

**REVIEW FOR APPLICABILITY OF/
COMPLIANCE WITH ORDINANCES**

**FOR PURPOSES OF CONSIDERATION OF
Casa de Verde Apartments; R06-012; S06-036, ER 06-14-038**

March 28, 2008

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

Discussion:

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

Discussion:

The proposed project is located within the boundaries of the Multiple Species Conservation Program and conforms to the required findings, as the entire project site is urban developed. No impacts will occur to any sensitive habitat or species. See attached statement of MSCP Findings for further information.

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

YES NO NOT APPLICABLE/EXEMPT

Discussion:

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:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers: The site contains no wetland habitats as defined by the RPO. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

Floodways and Floodplain Fringe: The project is not located near any floodway or floodplain fringe area as defined by the RPO, nor is it near a watercourse plotted on any official County floodway or floodplain map

Steep Slopes: The site contains no steep slopes as defined by RPO. The site does not contain land with a natural gradient of 25 percent or greater and a minimum rise of 50 feet

Sensitive Habitats: The project site does not support sensitive habitat lands as defined by RPO. The site does not contain rare, endangered, or substantially depleted species of vegetation or animals, nor does the site constitute critical area to the ecological viability of any such species.

Significant Prehistoric and Historic Sites: The project will not impact historical resources because prior disturbance of the project site has eliminated any potential for impacts to buried archaeological or historical resources.

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

Discussion:

The project submitted a Stormwater Management Plan (SWMP) prepared by Eilar Associates, dated April 17, 2008, which identifies potential construction and post-construction pollutants that may result from the project and also identifies best management practices (BMPs) to address the pollutants. As such the project is not anticipated to result in any substantial increase in polluted runoff or any significant adverse effects to water quality. The SWMP received for the project has been approved by DPW and it has been found that the project will reduce adverse effects to water quality to the maximum extent practicable and as such complies with the requirements of 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 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 a new two-story building encompassing a total of 13 apartment units with private yards, private decks and an outdoor group usable courtyard area. Based on the Acoustical Analysis report prepared by Eilar Associates received on January 22, 2008, exterior noise levels shall not exceed 60 CNEL at residential outdoor usable areas. Future traffic sound levels to all of the projects "noise sensitive land uses" will be well under 60 dBA CNEL. Additionally, the apartment development also proposes a total of 12 air conditioner units throughout the project site. Four air-conditioner units are to be located adjacent to Units 3 & 4 and Units 7 & 8. Two air-conditioner units will be located adjacent to Units 9 & 11 and 10 & 12. All air-conditioner units will be located under the associated stairways. Due to its locations within the project site, the project will comply with County property line noise standards. Therefore, the proposed apartment development will comply with County Noise Standards pursuant to County Noise Element, 4b and Noise Ordinance 36.404.