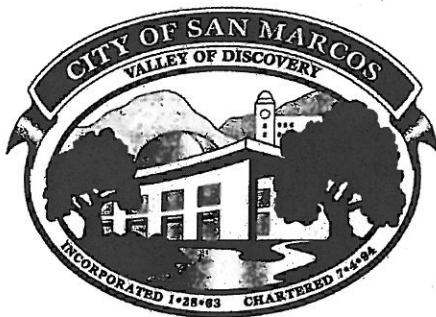


1 Civic Center Drive
San Marcos, CA 92069-2918



Telephone
760.744.1050
FAX: 760.591.4135

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

The City of San Marcos intends to adopt ND 11-808. A Negative Declaration* has been prepared for this project and is available for review at the City of San Marcos, Development Services Department, 1 Civic Center Drive, San Marcos, CA 92069-2949.

CASE NO.: SP 89-18 (10M) / CUP 10-839 / ND 11-808

APPLICANT: JP Morgan Chase (Louis Mitchell)

DESCRIPTION OF THE PROJECT: A request for a Specific Plan Modification and Conditional Use Permit (CUP) to allow the construction of a 4,264 square-foot drive-thru bank on a 0.62 acre lot within an existing commercial center. The development will provide eighteen (18) parking spaces for its employees and visitors through a shared parking agreement with the existing commercial center and on-street parking as allowed per the San Elijo Hills Specific Plan.

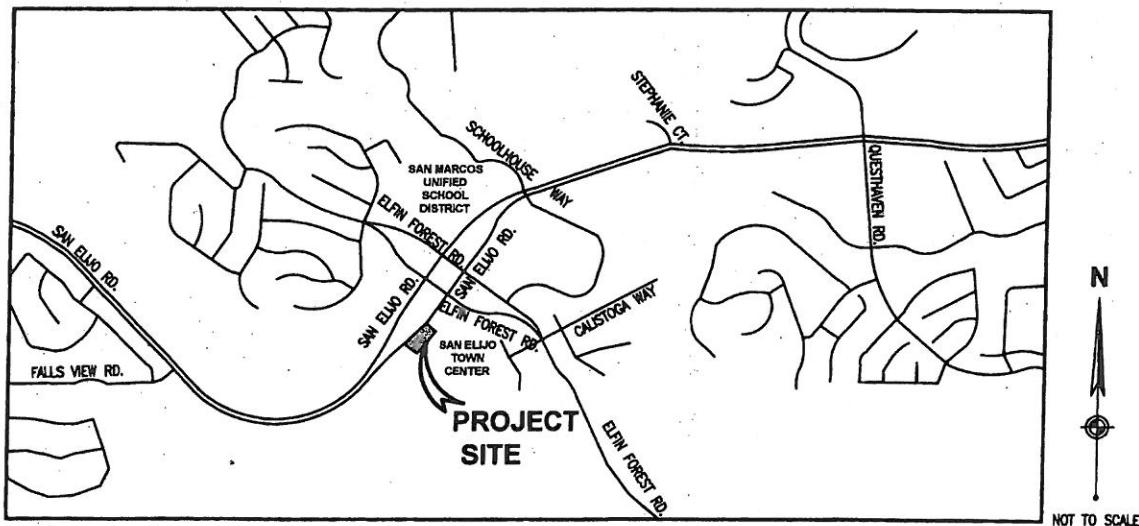
LOCATION: South side of San Elijo Road. Assessor's Parcel Numbers: 223-820-10.

REVIEW PERIOD: April 11, 2011 to May 2, 2011.

The purpose of this notice is to give interested persons an opportunity to be informed of the environmental determination prior to action by the City. If you have questions about this Notice, you may contact Norm Pedersen, Associate Planner, at 760-744-1050, extension 3236 or npedersen@san-marcos.net.

COUNTY CLERK: Please post until May 2, 2011 per Section 21092.3 of the Public Resources Code.

*Negative Declaration means a written statement/analysis briefly describing the reasons why a proposed project will not have a significant effect on the environment.

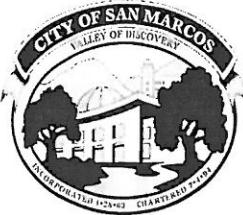


LOCATION MAP

CITY OF SAN MARCOS, CA

AGENDA ITEM

3



CITY OF SAN MARCOS Negative Declaration 11-808

DATE: April 11, 2011
APPLICANT: JP Morgan Chase

- 1. PROJECT CASE NUMBER:** SP 89-18 (10M) & CUP 10-839
- 2. LEAD AGENCY NAME AND ADDRESS:** City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069.
- 3. CONTACT PERSON AND PHONE NUMBER:** Norm Pedersen, Associate Planner, 760-744-1050 x3236.
- 4. PROJECT LOCATION:** South side of San Elijo Road. Assessor's Parcel Number: 223-820-10.
- 5. PROJECT SPONSOR'S NAME AND ADDRESS:** Louis Mitchell, JP Morgan Chase. 24085 El Toro Road, 2nd Floor, Laguna Hills, CA 92653.
- 6. GENERAL PLAN DESIGNATION:** Specific Plan Area, Mixed-Use.
- 7. ZONING:** Specific Plan Area (SPA), San Elijo Hills Specific Plan.
- 8. DESCRIPTION OF PROJECT:** A request for a Specific Plan Modification and Conditional Use Permit (CUP) to allow the construction of a 4,264 square-foot drive-thru bank on a 0.62 acre lot within an existing commercial center. The development will provide eighteen (18) parking spaces for employees and visitors through a shared parking agreement with the existing commercial center and on-street parking as allowed per the San Elijo Hills Specific Plan.
- 9. SURROUNDING LAND USES AND SETTING:** The existing site consists of a previously graded building pad, on its own lot, as part of the Albertsons commercial center. The site is zoned Specific Plan Area (SPA), and located within Planning Area C2 of the San Elijo Hills Specific Plan. The General Plan designates the site as "Specific Plan Area, Mixed-Use". The project site is surrounded by the commercial center to the east and south; multi-family residential to the west, and a gas station to the north across San Elijo Road.
- 10. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g. PERMITS, FINANCING APPROVAL OR PARTICIPATION AGREEMENT):** None.
- 11. MITIGATION MEASURES:**
 - A low wall shall be added to the outside of the drive-thru aisle in order to screen it from view. The wall shall be constructed with the same material as the base of the building with a decorative cap.
 - Graded slopes shall be landscaped with a mixture of trees, shrubs, and ground cover for beautification and erosion control purposes. Landscape plans shall be submitted to the Planning Division for review and approval prior to the issuance of grading permit.
 - The project shall implement a fugitive dust emissions control plan during construction. This plan shall include the watering of the site for dust control; isolating excavated soil until removed from the site; and periodic cleaning of streets to remove accumulated materials.

- The project shall comply with Regional Air Quality Standards.
- An updated report for the 2005 geotechnical investigation shall be submitted to the City Engineer for review and approval, addressing any changes of on-site conditions and said report shall include recommendations for cut and fill slopes and compaction.
- All recommendations and conclusions of the prepared geologic and soils study shall be incorporated into the project design and grading plan. Said report shall be approved by the City's Engineering and Building Divisions.
- A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a grading permit.
- All slopes shall be designed and graded in accordance with the City's Grading Ordinance, particularly with respect to terraces, drainage, access, erosion control and setbacks. A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a building permit.
- The City of San Marcos is located in Seismic Design Category "D". Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.
- Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to the City's standards, codes and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.
- A hydrology report (calculations) shall be prepared for the proposed project. Storm drains and drainage structures shall be sized according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.
- The applicant/developer shall submit for City review and approval for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest Caltrans SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all BMPs to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.
- The applicant/developer shall submit to the City for review and approval, a report that identifies affected receiving water bodies, applicable water-quality objectives (Regional Water Quality Control Board (RWQCB) and San Diego Association of Governments) and pollutants of concern, and estimates post-construction discharge rates (with all BMPs in place) and explains why projected pollutant loads will not cause a violation of the water quality objectives.
- The applicant/developer shall submit a plan, for review and approval by the City, for the long-term maintenance of all post construction BMP's
- All manufactured slopes shall be landscaped and provided with an irrigation system.
- The applicant shall obtain approval of a Conditional Use Permit (CUP) to allow for the proposed drive-thru bank.
- The proposed project shall require modification of the San Elijo Hills Specific Plan in order to allow for a bank drive-thru.
- Construction hours shall be limited in accordance with the Grading Ordinance and Municipal Code.
- The subdivider shall submit separate petitions to annex into and establish with respect to the property, the special taxes levied by the following Community Facilities Districts (CFDs): (a) CFD 98-01, Improvement

Area No. 1, Police, (b) CFD 2001-01, Fire and Paramedic, and (c) CFD 98-02, Lighting and Landscape. No final map, development entitlement or grading permit will be issued without receipt of an executed petition for annexation into each of the above-referenced CFDs and establishment of the special taxes. The subdivider shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.

- The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.
- An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.
- The project is subject to Public Facilities Fees as established by the City of San Marcos Public Facilities Financing Plan Ordinance. The amount of the public facilities fees shall be in accordance with the latest adopted ordinance and resolution. The fees shall be based on the approved land use and shall be paid prior to the issuance of any permit or land use entitlement as determined by the City.
- The applicant/developer shall enter into an agreement with the City regarding financial participation of the project in the planned intra-City shuttle system.
- Obtain "will-serve" letters from all affected public service and utilities agencies prior to issuance of grading permit.
- The proposed new development is subject to approval of the Vallecitos Water District and all applicable fees and charges shall be paid to the satisfaction of the District prior to permit issuance.
- The project shall incorporate site-design and naturalized treatment control Best Management Practices (BMPs) as required by the City Engineer; and shall implement a program, in a form to the satisfaction of the City Engineer, for long-term maintenance of all structural post-construction Best Management Practices (BMPs).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Geology / Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Transportation / Traffic
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Utilities / Service Systems
<input checked="" type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

April 11, 2011

Date

Norm S. Pedersen

Printed Name

INITIAL STUDY ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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I. AESTHETICS -- *Would the project:*

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No significant impacts to the obstruction of any scenic vista, or view open to the public are anticipated as a result of the proposed 23-foot high, single-story drive-thru bank. The site is a previously graded building pad within an existing commercial center. The subject site is not located within a State scenic highway route. The project requires approval of a Conditional Use Permit which will assure the proposal complies with the development standards of the San Elijo Hills Specific Plan, including incorporation of architectural enhancements, textured/colored walls, brick veneer, screened roof equipment from San Elijo Road and the multi-family development to the west, and landscaping to beautify the building site. The existing building pad will be lowered by approximately one (1) foot. Landscaping and a low decorative wall will screen the drive-thru from view from San Elijo Road, and screen potential headlights of cars in the drive-thru from directing light onto San Elijo Road or the multi-family residential development to the west. Parking lot lighting will be shielded downward so as not to spill light onto adjacent properties. Therefore, the proposed project will not have any significant impacts to scenic views, scenic resources, or visual quality.

Mitigation Measures:

- A low wall shall be added to the outside of the drive-thru aisle in order to screen it from view. The wall shall be constructed with the same material as the base of the building with a decorative cap.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES -- *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and*

farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and Forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. - Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The subject site is a previously graded building pad within an existing commercial center. The site is not used for agricultural purposes nor is the area designated as prime, unique, or farmland of statewide importance nor as forest land. Therefore, the proposed project will not impact agricultural resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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III . AIR QUALITY -- *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

- a) Conflict with or obstruct implementation of the applicable air quality plan?

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

No greater impacts to air quality are anticipated as a result of the proposed drive-thru bank. The project will not significantly contribute to the deterioration of ambient air quality. Based upon the trip generation rate established by San Diego Association of Governments (SANDAG), the expected trip generation for the project is estimated to generate approximately 853 Average Daily Trips (ADT). Routine Federal and State laws and regulations concerning emissions created by automobiles will mitigate potential air quality impacts. San Elijo Elementary School and San Elijo Middle School are located within the vicinity of the subject site, and would be considered as sensitive receptors. However, any development activity on the project site will be subject to all Federal and State air quality standards. During construction of the site, the project will implement a fugitive dust emissions control plan. The development of the project will have a negligible impact to the air quality in the area due to vehicle trip generation of the potential drive-thru bank and construction activities.

Mitigation Measures:

- The project shall implement a fugitive dust emissions control plan during construction. This plan shall include the watering of the site for dust control; isolating excavated soil until removed from the site; and periodic cleaning of streets to remove accumulated materials.
- The project shall comply with Regional Air Quality Standards.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The subject site is a previously graded building pad within an existing commercial center. No sensitive habitat exists on site. Therefore, the proposed project will not result in the alteration or diversity of plant or animal species, number of endangered species, or introduce new species of plants or habitat.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES -- *Would the project:*

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic features?

d) Disturb any human remains, including those interred outside of formal cemeteries?

The subject site is a previously graded building pad within an existing commercial center. There are no known previously recorded cultural or historic resources on site. Therefore, the proposed project will not impact cultural resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS -- *Would the project:*

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- ii) Strong seismic ground shaking?
- iii) Seismic-related ground failure, including liquefaction?
- iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The existing vacant site has been previously graded with a level building pad per the previously approved Site Development Plan (SDP 04-287) for the Albertsons commercial center. The building will be built to current seismic construction standards per the California Building Code. Per the previously approved geotechnical investigation by Pacific Soils Engineering, Inc. (dated 2/7/05), there are no existing landslides, faults, or other

natural disturbance on site, and the soil conditions do not allow for liquefaction. Therefore, no significant impacts to earth conditions or geologic substructures, increase soil erosion, or the exposure of people or property to geologic hazards are anticipated as a result of the proposed development.

Mitigation Measure:

- An updated report for the 2005 geotechnical investigation shall be submitted to the City Engineer for review and approval, addressing any changes of on-site conditions and said report shall include recommendations for cut and fill slopes and compaction.
- All recommendations and conclusions of the prepared geologic and soils study shall be incorporated into the project design and grading plan. Said report shall be approved by the City's Engineering and Building Divisions.
- A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a grading permit.
- All slopes shall be designed and graded in accordance with the City's Grading Ordinance, particularly with respect to terraces, drainage, access, erosion control and setbacks. A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a building permit.
- The City of San Marcos is located in Seismic Design Category "D". Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS -- *Would the project:*

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The proposed project will result in the generation of 853 Average Daily Trips (ADT). This ADT will not generate a significant impact to the level of service of the roadways serving the project site. Therefore, the maximum daily and average emissions associated with the project are not anticipated to exceed significance thresholds derived from the San Diego Air Pollution Control District's Air Quality Impact Assessment as set forth in SDAPCD Rule 20.2, and the City of San Diego's thresholds for reactive organic gases (ROG). Emissions from construction are anticipated to be below the significance thresholds and no significant air quality impacts are anticipated from the project. The project does not conflict with any applicable plan or regulation adopted to reduce emission of greenhouse gases. It is not anticipated that the project will have a negative significant impact on greenhouse gas emissions, directly or indirectly.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS -- *Would the project:*

- a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No significant impacts to emergency response plans or exposure to hazardous substances, or risk of explosion are anticipated as a result of the proposed drive-thru bank. Adequate emergency response capability is available. San Marcos Fire Station No. 4 is located within a 2-mile vicinity. The drive-thru bank will be required to be constructed with fire sprinklers, and the site layout provides adequate circulation for emergency vehicles. In addition, the property will be required to be annexed into the City's Community Facilities District,

CFD 2001-01: Fire/Paramedic. The subject property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The site is not located within an airport land use plan, or within the vicinity of a private airstrip. The site is not located within a wildlands area. Therefore, due to the nature of the proposed project, no impacts to these issues are anticipated as a result of the project.

Mitigation Measures:

- An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.
- The subdivider shall submit separate petitions to annex into and establish with respect to the property, the special taxes levied by the following Community Facilities Districts (CFDs): (a) CFD 98-01, Improvement Area No. 1, Police, (b) CFD 2001-01, Fire and Paramedic, and (c) CFD 98-02, Lighting and Landscape. No final map, development entitlement or grading permit will be issued without receipt of an executed petition for annexation into each of the above-referenced CFDs and establishment of the special taxes. The subdivider shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY -- *Would the project:*

- a) Violate any water quality standards or waste discharge requirements?
- b) Have a potentially significant adverse impact on groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses?
- c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site (e.g. downstream)?
- e) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?

- f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?
- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?
- h) Result in increased impervious surfaces and associated increased runoff?
- i) Result in significant alteration of receiving water quality during or following construction?
- j) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).
- k) Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list. If so, can it result in an increase in any pollutant for which the water body is already impaired?
- l) Be tributary to environmentally sensitive areas (e.g. MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions?
- m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters?
- n) Otherwise substantially degrade water quality?
- o) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- p) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- q) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

r) Inundation by seiche, tsunami, or mudflow?



No bodies of water are present on the site, therefore, the project is not expected to result in the alteration of: currents or water movements, temperature or turbidity of water, direction or rate of flow of ground waters, the quantity of water, or the amount of potable water. The site is not located within the 100-year floodplain or in proximity to a body of water of which the proposed project would be subject to flooding. The subject site is a previously graded building pad located within an existing commercial center. The proposed construction of the site will result in a change to the rate and amount of surface water runoff from the site. The project will incorporate Low Impact Design Best Management Practices (BMPs), and BMPs will be implemented during construction of the project. Low Impact Development (LID) BMPs will include roof, hardscape, and parking areas draining to landscaping. Development of the project will require implementation of a Storm Water Pollution Prevention Plan which is consistent with the Standard Urban Runoff Management Plan (RWQCB Order No. R9-2007-000). Therefore, potential project impacts can be reduced to a level less than significant with implementation of mitigation measures.

Mitigation Measures:

- Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to the City's standards, codes and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.
- A hydrology report (calculations) shall be prepared for the proposed project. Storm drains and drainage structures shall be sized according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.
- The applicant/developer shall submit for City review and approval for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest Caltrans SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all BMPs to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.
- The applicant/developer shall submit to the City for review and approval, a report that identifies affected receiving water bodies, applicable water-quality objectives (Regional Water Quality Control Board (RWQCB) and San Diego Association of Governments) and pollutants of concern, and estimates post-construction discharge rates (with all BMPs in place) and explains why projected pollutant loads will not cause a violation of the water quality objectives.
- The applicant/developer shall submit a plan, for review and approval by the City, for the long-term maintenance of all post construction BMP's.
- All manufactured slopes shall be landscaped and provided with an irrigation system.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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X. LAND USE AND PLANNING -- *Would the project:*

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The proposed drive-thru bank will be located on a previously graded building pad on the south side of San Elijo Road within the Albertsons commercial center. The site is zoned Specific Plan Area (SPA), and located within Planning Area C2 of the San Elijo Hills Specific Plan. The General Plan designates the site as "Specific Plan Area, Mixed-Use". The project site is surrounded by the commercial center to the east and south; multi-family residential to the west, and a gas station to the north across San Elijo Road. The project proposes a drive-thru facility which is not a permitted land use in Planning Area C2 per the San Elijo Hills Specific Plan. Therefore, the proposed use would be considered a significant land use impact. As a result, the project proposes a modification of the San Elijo Hills Specific Plan to allow for a drive-thru bank or financial institution with approval of a Major Conditional Use Permit (CUP). Approval of a Specific Plan modification and Conditional Use Permit will deem the proposed project in compliance with the Specific Plan; therefore, reducing the land use impact to less than significant.

The new drive-thru bank will provide adequate setbacks and separation from surrounding properties; and landscaping will comply with the San Elijo Road corridor design theme. The project proposes eighteen (18) parking spaces to provide parking for customers and employees through a shared parking agreement with the existing commercial center and on-street parking as allowed per the collective parking standards of the San Elijo Hills Specific Plan. The project proposes a 23-foot height for the 1-story bank building which complies with the development standards, including enhanced architectural treatment, of the San Elijo Hills Specific Plan. The existing building pad will be lowered by approximately one (1) foot. Landscaping and a low decorative wall will screen the drive-thru from view from San Elijo Road, and screen potential headlights of cars in the drive-thru from directing light onto San Elijo Road or the multi-family residential development to the west. Parking lot lighting will be shielded downward so as not to spill light onto adjacent properties. Roof equipment will be screened from view from San Elijo Road and the adjacent multi-family development to the west.

Mitigation Measures:

- The applicant shall obtain approval of a Conditional Use Permit (CUP) to allow for the proposed drive-thru bank.
- The proposed project shall require modification of the San Elijo Hills Specific Plan in order to allow for a bank drive-thru.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES -- *Would the project:*

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The subject site is a previously graded building pad within an existing commercial center. Therefore, the proposed project will not impact mineral resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XII. NOISE -- *Would the project result in:*

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No significant impacts regarding increases in existing noise levels or the exposure of people to severe noise levels are anticipated as a result of the proposed project. It is expected that there will be an incremental impact upon the ambient noise level of the area with the proposed drive-thru bank. However, the noise generated by the proposed project is expected to generate no more noise than is usually associated with typical neighboring commercial uses, and no greater than anticipated noise levels for commercial uses per the San Elijo Hills Specific Plan and General Plan. The proposed use is compatible with the adjacent retail uses of the commercial center, and the multi-family complex to the west which is more than eight-five (85) feet away. Any severe noise during the site preparation and construction will be mitigated to a level of insignificance with routine implementation of the Grading Ordinance and Municipal Code which limit the hours of construction.

Mitigation Measures:

- Construction hours shall be limited in accordance with the Grading Ordinance and Municipal Code.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING -- *Would the project:*

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Due to the nature of the proposed project, no significant impacts to population and housing are anticipated or will result in terms of the proposed drive-thru bank. The proposal is located within the San Elijo Hills Specific Plan Area, and build out of the remaining commercial lot within the Albertsons commercial center is anticipated by the Specific Plan. Therefore, the proposed project will not induce substantial population growth in the area. The vacant building pad was previously approved under Site Development Plan (SDP 04-287) for future development of a commercial building per the Specific Plan; therefore, the proposed project will not displace or relocate residents.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES --

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to

maintain acceptable service ratios, response times or other performance objective for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No significant impacts to fire protection, police, schools, parks, maintenance of public facilities, or other governmental facilities are anticipated as a result of the proposed project. Adequate emergency response capability is available. San Marcos Fire Station No. 4 is located within an 2-mile vicinity. The drive-thru bank will be required to be constructed with fire sprinklers in compliance with the California Building Code; and the site layout provides adequate circulation for emergency vehicles. The property will be required to be annexed into the Police/Fire and Lighting/Landscaping Community Facilities Districts. In addition, the proposal will be subject to school impact fees.

Mitigation Measures:

- The subdivider shall submit separate petitions to annex into and establish with respect to the property, the special taxes levied by the following Community Facilities Districts (CFDs): (a) CFD 98-01, Improvement Area No. 1, Police, (b) CFD 2001-01, Fire and Paramedic, and (c) CFD 98-02, Lighting and Landscape. No final map, development entitlement or grading permit will be issued without receipt of an executed petition for annexation into each of the above-referenced CFDs and establishment of the special taxes. The subdivider shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.
- The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.
- An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact

XV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No significant impacts to recreation are anticipated as a result of the proposed drive-thru bank. Development of the proposed project will require payment of Public Facilities Fees which include park impact fees. The project will not affect the quality or quantity of recreational opportunities.

Mitigation Measures:

- The project is subject to Public Facilities Fees as established by the City of San Marcos Public Facilities Financing Plan Ordinance. The amount of the public facilities fees shall be in accordance with the latest adopted ordinance and resolution. The fees shall be based on the approved land use and shall be paid prior to the issuance of any permit or land use entitlement as determined by the City.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The project proposes to construct a 4,264 square-foot drive-thru bank. Based upon the trip generation rate established by San Diego Association of Governments (SANDAG), this project will generate 853 Average Daily Trips (200 trips per 1,000 square feet). The Albertsons commercial center was previously approved under Site Development Plan (SDP 04-287) which allowed for a 8,660 square-foot retail building on the subject building pad. Using the trip generation rate of 120 trips per 1,000 square feet for a neighborhood commercial center, the previous 8,660 square-foot building was estimated to generate 1,039 ADT. Therefore, the proposed drive-thru bank is estimated to generate a lower ADT than the previously approved building. The project will contribute toward City-wide traffic resulting in potential cumulative impacts to State Route (SR-78) which currently operates at below-satisfactorily Levels of Service. In order to mitigate for SR-78 cumulative impacts, the proposed project shall financially participate in a planned intra-City shuttle system which will assist in the reduction of City-wide traffic congestion and impacts to SR-78. The project will have access through the Albertsons commercial center via two (2) driveway entries off of San Elijo Road and one (1) from Elfin Forest Road. The project complies with the parking requirement by proposing eighteen (18) parking spaces using a rate of 4.3 spaces per 1,000 square feet of commercial area which complies with the San Elijo Hills Specific Plan. Parking will be provided in the commercial center through a shared parking agreement, and on-street parking as allowed per the collective parking standards of the San Elijo Hills Specific Plan. In addition, the site layout provides adequate drive-thru circulation for customers, including directional signage to the drive-thru, and access for emergency vehicles. No significant impacts or the generation of substantial additional vehicular movement, effects on existing parking facilities, or demand for new parking, substantial impacts upon existing transportation systems, alterations of present patterns of circulation or movement of people and/or goods, alterations to waterborne, rail or air traffic, or increase in traffic hazards are anticipated as a result of the proposed project.

Mitigation Measures:

- The applicant/developer shall enter into an agreement with the City regarding financial participation of the project in the planned intra-City shuttle system.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

The subject site is located within the boundaries of the Vallecitos Water District (VWD). The applicant will be required to comply with all requirements of Vallecitos Water District (VWD) for the provision of water and sewer services to the subject site. Per the City's implementation of the Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP) storm water discharge procedures, the proposed project will incorporate site-design and naturalized treatment control Best Management Practices (BMPs) for all drainage before entering the City's storm drain system per the approval of the City Engineer. The proposed project will result in no greater impacts to utilities and service systems than otherwise anticipated by the implementation of the General Plan.

Mitigation Measures:

- Obtain "will-serve" letters from all affected public service and utilities agencies prior to issuance of grading permit.
- The proposed new development is subject to approval of the Vallecitos Water District and all applicable fees and charges shall be paid to the satisfaction of the District prior to permit issuance.
- The project shall incorporate site-design and naturalized treatment control Best Management Practices (BMPs) as required by the City Engineer; and shall implement a program, in a form to the satisfaction of the City Engineer, for long-term maintenance of all structural post-construction Best Management Practices (BMPs).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The proposed drive-thru bank lacks the potential to degrade the quality of the environment, since the proposed project will locate within a previously approved commercial center, and not known to contain any significant biological resources, and therefore will not result in the alteration or diversity of plant or animal species, number of endangered species, or introduce new species of plants or habitat.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

The proposed project does not have impacts that are “individually limited, but cumulatively considerable” since this project proposes a drive-thru bank which is allowed per the General Plan, except that the proposal will contribute toward City-wide traffic resulting in potential cumulative impacts to State Route (SR-78) which currently operates at below-satisfactorily Levels of Service. Although the Negative Declaration analysis does identify less than significant impacts that could result from the project, any such impact will be mitigated to below a level of significance thereby insuring that impacts are not cumulatively considerable, including the proposed project shall financially participate in a planned intra-City shuttle system which will assist in the reduction of City-wide traffic congestion and impacts to SR-78.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The project will be mitigated and conditioned to ensure that impact areas of concern such as geology & soils, land use & planning and hydrology & water quality are fully mitigated to below a level of significance and will not cause a substantial adverse effects on human beings, either directly or indirectly.

In staff's opinion, no significant issues remain unmitigated through compliance with mitigation measures, compliance with code requirements, and the recommended conditions of approval for the proposed project for the drive-thru bank.

**MITIGATION MONITORING PROGRAM
FOR NEGATIVE DECLARATION 11-808**

MITIGATION MEASURES	MONITORING ACTIVITY/TIMING	RESPONSIBILITY
The applicant shall obtain approval of a Conditional Use Permit (CUP) to allow for the proposed drive-thru bank.	Processing concurrently	Developer
The proposed project shall require modification of the San Elijo Hills Specific Plan in order to allow for a bank drive-thru.	Processing concurrently	Developer
Graded slopes shall be landscaped with a mixture of trees, shrubs, and ground cover for beautification and erosion control purposes. Landscape plans shall be submitted to the Planning Division for review and approval prior to the issuance of grading permit.	Prior to issuance of grading permits	Developer
An updated report for the 2005 geotechnical investigation shall be submitted to the City Engineer for review and approval, addressing any changes of on-site conditions and said report shall include recommendations for cut and fill slopes and compaction.	Prior to issuance of grading permits	Developer
All recommendations and conclusions of the prepared geologic and soils study shall be incorporated into the project design and grading plan. Said report shall be approved by the City's Engineering and Building Divisions.	Prior to issuance of grading permits	Developer
A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a grading permit.	Prior to issuance of grading permits	Developer
All slopes shall be designed and graded in accordance with the City's Grading Ordinance, particularly with respect to terraces, drainage, access, erosion control and setbacks. A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a building permit.	Prior to issuance of grading permits	Developer
Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to the City's standards, codes and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.	Prior to issuance of grading permits	Developer
A hydrology report (calculations) shall be prepared for the proposed project. Storm drains and drainage structures shall be sized according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the buildout runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.	Prior to issuance of grading permits	Developer
The applicant/developer shall submit for City review and approval for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest Caltrans SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all BMPs to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.	Prior to issuance of grading permits	Developer
The applicant/developer shall submit to the City for review and approval, a report that identifies affected receiving water bodies, applicable water-quality objectives (Regional Water Quality Control Board (RWQCB) and San Diego Association of Governments) and pollutants of concern, and estimates post-construction discharge rates (with all BMPs in place) and explains why projected pollutant loads will not cause a violation of the water quality objectives.	Prior to issuance of grading permits	Developer
The applicant/developer shall submit a plan, for review and approval by the City, for the long-term maintenance of all post construction BMP's.	Prior to issuance of grading permits	Developer

MITIGATION MEASURES	MONITORING ACTIVITY/TIMING	RESPONSIBILITY
The project shall incorporate site-design and naturalized treatment control Best Management Practices (BMPs) as required by the City Engineer; and shall implement a program, in a form to the satisfaction of the City Engineer, for long-term maintenance of all structural post-construction Best Management Practices (BMPs).	Prior to issuance of grading permits	Developer
The subdivider shall submit separate petitions to annex into and establish with respect to the property, the special taxes levied by the following Community Facilities Districts (CFDs): (a) CFD 98-01, Improvement Area No. 1, Police, (b) CFD 2001-01, Fire and Paramedic, and (c) CFD 98-02, Lighting and Landscape. No final map, development entitlement or grading permit will be issued without receipt of an executed petition for annexation into each of the above-referenced CFDs and establishment of the special taxes. The subdivider shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.	Prior to issuance of grading permits	Developer
The applicant/developer shall enter into an agreement with the City regarding financial participation of the project in the planned intra-City shuttle system.	Prior to issuance of grading permits	Developer
The proposed new development is subject to approval of the Vallecitos Water District and all applicable fees and charges shall be paid to the satisfaction of the District prior to permit issuance.	Prior to issuance of grading permits	Developer
Obtain "will-serve" letters from all affected public service and utilities agencies prior to issuance of grading permit.	Prior to issuance of grading permits	Developer
A low wall shall be added to the outside of the drive-thru aisle in order to screen it from view. The wall shall be constructed with the same material as the base of the building with a decorative cap.	Prior to issuance of building permits	Developer
The City of San Marcos is located in Seismic Design Category "D". Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.	Prior to issuance of building permits	Developer
The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.	Prior to issuance of building permits	Developer
An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.	Prior to issuance of building permits	Developer
The project is subject to Public Facilities Fees as established by the City of San Marcos Public Facilities Financing Plan Ordinance. The amount of the public facilities fees shall be in accordance with the latest adopted ordinance and resolution. The fees shall be based on the approved land use and shall be paid prior to the issuance of any permit or land use entitlement as determined by the City.	Prior to issuance of building permits	Developer
The project shall implement a fugitive dust emissions control plan during construction. This plan shall include the watering of the site for dust control; isolating excavated soil until removed from the site; and periodic cleaning of streets to remove accumulated materials.	During construction	Developer
The project shall comply with Regional Air Quality Standards.	During construction	Developer
Construction hours shall be limited in accordance with the Grading Ordinance and Municipal Code.	During construction	Developer

Vicinity Map



