

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

**REGENTS OF THE UNIVERSITY OF CALIFORNIA
(DON CHAPIN CONSTRUCTION COMPANY)
(PLN070377-EXT1)**

RESOLUTION NO. 18-038

Resolution by the Monterey County Planning
Commission:

- 1) Consider the Addendum with the previously adopted Mitigated Negative Declaration (MND) for the mobile asphalt and concrete recycling facility; and
- 2) Extend the Use Permit for ten (10) years allowing continued operation of a mobile asphalt and concrete recycling facility until September 26, 2028.

[PLN070733-EXT1, Southeast corner of Reservation Road and Imjin Road, former Fort Ord area (no address is assigned to parcel) (APN: 031-121-002-000) Fort Ord Master Plan Area]

The Regents of the University of California (Don Chapin Construction Company) (PLN070377-EXT1) application for an Amendment to a Use Permit was presented at a public hearing before the Monterey County Planning Commission on September 12, 2018 and September 26, 2018. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Amendment to a Use Permit, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for continued development and operation of a recycling facility .
EVIDENCE: a) During course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - Monterey County Zoning Ordinance (Title 21);
 - Fort Ord Master Plan.No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
b) The property is located at the Southeast corner of Reservation Road and Imjin Road, Fort Ord area (no address assigned to parcel) (Assessor's Parcel Number 131-121-002-000), in the former Fort Ord area. The parcel is zoned Resource PQP-D-S (Public Quasi-Public, Design Control District, and Site Plan Review overlays) which allows uses such

as solid and liquid waste disposal sites, removal or minerals or natural materials for commercial purposes and other uses of similar nature, density and intensity. Therefore, the property is suitable for the proposed development.

- c) The project planner conducted a site visit on August 31, 2018, to verify that the project conforms to the area plans listed above and compliance with previous conditions of approval.
- d) On October 29, 1997, the Planning Commission adopted a Mitigated Negative Declaration (MND) and granted Use Permit, PLN970390 to the Don Chapin Construction Company (Applicant), for operation of a mobile asphalt and concrete recycling facility (Recycling Facility) for a duration of five years until October 29, 2002. The Applicant began operating the Recycling Facility on June 3, 1998 with the Use Permit to expire on March 31, 2003. On July 31, 2002, the Applicant requested an extension (PLN020143) to continue operation of the Recycling Facility; the Planning Commission granted an additional five-years until March 31, 2008. On May 14, 2008, the Applicant requested a second extension to the Use Permit for 10-years until May 14, 2008 (PLN070377). RMA Staff has reviewed a third extension (PLN070377-EXT1) and no new significant information was found regarding environmental impacts. This permit will allow the Recycling Facility to operate until September 26, 2028. Therefore, the operation has not exceeded what was originally approved and all the applicable conditions of the previous approvals have been complied with.
- e) The project was not referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions and ridgeline/viewshed development.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department are found in Project File PLN070377-EXT1.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA Planning Department, RMA Environmental Services, Public Works, Water Resources Agency, Environmental Health Division, Monterey County Regional Fire Protection District and Fort Ord Reuse Authority (FORA). There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff conducted a site visit on August 31, 2018 to verify that the site is suitable for this use.
 - c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department are found in Project File PLN070377-EXT1.

3. **FINDING:** **USE PERMIT EXTENSION** - The Project is a request for a third extension in accordance with the applicable policies of the Monterey County Zoning ordinance (Title 21) specifically Sections 21.74.110.A and 21.74.110.B. The Appropriate Authority may extend a Use Permit. The written request shall be filed with the Appropriate Authority and set forth reasons supporting the request.
- EVIDENCE:** a) The Applicant requested a third extension on February 22, 2018. This request was well within required thirty days of the expiration date of May 14, 2018 (PLN070377). There is a continued need for a concrete and asphalt recycling center to assist in facilitating the recycling of excess asphalt and concrete in the FORA development.
- b) Conditions of approval for the prior use permit have complied with and no violations exist on the property.
- c) The Chapin Construction facility is consistent and compatible with the UC MBEST Center Master Plan contained in the Fort Ord Master Plan, as it is an interim use. The Chapin Construction recycling facility is located at parcel CS-1 of the UC MBEST parcel map located in the Central South portion of, the UC MBEST campus. The UC MBEST Center Master Plan specifies uses that target a mix of Research and Development (R&D) and Commercial Mixed-Use (CMU) development. The recycling facility is zoned in the UC MBEST Master Plan as R & D for Research and Development.
4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- EVIDENCE:** a) Staff reviewed Monterey County RMA - Planning and Building Services Department records and is not aware of any violations existing on subject property.
- b) Site visit August 31, 2018.
- c) File No. PLN070377
5. **FINDING:** **CEQA** – An Addendum to the previously adopted Mitigated Negative Declaration (MND) was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revision to the adopted MND.
- EVIDENCE:** a) A MND was prepared for the original Use Permit (File Number PLN970390) and adopted by the Planning Commission on October 29, 1997 (Resolution No. 970796).
- b) This permit includes a minor technical change to the previously adopted MND as it extends the use for the mobile asphalt and concrete recycling facility to occur until September 26, 2028. Pursuant to Section 15164 of the CEQA Guidelines, an Addendum to the MND adopted for PLN970390 was prepared.
- c) None of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a Subsequent MND have occurred:

1. There are no new substantial changes to the circumstance under which the project is undertaken. The project scope is unchanged since adoption of the MND and no intensification or expansion has occurred. The project involves an extension of the recycling, stockpiling and transporting of asphalt and concrete materials using a mobile crusher and conveyor to occur for an additional 10 years.
2. There are no new significant environmental effects or increase in the severity of previously identifies significant. The leased portion of the site is heavily disturbed and the extension does not involve new grading or construction that would be visible from Imjin Road or Reservation Road. Operations at the facility have not increased since adoption of the MND, and as conditioned, the site remains in compliance with previous conditions of approval including ongoing compliance with the Monterey Bay Air Resources District and UC MBEST.
3. There is no new information of substantial importance that was not known at the time the previous MND was adopted. Public Works has reviewed the updated Traffic Report and concur that no traffic related improvements are warranted. The project scope has not increased and no new structures are proposed.

6. **FINDING:** **HEALTH AND SAFETY** – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: a) Preceding findings and supporting evidence.

7 **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Section 21.80.040.D of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

1. Consider the Addendum with the previously adopted Mitigated Negative Declaration (MND) for the mobile asphalt and concrete recycling facility; and
2. Extend the Use Permit for ten (10) years allowing continued operation of a mobile asphalt and concrete recycling facility until September 26, 2028 in general conformance with the attached plans and Conditions of Approval, including nine (9) new conditions, and eight (8) conditions of approval carried forward from PLN970390 (Resolution No. 97060), PLN020143 (Resolution No. 02042), and PLN070377 (Resolution No. 08020), all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 26th day of September, 2018 upon motion of Commissioner Diehl, seconded by Commissioner Duflock, by the following vote:

AYES: Ambriz, Diehl, Duflock, Getzelman, Gonzalez, Mendoza, Roberts, Wizard
NOES: None
ABSENT: None
ABSTAIN: Vandever



Jacqueline R. Onciano, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **OCT 18 2018**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **OCT 29 2018**

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

2. This permit expires 10 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County RMA Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN070377-EXT1

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Use Permit Extension (PLN070377-EXT1) allows a Third Extension to a previously approved Use Permit, PLN970390 for a temporary asphalt and concrete recycling facility to an additional 10 years from September 26, 2018 to September 26, 2028. The property is located at the Southeast corner of Reservation Road and Imjin Road (Assessor's Parcel Number 031-121-002-000), Fort Ord Master Plan Area. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the RMA Chief of Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Use Permit Extension (Third) (Resolution Number 18-038) was approved by Planning Commission for Assessor's Parcel Number 031-121-002-000 on September 26, 2018. The Use Permit Extension was granted subject to 17 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the RMA Chief of Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

3. PD029 - HOURS OF OPERATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Hours of operation for the Recycling Facility shall be 7:00 am to 5:00 pm, Monday through Saturday (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to commencement of use and on an on-going basis, the Owner/Applicant shall demonstrate compliance with the hours of operation to the RMA Chief of Planning.

4. PD032 - PERMIT LENGTH

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This permit shall be granted for a specific period of time, with an expiration date as specified in the permit. This Third Extension to an existing Use Permit shall expire on September 26, 2028. (RMA-Planning).

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of RMA-Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

5. FIRE008 - GATES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. Responsible Land Use Department: Monterey County Regional Fire District

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

6. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

All buildings (and/or business in premises) shall maintain an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be in Arabic-font. The sign and numbers shall be reflective and made of a non-combustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Monterey County Regional Fire District

**Compliance or
Monitoring
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

7. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Responsible Land Use Department: Monterey County Regional Fire District

**Compliance or
Monitoring
Action to be Performed:**

The applicant shall verify the vegetation management at the site is in compliance with the specifications of the Fire Department standards.

8. NON-STANDARD CONDITION - ROAD ACCESS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Access roads shall be required for this industrial premises when any portion of the facility is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum width of 20 feet with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Responsible Land Use Department: Monterey County Regional Fire District).

Compliance or Monitoring Action to be Performed: The applicant shall verify that the existing road is in compliance with the specifications of the Fire Department standards.

9. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel.

10. PDSP003-UCMBEST DEVELOPMENT STANDARDS (CARRIED FORWARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The placement of materials and equipment shall conform to the Development Standards - Site Planning and Building Design of the UC MBEST Center Master Plan to the satisfaction of the RMA Chief of Planning, and Building Inspection Department, in consultation with the Director of Physical and Environmental Planning of the UC MBEST Center.

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

11. PDSP005 - RESTORATION OF SITE (CARRIED FORWARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All equipment and stockpiles of material shall be completely removed from the site upon cessation of uses for any period longer than 90 days. All material and equipment shall be removed from the site within 90 days after the expiration of the subject permit. (Planning and Building Inspection Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

12. PDSP006 - MITIGATION WATER QUALITY (CARRIED FORWARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Mitigation - Water Quality: All runoff from developed areas of the site shall be directed to the retention pond proposed and located on the site. Asphalt storage and processing areas shall be surfaced to prevent the mitigation of surface water. Grading Plans shall demonstrate that all surface water will be kept on site. (Environmental Health and Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

13. PDSP007 - VISUAL QUALITY MITIGATION (CARRIED FORWARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Mitigation - Applicant shall adjust the location of stockpiles, equipment and the orientation and height of landscape berms if necessary to avoid visual impacts to the satisfaction of the Chief of Planning and Building Inspection in consultation with the City of Marina. (Mitigation - Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

14. PDSP008 - MITIGATION AIR QUALITY (CARRIED FOWARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Mitigation - Air Quality: During the operation of the existing use, the applicant shall comply with terms and conditions of the Authority to Construct issued by the Monterey Bay Air Resources District (MBARD) for the operation of the proposed use. Applicant shall control dust in the manner specified by the MBARD and the Department of Public Works during all phases of the operation, including construction of the use, installation of equipment, transport, deposition, stockpiling, processing, loading and removal of material. (Planning and Building Inspection Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

15. PDSP009 - MITIGATION SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Mitigation - Soils: Perimeter berms shall be maintained taking into account the life of the project and the susceptibility of soils to wind and water erosion. Embankment soils shall be stabilized upon construction prior to inspection in accordance with conditions of the grading permit. Following final inspection to address visual quality impacts, embankments shall be stabilized for the life of the use. A detailed landscape and irrigation plan for the site shall be submitted to and determined adequate in writing by the Chief of Planning and Building Inspection prior to the issuance of a grading permit. Landscaping shall be drought tolerant and designed to be compatible with goals and objectives of the Habitat Management Plan and the UC NRS. Said landscaping and irrigation shall be installed prior to the commencement of the use and shall be bonded.

A \$115 landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, specie, and the size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

16. PDSP012 - MITIGATION NOISE (CARRIED FORWARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Mitigation Noise: The project shall comply with the following specific improvements:

- a. Combined noise exposure from the plant machinery and additional heavy truck traffic due to the recycling operation shall not exceed the appropriate General Plan standard at the nearest residential receiver;
- b. The plant shall be oriented that the loudest machines are as far from and topographically shielded from the residential receivers as possible;
- c. Hours of operation of on site recycling equipment shall be Monday- Friday, 8 A.M. to 5 P.M., Hours of truck operation to and from the site shall be restricted to Monday-Saturday 7:00 A.M. to 5:00 P.M. (Environmental Health)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

17. PDSP013 - MITIGATION TRAFFIC (CARRIED FORWARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: a. The access road shall be maintained in a dust free condition.

- b. The intersection of Imjin Rd and the project site entrance shall be designed to accommodate truck turning movements.

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.