



ATTACHMENT H
Initial Study-Zoning Ordinance Update

AGENDA ITEM NO. 2



Initial Study 2012 Public Draft Zoning Code Update

DATE: August 16, 2012
APPLICANT: City of San Marcos

1. PROJECT CASE NUMBER(S) / TITLE: Text Amendment 12-63, Rezone 12-147, 2012 Public Draft Zoning Ordinance Update
2. LEAD AGENCY NAME AND ADDRESS: City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069.
3. CONTACT PERSON AND PHONE NUMBER: Karen Brindley, Principal Planner, 760-744-1050 ext.3220
4. PROJECT LOCATION: City-wide
5. PROJECT SPONSOR'S NAME AND ADDRESS: City of San Marcos, 1 Civic Center Drive
6. GENERAL PLAN DESIGNATION: Multiple
7. ZONING: Multiple
8. BACKGROUND:

The City of San Marcos is located in the central portion of northern San Diego County (North County), approximately 40 miles north of downtown San Diego (Exhibit 1, Project Location Map). The City limits, i.e., Project Area, is shown in white on Exhibit 1 (per the General Plan FEIR) is bound by the cities of Vista and Carlsbad to the west, by the City of Escondido to the east; and by unincorporated areas within the County of San Diego to the north and south. Regional access to the City is provided by State Route 78 (SR-78). SR-78 is situated in an east-west orientation, and links Interstate 5 with Interstate 15 that provide north-south regional access. Access to the City is also provided by the North County Transit District (NCTD) Sprinter, the commuter light rail system connecting San Marcos to neighboring jurisdictions. San Marcos has not public airport but is located approximately 2.5 miles west of the McClellan-Palomar Airport located west of the City within the City of Carlsbad.

San Marcos is characterized by steep ridgelines of local mountains which form Twin Oaks Valley, the San Marcos Creek and watershed, and the foothills of San Marcos Creek. Twin Oaks Valley has historically been an agricultural area capitalizing on the unnamed tributary of San Marcos Creek that runs through the area; however, in recent decades agricultural lands have been converting to low density residential development. The majority of San Marcos Creek is urbanized, running between Discovery Street and San Marcos Boulevard and continuing in a north eastern direction east of Twin Oaks Valley. This portion of San Marcos Creek is adjacent to the existing and planned "urban core" of the community. Foothills along the southern boundary of San Marcos Creek include Double Peak and Frank's Peak which are over 1,600 feet above mean sea level. These foothills support a natural vegetation community and protected habitat and species. This natural setting supports unique habitats like vernal pools, sensitive plant and wildlife species and agricultural areas.

Elevations in the City range from approximately 1,715 feet above mean sea level (amsl) at Mt. Whitney on the south to about 325 feet on the southwest where San Marcos Creek crosses the City boundary. Development is present throughout the planning area, occupying the lower elevations in the San Marcos Creek valley and Twin Oaks valley areas, and the hillside areas surrounding these valleys. Underlying formations are young and older alluvium in the lowest areas, sedimentary and crystalline rocks in the intermediate elevation hills, and metavolcanic/crystalline rocks in the higher hills and mountains.

In Fall 2009, the City of San Marcos initiated a collaborative program to complete a comprehensive update of its General Plan and Zoning Ordinance by appointing the General Plan Advisory Committee (GPAC). The GPAC held 24 public meetings which included public input, Staff and consultant collaboration. During the GPAC and General Plan update process, several zoning-related topics were publicly addressed including non-conforming structures, need for a transitional zone, and land use decisions regarding focus areas that impact the Zoning Map. Through this process the City focused their efforts on updating the General Plan first, to guide the direction of the subsequent Zoning Ordinance updated. The General Plan and FEIR ("GPA FEIR") was adopted by resolution by the City Council on February 14, 2012. The public release of the Public Draft Zoning Ordinance represents the completion of the comprehensive updated process started in 2009.

9. DESCRIPTION OF PROJECT:

The City of San Marcos Zoning Ordinance (Title 20 of the San Marcos Municipal Code) serves as the primary implementation tool of the General Plan. Whereas the General Plan is a policy document and sets forth direction for development decisions, the Zoning Ordinance is a regulatory document that establishes specific standards for the use and development of all properties in the City. The Ordinance regulates development intensity using a variety of methods, such as setting limits on building setbacks, yard landscaping standards, and building heights. The Zoning Ordinance also indicates which land uses are permitted in the various zones. The City is divided into Zoning Districts, which are illustrated on the "Official Zoning Map."

The City of San Marcos Public Draft Zoning Ordinance has been redesigned to be a more user-friendly document. The intent of the redesign is to create a document that is:

- Well organized (common sense of grouping of sections with intuitive titles)
- Easy to understand (common language instead of legalese)
- Simple to interpret including development standards and land uses
- Avoids repetition by consolidating standard in one location
- Conveys regulations with graphics where appropriate

This approach reorganized the Public Draft Zoning Ordinance into six Articles that enable simple navigation to standards and regulations. The six articles are as follows.

- Article 1 - General Zoning Provisions
- Article 2 - Zones
- Article 3 - General Development Standards
- Article 4 - Specific Use Standards
- Article 5 - Zoning Administration
- Article 6 - Definitions

The Public DRAFT Zoning Ordinance update represents a complete overhaul of the application, regulation, and administration of the Zoning Ordinance to reflect the goals of the General Plan. Redundancies, inconsistencies, and legalese language have been eliminated to make the reading, understanding, application and enforcement of the Ordinance simpler. In general, regulation of Zones and land uses was updated to reflect the living and business climate of San Marcos. The updated Zoning Ordinance is easier to use and administer, includes new and condensed zones, but does not represent a large change in the amount of regulation. The following is a brief summary of key policy changes incorporated into the Public DRAFT Zoning Ordinance update:

Land Use Consolidation and Permissions

Land use categories have generally been reevaluated, expanded and adjusted to represent current land uses. Previously, the Zoning Ordinance regulated the permit permissions for each individual land use. The updated Zoning Ordinance generally consolidates these individual types into broader land use categories for simplified regulation. The following table shows an example of consolidating all the general retail land uses into a single land use category; other land uses were similarly condensed. All land use categories are defined, including all incorporated land use types, in Chapter 20.600 Definitions.

Old Land Use Categories (Individually permitted and regulated)	New Land Use Category
<ul style="list-style-type: none"> • Apparel and other finished products; • Chemicals and related products • Fabricated metal products; • Lumber and wood products; • Paper and related products; 	Manufacturing and Assembly (5 land uses condensed into 1 land use; see page 20.230-5 for land use permissions in Industrial Zones; see page 20.600-28 for definition)
<ul style="list-style-type: none"> • Artists' / craft supplies • Bicycle shops • Books / stationary • Cameras and photographic supply stores • Candy shop • Clothing and accessories • Collectibles (cards, coins, comics, stamps) excludes second-hand and pawn • Department stores • Dry goods • Fabrics and sewing supplies • Pharmacy • Florist and house plants (indoor sales only) • Hardware 	Merchandise Sales, New Retail (26 land uses condensed into 1 land use; see page 20.220-5 for land use permission in the Commercial Zones; see page 20.600-30 for definition)

<ul style="list-style-type: none"> • Hobby materials • Jewelry • Luggage and leather goods • Musical instruments, parts and accessories • Newsstands • Orthopedic supplies • Paint sales • Small wares • Specialty shops • Sporting goods and equipment • Toys and games • Variety stores • Movie rental and sales (does not include cinemas) 	
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Land use categories and the design and order of land use tables is consistent through the individual Zone chapters to promote consistency and ease of use. All land uses categories identified in the land use tables are also identified in the Off-Street Parking and Loading chapter to promote straightforward administration of the Zoning Ordinance.

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Additionally, land use permissions and permit type requirements for all the land uses were reevaluated to ensure consistency with current conditions, streamline the application/approval process, and reflect the intent of the General Plan. Most significantly, land uses that previously required a Minor Conditional Use Permit (generally) now require a Director's Permit (DP); DPs are addressed further in section 5 of this discussion.

Emergency Shelters and Transitional Housing have been added to the Zoning Ordinance as land use categories for compliance with California state law. Emergency shelters will be allowed by right in the Industrial (I) Zone. Transitional housing will be regulated per State law in the multifamily zones.

In the Screencheck Zoning Ordinance, staff recommended prohibiting tattoo/body piercing establishments citywide, which modified the current standard of regulating tattoo establishments in the Commercial zone with a Major Conditional Use Permit and location restrictions in proximity to other land uses, such as churches, residential zones, etc. However, based on public input about the recommendation to prohibit tattoo establishments, staff has consulted with the City Attorney and has revised the recommendation. Based on input from the City Attorney, the City can regulate tattoo and/or body art facilities but cannot prohibit this type of business. Therefore tattoo and/or body art facilities will be allowed by right in the Commercial (C) zone with location and operational standards that include:

- The exterior walls of any tattoo and/or body art facility in the Commercial (C) zone shall be located more than two thousand (2,000) feet from the exterior walls of any other Tattoo and/or Body Art Facility.
- Tattoo and/or Body Art Facility shall not operate between the hours of 10:00 p.m. and 10:00 a.m.
- Live animals, except for service animals, shall not be allowed on the premises.
- Once established, the Tattoo and/or Body Art Facility shall not be permitted to expand into another tenant space or building or otherwise on the site or any contiguous site unless the distance separation is complied with
- Temporary or mobile establishments or events are not authorized
- The applicant/operator of the Tattoo and/or Body Art Facility shall also comply with all applicable state and local laws as they may be amended from time to time including, but not limited to: Health and Safety Code sections 119300, et seq. (California Safe Body Art Act); Penal Code section 653, and Chapter 8.95 of the San Marcos Municipal Code

Also, the land use classification was modified from “tattoo and/or body piercing establishment” to “tattoo and/or body art facility” to be consistent with terminology within the California Health and Safety Code. There was also a comment at the Planning Commission workshop about whether a business that provides ear piercing would be classified as a tattoo establishment; the revised standards clearly indicate an ear piercing business (if this is the extent of piercing) would not be considered a “tattoo and/or body art facility.”

Staff has also proposed prohibiting hookah lounges. Hookah pipes (which are also referred to as water pipes) are used to smoke specially made tobacco that is available in a variety of flavors, often sweetened. Hookah smoking is typically practiced in groups, with the same mouthpiece passed from person to person, and has grown in popularity in recent years, especially among college age individuals. Hookah tobacco that is placed into the head of the hookah pipe is typically very moist and requires a charcoal to be placed on top of the tobacco in order for it to be smoked. In some instances, a pile of lit charcoal may be kept in a nearby firebox since it is necessary to occasionally replenish the charcoal to continue smoking.

A study by the World Health Organization has concluded that hookah pipes are distinct from other forms of smoking tobacco and similar legal products because the hookah pipes transmit the ingestion of a large volume of smoke and other high levels of toxic compounds, making such ingestion more harmful than other means used to smoke tobacco and other similar products. Secondly, sharing hookah pipes is more likely to lead to the transmission of communicable diseases than other forms of smoking; and lastly, because hookah tobacco is often sweetened and flavored this may encourage young individuals to smoke.

It is for the above listed reasons, including the potential fire hazards associated with hookah lounges, that staff is recommending prohibiting this land use.

Article 2 Zones

The General Plan Land Use and Community Design Element updated, consolidated, and renamed land use designations. These changes, including elimination, renaming, and creation of Zones, have been reflected in Zone chapters of Article 2 of the Zoning Ordinance.

Eliminated Zones include:

- Commercial (C-1) – replaced with Senior Residential (S-R) Zone

- Commercial-Manufacturing (C-M) - very few properties zoned C-M, no longer needed
- Freeway Commercial (F-C) very few properties zoned F-C, no longer needed
- Residential zones R-1-6 and R-1-15, to reduce the repetition of the residential zone categories
- Design Overlay Zone – review will be handled administratively through Site Development Plan Review
- Solid Waste Management Zone – landfill was closed (now designated Open Space), no longer needed
- Potential Classification Zone
- Satellite Dish Antenna Chapter eliminated, regulations were outdated
- Hazardous Waste Management Plan – simplified regulations and condensed into Chapter 20.00.070(A)

Renamed Zones, to be consistent with the General Plan land use designations, include:

Old Zone Description	Old Zone Name	New Zone Name
Estate Residential	E-1-20	R-1-20
Light Industrial	L-M	LI
Industrial	M	I
Industrial	M-2	I2

New Zones added to the Zoning Ordinance to address expanded land use designations included:

- Mixed Use Zones, Chapter 20.225
- Transitional Zones, Chapter 20.235
- Public Institutional Zone, Chapter 20.240
- Neighborhood Commercial Zone, Chapter 20.220
- Airport Overlay Zone, Chapter 20.270

Chapter 20.225 Mixed Use Zones

The Mixed Use Zones implement the Mixed Use land use designations of the General Plan. Mixed Use Zones will allow for the vertical and horizontal integration of supportive residential, office, commercial and business park uses adjacent to highly-traveled transit corridors and strategic areas within the City to promote sustainable economic and environmental growth in close proximity to transit opportunities or complimentary to existing land use design. Mixed Use Zones include:

- MU-1 [residential and non-residential]
- MU-2 [residential and non-residential]
- MU-3 (SP) – [non-residential, requires a specific plan]
- MU-4 (SP) – [non-residential, requires a specific plan]

Allowed land uses have been identified for the MU-1 and MU-2 Zones, see Table 20.225-5. Allowed land uses for the MU-3 (SP) and MU-4 (SP) Zones will be determined through the Specific Plan process on a per project basis; residential uses are not permitted. The Mixed Use Zones are identified on the Zoning map and further implemented through the Regulating Plan, Figure 20.225-2.

The Mixed Use Zones chapter will be the regulating Zone chapter for many of the Transitional Zone properties when the property owner elects to transition to the future Zone.

Chapter 20.235 Transitional Zones

The Transitional Zones implement the General Plan intent to provide for a “Transitional Zoning category” to facilitate viable, appropriate, and timely transition of existing industrial land uses to a non-industrial land use (such as mixed use, business park, commercial, etc). The Transitional Zone encompasses unique and individual Zones to protect the stability of existing developed uses and provide a process for the future transition of the property to the land use designated by the General Plan.

Chapter 20.240 Public, Institutional, and Open Space Zones

The Public, Institutional, and Open Space Zones establish standards and land use permission for public and institutional properties to protect public uses. The Public / Institutional (P-I) Zone is applied to existing public parks, schools, colleges, and City properties that are occupied with fire stations, the public works facility, and Sheriff’s substation. The Open Space (OS) Zone provides for and protects the passive/conserved open space areas of the City.

Chapter 20.270 Airport Overlay Zone

This Zone was created to be consistent with the Safety Element of the General Plan and the adopted McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP). The Zone requires notification and limits building heights based on the ALUCP requirements.

Land use designations have been updated, including:

- Renamed/reorganized land Use categories are addressed consistently in every Zone.
- All land uses identified in the land use tables are also identified in the Parking Ordinance.

Chapter 20.230 Industrial Zones

The Industrial Zones have been updated to reflect the industrial business climate of San Marcos. The Business Park (B-P) Zone has been expanded to incorporate design standards to attract and promote this type of business in the City. Development standards for the Industrial Zones were slightly modified; modifications would only impact future expansion or redevelopment and will not impact current industrial operations.

Land use categories and permissions have been reevaluated, expanded and adjusted to represent current land uses. This resulted in new land use categories. Many land use categories with “similar” operating standards and noise/parking/vibration/traffic impacts were consolidated into broader land use categories. There are some land use restrictions, such as not limiting restaurants in industrial parks to delicatessens or employee cafeterias have been relaxed. In this example, the Ordinance now allows all types of take-out restaurants and sit-down restaurants are permitted with a DP.

During the public review period, staff met with the Economic Development Corporation subcommittee, and did modify land use permissions as well as some proposed development standards from the initial publicly released versions.

In addition, the Economic Development Corporation subcommittee expressed concern with the proposed modification to outdoor storage regulations. The initial stakeholder and Screencheck versions of the Zoning Ordinance did not clearly indicate that outdoor storage would be regulated the same as in the existing Zoning Ordinance; part of the confusion may have been due to relocating the outdoor storage standards in a separate chapter than the Industrial chapter. The Draft Zoning Ordinance has been modified to reflect a continuation of existing standards relating to outdoor storage. Table 20.230-2 has

been modified to clearly identify outdoor storage as an accessory use in the Industrial (I and I-2) and Light Industrial (LI) zones is permitted by right with restrictions. Outdoor storage in the Light Industrial (LI) zone is still limited to 25% of the floor area of the building. Outdoor storage is allowed as an accessory to a permitted industrial use, however, any materials stored outdoors are required to be screened and located to the rear or side of the building. This standard has not been modified. Additionally, outdoor storage in the I-2 zone is still allowed by right as a primary land use, and the requirement for the outdoor storage to be screened also has not been modified.

Eliminated land use categories include:

- Child care centers
- Creameries
- Outdoor manufacturing
- Public utilities
- Union hiring halls

Article 3 General Development Standards

Article 3 houses the standards that are applicable to all lots, property, and/or Zones. These chapters are referenced frequently in the Zone chapter regulations.

Chapter 20.305 and 20.310 (Density Bonus and Inclusionary Housing, respectively) address opportunities and requirements related to the production of housing for extremely low, very low, low income households and for older adult households in accordance with state law. Based on comments received from the public, the Density Bonus chapter language was modified to make it explicitly clear the regulations are in full compliance with Government Code section 65915 et. Seq.

Chapter 20.330 Water Efficient Landscape Standards. This chapter is a slightly-streamlined version of the “Water Efficient Landscape Ordinance” passed in 2010 in compliance with state law. All development (subject to the applicability of chapter 20.330) is required to comply with the landscape and watering standards of this chapter.

Chapter 20.320 Signs on Private Property. This chapter is a slightly-streamlined version of the “Signs on Private Property” regulations adopted in January 2012. All permitted signage for all development types is regulated by this chapter. Staff has recommended limiting monument sign heights to 10 feet with a maximum of 50 square feet for standard commercial or industrial sites (this doesn’t include shopping centers or industrial parks that are regulated through comprehensive sign programs). Signs on City property are regulated by Chapter 20.325 (also adopted in 2012); no changes to these regulations are being proposed.

Chapter 20.335 Walls and Fences. This chapter regulates the location, material, and permitted heights of all walls and fences for all Zones. This chapter consolidates the various standards previously found in multiple locations to a single chapter. The new maximum height for walls and fences is 10 feet in Industrial Zones and 8 feet in Commercial Zones; regulations for Mixed Use Zones have been added. Maintenance standards are included. Restrictions have been added for barbed, concertina, or electrified wire fences in all Zones (an exception is in the Agricultural zone if needed to secure livestock and/or horses). Chain link fencing adjacent to any public right-of-way will also be prohibited.

Chapter 20.340 Off-Street Parking and Loading. This chapter regulates required parking for all land uses within the City. Table 20.340-1 lists all land uses, by the same land use titles as the “Land Use Permit Types” of the individual Zones, listing the required parking ratios. A limited number of parking ratio

requirements have been adjusted and updated to meet current planning policy standards. Regulations have been expanded to address mixed use development parking, bicycle parking, and electric vehicle/alternative fuel vehicle parking. New standards have also been added to address parking and trip reduction measures. Table 20.240-2 and Figure 20.340-1 provide a much simpler approach to parking lot and parking space configuration requirements. The standard parking stall dimension has been reduced from nine feet by twenty feet to eight feet by eighteen feet; and up to twenty percent of required parking may now be provided with compact parking spaces (8.5' x 16').

Chapter 20.345 Nonconforming Uses, and Structures. This chapter is the same version drafted by subcommittee input during the General Plan update process. Limited text has been revised to eliminate redundancies; no meaning, intent, or regulation has been modified by the limited revisions.

Article 4 Specific Use Standards

Article 4 houses all regulations that are specific to an individual or set of land uses. All applicable land uses are regulated by the provisions of this Article regardless of Zone.

Chapter 20.435 Planned Residential Development has been moved to Article 4 as it is a planning application specific to a type of residential development. Regulations of Planned Residential Development applications are consistent with the existing Zoning Ordinance.

New Chapters

The following chapters are new additions to the Zoning Ordinance, codified for the purpose of streamlining regulation of the topic into a single location. Consolidation of regulations into a new chapter does not imply expansion or revision of regulation of the topic. New chapters are as follows.

Chapter 20.400 Specific Use Standards. This chapter codifies regulations of individual land uses into a single location. Examples include:

- regulations related to drive-through services are located in section 20.400.070
- regulations related to outdoor dining are located in section 20.400.150
- regulations related to utility services are located in section 20.400.210

Generally regulations have been consolidated into a single section by topic, whereas the old Zoning Ordinance spread out or repeated regulations throughout the Zoning Ordinance.

This chapter adds performance standards to regulate noise, odor, hazardous materials, vibration, light and glare, electrical disturbance. Standards for line of sight and requirements for developments to retain colors/materials of original approval have been added which codifies current City practices.

Outdoor dining regulations have been added to allow this as a permitted land use in conjunction with all eating establishments (Restaurant, Sit-Down and Restaurant, Take-Out land uses).

Other modification to specific use regulations have been limited to state law updates and clarifications Chapter 20.420 Automotive Services. This chapter condenses all regulations related to automotive service uses (fueling stations, repair, washing and detailing). All current Zoning Ordinance requirements are incorporated and operational and development standards have been added.

Chapter 20.425 Bars, Alcohol-Service, and Entertainment. This chapter codifies the standard Conditional Use Permit (CUP) requirements utilized by the City for these types of uses to streamline process of applications.

Chapter 20.440 Reasonable Accommodation. This chapter provides procedures for persons with disabilities seeking access to housing and requires compliance with the Federal Fair Housing Act and State Fair Employment and Housing Act.

Chapter 20.445 Refuse and Recycling Facilities. This chapter regulates the location of and design of trash, refuse, and recycling structures for all Zones. All design standards have been consolidated to this one chapter. Sustainability standards have been incorporated, requiring recycling facilities for all new development.

Chapter 20.450 Renewable Energy. This chapter includes standards for all renewable energy systems such as solar panels and small wind turbines.

Chapter 20.455 Temporary Uses. This chapter regulates parking lot sales, temporary and seasonal uses, and farmer's markets.

Revised Standards

The following chapters of Article 4 include revisions, primarily related to consistency with state law.

Chapter 20.410 Second Units and Accessory Structures. This chapter has been slightly modified to regulate the size and location of second dwelling units and accessory structures. Minor revisions update the chapter to be consistent with state law.

Chapter 20.415 Animals. This chapter has been expanded to consolidate regulations into one location and to also address animal keeping in multifamily and Mixed Use Zones. Overall, this chapter reduces the number of non-domestic animals allowed in the single-family residential Zones. Standards include the ability to keep up to 5 hens are allowed per property in the single-family residential Zones while prohibiting roosters. The number of dogs and cats allowed have not been modified in the single family

Article 5 Zoning Administration

This Article consolidates all administrative processes and requirements for the Zoning Ordinance into one location. All other chapters and Zones refer to Article 5 where a noticing, application, or appeals process is required.

Discussion and requirements for applications, permitting, noticing, hearings, fees, and appeals have all been addressed once. This eliminates redundancies in the Zoning Ordinance and, generally, applies the same process to all permits. Citizens and Staff only have to look in one location for all process requirements, simplifying overall administration of the Zoning Ordinance.

Public hearing, noticing, appeal, and amendment processes have not been modified.

The Conditional Use Permit process has been revised to streamline applications. The Zoning Ordinance maintains a two-tiered use permit process. The two tiers are now:

- Director's Permit (Chapter 20.510)

- Conditional Use Permit (Chapter 20.520)

Chapter 20.510 Director's Permit. The regulations and provisions of this chapter replace the former Minor Conditional Use Permit process which has been eliminated. The Director's Permit (DP) is an administrative review process enabling the Director to administratively review the location, site development, and/or conduct of certain land uses with the issuance of public notifications, eliminating the need for administrative hearings. The Director has the responsibility to approve, conditionally approve, or disapprove a DP, and may decline to take action by forwarding the application to the Planning Commission for action by public hearing. A DP is applicable to the real property and is non-transferable to another location.

Chapter 20.520 Conditional Use Permit. The “Conditional Use Permit” (CUP) classification replaces the “Major Conditional Use Permit” from the existing Zoning Ordinance. All applications requiring a CUP, subject to regulations of the applicable Zone, require a public hearing by the Planning Commission. Appeals can be made to the City Council. This chapter has been simplified for usability; the regulations and process have not changed.

Chapter 20.515 Site Development Plan Review. This chapter codifies the current City standards for site plan review and applies this administrative review process more widely.

Zoning Map

Zoning Map revisions are consistent with the adopted General Plan land use map. Revisions to the Zoning Map include rezoning of:

- All property (parcels) within the General Plan ‘focus areas’ where land uses were changed with the adoption of the 2012 General Plan land use map,
- Historical ‘clean up’ properties to update the Zoning to be consistent with General Plan land use classifications
- Rezoning of properties in Zones that were eliminated (C-1, C-M, F-C, DZ, and “Potential”)
- Rezoning of properties where new Zones have been created (MU-1, MU-2, MU-3, MU-4, Transitional Zones, P-I, NC)

The full text of the Public Draft Updated Zoning Ordinance can be reviewed onsite at <http://www.ourcityourfuture.com/>. It contains seven zoning categories ranging from Agricultural and Residential to Transitional Zones with the map updates as shown in Exhibit 2, Updated Zoning Map.

10. Environmental Analysis Framework

The Zoning Ordinance is a tool utilized by local governments to implement the General Plan. The Public Draft Zoning Ordinance represents an update to the Zoning Ordinance to bring the establishment and regulation of zoning districts (zones) into conformance with the Land Use and Community Design Element of the current General Plan.

The purpose of the Zoning Ordinance update was expanded to address current planning trends, standards, and innovations; streamline regulation; and reorganize the document and simplification of language to improve public and staff understanding of the application and regulations of the Zoning Ordinance.

Section 15152 of the California Environmental Quality Act (CEQA) Guidelines encourages lead agencies to tier environmental analyses to avoid repetitive discussion within subsequent environmental documents and focus on issues directly related to the topic of evaluation. Subject to CEQA, the Zoning Ordinance update is considered a

tiered project under the General Plan Final Environmental Impact Report (FEIR). The purpose of the preparation of this Initial Study (IS) for the Public Draft Zoning Ordinance is to review environmental impacts of the update and ensure that impacts are no more significant than those impacts evaluated under the General Plan FEIR. No significant impacts beyond those evaluated in the FEIR were identified. This said, mitigation measures outlined in the GPA FEIR Table ES-3 (Attachment A to this Initial Study,) and as modified in the City Council adopting Resolution 2012-7615, where applicable, shall also be applied to the implementation of the Zoning Ordinance update. The Final General Plan FEIR is available at <http://www.ourcityourfuture.com/> and a copy of the FEIR City Council adopting Resolution 2012-7615 is available at the City of San Marcos Development Service Department.

11. Required Approvals

- Approval of the Zoning Ordinance Update (Text Amendment 12-63/Rezone 12-147) and related Zoning Map

Exhibit 1. Project Area Map

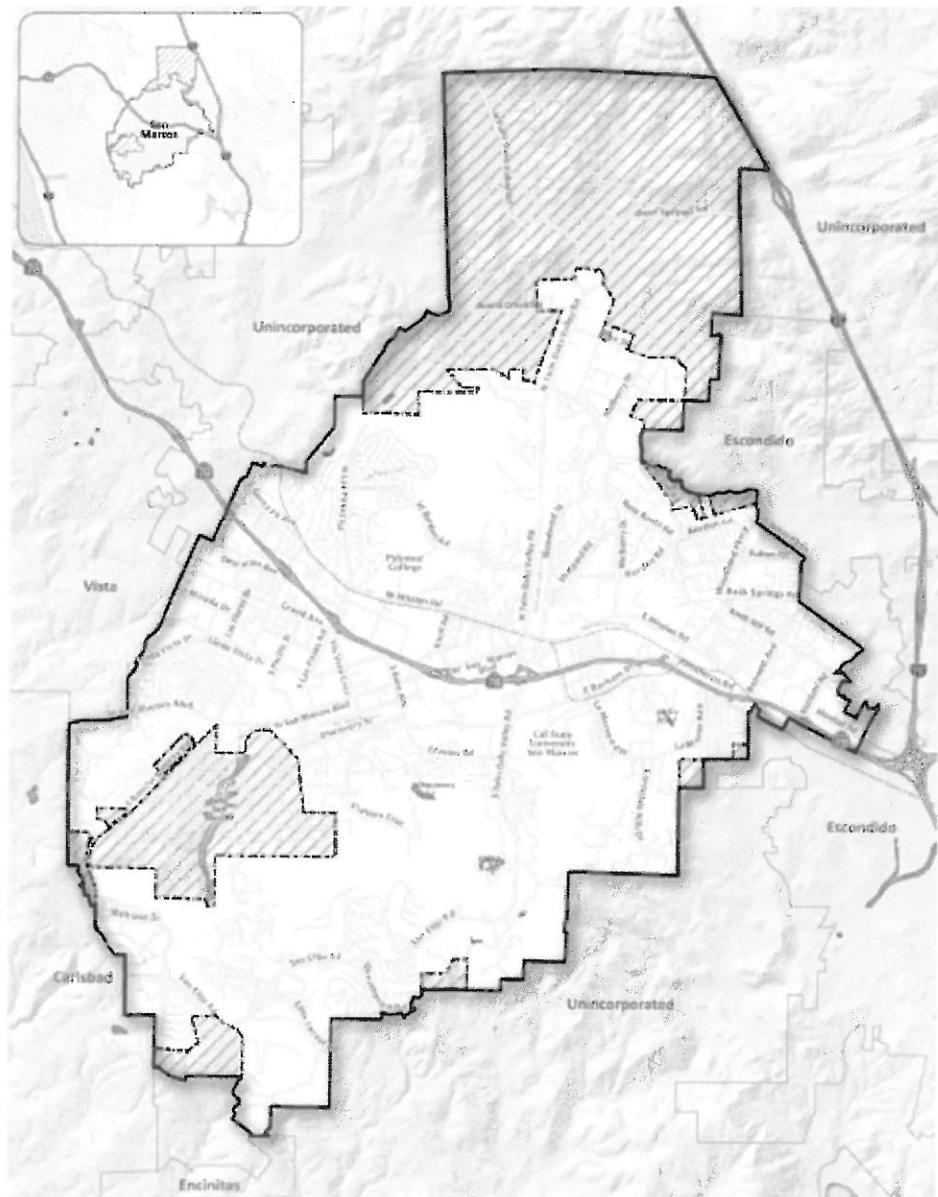


FIGURE 2.0-2

City of San Marcos
Project
Planning Area

- San Marcos City Limits
- System of Influence
- Planning Area
- Major Hydrologic Features
- River
- Canal
- Creek
- Freeway
- Highway
- Major Road
- Minor Road

1 1/2 Miles

Exhibit 2. Updated Zoning Map

Note: Not available at time of reproduction.

To be provided prior to 8/23/12 meeting.

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 type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Mineral Resources
<input checked="" 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 type="checkbox"/> Geology / Soils	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Transportation / Traffic
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Utilities / Service Systems
<input 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

Karen Brindley

Principal Planner

8.16.12

Date

City of San Marcos

Agency

ENVIRONMENTAL CHECKLIST

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

- a) Have a substantial adverse effect on a scenic view?
- 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?

a-d. Less than significant: The Zoning Ordinance update (updated ZO) involves additional guidelines for Light and Glare standards within the Site Planning and General Plan Standards as well as Specific Use Standards to improve the visual characteristics of new development and existing uses resulting in the long-term in an enhanced community appearance. The General Plan Update FEIR (refer to Section 3.1) indicates that implementation will not result in any significant adverse aesthetic impacts. The Zoning Ordinance update is a regulatory document and would not result in the development of specific projects. It does not include site-specific development plans, but it does incorporate specific design standards for improved aesthetic design for future development. Future development applications submitted for development within the City of San Marcos would be subject to additional environmental review, which would ensure that aesthetic impacts are minimized. With the implementation of the updated Zoning Ordinance, future projects would be subject to the updated ZO levels of design review addressing building, design, landscaping, and lighting requirements, which, in turn, would enhance the aesthetic quality of future development. Therefore, no new impacts identified for this issue area beyond that which was identified in the GPA FEIR.

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?

a, c-e. Less Than Significant: Much of City is urbanized, particularly in the areas immediately adjacent to SR-78. Most of the cities agricultural land is located in the northern part of San Marcos in the Twin Oaks Valley Neighborhood. Smaller areas of grazing land, Farmland of Local Importance, and Unique Farmland are located south of SR-78, and can be found in the Lake San Marcos and Questhaven/La Costa Meadows neighborhoods. San Marcos has been developed and agricultural land use is limited with the City Limits. The GPA FEIR identified one mitigation measure for impacts to agricultural lands which is the update to the Zoning Ordinance to address conflicts between the General Plan and Agricultural Zoning. Implementation of the updated ZO will therefore result in a less than significant impacts and no further impact than was addressed in this issue area in the GPA FEIR. No further mitigation is required.

b. Less Than Significant. The Williamson Act properties are located within the northern City Sphere of Influence and not within the City limits. The Implementation of the updated ZO will not modify, and therefore not impact the status of two parcels currently under Williamson Act contracts within the City. Implementation of the updated ZO will therefore result in less than significant impacts in this issue area and no further mitigation is required.

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 proposal:*

a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAGS) or applicable portions of the State Implementation Plan (SIP)?

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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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a. **Less Than Significant.** Air quality planning efforts are based on analysis and forecasts of air pollutant emissions throughout the entire region. Consistency with air quality planning efforts is based on the consistency of the General Plan with the regional air quality plan. Policies in the General Plan include a variety of actions aimed at cooperating with SANDAG and regional planning efforts. The SANDAG 2050 Regional Transportation Plan (RTP) is a comprehensive approach to addressing the region's mobility challenges. The General Plan update includes relevant goals and policies that reflect and respond to the SANDAG RTP. Concurrent with the implementation of the General Plan update, the updated ZO would serve as a tool to implement the General Plan and not obstruct or conflict with any Air Quality Plan.

b. **Less Than Significant.** The updated ZO implementation would not authorize any types of land uses that would generate significant air quality impacts. Specific types of emissions and emission levels with any future land use proposal cannot be determined until such a proposal is submitted for City review. A future land use proposal would then be subject to the applicable CEQA level review. The updated ZO would have no effect on existing air quality conditions and would not contribute to any existing or potential future air quality violations. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

c. **Significant and unavoidable.** The General Plan update FEIR concluded that implementation of the update would result in construction and operational emissions that would occur over an extended period or be of an intensive nature, therefore resulting in an impact to air quality. The application of mitigation measures including the use of renewable energy features and others listed (AQ-1 to AQ-5) in Mitigation Table ES-3 of the GPA FEIR will not reduce the emission thresholds to a level below significant for which the region is in nonattainment. The updated ZO as an implementing tool for the General Plan will implement the goals, policies and applicable mitigation measures as outlined in the GPA FEIR. In so doing, however, the ZO will also allow for new construction and operational activities that would not reduce the significant and unmitigated impacts identified in the adopted General Plan. Therefore, the conclusions in the GPA FEIR are still applicable to the updated ZO. The updated ZO, as an implementing tool for the GPA FEIR, however will not allow any emissions beyond that which was not already considered in the GPA FEIR. No new impacts for this issue area are generated as a result of the updated ZO. The provision of mixed use zoning districts, complete streets, implementation of transit opportunities will minimize significant and unmitigated impacts, but not below a level of significance.

d. Less Than Significant. Specific types of emissions and emission levels with any future land use proposal cannot be determined until such a proposal is submitted for City review. A future land use proposal would then be subject to the applicable CEQA level review. Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities that would result in release of substantial concentrations of air pollutants. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

e. Less Than Significant. The updated ZO would not authorize any activity known to generate significant odor problems. Specific types of emissions and emission levels with any future land use proposal cannot be determined until such a proposal is submitted for City review. A future land use proposal would then be subject to the applicable CEQA level review. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

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 pools, 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?

a-d. Less Than Significant. Within the City, several sensitive vegetation communities/land cover types occur that provide habitat for a variety of plant and animal species. The General Plan update through the development of proposed projects will result in direct, indirect, temporary, and permanent impacts to biological resources. Mitigation measures BR-1 to BR-5 outlined in GPA FEIR ES-3 will address impacts on Critical Habitat, Vegetation Communities, and Jurisdictional Waters Including Wetlands and Riparian Habitat. Implementation of these measures in coordination with federal, state and local regulations would reduce the General Plan impacts associated with biological resources and result in a less than significant impact in this issue area. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

e-f. Less Than Significant. The updated ZO is a regulatory-level document and would not directly cause development or redevelopment of specific projects within the City. Case-by-case review of future development projects is required by the City to assess the potential for project specific biological impacts and project consistency with State and federal regulations and all General Plan goals, objectives and policies as well as compliance with the updated ZO. Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs or proposals for assessment of potential site-specific biological impacts that may result from future development proposals.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES: Would the proposal:

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?

a-b,d. Less Than Significant. Implementation of the San Marcos General Plan that would allow for new development would result in significant impacts related to Cultural Resources as outlined in Section 3.5 of the GPA FEIR. Mitigation measures (CR-1 to CR-8) as outlined in Attachment A will mitigate the impacts to below a level of significance. The updated ZO, as an implementing tool for the GPA FEIR, however will not allow any cultural impacts beyond that which was not already considered in the GPA FEIR. Case-by-case review of future development projects is required by the City to assess the potential for project specific cultural impacts and project consistency with State and federal regulations and all General Plan goals, objectives and policies as well as compliance with the updated ZO. Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs or proposals for assessment of potential site-specific paleontological impacts that may result from future development proposals. No new impacts for this issue area are generated as a result of the updated ZO.

c. Less Than Significant. The City is underlain by old alluvial flood plain deposits of an unproven/undetermined paleontological sensitivity (Deméré and Siren 2010). Though no specific paleontological resources are documented in the planning area, buried paleontological resources may exist. Implementation of the General Plan would not result in any direct impacts regarding paleontological resource disturbance within the planning area. Ground-disturbing activities, such as construction associated with development, and/or expansion of infrastructure, have the potential to impact buried paleontological resources. Thus, development of land pursuant to the General Plan has the potential to impact significant known and unknown paleontological resources. However, the majority of development anticipated under the General Plan will involve redevelopment of or new development within existing developed areas. Substantial excavation activities for installation of new infrastructure would be limited to new development in undeveloped areas; potential for this type of development does exist but is limited by the General Plan. Thus, the likelihood of finding new or undiscovered paleontological resources is limited.

Existing City of San Marcos review processes and conservation/management policies protect prominent land forms, reduce run off, and limit human interaction with unmanaged open space. The City assesses and mitigates the potential impacts of private development and public facilities and infrastructure to these resources pursuant to the provisions of CEQA. The City will continue to review future development proposals to ensure that paleontological resources are conserved in compliance with CEQA requirements. With adherence to and implementation of existing regulations and City review processes, the GPA FEIR determined that impacts to paleontological resources will be less than significant. No mitigation is required.

Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs or proposals for assessment of potential site-specific paleontological impacts that may result from future development proposals. No new impacts for this issue area are generated as a result of the updated ZO.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant 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?

a. Less Than Significant. The City is not located within a designated Alquist-Priolo fault zone. However, the Rose Canyon, Newport-Inglewood and Elsinore faults are active and potentially active and within proximity to potentially create earth shaking in the City. Since 1986, the geologic studies of North County indicate that the City does not have any active earthquake faults traversing the area. Another potential source of ground shaking could result from an onshore projection of the (Oceanside) Thirty Mile Bank Blind thrust fault that may underlie the City. City code and ordinances require that all development activity comply with local and state building seismic codes, as they apply to the structure proposed. The city has required all structures built after 1984 to comply with Seismic Zone 4 standards, the highest resistant standards in the most current Building Code.

Further, the General Plan Safety Element contains policies that recognize potential hazards and set forth actions the City and the development community would be required to undertake to minimize potential hazards due to fault rupture. These policies require site-specific geology, geotechnical, and earthquake engineering investigations and mitigation as prescribed by licensed professionals as part of the environmental development review process. With adherence to and implementation of the proposed General Plan policies, City regulations, and implementation of existing federal, state, and local laws and regulations concerning seismic safety program-level impacts related to fault rupture would be less than significant.

With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of existing federal, state, and local laws and regulations concerning seismic safety (as described in Section 3.6.2 of GPA FEIR), program-level impacts related to earthquake-induced ground failure and liquefaction would be less than significant.

The City of San Marcos will continue to implement building code standards for the development of safe structures. Implementation of the proposed General Plan does not prescribe any actions that would result in the location of development in relation to soil-slip susceptible areas. With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of existing federal, state, and local laws and regulations concerning seismic safety program-level impacts related to earthquake-induced landslides would be less than significant.

Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs or proposals for assessment of potential site-specific geology and soils impacts that may result from future development proposals. No new impacts for this issue area are generated as a result of the updated ZO.

b. Less Than Significant. Development under the General Plan would be subject to local and state building codes and requirements for erosion control and grading. In addition, all new development and redevelopment projects would be required to comply with the City's Grading Ordinance Chapter 17.32 and all projects undergo mandatory grading inspection requirements through the City's Engineering department to ensure compliance. Further, new development and redevelopment project sites would also be required to be compliant with an NPDES permit and the City's related BMPs for the development and implementation of Municipal Separate Storm Sewer System (MS4), which are further discussed in Section 3.9, Hydrology and Water Quality, of GPA FEIR. As with all development activities, there is a potential for the increase of soil erosion in the area as a result of vegetation removal, grading and development activities or earth scorching resulting from urban or wildland fires within the planning area. However, no actions are prescribed by the General Plan or updated ZO that would specifically increase these events or soil erosion. City plans such as the CWPP and regulatory ordinances for landscaping and grading would lessen the potential. With adherence to and implementation of the General Plan policies, City regulations, codes and ordinances discussed above, and implementation of existing federal, state, and local laws and regulations concerning building construction and hazard mitigation (such as NPDES requirements for a MS4), program-level impacts related to soil erosion would be less than significant.

Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs or proposals for assessment of potential site-specific geology and soils impacts that may result from future development proposals. No new impacts for this issue area are generated as a result of the updated ZO.

c-d. Less Than Significant. Existing building codes and ordinances enforced by the City, and policies of the General Plan require all new development to be consistent with current California Building codes and natural hazard

mitigation standards. These codes address grading, excavation, fills, and applicable geotechnical report preparation and submittal. Application of the existing regulations identified in the Municipal Code and Uniform Building Code and grading regulations would minimize the risk associated with any development proposed within areas containing expansive soils. Therefore, program-level impacts associated with expansive and collapsible soils would be less than significant.

e. **Less Than Significant.** With adherence to City of San Marcos regulations, and implementation of existing federal, state, and local laws and regulations concerning building construction and hazard mitigation (as described in Section 3.6), program-level impacts related to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems would be less than significant.

Implementation of the San Marcos General Plan would result in less than significant impacts related to geology, and soils. No mitigation is required in the GPA FEIR.

Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs of proposals for assessment of potential site-specific geology and soils impacts that may result from future development proposals. No new impacts for this issue area are generated as a result of the updated ZO.

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?

a. **Significant and Unavoidable.** With regard to the generation of Greenhouse Gas Emissions (GHG's), the GPA FEIR concluded that that construction related gas emissions generated by construction via the land uses approved in the General Plan update would be primarily in the form of CO₂. Construction-generated exhaust emissions would be temporary and short term in they would occur only during the buildup period. In addition, the regulatory environment that continues to evolve under the mandate of Assembly Bill 32 (AB 32), Climate Change Scoping Plan (Scoping Plan), mandating California emissions reductions by 2030. This mandate is expected to reduce some of the GHG emissions from construction activity. There are currently no State or regional standards to evaluate construction generated GHG's; therefore the threshold is based on a quantitative evaluation of whether the project implements applicable Best Management Practices (BMP's) for reducing GHG emissions related to construction activities. To this end, mitigation measures GHG-1 to GHG-3 are included in the GPA FEIR .

With the incorporation of the mitigation measures outlined in the GPA FEIR in combination with the policies of the General Plan, construction emissions impacts are Less than Significant.

Further, to address operational impacts GHG-4 to GHG-10 are also included. The application of the mitigation measures to operational GHG impacts, however, would reduce GHG emissions, but it is unclear to what extent the measures would be applied throughout the project area. Therefore, it cannot be ensured that these reductions would reduce emissions below the required levels for the City services population in 2030 as required by AB 32. This said, mitigation measures GHG-4 to GHG-10 would result in impact reductions, but not to a level below significant. This impact would remain significant and unavoidable.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities that would result in release of substantial concentrations of greenhouse gas emissions. The updated ZO would not generate any greater impact than the significant and unavoidable impacts as determined in the GPA FEIR for this issue area.

In so doing, however, the ZO will also allow for new construction and operational activities that would not reduce the significant and unmitigated impacts identified in the adopted General Plan. Therefore, the conclusions in the GPA FEIR are still applicable to the updated ZO. The updated ZO, as an implementing tool for the GPA FEIR, however will not allow any emissions beyond that which was not already considered in the GPA FEIR. Specific types of emissions and emission levels with any future land use proposal cannot be determined until such a proposal is submitted for City review. A future land use proposal would then be subject to the applicable CEQA level review. The updated ZO would not generate any greater impact than impact levels as determined in the GPA FEIR for this issue area.

b. Less Than Significant. The General Plan would not conflict with the AB 32 Scoping Plan, or any other plans, policies, or regulations for the purpose of reducing GHG emissions. Neither the City nor any other agency with jurisdiction over this project has adopted climate change or GHG reduction measures with which the General Plan would conflict.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities that would result in release of substantial concentrations of greenhouse gas emissions. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

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 of 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?

a-h. Less Than Significant. Implementation of the San Marcos General Plan would result in significant impacts related to hazardous materials, flood, fire and emergency planning. Mitigation measures included in the GPA FEIR (HM-1 to HM-8) are programmatic in nature, and would be refined in project-specific CEQA documents. Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities that would result in release of hazardous materials. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

	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?	□	□	■	□

a, c-n. Less Than Significant. Mitigation Measures HWQ-1, HWQ-2, HWQ-3, HWQ-4, HWQ-5, HWQ-6, HWQ-7, HWQ-8, HWQ-9, HWQ-10, HWQ-11, and HWQ-12 of the GPA FEIR are proposed to address the impacts related to hydrology and water quality. With adherence to, and implementation of, the General Plan policies, and implementation of Mitigation Measures HWQ-1, HWQ-2, HWQ-3, HWQ-4, HWQ-5, HWQ-6, HWQ-7, HWQ-8, HWQ-9, HWQ-10, HWQ-11, and HWQ-12 the potential impacts on hydrology and water quality will be reduced to a less than significant level at the General Plan program level. Neither the City nor any other agency with jurisdiction over this project has adopted climate change or GHG reduction measures with which the General Plan would conflict.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities above that which was addressed in the GPA FEIR. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

b. Less Than Significant. Impacts related to water resources and the depletion of groundwater supply are less than significant based on the existing regulatory setting, actions of the City, and policies of the General Plan. Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities above that which was addressed in the GPA FEIR. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

o-r. Less Than Significant. Impacts related to altering existing drainage patterns; flood hazard areas and risks; and inundation by seiche, tsunami, or mudflow are less than significant based on existing conditions and regulatory setting; mitigation is not required. Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities above that which was addressed in the GPA FEIR. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

	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?

a. Less Than Significant. Implementation of the General Plan would have a significant environmental impact if it would allow for the introduction of features that would divide the physical arrangement of an established community. While implementation of the General Plan would result in a number of land use designation changes and mobility improvements throughout the planning area, these changes are intended to foster greater connectivity, and to prevent new development from dividing existing uses. The General Plan focuses on new development and redevelopment within existing urbanized areas and proposes siting new mixed use development in vacant and underutilized portions of the planning area that are linked to both local and regional transit system. As a result, while new development and intensification of land uses within the planning area would occur, the different types of uses that would be allowed would not result in the physical division of an established community.

In addition, planned transportation and mobility improvements included within the General Plan would serve to increase linkages among established neighborhoods by multiple modes of transportation. The General Plan does not plan for or anticipate the development of significant new streets that would change the circulation pattern or divide neighborhoods or the community. Rather, planned mobility improvements include bridge overcrossing and/or undercrossings, interchange improvements, intersection improvements, pedestrian bridges, and a SPRINTER grade separations. These locations are identified in the GPA FEIR Figure 3.16-10.

This land use strategy and complementing transportation/mobility improvements would reinforce the existing community structure and would not introduce features that would divide an established community. Therefore, implementation of the General Plan would result in a less than significant impact with regard to division of an existing community. Impacts are less than significant based on existing conditions and the policies of the General Plan. No mitigation is required. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

b-c. Less Than Significant. There are numerous laws, regulations, policies, programs, codes, and ordinances that regulate land use development within the City. To simplify the volume and complexity of these regulations, this inventory focuses on laws, regulations, and programs that affect land use designations and zoning. Laws, regulations, and programs that indirectly affect land use planning, such as traffic, biological resources, water quality, and air quality regulations, for example, are included in applicable subsections of the GPA FEIR.

Future land use changes are anticipated as the General Plan is implemented as vacant land is developed and already developed land is redeveloped. Changes are expected as land is developed or redeveloped per the General Plan land use plan or through Specific Plan implementation. This would result in incremental intensification of the area based on systematic planned development. Intensification would result from redevelopment primarily in Urban Core Focus Areas (Focus Areas 1, 2 and 3) as planned by the General Plan. This would concentrate additional population, commerce, and traffic in the urban core area to capitalize on existing infrastructure, transit, and development patterns. Over time, as properties transition from one use to another or property owners develop and/or redevelop in the Focus Areas, land uses and intensities would gradually shift to align with the intent of the General Plan.

The San Marcos Zoning Ordinance is one of the primary tools for implementing the General Plan land use policy. Addition of, and revision to, land use designations by the General Plan are different from the existing General Plan land use designations, and therefore would conflict with the existing Zoning Ordinance. This is considered to be a significant impact; mitigation is required which is that, the City shall amend/update the City's existing Zoning Ordinance to be consistent with the General plan. This update shall occur within 12 months of General Plan adoption. (Implementation Program LU-1.1).

The updated ZO represents a complete overhaul of the application, regulation, and administration of the Zoning Ordinance to reflect the goals of the General Plan. Redundancies, inconsistencies, and legalese language have been eliminated to make the reading, understanding, application and enforcement of the Ordinance simpler. In general, regulation of Zones and land uses was updated to reflect the living and business climate of San Marcos. The updated Zoning Ordinance is easier to use and administer, includes new and condensed zones as outlined in the Project Description, but does not represent a large change in the amount of regulation.

With implementation of the updated ZO, the updated General Plan would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. As such, impacts associated with conflicts with an adopted land use plan, policy, or regulation would be reduced to a less than significant level.

Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs or proposals for assessment of potential site-specific land use impacts that may result from future development proposals. No new impacts for this issue area are generated as a result of the updated ZO.

Potentially Significant Mitigated	Potentially Significant Unless Impact	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?

a. Less Than Significant. The San Marcos planning area is primarily not located within an area specifically identified by the California Department of Mines and Geology as having substantial mineral resources, as the majority of the planning area has been identified with MRZ-1, MRZ-3, and MRZ-4 mineral resource classifications. Limited portions of the City contains land designated as MRZ-2 locations, or areas where there are known mineral resources. MRZ-2 areas are limited to small portions between Double Peak, Mount Whitney, and Franks Peak. In addition, no known mineral resource recovery sites of local importance are included in the General Plan or any other specific land use plan associated with the planning area. As the planning area has no operating mine/quarry operations, implementation of the General Plan would not impact the land planning or function mine and quarry operations. Land use changes that would affect the current or future operation of these areas, site-specific or adjacent to, is not proposed. Further, policies of the Conservation and Open Space Element ensure compliance with CEQA and state law for the protection of mineral resources. Should new mineral resources be discovered in the future, the City will require compliance with CEQA and state policies for protection and extraction of such resources.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities that would result in impacts to mineral resources. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

b. Less Than Significant. The General Plan contains policies and programs to ensure compliance with CEQA and state law for the protection of significant aggregate resources, should any be discovered within the planning area. Given the limited range of MRZ-2 area in the planning area, and that the policies and programs included in the General Plan ensure the protection and preservation of mineral resources, impacts related to the loss of availability of a locally known mineral resource that would be of future value to the region and the residents of the state would be less than significant. Because the updated ZO is a regulatory-level document, the update does not include any site-specific designs or proposals for assessment of potential site-specific mineral resource impacts that may result from future development proposals. No new impacts for this issue area are generated as a result of the updated ZO.

	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?

a-d. Less Than Significant. For the General Plan update, the significance of anticipated noise effects is based on a comparison between predicted noise levels and noise criteria defined by the City of San Marcos and San Diego County. For the General Plan update, noise impacts are considered significant if existing or proposed noise sensitive land uses would be exposed to noise levels in excess of applicable standards as described in GPA FEIR Section 3.11.2.

Based on the modeling presented in GPA FEIR Section 3.11.2, implementation of the General Plan under future conditions would result in an increase in traffic noise levels ranging from 0 to 5 dBA Ldn within 100 feet of modeled roadways, relative to existing noise levels. Additionally, new roadway segments would be created which would result in substantial increases in noise levels due to the introduction of a new noise source. Based on the modeled traffic noise levels, with the exception of specific segments along San Elijo Road, Santa Fe Avenue, Twin Valley Oaks Road, Discovery Street and Barham Drive, noise level increases along roadways would increase by less than 3 dBA and would not expose noise sensitive land uses to noise levels greater than the 65 dBA Ldn as a result of General Plan implementation. However, long-term noise levels from new traffic generated in association with the General Plan implementation would result in a substantial permanent increase in ambient noise levels exceeding the significance thresholds (+3 dBA increase) or result in noise levels above 65 dBA Ldn along San Elijo Road, Santa Fe Avenue, Twin Valley Oaks Road, Discovery Street and Barham Drive. This impact is considered significant; mitigation is required. The traffic source noise levels along San Elijo Road, Santa Fe Avenue, Twin Valley Oaks Road, Discovery Street and Barham Drive, would create a substantial permanent increase over current ambient noise levels at the on-site existing noise-sensitive receptors which may not be able to be reduced by planning and design features alone.

As a result, this impact is considered significant; mitigation is required. Mitigation Measures N-1, N-2 and N-3 are will address the impacts associated with groundborne vibration and noise. The implementation of Mitigation Measures N-1, N-2 and N-3 would reduce the groundborne vibration and noise impact of new development associated with the General Plan to a level less than significant.

Mitigation Measure N-4 is proposed to address the impacts associated with ambient noise levels. Mitigation Measure N-4 states contractors shall be required to implement specific measures during construction activities through contract provisions and/or conditions of approval as appropriate. The implementation of Mitigation Measure N-4 would reduce the ambient noise level impacts to a less than significant level.

At the General Plan level, impacts would be reduced to a less than significant level. If project-level impacts are identified as subsequent projects are proposed, specific mitigation measures would be required.

e-f. Less Than Significant. Noise sensitive land uses proposed in the City per the updated General Plan could be exposed to noise from overflights of aircraft. However, implementation of the General Plan would not expose new or existing noise sensitive land uses to elevated aircraft noise levels. The General Plan determined that this impact is less than significant.

Aircraft noise from the McClellan-Palomar Airport may be considered an intermittent, disturbing noise to some residents in the area. Helicopter activity from private, police, emergency medical, and news and traffic monitoring helicopters also contribute to the general noise environment in the City. Alterations of land use designation within the vicinity of these overflight areas may result in greater exposure to aircraft noise. As previously mentioned in this analysis, the entirety of the City of San Marcos planning area is located outside the established noise contours for the nearest airport (65 dB CNEL for McClellan-Palomar Airport). The established noise contours outline areas where land uses would be exposed to noise levels exceeding what is considered acceptable for the health and safety of those working or residing in the area. Therefore, modifications to land use designations in the updated General Plan within the City of San Marcos would not result in the exposure of new or existing noise sensitive land uses to elevated aircraft noise levels. As a result, aircraft-generated noise levels are a less than significant impact. This does not preclude aircraft noise from being a notable contributor to the ambient noise environment or a source for potential disturbance.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities that would result in impacts to mineral resources. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

	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?

a-c. Less Than Significant. The General Plan does not direct or require land use change, however the plan would allow for land use changes in the identified Focus Areas. In addition to land use changes, the City would be permitted to undertake new development or redevelopment of properties consistent with the General Plan. This would be expected to result in a general intensification of the City as land uses are developed or redeveloped to the greatest and best use under the General Plan. Development at equal or more intense levels would be expected, especially in mixed use and non-residential areas along primary circulation corridors of the Business/Industrial District, Richmar, Richland and Barham/Discovery Community neighborhoods. A limited number of existing residences would be redesignated by the General Plan allowing for redevelopment of mixed use, commercial or another type of residential development.

The majority of conversion would be expected within the Mixed Use 1 and Mixed Use 2 areas in the Business/Industrial District west of S. Rancho Santa Fe Road. Permitted density/unit capacity of the mixed use areas would allow for enough development of new or additional residences to compensate for any lost units, should these residences be redeveloped as non-residential use. Addition of the Mixed Use 1 and Mixed Use 2 land uses provide greater housing options within the currently urbanized Urban Core Focus Areas and a few other locations throughout the incorporated City limits. Updates in the residential land use densities affecting the entire City will provide opportunities to redevelop, improve, or intensify some residential areas. Overall, implementation of the General Plan is expected to increase the number and availability of dwelling units in the planning area. Land Use and Community Design Element policies of the General Plan address displacement and maintenance of the housing stock. These policies are designed to maintain established communities, increase home-office opportunities in residential neighborhoods, and ensure compatibility of development patterns and architectural character of adjacent land.

Land use changes of the General Plan allow for an increased residential development capacity with urban and suburban portions of the planning area. The confluence of these policies promotes an increase in opportunities for people to remain in, redevelop, or work from home to increase dwelling options within the planning area. Land use changes allowed by the General Plan may impact existing residential development, but substantial changes are primarily expected to include activities that would maintain or increase the existing housing stock with limited displacement or destruction of existing homes. Thus, implementation of the General Plan will not displace substantial numbers of existing housing or people and would result in a less than significant impact. No mitigation is required.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update FEIR. The updated ZO would not authorize any activities that would result in impacts in this issue area beyond that which was addressed in the GPA FEIR. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA FEIR for this issue area.

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

- 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?

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 checked="" type="checkbox"/>	<input type="checkbox"/>
other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Less Than Significant. The General Plan update policies and programs that would reduce these effects have been identified throughout this FEIR. Those policies and programs would apply in various ways to the physical development of public facilities and utilities, and effects related to the operation of public services. As future public investments are approved, the City will review applicable projects for environmental effects, applying General Plan policy and required site specific mitigation to reduce impacts, as feasible. The analysis of impacts is based on the likely consequences of implementation the General Plan update, including future land uses consistent with the Land Use plan, and supporting roadways, infrastructure, and public services; along with implementation of updated General Plan policies and programs.

The GPA EIR concluded that in the service areas of *Fire and Emergency Services, Police Protection, Schools, and Libraries*, General Plan policies and programs and mitigation measures proposed throughout this EIR would reduce or avoid program-level impacts. The implementation of the General Plan would not create a significant impact and not require any further mitigation in the Programmatic EIR. Implementation of General Plan policies would ensure that these service areas would be funded and constructed as-needed to serve new development. Future facility construction would be subject to project-level CEQA analysis and mitigation. Therefore, the updated ZO as an implementation of the General Plan update would result in an impact that would be less than significant in the service areas of *Fire and Emergency Services, Police Protection, Schools, and Libraries*.

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

a-b. Less Than Significant. The General Plan land use plan has identified 257.76 acres for future parkland and trails development. Future development of park and recreational facilities could potentially result in significant impacts in such areas as aesthetics, biology, geology, noise, biology, hazards and hazardous materials, and water quality. The physical impacts of the expansion of parkland and its associated activities have been accounted for throughout the program level of analysis within this GPA EIR. The actual impacts of new park facilities would depend upon the precise type and location of such facilities and would therefore need to be addressed in a project-level environmental review. Existing City programs for project design and approval as well as the CEQA environmental review process require that such potential impacts be addressed prior to construction of new facilities. For example, parks planned through future development pursuant to the General Plan, such as University District Park, Creek District Park and the Discovery Lake Park expansion (Hanson's Park), are associated with approved or pending Specific Plans and will be or have been independently reviewed under CEQA for environmental impacts. Therefore, the impact at this program level of analysis would be less than significant.

The updated ZO would not authorize any activity known to generate significant recreational impacts. Specific types of impacts associated with any future park proposal cannot be determined until such a proposal is initiated for review. A future park proposal would then be subject to the applicable CEQA level review. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA EIR for this issue area.

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 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?

a-f. Less Than Significant. The Implementation of the San Marcos General Plan would result in significant impacts related the effectiveness of the circulation system performance. Mitigation measures have been provided in the GPA EIR (TT-1 to TT-2) which are general and programmatic in nature, and would be refined in project-specific CEQA documents. Implementation of the following programmatic mitigation measures, will reduce potential impacts to a level below significant.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in traffic impacts not anticipated in the General Plan or the General Plan update EIR. A future land use proposal and its generated traffic would then be subject to the applicable CEQA level review. The updated ZO would not generate any greater impact than impact levels as determined in the GPA EIR for this issue area.

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 projects projected demand in addition to the providers' existing commitments?

f) Be served by a landfill with sufficient permitted capacity

to accommodate the project's solid waste disposal needs?

Implementation of the updated San Marcos General Plan would result in significant impacts related to public services and utilities in service areas of water infrastructure, water supply and wastewater capacity. Mitigation measures identified in the GPA EIR are general and programmatic in nature, and would be refined in project-specific CEQA documents.

Implementation of the programmatic mitigation measures discussed below will reduce potential impacts to a less than significant level at this Program EIR level of analysis in the significantly impacted areas of *water infrastructure, water supply, and wastewater capacity*. Mitigation Measures PSU-1 to PSU-6 are proposed to address these impacts.

Mitigation PSU-3 directs the City to review development and redevelopment proposals and require necessary studies, as appropriate, water conservation, and mitigation measures to ensure adequate water and wastewater service. Furthermore, Mitigation Measure PSU-3 would preclude the approval of development in the future which could not be supplied with an adequate amount of water. No additional program level mitigation measures beyond these actions would be feasible. Implementation of Mitigation Measures PSU-1, PSU-3 2 and PSU-43, in conjunction with existing City use reductions, future desalination purchase agreements, and the policies of the General Plan, the water supply impact at this program level EIR would be reduced to less than significant level.

The GPA EIR concluded in the other service areas such as *landfill capacity, solid waste regulations, stormwater drainage facilities* and *energy*, the policies and programs included in the General Plan ensure that the impacts to these service areas are less than significant.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update EIR. The updated ZO would not authorize any activities that would result in impacts to *landfill capacity, solid waste regulations, stormwater drainage facilities* and *energy*, at the programmatic level of review. The updated ZO would not generate any greater impact than the less than significant impact as determined in the GPA EIR for this issue area.

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?
- 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 probably future projects)?

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

a. Less Than Significant with Mitigation. The project will be mitigated and conditioned as outlined in the GPA EIR to mitigate any and all projects to a level below significant in the areas of biological and cultural resources, and will not cause substantial adverse effects on human beings, either directly or indirectly.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update EIR. The updated ZO would not authorize any activities that would result in impacts above and beyond that which was addressed in the GPA EIR.

b. Less Than Significant with Mitigation. The project will be mitigated and conditioned as outlined herein to mitigate any and all cumulative projects to a level below significant so as to ensure that there are no project impacts that are cumulatively considerable except as outlined in the GPA EIR.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update EIR. The updated ZO would not authorize any activities that would result in impacts above and beyond that which was addressed in the GPA EIR.

c. Less Than Significant with Mitigation The project will be mitigated and conditioned to ensure that all impact areas contained herein are fully mitigated to below a level of significance and will not cause substantial adverse effects on human beings, either directly or indirectly except as outlined in the GPA EIR.

Since the proposed updated ZO is consistent with the General Plan update, potential future new, infill, or redevelopment pursuant to the updated ZO would not result in land use types of intensities not anticipated in the General Plan or the General Plan update EIR. The updated ZO would not authorize any activities that would result in impacts above and beyond that which was addressed in the GPA EIR.