

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

**FOR PURPOSES OF CONSIDERATION OF
Sundale Subdivision, TM 5466RPL⁴, Log No. 05-14-043**

June 26, 2008

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:

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 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 April 1, 2008.

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 Otay 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"/>
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 southern willow scrub, which if disturbed would result in a significant impact. The entire area of southern willow scrub 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.

Floodways and Floodplain Fringe:

The project is adjacent to the Jamacha Creek floodway/floodplain fringe area, but there are no proposals for any offsite uses or improvements that need compliance with the Resource Protection Ordinance.

The applicant will be required to show lines of inundation from the 100-year flood for the ultimate watercourse(s) that flow(s) through the property, as well as a flowage easement granted to the County Flood Control District.

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. The project is in conformance with the RPO.

Sensitive Habitats:

No sensitive habitat lands were identified on the site. 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 County of San Diego staff archaeologist Gail Wright on February 9, 2006, has inspected the property, analyzed records, and determined there are no archaeological or significant historical sites.

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 Storm Water Management Plan received February 1, 2007 was reviewed for this project and appears 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:

Even though the proposal could expose people to potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

Based on the Noise Study report prepared by Dudek and Associates received on February 2, 2007, the location of the 60 dBA CNEL contour is 275-feet from the centerline of Hillsdale Road, impacting lots 7-12 with future traffic noise levels exceeding County Noise Element sound level limit of 60 CNEL. Staff recommends a Noise Restriction Easement over a portion of Lots 7-12, extending 275-feet from the centerline of Hillsdale Road. The Noise Study indicated that future noise levels at lots 9 and 10 would range up to approximately 70 dB CNEL. This noise level would exceed the County's noise criterion by up to ten dB. Typically, with the windows open, building shells provide approximately 15 dB of noise reduction. Therefore, rooms exposed to an exterior CNEL greater than 60 dB would result in an interior CNEL greater than 45 dB. Lots 9 and 10 could exceed an interior noise level greater than 45 dB CNEL. Also, lots 7, 8, 11 and 12 could exceed an interior noise level greater than 45 dB CNEL if two story homes are constructed on these lots. Noise mitigation is required for these areas and will be in a form of 7-foot tall sound attenuation barriers along the south edge of the future building pads facing Hillsdale Road. These barriers would achieve this result with

6-foot tall return barriers attached to the ends of each principal barrier. The remaining affected Lots (7, 8, 11, and 12) with those barriers would still need an interior noise analysis for their second story noise sensitive land uses depending on their building location. Therefore, implementation of the recommended mitigation and dedication of the Noise Protection Easement will ensure compliance with County Noise regulations.