

## EXHIBIT "B"

### PLANNING CASE NO. PL23-0270

#### FACTORS TO BE CONSIDERED/ FINDINGS OF FACT

##### Environmental Determinations:

In accordance with Public Resources Code section 21166 and California Environmental Quality Act (CEQA) Guidelines section 15162, the City Council finds and determines as follows:

1. The potential environmental effects of the actions described in the original Project have been analyzed, considered and mitigated through an Initial Study and a Final Environmental Impact Report ("FEIR") (SCH: 2016111060) prepared and certified on August 15, 2018, pursuant to CEQA. See City Council Resolution No. 2018-120.
2. The City has evaluated and considered the changes that would be implemented by the Project, as amended or modified. These changes do not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. The City has evaluated and considered the changes with respect to the circumstances under which the actions identified in revised Details of Request, as amended by the Project, are being undertaken. The changes with respect to these circumstances do not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
4. The City is not aware of any new information of substantial importance that discloses that the actions described in the Project, as amended or modified, will have other or more severe significant environmental effects not previously discussed or that previously rejected or other mitigation measures or alternatives are now feasible and effective.
5. Therefore, the Final Environmental Impact Report remains adequate and no further CEQA environmental analysis is required for Project as amended or modified.

##### Development Agreement Findings (Escondido Zoning Code Section 33-1138)

The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, and Improvement standards adopted by the City as described below.

1. *The project is consistent with the objectives, policies, general land uses and programs specified in the general plan and any applicable specific plan;*

The Project is for an Extension of Time for a previously executed Development Agreement. The Project is in substantial conformance with previous approvals related to SUB15-0002, PHG15-0004, and ENV15-0001. The Project is consistent with policies related to Development Agreements as outlined in the City's 2012 General Plan.

- 2. The project is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located and all other provisions of Chapter 33 of this code;*

The Project is related to SUB15-0002, PHG15-0004, and ENV15-0001, which is for a residential development. Residential uses are permitted within the Planned Development – Residential (PD-R) zone. The Project has been previously analyzed for conformance with the regulations contained in Chapter 33 (Escondido Zoning Code). No changes are proposed as a part of this Project's request.

- 3. The project is in conformity with public convenience, general welfare and good land use practices;*

The Project substantially conforms to approvals associated with SUB15-0002, PHG15-0004, and ENV15-0001. The Project conforms with the public convenience, general welfare and good land use practices. The Extension of Time will allow for the Applicant to implement the original Project's approvals.

- 4. The project will not be detrimental to the health, safety and general welfare;*

The Project is for an Extension of Time for a previously executed Development Agreement. The Extension of Time will not be detrimental to the health, safety and general welfare.

- 5. The project will not adversely affect the orderly development of property or the preservation of property values;*

The Project is for an Extension of Time that would allow the Applicant to substantially implement the orderly development of the subject property.

- 6. The project is consistent with the provisions of [Government Code](#) Section 65864 et seq*

The Project will extend a previously executed Development Agreement for another two years so that the Applicant may finalize post-entitlement permits. The amended Development Agreement will continue to be consistent with the provisions of Government Code Section 65864.