

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

**FOR PURPOSES OF CONSIDERATION OF
SAN PASQUAL VALLEY ROAD TENTATIVE MAP
PDS2017-REZ-17-001, PDS2017-TM-5620,
PDS2017-AP-17-001, PDS2017-ER-17-08-009**

June 25, 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. Onsite vegetation includes disturbed, urban/developed, and a southern coast live oak- and eucalyptus-dominated drainage area. 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:

The project will obtain its water supply from the City of Escondido 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:

Even though wetlands and/or wetland buffer areas have been identified on the subject property per the prepared Biological Letter Report prepared by Pacific Southwest Biological Services, Inc. dated June 3, 2020., the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project would not result in the placement of any non-permitted uses within wetlands; b) the project would not result in grading, filling, construction, or placement of structures within identified wetlands; and c) the project would not result in any non-permitted uses within wetland buffer areas. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

The site contains a southern coast live oak riparian/eucalyptus woodland vegetation community, which if disturbed would result in a significant impact. The entire wetland area will be placed in an open space easement prior to issuance of improvement or grading plans or prior to recordation of the Final Map, whichever comes first. 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:

The project is in compliance. The Project site is not located within Federal Emergency Management Agency (FEMA), County Floodplain, County Floodway, or Dam Inundation flood zones. In addition, the Project site is not located within a tsunami or seiche inundation zone. There are no proposals for any offsite uses or improvements that need compliance with the Resource Protection Ordinance. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

The average slope for the property is less than 25 percent. 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:

0.9-acre of southern coast live oak/eucalyptus woodland and 16.3-acres of non-native grassland sensitive habitat lands were identified on the site per the Biological Letter Report prepared by Pacific Southwest Biological Services, Inc. dated June 3, 2020. The Project would impact 10.92 acres of the non-native grassland onsite, requiring offsite preservation at a 0.5 to 1 compensation ratio. The Project would purchase 5.46-acres of Tier III or higher quality habitat from the Brook Forest Mitigation Bank or another approved mitigation bank subject to the approval of the County. The 0.9-acre of southern coast live oak/eucalyptus woodland sensitive habitat area would not be graded or developed and would be preserved onsite in a biological open space easement delineated by open space signage and fencing. The biological open space would also be buffered with a limited building zone easement. 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/historian, Shannon Davis and Shelby Castells and it has been determined that the property does not contain any archaeological/ historical sites. Therefore, it has been found that the proposed project complies with Section 86.604(g) of 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

Discussion:

A Priority Development Project Stormwater Quality Management Plan (PDP SWQMP) was prepared for the project by Lundstrom Engineering and Surveying, Inc. dated May 21, 2020. The PDP SWQMP has been reviewed and 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

NO

NOT APPLICABLE

Discussion:

Even though the proposal could generate 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:

Staff has reviewed the project plans and Noise Report prepared by Ldn Consulting Inc. dated March 21, 2019. Documentation is considered acceptable and staff has noise recommendations to the TM project. The project is a Tentative Map to subdivide 18.2 acres into 14 single-family lots. The project is subject to the County Noise Ordinance and Noise Elements. The site is located near San Pasqual Valley Road, and thus would be impacted by the noise levels from this roadway. The project is subject to the County Noise Element which requires an exterior noise level to not exceed the threshold of 60 dBA CNEL for single family residences. The County General Plan Update showed that the nearby roadways are anticipated to expose the project site to levels that exceed the 60 dBA CNEL Noise Element. Based on the noise report, the construction of the 10-foot noise wall and berm along proposed TM parcels that have a direct line of sight with San Pasqual Valley Road (Lots: 2, 13, and 14), would reduce the exterior noise levels on those impacted parcels (Lots: 2, 3, 4, 13, 14, and 12) to conform with the Noise Elements. The report also demonstrates that even with the integration of the noise wall and berm, the second-floor interior noise for lots 2, 13, and 14 are anticipated to exceed the noise requirements. Therefore, a noise easement will be applied for those lots, as specified above, to ensure that the interior noise levels comply with the Noise Elements requirement.

Temporary construction noise is subject to Section 36.408, 409, and 410. The noise generated by construction equipment includes haul trucks, grader, dozers, etc. The project would not involve drilling or blasting equipment. Construction equipment is not anticipated to operate in any one location for an extended period. Additionally, noise reducing measures would be implemented as part of the grading process such as controlling the hours of construction to normal weekday working hours. Given the spatial separation of the equipment over the site and the limited hours of operations, the noise levels from the grading are anticipated to comply with the County of San Diego's 75 dBA standard per Section 36.409 of the Noise Ordinance at all Project property lines.