



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
TOM BURNS, DIRECTOR

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July 19, 2004

Agenda: August 11, 2004

Planning Commission  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**SUBJECT: INFORMATIONAL ITEM – MINOR VARIATION TO PERMIT 88-0188  
FOR CONSTRUCTION OF A STORAGE BUILDING ADDITION AT  
THE RMC PACIFIC MATERIALS DAVENPORT CEMENT PLANT**

Members of the Commission:

RMC Pacific Materials requested Minor Variation 03-0354 to County of Santa Cruz Development Permit 88-0188 to allow construction of an approximately 5,000 square foot addition to an existing 600 square foot building, for storage of granular slag material. Because the project also requires a Coastal Permit, the Minor Variation has been reviewed at the Zoning Administrator level rather than by Level III administrative review. The project was approved by the Zoning Administrator at public hearing on July 16, 2004.

As documented in the attached July 16, 2004 Staff Report to the Zoning Administrator, the project will decrease the environmental impact of the Davenport cement plant.

At the public hearing, a letter was submitted from the Sierra Club, Ventana Chapter (Attachment 2) which objected to exempting the project from ~~further~~ Environmental Review under CEQA. Staff agreed with the letter that the Class 3 CEQA exemption (New Construction or Conversion of Small Structures) proposed in the Staff Report should not be used because a 2,500 square foot size limitation applies in some Class 3 situations. However, the project reduces the environmental impact of the cement plant, does not contribute to cumulative impacts, and does properly qualify for a Class 1 exemption (Existing Facilities), as detailed in the revised CEQA Notice of Exemption (Exhibit D of Attachment 1). Staff provided the revised CEQA Notice of Exemption at the hearing and it was certified by the Zoning Administrator.

A condition of the approval of Permit 88-0188 requires that all Minor Variations be placed on the Planning Commission's consent agenda as an informational item and also be posted at the Davenport Post Office. A notice of the Zoning Administrator public hearing was posted at the Davenport Post Office on July 6, 2003.

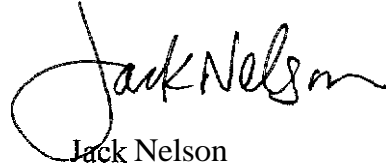
RECOMMENDATION:

Staff recommends that your Commission accept and file this report.

Sincerely,



Cathy Graves  
Principal Planner



Jack Nelson  
Project Planner

Attachment 1: Staff Report to the Zoning Administrator, July 16, 2004, Application 03-0354  
Attachment 2: Letter from the Sierra Club, Ventana Chapter, July 16, 2004

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 03-0354      **APN:** 58-071-04  
**APPLICANT:** Mike Seixas, Plant Engineer, RMC Pacific Materials  
**OWNER:** RMC Pacific Materials, Inc.

**PROJECT DESCRIPTION:** Proposal to construct an approximately 5,000 square foot addition to an existing 600 sq foot building for storage of granular slag material, remove an existing 800 square foot storage building, and grade about 75 cubic yards, at the existing RMC Pacific Materials Davenport Cement Plant. Requires an appealable Coastal Zone Permit, Design Review, a Minor Variation to Commercial Development Permit 88-0188, and Preliminary Grading Review.

**LOCATION:** Project located on the east side of Cement Plant Road at about 1000 feet north of Highway 1 (700 Highway 1).

**PERMITS REQUIRED:** Coastal Development Permit and Minor Variation to Commercial Development Permit 88-0188

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Class 3

**COASTAL ZONE:** X Yes    No      **APPEALABLE TO CCC:** X Yes    No



**Existing northwest elevation of project area.**  
Tall building at right center (with angled materials chute) is to be added to. One-story building at left center is to be demolished to accommodate footprint of proposed building addition.

### PARCEL INFORMATION

**PARCEL SIZE:** 109 acres  
**EXISTING LAND USE:**  
    **PARCEL:** Heavy industrial  
    **SURROUNDING:** Commercial agriculture, neighborhood commercial, residential  
**PROJECT ACCESS:** Highway 1

ATTACHMENT 1

**PLANNING AREA** North Coast  
**LAND USE DESIGNATION:** I (Heavy Industry)  
**ZONING DISTRICT:** M-2 (Heavy Industrial)  
**SUPERVISORIAL DISTRICT:** Third District (Wonnhoudt)

### **ENVIRONMENTAL INFORMATION**

a. Geologic Hazards	a. Not mapped/no physical evidence on site
b. Soils	b. Bonny Doon loam
c. Fire Hazard	C Not a mapped constraint
d. Slopes	d. N/A
e. Env. Sen. Habitat	e. Project vicinity is existing industrial development
f. Grading	f. Proposed grading less than 100 cubic yards
g. Tree Removal	g. No trees proposed to be removed
h. Scenic	h. Not visible from Hwy 1 scenic corridor
i. Drainage	i. Appropriate drainage controls required
j. Traffic	j. N/A
k. Roads	k. Existing roads adequate
l. Parks	l. Existing park facilities adequate
m. Sewer Availability	m. N/A
n. Water Availability	n. N/A
o. Archeology	o. Negative archeological investigations

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: Yes X No

Water Supply: N/A

Sewage Disposal: N/A

Fire District: County Fire

Drainage District: None

### **ANALYSIS AND DISCUSSION**

The proposed project will provide covered storage of stockpiled, granular slag material at the Davenport Cement Plant operated by RMC Pacific Materials. The slag (a waste product from steel mills) is already being used as a supplemental material in the permitted "CemStar" process for manufacturing cement at the plant. The proposed building addition will provide improved dust control and improved rain runoff quality by reducing outdoor materials storage. Energy efficiency will also be improved because less raw material will be saturated by rain during the winter season, so that coal-fired thermal energy will not be wasted on driving off the moisture content of the materials.

A brief explanation of several environmental benefits and manufacturing benefits of using granular slag in the cement production process is provided in the applicant's project narrative in Exhibit H. Staff concurs with the applicant's assessment that this project will decrease the

**ATTACHMENT 1**

environmental impact of the cement plant.

The proposed building addition will facilitate compliance with Operating Condition 11 of the cement plant operating permit 88-0188. Condition 11 limits outdoor storage of materials to certain materials, not including granular slag. At present, Condition 11 is met by using a former gypsum storage building to store the slag, resulting in permitted but undesirable outdoor storage of gypsum. With the proposed building addition, there will be a planned storage building for the slag, in a location efficient to the introduction of the slag to the cement manufacturing process.

The proposed building location is within the existing intensively developed industrial footprint, surrounded by industrial buildings. An existing obsolete and unremarkable steam generator building will be demolished (except the reusable concrete slab) to make way for the addition. The setting is best visualized in a photo taken by the applicant from the cement plant preheater tower (see Exhibit I), on which the footprint of the proposed addition has been superimposed with a dashed line.

The subject property is a 109 acre parcel, located in the M-2 (Heavy Industrial) zone district, a designation which allows industrial uses. The proposed granular slag storage building is an allowed use within the zone district and the project is consistent with the site's **C**Heavy Industry General Plan designation. The proposed steel slag storage building is in conformance with the County's certified Local Coastal Program in that the structure will not be visible from adjacent properties or the Highway 1 scenic corridor, so that special design to mitigate visual impacts is not called for. The colors and materials of the proposed structure will be consistent with existing structures at the cement plant.

### **Preliminary Grading Review**

The project was originally submitted with an estimate of 240 cubic yards of grading. However, on completion of engineered grading plan information requested by staff, the grading estimate was reduced to about 75 cubic yards, a minor amount.

### **Archeological Resources**

Two previous archeological surveys in recent years, by different consultants and both with negative findings, provide adequate archeological clearance for this project. **Staff** determined that an additional archeological survey would be redundant.

### **Historic Resources**

The subject property has an "L" Historic Landmark combining zone district overlay. The cement plant site is discussed in the Santa Cruz County Historic Resources Inventory. Structures of historic interest surveyed in the Inventory, including a 1905 powerhouse and a former railway roundhouse, are not affected by the proposed project. Staff concluded further historic review is not required.

**ATTACHMENT 1**

## Planning Commission Consent Agenda

The proposed project is being processed as a Level V (Zoning Administrator) Coastal Development Permit and as a Minor Variation to the cement plant operating permit 88-0188. Condition 12B of 88-0188 requires that all Minor Variations be placed on the Planning Commission's consent agenda (i.e., as an informational item). Following consideration for approval of this Minor Variation at the July 16, 2004 Zoning Administrator public hearing, the matter is intended to be placed on the Planning Commission's August 11, 2004 consent agenda.

## Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

## STAFF RECOMMENDATION

1. **APPROVAL** of Application Number **03-0354**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Location map and Assessor's parcel map
- F. General Plan map and Zoning map
- G. Agency comments
- H. Applicant's narrative
- I. Site photo

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Jack Nelson  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor, Santa Cruz CA 95060  
Phone Number: (831) 454-3259  
E-mail: [jack.nelson@co.santa-cruz.ca.us](mailto:jack.nelson@co.santa-cruz.ca.us)

**ATTACHMENT 1**

**RMC DWG # 7-1021**

**2800 TON SLAG STORAGE BUILDING EXTENSION  
SITE PLAN - ALTERNATE 3A**

**RMC PACIFIC MATERIALS**  
VANCOUVER, BC

**WEST COAST ENGINEERING, INC.**  
120-C-01

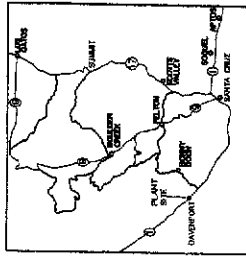
**REVISION DATA**

NO.	DATE	BY	DESCRIPTION
1	02-12-01		CONSTRUCTION PERMIT

**ATTACHMENT 1**

**RMC DWG # 7-1021**

RMC DWG # 7-1821



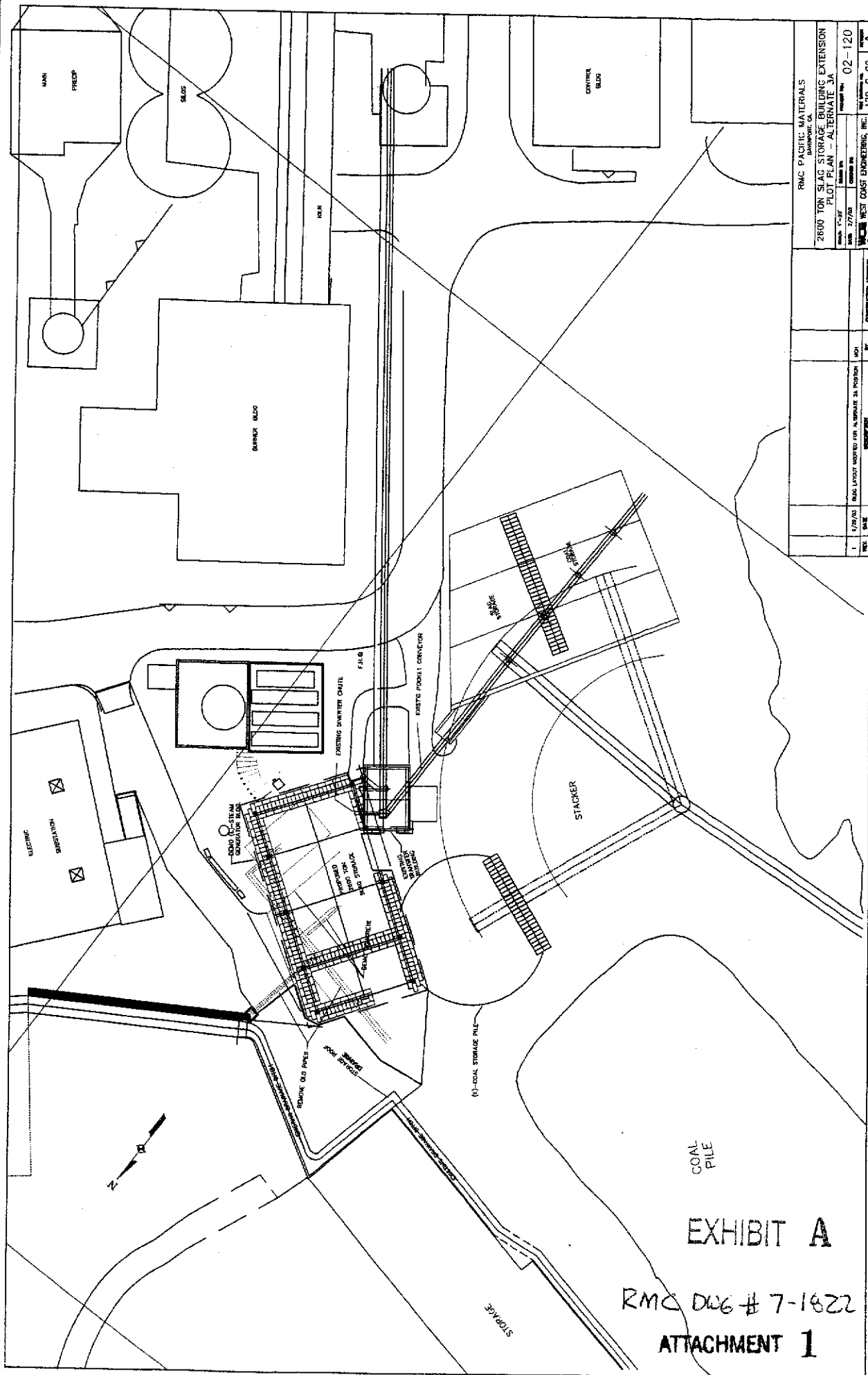
RMC PACIFIC MATERIALS Sausalito, CA		2600 TON SLAG STORAGE BUILDING EXTENSION SITE PLAN - ALTERNATE 3A		PROJECT NO. 02-120	
SCALE: 1"=100'	DATE: 10/19/02	DESIGNED BY: RMC, S. M. M.	CHECKED BY:	APP. (DATE):	REV. (DATE):
BY: WEST COAST ENGINEERING, INC. 13400 UNIVERSITY AVE., STE. 4000 SAN DIEGO, CA 92121			APP. (DATE): 12/0-C-01		

RMC DWG NO. 7-1821

ATTACHMENT 1

RMC DWG # 7-1821

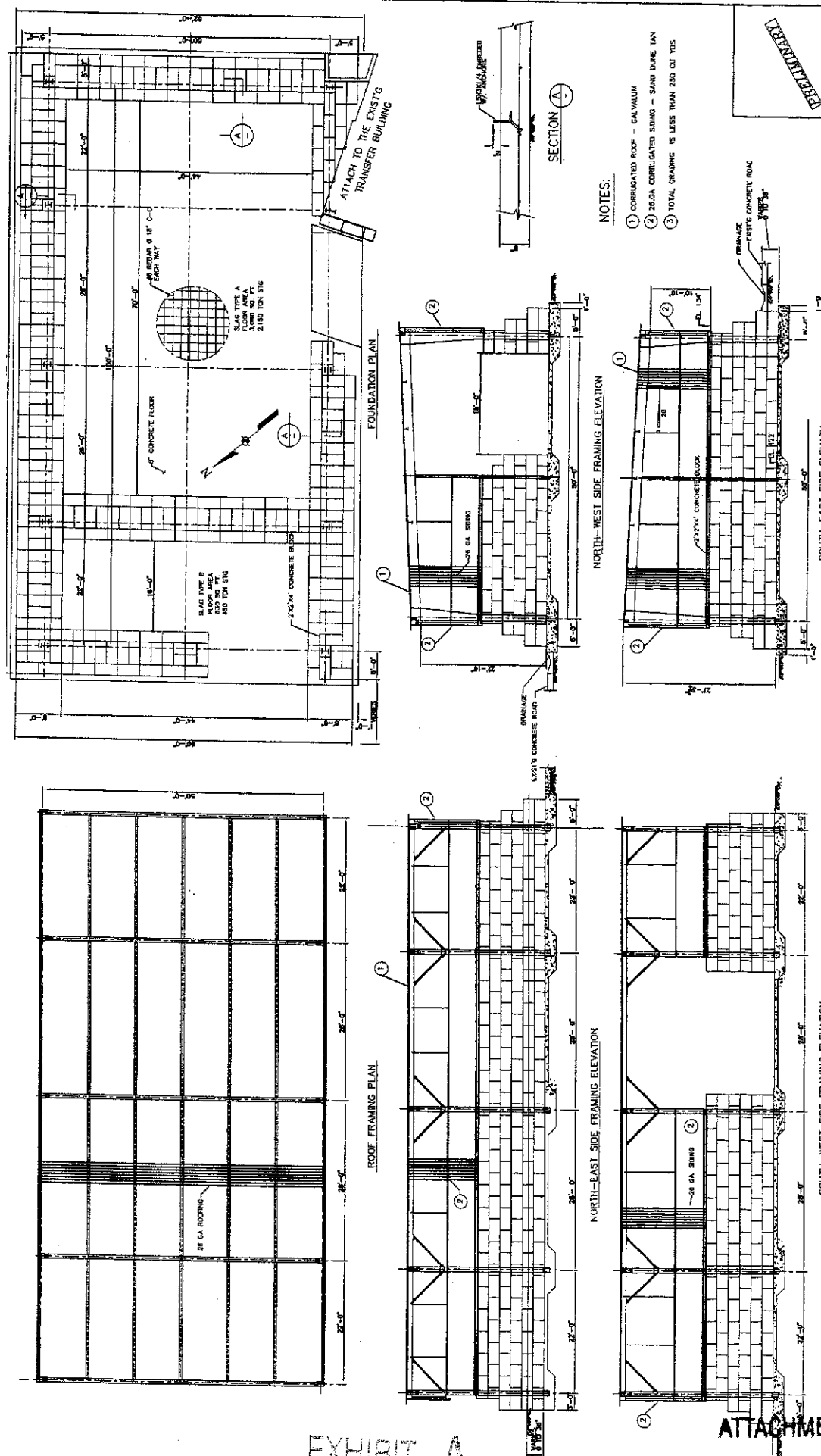
EXHIBIT A



RMC PACIFIC MATERIALS DANFORTH, CA		2600 TON SLAG STORAGE BUILDING EXTENSION PLOT PLAN - ALTERNATE 3A		PROJECT NO.	02-120
DATE	11-27	DATE	11-27	DATE	11-27
BY	27/03	BY	27/03	BY	27/03
RMC WEST COAST ENGINEERING, INC. 1510 BAYVIEW AVE. SAN MARINO, CA 91108		RMC LAYOUT MODIFIED FOR ALTERNATE 3A POSITION		DATE	12-01-02
BY		BY		DATE	12-01-02
BY		BY		DATE	12-01-02

RMC DWG NO. 7-1822





RMC PACIFIC MATERIALS		2600 TON SLAG STG. BLDG. EXTENSION		ALTERNATE JA	
DATE	02/12/03	SCALE	AS SHOWN	PROJECT NO.	02-120
BY	1/1/03	CHKD	1/1/03	DESIGNED BY	1/1/03
REV	1	DATE	02/12/03	CONTRACTOR	WEST COAST ENGINEERING, INC.
DESCRIPTION		BLDG. UPRGT. MOVED FOR ALTERNATE JA PERISH		13113 MARINE AVE., SAN JUAN, CA 95063	
APPROVAL		BY		120-S-01	

EXHIBIT A

RMC DWG # 7-1824

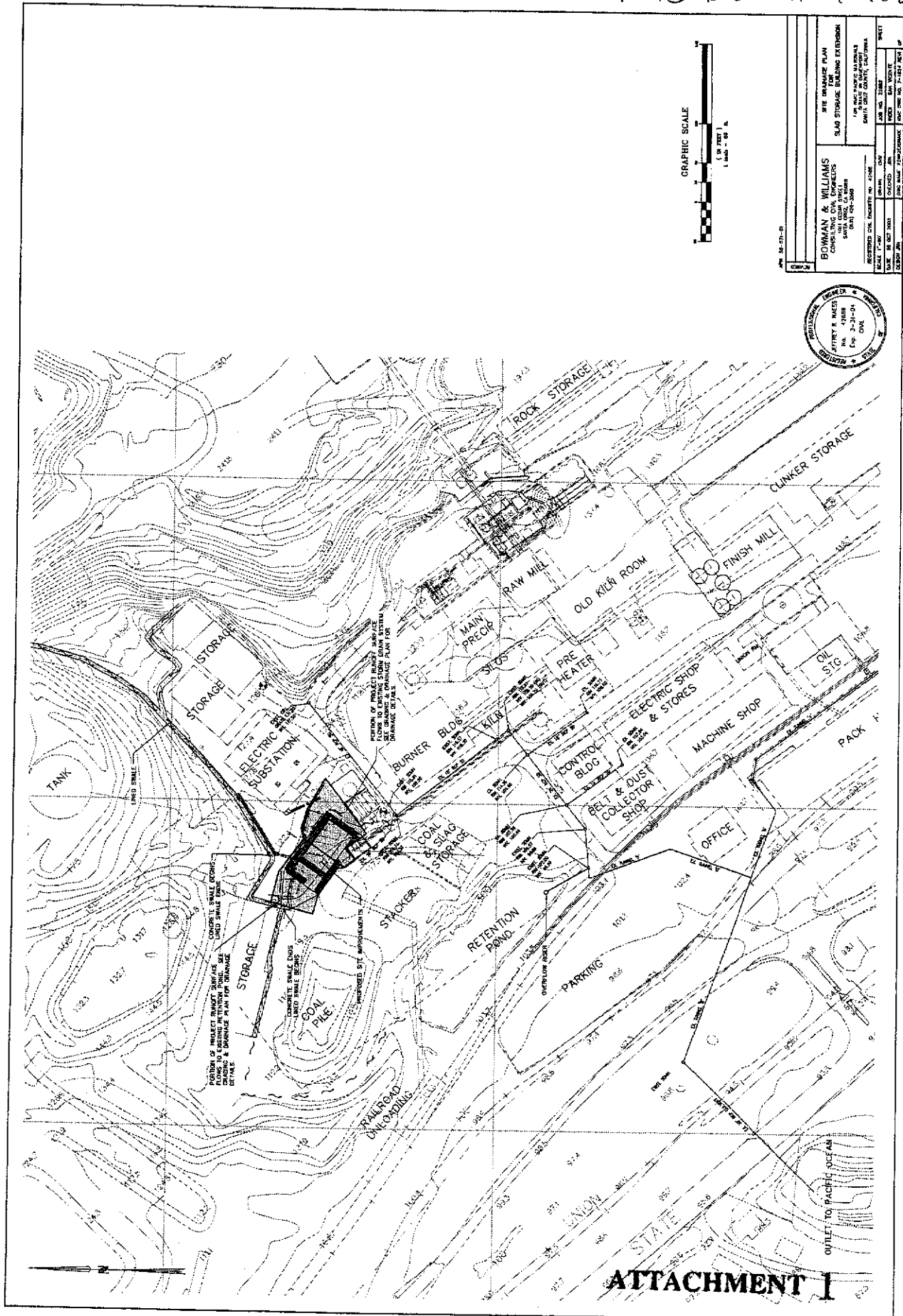
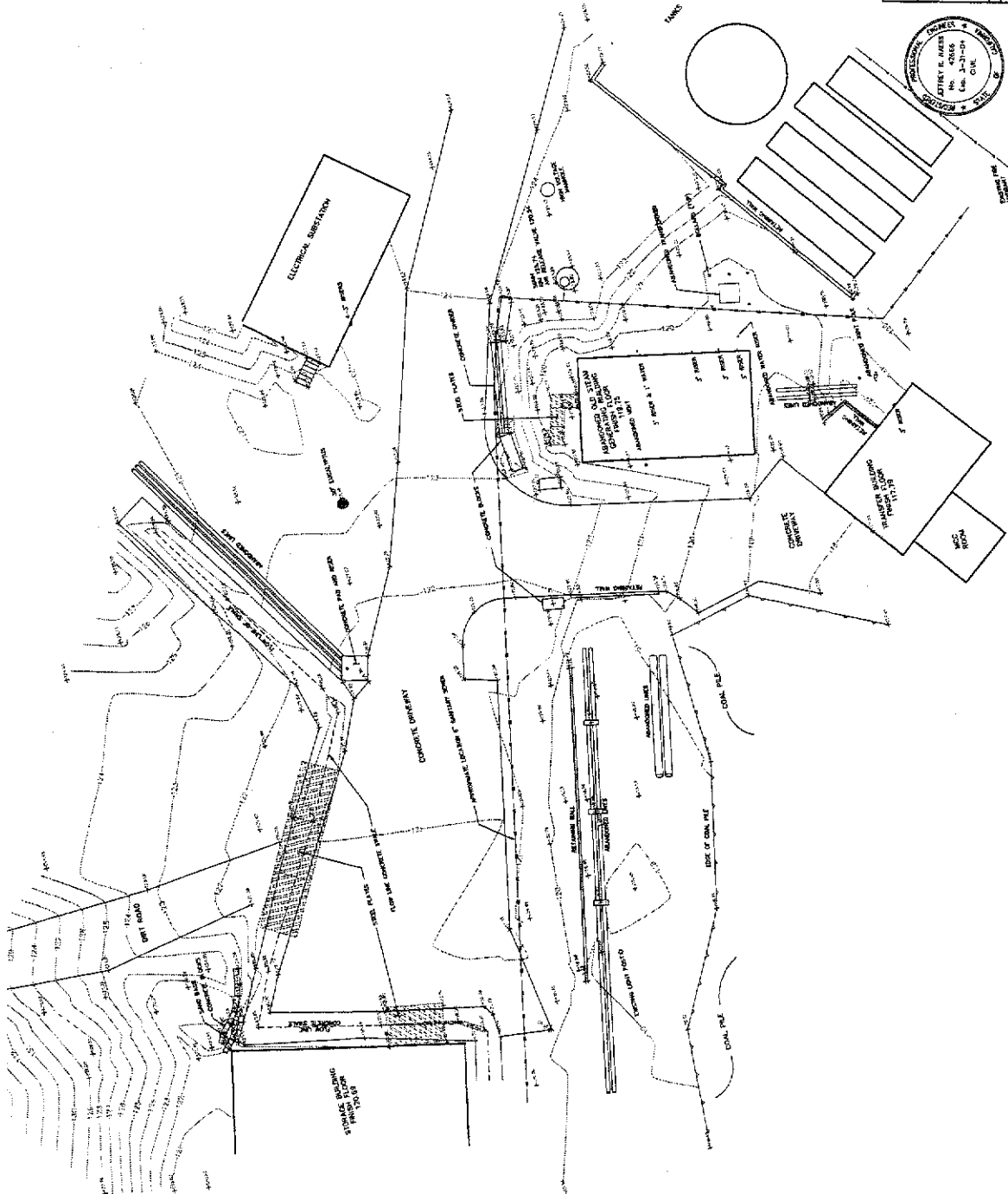


EXHIBIT A

ZMC DWG No 7-1824

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RMC DWG NO 7-1825



BOWMAN & WILLIAMS ENGINEERS & ARCHITECTS 101 CROWN DRIVE SUITE 100 DALLAS, TEXAS 75243 (214) 744-1000		TRANSMISSION MAP BLAS STORAGE BUILDING EXTENSION RMC DWG NO 7-1825 DATE: 10/21/2003 SCALE: 1" = 10'	
DESIGNED BY: J. WILLIAMS	CHECKED BY: J. WILLIAMS	DATE: 10/21/2003	SCALE: 1" = 10'
PROJECT NAME: TRANSMISSION MAP		RMC DWG NO 7-1825	

ATTACHMENT 1

EXHIBIT A

RMC DWG NO 7-1825

# TEMPORARY EROSION CONTROL MEASURES

1. THE ABOVE EROSION CONTROL MEASURES ARE TO BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. THE EROSION CONTROL MEASURES ARE TO BE DESIGNED TO PREVENT EROSION OF THE SOIL SURFACE AND TO MAINTAIN THE STABILITY OF THE SOIL SURFACE.
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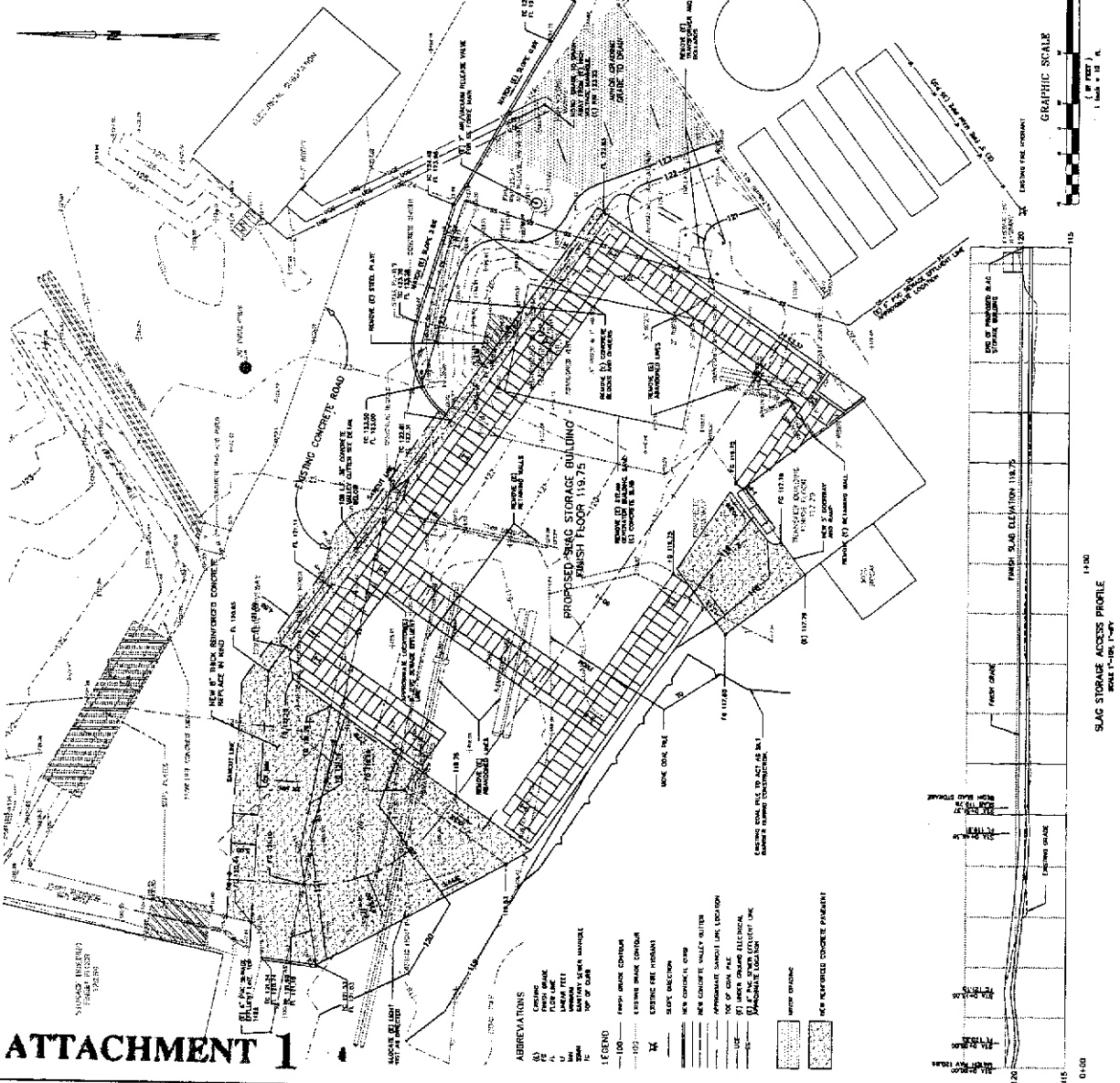
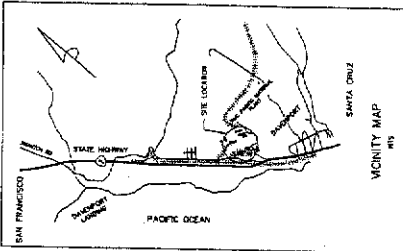
## EARTHWORK AND GRADING NOTES

1. THE ABOVE EARTHWORK AND GRADING NOTES ARE TO BE FOLLOWED BY THE CONTRACTOR.
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## EARTHWORKS GRADING QUANTITIES

ITEM	QTY (CU YD)	UNIT (CU YD)
1. TOTAL	78	78
2. CUT (CU YD)	78	78
3. FILL (CU YD)	0	0

NOTE: THE ABOVE GRADING QUANTITIES REFLECT COMPARISON BETWEEN EXISTING AND PROPOSED GRADES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY MATERIALS FOR EROSION CONTROL MEASURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY MATERIALS FOR EROSION CONTROL MEASURES.



**ATTACHMENT 1**

EXHIBIT A

### **COASTAL DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The property is zoned M-2 (Heavy Industrial), a designation which allows Industrial uses. The proposed steel slag storage building is a principal permitted use within the zone district, consistent with the site's (I) Heavy Industry General Plan designation.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding cement plant industrial development. Since the building will not be visible from offsite it will not have a visual impact on the surrounding properties.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located between the shoreline and the first public road. Consequently, the steel slag storage building will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE

## CERTIFIED LOCAL COASTAL PROGRAM.

The proposed project is in conformity with the County's certified Local Coastal Program in that the structure will not be visible from adjacent properties or the Highway 1 scenic comdor, so that special design to mitigate visual impacts is not called for. The colors and materials of the proposed structure will be consistent with existing structures at the cement plant.

Additionally, Industrial uses are allowed uses in the M-2 (Heavy Industrial) zone district of the area, as well as the General Plan and Local Coastal Program land use designation.

### **DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the proposed steel slag storage building and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for Industrial uses and is not encumbered by physical constraints to development.

Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed steel slag storage building will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The project site is located in the M-2 (Heavy Industrial) zone district. The proposed location of the steel slag storage building and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the M-2 zone district in that the primary use of the property will continue to be cement manufacturing, including the proposed structure, which meets all current site standards for the zone district.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the Heavy Industry (I) land use designation. The proposed Industrial use is consistent with the General Plan in that the cement plant is a “major manufacturing plant” as provided for under this land use designation,

A specific plan has not been adopted for this portion of the County.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

This finding can be made. The proposed use will improve onsite energy efficiency, will not overload utilities and will not have an affect on the level of traffic on the streets in the vicinity.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

This finding can be made. The proposed steel slag storage building will be compatible with the existing surrounding onsite industrial development and will not be visible from other properties.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

This finding may be made. The project was reviewed for consistency with Chapter 13.11 and no concerns were found. The project is compatible and coordinated with the existing surrounding industrial development, and promotes energy conservation.

## **CONDITIONS OF APPROVAL**

Exhibit A: Project plans prepared by West Coast Engineering (8-11-03) and by Bowman & Williams (grading/drainage plans, 10-20-03)

- I. This permit includes a minor variation to permit 88-0188 and authorizes the construction of a steel slag storage building. All provisions and conditions of 88-0188, as amended, remain in effect. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
    - 1. Final grading, drainage, and erosion control plans.
    - 2. Details showing compliance with fire department requirements.
  - B. Meet all requirements of and pay applicable drainage fees to the County Department of Public Works, Drainage.
  - C. Meet all requirements and pay the applicable plan check fee of the Fire Protection District.
  - D. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer. At the soils engineer's professional judgment, this may consist of an updated addendum to an existing soils report for a close-by project, subject to review and approval by Environmental Planning. Following County acceptance of the soils report, provide a brief plan check letter from the soils engineer, referencing the project plans and stating the plans are in conformance with the soils report recommendations.
  - E. Pay the current fees for Child Care mitigation for Category 1 Heavy Industrial. Currently, this fee is \$0.12 per square foot.
  - F. Pay any applicable current fees for Roadside and Transportation improvements.



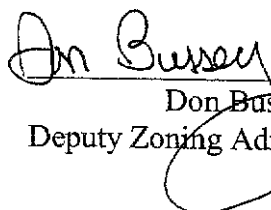
- G. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. Meet all requirements of the Monterey Bay Unified Air Pollution Control District, regarding building demolition.
  - B. All site improvements shown on the final approved Building Permit plans shall be installed.
  - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - D. The project must comply with all recommendations of the approved soils report.
  - E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
- A. The steel slag storage building shall be operated and maintained consistent with the operating conditions of the cement plant operating permit no. 88-0188.
  - B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

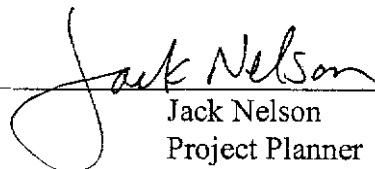
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**Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.**

**PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE  
DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS  
AND COMMENCE CONSTRUCTION.**

Approval Date: July 16, 2004  
Effective Date: July 30, 2004  
Expiration Date: July 30, 2006

  
Don Bussey  
Deputy Zoning Administrator

  
Jack Nelson  
Project Planner

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests **are** adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the ~~Santa~~ Cruz County Code.

ATTACHMENT 1

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 03-0354

Assessor Parcel Number: 58-071-04

Project Location: 700 Highway 1, Davenport

**Project Description: Construct an approximately 5,000 sq. ft. addition to an existing 800 sq. ft. materials storage building**

**Person or Agency Proposing Project: Mike Seixas, RMC Pacific Materials Inc.**

**Contact Phone Number: (831) 458-5723**

- A. ☐ The proposed activity **is** not a project under CEQA Guidelines Section 15378.  
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).  
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.  
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 1, Existing Facilities (Section 15301)

**F. Reasons why the project is exempt:**

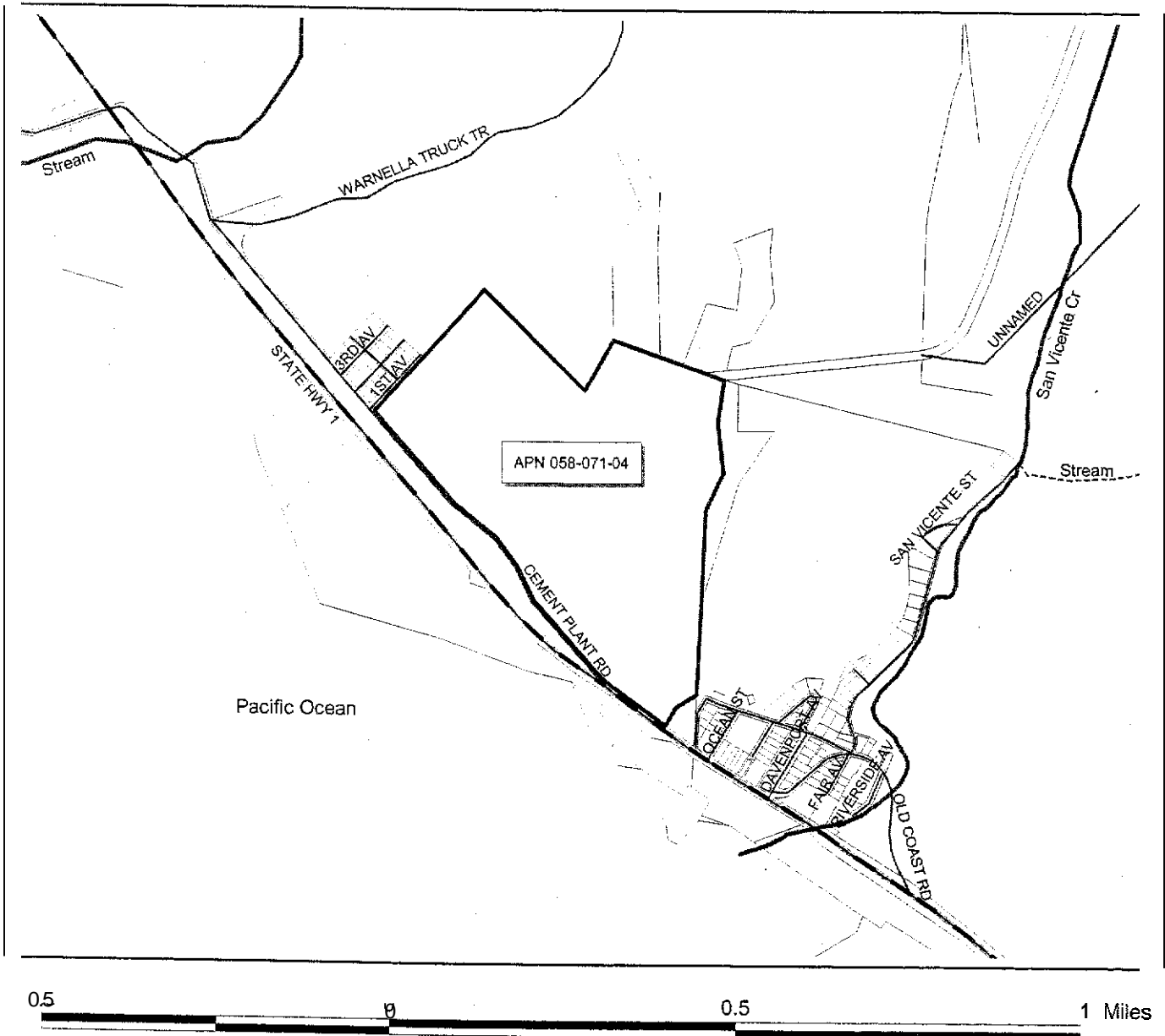
A Class 1 exemption includes subsection (e)(2), "Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive." The proposed project meets the criteria of subsection (e)(2).

In addition, none of the conditions described in Section 15300.2 apply to this project.

  
Jack Nelson, Project Planner

Date: July 16, 2004

# atio Map



Map created by Santa Cruz County  
Planning Department:  
September 2003



**ATTACHMENT 1**

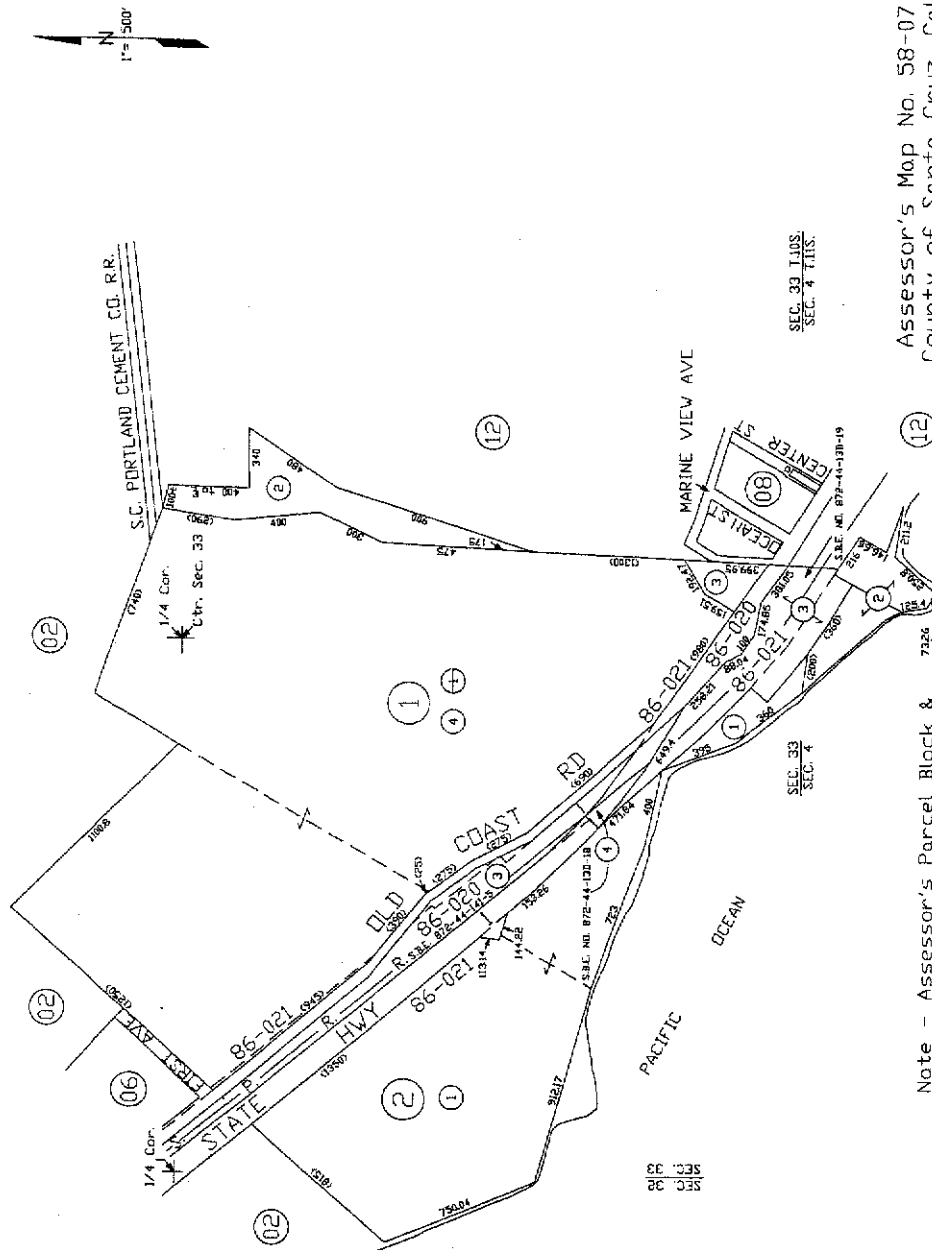
**EXHIBIT E**

FOR TAX PURPOSES ONLY  
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
 LIABILITY FOR OTHER INFO. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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SAN VICENTE RANCHO  
 POR. SECS. 32 & 33, 1.10S. R.3W., &  
 POR. SEC. 4, T.11S., R.3W., M.D.B. & M.

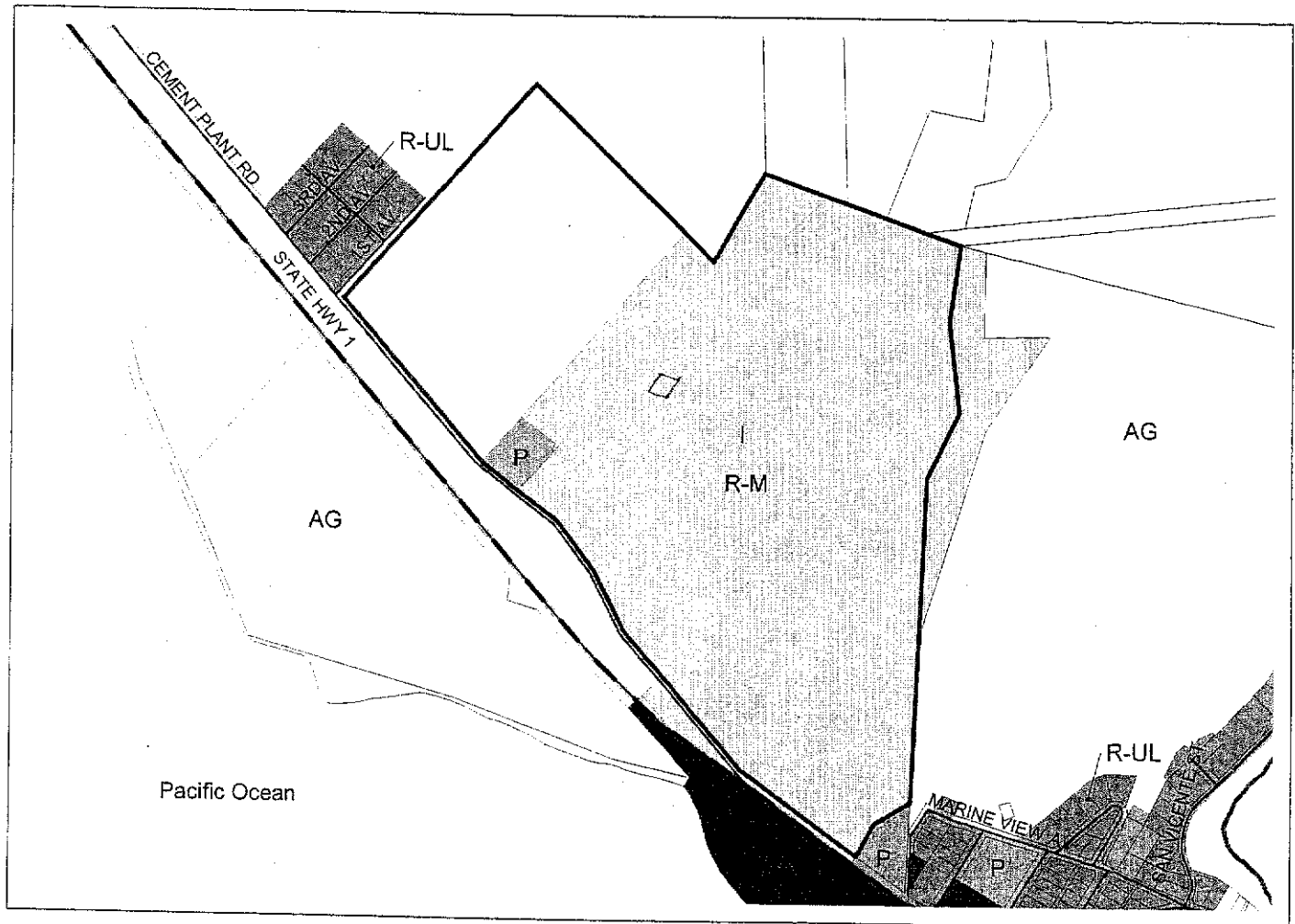
Tax Area Code  
 86-020 86-021

58-07



Assessor's Map No. 58-07  
 County of Santa Cruz, Calif.  
 Dec. 1999

# General Plan Map



0.25 0.25 0.5 Miles

## Legend

- APN 058-071-04
- Parcel boundaries
- State highways
- Streets
- Perennial Stream
- Agriculture
- Mountain Residential
- Public Facilities
- Residential - Urban Low Density
- Residential - Urban Very Low Density
- Parks and Recreation

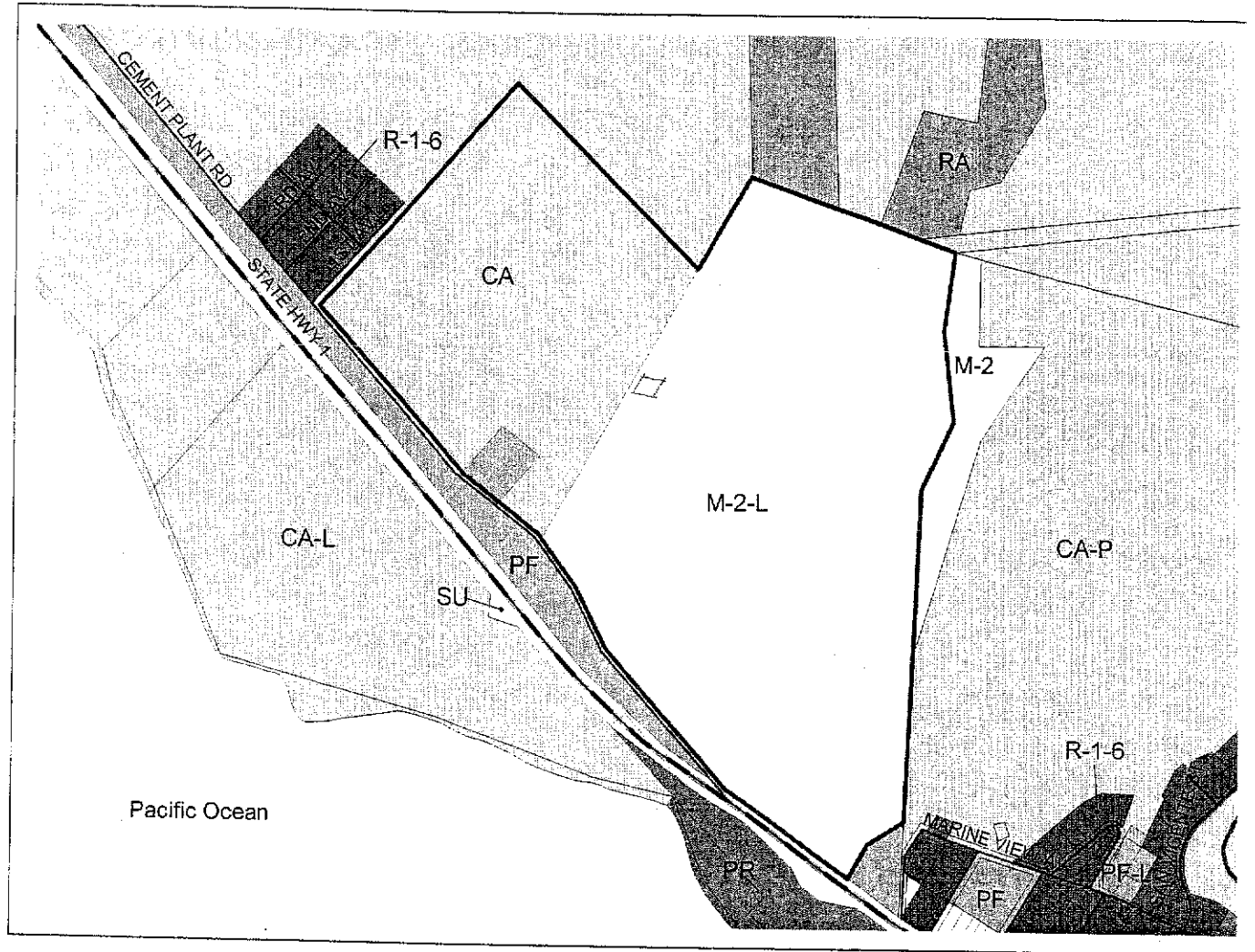


EXHIBIT F

Map created by Santa Cruz County  
Planning Department  
September 2003

**ATTACHMENT 1**

# Zoning Map



## Legend

	APN 058-071-04
	Parcel boundaries
	State highways
	Streets
	Perennial Stream
	CA
	RA
	R-1-X
	PR
	PF
	SU
	M-2



EXHIBIT F

Map created by Santa Cruz County  
Planning Department:  
September 2003

**ATTACHMENT 1**

C O U N T Y   O F   S A N T A   C R U Z  
D I S C R E T I O N A R Y   A P P L I C A T I O N   C O M M E N T S

Project Planner: Jack Nelson  
Application No.: 03-0354  
APN: 058-071-04

Date: May 5, 2004  
Time: 16:00:52  
Page: 1

**Environmental Planning Completeness Comments**

----- REVIEW ON SEPTEMBER 9, 2003 BY KENT M EDLER ===== 1. The plans as submitted do not show any details regarding grading. Submit plans that show the 239 cy's of grading.

===== UPDATED ON DECEMBER 15, 2003 BY JOSEPH L HANNA =====

The project should be reviewed by the geotechnical engineer that has worked on the Dome and other site projects. Prior to issuance of the building permit the details of the grading need to be worked out. The current plan is adequate for preliminary grading approval

**Environmental Planning Miscellaneous Comments**

----- REVIEW ON SEPTEMBER 9, 2003 BY KENT M EDLER ===== 1. The plans as Submitted do not show details regarding grading.

===== UPDATED ON DECEMBER 15, 2003 BY KENT M EDLER ===== 1. An update to the soils report from the dome project should be submitted in the building permit Stage.

2. It does not appear that a grading permit is required for this project unless there is substantial overexcavation / recompaction.

**Dpw Drainage Completeness Comments**

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 16, 2003 BY DAVID W SIMS =====

Application is approved for the discretionary review stage. Please see the miscellaneous comments section for conditional requirements to be met for the building application stage.

===== UPDATED ON DECEMBER 29, 2003 BY DAVID W SIMS =====  
2nd Routing:

The proposed plan remains approved for discretionary stage stormwater management review. Please see miscellaneous comments for items to be addressed in the building application stage

**Dpw Drainage Miscellaneous Comments**

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 16, 2003 BY DAVID W SIMS =====

Miscellaneous Drainage Comments:

1) All commercial projects located in a coastal zone are required to install silt and grease trap structures at the release points of project site drainage systems. Please locate this structure in an easily observable and maintainable location somewhere along the stretch of drainage ditch running alongside the existing storage building to the NW of the proposed structure. This trap should be appropriately sized for the drainage and sediment loads received from the upper ditch system as well as the sediments generated around the storage buildings and paved equipment ac-



Discretionary Comments - Continued

Project Planner: Jack Nelson  
Application No.: 03-0354  
APN: 058-071-04

Date: May 5, 2004  
Time: 16:00:52  
Page: 2

cess routes. An example of a typical structure is available in the County Design Criteria,

2) Show how the drainage swale along the rear edge of the proposed building ties into the existing drainage system.

3) Topographic information was not found on the plans as stated in correspondence to the planning department. This should be corrected.

4) Guidance helpful for creating a drainage plan is available at the planning web-site: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

5) Show on the plans the routing of drainage releases to a natural drainage feature or an adequate County maintained facility

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 to 12:00 am if you have questions. ===== UPDATED ON DECEMBER 29, 2003 BY DAVID W SIMS =====

Item #1 from previous comments still is required to be addressed. 4 silt and grease/oil trap must be provided for all runoff generated by the project proposal. The present proposal routes most runoff to a retention pond. This may be considered an adequate treatment facility for this portion of the site runoff, so long as it is not in conflict with other possible regulated uses of this pond. A maintenance agreement will need to be recorded for the pond structure. A portion of the site runoff enters a stormdrain/tunnel system that bypasses the retention pond without treatment. This runoff is also required to have treatment, and a recorded maintenance agreement if treated separately. Please provide these changes on the building application plans

All resubmittals of plans, calculations, reports, faxes, extra copies, etc-shall be made through the Planning Department. Materials left with Public Works may be returned by mail, with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions.

Cal Dept of Forestry/County Fire Completeness Comm

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 3, 2003 BY COLLEEN L BAXTER ===== DEPARTMENT NAME: CDF/COUNTY FIRE Add the appropriate NOTES and DETAILS showing this information on your plans and RESUBMIT, with an annotated copy of this letter: Note on the plans that these plans are in compliance with California Building and Fire Codes (2001) as amended by the authority having jurisdiction. Each APN (lot) shall have separate submittals for building and sprinkler system plans. The job copies of the building and fire systems plans and permits must be onsite during inspections. SHOW on the plans a public fire hydrant within 250 feet of any portion of the property, along the fire department access route, meeting the minimum required fire flow for the building. This information can be obtained from the water company. NOTE on the plans that a 30 foot clearance will be maintained with non-combustible

ATTACHMENT 1

Discretionary Comments - Continued

Project Planner: Jack Nelson  
Application No.: 03-0354  
APN: 058-071-04

Date: May 5, 2004  
Time: 16:00:52  
Page: 3

vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt. All Fire Department building requirements and fees will be addressed in the Building Permit phase. Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction. 72 hour minimum notice is required prior to any inspection and/or test. Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

SHOW ON PLANS. AMOUNT OF WATER STORAGE AT YOUR ADDRESS AVAILABLE FOR FIRE PROTECTION. NO NEW NOTES FROM CDF/COUNTY FIRE. ===== UPDATED ON DECEMBER 11, 2003 BY COLLEEN L BAXTER =====

Cal Dept of Forestry/County Fire Miscellaneous Com

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 3, 2003 BY COLLEEN L BAXTER =====  
===== UPDATED ON DECEMBER 11, 2003 BY COLLEEN L BAXTER =====

ATTACHMENT 1

EXHIBIT G



## MONTEREY BAY

Unified Air Pollution Control District  
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER  
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

### DISTRICT BOARD MEMBERS

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Monterey County

Arturo Medina  
San Juan  
Bautista

John Myers  
King City

August 27, 2003

Jack Nelson  
Project Planner  
County of Santa Cruz  
791 Ocean St., Suite 400  
Santa Cruz, CA 95060-4073

SUBJECT: PROJECT REFERRAL FOR RMC SLAG BUILDING

Dear Mr. Nelson:

Staff has reviewed the referenced document and has the following comment:

Mike Sheehan, District Compliance Division, should be contacted regarding District requirements for demolition.

Thank you for the opportunity to review the document. Please do not hesitate to call if you have any questions.

Sincerely,

Jane Brennan  
Supervising Planner  
Planning & Air Monitoring Division

EXHIBIT G

ATTACHMENT 1  
27

# RMC PACIFIC MATERIALS



www.rmcpacific.com

700 Highway 1, P. O. Box 300, Davenport, California 95017-0300 (831)458-5700

October 20, 2003

County of Santa Cruz  
Planning Department  
701 Ocean Street  
Santa Cruz, CA 95060

Attn: Mr. Jack Nelson

Re: Planning Permit Application - 2,600 Ton Slag Storage (Alternative 3A)  
Assessor's Parcel Number: 058-071-04  
Site Address: 700 Highway 1, Davenport  
Owner: RMC Pacific Materials  
Permit 88-0188; Application No. 03-0354

## PERMIT APPLICATION

RMC Pacific Materials is hereby re-submitting the revised application to construct a building addition to provide covered storage of granular slag material. *All the corrections and additional information requested by the Planning Department letter dated September 19, 2003, are shown in italics.*

The new covered slag storage structure is an addition and extension an existing building, which is an integral and necessary part of the current CemStar Process already approved by the County. There is no intensification of use, just covering a stockpile of slag. One older building will be removed to make room for the extension. This building extension is clustered within and surrounded by other existing buildings. The total grading quantity is 76 cubic yards for the installation of the extension building foundation. Our hope is that the County will process this as a Minor Variation to our existing permit.

Slag is used in our now permitted CemStar process systems and the covered storage shed is required to meet the terms the above reference permit condition prescribed in item 11 entitled "Outside Storage".

The proposed enclosed slag storage building addition is divided into two storage areas for two different types of slag. The larger storage area holds a total of 2,150 tons and with the proposed building extension layout, slag that is being off loaded from railcars can be conveyed directly into the new storage extension building using existing permitted conveyors, feeders, stacker and an existing covered storage building. A front-end bucket loader can then move around and stockpile the incoming slag material as required while staying inside the proposed enclosed building addition, thus keeping fugitive dust emissions to a minimum.

The north end proposed building addition ~~is~~ designed to hold an addition 450 tons of slag material. Incoming slag is brought in and stockpiled at this north end of by a front-end loader. Front-end loaders are used move the slag out of the building extension and onto the ~~existing~~ tunnel feeders, which then convey slag to the permitted holding bin in the ChemStar feeding process.

existing

### CEMSTAR PROCESS

The CemStar process is a patented process to add slag to a cement kiln without affecting the amount of raw mix fed into the preheater tower, thereby increasing clinker production. System benefits as reference modification to the permit to increase the annual production output:

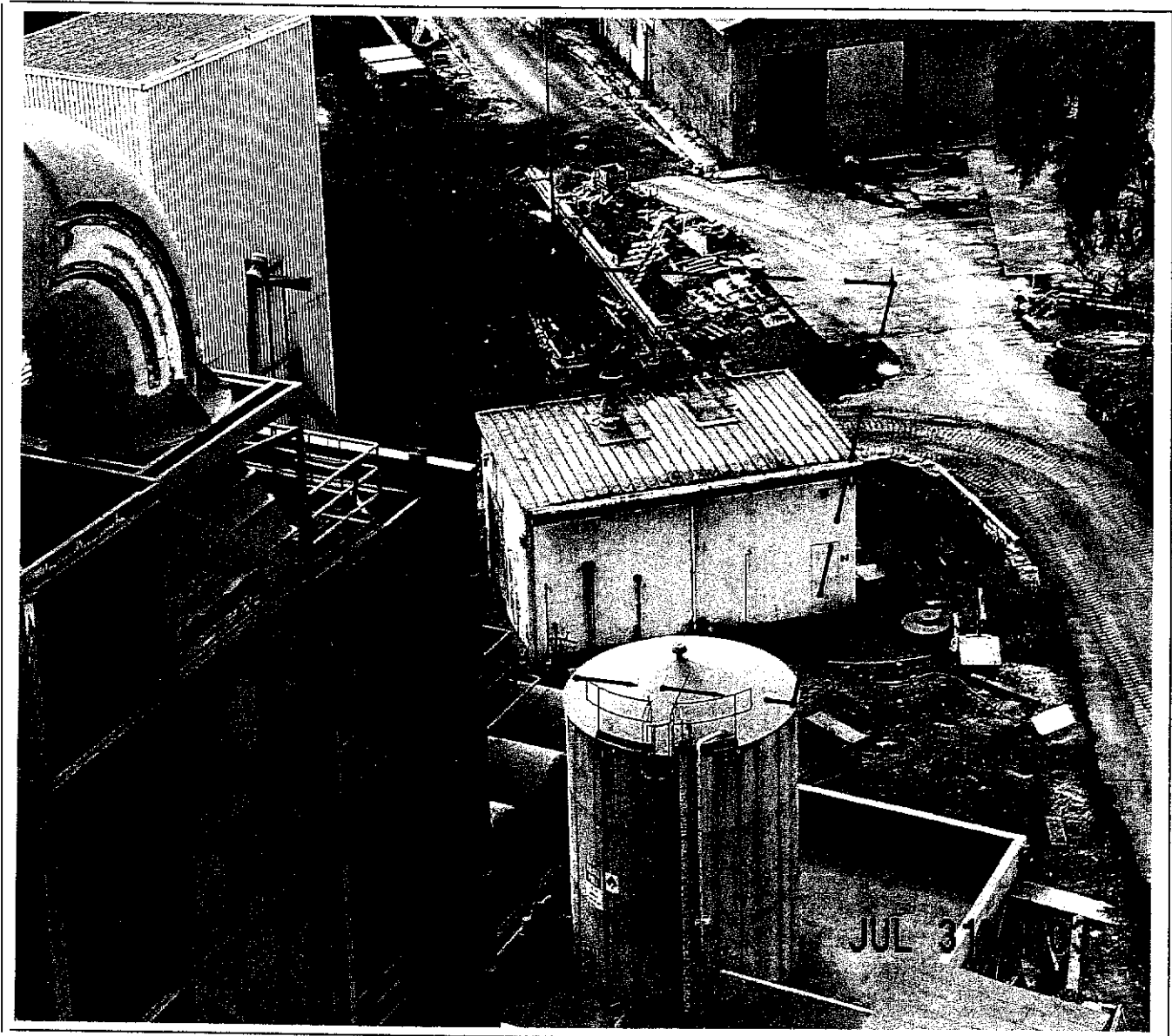
- a. Emissions Reduction: The emission reduction is per ton of clinker produced. Theoretically we will continue to make the same amount of clinker from raw mix as we have in the past. These emissions should not change. However, we are now producing an incremental increase in clinker from the slag, which does not generate additional emissions or use additional coal.
- b. Relationship to the existing iron ore imports and usage: Clinker, from which we make cement, must contain a certain amount of iron. If we get a portion of this iron from slag, then we do not need to bring in or use as much iron in our raw mix.
- c. Increased production without additional fuel consumption: Slag is produced in a steel mill. The steel contaminants that make up the slag include calcium and silica. In the steel manufacturing process dicalcium silicate is formed. It takes some heat to re-melt the slag in the cement kiln but the reaction with excess calcium from the raw mix to form tri-calcium silicate is exothermic, giving off heat. According to TXI (patent holder of the CemStar process) this results in no overall addition to fuel usage. Our BTU per ton of clinker produced has decreased since using slag. No increase in emission occurs since the slag has already been heated to 3000 degrees in the steel manufacturing process, thereby driving off emissions. The only thing that is driven off in the cement manufacturing process is moisture that the slag has picked up in shipping and storage.
- d. Any and all favorable impacts: The main impact to RMC is that we are: (1) producing more clinker without having to make major and costly modifications, (2) using less raw mix per ton of clinker, (3) using less virgin raw materials per ton of clinker, (4) using less coal per ton of clinker, and (5) decreasing total emissions per ton of clinker.
- e. 50% iron replacement: One of the benefits is that the slag contains iron. Any iron we obtain from the slag means that less iron needs to be added to the raw mix. This results in less iron being shipped into Davenport as a raw material. The percentage will fluctuate somewhat depending on the amount of iron concentration in the slag being used.

EXHIBIT E

The production capacity of our kiln system is limited by the amount of raw mix we can put into the top of our preheater tower. This is related to the fan capacity and resulting draft and pressure. The idea behind the CemStar process is to continue to add the maximum feed to the top of the preheater tower while simultaneously adding slag directly to the feed end of the kiln, at the base of the preheater tower. We change the chemistry of the raw mix when using slag, such that the sum of the chemistry of the raw mix and the slag result in the proper chemistry for the clinker being produced. As an example, slag contains some iron. Therefore, we lower the iron content of **the raw mix** by an equal amount, resulting in a clinker with the correct iron content. The CemStar process decreases the raw materials and fuel required to produce a ton of clinker, and reduces the emissions generated per ton of clinker.

# OUTLINE OF 5000 SQ FOOT SLAG STORAGE BUILDING ADDITION

APPLICATION NO. 03-0354



ATTACHMENT 1

EXHIBIT I



**SIERRA  
CLUB**  
FOUNDED 1892

Santa Cruz County Group of **the** Ventana Chapter

P.O. Box 604, Santa Cruz, California 95061 phone: (831) 426-445

FAX (831) 426-5323

www.ventana.org

e-mail: scscrg@cruzio.com

July 16, 2004

Mr. Donald Bussey  
Zoning Administrator  
Santa Cruz County  
701 Ocean Street  
Santa Cruz, California 95060

RE: RMC Pacific Materials ("RMC") Application 03-0354; APN: 058-071-04

Dear Mr. Bussey:

The Sierra Club, Santa Cruz County Group of the Ventana Chapter (the "Sierra Club") urges the **Zoning** Administrator to deny RMC's Application 03-0354 because the 5,000 square foot addition to an existing 600 square foot building (the "Project") is not exempt from further Environmental Review under the California Environmental Quality Act ("CEQA"), as the Santa Cruz County (the "County") Planning staff claims.

Section 15303, New Construction or Conversion of Small Structures of CEQA describes the class of small projects involving **new construction** or conversion of existing small structures. Subsection (c) limits the use of this exemption to those commercial projects which do not exceed 2,500 square feet in floor area. The current **Project** exceeds that square footage by 2,500 square feet. **Thus**, the Project does not qualify for the Section 15303 exception that the County Planning staff claims. A 5,000 square foot addition is not "small" under Section 15303.

In addition, contrary to the County Planning staff's assertion Section 15300.2 does apply to the Project. Subsection (b), Cumulative Impact, does **not** allow an exemption from Environmental Review when the cumulative impact of successive projects of the same type in the same place, over time is **significant**. The County Planning staff must provide a history of the buildings located on the Project site, detailing the size of successive buildings since the inception of the cement plant in 1906, in order to determine the applicability of Section 15300.2.

Finally, and most importantly, the Santa Cruz County Government is the public agency which **has** the principal responsibility for carrying out or approving a project (the "Lead Agency"). As Lead Agency, the County is legally responsible for ensuring that RMC does not fragment or "piecemeal" a large project. And, indeed, this Project is only one project in a continuing sequence of projects designed to significantly expand the RMC Pacific Materials Cement plant without adequate Environmental Review. **First**, the County allowed RMC to **split** the permits for the cement quarry and the main **cement** plant even though the two sites are physically linked and are integral parts of the same cement production **process**. Secondly, the County **has** approved, is in the process of **reviewing**, or has knowledge of several "smaller" projects, including, but not limited to, the Project, the quarry expansion, the introduction of slag to **cement** production process, the "dome" project, and the increase of allowed tonnage to 105,000 tons annually, all without a master plan. Clearly, the County has not **carried** out its duty as Lead Agency under CEQA.

The Sierra Club urges the Zoning Administrator to deny Application 03-0354 until a proper Environmental Review is conducted, which must include a **master** plan of RMC's intended expansion.

Very truly yours,

Marilyn Fravel, Chair  
Santa Cruz County Group/Ventana Chapter

**ATTACHMENT 2**

*"...to explore, enjoy and protect the wild places of the earth."*