

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

**FOR PURPOSES OF CONSIDERATION OF
BONSALL CAREFIELD FACILITY REZONE AND SITE PLAN PDS2019-REZ-19-001
AND PDS2019-STP-19-005**

May 29, 2020

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

The project will obtain its water supply from the _____ 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.

The project is exempt from the requirements of the San Diego County Groundwater Ordinance Section 67.720. The project will not have a significant adverse impact on groundwater quantity because the total project demand will be less than 20,000 gallons per day and the project complies with the San Diego County Groundwater Ordinance.

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.

As identified within Section 67.722B of the San Diego County Groundwater Ordinance, it has been determined that groundwater resources are adequate to meet the groundwater demands both of the project and the groundwater basin if the basin were developed to the maximum density and intensity permitted by the General Plan.

As identified within Section 67.722B of the San Diego County Groundwater Ordinance, it has been determined that groundwater resources are adequate to meet the groundwater demands of the project and thus, the project will not adversely impact groundwater availability.

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 type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The <u>Steep Slope</u> section (Section 86.604(e))? | YES <input 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"/> |

INFO:

NOTE: Most projects that have previous environmental review should already have been reviewed for compliance with the Resource Protection Ordinance (RPO). Check previous environmental file to determine if compliance has already been obtained. If the present permit/entitlement application is consistent with the project for which the previous ordinance compliance was determined and all related mitigation has been completed in accordance with the previous environmental review,

additional RPO review is not necessary. Consult with designated RPO specialist if there are project changes/questions. The following is for projects that do not already have RPO compliance:

Any project applying for an applicable permit type, must comply with [RPO](#). If RPO applies to the project, it will be necessary to coordinate with the Project Manager on Steep Slope issues and DPW on Floodplain issues. The Project Manager must ensure that the project complies with the wetlands, sensitive habitat lands and cultural resources provisions of RPO.

Discussion:

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:

Additional Information Required from Applicant: --- The applicant is required to provide the following studies/reports:

Drainage study indicating runoff quantities and conditions before and after development of the project, including impacts on the Floodway and Floodplain of [REDACTED].

Not Applicable --- 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.

Not Applicable: --- [The](#) Resource Protection Ordinance is not applicable to this project.

Yes: --- The project is in compliance. The project is adjacent to the [REDACTED] floodway/floodplain fringe area, but there are no proposals for any offsite uses or improvements that need compliance with the Resource Protection Ordinance.

Mitigation Required for Compliance --- The project lies within a floodway or floodplain fringe area. The following mitigation measures will be required as conditions for approval of the project: [REDACTED]

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.

Potentially Significant Impact --- The project lies within a floodway or floodplain fringe area. The project does not propose any mitigation and does not meet the minimum requirements of the Resource Protection Ordinance. The applicant will be required to resubmit and/or redesign the project to address mitigation issues and be in compliance with the Resource Protection Ordinance. A drainage study will be required to be submitted concurrently with grading plans.

include DPW response, ensure conclusion is as follows:

Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

For “Yes” answer.

(Conformance without steep slopes)

The average slope for the property is (insert average percentage, if known) percent gradient. 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.

(Conformance with steep slopes and proposed easement)

The average slope for the property is (insert average percentage, if known) percent gradient. 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 steep slopes on the property however, an open space easement is proposed over the entire steep slope lands. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

For “No” answer.

(Non-conformance)

This project is currently in non-conformance with the San Diego County Resource Protection Ordinance (RPO). 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 RPO. Currently, the steep slopes on-site are not proposed in an open space easement. (Briefly explain where in the project area the steep slopes are located). Therefore, the project is not in conformance with the RPO until an open space easement is proposed across the steep slopes. (Request the applicant to propose an open space easement in the last section of this form under Data Requirements.)

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. 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:

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Donna Beddow, it has been determined that the project site does not contain any archaeological resources. 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

NO

NOT APPLICABLE

INFO:

NOTE: Many projects that have previous environmental review should already have been reviewed for compliance with the Stormwater Ordinance (WPO). Check previous environmental file to determine if compliance has already been obtained. If the present permit/entitlement application is consistent with the project (and SWMP) for which the previous ordinance compliance was determined and all related mitigation has been completed in accordance with the previous environmental review, additional WPO review is not necessary. The following is for projects that do not already have WPO compliance:

The WPO applies to any project that includes an application for a permit type listed in section 67.804(g)(1) of the WPO <http://www.sdcounty.ca.gov/dpw/watersheds/watershedpdf/watershed-ordinance-2008.pdf>. All projects subject to the Ordinance must submit a [Stormwater Management Plan \(SWMP\)](#) as part of their application.

DPW has the lead responsibility to assure that, if required, the SWMP, Maintenance Plans, Hydromodification Requirements or any other information required comply with the requirements of the WPO. However, the key responsibility for Project Planning staff is to ensure that adequate stormwater information exists to complete the CEQA Initial Study Questions regarding stormwater quality.

Discussion:

Yes – The project Storm Water Management Plan and Hydromodification Management Study has/have been reviewed and is/are found to be complete and in compliance with the WPO. The project has been found to be exempt from Hydromodification requirements for the following reasons: [REDACTED].

No – The project is not in compliance with the WPO. A Storm Water Management Plan (SWMP) and Hydromodification Management Study (HMS) is/are required for this project /the Storm Water Management Plan (SWMP) and Hydromodification Management Study (HMS) provided for this project is/are not complete and/or not in compliance with the WPO.

Not Applicable – This project is exempt from compliance with the WPO. The project is not in an urban area and is not proposing a storm drainage system (other than a storm water crossing facility under a road) / is substantially complete and will not require a Storm Water Management Plan or a Hydromodification Management Study / will not generate pollutants as defined under the WPO.

*Not Applicable: --- **The** project is not one of the listed permit application types listed in Section 67.803(c) of Ordinance No. 10096 that must comply with the requirements of the WPO.*

*Not applicable: **The** project is not located in a County Urban Area as defined by the WPO. (“ a portion of the unincorporated area of the county that is within the service area boundary of a public water supply company or agency, as indicated on the map at Appendix B, plus any other land in the unincorporated area of the County which will, after proposed development is completed, route stormwater runoff into or through an underground conveyance other than a road-crossing culvert.”)*

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.

Staff has reviewed the Noise Study associated with Carefield Solana Assisted Care Facility prepared by LDN Consulting dated January 28, 2020 and submitted to the County on February 12, 2020. All previous comments have been addressed; Documentation is considered accepted. The project consists of an assistant care facility on a 4.6-acre of commercially zoned parcel (C30). The project consists of a totaling of 86 beds in 56 living units and 24 memory care units, with six of the 80 units consisting of two beds The project is subject to the County Noise Element exterior noise threshold of 60 dBA CNEL for proposed exterior sensitive outdoor areas. The Noise Elements prohibit the implementation of a project that can result in an exposure of any on-or off-site, existing

or reasonably foreseeable future Noise Sensitive Land Use (NSLU) to exterior or interior noise in excess of the noise standards. The project is also subject to the Noise Ordinance that regulates the operational and temporary construction noise. The project as well as surrounding parcels to the north and south are zoned Office-Professional (C30), which is subject to the one-hour average sound level limits (dBA) of 60 dBA daytime and 55 dBA nighttime. The surrounding parcels to the west are zoned Single-Family Residential (RS) and parcels to the east are zoned Limited Agriculture (A70), which are subject to the arithmetic mean noise limit levels of 55 dBA daytime and 50 dBA nighttime.

Based on the noise modeling included in the noise report, it demonstrated that with the construction of the 6-foot solid wall along the perimeter of the outdoor recreational area, the on-site exterior locations for the noise sensitive land uses would comply with the 60 dBA CNEL threshold. The 6-foot solid wall along that area would be incorporated as the Project Design Features. Additionally, all the building façade with direct line of sight to the State Route 76 were found to be above the Noise Elements standard of 60 dBA. In order to mitigate the noise levels to compliance with the noise standards, a noise protection easement would be required for the entire site, which would require an interior noise study for all units to determine the mitigation required to achieve an interior noise level of 45 CNEL. With the implementation of the 6-foot solid walls and noise protection easement as the PDF, it ensures that the noise levels comply with the County General Plan Noise Elements. In addition, the project traffic contributions on nearby roadways were determined to result in less than significant for the off-site direct and cumulative impacts. Traffic would not result in a substantial contribution to the existing noise levels along any impacted nearby roadways pursuant to the County Noise Guidelines.

The noise report also analyzed the operational noise sources on the site and temporary construction noise generated by this project. Non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36.404) at or beyond the project's property line. The primary noise source from the project is from the mechanical ventilation system. The noise report analyzed the conservative scenario and demonstrated that the unshielded cumulative noise level from the units would be attenuated to compliance with the allowable noise levels at the nearest property line, which is located at approximately 85 feet. Based on the report, the unshielded cumulative noise level from the units is 42 dBA at the nearest property line.

The project is also subject to the County Noise Ordinance which regulates temporary project related noise sources. Temporary construction noise is a 75 dBA eight-hour average requirement at the boundary of any occupied property, specifically any existing residences. The project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36.409). The construction activities include equipment such as dozer, grader, trucks, and compactor. Based on the report, the grading operating would occur more than 100-feet from the property lines. At that distance, the activities are not expected to exceed the noise standards. In addition, construction operations will occur only during permitted hours of operation pursuant to Section 36.409. Also, it is not anticipated that the project will operate construction equipment in excess of an average sound level of 75 dB between

the hours of 7 AM and 7 PM. No blasting or rock crushing is anticipated during the grading operations.

With the project design layout and Project Design Features (PDF), the project complies with the Noise Ordinance and Noise Elements.