

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

**FOR PURPOSES OF CONSIDERATION OF**

**FREEDOM RANCH ALCOHOL AND DRUG TREATMENT AND RECOVERY  
FACILITY; PDS2012-3301 74-011-07 (MUP); PDS2012-3910-1221002 (ER)**

**March 13, 2015**

**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

Following review and acceptance of the Groundwater Investigation for the project prepared by AECOM (June 2013) and as identified within Section 67.722B (Groundwater Investigations) of the San Diego County Groundwater Ordinance, it has been determined that groundwater resources are adequate to meet the groundwater demands of the project.

**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 checked="" 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"/>

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:***

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. 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 well below 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 as shown on the Steep Slope Encroachment Exhibit prepared by Walsh Engineering & Surveying, Inc. dated April 6, 2012. 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. Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, and a Biological Resources Report dated January 16, 2014 prepared by Everett and Associates, County staff biologist Maggie Loy has determined no sensitive habitat lands are present 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, Andrew Pignolo, and it has been determined there are five archaeological resources present. Due to the absence of testing, the resources have been determined to be RPO significant. The sites will be preserved through project design (avoidance) and placement within an open space easement. The project complies with the Resource Protection Ordinance because the sites will be preserved in place for future scientific research.

**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 Management Plan and Hydromodification Management Study prepared by Walsh Engineering & Surveying, Inc. (January 2014) have 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

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.

The project is a Major Use Permit Modification comprised of an expansion to an existing residential alcohol and drug treatment and recovery facility. The project modification is to add five dormitories and a dining hall. All noise sensitive areas on the project site would be exposed to future traffic noise levels less than 60 dBA CNEL in compliance

with the Noise Element. Off-site direct and cumulative noise impacts from the additional project traffic contributions are minimal and are considered less than significant. The project changes are subject to the County Code Noise Ordinance which regulates all permanent and temporary noise generating operations and activities. Permanent noise sources were identified as ground level HVAC units adjacent to each new building, including the dormitories, dining hall, and the transitional living facility. The operations of the mechanical equipment would generate noise levels ranging from 30 dBA to 37 dBA at the southern property line (worst-case) which is below the 45 dBA requirement at the project property lines. Changes to the project associated with permanent noise sources would be considered less than significant and would comply with County noise standards.

Temporary construction equipment associated with the Major Use Permit Modification were also evaluated and determined to produce up to 75 dBA at the northwestern property line corner near dormitory 1 and at the southern property line near the living facility. The project would meet the 75 dBA eight hour average temporary construction noise requirement as levels have been identified to be 75 dBA and less at all property lines. Therefore, with the proposed changes the project would be in compliance with the County Noise Element and County Code Noise Ordinance.