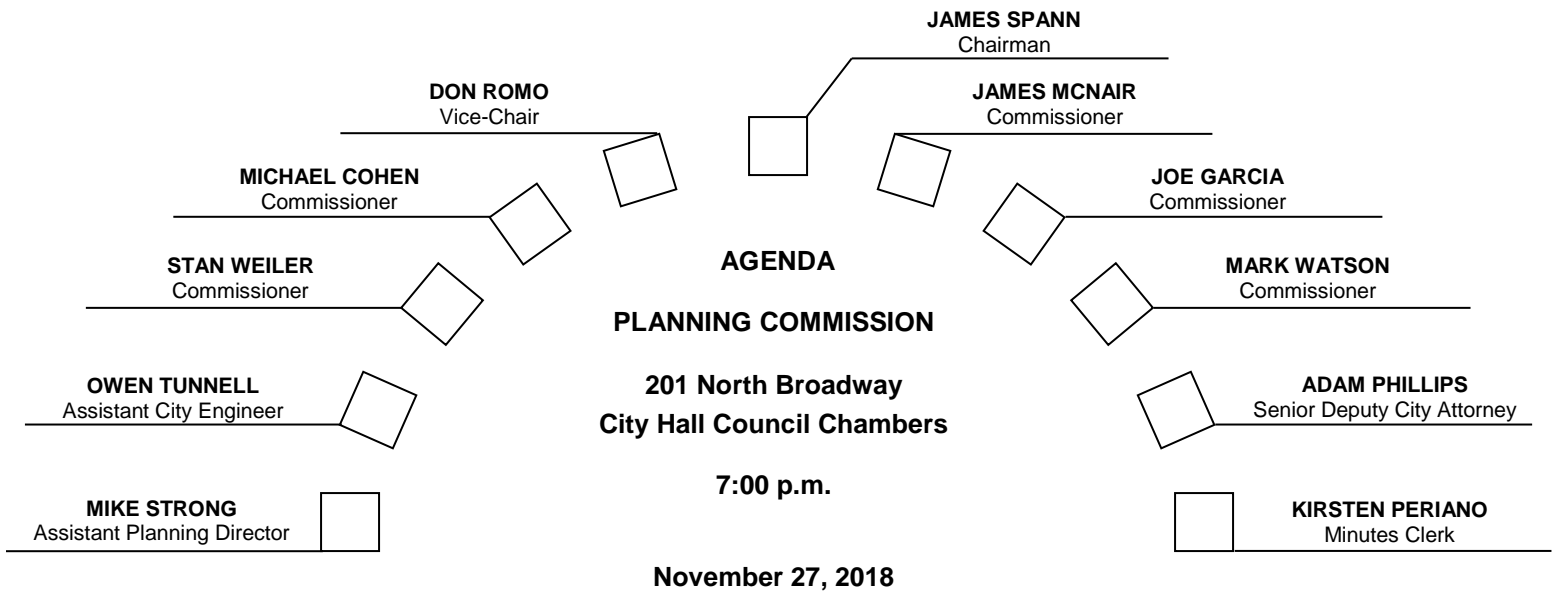


# CITY OF ESCONDIDO

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## Planning Commission and Staff Seating



**A. CALL TO ORDER:** 7:00 p.m.

**B. FLAG SALUTE**

**C. ROLL CALL:**

**D. MINUTES:** 10/23/18

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The Brown Act provides an opportunity for members of the public to directly address the Planning Commission on any item of interest to the public before or during the Planning Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the minutes clerk who will forward it to the chairman.

**Electronic Media:** Electronic media which members of the public wish to be used during any public comment period should be submitted to the Planning Division at least 24 hours prior to the meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Commission during the meeting are part of the public record and may be retained by the City.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications" which is listed at the beginning and end of the agenda. All persons addressing the Planning Commission are asked to state their names for the public record.

**Availability of supplemental materials after agenda posting:** any supplemental writings or documents provided to the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

The City of Escondido recognizes its obligation to provide equal access to public services for individuals with disabilities. Please contact the A.D.A. Coordinator, (760) 839-4643 with any requests for reasonable accommodation at least 24 hours prior to the meeting.

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**The Planning Division is the coordinating division for the Planning Commission.**  
**For information, call (760) 839-4671.**

**E. WRITTEN COMMUNICATIONS:**

"Under State law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda."

**1. Future Neighborhood Meetings**

**F. ORAL COMMUNICATIONS:**

"Under State law, all items under Oral Communications can have no action, and may be referred to the staff for administrative action or scheduled on a subsequent agenda."

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

**G. PUBLIC HEARINGS:**

**Please try to limit your testimony to 2-5 minutes.**

**1. MODIFICATION TO A CONDITIONAL USE PERMIT – PHG 17-0002:**

REQUEST: A Modification to a previously approved Conditional Use Permit for California Metals Service (CMS) to expand their metals processing facility and operations onto an adjacent industrial property. The use also includes California Redemption Value (CRV) recycling services to the public. The proposal includes the construction of a new, 7,000 SF metal building for processing and storage of materials; outdoor acculoader system for loading materials into trucks; various outdoor storage areas; additional parking; above-ground propane tank; 1,000 gallon above-ground outdoor diesel fuel tank; storm water improvements and treatment system; and additional landscape screening along the Highway 78 frontage. Secondary truck access to Mission Road would be provided through an adjacent parcel owned by the applicant. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The approximately 1.8-acre site is comprised of two parcels and is located on the northern side of W. Mission, addressed as 1428 W. Mission Road (APNS 228-290-43 and 228-290-41).

ENVIRONMENTAL STATUS: Categorical Exemption pursuant to California Environmental Quality Act (CEQA) Section 15301 "Existing Facilities."

APPLICANT: CMS Metals

STAFF RECOMMENDATION: Approval

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

**H. CURRENT BUSINESS:**

Note: Current Business items are those which under state law and local ordinances do not require either public notice or public hearings. Public comments will be limited to a maximum time of three minutes per person.

**1. Climate Action Plan status update (PHG 18-0009).**

**I. ORAL COMMUNICATIONS:**

"Under State law, all items under Oral Communications can have no action and may be referred to staff for administrative action or scheduled on a subsequent agenda."

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

**J. PLANNING COMMISSIONERS**

**K. ADJOURNMENT**

**CITY OF ESCONDIDO**

**ACTION MINUTES OF THE REGULAR MEETING OF THE  
ESCONDIDO PLANNING COMMISSION**

**October 23, 2018**

The meeting of the Escondido Planning Commission was called to order at 7:00 p.m. by Chairman Spann, in the City Council Chambers, 201 North Broadway, Escondido, California.

**Commissioners present:** James Spann, Chairman; Don Romo, Vice-chairman; Joe Garcia, Commissioner; James McNair, Commissioner; Mark Watson, Commissioner; and Stan Weiler, Commissioner.

**Commissioners absent:** Michael Cohen, Commissioner.

**Staff present:** Bill Martin, Director of Community Development; Mike Strong, Assistant Planning Director; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; Kirsten Peraino, Minutes Clerk; Adam Finestone, Principal Planner; and Jay Paul, Senior Planner.

**MINUTES:**

Moved by Commissioner Weiler, seconded by Commissioner Watson, to approve the Action Minutes of the September 11, 2018, meeting. Motion carried unanimously (5-0, Commissioner McNair was absent for Minutes vote).

**WRITTEN COMMUNICATIONS** – None.

**FUTURE NEIGHBORHOOD MEETINGS:** – None.

**ORAL COMMUNICATIONS:** – None.

## **PUBLIC HEARINGS:**

### **1. TENTATIVE MAP MODIFICATION, EXTENSION OF TIME AND DEVELOPMENT AGREEMENT – SUB 16-0012 and PHG 18-0028:**

REQUEST: A modification to a previously approved ten-lot Tentative Subdivision Map (TR 878) to revise the design and project conditions of approval to conform to current storm water standards, eliminate an extraneous emergency access road to Bear Valley Parkway, revise retaining wall designs and locations, allow for an increase in the retaining walls along the northern property boundary up to approximately six feet in height in limited locations due to existing topographic constraints, modify pad grading and accommodate off-site grading/improvements. The number of lots would remain the same and pad elevations along the northern property boundary would remain in conformance with the previous Tentative Map. The project also includes a request for an Extension of Time and a proposed Development Agreement to extend the expiration date of the map to July 11, 2020. The proposal relies on previously adopted environmental determinations prepared for the project.

PROPERTY SIZE AND LOCATION: Approximately 3.19 acres generally located west of Lion Valley Road, south of Bear Valley Parkway, addressed as 323 Lion Valley Road.

ENVIRONMENTAL STATUS: A Negative Declaration (City File ER 2004-16) was adopted for the originally approved project. In conformance with CEQA Section 15162, no additional environmental documentation need be prepared because there are no substantial changes to the project that would require important revisions to the previous environmental documentation.

STAFF RECOMMENDATION: Approval

#### **PUBLIC SPEAKERS:**

- **Tom Wiedemann**, Engineer for the project spoke in opposition to Engineering Conditions 3 and 4.
- **Chip Hasley** spoke in favor of project.
- **William Yen** spoke in favor of project.
- **Michael Tan** spoke in favor of project.
- **David Ferguson** spoke in favor of project.

#### **COMMISSIONER DISCUSSION AND QUESTIONS.**

## **COMMISSION ACTION:**

Moved by Commissioner Weiler, seconded by Commissioner Watson to approve staff's recommendation with the change to Planning Condition #14 to change to Final Map. Motion carried, Ayes: McNair, Romo, Spann, Watson, and Weiler. Noes: Garcia. (5-1-0)

## **2. ZONING CODE AMENDMENT – AZ 18-0008:**

REQUEST: An amendment to Article 66 (Sign Ordinance) of the Escondido Zoning Code to allow certain signs to be placed within the public right-of-way. The intent of the amendment is to provide limited opportunities for the placement of monument signs in the public right-of-way, immediately adjacent to private, commercially zoned properties, in situations where existing public utilities otherwise preclude the placement of said signs on said private property. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: Citywide

ENVIRONMENTAL STATUS: Exemption under the General Rule, CEQA Section 15061(b)(3).

APPLICANT: City of Escondido

STAFF RECOMMENDATION: Approval

COMMISSIONER DISCUSSION AND QUESTIONS.

## **COMMISSION ACTION:**

Moved by Commissioner Weiler, seconded by Commissioner Watson to approved staff's recommendation. Motion carried unanimously. (6-0)

## **CURRENT BUSINESS:**

- 1. ADOPTION OF PLANNING COMMISSION BY-LAWS AND PROPOSED CHANGES (MISC 17-0013) TO THE PROCEDURES AND PROTOCOLS OF THE PLANNING COMMISSION**

**COMMISSION ACTION:**

Moved by Chairman Spann, seconded by Commissioner Garcia to approve the Planning Commission by-laws and continue with hard copy packet distribution of agenda packets. Motion carried unanimously 6-0. Adopt Planning Commission Resolution No. 2018-01.

**ORAL COMMUNICATIONS:** – None.

**ADJOURNMENT:**

Chair Spann adjourned the meeting at 8:30 p.m. The Planning Commission meeting scheduled for November 13, 2018 has been cancelled. The next regularly scheduled Planning Commission meeting will be held at 7:00 p.m. on Tuesday, November 27, 2018 in the City Council Chambers, 201 North Broadway Escondido, California.

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Mike Strong, Secretary to the Planning  
Commission

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Kirsten Peraino, Minutes Clerk

## PLANNING COMMISSION

AGENDA ITEM NO.: G.1  
DATE: November 27, 2018

**PROJECT NUMBER / NAME:** PHG 17-0002 / CMS

**REQUEST:** A modification to the previously approved Conditional Use Permit for California Metals Service (CMS) to expand their metals processing facility and operations onto an adjacent industrial property. The use also includes California Redemption Value (CRV) recycling services to the public. The proposal also includes the adoption of the environmental determination prepared for the project.

**LOCATION:** 1428 W. Mission Road

**APPLICANT:** California Metals Service

**APN / APNS:** 228-290-41 and -43

**PRIMARY**

**REPRESENTATIVE:** Jason Allen

**GENERAL PLAN / ZONING:** LI / M-1

**DISCRETIONARY ACTIONS REQUESTED:** Modification to a Conditional Use Permit

**PREVIOUS ACTIONS:** Conditional Use Permit (PHG 08-0014)

**PROJECT PLANNER:** Jay Paul, Senior Planner  
[jpaul@escondido.org](mailto:jpaul@escondido.org)

**CEQA RECOMMENDATION:** Exempt (CEQA Guidelines Section 15301(a), 15301 "Existing Facilities")

**STAFF RECOMMENDATION:** Approval.

**REQUESTED ACTION:** Approve Planning Commission Resolution No. 2018-02

**CITY COUNCIL HEARING REQUIRED:** ☐ YES ☒ NO

**REPORT APPROVALS:**

☐ Bill Martin, Community Development Director

☒ Mike Strong, Assistant Planning Director



## **A. BACKGROUND:**

A Conditional Use Permit (CUP) was approved by the Planning Commission in 2007 (PHG 08-0014) for California Metal Services, Inc. (CMS) to operate an industrial based recycling service in the M-1 (Light-Industrial) zone that specializes in buying, selling, and recycling of ferrous and non-ferrous metals and scrap metal. CMS services include providing industrial/commercial clients with roll-off recycling bins and containers, transportation services, and employee training. The initial division of metal types and any fluids typically is done at the customer's facility. Once the materials are delivered to the project site, CMS staff separates and prepares the metal for shipping by bailing, compacting, flattening, crushing or shredding. The materials then are loaded into larger 20-foot and 40-foot-long roll-off style box containers and placed on 40-foot flat-bed trucks for shipping to specific end locations. The original CUP noted that CMS is not a redemption center (CRV) open to the general public, but does on occasion accept loads of materials (metal only) from smaller mobile recycling services, commercial as well as limited public customers. The facility also was not intended to handle or accept typical recycling materials such as glass, paper, plastic, aluminum cans, yard or construction waste.

The CUP authorized operations to be conducted on a single 1.27-acre industrial parcel, but the operation has grown beyond the physical limitations of this lot and expanded onto an adjacent 0.53-acre lot also owned by CMS. Although all processing was required to be done within the existing buildings pursuant to the adopted CUP, certain outdoor operations (such as initial dumping of metals onto the ground) and storage of materials has resulted in adverse impacts to the storm water system and code compliance issues. In addition to the foregoing, City code enforcement and storm water personnel have documented several other code violations regarding, non-permitted signage, property maintenance, use intensity, constrained emergency fire vehicle access (ingress/egress), and other condition compliance-related issues.

Over the past year, CMS has actively been working with the City to address the various code compliance issues and obtain the necessary modification to the CUP to allow for the expanded operations. The applicant also has been attempting to return the site to its original approved condition, and is seeking to obtain a modification to the original CUP to allow for all business activities on the site, including the public recycling operations (CRV), construction of the new processing building, and expansion of the operations onto the adjacent site. As part of this coordination with the City, CMS entered into an agreement to temporarily utilize the adjacent parcel to properly store materials in appropriate bins and implement necessary storm water best management practices as an immediate solution to the storm water compliance issues, while they pursue their modification to the use permit, which includes appropriate structures, equipment/facilities and operational measures to address the code compliance and storm water issues.

## **B. PROJECT ANALYSIS:**

### **1. General Plan / Zoning**

The General Plan land-use designation for the site is Light Industrial, which allows for a wide range of industrial uses. Recycling operations are permitted within the Light Industrial zone

through the CUP process. The M-1 zone requires that all processing of material must be conducted indoors. Outdoor storage of materials is allowed when properly screened and loading of materials also is permitted in the M-1 zone. Outdoor processing only is allowed in the M-2 (General Industrial) zone.

## **2. Site Modifications and Operations**

In order to address the code compliance/operational issues associated with the processing of materials, CMS is proposing to remove several open canopy type structures and construct a new, 7,000 SF metal processing/storage building along the northern boundary of the subject parcels. The building would be used for the initial off-loading of materials directly onto the floor. CMS has been offloading the metals directly onto the floor outdoors, which not permitted in the M-1 zone. The materials then would be sorted and then deposited by a front-end loader into new steel loading platforms/bins located outside of the building. A claw type loader would then deposit the materials into a new acculoader system that pushes the materials into larger bins or tractor trailers for delivery to other recycling/processing facilities. The new system will load the bins or trucks much quicker than the previous system and also eliminate potential storm water pollution runoff issues. This system also would eliminate potential stacking of trucks onto Mission Road waiting to be loaded. Processed materials also would be stored in roll-off type bins in designed outdoor storage areas, which would be required to be covered during any rain events in conformance with storm water requirements.

The new metal building would be painted a darker gray with a black metal trim on top, to be compatible with the color scheme of the other metal buildings. Open bays would be oriented to the south and the new building would block views into the property and also screen proposed outdoor storage areas and operations from Highway 78. A row of upper story windows would be provided along the northern elevation/highway frontage to help break up the mass and scale of the building. A 32-foot-high wing-wall element is included along the western side of the building to provide additional screening into the site and views of the new acculoader system and bin storage area. The wing wall would be set back from the main building wall plane to further break up the massing of a long/tall building. Raised planters also would be provided along the northern elevation of the new building, wing wall and existing buildings to provide additional screening from Highway 78 and to further break up the mass of the new building.

The original 2008 CUP did not include provisions for a general public recycling redemption center (CRV). However, the site has been operating a recycling redemption center (cans, plastic, paper) over the past several years, and therefore must modify the CUP to allow for the continued operation. Recycling redemption type center are permitted in the M-1 zone, but must conform to certain operational and parking requirements, which have been incorporated into the updated site plan. Specific parking, loading and outdoor bin storage areas have been designed to accommodate the CRV operation and to avoid conflicts with the separate metals processing type operations towards the rear/northern area of the site. In order to reduce potential on-site circulation impacts between the customer vehicles and larger metals recycling trucks, additional

truck access would be provided from a second driveway from Mission Road (adjacent to the south) on a parcel that also is owned by CMS metals. This second driveway access will accommodate emergency fire vehicle access (ingress/egress).

### **3. Parking**

Employee and customer parking for the two proposed uses (including the metals processing facility and the proposed metals recycling facility), shall be provided in accordance with the provisions of Article 39, Section 33-765 (off-street parking). In consideration of the terms of the original CUP and the regulations set forth in Section 33-694 (Development Standards) of the Escondido Zoning Code for Recycling Facilities, parking for the metals processing facility originally was approved to be provided at a ratio of 1 space per 5,000 SF of lot area or one per employee, similar to the requirements of a salvage/storage yard. This was approved based on the lower parking demands associated with the operational characteristics of the facility and limited public access. This "approved" ratio would be maintained for the metals processing facility, which would require a minimum of 12 spaces for the metals processing component of the facility. Parking for the recycling redemption portion of the project (CRV) would be provided at a higher ratio to accommodate the general public, employees and higher truck traffic, which would also require a minimum of 12 spaces. The site would provide up to 34 on-site parking spaces, which would be able to accommodate the maximum number of employees on the largest shift (anticipated up to 24) and any customers associated with the CRV operations, vendors and visitors.

On-street parking along Mission Road is restricted. The applicant indicated the facility has not had any on-site parking issues; and sufficient public, employee and truck parking could be provided throughout the site. The larger fleet vehicles/trucks are planned to be parked off-site to further reduce potential parking and storage issues. Staff feels that utilizing two parking standards for the separate metals processing CRV operations is appropriate and 34 on-site spaces would be adequate to support the uses at the facility. As of this writing, none of the existing complaints or code violations on the property involved parking-related issues.

### **4. Storm Water Facilities**

CMS is required to bring the project site and operations into compliance with City storm water regulations and State water quality requirements. The applicant has been working with the City's Engineering and Environmental Programs Divisions to address multiple code compliance and storm water quality runoff issues. In order to address the immediate storm water compliance issues, the applicant entered into a temporary agreement with the City to continue to utilize the adjacent industrial parcel owned by CMS to store materials in appropriate bins and implement necessary pollution prevention and storm water runoff best management practices. The applicant also is proposing additional long-term storm water treatment improvements to include an above-ground treatment facility to comply with the necessary State Industrial General Permit. Storm water runoff from upstream properties also flows through the site, but is not required to be treated

by the new on-site systems. This flow is proposed to be directed to downstream storm water facilities with a bypass system so flows do not comingle with the on-site flow. However, if the upstream storm water is comingled with the on-site storm water, then all of the storm water will need to be treated before it leaves the site. Appropriate project conditions have been included to address the storm water treatment issues, including on-going maintenance and monitoring.

## **5. Signage**

The project will need to conform to the sign criteria for the M-1 (Light Industrial) zone, which allows up to one (1) SF of signage per every 100 SF of gross building floor area. The site would contain approximately 19,700 SF of proposed building area. The maximum size of individual wall signs shall not exceed 50 SF, unless the business occupies an entire building in which case the maximum size of individual wall signs shall not exceed 100 SF. The total aggregate area of all wall signs shall not exceed 150 SF per business establishment. The project may need to remove signage on existing buildings to accommodate the proposed 100 SF CMS logo sign proposed on the northern (rear) facing elevation on the new 7,000 SF storage building.

## 6. Supplemental Details of Request

1. Property Size: 1.8 acres (two parcels, 1.27 acres and 0.53 acres). CMS also owns another adjacent 1.18-acre parcel, but is not part of the project other than access.
2. Existing Buildings:
  - A. 3,200 SF metal CRV facility (processing, sorting, storage)
  - B. 4,000 SF metal building (main office, lobby, and storage)
  - C. 5,500 SF metal bldg. (materials processing, bailing, compacting, shredding, storage)
  - D. 1,960 SF metal canopy to be removed.
  - E. 1,670 SF metal canopy to be removed
  - F. 3,600 SF metal canopy and paint booth

Existing in-ground truck scale

3. Proposed Buildings: 7,000 SF new metal processing/storage building (175' x 32'-8", with 7 bays and openings along southern elevation). Dark gray primary color with black accent roof trim. New building screening panel (20' long x 32' tall) along western side of new building to provide additional screening of outdoor storage and loading areas. Materials and colors to match new building and includes raised landscape planter along northern elevation.

4. Other Proposed:  
Modifications
  - 1000 gallon above-ground fuel tank
  - 2 steel holding material platforms (10' x 20' and 15' x 25')
  - Acculoader (outdoor loading of materials into trucks)
  - New storm water infrastructure and above-ground treatment system (10' x 20')
  - New raised landscape planters along northern side of new and existing buildings

5. Parking: 34 parking spaces to be provided (to include 2 disabled spaces). The 34 spaces can accommodate the parking demand from 24 on-site employees on site during the largest shift plus customers associated with the CRV operations and any vendors or visitors.

CRV: 12 spaces required

6.5 spaces 1/500 SF materials processing area (3,200 SF)  
1 space 1/5,000 SF outdoor storage (5,000 SF for CRV storage)  
3 spaces 1 per scale (up to 3 CRV scales)  
1.5 space 1 space (waiting) per 2 scales

Note: Approx. 15,400 SF area (buildings, outdoor storage, parking, etc.) devoted to CRV operations.

Metals Processing Yard: 12 space required based on yard area or spaces required if based on 1 space for number of employees on largest shift. There are up to 24 employees on site during largest shift (not counting drivers).

12 spaces 1/5,000 SF yard area (approx. 59,708 SF yard area devoted to metals processing operations). Total area of both parcels is 1.8 acres or 78,408 SF – 15,400 SF devoted to CRV operations.

6. Number of Employees: Up to 24 on-site (Metals Processing and CRV)

Office/Sales	7
CRV	5
Yard	10-12 (fluctuates based on times/days)

Drivers 6 (Drivers park off-site to pick-up trucks stored off site. This number is not included in the total stated above and elsewhere herein this staff report)

7. Number of Vehicles: Currently operate six trucks/drivers (but also contracts for transportation vehicles)

- 40-foot flat-bed roll off
- 27-foot stake bed bobtail

8. Hours of Operation: Public hours: Typical Mon – Fri 9-4:30pm, Saturday 8-4:30pm  
Sunday Closed

Administrative/Sales, Drivers/Yard typically all start at the same time, and begin at 6:00 a.m. to 6:00 –p.m. Hours may vary as necessary.

9. Outdoor Storage: Approximately 5,000 SF devoted to CRV outdoor storage. Various other outdoor bin, box, tote, barrel, CRV metal and plastic drums storage and materials storage throughout the site to support the metals recycling operation.

10. Fencing/Screening: Existing eight-foot-high masonry wall with metal gates along Mission Road frontage. Existing six-foot-chain-link fence with green mesh along Highway 78 frontage.

11. Signage: All building/wall signage shall subject to conformance with the M-1 zoning requirements. This may require removal of existing signage.

**C. ENVIRONMENTAL STATUS:**

The proposed project is categorically exempt from environmental review in conformance with CEQA Sections 15301(a) and (g), "Existing Facilities." CEQA provides an exemption for projects related to interior or exterior alterations; new copy on existing on- and off-premise signs; and for accessory structures such as on premise signs. In staff's opinion, the proposed project would not

have a significant impact to the environment. All project related issues remain resolved through compliance with code requirements, project design, and the recommended conditions of approval.

**D. CONCLUSIONS:**

The Planning Commission is the authorized agency for reviewing and granting discretionary approvals related to CUP modifications. The Planning Commission is being asked to consider a modification to the CUP for CMS. No other discretionary permits are requested or required for the proposed scope of work.

The proposed project is consistent with the General Plan and the project meets all the applicable zoning standards. The project as proposed will not have a significant effect on the environment, as designed and conditioned. The location, size, design, and operating characteristics of the proposed project will not be incompatible with or will adversely affect or will be materially detrimental to adjacent land uses. The site is suitable for the type and intensity of use or development which is proposed. Staff recommends that the Planning Commission approve Planning Case No. PHG 17-0002 based upon the factors/findings and conditions contained in the attached Planning Commission Resolution No. 2018-02 (Attachment 1).

**ATTACHMENTS:**

1. Location and General Plan Map
2. Draft Planning Commission Resolution No. 2018-02
3. Resolution No. 2018-02 – Exhibit A, B, C and D

PD-C

SR-78

I-15 RAMP

M-1

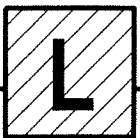
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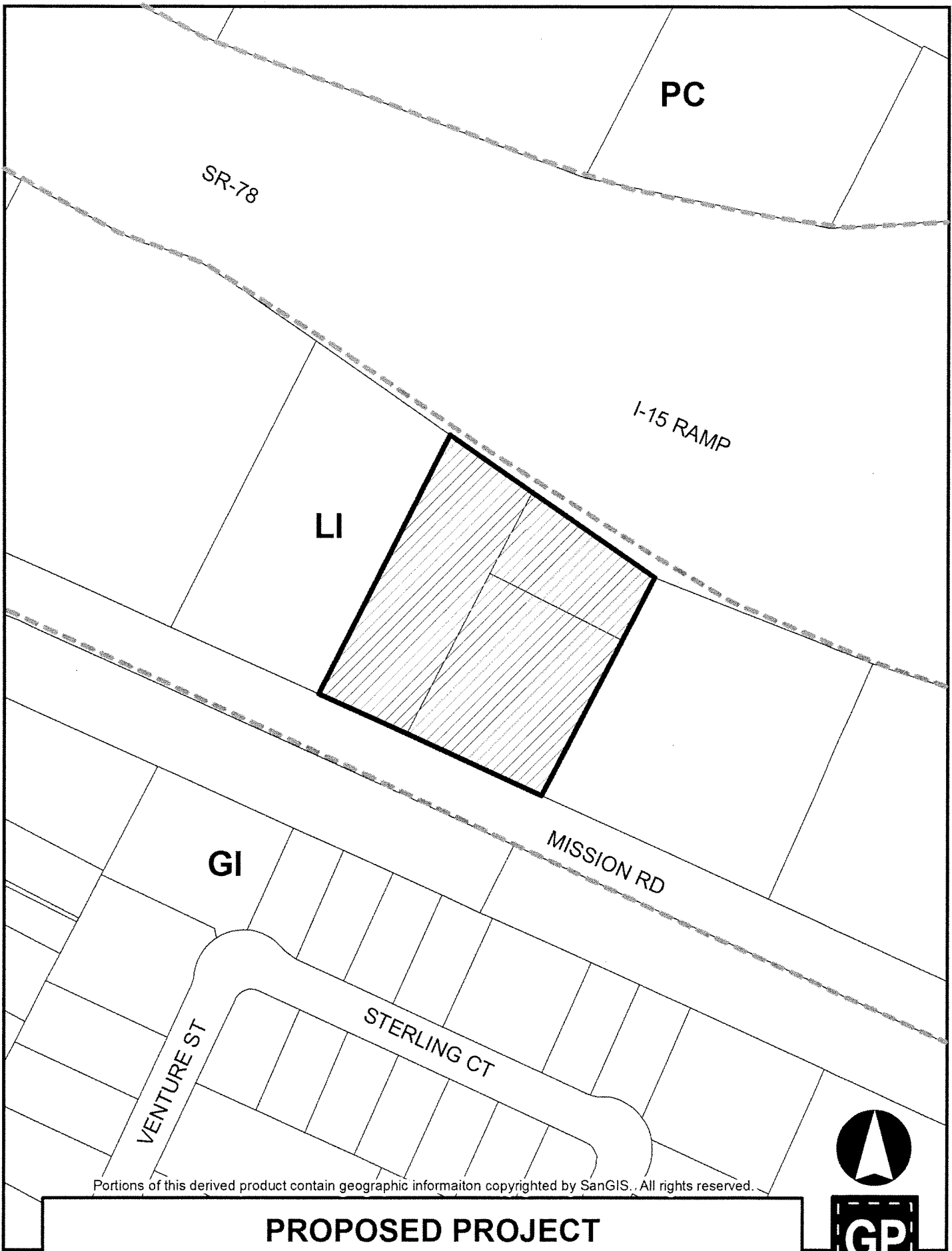
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LOCATION/ZONING

**PROPOSED PROJECT  
PHG 17-0002**





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**PROPOSED PROJECT  
PHG 17-0002**



GENERAL PLAN

Planning Commission  
Hearing Date: November 27, 2018  
Effective Date: December 8, 2018

PLANNING COMMISSION RESOLUTION NO. 2018-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF ESCONDIDO, CALIFORNIA, APPROVING A  
MODIFICATION TO A CONDITIONAL USE PERMIT FOR  
CALIFORNIA METALS SERVICE

APPLICANT: California Metals Service (CMS)

CASE NO: PHG 17-0002

WHEREAS, California Metals Service (herein after referred to as “Applicant”), filed a verified application with the City of Escondido regarding property located 1428 W. Mission Road (APNs 228-290-41 and -43), in the Light Industrial (M-1) Zone, more particularly described as shown on Exhibit A (“the property”); and

WHEREAS, said verified application constitutes a request for a modification to a Conditional Use Permit on the property as shown on Exhibit “B” dated November 27, 2018, on file in the Planning Division, Planning Case No. PHG 17-0002; and

WHEREAS, said application was processed by the Planning Division in accordance with the rules and regulations of the Escondido Zoning Code and the applicable procedures and time limits specified by the Permit Streamlining Act (Government Code Section 65920 et seq.) and CEQA (Public Resources Code Section 21000 et seq.); and

WHEREAS, the use for which the Project is applied for is conditionally permitted within the zone in which the property is located; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines (14 California Code of Regulations Section 15000 et. seq.), the City is the lead agency for the Project, as the public agency with the principal responsibility for approving the proposed Project; and

WHEREAS, the Planning Division did study said request and does recommend approval of the Project; and

WHEREAS, the Planning Commission of the City of Escondido did, on February 27, 2018, hold a duly noticed public hearing as prescribed by law and all those desired to be heard were heard. Evidence was submitted to and considered by the Planning Commission, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted by the Applicant;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated November 27, 2018, with its attachments as well as City staff's recommendation on the Project, which is incorporated herein as though fully set forth herein; and
- d. Additional information submitted during the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido:

1. That the above recitations are true and correct.
2. The Planning Commission, in its independent judgement, has determined the project to be exempt from environmental review. Pursuant to CEQA, the Project is exempt from further environmental review because it can be seen with certainty that there

is no possibility that it will have a significant effect on the environment (Section 15301 "Existing Facilities") as described in the November 27, 2018 Planning Commission staff report. The Planning Commission, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of San Diego in accordance with CEQA Guidelines.

3. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and in its behalf, the Planning Commission makes the following substantive findings and determinations, attached hereto as Exhibit "C." In accordance with the Findings of Fact and the foregoing, the Planning Commission reached a recommendation on the matter as hereinafter set forth.

4. The Planning Commission does hereby approve the Project subject to compliance with conditions, attached as Exhibit "D."

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the Project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Public Works Departments. The Project also is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which 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.

PASSED, ADOPTED AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 27<sup>th</sup> day of November, 2018, by the following vote, to wit:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

\_\_\_\_\_  
JAMES SPANN, Chairman  
Escondido Planning Commission

ATTEST:

\_\_\_\_\_  
MIKE STRONG, Secretary of the  
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.

\_\_\_\_\_  
KIRSTEN PERAINO, Minutes Clerk  
Escondido Planning Commission

Decision may be appealed to City Council  
pursuant to Zoning Code Section 33-1303

## EXHIBIT "A"

### PHG17-0002 Property Description

APNs 228-290-41 and -43

Real property in the City of Escondido, County of San Diego, State of California, described as follows:

**PARCEL 1:**

THE NORTHEASTERLY 215.00 FEET OF THE SOUTHEASTERLY 200.00 FEET OF LOT 5 IN BLOCK 1 OF THE RANCHO LOS VALLECITOS DE SAN MARCOS, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 806, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 21, 1895.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING NORTHEASTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF LOT 6 IN SAID BLOCK 1, DISTANT THEREON NORTH 27° 27' 31" EAST 475.16 FEET FROM THE MOST WESTERLY CORNER OF SAID LOT 6; THENCE SOUTH 56° 56' 39" EAST, 321.51 FEET; THENCE SOUTH 54° 40' 58" EAST, 343.70 FEET; THENCE SOUTH 68° 24' 10" EAST, 331.58 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF LOT 4 IN SAID BLOCK 1, DISTANT THEREON NORTH 27° 24' 41" EAST, 374.89 FEET FROM THE SOUTHERLY CORNER OF SAID LOT 4.

**PARCEL 2:**

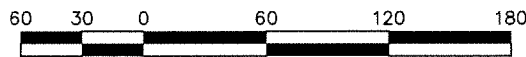
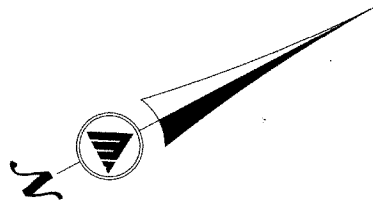
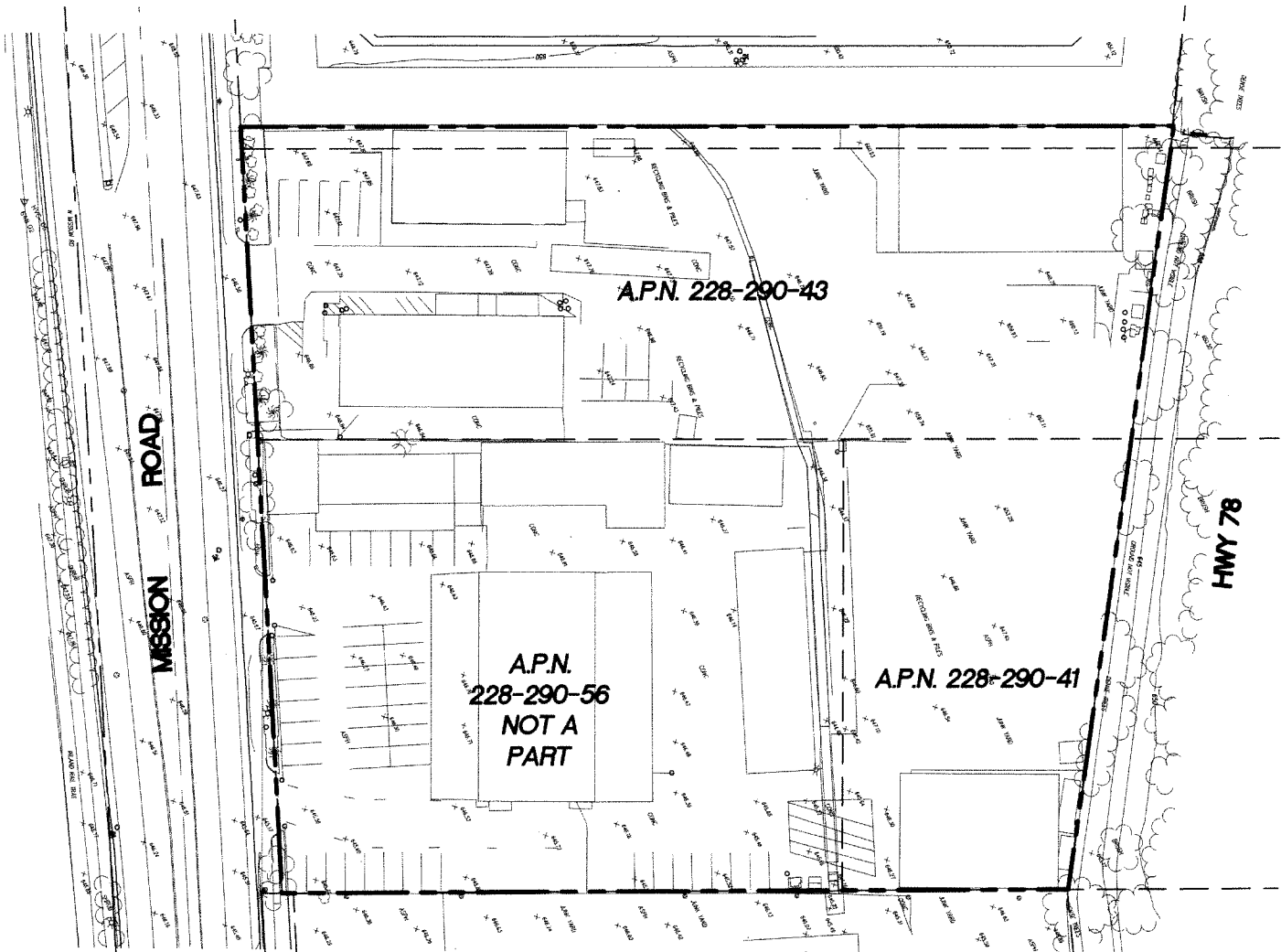
LOT 5 IN BLOCK 1, (EXCEPTING THE SOUTHEASTERLY 200.00 FEET THEREOF) IN RANCHO LOS VALLECITOS DE SAN MARCOS, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 806, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 21, 1895, TOGETHER WITH THAT PORTION OF LOT 6 IN SAID BLOCK 1 OF RANCHO LOS VALLECITOS DE SAN MARCOS, LYING SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 320.00 FEET OF SAID LOT 6.

EXCEPTING FROM ALL THE ABOVE THAT PORTION THEREOF LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF LOT 6 IN SAID BLOCK 1, DISTANT THEREON NORTH 27° 27' 31" EAST 475.16 FEET FROM THE MOST WESTERLY CORNER OF SAID LOT 6; THENCE SOUTH 56° 56' 39" EAST, 321.51 FEET; THENCE SOUTH 54° 40' 58" EAST, 343.70 FEET; THENCE SOUTH 68° 24' 10" EAST, 331.58 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF LOT 4 IN SAID BLOCK 1 DISTANT THEREON NORTH 27° 24' 41" EAST, 374.89 FEET FROM THE SOUTHERLY CORNER OF SAID LOT 4.

ALSO EXCEPTING THEREFROM THE SOUTHWESTERLY 9 FEET THEREOF AS CONVEYED TO THE CITY OF ESCONDIDO FOR STREET AND PUBLIC UTILITY PURPOSES IN DEED RECORDED JUNE 1 1976 AS FILE/PAGE NO. 76-166803, OF OFFICIAL RECORDS.

APN: 228-290-41-00 (Affects: Parcel 1) and 228-290-43-00 (Affects: Parcel 2)



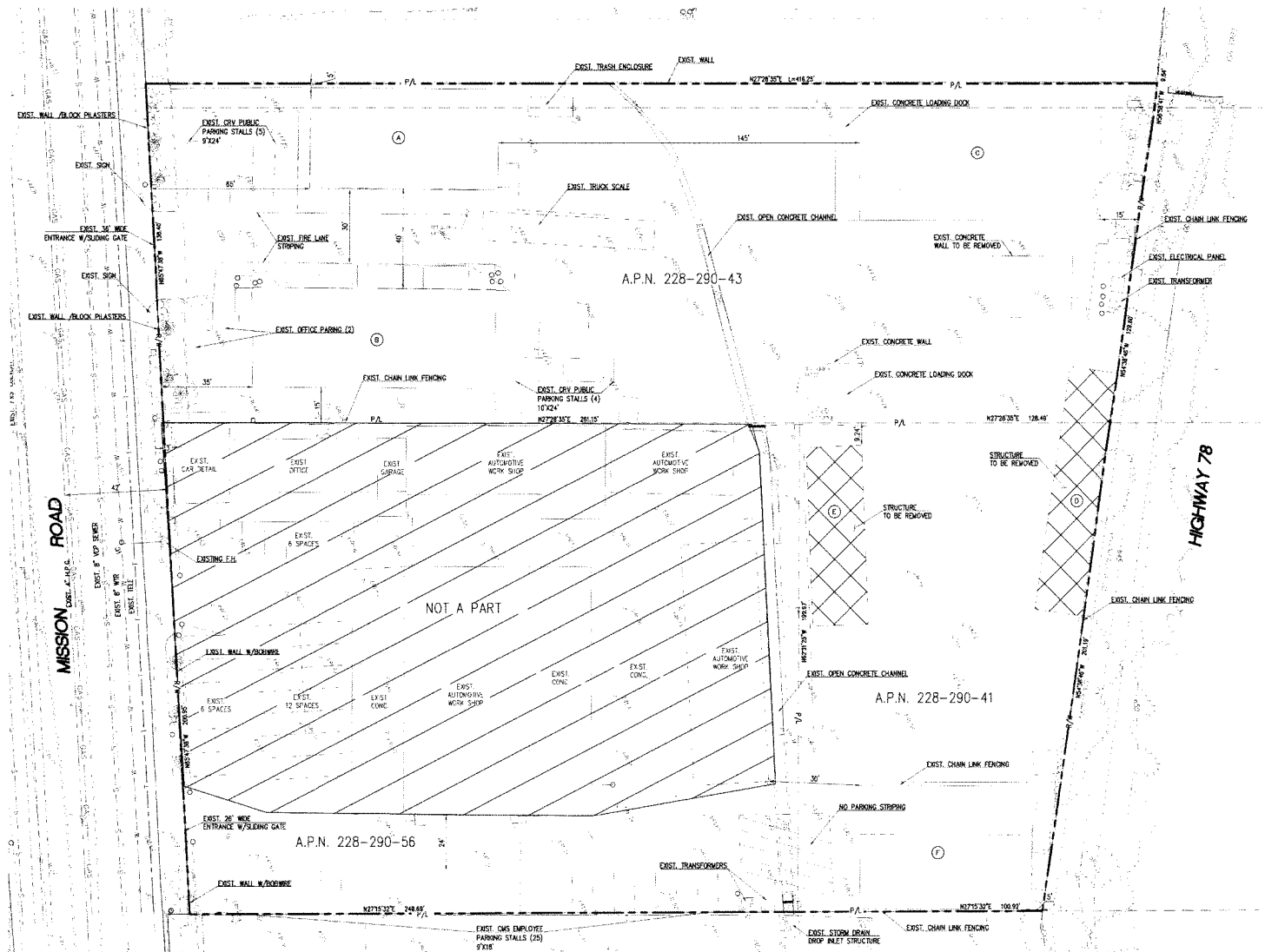
SCALE IN FEET  
GRAPHIC SCALE

PROPOSED PROJECT  
PHG 17-0002<sub>16-</sub>

S

SITE PLAN

EXHIBIT "B"  
November 27, 2018



**EXISTING SITE STRUCTURES:**

STRUCTURE A  
TYPE: METAL BUILDING  
DIMENSIONS: 3,200 SQ. FT.  
USE: CRV FACILITY, MATERIAL PROCESSING, SORTING, AND STORAGE (3 ROLL-UP DOORS)

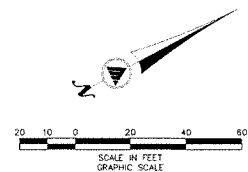
STRUCTURE B  
TYPE: METAL BUILDING  
DIMENSIONS: 4,000 SQ. FT.  
USE: MAIN OFFICE, LOBBY, AND STORAGE (1 ROLL-UP DOOR)

STRUCTURE C  
TYPE: METAL BUILDING  
DIMENSIONS: 5,500 SQ. FT.  
USE: METAL PROCESSING, BALING, COMPACTING, & STORAGE (4 ROLL-UP DOORS)

STRUCTURE D  
TYPE: METAL CANOPY STRUCTURE (TO BE REMOVED)  
DIMENSIONS: 1,960 SQ. FT.  
USE: BIN AND ROLL-OFF STORAGE

STRUCTURE F  
TYPE: METAL CANOPY STRUCTURE (TO BE REMOVED)  
DIMENSIONS: 1,670 SQ. FT.  
USE: BIN AND ROLL-OFF STORAGE

STRUCTURE F  
TYPE: METAL CANOPY  
DIMENSIONS: 3,600 SQ. FT.  
USE: TRUCK PAINT BOOTH



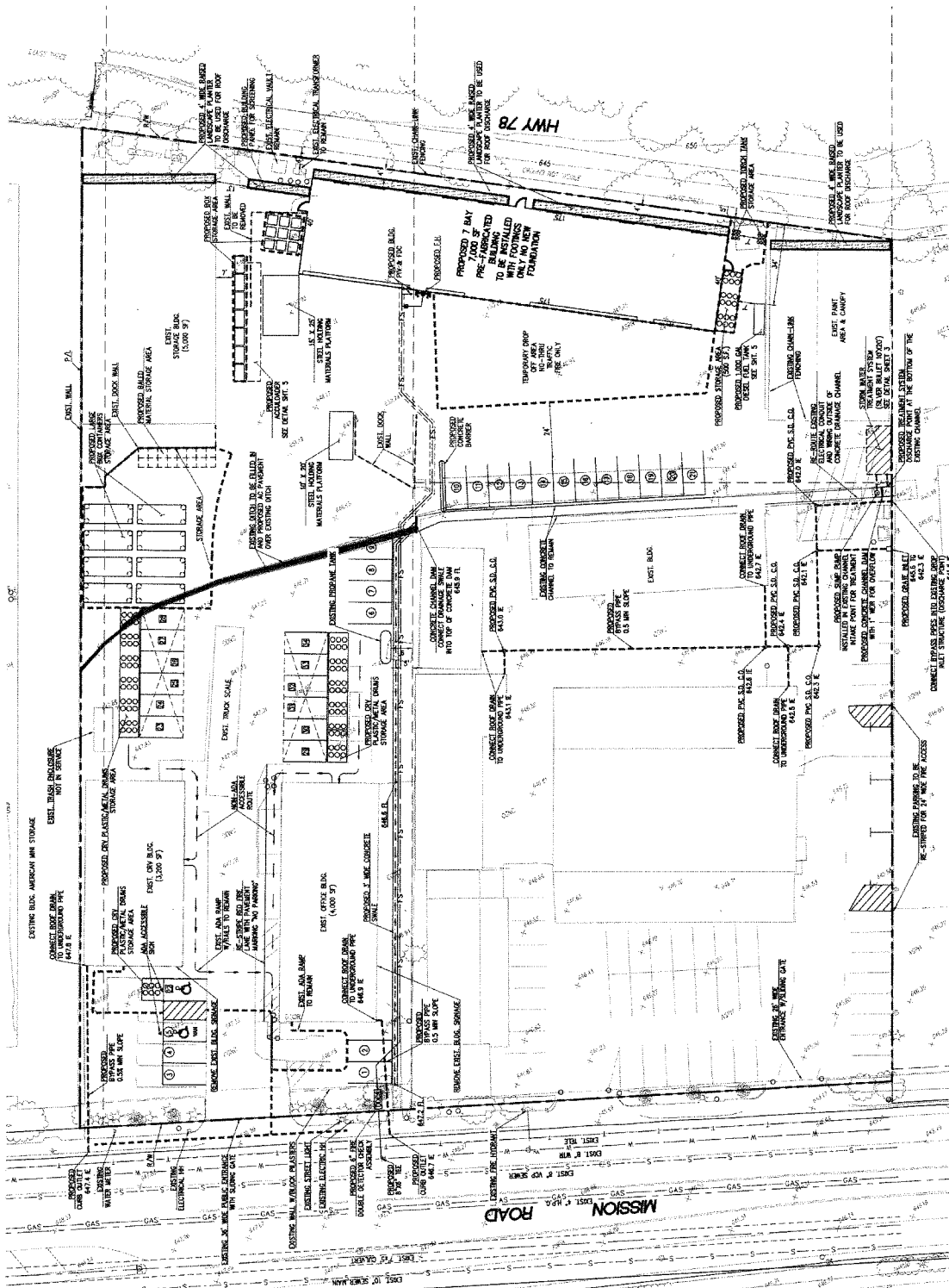
## EXISTING SITE CONDITIONS

**PROPOSED PROJECT**  
**PHG 17-0002<sub>17</sub>.**

# EC

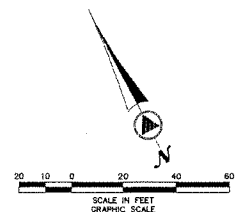
## EXISTING CONDITIONS





SITE IMPROVEMENT LEGEND:

- EMPTY / FULL BOXES (FIVE HIGH OR FIVE BY FIVE)
- BALED MATERIALS (5'x5')
- LARGE BOX CONTAINER (5'x20')
- PLASTIC OR METAL DRUMS
- CONCRETE BARRIERS
- COVERED PARKING SPACE (CUSTOMER)
- PARKING SPACE (OFFICE)
- ADA PARKING SPACE (VAN)
- ADA ROUTE
- FIRE SERVICE
- FIRE HYDRANT
- CONCRETE SWALE
- DOUBLE DETECTOR CHECK
- PVC STORM DRAIN
- INLET
- ADA SIGNAGE
- ONE PARKING SPACES
- ONLY PARKING SPACES
- NON-ADA PEDESTRIAN ACCESS ROUTE
- TREATMENT AREA
- PLANTED LANDSCAPE PLANTER
- LANDSCAPE SODDING MIXES (COLLUMNAR EVERGREEN TYPE)
- \* - TO BE DETERMINED DURING FINAL ENGINEERING



## SITE IMPROVEMENTS

**PROPOSED PROJECT**  
**PHG 17-0002<sub>8</sub>.**

S

## SITE IMPROVEMENTS

# FIRE ACCESS

## LEGEND:

FIRE TRUCK ACCESS

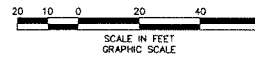
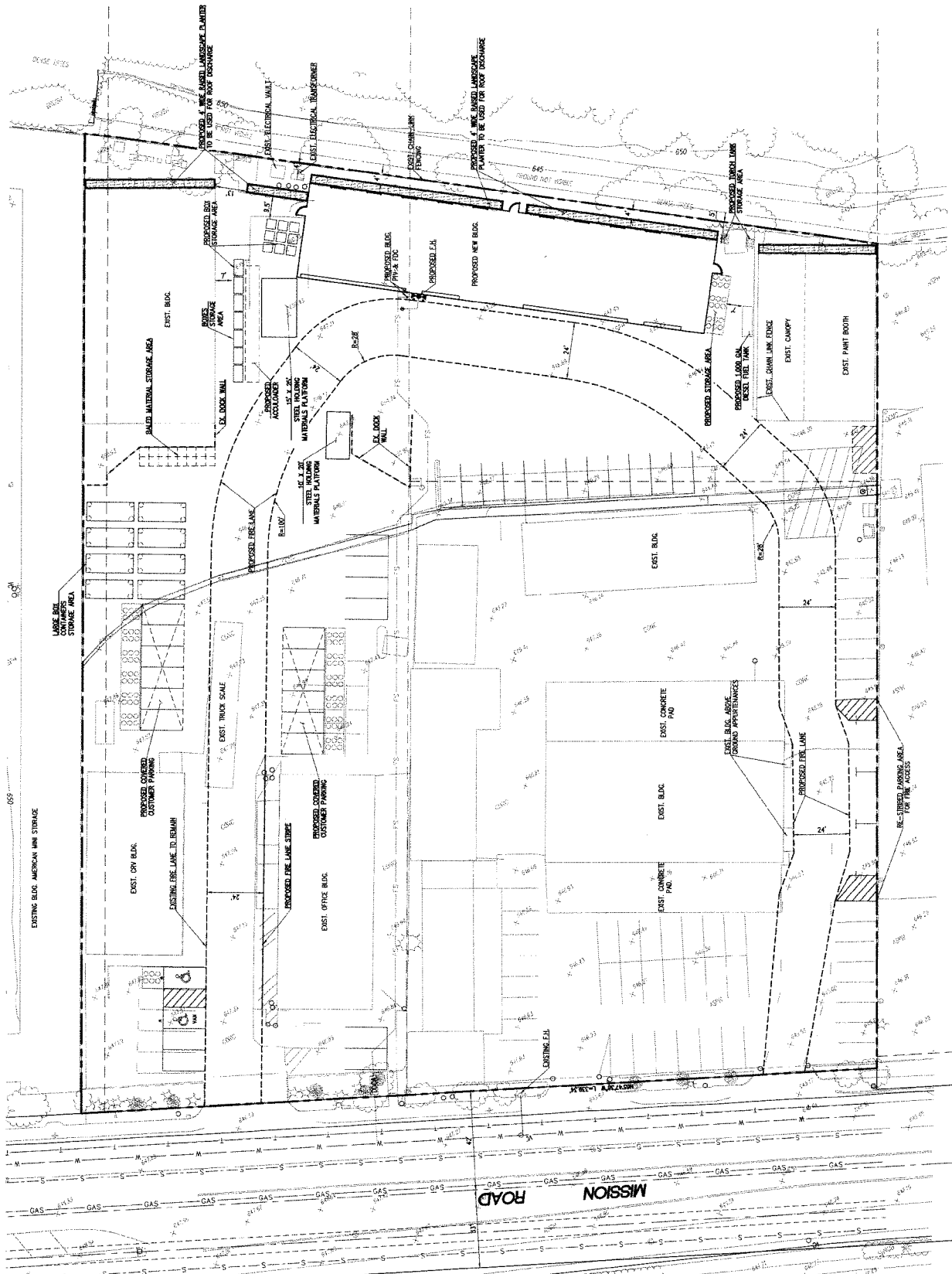


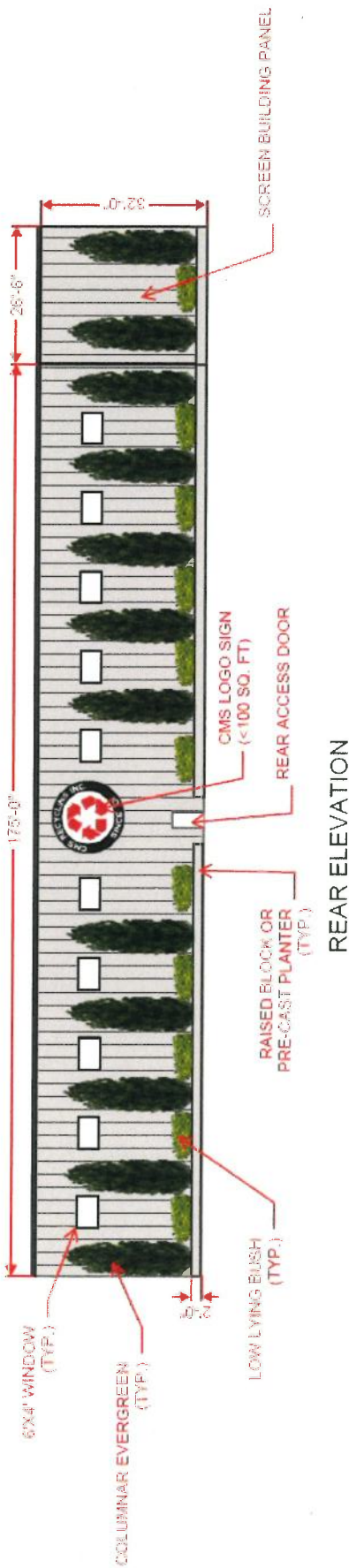
EXHIBIT "B"  
November 27, 2018



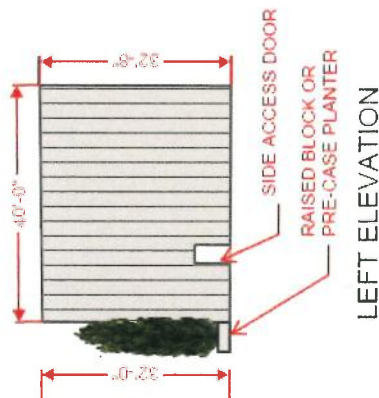
PROPOSED PROJECT  
PHG 17-0002<sub>19</sub>

FA

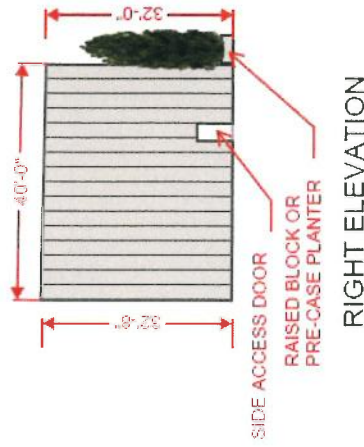
FIRE ACCESS



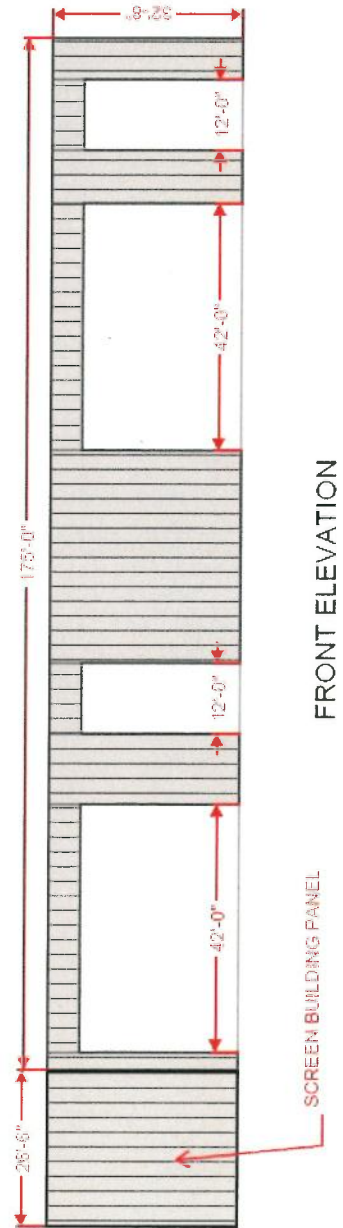
REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



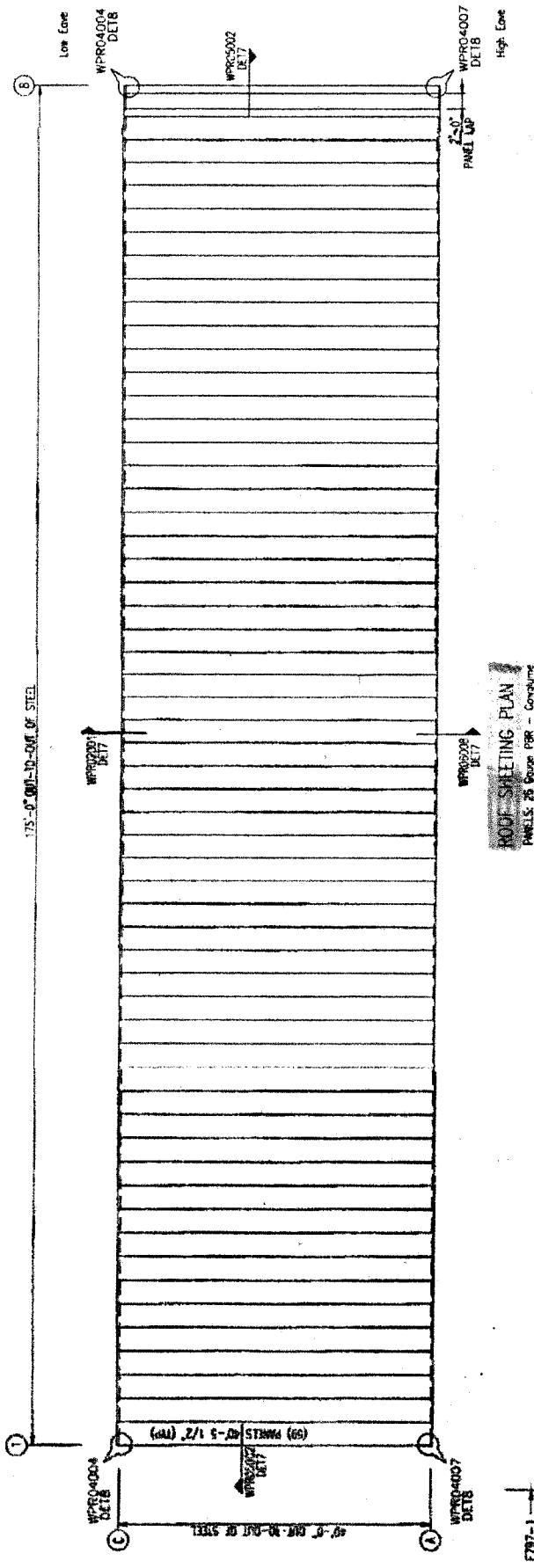
FRONT ELEVATION

PROPOSED PROJECT  
PHG 17-000220-

E

ELEVATIONS

ROOF SHEETING PLANE  
PANEL TYPE = 26 CORR GALVALUME PLUS  
PANEL OVERHANG = 3"  
FROM OUTER STEEL



ROOF SHEETING PLAN  
PANELS: 26 Gauge CORR - Galvalume

- F797-1
- F1801-1
- F797-1
- F1801-1
- F797-1
- F1802-1

DOWNSPOUT LAYOUT  
[4 RECD]

SEE DP00020/DET6  
THE DOWNSPOUTS ARE TO BE PLACED ON THE BUILDING SIDEWALLS AT A SPACING NOT TO EXCEED 73.30 FEET WITH THE FIRST DOWNSPOUT FROM BOTH ENDS OF THE GUTTER RUNS WITHIN 36.65 FEET OF THE END

PROPOSED PROJECT  
PHG 17-0002<sub>21</sub>

R

# DIMENSIONS

EXHIBIT "B"

November 27, 2018

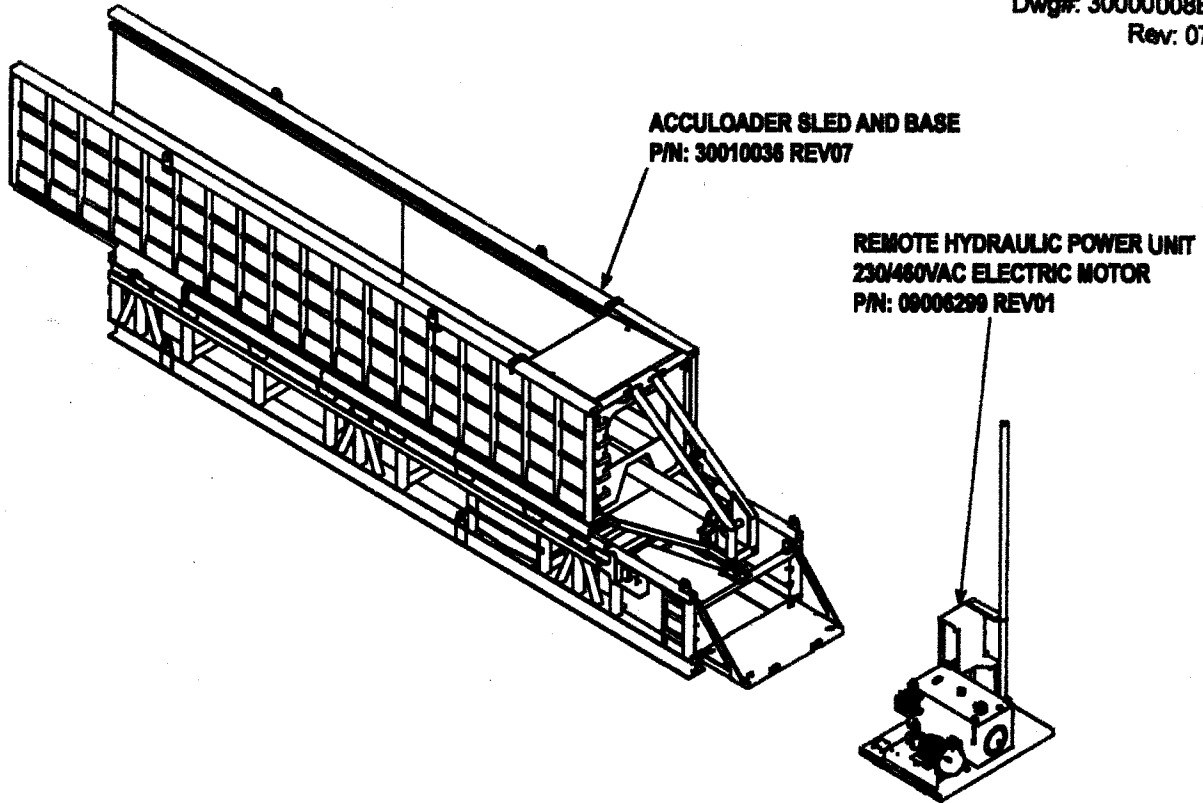
Make: JEWELL

Model: HSCL 1

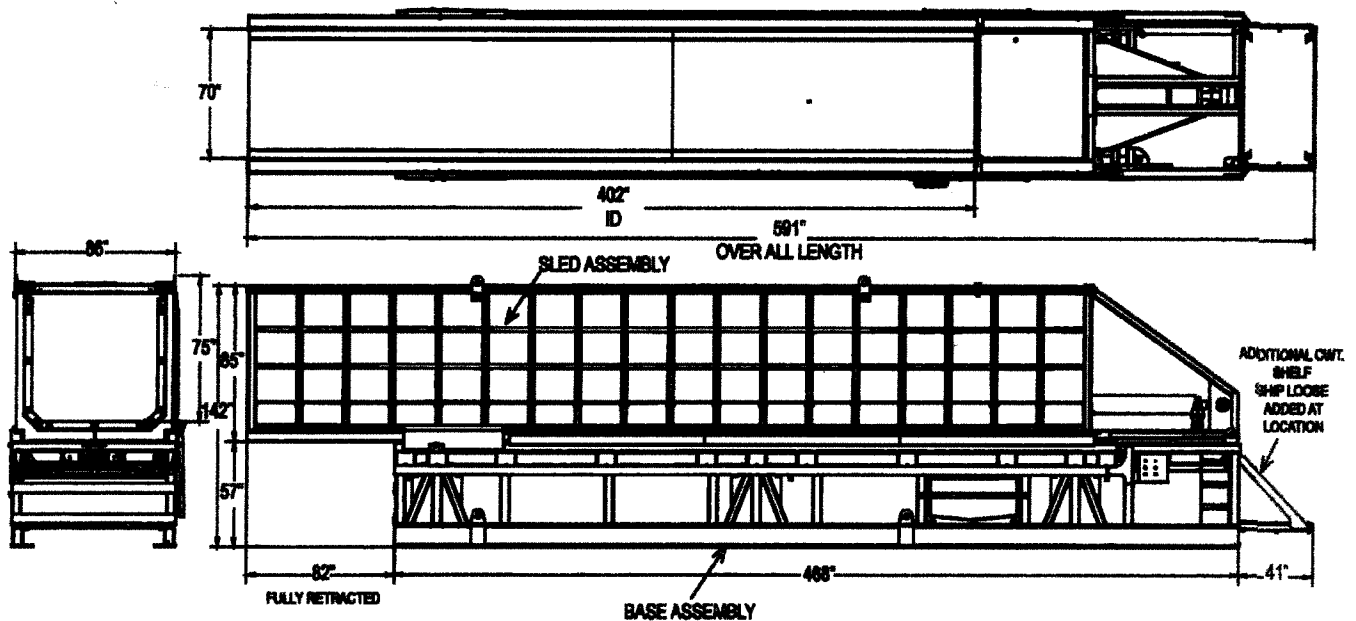
Date: 1/25/17

Dwg#: 30000008E

Rev: 07



## DIMENSIONS - ACCULOADER SLED AND BASE



Specifications and dimensions subject to change at any time without notice.

X BODY PRODUCT MANUAL

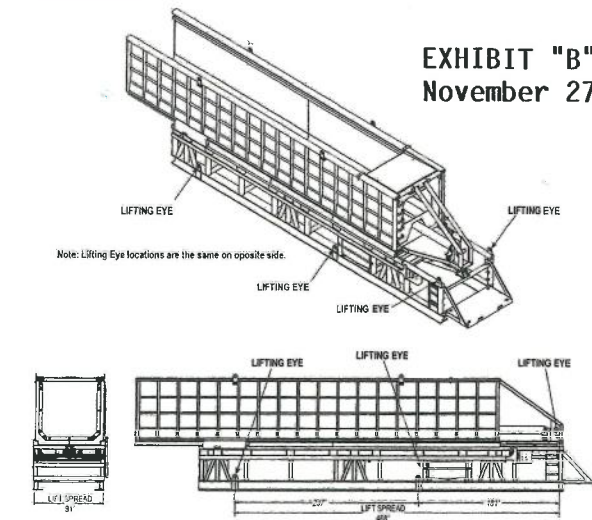
HSCL 1.5 ACCULOADER - ELECTRIC MOTOR POWER UNIT

PROPOSED PROJECT  
PHG 17-0002<sub>22</sub>

D

DETAILS

# EXHIBIT "B" November 27, 2018



ACCULOADER ELECTRIC MOTOR POWER UNIT

*Silver Bullet*



Four stages of treatment removes pollutants with the combination of

- Gravity Settling
- Flocculation
- Ion Exchange
- Filtration Final Water Polishing

This system

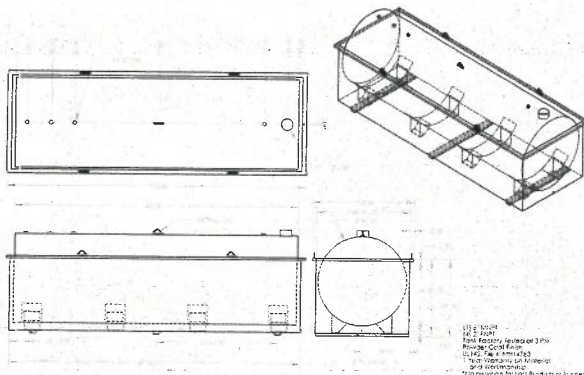
- Attains US EPA Benchmarks
- Removes dissolved solids (unlike filtration systems)

This system is

- **Fail Safe**
  - Monitored to economically control water quality with a proprietary closed loop monitoring system
- **Flexible**
  - The system's modular construction facilitates the incorporation of additional treatment components specific to the needs of unique discharge water
- **Affordable**
  - The system cost is within the range of most small to mid sized businesses. A lease to own option is available!
- **Compact**
  - The above ground foot print is less than eight feet by 20 feet (8x20') and is powered by 208/220 single phase electricity.

## SILVER BULLET TREATMENT SYSTEM

1000 GALLON UL-142 TANK W/ 115% CONTAINMENT BASIN

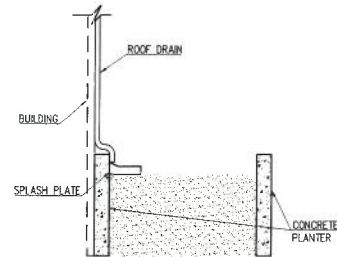


**SUPERIOR**  
14700 Indusky Circle  
La Mesa, CA 92040  
C  
SCB-1000  
05/09/11  
SHEET 1 OF 1

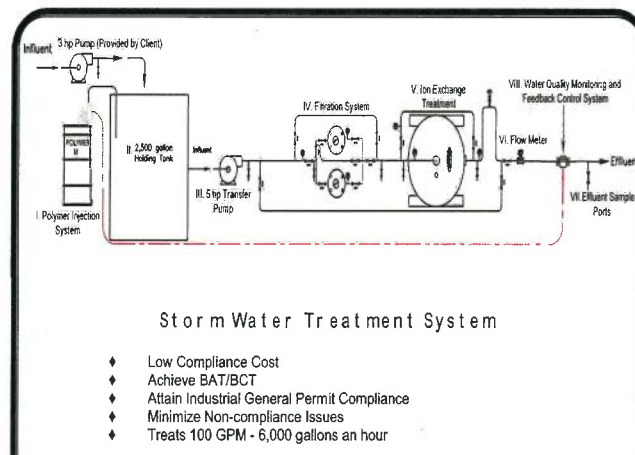
FUEL TANK DETAIL

## STORM WATER TREATMENT NOTES:

1. ENGINEER OF WORK MAKES NO GUARANTEES OR WARRANTIES ON TREATMENT SYSTEM.
2. FINAL DETAIL OF THE SYSTEM WILL BE PROVIDED ON FINAL ENGINEERING DOCUMENT.
3. ADDITIONAL SITE TESTING WILL BE REQUIRED AND MAY REQUIRE ADDITIONAL TREATMENT SYSTEM NOT IDENTIFIED WITHIN THESE PLANS.



RAISED PLANTER DETAIL



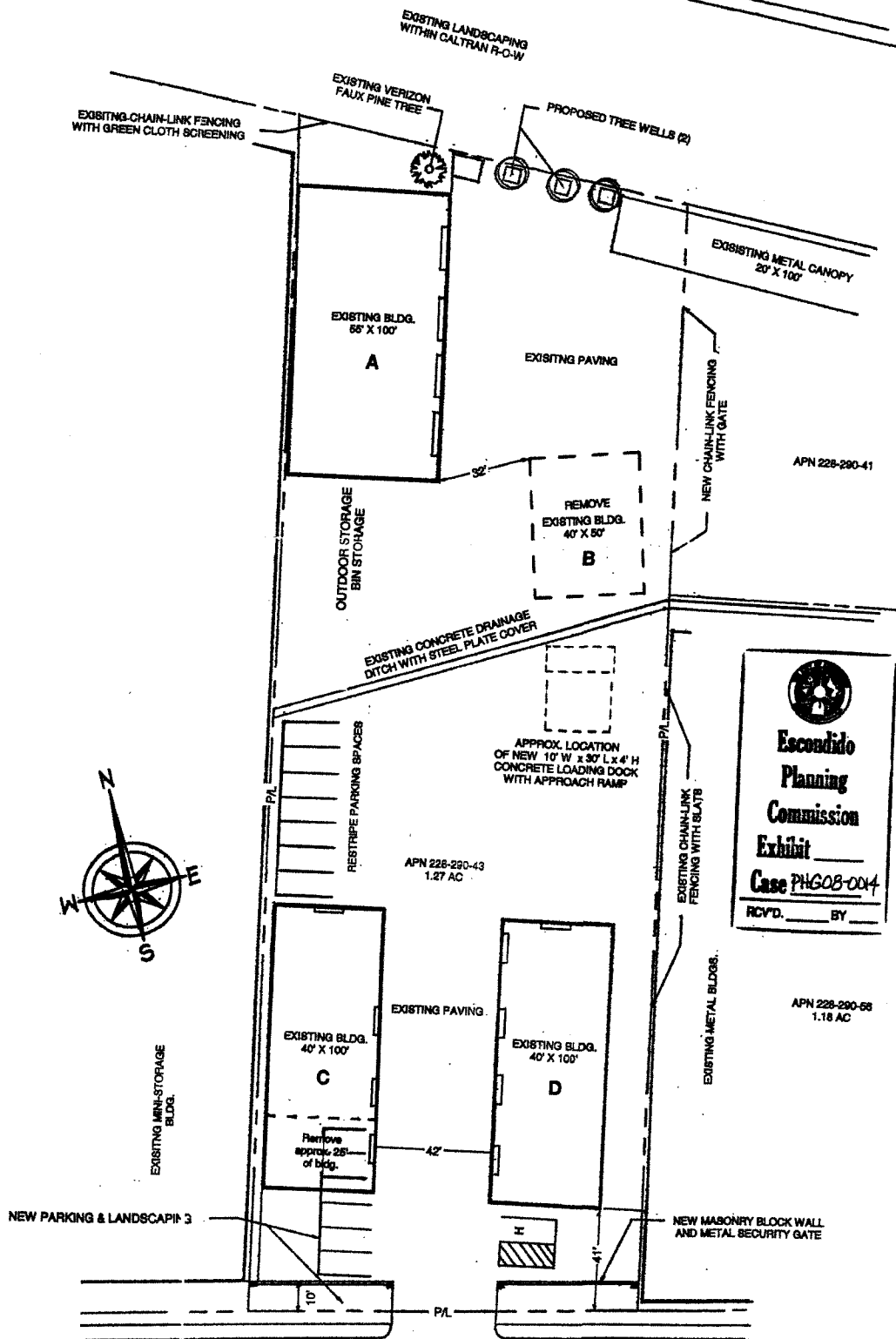
PROPOSED PROJECT  
PHG 17-000223-

D

DETAILS

Highway 78

EXHIBIT "B"  
November 27, 2018



approved by the Planning Commission

6-24-08

ORIGINAL APPROVED PROJECT  
PHG 08-0014<sup>24</sup>

O

ORIGINAL SITE PLAN



## **EXHIBIT "C"**

### **FACTORS TO BE CONSIDERED/FINDINGS OF FACT PHG 17-0002**

#### **Conditional Use Permit**

1. Granting the proposed modification to the Conditional Use Permit would be based upon sound principles of land use because the site is physically suitable to accommodate the proposed metal recycling and CRV operation, and adequate on-site circulation, parking and screening would be provided. All processing of materials would be conducted within an enclosed building in accordance with Zoning Code requirements for recycling facilities within the M-1 zone. The proposed project would enhance the physical appearance of the site with new landscaping along the northern property frontage and the new building would screen views into the site from State Highway 78. The proposed facility would not result in a substantial alteration of the present or planned land use because the area is zoned and developed with industrial uses. The General Plan land-use designation for the site is Light Industrial, which allows for a wide range of industrial uses. Recycling operations are permitted within the Light Industrial zone through the Conditional Use Permit process.
2. Granting the proposed modification to the Conditional Use Permit will not cause deterioration of bordering land uses or create special problems for the area because the property is zoned for industrial uses and is adjacent to a variety of light and general industrial uses. Highway 78 is adjacent to the property on the north. The site would be upgraded with new landscaping along Highway 78 to enhance the physical appearance of the property. All processing of materials would be conducted within the enclosed buildings. Appropriate screening would be provided for the outdoor storage of materials and any outdoor operations, such as loading and off-loading of materials. Therefore, the project would have any visual adverse impact to surrounding uses or views. The project would not result in or generate any adverse noise, dust, odor or traffic impacts. The nearest residential use is located more than 700 feet to the north, north of Highway 78 and Montiel Road. Appropriate storm water measures and operational procedures would be required for the project.
3. The proposal is exempt from the requirements of the California Environmental Quality Act in conformance with CEQA Section 15301, "Existing Facilities" and a Statement of Exemption was prepared for the proposed project. The location, size, design, or operating characteristics of the proposed project will not be incompatible with or will adversely affect environmental quality and natural resources of the city. The request does not have the potential for causing a significant effect on the environment because the site is zoned and developed for industrial uses; the property is located along a Circulation Element street which provides adequate access to the site; relatively small size of the facility and operational characteristics of the facility limits potential impacts; the project would be compatible with the variety of industrial uses; and existing and past use of the site accommodated light and general industrial operations. The nearest sensitive receptor (residential property) is located more than 700 feet north of the property, north of Highway 78 and Montiel Road. The subject area does not contain any sensitive vegetation, nor would the project encroach into native vegetation areas. The property is not located within a 100-year floodplain as indicated on FEMA maps, and therefore is not subject to flooding. The use is not anticipated to result in any air-quality, odor,



noise, or visual impacts, and the facility does not handle, use or transport any hazardous waste materials. Drainage and stormwater treatment measures are well designed and in conformance with applicable codes.

4. The proposed Conditional Use Permit has been considered in relationship to its effect on the community, and the request would be in compliance with the General Plan Policies and reasons stated above and detailed in the Planning Commission staff report dated November 27, 2018. The impacts of the proposed project will not adversely affect the policies of the General Plan or the provisions of the Municipal Code. The project as proposed will comply with all applicable development standards of the M-1 Zone, including parking, setback, drainage, building height, and stormwater treatment, and will be required to comply with all applicable Building and Fire Codes through the standard plan checking process.

## **EXHIBIT "D"**

### **Conditions of Approval PHG17-0002**

This project is conditionally approved as set forth on the application and project drawings, all designated as approved by the Planning Commission on November 27, 2017, and shall not be altered without the express authorization by the Planning Division.

Nothing in this permit shall relieve the applicant from complying with conditions and regulations generally imposed upon activities similar in nature to the activity authorized by this permit.

Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the conditional use permit conditions.

### **GENERAL**

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief. Approval of this request shall not waive compliance with any sections of the Municipal Code and all other applicable City regulations in effect at the time of Building Permit issuance unless specifically waived herein.
2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
3. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
4. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development.
5. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
6. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) for the underlying M-1 zone, and any exhibits included in the staff report(s), to the satisfaction of the Planning Division. Separate sign permits will be required for project signage. All non-conforming signs shall be removed. The applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed. This shall include the square footage of each sign, and dimensions of each sign.
7. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).

8. All new utilities and utility runs shall be underground.
9. All processing of materials (such as shredding, compacting, bailing, initial dumping of materials on the floor, etc.) shall be conducted within the enclosed buildings (as required in the M-1 zone), except for loading and unloading activities associated with the operation of the facility. The outdoor loading of processed materials into the steel holding platform and into the acculoader system shall be allowed with this CUP. Initial offloading of materials into the steel holding platform is considered processing and not permitted. Nothing in this permit shall authorize the applicant to intensify the authorized activity beyond that which is specifically described in this permit.
10. Any outdoor storage shall not exceed the height of the existing fencing or adjacent screening structure(s), and shall be adequately screened from public views in accordance with Section 33-571 of the Escondido Zoning Code. All outdoor storage shall be kept in an orderly manner. Utilization of outdoor areas for processing is not permitted. The existing screening that is damaged, significantly weathered or missing along the chain-link fence (fronting Highway 78) shall be repaired and/or replaced as may be necessary.
11. The operation of the facility shall be consistent with the Details of Request contained within the Planning Commission staff report. Any changes to operational characteristics of the facility must first be approved by the City through the appropriate review process.
12. Appropriate trash enclosure(s) or other approved trash system shall be approved by the Engineering Division.
13. A final landscape and irrigation plan shall be submitted to the Planning Division for review and approval. The plan shall be in substantial conformance with the conceptual landscape plan.
14. Prior to occupancy and a condition of issuance of a business license, CMS shall install all required/proposed improvements (including screening, storm water improvements, parking areas and landscaping) in conformance with the approved site plan and landscape plan. Appropriate irrigation shall be provided for all landscape areas. All existing planter areas shall be repaired and landscaping brought into compliance with current standards. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
15. All landscaping, fences, and walls on site, in any adjoining public parkways shall be permanently maintained by the owner, assigns, or any successors in interest in the property. The maintenance program shall include normal care and irrigation of the landscaping, repair and replacement of plant materials and irrigation systems, and general clean-up. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the approval.
16. The hours of operation are limited to 6:00 a.m. to 6:00 p.m. or sunset/sundown, whichever comes/occurs first. The stated hours shall be reviewed and may be limited further by the

Planning Commission should substantiated complaints arise pertaining to the hours of operation.

17. No employee may store, or permit to be stored, a personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer. As indicated in the staff report and project details, the larger trucks shall be parked at an appropriate off-site location, when not in use or hauling materials to or from the project site. All drivers of said trucks shall store their personal vehicles, if any, at the off-site location or other lawful and convenient location for drivers to park their cars to the satisfaction of the Planning Division.
18. Any new walls shall incorporate decorative materials or finishes, and shall be indicated on the building plans. All freestanding walls visible from points beyond the project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be a type satisfactory to the Director of Community Development.
19. As proposed, 34 parking spaces would be provided for the project. Said parking spaces shall be striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to stripe per City standards. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the California Building Code, including signage.
20. Appropriate easement and/or written permission for access through the adjacent parcel (APN 228-290-56) shall be provided to the Planning Division and maintained throughout the life of this CUP, unless modified or other appropriate access provided, to the satisfaction of the Director of Community Development, Director of Engineering Services and Fire Department.
21. A Lot Tie Agreement shall be recorded between APNs 228-290-43 and 228-290-41 prior to the issuance of building permits for the project.
22. The Conditional Use Permit shall be null and void if not utilized within twelve months of the effective date of approval.
23. At any time after project implementation, the City may require a noticed public hearing to be scheduled before the Planning Commission to determine if there has been demonstrated a good faith intent to proceed in reliance on this approval. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
24. An inspection by the Planning Division will be required prior to operation of the project. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
25. The City of Escondido hereby notifies the applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two

working days of the final approval of the project (the final approval being the date of this letter) a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

## **ENGINEERING CONDITIONS OF APPROVAL**

### **GENERAL**

1. The location of any existing on-site utilities and drainage facilities shall be determined by the Engineer. If a conflict occurs with proposed structures, these facilities shall be relocated subject to approval of the owner of the utility/facility prior to issuance of Building Permits for the structure in conflict.
2. The project is required to satisfy / correct all existing code violations to the satisfaction of the City Attorney.
3. The project is required to maintain the existing concrete swale free of impediments to ensure historical drainage flow from adjacent properties is allowed unobstructed. All Improvements are to be shown on the precise grading and drainage plan to the satisfaction of the City Engineer.
4. An Encroachment Permit shall be obtained from the Engineering Division for all work within the public right-of-way. Contact the Engineering Field Office at (760) 839-4664 to arrange for the Encroachment Permit and inspections.

### **GRADING**

1. A site precise grading and drainage plan by a Registered Civil Engineer shall be approved by the Engineering Department prior to issuance of building permits. The project shall conform with the City of Escondido's Storm Water Management Requirements. Both Construction BMPs and Permanent Treatment BMPs shall be provided for the project. Permanent Treatment BMPs shall be designed to the satisfaction of the City Engineer and Environmental Programs Manager.
2. A site landscaping and irrigation plan shall be submitted with the second submittal of the precise grading plan to the Engineering Dept.
3. All on-site private improvements shall be designed in accordance with the City's Design Standards and shall be subject to review and approval by the Fire, Engineering, Planning, Environmental Programs, and Utility Departments.
4. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB.

5. The property owner shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities for this subject project.

## **DRAINAGE**

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer.
2. Pipes or swales proposed to convey (or bypass) offsite drainage run-on shall be at a gradient that matches the historical drainage condition and to the satisfaction of the City Engineer.
3. All site drainage shall be treated to the maximum extent practicable to remove expected contaminants using permanent treatment BMPs to the satisfaction of the City Engineer and Environmental Programs Manager. The City highly encourages the use of bio-retention basins within or along the perimeter of the parking and driveway area as the primary method of storm water treatment. The landscape plans shall reflect these areas of storm water treatment.
4. All on-site storm drains, detention basins, and all other post-construction BMP's facilities are private. The responsibility for maintenance of these storm drains shall be that of the property owner or property owner's association.
5. Downspouts from buildings shall be directed to landscaping, where feasible.
6. All on-site trash enclosure areas shall drain toward a landscaped area (where feasible) and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer.

*All site grading and erosion control plans shall be prepared by a Registered Civil Engineer. A separate submittal to the Engineering Department is required for the site grading and erosion control plans. Plans will **not** be forwarded from the Building Department.*

## **UTILITIES**

1. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

## **WATER SUPPLY**

1. This project is located within the Rincon Del Diablo Municipal Water District. It will be the property owner's responsibility to make arrangements with the Rincon District as may be necessary to provide water service for domestic use and fire protection. The property owner shall provide evidence of such arrangements to the satisfaction of the City Engineer. The

City of Escondido and the Rincon District will sign approval of the grading plans with respect to the water services for domestic or fire protection.

2. Fire hydrants together with an adequate water supply shall be installed within 40 feet of the SDC and at locations approved by the Fire Marshal.
3. The FDC & PIV shall not be located on the building and shall have a minimum three (3) feet of working clearance all around.

### **SEWER**

1. Separate sewer laterals shall be installed from the public main to each building and shall be 6" PVC minimum with a standard clean-out at the property line. All sewer laterals shall be installed at right angle to the main in conformance with the Design Standards.
2. All unused and/or abandoned sewer laterals shall be removed or capped at the property line per the Building Department's standards, and shall be noted on the grading or improvement plan to the satisfaction of the Utilities Engineer.

### **CASH SECURITY AND FEES**

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the owner until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
2. The owner will be required to pay all development and plan check fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

### **FIRE DEPARTMENT CONDITIONS**

1. Fire underground plans shall be a deferred submittal to Fire.
2. The project shall comply with NFPA 24.
3. Access for use of heavy firefighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.
4. Fire hydrants will be required in locations approved by the Fire Department. The minimum access width of all two-way driveways shall be 24 feet. There shall be no parking in fire lanes and these shall be clearly marked.

## **BUILDING CONDITIONS**

1. The plans shall indicate code criteria, (i.e., construction type, occupancy type, fire sprinklers, occupant load etc.).
2. Provide legal verification that the new building is allowed on adjacent property (i.e., lot tie agreement etc.).
3. Indicate distance to property lines from new building and other proposed improvements.
4. Provide fire rating of exterior wall based on fire separation distance CBC Table 602, projections CBC Section 705.2, Table 705.2, opening protection CBC Table 705.8.
5. Provide disabled accessible parking, path of travel from public way, parking and other buildings to new building. This must be identified on the plans.
6. Provide location of accessible restrooms and distance to new building(s).



## PLANNING COMMISSION

Agenda Item No.: H.1  
Date: November 27, 2018

**CASE NUMBER:** PHG 18-0009

**APPLICANT:** City of Escondido

**LOCATION:** Citywide

**TYPE OF PROJECT:** Climate Action Plan (CAP) Update

**PROJECT DESCRIPTION:** Review of the CAP update work program – status update

**STAFF RECOMMENDATION:** Receive report and presentation. No action is required at this time except to provide direction to staff as appropriate.

**BACKGROUND/SUMMARY OF ISSUES:** In 2013, the City of Escondido adopted a CAP as a pathway toward creating a more sustainable, healthy, and livable community. The strategies outlined in the CAP were to not only reduce greenhouse gas emissions, but also to provide energy, fuel, water, and monetary savings to residents, businesses, and other community members – while improving the quality of life in Escondido. Although the City of Escondido was one of the first group of cities to prepare and adopt a CAP in the San Diego region, a lot has changed since then and the City's CAP needs to be amended.

The City recently initiated an effort to update the CAP, with the objective of recommending updated strategies and programs to ensure compliance with updated state policies and regulations. On June 20, 2018, the City Council considered and endorsed a Public Participation Plan (“Outreach Plan”) and associated timeline to involve the community in the first phase of outreach. This outreach plan summarizes the strategies that the project management team will use to engage the public and other interested parties in the work effort. Among other things, the proposed work plan and schedule proposes a series of meetings with the Planning Commission over a nine (9) month period to discuss different aspects and components related to the CAP update. The current status of the “review meetings” schedule is reflected below, in Table 1. The concept of an expanded review process in a public setting increases public input and facilitates additional dialogue. The study session format will provide the Commission with an opportunity to learn more about the project, hear from various residents and stakeholders, and to discuss preliminary issues/concerns. Furthermore, study sessions in advance of final action allow the Commission to methodically work through new policies and regulations. Pursuant to the overall work program schedule, the Planning Commission will be asked to take action on the CAP update in the spring of 2019.

**Table 1: Planning Commission Review Schedule**

<b>Meeting No.</b>	<b>Topic Or Discussion Item Covered</b>	<b>Milestone or Target Date</b>
1	General overview about the process and public engagement	May 8, 2018
2	Review of Phase 1 outreach materials and workshop format	July 10, 2018
3	Presentation on greenhouse gas emission inventory and forecasts	August 28, 2018
<b>4</b>	<b><i>Informational meeting on Phase 1 outreach results</i></b>	<b><i>November 27, 2018</i></b>
5	Review of Phase 2 outreach materials and workshop format	Winter 2018-2019
6	CEQA study public review and CEQA significance thresholds discussion	Winter 2019
7	Informational meeting on Phase 2 outreach results	Spring 2019
8	Planning Commission recommendation to City Council	Spring 2019

As mentioned in previous meetings with the Planning Commission relative to the CAP update, attachments to the Staff Report will be the basis of the discussion and will be provided to facilitate each meeting. This fourth meeting consists of a review of Phase 1 outreach results. As a result of this outreach, which was conducted over a five (5) month period, the City was able to collect valuable input from many different people with many different viewpoints. Although there were diverse perspectives amongst the participants about community problems, needs, and issues, many of those engaged shared similar preferences and/or other important commonalities that can be used to develop community-supported solutions. During the November 27, 2018 meeting, a staff presentation will cover the main points listed below:

- Preferred emissions reductions strategies and measures from all outreach events;
- Similarities between workshop input and stakeholder input;
- Community comments about measures and/or process; and
- Possible options and suggestions to move the Project forward.

Please note that the City Council will receive a similar presentation at their meeting on November 28, 2018.

**ENVIRONMENTAL STATUS:** The action before the Planning Commission is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies. This organizational and administrative activity relates to the ongoing study of preparing a CAP update. The Planning Commission will provide direction as appropriate to facilitate the public's review of the CAP update. This general direction does not have a legally binding effect on any possible future discretionary action.

Public input received and technical information prepared during the proposed process will be utilized in preparing a future environmental review document to support the CAP update work program. It is

anticipated that the updated CAP would facilitate streamlined environmental review of future development projects in Escondido by following the CEQA Guidelines for a Qualified GHG Reduction Strategy.

**PUBLIC PARTICIPATION:** In addition to providing public comment directly to Planning Commission and City staff, the City has developed a periodic review page that can be accessed online at the link below to help the public access key documents. Informational reports and data generated during the review will be available for the public to view online.

<https://www.escondido.org/climate-action-plan-documents.aspx>

Respectfully submitted,

A handwritten signature in black ink, appearing to read "MDS", is positioned above the printed name and title.

Mike Strong  
Assistant Planning Director