

RESOLUTION PC 16-4545

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A CONDITIONAL USE PERMIT FOR THE TEMPORARY CRUSHING OF ROCK MATERIAL WITHIN THE SAN MARCOS HIGHLANDS SPECIFIC PLAN AREA (SPA)

P13-0009  
CUP 13-010  
Farouk Kubba

WHEREAS, on February 13, 2010 an application was received from Farouk Kubba requesting a Conditional Use Permit to allow for the temporary crushing of rock material for the project, in conjunction with Specific Plan Amendment (SP 13-001), Tentative Subdivision Map (TSM 13-001), Ridgeline Development Permit (ROZ 14-001), Prezone (PZ 14-001), and General Plan Amendment (GPA 15-002), on 266 acres located at the northern terminus N. Las Posas Road within the San Marcos Highlands Specific Plan Area (SPA), more particularly described as:

Portion of Sections 34 & 35, Township 11 South, Range 3 West, San Bernardino Meridian in the County of San Diego, State of California.

Assessor's Parcel Numbers: 182-110-02-00, 182-110-03-00, 182-111-01-00, 184-101-14-00, 184-102-18-00, 184-102-32-00, 182-102-44-00, 184-240-13-00, 184-240-14-00, 184-240-15-00, 184-240-32-00, 184-240-33-00, 184-241-05-00, 184-241-06-00, 184-241-07-00, & 184-241-08-00.

WHEREAS, the Development Services Department did study said request and does recommend approval of requested use; and

WHEREAS, public workshops with the general public were held on June 26, July 31, August 28, and December 16 of 2013; and

WHEREAS, the required public hearing was continued from January 6, 2014; and

WHEREAS, a Mitigated Negative Declaration (ND 13-010) was prepared and circulated for public review, but based upon public review comments received, an Environmental Impact Report (EIR 15-001) was required to be prepared by the City; and

WHEREAS, the required public hearing on January 13, 2014 was tabled; and

WHEREAS, a Notice of Preparation Scoping Meeting and public workshop was held with the general public on August 28 and October 8 of 2014, respectively; and

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WHEREAS, the required public hearing held on September 6, 2016 was duly advertised and held in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider an Environmental Impact Report (EIR 15-001, SCH #1999071007) for said request pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission's decision is based on the following findings and determinations:

1. The proposed Conditional Use Permit, with the proposed staff conditions of approval, will not result in detrimental impacts to the public health, safety, or welfare or to adjacent properties or the character and function of the neighborhood in that the proposed rock crusher(s) will be set back at a sufficient distance so as not to create a negative noise impact, and the creation of buffer/berms, if required, that block the line-of-sight between the rock crusher(s) and off-site residential properties will mitigate noise impacts to ensure noise will not exceed 60 dBA at the property line.
2. The conditions associated with the Conditional Use Permit are consistent with the goals, policies, and intent of the General Plan, the purpose and intent of the applicable Zone, and the character of the San Marcos Highlands Specific Plan in that the debris crushing operation will allow for the reuse of graded material to create buildable pads on site that will provide a variety of housing types to serve the housing market in San Marcos.
3. The land use allowed in conjunction with the Conditional Use Permit is compatible with the existing and future land uses of the applicable Zone, and the general area in which the proposed use will be located

NOW, THEREFORE, the Planning Commission resolves as follows:

- A. The foregoing recitals are true and correct.
- B. An Environmental Impact Report (EIR 15-001, SCH #1999071007) for this project is hereby recommended to the City Council for approval pursuant to the California Environmental Quality Act (CEQA).
- C. The Conditional Use Permit is approved for a maximum of two (2) rock crushers per the submitted site plan, except as modified herein, and subject to compliance with the conditions of approval of this Resolution PC 16-4545.
- D. The Conditional Use Permit is approved in conjunction with the submitted Specific Plan Amendment (SP 13-001), Tentative Subdivision Map (TSM 13-001), Ridgeline Development Permit (ROZ 14-001), Prezone (14-001), and General Plan Amendment (GPA 15-002), and all conditions of approval specified in Resolutions PC 16-4543, PC 16-4544, PC 16-4546, PC 16-4547, and PC 16-4548, respectively, are hereby incorporated by

reference herein.

E. Prior to reliance on this Conditional Use Permit, the following conditions shall be complied with:

1. The mass grading permit for Tentative Subdivision Map (TSM 13-001) shall be issued.
2. The applicant/developer shall post a cash security to the City in an amount approved by the City Attorney and the City Engineer or their designees to cover the cost of any potential damage resulting from the rock crushing activities.
3. The applicant/developer shall submit a cash deposit to the Planning Division, as determined by the Planning Division Manager, to ensure the facilitation of an on-site operational noise test(s) to verify noise levels.
4. City approval shall be required for hauling of rock crushing and other heavy equipment on City streets. The haul route shall be established per the City's direction. Truck traffic shall be limited to off-peak hours on arterial streets.
5. The applicant/developer shall submit for City review and approval for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest CASQA template, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall describe all Best Management Practices (BMPs) to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall be prepared by a certified Qualified SWPPP Designer (QSD), per the current State Water Resources Control Board (SWRCB) General Construction Permit.
6. The applicant/developer shall submit any necessary permit applications to the San Diego County Air Pollution Control District (APCD) for compliance with proper equipment and operating regulations and procedures including:
  - a. Water sprayed on unpaved roads, parking areas, and staging areas two (2) times daily or at sufficient frequency to keep soil moist enough so visible dust plumes are eliminated.
  - b. Water sprayed on rock materials undergoing rock crushing process at sufficient frequencies. Automatic water mist or sprinkler system should be installed in areas of rock crushing.
  - c. Conformance with all conditions of approval for dust control required by the APCD permit as applicable.

The applicant/developer shall also submit a copy of said permits (and all related conditions) to the Planning Division.

7. The applicant/developer shall comply with all requirements of the San Marcos Fire Department including the following:

- a. The applicant/developer shall submit an emergency access plan to the satisfaction of the Fire Marshal.
  - b. A permit shall be obtained from the San Marcos Fire Department for the storage of any flammable liquid material.
- F. During the operation of the rock crusher(s), the following conditions shall be complied with:
  1. Prior to the rock crusher operation, the applicant/developer shall coordinate with the Public Works Inspector to survey and document the existing state/condition of Las Posas Road.
  2. A maximum of two (2) rock crushers shall be allowed to operate on site at any one time.
  3. Placement of the rock crusher(s) shall be located in accordance with the approved site plan.
  4. The noise levels at the nearest property line shall not exceed 60 dBA Leq measuring noise generated by the rock crusher(s).
  5. During the first week of the operation of one rock crusher or two crushers operating simultaneously, noise measurements of the rock crushing equipment shall be conducted by a certified acoustical engineer to ensure compliance with the City's threshold. If noise levels are found to exceed the established threshold of 60 dBA at any single family residential use, then the applicant/developer shall install temporary berms or walls around the rock crusher(s) to reduce noise levels to 60 dBA or below. Mitigation may also include relocation or re-orientation of the crusher equipment as determined by the Planning Division. If said mitigation is required, the rock crushing equipment shall not continue to operate until the temporary berms or walls have been installed, and compliant noise levels have been verified by the acoustical engineer. The temporary berms or walls shall not be removed until completion of the rock crushing operation.
  6. All rock crushing equipment shall be removed from the project site at time of completion of the rock crushing operations for the development.
  7. During rock crushing operations, the application of water or other means of dust control shall be performed to the satisfaction of the Building Inspector and the Public Works Director. Dust and dust producing materials shall be controlled within the maximum acceptable concentrations for silica and silicates in accordance with the California Code of Regulation, Title 8, Section 5155. Water and dust pallative shall be used to prevent excessive dust.
  8. The rock crusher equipment shall have an operating water spray system to maintain adequate moisture on both the raw material feed and finished material discharge.

9. During the operation of the rock crusher(s), the applicant/developer shall not create dust clouds that are visible beyond the property line and that a sign shall be posted that indicates the name and phone number of the contractor/builder representative for dust control, as well as for the San Diego County APCD for requesting inspection in case of violation of the opacity regulation.
  10. Rock crushing, grading, excavation or other related earth moving operations, including warm-up and maintenance activities, shall be limited to the hours of 7:00 a.m. to 4:30 p.m., Monday through Friday. No work shall be allowed on Saturdays, Sundays and holidays without approval of the Public Works Director.
  11. The applicant/developer shall ensure that the grading and other construction activities meet the provisions specified in the San Diego Regional Water Quality Control Board (SDRWQCB) Order No. R9-2013-0001 and the State Water Resources Control Board (SWRCB) General Construction Permit (GCP).
  12. The applicant/developer shall provide evidence of existing coverage (WDID#) under the SWRCB Statewide GCP.
  13. The applicant/developer shall utilize sediment controls only as a supplement to erosion prevention for keeping sediment on-site during construction – NEVER as a single or primary method.
  14. The applicant/developer shall minimize exposure time of disturbed soil areas.
  15. The contractor, permittee, or project owner shall be responsible for continual maintenance of erosion control devices as shown on the erosion control plan or per City standards. The City may revoke the grading permit for non-compliance with the City's Storm Water Management Program. The permits shall not be renewed until the erosion control system complies with City standards.
  16. No rock material shall be imported from outside the project site to be process by the rock crusher.
  17. No sale for export of crushed rock material shall be allowed from the project site.
  18. If the project requires a blasting permit, all blasting can only proceed on those properties owned by the applicant/developer. All blasting activities shall comply with the San Marcos Blasting Ordinance.
- G. The applicant/developer shall obtain any required OSHA permits in accordance with California Code of Regulations, Title 8, Section 1503.
- H. The applicant/developer shall be responsible for conducting the use in a manner as not to become obnoxious by reason of noise, refuse matter, odor, dust, smoke, maintenance of grounds and buildings, or to have a detrimental effect on the surrounding properties and

improvements.

- I. The applicant/developer shall comply with all City ordinances and regulations applicable to the rock crushing operations authorized by the Conditional Use Permit, except that the conditions of this Conditional Use Permit shall apply if they are deemed more restrictive than those contained in the City ordinances and regulations.
- J. This Conditional Use Permit shall be valid only during the grading operation and shall expire six (6) months from the date of issuance of the mass grading permit for its phase of development, or the rock crusher shall not operate after the issuance of the first building permit for residential homes of the same phase, whichever occurs first. Any request for permit extension shall be applied for by the permittee in writing fourteen (14) days prior to expiration, and may be administratively authorized by the City Manager or his designee. The applicant shall contact the Planning Division prior to commencement.
- K. All construction operations authorized by building permits, including the delivery, setup, and use of equipment shall be conducted on premises during the hours of 7:00 AM to 6:00 PM on Monday through Friday, and on Saturday between 8:00 AM and 5:00 PM. No work shall be conducted on Sundays or holidays observed by the City of San Marcos. Failure to comply with result in the issuance of citations. Citations required a mandatory court appearance in North County Superior Court and courts costs up to \$1,000 per offense. Repeat violations will result in suspension of all work on premises until the City determines that appropriate measures are in place to insure that hours of work violations will not occur.
- L. The applicant/developer shall be responsible for compliance with all relevant portions of the City of San Marcos Municipal Code.
- M. To the extent feasible and as permitted by law, developers and contractors are requested to first consider the use of San Marcos businesses for any supplies, materials, services, and equipment needed, and the hiring of local residents in order to stimulate the San Marcos economy to the greatest extent possible.
- N. To the extent permitted by law, the applicant/developer shall defend and hold the City of San Marcos ("City"), its agents and employees harmless from liability from: (i) any and all actions, claims, damages, injuries, challenges and/or costs of liabilities arising from the City's approval of any and all entitlements or permits arising from the project as defined in the conditions of approval, or issuance of grading or building permits; (ii) any damages, liability and/or claim of any kind for any injury to or death of any person, or damage or injury of any kind to property which may arise from or be related to the direct or indirect operations of the applicant/developer or its contractors, subcontractors, agents, employees or other persons acting on applicant/developer's behalf which relate to the project; and (iii) any and all damages, liability and/or claims of any kind arising from operation of the project. Applicant/developer further agrees that such indemnification and hold harmless shall include all defense related fees and costs associated with the defense of City by counsel selected by the City. This indemnification shall not terminate upon expiration of the conditions of approval or completion of the project, but shall survive in perpetuity.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 6<sup>th</sup> day of September, 2016, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

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Eric Flodine, Chairman  
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

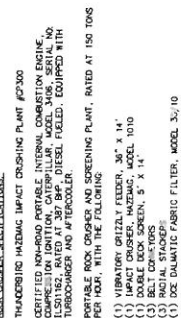
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Lisa Kiss, Office Specialist III  
SAN MARCOS CITY PLANNING COMMISSION

Attachment: Exhibit "A" (Rock crusher locations)

## EXHIBIT “A”

ROCK CRUSHER EXHIBIT





RESOLUTION PC 16-4546

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A RIDGELINE DEVELOPMENT PERMIT TO ALLOW THE CONSTRUCTION OF 37 SINGLE-FAMILY LOTS ON 9.76 ACRES WITHIN THE RIDGELINE OVERLAY ZONE (ROZ) AND SAN MARCOS HIGHLANDS SPECIFIC PLAN AREA (SPA)

P13-0009  
ROZ 14-001  
Farouk Kubba

WHEREAS, on February 13, 2010 an application was received from Farouk Kubba requesting a Ridgeline Development Permit to allow the construction of 37 single-family lots of a 189-lot subdivision map on 9.76 acres within the Ridgeline Overlay Zone (ROZ), in conjunction with Specific Plan (SP 13-001), Tentative Subdivision Map (TSM 13-001), Conditional Use Permit (CUP 13-010), Prezone (PZ 14-001), and General Plan Amendment (GPA 15-002), located at the northern terminus N. Las Posas Road within the San Marcos Highlands Specific Plan Area (SPA), more particularly described as:

Portions of the East Half of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter of Section 34, together with the West Half of the West Half of the Southwest Quarter of Section 35, Township 11 South, Range 3 West, San Bernardino Meridian, according to the Official Plat thereof

Assessor's Parcel Numbers: 182-110-03-00, 182-111-01-00, 184-240-14-00, and 184-240-15-00

WHEREAS, the Development Services Department did study and recommend approval of said request; and

WHEREAS, a Notice of Preparation Scoping Meeting and public workshop was held with the general public on August 28 and October 8 of 2014, respectively; and

WHEREAS, the required public hearing held on September 6, 2016 was duly advertised and held in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider an Environmental Impact Report (EIR 15-001, SCH #1999071007) for said request pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission's decision is based on the following findings and determinations:

1. The granting of the Ridgeline Development Permit is consistent with and conforms to the General Plan in that 121.7 acres of the San Marcos Highlands Specific Plan (SPA) is overlain by the Ridgeline Overlay Zone (ROZ).

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2. The granting of the Ridgeline Development Permit will allow for the development of thirty-seven (37) single-family lots of the 189-lot Tentative Subdivision Map (TSM 13-001) to be constructed within the ROZ and will be adequately, reasonably, and conveniently served by public services, utilities, and public facilities.
3. Undeveloped areas of the project have been properly identified in that approximately 82 acres of the 121.7 acres of the site within the ROZ may be developed with approval of a Ridgeline Development Permit; however, the project proposes to develop only 9.76 acres for the thirty-seven (37) single-family lots with the remaining area within the ROZ to be designated as permanent open space to preserve the on-site Primary and Secondary Ridgelines in their natural state. The proposed subdivision will not adversely affect the silhouette of the Primary and Secondary Ridgelines that are located within the eastern portion of the project site and off-site to the south as identified by Exhibit A- North City Area #1 of the Ridgeline Protection & Management Overlay Zone Ordinance. Further, the proposed thirty-seven (37) single-family lots within the ROZ will be developed on the lower elevations of the property and do not encroach into the 100-foot and 50-foot vertical setbacks for the Primary and Secondary Ridgelines, respectively.
4. The granting of the Ridgeline Development Permit complies with the purpose and intent of the Ridgeline Protection & Management Overlay Zone Ordinance since the visual impacts of the proposed single-family subdivision have been minimized by its grading and improvement design and by the establishment of development criteria by the approved San Marcos Highlands Specific Plan.
5. The proposed project substantially conforms to the ridgeline development guidelines and the granting of the Ridgeline Development Permit will not be materially detrimental to the public health, safety or welfare or injurious to the property or improvements in such vicinity in that the proposed thirty-seven (37) single-family residences do not encroach into any ridgeline vertical setbacks; buildings will be limited to a maximum height of twenty-eight (28) feet; building colors will complement the surrounding hillsides and vegetation; all manufactured slopes will be landscaped with plant material to blend in with the site's natural terrain and for erosion control purposes; exterior lighting will incorporate cut-off fixtures and will be required to be shielded to direct illumination downward and reduce the visibility of glare; and the proposal will comply with fire code regulations, such as incorporating fire sprinklers, providing adequate fire truck circulation, and fuel management setbacks per the requirements of the Fire Marshal.

NOW, THEREFORE, the Planning Commission resolves as follows:

- A. The foregoing recitals are true and correct.
- B. This Ridgeline Development Permit (ROZ 14-001) complies with the requirements of the City Ridgeline Protection & Management Overlay Zone Ordinance and City Council Resolution No. 2014-7985 Approving a Comprehensive Policy Governing Future Annexations as the remaining SPA outside of the ROZ, including the on-site area proposed

to be annexed from the County, does not constitute any significant landforms, and therefore does not warrant annexation into the ROZ which would require a boundary modification to be placed on the ballot for consideration and approval by the voters of San Marcos.

- C. An Environmental Impact Report (EIR 15-001, SCH #1999071007) for this project is hereby recommended to the City Council for approval pursuant to the California Environmental Quality Act (CEQA).
- D. This Ridgeline Development Permit (ROZ 14-001) is hereby recommended to the City Council for approval.
- E. This Ridgeline Development Permit (ROZ 14-001) is approved in conjunction with the submitted Specific Plan (13-001), Tentative Subdivision Map (TSM 13-001), Conditional Use Permit (CUP 13-010), Prezone (14-001), and General Plan Amendment (GPA 15-002), and all conditions of approval specified in Resolutions PC 16-4543, PC 16-4544, PC 16-4545, PC 16-4547, and PC 16-4548, respectively, are hereby incorporated by reference herein.
- F. To the extent permitted by law, the applicant/developer shall defend and hold the City of San Marcos ("City"), its agents and employees harmless from liability from: (i) any and all actions, claims, damages, injuries, challenges and/or costs of liabilities arising from the City's approval of any and all entitlements or permits arising from the project as defined in the conditions of approval, or issuance of grading or building permits; (ii) any damages, liability and/or claim of any kind for any injury to or death of any person, or damage or injury of any kind to property which may arise from or be related to the direct or indirect operations of the applicant/developer or its contractors, subcontractors, agents, employees or other persons acting on applicant/developer's behalf which relate to the project; and (iii) any and all damages, liability and/or claims of any kind arising from operation of the project. The applicant/developer further agrees that such indemnification and hold harmless shall include all defense-related fees and costs associated with the defense of City by counsel selected by the City. This indemnification shall not terminate upon expiration of the conditions of approval or completion of the project, but shall survive in perpetuity.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 6<sup>th</sup> day of September 2016, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

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Eric Flodine, Chairman  
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:







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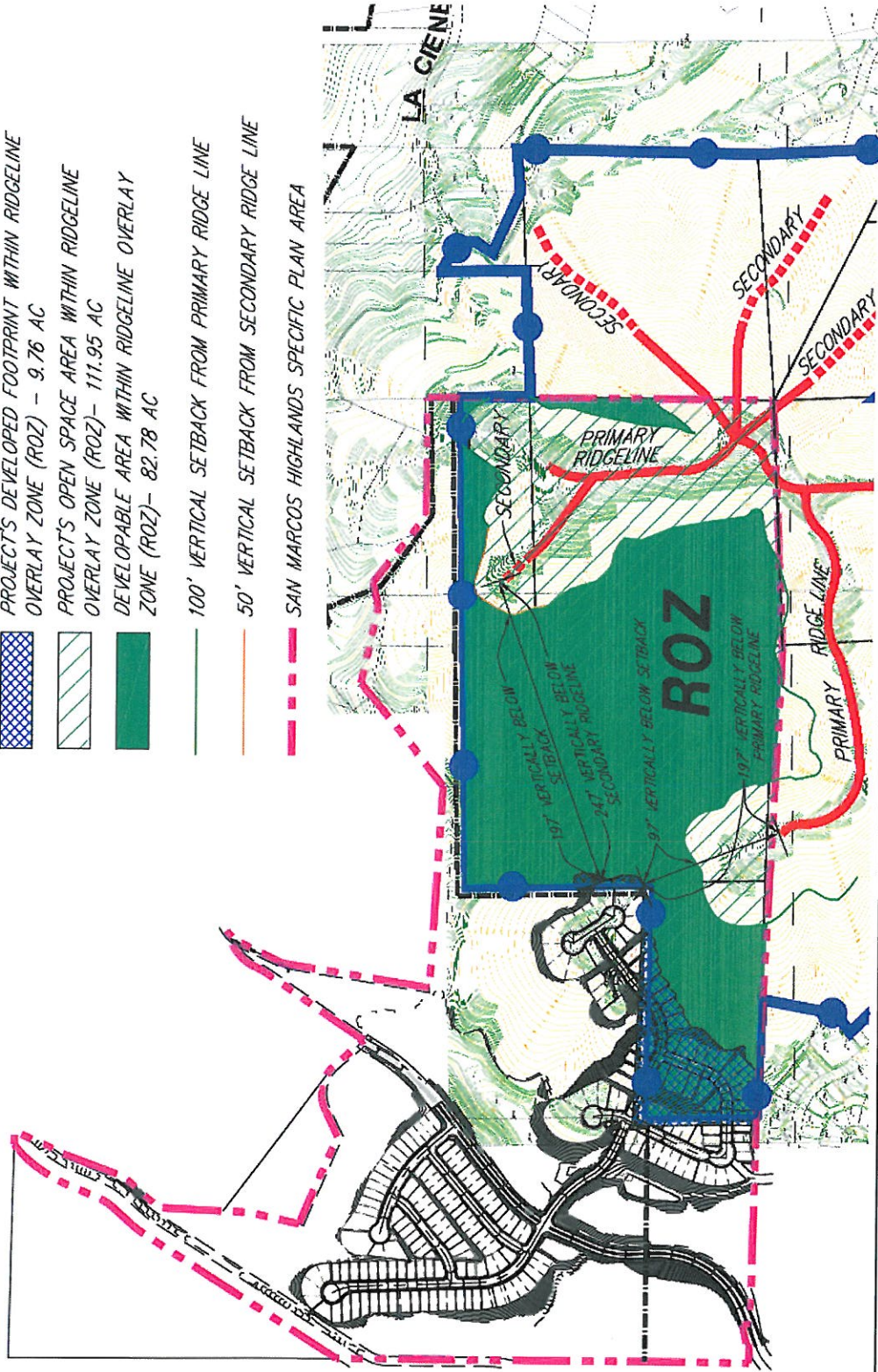
Lisa Kiss, Office Specialist III  
SAN MARCOS CITY PLANNING COMMISSION

Attachment: Exhibit "A" (Project ROZ map)

## EXHIBIT "A"

# **LEGEND**

-  PROJECT'S DEVELOPED FOOTPRINT WITHIN RIDGELINE OVERLAY ZONE (ROZ) - 9.76 AC
-  PROJECT'S OPEN SPACE AREA WITHIN RIDGELINE OVERLAY ZONE (ROZ)- 111.95 AC
-  DEVELOPABLE AREA WITHIN RIDGELINE OVERLAY ZONE (ROZ)- 82.78 AC
-  100' VERTICAL SETBACK FROM PRIMARY RIDGE LINE
-  50' VERTICAL SETBACK FROM SECONDARY RIDGE LINE
-  SAN MARCOS HIGHLANDS SPECIFIC PLAN AREA



RESOLUTION PC 16-4547

A RESOLUTION OF THE SAN MARCOS CITY PLANNING  
COMMISSION RECOMMENDING TO THE CITY COUNCIL  
APPROVAL OF A PREZONE OF 9.73 ACRES TO THE SAN  
MARCOS HIGHLANDS SPECIFIC PLAN AREA (SPA)

P13-0009  
PZ 14-001  
Farouk Kubba

WHEREAS, on February 13, 2010 an application was received from Farouk Kubba requesting a prezone of 9.73 acres from A-70 (County) to the San Marcos Highlands Specific Plan Area (SPA), in conjunction with Specific Plan (SP 13-001), Tentative Subdivision Map (TSM 13-001), Conditional Use Permit (CUP 13-010), Ridgeline Development Permit (ROZ 14-001), and General Plan Amendment (GPA 15-002), located approximately 340 feet south of Robinhood Road within the College Area Neighborhood, more particularly described as:

A Portion of Lot 3 in Block 52 of the Rancho Los Vallecitos de San Marcos, in the County of San Diego, State of California, according to Map thereof No. 806, filed in the Office of the County Recorder of San Diego County on December 21, 1895.

Assessor's Parcel Number: 182-110-02-00.

WHEREAS, the Development Services Department did study and recommend approval of said request; and

WHEREAS, a Notice of Preparation Scoping Meeting and public workshop was held with the general public on August 28<sup>th</sup> and October 8<sup>th</sup> of 2014, respectively; and

WHEREAS, the required public hearing held on September 6, 2016 was duly advertised and held in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider an Environmental Impact Report (EIR 15-001) for said request pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission's decision is based on the following findings and determinations:

1. The proposed Prezone is consistent with the land use designation of the General Plan for the College Area Neighborhood in the project area, and the policy of the Land Use Element for all unincorporated acreage within the City's Sphere of Influence to be prezoned in a manner consistent with the City's adopted General Plan Land Use designations.

2. The proposed Prezone complies with the policy of the Land Use Element to recommend specific zone changes in unincorporated areas within the City's Sphere of Influence to ensure conformance with development policies.
3. The proposed Prezone will not be detrimental to the public health, safety or welfare, or the surrounding land uses in the area in that the project area may be best serviced through the City of San Marcos, will not adversely affect existing districts, and will be subject to the requirements of the adopted San Marcos Highlands Specific Plan.

NOW, THEREFORE, the Planning Commission resolves as follows:

1. The foregoing recitals are true and correct.
2. This Prezone (PZ 14-001) complies with the requirements of City Council Resolution No. 2014-7985 Approving a Comprehensive Policy Governing Future Annexations as the pre-zoning is consistent with the City's General Plan land use designation in conjunction with the concurrent approval of the other development entitlements.
3. An Environmental Impact Report (EIR 15-001) for this project is hereby adopted pursuant to the California Environmental Quality Act (CEQA).
4. The Prezone (PZ 14-001), as shown on the attached "Exhibit A", is hereby recommended to the City Council for approval.
5. The Prezone (PZ 14-001) is approved in conjunction with the submitted Specific Plan (SP 13-001), Tentative Subdivision Map (TSM 13-001), Conditional Use Permit (CUP 13-010), Ridgeline Development Permit (ROZ 14-001), and General Plan Amendment (GPA 15-002), and all conditions of approval specified in Resolutions PC 16-4543, PC 16-4544, PC 16-4545, PC 16-4546, and PC 16-4548, respectively, are hereby incorporated by reference herein.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 6<sup>th</sup> day of September, 2016, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

APPROVED:

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Eric Flodine, Chairman  
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

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Lisa Kiss, Office Specialist III  
SAN MARCOS CITY PLANNING COMMISSION

Attachment: Exhibit "A" (Location map)

EXHIBIT "A"

RESOLUTION PC 16-4548

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING  
COMMISSION RECOMMENDING TO THE CITY COUNCIL  
APPROVAL OF A GENERAL PLAN AMENDMENT TO THE  
PARKS, RECREATION, AND COMMUNITY HEALTH  
ELEMENT OF THE GENERAL PLAN

GPA 14-002  
P13-0009  
Farouk Kubba

WHEREAS, the State of California has adopted Article 5 of the State Government Code;  
and

WHEREAS, Article 6 provisions specify that each planning agency and legislative body of  
each City and County shall adopt a comprehensive, long-term general plan for the physical  
development of the City; and

WHEREAS, Article 5, Section 65302 of the State Government Code specifies the content  
for a General Plan and a Land Use Element for said plan; and

WHEREAS, an application was received from Farouk Kubba requesting a General Plan  
Amendment to the Parks, Recreation, and Community Health Element of the General Plan to  
modify the acreage and amenities description within Table 5-2: Parkland, Trails, and Recreational  
Facility Acreage for the "Future (New) Parkland" category for Buena Neighborhood Park to be  
consistent with the adopted 1990 Parks Master Plan by changing the acreage to "12 to 16 acres" and  
the description to "One (1) acre minimum of generally level area for an open field play area,  
playground, tot-lot, picnic tables, barbeque facility, and restrooms with the remaining acreage for  
passive recreation limited to a trail circling the riparian open space preserve"; and deletion of  
Footnote 3 which states "Buena Park is located approximately half within the City and half within  
the SOI", because the park, as part of the proposed project, will be required to be annexed into the  
City.

WHEREAS, the Development Services Department did study and recommend approval of  
said request; and

WHEREAS, the required public hearing held on September 6, 2016 was duly advertised  
and held in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider an Environmental Impact Report (EIR  
15-001, SCH #1999071007) for said request pursuant to the California Environmental Quality Act  
(CEQA); and

WHEREAS, the Planning Commission's decision is based on the following findings and determinations:

1. The proposed General Plan Amendment is consistent with the goals, policies, and objectives of the General Plan Parks, Recreation, and Community Health Element in that the future Buena Neighborhood Park will continue to be required for the northern portion of the College Area Neighborhood of the General Plan, but the modification will correct an inconsistency between Table 5-2 (Parkland, Trails, and Recreational Facility Acreage) of the Parks, Recreation, and Community Health Element and the adopted 1990 Parks Master Plan regarding the acreage and description for the future Buena Neighborhood Park.
2. The proposed General Plan Amendment will not be detrimental to the public health, safety, morals, and welfare in that the design and construction of the future Buena Neighborhood Park will be consistent with the development standards of the approved San Marcos Highlands Specific Plan (SPA) and provide the recreational amenities as recommended by the adopted 1990 Parks Master Plan, except for a fishing pond due to requirements of the regulatory agencies to remove the existing irrigation dam and restore the area to riparian habitat, and except for the water play area or splash pad due to current drought conditions.

NOW, THEREFORE, the Planning Commission resolves as follows:

1. The foregoing recitals are true and correct.
2. An Environmental Impact Report (EIR 15-001, SCH #1999071007) for this project is hereby recommended to the City Council for approval pursuant to the California Environmental Quality Act (CEQA).
3. The General Plan Amendment (GPA 14-002), as shown on the attached "Exhibit A", is hereby recommended to the City Council for approval.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 6<sup>th</sup> day of September, 2016, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

APPROVED:

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Eric Flodine, Chairman  
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

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Lisa Kiss, Office Specialist III  
SAN MARCOS CITY PLANNING COMMISSION

Attachment: Exhibit "A" (Table 5-2 revisions)

## EXHIBIT "A"

# 5

## PARKS, RECREATION, AND COMMUNITY HEALTH ELEMENT

Table 5-2 Parkland, Trails, and Recreational Facility Acreage

Park Name	Type	Total Park Acreage		Amenities
		Existing*	Future¹	
Mini-Parks				
Alder Glenn Park	M	0.40	--	Picnic tables, turf play area, tot-lot, trail connections
Amigo Park	M	0.74	--	Picnic tables, benches, tot-lot
Bel Esprit Park	M	2.03	--	Basketball courts, picnic tables, benches, tot-lot
Bougher Park	M	1.50	0.75	Benches, turf play, Veteran's Memorial Wall
Children's Discovery Park	M	0.92	--	Picnic tables, benches, tot-lot
Civic Center Recreation Area	M	0.62	--	Lighted volleyball court, basketball court, picnic areas, tot-lot
Creek View Park	M	0.96	--	Picnic tables, benches, tot-lot
Discovery Meadows Park	M	1.39	--	Benches, tot-lot
Foothills Park	M	1.11	--	Picnic tables, turf play area, tot-lot, trail connections
Laurels Park	M	0.79	--	Picnic tables, tot-lot
Optimist Park	M	0.34	--	Picnic tables
Pebblestone Park	M	0.77	--	Picnic tables, benches, barbecues, horseshoe pit, sand volleyball area, tot-lot
Quail Hills Park	M	1.28	--	Picnic tables, benches, tot-lot, trail connections
Questhaven Park	M	2.48	--	Tot-lot, picnic tables, turf play area, trail connections
Regency Hills Park	M	0.95	--	Picnic tables, turf play area, tot-lot
Ridgeline Trailhead	M	1.92	--	Picnic tables, picnic shelter, trail connections
Santa Fe Hills Park	M	1.01	--	Picnic tables, tot-lot, trail connection
Valley View Park	M	0.93	--	Picnic tables, benches, tot-lot
Total Mini-Parks		Existing 20.14	Future 20.89	
Trails				
Total Trails	C	Existing 70.30	Future 16.97	Urban, multi-use, and soft-surface trails
Total Planned Trails 87.27				

\*Existing developed parkland does not include private parks (e.g., managed by home owners associations), joint use schools, or agency facilities.

<sup>1</sup>Private mini-parks not accessible to the public are not included in the City's park acreage calculations.

<sup>2</sup>Future parks to be completed within 2 years.

<sup>3</sup>See Chapter 2 for future neighborhood parks in Focus Areas 1, 2 and 3; the size, design, and amenities of each future park shall be determined at the time of development. A future mixed use neighborhood park shall be located in Focus Area 1 per Figure 2-7 and 2-8; a future linear park shall be located in Focus Area 2 per Figure 2-7 and 2-9; a future mixed use neighborhood park shall be located in Focus Area 3 per Figure 2-7 and 2-10. This future neighborhood park acreage has not been included in this table or the "Total Citywide planned Parkland, Trails, and Recreational Facilities" acreage.

<sup>2</sup>Buena Park is located approximately half within the City limits and half within the SOI.

Table 5-2 Parkland, Trails, and Recreational Facility Acreage

Park Name	Type	Total Park Acreage		Amenities
		Existing*	Future¹	
Recreational Facilities				
Community Center	C	0.69	--	Community building; tot lot; picnic tables; turf play
EH. Corky Smith Gym	C	0.62	--	n/a
San Marcos Community Services	M	0.93	--	Community building; tot lot; picnic tables; turf play
San Marcos Joslyn Senior Center	M	0.45	--	Community building; picnic tables; fitness room
Senior Center Tot-Lot	M	0.25	--	tot lot
Total Recreational Facilities		Existing 2.94	Future --	
Total Existing Developed Parkland, Trails, and Recreational Facilities		340.05		
Total Undeveloped Parkland & Trails (Planned Improvements to Existing Parkland, Trails, and Recreational Facilities)			158.92	
Future (New) Parkland				
Agua Hedionda Park	C	--	20.00	Playground, tot lot, picnic tables, barbecue facility, trail staging area, fishing, wilderness area, on-site caretaker, concessions, restrooms
Buena Neighborhood Park³	N	--	12-16	1-acre min. of generally level area for an <u>Water-play area</u> ; open field playground, tot-lot, picnic tables, barbeque facility, <u>fishing, and restrooms</u> with remaining acreage for passive recreation limited to a trail circling the riparian open space preserve
Connors Park (San Marcos Elementary)	N	--	3.63	
Creek District Park	N	--	16.45	To be determined
La Moree Community Park	C	--	20.00	Basketball courts, open field play area, playground, tot lot, picnic tables, barbecue facility, community services complex
Richmar Park	M	--	2.96	To be determined
San Elijo Mini Park	N	--	6.00+	Tennis courts, playground, tot lot, picnic tables, barbecue facility, fishing, restrooms
San Marcos Creek	N	--	20.00	Multi-use trail, plaza, gardens, amphitheater seating, trash receptacles
South Lake Park¹	C	--	54.00	To be determined
Twin Oaks Valley Neighborhood Park	N	--	16.00+	Softball fields, tennis courts, basketball courts, playground, tot lot, picnic tables, barbecue facility, restrooms
University District Park	N	--	25.33	Sport court, playground structure, picnic facilities
Total Future Undeveloped Parkland (Future -- not part of existing parkland)-			200.87	
Total Citywide Parkland, Trails, and Recreational Facilities		Existing 340.05	Future 367.79	
Total Citywide planned Parkland, Trails, and Recreational Facilities			697.84	

Source: City of San Marcos 2011

M=Mini-Park; N=Neighborhood Park; C=Community Park; n/a=information not available or yet to be determined