

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF Phap Vuong Monastery Major Use Permit PDS2014-MUP-14-010, ER01-08-051A

December 11, 2018

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project would cause impacts to 1.2 acres of Diegan coastal sage scrub. As such, the applicants would obtain a Habitat Loss Permit prior to receiving a clearing or grading permit. In addition, forensic analysis determined that 0.6 acres of coastal sage scrub was cleared on the site without a permit. Impacts to 1.8 acres of Diegan coastal sage scrub would be considered significant. These impacts would be mitigated through habitat conveyance and preservation of off-site mitigation at a 1:1 ratio. Through habitat conveyance and preservation, impacts to Diegan coastal sage scrub habitat would be less than significant.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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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
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NO
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NOT APPLICABLE/EXEMPT
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SDC PDS RCVD 01-25-19
MUP14-010

Discussion:

The project will obtain its water supply from the City of Escondido/Rincon Del Diablo 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 type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" 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 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: 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. 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. The site contains scarce, isolated patches of Diegan coastal sage scrub and non-native grassland habitat. The majority of the proposed project site and surrounding area is developed, under agricultural use, and/or disturbed. Due to habitat fragmentation, the disturbed nature of the existing habitat, and the absence of sensitive plant and wildlife observations and detections during biological surveys, it has been determined that the site does not support a viable population of sensitive species, is not critical to the proper functioning of a balanced natural ecosystem, and does not serve as a functioning wildlife corridor. Therefore, no sensitive habitat lands were identified on the site. 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 staff archaeologist, and it has been determined that the property does not contain any archaeological and/or historical sites. As such, the 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
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NO
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NOT APPLICABLE
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Discussion:

The project Storm Water Management Plan and Hydromodification Management Study has/have been reviewed and is/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
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NOT APPLICABLE
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Discussion:

The project is a Major Use Permit for a new monastery on an existing residential zoned property. The project and surrounding uses are zoned RS and is subject to the most restrictive one-hour average nighttime sound level limit of 45 dBA and daytime of 50 dBA. Based on the project design and layout, staff does not anticipate noise from the

proposed church facility to exceed County noise standards. There are no proposed choir groups or children's activities area. Retail is also not proposed. Additionally, the project would be conditioned to ensure any substantial noise generating equipment and/or activities to comply with County noise standards.

The project is also subject to the Noise Element that requires an interior noise requirement of 45 dBA and 50 dBA. The interior living quarters would be subject to 45 dBA and all others used part of day would be subject to 50 dBA. Typical wall assembly construction would provide a 15 to 20 decibel noise reduction from traffic noise. Additional measures such as placement of windows, window and door upgrades, building material option upgrades could help further reduce noise. As recommended in the Noise Study and part of the project design, the building would utilize an improved dual pane window design to meet the County Noise Element standards. The project will be conditioned to require windows to be improved to a dual pane design with a sound transmission class (STC) minimum rating of 26. Therefore, the project demonstrates compliance with the County Noise Ordinance and conformance to the Noise Element.