

ORDINANCE 2025-1561

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS APPROVING A REZONE OF 2.44 ACRES FROM PUBLIC INSTITUTIONAL (P-I) TO SPECIFIC PLAN AREA (SPA) FOR THE ARMORLITE LOFTS SPECIFIC PLAN

R 23-0001

Avenue Development Partners, LLC.

WHEREAS, on June 15, 2023, the City received an application from Avenue Development Partners, LLC. requesting a zone reclassification of 2.44-acres from Public Institutional (P-I) Zone to Specific Plan Area (SPA) Zone (the Rezone), located on the north side of Armorlite Drive, approximately 180 feet east of Las Posas Road, in the Business/Industrial District, more particularly described as:

Brief Legal Description: Lot B in the City of San Marcos, County of San Diego, State of California, according to Parcel Map Thereof No. 21967, filed in the Office of the County Recorder of San Diego County, September 15, 2022.

Assessor's Parcel Number(s): 219-162-62-00; and

WHEREAS, the Rezone is requested in conjunction with a General Plan Amendment (GPA 23-0002) to change the General Plan land use designation of the project site from Public Institutional (PI) to Specific Plan Area (SPA), Specific Plan (SP) 23-0001 adopting the Armorlite Specific Plan, Site Development Plan (SDP) 23-0003 for the orderly development of the site in conformance with the Armorlite Specific Plan, and Conditional Use Permit (CUP) 23-0002 allowing the temporary use of a rock crusher during the construction of the site; and

WHEREAS, the Development Services Department did study said request, and recommends approval of said request; and

WHEREAS, on February 15, 2024, the City held a joint public workshop-CEQA Scoping meeting to provide an informational overview of the proposed project to the general public per the Notice of Preparation (NOP) and in accordance with CEQA Section. 15083; and

WHEREAS, on May 19, 2025, the San Marcos Planning Commission held a duly noticed public hearing and recommended approval of said request and the appropriate environmental document for said request to the City Council, by a 7-0 vote, in favor; and

WHEREAS, on June 24, 2025, the City Council held a duly noticed public hearing in the manner prescribed by law to consider said request; and

WHEREAS, the City Council did review and consider a/an Environmental Impact Report (EIR) 24-003 (SCH No. 2024020372) for said request pursuant to the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, the City Council does hereby resolve as follows:

- A. The foregoing recitals are true and correct, and are hereby incorporated by reference into this Ordinance.
- B. The City Council hereby approves this Rezone, as shown on the attached Exhibit A, incorporated by reference and made a part of this Ordinance as though fully set forth herein.
- C. This Rezone is recommended to the City Council for approval in conjunction with the submitted General Plan Amendment (GPA23-0002), Specific Plan (SPA23-0001), Site Development Plan (SDP23-0003), and Conditional Use Permit (CUP23-0002) and all conditions of approval specified in Resolution and Ordinance Numbers 2025-1560, 2025-9449, 2025-9450, 2025-9451 respectively, which documents are incorporated herein by this reference; and the mitigation measures in Environmental Impact Report (EIR) 24-003 (SCH No. 2024020372), Resolution No. 2025-9448, are hereby incorporated by reference and made a part of this Ordinance with the same force and effect as though fully set forth herein.
- D. The City Council's decision is based on the following findings and determinations:
  - 1. The proposed Rezone is consistent with the City's General Plan and the land uses authorized by the Rezone are compatible with the objectives, policies, general land uses, and programs specified in the General Plan, in that the proposed project achieves a balanced distribution and compatible mix of land uses to meet the present and future needs of all residents and the business community (Goal LU-1) as the proposed development per the Armorlite Lofts Specific Plan would add residential units to an underutilized (vacant) property surrounded by a variety of uses including commercial and industrial uses, and an urban park known as Innovation Park to the southeast. The project provides housing opportunities within proximity to transit and employment providing long-term environmental sustainability (LU-2). The General Plan Amendment will designate the project site as a Specific Plan Area and the proposed Armorlite Lofts Specific Plan allows for up to 165 residential units and 5,600 square feet of commercial floor area at a density consistent with other multi-family residential developments in the vicinity which helps to provide a broad range of housing opportunities, including 15% affordable units, that will provide housing that meets the special needs of the community (Goal HE-1).
  - 2. The proposed Rezone complies with the objectives of the adopted City-wide Land Use Policy Plan, in that the project requires approval of a Specific Plan which requires high quality design, orientation and development due to their location or visibility within the community (San Marcos General Plan Policy LU5.6) which in turn helps to promote community design that produces a distinctive, high quality built environment with forms and character that create memorable places and enrich community life.
  - 3. The proposed Rezone implements the land use designations of the City's General Plan for the public health, safety, comfort, convenience, and general welfare of the San Marcos Community in that the proposed mixed-used development would

direct growth in an area of San Marcos that can support a variety of uses, and the proposed development locates uses near transit and employment opportunities.

4. The proposed Rezone enables flexibility in development type and scale by location to provide for emerging economic and social trends, in that the site has remained undeveloped under the current Public Institutional (P-I) zoning, which was established to allow the expansion of the existing telecommunications facility that is no longer needed by the telecommunication utility operator. The proposed Rezone to Specific Plan Area (SPA) allows for flexibility in development by implementing the Armorlite Lofts Specific Plan, which allows for 165 multi-family residential units and 5,600 square feet of commercial space on the site in close proximity to transit options, and employment opportunities. The Specific Plan allows additional flexibility in land uses and development standards compared to other zoning designations which aligns with current economic and social trends of the community.
  5. All requirements of CEQA have been met, in that an Environmental Impact Report (EIR) 24-003 (SCH No. 2024020372) has been prepared for the proposed project, and all potential impacts related to biological resources, cultural resources, noise, and tribal cultural resources, will be mitigated to a level less than significant.
- E. This Rezone is within the scope of the Environmental Impact Report (EIR) 24-003 (SCH No. 2024020372) and the mitigation monitoring and reporting program, and both are hereby certified pursuant to CEQA.
- F. This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk shall publish this Ordinance or the title hereof as a summary in a newspaper of general circulation in the City as required by law.
- G. The applicant/developer shall comply with all provisions and requirements set forth in the San Marcos Municipal Code, and all City ordinances, resolutions, policies and procedures, the Armorlite Lofts Specific Plan, and with all applicable state and federal regulations, as may be amended from time to time, whether or not such provisions or requirements have been specifically set forth in these conditions, all of which are now incorporated by reference and made a part of this Ordinance with the same force and effect as though fully set forth herein.
- H. To the extent feasible and as permitted by law, developers and contractors are requested to first consider the use of San Marcos businesses for any supplies, materials, services, equipment needed, and the hiring of local residents to stimulate the San Marcos economy to the greatest extent possible.
- I. To the extent permitted by law, the applicant/developer shall defend and hold the City of San Marcos, its agents and employees harmless from liability from: (i) any and all actions, claims, damages, injuries, challenges and/or costs of liabilities arising from the City's approval of any and all entitlements or permits arising from the project as defined in the conditions of approval, or issuance of grading or building permits; (ii) any damages, liability and/or claim of any kind for any injury to or death of any person, or damage or injury of any kind to property which may arise from or be related to the direct or indirect operations

of the applicant/developer or its contractors, subcontractors, agents, employees or other persons acting on applicant/developer's behalf which relate to the project; and (iii) any and all damages, liability and/or claims of any kind arising from operation of the project. The applicant/developer further agrees that such indemnification and hold harmless shall include all defense related fees and costs associated with the defense of City by counsel selected by the City. This indemnification shall not terminate upon expiration of the conditions of approval or completion of the project but shall survive in perpetuity.

INTRODUCED at a regular meeting of the City Council of the City of San Marcos, California, held on the 24th day of June, 2025.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Marcos, California, at a regular meeting thereof, held on this 24th day of June, 2025, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

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Rebecca D. Jones, Mayor

ATTEST:

APPROVED AS TO FORM:

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Phillip Scollick, City Clerk

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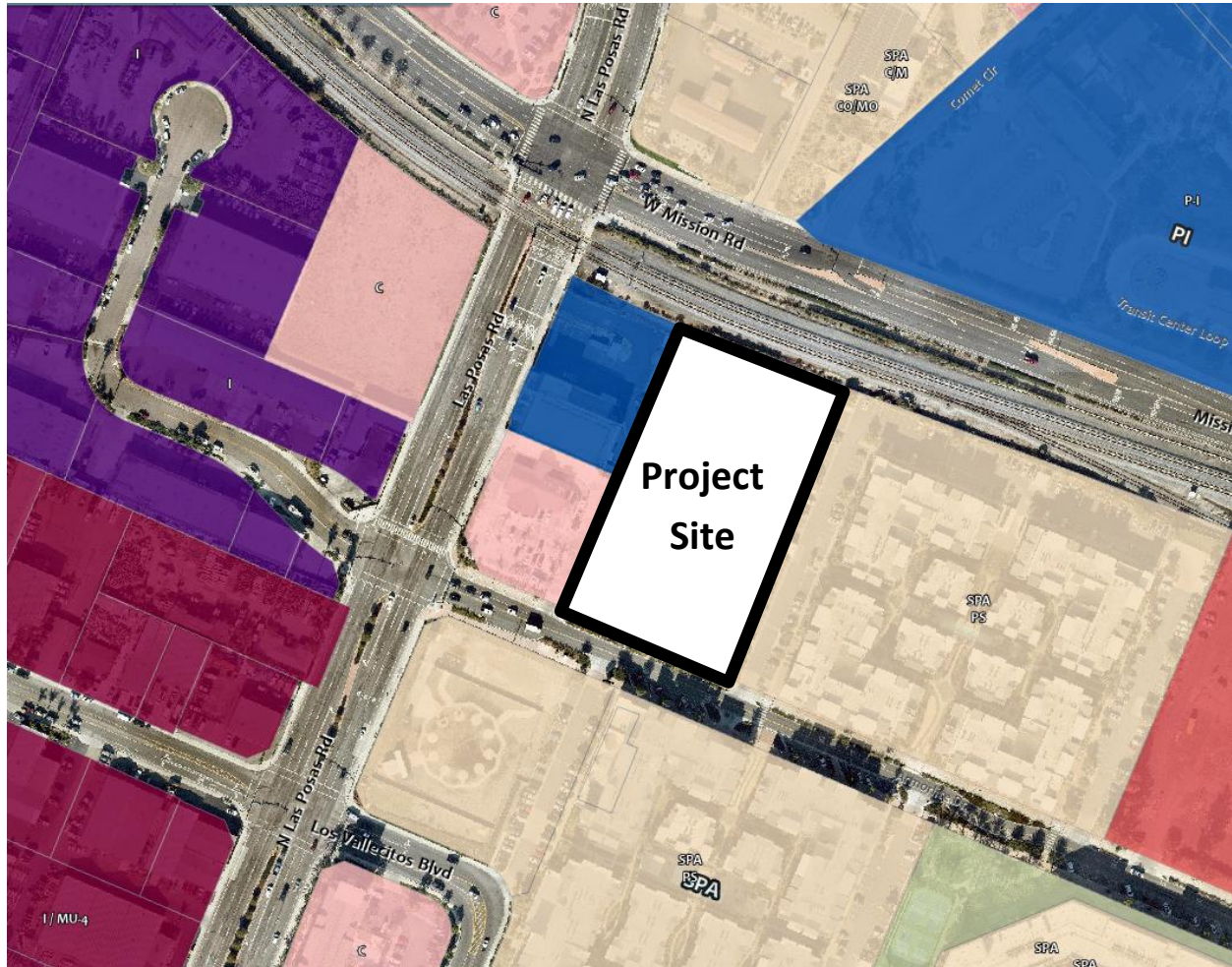
Helen Holmes Peak, City Attorney

**Attachment(s):**

Exhibit A – Rezone Exhibit

## EXHIBIT A

### Rezone Exhibit



<b>Existing Zone:</b>	Public Institutional (P-I) Zone
<b>Proposed Zone:</b>	Specific Plan Area (SPA) Zone
<b>Proposed Specific Plan:</b>	Armorlite Lofts

#### Project Site Description:

**Size:** 2.44-acres

**APN:** 219-162-62-00

**Legal Description:** LOT B IN THE CITY OF SAN MARCOS, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARCEL MAP THEREOF NO. 21967, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 15, 2022