REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Lake Jennings Park Road Subdivision, PDS2013-TM-5578

September 16, 2015

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES	NO	NOT APPLICABLE/EXEMPT
☐	☐	☒

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES	NO	NOT APPLICABLE/EXEMPT
☒	☐	☐

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated September 16, 2015.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES	NO	NOT APPLICABLE/EXEMPT
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The project will obtain its water supply from the Helix Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

	YES	NO	NOT APPLICABLE/EXEMPT
The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	☒	☐	☐

	YES	NO	NOT APPLICABLE/EXEMPT
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	☒	☐	☐
The Steep Slope section (Section 86.604(e))?	☒	☐	☐
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	☒	☐	☐
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	☒	☐	☐

Wetland and Wetland Buffers:
The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The project site contains 0.06 acre of disturbed wetland, which originates from a culvert that drains the channels runoff from the adjacent housing development to the east of the site. A review of historic aerial photos shows that the wetland area did not appear on the site until the subdivision on the east side was built. The classification as wetland was based on the presence of hydric soil, willows and mulefat, but the dominant species are non-native trees and understory plants. The disturbed wetland was determined not to meet the RPO wetland definition because it is caused by a man-made structure (the culvert) and meets the criteria in RPO section 86.602(q)(2)(aa), as explained in Attachment 4 of the Jurisdictional Delineation Report (Appendix F of the Biological Letter Report prepared by REC Consultants). Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:
The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:
Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:
No sensitive habitat lands were identified on the site as determined based on the Biological Letter Report prepared by REC Consultants, dated July 21, 2014 and a site visit conducted by Beth Ehsan on July 1, 2015. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:
Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Donna Beddow, it has been determined that the project site does not contain any archaeological resources. There is the potential for buried resources; therefore, the project is conditioned with an Archaeological Monitoring Program. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES	NO	NOT APPLICABLE
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The project Storm Water Management Plan and Hydromodification Management Study have been reviewed and is/are found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES	NO	NOT APPLICABLE
☒	☐	☐

Discussion:

The project is a Tentative Map for a residential subdivision. Incorporation of noise barriers screening future traffic along nearby roadways would ensure the project would not expose people to potentially significant noise levels that exceed the allowable limits of the General Plan, Noise Ordinance, or other applicable standards for the following reasons:

General Plan – Noise Element Tables N-1 and N-2 addresses noise sensitive areas and requires projects to comply with a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Projects which could produce noise in excess of 60 dB(A) are required to incorporate design measures or mitigation as necessary to comply with the Noise Element.

The project is subject to the County Noise Element which requires proposed exterior noise sensitive land uses not to exceed the 60 dBA CNEL noise requirement for single family residences. Noise levels from future traffic traveling on Blossom Valley Road, Lake Jennings Road, and Interstate 8 were evaluated and it was determined that future traffic noise levels would be as high as 66 dBA CNEL on Lot 5 and 9. Additionally, Lots 4, 5, 7, 8, 9, and 11 would experience noise levels exceeding the 60 dBA CNEL

requirement. Noise barriers would be required to reduce noise levels to 60 dBA CNEL and below. A six foot (6') high barrier would be located along the northern boundary of Lot 3 and 4, and the western boundary of lots 4 and 5 facing Lake Jennings Park Road. An eight foot (8') high noise barrier would be required along the southern edge of Lots 5, 6, 7, 9, 10 and 11. Please note that barrier heights are in reference to the respective pad elevations per each parcel. Required noise barrier details, locations and Top of Wall heights are shown on Figure 2-C and Section 2.2c within the Noise Report prepared by LDN Consulting and in the preliminary grading plans. Incorporation of the 6 and 8 foot high noise barriers would reduce noise levels to 60 dBA CNEL and below. The entire site would be dedicated with a Noise Restriction Easement to ensure exterior and interior noise levels pursuant to the County Noise Element are satisfied prior to building permits. Therefore, incorporation of an Noise Restriction Easement and noise barriers would ensure the project is not expected to expose existing or planned noise sensitive areas to noise in excess of 60 dB(A).

Noise Ordinance – Section 36-404: Non-transportation noise generated by the project is not expected to exceed the standards of the Noise Ordinance at or beyond the project's property line. The project does not involve any permanent noise producing equipment that would exceed applicable noise levels at the adjoining property line.

Noise Ordinance – Section 36-409: The project will not generate construction noise in excess of Noise Ordinance standards. Construction operations will occur only during permitted hours of operation. Grading equipment operations would be spread out over the project site from varying distances in relation to occupied property lines. Grading operations would occur more than 70 feet from the northern property line with the exception of minor grading needed for the proposed slopes of Lots 1 through 3. Grading on Lots 19 through 21 would be at or within 70 feet from the eastern property line. Majority of the grading operations would occur more than 100 feet away from the northern and eastern property lines. The existing neighboring homes to the east are above grade and have a six foot high wall to help shield the grading activities. At distance of more than 70 feet, grading activities are not anticipated to exceed the County 75 dBA eight-hour average requirement at the occupied property lines.