

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

**FOR PURPOSES OF CONSIDERATION OF  
Pala Mesa Commercial  
PDS2020-STP-20-021; PDS2020-ER-20-02-003**

**October 17, 2024**

**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  
                                           

The proposed Project and any off-site improvements are not located within the boundaries of the Multiple Species Conservation Program. However, the Project does not propose impacts to Coastal Sage Scrub. 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  
                                           

The proposed Project and any off-site improvements related to the proposed Project are not located within the boundaries of the Multiple Species Conservation Program.

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

YES                      NO                      NOT APPLICABLE/EXEMPT  
                                           

As detailed in a water availability form dated December 2020, the Project will obtain its water supply from the Rainbow Municipal Water District. The Project will not use groundwater for construction or operations of the Project.

**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                      NO                      NOT APPLICABLE/EXEMPT

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"/>

***Wetland and Wetland Buffers:***

The project site does not support wetlands or wetlands buffers. The project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project will not place any non-permitted uses within wetlands; b) the project will not allow grading, filling, construction, or placement of structures within identified wetlands; and c) the project will not allow any non-permitted uses within wetland buffer areas. The project site has been previously graded since the 1970s. 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 does not contain a 100-year floodway or floodplain. Construction associated with the project will not be located within a Floodway or Floodplain fringe. 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). The project site has been previously graded since the 1970s. The project site does not contain steep slopes as defined by the RPO. 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. Based on review of historic imagery, previous permits, and a site visit, sensitive habitat lands were not identified on the Project 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 (or County of San Diego staff archaeologist/ historian) and it has

been determined that the property does not contain any archaeological/ historical sites. As such, the project complies with the RPO. 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

NO

NOT APPLICABLE

A Stormwater Quality Management Plan dated June 3, 2022 by Excel Engineering has been reviewed and are found to be complete 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

General Plan – Noise Element: Policy 4b addresses noise sensitive areas and requires projects to comply with a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Projects which could produce noise in excess of 60 dB(A) are required to incorporate design measures or mitigation as necessary to comply with the Noise Element. Based on a review of the County’s noise contour maps, the Project is located within noise contours identified in the noise element of the General Plan ranging 60 CNEL or more due to the proximity of the Project site to Interstate 15 and Old Highway 395. The Project consists of remodeling and expansion of an existing commercial plaza and does not propose residential uses or noise sensitive land uses. Due to the proximity of the Project site and surrounding residential land uses to Interstate 15 and Old Highway 395 as well as the noise contours identified in the General Plan, the existing ambient noise levels are anticipated to be in excess of 60 dBA. In accordance with a Local Mobility Analysis prepared for the Project by Darnell and Associates dated March 4, 2022, the Project is anticipated to generate a gross estimate of 2,918 average daily trips. All proposed uses of the Project are considered locally serving commercial uses that are intended to serve residents in the Fallbrook community and motorists traveling along I-15. By taking into account pass-by trips due to several factors such as the nature of the uses of the Project, the combination of commercial uses, and the location of the Project near I-15 and Old Highway 395, the Project is anticipated to generate a net total of 1,310 daily trips. The additional trips added by the Project are anticipated to be a minimal increase compared to the existing traffic on Old Highway 395 and Interstate 15. Noise generated as a result of traffic by the Project will be negligible and is not anticipated to be discernible compared to the existing noise generated by traffic along Old Highway 395 and Interstate 15 and the existing operations of the Project. It should be noted that the residences near the Project site are located along the western property boundaries and portions of the residential development contain existing noise walls that were constructed as part of the residential development. Additionally, the majority of grading associated with the Project will occur in the rear of the property in fill

slopes and will include retaining walls in order to support the slopes in the rear of the property that are anticipated to assist in attenuating noise. Therefore, the project does not propose any noise sensitive land uses and would not expose any existing noise sensitive receptors to noise levels that exceeds the County's noise standards and standards identified in the Noise Element of the General Plan.

Noise Ordinance – Section 36-404: Non-transportation noise generated by the project is not expected to exceed the standards of the Noise Ordinance at or beyond the project's property line. The site is zoned General Commercial (C36) that has a one-hour average sound limit of 60 dBA daytime and 55 dBA nighttime. The adjacent properties are zoned Single Family Residential (RS), Transportation and Utility Corridor (S94), and General Commercial (C36). The Transportation and Utility Corridor (S94) and General Commercial (C36) land use regulations are located directly north and east of the site and are subject to the sound limit of 60 dBA daytime and 55 dBA nighttime. The Single Family Residential (RS) land use regulation is located directly west of the site and is subject to the sound limit of 50 dBA daytime and 45 dBA nighttime. The mean one-hour average sound limit at the nearest residential property line is a sound limit of 55 dBA daytime and 50 dBA nighttime. The Project consists of redevelopment of an existing commercial center. Operations of the Project do not involve amplified music or noise producing equipment that would exceed applicable noise levels at the adjoining property line. The Project does not involve any noise producing equipment that would exceed applicable noise levels at the adjoining property line. The majority of noise generated by the Project is anticipated to be from traffic or maintenance vehicles as previously discussed in the General Plan – Noise Element analysis. It should be noted that the residential zones along the western property boundaries and portions of the residential development contain existing noise walls that were constructed as part of the residential development. Additionally, the majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property that are anticipated to assist in attenuating noise. Therefore, the project complies with Section 36.404 of the Noise Ordinance.

Noise Ordinance – Section 36-410: The project will not generate construction noise in excess of Noise Ordinance standards. Construction operations will occur only during permitted hours of operation. The project does not propose the use of blasting during construction activities. Also, it is not anticipated that the Project will require the operation of construction equipment in excess of an average sound level of 75 dB between the hours of 7 AM and 10 PM. The majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property. The Project will also implement standard good practice recommendations that are conditions of the Project such as:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition,  
and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers.
- d. Minimize the use of backup alarms.