



DATE: January 28, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D-7-07) AND CONDITIONAL USE PERMIT (C-12-07) FOR THE DEVELOPMENT OF A CONCRETE MIX PLANT AND MATERIALS HANDLING OPERATION AND INSTALLATION OF A 12,000-GALLON ABOVE GROUND FUEL TANK AT 2847 INDUSTRY STREET – ROBERTSON’S OCEANSIDE – APPLICANT: ROBERTSON’S**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Approve Development Plan (D-7-07) and Conditional Use Permit (C-12-07) by Adopting Planning Commission Resolution No. 2008-P05 with findings and conditions of approval attached herein.
- (2) Approve the Mitigated Negative Declaration with the Mitigation, Monitoring and Reporting Program.

PROJECT DESCRIPTION AND BACKGROUND

Site Review and Background: The subject site is approximately 2.95 acres in size and is situated on the north side of Loma Alta Creek, along Industry Street, just east of Foussat Road. The property slopes from northeast to southwest toward Loma Alta Creek. The site is currently vacant but has been previously used for wood truss manufacturing and includes several paved areas. Industrial land uses surround the property to the north, west and east. Loma Alta Creek and the North County Transit District (NCTD) Sprinter railroad tracks are to the south..

The zoning designation for the site is Industrial General (IG). The proposed concrete mix plant is classified as an Industrial General use - a permitted use within the subject zoning district. The General Plan Land Use for the site is General Industrial (GI). The subject designation permits a full range of industrial manufacturing and processing uses.

The Planning Commission held a public hearing on the project on October 23, 2006. The Commission approved the development proposal with a 4-to-3 vote. Following the hearing and prior to the end of the appeal period, a call for review was filed. The stated reasons for the review were the project's impacts to the environment; traffic, noise, quality of life on the surrounding neighborhood and adequacy of the evidence to support the required findings for approval of the Development Plan and Conditional Use Permit. The applicant withdrew their application prior to the City Council hearing and subsequently filed a new application. A Mitigated Negative Declaration was prepared that analyzed all issues originally raised in the call for review. The project and Mitigated Negative Declaration are the subject of this report.

Project Description: The proposed facility is a concrete manufacturing plant that will produce "ready mix" concrete for use in construction. The manufacturing plant would process a maximum of 1,200 cubic yards of concrete per day. The proposed project includes an enclosed aggregate storage building with a 12,000-gallon above-ground diesel fuel storage tank, as well as a batch plant and office building. The remainder of the site would consist of two detention basins, parking, and landscaping.

The project has been designed to recycle industrial water and would utilize detention basins in order to capture water and also protect water quality. Proposed vehicles include 17 employee vehicles (to be parked on-site during business hours), 15 ready-mix trucks (parked on-site during off-business hours), 10 sand/aggregate trucks (parked off-site), and four cement trucks (parked off-site). The sand/aggregate and cement trucks are to be parked off-site overnight at their respective sand/aggregate and cement facilities. A total of 18 on-site parking spaces, 15 driver spaces, and three office spaces, one of which is handicapped accessible, are proposed to be provided.

The proposed facility would operate from 6:00 A.M. to 6:00 P.M. Monday through Saturday. Deliveries of materials could occur between 6:00 A.M. to 9:00 P.M. Monday through Saturday. The plant would be operated by two on-site employees. Off-site employees would consist of a maximum of 15 drivers. A maximum of 120 concrete truck deliveries per day are projected.

Facility Description: The proposed facility would include the following elements:

- a. **Materials Storage Building** – The materials storage building (approximately 9,440 square feet) would be 30 feet high and would be located in the northwestern corner of the site. The materials storage building would be designed to store and "recover" aggregate and sand.

Bottom dump trucks would deliver aggregate and sand from quarries outside of the project site and unload in an underground hopper just south of the building. The materials would then move through a system of conveyor belts into storage bins within the building. When needed by the batch plant, the materials (aggregate and/or sand) would be “recovered” through underground tunnels and transported by conveyor belts from the materials building to the batch plant located approximately 60 feet to the east. The materials storage building would be able to hold enough aggregate and sand for approximately two to three days of operations. On average, 62 truck deliveries (bottom dump trucks) per day would be required to keep the materials storage building supplied with enough sand and aggregate for day-to-day operations.

b. Batch Plant – The batch plant would consist of a concrete batch plant building (40 feet in height); two cement silos (65 feet in height); and a 1,005-square-foot batch office (14 feet in height). The architectural elevations for the batch plant are those of a typical modern commercial or industrial building. The single alley (only one truck loading area) concrete batch plant would contain a slurry blender which mixes the cement with water prior to adding the sand and aggregate. The water is precisely measured electronically to the concrete which reduces emissions and increases efficiency as compared to adding the water manually. The concrete ingredients are stored in the materials storage building and transferred to the batch plant as needed. The concrete ingredients would include Portland Cement (12 percent), fly ash (2 percent), sand and rock (aggregate) (78 percent) , water (8 percent), and small quantities of concrete admixtures (<1 percent). The slurry blender would mix the ingredients in an enclosed drum mixer and then transfer the concrete directly into a ready mix truck.

The Portland Cement would be stored in silos located within the batch plant building and transferred to the silos from delivery trucks which use compressed air to blow the cement into one of the three overhead storage silos. The silos would be completely enclosed and the air used for the transfer vented through a series of filters which remove emissions. The fly ash would be handled in a manner similar to the cement and together fly ash and cement are the “glue” that holds concrete together. The concrete admixtures are used in some circumstances to enhance the characteristics of the concrete and can consist of water reducers (increases strength), accelerators (increase early strength), or color pigments for architectural concrete.

The batch plant would include doors that automatically close once the truck is inside the plant (the proposed facility will be 100 percent enclosed, unlike traditional facilities). The doors have been designed to decrease noise levels by a minimum of 15 dB as described further in the Noise section of this document. The doors would be designed to give the building more of a commercial rather than industrial look.

c. Above Ground Fuel Storage Tank – The above ground fuel storage tank would be used to store up to 12,000 gallons of diesel fuel. The tank would be of double wall construction, would meet all government standards for fuel storage, and would include a secondary containment system to prevent the escape of fuel in the event of leakage

or spillage. The storage tank would require approval of a conditional use permit. In the event of a complete failure of the 12,000-gallon storage tank, the southern on-site detention basin would have more than sufficient capacity (73,000 gallons) to detain the diesel fuel and keep it from reaching Loma Alta Creek.

d. Office Building - The office building or “batch office” would be the only “occupied” building on the site and would be a single-story, approximately 1,005-square-foot, 14-foot high structure used as a sales office. There would be three parking spaces allocated for the office workers, one of which would be handicapped accessible.

e. Detention Basins – The project proposes two main detention areas. Stormwater runoff and industrial waste water would be captured by the detention area around the batch plant and recycled. A second on-site detention basin would capture stormwater runoff from the paved areas that are not related to the facilities. The detention basins would be concrete lined and the southerly stormwater detention basin has been designed to decrease runoff in a 100-year storm event from pre-project conditions of 14.01 cubic feet per second (CFS) to 8.43 CFS post project runoff. The basin would have a capacity of approximately 73,000 gallons before overflowing the weir which equates to approximately 13 hours of a 100-year storm event.

The detention basins would not percolate and stormwater detained in the 73,000-gallon southern detention basin would be pumped via an 18-gallon-per-minute pump back to the batch plant to be recycled. Potential pollutants captured by this detention facility will settle to the bottom of the basin and be removed by maintenance crews. Only after the thirteenth hour of a 100-year storm event would the stormwater overflow the southern detention basin via a concrete spillway and be bio-filtered by the landscaping and natural vegetation buffer prior to entering Loma Alta Creek.

A small portion of the site, the concrete driveway in the northeastern corner, because of the grade would not drain directly to the southern detention basin. Instead stormwater generated by this paved area would drain to an inlet (storm drain B) located within the driveway and travel via an underground pipeline to the southwest corner of the site where it would be treated by a gravity separator located adjacent to the southern detention basin then released into the natural vegetation adjacent to the creek.

f. Other Site Improvements – Implementation of the proposed project would result in approximately one acre of the 2.95-acre project site being graded for project access or parking. The driveway and parking areas would be paved with six inches of concrete. Grading and paving would occur only in areas that are currently paved or previously disturbed. The 0.36-acre of natural vegetation along Loma Alta Creek would not be disturbed. Other project elements would include open space landscaping designed to screen the project and improve aesthetics. The project will preserve 0.36 acre of native habitats on-site, including Loma Alta Creek and the 100-foot-wide vegetated buffer that would separate the plant from Loma Alta Creek to the south. The buffer would consist of a 50-foot-wide conservation buffer and minimum 50-foot-wide planning buffer that would protect the creek from batch plant activities. The entire

buffer area, including the creek, would be preserved in perpetuity within a conservation easement. This buffer is consistent with the Loma Alta Creek Watershed Management Plan and City's Draft Subarea Plan and is the first 100-foot wide buffer to be provided along Loma Alta Creek.

g. Water Supply - The primary source of water used in the making of the concrete would be via the City's water system. However, the project proposes to provide a supplemental source of water. This supplemental (recycled) water would be pumped from the holding basin which would capture water collected during operations or storm events. As much as one-third of the water used by the proposed facility would be recycled.

The project is subject to the following Ordinances and City policies:

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project consistent with the underlying land use designation and zoning development criteria and compatible with surrounding land uses?

The zoning designation for the site is IG (General Industrial). The site is currently being used by a roof truss company consistent with the underlying IG Zone. The proposed concrete mix plant is classified as an Industrial General use - a permitted use within the subject zoning district. The General Plan Land Use for the site is General Industrial (GI). The subject designation permits a full range of industrial manufacturing and processing uses. The proposed batch plant is a permitted use within this land use category. The 12,000-gallon above ground storage tank requires approval of a conditional use permit. The tank and spill containment system is in compliance with all local, state, and federal laws and will not impact Loma Alta Creek to the south.

The tallest structure element of the proposed concrete plant (concrete silos) will be 65 feet, which is within the maximum allowable height of 80 feet. Approximately 50 percent of the site would be landscaped with native plants in the 100-foot buffer area and a mixture of native and non-invasive landscaping on the remainder of the site. This exceeds the applicable minimum landscaping requirement of 12 percent. The project meets or exceeds all other applicable development standards including setbacks and parking requirements.

The site and all properties to the north east and west are either zoned or currently in use as heavy industrial uses. As stated above, Loma Alta Creek to the south would be buffered by a vegetated 100-foot buffer. The railroad tracks and open space are further to the south. The proposed concrete batch plant will be totally enclosed in a building designed to look like a modern commercial/industrial structure, which is compatible with well-designed industrial buildings along the eastern part of Industry Street. The Oceanside Boulevard Visioning Process (2007) acknowledged that some of the industrial/commercial uses in the eastern portion of Industry Street were well designed and landscaped. The Robertson's Plant would be consistent in terms of design and landscaping with these industrial users.

2. Is the proposed project consistent with local, state, and federal environmental plans/policies?

Areas of potential concern such as visual quality, noise and biological impacts have been addressed through appropriate site design. Site planning of the proposed concrete batch plant is sensitive to Loma Alta Creek and open space properties to the south. The concrete mix facility will be enclosed by concrete tilt-up walls and designed in a manner that projects a high quality industrial project thus minimizing noise and aesthetic impacts to adjoining uses. Landscaping and perimeter walls will provide screening and buffering between public right-of-way and the proposed use. Significant tree/landscaping material plantings coupled with the strategic placement of facilities and perimeter wall enclosures will address visual concerns from the public right-of-way. The following are key environmental elements that have been addressed by site design and conditions of approval in the resolution:

Traffic Impacts/Traffic Impact Analysis: The concrete plant is capable of producing up to 1200 cubic yards of ready-mix concrete a day. Truck traffic generated by this project is projected to use Industry Street and other major roadways in the area such as El Camino Real and Oceanside Boulevard and will not use residential streets north of Oceanside Boulevard.

A Traffic Impact Analysis (September 5, 2007) was prepared by LOS Engineering, Inc., for the Robertson's Concrete Plant. The project's traffic generation was calculated using traffic data from similar concrete manufacturing plants owned and operated by Robertson's throughout Southern California. A Passenger Car Equivalent (PCE) factor of 2.0 from the Highway Capacity Manual was applied to trucks to account for slower operational characteristics. No credit was taken for replacement of the existing industrial use on the project site.

Based on the above conservative assumptions and potential maximum concrete production of 1200 cubic yards daily, it was concluded that the concrete plant will generate 802 average daily trips. Oceanside Boulevard will operate at acceptable levels of service with and without project traffic under both existing and future conditions and under both production capacity scenarios. It should be noted that the project, depending on maximum daily production, will generate only 418 actual daily trips, with

the difference due to the PCE factor. If the site was developed with an alternate industrial use, that use could generate up to 450 daily trips whereas an office development proposal could result in up to 1,800 daily trips.

El Camino Real is a six-lane prime arterial. The majority of truck traffic anticipated to use El Camino Real will do so via Industry Street for southbound access to State Route 78. The addition of truck traffic on El Camino Real and Oceanside Boulevard is not expected to impact peak traffic and commuter conditions on these streets since the majority of plant operations occur between peak traffic periods. However, the following traffic conditions have been included in the project resolution to ensure good roadway operations in the project vicinity:

- The project shall increase the left turn pocket at least 50 feet at the existing median island located on northbound El Camino Real at Industry Street. This improvement shall be completed to the satisfaction of the City Engineer.
- At the intersection of Foussat Road and Oceanside Boulevard, the project shall replace the existing traffic signal controller and cabinet, install a battery backup system and install traffic signal mast arms and signal heads on Foussat Road prior to the issuance of certificate of occupancy and to the satisfaction of the City Engineer.
- At the intersection of Garrison Street and Oceanside Boulevard, the project shall install a new battery backup system prior to the issuance of certificate of occupancy and to the satisfaction of the City Engineer.

Hydrology/Water Quality: The site is currently partially paved and developed with buildings. Approximately 29 percent of the property is currently impervious. Existing storm runoff generally sheetflows from a northeastern to a southwest direction into Loma Alta Creek. The proposed project will increase the impervious area by about 10 percent.

The proposed improvements include new buildings, paved driveways, parking lot and landscaped areas. Post-construction imperviousness of the site will increase to about 39 percent. As designed, the concrete batch plant will be located in a shallow retention basin to collect the industrial wastewater during normal operations for recycling through the plant. This area incorporates a grade break that allows runoff to flow around it. The pond is deep enough to hold the required runoff from the area and high enough to keep other site water from entering it. This basin can hold the equivalent of a 100-year storm event. Most water will be recycled back through the plant, however, a biofilter and natural vegetation is included in the site design to provide the additional treatment for site runoff.

Washing of equipment and vehicles will take place adjacent to the batch plant building area. Runoff generated from these washing activities will be captured by the shallow retention basin and recycled for use in the plant. Accumulated water at the materials storage system area will be pumped back to the batch plant for normal operations or dust-control. The fueling area will be paved with Portland cement concrete or equivalent smooth impervious surface. The subject area will be constructed with a grade break to prevent ponding, as well as to prevent run-on of urban runoff.

The project is subject to compliance with City of Oceanside and Regional Water Quality Control Board (RWQCB) requirements which require compliance with the following State regulatory requirements: Statewide General Construction Stormwater Permit, Industrial Stormwater Permit, Aboveground Petroleum Storage Act, and Clean Water Act Section 401 Water Quality Certification. No discharge of polluted industrial wastewater into Loma Alta Creek will be permitted. The Regional Water Quality Control Board (RWQCB) has reviewed the development plan and conditional use permit for the project and has concluded that compliance by Robertson's with State and City of Oceanside requirements will mitigate potential impacts to water quality from the project.

A Stormwater Management Plan (2007) was prepared by Lyle Engineering, Inc., and has been reviewed and approved by the City Engineer. The purpose of the Stormwater Management Plan was to address any potential water quality impacts related to the Robertson's Concrete Plant. The Plan evaluated and addressed the potential pollutants associated with this project and their effect on water quality. In order to address water quality for the project, Best Management Practices (BMPs) will be implemented.

Air Quality: Oceanside falls within the San Diego Air Basin and the jurisdiction of the San Diego County Air Pollution Control Board and District (SDAPCD). Therefore Robertson's development proposal will be subject to review and approval by SDAPCD, prior to issuance of grading permits.

SDAPCD's mission is to protect the public from harmful effects of air pollution and achieve and maintain air quality standards. The District's permit system ensures that potentially polluting operations and industrial equipment meet the emission standards set forth by District rules and regulations and by applicable sections of the Health and Safety Code.

The proposed concrete batch plant dust-generating activities are proposed to be enclosed; bag houses and filter vents will be used to further reduce dust emissions at transfer points, and enclosed conveyors have been incorporated in the project design.

During operations, trucks would enter the site to deliver raw materials, including sand and rock to a drive-over hopper. The materials will be transferred from the truck underground, reducing any dust emissions from the activity. The materials will then be conveyed to an enclosed storage area. When the cement is delivered to the site it will be blown from the trucks into overhead, enclosed silos within the plant. The air used for transfer of the cement to the silos will be vented through a series of filter vents to remove particulate/dust emissions. The cement would then be gravity-fed to weigh hoppers.

Ready-mix trucks would enter where aggregates and the cement/water mixture is delivered into the truck. A shroud would drop over the truck when the concrete is being loaded and a negative bag house will vent any dust or particulates. Dust emissions from within the batch plant will be passed through filter vents and negative-pressure bag houses, which reduce particulate emissions by removing particles from the air to the filter. Due to the enclosed nature of the mixing plant and the entire facility, and the dust control

measures in place, including enclosed conveyors and filter vents, any potential dust emission from operations of the plant are anticipated to be minimal and will be in compliance with Oceanside Code requirements and SDAPCD regulations.

Noise: A noise study was prepared by Giroux & Associates (2007) to analyze any potential noise impacts from the proposed project. The underlying land use and zoning designation for the site is General Industrial. The General Industrial designation accommodates a full range of industrial manufacturing and processing uses. The site is surrounded by Industrial-zoned parcels on all sides except to the south where it adjoins the railroad and residential-zoned property currently approved as open space as part of the Eternal Hills project. The proposed batch plant is a permitted use within the industrial zoning category.

The City's Municipal Code includes a Noise Ordinance, which implements the goal and policies contained in the Noise Element of the General Plan and identifies acceptable noise levels for individual zoning districts within the community. It is unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level, at any point on or beyond the boundaries of the property on which the sound is produced exceed the applicable limits set in the Oceanside City Code, Chapter 38 Noise Control, Section 31.12. Where property lines form the joint boundary of two district zones as is the case in this instance, the sound level limit is the mathematical mean of the limit applicable to each of the zones. The applicable daytime (7:00 a.m. to 9:59 p.m.) sound limit standard for the subject property is 60 dB. At night (10:00 p.m. to 6:59 a.m.) the noise standard is 55dB.

The project's structures are fully enclosed and the project will be subject to compliance with City Noise Ordinance requirements. During construction, work hours shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing. Therefore, the noise study found that at the property lines, noise from the plant will not exceed 48 db, which is within the limits of 60 db during the daytime and 55 db at night.

Cultural Resources: A cultural resources survey was conducted for the proposed project, which found that there have been no recorded sites on the project site or in the immediately surrounding area. However, there are noted sites as close as 750 feet northeast of the project site and 2,000 feet to the southeast on the Eternal Hills project area. Because of the proximity of these sites, a monitoring program is being required during initial site grading in the event that any cultural resources are discovered.

Biology: No direct impacts to Loma Alta Creek or any native habitat will occur with project implementation and no permits are required from the Wildlife Agencies. The City has adopted the Loma Alta Creek Watershed Management Plan (LACWMP) and is in the process of adopting the City's Draft Subarea Plan. Both plans call for a minimum 100-foot buffer from Loma Alta Creek. The buffer is to be comprised of a 50-foot biological or vegetated buffer and an additional 50-foot planning buffer that would contain no parking or high use areas. The proposed project has provided a 100-foot buffer (see Condition

121) in conformance with these requirements that would be landscaped with native plants that could support the threatened Californian gnatcatcher and is compatible with riparian vegetation in the creek. The southernmost concrete detention basin will be in a portion of the second 50-foot planning buffer and will not be a high use area. The 100-foot buffer will be placed under a conservation easement and will ensure that there are no indirect or direct impacts to Loma Alta Creek. This is the first 100-foot buffer to be provided along Loma Alta Creek.

The City's draft Subarea Plan shows the subject property to be within the Wildlife Corridor Planning Zone. Properties larger than 2 acres are required to conserve 50 percent of the parcel as open space, and may remove no more than 25 percent of the coastal sage scrub. No coastal sage scrub will be impacted by the proposed project, but will actually be restored and expanded into the 100-foot buffer area adjacent to Loma Alta Creek. Forty six percent of the site is currently shown as open space and the project has been conditioned to provide a minimum 50 percent open space either onsite or provide the additional 4 percent open space at an offsite area to be approved by the City.

ENVIRONMENTAL DETERMINATION

Staff has reviewed the project and determined that with the implementation of project conditions and mitigation measures discussed above, no significant impacts are anticipated as a result of the proposed project that could not be mitigated to a level of insignificance with proper design. A Mitigated Negative Declaration was prepared pursuant to the provisions of the California Environmental Quality Act.

The Planning Division advertised that a draft Mitigated Negative Declaration would be posted for 20 days with the Office of the San Diego County Clerk commencing on September 21, 2007 and ending on October 22, 2007. A number of comments were received during public review of the environmental document and responses to the comments are included in the Final Mitigated Negative Declaration.

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant.

SUMMARY

In summary, staff finds that the Development Plan is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all applicable development standards. The project site is situated within the IG zone, which is intended to accommodate a full range of industrial manufacturing and processing uses. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve the Mitigated Negative Declaration, and
- Move to approve Development Plan (D-8-05) and Conditional Use Permit (C-12-07) and adopt Planning Commission Resolution No. 2008-P05 as attached.

PREPARED AND SUBMITTED BY:



Jerry Hittleman
City Planner

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Attachments:

1. Planning Commission Resolution No. 2008-P05
2. Site Plan/Floor Plans Landscaping Plans and Elevations
3. Final Mitigated Negative Declaration available at Planning Division

1 PLANNING COMMISSION
2 RESOLUTION NO. 2008-P05

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 DEVELOPMENT PLAN AND CONDITONAL USE PERMIT ON
CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

6 APPLICATION NO: D-7-07, C-12-07
7 APPLICANT: Robertson's
8 LOCATION: 2847 Industry Street

9 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
10 RESOLVE AS FOLLOWS:

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Development Plan and Conditional Use Permit under
13 the provisions of Articles 13, 30, 41 and 43 of the Zoning Ordinance of the City of Oceanside to
14 permit the following:

15 concrete mix batch plant and a 12,000-gallon above ground fuel tank;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day
18 of January, 2008 conduct a duly advertised public hearing as prescribed by law to consider said
19 application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; this project has been found to be categorically exempt per Article 19 from
22 environmental review;

23 WHEREAS, there is hereby imposed on the subject development project certain fees,
24 dedications, reservations and other exactions pursuant to state law and city ordinance;

25 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the
26 project is subject to certain fees, dedications, reservations and other exactions as provided below:

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1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	\$2,843-\$15,964 per acre
4			
5	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses
6			
7	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential
8			
9	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
10			
11	Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table)
12			
13			
14	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Non-residential is \$19,967 for a 2" meter.
15			
16			
17	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Non-residential is \$24,444 for a 2" meter.
18			
19			
20	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is \$21,599 for a 2" meter.
21			

22 WHEREAS, the current fees referenced above are merely fee amount estimates of the
23 impact fees that would be required if due and payable under currently applicable ordinances and
24 resolutions, presume the accuracy of relevant project information provided by the applicant, and are
25 not necessarily the fee amount that will be owing when such fee becomes due and payable;

26 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated
27 and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code
28 and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

1 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,
2 dedication, reservation or other exaction to the extent permitted and as authorized by law;

3 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
4 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
5 described in this resolution begins on the effective date of this resolution and any such protest must
6 be in a manner that complies with Section 66020;

7 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
8 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

9 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
10 the following facts:

11 FINDINGS:

12 For the Development Plan:

- 13 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
14 in that the project has been designed to meet or exceed the Zoning Ordinance standards.
- 15 2. The Development Plan conforms to the General Plan of the City.
- 16 3. Public Facilities and infrastructure necessary to serve the project are currently in place, or
17 will be constructed as part of the project.
- 18 4. The project is consistent and compatible with the surrounding industrial neighborhoods.

19 For the Conditional Use Permit:

- 20 1. That the proposed location of the 12,000-gallon above ground fuel tank is in accord with
21 the objectives of the Zoning Ordinance and the purposes of the district in which the site
22 is located.
- 23 2. That the proposed location of the 12,000-gallon above ground fuel tank and the proposed
24 conditions under which it would be operated or maintained will be consistent with the
25 General Plan; will not be detrimental to the public health, safety, welfare of persons
26 residing or working in or adjacent to the neighborhood of such use; and will not be
27 detrimental to properties or improvements in the vicinity or to the general welfare of the
28 City.
3. That the proposed conditional use for the 12,000-gallon above ground fuel tank will
comply with the provisions of the Zoning Ordinance, including any specific condition
required for the proposed conditional use in the district in which it would be located.

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
2 approve Development Plan (D-8-05) and Conditional Use Permit (C-17-05) subject to the
3 following conditions:

4 **Building:**

- 5 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
6 Building Division plan check.
- 7 2. The granting of approval under this action shall in no way relieve the applicant/project from
8 compliance with all State and local building codes.
- 9 3. Site development, parking, access into buildings and building interiors shall comply with
10 the State's Disabled Accessibility Regulations.
- 11 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
12 property shall be underground (City Code Sec. 6.30).
- 13 5. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and
14 shall be shielded appropriately. Where color rendition is important high-pressure sodium,
15 metal halide or other such lights may be utilized and shall be shown on final building and
16 electrical plans.
- 17 6. Compliance with Federal Clean Water Act shall be demonstrated on the plans.
- 18 7. The building plans for this project are required by State law to be prepared by a licensed
19 architect or engineer and must be in compliance with this requirement prior to submittal
20 for building plan review.
- 21 8. A separate/unique address may be required to facilitate utility releases. Verification that the
22 address has been properly assigned by the City's Planning Division shall accompany the
23 Building Permit application.
- 24 9. A Demolition Permit shall be required for the demolition of any existing structures. Plans
25 for the Demolition Permit shall clearly show that all utilities (electric, gas, water and sewer)
26 are properly terminated/capped in accordance with the requirements of the utility service
27 provider. All/any underground septic or water storage tanks must be removed or filled in
28 accordance with the Uniform Plumbing Code and/or the City's Grading Ordinance.
10. The developer shall monitor, supervise and control all building construction and supportive
activities so as to prevent these activities from causing a public nuisance, including, but not
limited to, strict adherence to the following:

1 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
2 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work
3 that is not inherently noise-producing. Examples of work not permitted on Saturday
4 are concrete and grout pours, roof nailing and activities of similar noise-producing
5 nature. No work shall be permitted on Sundays and Federal Holidays (New Year's
6 Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except
7 as allowed for emergency work under the provisions of the Oceanside City Code
8 Chapter 38 (Noise Ordinance).

9 b) The construction site shall be kept reasonably free of construction debris as
10 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
11 approved solid waste containers shall be considered compliance with this
12 requirement. Small amounts of construction debris may be stored on-site in a neat,
13 safe manner for short periods of time pending disposal.

13 **Engineering:**

14 11. For the demolition of any existing structures or surface improvements, grading plans shall
15 be submitted and erosion control plans be approved by the City Engineer prior to the
16 issuance of a demolition permit. No demolition shall be permitted without an approved
17 erosion control plan.

18 12. With the exception of the approved location for ingress and egress, vehicular access rights
19 to abutting public right-of-way shall be relinquished by the property owner to the City.

20 13. The exact alignment, geometrics, and widths of all right-of-way dedications and street
21 improvements shall be approved by the City Engineer prior to issuance of building permits.

22 14. Design and construction of all improvements shall be in compliance with standard plans,
23 specifications of the City of Oceanside and subject to approval by the City Engineer.

24 15. Prior to issuance of a building permit all improvement requirements shall be covered by a
25 development agreement and secured with sufficient improvement securities or bonds
26 guaranteeing performance and payment for labor and materials, setting of monuments,
27 and warranty against defective materials and workmanship.

28 16. A phasing plan for the construction of public and private improvements shall be reviewed
and approved by the City Engineer prior to the issuance of any grading or improvement

1 permits. Prior to the issuance of any building permits all off-site or frontage
2 improvements including landscaping and any required streets or arterials shall be under
3 construction to the satisfaction of the City Engineer. All improvements shall be completed
4 prior to issuance of any certificates of occupancy.

5 17. Where off-site improvements, including but not limited to slopes, public utility facilities,
6 and drainage facilities, are to be constructed, the developer shall, at his own expense, obtain
7 all necessary easements or other interests in real property and shall dedicate the same to the
8 City as required. The applicant shall provide documentary proof satisfactory to the City that
9 such easements or other interest in real property have been obtained prior to issuance of any
10 grading, building or improvement permit for the development/project. Additionally, the
11 City, may at its sole discretion, require that the applicant obtain at his sole expense a title
12 policy insuring the necessary title for the easement or other interest in real property to have
vested with the City of Oceanside or the applicant, as applicable.

13 18. The developer shall secure vacation or obtain written permission from the holders of all
14 easements impacted by the proposed improvements including but not limited to the 12 feet
15 SDG&E pole easement and the waterline easement on the westerly side of the property
16 prior to issuance of any grading, building or improvement permit.

17 19. The approval of the development/project shall not mean that closure, vacation, or
18 abandonment of any public street, right-of-way, easement, or facility is granted or
19 guaranteed to the developer. The developer is responsible for applying for all closures,
20 vacations, and abandonments as necessary. The application(s) shall be reviewed and
21 approved or rejected by the City of Oceanside under separate process(es) per codes,
22 ordinances, and policies in effect at the time of the application. The City of Oceanside
23 retains its full legislative discretion to consider any application to vacate a public street or
right-of-way.

24 20. The approval of the development/project shall not mean that proposed grading or
25 improvements on adjacent properties (including any City properties/right-of-way or
26 easements) is granted or guaranteed to the developer. The developer is responsible for
27 obtaining permission to grade or to construct on adjacent properties. Should such
28 permission be denied, the resulting changes to the Development Plan shall be subject to a

1 Substantial Conformity review. Changes not meeting substantial conformity requirements
2 shall be submitted for appropriate public hearing action.

3 21. Prior to the issuance of a grading permit, the developer shall notify and host a
4 neighborhood meeting with all of the area residents located within 300 feet of the project
5 site, and residents of property along any residential streets to be used as a "haul route", to
6 inform them of the grading and construction schedule, haul routes, and to answer
7 questions.

8 22. The developer shall monitor, supervise and control all construction and construction-
9 supportive activities, so as to prevent these activities from causing a public nuisance,
10 including but not limited to, insuring strict adherence to the following:

11 a) Dirt, debris and other construction material shall not be deposited on any public
12 street or within the City's stormwater conveyance system.

13 b) All grading and related site preparation and construction activities shall be limited
14 to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering
15 related construction activities shall be conducted on Saturdays, Sundays or legal
16 holidays unless written permission is granted by the City Engineer with specific
17 limitations to the working hours and types of permitted operations. All on-site
18 construction staging areas shall be as far as possible (minimum 100 feet) from any
19 existing residential development. Because construction noise may still be
20 intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance
21 also prohibits "any disturbing excessive, or offensive noise which causes
22 discomfort or annoyance to reasonable persons of normal sensitivity."

23 c) The construction site shall accommodate the parking of all motor vehicles used by
24 persons working at or providing deliveries to the site.

25 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
26 and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m.
27 to 3:30 p.m. unless approved otherwise.

28 23. A traffic control plan shall be prepared according to the City traffic control guidelines and
be submitted to and approved by the City Engineer prior to the start of work within open
City rights-of-way. Traffic control during construction of streets that have been opened

1 to public traffic shall be in accordance with construction signing, marking and other
2 protection as required by the Caltrans Traffic Manual and City Traffic Control
3 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
4 approved otherwise.

5 24. Approval of this development project is conditioned upon payment of all applicable impact
6 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
7 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
8 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
9 prior to issuance of any building permits, in accordance with City Ordinances and policies.
10 The developer shall also be required to join into, contribute, or participate in any
11 improvement, lighting, or other special district affecting or affected by this project.
12 Approval of the development/project shall constitute the developer's approval of such
13 payments, and his agreement to pay for any other similar assessments or charges in effect
14 when any increment is submitted for building permit approval, and to join, contribute,
and/or participate in such districts.

15 25. Industry Street along the project's frontage shall be improved with curb, gutter and
16 sidewalk.

17 26. Industry Street along the project's frontage shall provide a minimum of 10 feet parkway
18 between the face of curb and the right of way line. Sidewalk improvements shall comply
19 with ADA requirements.

20 27. Sight distance and clear space easement requirements at the project driveway along Industry
21 Street from the development's driveways for each direction of traffic shall conform to the
22 corner sight distance criteria as provided by San Diego County Design Standards (DS-20A
and/or DS-20B).

23 28. The developer shall install red curb at both sides of the primary project driveway on
24 Industry Street per sight distance requirements to the satisfaction of the City Engineer.

25 29. Streetlights shall be maintained and installed on public streets along the development's
26 frontage per City Standards. The system shall provide uniform lighting, and be secured
27 prior to occupancy. The developer shall pay all applicable fees, energy charges, and/or
28 assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also
agree to the formulation of, or the annexation to, any appropriate street lighting district.

- 1 30. Pavement sections for all streets, alleys, driveways and parking areas within the project
2 and along the project's frontage shall be based upon approved soil tests and traffic
3 indices. The pavement design is to be prepared by the developer's soil engineer and
4 must be approved by the City Engineer, prior to paving.
- 5 31. Prior to approval of the grading plans, the developer shall contract with a geotechnical
6 engineering firm to perform a field investigation of the existing pavement on Industry
7 Street adjacent to the project boundary. The limits of the study shall be half-street
8 (including median, if any) plus 12 feet along the project's frontage. The field
9 investigation shall be performed according to a specific boring plan prepared by a
10 licensed Geotechnical Engineer and approved by the City Engineer. In the absence of
11 such approved boring plan, the field investigation shall include a minimum of one
12 pavement boring per every 50 linear feet of street frontage. Should the existing AC
13 thickness be determined to be less than three inches or without underlying Class II base
14 material, the developer shall remove and reconstruct the pavement section as determined
15 by the pavement analysis submittal process detailed in Item No. 2 below.
- 16 32. Upon review of the pavement investigation, the City Engineer shall determine whether
17 the Developer shall: 1) Repair all failed pavement sections, header cut and grind per the
18 direction of the Transportation/Development Inspector, and construct a two-inch thick
19 rubberized AC overlay; or 2) Perform R-value testing and submit a study that determines
20 if the existing pavement meets current City standards/traffic indices. Should the study
21 conclude that the pavement does not meet current requirements, rehabilitation/mitigation
22 recommendations shall be provided in a pavement analysis report, and the developer shall
23 reconstruct the pavement per these recommendations, subject to approval by the City
24 Engineer.
- 25 33. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
26 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 27 34. All existing overhead utility lines within the property and/or within any full width street or
28 right-of-way abutting a new project, and all new extension services for the development of
the project, including but not limited to, electrical, cable and telephone, shall be placed
underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by
the City Engineer and current City policy.

- 1 35. Grading and drainage facilities shall be designed and installed to adequately accommodate
2 the local stormwater runoff and shall be in accordance with the City's Engineers Manual and
3 as directed by the City Engineer.
- 4 36. The developer shall obtain any necessary permits and clearances from all public agencies
5 having jurisdiction over the development, use, or site due to its type, size, location, or
6 activities including but not limited to the U. S. Army Corps of Engineers, California
7 Department of Fish & Game, U. S. Fish and Wildlife Service, State Water Resources
8 Control Board, and/or San Diego Regional Water Quality Control Board (including
9 NPDES), San Diego County Health Department, prior to the issuance of grading permits.
- 10 37. Prior to any grading of any part of the project, a comprehensive soils and geologic
11 investigation shall be conducted of the soils, slopes, and formations in the project. All
12 necessary measures shall be taken and implemented to assure slope stability, erosion
13 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
14 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
15 the City Engineer.
- 16 38. This project shall provide year-round erosion control including measures for the site
17 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
18 control plan, designed for all proposed stages of construction, shall be reviewed, secured by
19 the applicant with cash securities and approved by the City Engineer.
- 20 39. A precise grading and private improvement plan shall be prepared, reviewed, secured and
21 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
22 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
23 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
24 and any traffic calming devices shall be shown on all Precise Grading and Private
25 Improvement Plans.
- 26 40. Landscaping plans, including plans for the construction of walls, fences or other structures
27 at or near intersections or project entrances, must conform to intersection sight distance
28 requirements. Landscape and irrigation plans shall be submitted to the City Engineer prior
to the issuance of a grading permit and approved prior to the issuance of building permits.
A pre-construction meeting shall be held prior to the start of any improvements. Street and
frontage landscaping shall be installed prior to the issuance of any certificates of occupancy.

1 Any project fences, sound or privacy walls and monument entry walls/signs shall be shown
2 on, bonded for and built from the landscape plans. These features shall also be shown on
3 the precise grading plans for purposes of location only. Plantable, segmental walls shall be
4 designed, reviewed and constructed by the grading plans and landscaped/irrigated through
5 project landscape plans.

6 41. The drainage design on the project is conceptual only. The final design shall be based upon
7 a hydrologic/hydraulic study to be approved by the City Engineer during final engineering.
8 All drainage picked up in an underground system shall remain underground until it is
9 discharged into an approved channel, or as otherwise approved by the City Engineer. All
10 public storm drains shall be shown on City standard plan and profile sheets. All storm drain
11 easements shall be dedicated where required. The applicant shall be responsible for
12 obtaining any off-site easements for storm drainage facilities.

13 42. This project is located in a FEMA mapped flood plain and the developer shall comply with
14 applicable FEMA regulations. The developer shall record a covenant against the property
15 indemnifying and holding the City harmless from any claims regarding drainage and
16 flooding prior to issuance of any grading, building or improvement permit.

17 43. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
18 of in accordance with all state and federal requirements, prior to stormwater discharge either
19 off-site or into the City drainage system.

20 44. The development shall comply with all applicable regulations established by the United
21 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
22 Discharge Elimination System (NPDES) permit requirements for urban runoff and
23 stormwater discharge and any regulations adopted by the City pursuant to the NPDES
24 regulations or requirements. Further, the applicant may be required to file a Notice of
25 Intent with the State Water Resources Control Board to obtain coverage under the
26 NPDES General Permit for Storm Water Discharges Associated with Construction and/or
27 Industrial Activity and may be required to implement a Storm Water Pollution Prevention
28 Plan (SWPPP) concurrent with the commencement of grading and/or industrial activities.
SWPPPs include both construction and post construction pollution prevention and
pollution control measures and identify funding mechanisms for post construction control
measures. The developer shall comply with all the provisions of the Clean Water

1 Program during and after all phases of the development process, including but not limited
2 to: mass grading, rough grading, construction of street and landscaping improvements,
3 construction of building structures, and all regulated uses of the site. The applicant shall
4 design the Project's storm drains and other drainage facilities to include Best Management
5 Practices to minimize non-point source pollution, satisfactory to the City Engineer.

6 45. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
7 be subject to prevailing wage requirements as specified by Labor Code section
8 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
9 wage requirements prior to the granting of any fee reductions or waivers.

10 46. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to the
11 Transportation/Development Engineering Department with the first submittal of
12 engineering plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It
13 shall be directly based on the project's Storm Water Mitigation Plan (SWMP) previously
14 approved by the project's approving authority (Planning Commission/City Council). The
15 O&M Plan shall be approved by the City Engineer prior to approval of any plans by the
16 Public Works Department. At a minimum the O&M Plan shall include the designated
17 responsible parties to manage the stormwater BMP(s), employee's training program and
18 duties, operating schedule, maintenance frequency, routine service schedule, specific
19 maintenance activities, copies of resource agency permits, cost estimate for
20 implementation of the O&M Plan and any other necessary elements.

21 47. The developer shall enter into a City-Standard Stormwater Facilities Maintenance
22 Agreement with the City obliging the project proponent to maintain, repair and replace
23 the Storm Water Best Management Practices (BMPs) identified in the project's approved
24 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity. The
25 Agreement shall be approved by the City Attorney prior to issuance of any precise
26 grading permit and shall be recorded at the County Recorder's Office prior to issuance of
27 any building permit. Security in the form of cash (or certificate of deposit payable to the
28 City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance
of a precise grading permit. The amount of the security shall be equal to 10 years of
maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall

1 prepare the O&M cost estimate. The O&M cost estimate shall be approved by the City
2 Engineer prior to approval of any engineering plans for the project.

3 48. At a minimum, maintenance agreements shall require the staff training, inspection and
4 maintenance of all BMPs on an annual basis. The project proponent shall complete and
5 maintain O&M forms to document all maintenance activities. Parties responsible for the
6 O&M plan shall retain records at the subject property for at least 5 years. These
7 documents shall be made available to the City for inspection upon request at any time.

8 49. The Agreement shall include a copy of executed on-site and off-site access easements
9 necessary for the operation and maintenance of BMPs that shall be binding on the land
10 throughout the life of the project to the benefit of the party responsible for the O&M of
11 BMPs, until such time that the storm water BMP requiring access is replaced, satisfactory
12 to the City Engineer. The agreement shall also include a copy of the O&M Plan approved
13 by the City Engineer.

14 50. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP)
15 shall not be altered in any way, shape or form without formal approval by either an
16 Administrative Substantial Conformance issued by the City Planner or the project's final
17 approving authority (Planning Commission/City Council) at a public hearing. The
18 determination of whatever action is required for changes to a project's approved SWMP
19 shall be made by the City Planner.

20 51. The developer shall provide a copy of the title/cover page of the approved SWMP with
21 the first engineering submittal package. All Stormwater documents shall be in
22 compliance with the latest edition of submission requirements.

23 52. The project shall increase the left turn pocket at least 50 feet at the existing median island
24 located on northbound El Camino Real at Industry Street. This improvement shall be
25 completed to the satisfaction of the City Engineer.

26 53. At the intersection of Foussat Road and Oceanside Boulevard, the project shall replace
27 the existing traffic signal controller and cabinet, install a battery backup system and
28 install traffic signal mast arms and signal heads on Foussat Road prior to the issuance of
certificate of occupancy and to the satisfaction of the City Engineer.

1 54. At the intersection of Garrison Street and Oceanside Boulevard, the project shall install a
2 new battery backup system prior to the issuance of certificate of occupancy and to the
3 satisfaction of the City Engineer.

4 55. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
5 Conservation Ordinance No. 91-15, General Plan and the Zoning Ordinance, shall be
6 reviewed and approved by the City Engineer prior to the issuance of building permits.
7 Landscaping shall not be installed until bonds have been posted, fees paid, and plans
8 signed for final approval. The following special landscaping requirements shall be met:

9 a) The landscape plans shall match the conceptual landscape, grading and SWMP
10 plans.

11 b) Native, naturalized vegetation shall be provided adjacent to the open space; this
12 requirement shall supersede the conceptual landscape plan.

13 c) All landscaping, walls and fencing on-site shall comply with City Zoning
14 Ordinance and the City of Oceanside Guidelines and Specifications for Landscape
15 Developments 1985, addenda 1997.

16 d) Approval for walls, fencing and gates shall be obtained from the City Planner.

17 56. Landscape plans shall comply with SWMP and City of Oceanside sight line requirements.

18 57. All landscaping, fences, walls, etc. on the site, in the public right-of-way and in any
19 adjoining public parkways shall be permanently maintained by the owner, his assigns or
20 any successors-in-interest in the property. The maintenance program shall include normal
21 care and irrigation of the landscaping; repair and replacement of plant materials; irrigation
22 systems as necessary; and general cleanup of the landscaped and open areas, parking lots
23 and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City
24 taking all appropriate enforcement actions by all acceptable means including but not
25 limited to citations and/or actual work with costs charged to or recorded against the
26 owner. This condition shall be recorded with the covenant required by this resolution.

27 58. All right-of-way alignments, street dedications, exact geometrics and widths shall be
28 dedicated and improved as required by the City Engineer and/or Public Works Director.

59. Design and construction of all improvements shall be in accordance with standard plans,
specifications of the City of Oceanside and subject to approval by the City Engineer
and/or Public Works Director.

1 60. Prior to issuance of a building permit all improvement requirements shall be covered by a
2 development agreement and secured with sufficient improvement securities or bonds
3 guaranteeing performance and payment for labor and materials, setting of monuments,
4 and warranty against defective materials and workmanship.

5 61. Where proposed off-site improvements, including but not limited to slopes, public utility
6 facilities, and drainage facilities, are to be constructed, the applicant shall, at his own
7 expense, obtain all necessary easements or other interests in real property and shall dedicate
8 the same to the City as required. The applicant shall provide documentary proof satisfactory
9 to the City that such easements or other interest in real property have been obtained prior to
10 issuance of any grading, building or improvement permit for the development/ project).
11 Additionally, the City, may at its sole discretion, require that the applicant obtain at his sole
12 expense a title policy insuring the necessary title for the easement or other interest in real
13 property to have vested with the City of Oceanside or the applicant, as applicable. The
14 developer shall vacate or obtain written permission from easement holders for proposed
15 improvements in a 12-foot SDG&E pole easement and in a waterline easement on the
16 westerly side of the property prior to issuance of any grading, building or improvement
17 permit.

18 62. Prior to the issuance of a grading permit, the developer shall notify and host a
19 neighborhood meeting with all of the area residents located within 300 feet of the project
20 site, and residents of property along any residential streets to be used as a "haul route", to
21 inform them of the grading and construction schedule, haul routes, and to answer
22 questions.

23 63. The developer shall monitor, supervise and control all construction and construction-
24 supportive activities, so as to prevent these activities from causing a public nuisance,
25 including but not limited to, insuring strict adherence to the following:

26 a) Dirt, debris and other construction material shall not be deposited on any public
27 street or within the City's stormwater conveyance system.

28 b) All grading and related site preparation and construction activities shall be limited
to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering
related construction activities shall be conducted on Saturdays, Sundays or legal
holidays unless written permission is granted by the City Engineer and/or Public

1 Works Director with specific limitations to the working hours and types of
2 permitted operations. All on-site construction staging areas shall be as far as
3 possible (minimum 100 feet) from any existing residential development. Because
4 construction noise may still be intrusive in the evening or on holidays, the City of
5 Oceanside Noise Ordinance also prohibits “any disturbing excessive, or offensive
6 noise which causes discomfort or annoyance to reasonable persons of normal
7 sensitivity.

8 c) The construction site shall accommodate the parking of all motor vehicles used by
9 persons working at or providing deliveries to the site.

10 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
11 and must be approved by the City Engineer and/or Public Works Director. Hauling
12 operations shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

13 64. A traffic control plan shall be prepared according to the City traffic control guidelines and
14 be submitted to and approved by the City Engineer and/or Public Works Director prior to
15 the start of work within open City rights-of-way. Traffic control during construction of
16 streets that have been opened to public traffic shall be in accordance with construction
17 signing, marking and other protection as required by the Caltrans Traffic Manual and City
18 Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30
19 p.m. unless approved otherwise.

20 65. Approval of this development project is conditioned upon payment of all applicable impact
21 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
22 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
23 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
24 prior to recordation of the map or the issuance of any building permits, in accordance with
25 City Ordinances and policies. The developer shall also be required to join into, contribute,
26 or participate in any improvement, lighting, or other special district affecting or affected by
27 this project. Approval of the project shall constitute the developer's approval of such
28 payments, and his agreement to pay for any other similar assessments or charges in effect
when any increment is submitted for final map or building permit approval, and to join,
contribute, and/or participate in such districts.

- 1 66. Industry Street along the project's frontage shall be improved with curb, gutter and
2 sidewalk.
- 3 67. Industry Street along the project's frontage shall provide a minimum of 10 feet parkway
4 between the face of curb and the right-of-way line. Sidewalk improvements shall comply
5 with ADA requirements.
- 6 68. Sight distance requirements at the project driveway or street shall conform to the corner
7 sight distance criteria as provided by the California Department of Transportation Highway
8 Design Manual.
- 9 69. Streetlights shall be maintained and installed on all public streets per City Standards. The
10 system shall provide uniform lighting, and be secured prior to occupancy. The developer
11 shall pay all applicable fees, energy charges, and/or assessments associated with City-owned
12 (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the annexation
13 to, any appropriate street lighting district.
- 14 70. Prior to approval of the grading plans, the developer shall contract with a geotechnical
15 engineering firm to perform a field investigation of the existing pavement on Industry
16 Street adjacent to the project boundary. The limits of the study shall be half-street plus 12
17 feet along the project's frontage. The field investigation shall include a minimum of one
18 pavement boring per every 50 linear feet of street frontage. Should the existing AC
19 thickness be determined to be less than three inches or without underlying Class II base
20 material, the developer shall remove and reconstruct the pavement section as determined
21 by the pavement analysis submittal process detailed in Item No. 2 below.
- 22 71. Upon review of the pavement investigation, the City Engineer and/or Public Works
23 Director shall determine whether the developer shall: 1) Repair all failed pavement
24 sections, header cut and grind per the direction of the Transportation/Development
25 Inspector, and construct a two-inch thick rubberized AC overlay; or 2) Perform R-value
26 testing and submit a study that determines if the existing pavement meets current City
27 standards/traffic indices. Should the study conclude that the pavement does not meet
28 current requirements, rehabilitation/mitigation recommendations shall be provided in a
pavement analysis report, and the developer shall reconstruct the pavement per these
recommendations, subject to approval by the City Engineer and/or Public Works
Director.

- 1 72. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon
2 approved soil tests and traffic indices. The pavement design is to be prepared by the
3 developer's soil engineer and must be approved by the City Engineer and/or Public Works
4 Director, prior to paving.
- 5 73. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
6 construction of the project, shall be repaired or replaced as directed by the City Engineer
7 and/or Public Works Director.
- 8 74. All existing overhead utility lines within the property and/or within any full width street or
9 right-of-way abutting a new project, and all new extension services for the development of
10 the project, including but not limited to, electrical, cable and telephone, shall be placed
11 underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by
12 the City Engineer and/or Public Works Director and current City policy.
- 13 75. Grading and drainage facilities shall be designed and installed to adequately accommodate
14 the local stormwater runoff and shall be in accordance with the City's Engineers Manual and
15 as directed by the City Engineer and/or Public Works Director.
- 16 76. The applicant shall obtain any necessary permits and clearances from all public agencies
17 having jurisdiction over the project due to its type, size, or location, including but not
18 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S.
19 Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
20 (including NPDES), San Diego County Health Department, prior to the issuance of grading
21 permits.
- 22 77. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
23 investigation shall be conducted of the soils, slopes, and formations in the project. All
24 necessary measures shall be taken and implemented to assure slope stability, erosion
25 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
26 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
27 the City Engineer and/or Public Works Director.
- 28 78. This project shall provide year-round erosion control including measures for the site
required for the phasing of grading. Prior to the issuance of grading permit, an erosion
control plan, designed for all proposed stages of construction, shall be reviewed, secured by

1 the applicant with cash securities and approved by the City Engineer and/or Public Works
2 Director.

3 79. A precise grading and private improvement plan shall be prepared, reviewed, secured and
4 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
5 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
6 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
7 and any on-site traffic calming devices shall be shown on all Precise Grading and Private
8 Improvement Plans.

9 80. Landscaping plans, including plans for the construction of walls, fences or other structures
10 at or near intersections, must conform to intersection sight distance requirements.
11 Landscape and irrigation plans shall be approved by the City Engineer and/or Public Works
12 Director prior to the issuance of occupancy permits, and a pre-construction meeting held,
13 prior to the start of any improvements.

14 81. The drainage design on the project is conceptual only. The final design shall be based upon
15 a hydrologic/hydraulic study to be approved by the City Engineer and/or Public Works
16 Director during final engineering. All drainage picked up in an underground system shall
17 remain underground until it is discharged into an approved channel, or as otherwise
18 approved by the City Engineer and/or Public Works Director. All public storm drains shall
19 be shown on City standard plan and profile sheets. All storm drain easements shall be
20 dedicated where required. The applicant shall be responsible for obtaining any off-site
21 easements for storm drainage facilities. This project is located in a FEMA mapped flood
22 plain and the developer shall comply with applicable FEMA regulations. The developer
23 shall record a covenant against the property indemnifying and holding the City harmless
24 from any claims regarding drainage and flooding prior to issuance of any grading, building
25 or improvement permit.

26 82. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
27 of in accordance with all state and federal requirements, prior to stormwater discharge either
28 off-site or into the City drainage system.

83. The development shall comply with all applicable regulations established by the United
States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
Discharge Elimination System (NPDES) permit requirements for urban runoff and

1 stormwater discharge and any regulations adopted by the City pursuant to the NPDES
2 regulations or requirements. Further, the applicant may be required to file a Notice of
3 Intent with the State Water Resources Control Board to obtain coverage under the
4 NPDES. General Permit for Storm Water Discharges Associated with Construction
5 Activity and may be required to implement a Storm Water Pollution Prevention Plan
6 (SWPPP) concurrent with the commencement of grading activities. SWPPPs include
7 both construction and post construction pollution prevention and pollution control
8 measures and identify funding mechanisms for post construction control measures. The
9 developer shall comply with all the provisions of the Clean Water Program during and
10 after all phases of the development process, including but not limited to: mass grading,
11 rough grading, construction of street and landscaping improvements, and construction of
12 dwelling units. The applicant shall design the Project's storm drains and other drainage
13 facilities to include Best Management Practices to minimize non-point source pollution,
satisfactory to the City Engineer and/or Public Works Director.

14 84. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
15 be subject to prevailing wage requirements as specified by Labor Code section
16 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
17 wage requirements prior to the granting of any fee reductions or waivers.

18 85. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to the
19 Transportation/Development Engineering Department with the first submittal of
20 engineering plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It
21 shall be directly based on the project's Storm Water Mitigation Plan (SWMP) previously
22 approved by the project's approving authority Planning Commission. The O&M Plan
23 shall be approved by the City Engineer and/or Public Works Director prior to approval of
24 any plans by the Public Works Department. At a minimum the O&M Plan shall include
25 the designated responsible parties to manage the stormwater BMP(s), employee's training
26 program and duties, operating schedule, maintenance frequency, routine service schedule,
27 specific maintenance activities, copies of resource agency permits, cost estimate for
implementation of the O&M Plan and any other necessary elements.

28 86. The developer shall enter into a City-Standard Stormwater Facilities Maintenance
Agreement with the City obliging the project proponent to maintain, repair and replace

1 the Storm Water Best Management Practices (BMPs) identified in the project's approved
2 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity. The
3 Agreement shall be approved by the City Attorney prior to issuance of any precise
4 grading permit and shall be recorded at the County Recorder's Office prior to issuance of
5 any building permit. Security in the form of cash (or certificate of deposit payable to the
6 City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance
7 of a precise grading permit. The amount of the security shall be equal to 10 years of
8 maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall
9 prepare the O&M cost estimate. The O&M cost estimate shall be approved by the City
10 Engineer and/or Public Works Director prior to approval of any engineering plans for the
11 project.

11 87. At a minimum, maintenance agreements shall require the staff training, inspection and
12 maintenance of all BMPs on an annual basis. The project proponent shall complete and
13 maintain O&M forms to document all maintenance activities. Parties responsible for the
14 O&M plan shall retain records at the subject property for at least 5 years. These
15 documents shall be made available to the City for inspection upon request at any time.

16 88. The Agreement shall include a copy of executed on-site and off-site access easements
17 necessary for the operation and maintenance of BMPs that shall be binding on the land
18 throughout the life of the project to the benefit of the party responsible for the O&M of
19 BMPs, until such time that the stormwater BMP requiring access is replaced, satisfactory
20 to the City Engineer and/or Public Works Director. The agreement shall also include a
21 copy of the O&M Plan approved by the City Engineer and/or Public Works Director.

22 89. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP)
23 shall not be altered in any way, shape or form without formal approval by either an
24 Administrative Substantial Conformance issued by the Community Development
25 Department/Planning Division or the project's final approving authority (Planning
26 Commission/City Council) at a public hearing. The determination of whatever action is
27 required for changes to a project's approved SWMP shall be made by the Community
28 Development Department/Planning Division.

1 90. The project shall increase the left turn pocket at least 50 feet at the existing median island
2 located on northbound El Camino Real at Industry Street. This improvement shall be
3 completed to the satisfaction of the City Engineer.

4 91. The project shall paint 10 feet of red curb at the primary project driveway on Industry
5 Street.

6 92. Sight distance requirements at all driveway and street intersections shall conform to the
7 intersection corner sight distance criteria as provided by the California Department of
8 Transportation Highway Design Manual.

9 93. At the intersection of Foussat Road and Oceanside Boulevard, the project shall replace
10 the existing traffic signal controller and cabinet, install a battery backup system and
11 install traffic signal mast arms and signal heads on Foussat Road prior to the issuance of
12 certificate of occupancy and to the satisfaction of the City Engineer.

13 94. At the intersection of Garrison Street and Oceanside Boulevard, the project shall install a
14 new battery backup system prior to the issuance of certificate of occupancy and to the
15 satisfaction of the City Engineer.

16 **Fire:**

17 95. Submit a copy of as built plans on a CD for all projects on the job site before final
18 occupancy.

19 96. Sprinkler system for the building is required.

20 97. Roofs shall be a class "A" assembly. Roofs shall have a class "A" roof covering and roof
21 decking, the space at the eave ends shall be fire stopped to preclude entry of flames or
22 embers.

23 98. Gutters and downspouts shall be constructed of noncombustible material. Gutters shall
24 be designed to reduce the accumulation of leaf litter and debris that contributes to roof
25 edge ignition.

26 99. Where fencing attached to or immediately adjacent to structures face the vegetative fuels,
27 the first five feet (1 524 mm) of such fencing which connects to the structure, shall be
28 constructed of noncombustible, heavy timber or fire retardant pressure treated wood or
material.

100. Exterior gazing or other transparent, translucent or opaque glazing shall be tempered
glass, multilayered glass panels, or glass block each having a fire protection rating of not

1 less than 20 minutes. Glazing frames made of vinyl materials shall have welded corners,
2 metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWDA
3 101/I.S.2-97 structural requirements. Skylights shall be tempered glass or a class "A"
4 rated assembly.

5 101. Exterior windows, window walls and glazed doors, windows within exterior doors, and
6 skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire
7 protection rating of not less than 20 minutes.

8 102. Exterior doors shall be approved noncombustible construction, solid core wood not less
9 than 1 3/4 inches thick (45mm), or have a fire protection rating of not less than 20
10 minutes. Windows within doors and glazed doors shall be in accordance with Section
11 504.8. of the ICC code. Exception: Vehicle access doors.

12 103. Turbine attic vents shall be equipped to allow only one way direction rotation and shall
13 not free spin in both directions.

14 104. Detached accessory structures located less than 50 feet (15 240 mm) from a building
15 containing a habitable space shall be a minimum one-hour fire resistance rated assembly.
16 When the detached structure is located and constructed so that the structure or any portion
17 thereof projects over a descending slope surface greater than 10 percent, the area below
18 the structure shall have all under floor areas enclosed to within 6 inches (152 mm) of the
19 ground, with exterior wall construction with a one-hour fire resistance rating. Exception:
20 The enclosure may be omitted where the underside of all exposed floors and all exposed
21 structural columns, beams and supporting walls are protected as required for exterior one-
22 hour fire resistance rated construction or heavy timber construction.

23 105. All structural mitigation notes and details shall be included on the architectural plans
24 when submitted to the Building Division for building permit.

25 106. Landscape Architects will be responsible to confirm that their planting plan meets the
26 Fire Department conditions. Trees and large shrubs must be 10 feet off of structures
27 measured at maturity of the tree from the drip line of the tree to the farthest projection of
28 the structure. Prohibited species – Phormium tenax must be removed. Trees and shrubs
must be shown at 100 percent maturity diagrammatically on the plans. Provide tree and
shrub dimensions on the landscape plans, use the Sunset western garden book for
reference. If plans do not meet the conditions on final field inspections you will be asked

1 to remove what is not in compliance before your final inspection will be signed off.
2 Ground covers will not be allowed in Zone 1 the first 40 feet from the farthest projection
3 of the structure.

4 107. Site Inspection – site inspection may reveal conditions which have changed since plan
5 review. When such discrepancies arise, field inspection shall take precedence.

6 108. Submit three sets of plans prepared by a licensed landscape architect or other design
7 professional with equivalent credentials, for review.

8 109. The following shall be included on the conceptual fuel modification plan:

- 9 a) Delineation of each zone (setback, irrigated, and thinning) with a general
10 description of each zone's dimensions and character; i.e. Zone 1, 0-40' from the
11 farthest projection of the structure on a horizontal plane. Must have existing
12 vegetation removed, and be irrigated, and planted with succulent and low growing
13 fire-resistant plant material. Zone 2 = 41' to 70' from the structure, Zone 3 = 71'
14 to 100' from the structure. (Refer to fuel modification packet)
- 15 b) Identify removal of undesirable plant species in accordance with the Oceanside
16 Fire Prone Plant Species List. (Refer to fuel modification packet)
- 17 c) Identify the design of the proposed development, showing all property lines,
18 contour lines, and the proposed location of all structures nearest to the fuel
19 modification area, if available.
- 20 d) Photographs of the area that show the type of vegetation that currently exist,
21 including height and density, and the topography of the site. Include aerial
22 photographs. Provide information on Existing planting on your landscape plans,
23 what species are there is it ground cover, shrubs etc.
- 24 e) Identify what exists 1000' beyond the development property lines in all directions;
25 i.e., construction, natural vegetation, roads, parks, etc. (Note: the OFD may
26 require additional information on a project-specific basis.)
- 27 f) Existing and new plants will be in accordance with the Oceanside Fire
28 Department's approved plant palette.

110. Precise fuel modification plans shall include all information required on conceptual fuel
modification plans and the following additional information:

- a) Plant palette to be installed in accordance to acceptable guidelines.

- 1 b) Irrigation plans and specifications.
- 2 c) Building footprints or statements that clearly indicates the limits of proposed
- 3 development.
- 4 d) All applicable maintenance requirements and assignments of responsibility.
- 5 e) Tracked or project conditions, CC&R and/or deed restrictions relative to fuel
- 6 modifications. (Refer to fuel modification packet)
- 7 111. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
- 8 the site plan.
- 9 112. Add fire hydrants on site plan.
- 10 113. The fire hydrants shall be installed and tested prior to placing any combustible materials
- 11 on the job site.
- 12 114. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
- 13 approval prior to the issuance of building permits.
- 14 115. Buildings shall meet Oceanside Fire Department's current codes at the time of building
- 15 permit application.

15 **Planning:**

- 16 116. This Development Plan and Conditional Use Permit shall expire on January 28, 2010,
- 17 unless implemented as required by the Zoning Ordinance.
- 18 117. This Development Plan approves only a concrete mix batch plant and a 12,000-gallon
- 19 above ground fuel storage tank on a 2.95-acre site as shown on the plans and exhibits
- 20 presented to the Planning Commission for review and approval. No deviation from these
- 21 approved plans and exhibits shall occur without Planning Division approval. Substantial
- 22 deviations shall require a revision to the Development Plan/Conditional Use Permit or a
- 23 new Development Plan/Conditional Use Permit.
- 24 118. Concrete Batch Plant hours of operations shall be 6:00 a.m. to 6:00 p.m. Monday through
- 25 Saturday. Deliveries of materials could occur between 6:00 a.m. and 9:00 p.m. Monday
- 26 through Saturday.
- 27 119. The truck "wash-out" area shall be located within the northerly (batch plant) detention
- 28 pond. Plans depicting the truck "wash-out" area shall be considered and approved by the
- City Planner and City Engineer prior to issuance of grading permits.

1 120. The entire 100-foot buffer area (50-foot biological buffer plus 50-foot planning buffer) shall
2 be vegetated with the exception of the detention basin in the western portion of the site.
3 The 50-foot biological buffer shall meet revegetation standards of the Wildlife Agencies as
4 outlined in their letter in the Mitigated Negative Declaration. The final landscape plans
5 shall be approved by the City Engineer and City Planner.

6 121. Fifty percent of the site shall be open and/or landscaped in accordance with the City's Draft
7 Subarea Plan. As an option, the remaining open space could be purchased at an approved
8 offsite location to the satisfaction of the City Planner.

9 122. Prior to the issuance of building permits, Loma Alta Creek and the 100-foot buffer area
10 shall be placed in a conservation easement to the satisfaction of the City Engineer and City
11 Planner.

12 123. No clearing, grubbing, grading, or other construction activities shall occur between March
13 15 and September 15, the breeding season of the least Bell's vireo, until the following
14 requirements have been satisfied:

15 During project construction, a qualified biologist (possessing a valid endangered species
16 act section 10(a)(1)(a) recovery permit) shall survey those wetland areas along Loma Alta
17 Creek for the least Bell's vireo. Surveys for this species shall be conducted pursuant to
18 the protocol survey guidelines established by the U.S. Fish and Wildlife Service within
19 the breeding season prior to the commencement of construction. If the least Bell's vireo
20 is present, then the following condition must be met:

- 21 a) Between March 15 and September 15, no clearing, grubbing, or grading of
22 occupied least bell's vireo habitat shall be permitted. Areas restricted
23 from such activities shall be staked or fenced under the supervision of a
24 qualified biologist.

25 124. The following monitoring program shall be implemented to ensure that the potential for
26 significant archaeological evidence to be present is addressed during the course of
27 construction work:

- 28 • A pre-excavation agreement shall be forged with the San Luis Rey Band of
Mission Indians to require a Native American monitor be present during the
grading or trenching operations over 18 inches in depth. This executed contract

1 with scope of work shall be provided to the City prior to the issuance of a grading
2 permit. In addition, a Society of Professional Archaeologists (SOPA)
3 archaeological monitor would be required. In the event archaeological resources
4 are discovered, both an archaeological monitor and Native American monitor
5 shall be present. There would be no need for either monitor on-site once
6 subsurface excavations have concluded.

- 7 • Either monitor would be authorized to temporarily divert or halt excavation in or
8 near the archaeological deposit. Upon halt or diversion, the monitor would notify
9 the appropriate on-site City officer of the action and need for an opportunity to
10 inspect the work area for significant discoveries. A significant discovery would
11 consist of intact features, human remains, areas of preserved stratigraphy, or other
12 intact deposits. Non-significant discoveries would include dispersed site
13 components within a disturbed soil stratum, such as those encountered during the
14 exploratory excavations.
 - 15 ○ In the event that the Native American monitor makes a significant discovery,
16 he or she would notify the on-site City official and the archaeological monitor.
17 The archaeological monitor would notify the archaeological Principal
18 Investigator.
 - 19 ○ City staff and the archaeological team would confer on-site with the Native
20 American monitor to determine appropriate steps to protect or mitigate
21 impacts to the discovery.
 - 22 ○ A draft plan for protection or mitigation of impacts for the discovery would be
23 submitted to City Planning Division within 48 hours of the on-site conference.
24 The plan would include proposed methods for protection or excavation, data
25 collection, and curation.
- 26 • In the event that the archaeological monitor makes a significant discovery he or
27 she would notify the on-site City official, the archaeological Principal
28 Investigator, and the Native American monitor.
 - City staff and the monitors would confer on-site with the Principal
Investigator to determine appropriate steps to protect or mitigate impacts to

1 the discovery.

2 ○ A draft plan for protection or mitigation of impacts for the discovery would be
3 submitted to City Planning Division staff within 48 hours of the on-site
4 conference. The plan would include proposed methods for protection or
5 excavation, data collection, and curation.

6 ● The discovery of human remains during excavation warrants specific additional
7 protocols under California and U.S. laws. Persons involved in the excavation
8 program or monitoring are charged with notifying the monitoring staff in the event
9 that human remains are observed in or near the excavations.

10 ○ Upon discovery of human remains all work in the immediate vicinity of the
11 discovery must halt and be directed to other areas of the project that would not
12 disturb the remains.

13 ○ The City official on-site and the Principal Investigator must be notified of the
14 discovery. Notification of the County Coroner would be the responsibility of
15 the Principal Investigator personally, or through his or her designee.

16 ○ No activity may occur in the immediate vicinity of the remains until cleared by
17 the Coroner's office. Notification of such clearance shall be provided in
18 writing to the City staff, monitoring staff, and Principal Investigator.

19 ● If the human remains are Native American, then the Coroner would notify the
20 NAHC. The NAHC would determine the most likely descendent (MLD) and
21 notify the archaeological Principal Investigator or monitor of the decision.
22 Arrangements would then be made in coordination with City staff for the
23 treatment of the remains.

24 ● If the human remains were not Native American, their treatment would be
25 determined in coordination with City staff. A plan for their removal,
26 documentation and disposition would be developed in writing. A draft of the plan
27 would be provided within 48 hours of the conference to outline the plan.

28 ● The archaeological monitoring staff would compile a final summary report of the
monitoring program. This report would include discussions of the finds made,
observations regarding the archaeological deposit integrity, condition, content,

1 and extent, and other information of value to future investigations encountered
2 within the scope of the monitoring program. The summary report would include
3 at least the locations monitored and the observations made.

- 4 • All archaeological materials, excluding grave goods and items of cultural
5 patrimony, recovered during the monitoring program would be curated at the San
6 Diego Archaeological Center (SDAC). The curated materials would include
7 copies of photographs, field notes, maps, interim and final reports, and other
8 documentation compiled during the monitoring program, exploratory excavations,
9 and other excavations implemented as a result of the proposed improvements.
10 The quantity of materials to be included in the curation agreement between the
11 SDAC and the City is likely to be less than five cubic feet, or three boxes.
- 12 • In the unlikely event that human remains are encountered, pursuant to State
13 Health and Safety Code Section 7050.5, no further disturbance shall occur until
14 the County Coroner has made a determination of origin and disposition pursuant
15 to Public Resources Code Section 5097.98. The County Coroner shall be notified
16 of any human remains find immediately. If the remains are determined to be
17 prehistoric, the Coroner shall notify the Native American Heritage Commission
18 (NAHC) which will determine and notify a Most Likely Descendant (MLD).
19 With the permission of the landowner or his/her authorized representative, the
20 MLD may inspect the site of the discovery, and shall complete the inspection
21 within 24 of notification by the NAHC. The MLD shall have the opportunity to
22 make recommendations to the NAHC on the disposition of the remains.

23 125. The applicant shall establish a sales office within the jurisdictional boundaries of the City
24 and shall thereafter, for the entire term of the permit, conduct its taxable sales operations
25 from that sales office in accordance with California Sales & Use Tax Laws and all other
26 applicable provisions of local, state and federal law. The applicant shall establish the
27 sales office to a location within the City limits at the time of the operation of the plant in
28 Oceanside and will make a reasonable effort to market, promote and administer taxable
sales activity with the objective of maximizing the amount of local sales tax revenue. In
all Sales & Use Tax Returns filed with the Board of Equalization relating to taxable sales

1 generated at the Sales office, the applicant shall specify the City as the place of sale.
2 Within 7 calendar days of a request by the City of Oceanside City Planner or Finance
3 Department, the operator shall make available for review and reproduction during normal
4 business hours, papers, documents and computer records required by the City to verify
5 and audit the operators compliance with this condition.

6 126. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
7 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
8 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
9 annul an approval of the City, concerning Development Plan D-7-07 and Conditional Use
10 Permit C-12-07. The City will promptly notify the applicant of any such claim, action or
11 proceeding against the City and will cooperate fully in the defense. If the City fails to
12 promptly notify the applicant of any such claim action or proceeding or fails to cooperate
13 fully in the defense, the applicant shall not, thereafter, be responsible to defend,
indemnify or hold harmless the City.

14 127. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
15 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall be
16 reviewed and approved by the City Engineer prior to the issuance of occupancy permits.
17 Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed
18 for final approval.

19 128. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in
20 any adjoining public parkways shall be permanently maintained by the owner, his assigns or
21 any successors-in-interest in the property. The maintenance program shall include normal
22 care and irrigation of the landscaping; repair and replacement of plant materials; irrigation
23 systems as necessary; and general cleanup of the landscaped and open areas, parking lots
24 and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City
25 taking all appropriate enforcement actions by all acceptable means including but not limited
26 to citations and/or actual work with costs charged to or recorded against the owner. This
condition shall be recorded with the covenant required by this resolution.

27 129. Merchandise, materials and equipment shall not be stored in required parking areas,
28 driveways, fire lanes, setback areas, or on sidewalks or walkways.

1 130. Storage areas shall be visually buffered from Loma Alta Creek and the AT&SF Railroad
2 right-of-way. Buffering shall be consistent with the screening of outdoor facilities
3 requirements set forth in section 3020(D).

4 131. Trash enclosures must be provided as required by Chapter 13 of the City Code and shall
5 also include additional space for storage and collection of recyclable materials per City
6 standards. Recycling is required by City Ordinance. The enclosures must be built in a flat,
7 accessible location as determined by the City Engineer. The enclosures shall meet City
8 standards including being constructed of concrete block, reinforced with rebar and filled
9 with cement. A concrete slab must be poured with a berm on the inside of the enclosure to
10 prevent the bins from striking the block walls. The slab must extend out of the enclosure
11 for the bins to roll out onto. Steel posts must be set in front of the enclosure with solid
12 metal gates. All driveways and service access areas must be designed to sustain the weight
13 of a 50,000-pound service vehicle. Trash enclosures and driveways and service access areas
14 shall be shown on both the improvement and landscape plans submitted to the City
15 Engineer. The specifications shall be reviewed and approved by the City Engineer. The
16 City's waste disposal contractor is required to access private property to service the trash
17 enclosures, a service agreement must be signed by the property owner and shall remain in
18 effect for the life of the project. All trash enclosures shall be designed to provide user
19 access without the use and opening of the service doors for the bins. Trash enclosures shall
20 have design features such as materials and trim similar to that of the rest of the project. This
21 design shall be shown on the landscape plans and shall be approved by the City Engineer.

22 132. A covenant or other recordable document approved by the City Attorney shall be prepared
23 by the developer and recorded prior to the issuance of building permit. The covenant shall
24 provide that the property is subject to this resolution, and shall generally list the conditions
25 of approval.

26 133. Prior to the issuance of building permits, compliance with the applicable provisions of the
27 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
28 and approved by the City Planner and City Engineer. These requirements, including the
obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted
on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject
property.

- 1 134. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new owner
3 and or operator. This notification's provision shall run with the life of the project and shall
4 be recorded as a covenant on the property.
- 5 135. Failure to meet any conditions of approval for this development shall constitute a violation
6 of the Development Plan.
- 7 136. Unless expressly waived, all current zoning standards and City ordinances and policies in
8 effect at the time building permits are issued are required to be met by this project. The
9 approval of this project constitutes the applicant's agreement with all statements in the
10 Description and Justification and other materials and information submitted with this
11 application, unless specifically waived by an adopted condition of approval.
- 12 137. The developer's construction of all fencing and walls associated with the project shall be in
13 conformance with the approved Development Plan. Any substantial change in any aspect of
14 fencing or wall design from the approved Development Plan shall require a revision to the
15 Development Plan or a new Development Plan.
- 16 138. Elevations, materials, colors, roofing materials and floor plans shall be substantially the
17 same as those approved by the Planning Commission. These shall be shown on plans
18 submitted to the Building Division and Planning Division of the Community
19 Development Department.
- 20 139. Walls, fences and trash enclosures and associated structure details shall be shown in the
21 landscape plans.
- 22 140. The three parcels that comprise the project site (APN 149-271-49, 149-271-50 and 149-
23 271-51) shall be consolidated into one parcel prior to issuance of building permit.

24 **Water Utilities:**

- 25 141. All public water and/or sewer facilities not located within the public right-of-way shall be
26 provided with easements sized according to the Water, Sewer, and Reclaimed Water
27 Design and Construction Manual. Easements shall be constructed for all weather access.
- 28 142. No trees, structures or building overhang shall be located within any water or wastewater
utility easement.
143. The property owner will maintain private water and wastewater utilities located on private
property.

- 1 144. A separate irrigation meter and approved backflow prevention device is required.
- 2 145. The developer shall construct a public reclamation water system that will serve each lot
3 and/or parcels that are located in the proposed project in accordance with the City of
4 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located
5 in the public right-of-way or in a public utility easement.
- 6 146. Water services and sewer laterals constructed in existing right-of-way locations are to be
7 constructed by approved and licensed contractors at developer's expense.
- 8 147. The developer will be responsible for developing all water and sewer utilities necessary to
9 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
10 the developer and shall be done by an approved licensed contractor at the developer's
11 expense.
- 12 148. All lots with a finish pad elevation located below the elevation of the next upstream
13 manhole cover of the public sewer shall be protected from backflow of sewage by installing
14 and maintaining an approved type backwater valve, per the Uniform Plumbing Code
(U.P.C.).
- 15 149. An Inspection Manhole, per the Water Sewer, and Reclamation Water Design and
16 Construction Manual, shall be installed in each building sewer lateral and the location shall
17 be called out on the approved Improvement Plans.
- 18 150. A Grease, Oil and Sand Interceptor, per the Uniform Plumbing Code, shall be installed in
19 each building sewer in an appropriate location and shall be maintained by the property
20 owner. The location shall be called out on the approved Improvement Plans.
- 21 151. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are
22 to be paid to the City and collected by the Water Utilities Department at the time of
23 Building Permit issuance.
- 24 152. All Water and Wastewater construction shall conform to the most recent edition of the
25 Water, Sewer, and Reclaimed Water Design and Construction Manual, or as approved by
26 the Water Utilities Director.
- 27 153. On-site water lines for fire protection shall be private and called out as such on the plans.
- 28 154. Zero discharge of pollutants generated from this facility into the City Municipal Separate
Storm Sewer Systems (MS4) including Loma Alta Creek is permitted. Typical pollutants

1 generated from a Ready-Mix Concrete facility are pH, Total Suspended Solids (TSS),
2 Total Organic Carbon, conductivity, and iron.

3 155. The proposed facility is classified under SIC 3273. Notice of Intent (NOI) application
4 must be submitted for coverage under the State's General Industrial Permit for
5 stormwater. Ready-Mix Concrete will be required to prepare a Storm Water Pollution
6 Prevention Plan (SWPPP) and monitor stormwater for pH, Total Suspended Solids, Total
7 Organic Carbon, conductivity, and iron.

8 156. All the proposed natural and/or structural Best Management Practices (BMPs) must be
9 designed based on the pollutant types and pollutant loads generated from the facility.

10 157. The proposed water service and sewer laterals must maintain a minimum distance of 10
11 feet.

12 158. Irrigation, domestic, and fire services for the project shall be independent of each other
13 and have separate connections to the existing water main.

14 159. The irrigation and domestic service laterals will be constructed with appropriate sized
15 meters and an approved backflow preventer devices which shall be clearly shown on the
16 improvement plans.

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1 160. The proposed and existing utilities, as well as their sizes, shall be clearly identify the on
2 all plans.

3 PASSED AND ADOPTED Resolution No. 2008-P05 on January 28, 2008 by the
4 following vote, to wit:

- 5 AYES:
- 6 NAYS:
- 7 ABSENT:
- 8 ABSTAIN:

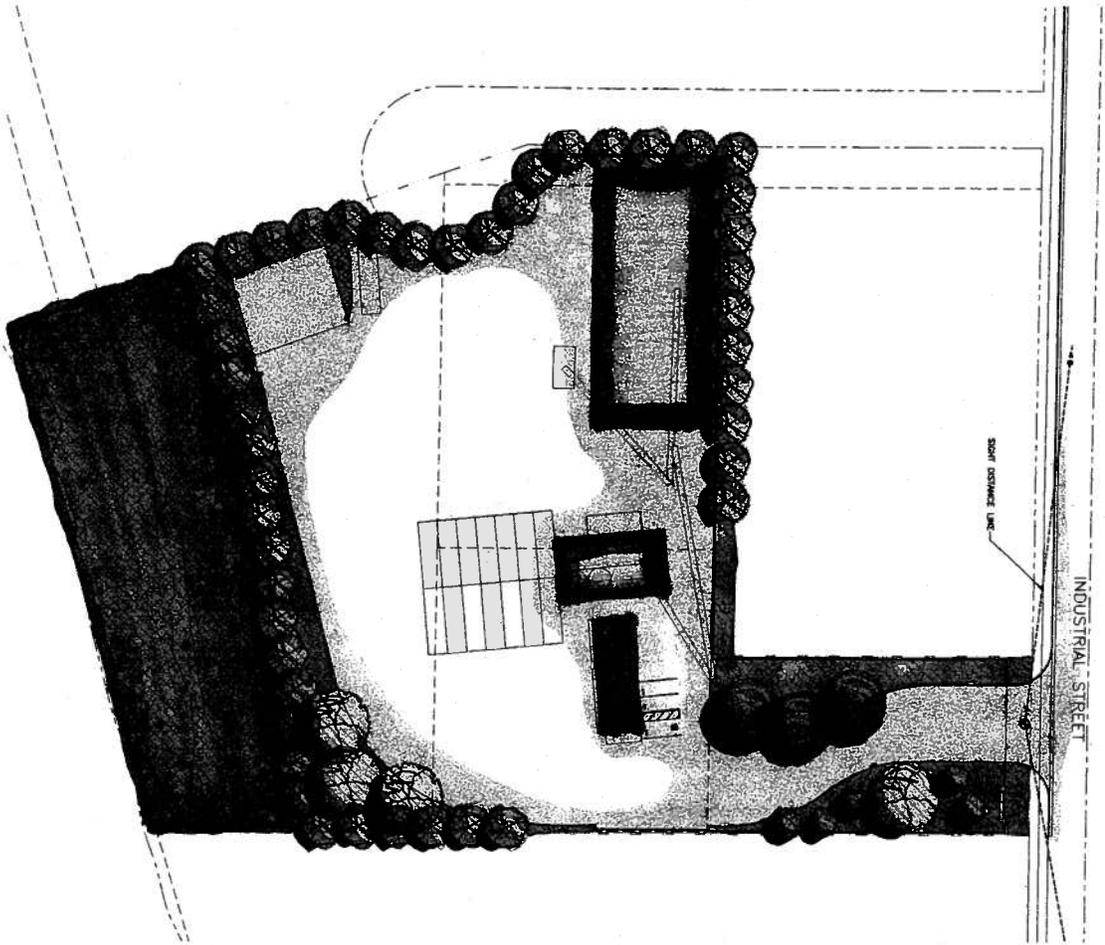
9
10
11 _____
12 Dennis Martinek, Chairman
13 Oceanside Planning Commission

14 ATTEST:
15 _____
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
18 this is a true and correct copy of Resolution No. 2008-P05.

19 Dated: January 28, 2008
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PRELIMINARY COLOR LANDSCAPE PLAN ROBERTSON'S CONCRETE BATCH PLANT CITY OF OCEANSIDE



SHORT ORNAMENT LINE

INDUSTRIAL STREET

TREES



BOTANIC NAME	COMMON NAME	WATER USE
ALNUS RHOMBIFOLIA	WHITE ALDER	MOD
CHILIPSE LINEARIS	DESERT WILLOW	LOW
LYONTHAMNUS FLOREBUNDUS	CATALINA IRONWOOD	MOD
PLATANUS RACEMOSA	CALIFORNIA Sycamore	LOW

SHRUBS / VINES / GROUNDCOVERS / TURF



OSMORHIZA 'JONCE COULTER'	WILD ULAC	LOW
OSTIS X PURPUREUS	ORCHID ROCKROSE	LOW
FREUDONTODENDRON 'KEN TAYLOR'	FLAMEL BUSH	LOW
HEBERCOLLIS RED HYBRID	DAILY - RED ONLY	MOD
MYOPORUM LAETUM	MYOPORUM	MOD
OSMANTHUS FRAGRANS	SWEET OLIVE	LOW
PHORADIA TENAX 'ANTHROPURPUREUM'	NEW ZEALAND FLAX	LOW
SPERGIA LAMORALISCAE	SENECIO (SUCCULENT)	MOD
HELIANTHEMUM RUBICUNDUM	SUNROSE	LOW
MYOPORUM PANICULUM 'PINK'	MYOPORUM	LOW
SLOPE SWER II RED FESCUE MIX		



SOOODO WATER SWER FESCUE OR APPROVED EQUIVA
NATIVE/NATURALIZED HYDRANGEA MIX

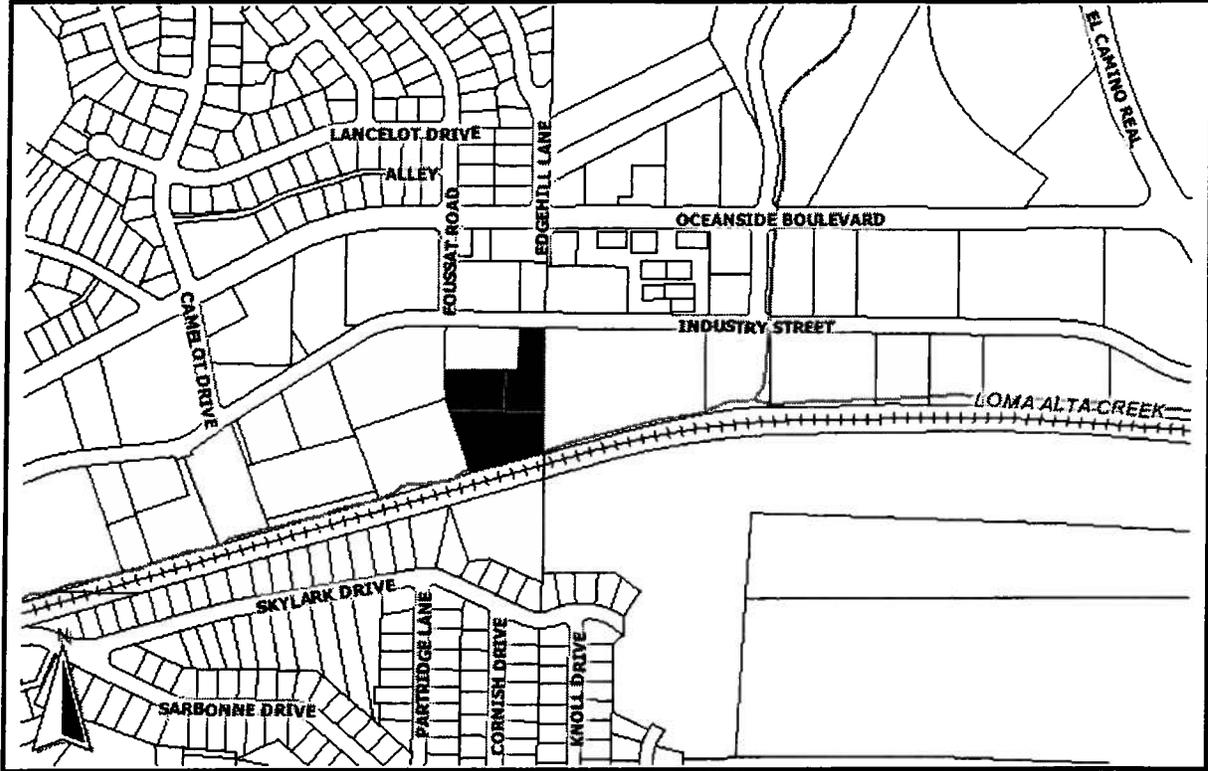
TOTAL FRONT YARD AREA: 14,470 SF
TOTAL LANDSCAPED AREA OF FRONT YARD: 8,592 SF
SUGGESTED PLANTING PALETTE:



DATE: AUGUST 21, 2007



4000 Redwood Ave.
Marina, CA 94028
415.398.0000
Fax: 415.398.0000
http://www.hennigson.com



File Number: D-7-07, C-12-07

Applicant: Robertson's

Description:

DEVELOPMENT PLAN (D-7-07) and CONDITIONAL USE PERMIT (C-12-07) for the development of a concrete mix plant and materials handling operation and installation of a 12,000-gallon above ground fuel tank at 2847 Industry Street. The project site is zoned IG (General Industrial) and is situated within the Loma Alta Neighborhood -- **ROBERTSON'S OCEANSIDE**

Environmental Determination:

A Mitigated Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Mitigated Negative Declaration during its hearing on the project.

City of Oceanside, Planning Division
300 N. Coast Highway
Oceanside, CA 92054 (760) 435-3520

Application For Planning Commission Hearing

Planning Department (760) 435-3520
 Oceanside Civic Center
 300 North Coast Highway
 Oceanside, California 92054-2885
 Please Print or Type All Information

RECEIVED
 APR 09 2007

STAFF USE ONLY
 ACCEPTED BY
 4/9/07 SN.

PART I - APPLICANT INFORMATION

1. APPLICANT Robertson's	2. STATUS Lessee
3. ADDRESS P.O. Box 3600 Corona, Ca 92878	4. PHONE/FAX (951) 493-6493
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Christine Goeyvaerts	7. PHONE/FAX (951) 760-4241
6. ADDRESS P.O. Box 3600 Corona, CA 92878	

HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	
<input checked="" type="checkbox"/> DEV. PL.	D-7-07
<input checked="" type="checkbox"/> C.U.P.	C-12-07
VARIANCE	
COASTAL	
O.H.P.A.C.	

PART II - PROPERTY DESCRIPTION

8. LOCATION 2847 Industry Street		
10. GENERAL PLAN IG	11. ZONING General Ind.	12. LAND USE Industrial

9. SIZE 2.76 acres
13. ASSESSOR'S PARCEL NUMBER 149-271-49, 50&51

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
Industrial Manufacturing, including a ready-mix concrete batch and material system. A 12,000 gallon above ground fuel tank and a sales office are also included in the project.

15. PROPOSED GENERAL PLAN No Change	16. PROPOSED ZONING No Change	17. PROPOSED LAND USE No Change	18. NO. UNITS	19. DENSITY
20. BUILDING SIZE 12,390	21. PARKING SPACES 17	22. % LANDSCAPE 36.6%	23. % LOT COVERAGE 10.3%	

PART IV - ATTACHMENTS

24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		DEV. PLANS, C.U.P.s & TENT. MAPS	
26. 300-FT. RADIUS MAP		27. PROPERTY OWNERS' LIST		30. FLOOR PLANS AND ELEVATIONS	
28. ENVIRONMENTAL ASSESSMENT		29. PLOT PLANS		31. CONSTRUCTION SCHEDULE	
				32. OTHER	

PART V - SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING: FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.

33. APPLICANT OR REPRESENTATIVE (Print): Robertson's Sign:	34. DATE 4/2/07	SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		37. OWNER (Print) INDYARD, LLC Sign:	38. DATE
35. APPLICANT (Print): Christine Goeyvaerts Sign:	36. DATE 4/2/07	See attached authorization	
		39. OWNER (Print):	40. DATE

Amy

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APR - 9 2007

Planning Department

**ATTACHMENT #24
OCEANSIDE
CONCRETE PLANT AND FUEL TANK
Description and Justification**

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APR 09 2007
Planning Department

LAND USE The site will be used for industrial manufacturing, including a ready-mix concrete batch and material handling system. The General plan use designation and corresponding Zone is General Industrial and a Concrete Plant is a permitted use in this Zone. A 12,000-gallon above ground fuel tank will be included in the project and requires a conditional use permit. The fuel tank description and justification is attached. The site will have a sales office to serve the area surrounding the City of Oceanside.

The proposed site plan is in compliance zoning development regulations applicable to uses within the General Industrial Zone. All structures will be under the 80-foot height limit.

CONCRETE BATCH PLANT DESCRIPTION The concrete plant consists of a slurry blender. Concrete ingredients include Portland cement, fly ash, sand, rock, water and small quantities of concrete admixtures. The slurry blender weighs the cement and water into an enclosed drum mixer, mixes thoroughly and then is transferred along with aggregates in to the ready mix truck.

The process involved in producing concrete starts with raw materials (sand, rock and cement) being trucked to the site, unloaded via bottom-dump into the drive-over hopper. When directly over the hopper, the driver will let the gates in the bottom of the truck open and the raw material will fall through the hopper on to the conveyor belt. The conveyor belt transfers the raw materials into the storage bins. The storage bins (material system) is made of concrete and is completely enclosed to eliminate noise and visibility. From the material system, the enclosed conveyor transfers the raw materials to the concrete plant. Once mixed, the concrete is immediately loaded into ready-mix trucks and delivered to the customer.

The plant consists of four (2) cement silos, cement and water weigh hoppers, an aggregate bin over an aggregate weigh hopper and a batch/sales office. Elevations of the batch plant are shown on the plot plan.

Emissions from this operation are passed through filter vents and negative-pressure bag houses.

Materials are as follows:

Aggregate (approx 78% by weight) Sand and gravel is transported to the site by bottom-dump trucks from quarries located outside the general vicinity. The trucks dump the load of material into an underground hopper. The material is stacked by a conveyor belt into storage bins. The material is recovered from the bins by underground tunnels and conveyors to the surge bin on the batch plant. The aggregate is weighed by scale and moved to either the central mixer or dry batch by conveyor.

Portland Cement (approx 12% by weight) is transported to the site from sites located outside the general vicinity. The special cement trucks use air pressure to "blow" the cement into two (2) overhead silos and one (1) ground storage silo. These silos are completely enclosed. The air used for transfer is vented through a series of filter vents, which remove emissions. The cement is gravity-fed to enclosed weigh hoppers, which are vented to a baghouse.

Fly Ash (approx 2% by weight) is transported and handled in a similar manner as Portland Cement. Portland cement and fly ash are the "glue" that holds the concrete together.

Concrete Admixtures (less than 1% by weight) are special admixtures, which enhance the characteristics of the concrete such as water reducers (increase overall strength), accelerators (increase early strength) or color pigments for architectural concrete. They are stored in self-contained plastic tanks.

Water (approx 8% by weight) is the catalyst, which causes the Portland cement to harden. Both fresh and recycled water from plant operations are used. The water is either transported by hard connection to the local water supply or pumped from a series of holding basins, which contain water collected during operations or storm events. About one third of the water used in the plant is recycled.

OPERATING HOURS

Hours are between 6:00 a.m. to 6:00 p.m., Monday through Saturday. Material delivery will occur between 6:00 a.m. and 9:00 p.m.

Employees

The employees at the concrete plant that will work on-site include a batch man and his assistant. Off site employees will consist of approximately 15 drivers. Anticipated visitors are nominal and occur once or twice a week for brief periods of time.

Raw Materials (Portland cement and aggregate) are usually delivered in off peak hours. This can significantly reduce the impact during peak traffic hours.

NOISE

Source	Mitigation
Material Transfer	Cushioned transfer points; transfer points located below ground in tunnels.
Concrete Mixing	Cushioned transfer points and slurry blender, low elevation pneumatic controls; enclosed transfer points.
Concrete Loading	Enclosed operations screen noise and provide aesthetically pleasing operations
General Area Noise (Truck/Operation)	Significant setbacks from property line. Enclosed operations keep project well under requirements

EMISSIONS Best Available Control Technology is used to reduce emissions during the loading operations to a level well below threshold levels with use of controlled transfer points, filter vents and negative-pressure bag houses and vacuum/shroud systems. Areas used for truck traffic are paved and of sufficient length to eliminate "track-out". All plant equipment requires a Permit to construct from the San Diego Air Pollution Control District. The plants will not be permitted unless they meet all new SDAPCD requirements. Completely enclosed operations further insure clean operations.

ENERGY CONSERVATION The plant office is fully insulated with conventional means and utilizes triple-pane glass. The concrete plant incorporates a highly efficient slurry blender which reduces energy consumption as well as reduces fuel usage by delivery trucks.

STORM WATER The site will be fully permitted with a NPDES permit during construction and operation. The required Storm Water Pollution Prevention Plan will include structural Best

Management Practices (BMPs) such as water recycling and sedimentation basins. The applicant belongs to the Building Materials Industry Group Monitoring.

AESTHETICS Blended landscaping will be incorporated per city specifications. Walls and strategically located screening vegetation will be used to shield the operations from casual observation. The proposed concrete tilt up walls will be painted shell white and designed to simulate a commercial building. All of the concrete facility including equipment, batch and sales office will also be painted "shell white". All signs and logos will meet Oceanside ordinances.

FUEL TANK The site will have an above ground fuel tank with dispenser. The 12,000-gallon tank will be double walled and meet all governmental standards.

SOCIO/ECONOMIC Seventeen (17) new jobs in the \$40,000-\$75,000 range are anticipated.