

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

FOR PURPOSES OF CONSIDERATION OF  
JAMUL COMMERCIAL; PDS2018-MUP-18-008, PDS2018-TPM-21262;  
PDS2018-ER-18-19-008

February 28, 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  
☒

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  
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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 February 28, 2019.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
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NO  
☐

NOT APPLICABLE/EXEMPT  
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The project will obtain potable water from the Otay Water District that obtains water from surface reservoirs and/or other 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 coast live oak woodland within an RPO wetland, which if disturbed would result in a significant impact. The entire area of coast live oak woodland as well as adjacent coastal sage scrub, will be placed in an open space easement prior to issuance of improvement or grading plans or prior to recordation of the Parcel Map and prior to obtaining any subsequent permit and prior to construction or use in reliance on the permit. 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 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:***

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 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:***

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/historian and it has been determined there is one archaeological site (CA-SDI-17242), and one historical site (P-37-037348) present. It was determined that P-37-037348, the structural remains of a historic-age farm, is not a significant site and does not need to be preserved under the Resource Protection Ordinance. Archaeological site, CA-SDI-17242, will be avoided by project design. 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  
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NO  
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NOT APPLICABLE  
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Discussion:

The project Storm Water Quality Management Plan and Hydromodification Management Study has/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  
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NO  
☐

NOT APPLICABLE  
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Discussion:

Staff has reviewed the noise report prepared by Ldn Consulting Inc. dated December 19, 2018 and project plot plans for PDS2018-MUP-18-008. Documentation is considered acceptable. The project is the Jamul Commercial, comprised of a Tractor Supply Company store of 18,800 square foot (SF) and a separate self-storage facility of up to 600 storage units/vaults and up to 0.5 acres of outdoor RV/Boat parking. 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 are zoned commercial, which is subject to the daytime noise level of 60 dBA and 55 dBA night time. The adjacent parcel along the northeast area is zoned Limited Agriculture (A70), which is subject to the arithmetic mean noise levels of 55 dBA daytime and 50 dBA night time limit. Permanent noise sources such as the mechanical equipment, HVAC units, and pool pumps, etc. are subject to the County Noise Ordinance one-hour average sound level limit at the property line pursuant to Section 36.404. As part of the project design, a parapet wall, approximately one foot in height taller than the

rooftop HVAC units would be installed to shield the direct line of sight for the nearest property line. Incorporation of this noise control feature would reduce mechanical equipment noise to levels of 50 dBA and below at the worst-case property line. The project will be conditioned to implement this design and would result in all mechanical equipment demonstrating compliance with the County Noise Ordinance.

Temporary grading operations to prep the site were also assessed. The construction equipment would be spread out over the site and at a distance of approximately 150-feet away from the adjacent property lines. Construction equipment associated with the grading includes a scraper, backhoe, and loader. Grading would result in a temporary activity while no materials processing would occur on site. 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 level 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.