

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

**FOR PURPOSES OF CONSIDERATION OF
LAVENDER AND OLIVE EVENT VENUE
PDS2018-MUP-18-013, PDS2018-ER-18-09-006**

August 1, 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

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

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 Ramona Municipal 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 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 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"/>

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 in compliance. The project is approximately 0.2 miles from the nearest floodway/floodplain fringe area, but there are no proposals for any offsite uses or improvements that need compliance with the Resource Protection Ordinance.

Steep Slopes:

The average slope for the property is less than 25 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. Additionally, the land has been substantially disturbed by previous legal grading. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

The project site is developed, and no sensitive habitat lands exist on the project site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

County staff has reviewed County records and it has been determined that archaeological/ historic resources will not be disturbed, and mitigation would not be required. 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

The project Storm Water Quality Management Plan has been reviewed and is 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

The project is subject to the County Noise Ordinance, which does not allow the noise level from the project to exceed the noise limit to the nearest property lines. The site project as well surrounding parcels to the north, east, and southwest are zoned Limited Agriculture (A70), which is subject to the daytime noise level of 50 dBA and 45 dBA nighttime. The adjacent parcel along the west and southeast area are zoned Industrial (M54 & M52), which is subject to the arithmetic mean noise levels of 60 dBA daytime and 57.5 dBA nighttime limit. The main noise would be produced by the operational noise and the construction activity from grading. Permanent noise sources such as the mechanical equipment and HVAC units, traffic, as well as noise generated from the various events on the property are subject to the County Noise Ordinance one-hour average sound level limit at the property line pursuant to Section 36.404. Based on the noise report, the noise level from the amplified equipment is in conformance with the 50 dBA, when the sound level is limited to 75 dBA at 25-foot distance. The hours of operations would be limited to 10:00 am to 10:00 pm, where no music, live or recorded would occur after 10:00 pm. There will also be only one event on-site occurring on any given day. Lastly, the existing equestrian events would not occur simultaneously as any of the public events with amplified music. With the incorporation the project conditions, limitations to the hours of operations and events occurring, the operational noise generated from this proposal would be in compliance with the County noise standards, Section 36.404. In addition, the project is estimated to generate 180 daily trips for the events. The minimum change in sound level that the human ear can detect is approximately 3 dBA. The report demonstrates that the increase in traffic to Montecito Way and Montecito Road is less than 3dBA, which according to the County's Guidelines for Determining Significance is deemed as less than significant impact. Lastly, the noise levels from the HVAC would be in conformance with the Noise Ordinance. Based on the conservative scenario, the combined cumulative noise levels to the nearest property line is 42.1 dBA at the south property line and 43.9 dBA at the western property line. The noise level would be below the 45-dBA threshold, therefore in conformance with the Noise Ordinance, Section 36.404.

Temporary grading operations to prepare the site were also assessed. The earthwork will be done in one phase that will commence for approximately one week. The construction

equipment associated with the grading will be a single skip loader. Grading would result in a temporary activity while no materials processing would occur on site. The earthwork activities are located at a distance of 75-150 feet from the nearest property lines. Given the spatial separation of the equipment, the noise level would comply with the noise level limit of 75-dBA as specify in the Noise Ordinance, Section 36.409. Furthermore, drilling and blasting is not proposed and based on the noise report, noise levels are not anticipated to exceed the 75-dBA eight-hour average at any occupied property line. Therefore, design measures will be incorporated into the Major Use Permit decision to ensure Noise Ordinance compliance and General Plan Noise Element conformance.