

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

FOR PURPOSES OF CONSIDERATION OF  
ANZA STREET TOWNHOMES; PDS2018-TM-5628, PDS2018-REZ-18-003;  
PDS2018-ER-18-14-006

December 19, 2019

**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  
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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 December 19, 2019.

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

YES  
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NO  
☐

NOT APPLICABLE/EXEMPT  
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The project will obtain potable water from the Helix Water District that obtains water from surface reservoirs and/or other 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  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☐

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 <a href="#">Steep Slope</a> 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"/>

***Wetland and Wetland Buffers:***

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. 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. 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 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. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

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

The property has been surveyed by a County of San Diego approved archaeologist and historian, and it has been determined that the property does not contain any archaeological/ historical sites. As such, the project complies with 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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The project Storm Water Quality Management Plan and Hydromodification Management Study have been reviewed and 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

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NO

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NOT APPLICABLE

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Staff has reviewed the Noise Report by Ldn Consulting Inc. dated May 10, 2018 and submitted to the County on May 23, 2018. Documentation is considered acceptable and staff has final recommendations to ensure the project is in conformance with County noise standards. The project is subject to the County Noise Element which allows a noise exposure level of 65 dBA CNEL at any proposed noise sensitive multi-family residences lot. The primary noise sources to impact the site are from vehicular traffic along Broadway and N. Mollison Avenue and aircraft noise from nearby Gillespie Field Airport. Based on the report, with the worst- case scenario, the exterior noise level is 63.1 dBA, which is in conformance with the Noise Elements, therefore mitigation measures are not required. However, interior noise will be reduced to conformance of 45 dBA with the incorporation of specific construction design.

The project is also subject to the County Noise Ordinance and governs the noise levels associated with construction equipment operations. Section 36.309 allows construction noise levels to operate at an eight-hour average sound level limit of 75 dBA a neighboring noise sensitive occupied property. The report provided analysis of the construction equipment to demonstration compliance to the Noise Ordinance. Construction equipment design measures comprised of 1) Turning off equipment when not in use; 2) Ensuring equipment is properly maintained; 3) Utilization of mufflers; 4) Minimizing back up beepers and; 5) Locating staging areas away from sensitive receptors, will all be required and conditioned as part of his project. There are no anticipated need for impulsive construction activities on site and general construction equipment operations with the incorporation of these design measures would comply with County noise requirements. Section 36.409 of the County Noise Ordinance states that construction noise shall not exceed 75 dBA at the property line during an eight-hour period between 7 a.m. to 7 p.m. The construction equipment will be spread out over the project site from distances of 300 feet or more. Majority of the grading will occur more than 150 feet away from the property lines. At the average distance of 135 feet, the noise level would be in compliance with the Noise Ordinance of 75 dBA. No impulsive construction equipment is proposed. The smallest construction equipment feasible would be used to minimize noise. Therefore, project construction would not exceed Section 36.409 construction noise limits, and no mitigation would be required.

Furthermore, noise from the mechanical units were analyzed. The combination of distances to the property lines and six feet vinyl fence, the noise level would be reduced to conformance to Noise Ordinance, Section 36.404.