

RESOLUTION PC 12-4309

A RESOLUTION OF THE CITY OF SAN MARCOS
PLANNING COMMISSION RECOMMENDING TO THE
CITY COUNCIL THE REPEAL OF TITLE 20 IN ITS
ENTIRITY AND REPLACEMENT WITH NEW TITLE 20

TA 12-63
City of San Marcos

WHEREAS, the City of San Marcos (City) adopted a comprehensive update of the General Plan in February of 2012, to guide the future of the City by describing guiding themes, goals and policies regulating land use and community design; mobility; conservation and open space; parks, recreation and community health; safety; and noise; and

WHEREAS, the Zoning Ordinance is a citywide implementation tool to regulate the General Plan designated land uses through zoning regulation; and

WHEREAS, the City Council appointed a General Plan Advisory Committee to provide guidance and recommendations on key issues relating to the Zoning Ordinance; and

WHEREAS, the Zoning Ordinance is a citywide regulating document that is consistent with the General Plan implementing Zones to regulate the built form and use of all property in the City to protect the health, safety and welfare of the residents of the City of San Marcos; and

WHEREAS, the Zoning Ordinance is an internally consistent statement of the official zoning policy for the City of San Marcos; and

WHEREAS, the project has been reviewed in accordance with the California Environmental Quality Act (CEQA) and has been found to be a subsequent activity under the General Plan Program FEIR adopted on February 1, 2012 consistent with the required finding of CEQA Guidelines section 15168(c)(2) that no new environmental documentation or review is required; and

WHEREAS, the Public DRAFT Zoning Ordinance was circulated to the public for their review and comment in two rounds from July 18, 2012 to July 31, 2012 and then released for public review on August 9, 2012; and

WHEREAS, written comments and oral testimony were received on the Stakeholder Draft and Public Screencheck Draft review periods, including those given at the Public Workshop before the Planning Commission; and

AGENDA ITEM
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WHEREAS, on July 23, 2012, the Planning Commission held a public workshop on the Zoning Ordinance Update and took public testimony, and

WHEREAS, on August 23, 2012 the Planning Commission held a duly noticed public hearing on the Zoning Ordinance, and has considered all written and oral reports of staff and public testimony on the matter, and such other modifications as are reflected in the record of this matter; and

NOW, THEREFORE, the Planning Commission resolves as follows:

1. The foregoing recitals are true and correct.
2. The Public Draft Zoning Ordinance in the form recommended for City Council approval by the Planning Commission is consistent with the requirements of the California Government Code section 65850 regarding ordinances regulating zoning, and ensures and maintains internal consistency with all the objective, policies, general land uses, programs and actions of all elements of the General Plan.
3. The Public Draft Zoning Ordinance is a subsequent activity under the General Plan Program FEIR adopted on February 1, 2012 in compliance with the provisions of the California Environmental Quality Act (CEQA).

A Program Environmental Impact Report has been prepared for the General Plan that provides a description of potential environmental impacts of the proposed General Plan implementation and recommends mitigation measure to reduce impacts to less than significant level, where feasible. The Program EIR specifically lists the approval of Zoning Ordinance Update as a subsequent project under the Program EIR. An Initial Study was prepared for the Zoning Ordinance update and adoption of the Zoning Map.

4. The proposed Zoning Ordinance would not be detrimental to the public convenience, health, safety, or general welfare of the City.

The Zoning Ordinance will promote the health, safety and welfare of the City through transparent regulation of the built environment consistent with the listed goals and policies of the General Plan.

5. The final Zoning Ordinance recommended for City Council approval by the Planning Commission includes all errata revisions identified in Attachment D to the Public Draft Zoning Ordinance Staff Report dated August 23, 2012.
6. The Zoning Map is consistent with and implements the newly adopted General Plan.

BE IT THEREFORE FURTHER RESOLVED that, based on the written information provided, the public comments received, on the staff report regarding the matter, and on the findings stated above, the Planning Commission hereby recommends that the City Council take the following action:

1. Repeal Title 20 in its entirety and adopt a new Title 20 (City of San Marcos Zoning Ordinance [Exhibit "A"]) and amended Zoning Map as presented to the Planning Commission at the hearing on August 23, 2012 and referenced as Exhibit A, and including the incorporation of changes noted in the Errata Revisions, which is attached hereto and incorporate herein as Exhibit D.
2. Adopt the City of San Marcos Zoning Map amendment as presented to the Planning Commission at the hearing on August 23, 2012.

The City of San Marcos Zoning Ordinance as amended in accordance with attachments A-D, is hereby recommended to the City Council for approval.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 23th day of August, 2012, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

Dean Nelson, Chairman
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS CITY PLANNING COMMISSION

RESOLUTION PC 12-4310

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL THE REZONING OF VARIOUS PROPERTIES CITYWIDE AND THE AMENDMENT OF THE ZONING MAP TO BE CONSISTENT WITH THE ADOPTED GENERAL PLAN

R 12-147
City of San Marcos

WHEREAS, the City of San Marcos (City) adopted a comprehensive update of the General Plan in February of 2012, to guide the future of the City by describing guiding themes, goals and policies regulating land use and community design; mobility; conservation and open space; parks, recreation and community health; safety; and noise; and

WHEREAS, the Zoning Ordinance is a citywide implementation tool to regulate the General Plan designated land uses through zoning regulation; and

WHEREAS, the City Council appointed a General Plan Advisory Committee to provide guidance and recommendations on key issues relating to the Zoning Ordinance; and

WHEREAS, the Zoning Ordinance is a citywide regulating document that is consistent with the General Plan implementing Zones to regulate the built form and use of all property in the City to protect the health, safety and welfare of the residents of the City of San Marcos; and

WHEREAS, the Zoning Ordinance is an internally consistent statement of the official zoning policy for the City of San Marcos; and

WHEREAS, the project has been reviewed in accordance with the California Environmental Quality Act (CEQA) and has been found to be a subsequent activity under the General Plan Program FEIR adopted on February 1, 2012 consistent with the required finding of CEQA Guidelines section 15168(c)(2) that no new environmental documentation or review is required; and

WHEREAS, the Public DRAFT Zoning Ordinance was circulated to the public for their review and comment in two rounds from July 18, 2012 to July 31, 2012 and then released for public review on August 9, 2012; and

WHEREAS, written comments and oral testimony were received on the Stakeholder Draft and Public Screencheck Draft review periods, including those given at the Public Workshop before the Planning Commission; and

AGENDA ITEM
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WHEREAS, on July 23, 2012, the Planning Commission held a public workshop on the Zoning Ordinance Update and took public testimony, and

WHEREAS, on August 23, 2012 the Planning Commission held a duly noticed public hearing on the Zoning Ordinance and Zoning Map Amendment, and has considered all written and oral reports of staff and public testimony on the matter, and such other modifications as are reflected in the record of this matter; and

NOW, THEREFORE, the Planning Commission resolves as follows:

1. The foregoing recitals are true and correct.
2. The Draft Public Zoning Ordinance in the form recommended for City Council approval by the Planning Commission is consistent with the requirements of the California Government Code section 65850 regarding ordinances regulating zoning, and ensures and maintains internal consistency with all the objective, policies, general land uses, programs and actions of all elements of the General Plan.
3. The Draft Zoning Map and zoning designations are consistent with and implements the newly adopted General Plan.
4. The revised amendment to the Zoning Map is necessary and in the public interest to guide and establish the changing market and land use patterns; to set forth development policies, proposals, and population densities citywide in compliance with the adopted General Plan.
5. Public Draft Zoning Ordinance is a subsequent activity under the General Plan Program FEIR adopted on February 1, 2012 in compliance with the provisions of the California Environmental Quality Act (CEQA).

A Program Environmental Impact Report has been prepared for the General Plan that provides a description of potential environmental impacts of the proposed General Plan implementation and recommends mitigation measure to reduce impacts to less than significant level, where feasible. The Program EIR specifically lists the approval of Zoning Ordinance Update as a subsequent project under the Program EIR. An Initial Study was prepared for the Zoning Ordinance update and adoption of the Zoning Map.

6. The proposed Zoning Ordinance and amended Zoning Map will not be detrimental to the public convenience, health, safety, or general welfare of the City.

The Zoning Ordinance will promote the health, safety and welfare of the City through transparent regulation of the built environment consistent with the listed goals and policies of the General Plan.

7. The final Zoning Ordinance recommended for City Council approval by the Planning Commission includes all errata revisions identified in Attachment D to the Public Draft Zoning Ordinance Staff Report dated August 23, 2012.

BE IT THEREFORE FURTHER RESOLVED that, based on the written information provided, on the public comments received, on the staff report regarding the matter, and on the findings stated above, the Planning Commission hereby recommends that the City Council take the following action:

1. Adopt the City of San Marcos Zoning Map as presented to the Planning Commission at the hearing on August 23, 2012 and referenced as Exhibit A.

The City of San Marcos Zoning Map is hereby recommended to the City Council for approval.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 23th day of August, 2012, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

Dean Nelson, Chairman
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS CITY PLANNING COMMISSION