

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Subsection B of Section 32.210.02 of Article 2, Chapter 32 of the Escondido Municipal Code is hereby repealed in its entirety and a new Subsection B of Section 32.210.02 is hereby added as follows: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The definition of *urban lot split* in Section 33-8 of Article 1, Chapter 33 of the Escondido Municipal Code is hereby repealed and a new definition of *urban lot split* in Section 33-8 is hereby added as follows: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Table 33-94 of Section 33-94 of Article 6, Chapter 33 of the Escondido Municipal Code is hereby repealed in its entirety and a new Table 33-94 and notes are hereby added as follows: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.

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

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.

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.

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

