

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT FOR A MULTI-FAMILY RESIDENTIAL PROJECT WITHIN THE SOUTH CENTRE CITY SPECIFIC PLAN

The City Council of the City of Escondido, California does ordain as follows:

SECTION 1. The City Council makes the following findings:

a) Portofino Holdings I, LLC (“Applicant”), filed a land use development application (Planning Case Nos. ADM18-0225 & PL22-0021) with the City of Escondido constituting a request for a Major Plot Plan and Development Agreement for the construction of a two, two-story multi-family residential buildings, consisting of 15 apartment units in the Southern Entry District of the Southern Centre city Specific Plan (“Project”).

b) The Planning Division of the Community Development Department completed its review of the Project and scheduled a duly noticed public hearing regarding the application before the Planning Commission on January 25, 2022. Following the public hearing on January 25, 2022, the Planning Commission adopted Planning Commission Resolution No. 2022-01, which recommended that the City Council, among other things, approve the Project's proposed Development Agreement.

SECTION 2. The City Council held a duly noticed public hearing regarding the application on March 2, 2022. At said hearing, the City Council reviewed and considered all evidence submitted at said hearings, including, without limitation:

- a) Written information;
- b) Oral testimony from city staff, interested parties, and the public;

- c) The staff report, dated March 2, 2022, which along with its attachments is incorporated herein by this reference as though fully set forth herein, including the Planning Commission recommendation on the request, and
- d) Additional information submitted during the Public Hearing

SECTION 3. That upon consideration of the staff report; Planning Division and Planning Commission recommendations; Findings of Fact, attached as Exhibit "A" to this Ordinance and incorporated herein by this reference as though fully set forth herein; and all public testimony presented at the hearing held on this project, the City Council does hereby adopt the Development Agreement for the project as set forth in Exhibit "B" to this Ordinance and incorporated by reference as though fully set forth herein.

SECTION 4. ENVIRONMENTAL REVIEW. This action is categorically exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15332, "In-Fill Development Projects." The City has determined that all environmental issues have been addressed and finds that no significant environmental impact will result from approving the major plot plan and development agreement.

SECTION 5. SEVERABILITY. If any section, subsection sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 6. This Ordinance shall become effective on the 30th day following the date of its adoption.

SECTION 7. The City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation for the City of Escondido.