

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

**FOR PURPOSES OF CONSIDERATION OF  
Sierra Roble Winery  
PDS2016-AD-16-034, PDS2019-ER-19-04-001**

**April 18, 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:

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:

As identified within Section 67.722B of the San Diego County Groundwater Ordinance, it has been determined that groundwater resources are adequate to meet the groundwater

demands of the project and thus, the project will not adversely impact groundwater availability.

**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<br><input checked="" type="checkbox"/> | NO<br><input type="checkbox"/> | NOT APPLICABLE/EXEMPT<br><input type="checkbox"/> |
| The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?   | YES<br><input checked="" type="checkbox"/> | NO<br><input type="checkbox"/> | NOT APPLICABLE/EXEMPT<br><input type="checkbox"/> |
| The <a href="#">Steep Slope</a> section (Section 86.604(e))?   | YES<br><input checked="" type="checkbox"/> | NO<br><input type="checkbox"/> | NOT APPLICABLE/EXEMPT<br><input type="checkbox"/> |
| The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?                    | YES<br><input checked="" type="checkbox"/> | NO<br><input type="checkbox"/> | NOT APPLICABLE/EXEMPT<br><input type="checkbox"/> |
| The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance? | YES<br><input checked="" type="checkbox"/> | NO<br><input type="checkbox"/> | NOT APPLICABLE/EXEMPT<br><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 were identified on the site as determined by Biological Resources Report dated March 11, 2019. However, the proposed project would be conditioned to

mitigate through onsite preservation of granite northern mixed chaparral and purchase chaparral habitat from a County approved mitigation bank. 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, Richard Carrico, and it has been determined that the property does not contain any archaeological/historical sites. 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                      NO                      NOT APPLICABLE  
                                           

Discussion:

The project Storm Water Quality Management Plan has been reviewed and is 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  
                                           

Discussion:

Staff has evaluated the Plot Plan and noise information submitted to the County on June 14, 2018 for the Administrative Permit for the Lowe Ad Small Winery. All previous noise comments have been addressed, the documentation and noise analysis is considered complete. Staff has final noise recommendation to ensure the project would comply with County noise standards, Section 36.404. The project proposes to authorize the operation of a small winery.

The project and surrounding uses are zoned Limited Agriculture (A70) and is subject to the most restrictive one-hour average nighttime sound level limit of 45 dBA and daytime of 50 dBA. The business hours for the Tasting Room is Friday through Sunday and most of Monday holidays. The small winery will also consists of special events with live music held in in the patio or winery area only. These events would occur approximately eight to twelve time per year. The hours of operations for these events will be limited to 7:00 pm to 10:00pm, where no music, live or recorded would occur after 10:00 pm. Therefore, the limitations to the hours of operations and events occurring, the operational noise generated from this proposal would be in compliance with the County noise standards, Section 36.404.

The project is not requesting for additional structures or grading, therefore, would not be subject to the Noise Ordinance, Section 36.408, 36.409, and 36.410. However, if the project was to propose any construction activities during any process of this project, noise from these sources would need to be evaluated at that time. Additional noise control measures would be a part of the conditions of approval to ensure noise ordinance compliance.