

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
St. Gregory of Nyssa Church
PDS2005-3300-05-010, PDS2005-3910-0514016

December 20, 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 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
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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 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 December 20, 2018.

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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Discussion:

The project will obtain its water supply from the Otay 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 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:

No sensitive habitat lands were identified on the site based on GIS aerial imagery and as determined on site visits on December 22, 2006 and July 24, 2009. The site has been completely disturbed by a prior permitted single family residence. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Donna Beddow, it has been determined that the project site does not contain any archaeological resources. As such, 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 has been reviewed and has been found to be complete and in conformance 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 will not generate nor exposed people to 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 for the following reasons:

General Plan – Noise Element

The project is subject to the County Noise Element community noise equivalent level (CNEL) of 50 dBA for interior noise for churches used part of the day pursuant to the General Plan Noise Element (Table N-1 & N-2). Based on GIS data, the project site is located in a noise contour of a CNEL of 60 dBA. The project has been conditioned as a project design feature and general plan conformance to have a County Approved Acoustical Consultant perform an acoustical analysis which demonstrates that the interior of structures associated with the religious assembly and church uses do not exceed the allowable sound limit of 50dBA.

Noise Ordinance – Section 36.404

The project is zoned Rural Residential (RR) and subject to the most restrictive nighttime one-hour average sound level limit of 45 dBA and daytime 50 dBA with a less restrictive average sound level limit at the southern property line adjacent to the General Commercial (C36) zone pursuant to Section 36.404. Based on the Noise Analysis, primary noise sources associated with the project are comprised of HVAC units uses associated with church activities. All noise associated with the HVAC units will be contained within the proposed project site. Additionally, the Major Use Permit would be conditioned to require all church associated activities to comply with the one-hour average sound level limit property line requirement pursuant to Section 36.404 of the County Noise Ordinance.

Noise Ordinance – Section 36.409

The project is subject to construction equipment operations related to project grading activities. Temporary construction equipment activities are subject to a 75 dBA eight hour average limit at an occupied boundary line. Based on the project description and the amount of grading associated with the project, typical Temporary construction equipment operations are subject to a 75 dBA eight-hour average at a residentially occupied property line. Based on the construction equipment analysis in the submitted Noise Analysis, grading and construction activities are not anticipated to exceed the 75 dBA construction noise requirement.