

# AGENDA NO. 3

**PLANNING COMMISSION**



**STAFF REPORT**

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**DATE:** May 7, 2012

**TO:** Chairperson and Members of the Planning Commission

**FROM:** Development Services Department/Planning Division

**SUBJECT:** **CONSIDERATION OF A DEVELOPMENT PLAN (D12-00007) AND CONDITIONAL USE PERMIT (CUP11-00028) TO ALLOW THE CONSTRUCTION OF A NEW 4,200-SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING WITHIN THE EXISTING PRESCOTT INDUSTRIAL PARK AND ON-SITE STORAGE OF 13,000 GALLONS OF ETHYLENE GLYCOL ASSOCIATED WITH THE WINDOW FILM MANUFACTURING PROCESS TO BE LOCATED AT 1865 ORD WAY AND SITUATED WITHIN THE PEACOCK NEIGHBORHOOD – SOLAR GARD – APPLICANT: MATT ENGLHARD**

## **RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 11 categorical exemption for “Accessory Structures”; and,
- (2) Approve Development Plan (D12-00007) and Conditional Use Permit (CUP11-00028) by adopting Planning Commission Resolution No. 2012-P20 with findings and conditions of approval attached herein.

## **PROJECT DESCRIPTION AND BACKGROUND**

**Background:** The subject site is within the Prescott Industrial Park and development of this 17.6-acre parcel was previously approved by the Planning Commission on October 13, 1997. Planning Commission Resolution No. 97-P53 approved a Development Plan (D-11-97) for the construction of three concrete “tilt-up” Industrial Buildings totaling 291,320 square feet in size on the 17.6-acre parcel.

Subsequent to this action, on December 4, 2000, the Planning Commission adopted Planning Commission Resolution No. 2000-P69 approving a Parcel Map (P-11-99) and a Development Plan (D-25-99) for the subdivision of 34 acres into five parcels and the construction of four additional concrete "tilt-up" Industrial Buildings within the Prescott Industrial Park. The four new buildings totaled 293,701 square feet in size and were developed on two of the five newly created parcels. The other three newly created parcels were established over existing developed areas originally approved as part of Development Plan (D-11-97).

**Site Review:** The project site is located south of Peacock Boulevard, north of the Sprinter Line Railroad Tracks, west of Temple Heights, and east of Ord Way within the Peacock Neighborhood. The property is one of 5 parcels that makes up the Prescott Industrial Park and is approximately 2.94 acres in size. The site is fully developed with a single industrial building and has drive aisles and parking established to serve the entire Prescott Industrial Park.

The subject site is zoned IL (Limited Industrial) and has a General Plan Land Use Designation of LI (Light Industrial). Manufacturing of finished products from previously prepared materials and storage of hazardous substances used in the window film manufacturing process are permitted within the (Limited Industrial) zone district subject to approval of a Conditional Use Permit for Hazardous Material storage. The proposed freestanding, 4,200-square foot warehouse to be located within the site's drive aisles and parking areas can be accommodated on the existing site, and is subject to approval of a Development Plan.

Surrounding land uses adjacent to the site include fully developed Industrial type buildings and land uses to the north, east, and west, with additional Industrial land uses to the south beyond the Sprinter Line.

**Project Description:** The application consists of a Development Plan (D12-00007) and Conditional Use Permit (CUP11-00028) as follows:

Development Plan (D12-00007) represents a request for the following:

- (a) To construct one additional "tilt-up" style industrial/warehouse building approximately 4,200 square feet in size in an area that currently functions as drive aisles and parking spaces, and construct a 20'-0" tall steel frame screen wall around exterior equipment (cooling tower and oxidizer) that is part of the manufacturing process. The proposed screen wall will be finished with a cement plaster finish and painted to match the existing building. The proposed new warehouse building will incorporate architectural design elements such as reveals at color changes, pop outs on the corners that contain spandrel glazing in mullion systems, and a cement plaster finish with finish colors consistent with the

existing industrial buildings within the Prescott Industrial Park. As part of the overall development of the site, the project is proposing to maintain existing interior and perimeter chain link fencing with forest green vinyl slats to soften the fences visual appearance while creating a secured facility.

Conditional Use Permit (CUP11-00028) represents a request for the following:

- (a) To allow the storage of a highly acute hazardous substance on-site. The proposed land use consists of manufacturing finished products from previously prepared materials and storage of hazardous substances used in the window film manufacturing process. This use requires that a conditional use permit be obtained prior to storage of 13,000 gallons of ethylene glycol on-site. The Conditional Use Permit is necessary to ensure that storage of the acutely toxic substance is done in accordance with all local, state, and federal laws for handling of hazardous materials, and to ensure that the substance would not impact the property or any of the adjoining neighbors.

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

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

## **ANALYSIS**

### **KEY PLANNING ISSUES**

#### **1. General Plan conformance**

The General Plan Land Use Map designation on the subject property is LI (Light Industrial). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

##### **A. Land Use Element I**

**Goal 1.12** Land Use Compatibility

**Objective:** To minimize conflicts with adjacent or related land uses.

**Policy B:** The use of land shall not create a negative visual impact to surrounding land uses.

Policy C: The use of land shall not subject people to potential sources of objectionable noise, light, odors, and other emissions nor to exposure of toxic, radioactive, or other dangerous materials.

The proposed project to establish a window film manufacturing facility within an existing Light Industrial (LI) park is permitted by right. The subject land use is classified as industry limited, which is defined as manufacturing of finished parts or products, primarily from previously prepared materials. The process of manufacturing window film requires use of an acutely toxic hazardous material called ethylene glycol and approximately 13,000 gallons will be stored on-site. Components necessary to ensure that conflicts do not occur with adjacent land uses include the development of a 4,200-square foot industrial building for storage purposes, installation of exterior equipment (cooling tower & oxidizer) associated with the manufacturing process, and construction of 20'-0" tall screen wall around the exterior ground mounted equipment.

The screen wall coupled with the proposed ground mounted equipment will provide safeguards against exposure to hazardous materials for persons working and traveling in the area. Furthermore, full "tilt-up" style construction techniques to be used in the development of the industrial storage building will further protect persons from exposure to dangerous materials and minimize potential conflicts with adjacent land uses.

The proposed project site is surrounded by light industrial type uses and is not adjacent to any residential uses or other sensitive receptor type land uses. The overall project design that provides for storage and manufacturing within fully enclosed buildings along with perimeter security fencing will ensure that no visual or exposure impacts occur. Furthermore, the applicant has developed and will implement a detailed operation management plan that aligns with federal, state, and local regulations regarding handling and storage of hazardous materials.

B. Land Use Element II

Objective 2.1 Industrial Development: To promote industries which are consistent with community enhancement and provide stable tax bases and a balance of employment opportunities.

Policy A: Industrially designated lands shall be devoted to industrial uses for the preservation of the City's economic future, employment opportunities, and general welfare.

Policy C: Ancillary commercial, office, and recreational uses may be permitted when clearly oriented to support the industrial development and serve its population.

The proposed window film manufacturing facility and warehouse use is consistent with the uses originally envisioned and approved for the Prescott Industrial Park. The subject facility will operate 24 hours a day and will provide approximately 32 jobs once fully operational. It is anticipated that the proposed facility will benefit the City of Oceanside through sales tax revenue and added job base for the surrounding residents.

## 2. Zoning Ordinance Compliance

This project is located within the Prescott Industrial Park located within the Peacock neighborhood off of Ord Way. Modification of the approved site plan in a manner that removes parking and portions of drive aisles in order to accommodate a new 4200 sq. ft. storage building has been designed in a manner that complies with the requirements of the Oceanside Zoning Ordinance (OZO) as follows:

The following table summarizes proposed and applicable development standards for the project site:

	MINIMUM REQUIRED	PROPOSED
MINIMUM LOT SIZE	20,000 sq. ft.	128,066 sq. ft.
OFF-STREET PARKING 1/1000	40 spaces	69 spaces
FRONT YARD	10 foot min.	35 feet
SIDE YARD	0 foot min.	10 feet
CORNERSIDE YARD	N/A	N/A
REAR YARD	0 foot min.	65 feet
HEIGHT	80 foot max.	20 foot max.
MINIMUM LANDSCAPING	15% of yard area	Not Apart

The proposed project meets all applicable requirements of the Oceanside Zoning Ordinance for Industrial Development as denoted above, and would exceed the required number of parking spaces required for the proposed two buildings and type of land use proposed. No variances are required as part of the proposed project. Perimeter fencing is allowed as per the OZO Article 30 Section 3040 "Fences and Walls" up to a maximum height of 8'-0". In order to minimize visual impacts of the chain link fencing, the project will implement a forest green vinyl slat woven within the fence material.

Due to the nature of the window film manufacturing process, storage and use of a hazardous substance as defined by the California Department of Health Services and in conjunction with Article 30 Section 3026 (C) requires that a use permit be approved. Subject to implementation of the submitted Operations Management Plan, the proposed storage of 13,000 gallons of ethylene glycol and methods of handling established will ensure that no exposure or direct impacts to adjacent businesses will occur.

## **DISCUSSION**

### **Issue: Project Compatibility with the Existing Developed Areas:**

The addition of a 4200-square foot industrial building for storage purposes, addition of exterior equipment used in the window film manufacturing process, and storage of 13,000 gallons of Ethylene Glycol would be compatible with the goals and objectives of the General Plan for land use compatibility and the original vision of the Prescott Industrial Park to cater toward industrial manufacturing type land uses. The subject site is located within the center of a larger industrial park and surrounding properties are established with similar industrial type developments and land uses. The lower intensity uses in the area coupled with perimeter fencing would further ensure that conflicts between the general public and the window film processing land use would be minimized.

The proposed industrial warehouse storage building would be constructed using a similar tilt-up construction type technique as the existing building located on the subject parcel and would incorporate finish materials and colors consistent with the approved architectural design found throughout the Prescott Industrial Park. The proposed project would be an important part of the City's future economic base and provide for a diversity of job opportunities for residents of the City of Oceanside.

**Recommendation:** Staff finds that the overall design of the project is compatible with the existing developed area and subject to implementation of an Operations Management Plan for handling of the Ethylene Glycol will be consistent with the original intent of the light industrial park to establish this type of land use. No known opposition to the project has been noted. Staff supports the project as submitted by the applicant, subject to conditions of approval contained within the draft resolution.

## **ENVIRONMENTAL DETERMINATION**

Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based upon that review, staff finds that the proposed project constitutes "construction of minor structures accessory to the industrial facilities", and the project is categorically exempt, Class 11, "Accessory Structures" (Section 15311).

## **PUBLIC NOTIFICATION**

Pursuant to Article 41 of the Oceanside Zoning Ordinance, a Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, applicant and other interested parties. Copies of this agenda item have been mailed to the applicant and their representatives.

## **SUMMARY**

The proposed Development Plan (D12-00007) and Conditional Use Permit (CUP11-0028), as designed and conditioned, are consistent with the requirements of the Zoning Ordinance, and the land use policies of the General Plan. The project has been designed and conditioned to meet or exceed all applicable development standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

- Confirm issuance of a Class 11 categorical exemption for "Accessory Structures"; and,
- Move to approve Development Plan (D12-00007) and Conditional Use Permit (CUP11-00028) by adopting Planning Commission Resolution No. 2012-P20 with findings and conditions of approval attached herein.

PREPARED BY:



Richard Greenbauer  
Senior Planner

SUBMITTED BY:



Jerry Hittleman  
City Planner

JH/RG/fil

### Attachments:

1. Site Plan and Elevations
2. Planning Commission Resolution No. 2012-P20
3. Planning Commission Resolution No. 2000-P69
4. Planning Commission Resolution No. 97-P53
5. Operation Management Plan
6. Ethylene Glycol (Material Safety Data Sheet)

# SOLAR GARD TENANT IMPROVEMENT

1865 ORD WAY  
OCEANSIDE, CALIFORNIA 92056

**SHEET NO.** \_\_\_\_\_  
**DATE:** \_\_\_\_\_  
ALL RIGHTS RESERVED  
NO PART OF THIS DOCUMENT  
MAY BE REPRODUCED OR  
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WITHOUT THE WRITTEN  
PERMISSION OF THE  
COPYRIGHT OWNER

**ADDRESS:** 1865 ORD WAY  
OCEANSIDE, CALIFORNIA 92056

**ASSIGNMENT NUMBER:** 18-17-012

**BLINDING CODE DATE:** 2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE  
BLINDING CODE: 2017 BLC AND THE STATE OF CALIFORNIA  
2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE  
2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE

**BLINDING CODE ANALYSIS:** 2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE  
2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE

**SCORE OF WORK:** 64 / 100  
64 / 100  
64 / 100  
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**AREA CALCULATIONS:** 2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE  
2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE

**BLINDING CODE ANALYSIS:** 2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE  
2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE



THIS ALL PROJECT DRAWING IS THE WORK OF A REGISTERED PROFESSIONAL ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS ELECTRONIC OR MECHANICAL INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM WITHOUT THE WRITTEN PERMISSION OF THE COPYRIGHT OWNER.

**PROJECT TEAM:** ARCHITECT: LANDRETH DEVELOPMENT & CONSULTING, INC.  
1865 ORD WAY  
OCEANSIDE, CALIFORNIA 92056  
PHONE: 619-864-1186  
WWW.LANDRETHDEV.COM

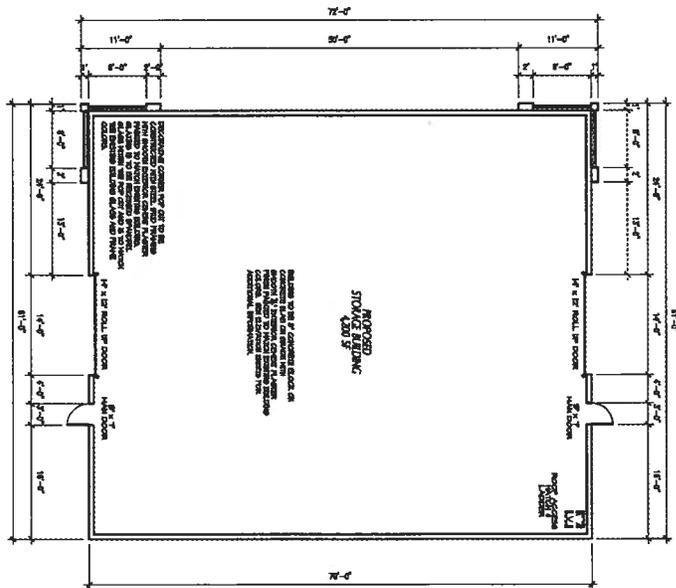
**BLINDING CODE ANALYSIS:** 2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE  
2017 CALIFORNIA BLINDING CODE (BLC) ADAPTS THE

**SOLAR GARD T.I.**  
1865 ORD WAY  
OCEANSIDE, CALIFORNIA 92056

**LANDRETH DEVELOPMENT & CONSULTING**  
P.O. Box 231483  
Encinitas, CA 92023  
Phone: 619-864-1186

**DATE:** 0-2-18  
**PROJECT:** SOLAR GARD  
**CLIENT:** A.C. COOPER  
**SCALE:** 1/8" = 1'-0"  
**TITLE:** TENANT IMPROVEMENT  
**SHEET:** A0.1





FLOOR PLAN  
SCALE: 1/8" = 1'-0"



A2.1

FIRST FLOOR PLAN

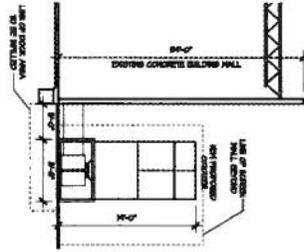
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PROJECT:	867-02-0002
REVISION:	1-1-03
DESIGNER:	1-1-03
CHECKER:	1-1-03
DATE:	1-1-03

SOLAR GARD T.I.  
1865 ORD WAY  
OCEANSIDE, CALIFORNIA 92056

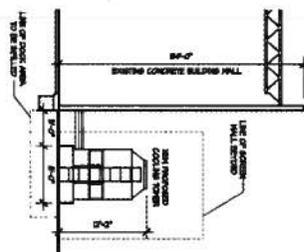


LANDRETH DEVELOPMENT  
& Consulting  
P.O. Box 231483  
Encinitas, CA 92023  
Phone: 619-894-1185

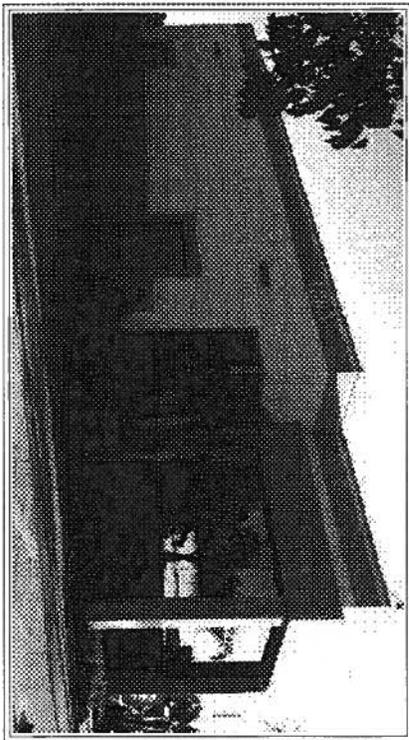
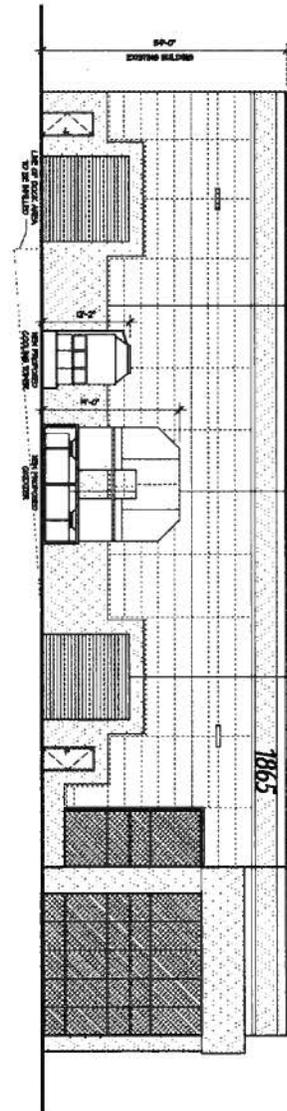
SECTION AT OXIDIZER



SECTION AT COOLING TOWER



EXISTING EAST ELEVATION SHOWING NEW PROPOSED EQUIPMENT



EXISTING EAST ELEVATION IMAGE

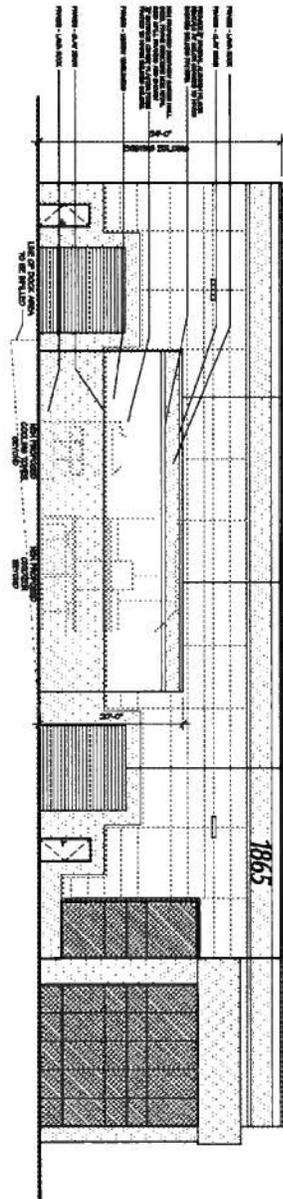
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Project	REPAIR AND
Date	01/11/01
Drawn	2/11/01
Checked	
Scale	
Notes	

A3.1

SOLAR GARD T.I.  
1865 ORD WAY  
OCEANSIDE, CALIFORNIA 92056

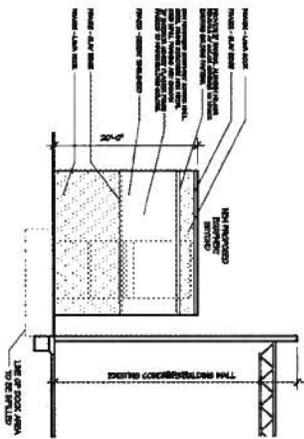


LANDRETH DEVELOPMENT  
& Consulting  
P.O. Box 231483  
Escondido, CA 92023  
Phone: 619-694-1185

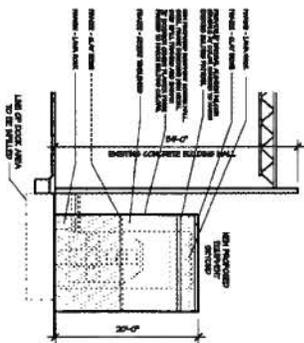


EXISTING EAST ELEVATION SHOWING NEW PROPOSED EQUIPMENT SCREEN WALL

SCALE: 1/8" = 1'-0"



NORTH VIEW OF SCREEN WALL



SOUTH VIEW OF SCREEN WALL

SOLAR GARD T.I.  
1865 ORD WAY  
OCEANSIDE, CALIFORNIA 92056

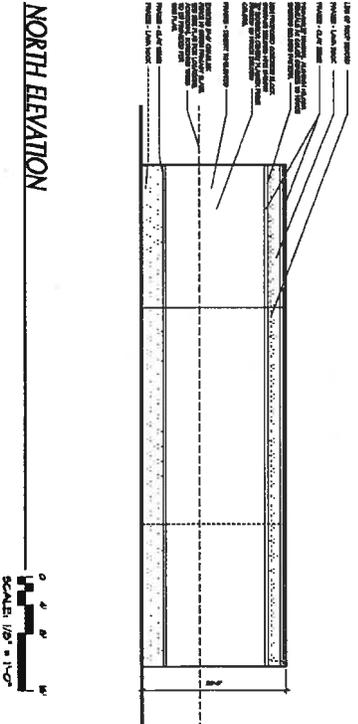
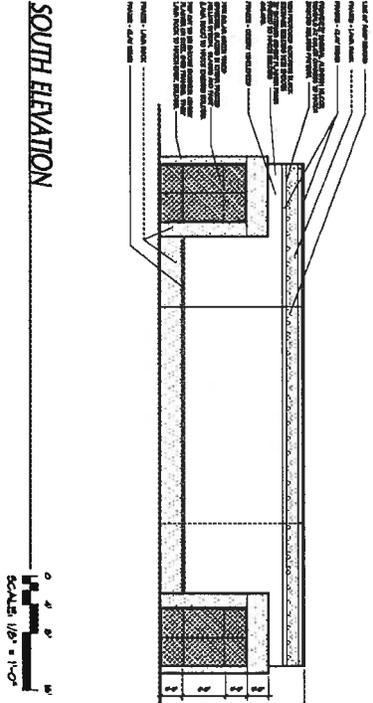
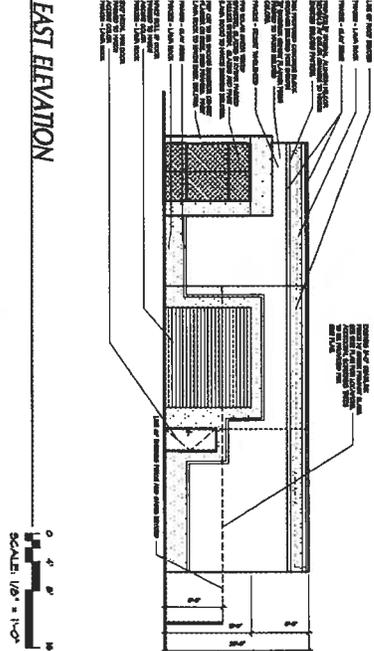
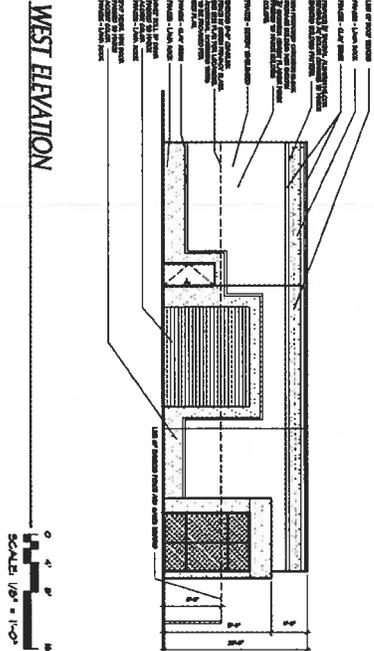


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Encinitas, CA 92023  
Phone: 619-664-1186

A3.2

BUILDING  
ELEVATIONS  
SCREEN WALL

DATE	0-2-04
PROJECT	1865 ORD WAY
NO.	01
DESIGNER	A. L. HARRIS
SCALE	3/4" = 1'-0"



DATE	03-20-84
PROJECT	SOLAR GARD
NO.	NO.
DATE	3-14-84
BY	3-14-84
CHECKED	
APPROVED	
SCALE	
TITLE	

**SOLAR GARD T.I.**  
 1865 ORD WAY  
 OCEANSIDE, CALIFORNIA 92056

**LANDRETH DEVELOPMENT & Consulting**  
 P.O. Box 231483  
 Encinitas, CA 92023  
 Phone: 619-694-1185

**A3.3**





1 PLANNING COMMISSION  
2 RESOLUTION NO. 2012-P20

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

7 APPLICATION NO: D12-00007 and CUP11-00028  
8 APPLICANT: Solar Gard  
9 LOCATION: 1865 Ord Way (Prescott Industrial Park)

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 Development Plan and Conditional Use Permit  
14 under the provisions of Articles 13, 30, 31, 40, 41, and 43 of the Zoning Ordinance of the City  
15 of Oceanside to permit the following:

16 construction of a new 4200-square foot industrial warehouse building, establishment of  
17 exterior equipment (cooling tower and oxidizer), and on site storage of 13,000 gallons  
18 of Ethylene Glycol associated with the window film manufacturing process to be  
19 located on a 2.94-acre site within the fully developed Prescott Industrial Park,  
20 on certain real property described in the project description.

21 WHEREAS, the Planning Commission, after giving the required notice, did on the 7th day  
22 of May, 2012 conduct a duly advertised public hearing as prescribed by law to consider said  
23 application.

24 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
25 Guidelines thereto; this project constitutes “ construction of minor structures accessory to the  
26 industrial facilities”, and the project is categorically exempt, Class 11, “Accessory Structures”  
(Section 15311) from environmental review;

27 WHEREAS, the documents or other material which constitutes the record of proceedings  
28 upon which the decision is based will be maintained by the City of Oceanside Planning Division,  
29 300 North Coast Highway, Oceanside, California 92054.

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

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

6 <u>Description</u>	7 <u>Authority for Imposition</u>	8 <u>Current Estimate Fee or</u>
		9 <u>Calculation Formula</u>
10 Drainage Fee	11 Ordinance No. 85-23	12 Depends on area (range is
	13 Resolution No. 06-R0334-1	14 \$2,843-\$15,964 per acre)
15 Public Facility Fee	16 Ordinance No. 91-09	17 \$0.713 per square foot or \$713
	18 Resolution No. 06-R0334-1	19 per thousand square feet for non- 20 residential uses
21 School Facilities	22 Ordinance No. 91-34	23 \$.42 per square foot non-
24 Mitigation Fee		25 residential for Oceanside
26 Traffic Signal Fee	27 Ordinance No. 87-19	28 \$15.71 per vehicle trip
	29 Resolution No. 06-R0334-1	
30 Thoroughfare Fee	31 Ordinance No. 83-01	32 \$255 per vehicle trip (based on
33 (For commercial and 34 industrial please note the 35 75 percent discount)	36 Resolution No. 06-R0334-1	37 SANDAG trip generation table 38 available from staff and from 39 SANDAG)
40 Water System Buy-in Fees	41 Oceanside City Code	42 Fee based on water meter size.
	43 §37.56.1	44 Non-residential is \$36,775 for a
	45 Resolution No. 87-96	46 2" meter. + \$430
	47 Ordinance No. 09-OR 0092-1	
48 Wastewater System Buy-in 49 Fees	50 Oceanside City Code §	51 Based on capacity or water meter
	52 29.11.1	53 size.
	54 Resolution No. 87-97	55 Non-residential is \$50,501 for a
	56 Ordinance No. 09-OR 0092-1	57 2" meter.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is \$22,495 for a 2" meter. + \$863

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

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

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

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

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10 days from 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:

FINDINGS:

For the Development Plan:

1. The proposed location of the use is in accord with the objectives of this ordinance and the purposes of the district in which the site is located because the development plan proposal for the construction of a 4,200-square foot industrial storage warehouse is

1 consistent with the intent of the General Plan Light Industrial (LI) Land Use Designation  
2 and Limited Industrial (IL) zoning designation in that all proposed improvements and on-  
3 site development will provide additional industrial warehouse that will assist in  
4 maintaining a balance of employment opportunities for the City of Oceanside.

- 5 2. The development of a 4,200-square foot industrial storage warehouse and establishment  
6 of exterior mechanical equipment is consistent with the Zoning Ordinance and the  
7 General Plan Land Use Element, because the proposed accessory building to the and  
8 process related equipment has been designed in a manner that consistent with the  
9 existing built environment on adjacent sites and that will be compatible with adjacent  
10 industrial uses of similar nature and that was envisioned for the Prescott Industrial Park.
- 11 3. The project design and its physical aspects pertaining to height, building area, and location  
12 meets or exceeds the applicable zoning criteria and development standards, and have  
13 incorporated architectural elements that reflect the architectural character of the  
14 surrounding tilt-up style industrial buildings within and adjacent to the Prescott Industrial  
15 Park.
- 16 4. That the area covered by the Development Plan can be adequately, reasonably and  
17 conveniently served by existing and planned public services, utilities, and public facilities,  
18 because the project site is fully developed and no additional services or utilities beyond  
19 what exist will be required as part of the overall development.
- 20 5. That the site plan and physical design of the project is consistent with the policies  
21 contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the  
22 Development Guidelines for Hillside, and Section 3039 of the Oceanside Zoning  
23 ordinance, because the site is relatively flat and Hillside guidelines are not applicable to  
24 this site. The proposed development would be compatible with the adjacent industrial  
25 parks and would provide a balance of employment opportunities and a stable tax base  
essential for longevity of a City.

26 For the Conditional Use Permit:

- 27 1. That the proposed location of the window film manufacturing process that utilizes  
28 Ethylene Glycol is in accord with the objectives of the Oceanside Zoning Ordinance, and  
29 the purposes of the Limited Industrial (IL) zone district in which the site is located,  
because the Industrial area was originally envisioned to be developed with manufacturing

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type land uses and the storage of an acutely toxic hazardous substance necessary for the manufacturing process would be conducted in accordance with the California Department of Health Services standards for handling and storage of the hazardous substance.

2. That the proposed location of the Conditional Use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the area of the proposed use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City because the proposed site design will provide perimeter fencing and buffering from other industrial uses and is consistent with the industrial park uses envisioned in the original development of the Prescott Industrial Park.
3. That the proposed Conditional Use will comply with the provisions of the Oceanside Zoning Ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Development Plan (D12-00007) and Conditional Use Permit (CUP11-00028) subject to the following conditions:

1. This Development Plan and Conditional Use Permit approves only the following: development of a new 4,200-square foot concrete tilt-up industrial warehouse building, establishment of exterior process related equipment (cooling tower and oxidizer), perimeter fencing, and on site storage of 13,000 gallons of Ethylene Glycol. Any substantial modification to the Development Plan or Conditional Use Permit in the design, layout, or intensification of the use shall require a revision to the Development Plan, a revision to the Conditional Use Permit, and/or a new Development Plan, and/or Conditional Use Permit.

**Engineering:**

1. For the demolition of any existing structure or surface improvements; grading plans shall be submitted and erosion control plans be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan.

- 1 2. Design and construction of all improvements shall be in accordance with the City of  
2 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard  
3 engineering and specifications of the City of Oceanside and subject to approval by the  
4 City Engineer.
- 5 3. Where proposed off-site improvements, including but not limited to slopes, public utility  
6 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his  
7 own expense, obtain all necessary easements or other interests in real property and shall  
8 dedicate the same to the City of Oceanside as required. The owner/developer shall  
9 provide documentary proof satisfactory to the City of Oceanside that such easements or  
10 other interest in real property have been obtained prior to issuance of any grading,  
11 building or improvement permit for the development/project. Additionally, the City of  
12 Oceanside, may at its sole discretion, require that the owner/developer obtain at his sole  
13 expense a title policy insuring the necessary title for the easement or other interest in real  
14 property to have vested with the City of Oceanside or the owner/developer, as applicable.
- 15 4. A precise grading plan shall be prepared, reviewed, secured and approved prior to the  
16 issuance of any building permits. The plan shall reflect all pavement, flatwork,  
17 landscaped areas, and special surfaces, footprints of all structures, walls, drainage devices  
18 and utility services.
- 19 5. Prior to the issuance of a grading permit, the owner/developer shall notify and host a  
20 neighborhood meeting with all of the area residents located within 300 feet of the  
21 project site, to inform them of the grading and construction schedule, and to answer  
22 questions.
- 23 6. The owner/developer shall monitor, supervise and control all construction and  
24 construction-supportive activities, so as to prevent these activities from causing a public  
25 nuisance, 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  
29 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

1 Engineer with specific limitations to the working hours and types of permitted  
2 operations. All on-site construction staging areas shall be as far as possible  
3 (minimum 100 feet) from any existing residential development. Because  
4 construction noise may still be intrusive in the evening or on holidays, the City  
5 of Oceanside Noise Ordinance also prohibits “any disturbing excessive or  
6 offensive noise which causes discomfort or annoyance to reasonable persons of  
7 normal 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. An alternate parking site can  
10 be considered by the City Engineer in the event that the lot size is too small and  
11 cannot accommodate parking of all motor vehicles.

12 d) The owner/developer shall complete a haul route permit application (if required  
13 for import/export of dirt) and submit to the City of Oceanside Engineering  
14 Department forty eight hours (48) in advance of beginning of work. Hauling  
15 operations (if required) shall be 8:00 a.m. to 3:30 p.m. unless approved  
16 otherwise.

17 7. It is the responsibility of the owner/developer to evaluate and determine that all soil  
18 imported as part of this development is free of hazardous and/or contaminated material  
19 as defined by the City and the County of San Diego Department of Environmental  
20 Health. Exported or imported soils shall be properly screened, tested, and documented  
21 regarding hazardous contamination.

22 8. A traffic control plan shall be prepared according to the City traffic control guidelines  
23 and approved to the satisfaction of the City Engineer prior to the start of work within  
24 the public right-of-way. Traffic control during construction of streets that have been  
25 opened to public traffic shall be in accordance with construction signing, marking and  
26 other protection as required by the Caltrans Traffic Manual and City Traffic Control  
27 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless  
28 approved otherwise.

29 9. Pavement sections for all driveways and parking areas shall be based upon approved soil  
tests and traffic indices. The pavement design is to be prepared by the owner/developer’s

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soil engineer and must be in compliance with the City of Oceanside Engineers Design and Processing Manual and be approved by the City Engineer, prior to paving.

10. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian ramps and sidewalk within the project, or adjacent to the project boundary that are damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.

11. All new utility lines extension services for this development, including but not limited to, electrical, cable and telephone, shall be placed underground per the City of Oceanside Zoning Ordinance section 3023, as required by the City Engineer and the City Planner, and current City policy.

12. Prior to any grading of any part of this project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan and an erosion control plan, to be prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by the City Engineer.

13. All proposed landscape improvements shown on the conceptual landscape plan shall be installed per the Conceptual Landscape Plan and verified from the Conceptual Landscape Plan prior to the issuance of any certificates of occupancy to the satisfaction of the City Engineer.

14. A drainage report and drainage design shall be based required concurrent with the submittal of grading plan. The drainage design shall be based upon a hydrologic/hydraulic study that is in compliance with the latest San Diego County Hydrology and Drainage Manual to be approved by the City Engineer during final engineering. All drainage picked up in an underground system shall remain underground until it is discharged into an approved channel, or as otherwise approved by the City Engineer. All storm drains shall be shown on the grading plan.

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

- 1 16. Prior to approval of a grading plan and issuance of any grading permit the  
2 owner/developer shall submit a Stormwater Management Plan-Standard Development  
3 Plan (SWMP-SDP).
- 4 17. Approval of this development project is conditioned upon payment of all applicable  
5 impact fees and connection fees in the manner provided in chapter 32B of the Oceanside  
6 City Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,  
7 reimbursements, and other applicable charges, fees and deposits shall be paid prior to  
8 issuance of any building permits, in accordance with City Ordinances and policies.  
9 Approval of this project shall constitute the owner/developer's approval of such payments,  
10 and his agreement to pay for any other similar assessments or charges in effect when any  
11 increment is submitted for final map or building permit approval, and to join, contribute,  
12 and/or participate in such districts.
- 13 18. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire  
14 project will be subject to prevailing wage requirements as specified by Labor Code  
15 section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging  
16 the prevailing wage requirements prior to the granting of any fee reductions or waivers.
- 17 19. In the event that the conceptual plan does not match the conditions of approval, the  
18 resolution of approval shall govern.

19 **Landscaping:**

- 20 20. Landscape, specifically planting and irrigation, shall meet the criteria of the City of  
21 Oceanside Landscape Guidelines and Specifications for Landscape Development (latest  
22 revision), Water Conservation Ordinance No. 91-15, Water Efficient Landscape  
23 Ordinance 10-OR0412-1, Engineering criteria, City code and ordinances, including the  
24 maintenance of such landscaping. The following landscaping requirements shall be  
25 required prior to certificate of occupancy:
- 26 a) Landscape contractor shall be aware of all utility, sewer, storm drain easement  
27 and place planting locations accordingly to meet City of Oceanside  
28 requirements.
- 29 b) All required landscape areas shall be maintained by owner. The landscape areas  
shall be maintained per City of Oceanside requirements.

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- c) Proposed landscape species shall be native or naturalized to fit the site and meet climate changes indicative to their planting location. The selection of plant material shall also be based on cultural, aesthetic, and maintenance considerations. In addition proposed landscape species shall be low water users as well as meet all Fire Department requirements.
- d) All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements to enhance existing soil conditions to promote plant growth.
- e) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.
- f) The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.
- g) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within 6 feet of a trees trunk on-site (private) and within 10 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in each direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.
- h) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain Planning Division approval for these items in the conditions or application stage prior to 1<sup>st</sup> submittal of working drawings.
- i) For the planting and placement of trees and their distances from hardscape and other utilities/structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.
- j) An automatic irrigation system or a modification/ retro-fit of the existing system shall be installed to provide coverage for all planting areas. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.

- 1 k) Irrigation systems shall use high quality, automatic control valves, controllers  
2 and other necessary irrigation equipment. All components shall be of non-  
3 corrosive material. All drip systems shall be adequately filtered and regulated  
4 per the manufacturer's recommended design parameters.
- 5 l) All irrigation improvements shall follow the City of Oceanside Guidelines and  
6 Water Conservation Ordinance.
- 7 m) Existing landscaping on and adjacent to the site shall be protected in place and  
8 supplemented or replaced to meet the satisfaction of the City Engineer.
- 9 21. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-  
10 way and within any adjoining public parkways shall be permanently maintained by the  
11 owner, his assigns or any successors-in-interest in the property. The maintenance  
12 program shall include: a) normal care and irrigation of the landscaping b) repair and  
13 replacement of plant materials c) irrigation systems as necessary d) general cleanup of  
14 the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure  
15 to maintain landscaping shall result in the City taking all appropriate enforcement  
16 actions including but not limited to citations.

17 **Building:**

- 18 22. Comply with the current requirements of the California Building Codes.
- 19 23. Exterior lighting shall comply with the Palomar Dark Sky Ordinance, All exterior  
20 lighting must be shielded.
- 21 24. Construction hours are limited to Monday through Friday 7:00 a.m. to 6:00 p.m.

22 **Fire:**

- 23 25. Fire Department requirements shall be placed on plans in the notes section.
- 24 26. All proposed and existing fire hydrants within 400 feet of the project shall be shown on  
25 the site plan.
- 26 27. The fire hydrants shall be installed and tested prior to placing any combustible materials  
27 on the job site.
- 28 28. Provide on-site hydrants and mains capable of supplying the required fire flow.
- 29 29. Blue hydrant identification markers shall be placed as per Oceanside's Engineers  
Design and Processing Manual Standard Drawing No. M-13.

- 1 30. Due to the possibility of high-piled combustible storage, an approved fire sprinkler  
2 system must be installed throughout the building. The system shall be designed per  
3 NFPA 13. The sprinkler system requires 24-hour supervision.
- 4 31. When fire sprinklers systems are required in buildings of undetermined use, they shall  
5 have a sprinkler density of .45 GPM/sq. ft. (or as otherwise required by the Oceanside  
6 Fire Marshal), with a minimum design area of 3,000 square feet.
- 7 32. The Fire Department connection shall be located on the address side of the building –  
8 unless otherwise determined by the Fire Department. The hydrant shall be located on  
9 the same side of the street as the Fire Department connection.

10 **Planning:**

- 11 33. Development Plan (D12-00007) and Conditional Use Permit (C11-00028) shall expire on  
12 May 7, 2014, unless the Planning Commission grants a time extension.
- 13 34. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
14 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
15 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
16 annul an approval of the City, concerning Development Plan (D12-00007) and  
17 Conditional Use Permit (C11-00028). The City will promptly notify the applicant of any  
18 such claim, action or proceeding against the City and will cooperate fully in the defense.  
19 If the City fails to promptly notify the applicant of any such claim action or proceeding  
20 or fails to cooperate fully in the defense, the applicant shall not, thereafter, be  
21 responsible to defend, indemnify or hold harmless the City.
- 22 35. A letter of clearance from the affected school district in which the property is located  
23 shall be provided as required by City policy at the time building permits are issued.
- 24 36. A covenant or other recordable document approved by the City Attorney shall be prepared  
25 by the applicant and recorded prior to issuance of building permits. The covenant shall  
26 provide that the property is subject to this resolution, and shall generally list the conditions  
27 of approval.
- 28 37. Prior to the issuance of building permits, compliance with the applicable provisions of the  
29 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be  
reviewed and approved by the City Planner or their designee. These requirements,  
including the obligation to remove or cover with matching paint all graffiti within 24

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hours, shall be noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.

38. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and or operator. This notification's provision shall run with the life of the project and shall be recorded as a covenant on the property.

39. The applicant shall be responsible for trash abatement on the site, and shall keep the site free of litter, trash and other nuisances.

40. The Conditional Use Permit is subject to review by the Planning Commission from the date of commencement of operations, to determine the project's compatibility with surrounding land uses. The Commission may add new conditions and/or delete and/or modify existing conditions, as it deems necessary to protect the general health, safety and welfare of residents in the area or surrounding land uses.

41. Failure to meet any conditions of approval for this development shall constitute a violation of the Development Plan and Conditional Use Permit.

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

43. All new mechanical roof-top and ground equipment shall be screened from public view as required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks, mechanical equipment, screen and vents shall be painted with non-reflective paint to match the roof. Air conditioning shall be installed and operated within the building. This information shall be shown on the building plans.

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1 44. Prior to issuance of any building permits for the project, a Final Solar Gard window  
2 film processing plant Operation Management Plan shall be submitted to the City  
3 Planner for review, and prior to issuance of any certificate of occupancy or final permit  
4 sign off, the City Planner shall approve the final version of the Solar Gard Operation  
5 Management Plan.

6 PASSED AND ADOPTED Resolution No. 2012-P20 on May 7, 2012 by the following vote, to  
7 wit:

8 AYES:

9 NAYS:

10 ABSENT:

11 ABSTAIN:

12  
13 \_\_\_\_\_  
14 Tom Rosales, Chairperson  
15 Planning Commission

16 ATTEST:

17 \_\_\_\_\_  
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
20 this is a true and correct copy of Resolution No. 2012-P20.

21  
22 Dated: May 7, 2012

23  
24 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees  
25 may be required as stated herein:

26 \_\_\_\_\_  
27 Applicant/Representative

\_\_\_\_\_ Date

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**PLANNING COMMISSION  
RESOLUTION NO. 2000- P69**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN ON  
CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE**

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**APPLICATION NO: P-11-99, D-25-99**  
**APPLICANT: Elliott P. Woolley dba Prescott Industrial Park**  
**LOCATION: Oceanside Boulevard, north of the railroad tracks and  
south of Oceanside Boulevard at Ord Way**

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

**WHEREAS, there was filed with this Commission a verified petition on the  
forms prescribed by the Commission requesting a Tentative Parcel Map and  
Development Plan under the provisions of Articles 13 and 43 of the Zoning  
Ordinance and the Subdivision Ordinance of the City of Oceanside to permit the  
following:**

**approximately 34 acres subdivided into five parcels with 293,701 square feet  
in four buildings proposed for two of the parcels;**

**on certain real property described in the project description.**

**WHEREAS, the Planning Commission, after giving the required notice, did on  
the 4th day of December, 2000 conduct a duly advertised public hearing as  
prescribed by law to consider said application.**

**WHEREAS, pursuant to the California Environmental Quality Act of 1970, and  
State Guidelines thereto; a Mitigated Negative Declaration stating that if the  
mitigation measures are met there will not be a significant adverse effect on the  
environment;**

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

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

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. 89-231	Depends on area (range is \$1,705-\$9,575 per acre)
4			
5			
6	Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	\$.441 per square foot or \$441 per thousand square feet for non-residential uses
7			
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.33 per square foot non-residential
10			
11	Traffic Signal Fee	Ordinance No. 87-19	\$7.80 per vehicle trip
12	Thoroughfare and Bridge Fee	Ordinance No. 83-01	\$177 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
13	(For commercial and industrial please note the .75 per cent discount)		
14			
15			
16	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 99-21	Fee based on water meter size
17			
18			
19	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 99-20	Based on capacity or water meter size
20			
21			
22			
23	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 99-2	Based on meter size.

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

29

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

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

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

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

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

18 FINDINGS:

19 For the Tentative Parcel Map:

- 20 1. That the proposed map is consistent with the General Plan of the City or  
21 any applicable specific plan or other provisions of the Zoning Ordinance.
- 22 2. That the site is physically suitable for the type and proposed density of  
23 development.
- 24 3. That the design of the subdivision or the proposed improvements will not  
25 cause substantial environment damage or substantially and avoidable injure  
26 fish or wildlife or their habitat.
- 27 4. That the design of the subdivision or the type of improvements will not  
28 conflict with easements, acquired by the public at large, for access through  
29 or the use of property within the proposed subdivision.

For the Development Plan:

1. That the site plan and physical design of the project as proposed is  
consistent with the purposes of the Zoning Ordinance.

- 1 2. That the Development Plan as proposed conforms to the General Plan of the  
2 City.
- 3 3. That the area covered by the Development Plan can be adequately,  
4 reasonably and conveniently served by existing and planned public services,  
5 utilities and public facilities.
- 6 4. That the project as proposed is compatible with the existing and potential  
7 development on adjoining properties or in the surrounding neighborhood.

8 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does  
9 hereby APPROVE the Mitigated Negative Declaration and adopt the mitigation  
10 measures provided therein and APPROVE Tentative Parcel Map (P-11-99) and  
11 Development Plan (D-25-99) subject to the following conditions:

12 Building:

- 13 1. Applicable Building Codes and Ordinances shall be based on the date of  
14 submittal for Building Department plan check.
- 15 2. The granting of approval under this action shall in no way relieve the  
16 applicant/project from compliance with all State and local building codes.
- 17 3. Site development, parking, access into buildings and building interiors shall  
18 comply with Part 2, Title 24, C.C.R. (Disabled Access - Nonresidential  
19 buildings - D.S.A.).
- 20 4. All electrical, communication, CATV, etc. service lines, within the exterior  
21 lines of the property shall be underground (City Code Sec. 6.30).
- 22 5. The building plans for this project are required by State law to be prepared  
23 by a licensed architect or engineer and must be in compliance with this  
24 requirement prior to submittal for building plan review.
- 25 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution  
26 Ordinance) and shall be shielded appropriately. Where color rendition is  
27 important high-pressure sodium, metal halide or other such lights may be  
28 utilized and shall be shown on final building and electrical plans.
- 29 7. 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 a.m.  
2 and 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6  
3 p.m. for work that is not inherently noise-producing. Examples of work  
4 not permitted on Saturday are concrete and grout pours, roof nailing  
5 and activities of similar noise-producing nature. No work shall be  
6 permitted on Sundays and Federal Holidays (New Year's Day, Memorial  
7 Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, Christmas Day) except as  
8 allowed for emergency work under the provisions of the Oceanside City  
9 Code Chapter 38 (Noise Ordinance).

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

16 Engineering:

17 8. Vehicular access rights to Oceanside Boulevard shall be relinquished to the  
18 City from all abutting lots.

19 9. All right-of-way alignments, street dedications, exact geometrics and widths  
20 shall be dedicated and improved as required by the City Engineer. All streets  
21 shall be improved with street name signs and traffic control devices as  
22 directed by the City Engineer.

23 10. Design and construction of all improvements shall be in accordance with  
24 standard plans, specifications of the City of Oceanside and subject to  
25 approval by the City Engineer.

26 11. Prior to approval of the parcel map or any increment, all improvement  
27 requirements, within such increment or outside of it if required by the City  
28 Engineer, shall be covered by a subdivision agreement and secured with  
29 sufficient improvement securities or bonds guaranteeing performance and  
30 payment for labor and materials, setting of monuments, and warranty against  
31 defective materials and workmanship.

32 12. The tract shall be recorded as one. The tract may be developed in phases. A  
33 construction-phasing plan for the construction of on-site public and private  
34 improvements shall be reviewed and approved by the City Engineer prior to  
35 the recordation of the final map. Prior to the issuance of any building permits  
36 all offsite improvements including landscaping, landscaped medians, frontage  
37 improvements shall be constructed to the satisfaction of the City Engineer.  
38 The City Engineer shall require the dedication and construction of necessary  
39

1 utilities, streets and other improvements outside the area of the parcel map, if  
2 such is needed for circulation, parking, access or for the welfare or safety of  
3 future occupants of the development.

4 13. Where proposed off-site improvements, including but not limited to slopes,  
5 public utility facilities, and drainage facilities, are to be constructed, the  
6 applicant shall, at his own expense, obtain all necessary easements or other  
7 interests in real property and shall dedicate the same to the City as required.  
8 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  
10 the approval of the final map. Additionally, the City, may at its sole  
11 discretion, require that the applicant obtain at his sole expense a title policy  
12 insuring the necessary title for the easement or other interest in real property  
13 to have vested with the City of Oceanside or the applicant, as applicable.

14 14. Pursuant to the State Map Act, improvements shall be required at the time of  
15 development. A covenant, reviewed and approved by the City Attorney, shall  
16 be recorded attesting to these improvement conditions and a certificate  
17 setting forth the recordation shall be placed on the map.

18 15. In order to avoid future cross lot drainage problems, the lot line between  
19 proposed Parcel 2 and Parcel 3 shall either be moved to the top of the existing  
20 slope, or the slope shall be re-graded, or drainage easements shall be granted  
21 prior to recordation of the map.

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

26 a) Removal of dirt, debris and other construction material deposited on  
27 any public street no later than the end of each working day.

28 b) All grading and related site preparation and construction activities  
29 shall be limited to the hours of 7 a.m. to 6 p.m., Monday through  
Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not  
inherently noise-producing unless otherwise extended by the City. All  
work should utilize the latest technology for quiet equipment. No  
work shall be permitted on Sundays and Federal Holidays (New Year's  
Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, Christmas  
Day) except as allowed for emergency work under the provisions of the  
Oceanside City Code Chapter 38 (Noise Ordinance). All on-site  
construction staging areas shall be as far as possible (minimum 100  
feet) from any existing residential development. Because construction  
noise may still be intrusive in the evening or on holidays, the City of

1 Oceanside Noise Ordinance also prohibits "any disturbing excessive,  
2 or offensive noise which causes discomfort or annoyance to  
3 reasonable persons of normal sensitivity".

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

6 17. All traffic signal contributions, signal fees, highway thoroughfare fees, park  
7 fees, reimbursements, and other applicable charges, fees and deposits shall be  
8 paid prior to the issuing of any building permits, in accordance with City  
9 Ordinances and policies. The developer shall also be required to join into,  
10 contribute or participate in any improvement, lighting, or other special district  
11 affecting or affected by this project. Approval of the tentative map shall  
12 constitute the developer's approval of such payments, and his agreement to  
13 pay for any other similar assessments or charges in effect when any  
14 increment is submitted for map or building permit approval, and to join,  
15 contribute, and/or participate in such districts.

16 18. Curb return radii shall be 35 feet at the intersections of Oceanside Boulevard and  
17 Ord Way. All other curb return radii in the project shall be a minimum of 25 feet.

18 19. Ord Way (Lot A) shall be offered for dedication to the City and reserved as a  
19 private street and public utility easement. It shall be dedicated as a 50-foot  
20 easement and improved with a 40-foot wide curb-to-curb street section and a  
21 traffic index of 7. The improvements are to be full-width. Ord Way shall be  
22 designed, approved and secured prior to issuance of any building permits.  
23 Construction of Ord Way shall be completed prior to issuance of any  
24 occupancies.

25 20. Oceanside Boulevard shall be dedicated and improved as a 4-Lane Major  
26 Arterial: 100-foot right-of-way improved as a divided highway with a raised,  
27 landscaped median of 16 feet separating two 32 foot wide, curb to curb  
28 street sections and a traffic index of 9.0. The improvements are to half-width  
29 plus 12 feet.

20 21. Prior to the issuance of building permits the developer shall contribute its fair  
21 share to necessary Oceanside Boulevard/College Boulevard intersection  
22 improvements as directed by the City Engineer.

23 22. All streets shall be improved with street name signs, streetlights, and traffic  
24 control devices as directed by the City Engineer. The exact alignment, width  
25 and design of all median islands, turning lanes, travel lanes, driveways,  
26 striping, and all other traffic control devices and measures, including turnouts,  
27 bike lanes, and width/length transitions, shall be approved by the City  
28 Engineer at the time of final design.

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- 23. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the subdivider's soil engineer and must be approved by the City Engineer, prior to paving.
- 24. A traffic signal shall be constructed at the intersection of Oceanside Boulevard and the extension of Ord Way. The signal shall be designed, secured and approved prior to the issuance of any building permits. The signal shall be operational prior to any occupancies. The intersection shall be improved and widened to accommodate acceleration, deceleration and turn lanes. The intersection shall be located so one leg of the intersection lines up with the existing Church driveway. The new signal shall be interconnected to the existing adjacent signals prior to becoming operational.
- 25. Sight distance requirements at all street intersections shall conform to the intersection sight distance criteria as provided by the California Department of Transportation Highway Design Manual.
- 26. Any broken pavement, concrete curb, gutter or sidewalk or any damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 27. A bus turnout and shelter shall be constructed on Oceanside Boulevard as required by the NCTD and the City Engineer. Additional right-of-way may be required.
- 28. All existing overhead utility lines either transversing the project or immediately adjacent thereto, and all new extension services for the development of the project, including but not limited to, electrical, cable and telephone, shall be constructed underground.
- 29. Grading and drainage facilities shall be designed to adequately accommodate the local storm water runoff and shall be in accordance with the City's Engineers Manual and as directed by the City Engineer.
- 30. The applicant shall obtain any necessary permits and clearances from the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County Health Department, prior to the issuance of grading permits.
- 31. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and

- 1 implemented to assure slope stability, erosion control, and soil integrity. No  
2 grading shall occur until a detailed grading plan, to be prepared in accordance  
3 with the Grading Ordinance and Zoning Ordinance, is approved by the City  
4 Engineer.
- 5 32. This project shall provide year-round erosion control including measures for  
6 the site required for the phasing of grading. Prior to the issuance of grading  
7 permit, an erosion control plan, designed for all proposed stages of  
8 construction, shall be reviewed, secured by the applicant with cash securities  
9 and approved by the City Engineer.
- 10 33. A Precise Grading and Private Improvement Plan shall be prepared, reviewed,  
11 secured and approved prior to the issuance of any building permits. The plan  
12 shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs,  
13 gutters, medians, striping, signage, footprints of all structures, walls, drainage  
14 devices and utility services. Parking lot striping shall be shown on all Precise  
15 Grading and Private Improvement Plans.
- 16 34. Any on-site traffic control or any traffic calming devices are subject to the  
17 review and approval of the City Engineer and Planning Director.
- 18 35. Landscaping plans, including plans for the construction of walls, fences or  
19 other structures at or near intersections, must conform to intersection sight  
20 distance requirements. Landscape and irrigation plans for disturbed areas  
21 must be submitted to the City Engineer prior to the issuance of a preliminary  
22 grading permit and approved by the City Engineer prior to the issuance of  
23 building permits. Project fences, sound or privacy walls and monument entry  
24 walls/signs shall be designed, reviewed and constructed by the landscape  
25 plans and shown for location only on grading plans. Plantable, segmental  
26 walls shall be designed in accordance with City design guidelines and shall be  
27 reviewed and constructed by the grading plans and landscaped/irrigated  
28 through project landscape plans. All plans must be approved by the City  
29 Engineer and a pre-construction meeting held, prior to the start of any  
improvements.
36. Open space areas and downsloped areas adjacent to Oceanside Boulevard and  
Ord Way shall be maintained by the development's master association or  
other method that will insure installation and maintenance of landscaping in  
perpetuity. These areas shall be indicated on the map or in the CC&R's and  
shall be submitted to the City Engineer for review prior to the recordation of  
the map.
37. The drainage design on the tentative map is conceptual only. The final design  
shall be based upon a hydrologic/hydraulic study to be approved by the City  
Engineer during final engineering. All drainage picked up in an underground

1 system shall remain underground until it is discharged into an approved  
2 channel, or as otherwise approved by the City Engineer. All public storm  
3 drains shall be shown on City standard plan and profile sheets. All storm  
4 drain easements shall be dedicated where required. The applicant shall be  
responsible for obtaining any off-site easements for storm drainage facilities.

5 38. Development shall be in accordance with City Floodplain Management  
6 Regulations and Stormwater Management and Discharge Regulations.

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

10 40. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-  
11 inch high barrier, approved by the City Engineer, shall be provided at the top  
12 of all slopes whose height exceeds 20 feet or where the slope exceeds 4 feet  
and is adjacent to an arterial street.

13 Fire:

14 41. Fire flow shall be determined at the time of building permit application.

15 42. The fire hydrants shall be installed and tested prior to placing any combustible  
16 materials on the job site.

17 43. All-weather access roads shall be installed and made serviceable prior to and  
18 during time of construction. Sec. 901.3 Uniform Fire Code.

19 44. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE"  
20 per City Vehicle Code Section 22500.1.

21 45. All security gates shall have a Knox-box override and as required have strobe  
22 activation capability, unless otherwise approved by the Fire Marshall.

23 46. Plans shall be submitted to the Fire Prevention Bureau for plan check review  
24 and approval prior to the issuance of building permits.

25 47. Fire extinguishers are required and shall be included on the plans submitted for  
26 plan check.

27 48. All existing fire hydrants within 400 feet of the project shall be shown on the  
28 plot plan.

29 49. Fire lanes shall be shown on the site plan with a 28-foot minimum width or  
sprinkler the entire project.

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- 2 50. Cul-de-sacs shall be shown on the site plan with a 40- foot radius minimum.
- 3 51. Fire hydrants on the plot plan are conceptual only. The final number and  
4 location shall be as approved by the Fire Marshall.
- 5 52. All buildings shall be sprinklered and monitored by an approved Central  
6 Station prior to building final.
- 7 53. Fire alarm system plans shall be submitted for approval prior to installation.
- 8 54. Buildings shall meet Oceanside Sprinkler Ordinance in effect at the time of  
9 building permit application.
- 10 55. All open areas that are needed for biological resources shall be landscaped  
11 with approved fire retardant/anti-erosion type plants with an approved  
12 permanent irrigation system and maintenance program.
- 13 56. In accordance with the Uniform Fire Code Sec.901.4.4, Approved addresses,  
14 for Industrial Occupancies, shall be placed on the structure in such a position  
15 as to be plainly visible and legible from the street or roadway fronting the  
16 property. Numbers shall contrast with their background. Multi-Tenant  
Buildings require identification on the rear exit doors with individual suite  
numbers or letters.
- 17 57. Industrial buildings require 12" address numbers.
- 18 58. The developer shall supply the Fire Department with updated map and hydrant  
19 location information in a digital format compatible with the Fire Department's  
20 mapping program upon approval of final improvement plans.
- 21 59. Blue hydrant identification markers shall be placed in the center of the street,  
22 adjacent to the street hydrants.

23 Planning and Environmental:

- 24 60. All lighting showcasing building architecture shall be shown on the building  
25 plans.
- 26 61. This Tentative Parcel Map and Development Plan shall expire December 4,  
27 2002 unless implemented as required by the Zoning Ordinance.
- 28 62. Building sizes and elevations shall be in substantial conformance with those  
29 seen by the Planning Commission. Building Plans for Phase 3 shall be

1 reviewed by the Planning Director or Planning Commission as determined by  
2 ordinance prior to issuance of building permits.

3 63. This Development Plan approves only four tilt up concrete industrial buildings  
4 totaling 293,702 square feet of building area on two of the five parcels  
5 created by the Parcel Map as shown on the plans and exhibits presented to  
6 the Planning Commission for review and approval. No deviation from these  
7 approved plans and exhibits shall occur without Planning Department  
8 Approval. Substantial deviations shall require a revision to the Development  
9 Plan or a new Development Plan.

10 64. A Comprehensive Sign Program shall be submitted to the Planning  
11 Department and approved prior to the issuance of sign permits. This CSP  
12 may be more restrictive than the standards outlined in the Sign Ordinance.

13 65. All mechanical rooftop and ground equipment shall be screened from public  
14 view as required by the Zoning Ordinance. That is, on all four sides and top.  
15 The roof jacks, mechanical equipment, screen and vents shall be painted with  
16 non-reflective paint to match the roof. This information shall be shown on the  
17 building plans.

18 66. Landscape plans, meeting the criteria of the City's Landscape Guidelines and  
19 Water Conservation Ordinance No. 91-15, including the maintenance of such  
20 landscaping, shall be reviewed and approved by the City Engineer and  
21 Planning Director prior to the issuance of building permits. Landscaping shall  
22 not be installed until bonds have been posted, fees paid, and plans signed for  
23 final approval. The following special landscaping requirements shall be met:

24 a) The developer shall be responsible for irrigating and landscaping all  
25 embankments within the project, and all slopes along major streets.

26 b) Local street trees in parkways shall be planted at a minimum of 30 feet  
27 on center, each side of street, as a solitary planting. Approved root  
28 barriers shall be incorporated.

29 c) Crimson Lake Bougainvillea, the official City Flower, shall be used on  
this site. San Diego Red Bougainvillea is an acceptable alternate.

d) Landscape areas adjacent to the wildlife mitigation areas shall utilize  
plant materials which are found to be appropriate as a riparian buffer.  
Plant type is subject to the review and approval of the Planning Director  
and City Engineer.

67. All landscaping, fences, walls, etc. on the site, in medians in the public right-  
of-way and in any adjoining public parkways shall be permanently maintained

1 by the owner, his assigns or any successors in interest in the property. The  
2 maintenance program shall include normal care and irrigation of the  
3 landscaping; repair and replacement of plant materials; irrigation systems as  
4 necessary; and general cleanup of the landscaped and open areas, parking lots  
5 and walkways, walls, fences, etc. Failure to maintain landscaping shall result  
6 in the City taking all appropriate enforcement actions by all acceptable means  
7 including but not limited to citations and/or actual work with costs charged  
8 to or recorded against the owner. This condition shall be recorded with the  
9 covenant required by this Resolution.

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

69. A covenant or other recordable document approved by the City Attorney shall  
be prepared by the developer and recorded prior to the approval of the final  
parcel map. The covenant shall provide that the property is subject to this  
Resolution, and shall generally list the conditions of approval.

70. The project shall prepare a Management Plan. The Management Plan is  
subject to the review and approval of the Planning Director and the Police  
Chief prior to the occupancy of the project, and shall be recorded as CC&R's  
against the property. The Management Plan shall cover the following:

- 1 a) Security - The Management Plan, at a minimum, shall address on-site  
2 management, hours-of-operation and measures for providing  
3 appropriate security for the project site.
- 4 b) Maintenance - The Management Plan shall cover, but not be limited to  
5 anti-graffiti and site and exterior building, landscaping, parking lots,  
6 sidewalks, walkways and overall site maintenance measures and shall  
7 ensure that a high standard of maintenance at this site exists at all  
8 times. The maintenance portion of the management plan shall include  
9 a commitment for steam cleaning of sidewalks and other concrete  
10 surfaces at sufficient intervals to maintain a "like new" appearance and  
11 shall include pressure washing of parking lot areas.
- 12 c) Any graffiti within the project shall be removed by the project  
13 management or its designated representative within 24 hours of  
14 occurrence. Any new paint used to cover graffiti shall match the  
15 existing color scheme.
- 16 d) The CC&R's shall contain provisions prohibiting outdoor compressors.  
17 The CC&R's shall also state that all outdoor equipment shall be  
18 screened as required by the Zoning Ordinance and that all outdoor  
19 activities are subject to the Noise Ordinance standards for noise  
20 emissions.
- 21 71. Prior to the issuance of building permits, compliance with the applicable  
22 provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of  
23 the City Code) shall be reviewed and approved by the Planning Department.  
24 These requirements, including the obligation to remove or cover with  
25 matching paint all graffiti within 24 hours, shall be noted on the Landscape  
26 Plan and shall be recorded in the form of a covenant affecting the subject  
27 property.
- 28 72. Prior to the transfer of ownership and/or operation of the site the owner shall  
29 provide a written copy of the applications, staff report and resolutions for the  
project to the new owner and or operator. This notification's provision shall  
run with the life of the project and shall be recorded as a covenant on the  
property.
73. Failure to meet any conditions of approval for this development shall  
constitute a violation of the Conditional Use Permit and Development Plan.
74. Unless expressly waived, all current zoning standards and City ordinances and  
policies in effect at the time building permits are issued are required to be met  
by this project. The approval of this project constitutes the applicant's  
agreement with all statements in the Description and Justification,

- 1 Management Plan and other materials and information submitted with this  
2 application, unless specifically waived by an adopted condition of approval.
- 3 75. All street names shall be approved by the Planning Department prior to the  
4 approval of the final map for each phase.
- 5 76. All mitigation measures identified in the approved Mitigated Negative  
6 Declaration shall be complied with as stated in that document.
- 7 77. The Payne Woolley Wetland Mitigation Plan (Ogden 1999) shall be  
8 implemented prior to the issuance of building permits. For impacts of up to  
9 0.22 acre of wetland habitat, the mitigation plan specifies that 0.27 acre of  
10 wetland shall be preserved and enhanced, and 0.78 acre of wetland shall be  
11 created adjacent to the preserved wetland. Thus, a total of 1.05 acres of  
12 wetland mitigation will occur onsite. The habitat created shall consist of  
13 creation of willow woodland (in-kind) habitat adjacent to the preserved  
14 southern willow scrub.
- 15 78. The applicant shall provide a mechanism to ensure protection of wetland  
16 habitat to be created, enhanced and preserved on-site to maintain wetland  
17 functions and values. This mechanism shall be developed in coordination with  
18 the City, Corps of Engineers, US Fish and Wildlife Service, and California  
19 Department of Fish and Game. One potential mechanism would be the  
20 establishment of a conservation easement and endowment for management  
21 of resources.
- 22 79. The loss of California gnatcatcher occupied habitat shall be mitigated through  
23 acquisition and management in perpetuity of up to 1.7 acres of mitigation  
24 land in the Whelan Ranch Mitigation Bank or another suitable mitigation area  
25 in the City of Oceanside as approved by City of Oceanside, US Fish and  
26 Wildlife Service (USFWS), and California Department of Fish and Game  
27 (CDFG).
- 28 80. Brushing, grading, and construction shall not occur if the least Bell's vireo is  
29 occupying the wetland habitat on-site and construction noise exceeds 60 dB  
Leq at the wetland boundary between March 15 and September 15, to avoid  
construction noise disturbance.
81. All project lighting shall be directed away from the wetland to protect  
sensitive wildlife habitat from light intrusion at night. Lower levels of light  
after 10:00 p.m. until sunrise shall be required on the southern portion of the  
site.
82. Signage shall be placed along the edge of the wetland area designating it as  
sensitive habitat and prohibiting access to this area.

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83. Prior to issuance of any grading permits, a detailed erosion control plan shall be concurred with and approved by, the City Engineer, in accordance with the City of Oceanside Grading Ordinance.

84. Prior to issuance of future grading permits, a Notice of intent shall be submitted to the State Water Resources Control Board (SWRCB) and a Storm Water Pollution Prevention Plan (SWPPP) shall be developed and implemented on-site in compliance with the California General Construction Activity Storm Water Permit, as required by National Pollutant Discharge Elimination System (NPDES) regulations. To protect water quality in Loma Alta Creek the following measures shall be implemented:

- a) Material and waste Best Management Practices (BMPs) during site grading and construction shall be strictly enforced.
- b) A water quality management plan shall be prepared that addresses potential water pollutant issues for the proposed project site and related areas. The report shall be prepared prior to the issuance of any grading plans.
- c) Permanent structural BMPs such as infiltration trenches, fossil filters and/or oil water separators shall be installed and maintained at all storm drain inlets on site.
- d) Non-structural post-construction BMPS such as public education program (providing signage at all drainage inlets prohibiting dumping of any kind).

85. All on-site construction staging areas shall be a minimum 300 feet from the residences to the south and 100 feet from the wetland area to be preserved south and west of Ord Way.

86. In the event any subsurface archaeological resources are encountered during grading or construction activities, such activities in the locality of the find shall be halted immediately. An archaeologist, certified by the Society of Professional Archaeologists (SOPA), shall be brought in to determine the significance of the archaeological resources and implement appropriate mitigations prior to recommending earthwork.

87. Prior to the issuance of grading permits, the applicant shall establish a program with a qualified paleontologist to monitor grading activities. The applicant shall provide the Planning Department with a copy of the paleontological resource-monitoring program.

1 88. Prior to the issuance of building permits, a landscaping plan shall be approved  
2 the City Engineer indicating native plants adjacent to the waterway that are  
3 compatible with the habitat in the creek.

4 Water Utilities:

5 89. All public water and/or sewer facilities not located within the public right-of-  
6 way, shall be provided with adequate sized easements.

7 90. No trees or structures shall be located within any public utility easement.

8 91. Sewer facilities located on private property shall be "private lines" and shall be  
9 maintained by the owner.

10 92. The developer will be responsible for developing all water and sewer facilities  
11 necessary to this property. Any relocation of water and/or sewer lines is the  
12 responsibility of the developer.

13 93. The developer shall construct a public reclamation water system that will  
14 serve each parcel that is located in the proposed project, in accordance with  
15 City of Oceanside Ordinance No. 91-P15. The proposed reclamation water  
system shall be located in the public streets or in a public utility easement.

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94. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing an approved type backwater valve, per Section 710 of the Uniform Plumbing Code.

95. A separate water meter for irrigation purposes shall be installed.

PASSED AND ADOPTED Resolution No. 2000-P69 on December 4, 2000 by the following vote, to wit:

AYES: Barrante, Miller, Bockman, Chadwick, Akin, Hartley

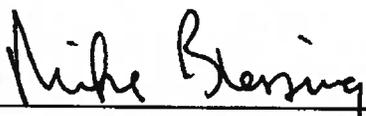
NAYS: None

ABSENT: Schaffer

ABSTAIN: None

  
George Barrante, Chairman  
Oceanside Planning Commission

ATTEST:

  
Mike Blessing, Secretary

I, MIKE BLESSING, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2000-P69.

Dated: December 4, 2000

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**PLANNING COMMISSION  
RESOLUTION NO. 97-P53**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
DEVELOPMENT PLAN ON CERTAIN REAL PROPERTY IN  
THE CITY OF OCEANSIDE**

**APPLICATION NO: D-11-97  
APPLICANT: Elliott P. Woolley  
LOCATION: Southwest corner of Oceanside Boulevard and Peacock  
Boulevard.**

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

**WHEREAS, there was filed with this Commission a verified petition on the  
forms prescribed by the Commission requesting a Development Plan under the  
provisions of Article 13 and 43 of the Zoning Ordinance of the City of Oceanside to  
permit the following:**

**three concrete "tilt-up" structures totaling 291,320 square feet on a 17.6  
acre site;**

**on certain real property legally described as shown on EXHIBIT "A" attached hereto  
and incorporated herein by reference thereto.**

**WHEREAS, the Planning Commission, after giving the required notice did on  
the 13<sup>th</sup> day of October, 1997, conduct a duly advertised public hearing as  
prescribed by law to consider said application.**

**WHEREAS, the Planning Commission finds a 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.**

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

**For the Development Plan:**

- 1. The site plan and design of the project is consistent with the purposes of  
the Zoning Ordinance.**
- 2. The project conforms to the General Plan of the City.**
- 3. The project can be adequately, reasonably and conveniently served by  
existing and planned public services, utilities and public facilities.**

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does  
2 hereby APPROVE Development Plan (D-11-97) subject to the following conditions:

3 **Building:**

- 4 1. Applicable Building Codes and Ordinances shall be based on date of  
5 submittal for Building Department plan check.
- 6 2. The granting of approval under this action shall in no way relieve the  
7 applicant/project from compliance with all State and local building codes.
- 8 3. Site development, parking, access into buildings and building interiors shall  
9 comply with Part 2, Title 24, C.C.R. (Disabled Access - Nonresidential  
10 buildings - D.S.A).
- 11 4. Plans prepared for Building Permit review must show that they have been  
12 prepared by a licensed design professional (Architect or Engineer). The  
13 design professional's name, address, phone number, State license number  
14 and expiration date shall be printed in the title block of plans.
- 15 5. All electrical, communication, CATV, etc. service lines within the exterior lines  
16 of the property shall be underground (City Code Sec. 6.30).
- 17 6. All outdoor lighting shall conform to Oceanside City Code, Chapter 39 - Light  
18 Pollution Ordinance.

19 **Fire:**

- 20 7. Provide a minimum fire flow of 15,000 gallons per minute.
- 21 8. Fire hydrants shall be 2½" x 2½" x 4".
- 22 9. The fire hydrants shall be installed and tested prior to placing any combustible  
23 materials on the job site.
- 24 10. All-weather access roads shall be installed and made serviceable prior to and  
25 during time of construction. Sec 10.301C & D Uniform Fire Code.
- 26 11. All streets less than 32 feet wide are to be posted "NO PARKING FIRE LANE"  
per City Vehicle Code Section 22500.1.
12. All security gates to have 'Knox-Box" system override and have strobe  
override and have strobe activation capability.
13. Plans shall be submitted to the Fire Prevention Bureau for plan check review  
and approval prior to the issuance of building permits.
14. All fire lanes are to be 28 feet wide.
15. All buildings are to be sprinklered and monitored by an approved Central  
Station prior to building final.
16. All open areas shall be landscaped with approved fire retardant/anti-erosion  
type plants with an approved permanent irrigation system and maintenance  
program.

1  
2 **Engineering:**

- 3 17. All right-of-way alignments and widths shall be dedicated and improved as  
4 required by the City Engineer.
- 5 18. Where proposed off-site improvements, including but not limited to slopes,  
6 public utility facilities, and drainage facilities, are to be constructed, the  
7 applicant shall, at his own expense, obtain all necessary easements or other  
8 interests in real property and shall dedicate the same to the City as required.  
9 The applicant shall provide documentary proof satisfactory to the City that  
10 such easements or other interest in real property have been obtained prior to  
11 the issuance of grading or building permits. Additionally, the City, may at  
12 its sole discretion, require that the applicant obtain at his sole expense a title  
13 policy insuring the necessary title for the easement or other interest in real  
14 property to have vested with the City of Oceanside or the applicant, as  
15 applicable.
- 16 19. The developer shall provide public street dedication as required to serve the  
17 property.
- 18 20. Open space areas and downsloped areas visible from a collector-level or above  
19 roadway, shall either be maintained by the property owner, a homeowners'  
20 association or other method that will insure installation and maintenance of  
21 landscaping in perpetuity. These areas shall be indicated on the final map and  
22 either reserved for an association or other means, as applicable. If these areas  
23 are association-maintained, then the maintenance responsibilities shall be set  
24 forth in the recorded CC&R's. In either case, future buyers shall be made  
25 aware of any estimated monthly costs. The disclosure, together with the  
26 CC&R's, shall be submitted to the City Engineer for review prior to the  
recording of final map.
- 21 21. The developer shall monitor, supervise and control all construction and  
22 construction-supportive activities, so as to prevent these activities from  
23 causing a public nuisance, including but not limited to, insuring strict  
24 adherence to the following:
- 25 (a) Removal of dirt, debris and other construction material deposited on  
26 any public street no later than the end of each working day.
  - 27 (b) All construction activity including building and site construction  
28 operations and deliveries shall be restricted to Monday through Friday,  
29 from 7:00 A.M. to 6:00 P.M., unless otherwise extended by the City.
  - 30 (c) The construction site shall accommodate the parking of all motor  
31 vehicles used by persons working at or providing deliveries to the site.
- 32 22. Violation of any condition, restriction or prohibition set forth in this resolution  
33 shall subject the development plan to further review by the Planning  
34 Commission. This review may include revocation of the development plan,  
35 imposition of additional conditions and any other remedial action authorized by  
36 law.
- 37 23. All traffic signal contributions, highway thoroughfare fees, park fees,  
38 reimbursements, and other applicable charges, fees and deposits shall be paid  
39 prior to the issuing of any building permits, in accordance with City  
40 Ordinances and policies. The subdivider or developer shall also be required to

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join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative map (project) shall constitute the developer's approval of such 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.

- 24. The developer shall pay traffic signal fees as required by the City's Traffic Signal Fee Ordinance.
- 25. The developer shall pay thoroughfare fees as required by the City's Thoroughfare Fee Ordinance.
- 26. The developer shall pay drainage fees as required by the City's Drainage Fee Ordinance.
- 27. 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.
- 28. All streets shall be improved with concrete curbs and gutters, street lights, 5 foot wide sidewalks and pavement, providing a parkway width of at least 10 feet, except where turnouts are provided and unless altered by the City Engineer.
- 29. All street dedications, alignments, widths, and exact geometrics shall be as approved by the City Engineer.
- 30. The stub street shall be improved as required the City Engineer.
- 31. The exact alignment, width and design of all median islands, turning lanes, travel lanes, driveways, striping, and all other traffic control devices and measures, including turnouts, bike lanes, and width/length transitions, shall be approved by the City Engineer at the time of final design.
- 32. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the subdivider's soil engineer and must be approved by the City Engineer, prior to paving.
- 33. Parking shall be prohibited on both sides of all interior streets less than 32 feet in curb-to-curb width, and on one side of all streets less than 36 feet in width.
- 34. Sight distance requirements at all street intersections shall conform to the intersection sight distance criteria as provided by the California Department of Transportation Highway Design Manual.
- 35. Traffic control during the construction of streets which have been opened to public travel shall be in accordance with construction signing, marking and other protection as required by the CalTrans Traffic Manual. Traffic control during construction adjacent to or within all public streets must also meet CalTrans standards.
- 36. A traffic control plan shall be submitted to and approved by the City Engineer prior to the start of work within open City rights-of-way.

- 1 37. Any broken pavement, concrete curb, gutter or sidewalk or any damaged  
2 during construction of the project, shall be repaired or replaced as directed by  
the City Engineer.
- 3 38. The entire project shall be served with a complete water system adequate  
4 enough for fire protection (including hydrants), domestic supply and  
5 landscaping. The main lines shall be City-owned and appropriate easements  
shall be provided. The sewer system to serve the tract shall be designed and  
6 constructed to City standards. All other utilities to serve the project, including  
7 electrical, telephone, and cable T.V., shall be constructed underground.
- 8 39. All connections to existing City water mains are to be made with new  
9 materials. New materials include the replacement and/or upgrade of all  
existing fittings with new tees or new crosses, as applicable, and the  
10 installation of a new valve on each branch.
- 11 40. All existing overhead utility lines either transversing the project or immediately  
12 adjacent thereto, and all new extension services for the development of the  
13 project, including but not limited to, electrical, cable and telephone, shall be  
14 constructed underground.
- 15 41. The developer shall comply with all the provisions of the City's cable  
16 television ordinances including those relating to notification as required by  
17 the City Engineer.
- 18 42. On-site grading design and construction shall be in accordance with the  
19 City's current Grading Ordinance.
- 20 43. Grading and drainage facilities shall be designed to adequately accommodate  
21 the local storm water runoff and shall be in accordance with the City's  
22 Engineers Manual and as directed by the City Engineer.
- 23 44. The applicant shall obtain any necessary permits and clearances from the U.  
24 S. Army Corps of Engineers, California Department of Fish & Game, U. S.  
25 Fish and Wildlife Service and/or San Diego Regional Water Quality Control  
26 Board (including NPDES), San Diego County Health Department, prior to the  
issuance of grading permits.
45. Prior to any grading of any part of the tract or project, a comprehensive soils  
and geologic investigation shall be conducted of the soils, slopes, and  
formations in the project. All necessary measures shall be taken and  
implemented to assure slope stability, erosion control, and soil integrity. No  
grading shall occur until a detailed grading plan, to be prepared in  
accordance with the Grading Ordinance and Zoning Ordinance, is approved  
by the City Engineer.
46. The applicant shall implement adequate erosion control measures for the site  
at the completion of each phase of grading. This shall include, at a  
minimum, either jute matting, an organic soil binder with non-irrigable  
hydroseed mix or final landscaping with irrigation on all disturbed areas, as  
directed by the City Engineer.
47. This project shall provide year-round erosion control. Prior to the issuance  
of grading permit, an erosion control plan, designed for all proposed stages  
of construction, shall be reviewed, secured by the applicant with cash  
securities and approved by the City Engineer.

- 1 48. A Precise Grading and Private Improvement Plan shall be prepared,  
2 reviewed, secured and approved prior to the issuance of any building  
3 permits. The plan shall reflect all pavement, flatwork, landscaped areas,  
4 special surfaces, curbs, gutters, medians, striping, signage, footprints of all  
5 structures, walls, drainage devices and utility services.
- 6 49. Parking lot striping shall be shown on all Precise Grading and Private  
7 Improvement Plans.
- 8 50. Landscaping plans, including plans for the construction of walls, fences or  
9 other structures at or near intersections, must conform to intersection sight  
10 distance requirements. Landscape and irrigation plans for disturbed areas  
11 must be submitted to the City Engineer prior to the issuance of a preliminary  
12 grading permit and approved by the City Engineer prior to the issuance of  
13 building permits. Project fences, sound or privacy walls and monument  
14 entry walls/signs shall be designed, reviewed and constructed by the  
15 landscape plans and shown for location only on grading plans. Plantable,  
16 segmental walls shall be designed, reviewed and constructed by the grading  
17 plans and landscaped/irrigated through project landscape plans. All plans  
18 must be approved by the City Engineer and a pre-construction meeting held  
19 prior to the start of any improvements.
- 20 51. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-  
21 site and disposed of in accordance with all state and federal requirements,  
22 prior to stormwater discharge either off-site or into the City drainage  
23 system.
- 24 52. Development shall be in accordance with City Floodplain Management  
25 Regulations.
- 26 53. Development shall be in accordance with City Stormwater Management and  
Discharge Regulations.
- 54. All storm drain systems shall be designed and installed to the satisfaction of  
the City Engineer. All public storm drains shall be shown on City standard  
plan and profile sheets. All storm drain easements shall be dedicated where  
required. The applicant shall be responsible for obtaining any off-site  
easements for storm drainage facilities.
- 55. All drainage picked up in an underground system shall remain underground  
until it is discharged into an approved channel, or as otherwise approved by  
the City Engineer.
- 56. The drainage design on the project development plan is conceptual only.  
The final design shall be based upon a hydrologic/hydraulic study to be  
approved by the City Engineer during final engineering plan review.

Planning:

- 22 57. This Development Plan and shall expire October 13, 1999, unless  
23 implemented as required by the Zoning Ordinance.
- 24 58. A letter of clearance from the affected school district in which the property is  
25 located shall be provided as required by City policy at the time building  
26 permits are issued.
- 59. A public facilities fee shall be paid as required by City policy at the time  
building permits are issued.

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60. Landscape plans meeting the criteria of the City's Landscape Guidelines and Water Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer and Planning Director prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. The following special landscape requirements shall be met:
- (a) Native landscape including western sycamore shall be used adjacent to the railroad right-of-way.
  - (b) Wherever feasible, Crimson Lake Bougainvillea (or equivalent as determined by the Planning Director), the official City Flower, shall be used on this site.
61. A trash enclosure must be provided as required by Chapter 13 of the City Code and shall also include additional space for storage and collection of recyclable materials per City standards. The enclosure must be built in a flat, accessible location as determined by the City Engineer. The enclosure shall meet City standards including being constructed of concrete block, reinforced with Rebar and filled with cement. A concrete slab must be poured with a berm on the inside of the enclosure to prevent the bin(s) from striking the block walls. The slab must extend out of the enclosure for the bin(s) to roll out onto. Steel posts must be set in front of the enclosure with solid metal gates. All driveways and service access areas must be designed to sustain the weight of a 50,000 pound service vehicle. The trash enclosure, driveways and service access areas shall be shown on both the improvement and landscape plans submitted to the City Engineer. The specifications shall be reviewed and approved by the City Engineer. The City's waste disposal contractor is required to access private property to service the trash enclosures, a service agreement must be signed by the property owner and shall remain in effect for the life of the project. The trash enclosure shall be designed to provide user access without the use and opening of the service doors for the bins. This design shall be shown on the landscape plans and shall be approved by the Planning Director.
62. Prior to the transfer of ownership and/or operation of the site, the owner shall provide a written copy of the application and staff report for the project to the new owner and or operator. This notification's provision shall run with the life of the project.
63. Failure to meet any conditions of approval for this development shall constitute a violation of the Development Plan.
64. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued is required to be met by this project. The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification, and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.
65. The applicant shall be responsible for trash abatement on their parcel, and shall keep the parcel free of litter, trash and other nuisances.
66. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Director. These shall be shown on plans submitted to the Building Department and Planning Department.

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- 67. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant and recorded prior to issuance of building permits. The covenant shall provide that the property is subject to these conditions of approval.
- 68. This Development Plan approves only the following: three concrete tilt-up industrial buildings totaling 291,320 square feet. Any substantial modification in the design or layout shall require a revision to the Development Plan or a new Development Plan.
- 69. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti ordinance (Ordinance No. 93-19/Section 20.25 of the City Code).

**Community Services:**

- 70. The City shall not, at the present or at any future time, assume the responsibility for the maintenance of any medians, landscaping, slopes, open space or common grounds for this project.

**Water Utilities:**

- 71. The developer shall be responsible for developing all water and sewer facilities necessary to serve this property. Any relocation of water or sewer lines are the responsibility of the developer.
- 72. The developer shall construct a reclamation water system that will serve this proposed project in accordance with City Ordinance No. 91-15.
- 73. A separate water meter for irrigation purposes is required to be installed.

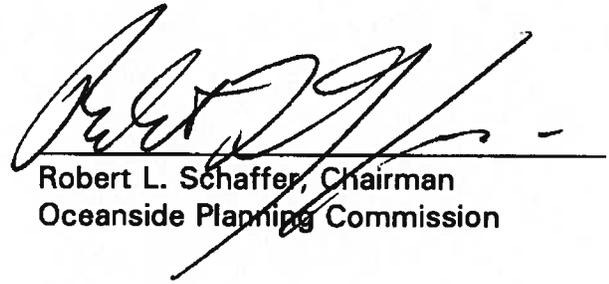
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74. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing an approved type backwater valve, per Section 409 of the Uniform Plumbing Code.

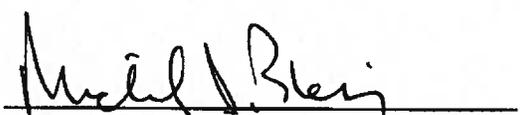
PASSED AND ADOPTED Resolution No. 97-P53 on October 13, 1997 by the following vote, to wit:

- AYES: Schaffer, Frazier, Barrante, Caballero and Bockman
- NAYS: None
- ABSENT: Price
- ABSTAIN: None



Robert L. Schaffer, Chairman  
Oceanside Planning Commission

ATTEST:



Michael J. Blessing, Secretary

I, MICHAEL J. BLESSING, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 97-P53.

Dated: 13 Oct '97



LANDRETH CONSTRUCTION  
P.O. Box 231483  
Encinitas, CA 92023  
(619) 994-1195

**SOLAR GARD**  
(D12-00007 & CUP11-00028)

**OPERATION & MANAGEMENT PLAN**

*March 9, 2012*

RECEIVED

APR 04 2012

CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

## INTRODUCTION

This Operation and Management Plan is provided for the Solar Gard window film processing plant located at 1865 Ord Way, within the Prescott Industrial Park in the City of Oceanside. It is intended to establish and maintain a safe and efficient working environment for on-site employees and visitors and to ensure that the public health, safety and welfare are maintained to the maximum extent practical throughout the life of the project. Maintenance shall be provided for the entire site including the buildings, landscaping, parking areas and fencing. This plan provides for the general management and maintenance responsibilities for each, as well as establishes protocols and procedures for the shipping, storage, and handling of hazardous substances.

## SITE MAINTENANCE

1. Maintenance of the buildings is the responsibility of the owner (Unire Real Estate Group contracted by Alere; Larry Sorenson is the contact – 714-990-2100; hereinafter “owner”). Maintenance includes all interior features and all exterior features, including the walls, roofs, windows, doors, and paint.
2. All landscaping and irrigation systems will be maintained by the property owner. If damage to the irrigation system occurs, the tenant shall notify the property owner immediately and every effort shall be made to limit the amount of water lost due to said damage. This also includes all landscape lighting fixtures.
3. The parking lot area is to be maintained by the owner. This includes the repair of potholes, broken or damaged curbs and resurfacing and stripping as needed to maintain a safe parking lot environment for motor vehicles and pedestrians.
4. The sites perimeter fencing is the responsibility of the owner. This includes replacement of broken slats and graffiti removal per City Code.
5. The controlled access gates specific to the Solar Gard use are the maintenance responsibility of Solar Gard. Solar Gard will equip each of the gates with a “knox box” to accommodate emergency services. If the gates are not functioning, they

box” to accommodate emergency services. If the gates are not functioning, they will be left in the “open” position to accommodate emergency services until they are operational.

6. Maintenance of the outdoor employee eating area, including the tables and benches, is that of the owner. This maintenance includes daily removal of trash and debris so as not to become a nuisance.
7. The trash dumpster shall be stored in the dumpster enclosure. The dumpster shall be emptied on a regular basis, at least once per week, or more if necessary. Supplemental cleaning of the dumpster enclosure area shall also be done as needed, or at least once per month. The owner shall maintain this contract with Waste Management to arrange for the dumpster pick-up and perform the regular cleaning of the dumpster enclosure area.
8. All graffiti on the buildings and/or site fences or walls shall be removed or covered with matching paint by the owner, within 24 hours as required per the City’s anti-graffiti ordinance (Ordinance No. 93-19, Section 20.25 of the City Code).

#### **HOURS OF OPERATION**

The Solar Gard facility is permitted to operate 24 hours per day, 7 days per week.

#### **LOADING AND UNLOADING OF DELIVERY TRUCKS**

The loading and unloading of delivery trucks and vehicles is limited to the hours of 7:00 a.m. to 10:00 p.m. seven (7) days per week. Vehicles making deliveries, or taking shipments off-site, shall not exceed the general sound level limits, pursuant to Section 38.12 (c) of the Oceanside Municipal Code.

#### **OUTDOOR STORAGE**

Outdoor storage is allowed and is subject to Section 3020 of the Oceanside Zoning Ordinance.

#### **SIGNS**

All on site signage is subject to Article 33 of the Oceanside Zoning Ordinance.

#### **HAZARDOUS MATERIALS HANDLING AND EMERGENCY PROCEDURES**

The on-site manufacturing process will utilize ethylene glycol for the conversion process. Current plans anticipate having approximately 13,000 gallons of fresh ethylene glycol material on-site for production use. As this is a large volume of a hazardous substance,

### **Large Capacity Spill Kits:**

The large capacity spill kits will be contained in weatherproof, maneuverable containers for rapid deployment in the event of a large scale spill. These containers are similar to those used by waste management service providers.

- There shall be 4 portable large capacity spill kits located within the storage building.
- One portable large capacity spill kit shall be located at each corner of the building.
- Each spill kit shall have enough materials to contain and clean-up the contents of one stainless steel tote.
- All members of the Emergency Response Team shall receive training on the use of the portable large capacity spill kits.

### **Minimum Contents for Large Capacity Spill Kits:**

- (100) 15" x 19" pads.
- (25) 18" x 18" pillows.
- (7) 3" x 144" socks.
- (10) 30 gallon disposal bags.
- (4) Pair of nitrile gloves.
- (4) Pair of safety goggles.

Solar Gard is committed to the use of Best Management Practices (BMP's) to ensure the safety of its employees and the general public. The proactive use of BMP's combined with a high level, skilled and detailed response training program, will reduce the likelihood of spills to the maximum extent practical, be best for the environment, and will continue to be the standard operating procedure for the company.

# *Ldn Consulting, Inc.*

446 Crestcourt Lane, Fallbrook CA 92028  
www.ldnconsulting.net

phone 760-473-1253  
fax 760-689-4943

March 7, 2012

RECEIVED  
MAR 09 2012  
CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

Mr. Rich Landreth  
Landreth Development  
P.O. Box 231483  
Encinitas, CA 92024

**SUBJECT: Property Line Noise Levels for the Solar Gard Tenant Improvements in the City of Oceanside, CA**

Ldn Consulting, Inc. has analyzed the noise levels from the proposed Solar Gard Tenant Improvements for all adjacent and nearest residential property lines. The purpose of this analysis is to identify the anticipated noise levels at all property lines adjacent to the project site and compare them with the most restrictive noise standards.

## PROJECT DESCRIPTION

The proposed Solar Gard Facility would provide tenant improvements to an existing building located at 1865 Ord Way in the City of Oceanside, CA. The planned improvements include the installation of a cooling tower and oxidizer system. The Cooling Tower cools water that is pumped into the building for a piece of equipment that is used to make their product. The Oxidizer incinerates contaminates/bi product from the inside equipment. The Project is proposing a 20 foot high solid screening wall around the equipment to help reduce noise levels and block the line of sight from the equipment. The proposed project site layout, with the screening wall and the distances to the nearest property lines, is provided graphically in Figure 1 below.

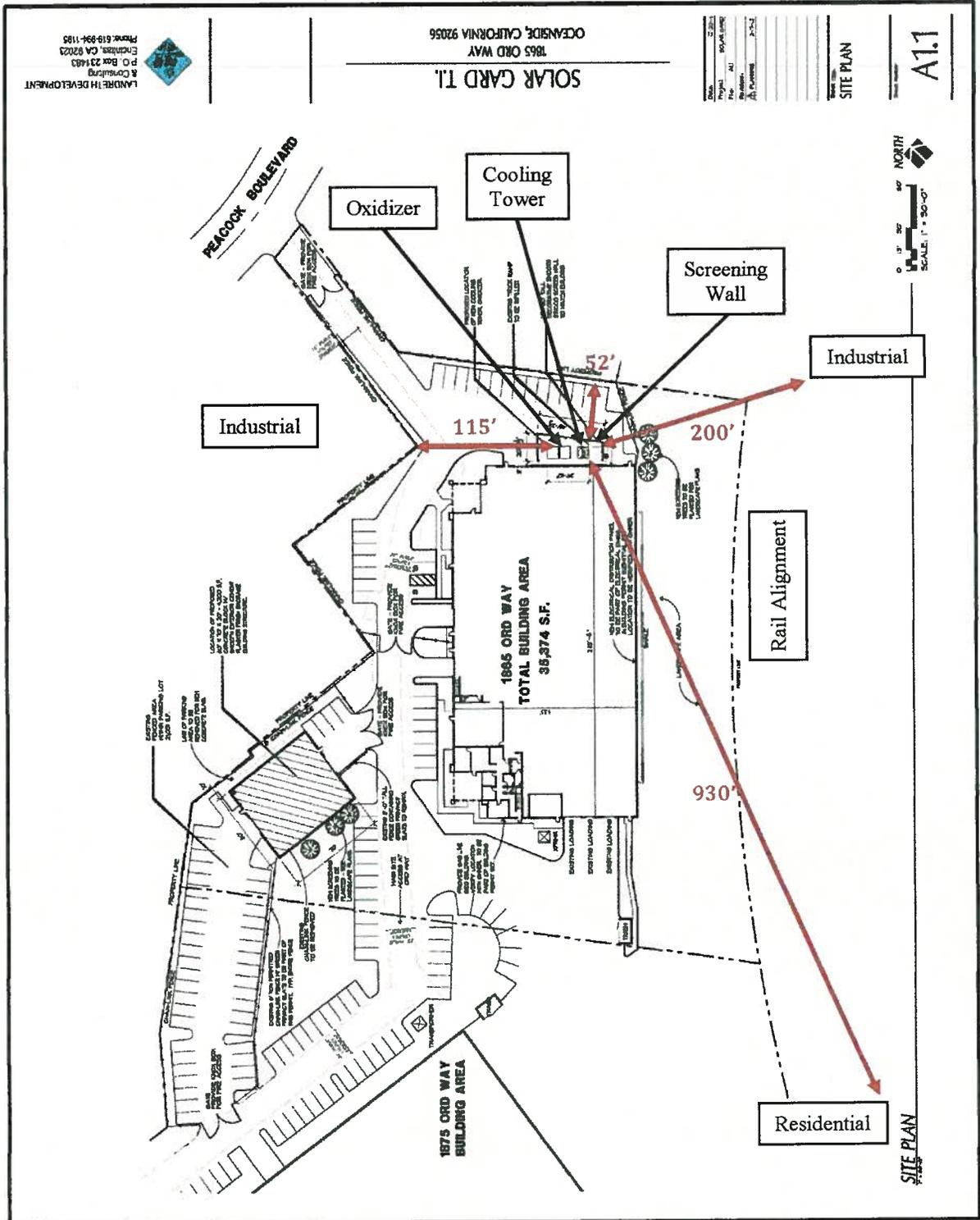
## APPLICABLE STANDARDS

Fixed sources and operational noise standards are governed by the City of Oceanside Noise Ordinance Section 38.12. The required sound levels at a Project's property boundary depend on the time of day and the land use zone. The Project site and adjacent uses are zoned light industrial (I), which allows an equivalent one-hour sound level of 70 dBA Leq-h between 7 A.M. and 9:59 P.M. and 65 dBA from 10 P.M. to 6:59 A.M. at the property lines. The existing residential uses located 930 feet from the project site allow an equivalent one-hour sound level of 50 dBA Leq-h between 7 A.M. and 9:59 P.M. and 45 dBA from 10 P.M. to 6:59 A.M. at the property lines. When two joint boundaries differ in zoning the City of Oceanside Noise Ordinance utilizes the arithmetic mean of the two standards. It should be noted: the hours of operation of the generator may occur during the nighttime hours and therefore the applicable property line standard would be 65 dBA Leq-h at the adjacent industrial uses and 55 Leq-h at residential property lines to the south.

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**Figure 1: Proposed Project Site Plan**



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### NOISE LEVEL MEASUREMENTS

Noise level measurements were taken at an existing Solar Gard facility located in Kearny Mesa, CA on February 23, 2012 by Ldn Consulting. Short term measurements were conducted on all sides of the cooling tower and oxidizer. The short term noise measurements were taken using a Larson-Davis Model LxT Type 1 precision sound level meter, programmed, in "slow" mode, to record noise levels in "A" weighted form. The sound level meters and microphones were mounted on a tripod, five feet above the ground and equipped with a windscreen during all measurements. The sound level meter was calibrated before and after the monitoring using a Larson-Davis calibrator, Model CAL 150.

The results of the noise measurements varied between 71.4 - 73.3 dBA for the cooling tower at a distance of 20 feet. The measured noise levels from the oxidizer were found to be between 80.8 - 81.4 dBA. For purposes of this analysis and to be conservative, the higher noise levels for each piece of equipment were utilized.

### PROPERTY LINE NOISE LEVEL PREDICTIONS

Sound from a small localized source (a point-source) radiates uniformly outward as it travels away from the source. The sound level attenuates or drops-off at a rate of 6 dBA for each doubling of distance. A drop-off rate of 6 dBA per doubling of distance was used for the three shooting ranges. In order to determine the relative noise reduction associated with the incorporation of the proposed 20-foot high solid screening wall the Fresnel point-source noise modeling program was utilized.

It was determined from the original noise measurement results that the A-weighted dominant frequency from both the cooling tower and oxidizer was at 1,000 Hertz. This frequency was utilized in the Fresnel model in order to determine the noise level reductions from the screening wall and the building itself at the property lines.

The Fresnel model also took into account the elevation changes of the adjacent and nearby properties. For example: the industrial use to the east, across the Sprint rail, is elevated above the Solar Gard facility. This is also true for the residences to the south. The results from of the Fresnel modeling for all the property lines are provided as an *Attachment* to this report. The cumulative noise levels from both the cooling tower and oxidizer along with the noise reductions due to distance and from the proposed screening wall are provided in Tables 1-4 for each potentially affect property line.

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**Table 1: Western Property Line Noise Levels (Industrial Use)**

Source	Distance From Source to Measurement (Feet)	Measured Noise Level (dBA)	Distance to Nearest Property Line (Feet)	Noise Reduction due to distance (dBA)	Noise Reduction from Barriers (dBA)	Resultant Noise Level @ Property Line (dBA Leq-h)
Cooling Tower	20	73.3	115	-15.2	-14.6	43.5
Oxidizer	20	81.4	95	-13.5	-12.2	55.7
<b>Cumulative Noise Level @ Property Line</b>						<b>55.9</b>

**Table 2: Northern Property Line Noise Levels (Industrial Use)**

Source	Distance From Source to Measurement (Feet)	Measured Noise Level (dBA)	Distance to Nearest Property Line (Feet)	Noise Reduction due to distance (dBA)	Noise Reduction from Barriers (dBA)	Resultant Noise Level @ Property Line (dBA Leq-h)
Cooling Tower	20	73.3	52	-8.3	-17.4	47.6
Oxidizer	20	81.4	54	-8.6	-13.4	59.4
<b>Cumulative Noise Level @ Property Line</b>						<b>59.7</b>

**Table 3: Southern Property Line Noise Levels (Residential Use)**

Source	Distance From Source to Measurement (Feet)	Measured Noise Level (dBA)	Distance to Nearest Property Line (Feet)	Noise Reduction due to distance (dBA)	Noise Reduction from Barriers (dBA)	Resultant Noise Level @ Property Line (dBA Leq-h)
Cooling Tower	20	73.3	930	-33.3	-16.3	23.7
Oxidizer	20	81.4	940	-33.4	-11.2	36.8
<b>Cumulative Noise Level @ Property Line</b>						<b>37.0</b>

**Table 4: Eastern Property Line Noise Levels (Industrial Use)**

Source	Distance From Source to Measurement (Feet)	Measured Noise Level (dBA)	Distance to Nearest Property Line (Feet)	Noise Reduction due to distance (dBA)	Noise Reduction from Barriers (dBA)	Resultant Noise Level @ Property Line (dBA Leq-h)
Cooling Tower	20	73.3	200	-20.0	-16.1	37.2
Oxidizer	20	81.4	220	-20.8	-6.9	53.7
<b>Cumulative Noise Level @ Property Line</b>						<b>53.8</b>

Mr. Rich Landreth  
Landreth Development  
P.O. Box 231483  
Encinitas, CA 92024

**Ldn Consulting, Inc.**  
446 Crestcourt Lane, Fallbrook CA 92028  
phone 760-473-1253  
Fax 760-689-4943

With the incorporation of the 20-foot high screening wall, the noise levels from the cooling tower and oxidizer are anticipated to meet the City of Oceanside's most restrictive nighttime standard of 65 Leq-h at the adjacent industrial uses. The distance separation and shielding from the building will reduce the cooling tower and oxidizer noise levels at the residential property lines to the south below the City nighttime threshold of 55 Leq-h. Therefore, no impacts area anticipated and no mitigation is required for the proposed Solar Gard project.

If you should have any questions regarding these findings, please contact me at (760) 473-1253 at your convenience.

Sincerely,  
**Ldn Consulting, Inc.**



Jeremy Loudon  
Principal of Ldn Consulting, Inc.

Attachments: Fresnel Reduction Calculations

Frequency (Hz) = 8000 Attenuation (db) = 20.1 Fresnel N = 29.408  
Frequency (Hz) = 4000 Attenuation (db) = 19.4 Fresnel N = 14.704  
Frequency (Hz) = 2000 Attenuation (db) = 16.4 Fresnel N = 7.352  
**Frequency (Hz) = 1000 Attenuation (db) = 13.4 Fresnel N = 3.676**  
Frequency (Hz) = 500 Attenuation (db) = 10.6 Fresnel N = 1.838  
Frequency (Hz) = 250 Attenuation (db) = 8.1 Fresnel N = 0.919  
Frequency (Hz) = 125 Attenuation (db) = 6.0 Fresnel N = 0.459  
Frequency (Hz) = 63 Attenuation (db) = 4.2 Fresnel N = 0.230

#### **Southern Property Line – Oxidizer**

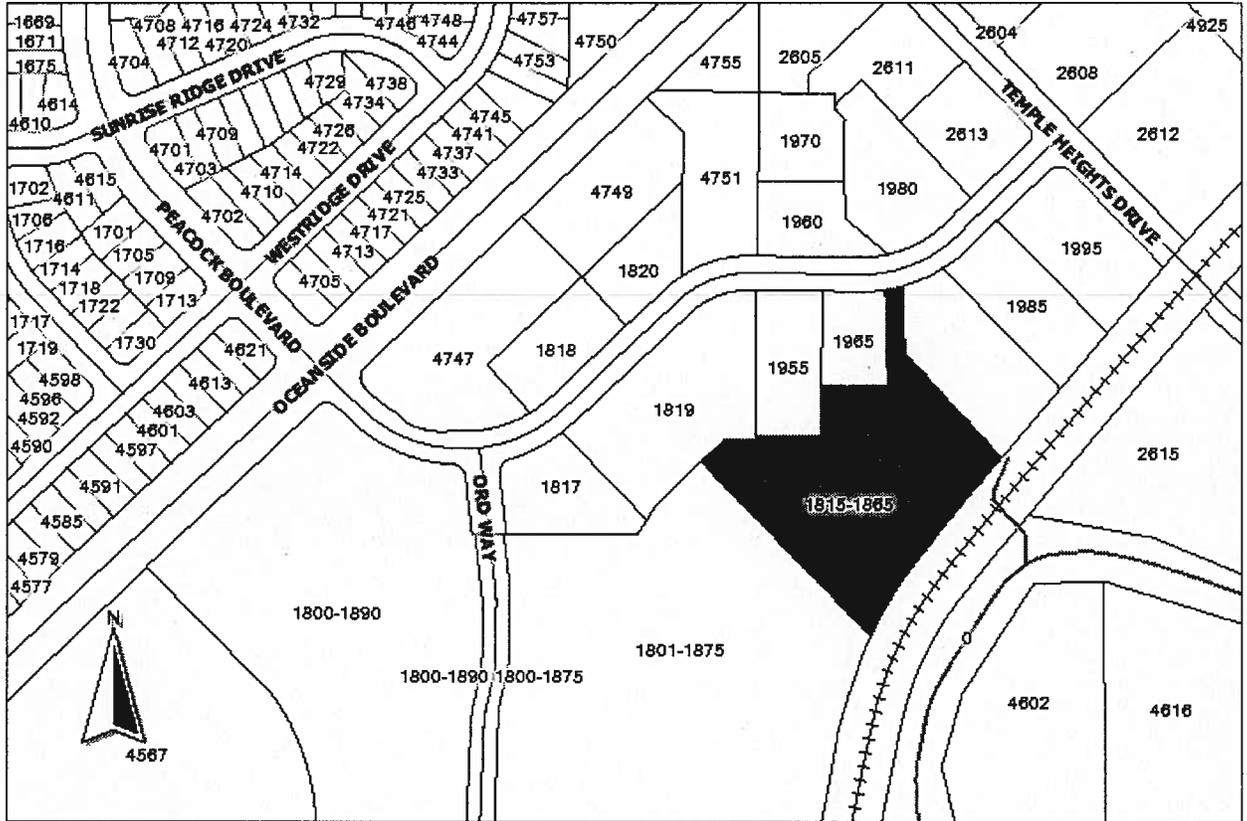
Source to Receiver Horizontal Distance (ft) = 940.00  
Source to Barrier Horizontal Distance (ft) = 10.00  
Barrier to Receiver Horizontal Distance (ft) = 930.00  
Source Height (ft) = 15.00  
Receiver Height (ft) = 15.00  
Barrier Height (ft) = 20.00  
Distance Source to Receptor (ft) d = 940.00  
Distance Source to Barrier top (ft) d1 = 11.18  
Distance Barrier top to Receiver (ft) d2 = 930.01

Frequency (Hz) = 8000 Attenuation (db) = 20.1 Fresnel N = 16.948  
Frequency (Hz) = 4000 Attenuation (db) = 17.0 Fresnel N = 8.474  
Frequency (Hz) = 2000 Attenuation (db) = 14.0 Fresnel N = 4.237  
**Frequency (Hz) = 1000 Attenuation (db) = 11.2 Fresnel N = 2.119**  
Frequency (Hz) = 500 Attenuation (db) = 8.6 Fresnel N = 1.059  
Frequency (Hz) = 250 Attenuation (db) = 6.4 Fresnel N = 0.530  
Frequency (Hz) = 125 Attenuation (db) = 4.5 Fresnel N = 0.265  
Frequency (Hz) = 63 Attenuation (db) = 3.2 Fresnel N = 0.132

#### **Eastern Property Line – Oxidizer**

Source to Receiver Horizontal Distance (ft) = 220.00  
Source to Barrier Horizontal Distance (ft) = 30.00  
Barrier to Receiver Horizontal Distance (ft) = 190.00  
Source Height (ft) = 15.00  
Receiver Height (ft) = 20.00  
Barrier Height (ft) = 20.00  
Distance Source to Receptor (ft) d = 220.06  
Distance Source to Barrier top (ft) d1 = 30.41  
Distance Barrier top to Receiver (ft) d2 = 190.00

Frequency (Hz) = 8000 Attenuation (db) = 14.7 Fresnel N = 5.068  
Frequency (Hz) = 4000 Attenuation (db) = 11.9 Fresnel N = 2.534  
Frequency (Hz) = 2000 Attenuation (db) = 9.2 Fresnel N = 1.267  
**Frequency (Hz) = 1000 Attenuation (db) = 6.9 Fresnel N = 0.634**  
Frequency (Hz) = 500 Attenuation (db) = 5.0 Fresnel N = 0.317  
Frequency (Hz) = 250 Attenuation (db) = 3.5 Fresnel N = 0.158  
Frequency (Hz) = 125 Attenuation (db) = 2.3 Fresnel N = 0.079  
Frequency (Hz) = 63 Attenuation (db) = 1.3 Fresnel N = 0.040



**File Number: D12-00007, CUP11-00028**

**Applicant: Rich Landreth**

**Description:**

DEVELOPMENT PLAN (D12-00007) and CONDITIONAL USE PERMIT (CUP11-00028) to allow the construction of a new 4,200-square foot industrial warehouse building on a 2.94-acre site within the existing Prescott Industrial Park, and on site storage of 13,000 gallons of Ethylene Glycol associated with the window film manufacturing process to be located at 1865 Ord Way which is zoned IL (Limited Industrial), has a General Plan Land Use Designation of LI (Light Industrial), and is situated within the Peacock Neighborhood. – **SOLAR GARD**

**Environmental Determination:**

The project is exempt from the California Environmental Quality Act.

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



**Application for Discretionary Permit**

Development Services Department / Planning Division  
(760) 435-3520  
Oceanside Civic Center 300 North Coast Highway  
Oceanside, California 92054-2885

**STAFF USE ONLY**

ACCEPTED

**RECEIVED**

12/23/2011

CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

BY

SN  
RM

Please Print or Type All Information

HEARING

**PART I - APPLICANT INFORMATION**

GPA

1. APPLICANT

SOLAR GARD

2. STATUS

LESSEE

MASTER/SP.PLAN

ZONE CH.

3. ADDRESS

4540 VIEWRIDGE AV, SD 92123

4. PHONE/FAX/E-mail

858-576-0200

TENT. MAP

PAR. MAP

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)

LANDRETH DEVELOPMENT ROL LANDRETH

DEV. PL.

D12-0007

C.U.P.

CUP11-00028

6. ADDRESS

P.O. Box 231483 ENCINITAS CA 92023

7. PHONE/FAX/E-mail

619.994.1195

ROLANDRETH@GMAIL.COM

VARIANCE

COASTAL

**PART II - PROPERTY DESCRIPTION**

O.H.P.A.C.

8. LOCATION

1865 ORD WAY, OCEANSIDE, CA 92056

9. SIZE

161-4

10. GENERAL PLAN

L-1

11. ZONING

IL

12. LAND USE

LIMITED INDUS

13. ASSESSOR'S PARCEL NUMBER

161-470-52-00

14. LATITUDE

32.213850°

15. LONGITUDE

117.270311°

**PART III - PROJECT DESCRIPTION**

16. GENERAL PROJECT DESCRIPTION

MANUFACTURING PLANT FOR  
CONVERTING POLYESTER FILM

17. PROPOSED GENERAL PLAN

NO

18. PROPOSED ZONING

NO

19. PROPOSED LAND USE

INDUSTRIAL

20. NO. UNITS

NA

21. DENSITY

NA

22. BUILDING SIZE

EXISTING

23. PARKING SPACES

EXISTING

24. % LANDSCAPE

NA-EXISTING

25. % LOT COVERAGE or FAR

NA-EXISTING

**PART IV - ATTACHMENTS**

<input checked="" type="checkbox"/>	26. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/>	27. LEGAL DESCRIPTION	<input checked="" type="checkbox"/>	28. TITLE REPORT
<input checked="" type="checkbox"/>	29. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/>	30. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/>	31. PLOT PLANS
<input checked="" type="checkbox"/>	32. FLOOR PLANS AND ELEVATIONS		33. CERTIFICATION OF POSTING	<input checked="" type="checkbox"/>	34. OTHER (See attachment for required reports)

**PART V - SIGNATURES**

SIGNATURES FROM 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).

35. APPLICANT OR REPRESENTATIVE (Print):

ROLANDRETH

36. DATE

12/22/11

37. OWNER (Print)

MATT ENGBARD

38. DATE

12/23/11

Sign:

Sign:

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.  
I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.



LANDRETH CONSTRUCTION  
P.O. Box 231483  
Encinitas, CA 92023  
(619) 994-1195

RECEIVED  
APR 04 2012  
CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

## **SOLAR GARD**

Development Plan & Conditional Use Permit  
(D12-00007 & CUP11-00028)

### *Description and Justification*

*March 9, 2012*

The Solar Gard site will be located in an existing structure at 1865 Ord Way in the Peacock Neighborhood Planning Area (APN 161-470-52). The project site consists of an existing 35,463 square foot building (two-levels, 34 feet tall), associated parking, landscaping and perimeter fencing. It is located in the Prescott Industrial Park. There are 6 loading bays that currently serve the building and 1 trash enclosure. The project site has a General Plan Land Use Designation of LI (Light Industrial) and is zoned IL (Industrial Limited). The site is surrounded immediately by other Light Industrial uses on all sides. North of the site, across Oceanside Boulevard and beyond other light industrial uses, are existing medium density residential units (RM-A). South of the site are the NCTD Sprinter tracks, other industrial uses and Residential Estate B (RE-B) units significantly beyond that. The project includes a Development Plan for site improvements and a Conditional Use Permit for the Solar Gard use which is proposed to operate 24 hours a day, 7 days a week. The existing building contains offices and open "warehouse" space.

### **SOLAR GARD**

The proposed Solar Gard facility will allow the company to expand its window film business in San Diego County. Solar Gard has 40 years of polyester conversion manufacturing experience in San Diego, which includes modern reclamation infrastructure, and advanced material science know-how, to develop a new process for controlling the aesthetic features of its window film products. These implementations and the proposed facility will result in the continuance of the advanced, high quality, high technology product the company currently manufactures.

Solar Gard has long prided itself as being an environmentally forward thinking company and one that operates as the best of community neighbors. They have been at their facility on Viewridge Avenue in San Diego for more than 25 years and have a long track record of good community relations there. They have strong working relationships with the Air Pollution Control District (APCD), local government officials, and industry organizations. Solar Gard has received the award of Climate Action Leader from the State of California for voluntarily reporting its carbon footprint, and they were also the first Window Film Company to issue an environmental product declaration for their

architectural window film products. Solar Gard continually strives to incorporate measures into their facilities to reduce the overall environmental impacts of their processes and products.

**Site Operations:**

The Solar Gard facility is anticipated to start operations in Oceanside as soon as possible, hopefully within Quarter IV of the 2012 calendar year. The “start-up” staff for the operation is anticipated to be 12 employees representing skilled labor and management. When the operation is fully functional, it will have the potential to generate 15-20 additional jobs, depending on growth. The proposed facility will operate with 10-15 employees at any given time. Once it is operational, the facility will begin accepting delivery of polyester film once a week and the material to convert the polyester (ethylene glycol) twice a week in the morning. The delivery of chemicals to the plant will occur once a month. The shipment of converted polyester from the proposed facility to the Solar Gard Kearny Mesa plant will be made once a week.

**DEVELOPMENT PLAN**

The project site is served by two existing access points: the first is located off of Ord Way and the second is off of Peacock Boulevard. The Ord Way access will serve as the main access point and the one off of Peacock Boulevard is access controlled via gate. In all, there will be 4 gates on site to safely manage visitors to the site as well as the on site circulation patterns for deliveries and employees. Each gate will be equipped with a “knox box” to allow access for emergency services. The existing improvements include an 8-foot high chain link fence equipped with green slats for screening purposes per the Oceanside Zoning Ordinance, Article 30. This fencing is proposed to be retained as part of this application. No new perimeter fencing is proposed.

The site is currently landscaped per the Zoning Code, but, there are additional landscape improvements proposed. The existing landscape is located basically on the sites perimeter and throughout the parking are. There is also a large landscape area to the south of the existing structure which is approximately 28,000 square feet. This area acts as a buffer between the building and the NCTD right-of-way. Landscape on site includes trees, vines, grass and ground cover and the proposed landscape additions have been chosen to compliment the existing mix. There is one existing trash enclosure near the loading docks at the southwestern edge of the site. This enclosure also meets current code. There is an existing employee outdoor eating area in accordance with Section 3028 of the Zoning Code (500 square feet minimum) that was part of the original site construction. No new lighting is proposed. All landscaping will be maintained by the owner.

The Development Plan includes two major proposed site improvements as well as landscape enhancements. These improvements are essential to the Solar Gard operation and will allow it to function in a safe and efficient manner. The two major site improvements are discussed in greater detail below.

### **Site Improvement 1:**

The first improvement is the installation of new outdoor equipment critical to the Solar Gard operation. The first is a cooling tower and the second is an oxidizer. These two pieces of equipment will be located on the buildings northeast side. There is an existing loading dock in this area that will be filled in to accommodate the installation. The cooling tower is approximately 12-feet tall by 8-feet wide. The oxidizer is approximately 19-feet tall by 8.5-feet wide. This outdoor equipment will be screened from view by a 20-foot tall wall which will be architecturally treated to match and compliment the existing building. The wall will also serve as a noise barrier while the machines are in use. In addition, there will be new evergreen screening trees planted in this area for additional buffering. In addition to this outdoor equipment, new fabrication equipment will be installed on the interior of the existing building.

### **Noise:**

To ensure that the proposed equipment would meet all applicable requirements of the City of Oceanside Noise Ordinance, an acoustical analysis was performed by Ldn Consulting, Inc. Fixed sources and operational noise standards are governed by Section 38.12 of the Noise Ordinance. As this facility and the equipment have not yet been installed, the noise measurements were taken at the existing Solar Gard Kearny Mesa site. For the proposed project, the analysis presented in the report utilized all of the "worst case" scenario noise levels.

The report concluded that the proposed project will comply with all applicable Noise Ordinance requirements for industrial and residential property lines. For the adjacent industrial property lines, the report concluded that with the building walls and the incorporation of the 20-foot high screen/noise wall, the noise levels from the equipment are anticipated to meet the Noise Ordinance's most restrictive nighttime standard of 65 Leq-h at the adjacent industrial property lines. For the residential property lines, the report concluded that the distance separation and shielding from the building and noise wall will reduce equipment noise at the closest residential property lines below the City nighttime residential threshold of 55 Leq-h. Therefore, there is no noise impact anticipated as a result of the Solar Gard project.

### **Site Improvement 2:**

The second major improvement will be the construction of a new stand alone storage building within a portion of the existing parking lot. This new building will be approximately 4,200 square feet and stand 20 feet tall. It will also be architecturally treated to match the existing building. These treatments include decorative corner pop-out features with smooth cement plaster that will be painted to match. There will be windows at these corners of recessed spandrel glass within the pop-out and will match the existing building glass and frame colors (east, west, and south elevations). This building will be equipped with two 14-foot by 12-foot roll-up doors to allow direct drive-thru access. This building will be within a gated access area for site control and safety purposes. The drive-thru component will allow for enhanced site circulation by minimizing points of conflict and controlling traffic flow. There will also be new

Oceanside community and create a new potential employment source for Oceanside citizens.

**JUSTIFICATION HIGHLIGHTS:**

- This project has a well thought out physical design that will result in the revitalization of an underutilized existing industrial space.
- Solar Gard will bring a viable, proven, environmentally conscientious business into Oceanside and it will create a valuable new source for local employment opportunities near public transportation (the Sprinter Station at Melrose Drive and Oceanside Boulevard).
- The architectural enhancements, parking and landscape provided on-site far exceed the City's requirements resulting in a superior project design.

**REQUIRED FINDINGS:**

**Development Plan:**

The City of Oceanside Zoning Ordinance stipulates that five specific findings must be made before a Development Plan can be adopted. This proposal meets those findings as follows:

1. The site plan and physical design of the project are consistent with the purposes of the Zoning Ordinance because they meet or exceed the intent of the development regulations and design standards for an industrial site.
2. The Development Plan as proposed conforms to the City's General Plan because the proposed use and intensity are consistent with the Land Use Element requirements established for the site, and it will provide a valuable new source of local employment opportunities near public transportation.
3. The area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities because said provisions have been successfully incorporated into the proposed design.
4. The proposed development is compatible with existing surrounding land uses because the site is proposed to be enhanced under the regulations the City previously established for the site per the General Plan Land Use Element and it will revitalize an existing, underutilized industrial space which is surrounded by other industrial uses.
5. The site plan and physical design of the proposed project are consistent with Section 1.24 and 1.25 of the General Plan Land Use Element because the site is

an existing industrial use that will have very minimal (if any) impact to sensitive habitats (none exist on site) and the site does not contain any significant topographical features as defined by the Zoning Ordinance.

## **REQUIRED FINDINGS:**

### **Conditional Use Permit:**

The City of Oceanside Zoning Ordinance stipulates that three specific findings must be made before a Conditional Use Permit (CUP) can be adopted. This proposal meets those findings as follows:

1. The project location is consistent with the intent of the Zoning Ordinance and the purposes of the IL Zone (Industrial, Limited) because the use is permitted in this zone by right, it is an existing industrial site, it will provide a new source for local employment near public transportation, and the CUP gives the City the authority it needs to ensure that the public health, safety and welfare is maintained throughout the life of the project per Section 3026 of the Zoning Code.
2. The proposed project will be consistent with the City's General Plan because it is a permitted use in the LI land use category (Limited Industrial) and the CUP will allow the City to exercise appropriate controls over the project to ensure it operates as it was intended and approved. The project will not result in any detrimental effects on the public health, safety and welfare of the local and general public, visitors to the site or the on-site employment personnel; and it will not be detrimental to property or improvements in the vicinity, or the City as a whole, because the proposed use is allowed in the Zone and the project has been designed to meet or exceed the spirit and intent of the applicable development regulations.
3. The proposed use is in compliance with the provisions of the Ordinance, because the project will meet or exceed all development criteria and it is an allowed use within the Zone and the CUP and project Conditions of Approval will further ensure that the project operates as represented and intended and that the public health, safety and welfare will be maintained throughout the life of the project.

Your favorable consideration is appreciated.

14498

**EXHIBIT "A" TO GRANT DEED**

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF SAN DIEGO,  
STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCELS 1, 2, 3 AND A OF PARCEL MAP NO. 18285, IN THE CITY OF OCEANSIDE,  
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE  
COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 15, 1999 AS FILE NO. 1999-  
0418177 OF OFFICIAL RECORDS.

RECEIVED  
DEC 23 2011  
CITY OF OCEANSIDE  
DEVELOPMENT SERVICES