

# REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF  
SKYLINE RETIREMENT CENTER  
PDS2016-GPA-16-005, PDS2016-REZ-16-003  
PDS2016-MUP-16-003, PDS2016-ER-16-19-001

August 9, 2018

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
☐

NO  
☐

NOT APPLICABLE  
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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  
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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 July 17, 2018.

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

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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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 <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 a small wetland that qualifies as an RPO wetland, which if disturbed would result in a significant impact. The entire area of RPO wetland plus a 50-foot buffer have been excluded from the Major Use Permit boundary with mitigation measures provided to ensure no impacts occur during construction. There will be no net loss of wetlands and therefore no significant impact will occur. 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:** No Floodways or Floodplains were identified on the site. A CEQA drainage study is on file for the project site which was prepared by REC Consultant, Inc. and dated September 13, 2017 indicates that mitigation measure have been implemented to reduce the post development flowrates to predevelopment flow rates or below. 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 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 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. A patch of coast cholla has been identified as a

unique feature on the site that provides suitable habitat for coastal cactus wren. Mitigation for impacts to coast cholla has been provided to salvage coast cholla individuals through translocation to U.S. Fish and Wildlife Service's San Diego National Wildlife Refuge. No other sensitive habitat lands were identified on the site as determined on a site visit conducted by Dale Ritenour on June 15, 2016. 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 County of San Diego approved archaeologist/historian, Scott H. Kremkau, and it has been determined that there are two archaeological sites (CA-SDI-5064 and CA-SDI-5066) recorded within the project area. A cultural resources study entitled, Cultural Resource Survey and Testing for the Skyline Retirement Center, San Diego County, California (November 2017) determined that the resources do not meet the definition of significant site and do not need to be preserved under the Resource Protection Ordinance. Therefore, 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 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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The project is comprised of a full service senior living facility. The proposed project is subject to the County Noise Element which requires exterior noise sensitive land uses to be 60 dBA CNEL or less. Additionally, anticipated noise exposure levels of 75 dBA CNEL is considered unacceptable and any new construction or development shall not be considered. The location of the project site is immediately adjacent to Campo Road (SR-94) and is anticipated to have a high volume of traffic on this roadway. Based on this roadway line source alone, with no topography and no design features considered, future traffic levels of 75 dBA fall within portions of the proposed buildings facing this roadway. Noise measures are required in a form of a noise barrier along Campo Road to reduce the buildings traffic noise exposure level to below 75 dBA CNEL. Additionally, outdoor exterior use areas were assessed throughout the site and demonstrated noise levels to be as high as 59.4 dBA CNEL which is consistent and below the 60 dBA CNEL

threshold standard. Due to proposed building facades exposed to future traffic noise levels of 60 dBA CNEL and above, an interior noise assessment will be required prior to issuance of building permits. This will be a condition of approval within the Major Use Permit decision.

The project is also subject to the County Noise Ordinance which regulates permanent and temporary noise generating operations and activities. Permanent on-going noise sources associated with the project are comprised of HVAC units and pool equipment and pool activities. Ground level equipment were assessed and located at the northern and southern buildings. Roof top mechanical ventilation system will be design with a proposed parapet wall on each of the buildings and will vary in height, approximately 1-foot higher than the HVAC units to shield them both visually and acoustically. Additionally, screening from intervening proposed buildings would help further reduce noise from the proposed mechanical equipment. Based on the noise report, the northern property line is considered the worst case property line to assess and would generate noise levels as high as 46.7 dBA which is below the arithmetic mean requirement of 47.5 dBA. Operational characteristics of the project comply with the County Noise Ordinance.

Temporary construction equipment operations are subject to an eight (8) hour average 75 dBA Leq requirement at any occupied property. The project site will be graded and constructed in a single phase with construction activities anticipated to be completed prior to occupancy. Two dozers a loader/tractor, a water truck and excavator will be required during the grading activities to complete the proposed grading operations. The equipment will be spread out over the site working in difference areas for 1-4 weeks and then relocating to a different portion of the site as needed. No blasting and no rock crushing is anticipated during the grading operations. Based on the noise report, grading operation noise level are not anticipated to exceed the 75 dBA eight hour average sound level requirement at the neighboring occupied property lines. To ensure good construction equipment practices, the Major Use Permit will be conditioned to include additional noise reducing measures as part of the grading plan review.