



STAFF REPORT

April 17, 2024
File Number 0810-20

SUBJECT

PL24-0017 – Zone Text Amendments to Article 40 and Associated Articles in Chapter 33 (Zoning Code)

DEPARTMENT

Planning Division, Development Services Department

RECOMMENDATION

Request that the City Council conduct a public hearing on the proposed Zone Text Amendment and take action on the recommendation of City staff and the Planning Commission, which recommend the City Council:

Introduce Ordinance No. 2024-05, approving a Zone Text Amendment to amend Articles 40 (Historical Resources), 61 (Administration and Enforcement), 64 (Design Review), and 65 (Old Escondido Neighborhood) of the Escondido Zoning Code to address the dissolution of the Historic Preservation Commission.

Staff Recommendation: Approval (Development Services Department: Christopher McKinney, Interim Director of Development Services)

Presenter: Ivan Flores, AICP, Senior Planner

ESSENTIAL SERVICE – Yes, Land Use/Development

COUNCIL PRIORITY – Encourage Housing Development

FISCAL ANALYSIS

There will no fiscal impacts to the City of Escondido as a result of this amendment.

PREVIOUS ACTION

On February 21, 2024, City Council adopted Ordinance No. 2024-03 dissolving the Historic Preservation Commission.

PROJECT DESCRIPTION

City staff request approval of a Zone Text Amendment to amend Article 40 (Historical Resources) of the Escondido Zoning Code to delegate historic preservation responsibilities to the Planning Commission



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and/or City staff. The Zone Text Amendment also includes minor text updates to Article 61 (Administration and Enforcement), Article 64 (Design Review), and Article 65 (Old Escondido Neighborhood) for consistency purposes associated with the Article 40 changes (“Project”). Such text updates include but are not limited to: permit the Zoning Administrator to list and remove properties on the Local Register of Historical Places; permit the Planning Commission to conduct design review on specific projects, and; clarifying the appeal process for staff approvals of projects, respectively.

A detailed Project description can be found in the March 26, 2024, Planning Commission staff report (see Attachment “1”).

BACKGROUND

On August 19, 2020, the City Council formed a Boards and Commission subcommittee (“Subcommittee”) to evaluate the function of various City boards and commissions. The purpose of the Subcommittee was to provide recommendations to the full City Council on how to improve efficiencies such as adopting uniform by-laws, 2-year terms, and a yearly meeting between commissioners and City Council members.

On April 12, 2022, Development Services staff presented the concept of dissolving the Historic Preservation Commission (“HPC”) to the Subcommittee. The primary reason for such request entailed challenges in recruiting qualified candidates that met the requirements for a Certified Local Government (“CLG”), and also making quorum for meetings where an action needed to be made on projects. Throughout 2023, the Subcommittee continued observing the HPC and ultimately decided to recommend dissolution to the full City Council in order to align with the newly adopted Comprehensive Economic Development Study (“CEDs”). On February 21, 2024, City Council adopted Ordinance No. 2024-03 and dissolved the HPC (see Attachment “2” for City Council staff report).

ANALYSIS

The request includes a Zone Text Amendment to amend several Articles of Chapter 33 (Escondido Zoning Code) of the Escondido Municipal Code. As discussed above, and in the Planning Commission Staff Report dated March 26, 2024, the text amendment would delegate historic preservation responsibilities to the Planning Commission, City Council, Zoning Administrator, and/or City staff. The Project does not discontinue any historic preservation programs that are maintained by the City or those identified in the City’s 2012 General Plan. City staff will continue to implement the existing programs including, but not limited to, Certificates of Appropriateness for external modifications, and Mills Act Contracts. The Zone Text Amendment also includes amendments to Article 61 (Administration and Enforcement), Article 64 (Design Review), and Article 65 (Old Escondido Neighborhood) for consistency purposes. These text amendments are necessary to address the dissolution of the HPC; however, they are not substantive in nature, and consist of cleanups, clarification of processes, and empowering the Planning Commission/City staff to conduct design review on specific properties.



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A complete analysis of the various text amendments before the City Council may be found in the attached Planning Commission staff report (Attachment “1”).

PLANNING COMMISSION ACTION

The Planning Commission considered the Project at its March 26, 2024 meeting, and the staff report is included as Attachment “1”. The Planning Commission voted 7 – 0 recommending approval of the Project to the City Council. The Planning Commission does not have any significant concerns with the proposed text amendments, and held minimal discussion on the substantive changes.

ENVIRONMENTAL REVIEW

The Project qualifies for an exemption under the California Environmental Quality Act (“CEQA”) Guidelines Section 15061 (b) (“Common Sense Exemption”) and Section 33-922 (c)(1) of the Article 47 (Environmental Quality) of the Escondido Zoning Code as it can be seen with certainty that the proposed action consisting of minor municipal code amendments will not have a significant effect on the environment. Approval of the Project includes adoption of the Notice of Exemption for the Project (see Attachment “3”). City staff will file a Notice of Exemption with the County Clerk of San Diego.

CONCLUSION AND RECOMMENDATION

The proposed amendments to the Escondido Zoning Code would streamline the review of historic resources, and bring Article 40 in alignment with the CEDS while also maintaining protections for historic resources. Furthermore, the amendments would ensure consistency with other articles of the Escondido Zoning Code. Approval of the Project aligns with the City Council’s priority related to encouraging housing development through the streamlining of reviews for properties that contain historic resources.

Based on the analysis contained in this staff report, in addition to the March 26, 2024, Planning Commission report, staff recommends that the City Council introduce Ordinance No. 2024-05 and approve the Project.

ORDINANCES

- a. Ordinance No. 2024-05
- b. Ordinance No. 2025-05 with Exhibit “A” PL24-0017 Factors to be Considered/Findings of Fact
- c. Ordinance No. 2025-05 with Exhibit “B” Zone Text Amendment

ATTACHMENTS

- a. Attachment “1” Planning Commission staff report dated March 26, 2024
- b. Attachment “2” City Council staff report dated February 21, 2024
- c. Attachment “3” Notice of Exemption