



**Planning Division**

**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Juan Martinez, Associate Planner

**DATE:** July 7, 2011

**SUBJECT:** Planning and Zoning Permit No. 09-550-10, (Special Use Permit) CEMEX Construction Materials Pacific LLC, 540 Diaz Avenue.

- 1) **Recommendation:** That the Planning Commission adopts a resolution approving Planning and Zoning Permit No. 09-550-10 for a special use permit, subject to certain findings and conditions.
  
- 2) **Project Description and Applicant:** A request to permit and authorize CEMEX to expand and continue to use a 0.4 acre parcel located at 540 Diaz Avenue and situated directly adjacent to their existing concrete batch plant facility situated on a portion of 548 Diaz Avenue. The site will primarily be used for truck wash and clean-out operations and to park cement mixing trucks. The special use permit will permit ancillary activities proposed on the 0.4-acre parcel and incorporate existing concrete batch plant operations taking place on a portion (1.3-acres) of a 1.9-acre site. Filed by Benjamin A. Runnels with CEMEX Construction Material Pacific LLC, P.O. Box 1500 Houston, Texas 77251.
  
- 3) **Existing & Surrounding Land Uses:** CEMEX is currently licensed to operate their concrete batch plant within a portion of a 1.9-acre site (548 Diaz Avenue). Prior to CEMEX, the previous business operator (Team Transit) extended its business operations without permits into an adjacent 0.4-acre site (540 Diaz Avenue).

SURROUNDING LAND USES			
DIRECTION	ZONING	GENERAL PLAN	EXISTING ZONING
PROJECT SITE	M2 (Heavy Manufacturing)	Central Industrial Area	Non-Permitted Activities Related to 548 Diaz
North	M2 (Heavy Manufacturing)	Central Industrial Area	Quest Auto Parts
East	M2 (Heavy Manufacturing)	Central Industrial Area	Primary Energy EF Oxnard

South	M2 (Heavy Manufacturing)	Central Industrial Area	Primary Energy EF Oxnard/Packing House
West	M2 (Heavy Manufacturing)	Central Industrial Area	Industrial Auto Related

**4) Background Information:** In August of 2000, the Planning Manager approved a modification to the Special Use Permit and allow Team Transit (CEMEX - today) to operate a concrete batch plant and concrete recycling facility on a portion of 548 Diaz Avenue. In 2008, Team Transit was cited for expanding its operations into a northerly 0.4-acre parcel without filing for a special use permit as required by City Code Section No. 16-246 (Special Use Permit Requirement). However, in mid 2008, CEMEX purchased the operation along with the non-permitted activities taking place at 540 Diaz Avenue (0.4-acre site) and subsequently filed an application to permit ancillary activities within the subject parcel.

In 2002, Parcel Map No. 01-500-122 was approved, which subdivided a single 0.8-acre parcel into two parcels and created the subject 0.4-acre site (Parcel 2) which is now owned by CEMEX.

**5) Environmental Determination:** In accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, projects involving “existing facilities where there is negligible or no expansion of use” may be found to be exempt from the requirements of CEQA. This proposal proposes to legally expand into an adjacent undeveloped site by permitting truck parking and clean-out truck services. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment D).

**6) Analysis:**

**a) General Discussion:** In accordance with City Code Section No. 16-246, a special use permit is necessary since the site at 540 Diaz Avenue does not possess entitlement use approvals. The proposed special use permit will incorporate both properties on which CEMEX is conducting their operations. The subject parcel which is owned by CEMEX and a 1.37-acre leased portion of a 1.9-acre site owned by Hull Bros Commercial Properties.

CEMEX currently operates Monday through Saturday and annual productions are limited to a maximum of 250,000 cubic yards in accordance with the Ventura County Air Pollution Control District (APCD) permit. Loading activities per cement truck average about 15 minutes and deliveries occur throughout the day. Trucks returning go through a wash and clean-out process which takes approximately 20-minutes. Concrete solids are washed into recycle basins and the water is recycled by the plant. Recycle basins are cleaned and solids are removed on as needed basis and solids are hauled off-site to a CEMEX facility in Moorpark for recycling.

Concrete batch plant operations are housed within a 19,333 square foot building that includes a 2,781-square foot two story office area, a mixing hopper, several conveyors, radius

conveyor, bag house, dispatch center and a maintenance area. Outdoor facilities include loading area, concrete washout and settlement basins. In 2000, the City granted approval for the operator to install at the facility at 548 Diaz Avenue a 56-foot high loading hopper, drive through loading ramps, and four 43-foot high storage silos.

- b) **General Plan Consistency:** The project site is zoned M-2 (Heavy Manufacturing) and is consistent with its General Plan Land Use Designation of Central Industrial. The Central Industrial zone is characterized by uses which often involve outdoor uses and storage activities, such as agricultural processing and service, vehicle and equipment storage and repair.
- c) **Conformance with Zoning Development Standards:** The proposed development is located in the Heavy Manufacturing (M-2) zone district. The Heavy Manufacturing zone is characterized by heavy industrial uses involving outdoor storage, handling and manufacturing of hazardous material and activities. In accordance with City Code Section No. 16-246, the proposed expansion and use of the 0.4-acre site may be permitted provided that a special use permit is approved.
- d) **Site Design:** The rectangular shaped 0.4-acre site is surrounded by developed properties; however, it is considered vacant and undeveloped. CEMEX is currently using the site to clean-out cement mixing trucks and park/store trucks after cleaning. Concrete blocks existing on site will be removed and a new wall will be installed along the north and west sides to accommodate screening of outdoor uses. Through access between the parcels is expected for ingress/egress. A shared reciprocal access agreement between the two properties will be required; since, the 1.37-acre site is leased and not owned by CEMEX. In addition, any equipment or utility services necessary to support the proposed ancillary uses will be required to record on title easements for property crossings and encroachments.

An underground water quality infiltration system will be installed within the subject 0.4-acre site and on-site trench drains will collect site flows and direct flows to the gravity infiltration basin. Surface flows and processed water will be collected in the basins and treated by an environmental separator which is an underground system that has chambers designed to separate solid matter (sand, gravel, etc) and water. This system will exist on each of the two parcels and the processed water will then be reused/recycled by the cement manufacturing process.

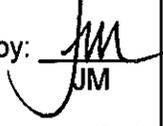
- e) **Circulation and Parking:** The site is served by existing curb, gutter, and sidewalk conditions along Diaz Avenue. Truck ingress/egress will be provided via an existing curb cut along Diaz Avenue and lateral access between properties will be possible for truck queuing and loading operations. Trucks stacking and loading will occur onsite, along the southern side of the building.

The proposed site plan identifies ten (10) Ready Mix truck parking spaces, four (4) of which will be jointly used by drivers to park their personal vehicles. Associated Transportation Engineers (ATE) prepared a parking analysis dated February 2010, analyzing on-site parking demands for the project. The analysis concluded that 14 on-site parking spaces is adequate provided that CEMEX continues to implement its joint use parking plan as described on page 2 of the parking analysis. The analysis takes in to account that the facility does not generate customer drive-ins and the number of employees working on site. CEMEX currently employs twelve (12) full-time employees; Ten (10) ready mix truck drivers; One (1) plant manager; and One (1) yard man. Two (2) maintenance mechanics may come on-site on 'as needed' basis for servicing Plant equipment and/or fleet vehicles.

- f) **Landscaping and Open Space:** Proposed improvements on the 0.4-acre site involve installation of a 10-foot wide planting area along the front of the property. In addition, a 6-foot high screen wall is proposed along the north and west property lines. The north elevation will include vine pockets with climbing vines to deter graffiti nuisance.
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project in July of 2010. Recommendations of the DAC are included in the attached resolution.
- 8) **Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

**Attachments:**

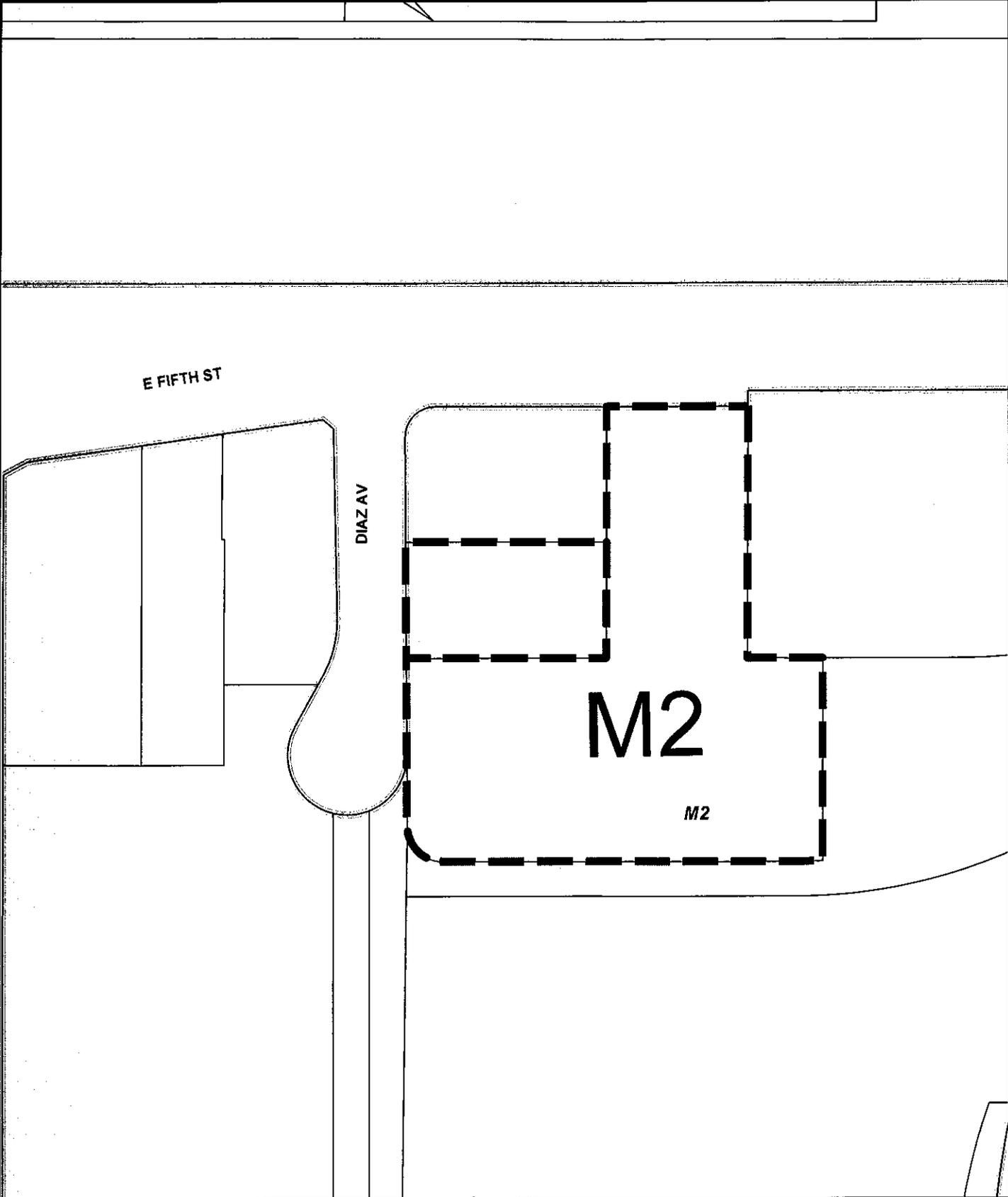
- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Parking Analysis
- D. Notice of Exemption
- E. Resolution

Prepared by:  JM
Approved by:  SM

**ATTACHMENT  
A**

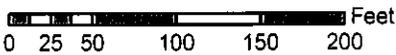
**MAPS  
(VICINITY, ZONING, GENERAL PLAN MAP)**





Oxnard Planning  
June 2, 2011

PZ 09-550-10  
Location: 540 & 548 Diaz Ave  
APN: 201023018, 201023016  
CEMEX



Zone Map



1:1,362

# General Plan Map

ILIM

CIA

E FIFTH ST

DIAZ AV

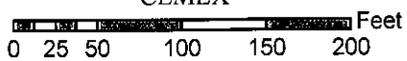
**CIA**

CIA



Oxnard Planning  
June 2, 2011

PZ 09-550-10  
Location: 540 & 548 Diaz Ave  
APN: 201023018, 201023016  
CEMEX



General Plan Map



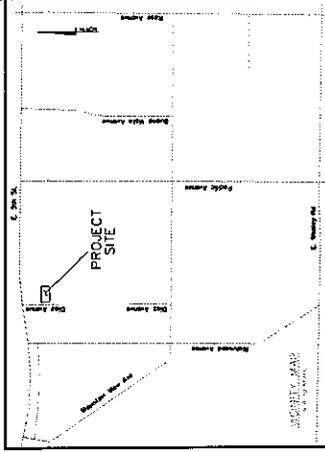
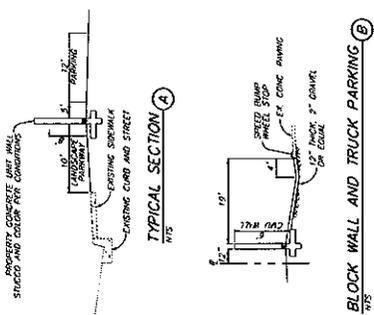
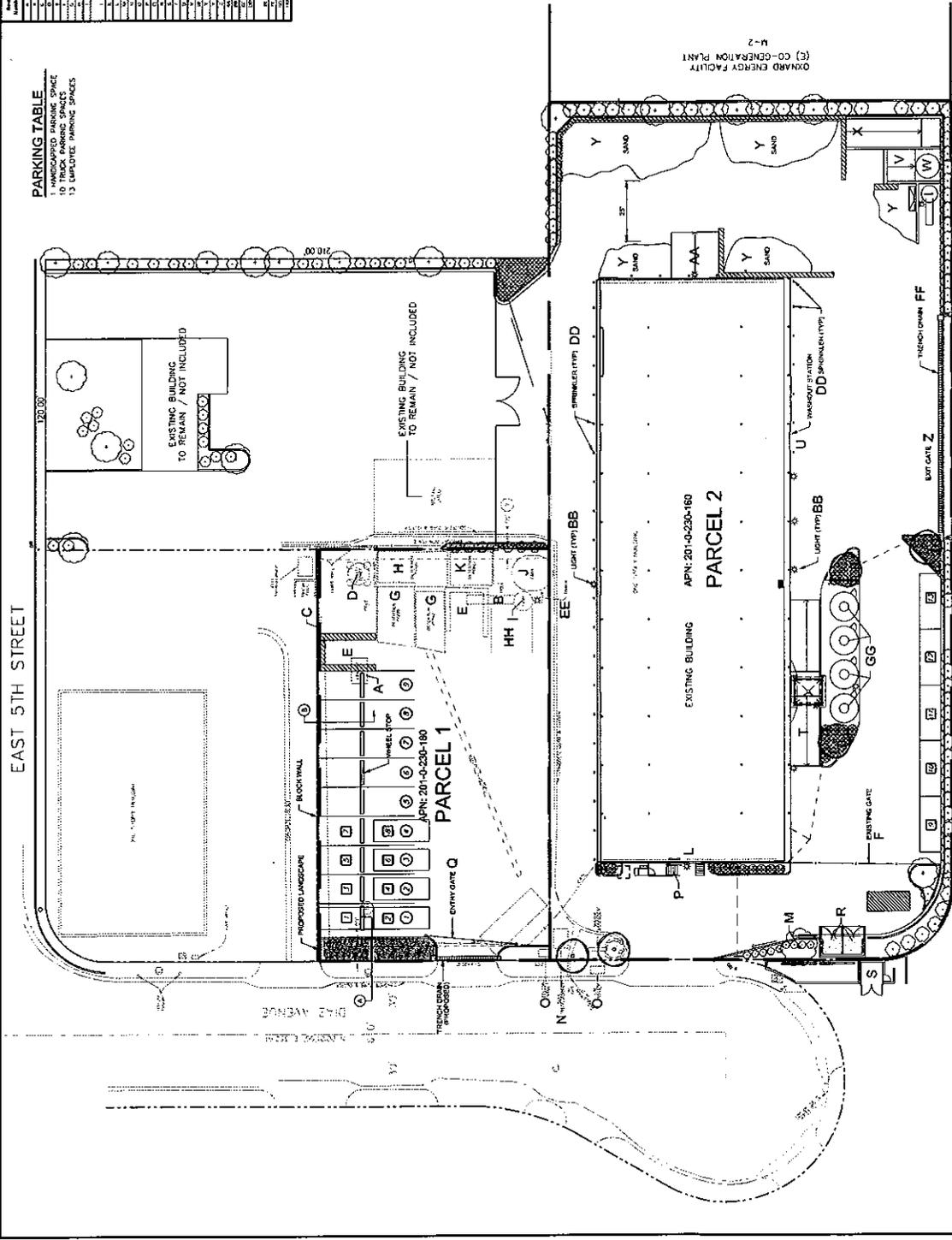
1:1,353

**ATTACHMENT  
B**

**REDUCED PROJECT PLANS**

Item Number	Description	Quantity	Unit	Comments
1	ASPHALT DRIVE	100	LINEAR FEET	
2	ASPHALT DRIVE	100	LINEAR FEET	
3	ASPHALT DRIVE	100	LINEAR FEET	
4	ASPHALT DRIVE	100	LINEAR FEET	
5	ASPHALT DRIVE	100	LINEAR FEET	
6	ASPHALT DRIVE	100	LINEAR FEET	
7	ASPHALT DRIVE	100	LINEAR FEET	
8	ASPHALT DRIVE	100	LINEAR FEET	
9	ASPHALT DRIVE	100	LINEAR FEET	
10	ASPHALT DRIVE	100	LINEAR FEET	
11	ASPHALT DRIVE	100	LINEAR FEET	
12	ASPHALT DRIVE	100	LINEAR FEET	
13	ASPHALT DRIVE	100	LINEAR FEET	
14	ASPHALT DRIVE	100	LINEAR FEET	
15	ASPHALT DRIVE	100	LINEAR FEET	
16	ASPHALT DRIVE	100	LINEAR FEET	
17	ASPHALT DRIVE	100	LINEAR FEET	
18	ASPHALT DRIVE	100	LINEAR FEET	
19	ASPHALT DRIVE	100	LINEAR FEET	
20	ASPHALT DRIVE	100	LINEAR FEET	
21	ASPHALT DRIVE	100	LINEAR FEET	
22	ASPHALT DRIVE	100	LINEAR FEET	
23	ASPHALT DRIVE	100	LINEAR FEET	
24	ASPHALT DRIVE	100	LINEAR FEET	
25	ASPHALT DRIVE	100	LINEAR FEET	
26	ASPHALT DRIVE	100	LINEAR FEET	
27	ASPHALT DRIVE	100	LINEAR FEET	
28	ASPHALT DRIVE	100	LINEAR FEET	
29	ASPHALT DRIVE	100	LINEAR FEET	
30	ASPHALT DRIVE	100	LINEAR FEET	
31	ASPHALT DRIVE	100	LINEAR FEET	
32	ASPHALT DRIVE	100	LINEAR FEET	
33	ASPHALT DRIVE	100	LINEAR FEET	
34	ASPHALT DRIVE	100	LINEAR FEET	
35	ASPHALT DRIVE	100	LINEAR FEET	
36	ASPHALT DRIVE	100	LINEAR FEET	
37	ASPHALT DRIVE	100	LINEAR FEET	
38	ASPHALT DRIVE	100	LINEAR FEET	
39	ASPHALT DRIVE	100	LINEAR FEET	
40	ASPHALT DRIVE	100	LINEAR FEET	
41	ASPHALT DRIVE	100	LINEAR FEET	
42	ASPHALT DRIVE	100	LINEAR FEET	
43	ASPHALT DRIVE	100	LINEAR FEET	
44	ASPHALT DRIVE	100	LINEAR FEET	
45	ASPHALT DRIVE	100	LINEAR FEET	
46	ASPHALT DRIVE	100	LINEAR FEET	
47	ASPHALT DRIVE	100	LINEAR FEET	
48	ASPHALT DRIVE	100	LINEAR FEET	
49	ASPHALT DRIVE	100	LINEAR FEET	
50	ASPHALT DRIVE	100	LINEAR FEET	
51	ASPHALT DRIVE	100	LINEAR FEET	
52	ASPHALT DRIVE	100	LINEAR FEET	
53	ASPHALT DRIVE	100	LINEAR FEET	
54	ASPHALT DRIVE	100	LINEAR FEET	
55	ASPHALT DRIVE	100	LINEAR FEET	
56	ASPHALT DRIVE	100	LINEAR FEET	
57	ASPHALT DRIVE	100	LINEAR FEET	
58	ASPHALT DRIVE	100	LINEAR FEET	
59	ASPHALT DRIVE	100	LINEAR FEET	
60	ASPHALT DRIVE	100	LINEAR FEET	
61	ASPHALT DRIVE	100	LINEAR FEET	
62	ASPHALT DRIVE	100	LINEAR FEET	
63	ASPHALT DRIVE	100	LINEAR FEET	
64	ASPHALT DRIVE	100	LINEAR FEET	
65	ASPHALT DRIVE	100	LINEAR FEET	
66	ASPHALT DRIVE	100	LINEAR FEET	
67	ASPHALT DRIVE	100	LINEAR FEET	
68	ASPHALT DRIVE	100	LINEAR FEET	
69	ASPHALT DRIVE	100	LINEAR FEET	
70	ASPHALT DRIVE	100	LINEAR FEET	
71	ASPHALT DRIVE	100	LINEAR FEET	
72	ASPHALT DRIVE	100	LINEAR FEET	
73	ASPHALT DRIVE	100	LINEAR FEET	
74	ASPHALT DRIVE	100	LINEAR FEET	
75	ASPHALT DRIVE	100	LINEAR FEET	
76	ASPHALT DRIVE	100	LINEAR FEET	
77	ASPHALT DRIVE	100	LINEAR FEET	
78	ASPHALT DRIVE	100	LINEAR FEET	
79	ASPHALT DRIVE	100	LINEAR FEET	
80	ASPHALT DRIVE	100	LINEAR FEET	
81	ASPHALT DRIVE	100	LINEAR FEET	
82	ASPHALT DRIVE	100	LINEAR FEET	
83	ASPHALT DRIVE	100	LINEAR FEET	
84	ASPHALT DRIVE	100	LINEAR FEET	
85	ASPHALT DRIVE	100	LINEAR FEET	
86	ASPHALT DRIVE	100	LINEAR FEET	
87	ASPHALT DRIVE	100	LINEAR FEET	
88	ASPHALT DRIVE	100	LINEAR FEET	
89	ASPHALT DRIVE	100	LINEAR FEET	
90	ASPHALT DRIVE	100	LINEAR FEET	
91	ASPHALT DRIVE	100	LINEAR FEET	
92	ASPHALT DRIVE	100	LINEAR FEET	
93	ASPHALT DRIVE	100	LINEAR FEET	
94	ASPHALT DRIVE	100	LINEAR FEET	
95	ASPHALT DRIVE	100	LINEAR FEET	
96	ASPHALT DRIVE	100	LINEAR FEET	
97	ASPHALT DRIVE	100	LINEAR FEET	
98	ASPHALT DRIVE	100	LINEAR FEET	
99	ASPHALT DRIVE	100	LINEAR FEET	
100	ASPHALT DRIVE	100	LINEAR FEET	

**PARKING TABLE**  
 10 TRUCK PARKING SPACES  
 13 EMPLOYEE PARKING SPACES



**DEVELOPMENT SERVICES**  
 548 DIAZ AVENUE  
 SITE PLAN

PROJECT NO. 123456  
 SHEET NO. 1 OF 2  
 DATE: 12/15/2023

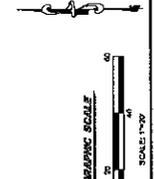
**RECORD DRAWING**

I HEREBY CERTIFY THAT THE WORK SHOWN ON DRAWING NO. 123456 WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA. ANY CHANGES TO THIS DRAWING WILL BE INDICATED BY A CORRECTION SHEET OR A REVISION BLOCK.

DATE: 12/15/2023  
 SIGNATURE: [Signature]  
 TITLE: ENGINEER

**SESEPE CONSULTING INC.**  
 1000 N. 10TH STREET, SUITE 100  
 SAN ANTONIO, TEXAS 78207  
 (214) 591-1111

REGISTERED PROFESSIONAL ENGINEER  
 STATE OF CALIFORNIA  
 LICENSE NO. 45678



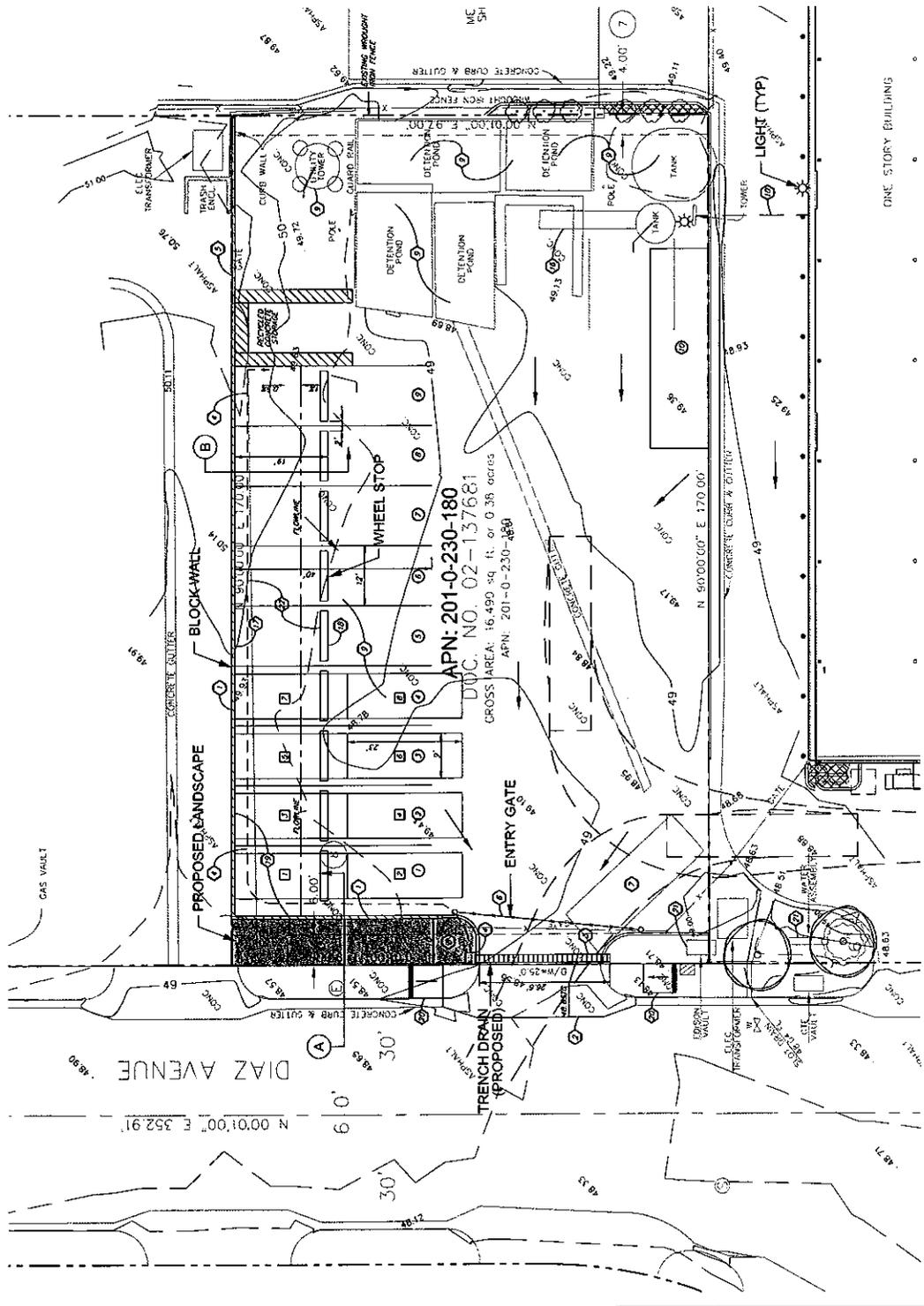
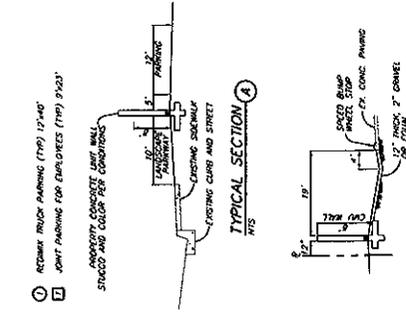
**PARCEL 1**  
 PROPOSED ADDITIONAL SITE FOR PARKING, WATER RECLAMATION AND MATERIAL.

**PARCEL 2**  
 EXISTING FACILITY INCLUDING MACHINERY & OFFICE. LOADING, PARKING, MATERIAL STORAGE. WATER RECLAMATION. SEE SHEET 2 FOR PARCELS 1 & 2.





- CONSTRUCTION NOTES**
1. CONSTRUCT 6" BLOCK WALL.
  2. REMOVE AND REPLACE CONCRETE APRON.
  3. 18" W/18" TRENCH DRAIN WITH TRUCK RATED GRATE.
  4. REMOVE EXISTING GATE, (SHEET C2).
  5. INSTALL ROLLING GATE, (SHEET C3).
  6. EXISTING ROLLING GATE, (SHEET C3).
  7. EXISTING ROLLING GATE, (SHEET C3).
  8. EXISTING ROLLING GATE, (SHEET C3).
  9. EXISTING ROLLING GATE, (SHEET C3).
  10. EXISTING ROLLING GATE, (SHEET C3).
  11. EXISTING ROLLING GATE, (SHEET C3).
  12. EXISTING ROLLING GATE, (SHEET C3).
  13. EXISTING ROLLING GATE, (SHEET C3).
  14. EXISTING ROLLING GATE, (SHEET C3).
  15. EXISTING ROLLING GATE, (SHEET C3).
  16. EXISTING ROLLING GATE, (SHEET C3).
  17. EXISTING ROLLING GATE, (SHEET C3).
  18. EXISTING ROLLING GATE, (SHEET C3).
  19. EXISTING ROLLING GATE, (SHEET C3).
  20. EXISTING ROLLING GATE, (SHEET C3).
  21. EXISTING ROLLING GATE, (SHEET C3).
  22. EXISTING ROLLING GATE, (SHEET C3).
  23. EXISTING ROLLING GATE, (SHEET C3).
  24. EXISTING ROLLING GATE, (SHEET C3).
  25. EXISTING ROLLING GATE, (SHEET C3).
  26. EXISTING ROLLING GATE, (SHEET C3).
  27. EXISTING ROLLING GATE, (SHEET C3).
  28. EXISTING ROLLING GATE, (SHEET C3).
  29. EXISTING ROLLING GATE, (SHEET C3).
  30. EXISTING ROLLING GATE, (SHEET C3).
  31. EXISTING ROLLING GATE, (SHEET C3).
  32. EXISTING ROLLING GATE, (SHEET C3).
  33. EXISTING ROLLING GATE, (SHEET C3).
  34. EXISTING ROLLING GATE, (SHEET C3).
  35. EXISTING ROLLING GATE, (SHEET C3).
  36. EXISTING ROLLING GATE, (SHEET C3).
  37. EXISTING ROLLING GATE, (SHEET C3).
  38. EXISTING ROLLING GATE, (SHEET C3).
  39. EXISTING ROLLING GATE, (SHEET C3).
  40. EXISTING ROLLING GATE, (SHEET C3).
  41. EXISTING ROLLING GATE, (SHEET C3).
  42. EXISTING ROLLING GATE, (SHEET C3).
  43. EXISTING ROLLING GATE, (SHEET C3).
  44. EXISTING ROLLING GATE, (SHEET C3).
  45. EXISTING ROLLING GATE, (SHEET C3).
  46. EXISTING ROLLING GATE, (SHEET C3).
  47. EXISTING ROLLING GATE, (SHEET C3).
  48. EXISTING ROLLING GATE, (SHEET C3).
  49. EXISTING ROLLING GATE, (SHEET C3).
  50. EXISTING ROLLING GATE, (SHEET C3).
  51. EXISTING ROLLING GATE, (SHEET C3).
  52. EXISTING ROLLING GATE, (SHEET C3).
  53. EXISTING ROLLING GATE, (SHEET C3).
  54. EXISTING ROLLING GATE, (SHEET C3).
  55. EXISTING ROLLING GATE, (SHEET C3).
  56. EXISTING ROLLING GATE, (SHEET C3).
  57. EXISTING ROLLING GATE, (SHEET C3).
  58. EXISTING ROLLING GATE, (SHEET C3).
  59. EXISTING ROLLING GATE, (SHEET C3).
  60. EXISTING ROLLING GATE, (SHEET C3).
  61. EXISTING ROLLING GATE, (SHEET C3).
  62. EXISTING ROLLING GATE, (SHEET C3).
  63. EXISTING ROLLING GATE, (SHEET C3).
  64. EXISTING ROLLING GATE, (SHEET C3).
  65. EXISTING ROLLING GATE, (SHEET C3).
  66. EXISTING ROLLING GATE, (SHEET C3).
  67. EXISTING ROLLING GATE, (SHEET C3).
  68. EXISTING ROLLING GATE, (SHEET C3).
  69. EXISTING ROLLING GATE, (SHEET C3).
  70. EXISTING ROLLING GATE, (SHEET C3).
  71. EXISTING ROLLING GATE, (SHEET C3).
  72. EXISTING ROLLING GATE, (SHEET C3).
  73. EXISTING ROLLING GATE, (SHEET C3).
  74. EXISTING ROLLING GATE, (SHEET C3).
  75. EXISTING ROLLING GATE, (SHEET C3).
  76. EXISTING ROLLING GATE, (SHEET C3).
  77. EXISTING ROLLING GATE, (SHEET C3).
  78. EXISTING ROLLING GATE, (SHEET C3).
  79. EXISTING ROLLING GATE, (SHEET C3).
  80. EXISTING ROLLING GATE, (SHEET C3).
  81. EXISTING ROLLING GATE, (SHEET C3).
  82. EXISTING ROLLING GATE, (SHEET C3).
  83. EXISTING ROLLING GATE, (SHEET C3).
  84. EXISTING ROLLING GATE, (SHEET C3).
  85. EXISTING ROLLING GATE, (SHEET C3).
  86. EXISTING ROLLING GATE, (SHEET C3).
  87. EXISTING ROLLING GATE, (SHEET C3).
  88. EXISTING ROLLING GATE, (SHEET C3).
  89. EXISTING ROLLING GATE, (SHEET C3).
  90. EXISTING ROLLING GATE, (SHEET C3).
  91. EXISTING ROLLING GATE, (SHEET C3).
  92. EXISTING ROLLING GATE, (SHEET C3).
  93. EXISTING ROLLING GATE, (SHEET C3).
  94. EXISTING ROLLING GATE, (SHEET C3).
  95. EXISTING ROLLING GATE, (SHEET C3).
  96. EXISTING ROLLING GATE, (SHEET C3).
  97. EXISTING ROLLING GATE, (SHEET C3).
  98. EXISTING ROLLING GATE, (SHEET C3).
  99. EXISTING ROLLING GATE, (SHEET C3).
  100. EXISTING ROLLING GATE, (SHEET C3).



APN: 201-0-230-180  
 D.C. NO. 02-137681  
 GROSS AREA: 16,490 sq. ft. or 0.38 acres  
 APN: 201-0-230-488

**LINE LEGEND**

- Property Line
- Centerline
- Well Line
- Fence line
- Typical Drains Flowpath

**Legend of Symbols**

- 1. GAS VALVE
- 2. WATER VALVE
- 3. SEWER VALVE
- 4. TRENCH DRAIN
- 5. TRENCH DRAIN
- 6. TRENCH DRAIN
- 7. TRENCH DRAIN
- 8. TRENCH DRAIN
- 9. TRENCH DRAIN
- 10. TRENCH DRAIN
- 11. TRENCH DRAIN
- 12. TRENCH DRAIN
- 13. TRENCH DRAIN
- 14. TRENCH DRAIN
- 15. TRENCH DRAIN
- 16. TRENCH DRAIN
- 17. TRENCH DRAIN
- 18. TRENCH DRAIN
- 19. TRENCH DRAIN
- 20. TRENCH DRAIN
- 21. TRENCH DRAIN
- 22. TRENCH DRAIN
- 23. TRENCH DRAIN
- 24. TRENCH DRAIN
- 25. TRENCH DRAIN
- 26. TRENCH DRAIN
- 27. TRENCH DRAIN
- 28. TRENCH DRAIN
- 29. TRENCH DRAIN
- 30. TRENCH DRAIN
- 31. TRENCH DRAIN
- 32. TRENCH DRAIN
- 33. TRENCH DRAIN
- 34. TRENCH DRAIN
- 35. TRENCH DRAIN
- 36. TRENCH DRAIN
- 37. TRENCH DRAIN
- 38. TRENCH DRAIN
- 39. TRENCH DRAIN
- 40. TRENCH DRAIN
- 41. TRENCH DRAIN
- 42. TRENCH DRAIN
- 43. TRENCH DRAIN
- 44. TRENCH DRAIN
- 45. TRENCH DRAIN
- 46. TRENCH DRAIN
- 47. TRENCH DRAIN
- 48. TRENCH DRAIN
- 49. TRENCH DRAIN
- 50. TRENCH DRAIN
- 51. TRENCH DRAIN
- 52. TRENCH DRAIN
- 53. TRENCH DRAIN
- 54. TRENCH DRAIN
- 55. TRENCH DRAIN
- 56. TRENCH DRAIN
- 57. TRENCH DRAIN
- 58. TRENCH DRAIN
- 59. TRENCH DRAIN
- 60. TRENCH DRAIN
- 61. TRENCH DRAIN
- 62. TRENCH DRAIN
- 63. TRENCH DRAIN
- 64. TRENCH DRAIN
- 65. TRENCH DRAIN
- 66. TRENCH DRAIN
- 67. TRENCH DRAIN
- 68. TRENCH DRAIN
- 69. TRENCH DRAIN
- 70. TRENCH DRAIN
- 71. TRENCH DRAIN
- 72. TRENCH DRAIN
- 73. TRENCH DRAIN
- 74. TRENCH DRAIN
- 75. TRENCH DRAIN
- 76. TRENCH DRAIN
- 77. TRENCH DRAIN
- 78. TRENCH DRAIN
- 79. TRENCH DRAIN
- 80. TRENCH DRAIN
- 81. TRENCH DRAIN
- 82. TRENCH DRAIN
- 83. TRENCH DRAIN
- 84. TRENCH DRAIN
- 85. TRENCH DRAIN
- 86. TRENCH DRAIN
- 87. TRENCH DRAIN
- 88. TRENCH DRAIN
- 89. TRENCH DRAIN
- 90. TRENCH DRAIN
- 91. TRENCH DRAIN
- 92. TRENCH DRAIN
- 93. TRENCH DRAIN
- 94. TRENCH DRAIN
- 95. TRENCH DRAIN
- 96. TRENCH DRAIN
- 97. TRENCH DRAIN
- 98. TRENCH DRAIN
- 99. TRENCH DRAIN
- 100. TRENCH DRAIN

**RECORD DRAWING**

SESP CONSULTING, INC.  
 22701 N. MISSION, SUITE 200, FORT MCDOWELL, AZ 85205  
 (602) 948-1111

DATE: 11/15/2011  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

**DEVELOPMENT SERVICES**

SAB DIAZ AVENUE  
 PARCEL 1 SITE PLAN

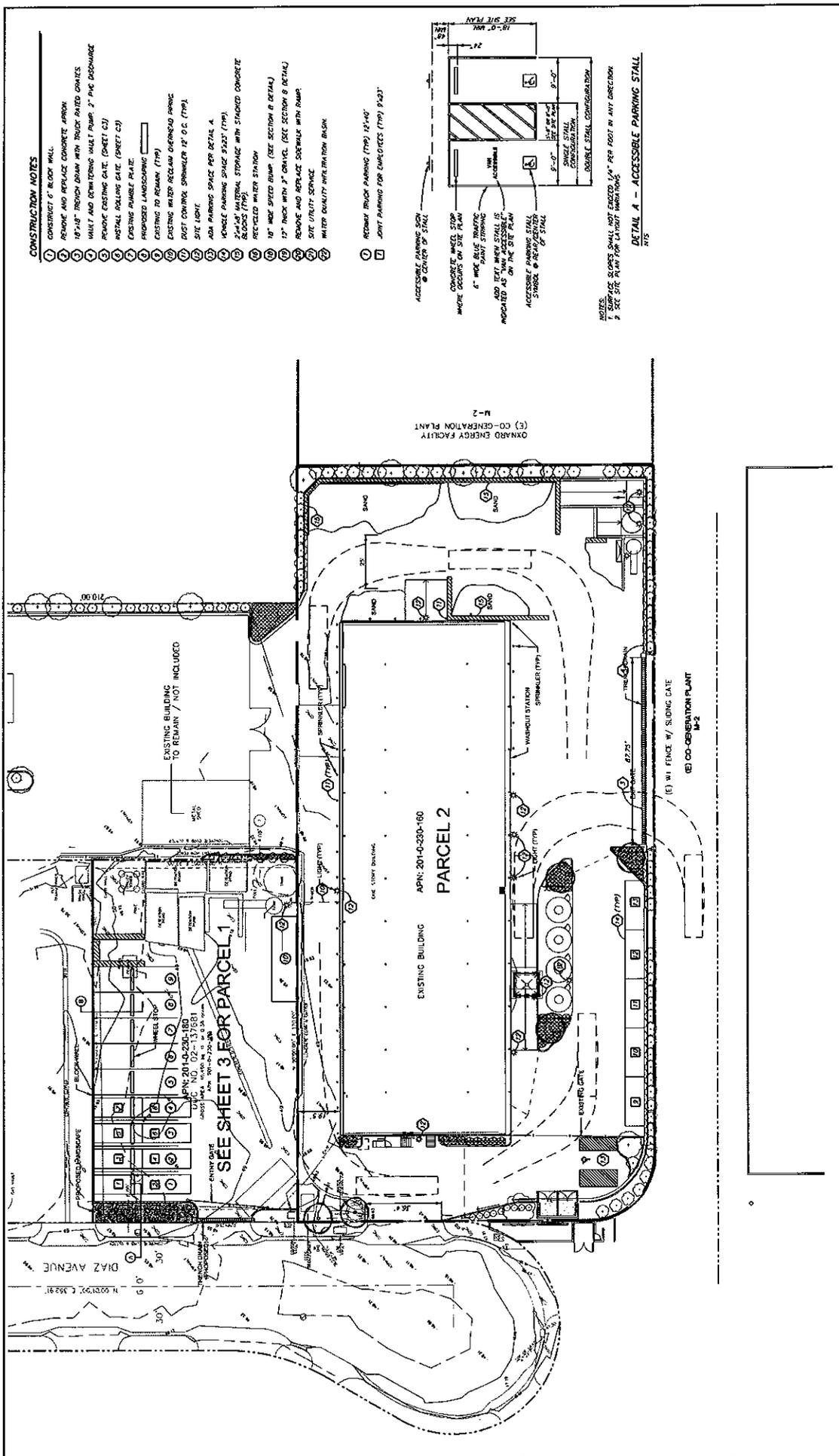
DATE: 11/15/2011  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

**SESP CONSULTING, INC.**

22701 N. MISSION, SUITE 200, FORT MCDOWELL, AZ 85205  
 (602) 948-1111

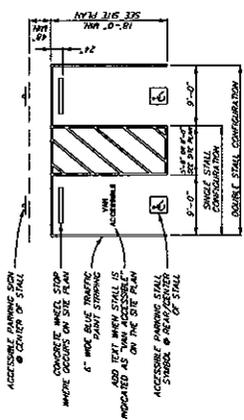
**Legend of Symbols**

1. GAS VALVE  
 2. WATER VALVE  
 3. SEWER VALVE  
 4. TRENCH DRAIN  
 5. TRENCH DRAIN  
 6. TRENCH DRAIN  
 7. TRENCH DRAIN  
 8. TRENCH DRAIN  
 9. TRENCH DRAIN  
 10. TRENCH DRAIN  
 11. TRENCH DRAIN  
 12. TRENCH DRAIN  
 13. TRENCH DRAIN  
 14. TRENCH DRAIN  
 15. TRENCH DRAIN  
 16. TRENCH DRAIN  
 17. TRENCH DRAIN  
 18. TRENCH DRAIN  
 19. TRENCH DRAIN  
 20. TRENCH DRAIN  
 21. TRENCH DRAIN  
 22. TRENCH DRAIN  
 23. TRENCH DRAIN  
 24. TRENCH DRAIN  
 25. TRENCH DRAIN  
 26. TRENCH DRAIN  
 27. TRENCH DRAIN  
 28. TRENCH DRAIN  
 29. TRENCH DRAIN  
 30. TRENCH DRAIN  
 31. TRENCH DRAIN  
 32. TRENCH DRAIN  
 33. TRENCH DRAIN  
 34. TRENCH DRAIN  
 35. TRENCH DRAIN  
 36. TRENCH DRAIN  
 37. TRENCH DRAIN  
 38. TRENCH DRAIN  
 39. TRENCH DRAIN  
 40. TRENCH DRAIN  
 41. TRENCH DRAIN  
 42. TRENCH DRAIN  
 43. TRENCH DRAIN  
 44. TRENCH DRAIN  
 45. TRENCH DRAIN  
 46. TRENCH DRAIN  
 47. TRENCH DRAIN  
 48. TRENCH DRAIN  
 49. TRENCH DRAIN  
 50. TRENCH DRAIN  
 51. TRENCH DRAIN  
 52. TRENCH DRAIN  
 53. TRENCH DRAIN  
 54. TRENCH DRAIN  
 55. TRENCH DRAIN  
 56. TRENCH DRAIN  
 57. TRENCH DRAIN  
 58. TRENCH DRAIN  
 59. TRENCH DRAIN  
 60. TRENCH DRAIN  
 61. TRENCH DRAIN  
 62. TRENCH DRAIN  
 63. TRENCH DRAIN  
 64. TRENCH DRAIN  
 65. TRENCH DRAIN  
 66. TRENCH DRAIN  
 67. TRENCH DRAIN  
 68. TRENCH DRAIN  
 69. TRENCH DRAIN  
 70. TRENCH DRAIN  
 71. TRENCH DRAIN  
 72. TRENCH DRAIN  
 73. TRENCH DRAIN  
 74. TRENCH DRAIN  
 75. TRENCH DRAIN  
 76. TRENCH DRAIN  
 77. TRENCH DRAIN  
 78. TRENCH DRAIN  
 79. TRENCH DRAIN  
 80. TRENCH DRAIN  
 81. TRENCH DRAIN  
 82. TRENCH DRAIN  
 83. TRENCH DRAIN  
 84. TRENCH DRAIN  
 85. TRENCH DRAIN  
 86. TRENCH DRAIN  
 87. TRENCH DRAIN  
 88. TRENCH DRAIN  
 89. TRENCH DRAIN  
 90. TRENCH DRAIN  
 91. TRENCH DRAIN  
 92. TRENCH DRAIN  
 93. TRENCH DRAIN  
 94. TRENCH DRAIN  
 95. TRENCH DRAIN  
 96. TRENCH DRAIN  
 97. TRENCH DRAIN  
 98. TRENCH DRAIN  
 99. TRENCH DRAIN  
 100. TRENCH DRAIN



**CONSTRUCTION NOTES**

1. CONSTRUCT 6" BLOCK WALL
2. REMOVE AND REPLACE CONCRETE APRON
3. 18" x 18" TRENCH DRAIN WITH TRUCK RATED GRATES
4. WALK AND DETERMINING WALK PAV. 2" PVC DRAINAGE
5. REMOVE EXISTING GATE. (SHEET C2)
6. INSTALL ROLLING GATE. (SHEET C3)
7. EXISTING PAVEMENT GRADE
8. PROPOSED LANDSCAPING
9. EXISTING TO REMAIN (TYP)
10. EXISTING WALKS RECLAIM OVERLAP PARKING
11. DUST CONTROL SPRINKLER 12" O.C. (TYP)
12. SITE LIGHT
13. ADA PARKING SPACE PER DETAIL A
14. SINGLE PARKING SPACE 8'x23' (TYP)
15. 2'-4" x 8" MATERIAL STORAGE WITH STACKED CONCRETE BLOCKS (TYP)
16. RECYCLED WATER STATION
17. 18" WIDE SPEED DRAIN (SEE SECTION B DETAIL)
18. 12" THICK WITH 3" GRAVEL (SEE SECTION B DETAIL)
19. REMOVE AND REPLACE SIDEWALK WITH RAMPA
20. SITE UTILITY SERVICE
21. WATER QUALITY INTERVENTION BASIN
22. REMOVE TRUCK PARKING (TYP) 8'x10'
23. JOINT PARKING FOR EMPLOYEES (TYP) 9'x23'



NOTES:  
 1. SURFACE SLOPES SHALL NOT EXCEED 1/4" PER FOOT IN ANY DIRECTION.  
 2. SEE SITE PLAN FOR LAYOUT MARKINGS.

**DETAIL A - ACCESSIBLE PARKING STALL**  
 NTS

**Legend of Symbols**

- 1. ROAD BOUNDARY
- 2. AIR HIGHWAY
- 3. CENTRAL
- 4. CABLE TV
- 5. DEEP WALK
- 6. FENCE
- 7. FENCE
- 8. FENCE
- 9. FENCE
- 10. FENCE
- 11. FENCE
- 12. FENCE
- 13. FENCE
- 14. FENCE
- 15. FENCE
- 16. FENCE
- 17. FENCE
- 18. FENCE
- 19. FENCE
- 20. FENCE
- 21. FENCE
- 22. FENCE
- 23. FENCE
- 24. FENCE
- 25. FENCE
- 26. FENCE
- 27. FENCE
- 28. FENCE
- 29. FENCE
- 30. FENCE
- 31. FENCE
- 32. FENCE
- 33. FENCE
- 34. FENCE
- 35. FENCE
- 36. FENCE
- 37. FENCE
- 38. FENCE
- 39. FENCE
- 40. FENCE
- 41. FENCE
- 42. FENCE
- 43. FENCE
- 44. FENCE
- 45. FENCE
- 46. FENCE
- 47. FENCE
- 48. FENCE
- 49. FENCE
- 50. FENCE
- 51. FENCE
- 52. FENCE
- 53. FENCE
- 54. FENCE
- 55. FENCE
- 56. FENCE
- 57. FENCE
- 58. FENCE
- 59. FENCE
- 60. FENCE
- 61. FENCE
- 62. FENCE
- 63. FENCE
- 64. FENCE
- 65. FENCE
- 66. FENCE
- 67. FENCE
- 68. FENCE
- 69. FENCE
- 70. FENCE
- 71. FENCE
- 72. FENCE
- 73. FENCE
- 74. FENCE
- 75. FENCE
- 76. FENCE
- 77. FENCE
- 78. FENCE
- 79. FENCE
- 80. FENCE
- 81. FENCE
- 82. FENCE
- 83. FENCE
- 84. FENCE
- 85. FENCE
- 86. FENCE
- 87. FENCE
- 88. FENCE
- 89. FENCE
- 90. FENCE
- 91. FENCE
- 92. FENCE
- 93. FENCE
- 94. FENCE
- 95. FENCE
- 96. FENCE
- 97. FENCE
- 98. FENCE
- 99. FENCE
- 100. FENCE

**LINE LEGEND**

Property Line

Centerline

Wall Line

Fence Line

**GRAPHIC SCALE**

SCALE: 1"=40'

**RECORD DRAWING**

THIS DRAWING IS THE PROPERTY OF SE/SP CONSULTING, INC. 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 SE/SP CONSULTING, INC.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

FOR: \_\_\_\_\_

PROJECT: \_\_\_\_\_

SCALE: \_\_\_\_\_

DATE: \_\_\_\_\_

**SE/SP CONSULTING, INC.**

4001 W. 10th Street, Suite 100, Denver, CO 80202

TEL: 303.733.1111 FAX: 303.733.1112

WWW.SE/SPCONSULTING.COM

**CITY OF DENVER**

Development Services

548 DIAZ AVENUE

PARCEL 2 SITE PLAN

DATE: \_\_\_\_\_

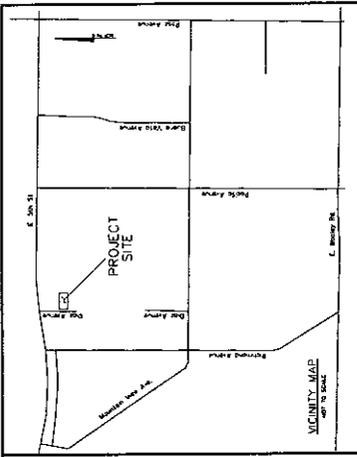
BY: \_\_\_\_\_

FOR: \_\_\_\_\_

PROJECT: \_\_\_\_\_

SCALE: \_\_\_\_\_

DATE: \_\_\_\_\_



**PARCEL 1**

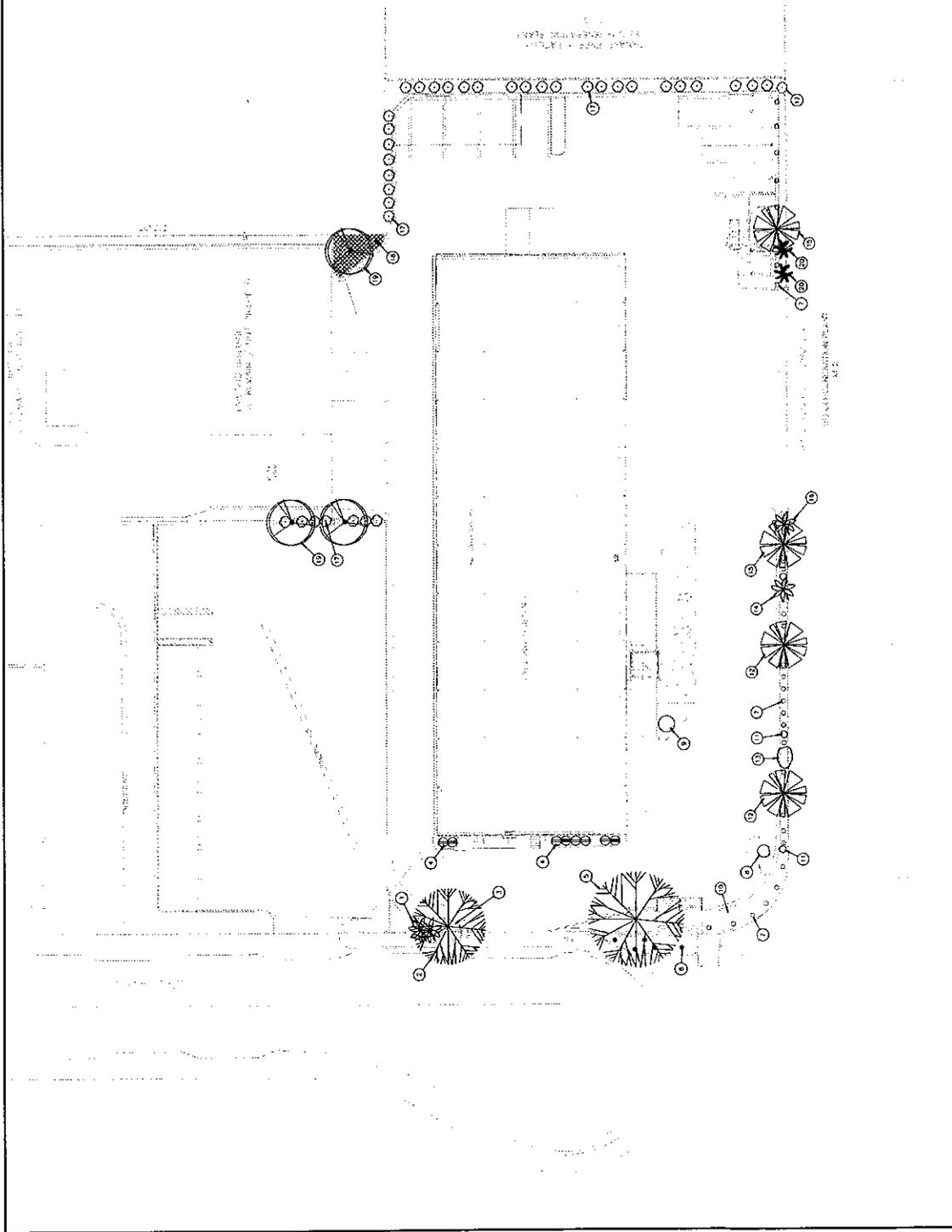
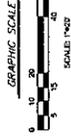
PROPOSED ADDITIONAL SITE FOR PARKING, WATER RECLAIMATION AND MATERIAL.

**PARCEL 2**

EXISTING PLANTING, WATER RECLAIMATION AND MATERIAL STORAGE.

**LEGEND**

1. EXISTING WASHINGTON ROBUSTA, 5 BTH AND 7 BTH.
2. EXISTING PRUNUS KAWAKAWA, UNHEALTHY, 15' TALL.
3. EXISTING PLANTER WITH 2 AGAPANTHUS AND WEEDS.
4. EXISTING PLANTER WITH ESCALLONIA.
5. EXISTING PRUNUS KAWAKAWA, HEALTHY, 20' TALL, 30" SPREAD.
6. EXISTING PACHIRA AQUATICA ALONG EXISTING CURB.
7. EXISTING PACHIRA AQUATICA ALONG EXISTING CURB, HEIGHTS FROM 2' TO 20' TALL.
8. EXISTING CORTADERIA SELLOANA IN PLANTER WITH CAZANA BIRDS.
9. EXISTING PLANTER WITH STRAFTUM AND UNIDENTIFIED PLANT.
10. PLANTER WITH CAZANA GROUND COVER AND (5) AGAPANTHUS AFRICANUS.
11. PLANTER WITH CAZANA GROUND COVER AND (5) AGAPANTHUS AFRICANUS, 40' TALL.
12. EXISTING CORTADERIA SELLOANA.
13. EXISTING CORTADERIA SELLOANA.
14. EXISTING WASHINGTON ROBUSTA, 12' BTH.
15. EXISTING PRUNUS CANADENSIS, 25' TALL.
16. EXISTING PRUNUS CANADENSIS, 25' TALL.
17. EXISTING INDIGUTERA SPERMATOPHYTES, VARIOUS SIZES.
18. EXISTING CAZANA BIRDS GROUND COVER.
19. EXISTING CUPRESSUS IMMOBILIS, 18' TALL.
20. EXISTING ARECASTRUM ROMANZOFFIANUM, 6' BTH.



**RECORD DRAWING**

I HEREBY CERTIFY THAT THE WORK SHOWN ON DRAWING NO. \_\_\_\_\_ WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT IN THE STATE OF CALIFORNIA. I AM NOT PROVIDING ANY DESIGN OR CONSTRUCTION SERVICES TO ANY OTHER PARTY.

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_ NAME: \_\_\_\_\_

**WILLIAM HROBOKO, LANDSCAPE ARCHITECT**  
 4000 Wilshire Blvd., Suite 1000, Los Angeles, CA 90048 | 310.551.2222  
 www.williamhrobo.com

**SEAL**

WILLIAM HROBOKO  
 LANDSCAPE ARCHITECT  
 No. 12345  
 State of California

**Development Services**

**648 DIAZ AVENUE**

**EXISTING LANDSCAPE CONDITIONS**

APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

PROJECT NO.: \_\_\_\_\_ SHEET NO.: \_\_\_\_\_ OF \_\_\_\_\_

DATE: \_\_\_\_\_





**ATTACHMENT  
C**

**NOTICE OF EXEMPTION**



## NOTICE OF EXEMPTION

### ***Project Description:***

Planning and Zoning Permit No. 09-550-10 for a special use permit, to permit and authorize CEMEX to expand and continue to use a 0.4 acre parcel located at 540 Diaz Avenue and situated directly adjacent to their existing concrete batch plant facility situated on a portion of 548 Diaz Avenue. The site will primarily be used for truck wash and clean-out operations and to park cement mixing trucks. The special use permit will permit ancillary activities proposed on the 0.4-acre parcel and incorporate existing concrete batch plant operations taking place on a portion (1.3-acres) of a 1.9-acre site. Filed by Benjamin A. Runnels with CEMEX Construction Material Pacific LLC, P.O. Box 1500 Houston, Texas 77251.

### ***Finding:***

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

### ***Supporting Reasons:***

In accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, projects involving "existing facilities where there is negligible or no expansion of use" may be found to be exempt from the requirements of CEQA. This proposal proposes to legally expand into an adjacent undeveloped site by permitting truck parking and clean-out truck services. Based on the above exemption and in accordance with CEQA, the Planning Division Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed

(Date)

Susan L. Martin, AICP  
Planning Division Manager

Planning Division

214 South C Street, Oxnard, CA 93030 ♦ (805) 385-7858 ♦ FAX (805) 385-7417

**ATTACHMENT  
D**

**PARKING ANALYSIS BY  
ASSOCIATED TRANSPORTATION  
ENGINEERS**



# ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.  
Scott A. Schell, AICP

February 8, 2010

10011L01.WP

Ms. Jane Farkas  
Sespe Consulting  
343 E. Main Street, Suite #201  
Ventura, CA 93001

## ***PARKING ANALYSIS FOR THE CEMEX CONCRETE BATCH PLANT SUP 1745 - CITY OF OXNARD***

Associated Transportation Engineer's (ATE) has prepared the following parking analysis for the CEMEX Concrete Batch Plant in the City of Oxnard. The plant is located on adjacent properties at 540 & 548 Diaz Avenue south of East 5<sup>th</sup> Street. This parking analysis reviews the City of Oxnard Zoning Ordinance parking requirement for the plant and compares the requirement to the estimated parking demand to determine if relief from the Zoning Ordinance requirement can be supported.

### **PROJECT DESCRIPTION**

The applicant is operating a 19,280 square foot concrete batch plant, Monday - Saturday up to 24 hours a day. The plant receives daily deliveries of raw materials but does not receive customer visits. The plant employs a total of 12 full-time employees. The employees consist of 10 ready-mix truck drivers, 1 on-site plant manager and 1 on-site yard man. Parking and truck staging for the plant is provided on-site. There are 17 on-site parking spaces which are allocated as follow: 10 ready-mix truck parking spaces, 4 of which are used by employee vehicles when ready-mix trucks are on the road making deliveries; 6 employee parking spaces; 1 handicapped parking space. The parking is provided on the two properties. The 6 employee parking spaces and 1 handicapped parking space are provided at 548 Diaz Avenue. The 10 ready-mix truck spaces are provided at 540 Diaz Avenue. The attached Figure 1 illustrates the 17 on-site parking spaces and Table 1 presents the parking provided.

**Table 1  
Parking Provided**

Address	Parking Provided
540 Diaz Avenue	10 Ready-Mix Truck Parking Spaces - Includes 4 Joint -Use Parking Spaces Used For Employee Parking
548 Diaz Avenue	6 Parking Spaces 1 Handicapped Parking Space

### PARKING DEMAND ANALYSIS

The City of Oxnard Zoning Ordinance parking requirement was calculated for the plant as shown below in Table 2.

**Table 2  
City Zoning Ordinance Parking Requirements**

Land Use	Size	Zoning Ordinance		Parking Provided(a)
		Parking Rate	Required Spaces	
Industrial/Manufacturing	19,280 sq. ft.	1.0 space/500 sq.ft.	39 spaces	17 spaces

(a) Parking provided includes one handicapped space.

City's Zoning Ordinance parking requirement for the plant is 39 spaces as presented in Table 2. There are 17 parking spaces provided on-site.

To address the issue of employees parking on the adjacent street, CEMEX for the past few months has implemented the following joint use parking plan. When the 2 site operations employees and the first 2 ready-mix truck drivers arrive on-site, they park in spaces provided at 548 Diaz Avenue. When first 2 ready mix trucks are removed from their parking spaces, 4 employee joint use parking spaces become available for the next 4 arriving employees to tandem park at 540 Diaz Avenue. When the next 2 ready-mix trucks are removed from the parking spaces, 4 additional employee joint uses parking spaces become available. The joint use parking plan utilizes 4 ready-mix truck parking spaces for tandem employee parking. The parking plan leaves 6 parking spaces at 540 Diaz Avenue to be used to stage ready-mix trucks on-site. The concrete batch plant's parking demand is being accommodated by the joint parking plan being used on the site as illustrated on attached Figure 2.

The empirical demand data for Industrial/Manufacturing reported in the Institute of Transportation Engineers (ITE), Parking Generation, 3<sup>rd</sup> Edition, for the project is shown below in Table 2.

**Table 2**  
**ITE Estimated Peak Parking Demand**

Land Use	Size	Peak Parking Demand		Parking Provided(a)
		Parking Rate	Required Spaces	
Industrial/Manufacturing	12 employees	1.14 space/employee	14 spaces	17 spaces

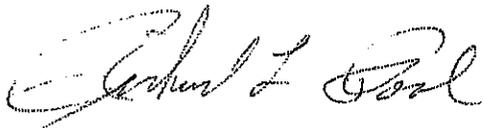
(a) Parking provided includes one handicapped space.

Based on empirical data the peak parking demand for the plant is estimated to be 14 spaces. The proposed parking would satisfy the ITE 85<sup>th</sup> percentile parking peak demand for the plant.

**Summary**

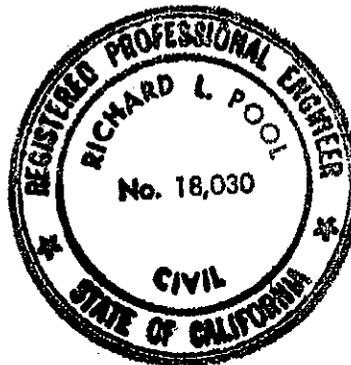
Given that CEMEX has implemented the joint use parking plan for the past few months and the empirical parking demand is 14 parking spaces, ATE has concluded that the 17 on-site parking spaces are adequate to satisfy the parking demand. Relief or modification of the Zoning Ordinance parking requirement can be supported.

Associated Transportation Engineers

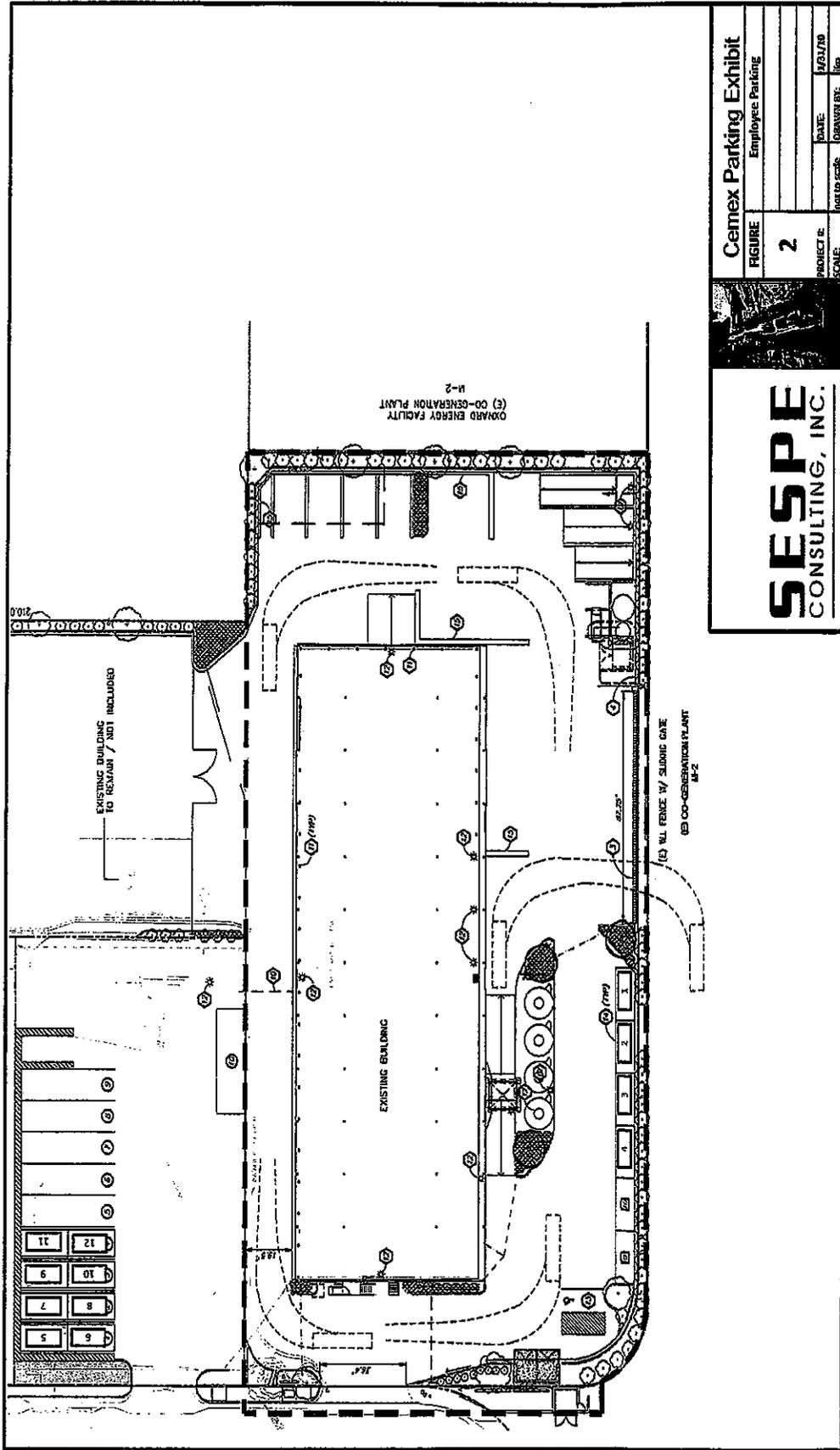


By: Richard L. Pool, P.E.  
President

Attachment: Site Plans







<b>Cemex Parking Exhibit</b>	
Employee Parking	
<b>FIGURE</b>	<b>2</b>
<b>PROJECT #:</b>	
<b>SCALE:</b>	
<b>DATE:</b>	05/27/08
<b>DRAWN BY:</b>	JG



OWARD ENERGY FACILITY  
(E) CO-GENERATION PLANT  
M-2

EXISTING BUILDING  
TO REMAIN / NOT INCLUDED

EXISTING BUILDING

(E) WALL FENCE W/ SUBMIR GATE  
M-2

(E) CO-GENERATION PLANT  
M-2

**ATTACHMENT  
E**

**SPECIAL USE PERMIT  
RESOLUTION**

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 09-550-10 (SPECIAL USE PERMIT), A REQUEST TO PERMIT AND AUTHORIZE CEMEX TO EXPAND AND CONTINUE TO USE A 0.4 ACRE PARCEL LOCATED AT 540 DIAZ AVENUE DIRECTLY ADJACENT TO THEIR EXISTING CONCRETE BATCH PLANT FACILITY LOCATED AT 548 DIAZ AVENUE. THE SITE WILL PRIMARILY BE USED FOR TRUCK WASH CLEAN-OUT OPERATIONS AND TO PARK CEMENT MIXING TRUCKS. THE SPECIAL USE PERMIT WILL PERMIT ANCILLARY ACTIVITIES PROPOSED ON THE 0.4-ACRE PARCEL AND INCORPORATE EXISTING CONCRETE BATCH PLANT OPERATIONS TAKING PLACE ON A PORTION (1.3-ACRES) OF A 1.9-ACRE SITE. FILED BY BENJAMIN A. RUNNELS WITH CEMEX CONSTRUCTION MATERIAL PACIFIC LLC, P.O. BOX 1500 HOUSTON, TEXAS 77251.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 09-550-10, a Special Use Permit to permit and authorize CEMEX to expand and continue to use a 0.04-acre site in conjunction with existing concrete batch plant operations, filed by Benjamin A. Runnels with CEMEX Construction Material Pacific LLC; and

WHEREAS, the Planning Commission has held a public hearing on this application in accordance with Section 16-536 of the Oxnard City Code; and

WHEREAS, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, projects involving "existing facilities where there is negligible or no expansion of use" may be found to be exempt from the requirements of CEQA. This proposal proposes to legally expand into an adjacent undeveloped site by permitting truck parking and clean-out truck services. Based on the above exemption and in accordance with CEQA, the Planning Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. That the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.
2. That the proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures, or to the public health, safety or general welfare.

3. That the site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.
4. That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. That the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves Planning and Zoning Permit No. PZ 10-550-10 (Special Use Permit), subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

**STANDARD CONDITIONS OF APPROVAL  
FOR LAND USE PERMITS**

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

**GENERAL PROJECT CONDITIONS**

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated July 7, 2011, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, G-2)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
8. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
9. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)

10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

#### **FIRE DEPARTMENT STANDARD CONDITIONS**

15. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
16. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, F-2)
17. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, F-3)
18. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)
19. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)

20. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
21. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, F-7)
22. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
23. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/DP, F-9)
24. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
25. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, F-11)
26. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, F-12)
27. Developer shall install in each structure in the project a detection/alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, F-13)
28. Developer shall install in each structure in the project where automatic fire sprinklers are installed a system that automatically opens the skylights in areas affected by fire before the fire sprinklers are activated. (FD, F-14)
29. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)
30. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

31. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, F-17)

#### **FIRE DEPARTMENT SPECIAL CONDITIONS**

32. Fire sprinkler coverage is required for:
  - a. Patios, overhangs or any other projections that are 48" or more from the structure.
  - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
  - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
33. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.
34. Developer shall allow installation of public safety radio equipment in the tower, steeple, roof or other elevated portion of the building. Such equipment shall not conflict with the architectural design of the building and shall comply with zoning and planning requirements and conditions.

#### **PLANNING DIVISION STANDARD CONDITIONS**

35. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)
36. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)
37. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, PL-5)
38. If the project property is already occupied or use has already been initiated, Developer shall comply with all conditions of this permit within 90 days of approval thereof. (PL/B, PL-6)
39. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, PL-7)

40. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
41. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
42. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, PL-8)
43. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)
44. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
45. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, PL-16).
46. Developer shall limit outdoor storage of materials to the locations shown on the project plans. Developer shall screen storage areas from adjacent properties and streets by a wall or similar screening. All fence and wall materials shall match the predominant design and materials of the main structure on the project property. (PL/B, PL-48)

#### **DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS**

47. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)

48. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)
49. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
50. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
51. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
52. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)
53. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
54. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
55. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the

discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

56. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
57. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
58. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
59. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)
60. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
61. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
62. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)
63. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently with the

rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (DS-31)

64. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
65. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

### **STORMWATER QUALITY CONDITIONS**

66. Developer shall comply with all National Pollutant Discharge Elimination System (NPDES) permit Best Management Practice (BMP) requirements in effect at the time of grading or building permit issuance. Requirements shall include, but not be limited to, compliance with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). (DS-78)
67. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS-81)
68. Developer shall clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning. (DS-83)
69. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system. (DS-84)
70. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all

times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)

#### **DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS**

71. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)
72. Developer shall reconstruct the existing Diaz Avenue driveway entrance serving Parcel 1 to provide a disabled access compliant path along the public sidewalk. (DS)
73. Using forms provided by the Development Services Division, Developer shall prepare a Declaration of Restrictive Covenant For Stormwater Quality Control Measures Maintenance and Access ("Stormwater Covenant") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Stormwater Covenant and Developer provides an executed copy for recordation. (DS)
74. Developer shall prepare a detailed NPDES operation and maintenance plan "O&M Plan" for project source and treatment control BMPs implemented on parcel 1 and/or 2 of this facility. Exhibits C of the Stormwater Covenant required by these conditions of approval shall reference this O&M Plan. The O&M Plan shall follow the general outline and requirements listed in appendix D of the Technical Guidance Manual for Stormwater Control Measures. The O&M plan shall also include, but not be limited to, the following; 1) The Property Owner's signed statement accepting responsibility for maintenance as described in the plan; 2) A requirement to periodically sweep or otherwise clean the adjacent public right-of-way if site operations result in material from the project being deposited in the right-of-way; 3) A method to keep stored site materials (sand, gravel, etc) contained within their respective storage enclosures that includes constant supervision and sweeping as necessary; and, 4) A requirement to provide the City with an annual report documenting all procedures and actions undertaken to comply with NPDES requirements and demonstrating proper maintenance and operations at the site. The O&M Plan shall be periodically updated as site operations change. A copy of the current O&M Plan and associated maintenance records shall be kept onsite for periodic review by City personnel or consultants. The O&M Plan shall be submitted for review concurrent with site improvement plans and shall be approved by the Development Services Manager prior to site improvement permit issuance. (DS)
75. Developer shall provide pre-treatment prior to routing stormwater to any infiltration based water quality BMPs to minimize occlusion of soil porosity. Pre-treatment scheme shall be as

approved by the Development Services Manager prior to issuance of a site improvement permit. (DS)

76. Developer shall provide site specific infiltration rate testing for any infiltration based water quality BMPs used on the site. Infiltration based BMPs shall be designed and constructed in conformance with the Technical Guidance Manual for Stormwater Quality Control Measures or other approved reference. (DS)
77. Site "rumble plate(s)" shall be located such that all vehicles exiting the site onto Diaz Avenue are required to traverse the full thirty (30) foot length of the plate. This can be accomplished by altering the existing rumble plate or by providing site improvements that force vehicles toward the existing plate. (DS)
78. Washout Station shall be re-designed to effectively eliminate water from leaving the site including the tracking of water off-site by vehicles. Developer's engineer shall meet with Development Services Engineering Division to discuss potential solutions prior to submittal of construction plans for review. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7<sup>th</sup> day of July 2011, by the following vote:

AYES:           Commissioners:

NOES:           Commissioners:

ABSENT:        Commissioners:

---

Patrick Mullin, Chair

ATTEST: \_\_\_\_\_  
Susan L. Martin, Secretary