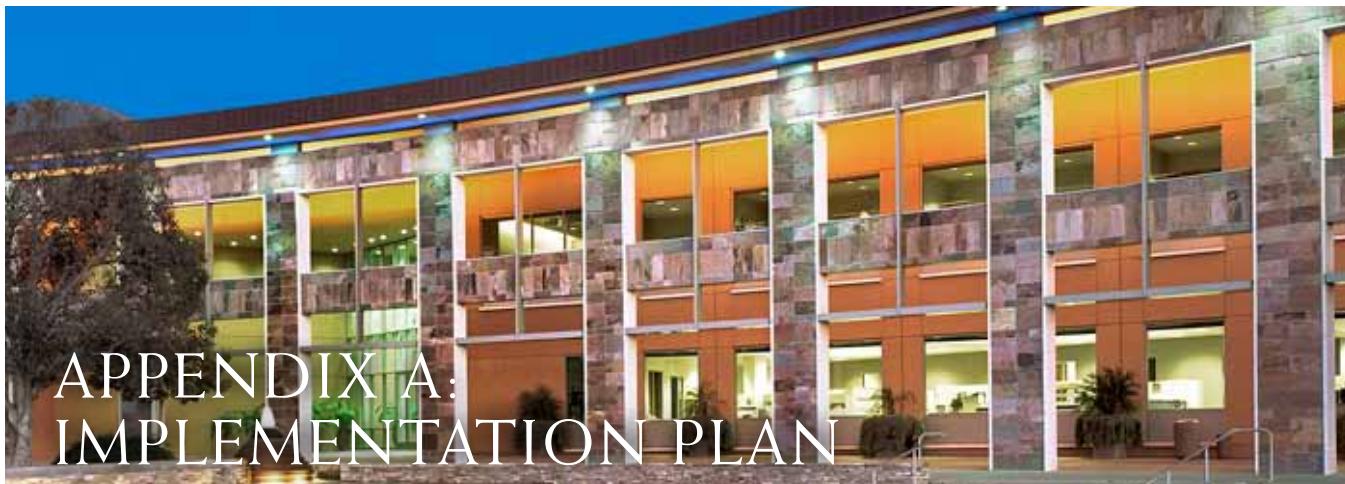




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APPENDIX A IMPLEMENTATION PLAN



APPENDIX A: IMPLEMENTATION PLAN

Introduction

This General Plan Implementation Plan provides a guide to implement adopted General Plan policies and actions for the City's elected officials, City staff, and the public. The purpose of the Implementation Plan is to ensure the overall direction provided in the General Plan is translated from general terms to specific actions.

Each implementation program is a measure, procedure, or task that requires additional City action. Collaboration with developers, non-City organizations and/or State and Federal agencies may be required. Actions generally apply citywide or to specific areas in the community. In adopting this Implementation Plan, the City Council recognizes the importance of long-range planning considerations in day-to-day decision making and budgeting. Implementation of the specific programs will be subject to funding constraints.

Each implementation program relates directly to one or more General Plan policies drawn from various elements.

Implementing the Plan

The Implementation Plan is an important part of the City's biennial budgeting process. In preparation for each budgeting cycle, each City Department actively reviews the General Plan, and Implementation Plan, when determining what major actions will be proposed for consideration by the City Council. The Implementation Plan will serve as the basis for the preparation of the annual report to the City Council on the status of the City's progress in implementing the General Plan, as required by State law. Because some of the individual actions described in the Implementation Plan serve as mitigation for significant environmental impacts identified in the General Plan Program EIR, the annual report can also provide a means of monitoring the application of the mitigation measures as required by the State of California Environmental Quality Act (CEQA). This Implementation Plan may be updated with the budgeting process and whenever the City's General Plan is amended or updated to ensure continued consistency and usefulness.

Primary Implementation Documents

One of the primary implementation tools for the General Plan is the City's Zoning Ordinance, which establishes zoning districts and corresponding allowed use and development provisions for all property within the City. By law, the Zoning Ordinance text and map must be consistent with the General Plan. Other important implementation tools include, but are not limited to the City's Municipal Code, Subdivision Ordinance, development agreements, and specific plans.

Responsible Parties

It is primarily the responsibility of the City of San Marcos to implement the programs identified in the Implementation Plan. Departments within the City may enact, implement or maintain these programs individually, in collaboration with other departments, outside agencies, and/or private developers as appropriate. Parties responsible for implementing these programs may include:

- City Attorney
- City Clerk
- City Manager
- Code Enforcement
- Community Services
- Development Services, including:
 - Building Division
 - Engineering Division
 - Planning Division
- Finance
- Housing & Neighborhood Services
- Human Resources & Risk
- Public Safety
- Public Works
- Real Property Services
- Redevelopment/Economic Development
- Other agencies, districts, and/or organizations
- Private Developers

Funding

The City's General Fund is the primary source of funding for the General Plan and implementation. Several other fees and funding sources are used to implement the General Plan. These funding sources are listed as applicable in each implementation program.

Specific Implementation Programs

Implementation programs are listed by General Plan Element below. Implementation programs can implement one or more policies in one or more Element areas.

Land Use and Community Design Element Programs	2012 - 2014	Annual	Biennial	Ongoing
Issue: Balanced and Compatible Land Uses				
LU-1.1 Upon adoption of the General Plan, 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.	●			
Responsible Party(ies):	Development Services, City Clerk	●		
Implements Policy(ies):	LU-1.1, LU-1.2, LU-1.3, LU-1.4, LU-1.5, LU-1.6, LU-6.8, LU-6.10			
Funding Source:	General Fund			
LU-1.2 Ensure that City land use decisions are consistent with the policies of the Land Use and Community Design Element and the land uses shown on the General Plan Citywide Land Use Plan. Using the development review process and other tools outlined throughout the General Plan, ensure that the development objectives specified in the Land Use and Community Design Element are achieved for new development and infill projects.				●
Responsible Party(ies):	Development Services			●
Implements Policy(ies):	LU-1.2, LU-1.3, LU-1.5, LU-1.6, LU-5.6, LU-6.8, LU-6.10			
Funding Source:	General Fund, development fees			

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-1.3 Review discretionary development proposals to assess the compatibility of proposed development with adjacent/surrounding uses and activities. Consider site design, buffers, architectural and buffering techniques, and other measures to ensure compatibility between uses and activities.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-1.1, LU-1.3, LU-1.4, LU-1.6, LU-2.6, LU-3.8				
Funding Source:	General Fund, development fees				
LU-1.4 Encourage the development of well designed pedestrian-oriented mixed use projects.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-1.2, LU-1.3, LU-1.5, LU-1.6, LU-2.1, LU-3.1, LU-3.3, LU-3.5, LU-3.6, LU-3.8, LU-5.1, LU-5.6, LU-6.4, LU-6.9, LU-7.1, LU-7.2, LU-17.3				
Funding Source:	General Fund, development fees				
LU-1.5 Developer(s) of mixed use projects shall provide linear park amenities within the open space located on the west side of Pawnee Street, extending from Descanso Avenue to Linda Vista Drive. Amenities within the open space will provide increased pedestrian and bicycle access.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-1.7				
Funding Source:	General Fund, development fees				

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-2.1 Evaluate proposed development projects throughout the City using LEED standards, GreenPoint Rated, and/or other green building standards. The City encourages all future development and major renovation projects within the following General Plan designations to achieve LEED certification, and/or other green certifications: High Density Residential, Commercial, Office Professional, Mixed Use, Business Park, and Public/ Institutional. Encourage residential projects to achieve LEED certification, and or other green certifications and ratings.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-2.1, LU-2.2, LU-2.3, LU-2.4, LU-2.5, LU-2.6, LU-2.7				●
Funding Source:	General Fund, development fees				●
LU-2.2 Expand green building information, marketing, training, and technical assistance to property owners, development professionals, schools, and special districts.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-2.1, LU-2.2, LU-2.4, LU-2.5, LU-2.6, LU-13.3, LU-16.2				●
Funding Source:	General Fund, development fees				●
LU-2.3 Explore regional collaborations among local governments, special districts, universities, colleges, nonprofits, and other public organizations to share resources and develop green building policies and programs that are optimized on a regional scale.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-2.1, LU-2.2, LU-2.4, LU-2.5, LU-2.6, LU-13.2, LU-16.1, LU-16.2				●
Funding Source:	General Fund, development fees				●

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-2.4 Promote planting of vegetation within public rights of way and private development projects as a means of reducing the urban heat-island effect and to provide habitat and food. Provide technical assistance, such as tree planting and plant-care instruction, to citizens who want to create green spaces by transforming abutting yards, rooftops, or other private lands.					●
Responsible Party(ies):	Development Services, Community Services				●
Implements Policy(ies):	LU-2.5, LU-2.6, LU-2.7, LU-13.2				
Funding Source:	General Fund, private development				
Issue: Community Connections					
LU-3.1 Prepare guidelines that describe the City's process for CEQA streamlining for residential mixed-use projects and "Transit Priority Projects" consistent with the 2050 RTP/SCS.		●			
Responsible Party(ies):	Development Services	●			
Implements Policy(ies):	LU-3.7, LU-3.9, LU-3.10				
Funding Source:	General Fund				
LU-3.2 Identify major barriers, physical or plan-based, to connectivity and take appropriate action or steps to overcome those barriers.		●			●
Responsible Party(ies):	Development Services, Public Works, Public Safety, Community Services	●			●
Implements Policy(ies):	LU-3.1, LU-3.5, LU-3.7, LU-7.2, M-1.9				
Funding Source:	General Fund, development fees				

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-3.3	During specific, limited times, transform portions of a street or corridor in destination districts into an auto-free, pedestrian and community space.				●
Responsible Party(ies):	Community Services, Public Works, Public Safety				●
Implements Policy(ies):	LU-3.2, LU-3.4, LU-5.5				
Funding Source:	General Fund, development fees				
Issue: Education Hub					
LU-4.1	Develop and implement a Workforce Development Strategy by expanding opportunities for residents to enter into green collar jobs, including vocational training, mentorship and apprenticeship programs.	●			●
Responsible Party(ies):	Development Services, Community Services, local school district, local colleges and universities	●			●
Implements Policy(ies):	LU-1.2, LU-4.3				
Funding Source:	General Fund, development fees				
LU-4.2	Maintain and enhance partnerships with local workforce development programs. Encourage the university, community colleges, school district and adult education programs to offer more coursework and training oriented toward emerging green industries in addition to traditional trades. Collaborate with workforce development agencies and organizations to ensure that new and existing industries have easy access to a local, work ready and talented workforce.	●			●
Responsible Party(ies):	Development Services, Community Services, local school district, local colleges and universities	●			●
Implements Policy(ies):	LU-4.1, LU-4.2, LU-4.3				
Funding Source:	General Fund, grants				

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-4.3 Establish a competitive industry advantage for San Marcos by working with the Economic Development Committee and Chamber of Commerce to identify and develop a strategy to attract cutting edge technology businesses (e.g., green technology and research and high tech development)		●			●
Responsible Party(ies):	City Manager, Redevelopment/Economic Development	●			●
Implements Policy(ies):	LU-4.3, LU-4.4, LU-6.2, LU-6.3, LU-6.6, LU-17.2				
Funding Source:	General Fund, grants, Chamber of Commerce				
Issue: City of Distinct and Memorable Places					
LU-5.1 Plan for and encourage strong unifying gateways at major entrances to the City, mixed use districts and other active community centers. New private and public infrastructure and development projects should achieve strong gateway features through the use of signage and iconic design, architecture, and/or landscaping components to enhance the identity and character of San Marcos.					●
Responsible Party(ies):	Development Services, Community Services, Public Works				●
Implements Policy(ies):	LU-5.1, LU-5.2, LU-5.3, LU-5.5, LU-5.6, LU-6.9				
Funding Source:	General Fund, development fees, private development				
LU-5.2 Continue to implement the City's Ridgeline Ordinance to preserve ridgelines as natural focal points and as a visually appealing backdrop for the community.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-5.4				
Funding Source:	General Fund, development fees				

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-5.3	Continue to install public amenities such as streetlights, benches, trash containers, art, drinking fountains, landscaping, and other amenities, to provide pleasant and comfortable streets and parking areas that enhance the City's identity and promote walkability.				●
Responsible	Public Works, Development Services				●
Implements Policy(ies):	LU-5.2, LU-5.3, LU-5.5, LU-5.7, LU-5.8				
Funding Source:	General Fund, Development Fees				
Issue: Economic Strength and Stability					
LU-6.1	Coordinate with the Chamber of Commerce and the business community to ensure that business retention and attraction efforts are directed toward companies that will: <ul style="list-style-type: none"> • supply goods and services that are tailored to the community; • create few or no adverse environmental impacts and participate in recycling and similar green business and sustainable partner programs • provide jobs that reduce the need for residents to commute to work outside the City; • offer employees options such as carpooling, transit subsidies, flexible hours, and home-based work that help ease vehicle dependency and traffic congestion 				●
Responsible Party(ies):	City Manager, Development Services				●
Implements Policy(ies):	LU-6.1, LU-6.2, LU-6.5, LU-6.6, LU-6.7				
Funding Source:	General Fund, development fees				

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-6.2 Conduct outreach activities such as surveys, market research, and focus groups that explore opportunities for community development partnerships and joint planning efforts, and facilitate ongoing communication between staff, elected officials and employers.					●
Responsible Party(ies):	City Manager, Development Services				●
Implements Policy(ies):	LU-4.3, LU-6.1, LU-6.2, LU-6.3, LU-6.4, LU-6.5, LU-6.6, LU-6.7				
Funding Source:	General Fund				
Issue: Growth Management and Adequate Provision of Urban Services					
LU-7.1 Ensure that appropriate levels of urban services are achieved through the development and environmental review processes.					●
Responsible Party(ies):	Development Services, Public Services, Public Works				●
Implements Policy(ies):	LU-7.1, LU-8.1, LU-8.2, LU-8.3, LU-9.1, LU-14.1, LU-15.2				
Funding Source:	General Fund, development fees				
LU-7.2 Update and revise existing fee programs as needed, to ensure adequate funding for infrastructure improvements and community facilities are available to serve new development. Amend appropriate codes to require new projects to pay for the infrastructure and services.				●	
Responsible Party(ies):	City Manager, Development Services				●
Implements Policy(ies):	LU-6.1, LU-6.8, LU-8.1, LU-8.2, LU-8.3, LU-9.1, LU-15.2				
Funding Source:	General Fund, development fees				

Land Use and Community Design Element Programs	2012 - 2014	Annual	Biennial	Ongoing
LU-8.1 Coordinate with service providers to evaluate the level of emergency services provided to the community. Ensure that emergency service facilities and/or resources are demand-based for current and future populations considering the following:				●
<ul style="list-style-type: none"> Service levels should reflect community population, crime conditions, increased emergency activity, geography of service area, and funds availability. The design and location of physical facilities should minimize emergency response times, and accommodate growth in staffing and equipment needs through buildup of the community. Adequate street widths and clearance for emergency access should be provided. 				●
Responsible Party(ies):	Public Safety, Development Services			●
Implements Policy(ies):	LU-10.1, LU-10.2, LU-10.3			●
Funding Source:	General Fund, development fees			
LU-8.2 Continue to require “will serve” letters for utilities and from the school district prior to issuance of building permits.				●
Responsible Party(ies):	Community Services, Development Services			●
Implements Policy(ies):	LU-11.2, LU-13.1			
Funding Source:	Development fees			

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-8.3 Continue to coordinate with the educational community to address the following, as applicable:	<ul style="list-style-type: none"> Preparation of facilities master plans, and identification of future school and administrative facility sites, student generation formulas, and facility improvement plans; Continued development of safe pedestrian and bicycle routes to all schools, ensuring that supportive physical improvements (such as crosswalks and bike racks) are in place. Exploration of non-structural solutions that may encourage people to walk or bus to school, rather than drive (e.g., staggered start times, walking groups); Coordination of busing programs and expansion of ride-sharing opportunities to relieve congestion and improve safety conditions during school drop-off and pick-up times. Continued joint use of agreements for community recreation during non-school hours; Continued social support programs, afterschool learning and educational services near, and in conjunction with, workforce housing. 				
Responsible Party(ies):	Community Services, Development Services		●		
Implements Policy(ies):	LU-3.1, LU-3.5, LU-4.1, LU-4.2, LU-11.1				●
Funding Source:	Development fees, General Fund				
LU-8.4 Work with the County of San Diego to enhance access to and improve existing library facilities and associated programs and services.					●
Responsible Party(ies):	Community Services				●
Implements Policy(ies):	LU-12.1, LU-12.2				
Funding Source:	Development fees, General Fund				

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-8.5	Work with the County of San Diego, the educational community and community organizations to support distance learning, publicly accessible computers, internet service and technology training assistance. Target locations to provide technology and other services to ensure benefits to the greatest number of residents.				●
Responsible Party(ies):	Community Services				●
Implements Policy(ies):	LU-4.1, LU-4.2, LU-11.1, LU-12.1, LU-12.2				
Funding Source:	General Fund, development fees				
LU-8.6	Review development and redevelopment proposals and require necessary studies, as appropriate, to ensure adequate water and wastewater service.				●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	LU-13.1, LU-13.2, LU-14.1, LU-14.2				
Funding Source:	Development fees, General Fund				
LU-8.7	Consider water-based services that reduce demand and draw on alternative supplies. Water-based services include the application of state-of-the-art technology and practices; matching water quality to its end use; and financing local wastewater reuse in the same manner in which centralized water supply options are financed.				●
Responsible Party(ies):	Water districts, Public Works, Development Services				●
Implements Policy(ies):	LU-13.1, LU-13.2				
Funding Source:	Development fees, General Fund, grants				

Land Use and Community Design Element Programs				2012 - 2014	Annual	Biennial	Ongoing
LU-8.8 Maintain creeks and tributaries in their natural state to the extent possible. Promote the use of innovative design strategies within a 100-year floodplain.							●
Responsible Party(ies):	Development Services, Public Works						●
Implements Policy(ies):	LU-15.1, LU-15.2, LU-15.3, LU-15.4						
Funding Source:	Development fees, General Fund						
LU-8.9 Promote the use of non-native areas within the 100-year floodplain for appropriate passive recreation and/or open space buffers							●
Responsible Party(ies):	Development Services, Public Works						●
Implements Policy(ies):	LU-1.4, LU-15.3						
Funding Source:	General Fund, development fees						
LU-8.10 Continue to develop and implement waste diversion and public education programs that encourage recycling, resource recovery, composting strategies, and the diversion of construction and demolition waste from landfills. Work with the City's solid waste service provider to ensure that appropriate recycling containers, procedures, and education are readily available throughout the community.							●
Responsible Party(ies):	City Manager, Public Works, solid waste service provider						●
Implements Policy(ies):	LU-16.1, LU-16.2						
Funding Source:	General Fund, development fees, grants						

Land Use and Community Design Element Programs		2012 - 2014	Annual	Biennial	Ongoing
LU-8.11	As part of the development application and review process, coordinate with utility providers to assess capacity and infrastructure needs to support new development or redevelopment activities. Ensure through such coordination that San Marcos remains on the cutting edge of new infrastructure technology.				●
Responsible Party(ies):	Development Services, Public Works				●
Implements Policy(ies):	LU-15.2, LU-17.1, LU-17.2				
Funding Source:	General Fund, development fees				
LU-8.12	Continue to work with local energy and communication providers to under-ground utilities when older infrastructure requires replacement.				●
Responsible Party(ies):	Development Services, Public Works				●
Implements Policy(ies):	LU-17.4				
Funding Source:	State funds, development fees				

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Mobility Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Efficient Local and Regional Circulation System					
M-1.1 Coordinate with appropriate regional agencies to ensure that facilities are "right sized." Update appropriate guidelines to guide development within the City to contribute to mobility options through development of finance districts, community facilities districts, or impact fee programs. Evaluate new development proposals and ensure they are contributing to enhanced City mobility.					●
Responsible Party(ies):	Development Services, Public Works, SANDAG, Caltrans				●
Implements Policy(ies):	M-1.1, M-1.2, M-1.4, M-1.5, M-1.6, M-1.7, M-1.8, M-1.10				●
Funding Source:	General Fund, development fees, grants				
M-1.2 Manage transportation demand by working with SANDAG, key employers and developers where warranted to implement appropriate Transportation Demand Management (TDM) programs.					●
Responsible Party(ies):	Development Services, City Manager				●
Implements Policy(ies):	M-1.3				
Funding Source:	General Fund, development fees				
Issue: Traffic Calming and Safety					
M-2.1 Monitor the neighborhood transportation system to identify facilities that would benefit from appropriate traffic calming implementation and work with neighborhoods to implement appropriate solutions.				●	
Responsible Party(ies):	Development Services, Public Safety			●	
Implements Policy(ies):	M-2.1, M-2.2, M-2.3				
Funding Source:	General Fund, development fees				

Mobility Element Mobility Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Alternative Modes of Travel					
M-3.1 Support alternative modes of travel by continuously developing and supporting these modes of travel. This can continually occur by:	<ul style="list-style-type: none"> Continued implementation and update of the Bicycle Master Plan and integrating it with a Pedestrian Master Plan; Update and maintain City Roadway Standards to consider the public realm of the street and implement complete streets, as appropriate; Consider development of a neighborhood electric vehicle (NEV) master plan to encourage use of no emission vehicles on appropriate facilities. Coordinate with SANDAG and the State Legislature to allow NEVs on public roadways with greater than 35 miles per hour posted speed limit; Develop innovative funding mechanisms (such as fee districts or Transnet funding) to assist in implementing, operating, and maintaining the proposed shuttle system and bike share facilities within the City; Work with developers to integrate bicycle and pedestrian amenities within their development plans. 				
Responsible Party(ies):	City Manager, Development Services, Public Works	●			●
Implements Policy(ies):	M-1.2, M-1.7, M-1.10, M-3.1, M-3.2, M-3.3, M-3.4, M-3.5, M-3.6, M-3.7, M-3.8, M-3.9				
Funding Source:	General Fund, private development, grants				

Mobility Element Mobility Element Programs	2012 - 2014	Annual	Biennial	Ongoing
Issue: Parking				
M-4.1 Ensure that parking is “right sized” for all modes of travel. This can be accomplished by: <ul style="list-style-type: none">• Determining and updating appropriate parking standards for bicycles and electric vehicles;• Reducing parking standards, as appropriate, for employment around areas served by transit in mixed use districts;• Update the City’s parking code as needed to ensure appropriate rates are being used for new development;• Use smart parking techniques when developing parking requirements in mixed use development areas.				●
Responsible Party(ies):	City Manager, Development Services			●
Implements Policy(ies):	M-4.1, M-4.2			
Funding Source:	General Fund, grants, development fees			
Issue: Movement of Goods				
M-5.1 Support and manage the movement of goods within and through the City by: <ul style="list-style-type: none">• Working with appropriate agencies to improve the safety of the rail system; including safety enhancements to at-grade crossings and potential grade separations;• Updating, as needed, the Truck Route Plan to define appropriate facilities for truck traffic;• Calculating appropriate Traffic Indexes (TIs) and construct roadways such that they can accommodate heavy vehicles;• Updating the City’s roadway standards, as appropriate, to ensure that truck routes are designed to accommodate appropriate design vehicles.				●
Responsible Party(ies):	Development Services, Public Works			●
Implements Policy(ies):	M-5.1, M-5.2			
Funding Source:	General Fund, private development			

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Conservation and Open Space Element Programs	2012 - 2014	Annual	Biennial	Ongoing
Issue: Sustaining Our Ecological and Biological Resources				
COS-1.1 Identify funding sources to acquire and maintain regulatory agency-identified sensitive and unique habitat areas.				●
Responsible Party(ies):	City Manager, Development Services			●
Implements Policy(ies):	COS-1.1			
Funding Source:	General Fund, grants, development fees			
COS-1.2 Prior to development approval, require a biological assessment be performed by a qualified biologist in sensitive and regulated habitat areas where threatened, rare, and endangered species are known or reasonably expected to be present.				●
Responsible Party(ies):	City Manager, Development Services			●
Implements Policy(ies):	COS-1.2			
Funding Source:	General Fund, private development			
COS-1.3 Continue to work with state and federal resource agencies to protect areas containing threatened, rare or endangered species of plants and animals.				●
Responsible Party(ies):	City Manager, Development Services			●
Implements Policy(ies):	COS-1.1, COS-1.3			
Funding Source:	General Fund, development fees			

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Open Spaces and Limited Resources					
COS-2.1 Consider developing and implementing a comprehensive Open Space Management Plan, consisting of:	<ul style="list-style-type: none"> • A regularly updated GIS database and mapping system of existing and targeted open space and natural resources in the community. The City should use regional resources such as SANDAG, the County of San Diego, the California Natural Diversity Database (CNDDB), and regional habitat plans to routinely update such information. • A prioritized list of targeted open space areas given: <ul style="list-style-type: none"> • gaps and needs identified in the Master Parks Plan and Trails Master Plan • limited and unique resources the City wishes to protect • areas desired to be protected as open space for safety or other community benefits • A list of feasible means for establishing identified areas, such as through the use of easements, acquisition, long-term leases, private development, and cooperative agreements. 	●		●	
Responsible Party(ies):	City Manager, Development Services	●			●
Implements Policy(ies):	COS-2.1, COS-2.2, COS-2.3, COS-2.4, COS-2.5, COS-2.6				
Funding Source:	General Fund, development fees				

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Protecting Scenic Resources and Landform Features					
COS-3.1 Require proposed development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features through the application of techniques, such as:	<ul style="list-style-type: none"> • Creative site planning • Integration of natural features into the project • Appropriate scale, materials, and design to complement the surrounding natural landscape • Minimal disturbance of topography • Clustering of development so as to preserve a balance of open space vistas, natural features, and community character • Creation of contiguous open space networks • Requiring development to be consistent with the City's strategy to address the balance between energy savings and light pollution • Requiring development to comply with the Ridgeline Overlay Zone by applying viewshed management practices, specific plans, and open space easements to encourage the preservation of significant natural land forms • Requiring irrigation methods and landscaping of man made slopes that prevent erosion and soften the visual appearance of slopes 				●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	COS-3.1, COS-3.2, COS-3.3, COS-3.4				●
Funding Source:	Development fees, General Fund				●
Issue: Air Quality, Climate Change, and Energy					
COS-4.1 Review future development proposals for potential regional and local air quality impacts per CEQA. If impacts are identified, require mitigation to minimize or reduce the impact, where feasible.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	COS-4.1, COS-4.2				●
Funding Source:	Development fees				●

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
COS-4.2 Develop a Climate Action Plan for reducing greenhouse gas emissions to meet state requirements. Components of the plan should include:					
<ul style="list-style-type: none"> Quantify greenhouse gas emissions, both existing and projected, over a specified time period; Establish a level below which the contributions to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable; Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area; Specify strategies and measures to be implemented at the project level that would collectively achieve the specified emissions level; Establish a program for monitoring and reporting results. <p>(See also Program LU-2.1)</p>					
Responsible Party(ies):	City Manager, Development Services, City Clerk	●			
Implements Policy(ies):	COS-4.3, COS-4.4, COS-4.5, COS-4.8				●
Funding Source:	General Fund, development fees, State and Federal grants				
COS-4.3 Periodically incorporate the latest edition of California Green Code and update the San Marcos Green Building Ordinance requirements as mainline construction practices develop and new materials and building products become available with the goal of meeting the state's Net Zero Energy goals by the year 2020.					●
Responsible Party(ies):	City Manager, Development Services				●
Implements Policy(ies):	COS-4.3, COS-4.5, COS-4.6, COS-4.7, COS-4.9				
Funding Source:	General Fund, development fees				

Conservation and Open Space Element Programs	2012 - 2014	Annual	Biennial	Ongoing
COS-4.4 Cooperate with private industry (e.g., renewable energy providers) by removing unnecessary regulatory hurdles to incorporate renewable energy features in mixed use, multi-family, commercial, business park, and industrial developments.				●
Responsible Party(ies):	City Manager, Development Services			●
Implements Policy(ies):	COS-4.5, COS-4.7, COS-4.8			
Funding Source:	General Fund, development fees			
Issue: Water Supply and Conservation				
COS-5.1 Coordinate development review of proposed projects with the applicable water purveyors to ensure that adequate water supplies are available to support new development and redevelopment.				●
Responsible Party(ies):	Development Services, water purveyors			●
Implements Policy(ies):	COS-5.1			
Funding Source:	General Fund, development fees			
COS-5.2 Work with applicable water purveyors and the San Diego County Water Authority (SDCWA) to examine strategies to address the City's water supply needs in compliance with the Urban Water Management Plan.				●
Responsible Party(ies):	Development Services, water purveyors, SDCWA			●
Implements Policy(ies):	COS-5.1, COS-6.1, COS-6.2, COS-6.3, COS-7.2			
Funding Source:	General Fund			

Conservation and Open Space Element Programs

2012 - 2014	Annual	Biennial	Ongoing
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COS-5.3

Work with water purveyors to expand opportunities for the use of recycled water for activities such as outdoor irrigation, toilet flushing, fire hydrants, commercial and industrial processes, carwashes, concrete batching, laundromats, dust control, parks, golf courses, other landscaped areas, and other appropriate water-intensive uses.

Responsible Party(ies):	Development Services, Fire Department, Public Works, Community Services, water purveyors					
Implements Policy(ies):	COS-5.1, COS-5.2, COS-5.3, COS-6.3, COS-7.1					
Funding Source:	Development fees, General Fund					

COS-5.4

Require new development and redevelopment to incorporate drought tolerant landscaping in parks and open spaces within new rights-of-way, in yards, and other appropriate places.

Responsible Party(ies):	Development Services, Public Works, Community Services					
Implements Policy(ies):	COS-5.1, COS-5.2, COS-7.1, COS-8.3, COS-8.4					
Funding Source:	General Fund, development fees					

Conservation and Open Space Element Programs	2012 - 2014	Annual	Biennial	Ongoing
<p>COS-5.5 Implement water conservation efforts for households, businesses, industries and public infrastructure. Include the following measures:</p> <ul style="list-style-type: none"> • Require low-flow appliances and fixtures in all new development; • Work with water providers and water conservation agencies to create an incentives program that encourages retrofitting existing development with ultra low-flow water fixtures; • Require new development and landscaped public areas to utilize state-of-the-art irrigation systems that reduce water consumption including greywater systems, if feasible, and rainwater catchment • Encourage use of drought-tolerant and native vegetation. • Require development project approvals to include a finding that feasible and cost-effective options for conservation and water reuse are incorporated into project design. • If recycled water is unavailable, evaluate and if feasible, utilize recycled water and/or deep water wells rather than potable water for irrigation and other non-drinking purposes. • Educate the public regarding the various water conservation programs that the applicable water purveyors provide, and the benefits of water conservation, including tips on how to reduce water usage. 				●
Responsible Party(ies):	Development Services, water districts, City Manager			●
Implements Policy(ies):	COS-5.1, COS-6.2, COS-6.3, COS-7.1, COS-9.3			
Funding Source:	General Fund, development fees			
Issue: Watershed and Water Quality Protection				
<p>COS-6.1 Coordinate with regulatory agencies and other parties to ensure that pollutant sources to surface water and groundwater within subwatersheds are re-assigned to the appropriate regulatory process and agency (e.g., air, waste, water).</p>				●
Responsible Party(ies):	Development Services, Public Works			●
Implements Policy(ies):	COS-6.3, COS-8.2, COS-9.2			
Funding Source:	General Fund			

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
COS-6.2 Develop a watershed implementation and improvement plan, in conjunction with other agencies, for each subwatershed to address achievement of sustainable surface water quality and sustainable beneficial uses through identification of water use, supply treatment, and transportation opportunities, and provide programs and measures designed to promote, maintain, or achieve compliance with water quality laws, regulations, and standards including statewide plans, regional plans, total maximum daily loads (TMDLs), Stormwater NPDES Permit and future municipal stormwater permit(s).					
Responsible Party(ies):	Development Services	●			
Implements Policy(ies):	COS-6.1, COS-6.3, COS-8.4, LU-15.2				
Funding Source:	General Fund				
COS-6.3 Establish sources, constituents, and water body priorities based on surface water quality and groundwater quality for each watershed within the City of San Marcos.		●			
Responsible Party(ies):	Development Services	●			
Implements Policy(ies):	COS-6.1, COS-7.1, COS-8.1, COS-9.1, COS-9.2				
Funding Source:	General Fund				
COS-6.4 Identify pollutants of concern in each subwatershed for groundwater and surface water.		●			
Responsible Party(ies):	Development Services	●			
Implements Policy(ies):	COS-6.1, COS-6.3, COS-8.1, COS-9.2				
Funding Source:	General Fund				

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
COS-6.5 Prepare groundwater assessment concept plan for each viable groundwater basin to address the potential for achievement of sustainable groundwater quality and sustainable beneficial uses.		●			
Responsible Party(ies):	Development Services	●			
Implements Policy(ies):	COS-6.3, COS-7.1, COS-8.3, COS-9.1				
Funding Source:	General Fund				
COS-6.6 Involve the public in understanding and defining sustainable watershed protection for surface and groundwater quality management by:					●
• Developing publicly supported criteria for sustainable watershed protection based on social, economic and environmental costs and benefits; and					
• Applying publicly supported criteria for watershed protection to surface and groundwater quality management decisions.					
Responsible Party(ies):	Development Services, City Manager, Community Services				●
Implements Policy(ies):	COS-5.1, COS-6.2, COS-7.1, COS-7.2, COS-8.3, COS-9.3				
Funding Source:	General Fund				
COS-6.7 Assess hydromodification effects at the subwatershed level. Establish at the subwatershed level hydromodification management plans for high priority drainages.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	COS-6.1, COS-6.3, COS-9.2				
Funding Source:	General Fund, development fees				

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Recycling and Solid Waste					
COS-7.1 Expand special waste collection and recycling services including bulk trash items, electronic waste, household hazardous waste, food scraps, green waste and other programs as necessary.					●
Responsible Party(ies):	Solid waste haulers, Public Works, City Manager				●
Implements Policy(ies):	COS-10.1, COS-10.2				
Funding Source:	Development Fees				
COS-7.2 Continue to implement in coordination with City authorized waste haulers a full complement of City programs that encourage and accommodate recycling of a broad range of materials, including, but not limited to, the following:					●
<ul style="list-style-type: none"> • Curbside commingled recycling • Curbside green waste recycling • Waste motor oil collection • Waste motor oil and commingled recycling drop off • Sharp objects/needles medical recycling • Electronic appliance recycling • Commercial bin recycling • Construction and demolition waste recycling • Bulk-item materials collection • Recycling at multiple-family housing complexes 					
Responsible Party(ies):	Solid waste haulers, Public Works, City Manager				●
Implements Policy(ies):	COS-10.1, COS-10.2				
Funding Source:	General Fund, grants, Development Fees				

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
COS-7.3 Educate the public regarding the various recycling programs that the City offers, and the benefits of recycling and waste reduction, including tips on how to recycle.					●
Responsible Party(ies):	City Manager, Community Services, Public Works				●
Implements Policy(ies):	COS-10.1, COS-10.2				
Funding Source:	General Fund				
COS-7.4 As a part of a contractor demolition package, require to the maximum extent practicable non-hazardous debris (excluding excavated soil and land-clearing debris) to be recycled or salvaged. Work with contractors to share best practices on building recycling and reuse and demolition techniques to minimize waste, dust generation, water and energy use and other impacts of construction and demolition work.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	COS-10.2, COS-10.3				
Funding Source:	Development fees				
COS-7.5 Adopt purchasing practices and standards, where feasible, to support reductions in GHG emissions, including preferences for energy-efficient office equipment, and the use of recycled materials and manufacturers that have implemented green management practices.		●			●
Responsible Party(ies):	City Manager, Real Property Services, Finance	●			●
Implements Policy(ies):	COS-10.3				
Funding Source:	General Fund				

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
COS-7.6 Work with the private sector to appropriately regulate and approve methane recovery operations at the former landfill site.					●
Responsible Party(ies):	City Manager, Real Property Services, Public Works, Development Services				●
Implements Policy(ies):	COS-10.4				
Funding Source:	Private development				
Issue: Preserve Cultural and Historic Resources					
COS-8.1 The City shall work with State, and Federal agencies to apply and enforce historic preservation laws, including the adopted Mills Act, regulations, and codes including the California Historical Building Code and other State laws related to archaeological resources to ensure the adequate protection of these resources.					●
Responsible Party(ies):	Development Services, Housing & Neighborhood Services, Code Enforcement				●
Implements Policy(ies):	COS-11.1, COS-11.2, COS-11.3				
Funding Source:	General Fund, development fees				
COS-8.2 Consult with the appropriate organizations and individuals (e.g., Information Centers of the California Historical Resources Information System (CHRIS), the Native American Heritage Commission (NAHC), and Native American groups and individuals) to minimize potential impacts to historic and cultural resources.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	COS-2.5, COS-11.1, COS-11.2				
Funding Source:	General Fund, development fees, grants				

Conservation and Open Space Element Programs		2012 - 2014	Annual	Biennial	Ongoing
COS-8.3 Where feasible, relocate historic structures to the Heritage Park section of Walnut Grove Park.					●
Responsible Party(ies):	Community Services, Development Services				●
Implements Policy(ies):	COS-11.3				
Funding Source:	General Fund, development fees				

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APPENDIX A IMPLEMENTATION PLAN

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Parks, Recreation, and Community Health Element Programs	2012 - 2014	Annual	Biennial	Ongoing
Issue: Responsive System of Local Parks, Trails, and Recreational Facilities				
PR-1.1 Evaluate, and if needed, update the Master Parks Plan and Trails Master Plan to address changing recreation interests, trends, needs, and priorities, as follows:				
<ul style="list-style-type: none"> Identify long-term goals for the Community Services Department and the community; Describe current and future needs; Evaluate whether parks and trails standards are being met; Survey community for interests and preferences improving new parks and community facilities, and expanding or initiating new programs and services; Identify improvements to connect activity centers, close gaps in the bicycle and pedestrian network, and allow full access to recreation facilities; Prioritize projects; and Outline funding mechanisms for maintaining programs and facilities. 				
Responsible Party(ies):	Community Services			
Implements Policy(ies):	PR-1.1, PR-1.2, PR-1.3, PR-1.4, PR-1.5, PR-1.6, PR-1.7, PR-2.1, PR-2.2.			
Funding Source:	General Fund			
PR-1.2 Continue to pursue joint-use agreements with school districts, neighboring jurisdictions, public agencies, private entities and nonprofit organizations that own and operate facilities within the City.				
Responsible Party(ies):	City Manager, Development Services, Community Services			
Implements Policy(ies):	PR-1.1, PR-1.2, PR-1.3, PR-2.1, PR-2.6, LU-11.2			
Funding Source:	General Fund, private development			

Parks, Recreation, and Community Health Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Community Health and Family Enrichment					
PR-2.1 Work with neighborhood groups to identify, design, and manage community gardens. Ensure that community gardens and garden plots are allocated according to a fair and equitable formula.					●
Responsible Party(ies):	Community Services, Development Services				●
Implements Policy(ies):	PR-2.1, PR-2.3, PR-2.4				
Funding Source:	Private development				
PR-2.2 In collaboration with school districts and other educational institutions, implement programs to improve walking and bicycling access and safety to schools and after school programs. These programs should include, but not be limited to: <ul style="list-style-type: none"> • Programs, such as a “walking school bus” where parents and other responsible adults can share the responsibility of escorting children to and from school by foot or bicycle. • Improved pedestrian and bicycle access to Palomar College, California State University San Marcos, and other educational campuses. 					●
Responsible Party(ies):	Community Services, Public Safety				●
Implements Policy(ies):	PR-2.2				
Funding Source:	General Fund, grants				

Parks, Recreation, and Community Health Element Programs		2012 - 2014	Annual	Biennial	Ongoing
PR-2.3	Attract and expand access to certified farmers markets, with actions including but not limited to: expanding days and hours of existing farmers market, pursuing new farmers markets in transit-accessible locations, supporting expanded transit service and programs to bring residents to and from the farmers markets, and allowing farmers markets on public and institutional properties at minimal cost to the vendors.				●
Responsible Party(ies):	City Manager, Community Services, Development Services				●
Implements Policy(ies):	PR-2.3, PR-2.4				
Funding Source:	Private development				
PR-2.4	Collaborate with the San Diego County Department of Environmental Health (DEH) and community organizations to encourage new and existing convenience stores, supermarkets, liquor stores and neighborhood and ethnic markets to stock fresh produce, meats and dairy, 100 percent juices and whole-grain products. Identify stores that are willing to participate in the program.	●			
Responsible Party(ies):	City Manager, Community Services	●			
Implements Policy(ies):	PR-2.3, PR-2.4				
Funding Source:	General Fund				
PR-2.5	Expand community service programs and classes through partnerships with community groups or medical institutions (e.g., Kaiser Permanente) to create healthy food and nutrition courses which assist residents in evaluating food and lifestyle choices.				●
Responsible Party(ies):	Community Services				●
Implements Policy(ies):	PR-2.4				
Funding Source:	General Fund, Grants				

Parks, Recreation, and Community Health Element Programs		2012 - 2014	Annual	Biennial	Ongoing
PR-2.6 Work with medical providers, transit agencies, private transit providers and community representatives to assure equitable access major medical facilities in the City and the region. Include recommendations for locating future medical facilities in proximity to local public transit service.					●
Responsible Party(ies):	Community Services, Public Safety				●
Implements Policy(ies):	PR-2.5				
Funding Source:	General Fund				
PR-2.7 Continue to distribute information about community events to a wide range of community organizations including churches, senior facilities, schools, etc. using existing City-sponsored platforms such as the City website and newsletter.					●
Responsible Party(ies):	Community Services, City Manager				●
Implements Policy(ies):	PR-2.1, PR-2.6				
Funding Source:	General Fund				

Safety Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Natural Geologic Hazards					
S-1.1 Require investigations to be performed by a qualified geological engineer for all development and redevelopment proposals in areas where potential fault rupture, liquefaction, shallow ground water, slope instability, or other geologic functions are suspected.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	S-1.1, S-1.2				●
Funding Source:	General Fund, development fees				●
S-1.2 Require all new construction to conform to the latest adopted edition of the California Building Code, which specifies requirements for seismic design, foundation, drainage, and retrofitting.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	S-2.2				●
Funding Source:	General Fund, development fees				●
Issue: Flooding Hazards					
S-2.1 Work with regulatory agencies to secure permits for natural channelization of select reaches of San Marcos Creek, and other tributaries, where warranted.					●
Responsible Party(ies):	Development Services, Public Works				●
Implements Policy(ies):	S-2.1				●
Funding Source:	General Fund, development fees				●

Safety Element Programs		2012 - 2014	Annual	Biennial	Ongoing
S-2.2 Require all new development to comply with all requirements of the San Marcos Municipal Code relating to the Flood Damage Prevention Zone.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	S-2.2				
Funding Source:	General Fund, development fees				
Issue: Fire Hazards					
S-3.1 Require builders to prepare fire study and fuel management plan/report for development within or adjacent to "High," "Very High," or "Extreme" community hazard areas as identified by the City of San Marcos Fire Department HRA.					●
Responsible Party(ies):	Development Services, Public Safety				●
Implements Policy(ies):	S-3.1				
Funding Source:	Development fees				
S-3.2 Require all new development or existing structures in "High," "Very High," or "Extreme" community hazard areas, identified in the San Marcos Fire Department HRA, to maintain and employ a fuel reduction/management plan.					●
Responsible Party(ies):	Public Safety, Code Enforcement				●
Implements Policy(ies):	S-3.1				
Funding Source:	Private development, Development fees				

Safety Element Programs		2012 - 2014	Annual	Biennial	Ongoing
S-3.3 Continue to update design and construction standards for seismic and fire safety; require multi-story development to comply with the City's Mid Rise Ordinance.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	S-1.1, S-3.1				
Funding Source:	General Fund				
S-3.4 Update the City's assessment of the impacts of new development on the level of fire protection services by requiring new development to determine impacts on fire protection service and road infrastructure costs following the adoption of the General Plan.					●
Responsible Party(ies):	City Manager, Public Safety				●
Implements Policy(ies):	S-3.2, S-3.3				
Funding Source:	General Fund, development fees				
S-3.5 Continue to use Community Facility Fund (CFF) monies to fund access roads and operations for fire and police protection.					●
Responsible Party(ies):	Public Safety				●
Implements Policy(ies):	S-3.2, S-3.4, S-5.1, S-6.1				
Funding Source:	CFF				

Safety Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Hazardous Materials					
S-4.1 Restrict hazardous materials transportation to designated truck routes and time periods per the Hazardous Materials Management chapter of the Zoning Ordinance.					●
Responsible Party(ies):	Public Safety				●
Implements Policy(ies):	S-4.1, S-4-3				
Funding Source:	General Fund				
S-4.2 Maintain the existing, or comparable, arrangement with the County of San Diego Department of Environmental Health (DEH) Hazardous Materials Division (HMD) and local response teams for hazardous material spill response.					●
Responsible Party(ies):	City Manager, Public Safety				●
Implements Policy(ies):	S-4.1, S-4-3				
Funding Source:	General Fund				
S-4.3 Require Cortese List status submittal and review by DEH HMD, or appropriate local agency, for known or suspected contamination sites prior to issuance of building permits.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	S-4.1, S-4.2, S-4-3, S-4.4				
Funding Source:	Development fees				

Safety Element Programs		2012 - 2014	Annual	Biennial	Ongoing
S-4.4	Continue to work with public school districts to ensure CEQA compliance and the use of Department of Education siting requirements for schools and other applicable children-related land uses.				●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	S-4.3, S-4.4, COS-4.2				
Funding Source:	State funds				
Issue: Emergency Preparedness / Neighborhood Safety					
S-5.1	Continue to utilize existing neighborhood networks to expand community outreach and education regarding potential hazards, hazard mitigation, available resources, and emergency response.				●
Responsible Party(ies):	City Manager, Community Services				●
Implements Policy(ies):	S-4.1, S-5.2, S-5.3, S-6.2				
Funding Source:	General Fund				
S-5.2	Require the early integration of crime prevention strategies in new development and redevelopment projects including the involvement of law enforcement in the review of major projects in the City.				●
Responsible Party(ies):	Development Services, Public Safety				●
Implements Policy(ies):	S-6.1, S-6.3				
Funding Source:	Development fees				

Safety Element Programs		2012 - 2014	Annual	Biennial	Ongoing
S-5.3 Continue to secure funding for and update Emergency Operations Center plan.				●	●
Responsible Party(ies):	Public Safety			●	●
Implements Policy(ies):	S-5.1				
Funding Source:	General Fund				
S-5.4 Develop traffic light management plan for emergency events and coordinate such a plan with North County Transit District (NCTD) for all significant SPRINTER intersections.		●			
Responsible Party(ies):	Public Safety, NCTD	●			
Implements Policy(ies):	S-5.2				
Funding Source:	General Fund				
S-5.5 Regulate fence heights in front yards, off-street parking of vehicles, visibility of the property from the street, and night lighting through Zoning Ordinance and development review.					●
Responsible Party(ies):	Development Services, Code Enforcement				●
Implements Policy(ies):	S-6.3				
Funding Source:	General Fund, development fees				

Safety Element Programs		2012 - 2014	Annual	Biennial	Ongoing
S-5.6 Require disclosure, per state law regulations, of airport proximity for all properties located within the Airport Land Use Compatibility Plan (ALUCP) Review Area 2. See Figure 6-4 McClellan-Palomar Airport Influence Area.					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	S-7.1				
Funding Source:	Development fees				
S-5.7 Augment existing uniformed personnel through the use of well trained CERT, and other community, volunteers as a force multiplier for the safety of the community.					●
Responsible Party(ies):	Public Safety, City Manager				●
Implements Policy(ies):	S-6.2				
Funding Source:	General Fund				

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APPENDIX A IMPLEMENTATION PLAN

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Noise Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Noise and Land Use Compatibility					
N-1.1 Review development proposals to ensure that noise standards and compatibility criteria set forth in the Noise Element are met:					●
<ul style="list-style-type: none"> Consult the Noise Element guidelines and standards for noise compatible land uses to determine the suitability of proposed developments relative to existing and forecasted noise levels in accordance with the Land Use Compatibility Noise Standards presented in Figure 7-2. Enforce the California Noise Insulation Standards to ensure an acceptable interior noise level of 45 A-weighted decibels (dBA) community noise equivalent level (CNEL) in habitable rooms. 					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	N-1.1, N-1.2, N-1.3, N-1.4, N-1.5, N-1.6, N-1.7, N-1.8				
Funding Source:	General Fund, development fees				
N-1.2 During project review, the City shall consider an increase in ambient noise levels due to transportation sources associated with a project to be a significant noise impact if a proposed project causes ambient noise levels to exceed the following:					●
<ul style="list-style-type: none"> Where the existing ambient noise level is less than 65 dBA, a project related permanent increase in ambient noise levels of 5 dBA CNEL or greater; or, Where the existing ambient noise level is greater than 65 dBA, a project related permanent increase in ambient noise levels of 3 dBA CNEL or greater. 					●
Responsible Party(ies):	Development Services				●
Implements Policy(ies):	N-1.1, N-1.2, N-1.3, N-1.4, N-1.5, N-1.7, N-1.8				
Funding Source:	General Fund, development fees				

Noise Element Programs		2012 - 2014	Annual	Biennial	Ongoing
N-1.3	Acoustical studies will be required for all discretionary projects where any of the following apply:				
	<ul style="list-style-type: none"> The project includes a noise-sensitive land use that is located within the existing or future 65 dBA CNEL contour for transportation noise sources. The project will cause future traffic volumes to increase by 25 percent or more on any roadway that fronts residential, institutional, or open space land uses. The project will expose a noise-sensitive land use to a stationary noise source exceeding the standards outlined in the Noise Element. Such stationary sources may include mechanical equipment operations, entertainment venues, industrial facilities, and property maintenance. The project includes a noise-sensitive land use near existing or proposed commercial and industrial areas. The project is a mixed-use development that includes a residential component. The focus of this type of acoustical study is to determine likely interior and exterior noise levels and to recommend appropriate design features to reduce noise. <p>This above list is not exhaustive of the conditions that the City may use to decide when an acoustical study is required.</p> <p>See Implementation Program N-1.2 for acoustical study requirements.</p>				
Responsible Party(ies):	Development Services				
Implements Policy(ies):	N-1.1, N-1.5, N-1.7				
Funding Source:	General Fund, development fees				

Noise Element Programs	2012 - 2014	Annual	Biennial	Ongoing
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N-1.4

Any acoustical study required by the City shall:

- Be the financial responsibility of the applicant seeking City approval of a project;
- Follow the County of San Diego Report Format and Content Requirements for Noise, or follow any subsequent document that the County uses for preparing noise reports
- Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics;
- Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and predominant noise sources;
- Estimate existing and projected cumulative (20 years) noise in terms of CNEL or Leq, and compare those noise levels to the adopted standards and policies of the Noise Element;
- Recommend appropriate mitigation to achieve compliance with the adopted policies and standards of the Noise Element. Where the noise source in question consists of intermittent single events, the report must address the effects of maximum noise levels in sleeping rooms in terms of possible sleep disturbance.
- Describe a post-project assessment program that could be used to evaluate the effectiveness of the proposed mitigation measures.

See Implementation Program N-1.2 for projects requiring an acoustical study.

Responsible Party(ies):	Development Services				
Implements Policy(ies):	N-1.1, N-1.5				
Funding Source:	Private development				

N-1.5

Develop acoustical study guidelines that describe the City's desired procedure and format for acoustical studies.

Responsible Party(ies):	Development Services				
Implements Policy(ies):	N-1.1, N-1.5				
Funding Source:	General Fund, development fees				

Noise Element Programs	2012 - 2014	Annual	Biennial	Ongoing
Issue: Transportation Related Noise				
<p>N-2.1 Implement the following strategies to reduce vehicular traffic noise throughout the City:</p> <ul style="list-style-type: none"> • Review, update, and designate local truck routes to reduce truck traffic in noise sensitive land uses areas. • Identify locations for installation of traffic calming devices to reduce traffic speed in residential zones. • Require the use of alternative paving materials, such as rubberized asphalt, to reduce traffic noise where determined feasible and cost efficient. 				
Responsible Party(ies):	Public Works, Development Services			
Implements Policy(ies):	N-2.1, N-2.2, N-2.3, N-2.4, N-2.5			
Funding Source:	General Fund, development fees, grants			
<p>N-2.2 Promote the use of wayside train horns at all feasible crossings consistent with the federal Train Horn Rule along the North County Transit District SPRINTER rail line. Where necessary, coordinate with rail agencies and operators including the North County Transit District and Federal Railroad Administration in the planning of noise mitigation along rail corridors including site design and setbacks.</p>				
Responsible Party(ies):	City Manager, Public Works			
Implements Policy(ies):	N-2.6, N-2.7, N-2.8			
Funding Source:	General Fund, grants			
<p>N-2.3 Continue to coordinate with the Federal Aviation Administration, Caltrans Division of Aeronautics, and the San Diego County Airport Authority regarding the siting and operation of heliports and helistops to avoid excessive helicopter noise.</p>				
Responsible Party(ies):	Public Works			
Implements Policy(ies):	N-2.9			
Funding Source:	General Fund, development fees			

Noise Element Programs	2012 - 2014	Annual	Biennial	Ongoing
Issue: Transportation Related Noise				
N-3.1 Update the Noise Ordinance to incorporate new noise standards consistent with the Noise Element and to ensure effectiveness in controlling noise sources. Revise the Noise Ordinance to achieve the following:				
<ul style="list-style-type: none"> Provide hourly and maximum property line noise level limits for all major zoning districts defined in the Zoning Ordinance; Limit the hours of deliveries to commercial, mixed use, and industrial uses adjacent to residential and other noise sensitive land uses; Limit the hours of operation for commercial and retail to limit noise intrusion into nearby residential and other noise sensitive land uses; Limit noise levels generated by commercial and industrial uses; Limit outdoor industrial activities or operations to control excessive noise at adjacent residential properties; Limit the hours of operation of high noise-generating industrial equipment; Limit the hours of operation for commercial refuse vehicles and parking lot sweepers if their activity results in an excessive noise level that adversely affects adjacent residential uses; Require the placement of loading and unloading areas so that commercial and industrial buildings shield nearby residential land uses from noise generated by loading dock and delivery activities. If necessary, additional sound barriers shall be constructed on the commercial sites to protect nearby noise sensitive uses; Require the placement of all commercial HVAC machinery to be placed within mechanical equipment rooms wherever possible. (Equipment manufacturer's specifications for venting and access to outside air shall be maintained); and Require the provision of localized noise barriers or rooftop parapets around HVAC, cooling towers, and mechanical equipment so that line-of-sight to the noise source from the property line of the noise sensitive receptors is blocked. (Equipment manufacturer's specifications for venting and 				
Responsible Party(ies):	City Manager, Development Services			
Implements Policy(ies):	N-3.1, N-3.2, N-3.3, N-3.4, N-3.5			
Funding Source:	General Fund, development fees			

Noise Element Programs		2012 - 2014	Annual	Biennial	Ongoing
Issue: Transportation Related Noise					
N-3.2 Require construction contractors to implement the following measures during construction activities through contract provisions and/or conditions of approval as Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps).	<ul style="list-style-type: none"> Construction operations and related activities associated with the proposed project shall comply with the operational hours outlined in the City of San Marcos Noise Ordinance. Construction equipment shall not be idled for extended periods of time in the vicinity of noise sensitive receptors. Locate fixed and/or stationary construction equipment as far as possible from noise sensitive receptors (e.g., generators, compressors, rock crushers, cement mixers). Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on powered construction equipment. Where feasible, temporary barriers shall be placed as close to the noise source or as close to the receptor as possible and break the line of sight between the source and receptor where modeled levels exceed applicable standards. Acoustical barriers shall be constructed material having a minimum surface weight of 2 pounds per square foot or greater, and a demonstrated Sound Transmission Class (STC) rating of 25 or greater as defined by American Society for Testing and Materials (ASTM) Test Method E90. Placement, orientation, size, and density of acoustical barriers shall be determined by analysis. 				
Responsible Party(ies):	Development Services, Code Enforcement				
Implements Policy(ies):	N-3.1, N-3.2, N-3.3				
Funding Source:	General Fund, development fees				



APPENDIX B RELATED REGULATIONS, PLANS, AND PROGRAMS

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APPENDIX B RELATED REGULATIONS, PLANS, AND PROGRAMS

Introduction

Many plans and programs enacted through federal, State, and local legislation relate directly to the goals of the General Plan. These plans and programs are administered by agencies with powers to enforce federal, State, and local laws. The purpose of this appendix is to serve as a useful introduction to potential federal, State, and local regulatory requirements during development and environmental review. Since the regulatory environment changes frequently, these plans and programs have been presented in an appendix to allow the City to revise this section as needed without undergoing a formal General Plan Amendment. Table B-1 (at the end of this appendix) depicts the relationship between related plans and programs and the General Plan elements in a matrix format.

Federal Plans and Programs

Age Discrimination Act of 1975

The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

American Indian Religious Freedom Act, Title 42 United States Code Section 1996

This measure establishes a national policy to protect the right of Native Americans and other indigenous groups to exercise their traditional religions. Federal agencies issuing permits are required to comply with this Act if Native Americans identify issues regarding their right to exercise traditional religious practices.

Americans with Disabilities Act (ADA)

Title II of the ADA prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance, and housing referrals.

Antiquities Act of 1906, Title 16 United States Code Sections 431-433

This Act establishes criminal penalties for unauthorized destruction or appropriation of "any historic or prehistoric ruin or monument, or any object of antiquity" on federal land.

April 2007 U.S. Supreme Court Ruling

In *Massachusetts et al. vs. Environmental Protection Agency et al.* 549 U.S. 497(2007), the U.S. Supreme Court ruled that GHGs were not excluded from regulation as a pollutant under the Clean Air Act. The Supreme Court did not mandate that USEPA enact regulations to reduce GHG emissions, but found that USEPA could regulate GHGs as a pollutant if it made the appropriate findings under the Clean Air Act.

Archaeological Resources Protection Act of 1979, Title 16 United States Code Section 470aa-470mm

This Act provides protection of archaeological resources from vandalism and unauthorized collecting on federal land.

Architectural Barriers Act of 1968

The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and usable by handicapped persons.

Bald and Golden Eagle Protection Act (BGEPA)

BGEPA is the primary law protecting eagles. It defines "take" as "to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, disturb individuals, their nests and eggs" (16 USC 668c). "Disturb" is defined by regulation at 50 CFR 22.3 in 2007 as "to agitate or bother a bald or golden eagle to a degree that causes...injury to an eagle, a decrease in productivity, or nest abandonment..." A goal of BGEPA is to achieve and maintain stable or increasing populations of bald and golden eagles.

Chemical Accident Prevention Provisions

The provisions listed under Part 68 of the Code of Federal Regulations (CFR) set forth the list of regulated substances and thresholds, the petition process for adding or deleting substances to the list of regulated substances, the requirements for owners or operators of stationary sources concerning the prevention of accidental releases, and the state accidental release prevention programs approved under Section 112(r). The CalARP Program, described below, is the state adaptation of this federal regulation. The list of federally regulated substances and federally regulated flammable substances and their threshold quantities can be accessed online from the California Office of Emergency Services' website (<http://www.oes.ca.gov>).

Civil Rights Act

Title VIII (The Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability). Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified.

Department of Transportation Act of 1966

Section 4(f) of the Department of Transportation Act of 1966 specifies that a transportation project requiring the use of publicly owned parks, recreation areas, historic sites (including those owned privately), wildlife and waterfowl refuges, and many other types of resources can be approved only if there is no feasible and prudent alternate to using that land and if the project is planned to minimize harm to the property.

Education Amendments Act of 1972

Title IX of the Education Amendments Act prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

Emergency Planning Community Right-to-Know Act (EPCRA)

The Emergency Planning Community Right-to-Know Act (EPCRA) was included under the Superfund Amendments and Reauthorization Act (SARA) law and is commonly referred to as SARA Title III. EPCRA was passed in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. EPCRA establishes requirements for federal, state, and local governments, Indian Tribes, and industry regarding emergency planning and Community Right-to-Know reporting on hazardous and toxic chemicals. SARA Title III requires states and local emergency planning groups to develop community emergency response plans for protection from a list of Extremely Hazardous Substances (40 CFR 355 Appendix B). The Community Right-to-Know provisions help increase the public's knowledge of and access to information on chemicals at individual facilities, their uses, and their release into the environment.

Energy Policy and Conservation Act of 1975

The Energy Policy and Conservation Act of 1975 established the first fuel economy standards for on-road motor vehicles sold in the United States. The National Highway Traffic and Safety Administration (NHTSA), which is part of USDOT, is responsible for establishing additional vehicle standards and for revising existing standards. On October 25, 2010, USEPA and NHTSA announced the first program to reduce GHGs and improve fuel efficiency of medium- and heavy-duty vehicles. Both USEPA's and NHTSA's joint proposed standards for the three main heavy-duty regulatory categories; combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles, and will improve fuel efficiency between 7 and 20 percent among truck classes, and begin with the model year 2014. The agencies are expecting to finalize the rule by July 30, 2011.

Energy Policy Act of 1992

The Energy Policy Act of 1992 (EPAct) was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain federal, state, and local government and private fleets to purchase a percentage of light duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

Energy Policy Act of 2005

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Generally, the Act provides for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for a clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

Executive Order 11593 of May 13, 1971, 36 Federal Register 8921

This Executive Order focuses on the protection and enhancement of the cultural environment. It outlines responsibilities of federal agencies and the Secretary of the Interior with regard to cultural resources.

Executive Order 11990 - Protection of Wetlands

Executive Order 11990 is an overall wetlands policy for all agencies managing federal lands, sponsoring federal projects, or providing federal funds to state or local projects. This Executive Order requires that when a construction project involves wetlands, a finding must be made by the federal agency that there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize impacts to wetlands resulting from such use.

Fair Housing-Related Presidential Executive Orders

Executive Orders 11063, 11246, 12892, 12898, and 13166 prohibit discrimination based on race, color, religion, sex, or national origin in areas of federally owned or federally assisted housing, federal employment, and federal programs and policies, as well as eliminate, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally assisted and federally conducted programs and activities. Executive Order 13217 requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

Farmland Protection Policy Act of 1981

Congress passed the Agriculture and Food Act of 1981 (Public Law 97-98) containing the Farmland Protection Policy Act (FPPA)—Subtitle I of Title XV, Section 1539-1549. The FPPA is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. The objective of the FPPA is to ensure that—to the extent possible—federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every 2 years.

Federal Aviation Administration (FAA) Functions

The FAA has primary responsibility for the safety of civil aviation. The FAA's major functions related to hazards include:

- Developing and operating a common system of air traffic control and navigation for both civil and military aircraft;
- Developing and implementing programs to control aircraft noise and other environmental effects of civil aviation;
- Regulating U.S. commercial space transportation; and
- Conducting reviews to determine that the safety of persons and property on the ground are protected.

Federal Aviation Regulations (FAR), Notice of Proposed Construction or Alteration

The FAA imposes height restrictions in order to prevent obstructions to navigable airspace to protect flights and surrounding structures. In certain cases, the FAA should be notified of proposed development pursuant to Section 77.11 of FAR. The notification of proposed development enables the FAA to provide a basis for:

- Evaluating the effect of the construction or alteration on operational procedures and proposed operational procedures;
- Determinations of the possible hazardous effect of the proposed construction or alteration of air navigation;
- Recommendations for identifying the construction or alteration in accordance with current FAA Advisory Circular AC 70/7460-1K dated August 1, 2000, Obstruction Marking and Lighting;
- Determining other appropriate measures to be applied for continued safety of air navigation; and
- Charting and other notification to airmen of the construction or alteration.

Certain projects that may affect public and military airports require notification to the FAA. Individual jurisdictions can request an FAA evaluation of proposed development when certain features appear to be potentially hazardous.

Federal Clean Air Act

The federal Clean Air Act requires the adoption of National Ambient Air Quality Standards (NAAQS) to protect public health and welfare from the effects of air pollution. Six air pollutants have been identified by the U.S. Environmental Protection Agency (USEPA) as being of concern nationwide: carbon monoxide (CO); ozone (O₃); nitrogen dioxide (NO₂); sulfur dioxide (SO₂); lead (Pb); and particulate matter (PM), which is subdivided into two classes based on particulate size – PM10 and PM25. These pollutants are collectively referred to as criteria pollutants.

Federal Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 provided a new set of mitigation plan requirements for state and local jurisdictions to coordinate disaster mitigation planning and implementation. States are encouraged to complete a “Standard” or an “Enhanced” Natural Mitigation Plan. “Enhanced” plans demonstrate increased coordination of mitigation activities at the state level, and, if completed and approved, will increase the amount of funding through the Hazard Mitigation Grant Program. California’s updated State Hazard Mitigation Plan was adopted on October 8, 2007, and approved by FEMA Region IX on December 17, 2007. The City of San Marcos is one of the communities covered by the County of San Diego Multi-jurisdictional Hazard Mitigation Plan, which is a countywide plan that identifies risks posed by natural and human-made disasters (County of San Diego 2004).

Federal Endangered Species Act (FESA)

Pursuant to the FESA, the U.S. Fish and Wildlife Service (USFWS) has regulatory authority over federally listed species. Under the FESA, a permit to “take” a listed species is required for any federal action that may harm an individual of that species. Take is defined under FESA Section 9 as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Under federal regulation, take is further defined to include habitat modification or degradation where it would be expected to result in death or injury to listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Critical habitat is a specific geographic area that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery.

Federal Land Policy Management Act of 1976, 43 United States Code Section 1701 et seq.

The Federal Land Policy Management Act (FLPMA) declares that it is the policy of the United States that public lands be managed so as to protect historical and archaeological resources, and that the Secretary of Interior shall establish rules and regulations regarding resource protection on public lands.

Federal Response Plan

The Federal Response Plan of 1999 is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency.

Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970

The Federal Uniform Relocation and Real Property Acquisition Policies Act (Uniform Act), passed by Congress in 1970, is a federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The Uniform Act’s protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects.

Federal Water Pollution Control Act (Clean Water Act), 1972

The Federal Water Pollution Control Act was first passed by Congress in 1948. The Act was later amended and became known as the Clean Water Act (CWA). The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the U.S. It gives the U.S. Environmental Protection Agency (USEPA) the authority to implement pollution control programs, including setting wastewater standards for industry and water quality standards for contaminants in surface waters. The CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters without a permit under its provisions. CWA Section 404 permits are issued by the U.S. Army Corps of Engineers (USACE) for dredge/fill activities within wetlands or nonwetland waters of the U.S. CWA Section 401 certifications are issued by the Regional Water Quality Control Board (RWQCB) for activities requiring a federal permit or license that may result in discharge of pollutants into waters of the U.S. Any proposed discharge of dredge or fill materials into federal jurisdictional waters within or adjacent to the proposed project site would require a Section 404 permit from USACE and a Section 401 Water Quality Certification from RWQCB.

FHWA/FTA Planning Program Funds to Support Integration of Transportation, Land Use, and Climate Change

In 2008, the Federal Highway Administration (FHWA) issued a guidance memorandum to clarify FHWA/Federal Transportation Act (FTA) planning requirements 23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304 that call for Metropolitan Planning Organizations (MPOs) and State Department of Transportation (DOTs) to consider land use and economic development impacts in their transportation planning processes. The guidance was issued to reiterate and clarify the eligibility and criteria for use of FHWA/FTA funds to support activities addressing the integration of transportation, land use, and climate change.

Hazardous Materials Transport

The U.S. Department of Transportation (USDOT) regulates transportation of hazardous materials between states. State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are California Highway Patrol (CHP) and the California Department of Transportation (Caltrans). Together, these agencies determine container types used and license hazardous waste haulers for transportation of hazardous waste on public roads, including explosives that may be used for blasting.

Historic Sites, Buildings, Objects, and Antiquities Act

The Historic Sites, Buildings, Objects, and Antiquities Act of 1935 states that it is the national policy to preserve for the public use historic sites, properties, buildings, and objects of national significance. It gives the National Park Services (NPS) broad powers to execute the policy on both federal and nonfederal lands. The Act also set up an advisory board to aid the Secretary of the Interior in implementing the Act. The National Natural Landmarks (NNL) Program was established in 1962 to recognize and encourage the conservation of outstanding examples of the country's natural history. NNLs are designated by the Secretary of the Interior, with the owner's concurrence, as being of national significance, defined as being one of the best examples of a biological community or geological feature within a natural region of the United States.

Housing and Community Development Act of 1974

Section 109 of Title I of the Housing and Community Development Act prohibits discrimination on the basis of race, color, national origin, sex, or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.

International Fire Code

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code (IBC) use a hazard classification system to determine what protective measures are required for fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every 3 years.

Migratory Bird Treaty Act (MBTA)

The MBTA implements domestically a series of international treaties that provide for migratory bird protection. The MBTA authorizes the Secretary of the Interior to regulate the taking of migratory birds. The act provides that it is unlawful, except as permitted by regulations, "to pursue, take, or kill any migratory bird, or any part, nest, or egg of any such bird." This prohibition includes both direct and indirect acts, although harassment and habitat modification are not included unless they result in direct loss of birds, nests, or eggs. Nearly all native birds in the San Diego region are considered migratory. Permits for take of nongame migratory birds can be issued only for specific activities, such as scientific collecting, rehabilitation, propagation, education, taxidermy, or protection of human health or safety and personal property.

National Fire Plan

The Department of the Interior's National Fire Plan is intended to ensure an appropriate federal response to severe wildland fires, reduce fire impacts to rural communities, and ensure sufficient firefighting capacity in the future. The Rural Fire Assistance program is funded to enhance the fire protection capabilities of rural fire districts and safe and effective fire suppression in the wildland/urban interface. The program promotes close coordination among local, state, tribal, and federal firefighting resources by conducting training, equipment purchase, and prevention activities on a cost-shared basis.

National Flood Insurance Program

FEMA administers the National Flood Insurance Program (NFIP), and participating jurisdictions must exercise land use controls and purchase flood insurance as a prerequisite for receiving funds to purchase or build a structure in a flood hazard area. The NFIP provides federal flood insurance subsidies and federally financed loans for eligible property owners in flood-prone areas. San Marcos has participated in the program since 1979. As of 2004, some special (100-year) flood hazard areas were identified in the City. San Marcos is identified on the NFIP Flood Insurance Rate Maps as being within Zone X, areas subject to minimal flooding, and Zones AE and A, 100-year flood zones with base elevations determined and not determined, respectively.

National Historic Preservation Act (NHPA)

The NHPA was passed in 1966 and set the foundation for much of the more specific legislation that guides cultural resource protection and management in local jurisdictions such as the County of San Diego. The Act established an Advisory Council on Historic Preservation to help implement and monitor it. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council a reasonable opportunity to comment on such undertakings. The goal of the Section 106 process is to identify historic properties potentially affected by the undertaking, assess its effects, and seek ways to avoid, minimize, or mitigate any significant impacts related to historic properties.

National Register of Historic Places (NRHP)

Developed in 1981, the NRHP is an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment. Listing of private property in the NRHP does not prohibit under federal law or regulation any actions that may otherwise be taken by the property owner with respect to the property.

National Trails System Act of 1968 (Public Law 90-543)

The National Trails System (NTS) was created in 1968 by the National Trails System Act (NTSA). The NTSA authorized a nationwide system of interstate riding and hiking trails to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The NTS established four classes of trails: National Scenic Trails, National Historic Trails, National Recreation Trails, and Connecting or Side Trails (Johnson 1998). At the state level, the California Department of Parks and Recreation (DPR) prepared the California Recreational Trails Plan. Federal and state governments adopted this legislation to protect existing trails and to provide for new trails and related facilities.

Native American Graves Protection and Repatriation Act (NAGPRA)

Enacted in 1990, NAGPRA conveys to Native Americans of demonstrated lineal decent, the human remains and funerary or religious items that are held by federal agencies and federally supported museums, or that have been recovered from federal lands. It also makes the sale or purchase of Native American remains illegal, whether or not they derive from federal or Native American lands.

Regulation of Polychlorinated Biphenyls and Lead-Based Paint

The Toxic Substances Control Act (TSCA) of 1976 (Title 15 of the U.S. Code [USC], Section 2605) banned the manufacture, processing, distribution, and use of polychlorinated biphenyls (PCBs) in totally enclosed systems. PCBs are considered hazardous materials because of their toxicity. They have been shown to cause cancer in animals, along with effects on the immune, reproductive, nervous, and endocrine systems, and studies have shown evidence of similar effects in humans.

The EPA Region 9 PCB Program regulates remediation of PCBs in several states, including California. Title 40 of the CFR, Section 761.30(a)(1)(vi)(A) states that all owners of electrical transformers containing PCBs must register their transformers with EPA. Specified electrical equipment manufactured between July 1, 1978, and July 1, 1998, that does not contain PCBs must be marked by the manufacturer with the statement "No PCBs" (Section 761.40[g]). Transformers and other items manufactured before July 1, 1978, and containing PCBs, must be marked as such.

The Residential Lead-Based Paint Hazard Reduction Act of 1992 amended TSCA to include Title IV, Lead Exposure Reduction. EPA regulates renovation activities that could create lead-based paint hazards in target housing and child-occupied facilities, and has established standards for lead-based paint hazards and lead dust cleanup levels in most pre-1978 housing and child-occupied facilities.

Rehabilitation Act of 1973

Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Resource Conservation and Recovery Act (RCRA) of 1976: amended by the Hazardous and Solid Waste Amendments of 1984

The Resource Conservation and Recovery Act (RCRA) establishes a framework for national programs to achieve environmentally sound management of both hazardous and non-hazardous wastes. RCRA was designed to protect human health and the environment, reduce/eliminate the generation of hazardous waste, and conserve energy and natural resources. RCRA also promotes resource recovery techniques. The Hazardous and Solid Waste Amendments of 1984 (HSWA) both expanded the scope of RCRA and increased the level of detail in many of its provisions. The Hazardous Waste Management subchapter of the RCRA deals with a variety of issues regarding the management of hazardous materials, including the export of hazardous waste, state programs, inspections of hazardous waste disposal facilities, enforcement, and the identification and listing of hazardous waste. DTSC is responsible for implementing the RCRA program as well as California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law. Under the CUPA program, Cal/EPA has, in turn, delegated enforcement authority to the County of San Diego for state law regulating hazardous waste producers or generators. The County of San Diego is the designated CUPA for all local jurisdictions within the San Diego region, including San Marcos.

Rivers and Harbors Act

Section 10 of the Rivers and Harbors Act, administered by USACE, requires permits for all structures (such as riprap) and activities (such as dredging) in navigable waters of the U.S.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)

In 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law. The Act provides guaranteed funding for highways, highway safety, and public transportation totaling \$244.1 billion, representing the largest nationwide surface transportation investment ever. The Act follows two bills that highlighted surface transportation funding needs—the Intermodal Surface

Transportation Efficiency Act of 1991 (ISTEA) and the Transportation Equity Act for the 21st Century (TEA-21), which shaped the highway program to meet changing transportation needs throughout the Nation. SAFETEA-LU retains and increases funding for environmental programs of TEA-21, and adds new programs focused on the environment, including: Nonmotorized Transportation Pilot, a pilot program for nonmotorized transportation; Safe Routes to School program; Congestion Mitigation and Air Quality Improvement (CMAQ) for transportation projects and programs to help meet the requirements of the Clean Air Act. SAFETEA-LU also requires transportation plans include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288), as amended, (42 U.S.C. Sections 5121–5206), and Related Authorities

CFR Sections 206.31–206.48 provide the statutory framework for a presidential declaration of an emergency or a declaration of a major disaster. Such declarations open the way for a wide range of federal resources to be made available to assist in dealing with an emergency or major disaster. The Stafford Act structure for the declaration process reflects the fact that federal resources under this act supplement state and local resources for disaster relief and recovery. Except in the case of an emergency involving a subject area that is exclusively or preeminently in the federal purview, the governor of an affected state, or acting governor if the governor is not available, must request such a declaration by the president.

The Secretary of the Interior's Standards

The Secretary of the Interior is the head of the U.S. Department of the Interior, which is nation's principal conservation agency. The department oversees agencies including the Bureau of Land Management, the Bureau of Indian Affairs, and the NPS.

The Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation

The purpose of the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation of 1983 is to (1) to organize the information gathered about preservation activities; (2) to describe results to be achieved by federal agencies, states, and others when planning for the identification, evaluation, registration, and treatment of historic properties; and (3) to integrate the diverse efforts of many entities performing historic preservation into a systematic effort to preserve the nation's culture heritage.

The Secretary of Interior's Standards for Rehabilitation

Developed in 1986, the Secretary of the Interior's Standards for Rehabilitation are 10 basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs.

The Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, 1995

The Secretary of the Interior's Standards for the Treatment of Historic Properties were developed to help protect the nation's irreplaceable cultural resources by promoting consistent preservation practices. The Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations; as such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. But once an appropriate treatment is selected, the Standards provide philosophical consistency to the work.

Surface Transportation Assistance Act, 1982

This act requires states to allow larger trucks on the "National Network" which is comprised of the Interstate System plus the non-Interstate Federal-Aid Primary System. "Larger trucks" includes (1) doubles with 28.5 foot trailers, (2) singles with 48-foot semi-trailers and unlimited kingpin-to-rear axle (KPRA) distance, (3) unlimited length for both vehicle combinations, and (4) widths up to 102 inches. State Route 78 in the City of San Marcos is defined as an STAA route.

USEPA Region 9 Regional Screening Levels

Region 9 is the Pacific Southwest Division of USEPA, which includes California. Regional Screening Levels (RSLs) are tools for evaluating and cleaning up contaminated sites. RSLs for the Superfund/RCRA programs are concentrations of hazardous constituents that are considered to be protective for humans (including sensitive groups) over a lifetime because they are derived from standardized equations combining conservative exposure information assumptions with USEPA toxicity data. However, RSLs do not address nonhuman health issues such as ecological impacts. Region 9's RSLs are agency guidelines and are not legally enforceable standards.

RSLs are risk-based tools for evaluating contaminated sites (USEPA 2000). They are intended to streamline and standardize all stages of the risk decision-making process.

RSL values combine current USEPA toxicity values with "standard" or default exposure factors in standard exposure pathways (e.g., ingestion, inhalation, and dermal contact) to estimate contaminant concentrations in environmental media (soil, air, and water) that are considered health protective of humans, including sensitive groups, over a lifetime.

Chemical concentrations greater than these RSL values would not automatically designate a site as "dirty" or trigger a response action. However, exceeding the RSL values does imply that further evaluation of the potential risks that may be posed by site contaminants is appropriate.

Further evaluation may include additional sampling, consideration of ambient levels in the environment, or a reassessment of the assumptions contained in these screening-level estimates (e.g., appropriateness using chronic toxicity values to evaluate childhood exposures, appropriateness of generic exposure factors for a specific site, etc.).

When considering RSLs as preliminary screening values, residential concentrations (RSL_r) are recommended for maximum beneficial uses of the property and as a first step in evaluating potential adverse impacts of detected concentrations of chemicals in the matrices sampled on-site. Industrial concentrations (RSL_i) are suggested as screening values for soils on properties historically used for industrial purposes, for which the intended future use of the property is commercial and/or industrial, and for which a deed-restriction limiting future use of the property to industrial is acceptable.

USGS Landslide Hazard Identification Program

USGS, in fulfillment of the requirements of Public Law 106-113, created the National Landslide Hazards Program to reduce long-term losses from landslide hazards by improving the understanding of the causes of ground failure and suggesting mitigation strategies. FEMA is the responsible agency for the long-term management of natural hazards.

U.S. Code of Federal Regulations (CFR)

Title 49 Chapter 65 of the United States Code of Federal Regulations (CFR) provides for the regulation of noise to protect the public health, safety, and welfare. The Federal Highway Administration (FHWA); Federal Rail Administration (FRA) and Federal Transit Administration (FTA); and the Federal Aviation Administration (FAA), respectively regulate roadway, rail, and aircraft noise.

Part 772 (23 CFR 772), "Procedures for Abatement of Highway Traffic Noise and Construction Noise," establishes standards for mitigating highway traffic noise. The FHWA specifies a maximum exposure level of 67 dBA Leq to residences.

Part 771 (23 CFR 771) codifies the FTA environmental impact regulation. FTA does not specify single noise level as acceptable, but instead developed a sliding scale of allowable noise levels based on the existing ambient level and a project's contribution to the ambient noise level.

Part 150 (14 CFR 150), "Airport Noise Compatibility Planning," establishes standards for assessing and mitigating aircraft noise. FAA specifies a maximum exposure level of 65 dBA Ldn to residences.

U.S. Department of Defense (DOD) Air Installations Compatible Use Zone (AICUZ) Program

Safety compatibility criteria for military air bases are set forth through the AICUZ Program administered by the DOD. This program applies to military air installations located within the United States, its territories, trusts, and possessions. The AICUZ Program has the following four purposes: (1) to set forth DOD policy on achieving compatible use of public and private lands in the vicinity of military airfields; (2) to define height and land use compatibility restrictions; (3) to define procedures by which AICUZ may be defined; and (4) to provide policy on the extent of government interest in real property within these zones that may be retained or acquired to protect the operational capability of active military airfields.

U.S. Department of Transportation Act

Under Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, the Secretary of Transportation will not approve any program or project that requires the “use” of any publicly owned land from a public park, recreation area, or wildlife or waterfowl refuge unless there is no feasible and prudent alternative to its use and such program or project includes all possible planning to minimize harm to the property.

Worker Safety Requirements

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

State Plans and Programs

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Act (Public Resources Code Sections 2621–2630) was passed in 1972 to mitigate the hazard of surface faulting to structures designed for human occupancy. The main purpose of the law is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The law addresses only the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Alquist-Priolo Act requires the State Geologist to establish regulatory zones known as “Earthquake Fault Zones” around the surface traces of active faults and to issue appropriate maps. The maps are distributed to all affected cities, counties, and state agencies for their use in planning efforts. Before a project can be permitted in a designated APEFZ, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults. San Marcos is not located within any Alquist-Priolo Earthquake Fault Zone.

Article 34 of the California Constitution

Article 34 of the California Constitution requires a majority vote of the electorate to approve the development, construction, or acquisition by a public body of any “low rent project” within that jurisdiction. In other words, for any project to be built and/or operated by a public agency where at least 50 percent of the occupants are low income and rents are restricted to affordable levels, the jurisdiction must seek voter approval.

Assembly Bill 16

In 2002, AB 16 created the Critically Overcrowded School Facilities program, which supplements the new construction provisions within the School Facilities Program (SFP). SFP provides state funding assistance for two major types of facility construction projects: new construction and modernization. The Critically Overcrowded School Facilities program allows school districts with critically overcrowded school facilities, as determined by the California Department of Education (CDE), to apply for new construction projects in advance of meeting all SFP new construction program requirements. Districts with SFP new construction eligibility and school sites included on a CDE list of source schools may apply.

Assembly Bill 32

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires ARB to develop and enforce regulations for reporting, verifying, and reducing statewide GHG emissions. The heart of the legislation is the requirement that statewide GHG emissions be reduced to 1990 levels by 2020. California would need to reduce GHG emissions to approximately 15 percent below 2005 levels and 30 percent below business-as-usual predictions of year 2020 GHG emissions to achieve this goal. The bill requires ARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions.

Assembly Bill 1358

AB 1358, widely known as the Complete Streets Act, was enacted in 2008 to ensure that the transportation plans of California communities meet the needs of all users of the roadway including pedestrians, bicyclists, users of public transit, motorists, children, the elderly, and the disabled. The bill requires a city or county's general plan to identify how they will accommodate the circulation of all users of the roadway, including motorists, pedestrians, bicyclists, children, seniors, individuals with disabilities, and users of public transportation, including sidewalks, bike lanes, crosswalks, wide shoulders, medians, bus pullouts, and audible pedestrian signals.

Assembly Bill 1493

AB 1493 (Pavley, Vehicular Emissions and Greenhouse Gases), was chaptered into law on July 22, 2002, and required ARB to adopt regulations by January 1, 2005, that would result in the achievement of the "maximum feasible" reduction in GHG emissions from vehicles used in the state primarily for noncommercial, personal transportation. As enacted, the AB 1493 regulations were to become effective January 1, 2006, and apply to passenger vehicles and light-duty trucks manufactured for the 2009 model year or later. It is expected that the Pavley regulations will reduce GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency.

Assembly Bill 2641

This section provides procedures for private land owners to follow upon discovering Native American human remains. Land owners are encouraged to consider culturally appropriate measures if they discover Native American human remains as set forth in California Public Resources Code 5097.98. AB 2641 further clarifies how the land owner should protect the site both immediately after discovery and into the future.

California Administrative Code Title 24

Title 24 of the California Administrative Code requires that residential structures, other than detached single-family dwellings, be designed to prevent the intrusion of exterior noise so that the interior CNEL with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room.

California Civil Code Section 3482.5 (The Right to Farm Act)

The Right to Farm Act is designed to protect commercial agricultural operations from nuisance complaints that may arise when an agricultural operation is conducting business in a "manner consistent with proper and accepted customs." The code specifies that established operations that have been in business for 3 or more years that were not nuisances at the time they began shall not be considered a nuisance as a result of a new land use.

California Clean Air Act

The CCAA, adopted in 1988, requires that air pollution control districts implement regulations to reduce emissions from mobile sources through the adoption and enforcement of transportation control measures. The CCAA also requires that air districts not meeting state air quality standards prepare local air plans to demonstrate strategies for attainment of those standards.

California Air Resources Board (CARB)

CARB is the agency responsible for implementing the federal and state air quality regulations in the state of California under the CCAA. The CAAA required CARB to establish the California Ambient Air Quality Standards (CAAQS). CARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particulate matter, and criteria air pollutants. CARB approves Air Quality Management Plans (AQMPs) and State Implementation Plans (SIP) revisions; monitors air quality throughout the state; determines and updates area attainment designations and maps; sets and enforces emission standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels; and implements CCAA. CARB, in coordination with air districts in the state, also develops air quality models to calculate stationary and mobile source air emissions from various land uses and activities.

On December 11, 2008, as required by AB 32, CARB adopted its Climate Change Scoping Plan (Scoping Plan), which functions as a roadmap for CARB's plans to achieve GHG reductions in California. The Scoping Plan contains the main strategies California will implement to reduce CO₂e emissions by 169 MMT, or approximately 28.4 percent, from the state's projected 2020 emissions level of 596 MMT of CO₂e under a business-as-usual scenario. The Scoping Plan also breaks down the amount of GHG emissions reductions ARB recommends for each emissions sector of the state's GHG inventory. The Scoping Plan calls for the largest reductions in GHG emissions to be achieved by implementing the following measures and standards: improved emissions standards for light-duty vehicles, the Low Carbon Fuel Standard, energy efficiency measures in buildings and appliances and the widespread development of combined heat and power systems, and a renewable portfolio standard for electricity production.

California Climate Adaptation Strategy

The 2009 California Climate Adaptation Strategy (CAS) summarizes the best known science on climate change impacts in the state to assess climate change vulnerability, and outlines possible solutions to promote resiliency (CNRA 2009). The California Natural Resources Agency (CNRA) has taken the lead in developing this adaptation strategy, working through the Climate Action Team (CAT). Seven sector-specific working groups led by 12 state agencies, boards and commissions, and numerous stakeholders were convened for this effort. The strategy proposes a comprehensive set of recommendations designed to inform and guide California decision makers as they begin to develop policies that will protect the state from a range of climate change impacts.

California Department of Transportation

The Caltrans jurisdiction includes rights-of-way of state and interstate routes within California. Any work within the right-of-way of a federal or state transportation corridor is subject to Caltrans regulations governing allowable actions and modifications to the right-of-way. Caltrans includes the Division of Aeronautics, which is responsible for airport permitting and establishing an ALUC for each county with one or more public airports. ALUCs are responsible for the preparation of land use plans for areas near aviation facilities.

California Endangered Species Act (CESA)

CESA parallels the FESA. As a responsible agency, CDFG has regulatory authority over state-listed endangered and threatened species. If a proposed project within the planning area may affect species that are listed as threatened or endangered under both CESA and FESA, the applicant should encourage CDFG to participate to the greatest extent practicable in the FESA Section 7 consultation process. The state legislature encourages cooperative and simultaneous findings between state and federal agencies. Further, the general counsel for CDFG issued a memorandum to CDFG regional managers and division chiefs, clarifying the CESA consultation process. This clarification states that if a federal biological opinion (BO) has been prepared for a species, CDFG must use the BO in lieu of its own findings unless it is inconsistent with the CESA. Participation in the federal consultation and adoption of a federal BO is authorized by CDFG Code Section 2095. By adopting the federal BO, CDFG need not issue a take permit per Section 2081 of the state code. If the federal BO is consistent with the CESA, CDFG would complete a 2095 form in finalizing the adoption of the BO. If the federal BO is found to be inconsistent with the CESA, the CDFG would issue its own BO per Section 2090 of the state code and may issue a 2081 take permit with conditions of approval.

California Education Code (CEC)

The CEC establishes the law for California public education. The CEC requires that DTSC be involved in the environmental review process for the proposed acquisition and/or construction of school properties that will use state funding. The CEC requires that a Phase I Environmental Site Assessment be completed prior to acquiring a school site or engaging in a construction project. Depending on the outcome of the Phase I Environmental Site Assessment, a Phase II Environmental Assessment, including the collection and submittal of samples for analysis may be warranted. Depending upon the results of the Phase II ESA and most usually a human health risk assessment, remediation may be necessary. The CEC also requires potential, future school sites that are proposed within 2 miles of an airport to be reviewed by the Caltrans Division of Aeronautics. If Caltrans does not support the proposed site, no state or local funds can be used to acquire the site or construct the school.

California Emergency Services Act

The California Emergency Services Act provides the basic authority for conducting emergency operations following a proclamation of emergency by the governor and/or appropriate local authorities. Local government and district emergency plans are considered to be extensions of the California Emergency Plan, established in accordance with the Emergency Services Act.

California Environmental Quality Act (CEQA)

The 1970 California Environmental Quality Act (CEQA) ensures that local agencies consider and review the environmental impacts of development projects within their jurisdictions. CEQA requires that an environmental document (e.g., Environmental Impact Report [EIR], Mitigated Negative Declaration [MND]) be prepared for projects that are judged in an Initial Study (IS) to have potentially significant effects on the environment. Environmental documents (IS, MND, EIR) must consider, and analyze as deemed appropriate, several areas of concern. If impacts are considered potentially significant, recommendations for mitigation measures are made to reduce environmental impacts to less than significant. This allows early public review of proposed development projects and provides lead agencies the authority to regulate development projects in the early stages of planning.

California Farmland Conservancy Act

The California Farmland Conservancy Act established the CFCP, which provides grants for agricultural conservation easements. An agricultural conservation easement is a voluntary, legally recorded deed restriction that is placed on a specific property used for agricultural production. The goal of an agricultural conservation easement is to maintain agricultural land in active production by removing the development pressures from the land. Such an easement prohibits practices that would damage or interfere with the agricultural use of the land. Because the easement is a restriction on the deed of the property, the easement remains in effect even when the land changes ownership.

California Fire Code

The CFC is Chapter 9 of CCRTitle 24. It is created by the California Building Standards Commission and it is based on the IFC created by the International Code Council. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the CBC use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years. The California Fire Code, published by the California Building Standards Commission, 2010 Edition, including Appendix Chapters 4, Appendix B, BB, I and H inclusive, and the National Fire Protection Association Standards 13, 13-D, and 13-R, are adopted by reference as the Chapter 17.64—California Fire Code for the San Marcos Fire Department, subject to the deletions, modifications, or amendments set forth in Chapter 17.64.

California Fish and Game Code

The California Fish and Game Code (CFG) regulates the taking or possession of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as wetlands and waters of the state. It includes

the California Endangered Species Act (CESA) (Sections 2050–2115) and a Streambed Alteration Agreement regulations (Sections 1600–1616), as well as provisions for legal hunting and fishing, and tribal agreements for activities involving take of native wildlife.

Any proposed project impact to state-listed species within or adjacent to a proposed project site within the planning area would require a permit under CESA. As noted in Section 1.4.6.5.3 for state waters, if an alteration is proposed to a state-defined wetland with a defined bed and bank, then Sections 1600–1616 of the CFGC would apply and a Streambed Alteration Agreement from CDFG would be required.

California Forest Legacy Act

The California Forest Legacy Act (CFLA) was enacted in 2000 and extended in 2007. The CFLA allows the California Department of Forestry and Fire Protection to acquire conservation easements, and permit federal agencies, state agencies, local governments, and nonprofit land trust organizations to hold conservation easements acquired pursuant to the California Forest Legacy Program. The California Forest Legacy Program provides funding for conservation easements, with the objective to protect the forest land base, as well as forest resources such as fish and wildlife habitat and water quality, while ensuring the continuance of traditional uses and protection of landowners' property rights. Landowners participating in the programs are required to prepare a multi-resource management plan that is the equivalent, or more extensive than, a Forest Stewardship Plan (per U.S. Forest Service guidelines).

California Health and Safety Code (H&SC), Hazardous Materials Release Response Plans and Inventory

Two programs found in the California H&SC Chapter 6.95 are directly applicable to the CEQA issue of risk due to hazardous substance release. In San Diego County, these two programs are referred to as the HMBP program and the CalARP program. DEH is responsible for the implementation of the HMBP program and the CalARP program in San Diego County. The HMBP and CalARP programs provide threshold quantities for regulated hazardous substances. When the indicated quantities are exceeded, an HMBP or Risk Management Plan (RMP) is required pursuant to the regulation. Congress requires USEPA Region 9 to make RMP information available to the public through the USEPA's Envirofacts Data Warehouse. The Envirofacts Data Warehouse is considered the single point of access to select USEPA environmental data.

California Health and Safety Code Section 25270, Aboveground Petroleum Storage Act

The Aboveground Petroleum Storage Act requires registration and spill prevention programs for ASTs that store petroleum. In some cases, ASTs for petroleum may be subject to groundwater monitoring programs that are implemented by the RWQCBs and the SWRCB.

California Human Health Screening Levels

The California Human Health Screening Levels (CHHSLs) were developed as a tool to assist in the evaluation of contaminated sites for potential adverse threats to human health. Preparation of the CHHSLs was required by the California Land Environmental Restoration and Reuse Act of 2001 (Cal-EPA 2005).

The CHHSLs are concentrations of 54 hazardous chemicals in soil or soil gas the Cal/EPA considers to be below thresholds of concern for risks to human health. The CHHSLs were developed by the Office of Environmental Health Hazard Assessment (OEHHA) a agency under the umbrella of Cal/EPA and are contained in its report entitled *Human-Exposure-Based Screening Numbers Developed to Aid Estimation of Cleanup Costs for Contaminated Soil* (OEHHA and CEPA 2004). The thresholds of concern used to develop the CHHSLs are an excess lifetime cancer risk of 1 in 1 million and a hazard quotient of 1.0 for noncancer health effects. The CHHSLs were developed using standard exposure assumptions and chemical toxicity values published by USEPA and Cal/EPA. The CHHSLs can be used to screen sites for potential human health concerns where releases of hazardous chemicals to soils have occurred. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding CHHSLs can be assumed to not pose a significant health risk to people who may live (residential CHHSLs) or work (commercial/industrial CHHSLs) at the site.

California Historical Landmarks Program

The California Historical Landmarks Program places an emphasis on well-known places and events in California history. The goals of the program include the preservation and maintenance of registered landmarks, most of which include missions, early settlements, battles, and gold rush sites.

California Integrated Waste Management Act

This act requires the development and implementation of household hazardous waste disposal plans. The Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board, oversees compliance with this act and enforces operational plans for solid waste facilities.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act, better known as the Williamson Act, has been California's premier agricultural land protection program since its enactment in 1965. The Williamson Act statute is located in the California Government Code Section 51200– 51297.4. The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Williamson Act protects agricultural land through an interrelated set of property tax, land use, and conservation measures. Williamson Act contracts have an initial term of 10 years with renewal occurring automatically each year (local governments can establish initial contract terms for longer periods of time). Generally, any commercial agricultural use will be permitted within any agricultural preserve.

California OSHA

California OSHA (Cal-OSHA) assumes primary responsibility for developing and enforcing workplace safety regulations within California. Cal-OSHA regulations pertaining to the use of hazardous materials in the workplace (Title 8 of the CCR) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and preparation of emergency action and fire prevention plans. Cal-OSHA enforces hazard communication program regulations that contain training and information requirements, including procedures for identifying and labeling hazardous substances, communicating hazard information related to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees at hazardous waste sites. The hazard communication program requires that employers make Material Safety Data Sheets available to employees and document employee information and training programs.

California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is provided in the California Planning and Zoning Law, Government Code Sections 65000 et seq. Under state planning law, each city and county is required to adopt a general plan "for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning" (Section 65300). The California Supreme Court has called the general plan the "constitution for future development." The general plan expresses the community's development goals and embodies public policy relative to the distribution of future land uses, both public and private. A general plan consists of a number of elements, including land use, circulation, housing, conservation, open space, noise, and safety; other elements may be included at the discretion of the jurisdiction that relate to the physical development of the county or city. The general plan must be comprehensive and internally consistent. Of particular importance is the consistency between the circulation and land use elements; the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other public utilities and facilities must be consistent with the general distribution and intensity of land for housing, business, industry, open space, education, public areas, waste disposal facilities, agriculture, and other public and private uses.

In addition, every jurisdiction is governed by its own set of local policies, regulations, and ordinances set forth in its general plan and municipal code. A city's Municipal Code, including the zoning ordinance, is the primary tool used to implement the goals and policies of its general plan. Zoning ordinances provide detailed direction related to development standards; permitted, conditionally permitted, and prohibited uses; and other regulations such as parking standards and sign regulations.

California Points of Historical Interest Program

The California Points of Historical Interest Program was established in the effort to accommodate local historic properties not able to meet the restrictive criteria of the California Historical Landmarks Program. The Points of Historical Interest Program requires the participation of local governmental officials, such as the chairperson of the Board of Supervisors, in the approval process.

California Register of Historical Resources (CRHR)

The CRHR program was designed for use by state and local agencies, private groups, and citizens to identify, evaluate, register and protect California's historical resources. A historical resource can include any object, building, structure, site, area, or place that is determined to be historically or archaeologically significant.

The CRHR is an authoritative guide to the state's significant historical and archaeological resources. The list of these resources can be used for state and local planning purposes, the eligibility determinations can be used for state historic preservation grant funding, and listing in the CRHR provides a certain measure of protection under CEQA.

California Scenic Highway Program

Recognizing the growing need to protect the state's scenic beauty, the California State legislature established the Scenic Highway Program in 1963. This program was added to the California Streets and Highways code with the intent to protect and enhance California's beauty, amenity, and quality of life. The program is administered by Caltrans and consists of laws, incentives, and guidelines that are intended to protect the scenic, historic, and recreational resources within designated scenic highway corridors. A scenic highway corridor is defined by Caltrans as the area of land generally adjacent to and visible from the highway.

California Surface Mining and Reclamation Act (SMARA)

SMARA requires that all cities address in their General Plans the significant aggregate resources classified by the State Geologist and designated by the State Mining and Geology Board. SMARA was enacted to promote conservation and protection of significant mineral deposits. The law also ensures that significant aggregate resources are recognized and considered before land use decisions are made that may compromise the availability of these resources.

Caltrans Climate Action Program

In December 2006, the California Department of Transportation, Business, Transportation, and Housing Agency, issued a Climate Action Program. The goal of the Climate Action Program is to promote clean and energy efficient transportation, and provide guidance for mainstreaming energy and climate change issues into business operations, and seeks to do so in two ways: to reduce GHG emissions from transportation, through system improvements, lowered congestion, and utilization of intelligent transportation systems; and to reduce GHG emissions from land use sources, including increasing efficiency of facilities, fleets, and equipment through reduction measures and technology. The Climate Action Program emphasizes using technological and market mechanisms for reducing GHG emissions, developing alternative fuels and vehicles, and increasing vehicle efficiency to gain the most reductions.

Caltrans Smart Mobility Framework

The Caltrans Smart Mobility Framework (SMF) was developed in two phases (Caltrans 2010). In the first phase, the SMF was developed with technical assistance from USEPA. The SMF established definitions and themes that would address climate change and GHG emissions, the need to reduce per capita Vehicle Miles Traveled (VMT), the demand for a safe transportation system that gets people and goods to their destinations, and the commitment to create a transportation system that advances social equity and environmental justice. During the second phase, a guidebook, Smart Mobility 2010: A Call to Action for the New Decade, was developed that provides practical tools and performance-based metrics to evaluate transportation options available in California's urban, suburban, and rural areas. The tools and metrics consider a range of criteria including density, design, configuration, connectivity, safety, parking strategies, mixtures of land uses, and availability of transit, complete streets, and open spaces.

Complete Streets Act (AB 1358), 2008

The California Complete Streets Act of 2008 was signed into law on September 30, 2008. Beginning January 1, 2011, AB 1358 requires circulation elements to address the transportation system from a multi-modal perspective. The bill states that streets, roads, and highways must “meet the needs of all users... in a manner suitable to the rural, suburban, or urban context of the general plan.” Essentially, this bill requires a circulation element to plan for all modes of transportation where appropriate – including walking, biking, car travel, and transit.

The Complete Streets Act also requires circulation elements to consider the multiple users of the transportation system, including children, adults, seniors, and the disabled. For further clarity, AB 1358 tasks the Governor’s Office of Planning and Research to release guidelines for compliance with this legislation by January 1, 2014.

Conservation Easement Act of 1979

The Conservation Easement Act enables a city, county, district, or nonprofit organization to acquire perpetual easements for the conservation of agricultural land and open space, or for historic preservation. Unlike open space easements, there is no procedure for nonrenewal of conservation easements and there is no expiration date. In establishing an easement, a landowner and local agency agree on the permitted land uses within the conservation area. The easement is binding upon successive owners of the land.

Construction General Permit

The State of California adopted a new Construction General Permit effective on July 1, 2010. SWRCB Water Quality Order 2009-0009-DWQ (Construction General Permit) regulates construction site storm water management. Dischargers whose projects disturb one or more acres of soil, or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the general permit for discharges of storm water associated with construction activity. This requirement includes linear projects that disturb one or more acres. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground, such as stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

Permit applicants are required to submit a Notice of Intent (NOI) to the SWRCB and to prepare a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP identifies BMPs that must be implemented to reduce construction effects on receiving water quality based on pollutants. The BMPs identified are directed at implementing both sediment and erosion control measures and other measures to control chemical contaminants. The SWPPP shall also include descriptions of the BMPs to reduce pollutants in storm water discharges after all construction phases have been completed at the site (postconstruction BMPs).

Emergency Response to Hazardous Materials Incidents

California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments and private agencies. Response to hazardous material incidents is one part of this plan. The plan is managed by the California Emergency Management Agency, which coordinates the responses of other agencies, including the California Environmental Protection Agency (Cal/EPA), CHP, CDFG, and RWQCB.

Emergency Services Act

Under the Emergency Services Act (California Government Code Section 8850 et seq.), the state developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Quick response to incidents involving hazardous materials or hazardous waste is a key part of the plan. The Governor’s Office of Emergency Services administers the plan, coordinating the responses of other agencies, including EPA, CHP, RWQCBs, air quality management districts, and county disaster response offices

Energy Conservation Standards

Energy Conservation Standards for new residential and nonresidential buildings were first adopted by the California Energy Resources Conservation and Development Commission in June 1977 and most recently revised in 2008 (Title 24, Part 6 of the California Code of Regulations [Title 24]). Title 24 governs energy consumed by the built environment for commercial and residential buildings in California. This includes the heating, ventilation, and air conditioning (HVAC) system; water heating; and some fixed lighting. Non-building energy use, or “plug-in” energy use, is not covered by Title 24. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. The 2008 Title 24 standards became effective on January 1, 2010. In January 2010, the California Building Standards Commission unanimously adopted the first-in-the-nation mandatory statewide green building code, referred to as CALGREEN. CALGREEN requires that every new building constructed in California reduce water consumption by 20 percent, divert 50 percent of construction waste from landfills, and install low-pollutant-emitting materials. It also requires separate water meters for nonresidential buildings’ indoor and outdoor water use, with a requirement for moisture-sensing irrigation systems for larger landscape projects and mandatory inspections of energy systems (e.g., heat furnace, air conditioner, and mechanical equipment) for nonresidential buildings larger than 10,000 square feet to ensure that all are working at their maximum capacity and according to their design efficiencies.

Executive Order S-01-07

Governor Schwarzenegger’s Executive Order S-01-07 (January 18, 2007) requires a 10 percent or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by ARB by 2020. ARB identified this Low Carbon Fuel Standard (LCFS) as a discrete early action item under AB 32, and the final ARB resolution (No. 09-31) was issued on April 23, 2009.

Executive Order S-3-05

In 2005, in recognition of California’s vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emission of GHGs would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels.

Fair Employment and Housing Act

Government Code Section 12900 et seq. prohibits housing discrimination on the basis of race, color, religion, sexual orientation, marital status, national origin, ancestry, familial status, disability, or source of income.

Local Agency Formation Commissions

Government Code Section 56000 et seq., titled the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, requires that each county must have a local agency formation commission (LAFCO), which is the agency that has the responsibility to create orderly local government boundaries, with the goals of encouraging orderly growth, efficient public services for cities and special districts, the preservation of prime agricultural and open space lands, and discouraging urban sprawl. While LAFCOs have no direct authority over land use, their actions determine which government will be responsible for new planning areas. LAFCOs address a wide range of boundary actions, including creation of spheres of influences for cities, adjustment to boundaries of special districts, annexations, incorporations, detachments of areas from cities, and dissolution of cities. The San Diego LAFCO consists of eight commissioners from five different membership categories: two commissioners are members of the County Board of Supervisors; one commissioner is from the San Diego City Council; two commissioners are city council members from the 17 other incorporated cities; two commissioners are directors from independent special districts; and one commissioner represents the public. In addition, there are five alternates to the regular members—one for each membership category. All commissioners serve 4-year terms.

Government Code Section 65008

Government Code Section 65008 prohibits, *inter alia*, discrimination of any group or individuals in the enjoyment of residence, landownership, tenancy, or any other land use or against any resident development or emergency shelter.

Government Code Section 65080

Government Code Section 65080 et seq. contains additional requirements for long-range transportation plans on top of federal regulations. Key additional requirements include the following:

- Plans must comply with CEQA.
- The first 4 years of the plan must be consistent with the 4-year State Transportation Improvement Program (STIP), as incorporated into the RTIP.
- Program-level performance measures must establish objective criteria that reflect the goals and objectives of the plan used in the evaluation of the plan.
- Plans must include a policy element, an action element, and a financial element.
- Plans must include a Sustainable Communities Strategy.

Government Code Section 65910

This regulation requires that every California city and county adopt an open space zoning ordinance consistent with the open space element of its general plan.

Government Code Section 65962.5 (Cortese List)

The provisions of Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The Cortese List is a planning document used by the state and local agencies to provide information about hazardous materials release sites. Government Code Section 65962.5 requires Cal/EPA to develop an updated Cortese List annually, at minimum. DTSC is responsible for a portion of the information contained in the Cortese List. Other California state and local government agencies are required to provide additional hazardous material release information for the Cortese List.

Hazardous Materials Handling

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires preparation of hazardous materials business plans and disclosure of hazardous materials inventories. A business plan includes an inventory of hazardous materials handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures (California Health and Safety Code, Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the State of California. Local agencies, including the County San Diego Environmental Health Department, administer these laws and regulations. Sections 12101 through 12103 of the California Health and Safety Code require that permits be obtained by those manufacturing, transporting, possessing, or using explosives, and endorsed by the jurisdiction(s) in which the transportation or use would occur.

Hazardous Waste Control Act

The Hazardous Waste Control Act is implemented by regulations contained in CCR Title 26 that describe requirements for the proper management of hazardous wastes. The act created the state hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The program includes hazardous waste criteria for:

- Identification and classification;
- Generation and transportation;
- Design and permitting of recycling, treatment, storage, and disposal facilities;
- Treatment standards;
- Operation of facilities and staff training; and
- Closure of facilities and liability requirements.

The Hazardous Waste Control Act and Title 26 regulations list more than 800 potentially hazardous materials and establish criteria for identifying, packaging, and disposing of such wastes. Under these regulations, the generator of hazardous waste material must complete a manifest that accompanies the material from the point of generation to transportation to the ultimate disposal location, with copies of the manifest filed with DTSC.

Natural Hazards Disclosure Act

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a Natural Hazard Disclosure Statement when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone. Seismic Hazard Zones are regulatory zones that encompass areas prone to liquefaction (failure of water-saturated soil) and earthquake-induced landslides. The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires.

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, to recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologists and/or civil engineers.

Health and Safety Code Section 7050.5

This code establishes that any person who knowingly mutilates, disinters, wantonly disturbs, or willfully removes any human remains in or from any location without authority of the law is guilty of a misdemeanor. It further defines procedures for the discovery and treatment of Native American remains.

Health and Safety Code Sections 8010-8011

This code is intended to provide consistent state policy to ensure that all California Indian human remains and cultural materials are treated with dignity and respect. The code extends policy coverage to non-federally recognized tribes, as well as federally recognized groups.

Landscaping and Lighting Act of 1972

The Landscaping and Lighting Act enables cities, counties, and special districts to acquire land for parks, recreation, and open space. A local government may also use the assessments to pay for improvements and maintenance to these areas. In addition to local government agencies (i.e., counties and cities), park and recreation facilities may be provided by other public agencies, such as community service districts, park and recreation districts, water districts, etc. If so empowered, such an agency may acquire, develop, and operate recreation facilities for the general public.

Little-Used Open Space Maintenance Act

The Little-Used Open Space Maintenance Act (GC section 50575 et seq.) is helpful when a city or county has already acquired open space, but does not have a way to pay for its maintenance. Under the act, local governments may levy ad valorem special assessments to improve and maintain open space; reduce fire, flood, and erosion hazards; and perform related activities.

Mello-Roos Community Facilities Act

The Mello-Roos Community Facilities Act (Government Code [GC] section 53311 et seq.) is a tax-based financing method available to cities, counties, and special districts. It authorizes local governments to establish community facilities districts (CFDs) within which they may levy special taxes and issue bonds to finance open space acquisition, maintenance, and other programs.

Approval of the special tax and any related bond issue requires approval by two-thirds of the district electorate. When there are fewer than 12 registered voters in a CFD, approval must be by two-thirds of the district's landowners. As with all special taxes, Mello-Roos taxes are subject to reduction or repeal by initiative under Proposition 218 (OPR 1997).

National Pollutant Discharge and Elimination System (NPDES)

The 1972 amendment to the federal CWA established the NPDES permit program, which contains effluent limitation guidelines for discharges into waters of the U.S. The USEPA has overall responsibility for the NPDES program, but administration of the program in California has been delegated to the State Waters Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs). The Planning Area is located in the San Diego Region (Region 9). Each region implements an NPDES permit. Under the NPDES permit, San Marcos must implement measures to reduce urban runoff during all phases of development: planning, construction, and existing uses. Requirements include incorporating Best Management Practices (BMPs) to reduce runoff from construction and current uses, reporting any violation to the San Diego RWQCB, and education regarding the negative water quality impacts of urban runoff.

Natural Community Conservation Planning (NCCP) Act of 1991

The NCCP Act is designed to conserve natural communities at the ecosystem scale while accommodating compatible land use. CDFG is the principal state agency implementing the NCCP Act. Conservation plans developed in accordance with the NCCP Act (i.e., NCCP plans) provide for comprehensive management and conservation of multiple wildlife species, and identify and provide for the regional or area-wide protection and perpetuation of natural wildlife diversity while allowing compatible and appropriate development and growth. Project-specific permits under the NCCP are not issued; however, proposed City-authorized projects must comply with the state's NCCP Act.

Open Space Easement Act of 1974

Cities and counties may acquire open space easements pursuant to the Open Space Easement Act. Land must remain within an easement in perpetuity or, alternatively, for at least 10 years. An easement's term is automatically extended each year by an additional 12 months. Under certain circumstances, open space easements may be abandoned. Privately dedicated open space easements for mitigation purposes are dedicated in perpetuity and cannot be abandoned.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act (California Water Code Division 7 Section 13000), the SWRCB is provided with the ultimate authority over state water quality policy. However, Porter-Cologne also established nine RWQCBs to provide oversight on water quality issues at a regional and local level. The RWQCBs are required to prepare and update a Basin Plan for their respective regions. Pursuant to the CWA NPDES program, the RWQCB also issues permits for point source discharges that must meet the water quality objectives and must protect the beneficial uses defined in the Basin Plan. The NPDES permit is described further below in the section discussing local and regional regulations.

Public Resources Code Section 5020.1(h)

This section defines a historic district. A "historic district" means a definable unified geographic entity that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Public Resources Code Section 5024.1

This section establishes the California Register of Historic Resources (CRHR). A resource may be listed as a historical resource in the CRHR if it meets NRHP criteria or the following state criteria: (1) it is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (2) it is associated with the lives of persons important in the past; (3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (4) has yielded, or may be likely to yield, information important in prehistory or history.

Public Resources Code Section 5097.98

This section discusses the procedures that need to be followed upon the discovery of Native American human remains. The NAHC, upon notification of the discovery of human remains by the County Coroner, is required to notify those persons it believes to be most likely descended from the deceased Native American. It enables the descendant to inspect the site of the discovery of the Native American human remains and to recommend to the land owner (or person responsible for the excavation) means of treating, with dignity, the human remains and any associated grave goods.

Public Resources Code Sections 5097.99,5097.991

These sections establish that it is a felony to obtain or possess Native American artifacts or human remains taken from a grave or cairn and sets penalties for these actions. They also mandate that it is the policy of the state to repatriate Native American remains and associated grave goods.

Public Resources Code Section 21084.1

This section sets forth that a project that may cause a significant adverse change in a significant historical resource is a project that may be considered to have adverse effects on the environment. Historical resources not listed on the CRHR or other local lists may still be considered historical resources at the discretion of the lead agency on the project.

Quimby Act

Cities and counties have been authorized since the passage of the 1975 Quimby Act (California Government Code §66477) to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities. The goal of the Quimby Act was to require developers to help mitigate the impacts of property improvements. The act gives authority for passage of land dedication ordinances only to cities and counties. Special districts must work with cities and/or counties to receive parkland dedication and/or in-lieu fees. The fees must be paid and land conveyed directly to the local public agencies that provide park and recreation services communitywide.

Renewables Portfolio Standard

Established in 2002 under Senate Bill (SB) 1078 and accelerated in 2006 under SB 107, California's Renewables Portfolio Standard (RPS) requires retail suppliers of electric services to increase procurement from eligible renewable energy resources by at least 1 percent of their retail sales annually, until they reach 20 percent by 2010.

Governor Schwarzenegger's Executive Order S-14-08 (November 11, 2008) mandated further improvements to the RPS, requiring retail suppliers of electric services to increase procurement from eligible renewable energy resources to 33 percent by 2020. In addition, on September 15, 2009, Governor Schwarzenegger signed Executive Order S-21-09, which requires CARB, under its AB 32 authority, to adopt a regulation consistent with the 33 percent renewable energy target established in Executive Order S-14-08 by July 31, 2010. On February 24, 2011, the state Senate passed a new version of the 33 percent by 2020 Renewable Portfolio Standard (RPS) and Governor Brown signed the bill into law on April 12, 2011.

Seismic Hazards Mapping Act

The 1990 Seismic Hazards Mapping Act (SHMA) addresses the primary earthquake hazard, strong ground shaking, as well as the secondary hazards of liquefaction, earthquake-induced landslides, and, in some areas, zones of amplified shaking. As with the APEFZ Act, the California Geological Survey (CGS) is the primary state agency charged with implementing the SHMA, and CGS provides local jurisdictions with the 1-inch equals 2,000-feet scale seismic hazard zone maps that identify areas susceptible to liquefaction, earthquake-induced landslides, and, in some areas, amplified shaking. Site-specific hazard investigations are required by the SHMA when a development project is located within one of the Seismic Hazard Mapping Zones defined as a zone of required investigation. The City of San Marcos has been mapped pursuant to the SHMA, and there are zones of required investigation for liquefaction and earthquake-induced landslide hazards in the City.

Senate Bill 50 – Leroy F. Greene Schools Facilities Act of 1998

SB 50, or the Leroy F. Greene School Facilities Act of 1998, restricts the ability of local agencies to deny project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) are inadequate. School impact fees are collected at the time when building permits are issued. Payment of school fees are also collected at the time when building permits are issued. Payment of school fees is required by SB 50 for all new residential development projects and is considered “full and complete mitigation” of any school impacts. School impact fees are payments to offset capital cost impacts associated with new developments, which result primarily from costs of additional facilities, related furnishings and equipment, and projected capital maintenance requirements. As such, agencies cannot require additional mitigation for any school impacts.

Senate Bill 97

SB 97, enacted in 2007, required OPR to develop and transmit to CNRA guidelines for the mitigation of GHG emissions and their effects by July 1, 2009 for the California Natural Resources Agency (CNRA) to adopt amendments to the CEQA Guidelines by January 1, 2010. On December 30, 2009, following an extensive public outreach program, CNRA adopted amendments to the CEQA Guidelines that address GHG emissions and related issues. The adopted amendments became effective on March 18, 2010.

Senate Bill 610 and Senate Bill 221

SB 610 and SB 221, amended into state law effective January 1, 2002, improve the linkage between certain land use decisions made by cities and counties and water supply availability. The statutes require detailed information regarding water availability and reliability with respect to certain developments to be included in the administrative record to serve as evidentiary basis for an approval action by the City or county on such projects.

Under SB 610, a water supply assessment must be furnished to local government for inclusion in any environmental documentation for certain types of projects, as defined in Water Code Section 10912 [a] and subject to CEQA. A fundamental source document for compliance with SB 610 is the Urban Water Management Plan (UWMP). The UWMP can be used by the water supplier to meet the standard for SB 610.

SB 221 applies to the Subdivision Map Act, conditioning a tentative map on the applicant to verify that the public water supplier has sufficient water available to serve the proposed development. The General Plan is not subject to either SB 610 or SB 221 because the Plan itself does not grant entitlements; instead, it provides a planning framework for future development in the planning area. However, as individual projects are implemented under the General Plan, they will be reviewed for compliance with the requirements of SB 610 and/or SB 221. Adequate water availability must be demonstrated, as required.

Senate Bill 375

SB 375 requires metropolitan planning organizations to develop a Sustainable Communities Strategy to include in their regional transportation plans (RTPs) for the purposes of reducing GHG emissions. The purpose of the bill is to align planning for transportation and housing, and it creates specified incentives for the implementation of the strategy. The bill consists of five aspects: (1) creation of regional targets for GHG emissions reduction tied to land use; (2) a requirement that regional planning agencies include a Sustainable Communities Strategy in their RTPs to meet those targets; (3) a requirement that regional transportation funding decisions be consistent with this new plan; (4) a requirement that the Regional Housing Needs Allocation numbers must conform to the Sustainable Communities Strategy; and (5) new CEQA exemptions and streamlining for projects that are consistent with the Sustainable Communities Strategy. SANDAG prepared its 2050 RTP/SCS to meet SB 375's requirements.

Senate Bill 1685

Senate Bill (SB) 1685 (Chapter 982, Statutes of 1986) authorizes open space districts to levy special assessments for open space purposes. The enabling legislation for regional open space districts is in the California Public Resources Code (PRC) commencing with Section 5500, and in the Government Code commencing with Section 56000. Pursuant to this SB, regional park and open space districts are formed when three or more jurisdictions, together with any parcel of city or county territory, organize a contiguous area with the intent for the designated space to serve the park and recreational needs in San Diego County. SB 1685 is the same authority as that for regional park districts and open space districts (County of San Diego 2010).

State Housing Element Law

Housing element law requires local governments to adequately plan to meet their existing and projected housing needs, including their share of the regional housing need. Housing element law is California's primary market-based strategy to increase housing supply, affordability, and choice. The law recognizes that for the private sector to adequately address housing needs and demand, local governments must adopt land use plans and regulatory schemes that provide opportunities for, and do not unduly constrain, housing development.

The housing element process begins with the Department of Housing and Community Development (HCD) allocating a region's share of the statewide housing need to the appropriate Councils of Governments (COGs) based on Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. SANDAG is the COG and Metropolitan Planning Organization (MPO) in the San Diego region. Pursuant to Government Code Section 65584.05, the COG develops a Regional Housing Needs Assessment (RHNA) allocating the region's share of the statewide need to the cities and counties within the region. The RHNA is required to promote the following objectives:

- Increase the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner.
- Promote infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.
- Promote an improved intraregional relationship between jobs and housing.
- Pursuant to Government Code Section 65580, a Housing Element of a General Plan must contain local commitments to:
- Provide sites with appropriate zoning and development standards, and with services and facilities to accommodate the jurisdiction's RHNA for each income level. The RHNA is the only population and/or housing requirement that applies to the General Plan.
- Assist in the development of adequate housing to meet the needs of lower- and moderate-income households.
- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.
- Conserve and improve the condition of the existing affordable housing stock.
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.
- Preserve assisted housing developments for lower-income households.

State Housing Element law mandates specific topics and issues that must be addressed in the Housing Element. These include:

- An analysis of population and employment trends, documentation of projections, and quantification of existing and projected housing needs for all income levels.
- An analysis and documentation of household characteristics, such as the age of housing stock, tenancy type, overcrowded conditions, and the level of payment compared to ability to pay.
- An analysis and documentation of special needs, such as female-headed households, homeless individuals, persons with disabilities, large households, farmworkers, and the elderly.
- A regional share of the total regional housing need for all income categories.
- An inventory of land suitable for residential development, including vacant land and infill/redevelopment opportunities. This analysis also looks at potential residential sites and their accessibility to adequate infrastructure and services.
- Identifying actual and potential governmental and nongovernmental constraints that could potentially impede the maintenance, improvement, and development of housing for all income groups.
- Identifying and analyzing opportunities for energy conservation in residential developments.
- An inventory of at-risk affordable units that have the possibility of converting to market rate.
- A statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the improvement, maintenance, and development of housing.

State law requires that adequate opportunity for participation be solicited from all economic segments of the community toward preparation of the Housing Element. Specifically, the jurisdiction must reach out to lower- and moderate-income persons and persons with special needs. Preparation of the Housing Element must also be coordinated with other local jurisdictions within the regional housing market area. Under SB 375, a jurisdiction that does not adopt an element within 4 months of the statutory deadline will shift into 4-year cycles. Subsequent legislation, SB 575, allows the jurisdiction to return to an 8-year cycle after adopting two subsequent elements on time.

State Responsibility Area (SRA) Fire Safe Regulations (Title 14 Natural Resources, Department of Forestry Fire Protection)

These regulations constitute the basic wildland fire protection standards of the California Board of Forestry. They have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction, and development in SRAs. Title 14 regulates that the future design and construction of structures, subdivisions, and developments in an SRA shall provide for basic emergency access and perimeter wildfire protection measures.

Title 14, CCR

CalRecycle regulations pertaining to nonhazardous waste management in California include minimum standards for solid waste handling and disposal; regulatory requirements for composting operations; standards for handling and disposal of asbestos containing waste; resource conservation programs; enforcement of solid waste standards and administration of solid waste facility permits; permitting of waste tire facilities and waste tire hauler registration; special waste standards; used oil recycling program; electronic waste recovery and recycling; planning guidelines and procedures for preparing, revising, and amending countywide IWMP; and solid waste cleanup program.

Title 27, CCR

CalRecycle and the SWRCB jointly issue regulations pertaining to waste disposal on land, including criteria for all waste management units, facilities and disposal sites; documentation and reporting; enforcement, financial assurance; and special treatment, storage, and disposal units.

Underground Storage Tank Program

The California Department of Public Health (DPH) (formerly the California Department of Health Services) and the SWRCB list hazardous sites of USTs listed for remedial action because of unauthorized release of toxic substances. Leak prevention, cleanup, enforcement, and tank testing certification are the elements of the UST Program, which is administered by the SWRCB.

Unified Program

Cal/EPA grants to qualifying local agencies oversight and permitting responsibility for certain state programs pertaining to hazardous waste and hazardous materials. This is achieved through the Unified Program, created by state legislation in 1993 to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities for the following emergency and management programs:

- Hazardous materials release response plans and inventories (business plans);
- California Accidental Release Prevention Program (CalARP);
- UST Program;
- Aboveground Petroleum Storage Act Requirements for Spill Prevention, Control and Countermeasure plans;
- Hazardous Waste Generator and On-site Hazardous Waste Treatment (tiered permitting) Programs; and
- California Uniform Fire Code: Hazardous material management plans and hazardous material inventory statements.

Unruh Civil Rights Act (Civil Code Section 51)

Civil Code Section 51 prohibits discrimination in "all business establishments of every kind whatsoever." The provision has been interpreted to include businesses and persons engaged in the sale or rental of housing accommodations.

Western Climate Initiative

The Western Climate Initiative (WCI) is a partnership among seven states, including California, and four Canadian provinces to implement a regional, economy-wide cap-and-trade system to reduce global warming pollution. WCI will cap the region's electricity, industrial, and transportation sectors with the goal of reducing the heat-trapping emissions that cause global warming 15 percent below 2005 levels by 2020. California is working closely with the other states and provinces to design a regional GHG-reduction program that includes a cap-and-trade approach. ARB plans to develop a cap-and-trade program that will link California and the other member states and provinces.

Regional and Local Plans and Programs

Air Quality Management Plans and State Implementation Plan

The federal Clean Air Act requires preparation of plans to improve air quality in any region designated as a nonattainment area. A nonattainment area is a geographic region identified by the U.S. EPA and or CARB as not meeting State or federal standards for a given pollutant. The State Implementation Plan (SIP) is a compilation of new and previously approved air quality management plans (AQMPs) for nonattainment and maintenance criteria pollutants. The San Diego Air Pollution Control District (APCD) is responsible for monitoring air pollution, preparing and updating the San Diego Air Basin portion of the State Implementation Plan (SIP), and promulgating its Rules and Regulations for achieving and maintaining NAAQS and CAAQS.

Airport Land Use Commission and Airport Land Use Compatibility Plans

In each county containing a public use airport, an Airport Land Use Commission (ALUC) is required to assist local agencies in ensuring compatible land uses in the vicinity of existing or proposed airports; to coordinate planning at state, regional, and local levels; to prepare and adopt an airport land use plan as required by Public Resources Code Section 21675; to review plans or regulations submitted by local agencies; and to review and make recommendations regarding the land uses, building heights, and other issues relating to air navigation safety and promotion of air commerce. The San Diego County Regional Airport Authority is the ALUC for the San Diego region. It is responsible for the preparation of comprehensive land use plans (CLUPs) for the civilian airports. The military airports are exempt from the state's requirements for a CLUP, although the Department of Defense agreed to the development of a CLUP for Marine Corps Air Station Miramar (formerly Naval Air Station Miramar). Local jurisdictions are responsible for land use control around the airports. The closest airport to San Marcos is the McClellan-Palomar Airport which operates under its own Airport Land Use Compatibility Plan (ALUCP). According to the ALUCP, a majority of the planning area is located within the McClellan-Palomar AIA.

Bikeway Master Plan

The City of San Marcos adopted a Bikeway Master Plan in 2005 to identify existing and planned bikeway facilities within San Marcos. These facilities will improve bicycling throughout the City both for transportation and recreation purposes, and encourages use of non-motorized forms of transportation. Goals include gearing the bikeway system towards being more destination-oriented, especially towards employment centers, residential areas and high use activity centers, to be a complete system that emphasizes local and regional continuity and connectivity, by increasing safety that focuses on maximum visibility for the cyclist, signage, bikeway segment selection and utilizing easily recognized markers to clearly identify paths, lanes and routes, utilizing environmentally sensitive routing to minimize environmental impacts, by considering methods not only to promote the benefits of cycling, but also to enhancing safety by educating both cyclists and drivers to coexist with an awareness of each other.

Building Codes

The San Marcos City Council adopted (municipal code Chapter 17.08.010) the International Building Code (IBC) 2010 Edition, —as published by the International Code Council— together with other amendments provided in municipal code Chapter 17.08.020 through 17.08.160. As of January 8, 2008 (Ord No. 2007-1297, 1/8/08), all new residential, commercial, and light industrial construction is governed by the IBC, which the City of San Marcos has amended and provided additions to. Chapter 17.32 (Building, Construction, & Related Activities)

sets forth rules and regulations to control excavation, grading, and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction. Title 19-Subdivisions (Chapters 19.04 through 19.48) sets forth geologic and geotechnical requirements related to the subdivision process.

The California Fire Code, published by the California Building Standards Commission, 2007 Edition, including Appendix Chapters 1 and 4, Appendix B, F, and H inclusive, and the National Fire Protection Association Standards 13, 13-D, and 13-R, are adopted by reference as the Chapter 17.64—California Fire Code for the San Marcos Fire Department, subject to the deletions, modifications, or amendments set forth in Chapter 17.64.

International and national model code standards adopted into Title 24 apply to all occupancies in California except for modifications adopted by state agencies and local governing bodies. Facilities and structures such as power plants, freeways, emergency management centers (e.g., traffic management, 911 centers), and dams are regulated under criteria developed by various California and federal agencies.

Capital Improvement Program

The City of San Marcos's Capital Improvement Program (CIP) is a multi-year planning instrument that drives the evaluation and identification of capital infrastructure projects in need of renovation, repair, and/or construction. Capital projects range from road maintenance or construction to the renovation of municipal buildings, recreation centers, and ball fields, to water main and sewer repairs drainage facilities. The CIP relates these projected capital needs to the financial resources that will support their realization and the timeframe in which both the financing and work will take place.

City of San Marcos Bikeway Master Plan

The 2005 Bikeway Master Plan is an update to the city's original master plan adopted in 2001. Goals of the master plan were to obtain State Bicycle Transportation Account (BTA) grant funds and improve bicycle facilities throughout the city for safer routes to school, connections to adjacent cities and incorporate an environmental inventory analysis. One of the goals of the master plan was to connect the City's trails to bicycle facilities to complete a safe and enjoyable trail and bikeway system.

City of San Marcos Municipal Code and Zoning Code

The City of San Marcos Municipal Code and Zoning 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 Code is a regulatory document that establishes specific standards for the use and development of all properties in the City. The Code regulates development intensity using a variety of methods, such as setting limits on building setbacks, yard landscaping standards, and building heights. The Code also indicates which land uses are permitted in the various zones. The City is divided into Zoning Districts, which show up on the "Official Zoning Map."

City of San Marcos Parks Master Plan

The 1990 Parks Master Plan presents a vision of the parks and recreational future for San Marcos. It contains the concept for the Plan, program for individual parks, and development of the trails system. The Plan also contains acreage standards for parkland per person and descriptions of active use and passive use recreation areas.

City of San Marcos Specific Plans

A Specific Plan is a detailed plan for the development of a particular area. Falling under the broader umbrella of the General Plan, Specific Plans are intended to provide more finite specification of the types of uses to be permitted, development standards (setbacks, heights, landscape, architecture, etc.), and circulation and infrastructure improvements within identified subareas of the City. Specific Plans are often used to ensure that multiple property owners and developers adhere to a single common development plan. Further, they can provide flexibility in development standards beyond those contained in the Zoning Ordinance. San Marcos has extensively utilized Specific Plans as a tool to achieve the coordinated development of individual parcels within a broader context.

Climate Action Strategy

In 2010, SANDAG published a Climate Action Strategy (CAS) that was prepared under a partnership with the California Energy Commission. The CAS acts as a guide for SANDAG and local governments and policymakers in addressing climate change. The CAS recognizes the importance of local and regional action to achieve statewide climate goals, and identifies how local jurisdictions can participate in achieving the goal. Because local governments have greater control over some areas, the CAS emphasizes those areas where the greatest impact can be made at the local level. These areas include: land use patterns, transportation infrastructure, and related public investment; building construction and energy use; and government operations. In addition, these areas constitute the majority of statewide emissions.

Congestion Management Plan

State Proposition 111, passed by voters in 1990, established a requirement that urbanized areas prepare and regularly update a Congestion Management Program (CMP). The purpose of the CMP is to monitor the performance of the region's roadway transportation system, develop programs to address near- and long-term congestion, and better integrate transportation and land use planning. SANDAG, as the designated Congestion Management Agency for the San Diego region, is responsible for developing, adopting, and updating the CMP. On November 7, 2008, the SANDAG Transportation Committee approved the 2008 CMP. In 1996, the California legislature passed Assembly Bill 2419 to allow urbanized areas the option to be exempt from preparation and implementation of the state CMP. In 2009, the San Diego region elected to be exempt from CMP requirements; thus CMP requirements are not applicable to San Marcos.

Even with the region exempt from CMP requirements, SANDAG is still required to comply with federal congestion management provisions that allows for more flexibility than the CMP and use the RTP as the primary tool to resolve congestion problems. The SANDAG Congestion Management Program (CMP) defines a network of state highways and arterials, level of service standards and related procedures, and provides technical justification for the approach. The CMP for SANDAG was originally adopted in 1991 and updated in 2008.

County of San Diego Consolidated Fire Code

The San Diego region is unique within California in having 17 fire protection districts within its boundaries. For the purposes of prescribing regulations in the unincorporated area of San Diego County, the applicable fire code is known as the County Fire Code and includes the Consolidated Fire Code and adopts, by reference, the California Fire Code, 2001 edition (CCRT-24 part 9). The Consolidated Fire Code consists of local Fire Protection District ordinances that have modified the Fire Code portion of the State Building Standards Code and any County of San Diego modification to the Fire Districts' amendments. The purpose of the Code is for the protection of the public health and safety, which includes permit and inspection requirements for the installation, alteration, or repair of new and existing fire protection systems, and penalties for violations of the Code. The Code provides the minimum requirements for access, water supply and distribution, construction type, fire protection systems, and vegetation management. Additionally, the Fire Code regulates hazardous materials and associated measures to ensure that public health and safety are protected from incidents relating to hazardous substance releases.

County of San Diego, Local Enforcement Agency

The Local Enforcement Agency (LEA) is the lead agency required to investigate and inspect active, closed, illegal, and abandoned waste disposal sites in the unincorporated County of San Diego and incorporated cities, with the exception of the City of San Diego. The LEA is responsible for inspection and permitting of active solid waste disposal sites as a certification responsibility required by the California Integrated Waste Management Board (CIWMB) and pursuant to its enforcement responsibilities of the California Code of Regulations (CCR), Title 27, Environmental Division 2, Solid Waste Standards relating to the protection of public health, safety, and the environment. The LEA, in coordination with the Regional Water Quality Control Board (RWQCB) and CIWMB, can review work plans and site assessment reports, and issue no further action letters related to the remediation of burn dump sites.

County of San Diego Multi-jurisdictional Hazard Mitigation Plan

To comply with the Disaster Mitigation Act of 2000, the County of San Diego prepared the Multi-jurisdictional Hazard Mitigation Plan, which serves as both a Countywide plan and a plan for local jurisdictions that identifies risks posed by natural and human-made disasters before a hazard event occurs (County of San Diego 2004). The plan includes overall goals and objectives shared by many jurisdictions, as well as specific goals, objectives, and mitigation action items for each of the participating jurisdictions developed to help minimize the effects of the specified hazards that potentially affect their jurisdiction. Goals, objectives, and action items for the City of San Marcos are included.

County of San Diego Noise Element

The Noise Element of the County of San Diego General Plan establishes limitations on sound levels to be received by noise sensitive land uses (NSLUs). New development may cause an existing NSLU to be affected by noise caused by the new development, or it may create or locate a NSLU in such a place that it is affected by noise. The Noise Element identifies airports and traffic on public roadways as the major sources of noise.

The Noise Element states that an acoustical study is required if it appears that a NSLU would be subject to noise levels of CNEL equal to 60 dB (A) or greater (County 2006). If that study confirms that greater than 60 dB CNEL would be experienced, modifications that reduce the exterior noise level to less than 60 dB CNEL and the interior noise levels to below 45 dB CNEL must be made to the development. If these modifications are not made, the development shall not be approved unless a finding is made that specific social or economic considerations warrant project approval; however, if the noise level would exceed 75 dB (A) CNEL even with such modifications, the development shall not be approved, regardless of such social or economic considerations.

County of San Diego Noise Ordinance

The County Noise Ordinance prohibits disturbing, excessive, or offensive noise. Limits are specified depending on the zoning placed on a property (e.g., varying densities and intensities of residential, industrial, and commercial zones). Where two adjacent properties have different zones, the sound level limit at a location on a boundary between two properties is the arithmetic mean of the respective limits for the two zones, except for extractive industries. It is unlawful for any person to cause or allow the creation of any noise that exceeds the applicable limits of the Noise Ordinance at any point on or beyond the boundaries of the property on which the sound is produced. Furthermore, the Noise Ordinance allows the County to grant variances from the noise limitations for temporary on-site noise sources, subject to terms and conditions intended to achieve compliance. The Noise Ordinance also establishes noise limitations for operation of construction equipment based on average, or equivalent, noise levels and maximum, or impulsive, noise levels.

Habitat Loss Permit Ordinance

The Habitat Loss Permit (HLP) Ordinance was adopted in March 1994 in response to both the listing of the California gnatcatcher as a federally threatened species, and the adoption of the NCCP by the State of California. Pursuant to the Special 4(d) Rule under FESA, the County is authorized to issue "take permits" for the California gnatcatcher (in the form of HLPs) in lieu of Section 7 or 10(a) Permits typically required from USFWS. Although issued by the County, the wildlife agencies must concur with the issuance of an HLP for it to become valid as take authorization under FESA.

The HLP Ordinance states that projects must obtain an HLP prior to the issuance of a grading permit, clearing permit, or improvement plan if the project will directly or indirectly impact any of several coastal sage scrub habitat types. The Ordinance requires an HLP if coastal sage scrub will be impacted, regardless of whether the site is currently occupied by gnatcatchers. HLPs are not required for projects within the boundaries of the MSCP, since take authorization is conveyed to those projects through compliance with the MSCP. HLPs are also not required for projects that have separately obtained Section 7 or 10(a) permits for take of the gnatcatcher. For more explicit information on these requirements, refer to the HLP Ordinance.

Until the Final North County MSCP and associated BMO are approved, and an Implementation Agreement between the County and wildlife agencies is signed, a proposed project within the planning area would need to prepare appropriate NCCP 4(d) Findings and determine whether an HLP will need to be obtained prior to issuance of any permit that would allow the clearing or grading of the areas of coastal California gnatcatcher habitat that occurs within a proposed site.

Greenhouse Gas Inventories and Climate Action Plans

All 18 cities and the County of San Diego have completed a GHG inventory, many prepared as part of the San Diego Foundation's Climate Initiative. A GHG inventory is the first step toward preparing a Climate Action Plan (CAP), which is a document that provides guidance to jurisdictions for achieving GHG reduction goals. Many jurisdictions have or are currently preparing climate planning documents.

Hydromodification Management Plan

Provision D.1.g of RWQCB Order R9-2007-0001 requires the San Diego Stormwater Copermittees (the cities within the San Diego region as well as the County government) to implement a Hydromodification Management Plan (HMP) "to manage increases in runoff discharge rates and durations from all PDP, where such increased rates and durations are likely to cause increased erosion of channel beds and banks, sediment pollutant generation, or other impacts to beneficial uses and stream habitat due to increased erosive force."

Multiple Habitat Conservation Plan

In San Diego County, several conservation planning efforts have been completed or are currently in progress with the long-term goal of establishing a regional reserve system that will protect native habitat lands and their associated biota. The ultimate goals of these plans are the establishment of biological reserve areas in conformance with the State Natural Community Conservation Planning Act, and to contribute to the preserve system already established by the approved Multiple Species Conservation Plan (MSCP) in southwestern San Diego County.

The City of San Marcos is located in the Multiple Habitat Conservation Program (MHCP) project area. The MHCP subregional plan for the northwestern portion of the County (cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista) was approved by SANDAG in 2003. The subregional plan encompasses 111,908 acres (29,962 acres of natural habitat), and provides conservation for 77 species in a 20,593-acre reserve. The City of San Marcos began preparing a draft of the City Subarea Plan of the MHCP in December 1999. Although the draft has not yet been approved by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG), the plan is a component of the MHCP and is currently being used as a guide for open space design within the City.

North County Multiple Species Conservation Program and Biological Mitigation Ordinance

The Multiple Species Conservation Program (MSCP) is a long-term regional conservation plan designed to establish a connected preserve system that protects the County's sensitive species and habitats. The MSCP covers 582,243 acres over 12 jurisdictions. Each jurisdiction will have its own subarea plan to be implemented separately. The subarea plan for the southwestern portion of unincorporated lands within the County's jurisdiction covers 252,132 acres. The County's MSCP Subarea Plan is regulated by the Biological Mitigation Ordinance (BMO), which outlines the specific criteria and requirements for projects within the MSCP boundaries. The County's MSCP Subarea Plan (adopted October 1997), the BMO (adopted March 1998), the Final MSCP Plan (dated August 1998), and the Implementation Agreement (signed March 1998) between the County and wildlife agencies are the documents used to implement the MSCP. The County's MSCP Subarea Plan and BMO provide specific criteria for project design, impact allowances, and mitigation requirements. The criteria contained within the BMO do not replace those required by the MSCP. All projects within the MSCP boundaries must conform to both the MSCP requirements and the County's policies under CEQA.

Portions of the planning area occur within the boundaries of the County's draft North County MSCP, a sub-area plan that is not yet approved. When the Final North County MSCP and associated BMO are approved, an Implementation Agreement between the County and wildlife agencies, specific to this area of unincorporated lands within the County's jurisdiction, will be signed. Until these documents are finalized, however, projects must continue to meet the conditions of the County's Resource Protection Ordinance (RPO).

Regional Comprehensive Plan

SANDAG's Regional Comprehensive Plan (RCP) is a long-range planning document that encourages local jurisdictions to address the San Diego region's housing, economic, transportation, environmental, and overall quality of life needs (SANDAG 2004). The RCP establishes a planning framework and implementation actions that aim to increase the region's sustainability and encourage "smart growth" (higher-density mixed-use development near existing and planned public transit and that promotes active transportation).

To encourage regional sustainability and smart growth, the RCP aims to promote more compact development in the urbanized areas of the region pressure to develop the back country and reduce the number of housing units and residents that are expected to be "exported" from the region by 2030. To achieve this, the Plan identifies certain areas in the region as Smart Growth Opportunity Areas. Designation of these opportunity areas is intended to provide guidance to local governments, property owners, and service providers as to where smart growth development could occur from a regional perspective, and encourages local jurisdictions to focus attention on these areas as they update their general plans and redevelopment plans. Once these areas are designated by local jurisdictions for development types, densities, and intensities consistent with the goals of the RCP, transportation facility improvements and other infrastructure to these areas will be prioritized. The intended effect of this effort is to attract housing units that are anticipated to be exported from the San Diego region to Baja California, Riverside County, Orange County, and Imperial County by 2030. The RCP would redirect those housing units to areas within the region that are located along the existing and proposed regional transportation corridors as well as other locations where compact development is appropriate. A portion of this redirected development will occur in areas of vacant land and a portion will occur as redevelopment and infill development in existing communities.

Regional Energy Strategy

SANDAG's 2009 Regional Energy Strategy (RES) establishes goals for the San Diego region to be more energy efficient, increase use of renewable energy sources, and enhance the region's energy infrastructure so that we are able to meet growing energy demand. The RES focuses on opportunities and authorities that SANDAG and its member agencies could take advantage of to address energy issues through their authorities in areas such as land use planning, transportation planning and funding, and the building entitlement process. Although the RES Update does not make recommendations for specific energy projects (e.g., power plants or transmission projects), it does assess regional need for energy resources and infrastructure. The RES also does not replace the long-term electricity plan that San Diego Gas & Electric develops for the CPUC, but it can inform their decision-making.

Regional Transportation Improvement Program

SANDAG, as the MPO and the Regional Transportation Planning Agency, is required by state and federal laws to develop and adopt a Regional Transportation Improvement Program (RTIP). The RTIP is a multibillion dollar, multiyear program of proposed projects for major highway, arterial, transit, and bikeway projects. Any transportation projects funded with federal, state funds or by the *TransNet* Ordinance must be included in an approved RTIP. The RTIP covers 5 fiscal years and incrementally develops the long-range RTP. Adopted in September 2010, the 2010 RTIP is the current RTIP document and covers fiscal years 2010 through 2014.

2050 Regional Transportation Plan/Sustainable Communities Strategy

The 2050 Regional Transportation Plan/Sustainable Communities Strategy (2050 RTP/SCS) presents a transportation system designed to maximize transit enhancements, integrate biking and walking elements, and promote programs to reduce demand and increase efficiency (SANDAG 2011). One key theme of the RTP is to improve the connections between land use and transportation plans by using smart growth principles. The 2050 RTP includes a Sustainable Communities Strategy (SCS) that integrates land use planning, housing development, and transportation planning. The SCS also addresses how the transportation system is developed in such a way that the region reduces per-capita GHG emissions to state-mandated levels. The SCS includes a land use pattern that accommodates the region's future employment and housing needs, and protects sensitive habitats and resource areas. To accomplish this in a sustainable manner, the 2050 RTP/SCS land use pattern focuses housing and jobs growth in existing urbanized areas, protects about 1.3 million acres of land, and invests in a transportation network that provides residents and workers with alternatives to driving alone. New development would be more compact and more accessible to public transit and other travel choices, such as walking and bicycling.

Resource Protection Ordinance

The RPO was adopted by the County of San Diego in 1989 and amended in 1991 and 2007. The RPO restricts to varying degrees impacts to natural resources including wetlands, wetland buffers, floodplains, steep slopes, sensitive habitat lands, and historical sites. Certain permit types are subject to the requirement to prepare Resource Protection Studies under the RPO.

The RPO states that no impacts may occur to lands determined to be wetlands as defined by the ordinance, except those impacts related to aquaculture, scientific research, and/or wetland restoration projects. In addition, the ordinance requires that a wetland buffer be provided to further protect the wetland resources. Access paths, improvements necessary to protect the adjacent wetlands, and those uses allowed within the actual wetland are the only allowed uses within the buffer. No impacts caused by activities other than these specifically mentioned shall be allowed. For more explicit information on these requirements, refer to the RPO.

The RPO also limits impacts to sensitive habitat lands. Sensitive habitat lands include unique vegetation communities and/or the habitat that is necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystems, or that serves as a functioning wildlife corridor. Impacts shall only be allowed when (1) all feasible measures have been applied to reduce impacts, and (2) mitigation provides an equal or greater benefit to the affected species.

The RPO includes the provision that when the extent of environmentally sensitive lands on a particular legal lot is such that no reasonable economic use of such lot would be permitted by these regulations, then an encroachment into such environmentally sensitive lands to the minimum extent necessary to provide for such reasonable use may be allowed.

A proposed project within the planning area coincident with the North County MSCP would be evaluated in accordance with the County's RPO.

San Diego County Integrated Waste Management Plan

Pursuant to the IWMA, the Countywide Integrated Waste Management Plan for San Diego County describes the goals, policies, and objectives of the county for coordinating efforts to divert, market, and dispose of solid waste during the planning period through the year 2017. Countywide policies for reducing waste and implementing the programs are identified in the individual jurisdiction SRREs and HHWEs and are intended to reduce costs, streamline administration of programs, and encourage a coordinated and planned approach to integrated waste management.

To avoid duplication of effort, all of the jurisdictions in the county participate in the San Diego County Integrated Waste Management Local Task Force (LTF). The LTF coordinates mandated planning, oversees implementation of new or countywide integrated waste management programs, and carries out an active legislative program. Regulatory reform, changes to state diversion requirements, and reduction of the costs of compliance are considered by the LTF, as well as other solid waste issues of regional or countywide concerns.

San Diego County, Site Assessment and Mitigation (SAM) Program

San Diego County Site Assessment and Mitigation (SAM) Program, within the Land and Water Quality Division of the DEH, consists of project managers, field technicians, supervisors, and support staff whose primary purpose is to protect human health, water resources, and the environment within San Diego County by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code (H&SC) and the CCR. SAM's Voluntary Assistance Program (VAP) also provides staff consultation, project oversight, and technical or environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances. SAM maintains an environmental assessment case listing at <http://www.co.sandiego.ca.us/deh/lwq/sam/index.html>.

San Diego County, Underground Storage Tank Program

The DEH HMD Underground Storage Tank (UST) Program administers and enforces federal and state laws and regulations and local ordinances for the construction/installation, modification, upgrade, and removal of USTs in San Diego County. If contamination is discovered or likely to be present, owners or operators of USTs are required by law to report the contamination to the DEH HMD and SAM Programs and to take corrective action.

San Diego Municipal Storm Water Permit

In January of 2007, under the authority of the CWA amendments and NPDES Permit regulations, the RWQCB renewed Order R9 2007-0001, also referred to as the Municipal Storm Water Permit (first issued on July 16, 1990, and then renewed on February 21, 2001) to the County of San Diego, the 18 incorporated cities of San Diego County, San Diego Unified Port District, and the San Diego County Regional Airport Authority.

The Municipal Storm Water Permit requires that each jurisdiction covered under the permit prepare a Jurisdictional Urban Runoff Management Plan (JURMP). Each of these JURMPs includes a component addressing construction activities, development planning, and existing development.

Local jurisdictions within San Diego regulate water quality through a variety of ordinances and guidelines, including but not limited to, jurisdictional urban runoff management programs, and storm water standards. In accordance with the provisions of the Municipal Permit, the County of San Diego developed a model Standard Urban Runoff Mitigation Plan (SUSMP) and a SUSMP manual. The model SUSMP and manual identify mitigation strategies required to protect storm water quality for new development and significant redevelopment within the San Diego region. The County's model SUSMP outlines a template for municipalities within the San Diego region to follow in preparing their respective SUSMPs. Development within each respective County of San Diego municipality is subject to each respective SUSMP, accordingly.

San Diego Regional Bicycle Plan

The San Diego Regional Bicycle Plan, adopted in May 2010, establishes a network of regional bikeway corridors for intercommunity bicycle travel and proposes a comprehensive set of programs to support bicycling in order to make the bicycle a practical means of transportation in the region. Figure 2.0-19 shows the 2050 Regional Bicycle Network. The San Diego Regional Bicycle Plan provides that network, as well as the programs that are necessary to support it. As an integral part of the 2050 RTP/SCS, the San Diego Regional Bicycle Plan will become part of the Sustainable Communities Strategy mandated by SB 375. Implementation of the San Diego Regional Bicycle Plan will help the region meet its goals in reducing greenhouse gas emissions and will improve mobility. It also provides benefits to public health by encouraging more people to adopt a physically active mode of transportation for at least some of their trips. The San Diego Regional Bicycle Plan provides detailed information on the structure of the Regional Bicycle Network, the supporting policies and programs, and the resulting benefits from implementation.

School Facilities Needs Analysis

The School Facilities Needs Analysis (SFNA) for SMUSD is prepared and adopted by the governing board of a school district to determine the need for new school facilities to house pupils that are attributed to projected enrollment growth from the development of new residential units over the next five years. The analysis takes into account current capacity, surplus property, and dedicated local funding sources. The SFNA dated March 11, 2011 is the most recent SFNA.

Specific Plans

City of San Marcos has adopted many specific plans for various areas within the City boundary. The main goals of the specific plans were to provide a comprehensive vision for the development of areas in San Marcos along with goals, policies and development standards to guide future public and private actions relating to the area's development and conservation of open space and natural resources.

TransNet Sales Tax

TransNet is the half-cent sales tax for local transportation projects that was first approved by voters in 1988 and then extended in 2004 for another 40 years. Administered by SANDAG, the program has been instrumental in expanding the region's transportation system, reducing traffic congestion, and bringing critical transportation programs to life.

The *TransNet* extension, a regional half-cent sales tax for transportation approved by more than two-thirds of San Diego County voters in 2004, runs from 2008 to 2048. It is expected to raise \$32 billion (calculated in year of planned expenditure) to help fund major highway expansion projects and numerous local road projects, in addition to a more robust public transportation system that includes new light rail and bus rapid transit services, improvements to existing commuter rail and light rail services, and new carpool/express lanes along many of the major transportation corridors. The extension also funds some added features, including innovative environmental and smart growth programs. The Environmental Mitigation Program will fund habitat related environment mitigation activities required to implement projects identified in the RTP.

This extended half-cent sales tax has provided approximately \$20 million for the City of San Marcos's streets and roads as of December 2008 (TransNet Update 2009). The funds received each year by the City of San Marcos are designated for local streets/roads and SR-78 interchanges.

Unified San Diego County Emergency Services Organization Operational Area Emergency Plan

The Operational Area Emergency Plan (OAEP) is for use by the County and all of the cities within the County to respond to major emergencies and disasters. It describes the roles and responsibilities of all county departments and many city departments. Cities are encouraged to adopt the OAEP as their own, with modifications as appropriate for their city. The Plan is updated every four years by the Office of Emergency Services and the Unified Disaster Council of the Unified San Diego County Emergency Services Organization. The most recent update occurred in 2010. The OAEP describes a comprehensive emergency management system which provides for a planned response to disaster situations associated with natural disasters, technological incidents, terrorism and nuclear-related incidents. It delineates operational concepts relating to various emergency situations, identifies components of the Emergency Management Organization, and describes the overall responsibilities for protecting life and property and assuring the overall well-being of the population. The plan also identifies the sources of outside support which might be provided (through mutual aid and specific statutory authorities) by other jurisdictions, state and federal agencies and the private sector. The OAEP includes the San Diego County Operational Area Hazardous Materials Area Plan, which describes the system currently in place in San Diego County for managing hazardous materials emergencies.

Urban Water Management Plans

Urban water purveyors are required to prepare and update a UWMP every 5 years. The UWMPs address water supply, treatment, reclamation, and water conservation, and contain a water shortage contingency plan. Local UWMPs, such as those prepared by VWD and other water districts, are supplemental to the regional plans prepared by the MWD. The Water Conservation Bill of 2009 (SBX7-7) requires each urban retail water supplier to develop an urban water use target and an interim urban water use target. Notably, SBX7-7 authorizes urban retail water suppliers to determine and report progress toward achieving these targets on an individual agency basis or pursuant to a regional alliance as provided in CWC § 10608.28(a).

Olivenhain Municipal Water District (OMWD), Vallecitos Water District (VWD), San Dieguito Water District, and Rincon del Diablo Municipal Water District (Rincon) have formed a regional alliance pursuant to CWC § 10608.28(a), the DWR Guidebook, and the DWR Methodologies to cooperatively determine and report progress toward achieving their water use targets on a regional basis. The members have prepared an urban water use target and an interim urban water use target for the region, which is further set forth herein and within each of the other members' individual UWMPs. Furthermore, each member of the regional alliance has developed its own set of interim and urban water use targets, along with other supporting data and determinations, all of which is included in each member's individual UWMP.

Voluntary Assistance Program (VAP)

The DEH VAP is a voluntary option for project oversight on various types of properties that are environmentally impacted. Through the VAP, members of the SAM team at the DEH provide consultation and overview, and report concurrence on projects involving properties suspected or known to be contaminated with hazardous substances. The SAM utilizes current guidelines and policies of the DEH and RWQCB to reach site assessment and cleanup goals at sites under the VAP. Assistance is customized to meet the needs of the applicant. The objective of the VAP is to allow rapid and cost-effective resolution of contamination problems. Examples of projects that have been processed through the VAP include conversion of a property from agricultural to residential land use, conversion of a gas station property to a retail facility, a release of solvent from a dry cleaners, review of work plans prior to initiating work, and review of assessment and mitigation reports for lenders. The most commonly submitted documents are work plans, Phase I Environmental Site Assessment (ESA) reports, Phase II ESA reports, and health risk evaluations.

Wildland Urban Interface Community Wildfire Protection Plan

The 2007 Wildland Urban Interface Community Wildfire Protection Plan (CWPP) was developed by the San Marcos Fire Department with guidance and support from the County of San Diego, California Department of Forestry and Fire Protection and the United States Forest Service. The CWPP identifies and prioritizes fuels reduction opportunities across the San Marcos planning area landscape and addresses structural ignitability. The CWPP outlines a three-year work plan which focuses on public education, access and evacuation, home mitigation, and fuels treatments.

Table B-1 General Plan Regulations, Plans and Programs

Regulations, Plans, and Programs	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Federal							
American Indian Religious Freedom Act, Title 42 United States Code Section 1996			X				
Americans with Disabilities Act (ADA)							X
Antiquities Act of 1906, Title 16 United States Code Sections 431-433			X				
April 2007 U.S. Supreme Court Ruling			X				
Archaeological Resources Protection Act of 1979, Title 16 United States Code Section 470aa-470mm			X				
Architectural Barriers Act of 1968	X						
Bald and Golden Eagle Protection Act (BGEPA)			X				
Chemical Accident Prevention Provisions					X		
Civil Rights Act							X
Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)					X		

Regulations, Plans, and Programs	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Department of Transportation Act of 1966				X			
Education Amendments Act of 1972	X			X			
Emergency Planning Community Right-to-Know Act (EPCRA)					X		
Energy Policy and Conservation Act of 1975			X				
Energy Policy Act of 1992			X				
Energy Policy Act of 2005			X				
Executive Order 11593 of May 13, 1971, 36 Federal Register 8921			X				
Executive Order 11990 - Protection of Wetlands			X				
Fair Housing-Related Presidential Executive Orders							X
Federal Aviation Administration (FAA) Functions					X		
Federal Aviation Regulations (FAR), Notice of Proposed Construction or Alteration						X	

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Federal Clean Air Act			X		X		
Federal Disaster Mitigation Act of 2000					X		
Federal Endangered Species Act (FESA)			X				
Federal Land Policy Management Act of 1976, 43 United States Code Section 1701 et seq			X				
Federal Response Plan					X		
Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970							X
Federal Water Pollution Control Act (Clean Water Act), 1972			X				
FHWA/FTA Planning Program Funds to Support Integration of Transportation, Land Use, and Climate Change		X					
Hazardous Materials Transport					X		
Historic Sites, Buildings, Objects, and Antiquities Act			X				
Housing and Community Development Act of 1974							X

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)		X					
The Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288), as amended, (42 U.S.C. Sections 5121–5206), and Related Authorities					X		
The Secretary of the Interior's Standards			X				
The Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation			X				
Surface Transportation Act		X					
U.S. Department of Defense (DOD) Air Installations Compatible Use Zone (AICUZ) Program					X		
USEPA Region 9 Regional Screening Levels					X		
USGS Landslide Hazard Identification Program					X		
U.S. Code of Federal Regulations (CFR)						X	

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
U.S. Department of Transportation Act		X	X	X			
Worker Safety Requirements					X		
State							
Alquist-Priolo Earthquake Fault Zoning Act					X		
Article 34 of the California Constitution							X
Assembly Bill 16	X						
Assembly Bill 32	X	X	X		X		X
Assembly Bill 1358		X					
Assembly Bill 1493			X				
Assembly Bill 2641		X	X				
California Administrative Code Title 24						X	X
California Civil Code Section 3482.5 (The Right to Farm Act)			X				
California Clean Air Act			X				
California Air Resources Board (CARB)			X				
California Climate Adaptation Strategy			X				

Regulations, Plans, and Programs	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
California Department of Transportation	X						
California Education Code					X		
California Emergency Services Act					X		
California Endangered Species Act (CESA)			X				
California Environmental Quality Act (CEQA)	X	X	X	X	X	X	X
California Farmland Conservancy Act			X				
California Fire Code					X		
California Fish and Game Code			X				
California Forest Legacy Act			X				
California Health and Safety Code (H&SC), Hazardous Materials Release Response Plans and Inventory					X		
California Health and Safety Code Section 25270, Aboveground Petroleum Storage Act					X		
California Historical Landmarks Program			X				

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
California Human Health Screening Levels					X		
California Integrated Waste Management Act					X		
California Land Conservation Act (Williamson Act)			X				
California OSHA					X		
California Planning and Zoning Law	X						
California Points of Historical Interest Program			X				
California Register of Historical Resources (CRHR)			X				
California Scenic Highway Program			X				
California Surface Mining and Reclamation Act (SMARA)			X				
Caltrans Climate Action Program		X	X				
Caltrans Smart Mobility Framework		X	X				
Complete Streets Act (AB1358)		X					

Regulations, Plans, and Programs	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Conservation Easement Act of 1979			X				
Construction General Permit			X				
Emergency Response to Hazardous Materials Incidents					X		
Emergency Services Act					X		
Energy Conservation Standards			X				
Executive Order S-01-07			X				
Executive Order S-3-05			X				
Fair Employment and Housing Act							X
Local Agency Formation Commissions	X						
Government Code Section 65008							X
Government Code Section 65080		X					
Government Code Section 65962.5 (Cortese List)					X		
Hazardous Materials Handling					X		
Hazardous Waste Control Act					X		

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Health and Safety Code Section 7050.5			X				
Health and Safety Code Sections 8010- 8011			X				
Landscaping and Lighting Act of 1972				X			
Little-Used Open Space Maintenance Act				X			
Mello-Roos Community Facilities Act				X			
National Pollutant Discharge and Elimination System (NPDES)			X				
Natural Hazards Disclosure Act					X		
Open Space Easement Act of 1974				X			
Porter-Cologne Water Quality Control Act			X				
Public Resources Code Section 5020.1(h)	X		X				
Public Resources Code Section 5024.1			X				
Public Resources Code Section 5097.98			X				

Regulations, Plans, and Programs	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
International Fire Code					X		
Migratory Bird Treaty Act (MBTA)			X				
National Fire Plan					X		
National Flood Insurance Program					X		
National Historic Preservation Act (NHPA)			X				
National Register of Historic Places (NRHP)			X				
National Trails System Act of 1968 (Public Law 90-543)				X			
Native American Graves Protection and Repatriation Act (NAGPRA)			X				
Regulation of Polychlorinated Biphenyls and Lead- Based Paint					X		
Rehabilitation Act of 1973							X
Rivers and Harbors Act			X				
Resource Conservation and Recovery Act (RCRA) of 1976: amended by the Hazardous and Solid Waste Amendments of 1984					X		

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Public Resources Code Sections 5097.99,5097.991			X				
Public Resources Code Section 21084.1			X				
Quimby Act				X			
Renewables Portfolio Standard			X				
Seismic Hazards Mapping Act					X		
Senate Bill 50 – Leroy F. Greene Schools Facilities Act of 1998	X						
Senate Bill 97			X				
Senate Bill 610 and Senate Bill 221			X				
Senate Bill 375	X	X	X				X
Senate Bill 1685			X	X			
State Housing Element Law							X
State Responsibility Area (SRA) Fire Safe Regulations (Title 14 Natural Resources, Department of Forestry Fire Protection)					X		
Title 14, CCR						X	
Title 27, CCR					X		

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Underground Storage Tank Program					X		
Unified Program					X		
Unruh Civil Rights Act (Civil Code Section 51)							X
Western Climate Initiative			X				
Regional and Local							
Air Quality Management Plans and State Implementation Plan							
Airport Land Use Commission and Airport Land Use Compatibility Plans	X						
Building Codes					X		
City of San Marcos Bikeway Master Plan		X					
Capital Improvement Program		X					
City of San Marcos Municipal Code and Zoning Code	X	X	X	X	X	X	X
City of San Marcos Parks Master Plan				X			
City of San Marcos Specific Plans	X	X	X	X	X	X	X

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Climate Action Strategy			X				
Congestion Management Plan		X					
County of San Diego, Local Enforcement Agency					X		
County of San Diego Consolidated Fire Code					X		
County of San Diego Multi-jurisdictional Hazard Mitigation Plan					X		
County of San Diego Noise Element						X	
County of San Diego Noise Ordinance						X	
Habitat Loss Permit Ordinance			X				
Greenhouse Gas Inventories and Climate Action Plans			X				
Hydromodification Management Plan			X				
Multiple Habitat Conservation Plan			X				
Natural Community Conservation Planning (NCCP) Act of 1991	X						

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
North County Multiple Species Conservation Program and Biological Mitigation Ordinance			X				
Regional Comprehensive Plan	X						
Regional Energy Strategy			X				
Regional Transportation Improvement Program		X					
2050 Regional Transportation Plan/Sustainable Communities Strategy	X	X	X				X
Resource Protection Ordinance			X				
San Diego County Integrated Waste Management Plan	X						
San Diego County, Site Assessment and Mitigation (SAM) Program					X		
San Diego Municipal Storm Water Permit			X				
San Diego Regional Bicycle Plan		X					
School Facilities Needs Analysis	X						
TransNet Sales Tax		X	X				

Regulations, Plans, and Programs ¹	General Plan Elements						
	Land Use and Community Design	Mobility	Conservation and Open Space	Parks, Recreation, and Community Health	Safety	Noise	Housing
Unified San Diego County Emergency Services Organization Operational Area Emergency Plan					X		
Urban Water Management Plans			X	X			
Voluntary Assistance Program (VAP)					X		
Wildland Urban Interface Community Wildfire Protection Plan					X		

B

APPENDIX B RELATED REGULATIONS, PLANS, AND PROGRAMS

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APPENDIX C GLOSSARY



APPENDIX C GLOSSARY

A

Access: A way of approaching or entering a property, including ingress (the right to enter) and egress (the right to leave).

Acres, Gross: The total area of a site, including those areas that cannot be built upon.

Acres, Net: The portion of a site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road rights-of-way, public open space, and flood ways.

ADT: Average daily trips made by vehicles in a 24-hour period.

Affordability Covenant: A property title agreement that places resale or rental restrictions on a housing unit.

Affordable Housing: Under State and Federal statutes, housing that costs no more than 30 percent of gross household income. Housing costs include rent or mortgage payments, utilities, taxes, insurance, homeowner association fees, and other related costs.

AIA: Airport Influence Area.

Air Basin: A geographical area in California defined as a distinct air basin for the purpose of managing the air resources of the State on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. The State is currently divided into 15 air basins.

Air Pollution: The presence of contaminants in the air in concentrations that exceed naturally occurring quantities and are undesirable or harmful.

Airport: McClellan-Palomar Airport.

Air Quality Standards: The prescribed (by the Environmental Protection Agency and the California Air Resources Board) level of pollutants in the outside air that cannot be exceeded legally during a specified time in a specified geographical area.

ALS: Advanced Life Support.

Ambient Noise Level: The overall noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Annexation: The incorporation of a land area into an existing city with a resulting change in the boundaries of that city.

APA: American Planning Association.

APEFZ: Alquist-Priolo Earthquake Fault Zone.

ARB: California Air Resources Board

Arterial: A major street carrying the traffic of local and collector streets to and from freeways and other major streets, with controlled intersections and generally providing direct access to nonresidential properties.

A-Weighted Decibel (dBA): A numerical method of rating human judgment of loudness. The A-weighted scale reduces the effects of low and high frequencies in order to simulate human hearing.

B

Best Management Practices (BMPs): A term used to describe water pollutant control practices including but not limited to municipal sewage control, stormwater management and principal control or treatment techniques.

Bike Lane: A corridor expressly reserved by markings for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles (Class 2 Bikeway).

Bike Path: A paved route not on a street or roadway, and expressly reserved for bicycles. Bike paths may parallel roads, but typically are separated from them by landscaping (Class 1 Bikeway).

Bike Route: A facility shared with motorists and identified only by signs. A bike route has no pavement markings or lane stripes (Class 3 Bikeway).

Buffer: A strip of land designated to protect one type of land use from another with which it is incompatible. Where a commercial district or agricultural uses abut a residential district, for example, additional use, yard, or height restrictions may be imposed to protect residential properties. The term may also be used to describe any zone that separates two unlike zones such as a multi-family housing zone between single-family housing and commercial uses.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

C

CDFG: California Department of Fish and Game

C.O.PP: Community Oriented Policing and Problem Solving.

California Building Code: A standard building code that sets for minimum standards for construction. The California Building Code is outlined in Title 24 of the California Code of Regulations and includes the Uniform Plumbing Code, Uniform Mechanical Code, National Electric Code, California Fire Code, and the California Energy Code.

California Department of Housing and Community Development - HCD: The State Department responsible for administering State-sponsored housing programs and for reviewing housing elements to determine compliance with State housing law.

California Environmental Quality Act (CEQA): A State law requiring State and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) may be required to be prepared and certified as to its adequacy before taking action on the proposed project.

CAL FIRE: California Department of Forestry and Fire Protection.

Caltrans: California Department of Transportation.

Capital Improvement Program (CIP): A proposed timetable or schedule of all future capital improvements (government acquisition of real property, major construction project, or acquisition of long lasting, expensive equipment) to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means of financing each project. Capital improvement programs are usually projected five or six years in advance and should be updated annually.

Census: The official decennial enumeration of the population conducted by the federal government.

CERT: Community Emergency Response Team.

CGS: California Geological Survey.

City: City, with a capital "C," generally refers to the government or administration of the City of San Marcos. City, with a lower case "c" may mean any city.

CNEL: Community Noise Equivalent Level.

CNPS: California Native Plant Society

Collector: A street for traffic moving between arterial and local streets, generally providing direct access to properties.

Community Development Block Grant (CDBG): A grant program administered by the U.S. Department of Housing and Urban Development (HUD). This grant allots money to cities and counties for housing rehabilitation and community development activities, including public facilities and economic development.

Community Noise Equivalent Level (CNEL): The average equivalent sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7 p.m. to 10 p.m. and after addition of 10 decibels to sound levels in the night after 10 p.m. and before 7 a.m. See also "A-Weighted Decibel."

Compatibility: The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. The designation of permitted and conditionally permitted uses in zoning districts is intended to achieve compatibility within the district. Some elements

affecting compatibility include: intensity of occupancy as measured by dwelling units per acre; pedestrian or vehicular traffic generated; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, or the presence of hazardous materials. On the other hand, many aspects of compatibility are based on personal preference and are much harder to measure quantitatively, at least for regulatory purposes.

Complete Streets: Refers to streets that are designed to consider the needs of pedestrians, bicyclists, and transit riders of all ages and abilities, in addition to planning for automobile travel.

Condominium: A building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Conservation: The management of natural resources to prevent waste, destruction or neglect.

County: County, with a capital "C," generally refers to the government or administration of the County of San Diego. County, with a lower case "c," may mean any county.

Coverage: The proportion of the area of the footprint of a building in relation to the area of the lot on which its stands.

CPTED: Crime Prevention Through Environmental Design.

CRHR: California Register of Historical Resources

CRV: California Redemption Value.

CSUSM: California State University San Marcos.

CUPA: Certified Unified Program Agency.

CWPP: Community Wildfire Protection Plan.

D

Decibel (dB): A unit for describing the amplitude of sound, as it is heard by the human ear. See also "A Weighted Decibel," "Community Noise Equivalent Level," and "Day-Night Average Level."

DEH: Department of Environmental Health.

DEH-HIRT: Department of Environmental Health's Health Hazardous Incident Response Team.

Density: The number of dwelling units per unit of land; for the purposes of this General Plan density is the number of dwelling units per net acre of land (du/acre), exclusive of existing or proposed streets and rights-of-way. Thus, the density of a development of 100 units occupying 20 net acres is 5.0 units per net acre.

Density Bonus: The allocation of development rights as required by State law that allow a parcel to be developed at a higher residential density than the maximum for which the parcel is designated, in exchange for the provision of a certain percentage of those units as affordable.

Developer: An individual or business that prepares raw land for the construction of buildings or causes physical building space to be built for use primarily by others, and in which the preparation of the land or the creation of the building space is in itself a business and is not incidental to another business or activity.

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any use or extension of the use of land.

Development Agreement: A contractual agreement between a developer and the City that clearly establishes the developer's responsibility to provide a certain type of development, streets and sewer improvements, and any other mutually agreed to terms and responsibilities as a precondition for securing approval of a project.

Development Impact Fees: A fee or charge imposed on developers to pay for a jurisdiction's costs of providing services to new development.

DOE: Department of Education.

Domestic water, potable: Water that has undergone adequate treatment and is considered suitable for human drinking and cooking uses.

du/ac: dwelling unit per acre.

DVU: Discovery Valley Utility.

Dwelling, Multifamily: A building containing two or more dwelling units for the use of individual households; an apartment or condominium building is an example of this dwelling unit type.

Dwelling, Single-family Attached: A one-family dwelling attached to one or more other one-family dwellings by a common vertical wall. Row houses and town homes are examples of this dwelling unit type.

Dwelling, Single-family Detached: A dwelling, not attached to any other dwelling, which is designed for and occupied by not more than one family and surrounded by open space or yards.

Dwelling Unit: One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the unit for the exclusive use of a household.

DWR: Department of Water Resources.

E

Easement: A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.

Economic Base: The production, distribution and consumption of goods and services within a planning area.

EDCO: EDCO Waste and Recycling.

Element: A division of the General Plan referring to a topic area for which goals, policies, and programs are defined (e.g., land use, housing, circulation).

EOP: Emergency Operation Plan.

EPA: Environmental Protection Agency

Emergency Shelter: An emergency shelter is a facility that provides shelter to homeless families and/or homeless individuals on a limited short-term basis.

Endangered Species: A species of animal or plant is considered to be endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more causes.

Entitlement: The rights granted to a land owner or other authorized party to improve a property. Such a right is usually expressed in terms of a use and intensity allowed under a development agreement, subdivision or tract map, or zoning regulations. For example, an entitlement may specify the maximum number of residential dwelling units permitted on a site, or the maximum square footage of nonresidential development permitted on a site.

Environment: The sum of all external conditions and influences affecting the life, development and, ultimately, the survival of an organism.

Expected Development Capacity: Expected Development Capacity is the amount of development allowed by the land use plan. The Expected Development Capacity for the San Marcos General Plan was calculated using reasonable density and intensity assumptions for development within the incorporated in San Marcos .

F

Fair Market Rent (FMR): Fair Market Rents (FMRs) are freely set rental rates defined by HUD as the median gross rents charged for available standard units in a county or Standard Metropolitan Statistical Area (SMSA). Fair Market Rents are used for the Section 8 Rental Program and many other HUD programs and are published annually by HUD.

Fault: A fracture in the earth's crust forming a boundary between rock masses that have shifted.

FEMA: Federal Emergency Management Agency.

Fire Flow: A rate of water flow required to halt and reverse the spread of a fire.

FIRM: Federal Insurance Rate Map.

First-Time Homebuyer: Defined by HUD as an individual or family who has not owned a home during the three-year period preceding the HUD-assisted purchase of a home. Jurisdictions may adopt local definitions for first-time home buyer

programs which differ from non-federally funded programs.

Floodplain: A lowland or relatively flat area adjoining the banks of a river or stream which is subject to a one percent or greater chance of flooding in any given year (i.e., 100-year flood).

Floor Area Ratio (FAR): The ratio between the total gross floor area of all buildings on a lot and the total land area of that lot; usually expressed as a numerical value (e.g., a building having 5,000 square feet of gross floor area located on a lot of 10,000 square feet in area has a floor area ratio of 0.5, sometimes also designated as a FAR of 0.5:1).

Focus Area: Focus Areas represent areas within San Marcos where change is very likely to occur over the planning horizon of the General Plan.

Form-Based Code: Form-based codes use physical form, rather than separation of land uses, as their organizing principle.

FP: Floodplain.

FW: Floodway.

G

General Plan: A legal document which takes the form of a map and accompanying text adopted by the local legislative body. The plan is a compendium of policies regarding the long-term development of a jurisdiction. The state requires the preparation of seven elements or divisions as part of the plan: land use, housing, circulation, conservation, open space, noise, and safety. Additional elements pertaining to the unique needs of an agency are permitted.

General Plan Advisory Committee (GPAC): The General Plan Advisory Committee (GPAC) was formed at the inception of the General Plan program and served an important role in the public participation process for the General Plan update. The GPAC included a diverse group of community representatives comprised of residents, local employment business and chamber of commerce leaders, youth and seniors, as well as Palomar Community College and California State University San Marcos appointees. The GPAC assisted the City staff, public and General Plan project team

to collect and evaluate community generated land use alternatives and make recommendation for the update of the General Plan and Zoning ordinance to address future challenges in the community.

GHG: greenhouse gas

Goal: The ultimate purpose of an effort stated in a way that is general in nature and immeasurable; a broad statement of intended direction and purpose (e.g., “Provide a diverse mix of land uses to meet the future needs of all residents and the business community.”).

GPAC: General Plan Advisory Committee.

Grade: The degree of rise or descent of a sloping surface.

Grading: An excavation, filling in, spreading, or moving of earth, sand, gravel, rock, or other material on a lot, building site, street right-of-way or other land area.

Greenbelt: An open area which may be cultivated or maintained in a natural state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area.

Ground Failure: Mudslide, landslide, liquefaction or the compaction of soils due to ground shaking from an earthquake.

Ground Shaking: Ground movement resulting from the transmission of seismic waves during an earthquake.

Groundwater: The supply of fresh water under the ground surface in an aquifer or soil that forms a natural reservoir.

Group Quarters: A facility which houses groups of unrelated persons not living in households (U.S. Census definition). Examples of group quarters include institutions, dormitories, shelters, military quarters, assisted living facilities and other quarters, including single-room occupancy (SRO) housing, where 10 or more unrelated individuals are housed.

Growth Management: Techniques used by government to control the rate, amount and type of development.

Guiding Themes: A set of themes that encapsulate the community's desires and visions for San Marcos' future. The themes provide a framework for the General Plan by serving as a basis for policy formulation and planning programs. They also helped direct the investigation of opportunities and challenges during the planning process and served as a yardstick for evaluating the suitability of land use and mobility alternatives.

H

HA: hydrographic area.

Habitat: The physical location or type of environment in which an organism or biological population lives or occurs.

Hazardous Materials: An injurious substance, including pesticides, herbicides, toxic metals and chemicals, liquefied natural gas, explosives, volatile chemicals and nuclear fuels.

HCD: See California Department of Housing and Community Development.

HMD: Hazardous Materials Division.

Home Mortgage Disclosure Act (HMDA): The Home Mortgage Disclosure Act requires larger lending institutions making home mortgage loans to publicly disclose the location and disposition of home purchase, refinance and improvement loans. Institutions subject to HMDA must also disclose the gender, race, and income of loan applicants.

Homeless: Unsheltered homeless are families and individuals whose primary nighttime residence is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g., the street, sidewalks, cars, vacant and abandoned buildings). Sheltered homeless are families and persons whose primary nighttime residence is a supervised publicly or privately operated shelter (e.g., emergency, transitional, battered women, and homeless youth shelters; and commercial hotels or motels used to house the homeless).

Household: According to the Census, a household is all persons living in a dwelling unit whether or not they are related. Both a single person living in an apartment and a family living in a house are considered households.

Household Income: The total income of all the people living in a household. Households are usually described as very low income, low income, moderate income, and upper income for that household size, based on their position relative to the county median income.

Housing Unit: A room or group of rooms used by one or more individuals living separately from others in the structure, with direct access to the outside or to a public hall and containing separate toilet and kitchen facilities.

HSA: hydrographic subarea.

HUD: See U. S. Department of Housing and Urban Development.

I

I-5: Interstate 5.

I-15: Interstate 15.

Implementation: An action, procedure, program, or technique that carries out General Plan policy.

Income Category: Four categories are used to classify a household according to income based on the median income for the county. Under state housing statutes, these categories are defined as follows: Very Low (0-50% of County median); Low (51-80% of County median); Moderate (81-120% of County median); and Upper (over 120% of County median).

Infill Development: Infill development refers to redeveloping existing sites or constructing new buildings on underutilized parcels.

Infrastructure: The physical systems and services which support development and population, such as roadways, railroads, water, sewer, natural gas, electrical generation and transmission, telephone, cable television, storm drainage, and others.

Intensity: A measure of the amount or level of development often expressed as the ratio of building floor area to lot area (floor area ratio) for commercial, business, and industrial development, or dwelling units per acre of land for residential development (also called "density"). For the purposes of this General Plan, the intensity of non-residential development is described through the use of floor area ratio and building floor area square footage.

Intersection: Where two or more roads cross at grade.

Issue: A problem, constraint, or opportunity which becomes the basis for community action.

J

No terms.

K

No terms.

L

LACFO: Local Agency Formation Commission.

Landscaping: Planting, including, but not limited to, trees, shrubs, and ground covers, suitably designed, selected, installed, and maintained to enhance a site or right-of-way.

Land Use: A description of how land is occupied or used.

Land Use Plan: A plan showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational and other public and private purposes or combination of purposes.

Landslide: A general term for a falling or sliding mass of soil or rocks.

Large Household: A household with 5 or more members.

Leadership in Energy and Environmental Design (LEED): LEED is an internationally recognized green building certification system for the design, construction, and operation of high performance green buildings, developed by the U.S. Green Building Council (USGBC).

LEED ND: LEED for Neighborhood Development.

LID: Low Impact Development.

Liquefaction: A process by which water-saturated granular soils transform from a solid to a liquid state due to groundshaking. This phenomenon usually results from shaking from energy waves released in an earthquake.

Local Agency Formation Commission (LAFCO): A five or seven-member commission within each county that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. Each county's LAFCO is empowered to approve, disapprove, or conditionally approve such proposals.

Local Street: A street providing direct access to properties and designed to discourage through-traffic.

Lot: The basic unit of land development. A designated parcel or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

LOS: Level of Service of roadway and intersection operations.

M

M: Magnitude.

Manufactured Housing: Housing that is constructed of manufactured components, assembled partly at the site rather than totally at the site. Also referred to as modular housing.

Market Rate Housing: Housing that is available on the open market without any subsidy. The price for housing is determined by the market forces of supply and demand and varies by location.

Median Income: The annual income for each household size within a region, which is defined annually by HUD. Half of the households in the region have incomes above the median and half have incomes below the median.

MGD: million gallons per day.

MHCP: Multiple Habitat Conservation Program.

Mitigate: To ameliorate, alleviate, or avoid, to the extent reasonably feasible.

MMT: million metric tons

Mobile Home: A structure, transportable in one or more sections, which is at least 8 feet in width and 32 feet in length, is built on a permanent chassis and designed to be used as a dwelling unit when connected to the required utilities, either with or without a permanent foundation.

MPO: metropolitan planning organization.

MSCP: Multiple Species Conservation Program.

MWD: Metropolitan Water District.

N

National Flood Insurance Program: A federal program which authorizes the sale of federally subsidized flood insurance in communities where such flood insurance is not available privately.

National Pollutant Discharge Elimination System (NPDES): The State Water Resources Control Board issues permits to jurisdiction's with the objectives to attain and protect the beneficial uses of water bodies in the State; reduce pollutants in storm water to the maximum extent practicable; and to evaluate compliance with the objectives and requirements contained in the permit.

NCTD: North County Transit District.

Noise: Any undesired audible sound.

Noise Exposure Contours: Lines drawn about a noise source indicating constant energy levels of noise exposure. CNEL and Ldn are the metrics utilized to describe community noise exposure.

Nonattainment: The condition of not achieving a desired or required level of performance. Frequently used in reference to air quality.

Nonconforming Use: A use that was valid when brought into existence, but by subsequent regulation becomes no longer conforming. Any use lawfully existing on any piece of property that is inconsistent with a new or amended General Plan, and that in turn is a violation of a zoning ordinance amendment subsequently adopted in conformance with the General Plan, will be a nonconforming use.

NPDES: National Pollutant Discharge Elimination System.

NRHP: National Register of Historic Places.

O

OBT: Oceanside blind thrust.

Open Space: Any parcel or area of land or water essentially unimproved and set aside, designated, dedicated or reserved for public or private use or enjoyment.

Ordinance: A law or regulation set forth and adopted by a governmental authority, usually a city or county.

Overcrowding: As defined by the U.S. Census, a household with greater than 1.01 persons per room, excluding bathrooms, kitchens, hallways, and porches.

Overpayment: The extent to which gross housing costs, including utility costs, exceed 30 percent of gross household income, based on data published by the U.S. Census Bureau. Severe overpayment, or cost burden, exists if gross housing costs exceed 50 percent of gross income.

Ozone: An oxidant, 0_3 , that makes up the largest single portion of smog.

P

PACE: Partners Advancing College Education.

Parcel: The basic unit of land entitlement. A designated area of land established by plat, subdivision, or otherwise legally defined and permitted to be used, or built upon.

Particulate: A minute, separate airborne particle of such materials as dust, smoke and pollen.

Policy: Statements guiding action and implying clear commitment found within each element of the General Plan (e.g., "Ensure a balance or surplus between the generation of public revenues and the cost of providing public facilities and services.").

Pollution: The presence of matter or energy whose nature, location, or quantity produces undesired environmental effects.

PPH: Palomar Pomerado Health.

Program: A coordinated set of specific measures and actions (e.g., zoning, subdivision procedures, and capital expenditures) the local government intends to use in carrying out the policies of the General Plan.

Q

No terms.

R

Redevelopment: Redevelopment, under the California Community Redevelopment Law, is a process with the authority, scope, and financing mechanisms necessary to provide stimulus to reverse current negative business trends, remedy blight, provide job development incentives, and create a new image for a community. It provides for the planning, development, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, and the provision of public and private improvements as may be appropriate or necessary in the interest of the general welfare. In a more general sense, redevelopment is a process in which existing development and use of land is replaced with newer development and/or use.

Regional: Pertaining to activities or economies at a scale greater than that of a single jurisdiction, and affecting a broad homogeneous area.

Regional Housing Needs Assessment (RHNA): The Regional Housing Needs Assessment (RHNA) is based on State of California projections of population growth and housing unit demand and assigns a share of the region's future housing need to each jurisdiction within the SCAG (Southern California Association of Governments) region. These housing need numbers serve as the basis for the update of the Housing Element in each California city and county.

Regulation: A rule or order prescribed for managing government.

Rehabilitation: The upgrading of a building in previously dilapidated or substandard condition, for human habitation or use.

Right-of-Way: A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied or currently occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer, or other similar uses.

Rincon Water District: Rincon del Diablo Municipal Water District.

Riparian: Of, on, or relating to the banks of a natural course of water.

Risk: The danger or degree of hazard or potential loss.

RTP: Regional Transportation Plan.

S

San Diego Association of Governments (SANDAG): The San Diego Association of Governments is a regional planning agency for the San Diego region. Member agencies of SANDAG consist of the County of San Diego and the 18 incorporated cities, including San Marcos. SANDAG is responsible for the preparation of the Regional Housing Needs Assessment (RHNA).

SCAG: Southern California Association of Governments.

SCS: Sustainable Communities Strategy.

SDCWA: San Diego County Water Authority.

SDG&E: San Diego Gas and Electric.

SDRWQCB: San Diego Regional Water Quality Control Board

Second Dwelling Unit: A separate residential unit containing sleeping quarters and bathroom facilities independent of the principal dwelling on the site.

Section 8: A tenant-based rental assistance program that subsidizes a family's rent in a privately owned house or apartment. The program is administered by local public housing authorities. Assistance payments are based on 30 percent of household annual income. Households with incomes of 50 percent or below the area median income are eligible to participate in the program.

Seiche: An earthquake-generated wave in an enclosed body of water such as a lake, reservoir, or bay.

Seismic: Caused by or subject to earthquakes or earth vibrations.

SEMS: Standard Emergency Management System.

Sensitive Species: Includes those plant and animal species considered threatened or endangered by the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game according to Section 3 of the Federal Endangered Species Act.

Endangered - any species in danger of extinction throughout all, or a significant portion of, its range.

Threatened - a species likely to become an endangered species within the foreseeable future throughout all, or a portion of, its range.

These species are periodically listed in the Federal Register and are, therefore, referred to as "federally listed" species.

Setback: A minimum horizontal distance between the building line and the lot line; or when abutting a street, the minimum horizontal distance between the building line and the ultimate right-of-way line.

Sewer: Any pipe or conduit used to collect and carry away wastewater from the generating source to a treatment plant or discharge outfall.

SF: square feet.

SHMP: Seismic Hazard Mapping Program.

Site: A parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street. A lot.

SMARA: Surface Mining and Reclamation Act.

SMFD: San Marcos Fire Department.

SMUSD: San Marcos Unified School District.

Slope: Land gradient described as the vertical rise divided by the horizontal run, and expressed in percent.

Soil: The unconsolidated material on the immediate surface of the earth created by natural forces that serves as natural medium for growing land plants.

Solid Waste: Unwanted or discarded material, including garbage with insufficient liquid content to be free flowing, generally disposed of in land fills or incinerated.

Special Needs Groups: Those segments of the population which have a more difficult time finding decent affordable housing due to special circumstances. Under State planning law, these special needs groups consist of seniors, disabled, large households, female-headed households with children, farmworkers, homeless, and students.

SPA: Special Plan Area.

SR-78: State Route 78.

SSIM: sustainable systems integration model.

Standards: (1) A rule or measure establishing a level of quality or quantity that must be complied with or satisfied. The California Government Code (Section 65302) requires that General Plans describe "standards". Examples of standards might include the number of acres of parkland per 1,000 populations that the community will attempt to acquire and improve. (2) Requirements in a zon-

ing ordinance that govern building and development as distinguished from use restrictions; for example, site-design regulations such as lot area, height, limit frontage, landscaping, and floor area ratio.

Structure: Anything constructed or erected which requires location on the ground (excluding swimming pools, fences, and walls used as fences).

Subdivision: The division of a lot, tract or parcel of land that is the subject of an application for subdivision.

Subsidence: The sudden sinking or gradual downward settling and compaction of soil and other surface material with little or no horizontal motion. Subsidence may be caused by a variety of human and natural activity, including earthquakes.

Subsidy (Housing): To assist by payment of a sum of money or by the granting of terms or favors that reduce the need for monetary expenditures. Housing subsidies may take the forms of mortgage interest deductions or tax credits from federal and/or state income taxes, sale or lease at less than market value of land to be used for the construction of housing, payments to supplement a minimum affordable rent, and the like. Substandard Housing: Housing that does not meet the minimum standards contained in the State Housing Code (i.e. does not provide shelter, endangers the health, safety or well-being of occupants). Jurisdictions may adopt more stringent local definitions of substandard housing.

Supportive Services: Services provided to residents of supportive housing for the purpose of facilitating the independence of residents. Some examples are case management, medical or psychological counseling and supervision, child care, transportation, and job training.

SWRCB: State Water Resources Control Board

T

TAC: Technical Advisory Committee.

TMDL: Total Maximum Daily Load.

Topography: Configuration of a surface, including its relief and the position of natural and man-made features.

Townhouse: A dwelling unit occupying its own lot but which is physically attached to at least one other dwelling unit.

Transportation Demand Management (TDM): A strategy for reducing demand on the road system by reducing the number of vehicles using the roadways and/or increasing the number of persons per vehicle. TDM attempts to reduce the number of persons who drive alone on the roadway during the commute period and to increase the number in carpools, vanpools, buses and trains, walking, and biking. TDM can be an element of TSM (see below).

Transportation Systems Management (TSM): Individual actions or comprehensive plans to reduce the number of vehicular trips generated by or attracted to new or existing development. TSM measures attempt to reduce the number of vehicle trips by increasing bicycle or pedestrian trips or by expanding the use of bus, transit, carpool, vanpool, or other high occupancy vehicles.

Transit: The conveyance of persons or goods from one place to another by means of a local, public transportation system.

Transitional Housing: Transitional housing is temporary (often six months to two years) housing for a homeless individual or family who is transitioning to permanent housing. Transitional housing often includes a supportive services component (e.g. job skills training, rehabilitation counseling, etc.) to allow individuals to gain necessary life skills in support of independent living.

Trip: A one-way journey that proceeds from an origin to a destination via a single mode of transportation; the smallest unit of movement considered in transportation studies. Each trip has one "production end," (or origin--often from home, but not always), and one "attraction end," (destination).

U

UEI: University Education Institution.

Units At-Risk of Conversion: Housing units that are currently restricted to low-income housing use and will become unrestricted and possibly be lost as low-income housing.

Urban Core Focus Area: Urban core focus areas are located in central San Marcos, within the Business/Industrial community, along three of the major thoroughfares traversing the City: Mission Road, Rancho Santa Fe Road, and San Marcos Boulevard. These areas were chosen after extensive public involvement identified evolving land use trends and community goals for this area that represent the best potential for redevelopment, change in land use, and/or change in activity intensification.

U.S. Department of Housing and Urban Development (HUD): The cabinet level department of the federal government responsible for housing, housing assistance, and urban development at the national level. Housing programs administered through HUD include Community Development Block Grant (CDBG), HOME and Section 8, among others.

Use: The purpose for which land or structures are arranged, designed or intended, or for which either land or structures are, or may be, occupied or maintained. "Use" includes construction, establishment, maintenance, alteration, moving onto, enlargement, operation, or occupancy.

USGBC: U.S. Green Building Council.

USFWS: U.S. Fish and Wildlife Service

USGS: U.S. Geological Survey.

USMC: Upper San Marcos Creek.

UWMP: Urban Water Management Plan.

V

Variance: A modification of any specific provision of the Zoning Ordinance, granted by the City, after a public hearing, in accordance with applicable sections of the Zoning Ordinance, for the purpose of assuring that no property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and district.

Vegetative Communities: Unique groupings of plants determined primarily on elevation and climate.

VID: Vista Irrigation District.

VWD: Vallecitos Water District.

W

Wildlife Movement Corridor: A linear landscape feature of sufficient width and buffer to allow animal movement between two patches of comparatively undisturbed habitat, or between a patch of habitat and some vital resources.

WUI: Wildland Urban Interface.

X

No terms.

Y

No terms.

Z

Zoning: A police power measure, enacted primarily by units of local government, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within the same district. The zoning ordinance consists of a map and text.

Zoning Map: The officially adopted zoning map of the city specifying the location of zoning districts within all geographic areas of the city.

C

APPENDIX C GLOSSARY

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APPENDIX D

LAND USE SPECIAL CONDITIONS

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APPENDIX D LAND USE SPECIAL CONDITIONS

Focus Areas Summary

As part of the General Plan update process, the City of San Marcos engaged the community through public meetings and a City Council-appointed General Plan Advisory Committee (GPAC). This steering committee was a community representative group composed of residents, business and chamber of commerce leaders, youth, and seniors, plus Palomar Community College and California State University San Marcos appointees. The GPAC assisted City staff, the public, and the General Plan project team to collect and evaluate community-generated land use alternatives and make recommendation for the update of the General Plan and Zoning Ordinance to address future challenges in the community.

Through this process, the community identified areas where land use changes would likely occur, or nominated for land use change by the community or individual property owners. Multiple factors were considered in selecting these Focus Areas, including the Guiding Themes, opportunities and constraints, adjacent development patterns, market conditions, and goals and objectives for the City.

Areas identified or considered included the 47 "Focus Area" properties listed below. These Focus Areas were determined by including the three Study Areas, areas of potential change identified by the City, identification of larger tracts of land that were likely to experience change or land use revisions would benefit the community, and consideration areas initiated by individual property owners. Of the 47 areas considered, 14 properties were not identified for land use change, properties are maintaining the land use designation currently in use; these properties are shaded in Table D-1 for easy identification.

Table D-1 summarizes the Focus Area numbers and the land use changes made through the General Plan update process. Figure D-1 shows the Urban Core Focus Areas (FA1, FA2, and FA3) as an example.

Figure D-1 Urban Core Focus Areas
(See Figure 2-5 for Land Use types)

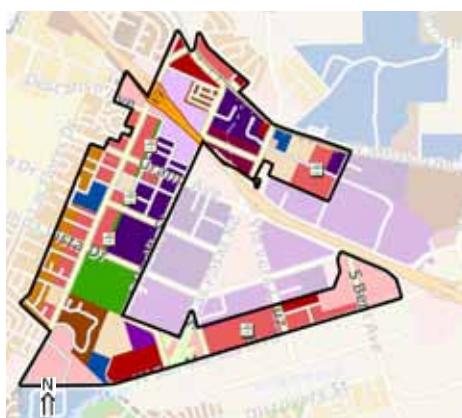


Table D-1 Focus Areas

Focus Area	Property Identifier	Total Area (acres)	Previous GPU	GPU
1	Mission Road	120	Various	Various, see Figure 2-8
2	Rancho Santa Fe Road	212	Various	Various, see Figure 2-9
3	San Marcos Boulevard	158	Various	Various, see Citywide Various, see Figure 2-10
4	Richmar Specific Plan	64.35	Various	Various, see Figure 2-5
5	West City	31.02	VLDR/RR	MU1 / BP
6	Twin Oaks	25.19	I/LI	MDR1/C/I (SH)(SP)
7	Mulberry	31.04	LI/C	MDR2 / NC / LI / C
8	Barham	62.84	I/LI/LDR	C / OP / LI / MU3
9	Hanson	251.00	SPA(Various)	SPA (MU4/LDR/LMDR/OS/P)
10	White-Attebury, LLC	158.48	SPA	SPA (up to 68 units)
11		69.41	LI	SPA (LI / C / OS)
12		1.45	LI	C
13		17.85	I	I/LI
14		16.99	I	C
15		0.56	I	I
16		3.22	AG	AG
17		22.12	AG	AG
18		4.52	I	MU3
19	(within Focus Area 3)	9.44	LI	MU3
20		4.69	LI	C/MDR1 (SH)(SP)
21		0.55	I	C
22		122.38	AG	SPA (Residential up to 25 units)
23		6.96	MDR1	MDR1 (SH)
24	within Focus Area 6	2.34	LI	MDR1 (SH)(SP)
25		0.98	RR	RR
26		0.91	AG	AG
27	within Focus Area 14	0.90	I	C
28	same as Focus Area 14	69.41	LI	SPA (LI / C / OS)
29		87.02	AG/RR/MDR/OS	SPA / OS / P (maximum 89 units)
30	within Focus Area 7	10.03	LI	MDR2
31		1.86	I	I

Focus Area	Property Identifier	Total Area (acres)	Previous GPLU	GPLU
32	within Focus Area 1	1.62	I	MU3
33	within Focus Area 8	11.47	LDR	MU3
34		15.28	SPA (Movie Studio)	SPA (Movie Studio)
35	within Focus Area 6	3.46	LI	MDR1 (SH) (SP)
36		4.91	AG	AG
37		2.00	VLDR	NC
38		2.01	RR	RR
39		1.08	AG	AG
40		4.99	AG	AG
41		10.44	AG	AG
42		2.55	AG	AG
43		1.06	I	I
44		5.02	C	C / AG
45		21.2	AG/HR1	SPA (up to 12 Res Lots)
46		4.88	VLDR	SPA (VLDR)
47		4.54	LI	SPA (I)
Total Land Use Acreage Changed in Focus Areas ¹		1,664.02 (7.2% of Planning Area)		

Note: Highlighted lines indicate no land use change.

¹ Accounts for acreage in Focus Areas experiencing land use change only, 33 of the 47 Focus Areas

Land Uses:

AG: Agricultural
 RR: Rural Residential
 HR1: Hillside Residential 1
 VLDR: Very Low Density Residential
 LDR: Low Density Residential
 LMDR: Low Medium Density Residential
 MDR1: Medium Density Residential
 MDR2: Medium Density Residential
 MU1: Mixed Use 1 (Residential permitted)
 MU3: Mixed Use 3 (Non-residential)
 MU4: Mixed Use 4 (Non-residential)

BP: Business Park
 C: Commercial
 I: Industrial
 LI: Light Industrial
 NC: Neighborhood Commercial
 OP: Office Professional
 OS: Open Space
 SPA: Specific Plan Area
 (SH): Senior Housing
 (SP): Specific Plan (required)
 P: Park

Land Use Special Conditions

The Land Use Plan, Figure 2-5, graphically represents the planned distribution and intensity of land use in San Marcos on a citywide scale. The colors shown on the map correspond to land use designations that describe the types of existing and planned land uses in San Marcos. Due to the scale of the Land Use Plan not all pertinent land use designation information can be conveyed in this format. The following properties have special underlying land use conditions that apply in addition to the designated land uses of Figure 2-5.

Properties identified in Table D-2 are the properties identified by (*) on the Land Use Plan (Figure 2-5) which have additional special conditions associated with the land use designation for those specific parcels.

Underlying Land Use Plan

Focus Area 9 and Focus Area 29 have specific underlying land use plans to be executed under the Specific Plan Area land use designation. See Figure D-2 and D-3 for the underlying land use plans.

Figure D-2
Focus Area 9 Underlying Land Use Plan



Figure D-3
Focus Area 29 Underlying Land Use Plan



Table D-2 Land Use Special Conditions

Focus Area / APN	Figure 2-5 Land Use Designation	Underlying Land Use Designation	Dwelling Unit Cap	Specific Plan Required
<p>Listed below are the properties identified by (*) on the Land Use Plan (Figure 2-5) which have additional special conditions associated with the land use designation for those specific parcels.</p>				
Twin Oaks Valley Neighborhood				
	<p>Assessor Parcel No. (APN: 218-012-01thru 03) consisting of 122 acres shall be limited up to 25 residential lots contingent on approval of a Specific Plan. Development shall be restricted to the west slope with a cluster concept with selective grading techniques to minimize landform modification and visual impacts to the ridgeline. (FA22)</p>			
College Area Neighborhood				
	<p>Assessor Parcel No. (APN: 184-241-03, 217-050-36 & 38, and 218-011-10) has been designated Specific Plan. These parcels are limited up to 89 residential dwelling units through clustered development while retaining the Aqua Hedondia Creek and related water bodies in natural open space contingent on approval of a Specific Plan. (FA29)</p>			
Business / Industrial District				
	<p>Assessor Parcel No. (219-210-41 & 42) Any future expansion to the existing business or new construction on vacant land shall require approval of a Specific Plan. (FA 19)</p>			
Richmar Neighborhood				
	<p>Assessor Parcels No. (APN: 218-110-05)) has been designated for Very Low Density Residential with a density range of 2-4 dwelling units per acre. An adequate buffer shall be established between the future residential and the existing industrial pending approval under a Specific Plan. (FA46)</p> <p>Assessor Parcels No. (APN: 218-110-12) has been designated for industrial development. Prior to any renovation, expansion, or reconstruction a Specific Plan must be approved. (FA47)</p> <p>Assessor Parcel No. (APN: 218-120-19) has been designated for senior housing with a density range of 12-15 dwelling units per acre. Approval of a senior housing project is contingent on approval of a Specific Plan. (FA 24)</p> <p>Assessor Parcels No. (APN: 218-120-28) has been designated for senior housing with a density range of 12-15 dwelling units per acre. Each lot or combination thereof shall be approved for senior housing under a Specific Plan. (FA35)</p> <p>Assessor Parcel No. (218-120-31) has been designated for senior housing with a density range of 12-15 dwelling units per acre. Approval of a senior housing project is contingent on approval of a Specific Plan. (FA20)</p>			

Table D-2 Land Use Special Conditions, Continued

Focus Area / APN	Figure 2-5 Land Use Designation	Underlying Land Use Designation	Dwelling Unit Cap	Specific Plan Required
Richland Neighborhood				
	<p>Assessor Parcel No. (APN: 220-240-73) the land use designation is Mixed Use 3. Future development shall require approval of a Specific Plan. Grading of the existing landform shall be minimized and will require substantial retention of said landform. Mass grading of said landform shall be prohibited. Any proposed development shall incorporate customized grading techniques to minimize impacts to the site. Any proposed industrial development and parking shall require a landscape buffer setback, and all proposed development shall be of a high quality architecture style and construction material, with building glazing and storefront glass doors utilized on office/entry areas. All service areas shall be oriented away from Mission Road, Woodland Parkway, and SR 78.</p> <p>At time of proposed development, the developer shall be required to minimize landform modification by limiting the amount of grading & manufactured cuts. The Richland Schoolhouse shall be relocated and preserved off-site. (FA18)</p> <p>Assessor Parcel No. (APN:228-370-10, thru 12; 15 thru 17; 35, 36, 39, & 47) these parcels are located on the south side of Montiel Road. Certain lots are occupied with non-conforming residential dwellings & certain lots are vacant. Prior to development, these parcels will be required to consolidate under a master site plan pending final approval of a Specific Plan for commercial development.</p>			
Lake San Marcos Neighborhood				
	No parcels apply.			
Barham/Discovery Community				
	<p>Assessor Parcel No. (221-091-21; 222-080-09, 59, & 60; 222-170-28; 222-180-27; 222-190-13 & 14; 679-020-04) shall be processed as an amendment to the Heart of the City Specific Plan. Amendment to the Specific Plan shall consist of Mixed Use 4 (Village M3), LDR (Village M1) & LMDR (Village M2) residential not exceeding 346 dwelling units, building a community park at a minimum of 75 acres and preserving open space. (FA9)</p> <p>Assessor Parcel No. (APN: 228-310-01) future development shall be restricted to the Mixed Use 3 land use designation. The following uses include: retail, commercial services, administrative & office uses, institutional & governmental uses, business support & financial uses, restaurants, skilled nursing and health care facilities. MU3 does not allow residential uses. A Specific Plan is required for development. (FA33)</p>			

Table D-2 Land Use Special Conditions, Continued

Focus Area / APN	Figure 2-5 Land Use Designation	Underlying Land Use Designation	Dwelling Unit Cap	Specific Plan Required
Questhaven/La Costa Meadows Neighborhood				
	<p>Assessor Parcel No. (222-121-02, 03, 05, & 08; 222-190-09, 10, & 11) shall be limited up to 68 residential lots on the 120 acres. Special attention shall be made to minimize the amount of grading & exposed slopes and providing a wildlife corridor(s). This site shall also be obligated to design & construct a park site, east side of Twin Oaks Valley Road. (FA10)</p> <p>Assessor Parcels No. (APN: 222-121-16 and 679-040-04 & 05) has been designated for up to a maximum of 12 single family dwelling units pending approval of a Specific Plan. (FA45)</p> <p>Assessor Parcel No. (APN 223-080-46) limited to future development consisting of Light Industrial/ Commercial/ Open Space which is subject to approval of a Specific Plan. Prior to any approval by the City of San Marcos, this property must be annexed into San Marcos. (FA 11 & 28)</p> <p>Assessor Parcel No. (APN 223-082-15 thru 18, 17,18, & 20 thru 22) the uses which are permitted in this area are: open space, agricultural, and low density residential based on one dwelling unit per eight acres.</p>			

Specific Plan Areas

Specific Plans are a planning and development tool used throughout San Marcos. Figure 2-3 identifies the 48 Specific Plan Areas (SPAs) currently recorded in the City. Table D-3 summarizes these SPAs with additional plan information.

Table D-3 Specific Plan Areas

Specific Plan Name	Planned Development (number of residential units and/or non-residential sf)	Buildout Status
Adopted Specific Plans		
Arbor Ranch	57 single-family units	100%
Autumn Terrace ¹ APN: 220-130-81	103 affordable apartments 7,500 s.f. commercial retail	100%
Campus Point II	108 apartments, 12,000 s.f. retail	75%
Collucci/Mobile SP	24,796 s.f. commercial center	25%
Discovery Hills	861 single-family units 122 multi-family units 366 acres total, 983 units	100%
Hanson ² (FA9)	346 single-family units 17 acres MU4 75 acres park/open space	0%
Heart of the City	13 ac business park (reduced by 276,954 s.f. for MU4 business park)	50%
	66 ac town center	75%
	48 ac commercial (reduced by 268,809 s.f. for MU4 commercial)	35%
	16 ac neighborhood commercial	100%
	12 ac office professional (reduced by 268,809 s.f. for MU4 office)	100%
	9 ac commercial manufacturing	0%
	36 ac hospital complex (this is the Scripps SPA - not counted as part of HOC)	100%
	2,127 multi-family units	50%
	1,335 single-family units (reduced by 346 du)	4 units remaining
Home Depot/Commerce Square SP (formerly called Sylvester Development)	304 ac CSUSM (P/I)	CSUSM Master Plan
Kragen SP Rancho Santa Fe/Creek/ Pawnee APN: 219-086-03, 05, 07, 08	23.47 ac commercial	95%
Las Brisas Pacificos	2.83 ac commercial	50%
Laurels	169 units	100%
Loma Alta	167 single-family units; parks	100%
	94 single-family units; open space	100%

Table D-3 Specific Plan Areas, Continued

Specific Plan Name	Planned Development (number of residential units and/or non-residential sf)	Buildout Status
Meadowlark Canyon	33 single-family units	0%
Monteil Corporate Center (Michael Crews SP) APN: 228-370-(01-04) 228-370-06, 09, 38, 49	24,768 s.f. office bldg Additional 25,000 s.f. commercial/office planned	0%
Nordahl Marketplace (former Vallecitos Town Center)	53.30 ac commercial	100%
Nordahl Medical-Professional Office Building (formerly called Richland Hills South)	56,993 s.f. office	100%
Norman-Hutchinson	15.95 ac commercial	100%
North County Yamaha APN: 228-370-19	16,029 s.f. commercial building; sales of motorcycles, watercrafts, ATV	100%
Paloma (Santa Fe Hills)	1,829 units	100%
Palomar Heights	90 units	100%
Palomar Station	370 residential units 44,000 s.f. commercial 5,400 s.f. live/ork 5,000 s.f. restaurant	0%
Parkview Homes	84 apartment units; 6,490 s.f. retail	80%
Paseo De Oro	120 mulit-family units; 23,000 s.f. retail	100%
Rancho Dorado	282 single-family residential units 81 ac open space 6 ac park	100%
Rancho Santalina	263 single-family residential units	100%
Rancho Vallecitos / Casa Vallecitos	255 senior dwelling units	100%
Red Rock	11.6 ac commercial	100%
Richland Hills North APN: 228-120-46	4.36 ac commercial	25%
Richmar ¹	291 multi-family units 50,000 s.f. retail commercial 100,000 s.f. office	10%
San Elijo Hills	12.5 ac commercial	64%
	2,496 single-family units	80%
	972 multi-family units	100%
San Marcos Creek	1,265,000 s.f. commercial 589,000 s.f. office 2,300 multi-family units	0%
San Marcos Highlands	230 single-family units	0%
San Marcos Plaza	3.20 ac commercial	100%
San Marcos RV Mall APN: 220-170-28; 220-180-90, 91, 92	10.12 ac Commercial	100%

Table D-3 Specific Plan Areas, Continued

Specific Plan Name	Planned Development (number of residential units and/or non-residential sf)	Buildout Status
Schenker SP Windy Way/TOV APN: 218-110-24	4.42 ac Industrial	100%
Scripps Health Care Campus	38.63 ac 607,105 sf medical care campus	0%
Senior Apartments	255 units	100%
SPA Industrial	4.45 ac industrial	100%
Specific Plan Area - Rancho Santa Fe Village APN: 219-231-14, 15, 16	120 multi-family units 12,000 sf commercial	100%
Specific Plan Area 2 (FA10)	68 residential lots	0%
Starling APN: 220-520-01	29 units	100%
SPA Movie Studio ³ (FA34)	15.28 ac SPA Movie Studio	0%
Twin Oaks Valley Ranch	1,407 units	100%
University Commons (Old Creek Ranch)	10.3 ac industrial	79%
	401 single-family units	88%
	1,123 multi-family units	60%
University District	1,000,000 sf commercial 938,000 sf office 30,000 sf civic/community 2,600 multi-family units 800 student housing 450 hotel rooms	0%
Vallecitos Ridge	103 single-family units Open Space	100%
Vallecitos Town Center	0.84 ac commercial	100%
Venzano	129 single-family units	100%
Walnut Hills II	137 single-family units Open Space	100%
Westlake Village ¹ (FA4)	6,140 sf commercial 106 affordable apartment units	0%

Table D-3 Specific Plan Areas, Continued

Specific Plan Name	Planned Development (number of residential units and/or non-residential sf)	Buildout Status
Future Specific Plans		
Chang FA22 APN: 218-012-1, 2, 3	Up to 25 single-family units	0%
Feedstore FA39 APN: 182-081-31	1.08 vacant parcel	0%
Markstein SPA APN: 219-210-42	14.96 acres Industrial	0%
Questhaven 23 FA45 APN: 222-121-16; 679-040-04, 05	Up to 12 single-family units	0%
SPA – Industrial FA47 APN: 218-110-12	4.54 ac industrial	0%
SPA – Res VLDR FA46 APN: 218-110-05	4.88 ac Very Low Density Residential (VLDR)	0%
SPA (FA29) – Res (89lots) / OS / P APN: 184-241-03; 217-050-36, 38; 218-011-10	89 residential units	0%
SPA Residential VLDR	Aproximately 9 to 18 residential units	0%
SPA Residential FA10 APN: 222-121-02, 03, 05, 08	Up to 68 residential units	0%
Senior Apartments APN: 218-120-13, 218-120-28, 218-120-31	Senior residential apartments 9.0 du/ac.	0%

Table D-3 Notes:

1. Westlake Village SPA and the Autumn Terrace SPA are within the Richmar SPA. The land use assumptions for the Richmar SPA are exclusive of Autumn Terrace; however, they are inclusive of the Westlake Village SPA. The Westlake Village SPA planned LU has been deducted from the Richmar SPA for the purposes of calculating development capacity.
2. FA9 is a new SPA and is within the Heart of the City SPA. The LU assumptions for HOC have been adjusted to account for the planned land use. There is also potential for a school site to be developed within the 17 acre parcel in this area instead of the MU4 proposed use.
3. SPA Movie Studio FA34. The SPA Movie Studio allows for 269,309 square feet of movie studio space, and 120,000 square feet of office space.

Transitional Zone Parcels

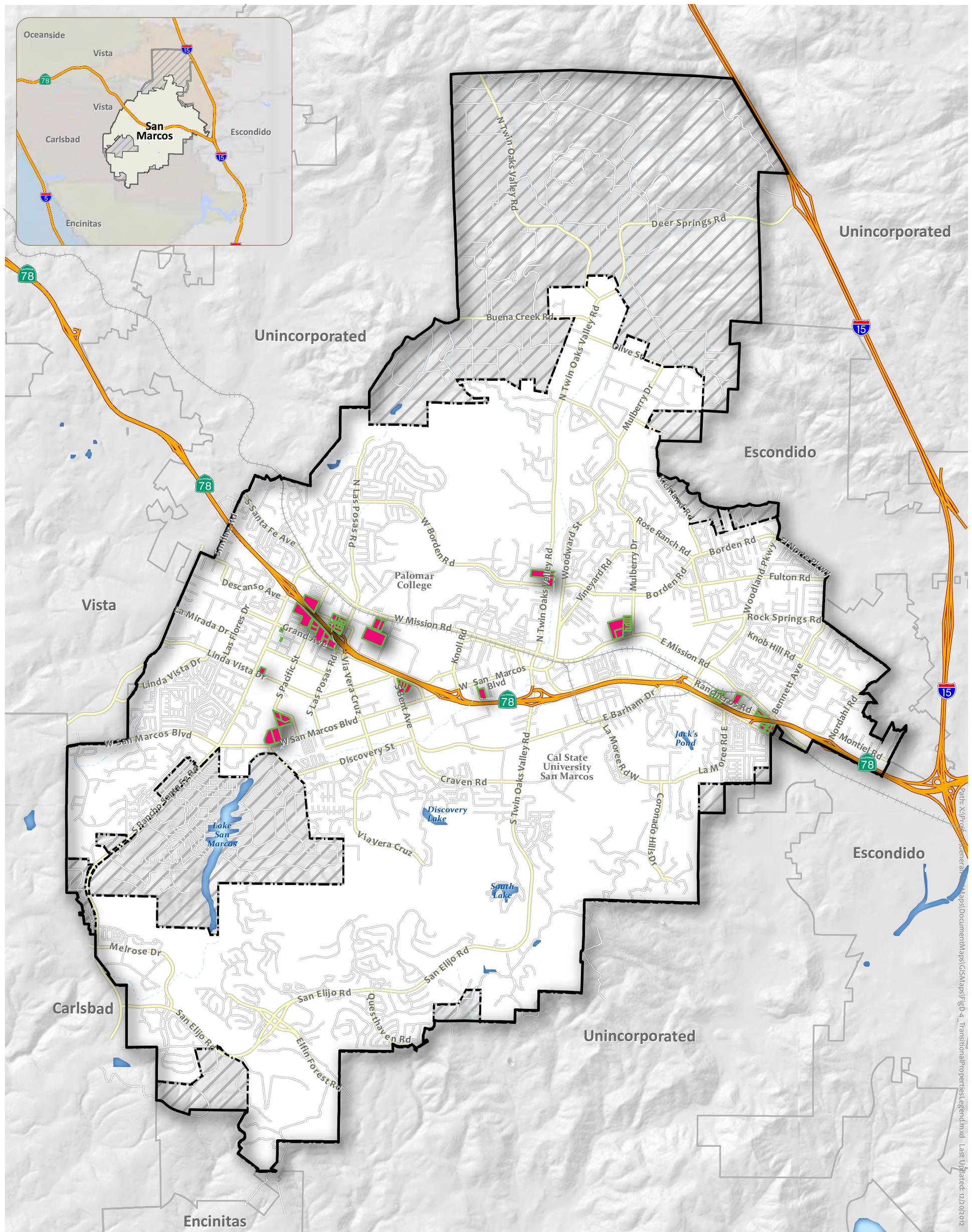
Table D-4 lists all parcels designated as “Transitional Zone” by the General Plan Land Use Map, Figure 2-5. Figure D-4 graphically depicts the “Transitional Zone” properties consistent with Table D-4. For all Transitional Zone parcels, the existing zone (current land use), and future zone (designated land use the property shall be transitioned to based on the Zoning Ordinance), and the APN of the parcel. Only the parcels listed in Table D-4 are eligible for Transition Zone land use designations. As these parcels are transitioned to the future zone, the General Plan Land Use Map, Figure 2-5, shall be updated with the new land use based on a Zoning Ordinance and General Plan amendment.

Table D-4 2012 Transitional Zone Parcels

Zone Code (Exisitng Zone/	APN
L-I / I	22669110
L-I / I	22669111
L-I / I	22669203
I / L-I	21921029
I / L-I	21921026
I / L-I	21921030
C & I / MU-3	21921038
C & I / MU-3	21921038
I / C	21918048
I / C	21918047
I / C	21918034
I / C	21918049
I / C	21812017
I / C	21812018
I / C	21812027
I / I (SP)	21811012
L-I / I	22640201
L-I / I	22640204
L-I / OP	22611241
L-I / OP	22611244
L-I / OP	22640106
L-I / MU-1	21922144
L-I / I	21908501
I / B-P	21909318
I / C	21913040
I / C	21913019
I / C	21913020

Zone Code (Exisitng Zone/	APN
I / C	21913025
I / MU-4	21913030
I / MU-4	21912218
I / MU-4	21913043
I / MU-4	21913021
I / MU-4	21912214
I / MU-4	21913044
I / MU-4	21913033
I / MU-4	21912208
I / MU-4	21912207
I / MU-4	21913045
I / MU-4	21912205
I / MU-4	21912217
L-I / MU-1	21916348
L-I (DZ) / MU-1	21916219
L-I (DZ) / MU-1	21916218
I / C	22018108
L-I / NC	22021031
L-I / NC	22021033
L-I / NC	22021034
L-I / NC	22021035
L-I / NC	22021030
L-I / NC	22021032
L-I / I	22669116
L-I / I	22669115
L-I / I	22669114

See legend on page AD-15 for land use acronyms.



D

APPENDIX D

FIGURE D-4
City of San Marcos
Transitional Properties

0 0.25 0.5 1 Miles

SOURCES OF DATA:
 City of San Marcos 9/12 and AECOM, 12/11

- San Marcos City Limits
- Transitional Properties
- Sphere of Influence
- Planning Area
- Major Hydrologic Features
- Creeks
- Railroad
- Freeway
- Highway
- Major Road
- Minor Road

Note: The color coded properties represented on this exhibit portray a "snap shot" in time where each recognized "transitional zone" property is located. Each property shall ultimately be removed from this exhibit pending a Rezone approval matching the adopted General Plan Land Use designation as represented on Figure 2-5.

Every effort has been made to assure the accuracy of the maps and data provided; however, some information may not be accurate or current. The City of San Marcos assumes no responsibility arising from use of this information and incorporates by reference its disclaimer regarding the lack of any warranties, whether expressed or implied, concerning the use of the same. For additional information, see the Disclaimer of the City's website.

D

APPENDIX D FOCUS AREA AND SPECIFIC PLAN SUMMARY

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Table D-4 2012 Transitional Zone Parcels Continued

Zone Code (Exisitng Zone/	APN
L-I / I	22669108
L-I / I	22669113
L-I / I	22669109
L-I / I	22669112
L-I / OP	22640110
L-I / OP	22611245
L-I / OP	22611239
I / MU-4	21913016
I / MU-4	21913046
I / C	21913052
I / C	21913048
I / MU-1	21908125
L-I / L-I & NC	22021026
L-I / NC	22021026
I / B-P	21911603

Legend: Land Uses

MU1: Mixed Use 1 (Residential permitted)

MU3: Mixed Use 3 (Non-residential)

MU4: Mixed Use 4 (Non-residential)

BP: Business Park

C: Commercial

I: Industrial

LI: Light Industrial

NC: Neighborhood Commercial

OP: Office Professional

D

APPENDIX D FOCUS AREA AND SPECIFIC PLAN SUMMARY

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REFERENCES

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