

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

**FOR PURPOSES OF CONSIDERATION OF  
SUMMIT ESTATES TENTATIVE MAP: PDS2019-TM-5635; PDS2019-AD-19-016;  
PDS2020-AP-20-001; and PDS2020-REZ-20-002**

**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:

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 May 26, 2020.

**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 potable water supply from the Rincon del Diablo Municipal Water District that obtains water from surface reservoirs or other imported sources. The project will not use groundwater for its potable water supply and adequate groundwater resources exist to support the use of an existing well for common-area irrigation. In addition, the project does not involve operations that would interfere substantially with groundwater recharge.

**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 three ephemeral drainage features that are potentially under County RPO and CDFW jurisdiction, which if disturbed would result in a significant impact. The entire area of these drainage features 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 not located near any floodway or floodplain fringe area as defined in the San Diego County Resource Protection Ordinance (RPO), 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 RPO.

***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 as defined by the RPO on the property. Therefore, it has been found that the proposed project complies with Section 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. 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 it has been determined there is one (or more) archaeological/historical site(s) present. Testing and other investigation determined the archaeological/historical site does not meet the definition of significant site and does 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

NO

NOT APPLICABLE

Discussion:

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

NO

NOT APPLICABLE

Discussion:

Staff has evaluated the plans and Noise Report prepared by Ldn Consulting, Inc. dated June 6, 2020 for TM-5635, also known as the Summit Estates Subdivision. Documentation is considered acceptable and staff has final noise recommendations. The project consists of approximately 22 acres to be subdivided into 20 single-family lots. The project is subject to the County Noise Element exterior noise threshold of 60 dBA CNEL for proposed exterior sensitive outdoor areas. The project site is adjacent to Summit Drive and thus, is impacted by this roadway. Based on the Noise Report, the proposed subdivision would not be exposed to future traffic noise exceeding the 60 dBA CNEL sound level requirements pursuant to the County Noise Element; the cumulative buildout noise levels are approximately 59.8. Additionally, exposure to 60 dBA CNEL at habitable structures would typically require an interior noise study to ensure interior Noise Element requirement of 45 dBA is met. This interior noise study requirement is not applicable to this project and no noise mitigation is required for Noise Element conformance. Project traffic contributions on nearby roadways were determined to result in less than significant off-site direct and cumulative impacts. Traffic would not result in a substantial contribution to the existing noise levels along these nearby roadways pursuant to the County Noise Guidelines.

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. Grading will occur on a lot-by-lot basis and may take approximately 1 to 4 weeks to complete. Construction activities would spread out and move along the site. Based on the Noise Report, construction activities would comply with the County Noise Ordinance, Section 36.404. Impulsive construction activities along with drilling and blasting are not proposed. Incorporation of construction equipment measures would help reduce the overall construction equipment noise as temporary construction operations are not anticipated to exceed county noise standards. Incorporation of noise measures would ensure the project is in conformance with the County Noise Element and is in compliance with the County Noise Ordinance.