



DATE: January 8, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-9-06) AND VARIANCE (V-20-06) FOR THE INSTALLATION AND OPERATION OF A COMPRESSED NATURAL GAS FUELING DISPENSER FACILITY AND TO ALLOW A REDUCTION TO THE REQUIRED LANDSCAPING ON A PROPERTY WITHIN THE AIRPORT NEIGHBORHOOD – CLEAN ENERGY – APPLICANT: CLEAN ENERGY**

RECOMMENDATION

Staff recommends that the Planning Commission approve Conditional Use Permit (C-9-06), deny Variance (V-20-06) and adopt Planning Commission Resolution No. 2007-P02 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Project Description: The applicant is requesting a Conditional Use Permit to allow for the installation and operation of a compressed natural gas (CNG) fueling dispenser facility which will be open to the public adjacent to the North County Transit District's (NCTD) maintenance yard located at 305 Via Del Norte. A portion of the subject property is currently developed with two CNG fueling dispensers, a wash station, and a maintenance building for the NCTD vehicles. In addition, the applicant is requesting a Variance to allow for a reduction of front yard setback landscaping (50% minimum).

The project is located in the Airport Neighborhood and the site is zoned IL (Limited Industrial). Surrounding zoning is also IL.

Fueling stations are allowed within the Limited Industrial zone with the approval of a Conditional Use Permit. The project site will encompass approximately 3,000 square feet. The entire NCTD maintenance yard is approximately 10 acres. A new eight-foot CMU block wall will separate the new CNG facility from the NCTD maintenance yard. Two new curb cuts will be created along Via Del Monte and the CNG fueling dispenser will be open to the public 24 hours a day, 7 days a week.

Landscaped areas will be provided along the wall and a new planter will be placed adjacent Via Del Monte, outside of the public right-of-way. The applicant proposes to landscape 11 percent of the required front yard setback area in lieu of the required 50 percent.

ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed compressed natural gas fueling dispenser facility compatible with the NCTD maintenance yard and surrounding uses?
2. Will the addition of the compressed natural gas fueling dispenser facility be detrimental to the public's general welfare?
3. Is the Variance request supported by the following required findings as specified under Section 4105(B) of the Zoning Ordinance?
 - That because of special circumstances or conditions applicable to the development site, including size, shape, topography, location or surroundings strict application of the requirements of the Zoning Ordinance deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
 - That granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.
 - That granting the application is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

DISCUSSION

The proposed facility will be served by existing off-site infrastructure. Two new curb cuts created along Via Del Monte will allow for convenient and safe public access to the CNG dispenser. The site will be available to the public 24 hours a day, seven days a week. Staff finds that due to the location of the project within the industrial zone, the hours of operation are appropriate and will not negatively impact uses on surrounding properties.

Staff's evaluation of the proposed CNG fueling dispenser finds that the subject use will be compatible with the types of uses that exist within the area. Two CNG fueling dispensers exist within the NCTD maintenance yard and the third proposed public access dispenser will tie into the existing system. A member of the Clean Energy maintenance staff will maintain the new CNG fueling dispenser daily.

The applicant is requesting a variance to allow a reduction to the required percentage of landscaping (50% minimum) within the 10-foot front yard setback area. As proposed, the project provides only 11 percent landscaping within the required yard area. There are no special circumstances or conditions applicable to the development site, including size, shape, topography, location and surroundings that warrant granting of the variance. The proposed project area could be designed differently in order to meet the Oceanside Zoning Ordinance Industrial District landscape requirements. The strict application of the requirements of the Zoning Ordinance does not deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Development on Limited Industrial properties is required to comply with this regulation. The granting of the requested variance will not be consistent with the purpose of the Zoning Ordinance and will constitute a grant of special privilege inconsistent with limitations of other properties in the vicinity.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA).

SUMMARY

The proposed CNG fueling dispenser is compatible with the NCTD maintenance yard and other uses in the surrounding areas. The CNG dispenser will provide a cleaner alternative fuel source for the public. There are no special circumstances or conditions applicable to the development site that warrant granting of the variance. Therefore, staff recommends that the Planning Commission approve the condition use permit and deny the variance. The Commission's action should be:

- Move to approve Conditional Use Permit (C-9-06), deny Variance (V-20-06) and adopt Planning Commission Resolution No. 2007-P02 as attached.

PREPARED BY:


Sally Schifman
Planner II

SUBMITTED BY:


Jerry Hittleman
City Planner

REVIEWED BY:


Amy Volzke, Principal Planner

JH/SS/fil

Attachments:

1. Site Plan and Elevations
2. Planning Commission Resolution No. 2007-P02
3. Support Letters from School Districts

1 PLANNING COMMISSION
2 RESOLUTION NO. 2007-P02

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 CONDITIONAL USE PERMIT AND DENYING A VARIANCE
6 ON CERTAIN REAL PROPERTY IN THE CITY OF
OCEANSIDE

7 APPLICATION NO: C-9-06, V-20-06
8 APPLICANT: Clean Energy
9 LOCATION: 305 Via Del Norte

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

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

15 a CNG fueling dispenser facility;
16 on certain real property legally described as shown on Exhibit "A" attached hereto and
17 incorporated herein by reference thereto.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day
19 of January, 2007 conduct a duly advertised public hearing as prescribed by law to consider said
20 application.

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; this project is not subject to CEQA per the General Rule, Section 15061
(B)(3);

23 WHEREAS, the documents or other material which constitutes the record of
24 proceedings upon which the decision is based will be maintained by the City of Oceanside
25 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
3 4 Drainage Fee	5 6 Ordinance No. 85-23 Resolution No. 06-R0334-1	7 8 Depends on area (range is \$2,843-\$15,964 per acre)
9 10 Public Facility Fee	11 12 Ordinance No. 91-09 Resolution No. 06-R0334-1	13 14 \$.713 per square foot or \$713 per thousand square feet for non-residential uses

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

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

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

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

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

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

1 FINDINGS:

2 For the Conditional Use Permit:

- 3 1. The proposed use has been conditioned to be in accord with the objectives of the Zoning
4 Ordinance and the purposes of the district in which the site is located.
- 5 2. The proposed conditional use and the proposed conditions under which it will be operated
6 and maintained will be consistent with the General Plan; will not be detrimental to the
7 public health, safety, welfare of persons residing or working in or adjacent to the
8 neighborhood of such use; and will not be detrimental to properties or improvements in the
9 vicinity or to the general welfare of the City. The facility will provide a cleaner alternative
10 fuel for public use.
- 11 3. The proposed conditional use will comply with the provisions of the Zoning Ordinance,
12 including any specific condition required for the proposed conditional use in the district in
13 which it will be located.

14 For denying the request to permit a reduction in the required front yard landscaping (11% in lieu
15 of 50%):

- 16 1. There are no special circumstances or conditions applicable to the development site,
17 including size, shape, topography, location and surroundings that warrant granting of the
18 Variance to allow a reduction of the required landscaping within the front yard setback
19 (50% minimum). The strict application of the requirements of the Zoning Ordinance
20 does not deprive such property of privileges enjoyed by other property in the vicinity
21 and under identical zoning classification. Development on Limited Industrial zoned
22 properties is required to comply with this regulation.
- 23 2. Granting the application will be detrimental or injurious to property or improvements in the
24 vicinity of the development site, or to the public health, safety or general welfare. The lack
25 of landscaping will create an aesthetically substandard condition, inconsistent with the
26 standards of the Zoning Ordinance and General Plan and will negatively impact
27 surrounding land uses and the general public.
- 28 3. The granting of the Variance will not be consistent with the purpose of the Zoning
29 Ordinance and will constitute a grant of special privilege inconsistent with limitations of

1 other properties in the vicinity. The project could be designed differently to
2 accommodate the landscaping requirements for the Limited Industrial zone.

3 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
4 approve Conditional Use Permit (C-9-06) subject to the following conditions:

5 **Building:**

- 6 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
7 Building Division plan check. (Currently the 2001 California Building Code and 2004
8 California Electrical Code)
- 9 2. The granting of approval under this action shall in no way relieve the applicant from
10 compliance with all State and local building codes.
- 11 3. Site development, parking access into buildings and building interiors shall comply with
12 the State's Disabled Accessibility Regulations. (2001 CBC Chapter 11B)
- 13 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the
14 property shall be underground (City Code Sec. 6.30).
- 15 5. The building plans for this project shall be prepared by a licensed architect or engineer and
16 must be in compliance with this requirement prior to submittal for building plan review.
- 17 6. All outdoor lighting shall comply with Chapter 39 of the City Code (Light Pollution
18 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or
19 other such lights may be utilized and shall be shown on building and electrical plans.
- 20 7. The developer shall monitor, supervise and control all building construction and supporting
21 activities so as to prevent these activities from causing a public nuisance, including, but not
22 limited to, strict adherence to the following:
 - 23 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
24 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work
25 that is not inherently noise-producing. Examples of work not permitted on
26 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
27 producing nature. No work shall be permitted on Sundays and Federal Holidays
28 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
29 Christmas Day) except as allowed for emergency work under the provisions of the
Oceanside City Code Chapter 38 (Noise Ordinance).

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

6 8. A separate/unique address shall be required to facilitate utility releases. Verification that
7 the addresses have been properly assigned by the Planning Division must accompany the
8 building permit application.

9 9. Compliance with the Federal Clean Water Act (BMPs) must be demonstrated on the plans.

10 **Engineering:**

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

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

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

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

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

- 1 11. Design and construction of all improvements shall be in accordance with standard plans,
2 specifications of the City of Oceanside and subject to approval by the City Engineer and/or
3 Public Works Director.
- 4 12. Any broken pavement, concrete curb, gutter or sidewalk or any damaged during
5 construction of the project, shall be repaired or replaced as directed by the City Engineer
6 and/or Public Works Director.
- 7 13. All right-of-way alignments, street dedications, exact geometrics and widths shall be
8 dedicated and improved as required by the City Engineer and/or Public Works Director.
- 9 14. The approval of the project shall not mean that closure, vacation, or abandonment of any
10 public street, right-of-way, easement, or facility is granted or guaranteed to the developer.
11 The developer is responsible for applying all closures, vacations, and abandonments as
12 necessary. The application(s) shall be reviewed and approved or rejected by the City of
13 Oceanside under separate process(es) per codes, ordinances, and policies in effect at the
14 time of the application.
- 15 15. A traffic control plan shall be prepared according to the City Traffic Control Guidelines
16 and be submitted to and approved by the City Engineer and/or Public Works Director prior
17 to the start of work within open City rights-of-way. Traffic control during construction of
18 streets that have been opened to public traffic shall be in accordance with construction
19 signing, marking and other protection as required by the Caltrans Traffic Manual and City
20 Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30
21 p.m. unless approved otherwise.
- 22 16. Approval of this development project is conditioned upon payment of all applicable impact
23 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
24 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
25 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
26 prior to recordation of the map or the issuance of any building permits, in accordance with
27 City Ordinances and policies. The developer shall also be required to join in to, contribute,
28 or participate in any improvement, lighting, or other special district affecting or affected by
29 this project. Approval of the project shall constitute the developer's approval of such
payments, and his agreement to pay for any similar assessments or charges in effect when

1 any increment is submitted for final map or building permit approval, and to join,
2 contribute, and/or participate in such districts.

3 17. Sight distance requirements at the project driveway or street shall conform to the corner
4 sight distance criteria as provided by the California Department of Transportation Highway
5 Design Manual.

6 18. Pavement sections for all streets, driveways and parking areas shall be based upon
7 approved soil tests and traffic indices. The pavement design is to be prepared by the
8 developer's soil engineer and must be approved by the City Engineer and/or Public Works
9 Director prior to paving.

10 19. Grading and drainage facilities shall be designed and installed to adequately accommodate
11 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
12 and as directed by the City Engineer and/or Public Works Director.

13 20. The applicant shall obtain any necessary permits and clearances from all public agencies
14 having jurisdiction over the project due to the its type, size, or location, including but not
15 limited to the U.S. Army Corps of Engineers, California Department of Fish and Game,
16 U.S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
17 (including NPDES), and the San Diego County Health Department, prior to the issuance of
18 grading permits.

19 21. Prior to any grading of any part of the project, a comprehensive soils and geologic
20 investigation shall be conducted of the soils, slopes, and formations in the project. All
21 necessary measures shall be taken and implemented to assure slope stability, erosion
22 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
23 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
24 the City Engineer and/or Public Works Director.

25 22. An erosion control plan and precise grading and private improvement plan shall be
26 prepared, reviewed, secured, and approved prior to the issuance of any building permits.
27 The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs,
28 gutters, medians, striping, signage, footprints of all structures, walls, drainage devices and
29 utility services.

- 1 23. Landscaping plans, including plans for the construction of walls, fences or other structures
2 at or near intersections, must conform to intersection sight distance requirements.
3 Landscape and irrigation plans shall be approved by the City Engineer and/or Public Works
4 Director prior to the issuance of occupancy permits, and a pre-construction meeting held,
5 prior to the start of any improvements.
- 6 24. All landscaped planting areas shall be required to include groundcover as approved on the
7 landscape plans and by the City Engineer and/or Public Works Director.
- 8 25. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
9 of in accordance with all state and federal requirements, prior to stormwater discharge
10 either off-site or into the City drainage system.
- 11 26. Upon acceptance of any fee waiver or reduction by the developer, the entire project will be
12 subject to prevailing wage requirements as specified by Labor Code section 1720(b)(4).
13 The developer shall agree to execute a form acknowledging the prevailing wage
14 requirements prior to the granting of any fee reductions or waivers.

14 **Fire Prevention:**

- 15 27. Prior to approval of the final inspection, a CD of the project's as-built plans, prepared in a
16 format compatible with the Fire Department's mapping program, shall be submitted to the
17 Fire Department. Information on acceptable format types is available from the Fire
18 Department.
- 19 28. Detailed plans of underground fire service mains shall be submitted to the Oceanside
20 Fire Department for approval prior to installation.
- 21 29. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval
22 prior to the issuance of building permits.
- 23 30. Fire extinguishers are required and shall be included on the plans submitted for plan
24 check.
- 25 31. Buildings shall meet Oceanside Fire Department's current codes at the time of building
26 permit application.
- 27 32. Add notes to the plan regarding facility to comply with Article 52, Section 5204 of the
28 Uniform Fire Code 1997 Edition, Volume 1, and with the Uniform Fire Code Standard
29 52-1, and N.F.P.A. 52 Chapter 6, CNG Engine Fuel Systems.

1 **Planning:**

2 33. This Conditional Use Permit is granted for the following use only: installation and
3 operation of a CNG fueling dispenser facility. Any change in the use or expansion of the
4 activities beyond that, which is approved by the Planning Commission, will require a
5 revision to the Conditional Use Permit or a new Conditional Use Permit.

6 34. This Conditional Use Permit shall be called for review by the Planning Commission if
7 complaints are filed and verified as valid by the City Planner or the Code Enforcement
8 Officer concerning the violation of any of the approved conditions or the project
9 assumptions demonstrated under the application approval.

10 35. This Conditional Use Permit shall expire on January 8, 2009 unless implemented as
11 required by the Zoning Ordinance.

12 36. Prior to the transfer of ownership and/or operation of the use, the owner shall provide a
13 written copy of the application, staff report, and resolution for the project to the new
14 owner and or operator. The notification requirement shall run with the life of the
15 project.

16 37. Failure to meet any conditions of approval for this development shall constitute a violation
17 of the Conditional Use Permit.

18 38. Unless expressly waived, all current zoning standards and City ordinances and policies
19 in effect at the time building permits are issued are required to be met by this project.
20 The approval of this project constitutes the applicant's agreement with all statements in
21 the project Description and Justification and other materials and information submitted
22 with this application, unless specifically waived by an adopted condition of approval.

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

27 40. The final design and construction of the facility shall be in accordance with the plans
28 representing the approved project and the conditions of approval. These requirements shall
29 be shown and demonstrated on the plans submitted for building permits and shall be
reviewed and approved by the City Planner prior to the issuance of building permits.

- 1 41. Prior to the issuance of building permits, compliance with the applicable provisions of the
2 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
3 and approved by the Planning Division. These requirements, including the obligation to
4 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
5 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
6 property.
- 7 42. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
8 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
9 be reviewed and approved by the City Engineer and/or Public Works Director and City
10 Planner prior to the issuance of building permits. Landscaping shall not be installed until
11 bonds have been posted, fees paid, and plans signed for final approval. The following
12 special landscaping requirements shall be met:
- 13 a) The developer shall be responsible for irrigating and landscaping the proposed
14 landscaped areas associated with the block wall and planter.
 - 15 b) The location and species shall be approved by the Fire Marshall and City Inspector.
 - 16 c) Landscape plans shall comply with Section 3019 of the City of Oceanside Zoning
17 Ordinance and the City of Oceanside Guidelines and Specifications for Landscape
18 Development.
- 19 43. Landscaping shall comply with Section 1330 (G) of the City of Oceanside Zoning
20 Ordinance. A minimum of 50 percent of the 10-foot front yard setback area shall be
21 planting area.
- 22 44. No metallic and/or reflective paints or surfaces shall be permitted.
- 23 45. All signage shall be in accordance with the plans representing the approved project. The
24 signage shall be shown on the plans submitted for building permits and shall be reviewed
25 and approved by the City Planner prior to the issuance of building permits.

26 **Water Utilities:**

- 27 46. All public water and/or sewer facilities not located within the public right-of-way shall be
28 provided with easements sized according to the Water, Sewer, and Reclaimed Water
29 Design and Construction Manual. Easements shall be constructed for all weather access.

- 1 47. No trees, structures, building overhang or other encroachments shall be permitted within
- 2 the existing wastewater utility easement.
- 3 48. The property owner shall maintain private water and wastewater utilities located on private
- 4 property.
- 5 49. Water services and sewer laterals constructed in existing right-of-way locations shall be
- 6 constructed by approved and licensed contractors at developer's expense.
- 7 50. The developer shall be responsible for developing all water and sewer utilities necessary to
- 8 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
- 9 the developer and shall be done by an approved licensed contractor at the developer's
- 10 expense.
- 11 51. All Water and Wastewater construction shall conform to the most recent edition of the
- 12 Water, Sewer, and Reclaimed Water Design and Construction Manual, or as approved by
- 13 the Water Utilities Director.

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1 52. The property owner shall submit a letter to the Water Utilities Director stating his/her intent
2 to allow the applicant to tie into the existing irrigation prior to landscape plan approval.

3 PASSED AND ADOPTED Resolution No. 2007-P02 on January 8, 2007 by the
4 following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

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Dennis Martinek, Chairman
Oceanside Planning Commission

12

13 ATTEST:

14

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Jerry Hittleman, Secretary

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17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
18 this is a true and correct copy of Resolution No. 2007-P02.

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20 Dated: January 8, 2007

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RECEIVED

DEC 12 2006

Planning Department

CLEAN ENERGY

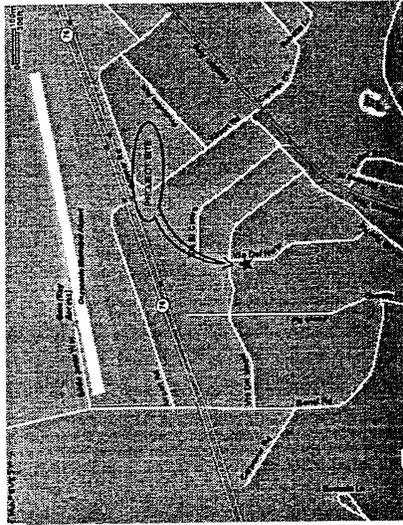
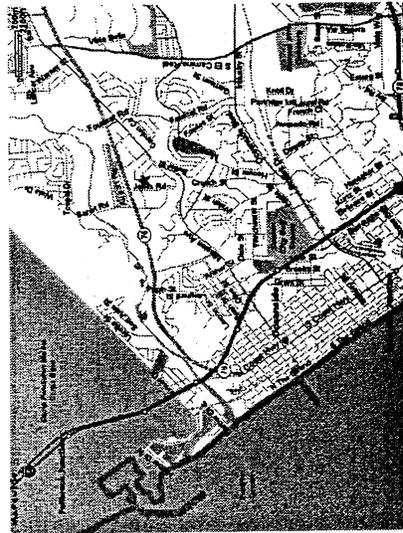
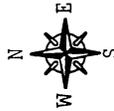
PUBLIC FUELING STATION

NORTH COUNTY TRANSIT DISTRICT

305 VIA DEL NORTE
OCEANSIDE, CALIFORNIA 92054

SPECIAL INSPECTION PROGRAMS	
JOB ADDRESS	PLAN TO BE
ARCHITECT/ENGINEER QUALIFICATION	
I, AS THE ENGINEER/ARCHITECT OF RECORD, CERTIFY THAT I HAVE PREPARED THE FOLLOWING SPECIAL INSPECTION PROGRAM AS REQUIRED BY CBC SECTION 106.3.5 (UNIFORM ADMINISTRATIVE CODE SECTION 302.5) FOR THIS CONSTRUCTION PROJECT.	
I HAVE INFORMED THE OWNER OF THESE REQUIREMENTS, INCLUDING ITEMS 1 THROUGH 3 BELOW.	
STATIONED	DATE
LIST OF WORK REQUIRING SPECIAL INSPECTION	
INDIVIDUAL/FIRM RESPONSIBLE FOR SPECIAL INSPECTION	
SUITES OF THE SPECIAL INSPECTOR FOR THE WORK LISTED ABOVE	
SPECIAL INSPECTOR FOR THE WORK LISTED ABOVE	

1. THE OWNER OF THE ARCHITECT/ENGINEER OF RECORD, WILL BE RESPONSIBLE FOR EMPLOYING THE SPECIAL INSPECTOR(S).
2. SPECIAL INSPECTORS SHALL CHECK IN WITH THE CITY, PRESENT THEIR CREDENTIALS, AND BE APPROVED **BEFORE** BEGINNING WORK ON THE JOB SITE.
3. SPECIAL INSPECTORS SHALL CONFORM TO, AT A MINIMUM, THE GUIDELINES CONTAINED IN THE CITY OF OCEANSIDE PROCEDURES FOR SPECIAL INSPECTION.



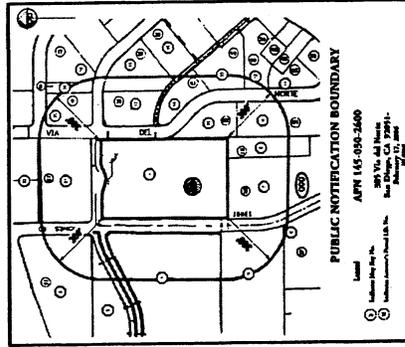
PLAN CHECK NO. 06.
This project shall comply with the 2001 edition of California Building Code (Title-24), which adopts the 1997 UBC, 2000 UMC, 2000 UPC, and 2002 NEC.

LEGAL DESCRIPTION:
The portion of the Southwest quarter of Section 13 and the Northwest quarter of Section 24, Township 11, South, Range 5 West, San Bernardino Meridian, located in the City of Oceanside, County of San Diego, State of California.

DRAWINGS INDEX	
GENERAL DRAWINGS	
CIVIL DRAWINGS	
MECHANICAL DRAWINGS	
ELECTRICAL DRAWINGS	
LANDSCAPE DRAWINGS	
LANDSCAPE DRAWINGS - By Carlo Verde Landscape (LANDSCAPE ONLY, SUBMITTED IN SEPARATE PACKAGE)	
OVERALL SITE PLAN	
FOUNDATION PLAN	
PLUMBING PLAN	
DETAIL SHEET	

NOTES:

1. Proposed building coverage is 0 square ft.
2. Percent of project in streets and/or pavement is 0%.
3. No proposed grading.
4. No trash enclosures.
5. The facilities shall comply with Article 52, Section 5204 of the Uniform Fire Code 1997 Edition, Volume 1, and with the Uniform Fire Code Standard 52-1, and the 2002 edition of NFPA 52 Chapter 6, CNG Compression, Storage, and Dispensing Systems.



REVISED AND
REISSUED FOR CUP
DEC. 04, 2006

REVISION	DATE	DESCRIPTION
1	12/11/06	ISSUED TO CLEAN ENERGY FOR REVIEW
2	12/11/06	REVISED AND REISSUED FOR REVIEW
3	12/11/06	REVISED AND REISSUED FOR PLANNING
4	12/11/06	REVISED AND REISSUED FOR CUP
5	12/11/06	REVISED FOR BILLING DEPARTMENT PRINT
6	12/11/06	REVISED AND REISSUED FOR CUP

3020 OLD RANCH PARKWAY
SUITE 200
SEAL BEACH, CA 90740
TEL: (562) 493-2804
FAX: (562) 493-4532



CNG FUELING STATION
NORTH COUNTY TRANSIT
305 VIA DEL NORTE
OCEANSIDE, CA 92051
COVER PAGE

1 of 1
1 of 1

3020 OLD RANCH PARKWAY
SUITE 200
SANTA ANA, CA 92704
TEL: (949) 493-2804
FAX: (949) 493-4532



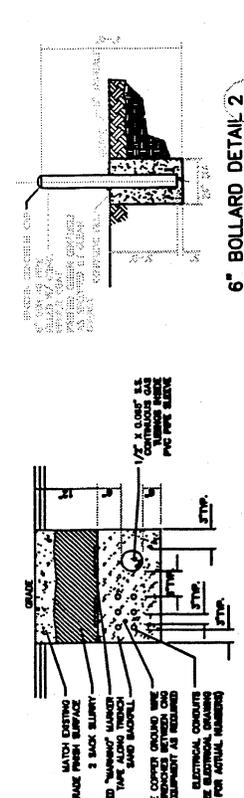
CNG FUELING STATION
NORTH COUNTY TRANSIT
305 VIA DEL NORTE
OCEANSIDE, CA 92051
SITE DETAILS & NOTES
1/8" = 1'-0"
GA-2
1 of 1

SPECIFICATIONS

GENERAL COMMENTS: ALL DIMENSIONS, ELEVATIONS AND CONDITIONS FROM THE START OF WORK. ANY DISCREPANCIES BETWEEN THE DRAWINGS, SPECIFICATIONS AND SET CONDITIONS SHALL BE REPORTED TO CLEAN ENERGY'S PROJECT MANAGER IMMEDIATELY. CONTRACTOR SHALL KEEP A COMPLETE SET OF DRAWINGS, SPECIFICATIONS AND ALL PERTINENT SUPPLEMENTAL DOCUMENTS AT THE JOB SITE AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE COVERAGE FOR THIS WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE COVERAGE FOR THIS WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE COVERAGE FOR THIS WORK.

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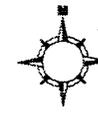
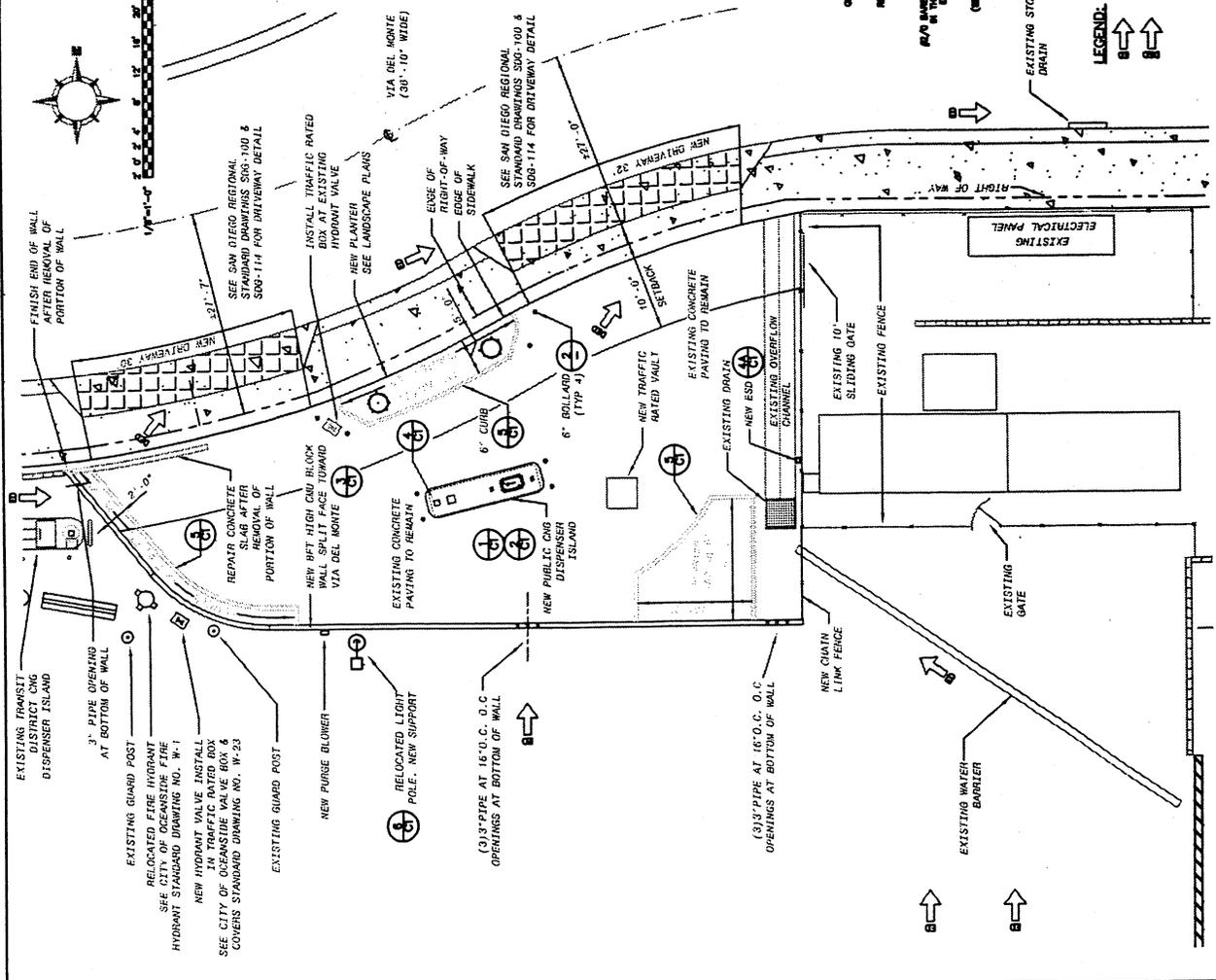


REVISIONS

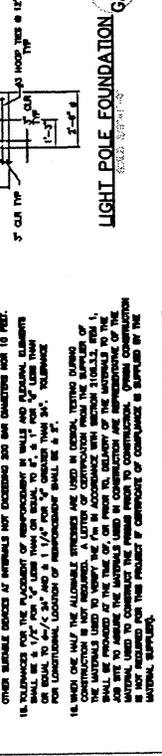
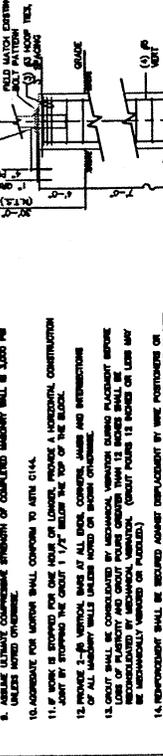
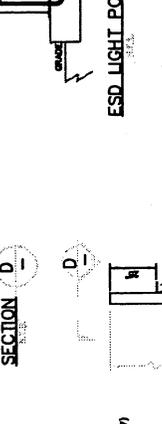
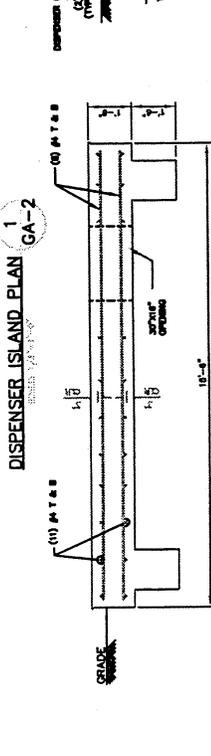
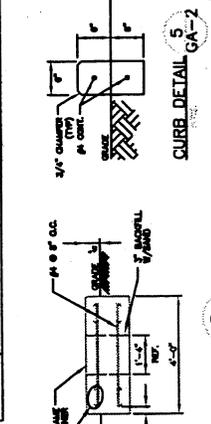
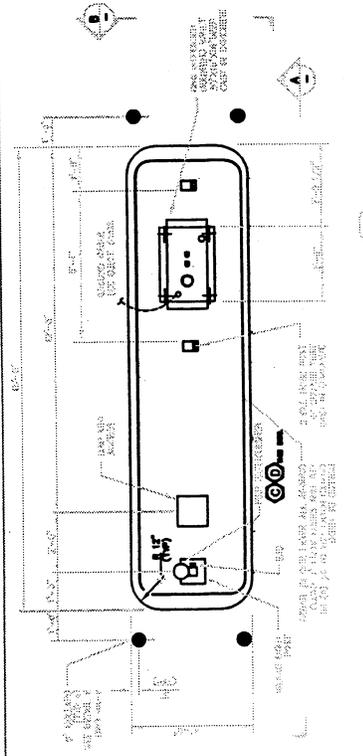
REV	DATE	DESCRIPTION
0	9/31/06	ISSUED FOR PERMITS
1	10/27/06	REVISED AND RE-ISSUED FOR CUP
2	10/27/06	REVISED AND RE-ISSUED FOR BILLING DEPARTMENT PERMIT
3	12/04/06	REVISED AND RE-ISSUED FOR CUP

REVISIONS

REVISED AND RE-ISSUED FOR CUP
DEC. 04, 2006



<p>C</p> <p>COMPRESSED FLAMMABLE GAS EMERGENCY SHUTDOWN</p>	<p>STOP MOTOR NO SMOKING FLAMMABLE GAS</p> <p>(NFPA52)</p>	<p>STOP MOTOR NO SMOKING FLAMMABLE GAS</p> <p>(NFPA52)</p>
<p>D</p> <p>STOP MOTOR NO SMOKING FLAMMABLE GAS</p>	<p>STOP MOTOR NO SMOKING FLAMMABLE GAS</p>	<p>STOP MOTOR NO SMOKING FLAMMABLE GAS</p>



MASONRY BLOCK NOTES: (BASED ON ONE HALF THE ALLOWABLE STRENGTH)

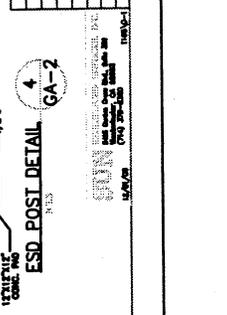
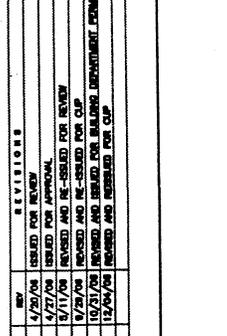
1. ALL MASONRY SHALL BE CONSTRUCTED IN ACCORDANCE WITH CHAPTER 21 OF THE UNIFORM BUILDING CODE.
2. MASONRY SHALL BE CONSTRUCTED WITH TYPE S UNLESS NOTED OTHERWISE.
3. ALL JOINTS SHALL BE FULLY FILLED WITH MORTAR.
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REVISIONS

NO.	DATE	BY	DESCRIPTION
A	4/26/06	[Signature]	ISSUED FOR REVIEW
B	4/27/06	[Signature]	ISSUED FOR APPROVAL
C	8/17/06	[Signature]	REVISED AND RE-ISSUED FOR REVIEW
D	8/29/06	[Signature]	REVISED AND RE-ISSUED FOR CUP
E	10/21/06	[Signature]	REVISED AND ISSUED FOR BUILDING DEPARTMENT PERMIT
F	12/04/06	[Signature]	REVISED AND REISSUED FOR CUP

MASONRY WALL TYPICAL SECTION GA-2

REVISED AND REISSUED FOR CUP
 DEC. 04, 2006

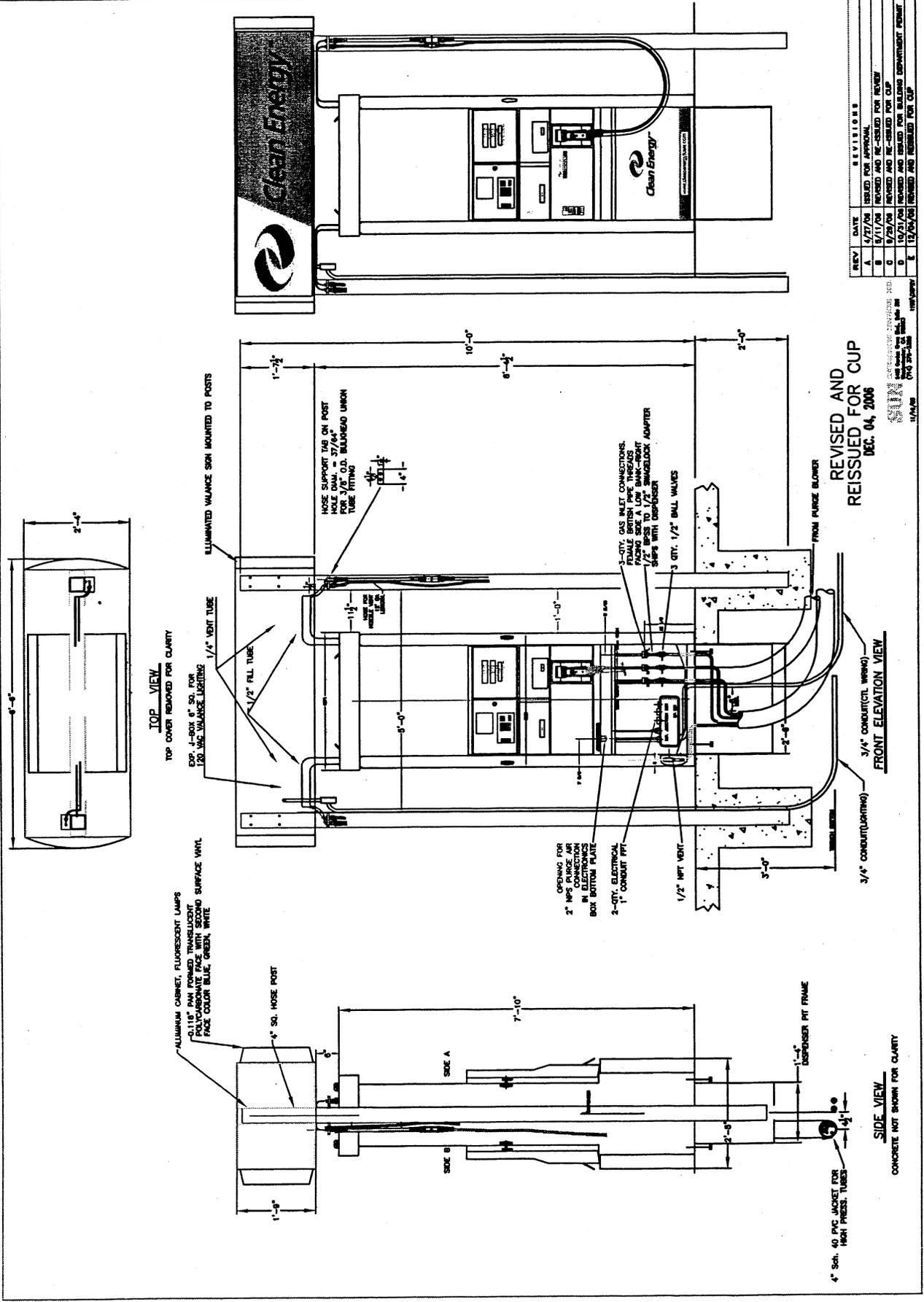


3030 OLD RANCH PARKWAY
SUITE 280
SEAL BEACH, CA 90740
TEL: (562) 493-2804
FAX: (562) 493-4532



GILBARCO CNG DISPENSER
INSTALLATION STANDARD
WITH VALANCE, HOSE POSTS

DATE: 11/11/06
REVISED FOR APPROVAL
DATE: 9/17/06
REVISED AND RE-SEALED FOR REVIEW
DATE: 9/29/06
REVISED AND RE-SEALED FOR CUP
DATE: 10/31/06
REVISED AND RESEALED FOR BILLING DEPARTMENT PERMIT
DATE: 12/05/06
REVISED AND RESEALED FOR CUP





Unified School District

1234 Arcadia Ave., Vista CA 92084-3404 (760) 726-2170
www.vusd.k12.ca.us

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*Serving the communities of Vista, Oceanside, San Marcos,
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Jim Gibson
Stephen Guffanti
Carol Weise Herrera
David Hubbard
Steve Lilly

Superintendent
Dr. Dave Cowles

November 28, 2006

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DEC 11 2006

Planning Department

Planning Commission
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

Re: Oceanside Public Access Compressed Natural Gas (CNG) Fueling Station

Dear Commissioners:

The Vista Unified School District (VUSD) is pleased to support Clean Energy's plans to construct a public access CNG fueling station at the North County Transit District's (NCTD) Oceanside Transit Facility.

VUSD operates its own private CNG station, which is the primary fueling infrastructure for its fleet of 9 natural gas school buses. However, the proposed public access CNG station will serve as a crucial backup fueling option when VUSD's station is not available. Furthermore, the expansion of CNG vehicle fueling infrastructure is an important element to improving air quality, promoting alternative fuels and increasing our nation's energy independence.

The District appreciates your consideration of this project. If you have any questions or comments, please feel free to contact me at (760) 726-2170 ext. 2897 or 2898.

Respectfully,

Reyes Valadez
Vehicle Maintenance Supervisor

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DEC 05 2006
Planning Department

November 28, 2006

Planning Commission
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

Re: Oceanside Public Access Compressed Natural Gas (CNG) Fueling Station

Dear Commissioners:

The Oceanside Unified School District (OUSD) is pleased to support Clean Energy's plans to construct a public access CNG fueling station at the North County Transit District's (NCTD) Oceanside Transit Facility.

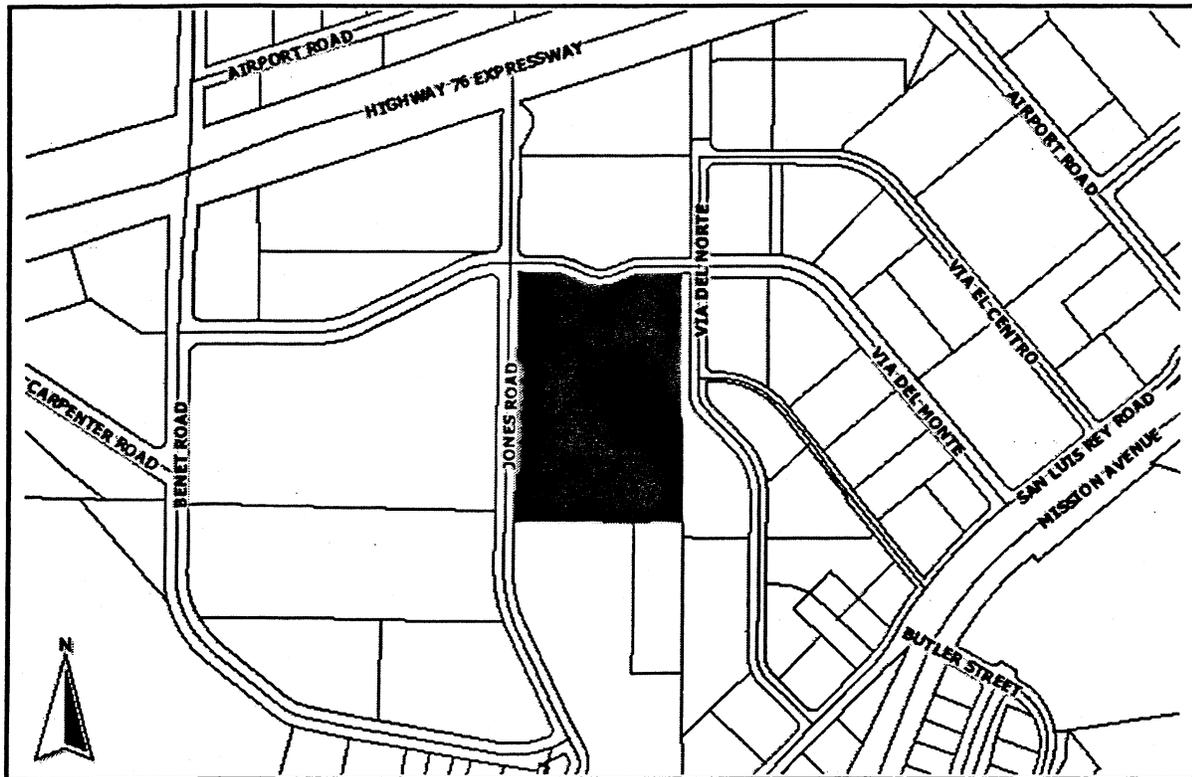
OUSD operates its own private CNG station, which is the primary fueling infrastructure for its fleet of 29 natural gas school buses. However, the proposed public access CNG station will serve as a crucial backup fueling option when OUSD's station is not available. Furthermore, the expansion of CNG vehicle fueling infrastructure is an important element to improving air quality, promoting alternative fuels and increasing our nation's energy independence.

The District appreciates your consideration of this project. If you have any questions or comments, please feel free to contact me at (760) 757-2560, extension 585.

Respectfully,



Dennis Smarsty
Transportation Director



File Number: C-9-06

Applicant: Clean Energy

Description:

CONDITIONAL USE PERMIT (C-9-06) for the addition of a CNG fueling dispenser on the property of a NCTD maintenance yard located at 305 Via Del Norte. The project site is zoned IL (Limited Industrial) and is situated within the Airport Neighborhood.
CLEAN ENERGY

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

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MAR 29 2006

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				ACCEPTED	BY
					<i>MRB</i>
PART I - APPLICANT INFORMATION				HEARING	
				GPA	
1. APPLICANT Clean Energy		2. STATUS Owner		MASTER/SP.PLAN	
3. ADDRESS 3020 Old Ranch Pkwy, Ste.200, Seal Beach,CA		4. PHONE/FAX 562-493-2804		ZONE CH.	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Jim Sorensen - Project Manager				TENT. MAP	
6. ADDRESS 3020 Old Ranch Pkwy, Ste.200, Seal Beach,CA		7. PHONE/FAX 562-493-2804		PAR. MAP	
				DEV. PL.	
				C.U.P.	
				<i>C-9-06</i>	
				VARIANCE	
				COASTAL	
				O.H.P.A.C.	
PART II - PROPERTY DESCRIPTION					
8. LOCATION 305 Via Del Norte, Oceanside, CA 92051				9. SIZE 3000 Square Feet	
10. GENERAL PLAN <i>LI</i>	11. ZONING <i>IL</i>	12. LAND USE		13. ASSESSOR'S PARCEL NUMBER 145-030-2600	
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION Adding an additional CNG fueling dispenser on the property of North County Transit's Maintenance yard, which will be integrated into an existing CNG fueling system. <i>REV-10/9/06, 12/5/06</i>					
15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS 0	19. DENSITY N/A	
20. BUILDING SIZE N/A	21. PARKING SPACES 0	22. % LANDSCAPE 0	23. % LOT COVERAGE 100		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.s & TENT. MAPS		
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	25. LEGAL DESCRIPTION		30. FLOOR PLANS AND ELEVATIONS		
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	31. CONSTRUCTION SCHEDULE			
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	29. PLOT PLANS		<input checked="" type="checkbox"/> 32. OTHER Photos/ Color		
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.			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).		
33. APPLICANT OR REPRESENTATIVE (Print): Jim Sorensen - Project Manager		34. DATE <i>3-1-06</i>		37. OWNER (Print) Denis Ding- Engineering Director	
Sign: <i>Jim Sorensen</i>		38. DATE <i>3-1-06</i>		Sign: <i>Denis Ding</i>	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.					
35. APPLICANT (Print): Rafael Flores- Project Coordinator		36. DATE <i>3-1-06</i>		39. OWNER (Print):	
Sign: <i>Rafael Flores</i>		40. DATE			

Michele / Ulf

Planning Commission Hearing

Part IV Attachments: Questions 24 thru 29

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Planning Department

Description and Justification

The Project is a public access CNG fueling dispenser that is to be added to an existing CNG transit fueling system for North County Transit District, located at 305 Via Del Norte, Oceanside, CA.

The existing site is a concrete lot for the NCTD transit buses and is bare except for a fueling post that is to be removed. The site is on the north side of the lot, along Via Del Monte. A section of CMU wall and a chain link fence border the lot on the Via Del Monte side.

The project consists of the following:

1. Remove the existing fueling post and demo the existing utility pit to the extent required such that a traffic rated vault can be installed to grade level.
2. Relocate an existing area light to a new location on the south side of a new CMU wall that will be installed. The electric feed for this light is unknown at this time.
3. Relocate an existing NCTD fire hydrant to a new location on the southwest side of the new wall, in the area of the transit fueling posts. Install a new water valve adjacent to this location.
4. Replace the existing water valve box with traffic rated model. The new water valve and relocated fire hydrant will be downstream from the existing water valve.
5. Demo the existing fuel management pedestal pad to grade. The conduits in this pedestal enter in a trench that is perpendicular to a trench that contains the conduits from the CNG equipment compound to the transit fueling dispenser pit. The branch portion of these conduits will be abandoned and the two East/West segments coupled together to form a continuous run.
6. Install a new dispenser fueling island pad per drawing. Island is to have a metal island-form extending six inches above grade. The dispenser pit frame is to be installed, as well as the two fueling posts, and light pole. Unused existing conduits in existing east/west trench are to be re-directed into the dispenser pit for power, data, and telephone wiring.

7. Install a new 2" PVC sleeve for the gas lines which extends from the old transit fueling post location to the new dispenser pit. Install ½" SS gas lines in the PVC sleeve per drawing and connect to existing gas line in vault.
8. Demo east end of existing CMU wall per drawing. Install bollard at wall end per drawing.
9. Install new CMU wall per drawing.
10. Install chain link fence with gate per drawing between new wall and existing chain link fence around existing CNG equipment compound.
11. Install new driveway per drawing immediately east of existing CMU wall.
12. Install new driveway per drawing immediately west of chain link fence along CNG equipment compound.
13. Water from the lot south of the CMU wall drains north toward Via Del Monte. A drain sump exists at the southwest corner of the CNG equipment compound, with an overflow gutter that extends to a similar transverse gutter which drains to a storm drain on the street curb. The new CMU wall will have drain ports to facilitate the flow of water to the sump.
14. Repair demo and trenching to match existing.

As of now, there are no public access natural gas fueling stations between the City of San Diego and Irvine in Orange County. In order to grow the market for natural gas in San Diego County, it is imperative to provide fueling stations for the general public. Users of the public access station will include Transit Cab, San Deguito School District Transit Co-Op, NCTD Paratransit and private vehicles. Furthermore, many companies within the North County region have expressed interest in natural gas as long as their access to fueling stations is increased.

The benefits to the City of Oceanside are the same that prompted the NCTD to adopt CNG as its primary fuel. Unlike many other alternative fuels, natural gas is a readily available, domestically produced fuel source that is significantly cleaner than gasoline and diesel.

Derek Turbide, Clean Energy's San Diego Account Manager, will be the primary interface on this project. Mr. Flores will manage the subcontractors and maintain the project schedule. He will work closely with the chosen equipment supplier to ensure that all equipment meets applicable codes and specifications.

Conditional Use Permit: Section 4105 of the Zoning Ordinances

- A. Clean Energy agrees to follow all the guidelines as closely as possible in order to comply with the City of Oceanside Zoning Ordinance, section 4105.
- B. In addition to landscaping and hardscaping improvements, the proposed conditional use will consist of adding a compressed natural gas (CNG) fueling dispenser to the North County Transit District's existing CNG fueling infrastructure, which has been located adjacent to the location of the conditional use for nearly a decade. The conditional use will provide a clean alternative fuel for the Oceanside Unified School District, the Vista Unified School District, and the United States Marine Corps, taxis, shuttles and personal natural gas vehicles. Clean Energy has also begun to work with local municipalities and additional fleet operators to procure clean natural gas vehicles that will fuel at the proposed station. Clean Energy takes great pride in the operations and maintenance of its natural gas fueling stations and has three local full-time technicians that are on-call 24 hours a day. Clean Energy technicians visit the company's stations daily to ensure that they are clean and in good working order.
- C. Clean Energy agrees to the conditions of the project required for the proposed conditional use in the district in which it would be located.

If you have any questions, please direct them to:

Rafael Flores
Project Manager
562-546-0315
Cell 562-708-6441

Jim Sorensen
Project Manager
562-546-0329
Cell 562-533-8133

**LEGAL DESCRIPTION
FOR
NORTH COUTNY TRANSIT
PUBLIC ACCESS**

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MAR 29 2006

Planning Department

The portion of the Southwest quarter of the Southeast quarter of Section 13 and the Northwest quarter of the Northeast quarter of Section 24, Township 11, South, Range 5 West, San Bernardino Meridian, located in the City of Oceanside, County of San Diego, State of California.



CITY OF OCEANSIDE
PLANNING DEPARTMENT

NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
CLEAN ENERGY (C-9-06)

PROJECT LOCATION - SPECIFIC:
305 Via Del Monte
APN 145-030-26

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
To obtain a Conditional Use Permit to add a compressed natural gas (CNG) fueling dispenser on the property of North County Transit District's maintenance yard, which will be integrated into an existing CNG fueling system.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
Clean Energy
3020 Old Ranch Parkway, Suite 200
Seal Beach, CA 90740
(562) 493-2804

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

X NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

 STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

 CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 153xx

REASONS WHY PROJECT IS EXEMPT:

The project proposes a use permit for a compressed natural gas fueling dispenser, which will tie into an existing fueling system; it proposes no significant impact on the environment.

Contact Person: Sally Schifman, Planner II

 January 8, 2007
SIGNATURE DATE
For: Jerry Hittleman, City Planner