

# STAFF REPORT

## PLANNING COMMISSION MEETING

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MEETING DATE: March 5, 2018  
SUBJECT: Murai Specific Plan  
CASE NUMBER: P15-0068: General Plan Amendment 15-005/ Specific Plan 15-009/Tentative Subdivision Map 15-007/Grading Variance 15-002/Conditional Use Permit 15-008/ Site Development Plan 16-002/Environmental Impact Report 16-001  
APNs: 184-241-03-00, 218-011-10-00, 217-050-36-00, and 217-050-38-00

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### **Recommendation**

Staff recommends that Planning Commission adopt resolutions recommending that the City Council:

- Approve a General Plan Amendment (GPA) to amend the project site's designation in the Land Use and Community Design Element from "Specific Plan Area/Residential (89 lots)/OS/P" to "Murai Specific Plan Area/Open Space" and to remove the designation and description in the Park, Recreation and Community Health Element of the General Plan of a public park on the project site;
- Approve a Specific Plan (SP) to allow for the orderly development of the site and as required in the General Plan;
- Approve a Tentative Subdivision Map (TSM) for 89 single-family residential lots, access/ private street lots, open space lots, and private park lots on the project site;
- Approve a Grading Variance (GV) to allow for manufactured slopes to exceed 20 feet in height;
- Approve a Conditional Use Permit (CUP) to allow for the temporary use of a rock crusher during project grading;
- Approve a Site Development Plan (SDP) to address the design of residential units and plotting of floor plans and elevations within the subdivision;
- Adopt an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA) for the project.

### **Project Description**

The applicant is requesting approval of an 89 lots/units clustered single family residential development, four private parks, public trails and biological conservation areas. The 91.65 acre project site is located in the northwest part of the City, specifically west of the northern terminus of Las Posas Road. The site is currently undeveloped and is predominantly in a natural state with several vegetation communities present on-site.

The proposed project is to establish a Specific Plan for the site to allow for 89 single family residential lots/units. All units are proposed to be detached, two-story single family residential units with attached garages. The project is proposing three different floor plans and each floor plan is proposed with three different elevation styles. The project's grading footprint will be contained within 29.65 acres, with an additional 11.94 acres of clearing area located outside of the grading footprint for fire protection areas. The project will conserve 40.51 acres in permanent Open Space. It is also designed with four private parks for use by the project's future residents and public trails, as identified in the Trails Master Plan and the City's General Plan.

The project is requesting approval of a General Plan Amendment (GPA15-005) to amend the project site's designation in the Land Use and Community Design Element from "Specific Plan Area/Residential (89 lots)/OS/P" to "Murai Specific Plan Area/Open Space" and to remove the designation and description in the Park, Recreation and Community Health Element of the General Plan of a public park on the project site; a Specific Plan (SP 15-009) to establish development standards specific to the project site and to guide orderly development; the Tentative Subdivision Map (TSM 15-007) for 89 single-family residential lots, access/private street lots, open space lots, trails, and private park lots; a Grading Variance (GV15-002) to allow manufactured slopes in excess of 20 feet in height without benching within the project area; a Conditional Use Permit (CUP 15-008) to allow for the temporary use of a rock crusher during grading operations; and a Site Development Plan (SDP16-002) to address the design of residential units and plotting of floor plans and elevations within the subdivision.

### **Project Setting**

The 91.65 acre project site is located to the west of the northern terminus of Las Posas Road. The site is bordered on the south and east by single family residential developments, on the north and west by existing rural residential development with undeveloped lands located to the north and northeast of the site. The project site has varied topography, generally sloping from the northern portion of the site to the south, with knolls in the upper section of the site. The site has a relatively flat area that contains Agua Hedionda Creek and two existing artificial ponds. The site contains Diegan Coastal Sage Scrub and also has a variety of other vegetation community types including non-native grasslands, southern cottonwood willow riparian forest, mule fat scrub and wetlands.

The site is encumbered with a total of 14.43 acres of easements, including a San Diego County Water Authority (SDCWA) aqueduct easement that transects the site from north to south. The other easements include an easement to the Vista Irrigation District and easements to the City of San Marcos for utilities, access, drainage, slopes and incidental purposes, Las Posas Road and an existing Fieldstone Rancho Santalina Biological Conservation Area easement.

### **Background**

The project site is currently identified in the General Plan – Land Use and Community Design Element as "Specific Plan Area/Residential (89 lots)/Open Space/Park" and in the Park, Recreation and Community

Health Element as a future public park of 20 acres to be developed with “Playground/tot lot, picnic tables, barbecue facility, trail staging area, fishing, wilderness area, on-site caretaker, concessions, restrooms.” The City-wide Zoning Map identifies the site as a Specific Plan Area.

### **Analysis**

The proposed project has been reviewed in accordance with the City of San Marcos General Plan, Title 17 of the San Marcos Municipal Code (Buildings & Construction), Title 19 of the San Marcos Municipal Code (Subdivision Ordinance), Title 20 of the San Marcos Municipal Code (Zoning Ordinance) and the provisions of California Environmental Quality Act (CEQA). The following is an analysis of each requested entitlement for the proposed project:

### **General Plan Amendment**

Current designations: The General Plan’s Land Use and Community Design Element, specifically Specific Plan Area Map/Figure 2-3, designates the site as “Specific Plan Area/Residential (89 lots)/Open Space/Park”; and Land Use Plan/Figure 2-5 identifies a future public park on the site. The General Plan’s Parks, Recreation & Community Health Element, specifically Parks and Recreational Facilities Map/Figure 5-1, also identifies the site as a future public park site; and Table 5-2 “Parkland, Trails and Recreational Facility Acreage”, details the size of the public park to be 20 acres and identifies the amenities as “Playground/tot lot, picnic tables, barbecue facility, trail staging area, fishing, wilderness area, on-site caretaker, concessions and restrooms.” A 10 foot wide soft surface trail is identified on the site in the Parks, Recreation and Community Health Element as well. Additionally, the General Plan’s Conservation and Open Space Element identifies the project site to provide a wildlife linkage.

Requested Amendment: The requested GPA is to amend the site’s designation on Figure 2-3 to state “Murai Specific Plan Area/Open Space,” remove “Park” designation for the site from Figures 2-5 and 5-1 and remove the description of the future Park/Agua Hedionda Park and its associated amenities from Table 5-2.

The project as proposed is consistent with the GP designations of: 1) Specific Plan: since a Specific Plan is proposed with this GPA request; 2) Residential (89 lots): since the project is proposing an 89 lot single family residential subdivision; 3) Open Space: since the project will be preserving 40.51 acres of open space inclusive of a wildlife linkage and 4) Trails: since the project is designed with a multi-use trail of varying widths including a minimum width of 10 feet of decomposed granite (DG) surface, located within the SDCWA easement, to be used by pedestrians, bicyclists, and equestrian users.

The requested GPA is consistent with the goals, policies, and objectives of the General Plan Land Use & Community Design Element and Parks, Recreation, and Community Health Element in that the removal of the project site’s designation for a future public park in the General Plan will make it consistent with the City’s 2017 Parks Master Plan Update, which does not identify the site to be developed with a public park. The designation of a portion of the site as a future public park and description of the park’s acreage and amenities in the Parks, Recreation and Community Health

Element was based on the City's 1990 Parks Master Plan. The City recently updated its Parks Master Plan to implement General Plan Policy PR-1.2 of the Parks, Recreation, and Community Health Element which calls for the Parks Master Plan update. While the project does not include a public park as is specified in the General Plan, the project is designed with private parks for the use of future residents of this subdivision.

In addition, the existing Parks designation on this site conflicts with the conservation goals of other guiding plans. The 1990 Parks Master Plan and subsequently the General Plan did not consider biological constraints on site when designating a portion of the project site for a potential 20 acre future park. The Multiple Habitat Conservation Plan (MHCP), adopted in 2003, required that 50% of the site be conserved as Open Space, which equates to 38.61 acres of preservation (based on a 77.22 net acre site, after easements are removed). Once this area is set aside, the land area needed for the proposed project, and the existing easements, a 20 acre park becomes infeasible on this site.

The update to the Parks Master Plan reflects demographic and other changes that have taken place in the City since the adoption of 1990 Parks Master Plan, and new trends and community's desires for recreational amenities citywide. The updated Parks Master Plan also reflects new environmental regulations, habitat conservation requirements and water conservation requirements as parks and park amenities are considered. The updated 2017 Parks Master Plan no longer identifies this site to be developed with a public park.

The City residents in this area are served by a Community Park, Walnut Grove Park, located approximately 3 miles northeast of the project site. In addition to the Community Park, there are ten public parks and one pool within 1.5 miles of the project site including Cerro de Las Posas Park. The amendment to site's General Plan designation will not have an impact on the community as there are several parks and city-wide recreational amenities to meet the needs of the community. To mitigate its impacts on Citywide parks system, the project will pay park public facilities fees. The project will be providing trails for public use, as identified in the General Plan and the Trails Master Plan.

The proposed private parks will have some of the amenities described for a public park in the General Plan's Parks, Recreation and Community Health Element such as seating areas, grassy play areas and a tot lot. Additional proposed private park amenities include a horse shoe pit, fenced dog park, and a bocce ball court.

## **Specific Plan**

As required in the General Plan for the orderly development of the site, the project is proposing the Murai Specific Plan (SP) with the following objectives:

- Provide a variety of housing opportunities through a range of sizes, including 3, 4, 5, and 6 bedroom units, as well as a range of affordability to accommodate a full spectrum of family demographics and growing housing needs in the region;

- Create a clustered development to maximize open space preservation within the SP area;
- Establish development standards to regulate the nature and appearance of all construction within the Murai SPA through unification of land form, architectural design, unified landscape theme and recreation areas;
- Design a safe and efficient circulation system that supports the traffic in and around the SPA, including vehicular, bicycle, pedestrian, and equestrian modes of travel;
- Develop an economically feasible project with a financing plan for required community and city-wide infrastructure and public benefits; and
- Implement a maintenance program which will ensure all common areas are maintained to standards set forth in the City's General Plan.

The SP document includes allowed land uses in the area (residential lots, biological conservation areas, private parks, access/ streets, multiuse public trail, non-biological open space such as Fire Protection Areas and current easements), development standards and design guidelines for the residential development, descriptions of the public services and facilities needed for the project, and the financing mechanisms for the provision and maintenance of the facilities. The SP also details how the SP will be implemented and the mechanism for any potential future amendments.

Development Standards: The SP allows a maximum density of 1 unit per acre. Since the project is designed as a clustered development to allow for the preservation of open space, the minimum lot size is 5,000 square feet (sf). The lot sizes range from 5,000 sf to a maximum of 16,627 sf, with an average lot size of 7,252 sf. There are three floor plans included in the SP and each floor plan has three elevation styles.

Proposed architectural styles will be a mix of Santa Barbara, Contemporary Farmhouse, and Contemporary Californian. The SP identifies design guidelines related to roof treatments, exterior color, wall surfaces, architectural detailing, and other building materials. Enhanced architectural treatments will be required on homes that are visible from public roads and public spaces (Lots 1-7, 13, 25, 26, 35, 45, 46, 60, 61, 68, 69 and 80).

The allowed height for residential units is from 27 to 31 feet (based on the type of elevation and floor plan) with a maximum of two stories. The minimum required front yard setback for garages is 20' and 15' for habitable structures. The rear setbacks are 15', 10' is required for corner side yards and 5' for interior side yards. Due to its unique shape, Lot 34 has 10' of rear yard setback and 20' of side yard setback, as depicted on the exhibit in the Specific Plan document.

The landscaping theme provides a cohesive design that ties the architectural style of the homes to the surrounding area and is in keeping with the City's Water Efficient Landscaper Ordinance. Landscape materials are based on appropriateness to scale, performance in the region, drought tolerance, disease and pest resistance, avoidance of invasive species, and suitability of use. A walls and fences plan is also included in the SP to design a comprehensive and uniform fences and walls treatment within the project area. Fences along side property lines are of wood or vinyl material and along rear yards are of tubular steel. At select locations for lots with corner side yards, masonry walls are proposed. For lots located adjacent to Las Posas Road, 7 to 5 feet of noise walls (lots 5 -8) are

proposed along rear property lines with a combination of glass and masonry/split face material. These walls are required to mitigate noise impacts and for additional fire protection. The project is conditioned for all privacy fences to be 6' high and all retaining walls to be earth tone split face for the portions of the wall that are exposed. The project is also conditioned to provide landscaping on all manufactured slopes, including any slopes that have rocky material. Special conditions are placed on the project to confirm that landscaping on these slopes is established and will be maintained in perpetuity.

Circulation Plan: The circulation plan identifies all private access streets to be 40' wide for vehicular access and on-street parallel parking with 5' of sidewalk and 5' of parkways/landscaping on both sides for a total easement width of 60'. This street configuration is consistent with the City's public residential street design. Primary emergency ingress/egress to the project site would be provided via the main project entrance on Las Posas Road. A secondary gated emergency only access road, also taking access from Las Posas Road, is designed with a 20-foot easement. This gated access is not designed as primary vehicular access and is for emergencies only. Additional/tertiary emergency egress will be provided through the SDCWA easement connecting to Avenida Leon for emergency egress for pedestrians and vehicles of residents living at the project site and ingress/egress for emergency vehicles. To prevent access to non-emergency vehicles, gates are proposed along street crossings.

The project would improve multi-use public trail #37, as identified in the General Plan and the Trails Master Plan to provide a 10-foot-wide decomposed granite (DG) surface for pedestrians, bicyclists, and equestrian users with varying widths of 14' to 22' of asphalt or concrete sections to allow for shared use as trail and emergency vehicles. An easement/joint use agreement with SDCWA would be placed over the trail to allow public access. This trail connects the project site to the extensive San Marcos and County trail network.

The trail design deviates from the Trails Master Plan's cross section for multi-use trails in order to allow access to SDCWA for maintenance of their infrastructure. The Trails Master Plan design includes a 10' wide DG surface, an additional 10' wide paved surface for pedestrians, bikers and maintenance road and a 5' wide planting buffer. The trail, as proposed does include at a minimum, 10' wide DG surface, however the paved surface is not included throughout the trail's length. Since the trail is not adjacent to a street and is within the SDCWA easement, a planter buffer is not needed to separate trail users from vehicles. The trail is 10' wide DG surface, north of the proposed Street B. The steep portion of the trail from Avenida Leon to Street A will include a 10-foot-wide DG surface and a 22 to 14 foot wide asphalt/concrete surface. Trail signage will be provided to direct trail users away from SDCWA's service road. The applicant presented the trail alignment and design deviations to the City's Trails Advisory Committee and the Parks & Recreation Commission. The revised trail alignment and widths/design were acceptable to the Trails Committee and the Parks Commission.

An additional 5 foot wide DG public trail is proposed along Street A to connect the multi-use trail to the existing sidewalk on Las Posas Road. The project also includes two additional private trails of 4' to

6' wide to provide for better circulation throughout the project. One of the private trail connects Park B to Street C and the second one is proposed to circle Park C and connect to Street C.

**Public Services and Facilities:** The project includes water, sewer, and storm drain improvements to serve the project. The project will connect with existing Vallecitos Water District (VWD) infrastructure in Las Posas Road for water and sewer service. The project site is within VWD's authorized water service area; however, annexation into VWD's sewer service area will be required to serve the project. This action is subject to VWD Board approval.

The project site is currently within two school district boundaries. The southern portion of the project site is within the San Marcos Unified School District (SMUSD) boundary (41 units) and the northern portion of the project site is within the Vista Unified School District (VUSD) boundary (48 units). The project will generate 34 students within the VUSD boundaries and 23 students within the SMUSD boundaries. The Specific Plan proposes that the project will annex into the SMUSD in order to provide cohesive school district coverage. This annexation is subject to approval by both the School District's Boards. Upon annexation, school services to the Specific Plan area will be provided by the SMUSD. Impacts to SMUSD or VUSD schools will be mitigated by a per square foot fee paid by the developer to the school district/s based on total residential dwelling unit square footage.

The developer will pay its fair share contribution to the City's Community Facilities Districts (CFD) for Fire and Police services. Future homeowners will be assessed annual fees for this district with increases as determined by the City.

All private access streets within the project area and all categories of open space including common area open space, parks, water quality features including stormwater BMPs, and biological conservation areas will be financed and constructed by the developer.

Future maintenance of private streets, landscaped parkways, entry monument, common area slopes, all storm drain systems, sewer and water systems, and management and maintenance of Fire Protection Areas will be the responsibility of the homeowners association (HOA). Conserved open space will be placed in a conservation easement and will be owned and maintained by the HOA, through an approved biological open space land manager.

The City will maintain public trails on site located in the SDCWA easement area and the proposed median landscaping within Las Posas Road. The annexation of the project site into citywide CFD98-02 will result in payments from the future homeowners into this CFD to offset the cost of maintaining landscaping in the median and public trail.

### **Tentative Subdivision Map**

The proposed Tentative Subdivision map would subdivide the project site's 91.65 acres into 89 residential lots, 4 private park lots, 1 private street lot, 4 open space lots, 4 biological conservation lots, 2 water quality lots and 3 private drainage & utility lots. As stated before, the minimum lot size of residential lots is 5,000 square feet, with an average size of 7,226 square feet. The project's density is 1

unit per acre, which is consistent with the proposed Specific Plan and General Plan density. The proposed Tentative Subdivision Map is included as Attachment E.

The proposed Tentative Subdivision Map has been designed to meet the requirements of the City and other service agencies standards. The proposed development also meets the design criteria established in the San Marcos Municipal Code and the proposed Murai SP. The Land Development Division and Public Works Department have reviewed the project for compliance with all applicable design requirements, public street alignments, circulation, right-of-way, and the dedication of appropriate easements. The design of the subdivision addresses the following elements:

**Access:** Primary access to the site will be provided from Las Posas Road. Access to each individual unit within the subdivision will be from the proposed private streets that connect to Las Posas Road. Secondary and tertiary emergency/fire access, and public and private trails are also provided as described earlier.

**Grading:** The project is proposed to be mass graded in one phase. Grading for the project to prepare building pads, parks, water quality lots, roads, and common area landscaping includes 271,080 cubic yards (cy) of cut and fill and will balance on site. No import or export of earthwork materials will be required.

Proposed manufactured slopes on the project site range from 10 to 65 feet. These slopes will be landscaped as depicted on conceptual landscape plans. Approval of a Grading Variance is required for any manufactured slopes over 20 feet. An analysis on Grading Variance is included later in this report.

Due to bedrock underlying the project site, blasting and rock crushing will also be required during project construction. Blasting would be done in accordance with Municipal Code Chapter 17.60.060 (Blasting Operations Procedures). Blasting operations will be limited to Monday through Friday from 9:00 AM to 4:00 PM. A Conditional Use Permit is required for the temporary use of a rock crusher. Analysis of this entitlement is included later in this report.

Staging of all construction equipment and materials will be within the project area. Offsite project work includes median improvements in Las Posas Road near the project's entrance. The project will also resize the water connection at the project entrance from 8 inches to 10 inches to serve the project. All of these improvements will take place within existing disturbed area.

**Traffic:** A traffic report was completed for the project by STC analyzing potential impacts to the roadway network based on project's generated traffic. The intersections and street segments analyzed in the traffic report were coordinated with City staff and are based on the "SANTEC/ ITE Guidelines for Traffic Impact Studies in the San Diego Region." The traffic analysis analyzed 14 intersections and 15 roadway segments.

The proposed project is forecasted to generate 890 daily trips, with 71 AM peak hour trips and 89 PM peak hour trips. When trips from the project are added to current conditions, traffic delay of 6.8 seconds is identified during the AM peak hours and 7.1 seconds during PM peak hours at the Las Posas Road/Camino Del Sol intersection. These delays created a direct impact.

In the “Existing plus Cumulative condition”, traffic from the proposed project would increase delay during the AM and PM peak hours at the same intersection by 9.3 and 14.5 seconds, respectively. Additionally the same intersection is affected in the horizon year 2035 traffic model. The delay for horizon year would increase by 7.6 seconds during the AM and 68.2 seconds during the PM peak hours.

In the horizon year 2035, project traffic would also increase delay at the Las Posas Road/Mission Road intersection by 3.3 seconds during PM peak hours. These delays created an in-direct impact by the project.

Traffic mitigation measures were identified to mitigate for the impacts associated with the project. These measures require the project to interconnect the signals at the intersections of Las Posas Road/Borden Road and Las Posas Road/Avenida Azul and develop the signal coordination timing plans for the segment of Las Posas Road from Mission Road to Borden Road. Interconnecting the two signals would require trenching approximately 0.5 mile of fiber optic cable between the two intersections and installing utility pull boxes every few hundred feet, where appropriate. The project will also contribute its fair share toward the cost of installing a traffic signal at the intersection of Las Posas Road/Camino del Sol. Additionally, the project will contribute its fair share toward the cost of constructing a dedicated right-turn lane on the westbound approach of the intersection of Las Posas Road/Mission Road.

Hydrology: The storm water reports analyze the proposed development with respect to the pre-development condition. The proposed development shall be designed to capture, convey, treat and discharge the storm water runoff prior to discharging to Agua Hedionda Creek within the project limits. The reports indicate that the post-development flows generated from the project will be attenuated by bio-filtration basins resulting in storm water runoff equal to or less than the pre-development flows. The storm water analysis also considered the adjacent approved San Marcos Highlands development project. With or without the development of San Marcos Highlands, the Murai project does not increase the peak flow to Agua Hedionda Creek.

## **Site Development Plan**

The Site Development Plan is for 89 detached single family residential units proposed to be built within the Murai Specific Plan area. The Plan area includes three conceptual floor plans with three elevation styles for each floor plan. Location of plan types and elevations are identified in the project plans and in the Specific Plan document (Attachment E). All plans are two stories and range in height between 27' to 31' based on the elevation style. .

Plan One units are approximately 2,753 sf designed with 3 bedrooms and 2 additional bonus rooms/optional bedrooms. Each Plan One unit includes a 2 car attached garage. Plan Two units are approximately 3,156 sf. Each Plan Two unit is a 3 bedroom unit with a study/4<sup>th</sup> bedroom, and a loft and includes a 3-car attached garage, with one tandem space. Additionally, this plan type offers a Plan Two-X option for a 5<sup>th</sup> bedroom. Plan Three units are approximately 3,263 sf. These units are designed with 4 bedrooms, a loft room and an optional 5<sup>th</sup> bedroom with a 3 car attached garage, where one space is tandem. All plan types will offer an optional spa bath. Plans One and Two are plotted on 30 lots each and Plan Three is plotted on 29 lots.

Elevation styles within the Plan area include Santa Barbara, Contemporary Farmhouse, and Contemporary Californian. Each of the architectural styles will include three different plan types, with three different themes. Each sub-theme will utilize its own specific grouping of materials to help create a different and unique home. While the architectural themes are unique to each plan type, many of the features may be interchangeable.

The Santa Barbara elevations offer a historically-inspired style. This style includes elements from Andalusian and Italian architecture while incorporating modern features into the design. For Contemporary Farmhouse elevations, elements from a traditional farmhouse are combined with cleaner lines and finer textures for an update to the classic style. Contemporary California style is inspired from ranch and farmhouse designs, while incorporating modern materials such as stone veneer, tile roofs with metal trim and stucco for a polished modern look.

A design feature of the project is the provision of alternative electricity production systems which offset greenhouse gases. The project will include photovoltaic solar panels to generate electrical power to meet at a minimum 85% of the project's power demand. At the stage of review of construction drawings, the City staff will review all photovoltaic systems. In accordance with the requirements of the California Uniform Building Code/Title 24, all homes will have low-flow plumbing fixtures (e.g. low-flow toilets, sinks, and showers) and will be pre-wired with a dedicated branch circuit to allow for future installation of electric vehicle charging outlet if a homeowner elects to install one.

**Parks:** The proposed project includes four private parks (Parks A, B, C, and D) totaling two acres. All four parks would be private parks for the exclusive use of future residents of the project area. Parks A, B, and D are passive parks while Park C provides both active and passive opportunities. Passive elements include turf areas, benches and bio-retention areas. Active recreational opportunities include walkways, a bocce ball court, a fenced dog park and a tot lot. Portions of Park B (7,067 sf) and Park D (7,483 sf) will also function as a water quality basin.

**Fuel Modification Areas:** The fuel modification zones are proposed adjacent to all residential structures. These areas are designed to gradually reduce fire intensity and flame lengths from advancing fire by strategically placing thinning zones, restricted vegetation zones, and irrigated zones adjacent to each other on the perimeter of structures adjacent to the wildland/urban interface. Fuel

modification zones (totaling 12.39 acres) count toward the acreage for open space at the project site and are not included within areas that will be subject to a biological conservation easement. A comprehensive Fire Protection Plan (FPP) which details the requirements of the fuel modification zones, was prepared for the project. The complete FPP is included as Appendix L to the EIR. Implementation of the plan would be required as a condition of project approval. The San Marcos Fire Department has reviewed and approved the FPP.

The FPP identifies three zones for management (fuel modification zones) within 150 feet of project structures (Zones A, B, and C) and also requires fuel modification along project roadways. Zone A is 50 foot wide irrigated zone and Zones B and C are two 50 foot wide thinned zones. The brush clearing/fire management zone of 20 feet on either side of private roads is also required and is identified on project plans.

**Public Safety:** The City of San Marcos Fire Department and the San Diego County Sheriff's Department will provide fire and police services to the site. No concerns have been identified by either agency regarding access or the internal configuration of the proposed subdivision. Conditions have been incorporated by the San Marcos Fire Department into the project's conditions of approval to ensure that all services can be provided accordingly. The project has also been conditioned to incorporate Crime Prevention through Environmental Design (CPTED) standards into the home designs. The project site will be annexed into the City wide Community Facilities Districts for police and fire services, CFD98-01 IA #1 and CFD2001-01 respectively.

### **Grading Variance**

Pursuant to San Marcos Municipal Code (SMMC) 17.32.090, a Grading Variance is required for manufactured slopes that exceed 20 feet in height without benching. Exhibit A attached to Resolution PC18-4691 shows the location of these slopes with a maximum of 65 feet. The design of slopes with more than 20 feet in height will minimize the grading footprint of the project, allowing for the preservation of on-site open space as is required by the applicable City plans (City's Draft Subarea Plan of the Multiple Habitat Conservation Program). Currently established residential projects in the vicinity are also developed in compliance with the City's General Plan for density and affording this Variance will provide for similar property rights to the project to develop the site with the allowed density and preserving requisite Open Space. All the slopes will be landscaped in compliance with the conceptual landscape plans and will have minimal visual impact on surrounding properties.

### **Conditional Use Permit**

Due to the bedrock underlying the project site, the applicant is requesting approval of a Conditional Use Permit to operate a temporary rock crusher during grading operations to prepare the project site for the development. The rock crusher will only be allowed to operate between the hours of 9:00 am and 4:00 pm, Monday through Friday. Exhibit A of Resolution PC 18-4692 identifies the proposed location of the rock crusher, which is approximately 900 feet away from the nearest existing single family residence.

The Noise Analysis conducted for the project concludes that in order to achieve the City's exterior allowable noise limit of 60 dBA Leq in residential areas, a single rock crusher needs to be 900 feet from the nearest residence. Exhibit A of Resolution PC 18-4692 shows the noise contours of the rock crushing operation.

Due to potential site constraints, the rock crusher may require relocation during the rock crushing activities to between 500 feet and 900 feet from the nearest residence, according to the project engineer. Noise measurements of the rock crushing facilities is required to be conducted during the first week of operations to ensure compliance with the City's threshold of 60 dBA. If noise levels are found to be above the recommended threshold of 60 dBA at any existing single-family residential use, then mitigation would be required to reduce the sound level to 60 dBA or below at the residential uses. Mitigation measures include, but are not limited to: earthen berms, temporary walls (5/8-inch plywood), 1-inch acoustic blankets, modified crusher orientation, or relocation of the rock crusher. The final mitigation design will be reviewed and approved by the Planning Division Manager concurrent with the issuance of a grading permit.

To help control construction noise, all equipment is required to be fitted with mufflers and all staging and maintenance should be conducted as far away from the existing residences as possible.

### **Environmental Impact Report**

Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR 16-001) (Attachment G) was prepared for the project to assess the project's conformance with CEQA. The City initiated the EIR process by sending out the Notice of Preparation for a 30 days comment period from September 24, 2016 to October 24, 2016 and held a public scoping meeting and workshop on October 5, 2016. A total of twelve (12) letters were received during the comment period. These letters are attached as Appendix B-2 of the EIR. All the comments and areas of concerns raised in the letters were addressed in the Draft EIR. Comments and concerns identified in the letters and expressed at the Public Workshop/Scoping meeting included project design, community character, noise, traffic, biological resources, construction related impacts, greenhouse gas impacts, archeological/cultural/tribal monitoring, floodplain management, schools capacity and Fire and Police capacity among others (A comprehensive list of concerns is included in the EIR – Chapter 1/Summary).

The Draft EIR was then prepared by the City in compliance with CEQA requirements and to address comments and issues raised in the letters received. The Draft EIR was released for public and agencies review and comment from September 26, 2017 to November 10, 2017. The City received twenty-two (22) letters during this comment period. The letters and detailed responses to each comment received are included in the EIR in Section 0.3 (Attachment G).

The Final EIR evaluated potentially significant effects for the following environmental areas of potential concern: 1) Aesthetics/Viewsheds; 2) Air Quality; 3) Biological Resources; 4) Cultural

Resources; 5) Geology/Soils; 6) Greenhouse Gas; 7) Hazards/Hazardous Materials; 8) Hydrology/Water Quality; 9) Land Use; 10) Noise; 11) Population/Housing; 12) Public Services; 13) Recreation; 14) Transportation/Traffic; 15) Tribal Cultural Resources; and 16) Utilities and Service Systems.

Potentially significant environmental effects were identified related to Biological Resources (sensitive species, sensitive habitat, jurisdictional wetlands, wildlife corridors/linkages); Cultural and Tribal Resources (unknown cultural resources during project grading); Greenhouse Gas (emission per service population); Hazards/Hazardous Materials (exposure to wildland fires); Noise (onsite noise levels at select locations and rock crusher noise); Public Services (schools, fire and police services); Recreation (public park space); Transportation/Traffic (impacts to two intersections); Tribal Cultural Resources (unknown tribal cultural resources during project grading), and Utilities and Service Systems (water storage, wastewater treatment and wastewater conveyance). The Final EIR identifies Mitigations for each topic of concern and includes a Mitigation Monitoring and Reporting Program. With the implementation of the MMRP, all the impacts will be below the level of significance. Detailed findings related to each mitigation measure are included in Resolution PC 18-4694. The following is a brief description of some areas of concern (Note that Traffic Analysis is described earlier in this report):

**Biological Resources:** The project site supports several vegetation communities but is dominated with Diegan Coastal Sage Scrub. During the general biological surveys conducted by the project biologist, 33 wildlife species were detected, including 25 bird species. Of these species, one pair of special status species, California gnatcatcher, was also observed during the 2014 biological resources surveys. The Coastal Sage Scrub (CSS) onsite is highly suitable for occupation by gnatcatchers. The Agua Hedionda Creek and surrounding riparian vegetation is identified as a wetland. A preserved Coastal Sage Scrub habitat linkage in the northern portion of the site will connect the site with similar habitat to the property located to the east.

The only wildlife corridor on the project site is the drainage of Agua Hedionda Creek. This corridor allows animal movement from the north and east of the site through properties to the south and west. It averages 150 feet in width. Approximately 500 feet downstream from the west end of the project site the creek is diverted into an underground conveyance. It does not resurface for a mile downstream. Because of the undergrounding, and lack of viable movement connection to other areas, the creek serves only as a minor local corridor in this area. Since the creek will be preserved within a biological conservation area, no significant impacts to wildlife corridor are anticipated. The City's General Plan, Conservation and Open Space Elements also identifies this wildlife corridor on-site.

In addition to the Agua Hedionda Creek wildlife corridor that will be preserved and managed on the project site, there is an existing SDCWA aqueduct easement that serves as a north-south trending habitat linkage and ranges from 200 feet to over 2,600 feet in width through the project site. The 200-foot wide portion extends for approximately 800 linear feet. The SDCWA aqueduct easement connects the project site with preserved areas to the north and northwest, and is appropriately sized because it serves only to provide wildlife access to the Agua Hedionda Creek wildlife corridor, which averages

150 in width and there is limited connectivity south of the project site due to undergrounding of the creek and existing development.

This habitat linkage (identified in the MHCP) runs for many miles through areas of urban disturbed habitat, rural areas and undeveloped lands throughout the County of San Diego and associated cities. Given that the easement is completely developed south of the project and currently supports recreational use on the project site with pedestrian users/trail, it primarily provides a local linkage for urban adapted wildlife in its current condition. As such, it is intended to act as a stepping stone linkage for wildlife to move through challenging areas, attempting to connect one area of open space with another. Although there will be two minor road crossings of the easement/linkage, these will not obstruct wildlife movement because the road crossings will not be fenced and will only have gates to restrict vehicles from driving onto trails.

The project site is also within a Focused Planning Area as defined in the Multiple Habitat Conservation Program (MHCP) and the draft San Marcos Subarea Plan. Both Plans specifically address the Murai project, calling for a fixed conservation rate of 50 percent of the project site as a whole, not by habitat type. This differs from other mitigation in the MHCP which typically identifies a mitigation ratio by habitat type. The MHCP EIR identifies a 43.86 net acres commitment for conservation for the site. This reflects 50 percent of the estimated net acreage of the site but did not consider all of the existing easements on the project site. When the 50 percent is applied to the actual net acreage of the project site (total acreage less existing easements), the required conservation is 38.61 acres (based upon a 77.22 net acreage after easements are removed). The project proposes to place 40.51 acres within a biological conservation area, which represents a 52 percent conservation rate.

Mitigation measures related to Biological Resources include requiring preservation of at least 50 percent of the net site acreage (outside of existing easements)/preservation of coastal sage scrub; pre-construction protocol surveys prior to grading and a biological monitor present during clearing, grubbing, and grading, should nesting gnatcatchers be found during these surveys; buffering and avoidance measures to avoid impacts to gnatcatchers; and preconstruction survey if construction is proposed during the nesting season and if nesting birds are found, a no-work buffer to be placed around the nests to avoid impacts. The long-term preservation and management of this habitat would also provide protected habitat for the gnatcatchers. The preserved area will be placed in a conservation easement and will be managed in perpetuity. The project will be responsible for financial obligation to cover the cost of this management.

Once the future residences are occupied, there is a potential for indirect impacts to sensitive species through the introduction of people and pets into areas where there are known sensitive wildlife species. Measures identified to mitigate these impacts include an indoor cat policy, landscape management requirements, restrictions on the type of landscaping permitted and the requirement of lighting to be directed away from the habitat areas. These requirements would be enforced by the HOA via the CC&Rs for the Project.

The project would impact 0.04 acres of jurisdictional wetlands (0.02 acre permanent and 0.02 acre temporary) due to grading associated with the entrance to the site at Las Posas Road. Mitigation measures require restoration, enhancement and/or creation of wetland habitat and placement of wetland habitat in a biological conservation area either on- or off-site in coordination with the regulatory agencies at a ratio of 3:1 for a total of 0.06 acres or the purchase of credits in a mitigation bank. The temporary impact to 0.02 acre of Southern Cottonwood-Willow Riparian Forest will be mitigated through revegetation within the impacted areas once grading is complete or through purchase of credits in a mitigation bank.

**Greenhouse Gas:** A greenhouse gas report was prepared for the project (Ldn Consulting 2017) and is included as Appendix H of the Draft EIR. The analysis considered short-term construction impacts and long-term operational impacts. The project is required to mitigate its impacts by installation of smart meters on all the units and provision of separate waste containers to allow for simpler material separations. The project also incorporates design features to reduce GHG emissions including the incorporation of photovoltaic solar panels in the project design to meet 85% of the power demand of the project and the use of low-flow plumbing fixtures (e.g., low-flow toilets, low-flow sinks, and low-flow showers) in accordance with the requirements of Title 24. These features will result in less electricity usage and hence will result in reduction in GHG emissions.

**Noise:** The EIR identifies that the project would result in a cumulative noise increase greater than 3 dBA CNEL along Las Posas Road from the project site to Via Artista. The existing plus project noise level along this segment is 63.9 dBA CNEL at a distance of 50 feet from the roadway centerline with no shielding. Additionally, there is a cumulative increase of 4.8 dBA CNEL along Las Posas Road from Via Artista to Avenida Arana.

The existing residences along these segments of Las Posas Road are set back more than 70 feet from the roadway centerline and elevated above the roadway with 5-foot minimum barriers. This combination of increased distance and sound barriers would reduce the roadway noise levels created by the project to below the 60 dBA CNEL threshold, the City's noise standard for residential areas.

To minimize on-site exterior noise levels and to comply with the City of San Marcos noise standards, 5- to 7-foot barriers are required for the new lots adjacent to Las Posas Road. Additionally, a final noise study is required prior to issuance of first building permit for any of the lots located adjacent to Las Posas Road to ensure interior noise levels would meet the City's threshold and significant environmental effects of noise would be reduced to less than significant.

Construction related Noise impacts are discussed earlier in this report in Conditional Use Permit section.

**Project Alternatives:** The EIR considered three alternatives to the proposed project as required by the CEQA statute and guidelines (Section 15126[c]). When a lead agency has determined that, even after

the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. An alternative may be “infeasible” if it fails to achieve the most basic project objectives identified within the EIR. Further, “feasibility” under CEQA encompasses the desirability of the project based on a reasonable balancing of relevant economic, environmental, social, or other considerations.

The Final EIR evaluated a reasonable range of alternatives to the proposed Project. These alternatives are described below:

**No Project/No Development Alternative:** As required by CEQA, a No Project Alternative is considered in the EIR. Under the No Project/No Development Alternative, the Murai Specific Plan would not be implemented and the project site would remain undeveloped. This alternative would not meet any of the project objectives (See summary table below). Since the No Project/No Development Alternative would not develop any homes on the Project site, impacts would be less than with the proposed Project or completely eliminated. There are some benefits of the Project that would not be realized under this alternative, including the additional housing units as identified in the General Plan, implementation of a FPP to reduce and/or manage fire fuel loads, the improvement of public trails and the long-term preservation of 40.51 acres of biological open space in perpetuity within the biological conservation areas consistent with the MHCP requirements. The No Project/No Development Alternative was rejected in favor of the proposed Project, because the No Project/No Development Alternative does not meet any of the Project objectives.

**Existing Land Use Alternative:** Under the Existing Land Use Designation Alternative, the project site would be developed per the current General Plan which identifies the project site as “Specific Plan Area/Residential (89 lots)/Open Space/Park”.

This alternative would meet all of the project objectives (see summary table). However, compared to the proposed project, the Existing Land Use Designation Alternative would result in greater impacts related to construction and operational emissions, including traffic generation, noise, air quality and GHG emissions and an increase in demand for public services and utilities. This is due to the development of a 20-acre park in addition to 89 residential units and the associated impacts that would go with higher development intensity.

Compared to the proposed project, this alternative would have a larger development footprint and would result in a greater level of impact to biological resources overall. Park and recreation impacts would be avoided as this alternative provides for a 20-acre park. It is unlikely that this alternative could meet the 50 percent on-site habitat conservation requirement identified in the MHCP. Compared to the proposed project, this alternative is more impactful overall. This alternative would meet the majority of project objectives but it would not maximize open space preservation within the

project area. Therefore, the No Project/Existing Specific Plan Alternative was rejected in favor of the proposed Project.

**Reduced Project Alternative:** The Reduced Project Alternative was developed to reduce the overall development footprint in order to retain a 400-foot wide linkage along the SDCWA Aqueduct easement. The City's MHCP Draft Subarea Plan identifies a 400-foot wide linkage along the Aqueduct easement as a preferred width. While the analysis for the proposed project determined that a narrower linkage would still function appropriately given the amount of wildlife activity on site, this alternative was still considered. Under this alternative, the project would be revised to remove 21 residential units/lots and two park areas proposed east of the SDCWA Aqueduct easement, resulting in a 24 percent reduction in units (68 units instead of 89 units). Infrastructure improvements including access from Las Posas Road, internal roadways, adequate emergency access, fire clearing, multi-use trail, water quality basins, and utility improvements would still be required.

This alternative would fully meet objectives 2, 3, and 4, and partially meet objectives 1, 5 and 6 (see summary table). This alternative would decrease the number of residential lots from 89 to 68, a 24 percent reduction. This results in a corresponding decrease in operational-related impacts including trip generation, vehicular emissions and vehicular noise, and the need for public services and utilities. Construction related impacts would also be reduced, as construction-related noise, traffic, and air/GHG emissions would be reduced. This alternative would meet the majority of project objectives, however, since this alternative develops a reduced number of units, the project may not be able to meet the financial obligations such as maintenance of Open Space in perpetuity, cost of constructing infrastructure (water, sewer, electricity, water quality basins), construction of public trail, maintenance and management of fire clearing zones, payment of off-site traffic improvements, and construction of access roads inclusive of primary and two fire access roads. Therefore, the Reduced Project Alternative was rejected in favor of the proposed Project.

#### **Summary of Project Objectives and Alternatives**

<b>Objectives</b>	<b>No Project/No Development Alternative</b>	<b>Existing Land Use Designation Alternative</b>	<b>Reduced Project Alternative</b>
	<b>Meets objectives?</b>		
1. Provide a variety of housing opportunities through a range of sizes, including 3, 4, 5, and 6 bedroom units, as well as a range of affordability to accommodate a full spectrum of family demographics and the growing	No / N/A	Yes	Partially

<b>Objectives</b>	<b>No Project/No Development Alternative</b>	<b>Existing Land Use Designation Alternative</b>	<b>Reduced Project Alternative</b>
housing needs in the region.			
2. Create a clustered development to maximize open space preservation within the Specific Plan Area.	No / N/A	Yes	Yes
3. Provide development standards to regulate the nature and appearance of all construction within the Murai Specific Plan Area through unification of land form use, architectural design, unified landscape theme, and recreation areas.	No / N/A	Yes	Yes
4. Design a safe and efficient circulation system that supports the traffic in and around the Plan area, including vehicular, bicycle, pedestrian, and equestrian modes of travel.	No / N/A	Yes	Yes
5. Develop an economically feasible project with a financing plan for required community and city-wide infrastructure and public benefits.	No / N/A	Yes	Partially
6. Implement a maintenance program which will ensure all common areas are maintained to standards set forth in the City's General Plan.	No / N/A	Yes	Partially

#### **Public Comment**

The City send out a Notice of Application to surrounding residential community in March, 2016 and received twelve (12) written comments from the public inquiring about the project specifics, location, timing/review process, impacts on biological resources, traffic, schools, water quality, availability of water, fire hazard and grading violation in 2004. All the letters are attached as Attachment H to this report. The identified concerns and issues were analyzed in the project's EIR as summarized in this report earlier. All impacts, inclusive of the issues identified in the letters/comments are mitigated to the levels that are less than significant. The grading violation that occurred in 2004 is also analyzed in the EIR's Section 3.3-Biological Resources. Since the time of the unauthorized grading, the area has been restored through natural processes and now supports coastal sage scrub with a substantial portion of coyote brush.

As stated earlier, the City also received twelve (12) letters when the Notice of Preparation for the Draft EIR was mailed to public agencies and the surrounding residential neighborhood in October, 2016. These letters are attached as Appendix B-2 of the EIR. All the comments and areas of concerns raised in the letters were addressed in the Draft EIR.

Additionally the City received twenty-two (22) letters when the Draft EIR was released for public comment in November, 2017. The letters and detailed responses to each comment received are included in the EIR in Section 0.3 (Attachment G).

### **Attachment(s)**

Adopting Resolutions:

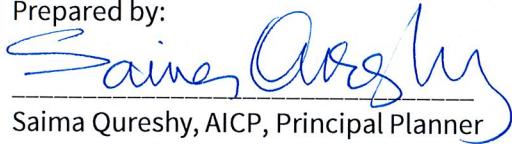
Resolution PC 18-4688 (General Plan Amendment 15-005)  
Resolution PC 18-4689 (Specific Plan 15-009)  
Resolution PC 18-4690 (Tentative Subdivision Map 15-007)  
Resolution PC 18-4691 (Grading Variance 15-002)  
Resolution PC 18-4692 (Conditional Use Permit 15-008)  
Resolution PC 18-4693 (Site Development Plan 16-002)  
Resolution PC 18-4694 (Environmental Impact Report 16-001)

- A- Vicinity Map
- B- Requested Entitlement
- C- Site & Project Characteristics
- D- Reduced Size Project Plans
- E- Proposed Tentative Subdivision Map
- F- Landscape Plans/Architectural Plans/Elevations/Floor Plans
- G- Final Environmental Impact Report (EIR 16-002)
- H- Public Comments

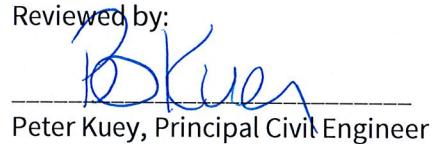


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