

ORDINANCE NO. 2020-15

AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO,  
CALIFORNIA, AMENDING THE DOWNTOWN  
SPECIFIC PLAN CODE PERTAINING TO  
WEDDINGS AND RECEPTIONS

Planning Case No.: PHG 19-0001

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. The project applicant, Mr. John Korelich, representing the owner Ms. Kristie Rocco, has applied for an amendment to the Downtown Specific Plan to change the land use allowances for weddings and receptions within the Southern Gateway District of the Downtown Specific Plan.

SECTION 2. The Planning Division of the Community Development Department completed its review of the project and scheduled a public hearing regarding the application before the Planning Commission on May 26, 2020. Following the public hearing on May 26, 2020, the Planning Commission adopted Resolution No. 2020-05, which recommended that the City Council, among other things, approve the project's proposed Specific Plan amendment.

SECTION 3. That proper notices of a public hearing have been given and public hearings have been held before the Planning Commission and City Council on this issue.

SECTION 4. The City Council has duly 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 July 15, 2020, 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 5. 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 code amendment and conditional use permit.

SECTION 6. Concurrently with this Ordinance, the City Council is taking a number of actions in furtherance of the project, as generally described by the July 15, 2020, City Council staff report. No single component of the series of actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its corporate limits as a statute in the manner provided by state law. Therefore, this Ordinance shall become effective after final passage and publication as required by law, and operative only if City Council Resolution No. 2020-83 is approved.

SECTION 7. That upon consideration of the staff report; Planning Commission recommendation; 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 Downtown Specific Plan amendment for the project. Permitted and Conditional

Use Table (Figure 2) of the Downtown Specific Plan are amended as set forth in Exhibit “B” to this Ordinance and incorporated by reference as though fully set forth herein.

SECTION 8. SEPARABILITY. 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 9. That pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15074(c), all documents and other materials that constitute the record of proceedings are located at the City of Escondido, City Civic Center. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council' s decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 10. That as of the effective date of this Ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 11. That 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, printed and published in the County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 12<sup>th</sup> day of August, 2020 by the following vote to wit:

AYES : Councilmembers: DIAZ, MARTINEZ, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

VACANT : Councilmembers: DISTRICT 2

APPROVED:

DocuSigned by:  
*Paul McNamara*  
CAACE20782954D3  
PAUL MCNAMARA, Mayor of the  
City of Escondido, California

ATTEST: DocuSigned by:  
*Zack Beck*  
A58535D0BDC1430...  
ZACK BECK, City Clerk of the  
City of Escondido, California

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STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO : ss.  
CITY OF ESCONDIDO )

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2020-15 passed at a regular meeting of the City Council of the City of Escondido held on the 12<sup>th</sup> day of August, 2020, after having been read at the regular meeting of said City Council held on the 15<sup>th</sup> day of July, 2020.

DocuSigned by:  
*Zack Beck*  
A58535D0BDC1430...  
ZACK BECK, City Clerk of the  
City of Escondido, California

ORDINANCE NO. 2020-15

**EXHIBIT "A"**  
**FINDINGS OF FACT**  
**PHG 19-0001**

**Environmental Determination(s):**

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 is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. All of the requirements of the CEQA have been met because it was found that the Project, as conditioned, will not have a significant effect on the environment as demonstrated in the Categorical Exemption in CEQA Guidelines section 15332, "In-fill Development Projects." The project, as proposed, is consistent with the applicable General Plan designation of SPA9 and the Specific Plan (S-P) zoning designation, which allows for a variety of commercial, service, social, and entertainment type uses. The project is located on a site of no more than five acres substantially surrounded by urban uses, and has no value as habitat for endangered, rare, or threatened species. Approval of the project, as conditioned, would not result in any significant effects on the environment, and the site is connected to City sewer and water services and can adequately be served by all required utilities and public services.

**Specific Plan Amendment:**

1. The public health, safety and welfare would not be adversely affected by the proposed Specific Plan Amendment. The proposed amendment revises the permitting process for wedding and reception establishments. The proposed Specific Plan Amendment, establishing special use regulations, would not be detrimental to surrounding properties because the proposed changes are to enhance neighborhood capability and land-use related buffering. Proposed and future projects must comply with any applicable laws and standards. This includes the Building Code, the Fire Code, and any property standards bylaws.
2. The proposed Specific Plan Amendment would not be detrimental to surrounding properties because weddings and reception establishments would require each request to be considered through the Conditional Use Permit process. Potential compatibility issues would be analyzed and addressed as part of the CUP process on a case-by-case basis and appropriate conditions applied.
3. The proposed Specific Plan Amendment would be consistent with the goals and polices of the General Plan because it would establish a commercial use that would enhance commercial service opportunities within the Southern Gateway District of the Downtown Specific Plan.

Adaptive reuse of historic structures also is encouraged. The amendment would not, in and of itself, result in the development or any other material change to the environment. The proposed Specific Plan Amendment would not diminish the Quality of Life Standards of the General Plan, nor adversely impact community health or natural resources.

**EXHIBIT "B"**  
**PROPOSED SPECIFIC PLAN AMENDMENT LANGUAGE**

**SECTION 11.**

Amend the various Downtown Specific Plan sections to read as specified below (The changes are listed in order by section number, with ~~strikeout~~-typeface illustrating deletions and underline-typefaces illustrating new text.

**Downtown Specific Plan, Figure II-2, Permitted and Conditional Uses. The table and footnote shall be amended to read as follows:**

**FIGURE II-2**  
**PERMITTED AND CONDITIONAL USES**  
(Page 5 of 6)

<u>LAND USE</u>	HD*	PV	CCU	GT	M	SG*	CN
<b><u>ENTERTAINMENT AND RECREATION (continued)</u></b>							
Galleries and studios pertaining to artists, craft workers and photographers (including incidental developing and printing), libraries, museums, etc., including incidental sale of merchandise pertaining to the primary use	P	P	P	P	P	P	P6
Dance studios and schools	P	P	P	P	P	P3	P
Martial arts schools and training facilities	P10		P	P	P	P3	P6
Entertainment establishments (including internet cafes) with incidental sale of food or alcohol (excluding incidental entertainment in restaurants)	C	C	C	C	C	C3	P6
Parks- general recreation	P	P	P	P	P	P	P
Roller-skating and bowling alleys and similar indoor arena sports			P	P	C		
Swimming pools and schools		P					P6
Theater, live and motion picture	P	P	P	P			
<b><u>SOCIAL, PROFESSIONAL, RELIGIOUS ORGANIZATIONS</u></b>							
Churches, synagogues, temples, missions, religious reading rooms, and other religious activities (not allowed within Grand Avenue "historic retail core area")	C7	C	C	C	C	C	C
Social and professional organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable and similar organizations	C2	C	<u>C</u>	<u>C</u>	C	C	C
Youth Organizations		C	C	C	C	C	C
<b><u>Weddings and Receptions</u></b>						<u>C</u>	