



County of Calaveras Department of Planning

Peter N. Maurer ~ Planning Director

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April 30, 2015

Nick Jones, President
Ford Construction Company, Inc.
300 W. Pine Street
Lodi, CA 95240

Re: Asphaltic Concrete Batch Plant at Hogan Quarry

Dear Nick:

The Planning Department has reviewed the records of the Hogan Quarry, historic documents regarding the M1 and M2 zones and permitted uses, and the letter submitted by your counsel. We have concluded that an asphaltic concrete batch plant, or "hot plant", is permitted at the site of the quarry.

The M1, Light Industrial and M2, General Industrial zones permit "concrete mixing and batch plant, ready-mix" (§17.40.020.A.8 and 17.42.020.A respectively.) Previous County codes referred to both asphalt batch plants and concrete plants as permitted uses. More recent amendments to the code do not differentiate between the two, and we have concluded that "concrete" includes both asphaltic concrete and Portland cement type concrete.

We do not agree that the use is vested, as suggested by Ms. Kindermann in her letter of April 29, 2015. There does not appear to be any record of historic use at the site of any type of batch plant, and while batch plants may be common with quarry operations, there are many quarries where such uses are strictly prohibited. However, the issue is moot, since the use would be permitted under the circumstances associated with the Hogan Quarry.

Please contact me if you have any questions.

Sincerely,

Peter N. Maurer
Planning Director

Cc via e-mail: Jerry Middleton
Diane G. Kindermann, Abbott & Kindermann, LLP
Steve Kearney, Supervisor, District 5