

RESOLUTION NO. 2025-9448

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR A MIXED-USE DEVELOPMENT WITH 165 RESIDENTIAL UNITS, INCLUDING 15% ONSITE AFFORDABLE UNITS, AND 5,600 SQUARE FEET OF COMMERCIAL AREA IN THE SPECIFIC PLAN AREA (SPA) ZONE

EIR 24-003

Avenue Development Partners, LLC.

WHEREAS, on June 15, 2023, the City received an application from Avenue Development Partners, LLC. requesting a General Plan Amendment (GPA23-0002) to change the General Plan land use designation of the project site from Public Institutional (PI) to Specific Plan Area (SPA), a Rezone (R23-0001) to change the zoning of the project site from Public Institutional (P-I) to Specific Plan Area (SPA), a Specific Plan (SP23-0001) adopting the Armorlite Specific Plan, a Site Development Plan (SDP 23-0003) for the orderly development of the site in conformance with the Armorlite Specific Plan, and a Conditional Use Permit (CUP23-0002) allowing the temporary use of a rock crusher during the construction of the site (Project); and

WHEREAS, the Project requires approval of a discretionary action by the City, which is subject to compliance with the California Environmental Quality Act (Public Resources Code Sections 21000 et. seq) (CEQA), the California Guidelines for the Implementation of CEQA (14 Cal. Code of Regs. Sections 15000-15387) (State CEQA Guidelines), and the City's environmental review ordinance (San Marcos Municipal Code Chapter 18.04) (City CEQA Guidelines); and

WHEREAS, the City is the lead agency, as defined by CEQA and the State CEQA Guidelines, responsible for the preparation, consideration and approval of environmental documents for the Project; and

WHEREAS, a Notice of Preparation Scoping Meeting with the general public was held on February 15, 2024 to provide an overview of the project per the Notice of Preparation (NOP) and in accordance with CEQA Section. 15083; and

WHEREAS, the City prepared, or caused to be prepared, an Environmental Impact Report (EIR) to assess the Project in conformance with CEQA; and

WHEREAS, the Draft EIR was available to the general public and other public agencies for a 45-day review and comment period from January 10, 2025 to February 24, 2025; and

WHEREAS, the City received four (4) comment letters on the Draft EIR from private individuals, private entities, or public agencies; and

WHEREAS, the City issued a Final Environmental Impact Report (EIR) 24-003, State Clearinghouse (SCH) No. 2024020372 (Final EIR) on May 19, 2025, incorporating the January 2025 Draft EIR; comments and recommendations received by the City on the Draft EIR, either verbatim or in summary, and a list of private individuals or entities and public agencies that submitted comments; City responses to significant environmental points raised in the review and consultation process; modifications made to the text of the Draft EIR that are also included in the Final EIR; and

appendices to the Draft and Final EIRs; and

WHEREAS, the Final EIR evaluates the possible environmental impacts of the proposed General Plan Amendment (GPA23-0002); Rezone (R23-0001); Specific Plan (SP23-0001); Site Development Plan (SDP23-0003); and Conditional Use Permit (CUP23-0002); and

WHEREAS, to the extent authorized by law, the City desires and intends to use the Final EIR and the documents incorporated by reference therein, to comply with the environmental documentation requirements pursuant to CEQA, the State CEQA Guidelines and the City CEQA Guidelines for each of the above-referenced discretionary actions for the Project; and

WHEREAS, the City prepared the Findings of Fact as specified in Exhibit A in accordance with CEQA and the State CEQA Guidelines and San Marcos Municipal Code Chapter 18.04 (City CEQA Guidelines); and

WHEREAS, the Planning Commission is responsible pursuant to San Marcos Municipal Code Chapter 18.04 for reviewing the Final EIR and making a recommendation to the City Council as to whether the Final EIR should be certified if prepared in compliance with all applicable requirements; and

WHEREAS, the Planning Commission recommended certification of the Final EIR to the City Council on May 19, 2025 by a 7-0 vote, in favor; and

WHEREAS, the required public hearing held on June 24, 2025 was duly noticed and held in the manner prescribed by law.

NOW, THEREFORE, the City Council resolves as follows:

- A. The foregoing recitals are true and correct, and are hereby incorporated by reference into this Resolution.
- B. The Final EIR concludes that the Project would have direct and/or cumulative impacts in the following areas which can be reduced to less than significant levels with implementation of the mitigation measures in the Final EIR:
  - 1. Biological Resources
  - 2. Cultural Resources
  - 3. Noise
  - 4. Tribal Cultural Resources
- C. The Final EIR indicates the Project will not have significant, direct and/or unavoidable and adverse impacts on the environment after all feasible mitigation measures recommended in the Final EIR are implemented.
- D. The Final EIR reflects the independent judgment of the City, as required by Section

21082.1(c)(3) of CEQA; and

- E. The Final EIR was prepared and completed in compliance with CEQA and all applicable requirements, as required by Section 15090 of the State CEQA Guidelines, including the Findings of Facts to be considered.
- F. Upon consideration of the Finding of Facts, together with the staff report (copies of which are on file in the Planning Division), public testimony presented at the hearing, and all other oral and written evidence received by the City on this Project, the City Council hereby certifies the Final EIR, and adopts the Findings of Fact attached hereto as Exhibit A and incorporated herein by reference.

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:

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Phillip Scollick, City Clerk

**Attachment(s):**

Exhibit A – Findings of Fact  
Exhibit B – Final Environmental Impact Report (EIR)

**EXHIBIT A**

**FINDINGS OF FACT**

(Provided as a separate PDF)

**EXHIBIT B**

**FINAL ENVIRONMENTAL IMPACT REPORT (EIR)**

(Provided as a separate PDF)