

ORDINANCE NO. 2025-1564

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN
MARCOS, CALIFORNIA, APPROVING AN AMENDMENT TO THE
HEART OF THE CITY SPECIFIC PLAN

SP22-0006
Cornerstone Communities

WHEREAS, on November 15, 2022, the City received an application from Cornerstone Communities requesting an amendment to the Heart of the City Specific Plan to change the sub-plan designation of “Richmar Specific Plan” to “Woodward 46 Specific Plan” for a 8.6-acre property located on the east side of Woodward Street, approximately 235 feet north of Mission Road, in the Richland Neighborhood more particularly described as:

Parcel B of Certificate of Compliance Recorded February 29, 2008 as Instrument No. 2008-0107275 of Official Records and more particularly described as Lot 5 in Block 52 of Rancho Los Vallecitos de San Marcos, according to Map thereof No. 806, filed December 21, 1895 in the Office of the County Recorder of San Diego County, excepting therefrom the southerly 233 feet of said Lot 5, measured concentric to the northerly right-of-way of Mission Road thereof.

Assessor's Parcel Number(s): 220-210-49-00; and

WHEREAS, the Specific Plan Amendment is being requested in conjunction with a Specific Plan (SP22-0005) to establish rules and regulations for the development of the project site; a General Plan Amendment (GPA22-0004) to amend the land use maps and text related to Specific Plan changes in the Land Use Element; a Multi-Family Site Development Plan (MFSDP22-0005) for design review of a residential condominium complex; a Tentative Subdivision Map (TSM22-0004) for a 46-unit condominium map; and a Conditional Use Permit (CUP22-0005) to allow for a temporary rock crusher during grading operations; and

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

WHEREAS, on August 30, 2023, the City held an Environmental Impact Report (EIR) Scoping Meeting to provide an overview of the project Notice of Preparation, in accordance with CEQA Guideline Section 15083, and Public Workshop with the general public; and

WHEREAS, on June 16, 2025, the 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 6-0 vote in favor; and

WHEREAS, on September 9, 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 an Environmental Impact Report (FEIR19-001) [(SCH No. 2019029038)] for said request pursuant to the California Environmental Quality Act (CEQA).

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

- A. The foregoing recitals are true and correct, they and are hereby incorporated by reference into this Ordinance.
- B. The City Council hereby approves and adopts this Specific Plan Amendment, 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 Specific Plan Amendment (SP22-0006) is approved in conjunction with the submitted Specific Plan (SP22-0005), General Plan Amendment (GPA22-0004), Multi-Family Site Development Plan (MFSDP22-0005), Tentative Subdivision Map (TSM22-0004), and Conditional Use Permit (CUP22-0005), and all conditions of approval specified Ordinances 2025-1563, 2025-1564 and Resolutions Numbers: 2025-9480, 2025-9481, 2025-9482, 2025-9483 respectively, which documents are incorporated herein by this reference; and the mitigation measures in Environmental Impact Report (FEIR23-005) (Resolution No. 25-9479) are hereby incorporated by reference and made a part of this Resolution 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 Specific Plan Amendment is consistent with the City's General Plan, in that the proposed amendment of the Heart of the City Specific Plan will amend certain graphics and text within the HOC Specific Plan to recognize and reflect the change of the sub-plan designation of the subject property from "Richmar Specific Plan" to "Woodward 46 Specific Plan."
 - 2. The proposed Specific Plan Amendment complies with the objectives of the adopted City-wide Land Use Policy Plan, in that the 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 in accordance with Land Use Goal LU-1. Furthermore, the project promotes compact development patterns that reduce air pollution and automobile dependence and facilitates walking and transit use in accordance with Land Use Policy LU-2.1.
 - 3. The proposed Specific Plan Amendment will not be detrimental to the public health, safety, morals, and welfare, in that the proposed multifamily residential project will be conditioned through a Tentative Subdivision Map and Multifamily Site Development Plan, as required by the Woodward 46 Specific Plan, for architectural treatment, building setbacks, landscaping, parking, and adequate public facilities and infrastructure.
 - 4. All requirements of CEQA have been met, in that an Environmental Impact Report (FEIR23-005) (SCH No. 2023080449) 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 Specific Plan Amendment is within the scope of the Environmental Impact Report (FEIR23-005) (SCH No. 2023080449) and the mitigation monitoring and reporting program, pursuant to CEQA.
- F. Prior to submittal of grading, final maps, and/or building permit application, whichever comes first, the applicant/developer shall submit the specific plan (in color) as an editable digital file on a CD and two (2) hard copies to the Planning Division for review and final approval.
- G. 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.
- H. 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.

INTRODUCED at a regular meeting of the City Council of the City of San Marcos, California, held on the 9th day of September 2025.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Marcos, California, at a regular meeting thereof, held on this 23rd day of September 2025, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Rebecca D. Jones, Mayor

ATTEST:

APPROVED AS TO FORM:

Phillip Scollick, City Clerk

Helen Holmes Peak, City Attorney

Attachment(s):

Exhibit A.3 – Specific Plan text

EXHIBIT A.3

Heart of the City Specific Plan (HOCSP) Amendment

[SPECIFIC PLAN TEXT AS SEPARATE PDF]