

# REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

## FOR PURPOSES OF CONSIDERATION OF Gildred Tentative Parcel Map PDS2010-3200-21176 APN 276-100-40-00

September 21, 2017

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

YES

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NO

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NOT APPLICABLE/EXEMPT

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Discussion:

Approximately 44 acres of the 53.1-acre project site are located outside of the MSCP County Subarea Plan, while the remaining nine acres are located within the County Subarea Plan boundaries. While a portion of the proposed project site is located outside of the boundaries of the MSCP County Subarea Plan and the project site contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance, the project has found to be exempt based on the direction from the Agencies letter dated March 17, 2004. To support the exemption, the following required findings have been made and the USFWS and CDFW have concurred:

- The loss of coastal sage scrub is less than one acre
- The habitat is not occupied by the California gnatcatcher
- The project occurs in low value habitat or medium value habitat outside of identified preserve planning areas
- The habitat loss will not preclude the design or prevent the preparation of the subregional NCCP reserve system.

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

YES

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NO

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NOT APPLICABLE/EXEMPT

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Discussion:

Approximately 9 acres of the 53.1-acre project site are located within the MSCP County Subarea Plan and are submit to the Biological Mitigation Ordinance (BMO). (Forty-four acres of the project site are located within the boundaries of the draft MSCP North County Plan area). The project conforms with the Multiple Species Conservation

Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated September 14, 2017.

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

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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Discussion:

The project will obtain its water supply from the Ramona 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:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
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The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
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The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
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The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
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The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
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Discussion:

***Wetland and Wetland Buffers:***

Even though wetlands and/or wetland buffer areas have been identified on the subject property, the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project would not result in the placement of any non-permitted uses within wetlands; b) the project would not result in grading, filling, construction, or placement of structures within identified wetlands; and c) the project would not result in any non permitted uses within wetland buffer areas. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

The site contains 0.1 Acres of Coastal and Valley Freshwater Marsh, which if disturbed would result in a significant impact. The entire area of Coastal and Valley Freshwater Marsh will be placed in an open space easement prior to issuance of improvement or grading plans or prior to recordation of the Parcel Map, whichever comes first. There will be no net loss of wetlands and therefore no significant impact will occur. 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:***

Based on a review of County GIS data, the project is not located adjacent to a floodway/floodplain fringe area as defined by the RPO. A drainage in the northwestern portion of the project site which will be conserved as biological open space.

***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 County RPO. The project site contains approximately 1.37 acres of steep slopes which will be placed in a steep slope open space easement. Other steep slope areas will be conserved in biological open space easements. The proposed project complies with Sections 86.604(e) of the RPO.

***Sensitive Habitats:***

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. The proposed project will impact 0.1 acre of coast live oak woodland and 375 feet of not-wetland waters of the U.S. The impacted portions of the site do not support habitats necessary to support viable populations of sensitive species. With proposed mitigation, there will be no net loss of sensitive habitat lands. It has been found that the proposed project complies with Section 86.604(f) of the RPO.

***Significant Prehistoric and Historic Sites:***

No archaeological or historic resources were identified during prior surveys (WHATFJ 07-01, HECTOR 02-194, APEC 81-25) of the project site. Therefore, the project complies with Section 86.604(g) 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  
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NO  
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NOT APPLICABLE  
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Discussion:

The project Storm Water Quality Management Plan (SWQMP) has been reviewed and is found to be complete and in compliance with the WPO. As outlined in the project's CEQA cleared SWQMP (dated July 26, 2017), the project

will implement source control, site design and structural BMP's to reduce potential pollutants, to the maximum extent practicable from entering storm water runoff.

Additionally the project has been designed to be in compliance with Hydromodification requirements.

**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

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NO

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NOT APPLICABLE

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Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

The project is subject to the County General Plan Noise Element which requires proposed exterior noise sensitive land uses to be exposed to a sound level of 60 dBA CNEL. Based on the noise report, the primary community noise sources would be generated from vehicle traffic traveling on Highland Valley Road and Highland Trails Drive. The future traffic 60 dBA CNEL contour would be located outside of the proposed residential pad areas. All proposed pads associated with this project subdivision would comply with the County Noise Element due to its proximity to the roadways.

The project is also subject to the County Noise Ordinance which governs the amount of noise during the temporary construction equipment operations. Substantial noise generating equipment and operations are comprised of rock drilling, blasting and rock breaking. Rock drilling operations must be setback a minimum of 160 feet from any occupied noise sensitive land use. The project would be subject to a noise mitigation plan which may include temporary barriers and/or other noise reducing options if rock drilling is staged within the 160 foot setback requirement. Rock breaking operations must be setback a minimum of 180 feet from any occupied noise sensitive land use. The project would be subject to a noise mitigation plan which may include temporary barriers and/or other noise reducing options if rock breaking is staged within this 180 foot setback.

General construction equipment operations were also assessed. Grading operations comprised of dozers, a compactor and water truck are not anticipated to exceed County noise standards because setbacks to occupied neighboring property lines are over 100 feet. Therefore, with noise mitigation incorporated for the rock drilling and blasting, the project subdivision is consistent with the County Noise Element and County Noise Ordinance.