



ENVIRONMENTAL  
JUSTICE  
ELEMENT

PUBLIC DRAFT

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# ENVIRONMENTAL JUSTICE

## 9.1 Introduction

Senate Bill 1000 (SB 1000), the Planning for Healthy Communities Act, was signed into law by Governor Jerry Brown on September 24, 2016, mandating that cities and counties with disadvantaged communities (defined on the following page) adopt an environmental justice (EJ) element or integrate EJ goals, objectives, and policies into other elements of their General Plans, with the intent to create healthier cities and counties by protecting sensitive land uses and prioritizing the needs of disadvantaged communities. While the City of San Marcos does not have any disadvantaged communities within its Planning Area and is therefore not required to prepare an EJ element, the City is committed to addressing these topics and has prepared this EJ element to support the long-term needs of our community's most vulnerable populations.

Low-income residents, communities of color, indigenous peoples and tribal nations, and immigrant communities have disproportionately experienced some of the greatest environmental burdens and related health problems throughout our region. This inequity is the result of many factors: zoning and land use planning practices, intersecting structural inequalities, failure to enforce proper zoning or conduct regular inspections, deed restrictions and other discriminatory housing and lending practices, limited political and economic power among certain demographics, competing priorities of business interests and public health, development patterns that tend to concentrate pollution and environmental hazards in certain communities, and the placement of economic and environmental benefits in areas outside of environmentally burdened communities. Working with community stakeholder and regional partners, the City of San Marcos looks forward to promoting a more equitable, safe, and healthy lifestyle for all residents.

### Element Organization

This Environmental Justice Element addresses the following priorities:

1. Reduce Pollution Exposure and Improve Air Quality
2. Promote Access to Public Facilities
3. Healthy Food Access
4. Safe and Sanitary Homes
5. Promote Physical Activity
6. Promote Civil Engagement

The San Marcos General Plan addresses all of these topics within the context of other Elements, especially in the Land Use and Community Design, Mobility, Conservation and Open Space, Parks, Recreation and Community Health, and Housing Elements. This Environmental Justice Element serves to highlight those existing policies contained in other Elements as they relate to environmental justice by duplicating them here, within the priority areas identified above. In addition, new policies have been included to supplement the City's existing policy direction. New policies are included first under each priority area, followed by relevant policies from other General Plan Elements along with a reference to that policy's original location. By presenting the Environmental Justice Element in this way, the City seeks to further demonstrate the deep connections between these important priorities and other City goals, priorities, programs, and objectives. As illustrated throughout this Environmental Justice Element (and the General Plan, more broadly) the City of San Marcos values its role in promoting environmental justice for current and future residents.

**A Disadvantaged Community (DAC)** is "An area identified by the California Environmental Protection Agency (CalEPA) pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation."

At the time of this Element's adoption, there are no DACs within the San Marcos Planning Area. This determination will be regularly evaluated and updated, as necessary. More information is available in the *Environmental Justice Element Background Report*.

### 1. Reduce Pollution Exposure and Improve Air Quality

Pollution exposure occurs when people come into direct contact with air, food, water, and soil contaminants and is often the result of incompatible land uses sited adjacent to each other. Sensitive populations (such as children, the elderly, and those with compromised immune systems) and sensitive land uses are the most susceptible to pollution exposure. Pollution can come from many sources including storage tanks leaking hazardous chemicals into soil and groundwater, agricultural land uses applying pesticides, mobile sources such as vehicles emitting exhaust, and stationary sources such as diesel engines emitting exhaust.

#### Goal EJ-1

*Reduce greenhouse gas emissions, enhance air quality, and reduce impacts associated with climate change.*

- Policy EJ-1.1      Ensure that adjacent land uses complement one another by considering compatibility of activities, development patterns and architectural character elements and access to various mobility choices. (See Policy LU-1.1)
- Policy EJ-1.2      Diversify land uses by providing mixed use land uses in strategic locations within the City that place housing adjacent to employment. (See Policy LU-1.3)
- Policy EJ-1.3      Promote compact development patterns that reduce air pollution and automobile dependence and facilitate walking, bicycling, and transit use. (See Policy LU-2.1)
- Policy EJ-1.4      Encourage retrofits of existing buildings to promote energy efficiency and indoor air quality. (See Policy LU-2.4)
- Policy EJ-1.5      Promote the instillation of trees to reduce the urban heat-island effect and green infrastructure to reduce storm water runoff. (See Policy LU-2.7)
- Policy EJ-1.6      Require new developments to prepare and implement Transportation Demand Management (TDM) programs to minimize vehicle trip generation and promote alternative modes of travel within the City. (See Policy M-1.3)
- Policy EJ-1.7      Consider roundabouts, as appropriate, as an intersection control device with demonstrated air quality, traffic efficiency, and safety benefits. (See Policy M-2.3)
- Policy EJ-1.8      Develop an integrated, multimodal circulation system that accommodates transit, bicycles, pedestrians, and vehicles; provides opportunities

- to reduce air pollution and greenhouse gas emissions; and reinforces the role of the street as a public space that unites the City. (See Policy M-3.1)
- Policy EJ-1.9 Continue to work with the U.S. Environmental Protection Agency (EPA), California Air Resources Board, SANDAG, and the San Diego Air Pollution Control District (SDAPCD) to meet State and federal ambient air quality standards. (See Policy COS-4.1)
- Policy EJ-1.10 Require new sensitive-use development, such as schools, day care centers and hospitals, located near mobile and stationary toxic air contaminants be designed with consideration of site and building orientation, location of trees, and incorporation of appropriate technology (i.e., ventilation and filtration) for improved air quality to lessen any potential health risks. (See Policy COS-4.2)
- Policy EJ-1.11 Participate in regional efforts to reduce greenhouse gas emissions. (See Policy COS-4.3)
- Policy EJ-1.12 Quantify community-wide and municipal greenhouse gas (GHG) emissions, set a reduction goal, identify and implement measures to reduce greenhouse gas emissions as required by governing legislation. (See Policy COS-4.4)
- Policy EJ-1.13 Encourage energy conservation and the use of alternative energy sources within the community. (See Policy COS-4.5)
- Policy EJ-1.14 Promote efficient use of energy and conservation of available resources in the design, construction, maintenance and operation of public and private facilities, infrastructure and equipment. (See Policy COS-4.6)
- Policy EJ-1.15 Encourage and support the generation, transmission and use of renewable energy. (See Policy COS-4.8)
- Policy EJ-1.16 Support water conservation efforts to reduce energy consumption resulting from transport and treatment of water from outside the region. (See Policy COS-5.2)
- Policy EJ-1.17 Identify pollutants of concern in each subwatershed for groundwater and surface water. (See Policy COS-8.1)
- Policy EJ-1.18 Work with regulatory agencies and other parties to ensure that pollutant sources in

- subwatersheds to surface water and groundwater are re-assigned to the appropriate regulatory process (air, waste, water). (See Policy COS-8.2)
- Policy EJ-1.19 Promote public policy that reduces pollutants of concern in subwatersheds, surface water and groundwater through source pollutant replacement, substitution, or application. (See Policy COS-8.3)
- Policy EJ-1.20 Establish watershed-based educational programs for residents and business owners to reduce and prevent pollutants from entering the surface water and groundwater through the watershed and City's storm drain system. (See Policy COS-9.3)
- Policy EJ-1.21 Require areas of known or suspected contamination to be assessed prior to reuse or redevelopment. Plan for reuse of contaminated areas in a manner that is compatible with the nature of the contamination and subsequent remediation efforts. (See Policy S-4.2)
- Policy EJ-1.22 Require that land uses using hazardous materials be located and designed to ensure sensitive uses, such as schools, hospitals, day care centers, and residential neighborhoods, are protected. (See Policy S-4.3)
- Policy EJ-1.23 Avoid locating sensitive uses near established hazardous materials users or industrial areas where incompatibilities would result, except in cases where appropriate safeguards have been developed and implemented. (See Policy S-4.4)

## 2. Promote Access to Public Facilities

The adequate provision of public facilities is a critical component to the current and future prosperity of a community. Under state law (SB 1000), “public facilities” is an umbrella term that includes “public improvements, public services, and community amenities”. This covers a wide spectrum of publicly provided uses and services including infrastructure, school facilities, parks, and transportation and emergency services. These amenities and services act to improve the health, safety, and well-being of a community by either enhancing the public sphere or providing services that are available to every resident.

### Goal EJ-2

***Locate public facilities and services equitably throughout the community.***

- Policy EJ-2.1      Ensure that emergency preparedness and disaster response programs serve all parts of the City and are accessible to communities speaking languages other than English.
- Policy EJ-2.2      Coordinate with partner agencies and neighboring jurisdictions that provide public facilities and services within the City to ensure effective, efficient, and equitable service delivery.
- Policy EJ-2.3      Encourage local transit providers to establish and maintain routes and services that provide the community with convenient access to jobs, shopping, schools, parks, and healthcare facilities, where feasible.
- Policy EJ-2.4      Evaluate City facilities for health hazards or major sources of contamination and create a plan to address any contamination or health hazards identified.
- Policy EJ-2.5      Expand and improve City facilities and buildings as needed to meet the community’s needs, based on regular monitoring and evaluation of their condition and the needs of the community. (See Policy LU-9.1)
- Policy EJ-2.6      Develop and maintain a complete system of public parks and recreational amenities that provide opportunities for passive and active recreation at a minimum standard of 5 acres per 1,000 residents. Parks, trails and recreational facilities will enhance community livability, public health, and safety; should be equitably distributed throughout the City; and be responsive to the needs and interests of residents, employees, and visitors. (See Policy PR-1.1)
- Policy EJ-2.7      Ensure that the development of parks, trails, and



- recreation facilities and services keeps pace with development and growth within the City. (See Policy PR-1.3)
- Policy EJ-2.8 Provide programs at City-owned facilities for people of diverse cultures, backgrounds, ages, gender, interests, languages, lifestyles, abilities, and socioeconomic status. (See Policy PR-2.1)
- Policy EJ-2.9 Accommodate new health care facilities (e.g. medical clinics, doctors offices, emergency care facilities, hospitals) to allow for equitable access to primary and emergency health care and medical services. (See Policy PR-2.6)
- Policy EJ-2.10 Work to improve connectivity within the City by closing gaps in the existing bicycle, pedestrian, trail, transit, and roadway network. Work with new development to provide connectivity and redundancy in the mobility network. (See Policy M-1.6)
- Policy EJ-2.11 Strive to ensure that streets within San Marcos shall be complete streets where feasible; thereby providing accessibility, safety, connectivity, and comfort for all modes and users of the system. Appropriate new local streets and Main Streets will prioritize pedestrian and bicycle users through the corridor. (See Policy M-1.7)

### 3. Healthy Food Access

Food plays a critical role in the health of a community. Therefore, it is essential that all residents have access to food that is healthy, affordable, and culturally appropriate. Disadvantaged populations may face constraints related to accessibility to nutritional food, and this lack of accessibility has a direct impact on personal health and well-being. Food access is not only associated with the physical accessibility of affordable and culturally appropriate food, but also with food security, defined as access by all people at all times to enough food for an active, healthy life. Food security includes the availability of nutritionally adequate and safe foods as well as the ability to acquire foods.

#### Goal EJ-3

*Promote access to healthy food and nutritional choices.*

- Policy EJ-3.1 Provide healthy food and beverage options at City facilities and City-sponsored events, if feasible.
- Policy EJ-3.2 Review, and revise when necessary, City regulations to provide a hospitable regulatory environment for local foods operations including farmers' markets; home, community, and school gardens; composting; and year-round food production, processing, aggregation, and distribution efforts.
- Policy EJ-3.3 Protect existing agricultural areas, encourage farm to consumer, promote public health, and promote small-scale agriculture such as community gardens and the growing of organic produce. (See Policy COS-2.3)
- Policy EJ-3.4 Facilitate safe, convenient access to healthy foods through increasing access to locally grown food, fresh produce, and healthy meal options. Attract a wide range of healthy food sources such as full-service grocery stores, ethnic food markets, farm stands, community gardens, school-yard gardens, healthy restaurants, and farmers' markets. (See Policy PR-2.3)
- Policy EJ-3.5 Promote the public health benefits of healthy eating and lifestyle choices. (See Policy PR-2.4)

### 4. Safe and Sanitary Homes

The housing conditions of homes in a community have direct health implications for those who live in the homes. Lower-income or otherwise disadvantaged residents may live in dwellings built before standards and regulations were established to ensure that new homes are free from pollutants such as lead and asbestos. Older housing often has other problems such as poor ventilation, which leads to uncomfortable indoor temperatures and mold-producing moisture, and pest and vermin infestation.

Overcrowded housing is another issue that affects the safety and cleanliness of homes. Overcrowding is typically measured by determining the persons-per-room in a dwelling unit, with more than one person per room considered overcrowded.

Lastly, housing affordability also influences whether homes in a community are safe and sanitary. When a tenant or homeowner spends more than 30 percent of their income toward housing (including utilities), they are generally considered to be cost-burdened. When a household is cost-burdened, there is less money for housing maintenance or other needs such as healthcare and healthy food. These issues are further discussed and addressed in the City's Housing Element.

#### Goal EJ-4

***Foster healthy living conditions for people of all backgrounds and incomes.***

- Policy EJ-4.1      Raise awareness about the risks associated with lead-based paint and other housing hazards, including by distributing information about remediation of lead and best practices to reduce and eliminate other housing hazards.
- Policy EJ-4.2      Conduct periodic absentee owner outreach to inform owners of their legal requirements to maintain and upkeep their rental properties.
- Policy EJ-4.3      Distribute information with City newsletters and/or other periodical publications about protecting tenant rights, so they are not penalized for reporting or living in a dwelling unit that does not meet health and safety standards.
- Policy EJ-4.4      Promote smoke-free multifamily housing properties in order to reduce secondhand and thirdhand death and disability.
- Policy EJ-4.5      Designate land for a variety of residential densities sufficient to meet the housing needs for a variety of household sizes and income levels, with higher densities being focused in the vicinity of transit stops and in proximity to significant concentrations of employment opportunities. (See Housing Policy 1.1)
- Policy EJ-4.6      Encourage both the private and public sectors to produce or assist in the production of housing with particular emphasis on housing affordable to persons with disabilities, elderly, large families, female-headed households with children, and homeless. (See Housing Policy 1.4)

- Policy EJ-4.7 Facilitate housing development that is affordable to extremely low-, lower-, and moderate-income households by providing technical assistance, regulatory incentives and concessions, and financial resources as funding permits. (See Housing Policy 2.3)
- Policy EJ-4.8 Advocate and facilitate the conservation and rehabilitation of substandard residential properties by homeowners and landlords. (See Housing Policy 3.1)
- Policy EJ-4.9 Provide incentives and regulatory concessions for residential projects constructed specifically for lower- and moderate-income households. (See Housing Policy 4.3)
- Policy EJ-4.10 Prohibit discrimination in the sale, rental, or financing of housing based on race, color, ancestry, religion, national origin, sex, sexual orientation, gender identity, age, disability/medical condition, familial status, marital status, source of income, or other protected characteristics. (See Housing Policy 5.1)
- Policy EJ-4.11 Incorporate design features into residential land use projects that can be used to shield residents from excessive noise. Design features may include, but are not limited to: berms, walls, and sound attenuating architectural design and construction methods. (See Housing Policy N-1.3)
- Policy EJ-4.12 Use Crime Prevention through Environmental Design (CPTED) principles in the design or redevelopment of projects and buildings. (See Policy S-6.3)

## 5. Promote Physical Activity

Physical activity is a large contributor to the physical and mental health of San Marcos residents. Physically active people tend to live longer and have lower risk of heart disease, stroke, type 2 diabetes, depression, and some cancers (Centers for Disease Control and Prevention, 2017). Physical activity is promoted by the built-environment through providing places that encourage walking, biking, and other forms of exercise. These places include parks, open space, trails, urban green spaces, areas with robust tree canopies, and active transportation networks. If a community has facilities that promote physical activity, community members are more likely to be physically active within that community.

### Goal EJ-5

*Encourage physical activity and improved physical fitness.*

- Policy EJ-5.1 Provide non-motorized (pedestrian and bicycle) access/circulation within, and to, mixed-use centers to reduce reliance on the automobile. (See Policy LU-3.4)
- Policy EJ-5.2 Provide an interconnected open space system that is accessible to the public, including pedestrian and equestrian links, bicycle paths, multi-use trails, recreation areas, and drainage-ways. (See Policy LU-3.5)
- Policy EJ-5.3 Coordinate pedestrian, transit and infrastructure upgrades with infill and redevelopment opportunities. (See Policy LU-7-2)
- Policy EJ-5.4 Work with local partners to implement a Citywide Bike Sharing System. This would include working with developers to provide bike stations for key new developments, working with California State University San Marcos, Palomar Community College, and private universities to provide bike stations on their facilities, and working with regional transit agencies to implement bike stations near transit hubs. (See Policy M-3.4)
- Policy EJ-5.5 Ensure that streets in areas with high levels of pedestrian activity (such as employment centers, residential areas, mixed use areas, and schools) support safe pedestrian travel by providing detached sidewalks, bulb-outs, enhanced pedestrian crossings, pedestrian bridges, and medians. (See Policy M-3.5)

- Policy EJ-5.6 Create a pleasant walking environment for roadway typologies where pedestrian travel is prioritized. This includes providing shade trees, landscaping, benches, pedestrian-scale lighting, way finding signage, transit shelters, and other appropriate amenities. (See Policy M-3.9)
- Policy EJ-5.7 Develop and maintain a complete system of public parks and recreational amenities that provide opportunities for passive and active recreation at a minimum standard of 5 acres per 1,000 residents. Parks, trails and recreational facilities will enhance community livability, public health, and safety; should be equitably distributed throughout the City; and should be responsible to the needs and interests of residents, employees, and visitors. (See Policy PR-1.1)
- Policy EJ-5.8 Promote increased access to parks and open spaces, pedestrian- and bike-oriented routes to parks and open space, greening of public rights-of-way, and a variety of active and passive uses of parks and open space. (See Policy PR-1.4)
- Policy EJ-5.9 Provide programs at City-owned facilities for people of diverse cultures, backgrounds, ages, gender, interests, languages, lifestyles, abilities, and socioeconomic status. (See Policy PR-2.1)
- Policy EJ-5.10 Implement the trail network per the Trails Master Plan to increase opportunities for physical activity (e.g., walking, biking), healthy lifestyles, and to reduce reliance on cars. (See Policy PR-2.2)
- Policy EJ-5.11 Increase rates of participation in community events such as youth activities, adult education, senior activities and family-oriented programs. (See Policy PR-2.5)

## 6. Promote Civil Engagement

Civil or community engagement is an important goal across all local planning and decision-making processes. It can help foster a strong sense of place within a neighborhood and can deepen the investment of stakeholders in working toward neighborhood improvements. Environmental Justice issues will be more effectively identified and resolved if accessible and culturally appropriate opportunities to engage in local decision-making are created for low-income, minority, and linguistically isolated stakeholders. Effective civil engagement not only provides the City with an opportunity to strengthen its relationship with the community, but provides for sound investment in better decision-making by ensuring decisions are informed by community needs and aspirations.

### Goal EJ-6

*Support accessible and culturally appropriate opportunities for all people regardless of race, color, national origin, language, or income to engage in the decision-making process.*

- Policy EJ-6.1 Support an equitable and comprehensive approach to civil engagement and public outreach on all aspects of City governance and delivery of services.
- Policy EJ-6.2 Promote, sponsor, and support a variety of community events to strengthen social cohesion and the overall identity of the City.
- Policy EJ-6.3 Make City information such as numbers to call for code enforcement, programs offered through the City, and housing needs easily accessible.
- Policy EJ-6.4 Specifically invite residents from traditionally underrepresented demographic groups to become board, commission, and committee members as openings occur.
- Policy EJ-6.5 Ensure meaningful cross-cultural participation in local planning and decision-making processes by:
- Providing City-sponsored material in multiple languages.
  - Organizing outreach events and conducting surveys directly to specific demographic groups.
  - Partnering with community-based organizations that have relationships, trust, and cultural competency with target communities to conduct outreach for local initiatives and issues.

Policy EJ-6.6 Ensure that meetings and other public engagement forums are accessible to a wide range of residents and encourage greater attendance by:

- Holding meetings at different locations and times and in different formats.
- Targeting outreach to communities that will be most impacted by an issue or decision.
- Ensuring any materials are distributed far enough in advance of meetings to allow sufficient time for review and comment.
- Using communication methods that convey complex and/or technical information in an easily understandable manner.
- Facilitating meetings using diverse methods that can engage all participants and can appeal to multiple styles of learning.