

PLANNING COMMISSION

ADDITIONAL ITEM ADDED AFTER
DISTRIBUTION OF PACKET

Agenda # 2

Email / Letters Received in Planning
Commissioner's Email Inbox :

1. Mary Clarke, 1/15/12
2. Sandra Farrell, 1/16/12
3. Sandra Farrell, 1/16/12

Date 1/17/12

Time 11:00 am.

Kiss, Lisa

From: ClarkeMH@aol.com
Sent: Sunday, January 15, 2012 5:15 PM
To: planning.comm@sanmarcos.net
Cc: slfarrell@cox.net; dandd2@peoplepc.com; Janet_Stuckrath@fws.gov
Subject: Comments on the Draft Program EIR for the San Marcos General Plan Update
Attachments: San Marcos, comment ltr, DPEIR, January 2012.doc

To: City of San Marcos Planning Commissioners
From: Mary H. Clarke, Co-Chair, North County MSCP/MHCP Task Force, Sierra Club, San Diego Chapter
Subject: Comments on the Draft Program EIR for the San Marcos General Plan Update
Date: January 15, 2012

Dear Planning Commissioners:

I understand that you will be considering the General Plan Update on January 17, 2012. I am concerned that you may not have seen the comment letters that were sent to the City regarding the Draft Program EIR (DPEIR) and the General Plan, since the due date for the comment letters was on January 5, 2012, just 10 days ago. I don't know how the staff would have had time to review the comment letters that were sent on January 5, as mine was, and to write responses to the comments, in time for the Planning Commission to consider the Final Program EIR, comments and responses to comments. Therefore, I am attaching my comment letter of Jan. 5 to this e-mail, for your information.

As Co-Chair of the North County MSCP/MHCP Task Force of the Sierra Club, San Diego Chapter, I am very concerned about conservation planning in the City of San Marcos. The City is a participant in the Multiple Habitat Conservation Program (MHCP), which is the effort by the seven North County cities to establish a preserve for endangered, threatened, and other sensitive species and their habitats. The purpose of the MHCP is to designate lands that should be conserved for environmental reasons (the Preserve) and lands that can be developed.

The City of San Marcos prepared a Draft MHCP subarea plan, which was included in the Final EIS/EIR for the MHCP, published in March 2003 and adopted by SANDAG, along with the Final MHCP Plan.

The next step in the MHCP Process was for San Marcos to prepare a subarea plan that would specify how the City would conserve the lands intended for the MHCP Preserve. To date, this subarea plan has not been prepared, and we do not know when the City intends to complete it.

I have recently reviewed the General Plan Update for the City of Vista. That plan includes a Biological Resources Overlay feature which is very helpful in determining where the biologically valuable lands that need to be protected are located. The City of San Marcos needs to develop a similar feature that will identify the biologically valuable lands, and then the City needs to complete its MHCP subarea plan as soon as possible.

In my attached comment letter, I also reference the Agua Hedionda Watershed Management Plan (AHWMP), which was completed two or three years ago. That planning effort involved the City of Vista, as sponsor, and representatives from governmental organizations, including the City of San Marcos, environmental organizations, such as the Sierra Club, private citizens, and other interested parties. The AHWMP is a valuable tool in conservation planning, and I urge the City of San Marcos to make a commitment to implement this plan, as the City of Vista did in its General Plan Update.

In the attached comment letter, I identify other areas of concern regarding conservation planning in San Marcos. Issues include the Gnatcatcher Core area in the southern part of San Marcos; the wildlife corridors along Agua Hedionda Creek in the northwestern corner of San Marcos and along San Marcos Creek; vernal pool areas; and the need for the City of San Marcos to identify linkages from its proposed conserved areas to areas in neighboring jurisdictions that are conserved or planned for conservation. This would include linkages between San Marcos and the County of San Diego's Multiple Species Conservation Program, which is being developed.

I hope the Planning Commissioners will have time to read the attached letter and consider the weaknesses of the General Plan Update with regard to conservation. There are tools available, such as the Agua Hedionda Watershed Management Plan, that will help the City do a better job of planning for conservation of its remaining valuable environmental resources.

Respectfully submitted,

Mary H. Clarke

Mary H. Clarke
168 Elise Way
Oceanside, CA 92057
January 5, 2012

Mr. Garth Koller, c/o Lisa Kiss
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

RE: Comments on Draft Program EIR for San Marcos General Plan Update

Dear Mr. Koller:

I am writing on behalf of the North County MHCP/MSCP Task Force of the Conservation Committee of the Sierra Club, San Diego Chapter. We have been involved in the preparation of the MHCP since the early 1990s, and we continue to follow the progress of the development of the subarea plans for the North County MHCP cities. Our interest in San Marcos' General Plan update is that it include, at a minimum, a commitment to complete the subarea plan and to provide protection for the remaining biologically valuable habitat in the City of San Marcos.

I have recently reviewed the General Plan Update for the City of Vista. That plan includes a Biological Resources Overlay feature which is very helpful in determining where the biologically valuable lands that need to be protected are located. How can the City of San Marcos clearly identify the biologically valuable lands in the City that need to be protected?

The City of Vista's General Plan Update also includes a commitment to implement the Agua Hedionda Watershed Management Plan (AHWMP), which the City of Vista adopted two or three years ago. The Agua Hedionda Watershed, which begins in the County of San Diego, north of San Marcos, runs through the northwestern part of the City of San Marcos on its way to the coast. The City of San Marcos participated in the development of the AHWMP; therefore, the AHWMP should be a part of the SM GPU. Is it mentioned in the SM GPU? If so, please provide a reference to the page and/or section. If not, please explain why not, since the Agua Hedionda Watershed is a major watershed in San Marcos.

We would like to see a commitment by the City of San Marcos in its General Plan Update to complete its MHCP subarea plan (SM SAP), protect its remaining valuable biological resources, and implement the AHWMP.

Following are comments/questions specifically related to the Biological Resources section of the SM GPU:

p. 3.4.1:

The Draft Program EIR (DPEIR) references "remaining native habitat" being primarily limited to around P Mountain and the largely undeveloped northern portion of the Sphere of Influence (SOI) and habitats along the Twin Oaks Valley wetland corridor and along San Marcos Creek.

Please explain the situation with the natural habitats in what is called the Gnatcatcher Core Area in the MHCP. (This is the area in the southern part of San Marcos, along San Elijo Road. This is shown as the Southern Focused Planning Area, Figure 2.3-5, in the Final EIS/EIR for the MHCP, Vol. I, March 2003.)

Also, there are significant natural habitats remaining in the areas at the southeastern corner of San Marcos, south of Cal State - San Marcos and west of the City limits. Please explain in detail why these areas of habitat are not mentioned in this section.

p. 3.4-7:

Vernal Pools. The vernal pool areas identified in the DPEIR are different from the vernal pool areas shown on the City of San Marcos Focused Planning Area map for the SM SAP. The vernal pool areas in the SAP include the ones between S. Pacific St. and Las Posas Road, plus 3 additional locations: (1) at the northeast corner of Grand and Pacific; (2) just south of Mission Road and east of Las Posas; and (3) the area adjacent to Fry's. (The latter has been restored and protected.) These areas are shown in Fig. 3.4-1 of the DPEIR in a sort of greenish-cream color, which I cannot find on the legend for that Figure. What does that color represent? Why are the locations identified as (1) and (2), above, not identified as vernal pool areas in the DPEIR?

p. 3.4-9, first paragraph:

What is the meaning of the following sentence? (There seems to be a misprint at the end of the sentence.)

"Although this information provides current information for a program-level description of existing conditions for jurisdictional waters, wetlands, and riparian habitat, the maps and figures provided in this document should not planning area."

Figure 3.4-4:

Why does this figure not show the wildlife corridor along Agua Hedionda Creek? Wildlife corridors typically run along waterways.

Also, it appears that the top of the ridgeline from the P Mountain northward is indicated as a wildlife corridor. This seems an unlikely wildlife corridor, as wildlife typically move along riparian corridors and other protected areas. What evidence is there that this is a wildlife corridor?

Finally, the wildlife corridor along San Marcos Creek should be linked between Mission Road and the southwest side of Hwy 78. Although there are some barriers to wildlife movement in this reach of San Marcos Creek, the City should consider how this wildlife corridor could be made complete and functional. No further barriers to wildlife movement along the creek should be allowed. Please note that the draft San Marcos MHCP Subarea Plan map shows the creek to the northeast and southwest of Hwy 78 as 100% conserved.

p. 3.4-26, paragraph 2:

Please explain why the previously designated MHCP "Gnatcatcher Core Area" has been deemed as "not a viable option." When and why did this happen? Who deemed it "not a viable option"?

CONCLUSION

Our Task Force is very concerned about region-wide conservation planning. The MHCP and North County MSCP are two major efforts to plan for conservation while designating areas that are appropriate for development. The County's North County MSCP, which is in the development stage, includes conservation planning for the area north of San Marcos, in the San Marcos Sphere of Influence. Completion of the City's MHCP subarea plan should show how the City intends to link its conserved areas to the County's MSCP. Linkages from San Marcos to conserved lands or lands planned for conservation in jurisdictions adjacent to San Marcos need to be identified and set forth in the General Plan and the MHCP subarea plan.

Thank you for the opportunity to comment on the DPEIR. Please contact me if you have any questions or concerns.

Sincerely,

Mary H. Clarke
Co-Chair, North County MSCP/MHCP Task Force, Sierra Club, San Diego Chapter..

Kiss, Lisa

From: slfarrell [slfarrell@cox.net]
Sent: Monday, January 16, 2012 4:05 PM
To: Planning Commission
Cc: ClarkeMH@aol.com
Subject: Comments to San Marcos General Plan and DEIR for hearing
Attachments: PO 20-23 and old spa slope constraints copy.pdf

City of San Marcos Planning Commissioners
 San Marcos General Plan and DEIR
 January 16, 2012

RE: PO 20-23 and Old SPAs
 planning.comm@san-marcos.net

Dear Honorable Commissioners,

I Applaud the goals and policies of the new General Plan and feel it is a great improvement on the old plan. Staff and Consultants have worked very hard and should be commended for their efforts. However, I have concerns about two areas in the General Plan. The first is a property owner request made through this General Plan process. The second is an old SPA that has been problematic in the past and should be reviewed for a change in density.

PO 20-23 (Formerly the Murai property)

PO 20-23 formally known as the Murai property that is at the northern portion of Santa Fe Hills and abuts rural County lands. The developer is requesting and SPA allowing him to get the yield of 89 dwelling units for the property. Due to several factors, including environmental issues, steep slopes, and community Character I believe the 89 du for the project site is unrealistic.

1. **Community Character:** Adjacent to the project site are rural residential lands in the unincorporated areas. Under the County's new General Plan they have a current density of the SR-1 (1du / acre -slope dependant) and the SR-10 (1 du per 10 acres slope dependant). Although the property owner request of 89 dwelling units on 89 acres would seem compatible I feel the end result will be very different from the adjacent rural properties. The DEIR failed to evaluate the impact the San Marcos General Plan would have County residents. In the sprit of being a "good neighbor" I ask San Marcos to evaluate the impacts on County residents.
2. **Biological Constraints known to the property owner prior to purchase:** Prior to the purchase of this property by the current owner, issues connected with this site, known as the "Murai Property" were disclosed in the **"Murai Property, Biological Due Diligence Assessment, March 3, 2003" prepared by Helix Environmental**. They identified the biological constraints.
3. In addition, also known and reiterated in the in the August 9th response to the NOP the **Wildlife Agencies**, due to the presence of a creek, a pond and the site being part of the Biological Core and Linkage Area for the MHCP, they could only support development of 25% of the property, the north/western portion. Therefore the property owner will need to **shoehorn 89 dwelling units on aprox. 22 acres along with allowing for the Vista Irrigation District easement which runs through the northern portion of the property, the County Water Authority Easement which runs through the middle of the property, and internal project needs such as roads, sidewalks, and utility easements needed to serve the project site**. The community is concerned these will be very, very, very tiny lots and completely different from the adjacent communities to the north.
4. **This land is the highly constrained.** Not only because of habitat easements but also because of steep slopes. The portion of the site the Wildlife Agencies would support for development is mostly comprised of slopes greater than 25%. This area contains two canyon areas that serve as drainage from the lands along

Esplendido Ave, north of the site. Water from the hillsides flows through this property and into Agua Hedionda Creek.

I believe Alternative “A” with a target density of a maximum number of 40 du should be used for the site so that it reflects what is more likely achievable given the nature of the property and honors the open space and the environmental resources unique to the site that the public would likely want protected.

Old SPA- San Marcos Highlands

The DEIR adopts new planning logic that acknowledges the importance of open space, water quality and watershed preservation, conservation, and quality of life for the residents of San Marcos. In keeping with the spirit of this new General Plan it should also look at older SPAs that were developed under the old planning logic and may no longer be appropriate under the new General Plan. This was not been done in the DIER.

The San Marcos SPA is one SPA that needs review. The original density of 300 du.is on highly constrained, environmentally sensitive property that was in conflict with the adjacent rural community character has in the past created significant conflict. A map that failed to get an extension in 2006 had been strongly opposed by US Fish & Wildlife Service, Dept. of Fish & Game, County DPLU, The Environmental Protection Agency, Twin Oaks Community Sponsor Group, Elfin Forest Town Council, Sierra Club, and residents from Santa Fe Hills and nearby County residents. **Much effort by Staff, the developer and the City of San Marcos was spent to defend a bad project.** The record is lengthy and I am willing to provide the Planning Commission with the public record in digital format.

In the new General Plan, I respectfully ask this Planning Commission to review each site, look at the record and the constraints of the site and come up with a land use that is appropriate and provides benefit to both the developer/property owner and the community as a whole. **Please do not support SPAs with unrealistic densities**—even if they are listed as “just a maximum”. I know as a businessman the developer will push for the maximum yield on the property and I don’t believe that is realistic.

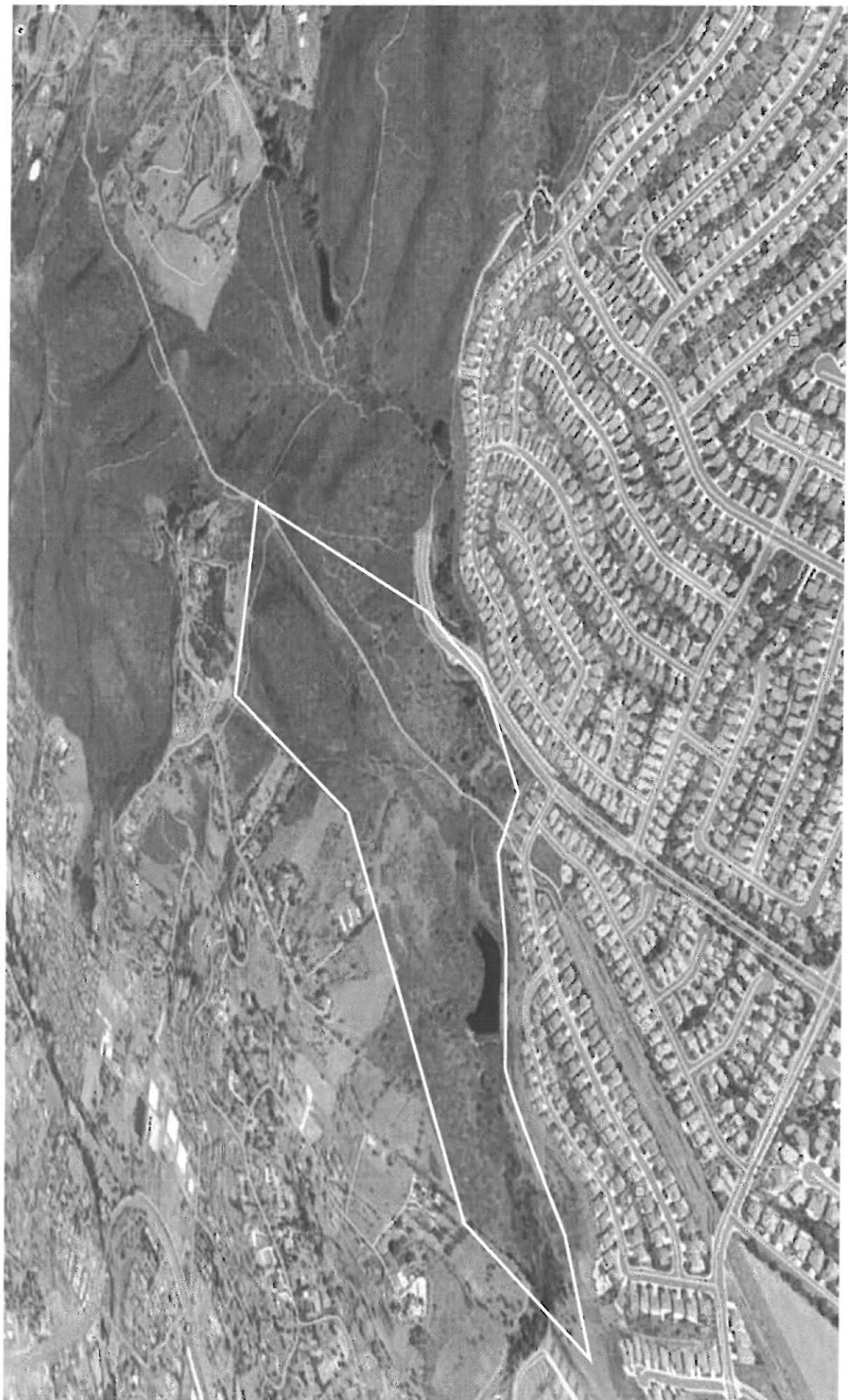
I am also requesting that the DEIR not be rushed through but be carefully reviewed and impacts to the adjacent residential communities adjacent to the City be considered.

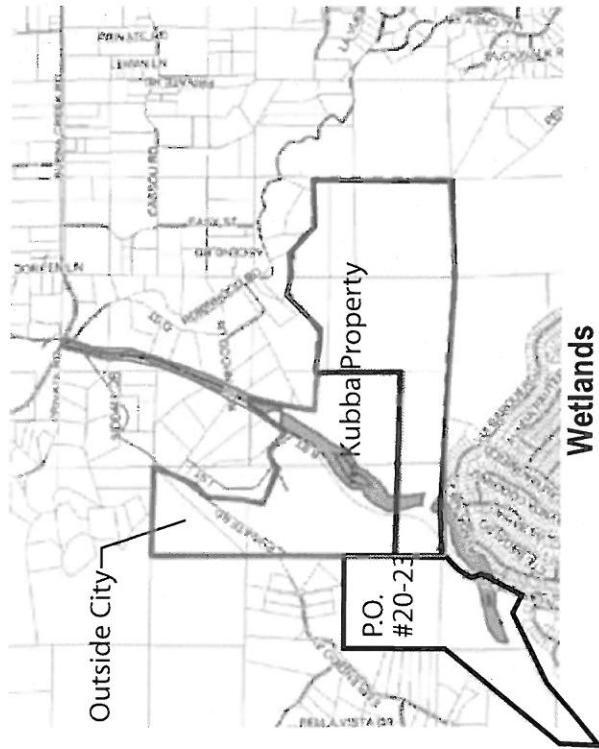
Finally, **grading steep slopes resulting in exposed bedrock hillsides** that cannot be vegetated, create a safety hazard due to falling rock, and require chain link—which is an eyesore—to keep the rock in place. This can be seen in several places in San Marcos and I ask that a policy be added that addresses this problem. Please do not support grading that exposes so much rock. **Honor the topography of San Marcos.**

Thank you very much for your attention in this matter. Please contact me at 760-415-3349 if you have any questions. Please refer to the attached graphic and response to the NOP from the Wildlife Agencies as you deliberate on this request. Also, please go out and closely look at these sites so you can fully understand the unique properties of each site.

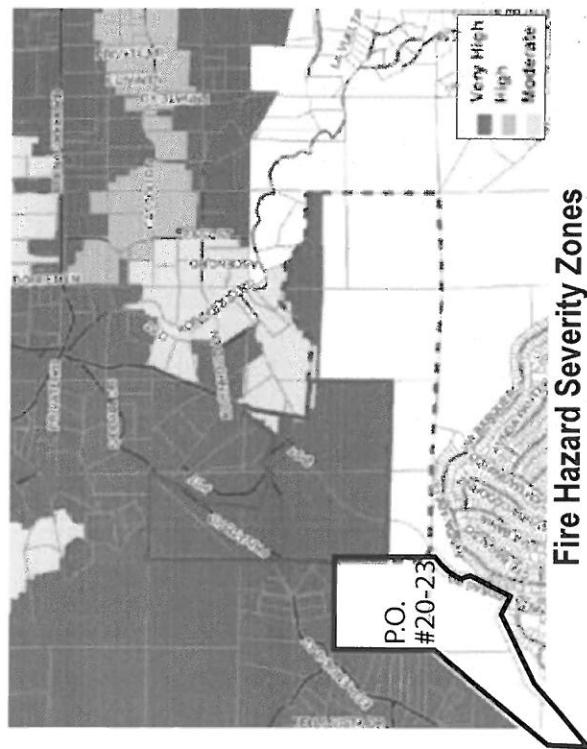
Sincerely,

Sandra Farrell
1900 Esplendido Ave, Vista CA 92084

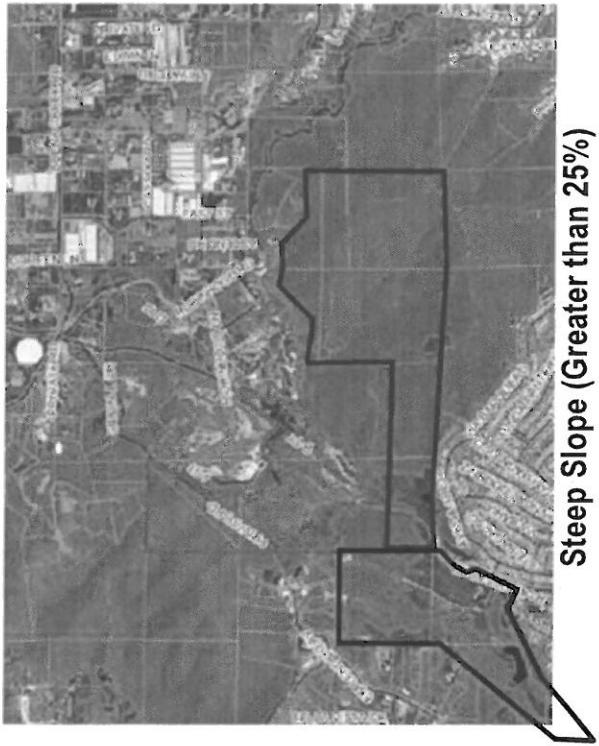




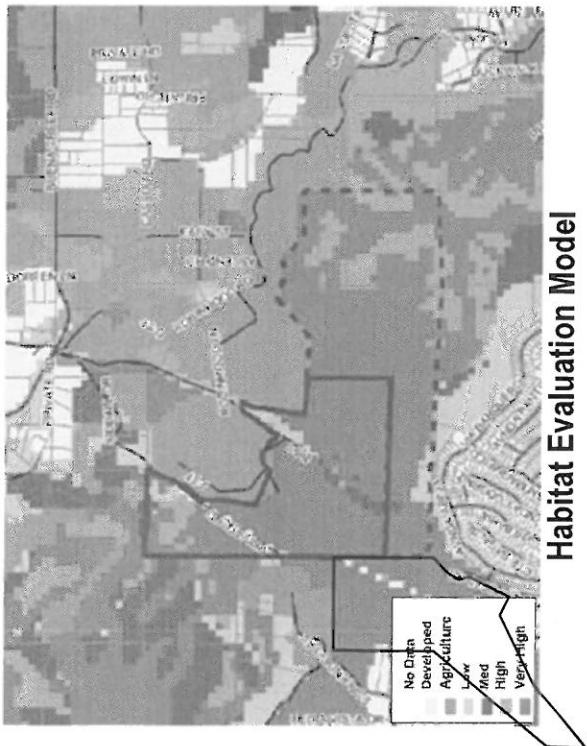
Wetlands



Fire Hazard Severity Zones

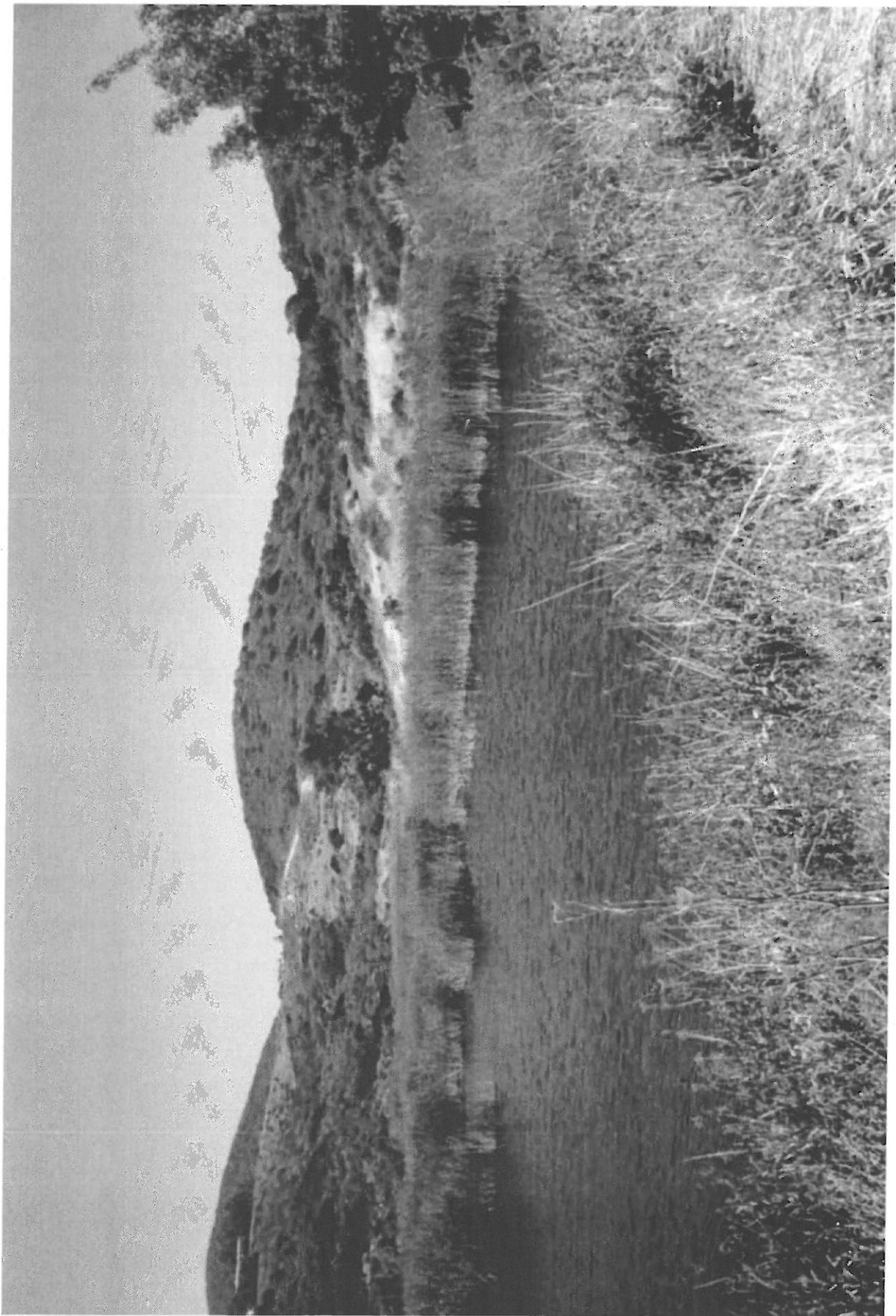


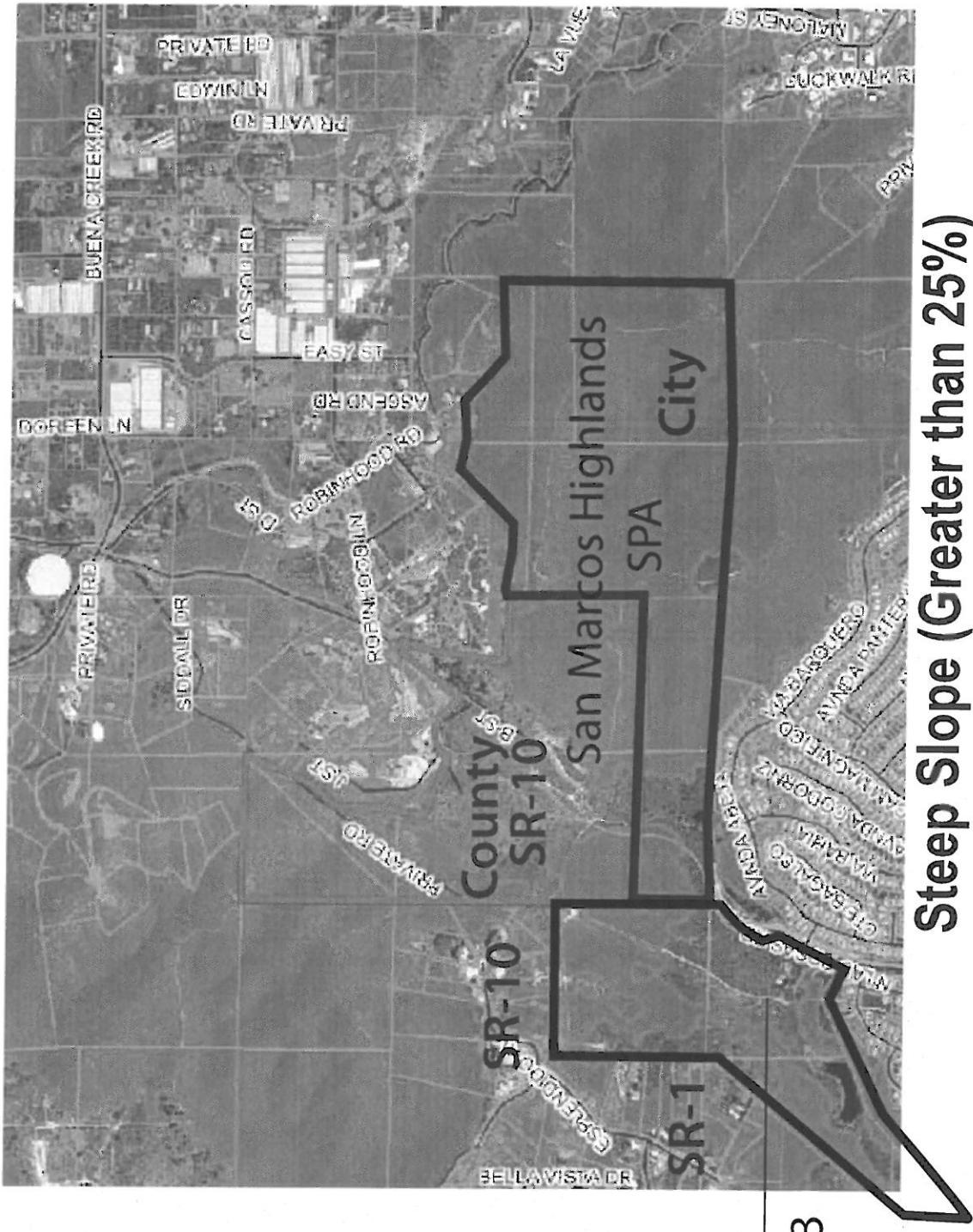
Steep Slope (Greater than 25%)



Habitat Evaluation Model

The above information was supplied by San Diego County DPLU and does not show fire hazard severity on
PO #20-23





P.O.
#20-23

Steep Slope (Greater than 25%)

PO #20-23 Is a highly constrained property. The property own's request of 89 dwelling units on 89 acres is excessive in light of the known issues such as steep slopes, VID easement, County Water Authority Easement and the Wildlife Agencies position

3.

Kiss, Lisa

From: slfarrell [slfarrell@cox.net]
Sent: Monday, January 16, 2012 5:57 PM
To: Planning Commission
Cc: ClarkeMH@aol.com
Subject: Fw: Planning Commission Agenda - General Plan
Attachments: PC Agenda 010912 011212 011712.pdf

Dear Commissioners,

One last comment I would like to add regarding the process. Please ask Staff to send out hearing notifications a couple of days before the day of the hearing. As you can see the notifications are going out the afternoon of the day of the hearing. Those of us who work don't have time to get home, check email to even find out about the hearing, and make arrangements to attend. I know you want to involve the public in this process and a little more notification would help.

Thank you very much.

Sandra Farrell

----- Original Message -----

From: Masnica, Debra
To: 'slfarrell@cox.net'
Sent: Monday, January 09, 2012 1:48 PM
Subject: Planning Commission Agenda - General Plan

FYI.

Debra Masnica
Engineering/Planning
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069
760.744.1050, Ext. 3267 or 3232