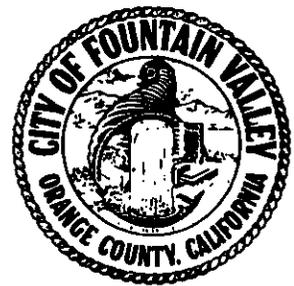


Sanitation District Plant

Specific Plan

SANITATION DISTRICTS' PLANT NO. 1
SPECIFIC PLAN

City of Fountain Valley



County Sanitation Districts of Orange County
Treatment Plant No. 1
10844 Ellis Avenue
Fountain Valley, CA 92708

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1.0 SPECIFIC PLAN SUMMARY

PURPOSE AND INTENT

The County Sanitation Districts of Orange County Specific Plan establishes comprehensive guidance for the continued use and the proposed planned future development of the approximate 108 acre-site, owned by the Districts in the City of Fountain Valley, California. The Specific Plan will carry out the agreed upon land use site plan by combining the master plan of land use for the site, establishing policies and administrative procedures and development regulations for implementation of the specific land uses of the site and will replace the current property zoning standards, including any applicable requirements for obtaining a Conditional Use Permit. This Specific Plan, adopted by resolution after completion of studies by the City and Districts, is consistent with the City of Fountain Valley General Plan, and resolves the disagreements between the City and Districts relating to their respective rights for the use of the site.

2.1 INTRODUCTION

2.1 PROJECT LOCATION

The project area is located in the central portion of Orange County, within the City of Fountain Valley. More specifically, the project is located on the south side of Ellis Avenue, west of the Santa Ana River.

2.2 EXISTING SITE CHARACTERISTICS

The 108-acre project area, for more than 60 years, has been partially developed and continuously used as a wastewater treatment facility by the County Sanitation Districts of Orange County and its predecessor agency.

All existing improvements and land are owned and operated by the County Sanitation Districts of Orange County.

2.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

This Specific Plan has been prepared in compliance with the provisions of the California Environmental Quality Act (CEQA). The County Sanitation Districts of Orange County prepared an Environmental Impact Report in conjunction with the preparation of the 1989 Collection, Treatment and Disposal Facilities Master Plan (hereafter the "2020 Plan"). The EIR for the 2020 Plan was prepared in accord with Federal, State and local environmental laws and regulations responding to the existing and proposed development. The applicability of the EIR will include future development, developed in conformance with the County Sanitation Districts of Orange County Specific Plan. Future development which is consistent with the Specific Plan will require no further environmental documentation.

2.4 AUTHORITY AND SCOPE

The County Sanitation Districts of Orange County Specific Plan has been prepared pursuant to the provisions of the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457. The California Government Code authorizes cities to adopt specific plans by resolution or by ordinance. Hearings are required by both the Planning Commission and the City Council after which the Specific Plan must be adopted by the City Council to be in effect.

This Specific Plan will serve as the zoning provisions for the subject property in lieu of other general zoning ordinance provisions for the subject property. Proposed development plans, agreements and any other developmental plans must be consistent with the Specific Plan. Projects which are found consistent with the Specific Plan will be deemed consistent with the City's General Plan.

2.5 PROJECT OBJECTIVES

In preparing this Specific Plan, consideration has been given to existing facilities, potential expansion and/or replacement of existing facilities, construction of additional facilities proposed in both the immediate and long-term future. This Specific Plan will serve as a planning tool to implement the physical development of the project area by providing mechanisms to ensure consistency with the City's General Plan and this Specific Plan. Recognizing these goals, the following project objectives have been established.

To continue to meet the needs of the community and region by providing for appropriate facility expansion, new wastewater treatment and reclamation programs and services.

To plan and locate new land uses related to wastewater treatment, to assure compatibility with other existing wastewater treatment facilities on site and surrounding uses and neighborhoods.

To provide for future permitted uses which respond to anticipated needs of the Districts.

To assure that adequate supporting infrastructure exists to service future needs of the City and the Districts.

To implement the goals, objectives and policies of the City of Fountain Valley General Plan.

To implement the goals, objectives and policies of the Districts' "2020 Plan".

To assure that the proposed use will be consistent with the General Plan of the City and the "2020 Plan of the Districts and that the proposed uses will have minimal adverse effect on nearby premises or the City as a whole.

3.1 PERMITTED USES

A. Office

1. Office Buildings
2. Operational Control Buildings
3. Laboratories

B. Warehouse

1. Warehousing and storage of equipment and supplies

C. Maintenance Areas

1. Vehicle Maintenance
2. Equipment Maintenance

D. Parking

1. Motor Vehicle Garages
2. Parking Structures
3. Parking Lots

E. Wastewater Treatment Facilities

1. Wastewater treatment facilities as defined in Section 6.1 below and as delineated in the "2020 Plan", including cogeneration facilities which generate electrical power through the burning of the gas by-products of the treatment of wastewater or natural gas

F. Structures

1. Any new structure less than 50 feet in height which is setback a minimum of 30 feet from Ellis Avenue, Garfield Avenue and Ward Street which is part of the "2020 Plan".

G. Walls

1. All existing perimeter walls along the property boundaries of the site on Ellis Avenue and Ward Street

3.2 PROHIBITED USES

Incineration of wastewater by-products with municipal solid waste not originating with the wastewater treatment process, Co-combustion, Solid Waste handling, to wit: garbage, trash or other similar solid waste not originating with the wastewater treatment process or any use that is not specifically authorized by provisions of the "2020 Plan".

3.3 DESIGN REVIEW

In accordance with the adopted purposes of the City's zoning ordinance relating to development review--namely, that the design and general appearance of structures and buildings are in keeping with the intent of achieving high quality, the following provisions shall apply to the buildings and structures in the Specific Plan.

1. All structures that can be viewed from the adjacent streets or properties shall be submitted to the Planning/Building Director for Design Review. This review shall include the review of the design features of all exterior elevations of structures, lighting and any signing which is designed to be viewed or read from the adjacent streets or properties.
2. All Parking Plans (including lighting) and traffic circulation plans (both on-site and off-site) shall be subject to Design Review by the City's Planning/Building and Public Works Directors. City's review of parking plan shall be limited to ensuring that there is adequate on site parking.
3. All Landscaping Plans (including irrigation) for areas that can be viewed from the adjacent streets or properties shall be subject to Design Review by the City's Planning/Building and Public Works Directors.
 - A. Arterial Street Landscaping
To create a unifying element surrounding the project area, the existing landscaping shall be maintained adjacent to Ellis Avenue and Ward Street. The existing landscaping may be changed by District with the prior approval of City's Planning/Building and Public Works Directors.
 - B. Landscaping Materials
Landscaping plantings shall be of turf or other appropriate ground cover .
 - C. Irrigation
Irrigation system shall use reclaimed water to irrigate all landscaping wherever feasible.
4. Block Walls
The existing decorative block/masonry walls shall be maintained adjacent to the landscaping on Ellis Avenue and Garfield Street. A decorative block/masonry

extension of the existing wall shall be constructed adjacent to the Garfield Avenue right-of-way line to screen the project. Construction shall be required at the time of construction of the Garfield Avenue street improvements, including the extension across the Santa Ana River. Block wall plans shall be subject to design review and approval by the Planning/Building and Public Works Directors. Wall plans shall include location, height, materials and color.

5. **Parking**

The Districts shall provide on site parking to meet the needs of the Districts' employees, as well as visitors. The on site parking plan shall be subject to review by the City's Planning/Building and Public Works Directors.

6. **Hazardous Materials Plan**

The Districts shall prepare and submit a hazardous materials plan to the City of Fountain Valley Fire Department for its review and approval. The Districts' hazardous materials plan shall be incorporated into the City's Hazardous Materials Plan for the total City.

7. **Exterior Storage Plan**

All exterior storage areas of materials and equipment associated with the treatment of wastewater, visible from the arterial streets shall be enclosed by a screen wall screening the storage area from the arterial streets. Districts shall submit an exterior storage plan indicating the locations, type of storage, and method of screening of materials and equipment from the arterial streets for review and approval by the Planning/Building Director.

3.4 **BUILDING AND FIRE DEPARTMENT PERMITS**

The Districts shall submit for review and approval all construction plans for all non-wastewater treatment facilities on the site. The Districts shall pay processing fees, plan check fees, building permit fees and inspection fees for the facilities at the time of submittal and shall secure required inspections for the non-wastewater treatment facilities. Districts may use state licensed engineers or inspectors in lieu of City inspectors, subject to City approval. Non-wastewater treatment facilities shall include, but not be limited to:

A. **Office**

1. **Office Buildings**
2. **Operational Control Buildings**
3. **Laboratories**

B. **Warehouse**

1. **Warehousing and storage of equipment and supplies**

- C. Maintenance Areas
 - 1. Vehicle maintenance
 - 2. Equipment maintenance

- D. Parking
 - 1. Motor Vehicle Garages
 - 2. Parking Structures
 - 3. Parking Lots

- E. Other
 - 1. Other structures which are not involved in the direct treatment of wastewater

3.5 WASTEWATER TREATMENT FACILITIES

Wastewater treatment facilities shall not be subject to City's building and zoning ordinances, except as expressly provided herein. Such facilities shall include, but not be limited to digesters, clarifiers, scrubber and settling ponds.

4.0 SITE DEVELOPMENT

4.1 INTRODUCTION

The County Sanitation Districts of Orange County Specific Plan has been formulated in accordance with the Fountain Valley General Plan. This Specific Plan will serve as the primary guidance document for the implementation of the Specific Plan. Wherever provisions contained in this document conflict with the regulations of the Fountain Valley Municipal Code, the provisions contained herein shall take precedence. The Municipal Code shall apply to this development when standards are not provided within this document. All newly-constructed non-wastewater treatment facilities within the boundaries of the County Sanitation Districts of Orange County Specific Plan shall comply with all the provisions of the most recently adopted editions of the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code and the Uniform Fire Code.

4.2 GENERAL NOTES

1. Domestic (potable) water service to and within the Specific Plan area shall be furnished by the City of Fountain Valley.
2. Subdivision of property within the Specific Plan area shall be in accordance with the State Subdivision Map Act.
3. All facilities or operations potentially generating noxious fumes, toxic substances, flammable materials, radioactive materials, and infectious waste will comply with all federal, state, and local regulations and standards including the Hazardous Materials Plan adopted by the City of Fountain Valley, provided it is not in conflict with Federal or State law.
4. All fire hydrants and access shall be approved by the Fountain Valley Fire Department.
5. All new buildings shall comply with all applicable State and Federal laws.

4.3 PLAN CONSISTENCY

Finding: That the City of Fountain Valley hereby finds that the proposed Sanitation Districts' Specific Plan is consistent with the Fountain Valley General Plan, and Redevelopment Plan for Industrial Area of the Redevelopment Project.

Facts: The proposed Sanitation Districts' Specific Plan is located adjacent to the boundaries of the Industrial Area of the City of Fountain Valley's Redevelopment Plan. The Redevelopment Plan conforms to the City of Fountain Valley General Plan which designates the subject property as "industrial" subject to a Specific Plan.

The Sanitation Districts' Specific Plan provides for the implementation of the Districts' 1989 Collection, Treatment and Disposal Facilities Master Plan through the year 2020. The Districts and City acknowledge that technological and regulatory changes, as well as service needs and demands, are likely to occur prior to complete implementation of the Master Plan in the year 2020. In such event, the Master Plan will require changes which shall then cause an amendment to the Specific Plan to be revised, as provided in Section 5.0 below.

The Sanitation Districts' Specific Plan is specifically consistent with the Redevelopment Plan and the General Plan, and it provides a precise mechanism for the implementation of the "2020 Master Plan" on Collection, Treatment and Disposal Facilities, as adopted by the County Sanitation Districts of Orange County in February of 1989.

The Specific Plan provides for and approves existing landscaping and walls along the arterial streets on the perimeter of the Districts' property, so as to provide a buffer with other surrounding land uses.

The County Sanitation Districts of Orange County's 2020 Plan on "Collection, Treatment and Disposal Facilities Master Plan" was subject to a noticed public hearing as required by State and Federal laws. The Plan and its environmental documents were processed in the manner as required by State and Federal regulations and the Board for the County Sanitation Districts of Orange County. After noticed public hearings, and consultation with affected organizations governmental agencies and individuals, the Board of Directors for the County Sanitation Districts of Orange County approved the "2020 Plan and its related documents. These documents consist of County Sanitation Districts of Orange County MASTER PLAN 1989 REPORTS VOLUMES 1 THROUGH 9 and the ENVIRONMENTAL DOCUMENTS.

The County Sanitation Districts of Orange County Master Plan and environmental documents are made a part of this Specific Plan by reference. In the event the "2020 Plan", is amended by the Districts with the concurrence of the City of Fountain Valley, the amended plan shall be incorporated and made a part of this Specific Plan by reference.

5.0 SPECIFIC PLAN AMENDMENT

The Specific Plan may be amended from time to time upon request from the County Sanitation Districts of Orange County or if initiated by the City of Fountain Valley. In the latter event, the amendment will be processed in accordance with the terms and conditions of the Memorandum of Understanding by and between City and Districts, dated August 12, 1992. The City of Fountain Valley understands that the wastewater treatment methods and standards, as well as environmental and public health regulations, that are required by Federal and State agencies may change from time to time and that the City of Fountain Valley will not unreasonably withhold approvals for said amendments.

5.1 AMENDMENT PROCEDURES

In accordance with the California Government Code Sections 65453 to 65454, Specific Plans shall be prepared, adopted and amended in the same manner as General Plans, except that Specific Plans may be adopted by resolution or ordinance.

Amendments to the Specific Plan may require preparation of a supplemental, or subsequent development or addendum to the existing environmental impact report as may be required by the Federal and State environmental laws.

6.0 APPENDIX

6.1 DEFINITIONS

A. "2020 Plan"

The Master Plan for treatment facilities for the County Sanitation Districts of Orange County described as the "1989 Collection, Treatment and Disposal Facilities Master Plan", consisting of Volumes 1 through 9, which are on file with the City of Fountain Valley Planning Department.

B. 2020 Environmental Impact Report

The environmental documents prepared in accordance with the California Environmental Quality Act pertaining to the environmental impacts of the County Sanitation Districts of Orange County's "1989 Collection, Treatment and Disposal Facilities Master Plan".

C. Co-Combustion

The rapid chemical combination of oxygen with the combustible elements of two or more fuels. The combination of the combustible elements and compounds of a fuel with all the oxygen require a temperature high enough to ignite the constituents, mixing or turbulence and sufficient time for complete combustion. There are no co-combustion facilities at Districts' Reclamation Plant No. 1.

D. Co-Generation

The sequential utilization of energy from the same source to produce electric power and a lower level of thermal energy, such as process heat. Co-Generation Facilities presently exist at Districts' Reclamation Plant No. 1 in the form of engine generator sets generating electric power from the wastewater treatment process by-products, such as biologically produced methane gas.

E. Districts

Any individual or combination of individual County Sanitation Districts Nos. 1, 2, 3, 5, 6, 7, 11, 13 or 14 of Orange County.

F. Incineration

The process of reducing a volume of solid refuse or waste materials through compacting, pulverizing and/or shredding the materials and then feeding the material, combined with another highly combustible fuel, through a closed combustion chamber. There are no incinerator facilities at District's Reclamation Plant No. 1.

G. Infrastructure

Basic framework of streets, on-site traffic circulation system, water system and drainage system allowing for the operation of a facility for the treatment of wastewater.

H. Wastewater

Both domestic wastewater and industrial wastewater, as defined in the Districts' Wastewater Discharge Regulations Ordinances, Section 102(25), (36) and (93).

I. Treatment Facility

An arrangement of equipment, devices and structures for treating wastewater, industrial wastes and their residuals. This term is sometimes used synonymously with waste treatment plant, sewage treatment plant or wastewater treatment works.

6.2 EXHIBITS

A. Plant No. 1 Master Plan

SPECIFIC PLAN NO. 3

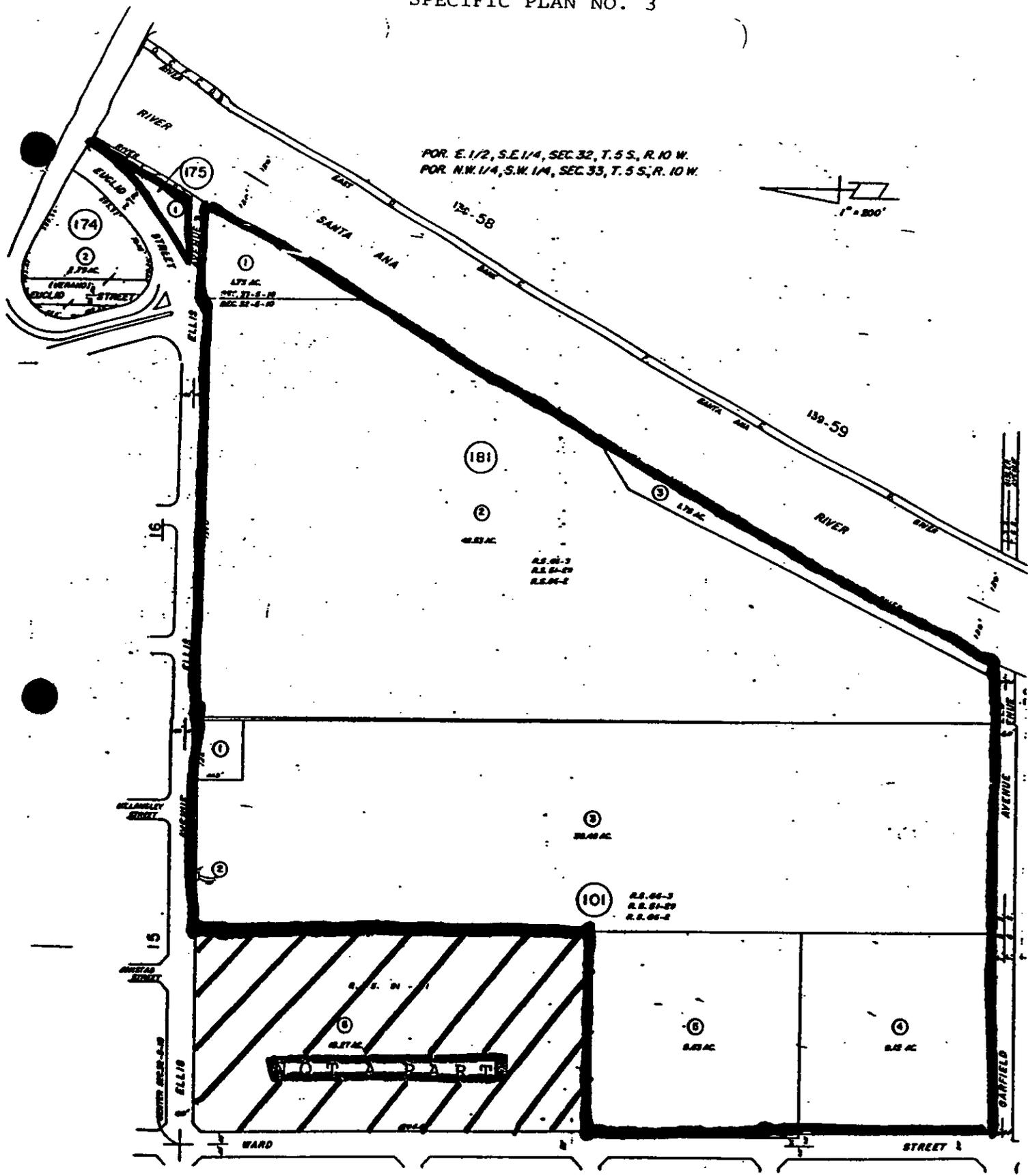


EXHIBIT "B"

RECEIVED
CITY OF FOUNTAIN VALLEY

MAY 3 1994

CITY COUNCIL OFFICES

RESOLUTION NO. 93-116

APPROVING FOUNTAIN VALLEY SPECIFIC PLAN
FOR SITE USE AND DEVELOPMENT AT
RECLAMATION PLANT NO. 1

A JOINT RESOLUTION OF THE BOARDS OF DIRECTORS OF
COUNTY SANITATION DISTRICTS NOS. 1, 2, 3, 5, 6, 7,
11, 13 AND 14 OF ORANGE COUNTY, CALIFORNIA, APPROVING
FOUNTAIN VALLEY SPECIFIC PLAN FOR SITE USE AND
DEVELOPMENT AT RECLAMATION PLANT NO. 1

WHEREAS, the County Sanitation Districts of Orange County, California have owned and operated since 1923, for the benefit of the residents and businesses in 24 communities, a regional wastewater treatment plant to provide treatment and reuse or disposal of wastewater at its Reclamation Plant No. 1 in the City of Fountain Valley; and,

WHEREAS, said Districts' operation of Reclamation Plant No. 1 is regulated by Federal and State agencies pursuant to the provisions of both federal and California law; and,

WHEREAS, said Districts have developed and adopted their collection treatment and disposal facilities Master Plan dated February 1989, which said Master Plan specifically includes all facilities at Reclamation Plant No. 1; and,

WHEREAS, City has asserted a right and made demand upon Districts to submit an application for zoning conditional use permit and receive approval of City prior to commencement of construction of any facilities at Plant No. 1; and,

WHEREAS, said Districts have asserted to City that it is exempt from the requirement of compliance with local planning and zoning ordinances of the City; and,

WHEREAS, a dispute therefore arose between City and Districts; and,

WHEREAS, in order to resolve said dispute, the City and the Districts, on August 12, 1992, entered into an agreement providing for utilization of a Specific Plan of Site Use and Development regarding Sanitation Districts' Reclamation Plant No. 1; and,

WHEREAS, the City and the District have now agreed to the terms and provisions of a Specific Plan in the document dated July 12, 1993.

NOW, THEREFORE, the Boards of Directors of County Sanitation Districts Nos. 1, 2, 3, 5, 6, 7, 11, 13 and 14 of Orange County, California,

DO HEREBY RESOLVE, DETERMINE AND ORDER:

Section 1. That the Fountain Valley Specific Plan for Site Use and Development at Reclamation Plant No. 1 dated September 8, 1993, between the City of Fountain Valley and County Sanitation Districts Nos. 1, 2, 3, 5, 6, 7, 11, 13 and 14 of Orange County, California, a copy of which is attached hereto as Exhibit A, is hereby approved.

Section 2. That the Districts' Boards of Directors reserve the right to approve any proposed changes by City to said Specific Plan prior to adoption by the City or to withdraw the application for said Specific Plan.

Section 3. That the Chairman and Secretary of District No. 1, acting for itself and on behalf of Districts Nos. 2, 3, 5, 6, 7, 11, 13 and 14, are hereby authorized and directed to execute the Specific Plan and all related documents, in form approved by the General Counsel.

PASSED AND ADOPTED at a regular meeting held September 8, 1993.

