DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

ORDINANCE NO. 2023-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING THE 2023 OMNIBUS THAT AMENDS VARIOUS ARTICLES OF THE ESCONDIDO ZONING CODE AND ONE AMENDMENT TO THE ESCONDIDO SUBDIVISION ORDINANCE

CASE NO.: PL23-0329

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

SECTION 1. The City Council makes the following findings:

a) The City of Escondido Planning Division conducts an annual review of the Escondido Zoning Code to determine if any revisions are necessary to reflect State mandated changes, to correct errors or inconsistencies, and to address land use considerations that have previously been overlooked.

b) Planning Division staff identified the need to amend Articles 1 (General Provisions and Definitions), 6 (Residential Zones), 36 (Cargo Container Restrictions), 39 (Off-Street Parking), 55 (Grading and Erosion Control), 61 (Administration and Enforcement), 63 (Transient Lodging Facilities), 70 (Accessory Dwelling Units and Junior Accessory Dwelling Units), and 79 (East Valley Parkway Overlay Zone) of the Escondido Zoning Code, and Article 2 (Tentative Maps) of the Escondido Subdivision Ordinance.

c) The Planning Commission of the City of Escondido, on September 26, 2023, held a duly noticed public hearing to consider the 2023 Omnibus amendments and recommended approval of the items as provided in Exhibit “B.”

SECTION 2. The City Council of the City of Escondido did hold a duly noticed public hearing on October 11, 2023, as prescribed by law. At said hearing, this City Council received and considered the reports and recommendations of the Planning Commission and City staff, and gave all persons full

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

opportunity to be heard and to present evidence and testimony respecting said matter. Evidence was submitted to and considered by the City Council, including, without limitation:

a. Written information including plans, studies, written and graphical information, and other material, submitted as part of the request;

b. Oral testimony from City staff, interested parties, and the public;

c. The City Council staff report, dated October 11, 2023, with its attachments as well as City staff's recommendation on the request, which is incorporated herein as though fully set forth herein;

d. The Planning Commission's recommendation on the request; and

e. Additional information submitted during the public hearing.

SECTION 3. Upon consideration of the Findings of Fact/Factors to be considered, the City Council makes the substantive Findings of Fact and determinations attached hereto as Exhibit "A" and incorporated herein by reference as though fully set forth herein. Furthermore, the City Council desires at this time and deems it to be in the best public interest to, and does hereby approve said amendments, attached as Exhibit "B" hereto and incorporated herein by this reference as though fully set forth herein.

SECTION 4. ENVIRONMENTAL REVIEW. The proposed Zoning Code Amendments and one Subdivision Ordinance amendment are statutorily or categorically exempt from further review pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, or are not considered a Project under CEQA, as follows. The City Council, therefore, directs that a Notice fo Exemption be filed with the County Clerk of the County of San Diego in accordance with CEQA Guidelines.

a. A number of the amendments are not considered to be a Project under CEQA, as defined in section 15378(b)(5), specifically amendments that relate to error correction, formatting

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

changes, and general reference cleans up, and for those amendments no further environmental review is required; and

b. The amendments that relate to accessory dwelling units (Article 70) are statutorily exempt from CEQA pursuant to Public Resources Code section 21080.17 and CEQA Guidelines section 15282(h). Under Public Resources Code section 21080.17, CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Sections 65852.1 or 65852.2 of the Government Code (Accessory Dwelling Unit law). CEQA Guidelines section 15282(h) statutorily exempts the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of sections 65852.1 and 65852.2 of the Government Code as set forth in section 21080.17 of the Public Resources Code; and

c. The amendment that relates to a zone's permitted use table in Article 6 (Residential Zones) is categorically exempt pursuant to CEQA Guidelines section section 15304(e) (Minor Alterations to Land) as community gardens on City-owned properties would entail a minor temporary use of land having negligible or no permanent effects on the environment. Use of City-owned properties by non-City entities are subject to licensing agreements through the City's Real Property Division under the Economic Development Department and in accordance with the requirements of the Surplus Land Act ("SLA"); therefore, use of such lands for the purposes of community gardens would be temporary in nature. Further, none of the City-owned properties which would fall under the subject use are located in or near a sensitive environment. The City-owned properties impacted by the project include already developed sites, as well as vacant infill sites surrounded by development that have been previously disturbed; and

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

d. The amendment that relates to Assembly Bill ("AB") 1397 in Article 61 (Administration and Enforcement) is exempt pursuant to CEQA Guidelines section 15061(b)(3) as the incorporation by reference of AB 1397 (and associated Government Code section 65583.2) does not have the potential to cause a significant effect on the environment. The identified sites within the adopted sixth cycle housing element's suitable sites inventory subject to the provisions of Gov. Code section 65583.2 are located within the Downtown, South Centre City, and East Valley Specific Plan areas which already permit for multifamily and mixed-use developments by-right, with or without a 20% affordability requirement. Further, the proposed text amendment is necessary to align the Escondido Zoning Code with state law and any conceivable impact of the proposed incorporation of such language would be speculative in the absence of specific development proposals; and

e. None of the exceptions listed under CEQA Guidelines section 15300.2 apply to the 2023 Omnibus amendments. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time, given the proposed project is consistent with the General Plan policies which were addressed in the General Plan Final EIR. There are no unusual circumstances surrounding the proposed project that result in a reasonable possibility of a significant effect on the environment because the project entails text corrections and consistency clean ups, as well as allowance of a use consistent with General Plan Agricultural Resources Policy 4.6. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings or similar resources in that, sites eligible for the proposed community garden use are located on fewer than 10 lots within the City that are either already developed, or vacant and previously disturbed surrounded by development on all sides.

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

SECTION 5. SEVERABILITY. 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 6. As of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. 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 for the City of Escondido.

SECTION 8. The Ordinance shall become effective 30 days from the date of the passage.

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 25th day of OCTOBER, 2023 by the following vote to wit:

AYES : Councilmembers: GARCIA, GARCIA, MORASCO, MARTINEZ, WHITE

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:
Dane White
19FFE5DB8C3B409...

DANE WHITE, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:
Zack Beck
A58535D0BDC1430...

ZACK BECK, City Clerk of the
City of Escondido, California

*****

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

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2023-15 passed at a regular meeting of the City Council of the City of Escondido held on the 11th day of October, 2023, after having been read at the regular meeting of said City Council held on the 25th day of October, 2023.

DocuSigned by:
Zack Beck
A58535D0BDC1430...

ZACK BECK, City Clerk of the
City of Escondido, California

ORDINANCE NO. 2023-15

EXHIBIT "A"

PLANNING CASE NOS. PL23-0329.

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Zoning Code Amendment Determinations:

1. That the public health, safety and welfare will not be adversely affected by the proposed change in that:
    a. The proposed batch of Zoning Code amendments and Subdivision Code amendment correct internal inconsistencies, improve readability, update references to other code sections or regulatory documents, codify prior interpretations, and make the Code consistent with changing state or federal regulations. The proposed batch of Zoning Code amendments and Subdivision Code amendment are consistent with the objectives, policies, general land uses, and programs within the General Plan as they further Goal 2, Policy 2.1 of the Land Use and Community Form chapter because, among other things, they address changes in state laws; correct errors; improve existing regulations to eliminate uncertainty for staff, customers, and the public; and are not intended to be a comprehensive update to the local code or change land use densities or intensities; and
    b. Over the years, staff and members of the public have found certain sections of the Escondido Zoning Code are sometimes vague, unclear, or conflicting, which results in confusion and potential disagreement in Code interpretation. It is important that the City of Escondido review policies and procedures on an on-going basis to ensure our resident-focused government through transparent services and positive organizational culture. These Zoning Code amendments and Subdivision Code amendment are the result of such review.
2. That the property involved is suitable for the uses permitted by the proposed Zoning Code amendments in that:
    a. City-owned properties affected by the proposed use allowance within multifamily residential zones are limited in number and are sites already developed with improvements or are vacant and previously disturbed. Further, such use allowance would be subject to the real property process through the Economic Development Division which requires licensing agreements prior to any occupancy or improvement on a City-owned

property. Such licensing requirements ensure applicable parties operate consistent with City requirements such as those related to noise; and

b. The remaining amendments do not entail a project-specific site for the Project. The proposed Zoning Code amendments and Subdivision Code amendment would go into effect Citywide and would affect all properties subject to the Escondido Municipal Code and their respective land use designation and zoning district, as is appropriate for the Zoning Code amendments; and

3. That the uses permitted by the proposed Zoning Code amendments would not be detrimental to surrounding properties in that the Zoning Code amendment which affects allowable uses, such as those in Article 6 (Residential Zones) have been reviewed and analyzed as part of this Zoning Code amendment and are subject to licensing requirements through the City's Economic Development Department prior to any occupancy or improvement on a City-owned site. Such licensing requirements ensure applicable parties operate consistent with City requirements such as those related to noise.

4. That the proposed Zoning Code amendments are consistent with the adopted general plan in that:

a. The Land Use and Community Form chapter states "Escondido's growth and development patterns are to be managed in a way that does not overwhelm or reduce the quality of community services, safety and protection provided by the city." The proposed Zoning Code amendments are consistent with this statement and will not adversely impact the public health, safety and welfare because those related to Chapter 32, Article 2 (Tentative Maps) and Chapter 33, Article 1 (General Provisions and Definitions), Article 36 (Cargo Container Restrictions), Article 39 (Off-Street Parking), Article 55 (Grading and Erosion Control), Article 61 (Administration and Enforcement), Article 63 (Transient Lodging Facilities), Article 70 (Accessory Dwelling Units and Junior Accessory Dwelling Units), and Article 79 (East Valley Parkway Overlay Zone) are nominal in nature and/or are a requirement of state law;

b. The proposed Zoning Code amendments and Subdivision Code amendment correct internal inconsistencies, improve readability, update references to other code sections or regulatory documents, codify prior interpretations, and make the Code consistent with changing state or federal regulations. The proposed Zoning Code amendments are consistent with the objectives, policies, general land uses, and programs within the General Plan as they further Goal 2, Policy 2.1 of the Land Use and Community Form chapter because, among other things, they address changes in state laws; correct errors; improve existing regulations to eliminate uncertainty for staff,

customers, and the public; and are not intended to be a comprehensive update to the local code or change land use densities or intensities; and

c. The Resource Conservation chapter, Agricultural Resources Policy 4.6 states, “[p]ermit the development of community gardens on vacant properties in commercial and industrial areas and multi-family neighborhoods, provided that they are managed and operated to prevent adverse impacts on adjoining uses.” The proposed use change to Article 6 (Residential Zones) would permit for community gardens on City-owned properties only, subject to the real property process through the Economic Development Department which requires licensing agreements prior to any occupancy or improvement on a City-owned property. Such licensing requirements ensure applicable parties operate consistent with City requirements such as those related to noise.

5. That the relationship of the proposed Zoning Code amendments is applicable to specific plans in that the proposed Project would not conflict with any specific plan as the proposed Zoning Code amendments are consistent with the objectives, policies, general land uses, and programs within the General Plan as they further Goal 2, Policy 2.1 of the Land Use and Community Form chapter because, among other things, they address changes in state laws; correct errors; improve existing regulations to eliminate uncertainty for staff, customers, and the public; and are not intended to be a comprehensive update to the local code or change land use densities or intensities.

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

Omnibus 2023

Chapter 32

Subsection B of Section 32.210.02 of Article 2, Chapter 32 of the Escondido Municipal Code is hereby repealed in its entirety and a new Subsection B of Section 32.210.02 is hereby added as follows:

32.210.02. Extension Of Time.

B. The time at which an approved or conditionally approved Tentative Map expires may be extended by the legislative body or advisory agency, or Director for subdivisions of four lots or fewer, for a period or periods not exceeding a total of six (6) years. A public hearing and/or public notice may be required if the Director of Development Services determines that it is warranted.

Omnibus 2023

Chapter 33

The definition of *urban lot split* in Section 33-8 of Article 1, Chapter 33 of the Escondido Municipal Code is hereby repealed and a new definition of *urban lot split* in Section 33-8 is hereby added as follows:

Sec. 33-8. Definitions.

Urban lot split means the subdivision of any lot in a single-family residential zone or parcels designated for primarily single-family development in a specific plan into two lots and shall have the same meaning as stated in California Government Code Section 66411.7.

Omnibus 2023

Table 33-94 of Section 33-94 of Article 6, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Table 33-94 and notes are hereby added as follows:

Sec. 33-94. Permitted and conditional uses and structures.

Table 33-94 lists those uses in residential districts that are permitted (P) or subject to a major conditional use permit (C) or minor conditional use permit (C#).

Table 33-94

Permitted/Conditional Uses & Structures	**R-A**	**R-E**	**R-1**	**R-T**	**R-2**	**R-3**	**R-4**	**R-5**
Residential and Lodging								
Single-family dwellings detached	P	P	P		P	P[1]	P[1]	P[1]
Mobilehome on parcel alone, pursuant to section 33-111	P	P	P	P				
Two-family dwelling units and urban lot splits		P[2]	P[2]					
Two-family, three-family, and multiple-family dwellings					P	P[1]	P[1]	P[1]
Mobilehome parks pursuant to Article 45 and Title 25. A minimum 400,000 sq. ft. in land area required			C	C	C			
Small lot developments pursuant to section 33-114					P	P[1]		
Transitional housing and supportive housing constructed as residential dwellings consistent with the underlying zone pursuant to section 33-8 of Article 1	P	P	P	P	P	P	P	P
Rooming house, boarding house, mini-dorms etc. with central kitchen, interior access to sleeping rooms					C	C	C	C
Permitted/Conditional Uses & Structures	**R-A**	**R-E**	**R-1**	**R-T**	**R-2**	**R-3**	**R-4**	**R-5**
Bed and breakfast facilities, pursuant to Article 32	C#	C#	C		C	C	C	C
Senior housing	P	P	P	P	P	P	P	P
Care in Residential Zones								

Omnibus 2023

Permitted/Conditional Uses & Structures	**R-A**	**R-E**	**R-1**	**R-T**	**R-2**	**R-3**	**R-4**	**R-5**
Licensed residential care facilities and group quarters for 6 or fewer persons including, but not limited to, sanitariums, convalescent homes, rest home services, transitional and supporting housing	P	P	P	P	P	P	P	P
Licensed residential care facilities and group quarters for 7 or more persons, including, but not limited to, sanitariums, convalescent homes, rest home services, transitional and supportive housing	C	C	C		C	C	C	C
Small and large family day care as defined in section 33-8 pursuant to section 33-1104 of Article 57	P	P	P		P	P	P	P
Day nurseries, child care centers (excluding small and large family care which are permitted uses)	C	C	C		C	C	C	C
Agriculture and Animals								
Animal specialties, poultry and egg production, rabbits, apiaries, aviaries, small animal farms	C							
Animals other than those listed in Table 33-95a, and provisions pursuant to section 33-1116 of Article 57	C#	C#	C#					
Field and seed crops	P							
Horse stable (commercial), subject to sections 33-144(b) and 33-145, with the quantities of animals allowed pursuant to Table 33-95a or Article 9	C	C						
Livestock (on sites exceeding nine acres)	C							
Truck crops (includes vegetables, berries, melons); Orchards and vineyards (fruit and tree nuts); Horticultural specialties	P	P	P					
Wineries with a tasting room pursuant to section 33-1107 of Article 57	C	C						

Omnibus 2023

Permitted/Conditional Uses & Structures	**R-A**	**R-E**	**R-1**	**R-T**	**R-2**	**R-3**	**R-4**	**R-5**
Wineries without a tasting room pursuant to section 33-1107 of Article 57 (at least 50% of fruit used in winemaking must be grown on site)	P	P						
Community Gardens on City-owned property					P[3]	P[3]	P[3]	P[3]
Social, Religious, Educational, Recreational, Governmental								
Golf courses, private and public	C	C	C	C	C	C		
Government services (except correctional institutions)	C	C	C	C	C	C	C	C
Nursery, primary and secondary (grades K-12), post-secondary and professional schools and education	C	C	C		C	C	C	C
Religious activities, civic associations, social clubs and fraternal organizations and lodges	C	C	C	C	C	C	C	C
Resorts and group camps	C							
Tennis courts, private membership only	C	C	C	C	C	C		
Youth organizations pursuant to section 33-1105 of Article 57	C	C	C	C	C	C	C	C
Other public recreation uses and structures	C	C	C	C	C	C	C	C
Utility and Communications Operations								
Communications (excluding offices and relay towers, microwave or others)	C	C	C	C	C	C	C	C
Utility facilities	C	C	C	C	C	C	C	C
Wireless service facilities on private property, including communication antennas, pursuant to Article 34	C	C	C	C	C	C	C	C
Permitted/Conditional Uses & Structures	**R-A**	**R-E**	**R-1**	**R-T**	**R-2**	**R-3**	**R-4**	**R-5**
Miscellaneous								
Aluminum can and newspaper redemption centers without can crushing facilities (only as an accessory use to nursery, primary,	C	C			C	C	C	C

Omnibus 2023

Permitted/Conditional Uses & Structures	R-A	R-E	R-1	R-T	R-2	R-3	R-4	R-5
secondary, post-secondary and professional education, and religious activities)								
Arts and crafts shows as defined in section 33-8, with permit pursuant to section 33-1119 of Article 57	P	P	P	P	P	P	P	P
Cemeteries and/or mausoleums	C	C	C		C			
Uses or structures permitted or conditionally permitted by this zone and involving hazardous materials (pursuant to section 33-666 of Article 30)	C	C	C	C	C	C	C	C

Notes:

1 No vacant or underdeveloped lot or parcel of land in any R-3, R-4, and R-5 zone shall be improved or developed at a density below seventy (70) percent of the maximum permitted density. Exceptions to the minimum density requirement may be granted in writing as part of the plan approval required by section 33-106 provided the development will not preclude the city from meeting its housing needs as described in the housing element of the Escondido general plan. Minimum density requirements shall not apply to property owners seeking to enhance or enlarge existing dwelling units or construct other accessory structures on a site.

2 Subject to requirements under section 33-116.

3 Subject to required licensing agreements through the City’s real property process.

Omnibus 2023

Subsection (a) of Section 33-721 of Article 36, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Subsection (a) of Section 33-721 is hereby added as follows:

Sec. 33-721. Permitted locations and prohibitions.

(a) It is unlawful to place, use, allow or maintain cargo containers on residential property zoned R-1, R-2, R-3, R-4, R-5 or RT; unless specifically exempted pursuant to this article.

Omnibus 2023

Section 33-760 of Article 39, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Section 33-760 is hereby added as follows:

Sec. 33-760. Off-street parking.

The number of off-street parking spaces required in connection with any particular land use shall be not less than that set forth in the applicable zoning regulations or as set forth in this article, unless otherwise preempted by state law.

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

Omnibus 2023

Paragraph (1) of Subsection (a) of Section 33-1068.B of Article 55, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Paragraph (1) of Subsection (a) of Section 33-1068.B is hereby added as follows:

Sec. 33-1068.B. Restrictions on removal of vegetation.

(1) Requests to remove and replace trees located within the public right-of-way shall be submitted to the city engineer pursuant to Article 62 of this chapter.

Omnibus 2023

Section 33-1314 of Article 61, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Section 33-1314 is hereby added as follows:

Sec. 33-1314. Definition, purpose, and applicability.

(a) *Plot plan* means a zoning instrument used primarily to review the location and site development of certain permitted land uses. The plot plan review process is required when any of the following are proposed in a multifamily, commercial, or industrial zone:

(1) A new building, structure, or addition;

(2) A new permitted use of land or existing structure that may require additional off-street parking;

(3) A modification of an existing development affecting the building area, parking (when a reduction in parking spaces is proposed), outdoor uses, or on-site circulation. Changes to parking areas that do not result in a reduction in parking spaces are exempt from plot plan review, but require design review, as provided in section 33-1355(b)(2);

(4) As may otherwise be required by this chapter.

Plot plan review is not required for residential development created by a planned development or residential subdivision of single-family lots.

(b) *Minor plot plan* may include, but shall not be limited to, a change in use with no additional floor area, minor building additions, outdoor storage as an accessory use in the industrial zones, or other site plan changes affecting site circulation and parking, as determined by the director.

(c) *Major plot plan* may include, but shall not be limited to, new construction, reconstruction and additions of facilities permitted in the underlying zone, or other projects that exceed thresholds for a minor plot plan, as determined by the director. All two-family dwelling projects proposed pursuant to section 33-115 shall be subject to the approval of a major plot plan.

(d) Pursuant to AB 1397, rezoning of sites for the RHNA past the April 15, 2021 statutory deadline is subject to by-right approval of housing projects that include 20% of lower income units. Select sites identified in the City’s adopted Suitable Sites Inventory (Appendix B of the City’s Housing Element) are subject to the required by-right provisions of AB 1397 (Government Code section 65583.2). The select sites identified in the City’s adopted Suitable Sites Inventory provide by-right approval through the plot plan review process for multi-family housing consistent with the densities and development standards established for the specific plan areas. To be consistent with AB 1397, this section further

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

Omnibus 2023

specifies that housing projects setting aside 20% of the units for lower income households are permitted by-right, without discretionary review.

Omnibus 2023

Section 33-1315 of Article 61, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Section 33-1315 is hereby added as follows:

Sec. 33-1315. Authorization, procedure and modifications.

(a) Authorization. The director, or designee, shall have the authority to grant, conditionally grant or deny a plot plan application, or refer it to the planning commission as provided for in Section 65900 et seq. of the California Government Code, based on sound principles of land use.

(b) Procedure. Application for a plot plan may be initiated by the property owner or agent of the property affected. Application shall be made on forms provided by the city and shall be accompanied by the appropriate fee. A discretionary project application shall further be accompanied by such materials as required by the director. The project shall be reviewed for conformance to all applicable requirements of the general plan, zoning code, specific plans, area plans, city design standards, building and safety requirements, and other applicable city standards, to the satisfaction of the director.

(c) Modifications. The director may approve or conditionally approve minor modifications to a project that are consistent with the intent of the plot plan approval and do not intensify the use(s) on the site.

Omnibus 2023

Section 33-1206 of Article 61, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Section 33-1206 is hereby added as follows:

Sec. 33-1206. Expiration.

Unless otherwise specified in the action granting a conditional use permit, any such permit shall become automatically null and void unless the uses authorized by the permit have been substantially implemented within 24 months from the grant of the permit. The abandonment or non-use of a permit for a period of 24 consecutive months shall also result in such permit becoming automatically null and void. The director shall have authority to grant extensions to the deadlines in this section. Once any portion of a conditional use permit is utilized, the other conditions thereof become immediately operative and must be strictly complied with.

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

Omnibus 2023

Paragraph (7) of Subsection (a) of Section 33-1319 of Article 61, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Paragraph (7) of Subsection (a) of Section 33-1319 is hereby added as follows:

Sec. 33-1319. Powers and duties and procedure.

(7) Time extensions for maps and permits, except those maps and permits initially approved by the director as specified in this Article and Chapter 32, upon submittal of a written request for an extension request, justification statement, and payment of all required application fees;

Omnibus 2023

Paragraph (2) of Subsection (c) of Section 33-1348 of Article 63, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Paragraph (2) of Subsection (c) of Section 33-1348 is hereby added as follows:

Sec. 33-1348. Hotel conversions.

(2) The conversion of hotels, motels, and other transient lodgings to any other use that is conditionally permitted in the same zoning district shall be reviewed and considered by the planning commission through the issuance of a major conditional use permit, or as otherwise identified in an applicable specific plan.

Omnibus 2023

Paragraph (5) of Subsection (a) of Section 33-1474 of Article 70, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Paragraph (5) of Subsection (a) of Section 33-1474 is hereby added as follows:

Sec. 33-1474. Development standards.

(5) Maximum unit size. The maximum accessory dwelling unit size is determined by the size of the lot as provided in Table 33-1474.

Omnibus 2023

Subsection (a) of Section 33-1474 of Article 70, Chapter 33 of the Escondido Municipal Code is hereby amended to add new Paragraph (9) as follows:

Sec. 33-1474. Development standards.

(9) Number of accessory dwelling units on properties with more than one detached single-family dwelling. One ADU shall be permitted through conversion of space within proposed or existing space of a single-family dwelling or existing structure, and through construction of a new detached ADU.

Omnibus 2023

Subsection (b) of Section 33-1474 of Article 70, Chapter 33 of the Escondido Municipal Code is hereby amended to add new Paragraph (8) as follows:

Sec. 33-1474. Development standards.

(8) Number of junior accessory dwelling units on properties with more than one detached single-family dwelling. No JADUs shall be permitted on properties with multiple detached single-family dwellings.

DocuSign Envelope ID: 303E64E2-2B94-4C91-AAC3-7DD15DF4175E

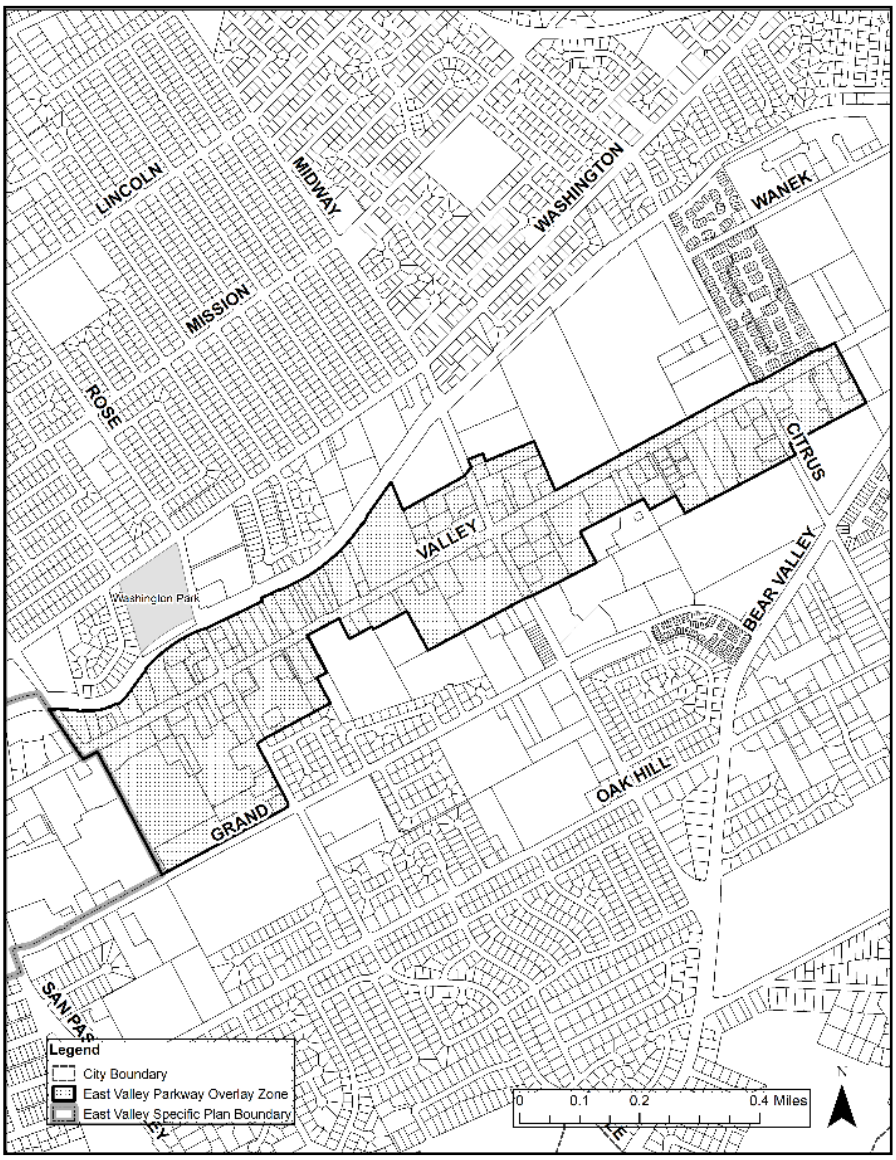
Omnibus 2023

Subsection (a) of Section 33-1631 of Article 79, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Subsection (a) of Section 33-1631 is hereby added as follows:

Sec. 33-1631. Land uses.

(a) Underlying zone. Areas zoned general commercial (CG) and located within the overlay zone shall comply with any underlying zone requirements as well as the East Valley Parkway area plan.

Omnibus 2023

The East Valley Parkway Overlay Zone map in Article 79, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new East Valley Parkway Overlay Zone map is hereby added as follows:

EAST VALLEY PARKWAY OVERLAY ZONE