

PUBLIC HEARING ITEM
LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

FOR MEETING OF: NOVEMBER 3, 2014

7A
7B
7C

Proposals

Adoption of an Amendment to the Sphere of Influence for the City of Carlsbad (SA13-48a)

Adoption of an Amendment to the Sphere of Influence for the City of San Marcos (SA13-48b)

“San Marcos–Carlsbad Reorganization” (City of San Marcos) (RO13-48)

Proponent

City of San Marcos, by resolution

Description/Justification

Proposed by resolution of the City of San Marcos is a reorganization involving three separate proposal areas (labeled as Areas 1, 2, and 3 on the attached vicinity maps) that have been consolidated into one reorganization proposal (Vicinity Map 1). The City of San Marcos is considered the lead applicant for this reorganization as the majority of the affected territory is proposed for annexation to San Marcos, and the City has performed environmental review for the project as the lead agency under the California Environmental Quality Act (CEQA). The proposed jurisdictional changes have been consolidated into one reorganization proposal to simplify processing and review, and to mitigate the cumulative LAFCO processing fees that would be charged to the City of San Marcos for three separate reorganization proposals.

Proposal Area 1

Proposal Area 1 involves annexation of four unincorporated parcels (totaling approximately 11.01-acres) to the City of San Marcos (Vicinity Map 2). All of Proposal Area 1 is presently located within the adopted sphere of influence for the City of San Marcos. The four subject parcels front South Rancho Santa Fe Road and are owned by the City of San Marcos: APNs 222-042-14 (approximately 1.54-acre); 222-042-17 (0.87-acre); 222-042-20 (0.09-acre); and 222-143-29 (8.51-acre).

The City of San Marcos has requested annexation of the four undeveloped parcels to remove the city-owned properties from the County Assessor’s tax roll and bring them under the City’s land use authority; no development on the parcels is proposed in association with the reorganization. Proposal Area 1 is currently located within the San Marcos Fire

Protection District (FPD) for fire protection services, and the Vallecitos Water District (WD) for the provision of water and sewer services; no changes to these service arrangements are proposed in association with the reorganization.

Proposal Area 2

Proposal Area 2 involves an exchange of incorporated territory between the Cities of Carlsbad and San Marcos (totaling approximately 2.77-acres) consisting of three right-of-way areas along Rancho Santa Fe Road (Vicinity Map 3). The Cities have agreed to exchange the right-of-way areas to create more logical and orderly incorporated boundaries following a previous realignment of Rancho Santa Fe Road.

The affected right-of-way areas are designated on the attached vicinity map as Area 2A (approximately 0.52-acre); Area 2B (approximately 0.81-acre); and Area 2C (approximately 1.44-acres). Right-of-way Areas 2A and 2C are located within the City of Carlsbad and would be detached from Carlsbad and concurrently annexed to the City of San Marcos and the San Marcos FPD; right-of-way Area 2B is located within the City of San Marcos and would be detached from San Marcos and San Marcos FPD and concurrently annexed to Carlsbad.

The proposed annexation areas are not located within the sphere of influence of the respective annexing city; therefore, amendments to the affected city spheres to include the proposed annexation areas are required prior to or concurrently with the subject reorganization. LAFCO has adopted a Transitional (Zero) Sphere of Influence designation for the San Marcos FPD, therefore no amendment to the district's sphere is necessary as part of the proposed annexation.

Proposal Area 3

Proposal Area 3 includes approximately 2.83-acres of unincorporated San Elijo Road right-of-way territory proposed for annexation to the City of San Marcos and the San Marcos FPD (Vicinity Map 4). Proposal Area 3 is located within the adopted sphere of influence of the City of San Marcos and consists of an approximate 1.49-acre roadway segment of San Elijo Road, and five right-of-way parcels along San Elijo Road that cumulatively total approximately 1.35-acres: APNs 223-040-05, approximately 0.12-acre; 223-070-26, approximately 0.37-acre; 223-070-27, approximately 0.02-acre; 223-080-01, approximately 0.22-acre; and 223-080-47, approximately 0.61-acre).

The local San Elijo Road right-of-way is primarily within the incorporated territory of the City of San Marcos and the San Marcos FPD authorized service area; however, a previous realignment of the San Elijo Road right-of-way has resulted in a small segment of San Elijo Road being presently located within the unincorporated territory of the County of San Diego.

Annexation of the Proposal Area 3 territory to the City of San Marcos and the San Marcos FPD is intended to create more logical jurisdictional boundaries that will include all of the local San Elijo Road right-of-way within the City's incorporated territory and the FPD's authorized service area. LAFCO has adopted a Transitional (Zero) Sphere of Influence

designation for the San Marcos FPD, therefore no amendment to the district's sphere is necessary as part of the proposed annexation.

Annexation of the unincorporated roadway territory to the City of San Marcos would require concurrent detachments of the property from County Service Areas (CSA) No. 83 (San Dieguito Local Parks) and CSA No. 107 (Elfin Forest/Harmony Grove Volunteer Fire Department) as the City would assume responsibility for the provision of the respective services following reorganization.

Land Use

The proposed "San Marcos-Carlsbad Reorganization" territory that is presently located in the unincorporated area of the County of San Diego is governed by County General Plan designations and zoning, as well as the local unincorporated Community Plan.

The proposal area territory located within the incorporated boundaries of the Cities of Carlsbad and San Marcos are subject to the land use designations and zoning of the respective city. Each of the cities has adopted pre-zoning and General Plan designations for the proposed annexation areas in advance of the proposed reorganization. The following describes the existing and proposed land use and zoning designations for each of the three subject proposal areas:

Existing

County of San Diego General Plan:

Area 1: North County Metro Community Plan: Village Residential (VR-2; 2 du/ac) and Public/Semi-Public Facilities.

Area 3: San Dieguito Community Plan: SR-1 (Semi-Rural Residential; 1 du/ac) and Open Space (Conservation).

County of San Diego zoning:

Area 1: RR (Rural Residential; 2 du/ac; 0.5-acre minimum lot size) and RS (Single-Family Residential; 7.2 du/ac; 6,000 sq.ft. minimum lot size).

Area 3: RR (Rural Residential; 1 du/ac; 1-acre minimum lot size) and S80 (Open Space; 2-acre minimum lot size).

City of Carlsbad/City of San Marcos:

Area 2: Prime Arterial/Arterial Roadway; Public Road Right-of-Way.

Proposed

City of Carlsbad General Plan/ prezoning:

Area 2: Prime Arterial/Arterial Roadway.

City of San Marcos General Plan/prezoning:

Area 1: Agricultural Residential/Major Arterial Roadway Right-of-Way/Open Space.

Area 2: Public Road Right-of-Way/Light Industrial.

Area 3: Open Space.

Environmental Review

The City of San Marcos has adopted a Negative Declaration (ND) (ND10-807) that identifies and evaluates all potentially significant environmental impacts resulting from the proposed project. The City of San Marcos concluded that no potentially significant impacts had been identified and determined that the proposed project could not have a significant impact on the environment.

Property Tax Exchange

The County Board of Supervisors and the City of San Marcos have adopted a Master Property Tax Agreement (MPTA) that governs the exchange of property taxes between the County and the City for annexations of unincorporated territory. On October 22, 2014, the San Diego County Board of Supervisors adopted a negotiated property tax exchange agreement that will govern the exchange of any property taxes between the Cities of Carlsbad and San Marcos for the reorganization of their incorporated territory.

Conclusion/Recommendation

The “San Marcos–Carlsbad Reorganization” is supported by the Cities of Carlsbad and San Marcos and has 100% consent from all affected land owners. The City of San Marcos has adopted a Negative Declaration that certifies that no significant environmental impacts will result from the proposed reorganization. The reorganization territory proposed for annexation has been pre-zoned by the annexing city; is contiguous to the annexing city’s incorporated boundary; and will be entirely within the sphere of influence of the respective annexing city following proposed amendments to the sphere. Therefore, the subject “San Marcos–Carlsbad Reorganization” is recommended for approval by your Commission as submitted.

Executive Officer Recommendation

- (1) Find that the Commission, acting as a responsible agency, has considered the environmental effects of the project as shown in the attached negative declaration prepared by the City of San Marcos; and
- (2) Amend the sphere of influence of the City of Carlsbad and adopt the written Statement of Determinations as shown in Exhibit A; and
- (3) Amend the sphere of influence of the City of San Marcos and adopt the written Statement of Determinations as shown in Exhibit B; and
- (4) Approve the “San Marcos–Carlsbad Reorganization” involving: annexation of Area 1 to the City of San Marcos; detachment of Areas 2A and 2C from the City of Carlsbad with concurrent annexation to the City of San Marcos and the San Marcos Fire Protection District; detachment of Area 2B from the City of San Marcos and the San Marcos Fire Protection District with concurrent annexation to the City of Carlsbad; and, detachment of Proposal Area 3 from County Service Area (CSA) No. 83 (San Dieguito Local Parks) and CSA No. 107 (Elfin Forest/Harmony Grove Volunteer Fire Department) with concurrent annexation to the City of San Marcos

and the San Marcos Fire Protection District.

- (5) Adopt the form of resolution approving the sphere amendments and reorganization for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following conditions:

City of Carlsbad: None

City of San Marcos: Payment of State Board of Equalization charges.

San Marcos Fire Protection District: None

County Service Area No. 83 (San Dieguito): None

County Service Area No. 107 (Elfin Forest/Harmony Grove): None

Attachments

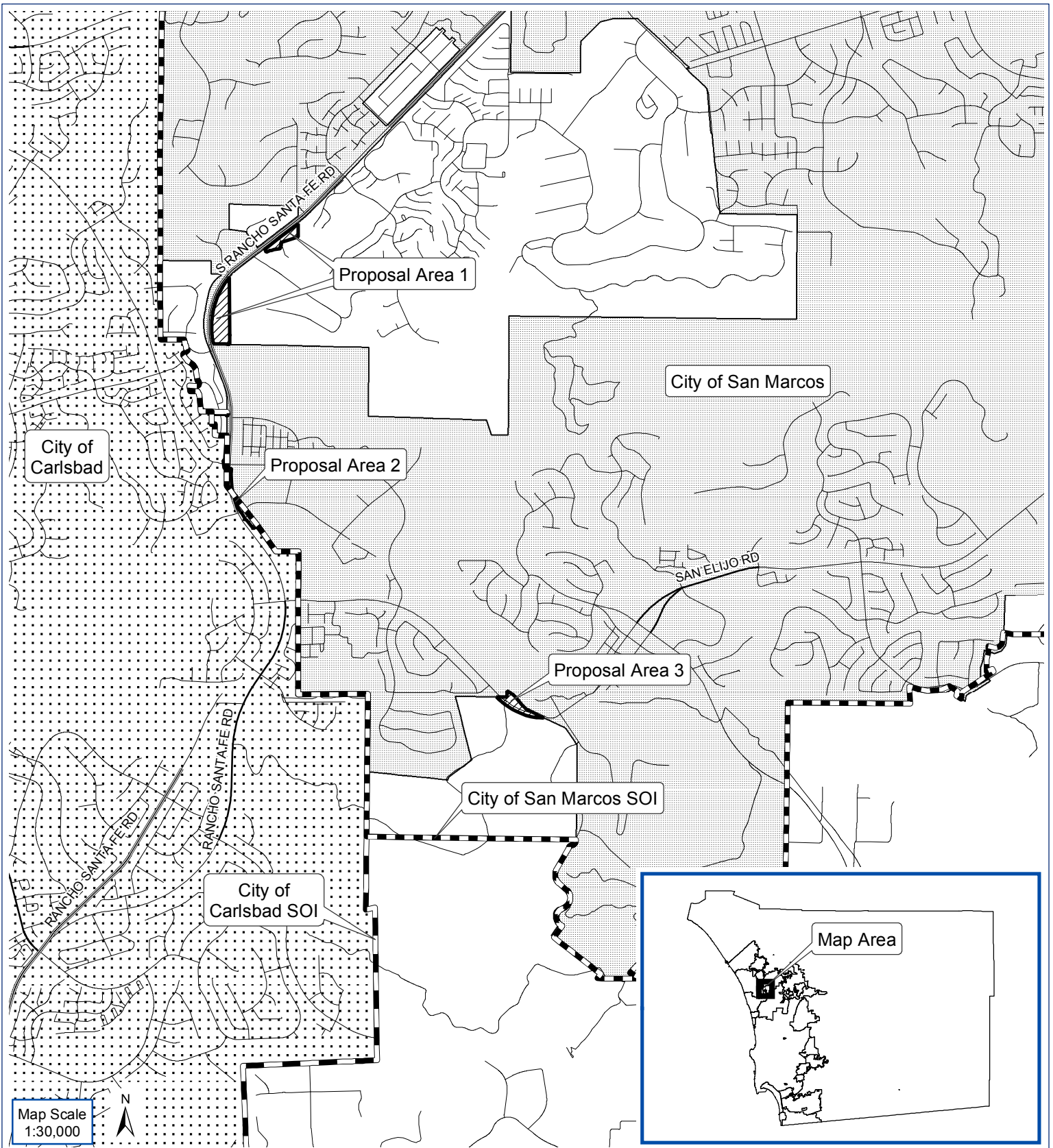
Vicinity Maps 1-4

Negative Declaration: City of San Marcos (ND 10-807)

Exhibit A: Statement of Determinations: City of Carlsbad






Exhibit B: Statement of Determinations: City of San Marcos

MDO:RB:trl



SA/RO13-48 PROPOSED "SAN MARCOS-CARLSBAD REORGANIZATION" (CITY OF SAN MARCOS)




MAP 1 of 4 OVERVIEW

-  Proposal Area
 -  City of Carlsbad
 -  City of Carlsbad SOI
 -  City of San Marcos
 -  City of San Marcos SOI
- SOI = Sphere of Influence

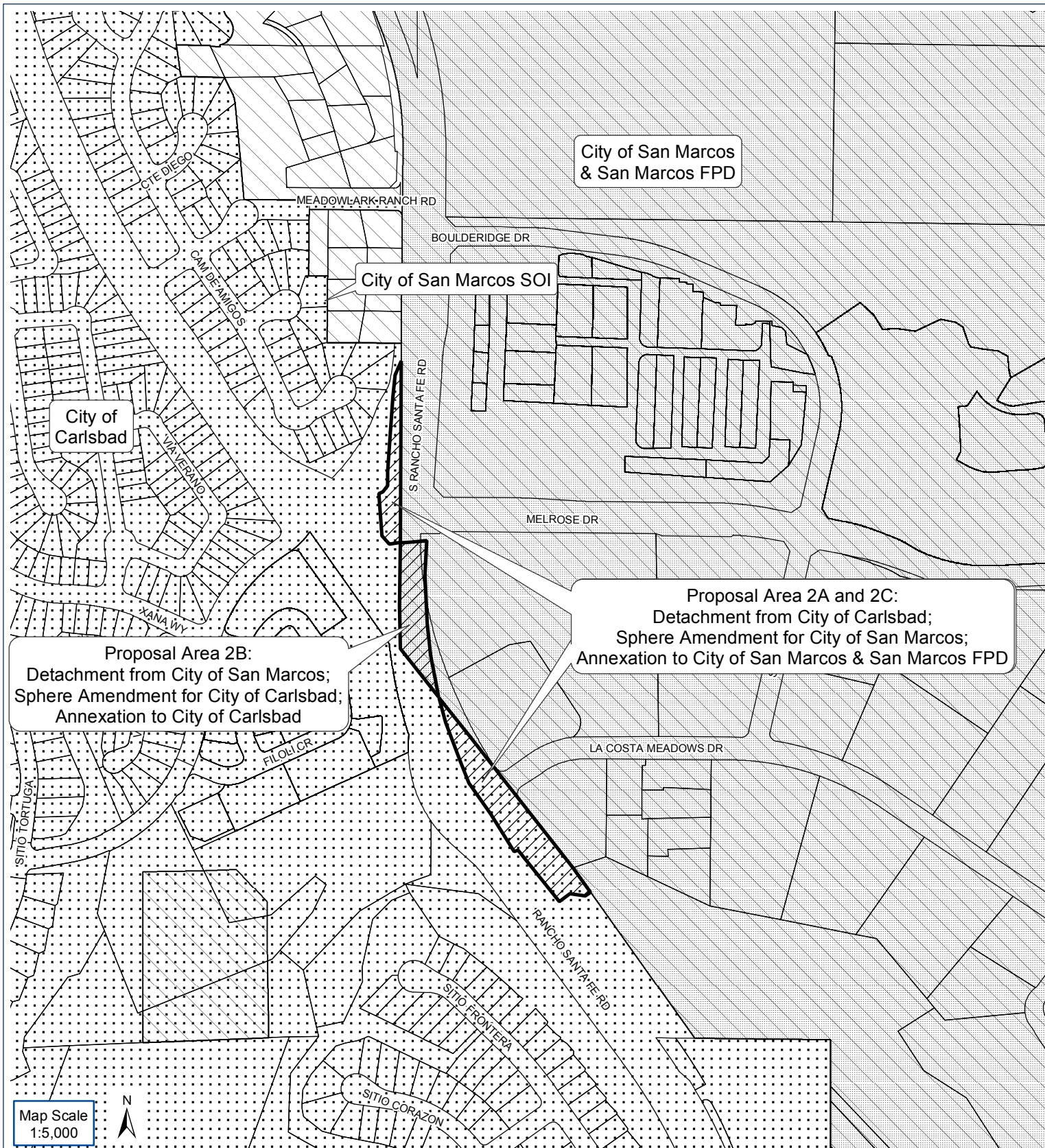


SA/RO13-48 PROPOSED "SAN MARCOS-CARLSBAD REORGANIZATION" (CITY OF SAN MARCOS)

MAP 2 of 4 PROPOSAL AREA 1: ANNEXATION TO THE CITY OF SAN MARCOS





-  Proposal Area 1
-  City of San Marcos
-  City of San Marcos SOI

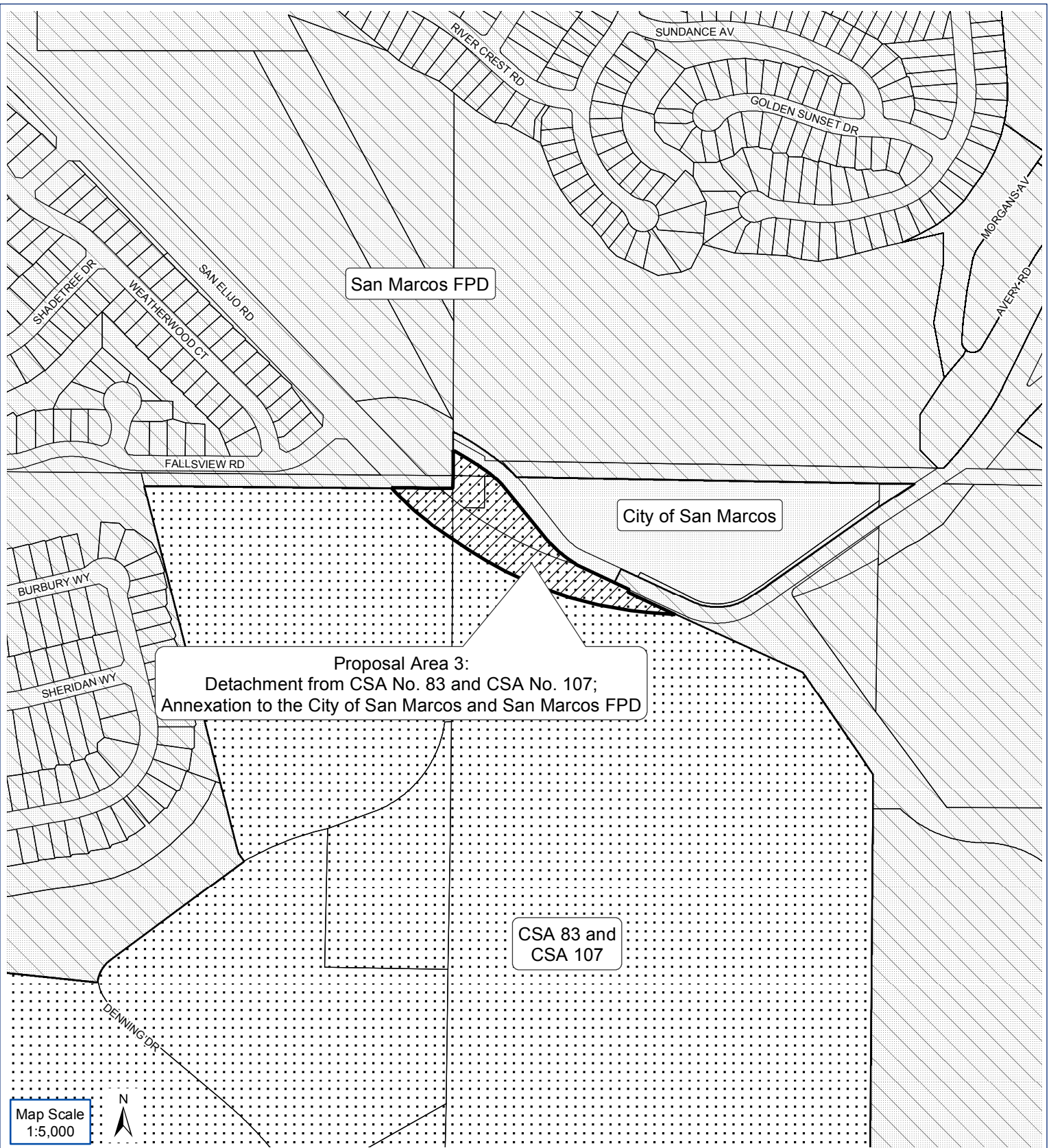
SOI = Sphere of Influence



SA/RO13-48 PROPOSED "SAN MARCOS-CARLSBAD REORGANIZATION" (CITY OF SAN MARCOS)

MAP 3 of 4 PROPOSAL AREA 2: RIGHT-OF-WAY EXCHANGE WITH CITY OF CARLSBAD, CITY OF SAN MARCOS & SAN MARCOS FPD

-  Proposal Area 2
-  City of Carlsbad
-  City of San Marcos
-  San Marcos FPD








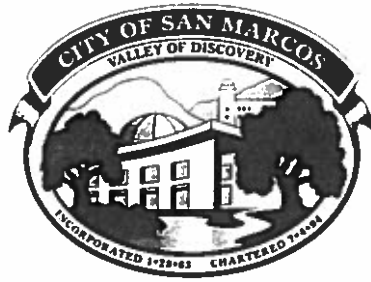
Map Scale
1:5,000



**SA/RO13-48 PROPOSED "SAN MARCOS-CARLSBAD REORGANIZATION"
(CITY OF SAN MARCOS)**

**MAP 4 of 4 PROPOSAL AREA 3: ANNEXATION TO THE CITY OF SAN MARCOS
AND SAN MARCOS FPD; DETACHMENT FROM CSA 83 AND CSA 107**

-  Proposal Area 3
-  City of San Marcos
-  San Marcos FPD
-  CSA No. 83
-  CSA No. 107



7A
7B
7C

Final Negative Declaration 10-807

Response to Comments and Errata

Prepared by Susan Vandrew Rodriguez

1/26/2011

SECTION A

INTRODUCTION TO THE FINAL MND

INTRODUCTION TO THE FINAL MND

1. Final MND Contents

The Final Mitigated Negative Declaration (MND) for the proposed Rancho Santa Fe Road (Project Area 1 and 2) and San Elijo Road (Project Area 3) Property Reorganization complies with all criteria, standards, and procedures of the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code, Section 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.). This document consists of the following sections:

Section A - Introduction to the Final MND: This section provides a description of the Final MND contents and process.

Section B - Responses to Comments on the Draft MND: This section provides the comment letters on the Draft MND that were received during and the 21-day public review period, as well as the City of San Marcos's (City) responses to each comment.

Section C - Errata: This section documents specific changes to the Draft MND that are to be considered part of the Final MND. This includes corrections to the information in the Draft MND to reflect the responses to comments in Section B of this document, as well as other corrections to the Draft MND, pursuant to Section 15088(c) of the CEQA Guidelines. Additional information provided in the responses to comments on the Draft MND is not reflected in the Errata to the Draft MND. Such additional information is part of the Final MND or Conditions of Approval, however, and will be considered in the decision-making process.

2. Overview of the MND Process

The 21-day public review period for the Draft MND extended from December 20, 2010 to January 10, 2011. The Draft MND was circulated to responsible and other agencies having jurisdiction by law over the environment affected by the proposed project. Simultaneously, notices of availability of the Draft MND were published in the local newspaper and sent to property owners within a 500 foot radius of the three project area sites. The Draft MND was available for review at the City of San Marcos City Hall at 1 Civic Center Drive, San Marcos, CA, 92069.

During and after the CEQA public review period, one (1) comment letter on the Draft MND was received from Mary Chesus and Selma Castanedo dated December 29, 2010. A copy of the letter, along with the City of San Marcos' written response is included in Section B of this Final MND.

The Final MND includes the responses to comments received during the public review period and Final MND Errata pages. The entire Final MND with response to comments

(RTC) and Errata is available for review at the City of San Marcos City Hall at 1 Civic Center Drive, San Marcos, CA, 92069. The City of San Marcos's City Council will subsequently consider whether to certify the Final MND as complete and in compliance with CEQA and must consider it in approving or denying the proposed project. If the project is approved, a Notice of Determination (NOD) shall be filed with the County Clerk's office. Public input is allowed at the City of San Marcos's Planning Commission and City Council public hearing, respectively, for consideration and certification of the Final MND. In the final review of the proposed project, environmental, economic and social factors will be considered to determine the most appropriate course of action.

SECTION B
RESPONSES TO PUBLIC COMMENTS

SECTION C

ERRATA



**CITY OF SAN MARCOS
NEGATIVE DECLARATION 10-807**

DATE: January 26, 2011
APPLICANT: City of San Marcos Planning Division

1. **PROJECT CASE NUMBER PROPOSED PROJECT:** PZ 10-20, PZ 10-21, PZ 10-22, GPA 10-108A, GPA 10-108B and GPA 10-108C
2. **LEAD AGENCY NAME AND ADDRESS:** City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069.
3. **CONTACT PERSON AND PHONE NUMBER:** Susan Vandrew Rodriguez, 760-744-1050 ext. 3237 or svandrew@san-marcos.net.
4. **PROJECT LOCATION:** The project consists of three project areas located within the western and southwestern areas of the City. The first area (Area 1) is an approximate 11.32acre City of San Marcos owned property consisting of mitigation open space and vacant land comprising four parcels located on the east side of Rancho Santa Fe Road at Via Allondra and south of Via Allondra. The second area (Area 2) is an approximately 2.39 acre area of road right-of-way located along Rancho Santa Fe Road (north of Melrose Drive to south of La Costa Meadows Drive), straddling the City boundaries of San Marcos and Carlsbad. The third area (Area 3) is an approximate 3.92 acre area located north of the San Elijo Road realignment, and including the segment of San Elijo Road located in the County. This roadway segment is between City segments on each side and located north of San Elijo Road between Old Creek Ranch Development, just east of Rancho Santa Fe Road, and San Elijo Hills Development. All three project areas are identified on Exhibit A –*Proposed Project Areas*.
5. **PROJECT SPONSOR'S NAME AND ADDRESS:** City of San Marcos Planning Division, City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069-2918.
6. **GENERAL PLAN DESIGNATION:**
Areas 1: Rural Residential (.125-1 du/acre) in San Marcos and Estate Residential (2, 4 du/acre) in the County of San Diego.
Area 2: Public road right-of-way in San Marcos, and Medium Density Residential and Medium-high Density Residential in Carlsbad.
Area 3: SPA (.125-1 du/acre) and Light Industrial in San Marcos and Residential/Estate Residential (2, 4 du/acre) in the County of San Diego.
7. **ZONING:**
Area 1: RS 1 (Residential) and RR 2 (Rural Residential) in the County of San Diego (no zoning in San Marcos, prezone proposed).
Area 2: Public road right-of-way, Agricultural Residential (A-1), and LM Light Industrial in San Marcos, and Single-family (R-1) and Planned Community (P-C) in Carlsbad.

Area 3: RR 2 (Rural Residential) and (Rural Residential) RR .5 in the County of San Diego (no zoning in San Marcos, prezone proposed).

8. DESCRIPTION OF PROJECT:

BACKGROUND:

Area 1: In 1998 the City approved the realignment and widening of approximately 5,000 linear feet of Rancho Santa Fe Road, including realignment of Calle Venado, and completed the construction in 2005. The realignment and widening of Rancho Santa Fe Road resulted in biological impacts for which for which the City provided upland mitigation on 8.51 acres east of Rancho Santa Fe Road and south of Via Allondra. The realignment also resulted in remaining land in the unincorporated County consisting of City of San Marcos road right-of-way and vacant land now owned by the City adjacent to the new alignment of Via Allondra and Calle Venado. The purpose of the proposed project is to add this area to the City of San Marcos, as 8.51 acres of this area is to remain as biological mitigation open space and 2.57 acres is to remain as Rural Residential (.125-1 du/acre) The Rural Residential General Plan density of .125-1 dwelling units per acre would allow up to two single-family detached homes on the 2.57 acres. The purpose of proposed project is to add this area to the City of San Marcos as 8.51 acres of biological mitigation open space, 2.57 acres is to remain as Rural Residential (.125-1 du/acre) and .24 acres is to be added to the City boundary as part of the Rancho Santa Fe Road realignment area. Area #1 is within the City of San Marcos Sphere of Influence.

Area 2: In 2003, the Cities of San Marcos and Carlsbad entered into an agreement for the construction of Rancho Santa Fe Road and adjustment to the common City boundary to four-lane major arterial standards. As per the agreement, the City of San Marcos is to process with the Local Agency Formation Commission the boundary changes between the two cities as that the road realignment cut across, and then back over, the jurisdictional boundaries of both cities. The purpose of the proposed project is to address each of the city's boundaries relative to the realigned road as agreed upon between the two cities, and to allow for minimal use of any of the remnant land that resulted from the road realignment which was not required for the road improvement.

Area 3: In 2006, the City of San Marcos realigned and widened 2,000 linear feet of an existing portion of San Elijo Road between the Old Creek Ranch Development, just east of Rancho Santa Fe Road and San Elijo Hills Development whereupon San Elijo Road terminates at the eastern boundary. The widening and realignment bisected County property just south of the City limit leaving a County area north of the new roadway alignment. New road right-of-way was acquired for the roadway and dedicated as easements to the City of San Marcos within the County jurisdiction. The new alignment is within the City of San Marcos jurisdictional boundary with exception of an approximately 1,000 feet of roadway referred to as the "County Dip" located within the County jurisdictional boundary. Five parcels remain in the County north of the new road alignment. The boundary adjustment would modify the City boundary to the south of the new road alignment which would therefore also annex the five open space parcels located north of the new alignment. The purpose of the proposed project is to annex the realigned section of San Marcos public road right-of-way within the County jurisdiction to the City to provide a cleaner jurisdictional boundary in the area. Area #3 is located within the City of San Marcos Sphere of Influence.

The proposed project consists of the following actions:

1. A General Plan Amendment to add .675 acres to the City of San Marcos public road right-of-way (previously City of Carlsbad public road right-of-way).
2. A General Plan Amendment to add 1.072 acres to a Light Industrial designation in the City of San Marcos (previously public right-of-way in the City of Carlsbad)
3. A General Plan Amendment in the City of Carlsbad to add .696 acres of public right-of-way to the City of Carlsbad (previously City of Carlsbad public right-of-way).
4. A General Plan Amendment to modify .971 acres from Light Industrial, 8.51 acres from Rural Residential (.125-1 du/acre) and .375 acres from Hillside Residential (.25-.50) to Open Space (OS); a change of 10.6 acres to Open Space (OS).
5. A Sphere of Influence Amendment, annexation, and Prezone of 1.072 acres from roadway right-of-way in the City of Carlsbad to Light Industrial (LM) in the City of San Marcos.
6. A Sphere of Influence Amendment, annexation, and Prezone of .696 acres from the City of San Marcos right-of-way to the City of Carlsbad right-of-way.
7. A vacation of 1.072 acres of public road right-of-way upon annexation to the City of San Marcos, and a lot line adjustment of said area to existing adjacent parcel numbers 223-030-62, 223-651-11, 223-030-95 and 223-030-46.
8. A 1.702 acre detachment from the jurisdictional boundary of the City of Carlsbad and annexation to the jurisdictional boundary of the City of San Marcos.
9. A .696 acre detachment from the City of San Marcos jurisdictional boundary and annexation to the City of Carlsbad jurisdictional boundary.
10. A 5.618 acre annexation to the City of San Marcos Fire Protection District.
11. A .696 acre detachment from the City of San Marcos Fire Protection District.
12. A 15.25 acre annexation to the City of San Marcos from the County of San Diego.
13. A .696 acre City of San Marcos Sphere of Influence Amendment and annexation to the City of Carlsbad Sphere of Influence.
14. A Prezone of 12.446 acres to SPA-Open Space OS (12.075 acres) and Open Space OS (.375 acres) in the City of San Marcos.
15. A 3.92 detachment from County Service Area 83 - San Dieguito Local Parks
16. A 3.92 detachment from County Service Area 107 - Elfin Forest Fire Department

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. . .

This Negative Declaration shall serve as environmental review to consider project impacts associated with the proposed actions for all three project areas.

9. SURROUNDING LAND USES AND SETTING:

Area 1: This project area is located just east of Rancho Santa Fe Road and is surrounded by low density residential to the south and east in the County, and medium residential to the north and west in the County and City of San Marcos, respectively. A non-inhabitable single-family home previously located on the 1.54 acre parcel (222-042-14) was demolished in 2006. This 1.54 acre parcel and the

other .96 acre remnant property (222-042-17 and 222-042-20) have remained vacant since 2006. The site is located in the Lake San Marcos Neighborhood of the San Marcos General Plan.

Area 2: This project area consists of a major arterial roadway located on the boundary of the cities of San Marcos and Carlsbad. The surrounding area is developed as multi-family residential to the northeast and an industrial park to the southeast in the City of San Marcos, and single-family residential to the west in the City of Carlsbad. The site is located in the Questhaven/La Costa Community in the San Marcos General Plan with a Rural Residential .125-1 du/acre designation.

Area 3: This project area includes a portion of the San Elijo Road, a four lane major arterial, and an older paved section of Questhaven Road that serves to provide access to San Diego Gas & Electric, San Elijo Hills and Center for Natural Lands Management properties. Vacant land designated as Hillside Residential (.25-.50 du/acre) and San Elijo Hills is located to the west and Specific Plan Land Use (.125-1 du/acre) is located to the north. A Light Industrial/Studio SPA is located to the east and a closed County landfill to the southeast of the site. The site is located in the Questhaven/La Costa Community in the San Marcos General Plan.

10. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g. PERMITS, FINANCING APPROVAL OR PARTICIPATION AGREEMENT): Approval by the City of Carlsbad (Responsible Agency) City Council to recommend the City jurisdictional boundary adjustment and Sphere Amendment between the cities of San Marcos and Carlsbad and the Local Agency Formation Commission (Responsible Agency) approval of all actions.

11. MITIGATION MEASURES: None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Utilities/Service Systems |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Land Use/Planning | |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature
Susan Vandrew Rodriguez
Printed Name

January 26, 2011
Date
Associate Planner
Title

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
I. AESTHETICS: <i>Would the proposal:</i>				
a) Have a substantial adverse effect on a scenic view?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. No significant impacts to the obstruction of any scenic vista, or view open to the public are anticipated from the proposed project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California <i>Agricultural Land Evaluation and Site Assessment Model (1997)</i> prepared by the California Dept. of conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the <i>Forest and Range Assessment Project</i> and the <i>Forest Legacy Assessment project</i> ; and <i>Forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</i> - <i>Would the project:</i>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project has not been used for agricultural purposes nor is the area designated as farmland or agricultural land. Therefore, the proposed project will not impact agricultural resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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III. AIR QUALITY. *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial | | | | |

number of people?

A majority of the project areas will not involve any physical change. Only Area 2 will result in the potential for some minor alteration of already disturbed and/or paved project area to use as landscape or hardscape as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary change in the City of San Marcos upon annexation of 1.027 acres to four separate parcels. This minor activity is not determined to be growth inducing, and the proposed project is not anticipated to generate an air quality impact.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES: Would *the project*:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special statue species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

A majority of the project areas will not involve any physical change. Only Area 2 will result in the potential for some minor alteration of already disturbed and/or paved project area to use as landscape or hardscape as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary change in the City of San Marcos upon annexation of 1.027 acres to four separate parcels. The proposed project will prezone the parcels in Areas 2 and 3 to open space and the existing open space on these parcels will remain as such. The proposed project is not anticipated to generate a biological resource impact.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES: Would *the proposal*:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. When the road projects were constructed in the project areas, all cultural resources impacts associated with the road realignment areas were mitigated. Any new minor improvements in Areas 1 or 2 upon annexation of property to San Marcos will occur in already developed and disturbed areas previously used for roadways and a single-family residence. Therefore the proposed project is not anticipated to generate a cultural resource impact.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS: Would *the project*:

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|--|--|--|--|--|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
|--|--|--|--|--|

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems - where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Any new minor improvements would be subject to compliance with the City Grading Ordinance as a matter of course. This compliance will ensure that any new hardscape/landscape activity that could result from proposed project would potentially result in a less than significant impact to soils and geology.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS -- *Would the project:*

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. This minor activity is not determined to be growth inducing, and the proposed project is not anticipated to generate a greenhouse gas emissions impact.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use of Disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency				

evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. When the road projects were constructed in the project areas, all cultural resources impacts associated with the road realignment areas were mitigated. Any minor improvements activities that could result in Areas 1 or 2 upon annexation of property to San Marcos will occur in already developed and disturbed areas previously used for roadways or as a low density single family residence.

would be subject to compliance with all City and County Codes as a matter of course. This compliance will ensure that any improvements that could result from the proposed project would potentially result in a less than significant impact to hazards and hazardous materials.

Significant Mitigated	Potentially Potentially Unless Impact	Less Significant Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY . *Would the project:*

a) Violate any water quality standards or waste discharge requirements?

b) Have a potentially significant adverse impact on groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses?

c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site (e.g. downstream)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on-or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Result in increased impervious surfaces and associated increased runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Result in significant alteration of receiving water quality during or following construction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k) Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list. If so, can it result in an increase in any pollutant for which the water body is already impaired? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l) Be tributary to environmentally sensitive areas (e.g. MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters? | | | | |

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| n) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| p) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| q) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| r) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. A new residence in Area 1 or minor hardscape/landscape activities that could result in Area 2 upon annexation of property to San Marcos will occur in already developed and disturbed areas previously used for roadways or as a residence. Any old road pavement removal and disposal and new hardscape/ landscape installation that could result from Area 1 or 2 improvements would be subject to compliance with the City Stormwater MS-4 Permit. Water flow will not be permitted to be diverted or redirected as a result of any hardscape/landscape improvement. Any new hardscape/landscape is anticipated to create a nominal change in the overall surface water flow, and all flow from Area 2 to the City storm drain system would be subject to stormwater compliance. Therefore, the proposed project would potentially result in a less than significant impact to hydrology and water quality.

Potentially Significant Mitigated	Potentially Significant Unless impact	Less Than Significant Impact	No Impact
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X. LAND USE AND PLANNING. *Would the project:*

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating | | | | |

an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The existing project areas General Plan Designation are Public road right-of way, Rural Residential (.125-1 du/acre), and Light Industrial in San Marcos, and Medium Density Residential and Medium-high Density Residential in Carlsbad. The existing zoning is Public road right-of-way and LM Light Industrial in San Marcos and R-1 Single-family and P-C Planned Community in Carlsbad.

1. A General Plan Amendment to add .675 acres to the City of San Marcos public road right-of-way (previously City of Carlsbad public road right-of-way).
2. A General Plan Amendment to add 1.072 acres to a Light Industrial designation in the City of San Marcos (previously public right-of-way in the City of Carlsbad)
3. A General Plan Amendment in the City of Carlsbad to add .696 acres of public right-of-way to the City of Carlsbad (previously City of Carlsbad public right-of-way).
4. A General Plan Amendment to modify .971 acres from Light Industrial and 8.51 acres from Rural Residential (.125-1 du/acre) to Open Space (OS) and .375 acres from SPA .125-1 du/acre to SPA (OS); a change of 10.6acres to Open Space (OS).
5. A Sphere of Influence Amendment, annexation, and Prezone of 1.072 acres from roadway right-of-way in the City of Carlsbad to Light Industrial (LM) in the City of San Marcos.
6. A Sphere of Influence Amendment, annexation, and Prezone of .696 acres from the City of San Marcos right-of-way to the City of Carlsbad right-of-way.
7. A vacation of 1.072 acres of public road right-of-way upon annexation to the City of San Marcos, and a lot line adjustment of said area to existing adjacent parcel numbers 223-030-62, 223-651-11, 223-030-95 and 223-030-46.
8. A 1.702acre detachment from the jurisdictional boundary of the City of Carlsbad and annexation to the jurisdictional boundary of the City of San Marcos.
9. A .696 acre detachment from the City of San Marcos jurisdictional boundary and annexation to the City of Carlsbad jurisdictional boundary.
10. A 5.618 acre annexation to the City of San Marcos Fire Protection District.
11. A .696 acre detachment from the City of San Marcos Fire Protection District.
12. A 15.25acre annexation to the City of San Marcos from the County of San Diego.
13. A .696 acre City of San Marcos Sphere of Influence Amendment and annexation to the City of Carlsbad Sphere of Influence.
14. A Prezone of 12.446 acres to SPA-Open Space OS (12.075 acres) and Open Space OS (.375 acres) in the City of San Marcos.
15. A 3.92 detachment from County Service Area 83 - San Dieguito Local Parks
16. A 3.92 detachment from County Service Area 107 - Elfin Forest Fire Department

Area 1: This project area is located just east of Rancho Santa Fe Road and is surrounded by low density residential to the south and east in the County, and medium residential to the north and west in the County and City of San Marcos, respectively.

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished

home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2.

Area 1: The realignment and widening of Rancho Santa Fe Road resulted in biological impacts for which the City provided a 8.51 acre parcel for upland mitigation east of Rancho Santa Fe Road north and south of Via Allondra/Calle Venado. The realignment also resulted in remaining land in the unincorporated County consisting of City of San Marcos road right-of-way and vacant land now owned by the City adjacent to the new alignment of Via Allondra and Calle Venado. A non-inhabitable single-family home previously located on the 1.54 acre parcel (222-042-14) was demolished in 2006. This 1.54 acre parcel and the other .96 acre remnant property (222-042-17 and 222-042-20) have remained vacant since 2006. The purpose of the proposed project is to add 8.51 areas of biological mitigation open space, .24 acres of dedicated roadway (Rancho Santa Fe Road realignment area), and 2.57 acres remaining as Rural Residential (.125-1 du/acre) consistent with the surrounding area, to the City jurisdictional boundary. Area #1 is within the City of San Marcos Sphere of Influence.

Area 2: This project area consists of a six lane major arterial roadway located on the boundary of the cities of San Marcos and Carlsbad. The surrounding area is developed as multi-family residential to the northeast and an industrial park to the southeast in the City of San Marcos and single-family residential to the west in the City of Carlsbad.

The road realignment resulted in the bifurcation of road right-of-way on each side of the road realignment of jurisdictional boundary areas of both cities. The purpose of the proposed project is to address these bifurcations of the either city's boundaries as agreed upon between the two cities. The proposed project actions will serve to address clean-up both the jurisdictional boundaries of both the cities of Carlsbad and San Marcos with a less than significant impact to the Zoning and General Plan of each City and the surrounding land uses. The land that will be swapped may be used as hardscape or landscape of existing Light Industrial uses east of Rancho Santa Fe Road upon vacation of the roadway. A lot line adjustment can then be processed for four parcels east of Rancho Santa Fe Road that will be able to add land area from the vacated area to each parcel. The project area will involve a Sphere Amendment between the two cities. This change however will not result in a significant change to each cities boundary, and no residences are impacted. The proposed boundary change between the cities will not generate a significant land use impact, and will not conflict with any existing plans for either City.

Area 3: This project area includes a portion of the San Elijo Road, a four lane major arterial, and an older paved section of Questhaven Road that serves to provide access to San Diego Gas & Electric, San Elijo Hills and Center for Natural Lands Management properties. San Elijo Hills is located to the north and west of the site, with open space directly to the north and the closed County landfill to the southeast of the site.

New road right-of-way was acquired for the roadway and dedicated as easements to the City of San Marcos within the County jurisdiction. The new alignment is within the City of San Marcos jurisdictional boundary with exception of feet of roadway referred to as the "County Dip" located within the County. Five parcels remain in the County north of the new road alignment. The boundary adjustment would modify the City boundary to the south of the new road alignment which would therefore also annex the five open space parcels located north of the new alignment. The purpose of the proposed project is to annex the realigned section of San Marcos public road right-of-way thereby

establishing a cleaner jurisdictional boundary in the area. In addition, the Annexation, General Plan Amendment, and Prezone will serve to designate and zone the project area as the existing use of the land as open space. Area #3 is located within the City of San Marcos Sphere of Influence.

The change to Area 2 will serve to clean-up jurisdictional boundaries as agreed upon between the cities of Carlsbad and San Marcos and allow for some potential use of land no longer needed for right-of-way to provide landscape or hardscape in support of adjacent light industrial uses. The City of San Marcos boundary being modified in Area 1 and 3 will serve to designate current open space as such in the San Marcos General Plan and remain compatible with surrounding open space and low density residential land uses in both Areas 1 and 3. These areas are also not known to be located within an existing or proposed County preserve area.

The proposal will serve the overall purpose of the project as outlined herein and also allow for land use compatibility with the City of San Marcos General Plan, and provide for jurisdictional authority by the City of San Marcos of the three project areas.

	Significant Mitigated	Potentially Potentially Unless Impact	Less Significant Than Impact	No Impact
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XI. MINERAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

There are no known mineral resources on the site and no new physical development is proposed by the project. Therefore, the proposed project will not have a significant effect on any known mineral resources.

	Significant Mitigated	Potentially Potentially Unless Impact	Less Significant Than Impact	No Impact
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XII. NOISE. Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. Any construction activity associated with the construction of a new home, new hardscape/ landscape installation that could result from in Areas 1 and 2 would be subject to compliance with all Noise City and County Codes as a matter of course.

Specifically, some short-term construction noise impacts may occur to nearby residents. Construction activity will be required to occur during the hours of 7:00am to 6:00pm Monday through Friday and on Saturday from 8:00 AM to 5:00 PM; no work shall be allowed on Sundays and Holidays observed by the City. Also the contractor will be required to use only such equipment on the work and in such state of repair, that the emission of sound there from is within the noise tolerance of that equipment, as established by accepted standards of the industry. The noise control measures during construction will lesson impacts to a level below significant.

This compliance will ensure that any new hardscape/landscape activity that could result from the proposed project would potentially result in a less than significant impact to hazards and hazardous materials.

Potentially Significant Mitigated	Potentially Significant Unless Impact	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing | | | | |

elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project will not include the construction or demolition of any existing housing, thereby not displacing any existing residents, and is therefore not anticipated to result in impacts to population and housing.

Potentially Significant Mitigated	Potentially Significant Unless Impact	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES:

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objective for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. Therefore, no impact to public services is anticipated to result from the proposed project.

The proposed project will include:

1. A 5.618 acre annexation to the City of San Marcos Fire Protection District.
2. A .696 acre detachment from the City of San Marcos Fire Protection District.
3. A 3.92detachment from County Service Area 83 - San Dieguito Local Parks
4. A 3.92 detachment from County Service Area 107 - Elfin Forest Fire Department

Through a mutual aid agreement, the City of San Marcos Fire Protection District currently provides service to the project area. In addition, the project area is already surrounded by area served by the San Marcos Fire Protection District. This said the modification to the SMFPD to add the three acres will not impact service levels. The closet station to each area is in the City of San Marcos on Rancho Santa Fe Road. There are City of San Marcos park and recreational faculties in close proximity to the project areas. Removal of Area 3 from the CSA 83 and 107 are not anticipated to significantly impact parks or fire protection services to these areas already adjacent to the City of San Marcos, and serve by proximity and a mutual aid agreement.

	Significant Mitigated	Potentially Potentially Unless Impact	Less Significant Than Significant Impact	No Impact
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XV. RECREATION:

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

	Significant Mitigated	Potentially Potentially Unless Impact	Less Significant Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC: *Would the project:*

- a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. No negative impact is anticipated to parking from the proposed project.

	Potentially Significant Mitigated	Potentially Significant Unless Impact	Less Than Significant Impact	No Impact
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XVII. UTILITIES AND SERVICE SYSTEMS: Would the project

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project | | | | |

that it has adequate capacity to serve the projects projected demand in addition to the providers' existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.57 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits as well as Zoning Ordinance and Subdivision Ordinance compliance to determine the ultimate unit number on Area 1; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary changes in the City of San Marcos upon annexation of 1.027 acres to four separate parcels on Area 2. A new low density single-family home and minor hardscape/landscape activities that could result in Areas 1 or 2 upon annexation of property to San Marcos will occur in already developed and disturbed areas previously used for roadways and would provide only accessory infrastructure to existing buildings. Therefore, no impact to utilities is anticipated to result from the proposed project.

Potentially Significant Mitigated	Potentially Significant Unless Impact	Less Than Significant Impact	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The project is not known to contain any sensitive biological or cultural resources, the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?

The project does not have impacts that are individually limited, but cumulatively considerable, as the project site will involve an upgrade of an existing roadway segment. The Negative Declaration analysis identifies only less than significant impacts that could result from the project, and no mitigation is proposed therefore the project is not cumulatively considerable.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The project impacts are all less than significant and do not warrant mitigation and will not cause substantial adverse effects on human beings, either directly or indirectly.

**RECOMMENDED STATEMENT OF DETERMINATIONS
PROPOSED AMENDMENT TO THE COTERMINOUS SPHERE OF INFLUENCE
FOR THE CITY OF CARLSBAD**

“San Marcos-Carlsbad Reorganization” (SA13-48(a); RO13-48)

The following statement of determinations is prepared pursuant to Section 56425 of the Government Code for designation of the area shown on the attached map as an amendment to the coterminous sphere of influence for the City of Carlsbad.

- (1) The present and planned land uses in the area, including agricultural and open space lands.

The proposed sphere amendment will allow for the reorganization of one right-of-way area involving detachment from the City of San Marcos and the San Marcos Fire Protection District (FPD) and annexation to the City of Carlsbad. The Cities have agreed to exchange the subject right-of-way area to create more logical and orderly incorporated boundaries following a previous realignment of Rancho Santa Fe Road. The present City of San Marcos General Plan designation for the subject territory is Public Road Right-of-Way; the City of Carlsbad has adopted General Plan and zoning designations for the sphere amendment area as Prime Arterial/Arterial Roadway.

- (2) The present and probable need for public facilities and services in the area.

The proposed sphere amendment and reorganization of right-of-way territory will create more logical and orderly incorporated boundaries between the City of Carlsbad and the City of San Marcos following a previous realignment of Rancho Santa Fe Road. The proposed reorganization is not anticipated to affect the probable need for public facilities and services in the area.

- (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The City of Carlsbad provides a number of municipal services within its incorporated territory, including fire protection, parks and recreation, land use planning and development, police, street maintenance, trash and solid waste, and stormwater collection. Sewer and water services are provided to approximately 85% of the City of Carlsbad by the Carlsbad Municipal Water District (MWD), which is a dependent special district governed by the Carlsbad City Council. The remaining incorporated territory of the City of Carlsbad receive sewer and/or water services from independent special districts such as the Leucadia Wastewater District (WWD); Olivenhain MWD; or Vallecitos Water District (WD) within their respective service areas. In 2008, LAFCO determined that the City of Carlsbad was adequately providing its municipal services and the City’s coterminous sphere of influence was reaffirmed.

- (4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

Social and economic communities of interest are not relevant in considering this sphere amendment.

- (5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The proposed sphere amendment and reorganization does not involve an update to the sphere of influence for City of Carlsbad, therefore the determination does not apply. Refer to the SB244 Local Agency Matrix approved by the San Diego Local Agency Formation Commission on March 4, 2013 for the status of disadvantaged unincorporated communities and the City of Carlsbad.

**RECOMMENDED STATEMENT OF DETERMINATIONS
PROPOSED AMENDMENT TO THE COTERMINOUS SPHERE OF INFLUENCE
FOR THE CITY OF SAN MARCOS**

“San Marcos-Carlsbad Reorganization” (SA13-48(b); RO13-48)

The following statement of determinations is prepared pursuant to Section 56425 of the Government Code for designation of the area shown on the attached map as an amendment to the coterminous sphere of influence for the City of San Marcos.

- (1) The present and planned land uses in the area, including agricultural and open space lands.

The proposed sphere amendment will allow for the reorganization of two right-of-way areas between the City of Carlsbad and the City of San Marcos. The subject sphere amendment areas are proposed for detachment from the City of Carlsbad and annexation to the City of San Marcos and the San Marcos Fire Protection District (FPD). The Cities have agreed to exchange the subject right-of-way area to create more logical and orderly incorporated boundaries following a previous realignment of Rancho Santa Fe Road. The present City of Carlsbad General Plan designation for the sphere amendment territory is Prime Arterial/Arterial Roadway; the City of San Marcos has adopted General Plan and zoning designations for the proposal area as Public Road Right-of-Way/Light Industrial.

- (2) The present and probable need for public facilities and services in the area.

The proposed sphere amendment and reorganization of right-of-way territory will create more logical and orderly incorporated boundaries between the City of Carlsbad and the City of San Marcos following a previous realignment of Rancho Santa Fe Road. The proposed reorganization is not anticipated to affect the probable need for public facilities and services in the area.

- (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The City of San Marcos provides a number of municipal services within its incorporated territory, including fire protection, parks and recreation, and land use planning and development services. Police, sewer, and water services within the City of San Marcos are provided by independent special districts within their respective authorized service areas or by contractual agreement with other local jurisdictions. In 2008, LAFCO determined that the City of San Marcos was adequately providing its municipal services and the City’s coterminous sphere of influence was reaffirmed.

- (4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

Social and economic communities of interest are not relevant in considering this sphere amendment.

- (5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The proposed sphere amendment and reorganization does not involve an update to the sphere of influence for City of San Marcos, therefore the determination does not apply. Refer to the SB244 Local Agency Matrix approved by the San Diego Local Agency Formation Commission on March 4, 2013 for the status of disadvantaged unincorporated communities and the City of San Marcos.