

## **EXHIBIT C**

### **PLANNING CASE NO. PL 23-0272**

#### **FINDINGS OF FACT**

##### **Environmental Determinations:**

1. Pursuant to the California Environmental Quality Act, (CEQA, Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq., the City of Escondido ("City") is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. The Project is categorically exempt pursuant to CEQA Guidelines section 15332 (In-Fill Development Projects) because:
  - a. The Project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations in that the proposed Project entails a residential subdivision consistent with the R-1-10 ordinances, which is a permitted use within the Suburban land use designation except for all those incentives/concessions, and waivers requested and granted as a part of the Density Bonus request;
  - b. The Project occurs within City limits on no more than five acres substantially surrounded by urban uses in that the Project site is approximately 2.87 acres in size and located within an urbanized area, and is surrounded by residential uses to the north, south, east, and west;
  - c. The Project has no value as habitat for endangered, rare or threatened species in that the Project site was previously developed with a single-family residential development and previously disturbed;
  - d. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality in that the Project would be required to comply with the City's noise ordinance, which includes construction and operational noise limits. The Project is considered a "small residential project" as it generates fewer than 200 daily trips and therefore is under the City's threshold for Vehicle Miles Traveled (VMT) analyses. The Project is designed to comply with required storm water regulations for the purposes of containing drainage and ensuring water quality. Project construction would be required to comply with the Air Quality Resource Board's standards on construction emission. The Project is consistent with the City's General Plan and Zoning regulations except for all those incentives/concessions, and waivers requested and granted as a part of the Density Bonus request and would therefore would not result in adverse impacts related to traffic, noise, air quality, or water quality; and
  - e. The Project site can be adequately served by all required utilities and public services in that the Project site is a previously developed site with existing utilities located adjacent to the site. The Project would be required to build to those standards that allow for the Project to connect to those existing services, including storm water and water connections.

3. The Project does not trigger any exceptions to the categorical exemption listed in CEQA Guidelines section 15300.2. The Project included a Historic Resource Evaluation and concluded no significant impacts to Historic Resources would occur. Further, no cumulative impacts would occur as the site is located within an area of developed residential uses.
4. The Planning Commission has independently considered the full administrative record before it, which includes but is not limited to the May 14, 2024 Planning Commission Agenda Report; testimony by City staff and the public; and other materials and evidence submitted or provided to it regarding the Project. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that the above-described exemption requirements have not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

**Tentative Subdivision Map Determinations:**

1. The location, design, and residential density of the proposed 14-lot single-family residential development are consistent with the goals and policies of the Escondido General Plan because single-family residential development is permitted and encouraged in the within the Suburban land-use designation. As a result of the Density Bonus request, the increase in density otherwise allowed in the Suburban land-use designation does not necessitate an amendment to the General Plan. The proposed infill residential Project is in conformance with General Plan Housing Goals and Policies to plan for quality, managed, and sustainable growth, and provide a range of housing opportunities for all income groups and populations with special needs. The provision of one lot for very-low-income households assists the City in meeting its affordable housing goals established by the Regional Housing Needs Assessment.
2. The Project site is physically suitable for the proposed density of development because the Project site is within an urban/suburban area that is developed with a mixture of similar single-family residential uses. The Suburban land-use designation allows up to 3.3 dwelling units per acre. While the Project would be developed with a density of approximately 4.87 dwelling units per acre, it is consistent with State Density Bonus Law and applicable provisions of the Escondido Zoning Code, Article 67. Additionally, the subdivision has been designed to provide residential uses in a suburban setting, consistent with the surrounding uses. Any deviations from zoning (incentives, concessions and waivers) are consistent with State Density Bonus Law and the Escondido Zoning Code, Article 67 and are required to accommodate the affordable housing development.
3. The approval of the proposed Project would be based on sound principles of land use and is well-integrated with its surroundings near similar residentially developed properties because adequate access, parking, utilities and landscaping would be provided (as detailed in the staff report). The residential Project also would not be out of character for the area which contains other single-family residential development. All vehicular traffic generated by the Project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.
4. The Project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features. The proposed map has been designed to minimize impacts from grading and slopes/walls have been designed to provide the

necessary pad elevations to support development of residential structures on each lot and to provide the necessary drainage to on- and off-site facilities.

5. The Project site is physically suitable for this proposed type of residential development and density of development. Approval of the Tentative Subdivision Map for the Project would not violate the requirements, goals, policies, or spirit of the General Plan. The Project site is suitable for the proposed residential type of development and density as detail in the Planning Commission staff report dated May 14, 2024 and also noted in the above sections.
6. The Project would be compatible with the surrounding uses because the Project site is within an urban/suburban residential area developed with a variety of residential developments of varying density, lot sizes and design. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the Project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. Appropriate noise attenuation would be provided for the new lots to ensure General Plan compliance with the interior noise limits stipulated for single-family residential uses. The proposed Project also would not result in a significant impact to biological or natural resources.
7. The design of the subdivision and the type of improvements are not likely to cause serious public health problems. The Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; lot configuration; traffic and emergency access; and grading; were all reviewed for compliance with relevant City policies and codes. The Project would not cause substantial environmental damage and would avoid injury to fish or wildlife, or their habitat because the Project site is located within an infill urban setting and does not contain any sensitive or protected biological or natural resources.
8. The design of the Tentative Subdivision Map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map because any existing easements and improvements will either be accommodated within the Project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.
9. The design of the Tentative Subdivision Map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The lot sizes and the subdivision configuration provide opportunities for passive/solar heating.
10. All permits and approvals applicable to the proposed Tentative Subdivision Map pursuant to the Escondido Zoning Code (Chapter 33 Zoning) will have been obtained prior to the recordation of the map.
11. The proposed Tentative Subdivision Map will not conflict with regional or local housing goals because the proposed infill residential Project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. The proposed Project would not diminish the Quality-of-Life Standards of the General Plan as the Project would not materially degrade the level of service on

adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site.

12. In consideration of the above, the proposed Project meets all of the requirements of section 66474 of the California Government Code and the proposed Tentative Subdivision Map meets all of the requirements or conditions imposed by the Subdivision Map Act and the Escondido Zoning Code, as detailed in the staff reports, the Escondido General Plan and above findings.

**No Net Loss:**

1. The purpose of Government Code section 65863 (“No Net Loss Law”), is to ensure development opportunities remain available throughout the planning period to accommodate a jurisdiction’s regional housing need allocation (“RHNA”), especially for lower- and moderate- income households. Jurisdictions cannot approve new housing at significantly lower densities or at different income categories than was projected in the Housing Element without making specific findings and identifying other sites that could accommodate these units and affordability levels “lost” as a result of the approval.
2. The Project site, consisting of APN 231-470-03-00 is not identified in the City’s General Plan Housing Element Residential Sites Inventory; therefore, no net loss does not apply to the Project.
3. The Project would assist the City in meeting its RHNA by providing 13 new market rate units and one unit for very-low income.

**Density Bonus Determinations:**

1. The requested incentive, concessions and/or waivers would not create an adverse impact upon the health, safety or the physical environment.
2. The Project consists of the development of 14 single-family residential lots/units. Although the Project would demolish one existing one single-family residence, it would be replaced with 14 new single-family units and one of the lots/units will be designated for very-low income. Therefore, the Project would result in no net loss pursuant to the Government Code and would comply with this provision of Density Bonus Law.