

RESOLUTION NO. 2025-9515

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS APPROVING A CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION AND OPERATION OF AN 897-UNIT SELF-STORAGE FACILITY IN THE UNIVERSITY DISTRICT SPECIFIC PLAN SELF-STORAGE OVERLAY ZONE

CUP24-0005
Urban Villages San Marcos, LLC

WHEREAS, on November 7, 2024, the City received an application from Urban Villages San Marcos, LLC requesting a Conditional Use Permit to allow the construction and operation of an 897-unit self-storage facility on a 2.71-acre site located on the south side of East Carmel Street, approximately 300 feet east of Industrial Street in the University District Specific Plan Self-Storage Overlay Zone in the Barham/Discover Community more particularly described as:

Brief Legal Description: Parcel 1 of Parcel Map No. 21523, in the City of San Marcos, County of San Diego, State of California as per map recorded in the Office of The County Recorder of San Diego County on December 1, 2017, as File No. 2017-7000457 of Official Records.

Assessor's Parcel Number(s): 220-201-92-00; and

WHEREAS, the Conditional Use Permit is being requested in conjunction with an amendment to the University District Specific Plan (SP24-0003) to make various changes to the Specific Plan including the addition of a Self-Storage Overlay Zone and Specific Plan boundary adjustment, amendment to the Heart of the City Specific Plan (SP25-0001) to adjust the Specific Plan boundary, General Plan Amendment (GPA25-0002) to amend maps related to specific plan changes in the Land Use Element, and San Marcos Municipal Code Text Amendment (TA24-0004) amending self-storage requirements in Title 20; and

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

WHEREAS, on April 24, 2025, the City held a public workshop to provide an informational overview of the proposed project to the general public; and

WHEREAS, on October 20, 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 7-0 vote, in favor; and

WHEREAS, the City Council did review and consider the previously adopted and certified programmatic Final Environmental Impact Report (FEIR) for the University District Specific Plan and the 2025 Addendum to the FEIR (State Clearinghouse No. 2008101083) prepared for the project pursuant to the California Environmental Quality Act (CEQA); it is determined that no new environmental information or documentation was presented revealing any new unidentified environmental impacts which had not been previously mitigated; and the proposed project is within the scope of the programmatic Final Environmental Impact Report for the University District

Specific Plan (FEIR) and said FEIR adequately describes the proposed project addressed in the 2025 Addendum to the FEIR; 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 Resolution.
- B. The City Council hereby approves this Conditional Use Permit per the submitted plans date stamped September 10, 2025 (111,200-square-foot, 897-unit self-storage facility) except as modified herein, and subject to compliance with the conditions of approval in Exhibit A attached hereto and incorporated by reference and made a part of this Resolution as though fully set forth herein.
- C. This Conditional Use Permit is approved in conjunction with the submitted Specific Plan Amendments (SP24-0003, SP25-0001), San Marcos Municipal Code Text Amendment (TA24-0004), and General Plan Amendment (GPA25-0002), and all conditions of approval specified in Ordinance Nos. 2025-1572, 2025-1573. And 2025-1574 and Resolution No. 2025-9514, respectively, which documents are incorporated herein by this reference; and the mitigation measures set forth in the FEIR for the University District Specific Plan and the 2025 Addendum to the FEIR (State Clearinghouse No. 2008101083) 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. Approval of the Conditional Use Permit would not result in detrimental impacts to adjacent properties or the character and function of the neighborhood, in that the proposed project complies with all development standards identified in the University District Specific Plan Self-Storage Overlay Zone including building setbacks, building height, and parking. Potential impacts relative to traffic, noise, and air quality have been analyzed and demonstrated to not have significant negative impacts to surrounding land uses. The self-storage facility is designed with quality architecture and landscaping similar to an office building which is intended to enhance the character of the area. The project is conditioned to operate in a manner that will not be detrimental to the adjoining properties and uses including impacts from noise, odor, refuse, parking, and maintenance of the site.
 - 2. The design, development, and conditions associated with the Conditional Use Permit are consistent with the goals, policies, and intent of the General Plan, the purpose and intent of the applicable Zone and the character of any applicable Specific Plan, in that the proposed self-storage facility will be located toward the eastern end of the University District Specific Plan area near existing industrial development. The proposed self-storage facility will replace an existing facility located nearby, thereby freeing up land in the heart of the University District for future development that is more compatible with surrounding uses consistent with the goals of the specific plan. As a condition of approval, the project must implement a transition plan to ensure the existing self-storage facility ceases

operations only after the new facility is fully operational. Additionally, the project is conditioned to comply with the City noise standards at the property line and to operate within specified hours, thereby increasing compatibility with existing and future surrounding land uses. Furthermore, the proposed project also supports broader community goals by contributing to a balanced distribution and compatible mix of land uses to meet the future needs of all residents and the business community (General Plan Land Use Goal LU-1) and by maintaining a supportive business climate and a healthy, sustainable economy to retain and attract high quality businesses, while creating additional employment opportunities (General Plan Land Use Goal LU-6).

3. The land use allowed in conjunction with the Conditional Use Permit is compatible with the existing and future land uses of the applicable Zone, and the general area in which the proposed use is to be located, in that the proposed project is located within the Self-Storage Overlay Zone of the University District Specific Plan, which allows for self-storage facilities in this area with approval of a Conditional Use Permit. As previously mentioned, the project is conditioned to operate in a manner that will not be detrimental to adjoining properties and uses including impacts from noise, odor, refuse, parking, and maintenance of the site.
 4. All requirements of CEQA have been met, in that an Addendum to the 2009 FEIR was prepared and adequately demonstrated that none of the conditions described in Section 15162 of the California Environmental Quality Act (CEQA) statute and guidelines calling for preparation of a subsequent EIR have occurred.
- E. This Conditional Use Permit is within the scope of the FEIR and the 2025 Addendum to the FEIR (State Clearinghouse No. 2008101083) prepared for the project pursuant to the California Environmental Quality Act (CEQA) and the mitigation monitoring and reporting program pursuant to CEQA.
- F. Within thirty (30) days of the approval of the Conditional Use Permit (CUP24-0005) the approved site plan, architectural elevations, floor plans, and conceptual landscape plan shall be submitted as a digital file on a CD including this resolution number on the title page. The title page shall include the statement "I (we), _____, the applicant/owner(s) or the applicant/owner's representative, have read, understand and agree to the conditions of Resolution No. 2025-9515." Immediately following this statement shall appear a signature block for the owner or the owner's representative which shall be signed. Signature blocks for the Project Planner and the Project Civil Engineer shall also appear on this title page. The digital copy shall be approved by the City prior to submittal of any grading plan, improvement plan, or building permit.
- G. This Conditional Use Permit approval shall lapse and be null and void after one (1) year following the date upon which the plans and drawings were approved by the review authority unless prior to the expiration of one (1) year, a grading and/or building permit is issued and construction is commenced and diligently pursued toward completion.
- H. 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, and as authorized by the University District 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 Resolution with the same force and effect as though fully set forth herein.

- I. 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, or equipment needed, and the hiring of local residents to stimulate the San Marcos economy to the greatest extent possible.
- J. 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.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Marcos, California, at a regular meeting thereof, held on this 9th day of December, 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:

ATTACHMENT(S):

EXHIBIT A – Conditions of Approval

EXHIBIT A
RESOLUTION PC NO. 25-5175
CUP24-0005
Conditions of Approval

A. General Provisions

1. All of the terms, covenants and conditions contained herein shall run with the land and be binding on and insure to the benefit of the heirs, successors, assigns, and representatives of the applicant/developer as to any and all of the property.
2. If any of the terms, covenants or conditions contained herein shall fail to occur or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City of San Marcos (City) shall have the right to revoke or modify all approvals herein granted including issuance of building permits, deny, or further condition the subsequent approvals that are derived from the approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or see damages for their violation. The applicant/developer shall be notified ten (10) days in advance prior to any of the above actions being taken by the City and shall be given the opportunity to remedy any deficiencies identified by the City.
3. The applicant/developer shall be responsible for bearing the costs of all grading activities, on-site and off-site improvements, labor, design, mitigation, and other costs associated with, but not limited to, the project's planning, engineering, construction and/or architecture for the project.
4. The proposed new development may be subject to the payment of development fees and in-lieu fees as required by the City's Fee Ordinance at the time an application is submitted or prior to the issuance of permits as determined by the City.
5. The development must comply with the storm water regulations applicable at the time of approval of the corresponding grading permit application.
6. All design requirements and mitigation measures of the previously certified Final Environmental Impact Report for the University District Specific Plan, 2022 Addendum to the FEIR, and 2025 Addendum to the FEIR (SCH No. 2008101083) prepared for the project pursuant to the California Environmental Quality Act (CEQA) and the mitigation monitoring and reporting program pursuant to CEQA shall be implemented and incorporated herein.
7. The lease for the existing self-storage facility located at 235 E. Carmel Street shall be terminated and all business operations shall cease no later than 365 days from the date of issuance of the Temporary Certificate of Occupancy Permit issued by the Building Division for the new self-storage facility that is subject to this Conditional Use Permit (CUP24-0005).
8. The new self-storage facility that is subject to this Conditional Use Permit (CUP24-

0005) shall obtain its Final Certificate of Occupancy no later than 365 days from issuance of Temporary Certificate of Occupancy issued by the Building Division.

9. The existing self-storage facility located at 235 E. Carmel Street shall be demolished and an application for a demolition permit shall be submitted to the city within 90 days of the Final Certificate of Occupancy of the new self-storage facility subject to this Conditional Use Permit (CUP24-0005). Demolition shall be completed and final within 180 days of demolition permit issuance.
 10. Prior to building permit issuance, the applicant/developer shall provide evidence to the Planning Division Director demonstrating that Urban Villages San Marcos, LLC will acquire ownership of the property at 235 E. Carmel no later than 30 days after Final Occupancy is granted on the new self-storage facility subject to this Conditional Use Permit (CUP24-0005).
- B. Prior to issuance of any grading permit, the applicant/developer shall comply with the following conditions.

Land Development Division

1. Line of sight easements, if necessary, shall be delineated on all grading plans as approved by the City Engineer. Adequate sight distance for all intersections, driveways and access points shall be provided per latest edition of the California Department of Transportation (Caltrans) Highway Design manual and the American Association of State Highways and Transportation Officials (AASHTO) Geometric Design of Highways and Streets.
2. A private easement and maintenance agreement shall be executed for the shared facilities between the project site and the adjacent property (APN 220-201-91-00). The agreement shall address, at a minimum, cross-lot drainage, shared retaining walls and drainage facilities. A draft agreement shall be provided to the City for review prior to issuance of the grading permit.
3. An Encroachment, Removal and Maintenance agreement shall be executed with the City for all encroachments of private improvements within the public drainage easement 2022-0202965. The final design and scope of said encroachments shall be reviewed and approved by the City Engineer prior to recording the agreement.
4. The design of all private streets and/or drainage systems for this project shall be approved by the City Engineer. The structural section of all private streets shall conform to City standards based on R-value tests. All private streets and/or drainage systems shall be inspected by the City, and the standard plan check fees and inspection fees shall be paid and appropriate bonds shall be posted with the City prior to Grading Permit issuance.
5. All utilities fronting, abutting or within the project shall be undergrounded with the exception of sixty-nine (69) KVA or greater power lines. All utility undergrounding must be completed prior to the surfacing of the streets. Undergrounding must accommodate all pad mounted and pedestal equipment consistent with General

Plan Goal LU 17.3. Where the underground of such equipment is not possible due to safety or lack of standards for such undergrounding, the applicant/developer shall provide an underground vault, in-building vault room, architecturally integrated screen wall around equipment, or other option approved by the Planning Division Director.

6. The applicant/developer shall be responsible for acquiring all associated easements required by the utility companies for such work. The permanent placement of large meter services, detector checks, fire hydrants, etc., along circulation element streets shall be placed outside of the ultimate right-of-way and if applicable, trail easement, to avoid reconstruction or modification of same.
7. The applicant/developer shall comply with all rules, regulations and design requirements of the respective sewer, water, utility, regional, federal or other approving agency regarding the installation, modification, development, improvement or protection of facilities within the project boundaries. It shall be the applicant/developer's responsibility to determine all agencies with rights of approval for the proposed development.
8. The applicant/developer shall mitigate for impacts on City services related to emergency response, traffic congestion, landscaping, and infrastructure maintenance. The mitigation shall be met through the execution of applications to annex the real property of the project into the following Community facilities Districts (CFD):
 - a. CFD 98-01: Improvement Area No. 1 (Police Only).
 - b. CFD 98-02: Lighting, Landscaping, Open Space and Preserve Maintenance.
 - c. CFD 2001-01: Fire and Paramedic.
 - d. CFD 2011-01: Congestion Management.

Additionally, if the City determines it to be necessary, a Special Improvement Area shall be formed with respect to CFD 98-02 for the ongoing maintenance services provided by the City for improvements being installed above and beyond the City standards, installed by the applicant/developer as depicted on a Special Improvement Area exhibit, to be submitted by the applicant/developer after project approval. Such improvements include, but are not limited to, storm water treatment devices and enhanced landscaping features. The project also may annex into an existing Special Improvement Area if deemed appropriate by City staff. No building permit will be issued without receipt of a petition for annexation and consent and waiver executed by the property owners for each of the above-referenced CFDs for the establishment of the special taxes. In lieu of annexation, the applicant/developer may pay a fee for each CFD consentient with the pre-payment option laid out in each CFD's formation documents. The applicant/developer shall be responsible for compliance with all rules, regulations, policies and practices established by State Law and/or the City with respect to the CFD including, without

limitation, requirements for notice and disclosure to future owners and/or residents.

9. The applicant/developer shall post securities to the City, in amounts approved by the City Attorney and the City Engineer or their designees, for the construction of all private improvements including but not limited to the following: grading and erosion control, private street improvements, storm drain facilities, water quality BMP's, landscaping, and off-site street repair. Said security shall be in a form acceptable to the City and shall remain in force until completion of the project and final approval by the City. For grading securities, the City may require 10% of said securities to be in the form of cash.
10. The applicant/developer shall submit an application for a grading permit in accordance with SMMC Chapter 17.32 and all related Engineering Division handouts. All applicable fees and securities shall be paid prior to grading permit issuance.
11. Grading plans and activities shall be based on a comprehensive investigation of surface and subsurface conditions. Results of this investigation and recommendations arising therefrom shall be submitted in the form of a report written by a registered geotechnical engineer or registered engineering geologist.
12. If applicable, the applicant/developer shall secure letters of permission from adjacent property owners for all grading crossing property lines. In lieu of such permission, grading plans shall conform to the required grading setbacks as provided in the City's Grading Ordinance.
13. Erosion control and/or sediment control details shall be submitted with/on the grading plans to the Land Development Division for review and approval. The details shall conform to City standards, codes and ordinances, and San Diego Regional Water Quality Control Board (SDRWQCB) Municipal Storm Water Permit requirements. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City Engineer and Planning Division Director.
14. A hydrology and hydraulic report, including calculations, shall be prepared for the project to determine the existing and post-development runoff for the 100-year storm conditions. Storm drains and drainage structures shall be sized for build-out according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the project's build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvements, including upsizing of existing facilities. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner(s).
15. The applicant/developer shall be responsible for mitigating impacts created by changes in drainage runoff course, concentration, or quantity to the satisfaction of the City Engineer for both on-site and off-site drainage. This may require the

applicant/developer to provide all necessary easements and improvements to accommodate drainage and flood control structures extending beyond the boundaries of the project.

16. The applicant/developer shall execute a "Hold Harmless" Agreement with the City regarding drainage across the adjacent property.
17. A Storm Water Quality Management Plan (SWQMP) shall be submitted in accordance with the most current version of the City adopted BMP design manual and meet the most current requirements of SDRWQCB.
18. The applicant/developer shall enter into a Storm Water Management and Discharge Control Maintenance Agreement and Easement for the maintenance of all structural post-construction storm water management improvements. The agreement and easement shall be in a form acceptable to the City Attorney.
19. All construction and grading related Best Management Plans (BMPs) shall be shown in detail on the construction plans submitted to the City for review and approval.
20. The applicant/developer shall submit "will-serve" letters from all affected public service and utilities agencies prior to issuance of grading permit.

Planning Division

21. Under separate permit application, the applicant/developer shall submit construction landscape plans to the Planning Division for review and approval per the following requirements:
 - a. Final landscape and irrigation plans shall be prepared by a licensed landscape architect.
 - b. Separate landscape plans shall be submitted for the on-site (private) landscape areas and the off-site (CFD) landscape areas. CFD landscape plans shall be submitted to the Land Development Division as part of the street improvement plan set. Private landscape plans shall be submitted separately to the Planning Division.
 - c. This project is subject to the payment of a landscape permit and inspection fee. The landscape permit and inspection fee shall be four and one-half percent (4.5%) of the landscape architect's estimate for the completion of all landscaping shown on approved mylars. All submitted estimates shall be stamped and signed by the landscape architect, and estimate the cost of plant and irrigation materials only.
 - d. Landscape plans shall contain a mixture of trees, shrubs, and ground cover, and be provided with an irrigation system. The irrigation system shall include an automatic rain sensor switch, master valve, stainless steel enclosure for the backflow device, and stainless steel controller cabinet if

in public view. The irrigation system shall be designed to prevent water run-off onto the sidewalk or street. The landscape plan shall list the quantities of each plant type, including a legend indicating what each symbol represents; height and spread of trees (in accordance with City Minimum Tree Standards handout, City Council Resolution 2001-5747); and method of installation and irrigation.

- e. The landscape plans, including plant material and irrigation design, shall comply with the City's landscape water efficiency ordinance, SMMC Chapter 20.330, in addition to State of California water efficiency requirements.
 - f. All permanent Best Management Practices (BMPs) per the approved grading plan shall be shown on the landscape plans. Landscape plans shall be reviewed and signed by the engineer-of-work that the proposed landscape design complies with the requirements of the Storm Water Quality Management Plans (SWQMP).
 - g. The applicant/developer shall submit a fencing plan, in conjunction with the landscape plan, which proposes a consistent type and style of fences and/or walls. The fencing plan shall include decorative fencing with a detail of each proposed fence/wall type, and shall not include chain link fencing.
 - h. Landscaping for the proposed project shall avoid the use of invasive plant species. Invasive plants shall be those identified on Lists A and B of the California Exotic Plant Council's List of Exotic Plants of Greatest Ecological Concern in California, as of October 1999, and updated if applicable.
 - i. Plant material shall be fire and drought tolerant and acceptable for defensible space in fire prone areas.
 - j. The landscape permit shall require that prior to installation, the proposed plants shall be inspected and approved by the Planning Division for plant quality and compliance with minimum size requirements. The placement of plants shall be installed in accordance with the approved landscape plans. Upon completion of installation, all landscaping/irrigation shall be inspected and approved by the Planning Division. The applicant/developer shall be responsible to contact the Planning Division for landscaping inspections.
 - k. All CFD landscaping/irrigation shall be inspected and approved by the Public Works Landscape Inspector for installation in accordance with the approved CFD landscape plans. The applicant/developer shall be responsible to contact the Public Works Department for CFD landscaping inspections.
22. All exposed retaining walls shall be constructed of earth tone colored keystone, split-face, or similar textured block. The applicant/developer shall submit a material sample to the Planning Division for review and approval prior to issuance of grading permit.

23. The applicant/developer shall comply with mitigation measures CR-1 through CR-4 of the UDSP FEIR (SCH No. 2008101083) including but not limited to a pre-excavation agreement and a monitor for new ground disturbing activities that were not already performed per the grading permit issued (GP21-00004) for the previously approved development on this site (Tentative Parcel Map TPM 651, Site Development Plan SDP 06-319, and Mitigated Negative Declaration ND 06-748).
24. Prior to grading the site or causing any impact to the site, grading and/or construction activities on site must be avoided during the nesting season which extends from February 1st to September 15th to prevent potential impacts to nesting of any migratory, songbirds, or raptors. In order to begin grading or construction activities within the nesting season, a nesting survey from a qualified biologist or other expert in the field must be submitted to the Planning Division to verify there are no active nests on the subject site. This survey must be submitted prior to any disturbance or impact of the site. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum of a twenty-five (25) foot buffer and up to a maximum buffer of 300 feet for raptors, as determined by the project biologist, and shall be avoided until the nesting cycle is complete.

Building Division

25. The project is subject to the approval of the applicable water/sewer district(s) for water and sewer services and all applicable fees and charges shall be paid to the satisfaction of the water/sewer district(s) prior to issuance of grading or building permit.

Fire Department

26. Improvement plans shall show location and spacing / distance of fire hydrants. Hydrants shall be bronze industrial fire hydrants. Minimum GPM shall be per CFC Appendix B. Industrial fire hydrants shall have two 4-inch ports and one 2.5-inch port. Installation shall be as per local Water District specifications. Hydrant type shall be Clow style, Model #865. Maximum spacing from one hydrant to another cannot exceed 300 feet. Maximum distance from a fire hydrant to any fire department connection cannot exceed 50 feet.

NOTE: All new fire hydrants within the development shall be private hydrants

27. Fire apparatus access roads shall have an unobstructed improved width of not less than 24 feet (curb line to curb line), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Access roads shall be all weather surface and designed to support imposed loads of not less than 75,000 pounds in accordance with California Fire Code (CFC) Section 503.2.1, SMMC Section 17.64.120.
28. The gradient for a fire apparatus roadway shall not exceed 20 percent. Grades exceeding 12 percent (incline or decline) shall not be permitted without mitigation: Minimal surface of Portland cement concrete (PCC) with a deep broom finish perpendicular to the entire direction/length of travel and grade. The angle of

departure and approach of fire access roads shall not exceed 7 degrees (12 percent) as required by CFC Section 503.2.7, as amended.

29. All roads in the project shall have adequate turn radius to accommodate all Fire Department apparatus including frontline and reserve fire engines and frontline and reserve trucks (engine and tiller ladder trucks). The required inside turn radius shall be 28 feet for engine and tiller ladder truck. No curb deflection or other features shall interfere with fire apparatus ability to navigate any street. The Land Development Division shall maintain the proper templates for turn radius of all Fire Department apparatus.
 30. All dead end fire apparatus access roadways in excess of 150 feet in length shall be provided with an approved area for turning around of all San Marcos Fire apparatus. A hammerhead turn-around or cul-de-sac will be required by the Fire Department.
 31. Deferred submittal / separate permit is required for fire line underground work. (On-site fire hydrants, fire sprinkler service to buildings, etc.
- C. Prior to issuance of any building permit, the applicant/developer shall comply with the following conditions:

Land Development Division

1. The approved precise grading plans shall be attached to the building plans.
2. Prior to the submittal of any building plans, the grading plans shall be submitted for the second plan check and deemed substantially complete by the Land Development Engineer.
3. All public improvements required at the time of development shall be under construction to the satisfaction of the City Engineer prior to the issuance of the building permit.
4. All grading shall be observed by a licensed geotechnical engineer, who shall prepare a written report to the satisfaction of the City Engineer certifying that the work has been performed in compliance with the recommendations contained within the geotechnical report and on the approved project plans. If not so done, the report shall describe the actual work performed and any deficiencies observed. The final report shall specifically detail conditions and remedial work performed that was not specifically identified in the initial report of subsurface conditions.
5. A certification of line and grade for the building pad, signed and stamped by the engineer of work, shall be provided to the Engineering Inspector. The certification shall be in a form acceptable to the City Engineer.
6. The base lift of asphalt on all roads serving the area under construction shall be completed.

Planning Division

7. All exterior lighting shall comply with City standards for high energy-efficient fixtures, except for low-wattage architectural lighting. All exterior fixtures shall be approved by the City.
8. All exterior lighting shall use cut-off fixtures and shielded in order to direct the illumination downward and reduce the visibility of any glare.
9. Architectural lighting plan shall be included with the building plans that show the type, style, and location of all exterior building and parking lot lights. Plans shall include photo of fixture and manufacturer specifications indicating dimensions, materials, colors, bulb type, etc.
10. All rooftop mechanical units, vents, ducts, etc. shall be screened by parapet walls or other architectural features from street grade view and adjacent properties as approved by the Planning Division Director. A roof plan and cross sections showing lines of sight shall be submitted with construction drawings illustrating that roof equipment will be screened. Screening plan shall be approved by the Planning Division prior to issuance of a building permit.
11. Rain gutter downspouts shall be internal or architecturally screened from view where feasible as determined by the Planning Division.
12. Gas meters shall be architecturally screened from view by low screening walls. Wall materials shall be architecturally compatible with the building(s). Screening plan shall be approved by the Planning Division prior to issuance of building permit.
13. The trash enclosure (minimum dimensions of fourteen (14) feet wide by ten (10) feet deep by six (6) feet high) for trash and recycling containers shall be constructed to match the main buildings in color and texture. In addition, the enclosure shall have solid view-obscuring, double swinging gates; must have a flat impervious, concrete slab designed not to allow run-on from adjoining areas; contain attached lids on all trash and recycling containers; and a roof to minimize direct precipitation. Trash enclosures shall be architecturally compatible with the proposed buildings.
14. The applicant/developer shall submit a public art plan to the Planning Division for review and approval prior to submittal of a building permit. The applicant/developer or property owner shall demonstrate compliance with the public art requirements described Chapter VII of the University District Specific Plan. Public art shall be proposed and installed on the north elevation of Building A as shown on the approved architectural plans.
15. All outdoor furniture and equipment shall be installed in compliance with the University District Streetscape Masterplan. The applicant/developer shall be responsible for the installation of outdoor furniture.

Building Division

16. New buildings and remodeled structures shall be designed to conform to the latest design standards adopted by the State of California in the California Building Code (CBC), Part 2, Title 24, California Code of Regulations.
17. Building plans and instruments of service submitted with a building permit application shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
18. The City is located in Seismic Design Category "D". Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.
19. The proposed development shall comply with the latest adopted California Green Building Code Standards. The City has adopted the mandatory standards and does not enforce the voluntary standards.
20. Project shall have a camera security system installed throughout the entire site.
21. The handling, storage, use and disposal of hazardous, toxic or flammable materials shall be clearly indicated on all floor plans submitted for a building permit and shall be in compliance with any and all Federal, State, County and City rules, regulations, and requirements for hazardous waste control, including but not limited to the Hazardous Waste Control Act of 1973 (HWCA) (Health & S C §25100 *et seq.*), 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 hereof with the same force and effect as though fully set forth herein.
22. The project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, for accessibility standards.
23. Health and Safety Code Section 17959.6 requires developers of new residential housing developments to provide buyers with a list of specified universal accessibility features that would make specific areas of the home accessible to persons with disabilities. The applicant/developer shall indicate which features are standard, limited, optional, or not available, and the point of construction by which they must be requested.
24. The applicant/developer shall pay Public Facilities Fees as established by the latest adopted Public Facilities Fee, based on the proposed land use, and shall be paid prior to the issuance of the first permit for the development.
25. The project is subject to the payment of school fees as required by law. The applicant/developer shall submit a Certificate of Compliance from the school district prior to the issuance of the first building permit from the City.

26. Roof drain systems shall be designed for 3-inches of rainwater per hour. Rain gutters, down drains and other devices shall be installed to prevent erosion at the point of discharge and shall discharge to landscaped areas when feasible. Interceptor drains, yard drains and drainage devices shall be installed to mitigate erosion and create positive drainage away from foundations. Roof drainage shall comply with the City's storm water management measures.
27. The applicant/developer shall contact the Delivery Retail Analyst for the branch of the U.S. Postal Service to determine the type and location of centralized delivery equipment required.
28. Sewer and water utilities shall be located wholly on the lot that serves the building in accordance with the latest adopted edition of the California Plumbing Code.
29. The outer boundary of schools (grades K through 12) as listed in the current California Private School Directory shall comply with Education Code Section 33190 relating to the location of a school facility within 1,000 feet of businesses that are regulated for the storage, use and handling of hazardous materials as defined by the California Health and Safety Code.

Fire Department

30. Any new development, which necessitates EMERGENCY RESPONSE MAPS - Geo- Referenced Preplans: Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates. Produce a fire preplan in (ESRI) GIS format using the pre-configured GIS Starter Package provided by City of San Marcos. A completed fire preplan shall include the GIS data and output PDF for use by San Marcos Fire Department.

* At approval of Final Building Plans, Developer shall contact San Marcos GIS (gishelp@san-marcos.net) to begin the process of creating a Fire Preplan. At 50% of the construction completion process and/or the Fire Sprinkler Hydro Test, the developer shall submit a preliminary GIS preplan to show progress. Note: Minor changes to plans made during construction can be corrected at the time of Fire inspection.
31. Separate Permit / Deferred Submittal: An automatic fire sprinkler system(s) shall be installed in accordance with the latest adopted California Building Code, California Fire Code and/or San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the standards adopted by the National Fire Protection Association (NFPA 13) and the San Marcos Fire Marshal.
32. Where applicable, fire alarm and/or monitoring systems shall be installed in compliance with 2022 California Fire Code and the most current edition of NFPA 72 for NFPA 13 and 13R fire sprinkler systems.
33. The applicant/developer shall provide a Construction Staging/Site Phasing Plan for approval prior to permit issuance.

34. Access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building.
 35. Access gate(s) or other devices that may obstruct fire access roadways shall be equipped with a Knox Key switch with cover and all drive gates shall be equipped with approved emergency traffic strobe sensor(s), which opens the gate on approach of emergency vehicles. Access gate shall be a minimum of twenty-four (24) feet wide as determined by the City Fire Marshal. Gates shall have battery back-up or manual means of disconnect in case of power failure.
 36. Building plans shall indicate where elevators are installed, and shall meet the following conditions of California Fire Code (CFC) Section 607 and California Building Code (CBC) Chapter 30 which comply with the following:
 - a. At least one (1) elevator that extends to the top floor of a structure shall accommodate the loading and transport of an ambulance gurney or stretcher (maximum size 24 inches by 76 inches) in the horizontal position.
 - b. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch ambulance gurney or stretcher in the horizontal, open position, shall be provided with a minimum clear distance between walls or between walls and door excluding return panels not less than 80 inches by 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42-inch side slide door.
 - c. A minimum of four (4) keys shall be provided for fire dept. use.
- D. During the grading and construction phase, the applicant/developer shall comply with the following conditions:

Engineering Construction Inspection Division

1. Prior to any construction activities, a pre-construction meeting shall be held with the Engineering Construction Inspection Division. The applicant/developer shall provide the inspector with a detailed construction schedule which depicts when building occupancy or occupancies will occur and when key public and private infrastructure improvements will be completed. Schedule updates shall be provided to the Building and Engineering Inspectors at a minimum monthly basis throughout the life of the project.

Land Development Division

2. Grading, excavation or other related earth moving operations, including warm-up and maintenance activities, shall be limited to the hours of 7:00 a.m. to 4:30 p.m., Monday through Friday. No work shall be allowed on Saturdays, Sundays and holidays.
3. During construction activities, the applicant/developer shall maintain public and

private driveway and/or road access to neighboring properties at all times unless previous arrangements have been made with the private parties affected. Copies of said agreements shall be provided to the City Engineer.

4. The applicant/developer shall submit a traffic control plan to the Engineering Inspector for all phases of construction for approval by the City Engineer. Said plan shall include all traffic control devices including traffic signals as required.
5. Construction haul routes must be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible.
6. At the discretion of the Engineering Inspector, the applicant/developer shall document the pre-construction condition of existing roads or offsite properties which may be impacted by construction activities. The applicant/developer shall be responsible in repairing any construction related damages prior to occupancy.
7. A Right-of-Way permit shall be required prior to commencement of any work within the City right- of-way.
8. The applicant/developer shall implement and maintain storm water pollution prevention measures as required on the approved plans. Violations of the City's Storm Water Management Ordinance (Ch. 14.15 S.M.M.C.) will result in Stop Work Orders, Notices of Violations and/or citations with fines. Work on the project may be delayed until the City determines that compliance with storm water requirements has been achieved.

Planning Division

9. At least one copy of the approved plans, approval letters and conditions of approval shall be available for review at the job site at all times.
10. Landscaping of slopes, in accordance with the approved landscape plans, shall commence at time of completion of grading activities.
11. The project shall comply with Regional Air Quality Standards.
12. A test sample of the proposed exterior colors shall be applied to a mock-up with an area large enough to be representative of the finished color scheme and exposed to direct sunlight. This sample shall be inspected and approved by the Planning Division prior to painting of the buildings. If determined necessary upon inspection, the color scheme may be required to be modified at the discretion of the Planning Division Director. The applicant/developer shall be responsible to contact the Planning Division for inspection.

Building Division

13. The applicant/developer shall obtain the required OSHA permits for blasting, construction, demolition, excavation, grading operations, rock drilling and the construction of buildings over 3 stories in height in accordance with the California

Code of Regulations, Title 8, Section 1503.

14. Water wells shall be reconstructed or abated in strict compliance with SMMC Sections 8.44.130 through 8.44.170 and the latest adopted State Water Code and Health and Safety Code Section 24400. Water well permits are issued by County of San Diego Environment Health Department.
15. Dust and dust producing materials shall be controlled within the maximum acceptable concentrations for silica and silicates in accordance with the California Code of Regulations, Title 8, Section 5155. Water and dust palliative shall be used to prevent excessive dust during blasting, construction and grading operations. Projects are required to comply with the Air Pollution Control District's standards for mitigating fugitive dust during all phases of construction.
16. The demolition of buildings shall not commence until the proper testing of asbestos, lead paint and hazardous materials has been performed and the abatement of the hazardous materials has been completed. The recycling of materials shall comply with state law and all utilities shall be disconnected and safely abandoned.
17. All construction operations authorized by building permits, including the delivery, setup and use of equipment must be conducted on premises during the hours of 7:00 AM and 6:00 PM on Monday through Friday, and on Saturday between 8:00 AM and 5:00 PM. No work shall be conducted on Sundays or Holidays observed by the City. Failure to comply will result in the issuance of STOP WORK NOTICES, REVOCATION OF PERMITS and the issuance of citations and fines as appropriate. Citation for hours of work violations requires a mandatory court appearance in North County Superior Court.
18. During construction the applicant/developer shall implement and maintain the storm water pollution prevention measures as required on the approved plans. Violations of the City's Storm Water Management Ordinance will result in Stop Work Orders, Notices of Violation and citations with fines. Work on the project may be delayed until the City determines that the project is in compliance with the storm water requirements.

Fire Department

19. Prior to the delivery of combustible building construction materials to the project site, the following conditions shall be completed to satisfaction of the Fire Department: 1) fire hydrants(s) shall be installed, approved, and usable, and 2) fire lane or access roads shall be in place and provide a permanent all weather surface for emergency vehicles that support weight of fire apparatus (75,000 lbs.).
20. A legible site address shall be posted and visible from either direction of approach to the project.
21. A written site safety plan shall be created and implemented in accordance with California Fire Code Chapter 33. Plan shall establish a fire prevention program at

the project site, applicable throughout all phases of construction.

- E. Prior to the occupancy of any structure, the applicant/developer shall comply with the following conditions:

Land Development Division

1. All public and private improvements, including any underground conversion of overhead utilities, shall be completed in accordance with the approved project plans prior to issuance of the first market rate Certificate of Occupancy.
2. Prior to occupancy, all public improvements to Carmel Street shall be completed to the satisfaction of the City Engineer per the conditions of approval for TPM24-0002, resolution ADM24-5121.
3. All applicable easements and agreements shall be recorded prior to occupancy.
4. Prior to the issuance of any certificates of use and occupancy, the applicant/developer shall provide evidence to the Building Official, that the Department of Real Estate has been notified that the project area is within the boundaries of a Community Facilities District (CFD), and will be subject to special taxes for public facilities and/or services.
5. Redline As-Built drawings shall be submitted to the Engineering Division for review and approval. All improvements identified on the plans and all undergrounding of utilities shall be completed in accordance with the project plans and these conditions of approval. Record drawing mylar plans shall be submitted and approved prior to the release of any project securities.
6. Any existing broken pavement, concrete curb, gutter or sidewalk or any other facilities damaged during construction of the project, shall be repaired or replaced as directed by the Engineering Inspector.
7. Water and sewer improvements in accordance with the project water/sewer study shall be constructed for the project as determined necessary by the applicable water/sewer district(s).
8. Prior to the issuance of any certificates of use and occupancy, the applicant/developer shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer to the City, unless such easements are expressly made subordinate to the easements to be offered for dedication to the City. Prior to granting any of said easements, the applicant/developer shall furnish a copy of the proposed easement to the Land Development Engineer for review and approval. Further, a copy of the approved easement shall be furnished to the Land Development Engineer prior to issuance of any certificate of use and occupancy.

Planning Division

9. All rooftop mechanical units, vents, ducts, etc. shall be screened from view from street grade & adjacent properties. Said screening mechanism shall be inspected by the Planning Division, and if determined necessary, additional screening may be required, as determined acceptable by the Planning Division Director.
10. All landscaping shall be installed, inspected, and approved by the Planning Division. Landscaping shall be established and flourishing in a healthy manner.
11. All CFD landscaping shall be installed, inspected, and approved by the Public Works Department. Landscaping shall be established and flourishing in a healthy manner.
12. The applicant/developer shall submit a Certificate of Completion by the landscape architect and engineer-of-work to the Planning Division certifying that the plant materials and irrigation system have been installed in accordance with the approved landscape plans and the Water Quality Technical Report, respectively.
13. The applicant/developer shall disclose to future owners/tenants of the project that the property is located within the Airport Influence Area of McClellan-Palomar Airport, and may be subject to some of the annoyances or inconveniences, if any, associated with proximity to airport operations (i.e.: noise, vibration, or odors). Disclosure shall be recorded with the County Recorder's Office prior to building occupancy.
14. All required public art shall be installed per the approved public art plan which includes public art on the north elevation of Building A as shown on the approved architectural plans and/or an in-lieu fee paid for reservation of the art per the University District Specific Plan.

Building Division

15. The applicant/developer shall obtain approval from all City departments and other agencies before requesting a Certificate of Occupancy from the Building Official. For phased developments, the conditions of approval shall be satisfied prior to requesting the first occupancy in the phase.

Fire Department

16. Building addresses shall be clearly labeled for day and night-time emergency responses. In addition, adequate lighting shall be provided to deter potential criminal activities (i.e.: vehicle burglaries, prowlers, loitering, etc).
17. Rooms containing controls for sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for fire department use. Signs shall be constructed of durable materials, permanently installed and readily visible.
**Reference San Marcos Fire Dept. Standard No. 1403 via website for additional specifications.

18. Knox key box (es) shall be provided. A master key for entry to all gates, enclosures, and equipment rooms or areas is required and properly labeled per Fire Department requirements. Knox box shall be mounted in an area approved by the Fire Department at a height of 60 to 66 inches above grade. Knox box shall be type with side-hinged door.
 19. The applicant/developer shall comply with the Fire Department for hydrants and on-site access for emergency vehicles.
 20. On-site fire hydrants shall be color coded per NFPA 291. The bottom eight inches of a private fire hydrant shall be painted red. A minimum 3-ft clearance shall be maintained around hydrants. The applicant/developer shall comply with the Fire Department for hydrants and on-site access for emergency vehicles.
 21. The project shall include "NO PARKING FIRE LANE" signs. The number of, placement, and wording for all fire lane signs and/or red curbs shall be as required by California Vehicle Code, Sections 22500.1 and 22658(a) and San Marcos Fire Department Standards.
 22. Fire extinguishers size, type and rating shall comply with 2022 California Fire Code, Section 906, extinguishers shall be rated at 2A:10B: C minimum.
- F. Reliance on this Conditional Use Permit shall comply with the following operational standards:
1. Operation of the facility is not allowed on site until occupancy has been approved by the Building Division.
 2. The applicant/developer shall maintain a City Business License for the duration of the business operations.
 3. Trash dumpsters shall be kept within the existing enclosure(s) on site, and gates shall be closed to screen the dumpsters from view. When not in use, dumpster lids shall remain closed in order to prevent rainfall from entering the dumpsters in compliance with the City's Storm Water Management requirements.
 4. The facility must comply with all applicable provisions of San Marcos Municipal Code (SMMC) Chapter 14.15 (Storm Water Management and Discharge Control) and other State and regional permits/standards for the protection of storm water quality.
 5. Non-storm water discharge into the City's storm drain conveyance system is considered an illicit discharge and is prohibited during construction, operation and maintenance of the business in accordance with SMMC Chapter 14.15.
 6. The building address and suite number must be clearly labeled at the front and

rear doors for day- and night-time emergency responses. In addition, adequate lighting must be provided to deter potential criminal activities (i.e.: vehicle burglaries, prowlers, loitering, etc.).

7. A separate permit will be required for any new signage, including temporary signs. Signage must comply with the approved Sign Program or sign requirements for the University District Specific Plan area and/or the City's Sign Ordinance (SMMC Chapter 20.320). Portable signs (i.e.: A-frame, T-frame, etc.) are prohibited on or off site.
8. Use of the site must be conducted so as not to become obnoxious by reason of noise, odor, refuse, parking impacts, or maintenance of grounds, and in such a manner as will not detrimentally affect adjoining properties and uses.
9. All trees and landscaping shall be maintained in a healthy, thriving manner. If any trees/landscaping shall die or become diseased, the trees/landscaping shall be replaced in numbers and quantity to provide the same landscaping and screening value.
10. Outdoor storage shall be prohibited on site.
11. Customer access hours shall be limited to 6:00 AM to 10:00 PM, seven days a week, unless modified by the Planning Division Director.
12. Activities shall be conducted whereas not to become a noise nuisance to neighboring uses. If complaints are received, the applicant shall be required to take corrective action to respond to such complaints, including but not limited to the installation of sound proofing materials for walls, etc.
13. Loading/unloading shall occur only within parking spaces or designated loading zones.