

FINDINGS OF FACT

Environmental Determinations:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) ("CEQA"), and its implementing regulations (14 C.C.R. § 15000 et seq.) ("CEQA Guidelines"), the City of Escondido ("City") is the Lead Agency for the Project, as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15332 (In-Fill Development Projects) because the Project is consistent with applicable provisions of the Escondido General Plan and South Centre City Specific Plan; is on a site within city limits that is of no more than five acres and is substantially surrounded by urban uses; is on a site that has no habitat value for special status species; can be adequately served by all required utilities and public services; and would not result in any significant effects relating to traffic, noise, air quality, or water quality. The Project also does not trigger any exceptions to the categorical exemption as listed in CEQA Guidelines section 15300.2. Technical studies were requested by the Planning Division to substantiate the categorical exemption as applied to the Project.
3. The City Council has independently considered the full administrative record before it, which includes but is not limited to the January 25, 2022, Planning Commission staff report; the March 2, 2022, City Council staff report; testimony by staff and the public; and other materials and evidence submitted or provided to it. 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 any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Development Agreement Determination:

1. The proposed Development Agreement is consistent with the objectives, polices, general land uses, and programs specified in the General Plan since there are no changes to the General Plan land use designations or polices that effect development of the site, a Citywide Facilities Plan has been adopted to address infrastructure deficiencies on a citywide basis, and the agreement has a provision for a community benefit that could not otherwise be required of the developer.
2. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the property is located, because the General Plan land use designation of this site is Specific Plan Area, which allows the number of dwelling units approved for the development in conformance with the South Center City Specific Plan, Southern Entry District.
3. The proposed Development Agreement conforms to the public convenience and general welfare because the proposed agreement provides a reduction in the required open space requirements and

a payment per-square-foot in lieu fee that would contribute toward the cost of installing, improving, and/or expanding parkland or facilities in the South Centre City area.

4. The proposed Development Agreement will not adversely affect the orderly development of property or the preservation of property values because the Project will be developed with multi-family residences, in conformance with the existing General Plan designation on the property.
5. The Development Agreement is consistent with the provisions of State law (Government Code sections 65864-65869.5) to develop in accordance with project approvals and existing laws. These Government Code sections outline requirements related to the contents of agreements, the applicability of an agreement and on the public hearing and approval process. The proposed Development Agreement is consistent with Government Code section 65864, which states that the lack of certainty in the approval of development projects can result in a waste of resources and escalated housing costs while discouraging comprehensive planning, because the proposed Development Agreement provides certainty to the Applicant regarding fees required and construction obligations for associated public improvements for a period of five years. In addition, the agreement complies with Article 58 of the Escondido Zoning Code, which outlines the procedures and requirements for the review, approval and amendment of development agreements.