

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

**FOR PURPOSES OF CONSIDERATION OF
Kvaas Minor Subdivision (4 Lots and a Remainder); Tentative Parcel Map, TPM
20747**

March 12, 2009

COMMENT TO STAFF: The Project Manager must ensure that all applicable environmental ordinances are complied with to the extent that these ordinances apply to the project.

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:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. 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 and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

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

YES

NO

NOT APPLICABLE/EXEMPT

Discussion:

As required by Section 67.720 of the San Diego County Groundwater Ordinance, a groundwater investigation has been completed and approved by the County Groundwater Geologist and it has been found that groundwater resources are adequate to meet the groundwater demands of the project.

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"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) 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 (Section 86.604(g)) 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 RPO wetlands and riparian woodland which cannot be disturbed per the RPO. The entire area of riparian habitat 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. The open space easements will be protected by at least 50-foot buffers, fencing and signage, and 100 to 180 foot Limited Building Zones. There is one Non-RPO wetland crossing proposed for a 20 foot private road. There is no feasible alternative that avoids the wetland, and one crossing is the minimum number feasible. The crossing has been located along a planned road right-of-way to cause the least impact to environmental resources, construction will not occur during the avian breeding season, and it is located along the property line so that it could feasibly serve adjoining properties and minimize the number of additional crossings required by adjacent development. In addition, impacts to state or federal jurisdictional wetlands and/or waters will be mitigated at a minimum ratio of 1:1. Therefore the project complies with the wetland and wetland buffer regulations of the RPO.

Floodways and Floodplain Fringe:

The project is not located near any floodway/floodplain fringe area as defined in the resource protection ordinance, nor is it located near any watercourse which is plotted on any official County floodway/floodplain map.

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:

Sensitive habitat lands (riparian woodland) were identified on the site as determined on a site visit conducted by Megan Hamilton on January 6, 2004. However, the project will not complete any development, grading, grubbing, clearing, or any other activity that will damage the sensitive habitat lands. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego certified archaeologist Laura S. White and it has been determined that the property does not contain any archaeological/ historical sites. The results of the survey are provided in an archaeological survey report titled, "*A Cultural Resource Assessment of Tentative Parcel No. 20747, a 60+/- acre Parcel Located Adjacent to Rainbird Road, Barona Mesa, Unincorporated San Diego County*" dated October 24, 2003 prepared by Robert S. White and Laura S. White, Project Archaeologists, with Archaeological Associates.. In addition, the project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

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:

DPW staff has reviewed the Stormwater Management Plan (SWMP), Preliminary Drainage Study, and Preliminary Grading Plan prepared by Crew Engineering. Previous comments have been addressed. The document is substantially complete and complies with the San Diego County Standard Urban Stormwater Mitigation Plan (SUSMP) and Watershed Protection Ordinance (WPO) requirements for a SWMP.

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.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.