theater, live and motion picture	P	P	P	P			
<b>SOCIAL, PROFESSIONAL, RELIGIOUS ORGANIZATIONS*</b>							
Churches, synagogues, temples, missions, religious reading rooms, and other religions activities <b>(not allowed within Grand Ave. “historic retail core area”)</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	C	C
Social <del>and professional and youth</del> organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable and similar organizations	C2	C	C	C	C	C	C
<b>Youth Organizations</b>		<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>

P = Permitted C = Conditional Use Permit required

- 1 Under 3,000 square feet.
  - 2 Within Grand Avenue’s “historic retail-core area” use not permitted on ground floor on Grand Avenue within front one-third or 1,000 SF of building space, whichever is greater.
  - 3 Only permitted on Escondido Boulevard.
  - 4 Only permitted within a multi-tenant building. May not occupy more than 30% of the gross floor area.
  - 5 Only when integrated into a residential project.
  - 6 Only permitted on Pennsylvania Avenue
  - 7 Not allowed along Grand Avenue on ground floor within the “historic retail core area.”
  - 8 Residential and mixed-use projects are permitted in specified areas, subject to Master Project Plan approval similar to the planned development process (or equivalent) specified in Article 19 of the Escondido Zoning Code.
  - 9 No residential uses permitted between Woodward Avenue, Washington Avenue, Escondido Boulevard and Broadway.
- \* Existing automobile dealerships were a non-conforming use at the time of adoption of the Interim Downtown Specific Plan. Conversion of these sites to a new, substantially different, use shall require plot plan review pursuant to Article 16 of the Escondido Zoning Code.

**DOWNTOWN DISTRICTS:**

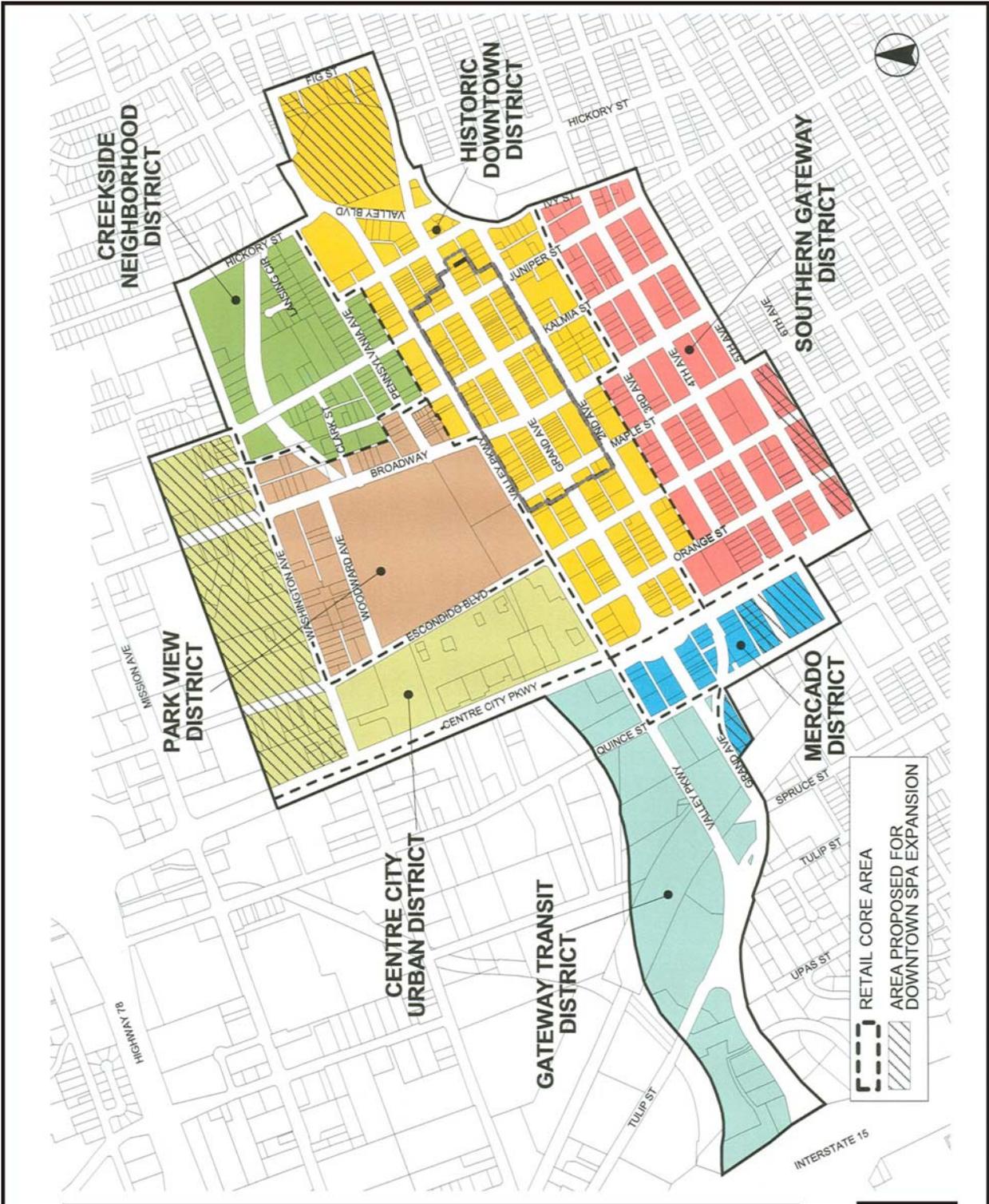
- |     |                        |
|-----|------------------------|
| HD  | Historic Downtown      |
| PV  | Park View              |
| CCU | Centre City Urban      |
| GT  | Gateway Transit        |
| M   | Mercado                |
| SG  | Southern Gateway       |
| CN  | Creekside Neighborhood |

NOTE: Should a conflict arise between this matrix and the land-use district text, the land use district text discussion shall take precedence in determining the appropriateness of the land use.

SUBITEM B

PROPOSED AMENDMENT TO RESOLUTION 2007-35, THE INTERIM DOWNTOWN SPECIFIC PLAN:

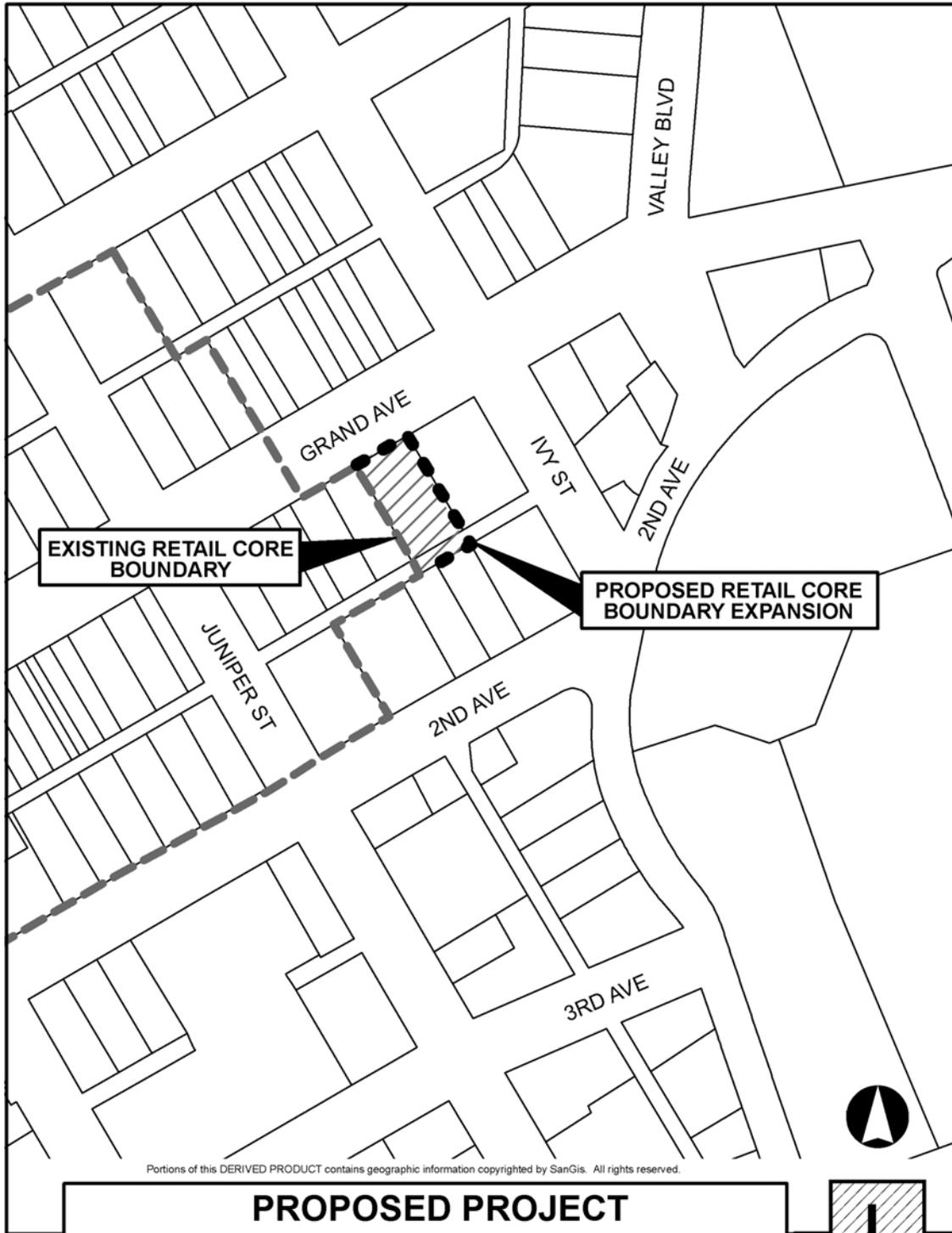
Amend Figure II-1, Specific Plan Map:



**PROPOSED PROJECT  
AZ 09-0005**



SITE PLAN



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**PROPOSED PROJECT  
AZ 09-0005**



LOCATION/ZONING

## SUBITEM C

### PROPOSED AMENDMENT TO RESOLUTION 2007-35, THE INTERIM DOWNTOWN SPECIFIC PLAN:

#### Amend Section III.B.5 Building Exterior Modifications

##### 5. BUILDING EXTERIOR MODIFICATIONS

Prior to beginning any work, proposed exterior modifications shall be reviewed by the Director of Community Development or his/her designee, pursuant to Figure VIII-1, to determine conformance with the design guidelines and policies of this Specific Plan. Any proposed ~~changes~~ **modifications** may be referred to the City's Design Review Board. ~~Alterations~~ **Modifications** include, but are not limited to: painting or otherwise modifying exterior features different than existing, altering exterior architectural finishes, installing awnings, windows, doors, signs, etc, **and adding a mural**. The approval of any building modification would constitute a binding agreement between the City and the property owner.

#### Amend Section VI.A.1.b Private Signage:

##### b. Private Signage

Two major categories of signs on private property are regulated by these Design Guidelines.

1) Building Sign - Refers to a sign attached to the exterior surface of a building or visible from the exterior. For purposes of this section, building signs are divided according to location into:

- (a) Wall signs;
- (b) Glazed area/window signs;
- (c) Projecting signs;
- (d) Awning signs; and
- (e) Top-of-building signs.

2) Freestanding Sign - Refers to any sign which is wholly or partially supported by one or more uprights or braces in, or upon, the ground. For purposes of this section, freestanding signs are divided into:

- (a) Monument signs 6-feet tall or less; and
- (b) Pole and high-profile signs over 6-feet tall.

##### **3) Murals-**

**(a) A Mural is defined as: "A picture, painting, or representation, applied to and made integral with an exterior surface of a building or garden wall, that does not contain the name of the business, product, or service located on the premises."**

**(b) For purposes of determining sign allowances for any business, a mural is not considered a wall sign and the size of a mural does not count towards allowable signage area for a business or building.**

**(c) Any mural will require review and approval by the Design Review Board, as specified in Figure VIII-1.**

**(d) No sign permit is required.**

**(e) Murals are permitted in conjunction with commercial, mixed-use and multi-family residential uses/buildings, not single-family residential uses.**

Amend Section VIII.A.1.d, Major Projects:

d. Major projects - Projects including all new construction (primary structure, outbuildings, additions), demolition, relocation, change to the site (grading, paving, landscaping, etc.), public right-of-way improvements, any project requiring a Plot Plan Approval, including minor plot plan review for the conversion of existing or vacant automobile dealerships to a new, substantially different use, or a Conditional Use Permit, **or mural** will be reviewed by Design Review Board (DRB). DRB will review the project based on the design guidelines outlined in this document and either:

- Issue a Recommendation of Approval or Conditional Approval; or
- Disapprove the proposed work and provide the applicant with a written statement either giving the reasons for disapproval; or identifying recommended modifications to the proposed work.

Amend Figure VIII-1, Activity Construction Review Process:

Figure VIII-1  
**ACTIVITY CONSTRUCTION REVIEW PROCESS**

Type of Work to be Done:	COA Required Reviewed by:		Building Permit Issued by: Bldg. Div.	Engineering Permits Issued by: Engin. Div.
	Staff	DRB		
<b><u>New Construction:</u></b>				
Primary Structure	X	X	X	
Accessory Structures	X	H	X	
Additions (including porch enclosures, dormers, etc.)	X	H	X	
Additions to Commercial Properties	X	X	X	
<hr/>				
<b><u>Removal, Demolition</u></b>	X	H		
<b><u>Relocation</u></b>	X	X	X	
<b><u>Exterior Changes to the structure and material restoration changes:</u></b>				
Architectural details and decorative elements: (fish scale, shingles, dentils, shutters, siding, brick, stucco, metal, roof material, porches, columns, cornices, trim, railing, ornamentation, etc.)	X	H	X	
<hr/>				
Painting – exterior	X			
Roofs (changes in shape, eaves, ornament)	X	X <sup>1</sup>	X	
Staircases, steps (exterior)	X	X <sup>1</sup>	X	
Doors	X		X	
<hr/>				
Windows, skylights	X		X	
Mechanical systems (roof top and window units, exhaust fans, vents)	X	X <sup>1</sup>	X	
Storm windows, doors, security grills	X		X	
<hr/>				
Satellite dishes	X		X	
Solar collectors	X		X	
<hr/>				
<b><u>Changes and modifications to the site:</u></b>				
Grading	X			X <sup>2</sup>
Parking lots (pavement and landscaping)	X			X <sup>2</sup>
Surface paving	X			
Landscaping	X <sup>1</sup>			
<hr/>				
Public right-of-way improvements (curb & gutters, sidewalks, street paving, driveways, curb cuts, street furniture, outdoor dining areas, etc.)	X			X <sup>3</sup>
	X			X <sup>3</sup>
Swimming pools	X			
<hr/>				
Light fixtures	X			
Removal of specimen vegetation	Pursuant to Article 55, Sections 33-1068A – 33-1069			
<b><u>Signs</u></b>	X			
<b><u>Fencing walls, retaining walls</u></b>	X		X <sup>4</sup>	
<b><u>Murals</u></b>		X		

X = Review required for all buildings.

H = Review required for properties listed on the City's Historic Local Register only.

1. Review required for all structures EXCEPT single-family residences NOT on the Historic Local Register.
2. Grading Plan Approval and Grading Permit required for over 1 foot of fill, over 2 feet of cut, or over 200 cubic yards.
3. Encroachment Permit required for any work in the public right-of-way.
4. Fences over 6' high, retaining walls over 3' high.
5. Staff may refer projects to the Design Review Board.

SUBITEM D

PROPOSED AMENDMENT TO RESOLUTION 2007-35, THE INTERIM DOWNTOWN SPECIFIC PLAN:

Add Section III.C.8. Permitted Uses Within Mixed-Use Planned Development Zones :

**8. PERMITTED USES WITHIN MIXED-USE PLANNED DEVELOPMENT ZONES**

**In situations where a Mixed-Use Planned Development has been approved in conformance with the provisions of the Interim Downtown Specific Plan and the Zoning Code, but has not been constructed, the permitted uses for the existing building(s) within the Planned Development zone shall be those of the underlying district.**

SUBITEM E

PROPOSED AMENDMENT TO RESOLUTION 2007-35, THE INTERIM DOWNTOWN SPECIFIC PLAN

Amend Figure III-4 Development Standards: (Page III-27)

**FIGURE III-4  
Land-Use District Development Standards**

	HD	PV	CCU	GT	M	SG	CN
Maximum Building Height	57' between CCP and Maple Street, 45' between Maple and Juniper Streets, 60' between Juniper and Date Streets. (120' for hospital tower)	35', not to exceed two stories, between Washington and Woodward Ave, 57' east side of Broadway, up to 85' within Grape Day Park, Civic & Cultural areas with PD application	60' and up to 75' for multi-family and mixed-use projects through the Project Plan application process	35' west of NCDT Rail line; elsewhere up to 57'	Up to 55'	57' between CCP and Broadway and between Second and Third Avenues, Historic Adaptive Reuse: 28'	57' except those areas along the northern side of Pennsylvania Street shall be 28'
Min. Frontage	None	50'	50'	50'	50'	50'	50'
Front Setback ( <del>Parking, Signs</del> )	None 10' max strongly encouraged	None 10' max strongly encouraged ( <del>Parking &amp; signs 5'</del> )	None 10' max strongly encouraged ( <del>Parking &amp; signs 5'</del> )	None' ( <del>Parking &amp; signs 5'</del> )	None (Parking 5')	10' Esc. Blvd: 0' (Historic Adaptive Reuse: 15') (Parking 5')	10' Pennsylvania Avenue: 0' (Garage entrance 20')
Side Setback	Not Permitted	None	None	None ( <del>Signs 5'</del> )	None	None (Historic Adaptive Reuse: 5')	Pennsylvania Ave.: 0' Elsewhere: 5' + 5' for each story over 2
Street Side Setback	None 10' Max.	10'	10' (Parking & signs 5')	None ( <del>Parking &amp; signs 5'</del> )	None (Parking 5')	None (Historic Adaptive Reuse: 10') (Parking 5')	10' (Garage entrance 20')
Rear Setback	None	None (Parking 5')	5' (10' if next to public street)	None ( <del>Parking &amp; signs 5'</del> )	None (Parking 5')	None (Historic Adaptive Reuse: 10') (Parking 5')	10' + 5' for each story over 2 (parking 5')
Min. Lot Size	None	None	None	None	None	None	None
Max. Bldg. Cov.	None	None	None	None	None	None	None

Parcels of land that were created prior to the adoption of this Plan shall not be denied a building permit for reasons of nonconformance with the frontage requirement of this section.

*Districts:*

HD = *Historic Downtown*

M = *Mercado*

GT = *Gateway Transit*

CN = *Creekside Neighborhood*

CCU = *Centre City Urban*

PV = *Park View*

SG = *Southern Gateway*

Amend Section VI.A.4.a Monument Signs: (Page VI-12)

4. *FREESTANDING SIGN STANDARDS AND GUIDELINES*

The types of freestanding signs permitted in the Downtown Specific Plan Area vary according to each Downtown District as shown in Figure VI-3. Regulations and guidelines for freestanding signs are presented in the sections which follow:

a. Monument Signs

Monument signs (freestanding signs 6 feet or less in height) are intended to provide street addresses and identification for major uses where a pole sign is not considered appropriate. Monument signs also are used for residential buildings. Any building type for which a pole sign is permitted may use a monument sign in lieu of the pole sign if the sign meets the standards presented below.

1) Standards - The following standards apply to all monument signs:

- (a) *Height of Sign* - The height of a monument sign shall be limited to a maximum 6 feet, including the base. No sign over 3-1/2 feet in height is permitted within 10 feet of driveway entrances.
- (b) *Location* – May encroach to within 5 feet of property line adjacent to the street, **or as required in the district, whichever is less**. Signs shall not create traffic hazards at driveways or corners.

**SUBITEM F**

**PROPOSED AMENDMENT TO RESOLUTION 2007-35, THE INTERIM DOWNTOWN SPECIFIC PLAN**

Amend Figure II-2, Permitted Use Matrix (Page II-4)

<b>LAND USE</b>	<b>HD</b>	<b>PV</b>	<b>CCU</b>	<b>GT</b>	<b>M</b>	<b>SG</b>	<b>CN</b>
<b>GENERAL RETAIL (continued)</b>							
Carpet and floor covering and installations				P		P3	
Furniture and large appliance sales (including incidental service)	P7		P	P	P1	P3	
<b>Home Furnishings with retail display (not including “mattress only” and discount furniture stores)</b>	<b>P</b>		<b>P</b>	<b>P</b>	<b>P1</b>	<b>P3</b>	
Hardware, paint, glass, tools, curtains, home improvement	P1		P	P	P1	P1, 3	
Medical equipment sales/rentals and health supplies	P1		P	P		P3	
<b>EATING AND DRINKING ESTABLISHMENTS*</b>							
All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and/or dessert service from an on-site operating commercial-grade freezer/refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries, outdoor dining, but with no drive-through, including incidental reception-room space and off-site catering) with no live amplified entertainment or dancing	P	P	P	P	P	P3	
Wine- and beer-tasting establishments (only with retail sales involving related merchandise that includes a significant portion of the sales area)	C	C	C	C	C	C3	
Eating establishments (as defined above) with amplified live entertainment and/or dancing, drinking establishments, cabarets, bars and nightclubs serving alcohol with or without live entertainment and/or dance	C	C	C	C	C	C3	

P = Permitted C = Conditional Use Permit required

- 1 Under 3,000 square feet.
- 2 Within Grand Avenue’s “historic retail-core area” use not permitted on ground floor on Grand Avenue within front one-third or 1,000 SF of building space, whichever is greater.
- 3 Only permitted on Escondido Boulevard.
- 4 Only permitted within a multi-tenant building. May not occupy more than 30% of the gross floor area.
- 5 Only when integrated into a residential project.
- 6 Only permitted on Pennsylvania Avenue
- 7 Not allowed along Grand Avenue on ground floor within the “historic retail core area.”
- 8 Residential and mixed-use projects are permitted in specified areas, subject to Master Project Plan approval similar to the planned development process (or equivalent) specified in Article 19 of the Escondido Zoning Code.
- 9 No residential uses permitted between Woodward Avenue, Washington Avenue, Escondido Boulevard and Broadway.

\* Existing automobile dealerships were a non-conforming use at the time of adoption of the Interim Downtown Specific Plan. Conversion of these sites to a new, substantially different, use shall require plot plan review pursuant to Article 16 of the Escondido Zoning Code.

**DOWNTOWN DISTRICTS:**

- HD Historic Downtown
- PV Park View
- CCU Centre City Urban
- GT Gateway Transit
- M Mercado
- SG Southern Gateway
- CN Creekside Neighborhood

NOTE: Should a conflict arise between this matrix and the land-use district text, the land use district text discussion shall take precedence in determining the appropriateness of the land use.