

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

**FOR PURPOSES OF CONSIDERATION OF  
Dai Dang Meditation Center, P04-016, Log No. 04-02-011**

**August 8, 2007**

**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. 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 Rainbow 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"/>

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.

***Floodways and Floodplain Fringe:***

This project is not located in or near a Floodway or Floodplain.

***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 steep slopes on the property however, an open space easement is proposed over the entire steep slope lands except for the areas allowed encroachment under the provisions of said ordinance. Therefore, the project is in conformance with the RPO.

***Sensitive Habitats:***

No sensitive habitat lands were identified on the site as determined by a Biological Technical Report dated August 17, 2006, prepared by REC Consultants. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

**Significant Prehistoric and Historic Sites:**

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs; as well as a survey of the proposed project by County of San Diego staff archaeologist, Gail Wright, it has been determined that the project site does not contain any archaeological resources.

**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 SWMP has been prepared by Richard Hartley, Spear and Associates (DPLU received February 6, 2007). The Department of Public Works DPW has accepted this SWMP, which is a living document to be updated to reflect any changes during the project final plan review and throughout the life of the project.

**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:

**Noise Ordinance – Section 36-404**

Based on an Acoustical Site Assessment (#05-055) by Investigative Science and Engineering, Inc. dated August 19, 2005, non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36-404) at or beyond the project’s property line. The site is zoned A70 that has a one-hour average sound limit of 50 decibels during the day and 45 decibels at night. The adjacent properties are zoned A70 and have the same one-hour average sound limits at each property line. The Site Assessment states that no major onsite noise sources were proposed by this modification including minor maintenance activities and concludes that property line noise levels from the project will not exceed County Noise Standards. Hours of public services and access are limited to Sundays between 9:00 a.m. and 3:00 p.m. except for five special events per year. No outdoor electronic sound amplification is required for these events and the permit modification will include a condition to prohibit such a use in the future for any special events. To ensure compliance to property line standards, a condition pursuant to the Major Use Permit requires an acoustical certification test by a County-approved noise consultant to monitor and to report the property line noise levels during at least one special event within six months of occupancy and to recommend measures, as needed, to reduce any excessive event noise below the appropriate County one-hour average noise level standard of either 50 decibels during the day or 45 at night.

Noise Ordinance – Section 36-410

Based on an Acoustical Site Assessment (#05-055) by Investigative Science and Engineering, Inc. dated August 19, 2005, the project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36-410). Construction operations will occur only during permitted hours of operation pursuant to Section 36-410. Also, It is not anticipated that the project will operate construction equipment in excess of an average sound level of 75 dB between the hours of 7:00 AM and 7:00 PM.

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