

City of El Cajon

Planning Commission Agenda Tuesday, November 19, 2024 Meeting 7:00 PM REBECCA POLLACK-RUDE, Chair
PAUL CIRCO, Vice Chair
SHANNON EDISON
DARRIN MROZ
ANTHONY SOTTILE

Meeting Location: City Council Chambers, 200 Civic Center Way, El Cajon, CA, 92020

Please note that, pursuant to State and County Health Orders, in-person meetings have resumed. The public is welcome to attend and participate.

The meeting will be live-streamed through the City website at: https://www.elcajon.gov/your-government/city-meetings-with-agendas-and-minutes-all.

To submit written comments on an item on this agenda, or a Public Comment, please e-mail the comments with Planning Commission in the subject line to planning@elcajon.gov before 5 p.m. on Tuesday, November 19, 2024. Comments will be limited to 300 words and will be entered into the official Commission Meeting Record.

The City of El Cajon is endeavoring to be in total compliance with the Americans with Disabilities Act. If you require assistance or auxiliary aids in order to participate at the Commission meeting, please contact our office at 619-441-1742, as soon as possible.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHAIRPERSON'S WELCOME

PUBLIC COMMENT

This is the opportunity for the public to address the Commission on any item of business within the jurisdiction of the Commission that is not on the agenda. Under state law no action can be taken on items brought forward under Public Comment except to refer the item to staff for administrative action or to place it on a future agenda. Non-agenda public comments must be submitted before the end of public comment during the meeting.

CONSENT

Agenda Item:	1
	Planning Commission minutes of September 26, 2024

PUBLIC HEARINGS

Agenda Item:	2					
Project Name:	Zoning Code & Specific Plan No. 182 Updates					
Request:	Amendments to Title 17 & Specific Plan No. 182					
CEQA Recommendation:	Exempt					
STAFF RECOMMENDATION:	RECOMMEND CITY COUNCIL APPROVAL					
Project Number:	Zoning Code Amendment No. ZCA-2024-0002					
Location:	Citywide & Specific Plan No. 182					
Applicant:	City of El Cajon					
Project Manager(s):	Noah Alvey; nalvey@elcajon.gov; 619-441-1795					
City Council Hearing Required?	Yes December 10, 2024					
Recommended Actions:	1. Conduct the public hearing; and					
	2. MOVE to adopt the next resolution in order					
	recommending City Council approval of proposed					
	amendments to Title 17 and Specific Plan No. 182					

OTHER ITEMS FOR CONSIDERATION

Agenda Item:	3				
Project Name:	The Palms Restaurant and Banquet Hall				
Request:	Review of CUP No. 2115				
CEQA Recommendation:	Not Subject to CEQA				
STAFF RECOMMENDATION:	Direct staff to schedule a public hearing to consider				
	revocation of CUP No. 2115				
Location:	143 East Main St.				
Applicant:	David Malikyar, 619.249.1022				
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov				

- 4. 2025 Public Hearing Calendar
- 5. STAFF COMMUNICATIONS
- 6. COMMISSIONER REPORTS/COMMENTS
- 7. ADJOURNMENT

This Planning Commission meeting is adjourned to December 3, 2024 at 7 p.m.



MINUTES PLANNING COMMISSION MEETING September 26, 2024

The meeting of the El Cajon Planning Commission was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE.

COMMISSIONERS PRESENT: Rebecca POLLACK-RUDE (Chair)

Paul CIRCO (Vice Chair)

Anthony SOTTILE Shannon EDISON

COMMISSIONERS ABSENT: Darrin MROZ

STAFF PRESENT: Noah ALVEY, Deputy Director, Community Development

Mario SANCHEZ, Deputy Director, Engineering Services

Barbara LUCK, City Attorney

Laura JUSZAK, Administrative Secretary

Chair POLLACK-RUDE opened the Planning Commission meeting explaining the rules of conduct.

PUBLIC COMMENT:

There was no public comment.

CONSENT CALENDAR:

Agenda Item:		1
		Planning Commission minutes of August 6, 2024

Motion was made by CIRCO, seconded by SOTTILE, to approve the August 6, 2024 minutes; motion carried 4-0, with MROZ absent.

PUBLIC HEARING ITEM:

Agenda Item:	2						
Project Name:	Wells Park Pickleball Complex						
Request:	Addition of Five (5) Pickleball Courts to Wells Park						
CEQA Recommendation:	Exempt						
STAFF RECOMMENDATION:	APPROVE						
Project Number(s):	Conditional Use Permit ("CUP") No. 2024-0008						
Location:	1153 East Madison Avenue; APN 489-140-02 & 489-140-63						
Applicant:	City of El Cajon; Senan Kachi; skachi@elcajon.gov ; 619-441-						
	6209						
Project Planner:	Michael Viglione; mviglione@elcajon.gov ; 619-441-1773						
City Council Hearing Required?	No						
Recommended Actions:	Conduct the public hearing; and						
	2. MOVE to adopt the next resolutions in order approving						
	the CEQA exemption and CUP No. 2024-0008, subject						
	to conditions.						

ALVEY summarized the staff report through a PowerPoint presentation.

COMMISSIONERS asked questions with ALVEY and KACHI providing answers.

POLLACK-RUDE opened the public hearing.

Motion was made by POLLACK-RUDE, seconded by EDISON, to close the public hearing; motion carried 4-0, with MROZ absent.

COMMISSIONERS discussed the item.

Motion was made by EDISON, seconded by CIRCO, to adopt the next resolutions in order approving the proposed CEQA exemption and CUP No. 2024-0008, subject to conditions; motion carried 4-0, with MROZ absent.

OTHER ITEMS FOR CONSIDERATION:

There were no other items for consideration.

STAFF COMMUNICATIONS:

ALVEY announced that the October 1, 2024 meeting is canceled.

COMMISSIONER REPORTS/COMMENTS:

CIRCO asked staff about the Weld Blvd. project. ALVEY informed COMMISSIONERS that the overall complex is nearing completion.

SOTILLE asked staff about the former Perry's Café at the corner of Magnolia Ave. and Madison Ave. ALVEY informed COMMISSIONERS that the property owner of the Super 8 Hotel submitted an application to expand the lodging establishment.

ADJOURNMENT:

Motion was made by POLLACK-RUDE, seconded by CIRCO, to adjourn the meeting of the El Cajon Planning Commission at 7:18 p.m. this 26th day of September, 2024, until 7:00 p.m., Tuesday, October 1, 2024; motion carried 4-0, with MROZ absent.

	Rebecca POLL	ACK-RUDE, Chai	 r
ATTEST:			
Noah ALVEY, Secretary			



City of El Cajon

Community Development Department PLANNING COMMISSION AGENDA REPORT

Agenda Item:	2				
Project Name:	Zoning Code & Specific Plan No. 182 Updates				
Request:	Amendments to Title 17 & Specific Plan No. 182				
CEQA Recommendation:	Exempt				
STAFF RECOMMENDATION:	RECOMMEND CITY COUNCIL APPROVAL				
Project Number:	Zoning Code Amendment No. ZCA-2024-0002				
Location:	Citywide & Specific Plan No. 182				
Applicant:	City of El Cajon				
Project Manager(s):	Noah Alvey; nalvey@elcajon.gov; 619-441-1795				
City Council Hearing Required?	Yes December 10, 2024				
Recommended Actions:	1. Conduct the public hearing; and				
	2. MOVE to adopt the next resolution in order				
	recommending City Council approval of proposed				
	amendments to Title 17 and Specific Plan No. 182				

PROJECT DESCRIPTION

The proposed Zoning Code Update is primarily related to housing and commercial land uses in order to comply with recently approved and enacted State laws as well as items directed by the City Council during 2024. Other minor, non-substantive changes are also included to improve clarity and consistency in the interpretation of the Zoning Code.

The updates to Specific Plan No. 182 (Downtown Master Plan) include items directed by the City Council during 2024 including allowing additional on-sale only alcoholic beverage establishments, adding requirements for decorative lighting, and prohibiting animated or flashing signs including light ropes that illuminate with flash or movement. Other non-substantive changes include clarifying retail merchandise window display requirements.

BACKGROUND

On July 23, 2024, the City Council conducted a review of the Zoning Code Sign Ordinance and directed staff to investigate adding requirements for decorative lighting, and prohibiting animated or flashing signs including flashing light ropes within the Downtown Master Plan area.

On September 25, 2024, staff attended the Downtown Property Based Improvement District (PBID) Board of Directors (Board) meeting. During the meeting, the PBID Board

discussed potential changes to sign regulations and expressed support for prohibiting animated or flashing signs, including flashing light ropes. The Board also discussed options for regulating the color of lighting, but ultimately supported the use of a variety of colors and multi-colored lights in order to promote variety and creativity in the Downtown area.

On October 8, 2024, the City Council discussed amending regulations within the Downtown Master Plan area in order to allow bars or on-sale only alcohol establishments not subject to spatial requirements found in the Zoning Code, but only allowing a limited number of establishments within the core downtown area. These proposed changes were also supported by the PBID Board. The City Council also indicated that a comparison of on-sale only establishments in downtown La Mesa and in North Park's main commercial corridor would be helpful when reviewing proposed regulations.

Presently, there are only two "bar-only" establishments in the downtown area: Main Tap Tavern and La Fiesta Night Club – both of which are on the 500 block of East Main Street. The City of La Mesa's downtown district along La Mesa Blvd. from 4th Street to Acacia Avenue has three on-sale only alcoholic beverage establishments: Coin Haus, Pete's Place and The Regal Bar. North Park's main activity area centers at University and 30th from Polk to North Park Way and from Grimm to Utah with five on-sale only alcoholic beverage establishments. Attachments 5 and 6 include existing on-sale alcohol establishments in La Mesa and North Park for reference.

On October 22, 2024, the City Council initiated updates to housing regulations based on recently enacted and approved State housing bills. The direction from City Council also included non-substantive technical cleanups and a few minor substantive changes that staff has tentatively identified to fill gaps in current regulations.

DISCUSSION

The proposed Zoning Code & Downtown Master Plan changes are summarized as follows:

Zoning Code

Housing – The update proposes a ministerial review process for affordable housing projects as required by State law. An exemption from design standards is proposed for minor additions to single family dwellings. Residential Care Facilities are proposed to be permitted with a conditional use permit in single-family zones, as required by State law, with an expedited permit process.

Accessory Dwelling Units – Up to eight detached accessory dwelling units (ADUs) or as many detached ADUs as there are primary dwelling units on the lot will now be allowed as required by State law. Furthermore, off-street parking spaces eliminated with the construction of an ADU will no longer be required to be replaced and unauthorized or unpermitted ADUs may be permitted if there are no life or safety issues.

Miscellaneous and Commercial Uses – The sunset date for the Emergency Housing Pilot Program is proposed to be removed allowing the continued operation of the existing project at Meridian Baptist Church. and potential future applications for other sites. Temporary feeding areas in commercial zones are proposed to change from a conditional use permit to a temporary use permit, which will allow for up to two events per year with a temporary use permit and more with a conditional use permit. A footnote is proposed for the commercial land use table to reflect the amendment to Specific Plan No. 32 (E. Chase Ave. and Avocado Ave.) approved by the City Council which allows limited wholesale uses. A voluntary provision is also proposed to allow a private property owner to identify parking for clean air vehicles.

Downtown Master Plan - Specific Plan No. 182

Signs and Light Ropes – The proposed amendment would prohibit lighting that blinks, flashes, spins, or exhibits changing luminance. Lighting would also not be allowed to change colors, hue, shade, or tint. Based on the input from the PBID Board, the update does not regulate the color of lights.

Bars – Although Specific Plan No. 182 governs an area that stretches from Marshall to Lincoln, and from Madison to Lexington, it is the area on East Main from Magnolia to Claydelle including Sulzfeld to Rea to Magnolia that functions as the downtown core. In this area the proposed amendment includes the allowance of no more than two additional on-sale alcoholic beverage establishments with the approval of a conditional use permit. This approach is consistent with other alcohol-serving businesses by conditional use permit: microbreweries and restaurants with full bar service. Furthermore, the proposed amendment includes a maximum establishment size of 2,500 square feet and subject to operational standards and findings found in the Deemed Approved Ordinance (Alcohol Sales and Deemed Approved Alcohol Sales Regulations).

Display of Retail Merchandise – Currently, the Downtown Master Plan allows merchandise to be displayed in windows, but not obscuring more that 15% of the window area in order to maintain an "uncluttered display windows [that] encourage pedestrians to linger, then come inside." Display cabinets or windows are also currently permitted, such as the display of clothed mannequins. In order to differentiate between these types of display, clarifying language is proposed to require any bulk display of merchandise to maintain a walkway between the merchandise and the window or that the display adjacent to the window depict an action or single pieces of merchandise available within the store (e.g. mannequins wearing clothing, jewelry, assembled toys, athletic equipment, food products, etc.).

FINDINGS

Zoning Code

A. The proposed zoning amendment, including any changes proposed in the various land uses to be authorized, is compatible with the objectives, policies, general land uses, and programs specified in the general plan.

The proposed amendments to the Zoning Code further the goals of the General Plan by implementing reforms to reduce governmental constraints to development. Further, pursuant to Goal 10, the city "shall periodically revise its regulatory codes, ordinances and policies so that they may reflect current, upgraded standards of development and performance." The proposed changes ensure clarity and eliminate existing ambiguities within Zoning Code and are consistent with recently approved and enacted State laws.

B. The proposed zoning amendment is consistent with any applicable specific plan governing development of the subject property.

The proposed Zoning Code amendment is applicable citywide. No zone changes are proposed as part of this project. The Zoning Code amendment is consistent with Specific Plan No. 32 and Specific Plan No. 182.

C. It is in the public necessity and convenience and/or general welfare that the zoning regulations governing the property be changed.

The proposed Zoning Code amendments will not significantly alter the character of the City or cause significant health, safety or welfare concerns, since the amendments are consistent with the General Plan and directly implement City goals and policies to ensure a healthy and safe community. Furthermore, the proposed changes provide clarity, consistency, objective standards for new development, and help streamline development review processes in accordance with State law.

Downtown Master Plan (Specific Plan No. 182)

A. The proposed specific plan serves the public interest.

The proposed specific plan amendment is applicable to the downtown area and is not property-specific. The amendment will promote the public health, safety and general welfare of persons driving, parking, walking, residing, or conducting business within the downtown by reducing visual distractions. Furthermore, the amendment will improve the visual environment of the downtown by ensuring visible product display, and other attention getting methods are attractive, aesthetically pleasing, and more effective.

B. The proposed specific plan will systematically implement the city's general plan.

The Downtown Master Plan (Specific Plan No. 182) focuses on a particular portion of the City where special circumstances require a more detailed framework of development than the General Plan, and more detailed standards than the general provisions of the Zoning Code. This approach effectively establishes a link between General Plan implementing policies and potential development proposals in the defined area. The proposed amendment is designed to encourage investment and target new development to the City's downtown area.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed Zoning Code Amendment is exempt from the provisions of the California Environmental Quality Act ("CEQA") according to the common sense exemption (State CEQA Guidelines, section 15061(b)(3)). The common sense exemption applies where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed amendment does not result in any development or changes to the physical environment and does not raise this project to a level of significance that warrants CEQA analysis.

PUBLIC NOTICE & INPUT

Notice of this public hearing was published in the East County Gazette on November 8, 2024 in compliance with Government Code sections 65090, 65091, and 65092, as applicable. Additionally, as a public service, the notice was posted in the kiosk at City Hall and on the City's website under "Public Hearings/Public Notices." The notice was also mailed to the two public libraries in the City of El Cajon, located at 201 East Douglas Avenue and 576 Garfield Avenue. Individual letters were also mailed to all business operators with active business licenses within the Downtown Master Plan Area.

RECOMMENDATION

Staff recommends approval of the proposed amendments to the Zoning Code and the Downtown Master Plan (Specific Plan No. 182) to ensure consistency with recently enacted and approved State laws, as well as minor technical changes for consistency and permit streamlining, and to encourage investment and target new development to the City's downtown area.

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PREPARED BY:

Noah Alvey

DEPUTY DIRECTOR

OF COMMUNITY

DEVELOPMENT

APPROVED BY:

Anthony Shute

DIRECTOR OF

COMMUNITY

DEVELOPMENT

ATTACHMENTS

1. Proposed Resolution Recommending City Council Approval of Zoning Code Amendment No. 2024-0002

Exhibit A: Proposed Draft Zoning Code Excerpts (strike out)

2. Proposed Resolution Recommending City Council Approval of Specific Plan No. 182 (Downtown Master Plan) update

Exhibit A: Specific Plan No. 182 (strike out)

- 3. Public Hearing Notice
- 4. Letter to businesses within Specific Plan No. 182
- 5. La Mesa Study Area
- 6. North Park Study Area
- 7. Eligible Frontage Areas

PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT NO. 2024-0002 FOR AN AMENDMENT TO TITLE 17 OF THE EL CAJON MUNICIPAL CODE FOR HOUSING AND COMMERCIAL LAND USES, AND OTHER MINOR TECHNICAL CHANGES, REVISIONS, AND EDITS

WHEREAS, on July 23, 2024, the City Council conducted a review of the Zoning Code Sign Ordinance and directed staff to investigate adding requirements for decorative lighting, and prohibiting animated or flashing signs including light ropes within the Downtown Master Plan area (Specific Plan No. 182); and

WHEREAS, on October 8, 2024, the City Council discussed amending regulations within the Downtown Master Plan area (Specific Plan No. 182) in order to allow additional bars or on-sale alcohol establishments, but only allowing a limited number of establishments within the core Downtown area; and

WHEREAS, on October 22, 2024, the City Council initiated an amendment to the Zoning Code to update housing regulations based on recently enacted and approved State housing bills and to also complete non-substantive technical cleanups and minor substantive changes that staff has tentatively identified to fill gaps in current regulations; and

WHEREAS, the Zoning Code and the Downtown Master Plan (Specific Plan No. 182) require regular maintenance to ensure that they are consistent and effective in regulating the use and development of land in the City; and

WHEREAS, the El Cajon Planning Commission considered and approved the proposed CEQA common sense exemption in accordance with the California Environmental Quality Act Guidelines section 15061(b)(3) for the proposed project; and

WHEREAS, housing related updates will ensure consistency with State law and allow for greater flexibility in design standards for additions to dwellings; and

WHEREAS, the elimination of the sunset date for the Emergency Housing Pilot Program will allow the continued operation of the existing project at Meridian Baptist Church and potential future applications at additional locations; and

WHEREAS, updates to the commercial land use table and associated regulations will ensure consistency with Specific Plan No. 32 and Specific Plan No. 182 and allow up to two temporary feeding events on a temporary basis while still allowing additional events with a conditional use permit; and

WHEREAS, at the public hearing the Planning Commission received evidence through public testimony and comment, in the form of verbal and written communications and reports prepared and presented to the Planning Commission, including (but not limited to) evidence such as the following:

- A. The proposed amendments to the Zoning Code further the goals of the General Plan by implementing reforms to reduce governmental constraints to development. Further, pursuant to Goal 10, the city "shall periodically revise its regulatory codes, ordinances and policies so that they may reflect current, upgraded standards of development and performance." The proposed changes ensure clarity and eliminate existing ambiguities within Zoning Code and are consistent with recently approved and enacted State laws.
- B. The proposed Zoning Code amendment is applicable citywide. No zone changes are proposed as part of this project. The Zoning Code amendment is consistent with Specific Plan No. 32 and Specific Plan No. 182.
- C. The proposed Zoning Code amendments will not significantly alter the character of the City or cause significant health, safety or welfare concerns, since the amendments are consistent with the General Plan and directly implement City goals and policies to ensure a healthy and safe community. Furthermore, the proposed changes provide clarity, consistency, objective standards for new development, and help streamline development review processes in accordance with State law.

WHEREAS, after considering such evidence and facts the Planning Commission did consider Zoning Code Amendment No. 2024-0002 as presented at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the El Cajon Planning Commission as follows:

Section 1. That the foregoing recitals are true and correct, and are findings of fact of the El Cajon Planning Commission in regard to Zoning Code Amendment No. 2024-0002.

Section 2. That based upon said findings of fact, the El Cajon Planning Commission hereby RECOMMENDS City Council APPROVAL of Zoning Code Amendment No. 2024-0002 included as Exhibit A.

Proposed Planning Commission Resolution

PASSED AND ADOPT meeting held November 19, 2024,	ED by the El Cajon Planning Commission at a regular by the following vote:
AYES: NOES: ABSENT:	
ATTEST:	Rebecca POLLACK-RUDE, Chair
Noah ALVEY, Secretary	

Zoning Code Amendment No. ZCA-2024-0002

Proposed Strikethrough Changes

TITLE 17 ZONING

Chapter 17.40 Administrative Zoning Permit

17.40.020 Applicability

I. Housing developments eligible for ministerial review, in compliance with section 17.225.270

Chapter 17.105 Definitions

Section 17.105.020 Definitions

"Biomedical-Technological office" means medical, technological, or biological, and various technological research, analysis, and production, and excluding any research or analysis of cannabis or related products and derivatives.

Chapter 17.135 Mixed use overly zone

17.135.030 Compatibility

C. Supporting evidence provided by the applicant is acceptable and sufficient to approve the administrative relief, which may include but is not limited to a traffic impact study, parking study, <u>traffic demand management strategies</u>, or other study or analysis prepared by a certified expert licensed to prepare such work.

Chapter 17.140 Residential Zones

17.140.170 Single-family dwelling review procedures.

- I. An addition to a single-family dwelling that is less than 25% of the square footage of the existing dwelling is exempt from section 17.140.170(F), but the addition shall be required to include building materials and features that are consistent with the existing dwelling.
- L. Deviations from the standards in this section require approval of an administrative zoning permit, in conformance with Chapter 17.40.

17.140.180 Accessory and junior accessory dwelling units.

The standards set forth in this section may be applied to any lot in the city permitting single-family or multifamily primary residential uses each, an "eligible lot." For lots zoned to permit single-family dwelling units, these standards are applicable in conjunction with a proposed or existing primary dwelling unit upon such lot. For lots zoned to permit multifamily dwelling units, these standards are applicable in conjunction with an existing or proposed primary multifamily dwelling.

- A. Permit Required. A building permit is required for any new accessory or junior accessory dwelling unit.
- B. Number of ADUs. The following number and types of accessory dwelling units shall be allowed.
 - 1. Lots with Single-Family Dwelling Units. For each eligible single-family lot, up to one accessory dwelling unit and one junior accessory dwelling unit may be permitted with an existing or proposed single-family dwelling unit.
 - 2. Lots with Multifamily Dwelling Units. Accessory dwelling units may be permitted with existing or proposed multifamily dwelling units in accordance with the following:
 - a. At least one unit and up to 25 percent of the existing number of multi-family dwelling units may be permitted within portions of an existing multi-family development in those areas that are not used as livable space including (but not limited to) storage rooms, basements, garages, attics, or other similar areas that may be converted.
 - b. For an existing or a proposed multi-family development, in addition to the provisions of subsection (B)(2)(a), for each eligible multi-family lot, up to two detached accessory units may be constructed, subject to four foot side and rear setbacks and a height limit of 16 feet and three foot side and rear setbacks and a height of 12 feet.
 - c. Lots with existing multi-family development may have up to eight detached ADUs, or as many detached ADUs as there are primary dwelling units on the lot, whichever is less in accordance with Government Code 66323.

C. Size.

- 1. Lot Coverage; Open Space Requirements. Each eligible lot, regardless of the size of the primary dwelling unit, maximum lot coverage, or minimum open space requirements may include an attached or detached accessory dwelling unit of up to 800 square feet;
- Maximum Unit Size. For each eligible lot, the maximum size of an attached or detached
 accessory dwelling unit shall be not more than 1,200 square feet of habitable space, but
 under no circumstances shall the attached or detached accessory dwelling unit be larger
 than the primary dwelling unit when including attached non-habitable spaces such as
 garages;
- 3. Efficiency Units. The unit size for an attached or detached accessory dwelling unit or junior accessory dwelling unit shall, at a minimum, meet the standards for an efficiency unit as defined by the California Health and Safety Code section 17958.1. Minimum standards shall be applied through the building code; and

4. Junior ADUs. A junior accessory dwelling unit shall not exceed an area of 500 square feet.

D. Parking.

- 1. Except as otherwise provided in this subsection, one additional paved off-street parking space per accessory dwelling unit must be provided. Such parking space may be provided as a tandem space and/or located in the required front yard setback area if in compliance with the paved parking standards listed in section 17.140.160. Parking is not required to be provided in any of the following circumstances:
 - a. Proximity to public transit. Unit is located within one-half mile of public transit, including light rail and bus stations;
 - b. Historical/Architectural significance. Unit is located within an architecturally and historically significant residence historic district;
 - c. Primary dwelling units. Unit is part of the proposed or existing primary dwelling unit, or an accessory structure as defined in section 17.140.120 (Accessory structures);
 - d. Junior ADU. Unit is a junior accessory dwelling unit or is part of an existing primary dwelling unit or an existing accessory structure;
 - e. On-street parking permit. On-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or
 - f. Car-share program. There is a car-share program located within one block of the accessory dwelling unit.
- 2. Off-street parking spaces are not required to be replaced when a garage, carport or covered parking structure is demolished in conjunction with the construction of, or conversion to an ADU as described in Government Code 66314.

E. Standards of Development.

- 1. Conversion for an Accessory Dwelling Unit. Existing permitted structures converted to an accessory dwelling unit either attached or detached to the primary dwelling unit such as a garage or other accessory building shall meet the following requirements:
 - a. Building and fire safety codes;
 - b. Independent exterior access from the existing primary dwelling unit; and
 - c. Sufficient side and rear setbacks for fire safety.
- 2. Detached Accessory Dwelling Unit. New detached structures for accessory dwelling units shall meet the following requirements unless such requirements prohibit an

accessory dwelling unit of at least 800 square feet in area with three foot rear and side yard setbacks:

- a. Conformity with all requirements of the zone in which the unit is located, except as identified in paragraphs (2)(b) through (g), below. Additionally, detached accessory dwelling units shall be located outside of the front and exterior setback unless this requirement would prohibit an accessory dwelling unit of at least 800 square feet in area;
- b. Limited to the maximum height of the underlying zone when located within the primary dwelling unit setback requirements. Height limitations for areas outside of the primary dwelling unit setbacks are as follows:
 - i. Maximum height of 20 feet with a five foot setback; no more than 16 feet with four foot setback; and no more than 12 feet with a three foot setback,
 - ii. When the detached accessory dwelling unit is within one-half mile walking distance of a major transit stop or a high-quality transit corridor the height is limited to 18 feet with up to two additional feet permitted to accommodate a roof pitch so long as it is aligned with the roof pitch of the primary dwelling,
 - iii. When the detached accessory dwelling unit is located on a lot with an existing or proposed single-family or multifamily dwelling that is two stories or greater, the height is limited to 18 feet;
- c. Subject to a minimum three foot rear and side setback;
- d. In accordance with the California Health and Safety Code requirement, no fire sprinkler system is required unless provided for the primary dwelling unit;
- e. Limited in size in accordance with subsection C above;
- f. Attached covered patios, porches and similar covered areas intended to be used by the occupant of the accessory dwelling unit, except for a two-car garage or carport, shall be included in the maximum floor area of the proposed unit; and
- g. The proposed accessory dwelling unit shall be constructed of similar building materials, colors, and with a similar architectural style to the primary dwelling unit.
- 3. Attached Accessory Dwelling Unit. New attached accessory dwelling units shall meet the following requirements unless such requirements prohibit an accessory dwelling unit of at least 800 square feet in area with three foot rear and side setbacks:
 - a. Conformity with all requirements of the zone in which the unit is located, except as identified in paragraphs (3)(b) through (g), below;

- b. Limited to the maximum height of the underlying zone when located within the primary dwelling unit setback requirements and to a maximum height of 20 feet with a five foot setback; no more than 16 feet with four foot setback, and no more than 12 feet with a three foot setback;
- c. Subject to a minimum three foot rear and side setback;
- d. In accordance with the California Health and Safety Code requirement, no fire sprinkler system is required unless provided for in the primary dwelling unit. If an accessory dwelling unit is attached to the primary single-family dwelling unit, the wall separating units shall be as required by the California Building Code, and/or the California Residential Code or both;
- e. Limited in size in accordance with subsection C above;
- f. Attached covered patios, porches and similar covered areas intended to be used by the occupant of the accessory dwelling unit, except for a two-car garage or carport, shall be included in the maximum floor area of the proposed unit; and
- g. The proposed accessory dwelling unit shall be constructed of similar building materials, colors, and with a similar architectural style to the primary dwelling unit.
- 4. Junior accessory dwelling units shall meet the following requirements:
 - a. Shall be created within the existing walls of the primary dwelling unit;
 - b. Shall include an independent exterior access from the primary dwelling unit;
 - c. Shall include an efficiency kitchen that consists of:
 - i. A sink with a minimum waste line diameter of one and one-half inches;
 - ii. A cooking facility with appliances that have electrical service equal to or greater than 120 volts or natural or propane gas; and
 - iii. A food preparation counter and storage cabinets that are reasonable to the size of the unit; and
 - d. No additional parking shall be required for the junior accessory dwelling unit.
- F. Standards of Performance. Every junior accessory dwelling unit approved by this Title shall meet the following standards of performance:
 - Owner Occupancy. The property owner must occupy either the primary dwelling unit or the junior accessory dwelling unit, unless the property owner is a governmental agency, land trust, or housing organization. Should this requirement not be honored by the property owner, it will be cause to have the junior accessory dwelling unit removed in accordance with appropriate procedures.

- Recorded Restrictions. A notice of restriction shall be recorded so that it appears in the chain of title for the property. A building permit will not be finalized without proof of recordation of the notice of restriction.
- 3. Common Ownership. The unit shall not be sold separate from the primary dwelling unit.
- 4. Minimum Term. Tenancy shall not be less than 30 days.

G. Fees.

- 1. Development Impact Fees; Applicability. Development Impact Fees for ADUs and JADUs shall comply with Chapter 17.25 Procedures, Hearings, Notices and Fees.
- Fee Waiver. In addition to the requirements in Chapter 17.25, ADUs or JADUs that are
 less than 750 square feet shall not be subject to any impact fees. Any impact fees
 charged for an ADU more than 750 square feet shall be charged proportionately in
 relation to the square footage of the primary dwelling unit.
- H. Special Exemption from City Standards. Notwithstanding other provisions of this title, the addition of an accessory or junior accessory dwelling unit on a lot as provided under this section of and by itself will not initiate requirements for any new or updated standards relating to the existing residential structure. Such standards or requirements that would otherwise apply will be deferred until the normal operation of those other city code sections come to apply to such property. Such deferral of new or updated standards will not be granted for any building or portion thereof that was constructed illegally, nor will such deferral be granted for required public improvements. It is the clear intent of this subsection that the existing standards which were legally provided on the existing residential structure may remain as they were prior to the construction of the second-family unit.
- I. Unauthorized or unpermitted ADUs and JADUs may be issued permits to legalize the unit in accordance with Government Code section 66332.

Table 17.140.210 Residential Land Use Table													
Residential Zones	PRD		RS- 20	RS- 14	RS- 9		RM- 6000		RM- 2500	RM- 2200	RM- 1450	RM- HR	Notes
Primary Resid	ential	Uses	(sub	ject t	o de	nsity	restric	tions)					
Residential care facility for 7 or more	X <u>C</u>	С	С	С	С	С	4						

Table 17.145.150 Commercial Land Use Table							
	О-Р	C-N	C-G	C-R	C-M	Notes	
Commercial Uses	•						
Wholesale trade excluding explosives	Х	<u> XP</u>	Χ	Χ	Р	<u>39</u>	
Temporary feeding area	<u>CT</u>	<u>CT</u>	<u>CT</u>	<u>CT</u>	<u>CT</u>		

^{39.} Wholesale trade in the C-N zone is only allowed within the boundaries and subject to the provisions contained within SP No. 32.

Chapter 17.185 Parking Standards

17.185.260 Clean Air Vehicle Parking

Any existing or proposed parking area may identify preferential parking spaces for clean air vehicle parking.

Chapter 17.190 Signs

17.190.200 Prohibited Signs

The following signs are prohibited, unless expressly allowed or permitted by another provision of this chapter:

- A. Animated signs;
- B. Flashing signs (including flashing string lights, light ropes, and strobe lights);
- C. Sign spinners;
- D. Marquee signs;
- E. Portable signs;
- F. Revolving signs (except barber poles);
- G. Banners, except as permitted by Section 17.190.140;
- H. Balloons, except as permitted by Section 17.190.140;
- Searchlights, except as permitted by Section 17.190.140; and
- J. Inflatable objects, except as permitted by Section17.190.140.

Chapter 17.225 Miscellaneous Special Uses and Regulations

17.225.185 Emergency housing pilot project.

Emergency housing units may be allowed on properties in residential zones including the MU Overlay (mixed use) zone, subject to the approval of an Administrative Zoning Permit (AZP), and processed in accordance with Chapter 17.40 and the following requirements, and subject to the following criteria.

A. Definitions.

Emergency Housing Unit. An emergency housing unit means either a unit on wheels as defined in section 17.225.185 (B)(4)(a), or as an emergency sleeping cabin as defined in El Cajon Municipal Code section 15.04.105 and the California Building Code. This does not include tents, membrane structures, mobile homes, or recreational vehicles.

Non-Governmental Institutional Use. A non-governmental institutional use means a use dedicated to serving the community through social, health, cultural, and religious means.

B. Development Standards.

- 1. Property shall be a minimum of one and one half (1.5) acres and front on a primary or secondary thoroughfare as shown on the City's General Plan map.
- 2. Primary use of the property shall be a non-governmental institutional use as defined in section 17.225.185. (A)(2).
- 3. Housing units shall meet the underlying zone's primary setbacks and be separated from each other by a minimum of six feet.
- 4. Housing units may be allowed in two forms: on wheels or standard construction as defined in the California Building Code and El Cajon Municipal Code section 15.04.105. In either case, there shall be no more than six units on the subject property.

a. On Wheels Standards.

- i. Licensed and registered with the California Department of Motor Vehicles and meets American National Standards Institute (ANSI) 119.2 or 119.5 requirements;
- ii. Towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection. Cannot (and is designed not to) move under its own power (no RVs);
- iii. No larger than allowed by California State Law for movement on public highways;
- iv. Has at least 70 square feet of first floor interior living space; and
- v. Has basic functional areas that support normal daily routines such as cooking, sleeping, and lavatory if lavatories are not provided on the subject property in accordance with the operational standards in this section.
- b. Standard construction shall be subject to the California Building Code and El Cajon Municipal Code section 15.04.105, except there shall be no use of generators for electricity.
- c. A detailed management plan shall be required and included with the Administrative Zoning Permit application. The plan shall include, but not be limited to, the number of case managers and security personnel; the hours of operation; resident screening procedures;

- on-site supportive services; cleaning protocols; rules; property management; and a description of all case management programs and their objectives.
- d. Sufficient off-street parking spaces shall be provided to accommodate the primary use and the emergency housing operation.
- e. All activities, except outdoor recreational activities, shall be conducted totally within an enclosed building or other structures in compliance with applicable fire and building codes.
- f. Other development standards may be required as determined through the review process.

5. Operational Standards.

- a. Occupants of any emergency units shall be limited to homeless individuals in El Cajon and recognized as such by San Diego County Health Services or organizations providing homeless prevention and assistance services.
- b. Occupant's length of stay shall not exceed 90 days.
- c. On-site security shall be provided on a 24 hours a day, seven days a week, basis.
- d. All residents and visitors must check in with on-site security to access the site.
- e. Services will be designed to provide basic needs including shelter, sanitation, food, case management and wrap around services, restrooms, and showers facilities, all of which shall be operated by an organization experienced with providing such services.
- f. There shall be no unauthorized loitering, sleeping or camping on the subject property or on any adjacent properties in violation of the El Cajon Municipal Code.
- C. This section shall sunset on December 31, 2024, unless extended by the City Council after holding a public hearing in accordance with the El Cajon Municipal Code and governing state statutes. Once this ordinance sunsets, all emergency housing operations shall cease and all housing units shall be removed within 60 days.

17.225.270 Ministerial review of housing developments and subdivisions

A parcel map or a tentative and final map for a housing development project that meets certain requirements, including; the housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units, is zoned for residential development, is no larger than 5 acres, as specified, and the newly created parcels are no smaller than 600 square feet, except as provided by Government Code section 65852.28 shall be considered ministerially without discretionary review or a hearing, in accordance with the requirements of Chapter 17.60 or Chapter 17.125, and subject to the approval of an administrative zoning permit.

Residential care facilities for seven or more persons shall be eligible for expedited processing in order to remove constraints to development as specified in the Lanterman Development Disabilities Services Act (Section 5115 and 5116) of the California Welfare and Institutions Code.

Chapter 16.12 Major Subdivisions - Procedure

16.12.070 Planning director's duties.

- A. The planning director shall obtain for the planning commission the reports and recommendations of the city engineer, the parks and recreation director, the fire chief, or their authorized representatives, with respect to the design of the proposed subdivision and the kind, nature and extent of the proposed improvements. Recommendations may also be obtained from any other person affected by or interested in the proposed subdivision, if such recommendation is found to be necessary.
- B. The planning director shall prepare a staff report to the planning commission containing the reports and recommendations regarding the tentative map. A copy of the reports and recommendations shall be provided for the subdivider at least five days prior to planning commission consideration of his tentative map.
- C. The planning director shall set the map for public hearing before the planning commission.
- D. The planning director or designee shall approve subdivisions ministerially that meet the requirements specified in Section 17.225.270

PROPOSED PLANNING COMMISSION RESOLUTION

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO SPECIFIC PLAN NO. 182 TO ALLOW ADDITIONAL ON-SALE ONLY ALCOHOLIC BEVERAGE ESTABLISHMENTS, ADDING REQUIREMENTS FOR DECORATIVE LIGHTING, AND PROHIBITING ANIMATED OR FLASHING SIGNS INCLUDING LIGHT ROPES, AND OTHER NON-SUBSTANTIVE CHANGES INCLUDING CLARIFYING RETAIL MERCHANDISE WINDOW DISPLAY REQUIREMENTS

WHEREAS, on July 23, 2024, the City Council conducted a review of the Zoning Code Sign Ordinance and directed staff to investigate adding requirements for decorative lighting, and prohibiting animated or flashing signs including light ropes within the Downtown Master Plan area (Specific Plan No. 182); and

WHEREAS, on October 8, 2024, the City Council discussed amending regulations within the Downtown Master Plan area (Specific Plan No. 182) in order to allow additional bars or on-sale alcohol establishments, but only allowing a limited number of establishments within the core Downtown area; and

WHEREAS, the Zoning Code and Downtown Master Plan (Specific Plan No. 182) require regular maintenance to ensure that they are consistent and effective in regulating the use and development of land in the City; and

WHEREAS, the El Cajon Planning Commission considered and approved the proposed CEQA common sense exemption in accordance with the California Environmental Quality Act Guidelines section 15061(b)(3) for the proposed project; and

WHEREAS, the Downtown Master Plan (Specific Plan No. 182) amendment is designed to encourage investment and target new development to the City's downtown area by allowing additional on-sale alcohol outlets and improving the visual environment of the downtown by ensuring visible product display, and other attention getting methods are attractive, aesthetically pleasing, and more effective.

WHEREAS, at the public hearing the Planning Commission received evidence through public testimony and comment, in the form of verbal and written communications and reports prepared and presented to the Planning Commission, including (but not limited to) evidence such as the following:

A. The proposed specific plan amendment is applicable to the downtown area and is not property-specific. The amendment will promote the public health, safety and general welfare of persons driving, parking, walking, residing, or conducting business within the downtown by reducing visual distractions. Furthermore, the

amendment will improve the visual environment of the downtown by ensuring visible product display, and other attention getting methods are attractive, aesthetically pleasing, and more effective.

B. The Downtown Master Plan (Specific Plan No. 182) focuses on a particular portion of the City where special circumstances require a more detailed framework of development than the General Plan, and more detailed standards than the general provisions of the Zoning Code. This approach effectively establishes a link between General Plan implementing policies and potential development proposals in the defined area. The proposed amendment is designed to encourage investment and target new development to the City's downtown area.

NOW, THEREFORE, BE IT RESOLVED by the El Cajon Planning Commission as follows:

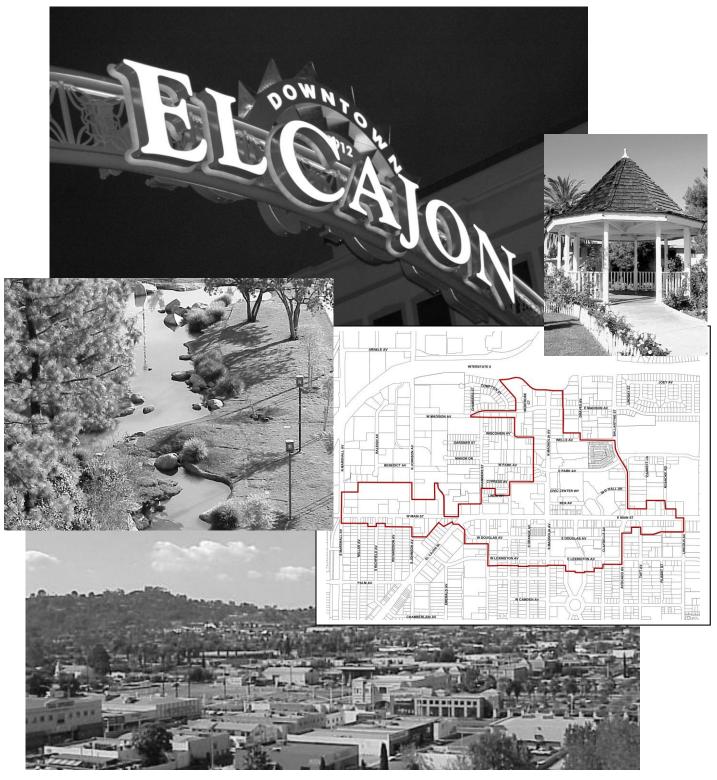
Section 1. That the foregoing recitals are true and correct, and are findings of fact of the El Cajon Planning Commission in regard to the update of the Downtown Master Plan (Specific plan No. 182).

Section 2. That based upon said findings of fact, the El Cajon Planning Commission hereby RECOMMENDS City Council APPROVAL of an update to the Downtown Master Plan (Specific Plan No. 182), in accordance with the attached "Exhibit A".

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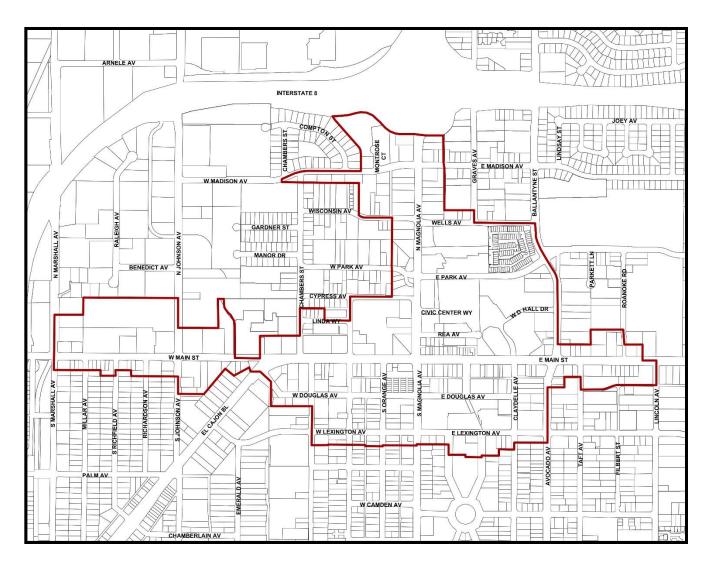
PASSED AND ADOPTED meeting held November 19, 2024, by	by the El Cajon Planning Commission at a regular the following vote:
AYES: NOES: ABSENT:	
ATTEST:	Rebecca POLLACK-RUDE, Chair
Noah ALVEY, Secretary	

CITY OF EL CAJON



DOWNTOWN EL CAJON SPECIFIC PLAN No. 182

CITY OF EL CAJON



DOWNTOWN EL CAJON SPECIFIC PLAN <u>No.</u> 182

Intent and Purpose of SP No. 182

It is the intent and purpose of Specific Plan No. 182 to implement the recommendations of the Downtown Master Design Plan adopted on November 24, 1992. In addition to uses permitted by right in the underlying zone, it is intended that this specific plan will provide for mixed-use including retail and/or offices and residential uses in one development project. However, there are permitted and conditional uses which are normally allowed in the underlying zones which are not permitted within the boundaries of Specific Plan No. 182. Please verify any proposed uses with Planning at 619-441-1741.

Includes amendments adopted by City Council through April 9, 2019 Ordinance Nos. 4976, 4985, 5021, 5060, 5070, and 5080

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I. PROPERTY DESCRIPTION

These regulations shall apply to those properties included in Special Development Area No._-9 as shown on the General Plan and on attachment "_A". Additional properties may be included as approved by an amendment to the General Plan, Special Development Area No._-9 and this specific plan.

II. INTENT AND PURPOSE

It is the intent and purpose of this specific plan to implement the recommendations of the Downtown Master Design Plan prepared by Tucker, Sadler and Associates and dated June,_1991.

The Downtown Master Design Plan contains <u>standards and</u> recommendations for land uses and development standards.

In addition to uses permitted by right or conditional use permit in the underlying zone, it is intended that this specific plan will provide for mixed-uses including retail and/or offices and residential uses in one development project.

It is further intended that all developments emphasize pedestrian access with the scale and design of buildings promoting and reflecting the pedestrian environment.

Signs, visible product display, and other attention getting methods are regulated in this plan to serve the interests of community aesthetics, vehicular and pedestrian safety, to protect and preserve property values, to improve the visual environment of the downtown so as to promote commerce, investment, tourism, visitation, and the overall quality of life for persons living in, doing business in, or visiting the downtown.

They are also intended to promote the public health, safety and general welfare of persons driving, parking, walking, residing, or conducting business within the downtown by reducing visual distractions, by making signs, visible product display, and other attention getting methods more attractive, aesthetically pleasing, and more effective.

III. PERMITTED AND PROHIBITED USES

- A. All uses permitted by right in the underlying zone except as listed below on Exhibit 'A' may be approved by right within Special Development Area No. 9.
- B. All uses permitted by conditional use permit in the underlying zone except as listed below on Exhibit "B" may be permitted by conditional use permit within Special Development Area No. 9.
- C. Automotive service and repair uses are only permitted in the portion of Special Development Area No. 9 that is also a part of Special Development Area No. 10 and zoned C-M. All automotive service and repair uses shall obtain a conditional

use permit in accordance with Section V. Development Process of this specific plan.

- D. No more than two on-sale alcoholic beverage establishments may be permitted with the approval of a conditional use permit that are located at properties with an entrance adjacent to the public sidewalk on East Main St., Rea Avenue, or Sulzfeld Way between North Magnolia and Claydelle Avenues, with a maximum establishment size of two thousand five hundred square feet. On-sale establishments shall also be subject to the following:
 - 1. Operational standards in El Cajon Municipal Code section 17.210.150.
 - 2. Required findings in El Cajon Municipal Code section 17.210.160.

IV. SPECIAL USES

A. Mixed-use developments, composed of retail, office and/or residential development may be permitted by site development plan permit within Special Development Area No. 9.

An example of a mixed-use development would be a residential development built above a retail and/or office development in a commercial or office zone.

V. DEVELOPMENT PROCESS

All proposed development projects shall be required to process a development plan. Development plans shall be of the following types:

Site development plans as described in Chapter 17.65 of the Zoning Code.

Conditional use permits as described in Chapter 17.50 of the Zoning Code.

Specific plans as described in Chapter 17.70 of the Zoning Code.

Planned Residential Developments as described in Chapter 17.165 of the Zoning Code.

Planned Unit Developments as described in Chapter 17.60 of the Zoning Code.

Sign Permits as described in Chapter 17.190 of the Zoning Code.

Administrative Zoning Permit as described in Chapter 17.40 of the Zoning Code.

A. Site Development Plan

A site development plan shall be required for all proposed developments which are permitted by right in the underlying zone or overlay zone when applicable.

Any requested modified development standards will be reviewed and considered as part of the site development plan.

B. <u>Conditional Use Permit</u>

A conditional use permit shall be required for all proposed developments involving uses which require a conditional use permit in the underlying zone or overlay zone when applicable.

C. Specific Plan

A specific plan may be required or utilized for certain uses or to modify certain development standards.

D. <u>Common Interest Subdivision</u>

A common interest subdivision is required to comply with planned residential development, planned unit development, or common interest development regulations.

E. Sign Permit

A sign permit is required to install any new commercial sign, except allowable window signs, within Specific Plan No. 182. The City Manager may delegate sign design review approval within Specific Plan No. 182 to a downtown PBID management entity, however, signs must still comply with the other provisions of this Plan and the Municipal Code, including obtaining encroachment permits and building permits, when applicable.

F. Administrative Zoning Permit

An administrative zoning permit is required to remodel the façade of a commercial storefront/building governed by Specific Plan No. 182, install an ancillary outdoor dining area, or establish other uses listed as requiring an administrative zoning permit in Chapter 17.40 of the Zoning Code.

VI. DEVELOPMENT STANDARDS

Except as expressly provided as follows, all new developments shall be subject to the development standards set forth in either the underlying zone or overlay zone when applicable.

A. Parking

1. Additional parking spaces are not required for a change of use of an existing building.

- Minor additions to existing buildings eligible for review and approval under El Cajon Municipal Code Chapter 17.57 shall not require additional parking.
- 3. New developments not identified above shall be addressed in the context of the downtown urban environment and will be considered in conjunction with the associated planning permit application. _Furthermore, on-site parking provisions shall not negatively impact the appearance of the project site or the surrounding properties, and shall not adversely impact or place undue burden on adjacent uses. _Supporting evidence may be required which may include, but is not limited to, a traffic impact study, parking study, or other study or analysis prepared by a certified expert licensed to prepare such work.

B. Building Height

There shall be no maximum building height for any properties included in Special Development Area No. 9 are as shown on Attachment ""A" except that the maximum height of any building on any property in Special Development Area No. 9 and which is within 100 feet of any property zoned and/or developed with residential uses shall be 35 feet, unless a greater height is approved by site development plan permit.

C. Lot Coverage

All buildings, including accessory buildings and structures, and all parking areas and driveways shall not exceed the lot coverage of the underlying zone, unless a greater lot coverage is approved by site development plan permit.

D. Building Setbacks

All buildings, including accessory structures, shall comply with the building setbacks of the underlying zone except as follows:

- 1. All commercial and/or office buildings or mixed-use developments with residential units shall observe street frontage setbacks as follows:
 - a) One- and two-story buildings: No requirements;
 - b) Three- to six-story buildings: 10 feet;
 - c) Seven- to ten-story buildings: 15 feet.
- All commercial and/or office buildings are permitted to observe no interior setbacks.

- 3. All mixed-use developments with residential units shall observe interior setbacks as required by the building and fire codes.
- 4. All street frontage setbacks, if required, shall be landscaped.
- 5. Setback requirements may be further reduced, through approval of a site development plan permit.

E. <u>Exterior | Lighting</u>

An on-site lighting plan prepared in accordance with <u>Ssection 17.130.150</u> of the Zoning Code shall be submitted for approval. The lighting plan shall address all building façades, especially those adjacent to alleys, parking areas and walkways.

F. Residential Density

All residential developments shall comply with the density limitations of the underlying residential zone or overlay zone when applicable, unless a density bonus is approved pursuant to Section IV.B.

In a mixed-use development, the maximum residential density shall be determined as part of the approval of the mixed-use development pursuant to section V.B, or overlay zone when applicable.

G. Open Space/Common Recreational Area

All residential developments shall comply with the open space/common recreational area requirements of the underlying residential zone or overlay zone when applicable.

In a mixed-use development, some form(s) of open space/common recreational area such as a swimming pool (indoor or outdoor) or passive open space or combination thereof shall be provided. The amount or type of the required open space/common recreational area shall be determined as part of the approval of the mixed-use development pursuant to section V.B.

H. Signs and Graphics

All signs and graphics shall comply with the <u>Signing and Architectural Graphics</u> <u>Guidelines</u> adopted in June, 1993, or any subsequent revision and the City's sign regulations contained in Chapter 17.190 of the Zoning Code whichever is more restrictive and except as follows:

Wall Signs.

Except as provided below, building face or building wall signs shall be limited to a maximum sign area of two square feet of sign area per linear foot of building face or building wall width.

Building face or building wall signs may be attached to the wall, building face or arcade of a building that is constructed on a street frontage property line where the sign extension is intended to provide interior lighting or a relief effect to the sign.

The extension of the sign shall not exceed twelve inches beyond the wall or face of the building and shall maintain a minimum ground or sidewalk clearance of eight feet.

2. Projecting Signs.

Projecting signs may project a maximum of twenty-four inches from the supporting wall or building face with a maximum sign area of ten square feet per face. Projecting signs may not project into the public right-of-way. Projecting signs shall maintain a minimum ground or sidewalk clearance of eight feet. A projecting sign shall not exceed the height of the building wall to which it is attached. Projecting signs are included in the calculation of the maximum allowable wall signs.

3. Suspended Signs.

Suspended signs under an arcade shall be limited to one in front of each entrance to the building, shall be no wider than sixty percent of the width of the arcade with a maximum sign area of six square feet per face and shall maintain a minimum ground or sidewalk clearance of eight feet. Signs suspended perpendicular to the building entrance shall not be included in the calculation of the maximum cumulative wall sign area. Signs suspended parallel to the street shall be included in the calculation of the maximum cumulative wall sign area.

4. Freestanding Signs.

Freestanding signs shall be limited to monument signs with one monument sign permitted for each street frontage of each development. Except as otherwise provided below, the maximum height of a monument sign is eight feet and the maximum sign area is one hundred twenty (120) square feet per face. Notwithstanding the foregoing, for developments that are seven acres or more, freestanding signs (1) may be up to 20 feet high and no more than five feet wide and limited to 100 square feet of sign area per sign face; and (2) shall not be on a single pole and must be designed as a solid architectural feature (e.g. blade sign).

Unless a freestanding sign is set back at least ten feet perpendicular from the public right-of-way, it shall be located at least fifteen feet to the side of any driveway or interior property line to assure visibility. On any corner radius, a freestanding sign shall be set back from the public right-of-way unless it is demonstrated that safe and proper visibility can be maintained at a lesser setback.

5. Window Signs.

Window signs shall be limited to fifteen percent of the total business window sign area. Window signing shall not be included in the calculation of the maximum cumulative wall sign area.

6. Portable Signs.

One portable sign on a sign stand or sandwich board (A-frame) sign is allowed for each conforming ground floor retail, restaurant, and personal service use (e.g., hair salons, barber shops, nail salon). Maximum sign/structure dimensions shall be 20-inches wide and 42-inches high.

Signs may be placed on public sidewalk, subject to issuance of an encroachment permit by the City Public Works Department. Sign placement must conform to ADA requirements at all times.

Portable signs placed over a public sidewalk may only identify the business name, products, and services of the adjacent establishment for which the license is granted. They may not include political or any other unrelated messages. Tobacco and similar products regulated pursuant to Chapter 8.33 may not be included on signs located on the public sidewalk. A brand logo for the downtown adopted by the PBID or City may be included on the sign panel.

7. Signs on outdoor dining fences.

One sign panel measuring a maximum of eight square feet in size and a maximum of ½ inch in thickness may be affixed to an approved outdoor dining fence when the outdoor dining area for an adjacent restaurant is less than 60 feet in width. Up to two sign panels may be affixed to an outdoor dining fence, when the outdoor dining area for an adjacent restaurant is 60 feet or more in width. Sight lines may not be obstructed, as determined by the City Engineer.

Sign panels on an approved outdoor dining fence shall not be included in the maximum allowable wall signs noted above. Sign panels shall be flush mounted and made of rigid and durable materials such as metal, wood, or hard plastic. Sign panels shall be professionally printed, not handpainted and mounted with discreet or artistic hardware. Sign panels may encroach over the public sidewalk or Prescott Promenade, subject to issuance of an encroachment permit by the City Public Works Department.

Sign panels over a public sidewalk or Prescott Promenade may only identify the restaurant name, products and events of the restaurant holding the license to the outdoor dining area. _They may not include political or any other unrelated messages. Tobacco and similar products regulated pursuant to Chapter 8.33 may not be included on signs located on the public sidewalk or Prescott Promenade. A brand logo for the downtown adopted by the PBID or City may be included on the sign panel.

8. Menu Boards/Cases.

Wall mounted restaurant menu boards/cases measuring four square feet or less shall not be included in the maximum square footage allowable for wall signs. Menu Board/cases shall be a maximum of three inches thick. Internal, non-animated illumination is permitted.

9. Animated Signs.

Animated window signs shall be limited to five percent of the ground floor window area, up to a maximum of four square feet and 40 linear feet per business establishment, whichever is less. Animated signs shall be included in the 15 percent maximum window area signage allowance.

- 10.9. No box or can signs, internally illuminated or not, shall be permitted within the boundaries of Specific Plan No. 182.
- 41.10. All new signs shall be reviewed in accordance with Section V.F.
- 11. Decorative lighting such as window frame lights, tree uplights, tree downlights, small lights in trees or on shrubs, outdoor string lights that outline building masses, and similar lighting effects are permitted and may be visible from the public right-of-way and subject to the following standards:
 - a) Except for small, bare-bulb lights, all landscape light fixtures, including tree uplights, shall be concealed from view by burial in the ground or by shielding them from view.
 - b) Lighting shall not blink, flash, spin, or exhibit changing luminance.
 Lighting shall not exhibit changing colors, hue, shade, or tint.
 - c) All decorative lighting established prior to the adoption of these provisions shall be brought into conformance with these regulations within 180 days of the effective date of these provisions.

I. Display of Retail Merchandise

- 1. Retail merchandise shall not block windows or obscure views into the interior of a store unless displayed or stored a minimum of 36 inches from the window or while maintaining the applicable accessible path of travel between the merchandise and the window as determined by the Building Official. Bulk display of merchandise, including merchandise in shipping containers, is not permitted when visible through a window from the public right-of-way.
- Retail merchandise may be displayed within 36 inches of a window when depicting an action or single pieces of merchandise available within the store (e.g. mannequins wearing clothing, jewelry, assembled toys, athletic equipment, food products, etc.).
- 3. All display of retail merchandise established prior to the adoption of these provisions shall be brought into conformance with these regulations within 180 days of the effective date of these provisions.

VII. <u>DESIGN GUIDELINES</u>

All proposed projects are subject to the design standards of the underlying zone and shall comply with the design guidelines contained in Exhibit ""C"" when applicable.

VIII. AMENDMENTS TO SPECIFIC PLAN

Amendments to this specific plan shall follow the process contained in Chapter 17.70 of the Zoning Code and may be initiated by:

- 1. The verified application of the owner or his/her agent or any property within the boundaries of Specific Plan No. 182;
- 2. The City Council;
- 3. The Planning Commission.

Special Development Area (SDA) No. 9

Attachment "A"

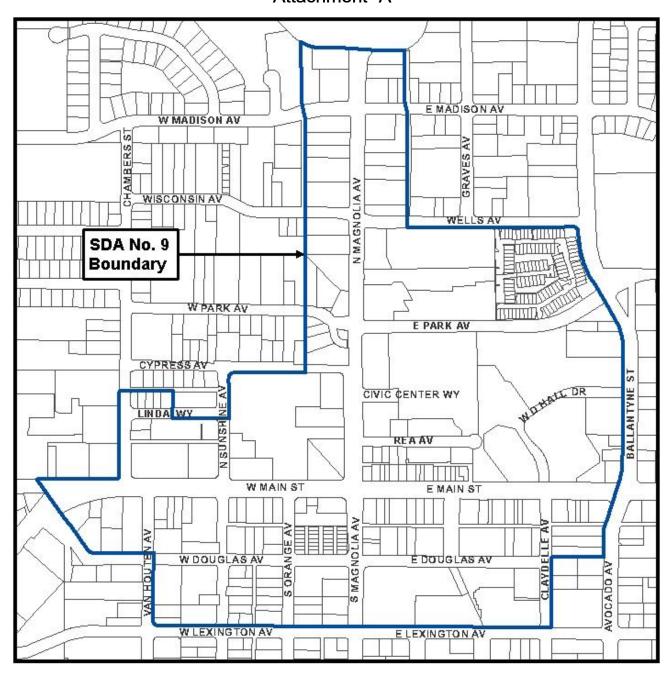


EXHIBIT "A" SPECIFIC PLAN NO. 182

The following uses usually permitted by right in the specified zones are *prohibited* within Special Development Area No. 9.

LUC *	USE DESCRIPTION	<u>ZON</u>	<u>ES</u>	
52A	Building materials, hardware, farm equipment (no outside storage)	C-G	C-R	
5313	Surplus store	C-G	C-R	
5313	Volume Discount, closeout or 99¢ stores	C-G	C-R	
5520	Sale and installation of tires, batteries and accessories	C-G	C-R	
5932	Secondhand clothing and shows	C-G	C-R	
5933	Secondhand furniture	C-G	C-R	C-M
5934	Secondhand bookstores	C-G	C-R	
5935	Secondhand auto parts			—C-M
5936	Thrift shops	C-G	C-R	
5969	Plant nurseries	C-G		
598	Fuel and ice		C-G	
61	Check cashing	C-G	C-R	
6123	Pawnbroker	C-G	C-R	
6124	Bail bonds	C-G	C-R	
6241	Funeral parlors and mortuaries	C-G	C-R	
6256	Locker rentals	C-G	C-R	
6295	Tattoo parlor	C-G	C-R	
6394A	Equipment rental with outdoor storage and display	C-G		

6397	Auto, truck and trailer rentals	C-G	
6411	WIC	C-G	C-R
6497	Gunsmith	C-G	C-R
6498	Saw, knife, lawnmower and tool repair and sharpening	C-G	C-R
6518A	Blood banks	C-G	C-R

^{*}Land Use Code

Note: Where no zone is indicated, the use is automatically not permitted in that zone.

EXHIBIT "B" SPECIFIC PLAN NO. 182

The following uses usually permitted by conditional use permit in the specified zones are *prohibited* within Special Development Area No. 9.

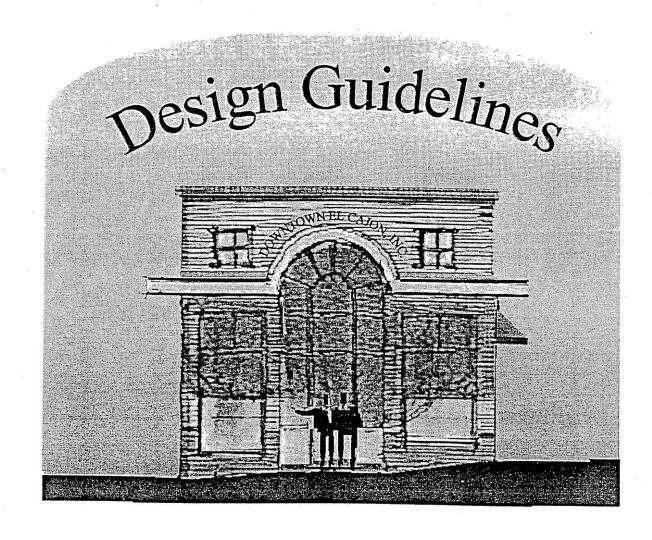
LUC*	USE DESCRIPTION	ZONE	<u> </u>
12	Board and care facilities	C-G	C-R
4294	Ambulance service	C-G	C-R
4603	Long term storage		—С-М
485	Solid waste disposal		—С-М
52B	Building materials, hardware, farm equipment with outside storage	C-G	C-R
592	Liquor store – off-premises alcoholic beverage sales	C-G	C-R
5999	Swap meet	C-G	C-R
6296	Massage parlors, steam baths, sauna baths	C-G	C-R
6381	Auction house	C-G	C-R
6393B	Detective and protective services with dogs	C-G	C-R
6411	Automotive repair	C-G	C-R
6413	Automotive paint and body	C-G	
6414	Automotive upholstery and tops	C-G	
6415	Motorcycle repair	C-G	
6416	Car washing and detailing (automatic)	C-G	
6417	Car wash (self-service)	C-G	
6418	Auto glass installation	C-G	

6419A	Auto diagnostic clinic (no repair)	C-G	C-R
6419B	Towing service	C-G	
692	Welfare and charitable services	C-G	C-R
745	Firearms and archery (indoor only)	C-G	C-R
6516	Sanitariums, convalescent hospitals, rest homes	C-G	C-R
7491	Camping overnight travel stopping	C-G	C-R
8221	Veterinarian services	C-G	C-R
8222	Animal hospital services	C-G	C-R
	Adult entertainment	C-G	C-R

^{*}Land Use Code

Note: Where no zone is indicated, the use is automatically not permitted in that zone.

EXHIBIT "C"" SPECIFIC PLAN NO. 182

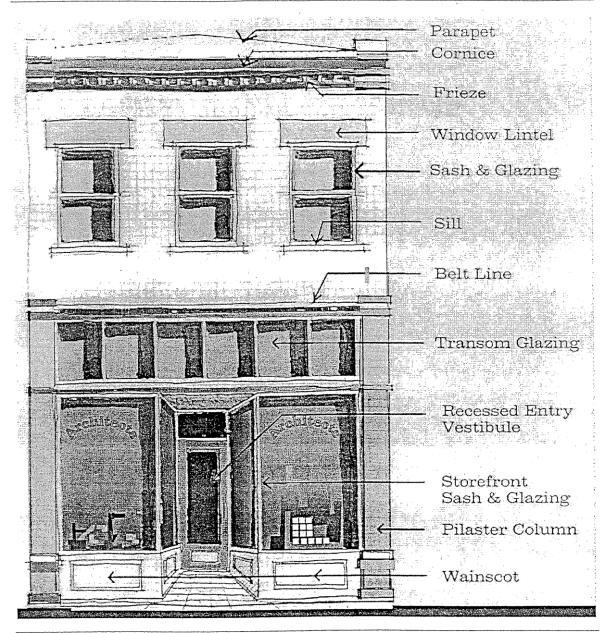


DESIGN GUIDELINES FOR BUILDING FAÇADE RENOVATIONS AND NEW BUILDINGS

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Façade Guidennes Contextual Design Elements



An Illustrated Glossary



PREFACE

This Plan is based upon the stated desires of Stakeholders to establish a set of regulations for the El Cajon Downtown Management District. The intent of these regulations is to advise all building and business owners on what they need to do to make their building façades visually successful while contributing to the redevelopment of the downtown District. These Design Guidelines outline appropriate repair and renovation of façades to increase the monetary value of individual structures and stimulate the rebirth of the entire commercial District.

In broad terms, repairs or renovations are encouraged to bring the buildings back to the quality of their original structure and design. New buildings may be designed to represent any era, as long as they fit seamlessly within the unity of the District. These regulations and guidelines specifically do not prescribe or require a particular architectural style or theme for the built environment. All building styles are allowed when the integrity and the character of the proposed architecture is compatible with the existing or historical perspective of El Cajon and the development objectives of the Management District.

Renovated and new buildings alone will not encourage shoppers to leave malls and other retail areas. More is required if Main Street is to return to the busy, prosperous social avenue it was for 75 years. The same is true for the rest of the District. To recapture a fair portion of discriminating shoppers now going elsewhere, the District must renovate and create places for the many people visiting the County Courthouse, East County Performing Arts Center, City Hall, and local businesses. Services for shoppers must be increased, and merchandise lines expanded. More inviting spaces for visitors, employees and local residents are required so that people can meet, gather, and talk before strolling or moving on. These standards provide guidance to enhance the pedestrian experience and improve the value of building façades.

These regulations attempt to encourage desired entrepreneurial redevelopment of the Downtown District as an art, entertainment, and specialty retail, and service district for the East County region. The guidelines apply to redevelopment and new construction for all properties in the District, not just those properties on Main Street and/or Rea Street.

Although many existing properties within the District, especially along Magnolia Avenue, do not have an enhanced pedestrian experience fronting a transparent business storefront, these objectives are adopted District wide. The guidelines <u>are intended to advance the attempt to rehabilitate El Cajon's community, civic, and commercial core, and correct the debilitating effects that autonomous retail strip centers cause when allowed inside an otherwise pedestrian commercial center.</u>

OVERVIEW

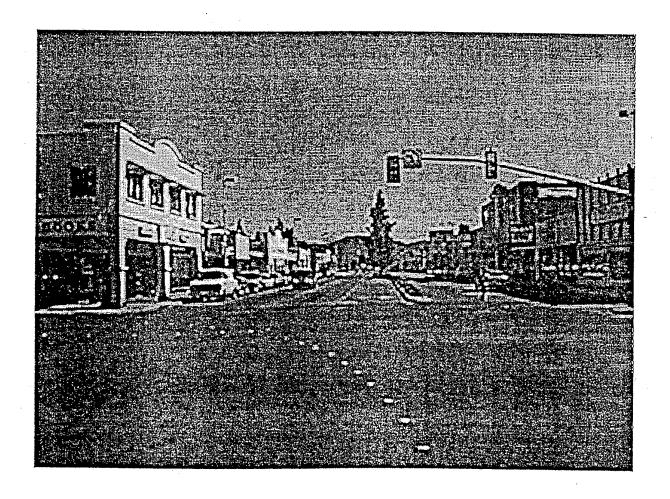
Adoption of District Standards for Building Façade Renovation and Design provides regulations to refine and define the image of the District and its individual businesses by reclaiming the architectural integrity of its buildings.

Established design standards shall be used to evaluate the appropriateness of any and all projects.

Renovating façades on existing properties, as well as the addition of new building projects, will provide District Stakeholders opportunities to improve the commercial viability of their businesses. Each Stakeholder is assured that the value of their property is protected through preservation and extension of historic architectural styles and elements and the eras they represent. This includes extending the arcades currently on the north side of Main Street to promote this outstanding architectural feature of the District. It also includes recommendations to install awnings on the other Main Street façades. Each of these improvements will enrich the enjoyment of pedestrians and shopper.

The goal is not to restrict individuals, but to provide quality control benefiting all Stakeholders and the citizens of El Cajon.

Yester-Year Main Street



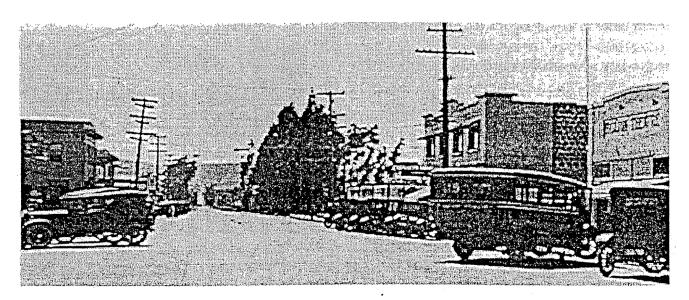
History Behind Business District Architecture

Main Street El Cajon

The function of Main Street has changed little from the time of Richard the Lion-hearted. Main Street, traditionally, has traditionally been where most business was transacted; Main Street was where entertainment, food, and drink were plentiful. Especially on Saturdays, it was most obvious that Main Street was the social, the financial, and often the physical center of the community.

El Cajon began and expanded in much the way most American towns evolved. First, there was a rough road that became the main street. That road in El Cajon started in San Diego and moved eastward over the Grossmont Grade and down onto our valley floor. Its primary service was to and from a scattering of citrus, olive, and grape ranches. That changed in the mid-1870's when gold was discovered in the neighboring Cuyamaca Mountains. Suddenly, there was a flood of foot, horse, and wagon traffic on the road. So much traffic was on the road that a hotel and stable were built, becoming the area's first commercial buildings.

Within months of the hotel completion, settling families arrived, building homes, businesses, and churches. In less than two years, both sides of the two-block-long Main Street were filled with shops. Most were of boomtown construction, on parcels less than 25 feet wide and built only inches back from the roadway.



Main Street, circa 1923, reprinted by permission: Eldonna P. Lay, <u>Valley of Opportunity</u> (El Cajon: Eldonna P. Lay & Associates, 1987), p. 81.

As the only business district in East County, El Cajon's Main Street filled the daily retail and professional needs of most of those living in the valley. But on Friday evenings, Main Street became more. With shoppers coming from as far as Lemon Grove, La Mesa, Dulzura, Potrero, and the reservations, Main Street became a social and commercial melting pot of visitors, travelers, area locals, and Native Americans.

After World War II, a booming economy brought two-car families, freeways, suburbs, and shopping centers with large on-site parking lots. Most of Magnolia Avenue reflects these

opportunities. Then suddenly, main streets across the nation seemed old fashioned and outof-date. The retail revolution of the 1970's left entire blocks on main streets to deteriorate. Over time, they grew more blighted and became a visual embarrassment to the community.

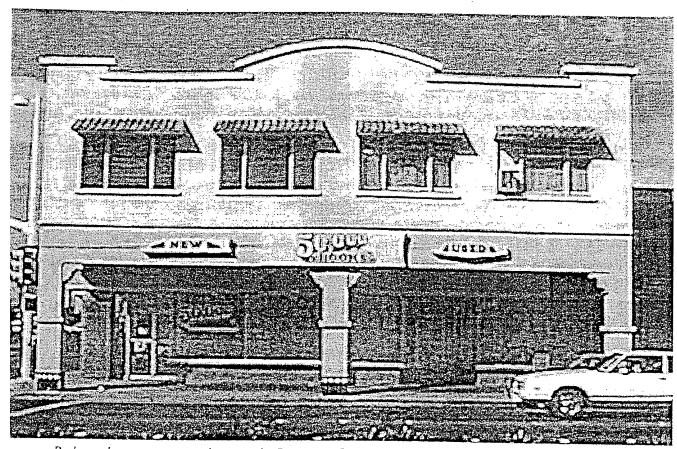
We in El Cajon are fortunate that our Main Street still has many traditional American Main Street elements intact, making it a prime candidate for resurrection and revitalization. Foremost, the District's historic buildings along with governmental and cultural institutions are in the central area, supporting a community identity and a sense of place.

Furthermore, a modern City Hall and Council Chambers, and a County Courthouse provide the District with prestigious civic buildings, adding to the integrity and authenticity of our community identity. The District's historic storefronts and contemporary institutions. The East County Performing Arts Center also contributes to El Cajon's vibrancy. The importance of these buildings, their services and the district they create are reinforced by relatively new structures housing the region's main Fire Station, a full-service community center, regional library, and senior apartments, less than a block away.

NORTH SIDE OF MAIN STREET

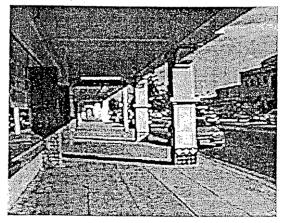
In the early years of the century, the invention of the automobile began to influence Main Street businesses. By the mid-1920's, the street was declared part of the State highway system. By the 1930s, this required a wider, paved street and sidewalks. But shop-fronts were in the way, forcing the State to order business owners on Main Street to either tear the front dozen feet of their buildings off, or move the entire building back. Not wanting to do either, owners were allowed to move ground floor storefronts back the required distance. But in some cases, they this left their roofs, and second floors in some cases, where they were. Owners began propping them up with support columns to form an arcade. This has become the District's most distinguishing architectural feature today.

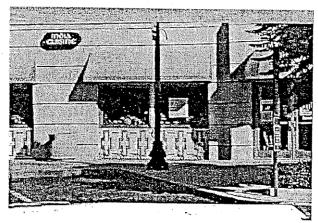
Above the arcade, many of the buildings still retain false-front façades. This type of façade gives squat buildings the appearance of height to conceal the actual roofline and create a vision of prosperity and affluence. In truth, many buildings on Main Street have upper stories, which are used for professional offices and private apartments.



Perhaps the most recognized icon in the Downtown District at the northeast corner of Main and Magnolia.

Downtown on the first floor, historic building façades still boast tile or terrazzo wainscoting below large display windows. Frequently the business' name or address is emblazoned on matching tile or terrazzo on the entry flooring leading to a recessed door. These architectural features are worth saving at existing locations and replicating in new development. These same features help create a visual rhythm from the façade to another. Building bays, pilasters, transoms, and column details create interest on otherwise monotonous storefronts.





Pedestrian friendly elements such as ground floor arcades and storefront visibility contribute to the sense of promenade and affluence.

SOUTH SIDE OF MAIN STREET

A large section of the original false front buildings along the south side of Main Street burnt down during a single fire in 1899. Following more than a decade of empty lots separated by a few small businesses, new buildings began to replace them. And they The new buildings were designed in the newer "modern" architectural style.

Moderne, with its occasionally wacky lines and angles, austere pipe columns, and large plate glass windows, differs radically from the north side architecture. Nevertheless, modern buildings are a valuable component of our Main Street. Firstly, the style has its own charm, contributing visible excitement to the eye. Secondly, the buildings tend to stay within one or two-lot widths. Therefore, the scale, mass, and rhythm of the south side is consistent with the north. Finally, the street itself provides a buffer between the difference in styles, preventing an unharmonious hodgepodge of structures.

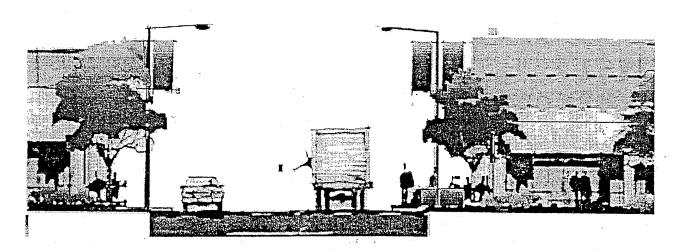
Another issue is that the original owners of south side buildings were willing to use high quality construction: terrazzo entries with cover base under the windows, large windows and entry doors with heavy duty aluminum and stainless steel frames and hardware. More often than not, these original elements will look new if cleaned.

All of the above elements are refined and reflect good design and craftsmanship. Equally important are color, texture, and display windows. _During Main Street's first 75 years of successful retail trade, large show windows enticed pedestrians to stop and inspect the merchant's goods._ What was true then is true now: _windows and other design aspects of architectural elements attract passersby, calling them to come inside and see the rest of the merchant's wares. Visibility into the merchant's space was never obscured with tenant signage or advertising.



Extruded aluminum window sash and doorjambs epitomize this buildings era, circa 1955.

Main Street Tomorrow



The Pedestrian Zone - between the Street and Building Facade

BRING BACK OUR MAIN STREET

First, understand that what each property and business owner does to the exterior of the building, have has an impact. To get crowds back to Main Street, action is required!

Improving the building and business public image and the value of all businesses in the District is the primary goal of these architectural guidelines. These guidelines guarantee that the buildings, businesses, and-business neighbors' improvements, and renovations benefit all District Stakeholders.

Begin with identifying upgrades or improvements that were done to your building façade over the last 50 to 70 years. In all likelihood, those changes are what have led to the building's loss of attractiveness and value. Identifying the building's drawbacks is the beginning of restoration of the façade to its original style and condition.

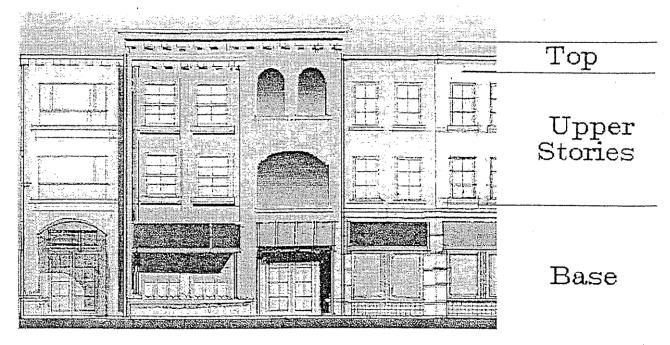
As building owners rejuvenate their building façades, adjacent building owners and District neighbors will follow. The time is right to invest in the integrity of storefront and building restoration. Shoppers also, will share the pride and excitement of restored buildings and the District experience. Retail malls are struggling to overcome predictability and repetition. Shoppers are looking for innovation, entertainment, and the authentic old=_time charm of Main Street, El Cajon.

GENERAL TERMS OF A BUILDING'S FAÇADE

The BASE of any building is its first floor or ground floor. Whether a street-level storefront, a two story bank lobby, a restaurant, or other pedestrian-oriented business, the base includes the walls, display windows, entries, arcade, or awnings, and signs, that relate directly to the sidewalk <u>and</u> pedestrian environment. Many of the District's façades retain the original materials and feature in their bases. Others have been covered over.

The UPPER STORIES of buildings provide space for offices or apartments. The architectural feature separating the base from the upper stories is a cornice or beltline, which can be made of wood, cement, or plaster, and runs horizontally across the width of the building. Generally, a cornice is no lower than 12 feet and no higher than 20 feet from the street level. A change in material used on the base and the upper stories above is not unusual. Buildings with false fronts can also have separating cornices.

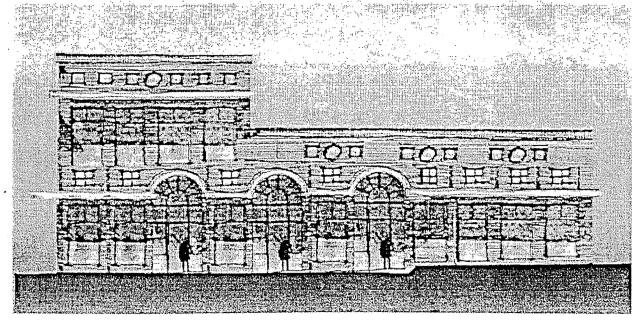
The TOP of a building is defined by the parapet. The parapet is the plain or ornamental border that hides a roof's edge. The parapet is a design feature rather than a structural one, but is important in giving a building a finished appearance. Many of the tops of historic Main Street buildings have ornamental parapets.



Another feature of an upper floor (or floors) of the facade is the placement, size, and shape, of windows, which identifies those areas as living or office space.

CORNER ANCHOR BUILDINGS

Corner buildings establish the beginnings and ends of blocks of buildings. Corner buildings visually anchor themselves and everything in between with their size and massing. Because corner buildings are exposed on two sides, their two façades are generally taller and larger than "infill" buildings, giving corner buildings a grander, more imposing, appearance.



Corner buildings should maintain the building façade at the PROPERTY LINE.

INFILL BUILDINGS

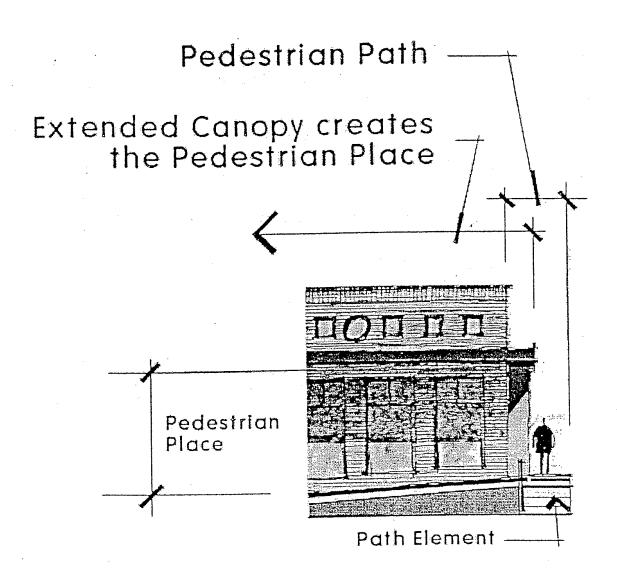
Constructed side-by-side between corner buildings, individual infill buildings are generally smaller and lower. On our Main Street, they are further defined by the narrowness of lots – 50 feet long lots behind 25-foot wide façades. The uniformity of Main Street setbacks fortifies a classic sense of order, scale, and visual unity.



Although size and detail of windows and openings vary between facades, the overall scale of all of the building facades is the same.

Building variety within that unity can provide even more interest through the use of renovated or new parapet designs, textures, columns, reveals and colors.

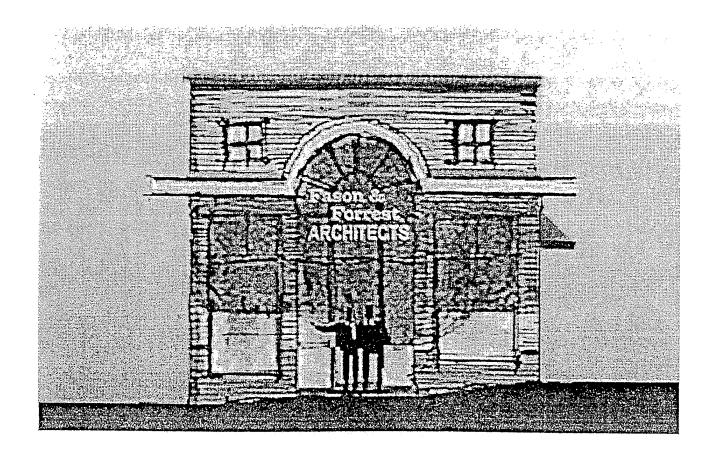
Standards For Improvement



Detailed Guideline Requirements

New construction

New construction must respect the authenticity of historic Main Street District styles and architecture. New buildings must be compatible with the scale, materials, color and texture of original buildings on either side, and shall contain contextual design aspects of El Cajon's historic commercial Main Street architecture.



RENOVATION & REPAIR

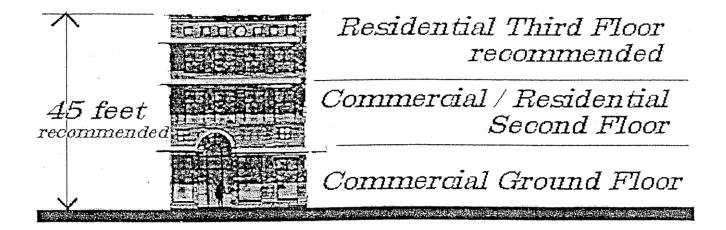
Renovation and repair shall match or replicate the design and construction of the original building to recreate its original character. Introducing new designs or changing the original design of the existing façade is not allowed, except upon approval of an Administrative Zoning Permit. _Repair of original deteriorating architecture includes removal of shoddy or inappropriate add-ons that replaced or covered up the original construction.

A caveat here is that not all original Main Street architecture is either unique to El Cajon or even contributes to the character of the District. For such buildings, more design leeway will be allowed to contribute to the spirit of District redevelopment.

HEIGHT LIMITS FOR NEW BUILDINGS AND FLOOR ADDITIONS

All new buildings are to be in accord with the architectural and historic character of District standards. New structures may reach maximum allowable heights as defined in the City's zoning ordinance, or otherwise permitted by Specific Plan No. 182. Specifically, these Guidelines encourage the following design criteria:

- 1. Buildings should maintain a continuous vertical façade and not introduce setbacks of upper floors along the street façade.
- Excess building ornamentation, massing and form, or building elements above 45 feet are not to visually disrupt or adversely affect neighboring views, or in any other way significantly compromise the scale and character of adjacent façades.
- Addition of second and third floors are encouraged above ground floor areas, provided their façades repeat the proportion and detail of the ground floor's façade.
- 4. Façades and elements exceeding 4 feet in height shall continue the traditional vertical design of proportionate and symmetrically stacked window openings, building bays, and other details of historic District buildings.
- 5. On parcels of 10,000 square feet or more, projects should regulate or adjust building heights for variation in accordance with historic District lot pattern widths. Projects will also correlate building mass and form to adjacent structures.



ROOFS, PENTHOUSES, AND ATTICS

Roof forms or parapets topping new construction are to be understated in design and always subordinate to elements, features and forms of historic rooflines.

Elevator penthouses and attic features are to be set back from the façade and should cover no more than 30% of the rooftop area. They are to be subordinate in architectural importance to the main building façade below and are not to be visible from any of the surrounding streets.

FAÇADE MATERIALS AND FABRIC

The District's historic buildings are generally constructed of substantial highly finished natural materials. Predominantly wood, brick, aluminum, stucco, tile, and terrazzo are typical building materials in the District. New buildings are to maintain that same quality of materials and construction.

Colors and lighting are to be used to discreetly complement natural materials and highlight architectural forms and details. Buildings should have storefront lighting to help project building and merchant appearance as well as to contribute to a secure, well-lit nighttime environment. However, lighting should be carefully designed not to project onto other buildings or into public sidewalk areas.

The following criteria should be considered when developing these elements:

1. Brick, stone, granite, masonry, or smooth and sand plasters are recommended facing materials. Plaster detailing, on the other hand is allowable when needed to limit or define large areas of flat building faces.

- Window sill plate and cornice detailing can be of ornamental sheet metal, carved or cast stone, tile, brick, stucco, paint, or terra cotta. Wood, when appropriate, is to be carefully sealed and finished to prevent maintenance problems.
- 3. Framing element on storefronts such as head, jamb, rail and stiles may be painted wood, cast iron, or other highly finished, substantial materials.
- 4. Window frames are to be painted wood, painted steel sashes, or high quality natural metal finishes. Neutral aluminum storefront and window systems shall match existing styles.

NOT APPROVED:

- 1. Residential finishes such as plywood, siding, wood shingles, and "lace" plaster finishes will not be approved.
- 2. Inappropriate modern rectangular shape, extruded aluminum storefront sections will not be approved for ground floor storefronts.

Colors

Building colors used between 1870 and 1950 celebrated developments within the building and paint industry. In El Cajon, the colors used were light, tending toward pastels. Sharper accent colors on wainscots and doors, and around display windows, transoms, and other details provided interest and composition. -Variations of color within a range add life and interest to the street ambience while monochromatic color schemes lack interest.

The following criteria should be considered when developing these elements:

- 1. Brick or stone is to be natural and unpainted.
- 2. Painted plaster walls, fronts, pilasters, and columns shall be in light tones. Paint colors include pastels, pale blues, greens pinks, and ochre, along with more sophisticated colors such as varying shades of white, beige, and taupe.
- 3. Accent colors (wainscots, detailing, frames, doors) are to correlate to the base color of walls.
- 4. Ceilings and soffits are to be light-colored.
- 5. Selections of building colors are to complement colors used on adjacent buildings.
- Color schemes, along with samples of materials are to be submitted for review and approval in conjunction with applicable development review process before being applied.

CORNICES & FAÇADE APPLICATIONS

Shapes and forms of building cornices establish a building's scale and proportion. Renovated or repaired cornice ornamentation is to establish building style and character consistent with the architecture of the District. New construction will adopt and replicate the various styles, forms, and massing seen in the District. The width of new cornices and building façades are to be compatible with the scale, materials, color, and texture of adjacent historic buildings.

The following criteria should be considered when developing these elements:

- Cornice heights are to be compatible with existing commercial buildings, except when the addition of a second floor is to be used for residential or office space. Third floor additions are encouraged for residential uses.
- Existing buildings having uninterrupted parapet and rooflines and large, blank façades can be embellished with moldings and ornamentation in keeping with the original architectural spirit of the building.
- 3. Building signs and murals, when allowed, are an effective technique in embellishing blank façades.
- 4. Pilasters and cornices may be used to relieve flat areas on a façade.
- 5. Use of masonry and plaster are encouraged for embellishment as they add interesting color variation in brick definition, pattern, profile, texture and shape.
- 6. Additional detail materials metal, cast masonry, concrete, and tile are permitted provided that the integrity of design is maintained.

DISPLAY WINDOWS AND GLAZING

The value of visibility cannot be overstated: clear, uncluttered display windows encourage pedestrians to linger, then come inside. Storefronts must retain a building's original display window(s) as primary features of the façade. Entries should be recessed; window framing should meet with door framing to provide large viewing areas and an unobstructed view into store interiors.

When the original storefront exists, preservation and repair of the original elements is recommended. Restoration should be based upon accurate duplication of features, substantiated by historically accurate written records or pictorial evidence.

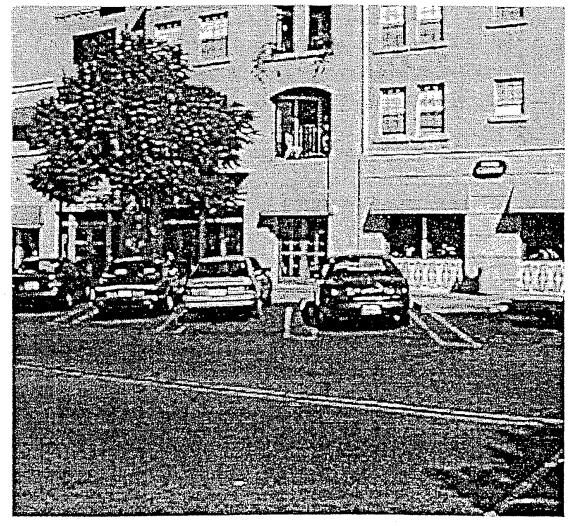
In renovating, introducing a storefront that significantly alters the original character of the building, or one that significantly alters the relationship of the building to the sidewalk and street is to be avoided.

The following criteria should be considered when developing these elements:

- 1. Display windows should not to be used for graphic advertisement, banners, or signs, which obscure the interior of the building or its merchandise. Business signage applied to storefront windows should not cover or obscure more than 15% of the glazed area. Storefront business signage should identify the name of the business and type of business or service provided. Storefront business signage should have clear.— readable typeface, and conform to the City's sign ordinance.
- Display windows are to retain the building's original widow sash and size proportions, as well as keeping the original glazing glass type. Exceptions will be allowed for building code compliance. When original windows have been covered or altered, restoring or recreating original window size with new or restored sash elements and glazing is recommended.
- 3. When window elements have been altered or remodeled, all incompatible construction is to be removed, and replicas of the original elements installed.
- 4. New display windows are to be compatible with the design and construction integrity of the building as a whole, as well as related to the building's original character.
- 5. New modernization equipment, such as air-conditioners are to be installed in such a way as to conform to not violate the character of the District.
- 6. Window glazing is to be safety-type glazing when required by code.

NOT APPROVED:

- 1. Residential applications, materials, or equipment will not be approved.
- 2. Incompatible construction from earlier remodeling that include flush break metal panels and components, 2x strip aluminum mullions, imitation masonry, knockdown stucco, false shutters, opaque panels, undressed lumber, or historically incorrect "revival" architecture, imitation materials or décor themes will not be approved.
- 3. Reflective, mirrored, or tinted glazing, including stain glass or decorative panels, in front of or adjacent to storefront windows will not be approved.
- 4. Changing the location and size of windows that alter the original architectural character of the storefront will not be approved.



Visibility into the tenant space should not be obscured with tenant signage or advertising.

DOORS AND ENTRIES

Storefront entries and doors are the primary elements of any storefront. Doors more than any other single element help define the individual character and exterior ambience of a building.

Current code requirements for accessibility and protection may require modification or replacement of existing entry doors. District standards require complete compliance with California Code of Regulations Title 24 and the Americans with Disabilities Act on old buildings except under specific conditions of hardship or historic preservation. Restoration and refinishing cannot introduce new materials or systems from more recent building eras, except for compliance with exiting and accessibility codes.

New construction must provide accurate duplication or original entry doors and/or features, along with the storefront design. Restoration and refinishing should not introduce new materials and systems from different building eras, with exceptions allowed only for compliance with exiting and accessibility codes.

The following criteria should be considered when developing these elements:

- Original doors should be retained whenever possible. Preservation and repair
 of original hardware pull plates, kick plates, thresholds and window sash,
 mullions, proportions and size is recommended when possible. New and
 restored entry doors shall provide an accurate duplication of the building's
 original features.
- Where door and glazing elements have been altered or remodeled, all incompatible construction must be removed and replaced with replicas of original elements.
- Jambs, casing and thresholds for doors are to match the storefront display window mullions and sash. Ideally, the entry element is a continuation of the display window.
- 4. All Main Street façade entry doors, including secondary and ancillary entry doors, vestibules, foyers, corridors, and lobbies, shall have a minimum glazing area greater than 50% of the total door area. Door glazing shall match adjacent glazing.
- Secondary building façades and storefront doors that provide access into entry vestibules, lobbies, hallways, and stairs are required to maintain visual connection to the inside space and shall have a minimum glazing area no smaller than 30% of the total door area.
- 6. Interior vestibules, foyers, and lobbies constructed to screen interior spaces will require Design Review Commission approval. When permanent screening of business activity from sidewalk pedestrians is appropriate, approval can be sought for permanent partitions, screening devices and opaque glazing.

NOT APPROVED:

- 1. Introducing doors and entries that alter the original character of the building storefront will not be approved.
- 2. Introducing imitation "historic" doors will not be approved.
- 3. Contemporary hardware and accessories except those approved by the Design Review Commission will not be approved.
- 4. Opaque or solid entry doors will not be approved. Interior façades to screen business activity from pedestrian spaces are allowed only with Design Review Commission approval.
- 5. Under no circumstances will the addition of storm, screen, security grilles, opaque, or solid doors to the exterior of the storefront façade be approved.

UPPER-STORY WINDOWS

Upper-story windows traditionally serve offices and residences, providing light and ventilation. Generally narrow and placed in sets, upper-story windows usually have a relatively complex system of jambs, sills, and sashes. Upper-story windows provide rhythm, interest, and design to a building's middle.

The following criteria should be considered when developing these elements:

- 1. Upper-story windows shall be traditional sash-type and set in frames.
- 2. Operable windows are encouraged. Operable windows shall be double or single-hung, casement, or projected types.
- 3. Windows shall be set inboard at least 3 inches of the exterior wall plane.
- 4. Multi-pane glazing is encouraged.
- 5. Articulated window head and sill details are required.
- 6. Upper-story windows shall be sized and proportioned in accordance with the architecture of neighboring buildings.
- 7. Use of trompe l'oeil treatment or artificial windows on solid walls will be allowed when approved. See guideline requirements for Murals and Public Art.

TRANSOM, CLEARSTORIES CLERESTORIES & SKYLIGHTS

Before efficient lighting was developed, transom and clerestory windows and skylights were used to bring natural light into the interiors of buildings. Artificial light cannot duplicate natural lighting. Transoms, clerestories, and skylights are encouraged in new and renovated buildings whenever possible.

When existing transoms and clerestory openings have been covered or altered, all incompatible construction is to be removed and replaced with replicas of original glass and framing. Replicated transom and clerestory windows are to match the design and construction of the original building to return the façade to the building's original character.

The following criteria should be considered when developing these elements:

1. Transoms and clerestories are to retain or replicate original window sashes and sizes. When the original interior ceiling has been lowered below to hide transoms or clerestories, a transition ceiling should be installed above the transom windows and be designed to continue into the tenant space and transition to the lower ceiling in a neat and visually pleasing manner.

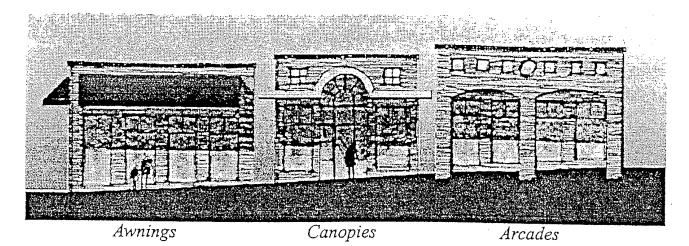
- 2. Transom and clerestory glazing is to match adjacent display window glazing.
- 3. Although skylights usually occur in interior rooms, skylights are encouraged to bring natural light into arcade areas.

NOT APPROVED:

- 1. Residential treatments, materials, or equipment will not be approved.
- 2. Any kind of air-conditioning units on the building façade will not be approved.

AWNINGS, ARCADES & CANOPIES

Awnings, arcades, and canopies are recommended to provide protection to buildings and pedestrians from sun and inclement weather. In addition, these elements enhance the pedestrian ambience.



The following criteria should be considered when developing these elements:

- Existing arcades are to be retained. For new construction arcades are encouraged, however, an encroachment permit may be required from the City Building or Public Works Department.
- 2. Fabric awnings were a traditional Main Street fixture and are encouraged, particularly on buildings without a constructed arcade.
- 3. Colors and patterns of awnings and canopies must relate to the color scheme of the building.

- 4. Maximum projection of ground floor awnings and canopies no closer than 2two feet from the curb line is encouraged, however, an encroachment permit may be required from the City Building or Public Works Department.
- 5. A 3-foot projection from the building façade is encouraged for upper story windows; however, an encroachment permit may be required from the City Building or Public works Department.

SIGNS

The following items are general signage criteria and standards.

- Signage must comply with City sign ordinances and SP No. 182. Exceptions for historical signs are encouraged and may require a variance granted by the City of El Cajon. The Planning Commission may approve exceptions upon receipt of documentary evidence that signs of such size, shape, design, material, coloring, lighting, and location to advertise a similar business were in use before 1960.
- 2. Preservation of historic commercial graphics painted on the sides of buildings is encouraged. See Guidelines for Murals and Public Art.
- 3. When all provisions and conditions stated in earlier design, color, fabric, and materials requirements are met, neon, flashing, moving, or animated signs will be considered as long as they meet the historical integrity of the era but will not necessarily be approved.
- 4. Signs affixed to inside or outside façade display windows shall not obscure the interior of the building or the contents of display merchandise.
- 5. A-frame signs shall be attractively designed to enhance the pedestrian experience and minimize tripping hazards. The base of the a-frame sign shall not project beyond the sign plane itself.

Examples of attractive, safe A-frame signs.





Examples of unattractive, utilitarian A-frame signs.





Examples of unsafe A-frame signs.

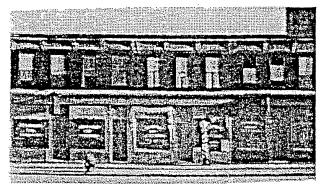




MURALS

Depictions of actual events, products, or eras in the history of El Cajon are encouraged on blank walls visible to the public. Quality and type of historical graphics shall meet the following criteria:

- 1. Mural plans must be submitted to the Public Arts Committee for approval.
- 2. Murals are desired that accurately represent the social, retail, and professional success of the District during the lifetime of its present buildings, or that depict typical life between 1876 through the 1950s.
- 3. Colors must be discreet rather than garish.
- 4. Detailing and reliefs in materials can be included to add depth and interest to a mural.





Examples of acceptable Mural – Master work, left: Hopper's "EARLY SUNDAY MORNING" (1930), right: Homer's "SNAP THE WHIP" (1872)

SIDEYARDS, COURTYARDS, NEW ARCADES, AND ALLEY SPACES

Many back doors of some Main Street buildings are recessed from property lines and affront broad alleyway spaces. These spaces invite the development of new courtyards and arcades in which additional retail opportunities can be developed. Infill lots adjacent to open alleys and pedestrian pathways are encouraged to enhance their faces facing these areas.

Rooftop terraces and balconies above these internal courtyards and alleys provide additional business spaces. Building and business owners are encouraged to enhance these areas and the façades facing these areas.

The following criteria should be considered when developing these areas:

 Subject to building and fire codes, the addition of outer walls may include recessed windows or small, alcoves that allow air circulation when located above the height of adjacent development.

- Rear and side building walls adjoining courtyard and arcade spaces may incorporate windows and alcoves to take advantage of light and air while providing access to useable open space.
- 3. Rear entrances, which permit visitors to pass through the building to Main Street, are encouraged.
- 4. Recessing building facades to create "Mid-block courtyard uses" are permitted as long as they are not detrimental to Main Street use and/or the existing rhythm and character of the entire Main Street façade.

OFF-STREET PARKING

No off-street surface parking is to be visible from the street frontage.

PUBLIC ART

The use of Public Art to visually connect commercial Downtown with the East County Performing Arts Center and other "art experience" sites within the District is strongly encouraged. These efforts reinforce the Downtown District as the "center" of East County culture.

District members interested in donating space to enhance the exterior of their buildings' secondary or side façades are urged to contact the City Manager's office. The Public Arts Committee is charged with identifying desired professional artists and defining appropriate mediums for these spaces, such as museum-quality paintings or replicas of master works, reproductions of historic local photographs, murals representing local life and/or downtown commerce, or trompe l'oeil treatment. Public Art also includes sculpture, friezes, and relief's, specific signage, screening or covering for light fixtures in alleys or other areas identified as art walks, and designs or treatments applied to architectural features, poles, posts, equipment, or hydrants.

Artists interested in donating time to apply finishes, techniques, or murals are welcome to register and leave project proposals and examples of their work with the City Manager. They and solicited artists will be given equal consideration by the Public Arts Committee for available space. Projects must include appropriate preparation of existing surface(s) and durable quality of material. Each Public Art mural or other project is selected upon its ability to fit into the District's artistic master plan that requires smooth transition between approved styles, subject matter, and placement.

The first step for Public Art projects starts with proposals made to the Public Arts Committee for project site approval. Once received, the Public Art Committee will review and select an artist and mural for the site.

Requests to place sculpture or statues on City land will be presented to the City Council for its consent. Projects are to be cooperative ventures between the Public Art Committee and department representatives assigned by the City Manager. Each project shall comply with the city's codes and regulations for installation, placement, public safety and welfare.



NOTICE OF PROPOSED UPDATES TO THE ZONING CODE AND SPECIFIC PLAN NO. 182

NOTICE IS HEREBY GIVEN that the El Cajon Planning Commission will hold a public hearing at <u>7:00 p.m.,</u> <u>Tuesday, November 19, 2024</u> and the City Council will hold a public hearing at <u>3:00 p.m., Tuesday, December</u> **10, 2024**, at the City Council Chambers, 200 Civic Center Way, El Cajon, CA, to consider:

AMENDMENT OF EL CAJON MUNICIPAL CODE – ZONING CODE OMNIBUS UPDATE (CITYWIDE). This is a City-initiated proposal to amend Title 17 (Zoning) of the El Cajon Municipal Code. The proposed amendments address the need for minor changes to provide clarification or correct inconsistencies as well as streamline permit processes. No development is authorized with this project. Notable proposed changes to the Zoning Code include revisions for housing, residential and commercial land uses, and various other technical and minor changes for consistency. This project is exempt from the California Environmental Quality Act (CEQA).

AMENDMENT TO SPECIFIC PLAN NO. 182. This is a City-initiated proposal to amend Specific Plan No. 182. The proposed amendments include allowing on-sale only alcoholic beverage establishments, adding requirements for decorative lighting, prohibiting animated or flashing signs including light ropes, and clarifying retail merchandise window display requirements. This project is exempt from the California Environmental Quality Act (CEQA).

The public is invited to attend and participate in these public hearings. The agenda report for this project will be available 72 hours prior to the Planning Commission and City Council meetings at https://www.elcajon.gov/your-government/city-meetings-with-agendas-and-minutes-all. In an effort to reduce the City's carbon footprint, paper copies will not be provided at the public hearing, but will be available at City Hall in the Project Assistance Center upon request.

If you challenge the matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Commission, or prior to, the public hearing. The City of El Cajon encourages the participation of disabled individuals in the services, activities, and programs provided by the City. Individuals with disabilities who require reasonable accommodation in order to participate in the public hearing should contact Planning at 619-441-1742. More information about planning and zoning in El Cajon is available at http://www.elcajon.gov/your-government/departments/community-development/planning-division.

If you have any questions, or wish any additional information, please contact **NOAH ALVEY** at 619-441-1795 or via email at nalvey@elcajon.gov and reference "ZCA-2024-0002" in the subject line.

NOTICE IS TO BE PUBLISHED November 8, 2024



Community Development

November 4, 2024

Re: Downtown El Cajon Master Plan Updates

Dear Business Owner,

Thank you for choosing to operate a business within Downtown El Cajon. The City is seeking your feedback regarding potential updates to the Downtown El Cajon Master Plan (Specific Plan No. 182) in order to expand opportunities for businesses and to help enhance and beautify the area.

The purpose of this letter is to seek your feedback and input related to the following regulations for Downtown El Cajon that may affect your business:

- Allowing on-sale only alcoholic beverage establishments the Planning Commission will consider regulations that may allow up to two establishments
- Adding requirements for decorative lighting
- Prohibiting animated or flashing signs including light ropes
- Clarifying retail merchandise window display requirements

You may reach me at 619.441.1795 or <u>nalvey@elcajon.gov</u> if you would like to discuss the Downtown Master Plan Update. You may also provide comments during the November 19, 2024 Planning Commission meeting in the City Council Chambers, 200 Civic Center Way, El Cajon, at 7:00 p.m.

Please feel free to contact me at any time for questions or if you have ideas on how we can help you succeed in Downtown El Cajon.

Sincerely,

Noah Alvey

Deputy Director of Community Development

Exhibit B: La Mesa Study Area

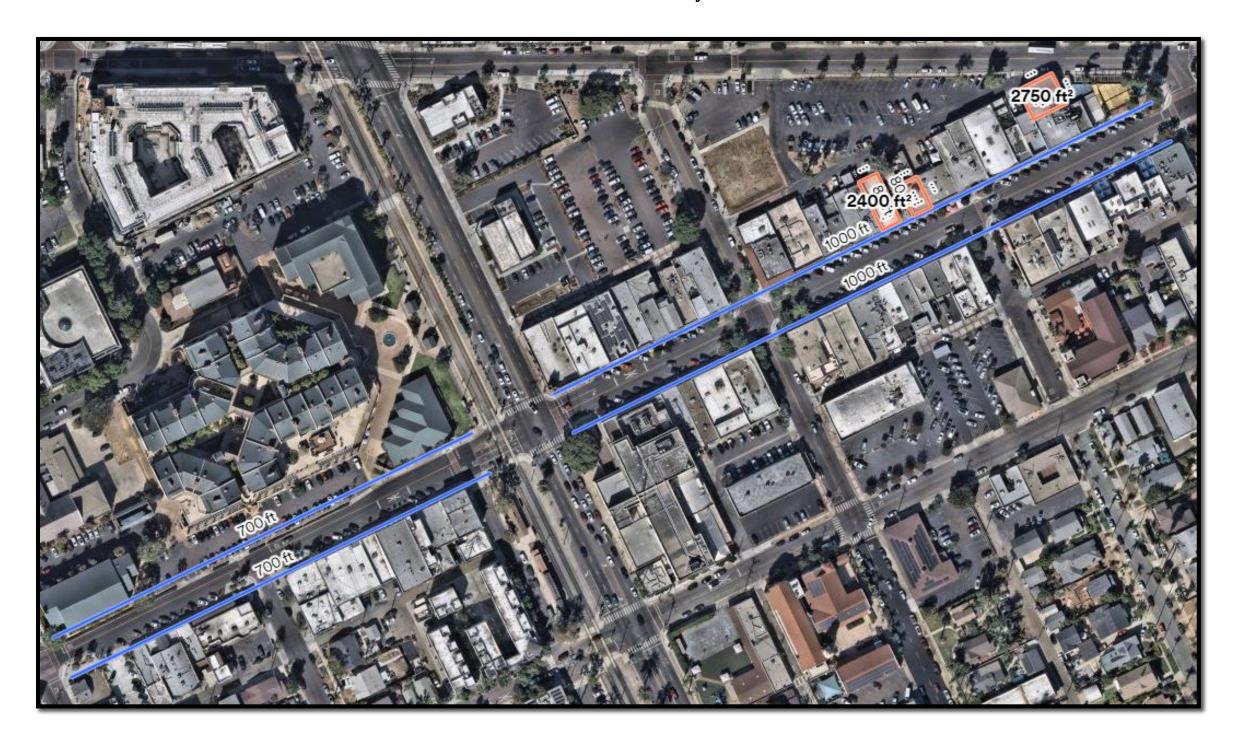
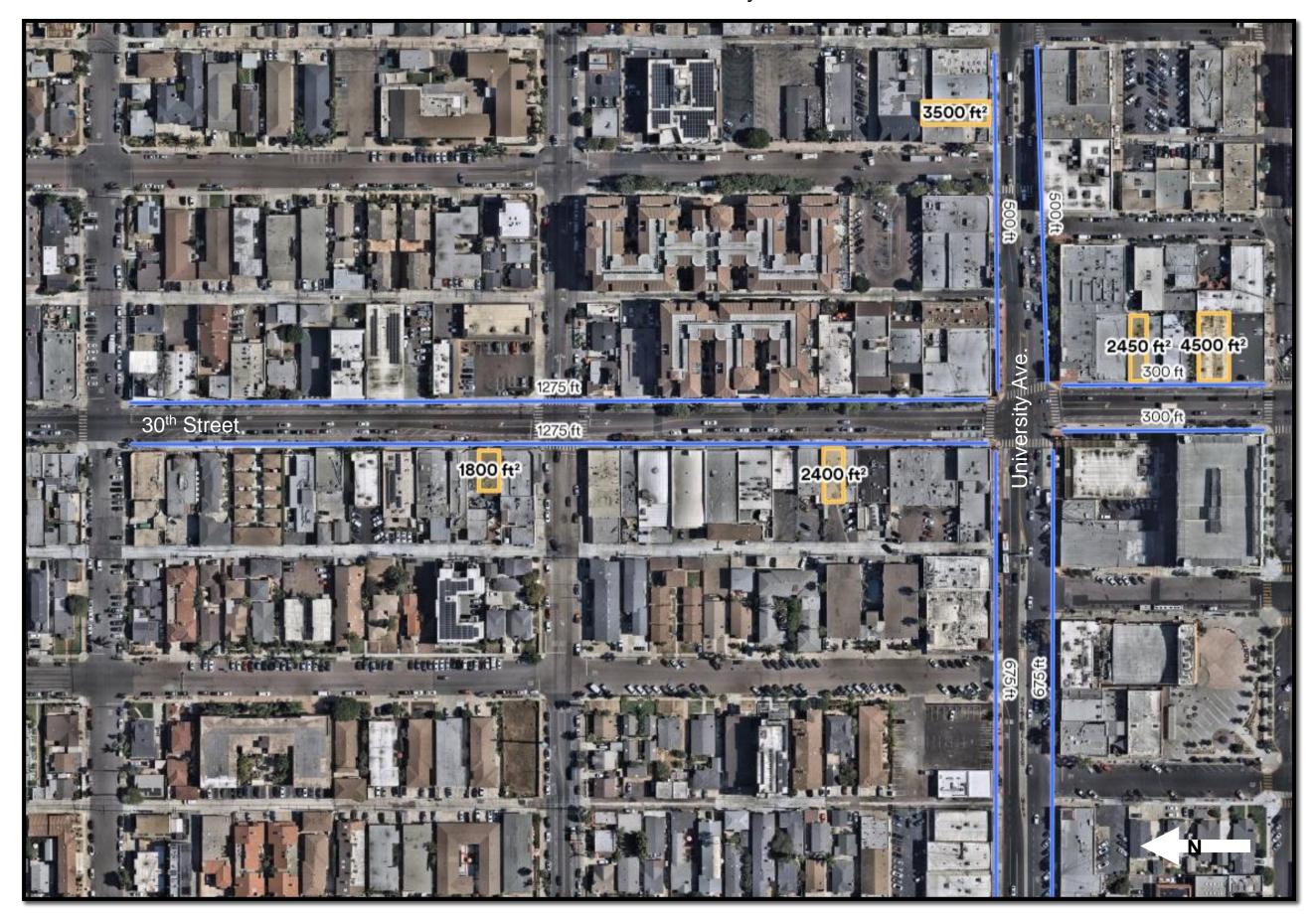


Exhibit C: North Park Study Area



Attachment 7: On-Sale Alcohol Eligible Frontage Areas





Community Development Department PLANNING COMMISSION AGENDA REPORT

Agenda Item:	3
Project Name:	The Palms Restaurant and Banquet Hall
Request:	Review of CUP No. 2115
CEQA Recommendation:	Not Subject to CEQA
STAFF RECOMMENDATION:	Direct staff to schedule a public hearing to consider revocation of CUP No. 2115
Location:	143 East Main St.
Applicant:	David Malikyar, 619.249.1022
Project Planner:	Noah Alvey; 619-441-1795; nalvey@elcajon.gov

BACKGROUND

143 East Main Street is authorized by Conditional Use Permit (CUP) No. 2115 as a restaurant with on-site alcohol sales, live entertainment, and ancillary banquet use. On February 20, 2024, the Planning Commission reviewed CUP No. 2115 in order to confirm that the business was being operated as a restaurant. At that time, the business operator attended the meeting and the Planning Commission directed staff to work with the business operator. In March, 2024, the business operator provided City staff with a restaurant menu. City staff conducted two inspections of the business during October, 2024 and each time staff for the Palms indicated that they were not open as a restaurant to the public. The current request is for the Planning Commission to review the conditional use permit and to direct staff to schedule a public hearing to consider revocation of CUP No. 2115.

General Plan:	General Commercial (GC) & Special Development Area (SDA) No. 9
Specific Plan(s):	Specific Plan No. 182
Zone:	General Commercial (C-G) and Mixed Use Overlay (M-U)
Other City Plan(s):	N/A

Project Site & Constraints

The subject site has 50 feet of frontage on the south side of East Main Street and a lot area of approximately 7,300 sq. ft. The site is developed with a 7,200 sq. ft. commercial building and does not have any on-site parking, however, CUP No. 2115 requires that the restaurant operator maintain an agreement that allows patrons of the restaurant to utilize the parking lot to the south of the building.

Surrounding Context

The surrounding area is developed with commercial uses and parking areas. Surrounding properties are zoned and developed as follows:

Direction	Zones	Land Uses
North	C-R & M-U	Misc. retail uses
South	C-G & M-U	Parking lot
West	C-G & M-U	Furniture store and misc. retail uses
East	C-G & M-U	Coffee shop and misc. retail uses

General Plan

The subject site is designated GC/SDA No. 9 on the General Plan Land Use Map. This designation includes the area located around the intersection of Main Street and Magnolia Avenue and is intended to include a mixture of retail office, residential, governmental, and cultural uses and activities.

Specific Plan (SP) No. 182, General Commercial (C-G) Zone, and Mixed-Use Overlay

A restaurant with on-site alcohol sales, live entertainment, and ancillary banquet use is permitted within SP No. 182 and the C-G zone, subject to the approval of a conditional use permit. The Mixed-Use Overlay Zone is an added layer of opportunity specifically designed to allow residential and mixed-use development options in existing commercial areas, and higher density residential developments in existing residential zones.

CUP No. 2115

On September 14, 2010, the City Council approved CUP No. 2115 for a restaurant with on-site alcohol sales, live entertainment, and ancillary banquet use at the subject site. When approving the request, the City Council found that the operation of the use as a restaurant during normal retail business hours and evenings was necessary to promote an active retail corridor in the downtown area. The conditions of approval required the following:

- The use shall be operated in a manner that is compatible at all times with surrounding properties and uses.
- Any change in use or expansion of the facility may require an amendment to this conditional use permit.
- All activities shall be conducted within the enclosed building.
- A general on-sale alcoholic beverage license (bar license) shall not be permitted at the subject site.
- The restaurant shall be operated as a bona fide eating place in accordance with Department of Alcoholic Beverage Control requirements.
- The operator of the restaurant shall maintain a lease or rental agreement that allows patrons of the restaurant to utilize the parking lot south of the subject site.

- The operator of the restaurant shall have access to a trash or recycling enclosure in the immediate vicinity of the restaurant at all times.
- The use of the restaurant for banquets and private meetings shall only occur as long as the restaurant is operating as the primary use at the site.
- If the restaurant ceases to operate, banquets and private meetings shall be prohibited.
- The facility shall not be operated exclusively as a concert hall, dance club, or public dance hall.
- All activates shall be conducted in accordance with the noise regulations contained in the Municipal Code.
- Live entertainment activities shall comply with all regulations for a cabaret contained in the El Cajon Municipal Code regarding conduct of employees and patrons.
- No dancing or live entertainment shall be allowed on the premise unless authorized by a valid Special Operation License pursuant to Chapter 5.16 of the Municipal Code.
- The operator shall observe occupancy limits as determined by the Building Official/Fire Marshal at all times.

In 2017, the property owner submitted a request to remove the requirement to operate the business primarily as a restaurant with the intent to utilize the building for adult day care. On December 5, 2017, the Planning Commission denied the request to remove the condition requiring the primary use to be a restaurant by finding that the removal would not contribute or enhance the pedestrian oriented atmosphere in the downtown or contribute to the vibrancy of downtown by attracting more people to the area.

Permit Revocation

Section 17.35.030 of the El Cajon Municipal Code (ECMC) indicates that after holding a public hearing in the manner prescribed in Chapter 17.25, the Planning Commission may revoke or modify any approved discretionary permit for any of the following reasons:

- The approval was obtained by fraud;
- The approval is being, or has been exercised contrary to the terms or conditions of approval, or in violation of any statute, ordinance, law or regulation; or
- The use for which the approval was granted is being, or has been, conducted in such a way as to be detrimental to the public health or safety, or so as to constitute a nuisance.

DISCUSSION

In December of 2023, staff mailed letters to the business operator and the property owner, including copies of CUP No. 2115 and the conditions of approval requiring the business

to operate as a restaurant. On February 20, 2024, the Planning Commission reviewed the CUP and after receiving testimony from the business operator, directed staff to work with the business owner to ensure compliance with the conditions of approval. Following the hearing, the business operator provided staff with a copy of a printed menu for the restaurant.

During the summer of 2024, City staff observed that the business did not appear to be operating as a restaurant. On October 22 and 24, 2024, City staff approached the entrance to the business and asked if they were a restaurant and if a menu was available. In both circumstances, staff from the Palms indicated that they were not a restaurant. Since the business is not complying with the conditions of approval for CUP No. 2115, it is recommended that the Planning Commission direct staff to schedule a public hearing to consider revocation of CUP No. 2115.

RECOMMENDATION

Direct staff to schedule a public hearing to consider revocation of CUP No. 2115

PREPARED BY:

Noah Alvey

DEPUTY DIRECTOR

OF COMMUNITY

DEVELOPMENT

APPROVED BY:

Anthony Shute

DIRECTOR OF

COMMUNITY

DEVELOPMENT

ATTACHMENTS

- 1. Letter dated February 8, 2024
- 2. Letter dated December 1, 2023
- 3. Resolution No. 119-10
- 4. PC Resolution No. 10927
- 5. Restaurant menu



Community Development

February 8, 2024

SNF Palms, Inc. 143 E. Main St. El Cajon, CA 92020

Malikyar Doud M & Nadia A Family Trust 1233 Pillsbury Ln. El Cajon, CA 92020

Re: 143 E. Main St. - The Palms Restaurant and Banquet Hall

On December 1, 2023, a letter was sent to the business operator and property owner for 143 E. Main St. regarding compliance with the conditions of approval associated with Conditional Use Permit (CUP) No. 2115, which authorizes the conduct of a restaurant and banquet hall. At this time, I have not received a written response confirming the conduct of uses at 143 E. Main St., as requested.

A review of CUP No. 2115 has been scheduled for the February 20, 2024 Planning Commission meeting in the City Council Chambers, 200 Civic Center Way, El Cajon, at 7:00 p.m. During the meeting, the Planning Commission will be asked to determine if CUP No. 2115 is being excised in a manner that is consistent with the conditions of approval, and to determine if a public hearing should be scheduled to modify or revoke CUP No. 2115 due to noncompliance with the conditions of approval.

You may reach me at 619.441.1795 or nalvey@elcajon.gov if you have any questions regarding the review of CUP No. 2115.

Sincerely

Noah Alvey

Deputy Director of Community Development

Attachment: Letter dated December 1, 2023

Resolution 119-10



Community Development

December 1, 2023

SNF Palms, Inc. 143 E. Main St. El Cajon, CA 92020

Malikyar Doud M & Nadia A Family Trust 1233 Pillsbury Ln. El Cajon, CA 92020

Re: 143 E. Main St. - The Palms Restaurant and Banquet Hall

Conditional Use Permit (CUP) No. 2115 governs the use of 143 E. Main St. and authorizes a restaurant with live entertainment and ancillary banquet use. Resolution 119-10 (attached) includes the operational requirements and condition 3.g states, "the use of the restaurant for banquets and private meetings shall only occur as long as the restaurant is operating as the primary use at the site. If the restaurant ceases to operate as the primary use at the site, banquets and private meetings shall be prohibited."

The City recently inquired about public access to the restaurant and it appears that the restaurant portion of the business is not currently operating. Based on this information, I am requesting that you provide a written response to this letter confirming the conduct of uses that are occurring at 143 E. Main St. and that you schedule a meeting with City staff to address compliance with CUP No. 2115.

You may reach me at 619.441.1795 or <u>nalvey@elcajon.gov</u> for any questions. Thank you in advance for your prompt attention to this request.

Sincerely,

Noah Alvey

Deputy Director of Community Development

Attachment: Resolution 119-10

RESOLUTION NO. 119-10

A RESOLUTION APPROVING CONDITIONAL USE PERMIT NO. 2115
TO ALLOW ON-SITE ALCOHOLIC BEVERAGE SALES, LIVE
ENTERTAINMENT, A REDUCTION IN REQUIRED PARKING AND
ANCILLARY BANQUET USE IN CONJUNCTION WITH A PROPOSED
RESTAURANT AT 143 EAST MAIN STREET

WHEREAS, the City Council held a public hearing on September 14, 2010, on Conditional Use Permit Application No. 2115, in which it was requested to allow on-site alcoholic beverage sales, live entertainment, a reduction in required parking and ancillary banquet use in conjunction with a proposed restaurant at 143 East Main Street, subject to conditions (APN: 488-191-05); and

WHEREAS, the property is located in an area governed by Specific Plan No. 182, which provides that all conditional use permit applications are subject to review and approval by the City Council, upon recommendation by the City Planning Commission; and

WHEREAS, the Planning Commission held public hearings on this project on August 23, 2010, then adopted Resolution No. 10627 recommending City Council approval of Conditional Use Permit No. 2115, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

- 1. The City Council finds that:
 - A. The proposed restaurant with ancillary services is consistent with applicable goals, policies, and programs of the general plan, and with Specific Plan No. 182. The proposed restaurant use with ancillary services is consistent with the "Special Development Area No. 9 / General Commercial (GC)" designation of the General Plan, and more particularly, the interim specific plan design guidelines, which promote an active retail corridor within this block; and
 - B. The proposed site plan and building design are consistent with all applicable use and development standards, except refuse and on-site parking requirements, which will be brought consistent, if the requested reduced parking requirement is approved, and provisions are made for trash and recycling facilities on or near the property; and
 - C. The proposed use would be operated in a manner that is compatible with the surrounding uses in the vicinity of the subject property in that a restaurant use is the primary use proposed on the ground floor and the restaurant is proposed to be operated during normal retail business hours and evenings until 8 p.m.; and

(Continued on Page 2)

- D. The proposed use will not be detrimental to the public health, safety, and general welfare, including but not limited to matters of noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentrations of traffic in that the use will be conducted indoors, the banquet use is planned after normal business hours of surrounding businesses, and the restaurant cooking facilities will be required to meet building, fire and health safety regulations; and
- E. The proposed use is in the best interest of public convenience and necessity because it will enhance the pedestrian-oriented atmosphere in the downtown area and contribute to the vibrancy of downtown by attracting more people to the area; and
- F. The proposed use will not result in a parking inadequacy that is detrimental to adjacent uses or properties or the downtown area as a whole because there will be parking available in the surface parking lot that is located to the south of the restaurant. The surface parking lot to the south of the subject site does not serve as required parking for any other buildings or uses in the vicinity and is typically less than 50% full.
- 2. The City Council hereby APPROVES Conditional Use Permit No. 2115, subject to conditions listed in Planning Commission Resolution No. 10627.

PASSED AND ADOPTED by the City Council of the City of El Cajon, California at an Adjourned Regular Joint City Council/Redevelopment Agency Meeting held this 14th day of September, 2010, by the following vote to wit:

AYES

Lewis, Hanson-Cox, Kendrick, McClellan, Wells

NOES

None

ABSENT

None

DISQUALIFY:

None

Mark Lewis, Mayor of the City of El Cajon

ATTEST:

Kathie Rutledge, CMC, City Clerk

PLANNING COMMISSION RESOLUTION NO. 10627

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT NO. 2115 FOR ON-SALE ALCOHOLIC BEVERAGE SALES, LIVE ENTERTAINMENT, A REDUCTION IN REQUIRED PARKING, AND ANCILLARY BANQUET USE IN CONJUNCTION WITH A PROPOSED RESTAURANT IN THE GENERAL COMMERCIAL (C-G) ZONE, APN: 488-191-05, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (GC) / SPECIAL DEVELOPMENT AREA NO. 9 (SDA NO. 9).

WHEREAS, the El Cajon City Planning Commission duly advertised and held a continued public hearing on August 23, 2010, to consider Conditional Use Permit No. 2115, as submitted by David Malikyar, requesting on-sale alcoholic beverage sales, live entertainment, a reduction in required parking, and ancillary banquet use in conjunction with a proposed restaurant in the C-G zone, on the south side of East Main Street, between South Magnolia and Claydelle Avenues, and addressed 143 East Main Street; and

WHEREAS, the following findings of fact are hereby made in regard to said conditional use permit:

- A. The proposed use is categorically exempt from environmental review in accordance with Section 15303, Class 3 (Conversion of Small Structures), of the CEQA Guidelines;
- B. The proposed uses are consistent with the "General Commercial / Special Development Area No. 9" designation of the General Plan, which governs the subject site, and conform with the goals, policies, and objectives of the General Plan, and with Specific Plan No. 182, which implements Special Development Area No. 9, if the restaurant functions as the primary use on the subject site. The occasional use of the building for banquets will be consistent with the General Plan policy requiring retail uses in retail commercial zones, if banquets and private meetings are only allowed as ancillary to the primary use of the subject site as a restaurant;
- C. The proposed site plan and building design will be consistent with all applicable development standards, if a reduction in required parking is approved and if a trash and recycling enclosure for the proposed restaurant is constructed. Any proposed signs will require approval from the El Cajon Community Development Corporation and compliance with the maximum amount of signage permitted within SP No. 182;
- D. The proposed uses will comply with all applicable use regulations if the business operator complies with those regulations which govern a cabaret, including El Cajon Municipal Code, Chapter 5.24. The proposed alcohol sales is exempt from distance separation requirements contained in Section 17.210.060 of the Zoning Ordinance

P.C. Resolution No. 10627

because the bar area within the restaurant is smaller than the dining area. The hours of operation are acceptable because the proposed use is not located in close proximity to any residential uses. An over-concentration of alcohol licenses in the area is not a concern, if the restaurant is operated as a bona fide eating establishment in accordance with Department of Alcoholic Beverage Control requirements;

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- E. The proposed restaurant with alcohol sales and live entertainment will be operated in a manner that is compatible with existing and planned land uses in the vicinity of the proposed use. The new restaurant will occupy a building that is currently vacant. The approved activities will be compatible with existing and planned land uses in the surrounding neighborhood, if it complies with the noise regulations for commercial businesses;
- F. The ongoing operation of the restaurant will not be detrimental to the health, safety, and welfare of the City with respect to the factors of noise, smoke, dust, fumes, vibration, odors, and hazards or excessive concentration of traffic. The primary business of the restaurant is the preparation and sale of food and beverages for consumption in the restaurant dining room. The preparation and sale of food and beverages will not create any dust, smoke, fumes, vibrations or objectionable odors. Any waste generated by the restaurant will not create objectionable odors, if it is properly stored within a trash/recycling enclosure. The proposed restaurant is relatively small and will not generate excessive amounts of traffic;
- G. The proposed restaurant with ancillary banquet use, alcohol sales, live entertainment, and reduced parking is in the best interest of public convenience and necessity. The proposal will enhance the pedestrian-oriented atmosphere in the downtown area and contribute to the vibrancy of downtown by attracting more people to the area; and
- H. The proposed use will not result in a parking inadequacy that is detrimental to adjacent uses or properties or the downtown area as a whole because there will be parking available in the surface parking lot that is located to the south of the restaurant. The surface parking lot to the south of the subject site does not serve as required parking for any other buildings or uses in the vicinity and is typically less than 50% full

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon City Planning Commission hereby RECOMMENDS CITY COUNCIL APPROVAL of Conditional Use Permit No. 2115 for on-sale alcoholic beverage sales, live entertainment, a reduction in required parking, and ancillary banquet use in conjunction with a proposed restaurant, subject to the following conditions:

P.C. Resolution No. 10627

- 1. Prior to submittal of construction documents for plan check, the applicant shall submit and obtain approval of a revised, one-page, 24" by 36" mylar site plan that reflects the following specific notes and changes:
 - a. Add a vicinity map to the lower left corner of the plan.
 - b. Add the Conditional Use Permit Title Block in the lower right corner of the drawing.
 - c. If the required trash/recycling enclosure is not provided on the subject property, show an off-site location that satisfies all applicable requirements and include the location of the trash/recycling enclosure on the revised site plan.
 - d. Under the heading "Public Works Department Notes," add the items listed in condition A-1 of the Public Works Department comments labeled "Exhibit A" and dated 07-01-10.
 - e. Under the heading "Planning Division Notes," add the ongoing conditions of approval listed in condition 3.
- 2. In addition to complying with the notes and site configuration of the approved CUP No. 2115 site plan, the following conditions shall be satisfied:
 - a. The applicant shall comply with the requirements of the Public Works Dept. as noted in the attached letter labeled "Exhibit A" and dated 07-01-10.
 - b. The applicant shall comply with the building requirements of the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit B" and dated 06-21-10.
 - c. The applicant shall comply with the fire requirements of the Building & Fire Safety Division as noted in the attached memo labeled "Exhibit C" and dated 06-21-10.
 - d. Compliance with building and fire code requirements may necessitate a portion of the building floor to be devoted to fire suppression facilities [i.e., fire sprinkler system riser; Fire Dept. connection ("FDC")].
 - e. The applicant shall comply with the requirements of the Police Department as noted in the attached letter labeled "Exhibit D" and dated 07-01-10.
- 3. The following are ongoing conditions of approval for this conditional use permit and shall be noted on the CUP site plan under the heading "Planning Notes".
 - a. The use shall be operated in a manner that is compatible at all times with surrounding properties and uses.
 - b. Any change in use or expansion of the facility may require an amendment to this conditional use permit.
 - c. All activities shall be conducted within the enclosed building.
 - d. A general on-sale alcoholic beverage license (bar license) shall not be permitted at the subject site. The restaurant shall be operated as a bona fide eating place in accordance with Department of Alcoholic Beverage Control requirements.

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- e. The operator of the restaurant shall maintain a lease/rental agreement that allows patrons of the restaurant to utilize the parking lot south of the subject site at all times.
- f. The operator of the restaurant shall have access to a trash/recycling enclosure in the immediate vicinity of the restaurant at all times, and in a location approved by the County of San Diego, Department of Environmental Health.
- g. The use of the restaurant for banquets and private meetings shall only occur as long as the restaurant is operating as the primary use at the site. If the restaurant ceases to operate as the primary use at the site, banquets and private meetings shall be prohibited.
- h. Entertainment shall consist of live musicians, singers and prerecorded music. The facility shall not be operated exclusively as a concert hall, dance club, or public dance hall.
- i. All approved activities shall be conducted in accordance with the noise regulations contained in El Cajon Municipal Code.
- j. Live entertainment activities shall comply with all regulations for a cabaret contained in the El Cajon Municipal Code, including Chapter 5.24 regarding conduct of employees and patrons, and security requirements.
- k. No dancing or live entertainment shall be allowed at the premise unless authorized by a valid Special Operation License pursuant to Chapter 5.16 of the El Cajon Municipal Code.
- I. The operator shall observe occupancy limits as determined by the Building Official/Fire Marshall at all times.
- 4. Prior to the issuance of building permits, the applicant shall complete the following:
 - a. The CUP site plan required in condition no. 1 shall be submitted to the Planning Division and approved. The approved site plan shall be included in the plans approved for building permit issuance. The "schematic restaurant plan" shall conform to the actual floor plan submitted for plan check.
 - b. The approved trash/recycling enclosure shall be included on the plans approved for building permit issuance. The design of the trash/recycling enclosure shall have a stucco exterior finish and be painted a color that complements the surrounding buildings. If the trash enclosure has a metal roof, it shall be painted to match the stucco exterior of the enclosure and the edge of the roof shall have fascia trim. The design of the enclosure is subject to review and approval of the Community Development Director
- 5. Proposed signage shall be designed so as to be integrated into the building façade in a complementary fashion. Signs are subject to El Cajon Community Development Corporation review and approval and may require building permits from the Building and Fire Safety Division.
- 6. The existence of this conditional use permit shall be recorded with the County Recorder.

- 7. The Planning Commission may at any time during the life of this use permit, after holding a new public hearing and considering testimony as to the operation of the approved use, add additional conditions as it deems necessary, to ensure that the approved use continues to be compatible with surrounding properties and continues to be operated in a manner that is in the best interest of public convenience and necessity and will not be contrary to the public health, safety or welfare.
- 8. The proposed uses shall be operated substantially as presented in the Planning Commission staff report titled Conditional Use Permit No. 2115, dated August 23, 2010, except as modified by this resolution. Operation of the establishment in violation of the conditions of approval is grounds for revocation.
- 9. If all conditions of approval have not been satisfied or if the restaurant established under this conditional use permit has not been commenced, and if no request for an extension of time has been received, within two years of the approval by the City Council and subsequently approved, this conditional use permit shall be considered null and void per El Cajon Zoning Ordinance Section 17.35.010.

[The remainder of this page intentionally left blank.]

PASSED AND ADOPTED by the El Cajon City Planning Commission at a regular meeting held August 23, 2010, by the following vote:

AYES:

AMBROSE, BALES, CIRCO, MROZ, SOTTILE

NOES:

NONE

ABSENT:

NONE

Anthony SOTTILE, Chairman

ATTEST:

Barbara K. RAMIREZ, Secretary

APPROVED

AUG 2 3 2010

AS PRESENTED







City Council Meeting Schedule January 2025 - December 2025

January 2025										
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City Council Meeting (619) 441-1763 Planning Commission

(619) 441-1742

City Hall Closed

Holidays

League of CA Cities Conference To be Announced, Long Beach CA