

ORDINANCE NO. 2025-1573

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

SP25-0001
Urban Villages San Marcos, LLC

WHEREAS, on November 7, 2024, the City received an application from Urban Villages San Marcos, LLC requesting an amendment to the Heart of the City Specific Plan to modify the specific plan's boundaries by removing Assessor's Parcel Numbers (APN's) 221-110-67-00 and 221-110-68-00 from the Heart of the City Specific Plan located at 123 East Carmel Street in the Barham/Discovery Community more particularly described as:

Parcels A and B of Parcel Map No. 18990, in the City of San Marcos, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, June 12, 2002 as Instrument no. 2002-0499433 of official records

Assessor's parcel number(s): 221-110-67-00 and 221-110-68-00;
and

WHEREAS, the Specific Plan Amendment 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, General Plan Amendment (GPA25-0002) to amend maps related to specific plan changes in the Land Use Element; a San Marcos Municipal Code Text Amendment (TA24-0004) amending self-storage requirements in Title 20, and Conditional Use Permit (CUP24-0005) for a new self-storage facility within the University District Specific Plan; 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 order as follows:

- A. The foregoing recitals are true and correct and are hereby incorporated by reference into this Ordinance.
- B. The City Council approves this Specific Plan Amendment, as shown on the attached Exhibit B, incorporated by reference and made a part of this Ordinance as though fully set forth herein.
- C. This Specific Plan Amendment is approved in conjunction with the submitted Specific Plan Amendment (SP24-0003), San Marcos Municipal Code Text Amendment (TA24-0004), General Plan Amendment (GPA25-0002) and Conditional Use Permit (CUP24-0005) and all conditions of approval specified in Ordinance Nos. 2025-1572 and 2025-1574, and Resolution Nos. 2025-9514 and 2025-9515, 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 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 Specific Plan Amendment is consistent with the City's General Plan, in that removing two properties from the Heart of the City Specific Plan and expanding the University District Specific Plan will increase the size of an anticipated high quality built environment with forms and character that create memorable places (GP Land Use Goal LU-5), develop land use patterns that are compatible with and support a variety of mobility opportunities and choices (GP Land Use Goal LU-3), maintain a supportive business climate and a healthy, sustainable economy to retain and attract high quality businesses and create additional employment opportunities (GP Land Use Goal LU-6), and helps to direct and sustain growth and expansion in areas of San Marcos that can support a concentration of a variety of uses and are particularly suitable for multi-modal transportation and infrastructure expansion and improvements (GP Land Use Goal LU-7).
 2. The proposed Specific Plan Amendment complies with the objectives of the adopted City-wide Land Use Policy Plan, in that the revisions will, as stated above, help produce a distinctive, high quality built environment that supports development that incorporates smart growth principles such as providing a mixture of compatible land uses within a compact geographical area; utilizes compact building design; creates walkable neighborhoods; fosters distinctive, attractive communities with a strong sense of place; preserves open space; directs development toward existing communities; and integrates development close to public transit.
 3. The proposed Specific Plan Amendment will not be detrimental to the public health, safety, morals, and welfare, in that the proposed removal of two properties from Heart of the City Specific Plan and addition of those properties to the University District Specific Plan will expand the types of land uses permitted on the subject properties and will result in development more compatible with the mixed use and

urban character of the University District. Additionally, future development will be conditioned through a Site Development Plan for architectural treatment, building setbacks, landscaping, parking, stormwater treatment, floodway/floodplain design compliance, and adequate public facilities and infrastructure, including fire, police, water, sewer, and street improvements. Furthermore, all development occurring within the University District will be required to comply with the latest California Building Code and California Fire Code.

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 Specific Plan Amendment 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. Prior to submittal of grading, final map(s), 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.

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Rebecca D. Jones, Mayor

ATTEST:

Phillip Scollick, City Clerk

APPROVED AS TO FORM:

Helen Holmes Peak, City Attorney

Attachment(s):

Exhibit A – Specific Plan Document Change Table

Exhibit B – Proposed Strikeout & Redline Heart of the City Specific Plan

EXHIBIT A**Specific Plan Document Change Table**

Section	Page(s)	Revision
Title/List of Amendments	N/A	Update title sheet and amendment list as appropriate for this amendment.
Introduction	3	Update Section 1.5 to update the plan acreage and appendix reference.
Introduction	4	Modify Figure 2: "Land Use Plan" to show reduced boundary.
Introduction	5	Update Table 1: "Land Use Statistical Summary" to update plan acreage.
Land Use	I-8	Modify Section. 2.3.1 to remove reference to hotel use on land removed from the plan area.

EXHIBIT B

Proposed Strikeout & Redline Heart of the City Specific Plan