

Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com



Agenda - Final

Thursday, July 19, 2018

7:00 PM

Please note that the meeting location has been moved for this meeting to the Multi-Purpose Room #1600/1610 - 1st Floor.

Planning Commission

Any person wishing to address any item listed on the Agenda may do so by submitting a Speaker Card to the Clerk before the Commission considers the specific item. Cards are available at the entrance to the meeting chambers. Please limit your comments to five (5) minutes. For items not listed on the Agenda, please see "Items From the Public".

All actions of the Solano County Planning Commission can be appealed to the Board of Supervisors in writing within 10 days of the decision to be appealed. The fee for appeal is \$150.

Any person wishing to review the application(s) and accompanying information may do so at the Solano County Department of Resource Management, Planning Division, 675 Texas Street, Suite 5500, Fairfield, CA. Non-confidential materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours and on our website at www.solanocounty.com under Departments, Resource Management, Boards and Commissions.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Kristine Sowards, Department of Resource Management at (707) 784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF THE MINUTES

[PC 18-028](#) June 7, 2018 PC Minutes

Attachments: [draft minutes](#)

[PC 18-029](#) June 21, 2018 PC Minutes

Attachments: [draft minutes](#)

ITEMS FROM THE PUBLIC:

This is your opportunity to address the Commission on a matter not heard on the Agenda, but it must be within the subject matter jurisdiction of the Commission. Please submit a Speaker Card before the first speaker is called and limit your comments to five minutes. Items from the public will be taken under consideration without discussion by the Commission and may be referred to staff.

REGULAR CALENDAR

- 1 [PC 18-031](#) PUBLIC HEARING to consider Minor Revision No. 2 to Use Permit No. U-98-28 of Salad Cosmo USA for the expansion of an existing agricultural processing facility located at 5944 Dixon Avenue West, one mile west of the City of Dixon in the Exclusive Agriculture "A-40" Zoning District; APN's: 0109-030-040, 030, and 0109-060-010. Staff Recommendation: Approval

Attachments: [A - PC Resolution](#)
 [B - Assessor's Parcel Maps](#)
 [C - Initial Study and Mitigated Negative Declaration](#)
 [D - Vicinity Map](#)
 [E - Aerial Photo May 2017](#)
 [F - Site Photos](#)
 [G - Phase I Table](#)
 [H - Site Plan](#)
 [I - Elevation Diagram](#)

- 2 [PC 18-030](#) CONTINUED PUBLIC HEARING to consider an ordinance (ZT-18-03) amending Chapter 28 of the Solano County Code to define the short-term rental of a dwelling as a "vacation house rental" and to authorize such land use, subject to an administrative or minor use permit, within the Agricultural, Rural Residential and Watershed Zoning Districts

Attachments: [A - Final Ordinance](#)
 [B - County business licensing](#)
 [B - Short term vacation rental ordinance](#)

ANNOUNCEMENTS AND REPORTS

ADJOURN

To the Planning Commission meeting of August 2, 2018 at 7:00 P.M., Board Chambers, 675 Texas Street, Fairfield, CA



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Agenda Submittal

Agenda #:
Type: PC-Document
File #: PC 18-028
Agenda date: 7/19/2018
Title: June 7, 2018 PC Minutes

Status: PC Minutes
Department: Planning Commission
Contact: Kristine Sowards, 784-6765
Final action:

Governing body:

District:

Attachments: [draft minutes](#)

Date	Ver.	Action By	Action	Result
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MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of June 7, 2018

The regular meeting of the Solano County Planning Commission was held in the Solano County Administration Center, Board of Supervisors' Chambers (1st floor), 675 Texas Street, Fairfield, California.

PRESENT: Commissioners Rhoads-Poston, Walker, Hollingsworth, Bauer, and Chairperson Cayler

EXCUSED: None

STAFF PRESENT: Bill Emlen, Director; Mike Yankovich, Planning Program Manager; Jim Leland Principal Planner; Jim Laughlin, Deputy County Counsel and Sheila Hearon, Acting Planning Commission Clerk

Chairperson Cayler called the meeting to order at 7:00 p.m. with a salute to the flag. Roll call was taken and a quorum was present.

Approval of the Agenda

The Agenda was approved with no additions or deletions.

Approval of the Minutes

The minutes of the regular meeting of May 17, 2018 were approved as prepared.

Items from the Public

As of 7:00 p.m. there was no one from the public wishing to speak. The opportunity for public comment will also be available at the close of the agenda.

Regular Calendar

Item No. 1

PUBLIC HEARING to consider and make a recommendation to the Board of Supervisors on a proposed Ordinance, Zoning Text Amendment No. ZT-18-01a, amending Chapter 28 (Zoning Regulations) of the Solano County Code to clarify and restate existing land use regulations for dwellings, agricultural accessory buildings and residential accessory buildings (Project Planner: Jim Leland) **STAFF RECOMMENDATION:** Recommend approval to the Board of Supervisors

Jim Leland provided a brief summary of staff's written report. As a result of recent State legislation, any local ordinance regulating accessory dwelling units (ADU), not in compliance with the new state standards, was invalidated and the state regulations became the default local regulations. The County of Solano has had regulations permitting secondary dwellings for decade. However, the County's regulations were not in full compliance with the new state

requirements and, consequently, beginning on January 1, 2018, the County has operated under the state rules for secondary dwellings.

The primary impact of this change is that the maximum size of secondary dwellings has been capped at 1,200 square feet. Prior to January 1, 2018, the local rules permitted secondary dwellings of up to 1,500 square feet in the Rural Residential (R-R) Districts, and 1,800 square feet in most of the agricultural districts.

Under the State ADU Legislation, the County of Solano is permitted to adopt new local accessory dwelling regulations which modify certain aspects of the default regulations imposed by the State on January 1, 2018, so long as the County's new rules address all of the requirements embodied in the State legislation.

The County has an interest in re-establishing its former maximum square footage standards which existed prior to January 1, 2018. Accordingly, staff has prepared two draft ordinances to accomplish that objective

This first draft ordinance accomplishes some reformatting of Section 28.72, adds or modifies definitions to provide clarity about certain accessory land uses and makes some minor procedural changes to the zoning regulations.

Chairperson Cayler opened the public hearing. Since there were no speakers either for or against this matter, the public hearing was closed.

Under discussion, Commissioner Walker asked if the ordinances contained a requirement for owner occupancy of either dwelling. He stated that recent changes in banking regulations meant that lenders cannot underwrite loans with such a provision since it would interfere with the right to foreclose. Mr. Leland stated that there was not an owner occupancy requirement in either ordinance before the Commission.

A motion was made by Commissioner Walker and seconded by Commissioner Bauer to recommend that the Board of Supervisors approve the proposed ordinance as presented in the staff report as Attachment A. The motion passed unanimously. (Resolution No. 4651)

Item No. 2

PUBLIC HEARING to consider and make a recommendation to the Board of Supervisors on a proposed Ordinance, Zoning Text Amendment No. ZT-18-01b (Accessory Dwelling Unit Ordinance), amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update land use regulations for secondary dwellings in Residential and Agricultural zoning districts. (Project Planner: Jim Leland) **STAFF RECOMMENDATION:** Recommend approval to the Board of Supervisors

Jim Leland provided a brief summary of staff's written report. As a result of the legislation mentioned in the prior item, any local ordinance not in compliance with the new state standards was invalidated and the state regulations became the default local regulations. The County of Solano has had regulations permitting secondary dwellings for decade. However, the County's regulations were not in full compliance with the new state requirements and, consequently,

beginning on January 1, 2018, the County has operated under the state rules for secondary dwellings.

The primary impact of this change is that the maximum size of secondary dwellings has been capped at 1,200 square feet. Prior to January 1, 2018, the local rules permitted secondary dwellings of up to 1,500 square feet in the Rural Residential (R-R) Districts, and 1,800 square feet in most of the agricultural districts.

Under the State Accessory Dwelling Unit Legislation, the County of Solano is permitted to adopt new local accessory dwelling regulations which modify certain aspects of the default regulations imposed by the State on January 1, 2018, so long as the County's new rules address all of the requirements embodied in the State legislation.

The County has an interest in re-establishing its former maximum square footage standards which existed prior to January 1, 2018. Accordingly, staff has prepared draft ordinances to accomplish that objective.

Chairperson Cayler opened the public hearing. Since there were no speakers either for or against this matter, the public hearing was closed.

A motion was made by Commissioner Walker and seconded by Commissioner Bauer to recommend that the Board of Supervisors approve the proposed ordinance as presented in the staff report as Attachment A. The motion passed unanimously. (Resolution No. 4652)

Items from the Public

Eleanor MacMakin, Mix Canyon Road, Vacaville, appeared before the commission. She spoke about the need for greater regulation to protect riparian areas within the Watershed Districts. She mentioned a variance granted for a septic facility which placed the facility too close to a creek area upstream of her well and asked staff to look into the matter.

Kevin Browning, Clayton Road, Fairfield spoke before the commission. Mr. Browning discussed the existence of unpermitted dwellings and structures near his residence which were being used for vacation rentals and events as well as unpermitted homes on Blue Ridge Road. He also expressed the view that the minimum tenancy in a dwelling unit should not be set at 30 days and that the County could set it at anywhere from 90 days to one year.

ANNOUNCEMENTS and REPORTS

There were no announcements or reports.

Since there was no further business, the meeting was **adjourned**.



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Agenda Submittal

Agenda #: **Status:** PC Minutes
Type: PC-Document **Department:** Planning Commission
File #: PC 18-029 **Contact:** Kristine Sowards, 784-6765
Agenda date: **Final action:**
Title: June 21, 2018 PC Minutes

Governing body:

District:

Attachments: [draft minutes](#)

Date	Ver.	Action By	Action	Result
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MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of June 21, 2018

The regular meeting of the Solano County Planning Commission was held in the Solano County Administration Center, Board of Supervisors' Chambers (1st floor), 675 Texas Street, Fairfield, California.

PRESENT: Commissioners Rhoads-Poston, Walker, Hollingsworth, Bauer, and Chairperson Cayler

EXCUSED: None

STAFF PRESENT: Bill Emlen, Director; Mike Yankovich, Planning Program Manager; Karen Avery, Senior Planner; Jim Laughlin, Deputy County Counsel; and Kristine Sowards, Planning Commission Clerk

Chairperson Cayler called the meeting to order at 7:00 p.m. with a salute to the flag. Roll call was taken and a quorum was present.

Approval of the Agenda

The Agenda was approved with no additions or deletions.

Approval of the Minutes

There were no minutes available for approval.

Items from the Public

There was no one from the public wishing to speak.

Regular Calendar

Item No. 1

PUBLIC HEARING to consider Use Permit Application No. U-17-09 and Marsh Development Permit Application No. MD-17-02 of **Verizon Wireless** for a new wireless telecommunications facility to be located near the intersection of Marshview Road, Goodyear Road and Interstate 680 on Assessor's Parcel Number 0046-110-280. (Project Planner: Karen Avery) **Staff Recommendation:** Approval

Karen Avery gave a brief presentation of staff's written report. The report indicated that Verizon Wireless has discovered a coverage gap along I-680 between two of their existing wireless facilities. The applicant is requesting a conditional permit to construct a 50' wireless communication facility; a slimline monopole painted dark green, to provide better wireless coverage in the area. The applicant is also requesting that the commission grant an exception

to the height limitation per Section 28.81(D)(5)(e). The allowed height for a wireless facility is 35' within the I-680 corridor and the applicant is requesting 50'. The applicant had originally proposed a 65' standard monopole, and this design was rejected by staff due to concerns about the visual impact of the wireless site when driving along I-680. The applicant redesigned the site, proposing a slimline monopole versus the standard monopole, and proposes two antenna arrays versus one antenna array at the top of the 65' tower, also the applicant is proposing to mount the two antenna arrays closer to the pole than the standard antenna mounts. Ms. Avery described the components of the project. Staff recommended approval of the request. Ms. Avery noted that staff provided to the commission an updated resolution to correct a typographical error and to add an additional finding with regard to the marsh development permit.

Commissioner Walker referred to the Project Support Statement in the CEQA document under Aesthetic Impacts. The finding states how the facility height complies with the county's development standards for these types of facilities in the A-20 zoning designation, and has been designed at its minimum functional height. Mr. Walker wanted to know what this finding was based on.

Ms. Avery explained the reason the height limit was reduced to 50' was due to an overabundance of coverage. The applicant submitted maps depicting the coverage areas and staff felt the amount was about the same as the initial proposal of 65'. Ms. Avery said staff also discussed moving the site closer to the trees but unfortunately that would cause interfere with the radio frequency.

Since there were no further questions of staff, Chairperson Cayler opened the public hearing.

Maria Kim of Complete Wireless Consulting spoke on behalf of Verizon. She stated the industry term Minimum Functioning Height is used to describe the shortest height that a tower or facility can be to meet the coverage needs for the area and the targeted zones.

Since there were no further speakers, Chairperson Cayler closed the public hearing.

A motion was made by Commissioner Walker and seconded by Commissioner Bauer to adopt the Negative Declaration and the mandatory and additional findings and adopt the revised resolution and approve Use Permit Application No. U-17-09 and Marsh Development Permit Application No. MD-17-02 subject to the recommended conditions of approval. The motion passed unanimously. (Resolution No. 4656)

Item No. 2

PUBLIC HEARING to consider an ordinance amending Chapter 28 of the Solano County Code to define the short-term rental of a dwelling as a “**vacation house rental**” and to authorize such land use, subject to an administrative or minor use permit, within the Agricultural, Rural Residential and Watershed Zoning Districts. (Project Planner: Michael Yankovich) **Staff Recommendation:** Make recommendation to the Board of Supervisors

Mike Yankovich provided a brief overview of the written staff report. The report noted at the May 17th meeting of the Planning Commission, staff presented information on the subject of vacation house rentals that included six different options for the Commission's consideration. The

information covered subjects such as Airbnb/VRBO in Solano County, Transit Occupancy Tax, public service calls resulting from the land use, standards currently being used by other jurisdictions, and similar land uses. Nine individuals testified with six supportive of allowing vacation house rentals and three opposed. Following a discussion period, the commission directed staff to prepare an ordinance that would fall in the middle, Options 3 (Administrative permit) and 4 (Minor Use permit), of the regulatory options scheme.

Staff has prepared two ordinances for the Commission's consideration. The first follows a suggestion that was made at the last commission meeting where vacation house rentals could be grouped into hosted and un-hosted rentals. A hosted rental is a vacation house rental where the property owner remains on the property during the vacation house rental period. An un-hosted rental is where the property owner does not reside on the property during the vacation house rental period. The assumption is that since the property owner is on site during the vacation house rental period, any issues with tenants and neighbors could be addressed within a fairly short time period. As a result, the level of regulation required for a hosted rental would potentially be less than that required of an un-hosted rental.

For the record, Commissioner Walker disclosed an ex parte conversation he had with Kevin Browning that followed after the Commission's May 17th meeting. Commissioner Walker noted that Mr. Browning is a professional appraiser and their conversation focused on the subject of highest and best uses of properties in residential market conditions within the county, as well as information Mr. Browning had already shared when he spoke before the commission regarding a non-conforming use.

Commissioner Rhoads-Poston referenced requirement no. 5 in both proposed ordinances that address sound. She said it states that no radios, televisions or sound amplification equipment may be used outdoors, between 8 p.m. and 10 a.m. She felt 8 p.m. to be quite early and wanted to know if this only pertained to amplified sound. Mr. Yankovich stated that the idea was borrowed from several existing ordinances from other counties where many short term rentals exist and seem to work.

Commissioner Rhoads-Poston spoke to requirement no. 2 where it says space used for overnight accommodations as part of a vacation house rental must be located entirely within a dwelling or a dwelling in combination with an approved guest house. She wanted to know what would happen in the event there was more than one approved guest house. Mr. Yankovich stated that only one guest house is allowed on a property. If there are multiple units, that would then become a code enforcement issue. Commissioner Rhoads-Poston felt this requirement needed to be clarified. She commented that she has seen a recent advertisement where three separated dwellings on a property were for rent.

Commissioner Rhoads-Poston asked about the stipulation on the unhosted rentals for a forty-five minute response time for a manager to respond to a complaint. She wanted to know if that specific time period was in order to acknowledge the complaint or have the matter resolved. Mr. Yankovich stated for the most part it would be the amount of time to address the situation, allowing adequate time to fix the problem.

Commissioner Rhoads-Poston made a comment about information the commission received via email that was forwarded from county staff on behalf of Mary Browning. The information was a

chapter out of the Saint Helena Municipal Code. Commissioner Rhoads-Poston said she thought there was some good language pertaining to short term rentals and suggested that county staff review the language particularly the standard relating to the length of time for a vacation rental permit. She said these are some of the details that she would like to see explored.

Jim Laughlin, county counsel, stated that Solano County has some options for regulating short term rentals. One option is a land use matter which would come before the planning commission for review; another option, that has not been proposed as of yet, is to regulate this use as a business enterprise where the county regulates the operator rather than the land use. Mr. Laughlin explained that this route is what some jurisdictions follow. They require operators to participate in training and the approval is personal to the individual.

Mr. Laughlin stated that California law is clear that land use approvals run with the land. If the county approves the use there is no reason for the land use to cease after a fixed period of time, it generally runs forever once the county deems it appropriate in that location. However, Mr. Laughlin explained that if the commission wanted, the county could take the approach and start regulating the operator rather than the land use itself. In that case the use could be made subject to renewal more frequently or expire after a certain period of time.

Since there were no further questions, Chairperson Cayler opened the public hearing.

Daniel Schwartz, Blue Ridge Road, Vacaville, urged the commission to take the simplest approach. He spoke to the choice between hosted vs unhosted and believed there are going to be locations that will have a combination of both. He said what is being proposed is similar to a cookie cutter approach and he encouraged that the uses be looked at on an individual basis. Mr. Schwartz stated that his property is located within the watershed zoning district and spoke of the stipulation that excludes this activity from that district. He did not agree it should be excluded due to fire danger. He said all of Solano County and a good portion of California is subject to fire danger.

Mr. Schwartz mentioned that staff has already identified vacation rentals are not an issue for Solano County. He said these vacation rentals are self-policing. As a host, Mr. Schwartz said he understands the primary driver of this ordinance is tax revenue. He said he is trying to understand why the county would exclude an established vacation rental that has been very successful within Solano County and is generating income. If the county is going to exclude certain zoning districts, he asked that the county be willing to grandfather existing vacation rentals. By excluding watershed zoned property the county will force a successful small business out of operation; a business that has been promoting agritourism in Solano County successfully for several years.

Reta Jones, Suisun Valley Road, Fairfield, stated that her main concern is with enforcement. She has seen so many times where certain people break the rules and nothing happens. She said she has been attending these planning commission meetings for a while and at one meeting she listened to a property owner on Morrison Lane speak about buying several tiny houses that can be stored away and then at certain times of the year be brought out to be used for vacation rentals. Ms. Jones voiced firm disapproval of this activity and said the residents in the Valley are not out here to grow tiny houses, this is an agricultural area.

Ms. Jones stated that she has lodged complaints in the past but these kinds of complaints are not high priority for the Sheriff's Department, therefore these calls may not get logged in. Ms. Jones said she understands that people need the income, but she said these people also need to follow the rules. Ms. Jones commented that county code enforcement could be funded with the infractions she has seen already happening in the Valley.

Linda Tenbrink, Gordon Valley Road, Fairfield, encouraged the commission at minimum to adopt the proposed ordinance no. 2 with the possibility of including watershed districts such as those in the Pleasants Valley Road area. She said that area is working very hard to come up with a strategic plan similar to the Suisun Valley Strategic Plan and that plan would add to the stability of the agriculture in those areas. She said to exclude that area at this point would be detrimental. Ms. Tenbrink questioned the 8pm curfew for sound noting that this is not the standard and it should be the same as in other areas of the county. With regard to the requirement for a business license, Ms. Tenbrink remarked that obtaining a business license in Solano County is difficult. She commented that she applied for a business license in February and is still waiting for approval. Ms. Tenbrink stated that she is in favor of a Transient Occupancy Tax (TOT) however she would like clarification of where those taxes would be applied. She proposed language to state that this tax remain in the area where it is collected so that the improvements can remain in the district and not just rolled over into the general fund.

Ms. Tenbrink stated that in Suisun Valley there is an unmanned fire station and she would propose as priority no. 1 any taxes from the TOT go specifically to staff the Clayton Valley Road fire station. Ms. Tenbrink spoke to the notion that property values would be negatively affected and disagreed. She said when a property is appraised a common equation exists as to how much income is generated by the property.

Charles Wood, attorney, Jefferson Street, Fairfield, spoke on behalf of Vezer Family Vineyards as well as representing the views of many of the people in Suisun Valley with regard to vacation rentals. He said these vacation rentals promote tourism by encouraging people to come and stay and spend money in the Valley. This is what the Suisun Valley Strategic Plan is supposed to do, to promote tourism, economic growth, and when alternative housing is available it accomplishes that goal. Mr. Wood stated that these vacation rentals tend to be on the higher end attracting the higher end tourist who will spend more money in the area. Generally these rentals are on million dollar properties so that will not affect the shortage of affordable housing because these rentals would rent for a higher cost long term anyway. For these reasons, Mr. Wood asked that the commission not impose any additional or unreasonable restrictions on these properties.

Mr. Wood stated that in general he would favor ordinance no. 2 which allows for an administrative permit. He stated there are a couple of regulations he would call into question such as the requirement for three parking spaces, specifically if a rental unit is limited to only two people. Also, regulation no. 10 allows only one dwelling per property be allowed as a vacation rental. He did not see reason for this particular regulation especially when this use is only allowed to occur within legal dwelling units. If someone has two or even three legal dwelling units he did not see reason to restrict that if those property owners are following the rules. As far as the noise regulation, he believed it would be more reasonable to move the restriction to the property line. He stated if music is not audible off the property there is no reason to regulate it.

Mr. Wood said he did not have an issue with the requirement for a business license but would request that the process be streamlined.

Commissioner Bauer asked Mr. Wood if his client currently has a vacation rental and if it is in conjunction with the vineyard. Mr. Wood stated that his client does have a vacation rental which is located on Clayton Road near a winery, but is not part of that winery operation. Commissioner Bauer wanted to know if concerts will be held at that location this summer. Mr. Wood replied that no concerts will take place at the vacation rental property. He noted that until they get permit approval for the Mankas Corner location, all concerts are scheduled for the Blue Victorian.

Commissioner Bauer asked if those concerts at the Blue Victorian are fully permitted. Mr. Wood said that they believe they are in compliance and are currently working with county staff to move forward in clearing up any discrepancies.

With regard to special events, Commissioner Walker asked staff if the county currently has a noise ordinance and if not, would the venues currently hosting special events be operating unlawfully. Bill Emlen, Director, responded by saying that the county does not currently have a noise ordinance. He noted that the Blue Victorian has a use permit to operate. They have an arrangement for off-street parking and so the issues are not the same as they would be with the Mankas Corner facility where parking is on-street. This has been the hang up in the process as staff are trying to figure out how deal with this concern.

Commissioner Rhoads-Poston referred to an application that came before the commission some time ago where noise was an issue. She asked if staff could refresh her memory with regard to the required decibel levels that were discussed at that time. Mr. Yankovich stated that staff used the county's general plan threshold with regard to decibel level which is 65db at the property line. He said even though the county does not have a specific noise ordinance, noise is addressed in the general plan and staff uses that calculation for a basis. Mr. Emlen also noted that with a use permit the county has the ability to impose conditions of approval to deal with noise issues on a case-by-case basis.

Rander Bains, Suisun Valley Road, Fairfield, stated that his property is located across the street from the Blue Victorian winery. He noted that he does not have any issues with noise. He commented that many people who live out in the valley are not farmers. He stated that he is a farmer. He said he bought an orchard two years ago and 90% of his crop died last year. Mr. Bains stated that what saved him was the ability to rent out the house on his property as a vacation rental. He said he agrees with the requirement for a obtaining a permit but the process needs to be very simple. He said this use is essential to farming.

Commissioner Bauer asked Mr. Bains if he resides on the property. Mr. Bains responded that he did not, that he resides on other property in Suisun Valley. In response to Commissioner Bauer, Mr. Bains stated if this use becomes a hosted rental he would not be able to rent his house anymore on Airbnb.

Michael Rhoads, Blue Mountain Drive, Fairfield, stated that this is a very self-regulated environment and he viewed this online environment as the new economy. He found that the proposed rules as described to be old school and perhaps more bureaucracy than is needed.

Mr. Rhoads stated one thing he did not agree with is the restriction of 10 people per home. He believed it should be based on the size of the home. He said also the recommendation of 2 people per bedroom should not apply if for example there are 8 bedrooms. Mr. Rhoads stated that the requirement for commercial insurance is not necessary since a lot of these rental platforms come with insurance for the short term stay. He said Airbnb provides a one million dollar insurance package for every rental and he encouraged staff to look into this. Mr. Rhoads did not like the requirement of having to have a sign listing the owner's name posted at the front of the property due to privacy reasons. He believed host vs unhosted should not be differentiated. He did not believe that physical access to a manager is necessary since in today's world communication can be maintained easier and quicker without physical presence. He disagreed with the restrictions on location and encouraged staff to look at property size perhaps using that as better guidance than using zoning districts. Mr. Rhoads encouraged the county to make the permitting process more streamlined, at a low cost, and in perpetuity.

Eleanor MacMakin, Mix Canyon Road, Vacaville, stated that the watershed zoning district needs to be included in this proposal. She stated that she has had a successful vacation rental business for the past 6 years. She said the so called dangers such as fire and slope instability do not apply to her property. She could not understand why watershed properties would be excluded from this consideration. Ms. MacMakin stated that bringing value to the region is something only individuals can do. She shared some feedback she received from several of her house guests by reading their reviews. She noted that her home is rented every weekend and is her main source of income. Ms. MacMakin commented that this is reality, this is how people are experiencing this area, and it is a self-regulating industry. With regard to the TOT, she said the county could contact Airbnb and VRBO in order to make arrangements to collect those monies. She suggested a new term for the industry as Domestic Cottage since this is a domestic practice and not a commercial venture. Ms. MacMakin spoke to the general plan and how it speaks to the use of watershed property as recreation, conservation, and lodging as primary uses which she believed are appropriate for this region.

Kevin Browning, Clayton Road, Fairfield, stated that many speakers have acknowledged they have been doing this activity for a number of years and those are the same folks that are asking the county to trust them to self-regulate, yet they have not been abiding by the law because the use does not comply with zoning. Mr. Browning spoke of an example of a family in his neighborhood that has been given the opportunity to rent a home in the area for the long term. With this type of zoning change to allow for vacation rentals it will take away the option that allows people to have the quality of life of living in a residential home in the rural county. He commented that the income stream for these vacation rentals will be potentially as high as 5 times that of what a typical home would rent for in the long term. He stated long term rentals will disappear in exchange of short term rentals.

Mr. Browning questioned if both homes on a property could be used as a vacation rental. He questioned why certain roads or streets are specifically targeted. Mr. Browning wanted to know if there will be a limitation on the number of rentals or if every home will have the ability to become a short term vacation rental. Mr. Browning noted that certain other counties have done this by a permit process with a maximum on the number of permits and the permits are issued by lottery. He said this is something the county should consider in order to be able to give everyone the opportunity if this is going to be allowed. Mr. Browning questioned how well and septic will be addressed with the increase in the number of occupants. He recommended that

the commission table this matter until further study. He did not feel either ordinance is acceptable.

Mary Browning, Clayton Road, Fairfield, stated that this industry has spiraled out of control. She provided the commission with some written information that included statistics from other jurisdictions. She shared with the commission some facts from the County of Sacramento where they have 400 homes listed in their area as vacation rentals, but yet the city has only 35 on record with official permits. She also noted that in Napa 97% of the TOT actually come from hotels vs 3% from short term rentals. She believed any monies generated from use permits, fines and penalties, as well as TOT need to go toward funding enforcement. Ms. Browning commented that a good number of these property owners that are generating such high incomes from their vacation rentals are not paying taxes, and therefore this use actually encourages income tax evasion. She stated that a thirty minute response time by the Sheriff is too long. She commented that this income producing venue is a business and should be considered commercial. Ms. Browning said residents do not want to be in weekend party zones with traffic in and out at all hours. She said guests do not care if they are loud and the sound carries throughout the valley. She noted that on nights when the wind carries she can hear the concerts from the Blue Victorian and her residence is two miles away. Ms. Browning stated that a noise ordinance is needed.

Chairperson Cayler read the comments of an audience member who had to leave the public hearing due to an emergency. These were the comments as written by Elissa DeCaro. "This ordinance is too simplistic. It doesn't cover safety, traffic or existing zoning in a substantive manner. It also does not adequately provide for future vacation homes and the process to apply or plan should new development be proposed. Ordinance does not provide enforcement or consequences for those who do not meet code. Ordinance is contradictory regarding residential vs commercial and runs counter to the purpose of Suisun Valley Strategic Plan. Has potential for adverse consequence and his should require EIR."

Gary Bacon, Suisun Valley Road, Fairfield, said that he has been involved in the short term rental business for 40 years and now owns and operates the Suisun Valley Inn. He noted that the Inn has accommodated approximately 1,300 guests in the past 24 months. He said the majority of those guests would probably have stayed in Napa as their first choice, but it was more cost effective to stay in the Suisun Valley. Mr. Bacon agreed that the concept of requiring commercial insurance is a good one. He said he had to obtain commercial insurance for his business and when the Inn was shut down due to the Atlas fire last year, they received a healthy settlement for lost business. Mr. Bacon said he looks at his business not as managing property but managing guest expectation. He noted that they do not live full time on site but do always show up to greet their guests as well as see them off when they leave. He believes regulation could work in the short term rental business, but it should be kept simple.

Commissioner Bauer inquired if this Inn was a commercial hotel. Mr. Bacon described the Inn as a residential home with 8 bedrooms and 6 ½ bathrooms on property zoned A-20. He stated that they live part time in an apartment on the property but had to purchase a home elsewhere due to their expanding family. Commissioner Bauer asked Mr. Bacon if his inn would be affected if the regulations were made to only allow hosted facilities. Mr. Bacon stated that they have an Administrative Permit from the county to operate the business. He added that they would like to

obtain a special events permit and they are in the process of working with planning staff to accomplish this.

Mr. Yankovich clarified that Mr. Bacon has a permit to operate his business and does not fall within the short term rental description.

Since there were no further speakers or questions, Chairperson Cayler closed the public hearing.

Commissioner Hollingsworth wanted to know when a short term vacation rental becomes something else such as a bed and breakfast (B&B) or hotel.

Jim Laughlin explained that the definition of a hotel is found within both the Zoning and Building Codes and is defined as anything with six or more guest rooms. That is one reason short term rentals are being defined as five bedrooms or less. A hotel is required to meet a different building code standard which is an important dividing line. He noted normally any dwelling serving food on a commercial basis is required to have a commercial kitchen, however under state law if the use is defined as a B&B, which means having a limited number of guest rooms and only serving a morning meal, a normal residential kitchen would be acceptable. Mr. Laughlin stated that the county is defining a vacation rental as a dwelling which can have any number of bedrooms and is meant for a family or group of people living together. As long as it is rented out on a short term basis and does not have more than five bedrooms, it would fall within the definition of a short term rental.

Commissioner Rhoads-Poston spoke to the concern expressed by a public speaker regarding business licenses. Ms. Rhoads-Poston wanted to know how long it takes to process an application. Mr. Yankovich explained that there are several different departments that review a business license. He believed the speaker was concerned with the fact that fingerprinting is a step in the process which is something the Sheriff's Department requires. Mr. Yankovich stated that the process should take approximately 4 to 6 weeks unless there are issues with the application.

Commissioner Rhoads-Poston spoke regarding the suggestion brought up by one of the public speakers to the TOT being applied to a specific entity. Mr. Yankovich stated that the Board of Supervisors would be the ones who would make such a decision. They would consider such a matter at the time they are defining their budget as to where those proceeds would go.

Commissioner Rhoads-Poston asked about the concern for well and septic as brought up by a member of the public. Mr. Yankovich said a septic system is determined by the number of bedrooms and those bedrooms define the actual operation of the system itself. With regard to a rental home, the system is still meeting a residential need and therefore it should qualify for certification to handle the load that is going to be placed on it by the number of individuals. Mr. Yankovich stated that staff is looking at the maximum requirements up front because it is difficult to go back and change those requirements after the fact.

Commissioner Walker was curious to know the zoning for the neighborhood area known as Homeacres in Vallejo. Mr. Yankovich noted that the zoning is residential traditional community. Commissioner Walker wanted to know if staff is looking at this area for short term rentals as

well. Mr. Yankovich said staff did not happen to find any rentals in that area and are only looking at the areas that seem to be desirable which is the western portion of the county. Mr. Yankovich commented that the Homeacres area is different in a sense that there are some large parcels but the majority are small. He said the county is taking a more cautious approach and not examining every zone district in the county, but trying to gather some public feedback in order to fine tune the use in the future.

Chairperson Cayler inquired about how staff envisions approaching the issue relating to the people that own and are operating short term vacation rentals in the watershed area. She wanted to know if this means they would no longer be able to operate, or would they be grandfathered in as an already functioning business.

Mr. Laughlin stated if a use is legal non-conforming then that use would be grandfathered in. He explained that to be legal non-conforming an operation needs to establish themselves in compliance with all laws in effect at the time the use was established, and continuously meet all of those laws. He said it appears most of these operations have not been paying TOT which they would need to do in order be legal non-conforming. Also, under the code these uses are currently prohibited, this proposed ordinance is intended to open up the range of allowed uses to make what is now a prohibited use an allowed use or a conditionally permitted use in some zoning districts. Mr. Laughlin did not believe these property owners could make a good argument that the use was established legally at the time they began operation. As far as the watershed district, he explained that it is an area of the county where uses have been restricted quite severely because of hazards such as fire, slope stability, and inaccessibility of emergency services. He said the county does not allow a second unit by right on those properties. Mr. Laughlin stated that the uses allowed under a conditional permit in the watershed district are lodge and resort. Staff can examine those individual properties to determine if the property is appropriate for a tourist type use.

Commissioner Hollingsworth wanted to know from staff what they are looking for from the commission as far as making a decision on the ordinance. Bill Emlen stated that there are a lot of variables. He said staff tried to mirror what they heard at the last commission meeting in order to bring forward something specific. Within that there is some interchangeability and other things the commission could add based upon input received at the public hearing. Commissioner Bauer wanted to know if a traffic study had been done. Mr. Yankovich stated that because staff was unaware of these uses taking place in the different zone districts that a traffic study had not been done.

Commissioner Rhoads-Poston said that she felt a little more fine-tuning of the ordinance was necessary. She said there is a website currently advertising three rental units on one property and she believed this is a subject that should be addressed. She said she would like to see conversations happen with regard to the watershed area and maybe define that a bit more. Ms. Rhoads-Poston said she did not want to make the ordinance so vague that the problem gets worse, but then again did not want to make it overly specific. She commented that she felt the ordinance is too vague as it currently stands.

Commissioner Hollingsworth commented about noise. He suggested the language in the ordinance be modified to say any amplification should not be allowed, and to include a timeframe as agreed upon by the commission. He said he personally did not have a problem

with the 8pm to 10am curfew. He said radio and television should be removed from the language altogether because those items are usually located within the household anyway.

Commissioner Walker stated that he believes the county is trying to arrive at a balanced and reasonable series of ordinances. He commented that this is not just about generating revenue nor should it be. He said he is trying to be cognizant of impacts to neighbors, but also recognizes the benefit this brings both in terms of revenue for people that need that income and to promote agritourism. Mr. Walker stated that he is more inclined to go with ordinance no. 1 and is open to modification. He commented that the character of an agricultural area is completely different than life within the city limits, and he believed people make choices on where they live based upon that flexibility. He believed there is a need to have different standards for hosted vs unhosted and did not want the ordinance to be cumbersome. Commissioner Walker stated that he was not in favor of ordinance no. 2.

Commissioner Bauer commented that the simplest thing, which has been talked about in the past, would be to ban this use altogether but noted that it would not be feasible nor realistic. She said limiting it to a hosted activity keeps it simple and residential. She said the commission has heard a lot about self-policing and self-regulating but she did not see that happening. She said letting this activity go full tilt will turn Solano County into something similar to Napa. She commented that it is almost impossible to travel in and around Napa because of all the event centers, the wineries and Airbnbs. Ms. Bauer said she toured Suisun Valley this past week with one of the area residents and she did not believe the roads are adequate for the increased traffic this kind of business would bring. She said there is no question that this will reduce housing stock. She said other counties have started restricting this use because it is not working, it is turning residential areas into commercial districts and it is not fair for the people who live there. Commissioner Bauer said she would be, at most, in favor of limiting the use to hosted only. She said she would be in favor of tabling this matter to allow staff more time to work on it.

Chairperson Cayler commented that she would agree to both the hosted and unhosted aspect in the ordinance.

A motion was made by Commissioner Rhoads-Poston and seconded by Commissioner Bauer to continue this item to the regular meeting of July 19, 2018. The motion passed unanimously.

ANNOUNCEMENTS and REPORTS

Mr. Yankovich announced to the commission that the City of Fairfield will host a training session for planning commissioners. The training will most likely take place sometime within the last week of August and will possibly be held in Vallejo. Mr. Yankovich asked if any of the commissioners are interested in attending to let staff know. He will pass on further information as it becomes available.

Since there was no further business, the meeting was **adjourned**.

The Department of Resource Management has prepared a Draft Initial Study and Mitigated Negative Declaration "IS/MND" pursuant to the California Environmental Quality Act for this project. The environmental documents have been circulated and made available for public review and comment from June 17, 2018 through July 16, 2018. The Draft MND identified certain potentially significant impacts together with proposed mitigations to reduce the impacts to less than significant along with other impacts determined to be less than significant (Attachment C, Initial Study and Mitigated Negative Declaration):

PROPERTY INFORMATION:

A. Applicant/Owner:

Salad Cosmo USA Corp.
c/o Masahiro Nakada
5944 Dixon Avenue West
Dixon, CA 95620

B. General Plan Land Use Designation/Zoning:

General Plan: Agricultural
Zoning: Exclusive Agricultural "A-40"

C. Existing Use: Agricultural processing facility, agricultural production

D. Adjacent Zoning and Uses:

North: Exclusive Agriculture "A-40" - Agriculture (row crop)
South: Exclusive Agriculture "A-40" - Agriculture (field crop)
East: N/A - Interstate 80
West: Exclusive Agriculture "A-40" - Agriculture (orchard)

ANALYSIS:

A. Environmental Setting

The project is located at 5944 Dixon Avenue West, one mile southwest of the City of Dixon. The property is situated within a predominantly agricultural setting identified as the Dixon Ridge Agricultural Region by the Solano County General Plan. Land surrounding the project site is devoted to a variety of agricultural uses including orchard, field, and row crops. The predominantly agricultural setting is accompanied by residences on some parcels.

The subject site is comprised of three Assessor's Parcels totaling approximately 230 acres. The parcels are relatively flat exhibiting slopes of less than six percent. McCune Creek and the Solano Irrigation District's Weyand Canal flow in a north-south direction between the developed eastern parcel (APN 0109-030-040) and the adjacent agricultural parcel to the west (APN 0109-030-030). McCune Creek then continues on, meandering through the undeveloped southern parcel (APN 0109-060-010) and beyond Interstate 80 to the south.

All existing and proposed development is situated on APN 0109-030-040. Site improvements include processing facilities, wastewater pond, parking, associated landscaping, and residential structures. The developed footprint measures approximately 24 acres of the 69 acre parcel. The remainder of the developed parcel and the two additional parcels under Salad Cosmo, USA ownership are utilized for organic farming of seed crops (no fertilizer or pesticides) including mung bean, radishes, and alfalfa.

Reference Attachment D, Vicinity Map.

Reference Attachment E, Aerial Photo May 2017

B. Project Description

Objective and Existing Conditions

The Salad Cosmo company began growing bean sprouts in Japan in 1945. In 1998 Masa Nakada, son of founder Toshio Nakada, began Salad Cosmo USA Corp. at their Dixon, CA location. The facility primarily produces mung bean sprouts in addition to radish sprouts (daikon sprouts), nano-onion, and nano-red radish. The permittee has filed a revision to their existing use permit (U-98-28) to facilitate the proposed changes.

The facility cultivates site-harvested and imported seeds inside the existing 59,060 square foot processing plant. Product is received by truck at the loading dock and transported into the cleaning room where seeds are cleaned and processed as needed. Seeds are then placed in large storage rooms where they are stockpiled awaiting transfer to the climatically controlled grow rooms to be sprouted. Radish sprouts are grown in the 11,000 sq. ft. greenhouse just east of the main production building. The original 54,974 square foot production building is located northeast of the processing building and is currently utilized for product storage and warehousing. The facility utilizes a 10 acre process waste water pond south of the buildings on-site. Pond water is reclaimed for irrigation of the alfalfa fields on-site as well as percolation to recharge underground aquifers. The waste water discharge component of the processing facility is permitted through the Central Valley Water Quality Control Board.

Reference Attachment F, Site Photographs.

Project Description

Salad Cosmo, USA is proposing additions to their processing facility as well as demolition of portions of existing structures. The project will be constructed in two general phases. The first phase is to accommodate bean sprout growing conducted in complete darkness. The second phase is designed to prepare for the growing of other types of sprout in sunlit greenhouses.

The main component of the first phase includes construction of an 11,291 sq. ft. seed storage building west of the existing processing structure. The new storage area is necessary to store product on site and in close proximity to the growing line. Purchased seeds will be made under more advantageous bulk purchases, stored on site, and eliminate the need storing product in rented warehousing off site. In addition, phase I includes the construction of a 5,306 sq. ft. cold storage area and a 5,675 sq. ft. processing room expansion. These two components would be located at the northeast corner of the existing production building.

This phase also includes a 6,400 sq. ft. expansion of the grow rooms located along the south side of the existing production building to produce organic bean sprouts. Also, radish sprout operations will be relocated into the south half of the existing green house and a 732 sq. ft. portion of the structure will be demolished. During this time, removal of a 5,614 sq. ft. appendage of the original processing building is also proposed.

An expansion of the paved area around the seed storage for vehicular access is also proposed. Approximately 5,000 cubic yards of excavated material from deepening the water detention pond would be utilized.

Phase I development also includes construction of a commercial scale solar photovoltaic system with production capacity of 602kW to serve the processing facility. The solar PV system consists of 2,208 modules and measures 67,276 square feet in size. The system is a floating array, to be anchored within the existing waste water pond.

Reference Attachment G, Phase I Development Table.

Phase II

Phase II involves construction of three (3) additional greenhouses southeast of the existing greenhouse. Each new greenhouse measures 4,800 square feet. Phase II would result in an overall increase of 14,400 sq. ft. of structures.

Infrastructure

Potable Water and Septic

The facility relies on a domestic well for potable water. No new water supplies are proposed or required for the expansion project. A State of California Department of Public Health, Drinking Water Permit is required when an average of 25 people per day are using the facilities in any 60 day period. Based on the number of employees and potential visitors it is likely that a State permit is necessary.

A septic tank and leach field system provides sanitary services for the facility. There is no change proposed for the current septic system which has a calculated and constructed capacity of up to 1,000 gallons per day. The system accommodates the employee waste water stream, and does not include any of the process waste water for the sprout growing and packaging operations. The 24 employees per day as stated by the applicant are within the calculated capacity of the existing on-site sewage disposal system. The system is calculated at 20 gallons per employee per day, which equates to a maximum of 50 persons per day. The project does not propose changes to the existing septic system.

Wastewater

Wastewater is discharged into a 10 acre wastewater pond and subsequently utilized on site for supplemental crop irrigation. The project proposes the excavation of 5,000 cubic yards of material from the pond to be utilized for the expansion of vehicular access around the new seed storage building, thus resulting in an increase wastewater retention capacity of the pond. The solar PV component of the project is proposed atop the existing wastewater pond.

Irrigation Water

The project site is located within the boundaries of the Solano Irrigation District (S.I.D). The property has an existing service and is provided raw, untreated, agricultural irrigation water. The project does not propose any changes to the existing S.I.D.

Drainage

The property is traversed by McCune Creek. Storm water from the subject site sheds from north to south collecting in existing drainage courses and seasonal ditches, constructed as part of the agricultural operations on the property, with outfall to McCune Creek; there are no chemicals or fertilizers used by the crops. The absorption rate, drainage patterns and surface runoff are affected slightly by the building and paving areas, however, the runoff is collected by new ditches that tie into the existing drainage courses resulting in no significant increase.

Fire Protection

Upon development, each structure and permitted land use will be evaluated for fire protection by the Dixon Fire Protection District and the County Department of Resource Management through the building permit process. An on-site fire protection system shall be designed, installed, and maintained by the permittee, including provision for the adequate storage of water for fire suppression purposes.

Access

The subject site has frontage along, and an encroachment to Dixon Avenue West. The facility is accessed via a 26 foot wide, 1,850 linear foot private driveway. The project does not propose any changes to the existing access.

Reference Attachment H, Proposed Site Plan.

Reference Attachment I, Elevation Diagram.

C. General Plan and Zoning Consistency

The project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram as well as the Agricultural Reserve Overlay which is designed to encourage private landowners to voluntarily participate in agricultural conservation easements. The subject site is also situated within the Dixon Ridge Agricultural Region which contains some of the best farmland in the County. Most of the region is in production for field crops, such as tomatoes, alfalfa, and safflower. Agricultural production, processing, and services are the predominant land uses with Dixon Ridge. The existing agricultural processing land use and proposed project expansion are consistent with the purpose and intent of these General Plan designations.

The project site is located within the Exclusive Agriculture 'A-40' Zoning District. Section 28.21 of the County Zoning Regulations conditionally permits agricultural processing facilities such as Salad Cosmo.

D. Development Review Committee

The project was routed through the Department of Resource Management's Development Review Committee as part of the standard project review process. Comments received by the various divisions of Resource Management have been incorporated into the project as recommended conditions of approval.

E. Outside Agency Review

The project application materials and environmental document have been circulated to various local, regional, and State agencies for review and comment. Previously established conditions of approval issued by these agencies will continue through this permit revision. Conditions of Approval have been incorporated from the following agencies:

City of Dixon
City of Vacaville
Dixon Fire District
State of California - Department of Public Health
State of California - Department of Transportation (Caltrans)
Yolo-Solano Air Quality Management District

FINDINGS:

1. The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulations, population densities and distribution, and other aspects of the General Plan.

The continued operation and expansion of the existing agricultural processing facility is consistent with the goals, objectives and policies of the Solano County General Plan. The facility complements agricultural production within Solano County and is consistent with the Agricultural General Plan Designation for the subject site.

2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

External access to the site is from Dixon Avenue West with internal access via paved asphalt driveway. Development of the building site included the extension of electrical power to the site; in addition the facility utilizes liquid petroleum gas (LPG). The site has a 10 acre wastewater disposal pond that is permitted by the Central Valley Regional Water Quality Control Board. The site is also served by a private well and septic system for the non-process wastewater flows.

- 3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through 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.**

The Solano County Development Review Committee has reviewed the project application and determined that the project should not present a detrimental or injurious impact on surrounding properties.

ADDITIONAL FINDINGS:

4. A Negative Declaration has been circulated for this project and has been considered by the Planning Commission. The Solano County Planning Commission finds that based on an Initial Study, the proposed project will not have a significant effect on the environment, and has adopted a Mitigated Negative Declaration.

CONDITIONS OF APPROVAL

Conditions of approval established by issuance of this permit, U-98-28-MR2, shall supersede all previous conditions under prior approvals.

General

1. Approval is hereby granted to establish and operate the Agricultural Processing Facility in accord with the application materials and development plans for Use Permit U-98-28-MR2 and Architectural Review Application No. AR-98-20, filed November 29, 2017 and as approved by the Solano County Planning Commission.
2. No additional uses shall be established beyond those identified on the project plot plan without prior approval. No new or expanded buildings or parking areas or parking stalls shall be constructed without prior approval of a minor revision to this use permit or approval of a new use permit.
3. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit.
4. All exterior lighting fixtures visible (line of sight) from Interstate 80 shall be shielded and directed downward such that light does not shine directly toward I-80 and such that they do not illuminate an area larger than necessary for a lighted security perimeter or night time work area.
5. A. Landscaping improvements shall be installed on the I-80 side of the building within one (1) year of the approval of the permit by a licensed landscaping contractor. The landscaping shall be irrigated by a timed drip irrigation line. The trees shall be maintained in a healthy condition and be replaced if they are not successfully established or a subject to damage from weather or physical disruption. Any tree that has been replaced according to the criteria in this paragraph shall be tended until it becomes established and flourishes. The minimum size of the replacement tree(s) shall be "15 gallon container(s)."

B. Currently the project site is shielded from views of eastbound travelers on Interstate 80 by freeway median plantings. If at any time in the future the median landscaping of Interstate 80 is replaced by a safety divider or barricade the permittee shall at the time of the next 5 year permit extension

submit a landscaping plan sufficient to provide an equivalent level of improvements to eastbound viewshed as is being provided to the westbound viewshed. Said landscaping plan shall be installed within one year of approval of the extension. The landscaping plan required under this section shall be subject to the review and approval of the Department of Environmental Management as a condition of granting a permit extension.

6. All roof mounted mechanical equipment and/or vents shall be painted to match the color of buildings roofing.
7. Signage shall be restricted to a single sign of about 93 sq. ft. (4' high x 23'-5" long) that consists of colored translucent individually illuminated letters secured to a metal paneled ring.
8. The serving of food or beverages shall be restricted to those products produced on the premises and closely associated products as may be determined appropriate by advance approval of the Department of Resource Management. The facility shall not be rented for parties or receptions. A cafeteria must be restricted solely to the use of employees or business clients of Salad Cosmo, service to the general public shall not be allowed.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
10. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust, or other impacts which constitute a hazard or nuisance to surrounding property.
11. Trucks traveling to or from the property shall operate within the approved operating hours, and shall not cause undue noise from truck horn honking or truck engine idling.

Building and Safety Division

12. The Building and any site improvements shall be designed using the 2010 California Building Standards Codes including the mandatory measures found in the new 2010 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures. The building shall meet all of the requirements for commissioning a Green Building due to the size exceeding 10,000 square feet. The commissioning information is found in Section 5.410.2 of the 2010 California Green Building Code. (CalGreen) The building shall be designed by a licensed and/or registered architect/engineer who is knowledgeable in Green Building Codes.
13. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2010 California Building Code. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”** Contact the Building and Safety Division at (707) 784-6765 to discuss the permit process.
14. Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein.”
15. A separate permit will be required for any grading.

16. A geotechnical/Soils Report will be required for any expansions to existing buildings or for the construction of new buildings.
17. The building permit plans shall include a code analysis as listed below and the design shall be under the 2010 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
 - A) Occupancy Classification
 - B) Type of Construction
 - C) Seismic Zone
 - D) Location on Property
 - E) Height of all buildings and structures
 - F) Square footage
 - G) Occupant Load
 - H) Allowable Floor Area
 - I) Height and Number of Stories
18. Plans and Specifications shall meet the requirements as per Section 107 of the 2010 California Building Code. **“Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.” Also Section 106.1.1; “Construction documents shall be dimensioned and drawn upon substantial material. Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”**
19. The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2010 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2010 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale, and designed by a licensed architect reflecting all site accessibility.
20. All accessible paths of travel and parking areas shall be a hardscaped surface and shall meet all of the worst case requirements between Chapter 11B of the 2010 California Building Code and the ADA Federal Law.
21. The fire district will reassess the site for fire life and safety requirements.

Environmental Health Division

22. The permittee shall provide plans and specifications for any proposed plumbing connection(s) from new or remodeled structures to the existing on-site sewage disposal system. Application and fees shall be paid to the Environmental Health Division, in order to plan check the proposed plans and to make field inspection to verify and document the construction. Contact the Environmental Health - Technical Section at (707) 784-6765 to discuss the permit process.
23. The site is currently permitted for hazardous materials inventory and storage as site # 803161. The applicant shall update the Hazardous Materials Business Plan to reflect any changes in hazardous

materials inventory and/or storage. The applicant shall continue to maintain current permitting with the Solano County Environmental Health Division, Hazardous Materials Section. Contact the Environmental Health - Hazardous Materials Section at (707) 784-6765 to discuss the permit process.

- 24. Potable Water Requirements.** If the water supply from the water well is a Public Water System per the Health and Safety Code section 116275, then a Public Water System permit from the state shall be obtained and maintained valid and all operating, monitoring, reporting and notification requirements for a Public Water System shall be met.

If the water supply from the onsite water well is not a state regulated Public Water System, then, at a minimum, the onsite water supply shall meet the same requirements as those for a State Small Water System HSC § 116275 (n), regardless of the number of connections. This includes obtaining an annual County State Small Water System permit (CCR Title 22 §64211), and monitoring the water supply per CCR Title 22 § 64212 and 64213) for constituents and reporting test results to the Solano County Environmental Health Division at the frequency required for a State Small Water System. Exception: If there are less than 5 service connections, then coliform testing only needs to be performed annually unless the Environmental Health Division requires more frequent testing. The application and all required monitoring and testing shall be conducted prior to final inspection from the Building Division.

The permittee shall certify the number of employees and customers/visitors using the water supply and the number of connections attached to the water supply to the Environmental Health Division on an annual basis.

The owner of the water supply system shall provide sample results for other constituents as required by the Environmental Health Services Division within 30 days of a written directive to provide such results.

Any cost incurred by the Environmental Health Division above that recovered through any annual permit fee for work performed associated with the water supply shall be paid at the current hourly rate for Environmental Health Division within 30 days of invoice.

Public Works - Engineering Division

- 25.** The applicant shall apply for, secure and abide by the conditions of a grading permit prior to any onsite grading. The applicant shall submit improvement plans to Public Works Engineering for review and approval by the appropriate official. The review of plans and inspection of the construction is subject to fees to cover the cost to Public Works Engineering. Contact the Public Works - Engineering Division at (707) 784-6765 to discuss the permit process.

Planning Services Division

Mitigation Measures from the Mitigated Negative Declaration

Aesthetics

- 26. Mitigation Measure 2.1.1** The permittee shall submit a landscape plan prior to the building permit submittal, providing for tree plantings that provide the same screening as provided with the existing processing plant. The landscape plan shall be subject to the review by the City of Vacaville, the City of Dixon and review and approval by the Director of Resource Management for Solano County. All trees shall be planted prior to the issuance of a Certificate of Occupancy by the Building Official.

Verification

The Director of Resource Management shall verify that a landscape plan is submitted prior to the

building permit submittal and that all trees required by the landscape plan have been planted prior to the issuance of a certificate of occupancy.

- 27. Mitigation Measure 2.1.2** The permittee shall utilize non-glare, shielded lighting fixtures to prevent fugitive light from producing glare.

Verification

The Director of Resource Management shall verify that non-glare; shielded light fixtures have been incorporated into the lighting plan for the building.

Air Quality

- 28. Mitigation Measure 4.2-1a (1): Require Implementation of Supplemental Measures to Reduce Construction-Related Exhaust Emissions.**

In addition to the measures recommended by BAAQMD and YSAQMD for construction emissions of PM₁₀ and incorporated into the 2008 Draft General Plan under Program HS.I-60, the County shall require each project applicant, as a condition of project approval, to implement the following measures to further reduce exhaust emissions from construction-related equipment:

- Commercial electric power shall be provided to the project site in adequate capacity to avoid or minimize the use of portable gas-powered electric generators and equipment.
- Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set).
- To the extent feasible, alternative fuels and emission controls shall be used to further reduce NO_x and PM₁₀ exhaust emissions.
- On-site equipment shall not be left idling when not in use.
- The hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time shall be limited.
- Construction shall be curtailed during periods of high ambient pollutant concentrations; this may involve ceasing construction activity during the peak hour of vehicular traffic on adjacent roadways or on Spare the Air Days.
- Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.
- Before construction contracts are issued, the project applicants shall perform a review of new technology, in consultation with BAAQMD and YSAQMD, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is anticipated that in the near future, both NO_x and PM₁₀ control equipment will be available.

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

29. Mitigation Measure 4.2-1a (2): Require Implementation of Supplemental Measures to Reduce Fugitive PM₁₀ Dust Emissions.

In addition to the required basic control measures, the County shall require each project applicant, as a condition of project approval, to implement the following enhanced and additional control measures recommended by BAAQMD and YSAQMD to further reduce fugitive PM₁₀ dust emissions:

- Hydroseeding shall be used or nontoxic soil stabilizers shall be applied to inactive construction areas (previously graded areas inactive for 10 days or more).
- Exposed stockpiles (e.g., dirt, sand) shall be enclosed, covered, or watered twice daily, or nontoxic soil binders shall be applied to such stockpiles.
- Traffic speeds on unpaved roads shall be limited to 15 mph.
- Sandbags or other erosion control measures shall be installed to prevent runoff of silt to public roadways.
- Vegetation shall be replanted in disturbed areas as quickly as possible.
- Wheel washers shall be installed on all exiting trucks, or the tires or tracks of all trucks and equipment leaving the site shall be washed off.
- Windbreaks shall be installed or trees/vegetative windbreaks shall be planted at windward side (s) of construction areas.
- Excavation and grading activity shall be suspended when winds (instantaneous gusts) exceed 25 mph.
- The area subject to excavation, grading, and other construction activity at any one time shall be limited, as necessary.

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

30. Mitigation Measure 4.2-3a: Require Implementation of YSAQMD Design Recommendations for Development Projects.

The County shall require each project applicant, as a condition of project approval, to implement the following mitigation measure recommended by YSAQMD.

Design of all development projects shall include all of the following elements, as applicable:

- A duct system within the building thermal envelope, or insulated to R-38 standards
- Passive cooling strategies, including passive or fan-aided cooling planned for or designed into the structure, a cupola or roof opening for hot-air venting, or underground cooling tubes
- High-efficiency outdoor lighting utilizing solar power or controlled by motion detectors
- Natural lighting in buildings

- Building siting and orientation designed to reduce energy use
- Summer shading and wind protection measures to increase energy efficiency
- Use of concrete or other nonpolluting materials for parking lots instead of asphalt
- Use of landscaping to shade buildings and parking lots
- Photovoltaic and wind generators
- Installation of energy efficient appliances and lighting
- Installation of mechanical air conditioners and refrigeration units that use non-ozone-depleting chemicals

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

31. Mitigation Measure 4.2-4a: Require Implementation of Measures to Reduce Operational Emissions from Mobile Sources.

The County shall require each project applicant, as a condition of project approval, to implement the following mitigation measures, as appropriate:

- Intersections affected by individual projects shall be evaluated for violations of CO concentration thresholds.
- Development review shall focus on upgrading roads in Solano County to County design standards if the new development significantly contributes to the need to upgrade these roads, regardless of whether the new development occurs inside a city or within the unincorporated county.

Verification

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32. Mitigation Measure 4.2-5a: Require Implementation of Measures to Reduce the Potential for Exposure to TACs from Mobile Sources.

The County shall require each project applicant to implement the following measures as a condition of project approval:

- Activities involving idling trucks shall be oriented as far away from and downwind of existing or proposed sensitive receptors as feasible.
- Strategies shall be incorporated to reduce the idling time of main propulsion engines through alternative technologies such as IdleAire, electrification of truck parking, and alternative energy sources for TRUs to allow diesel engines to be completely turned off.
- Proposed developments shall incorporate site plans that move sensitive receptors as far as

feasibly possible from major roadways (100,000+ average daily trips).

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

33. Mitigation Measure 2.16.1: Public Water System Permit Requirements.

Applicant shall consult with the Department of Public Health and if it is determined that the project requires a public water system permit, applicant shall obtain and comply with a public water system permit.

Local, Regional, and State Agencies

City of Dixon - Fire

- 34. All new construction will require the installation of an NFPA 13 automatic fire sprinkler system.
- 35. The current water supply system will require analysis to determine its capacity to support the new building.
- 36. A fire alarm system is required per the California Building Code, 2010 Edition.
- 37. The project may require additional fire hydrants based on the location of current hydrants.
- 38. The driveway and all fire access roads must meet local fire codes. They must be a minimum of twenty (20') feet wide, have a minimum overhead clearance of thirteen and one-half feet (13.5') the full width of the drive and be capable of supporting a 50,000# fire apparatus.
- 39. Dead-end fire access roads over one hundred and fifty feet (150') long will require a turn-around at the end that meets local requirements.
- 40. Fire access roads and driveways less than twenty-eight feet (28') wide will require "NO PARKING" marking and signage as deemed necessary by the fire marshal based on the width and construction finish.
- 41. Driveways narrower than twenty feet (20') will require other access measures and must be approved by the fire marshal.
- 42. If a mechanically operated or locked driveway gate exists or is installed, a KNOX keyway shall be provided. The purchase form for a Knox access system must be obtained from the Dixon Fire Department.
- 43. Portable fire extinguishers will need to be strategically located in all structures per NFPA 10.
- 44. All buildings, new and existing, will require a means of identification as approved by the fire marshal.

City of Dixon and City of Vacaville

- 45. The applicant shall submit the final plans, including the landscape plan, to the City of Vacaville and the City of Dixon, prior to issuance of building permits by the county. The City shall have the opportunity to

review and confer with the applicant on matters of building architecture and landscape design.

State of California - Department of Transportation

46. Any work or traffic control that encroaches onto the state right of way (ROW) requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to the District Office Chief at:

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Oakland, CA 94623-0660

Traffic related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

Yolo-Solano Air Quality Management District

47. Portable diesel fueled equipment greater than 50 horsepower (HP), such as generators or pumps, must be registered with either the Air Resources Board's (ARB's) Portable Equipment Registration Program (PERP) or with the District.
48. Architectural coatings and solvents used at the project shall be compliant with District Rule 2.14, ARCHITECTURAL COATINGS.

Permit Term

49. The permit shall be issued for an indefinite period, subject to periodic renewal every five (5) years per Section 28.106 of the Solano County Zoning Code. The permittee shall file an application for renewal sixty (60) days prior to each renewal expiration period. The initial five year renewal shall occur July 19, 2023.

ATTACHMENTS:

- A - Draft Resolution
- B - Assessor Maps
- C - Draft Initial Study and Negative Declaration
- D - Vicinity Map
- E - Aerial Photo May 2017
- F - Site Photographs
- G - Phase I Development Table
- H - Site Plan
- I - Elevation Diagram

SOLANO COUNTY PLANNING COMMISSION

RESOLUTION NO. XX

WHEREAS, the Solano County Planning Commission has considered Minor Revision No. 2 to Use Permit No. U-98-28 of **Salad Cosmo USA** for the expansion of an existing agricultural processing facility located at 5944 Dixon Avenue West, one mile west of the City of Dixon in an Exclusive Agricultural “A-40” Zoning District, APN’s: 0109-030-040, 030 and 0109-060-010. Salad Cosmo, USA is proposing additions to their processing facility as well as demolition of portions of existing structures. The project will be constructed in two general phases. The first phase is to accommodate bean sprout growing that is conducted in complete darkness. The second phase is designed to prepare for the growing of other types of sprout in sunlit greenhouses, and;

WHEREAS, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on July 19, 2018 and;

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

- 1. The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulations, population densities and distribution, and other aspects of the General Plan.**

The continued operation and expansion of the existing agricultural processing facility is consistent with the goals, objectives and policies of the Solano County General Plan. The facility complements agricultural production within Solano County and is consistent with the Agricultural General Plan Designation for the subject site.

- 2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

External access to the site is from Dixon Avenue West with internal access via paved asphalt driveway. Development of the building site included the extension of electrical power to the site; in addition the facility utilizes liquid petroleum gas (LPG). The site has a 10 acre wastewater disposal pond that is permitted by the Central Valley Regional Water Quality Control Board. The site is also served by a private well and septic system for the non-process wastewater flows.

- 3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through 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.**

The Solano County Development Review Committee has reviewed the project application and determined that the project should not present a detrimental or injurious impact on surrounding properties.

- 4. A Negative Declaration has been circulated for this project and has been considered by the Planning Commission. The Solano County Planning Commission finds that based on an Initial Study, the proposed project will not have a significant effect on the environment, and has adopted a Mitigated Negative Declaration.**

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby approve the minor revision subject to the following recommended conditions of approval:

General

1. Approval is hereby granted to establish and operate the Agricultural Processing Facility in accord with the application materials and development plans for Use Permit U-98-28-MR2 and Architectural Review Application No. AR-98-20, filed November 29, 2017 and as approved by the Solano County Planning Commission.
2. No additional uses shall be established beyond those identified on the project plot plan without prior approval. No new or expanded buildings or parking areas or parking stalls shall be constructed without prior approval of a minor revision to this use permit or approval of a new use permit.
3. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit.
4. All exterior lighting fixtures visible (line of sight) from Interstate 80 shall be shielded and directed downward such that light does not shine directly toward I-80 and such that they do not illuminate an area larger than necessary for a lighted security perimeter or night time work area.
5.
 - A. Landscaping improvements shall be installed on the I-80 side of the building within one (1) year of the approval of the permit by a licensed landscaping contractor. The landscaping shall be irrigated by a timed drip irrigation line. The trees shall be maintained in a healthy condition and be replaced if they are not successfully established or a subject to damage from weather or physical disruption. Any tree that has been replaced according to the criteria in this paragraph shall be tended until it becomes established and flourishes. The minimum size of the replacement tree(s) shall be "15 gallon container(s)."
 - B. Currently the project site is shielded from views of eastbound travelers on Interstate 80 by freeway median plantings. If at any time in the future the median landscaping of Interstate 80 is replaced by a safety divider or barricade the permittee shall at the time of the next 5 year permit extension submit a landscaping plan sufficient to provide an equivalent level of improvements to eastbound viewshed as is being provided to the westbound viewshed. Said landscaping plan shall be installed within one year of approval of the extension. The landscaping plan required under this section shall be subject to the review and approval of the Department of Environmental Management as a condition of granting a permit extension.
6. All roof mounted mechanical equipment and/or vents shall be painted to match the color of buildings roofing.
7. Signage shall be restricted to a single sign of about 93 sq. ft. (4' high x 23'-5" long) that consists of colored translucent individually illuminated letters secured to a metal paneled ring.
8. The serving of food or beverages shall be restricted to those products produced on the premises and closely associated products as may be determined appropriate by advance approval of the Department of Resource Management. The facility shall not be rented for

parties or receptions. A cafeteria must be restricted solely to the use of employees or business clients of Salad Cosmo, service to the general public shall not be allowed.

9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
10. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust, or other impacts which constitute a hazard or nuisance to surrounding property.
11. Trucks traveling to or from the property shall operate within the approved operating hours, and shall not cause undue noise from truck horn honking or truck engine idling.

Building and Safety Division

12. The Building and any site improvements shall be designed using the 2010 California Building Standards Codes including the mandatory measures found in the new 2010 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures. The building shall meet all of the requirements for commissioning a Green Building due to the size exceeding 10,000 square feet. The commissioning information is found in Section 5.410.2 of the 2010 California Green Building Code. (CalGreen) The building shall be designed by a licensed and/or registered architect/engineer who is knowledgeable in Green Building Codes.
13. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2010 California Building Code. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”** Contact the Building and Safety Division at (707) 784-6765 to discuss the permit process.
14. Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein.”
15. A separate permit will be required for any grading.
16. A geotechnical/Soils Report will be required for any expansions to existing buildings or for the construction of new buildings.
17. The building permit plans shall include a code analysis as listed below and the design shall be under the 2010 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
 - A) Occupancy Classification
 - B) Type of Construction
 - C) Seismic Zone
 - D) Location on Property

- E) Height of all buildings and structures
 - F) Square footage
 - G) Occupant Load
 - H) Allowable Floor Area
 - I) Height and Number of Stories
18. Plans and Specifications shall meet the requirements as per Section 107 of the 2010 California Building Code. **“Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.” Also Section 106.1.1; “Construction documents shall be dimensioned and drawn upon substantial material. Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”**
19. The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2010 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2010 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale, and designed by a licensed architect reflecting all site accessibility.
20. All accessible paths of travel and parking areas shall be a hardscaped surface and shall meet all of the worst case requirements between Chapter 11B of the 2010 California Building Code and the ADA Federal Law.
21. The fire district will reassess the site for fire life and safety requirements.

Environmental Health Division

22. The permittee shall provide plans and specifications for any proposed plumbing connection(s) from new or remodeled structures to the existing on-site sewage disposal system. Application and fees shall be paid to the Environmental Health Division, in order to plan check the proposed plans and to make field inspection to verify and document the construction. Contact the Environmental Health – Technical Section at (707) 784-6765 to discuss the permit process.
23. The site is currently permitted for hazardous materials inventory and storage as site # 803161. The permittee shall update the Hazardous Materials Business Plan to reflect any changes in hazardous materials inventory and/or storage. The permittee shall continue to maintain current permitting with the Solano County Environmental Health Division, Hazardous Materials Section. Contact the Environmental Health – Hazardous Materials Section at (707) 784-6765 to discuss the permit process.

- 24. Potable Water Requirements.** If the water supply from the water well is a Public Water System per the Health and Safety Code section 116275, then a Public Water System permit from the state shall be obtained and maintained valid and all operating, monitoring, reporting and notification requirements for a Public Water System shall be met.

If the water supply from the onsite water well is not a state regulated Public Water System, then, at a minimum, the onsite water supply shall meet the same requirements as those for a State Small Water System HSC § 116275 (n), regardless of the number of connections. This includes obtaining an annual County State Small Water System permit (CCR Title 22 §64211), and monitoring the water supply per CCR Title 22 § 64212 and 64213) for constituents and reporting test results to the Solano County Environmental Health Division at the frequency required for a State Small Water System. Exception: If there are less than 5 service connections, then coliform testing only needs to be performed annually unless the Environmental Health Division requires more frequent testing. The application and all required monitoring and testing shall be conducted prior to final inspection from the Building Division.

The permittee shall certify the number of employees and customers/visitors using the water supply and the number of connections attached to the water supply to the Environmental Health Division on an annual basis.

The owner of the water supply system shall provide sample results for other constituents as required by the Environmental Health Services Division within 30 days of a written directive to provide such results.

Any cost incurred by the Environmental Health Division above that recovered through any annual permit fee for work performed associated with the water supply shall be paid at the current hourly rate for Environmental Health Division within 30 days of invoice.

Public Works – Engineering Division

- 25.** The permittee shall apply for, secure and abide by the conditions of a grading permit prior to any onsite grading. The permittee shall submit improvement plans to Public Works Engineering for review and approval by the appropriate official. The review of plans and inspection of the construction is subject to fees to cover the cost to Public Works Engineering. Contact the Public Works – Engineering Division at (707) 784-6765 to discuss the permit process.

Planning Services Division

Mitigation Measures from the Mitigated Negative Declaration

Aesthetics

- 26. Mitigation Measure 2.1.1** The permittee shall submit a landscape plan prior to the building permit submittal, providing for tree plantings that provide the same screening as provided with the existing processing plant. The landscape plan shall be subject to the review by the City of Vacaville, the City of Dixon and review and approval by the Director of Resource Management for Solano County. All trees shall be planted prior to the issuance of a Certificate of Occupancy by the Building Official.

Verification

The Director of Resource Management shall verify that a landscape plan is submitted prior to the building permit submittal and that all trees required by the landscape plan have been planted prior to the issuance of a certificate of occupancy.

- 27. Mitigation Measure 2.1.2** The permittee shall utilize non-glare, shielded lighting fixtures to prevent fugitive light from producing glare.

Verification

The Director of Resource Management shall verify that non-glare; shielded light fixtures have been incorporated into the lighting plan for the building.

Air Quality

- 28. Mitigation Measure 4.2-1a (1): Require Implementation of Supplemental Measures to Reduce Construction-Related Exhaust Emissions.**

In addition to the measures recommended by BAAQMD and YSAQMD for construction emissions of PM₁₀ and incorporated into the 2008 Draft General Plan under Program HS.I-60, the County shall require each project permittee, as a condition of project approval, to implement the following measures to further reduce exhaust emissions from construction-related equipment:

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- 49. The permit shall be issued for an indefinite period, subject to periodic renewal every five (5) years per Section 28.106 of the Solano County Zoning Code. The permittee shall file an application for renewal sixty (60) days prior to each renewal expiration period. The initial five year renewal shall occur July 19, 2023.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on July 19, 2018 by the following vote:

AYES:	Commissioners	_____

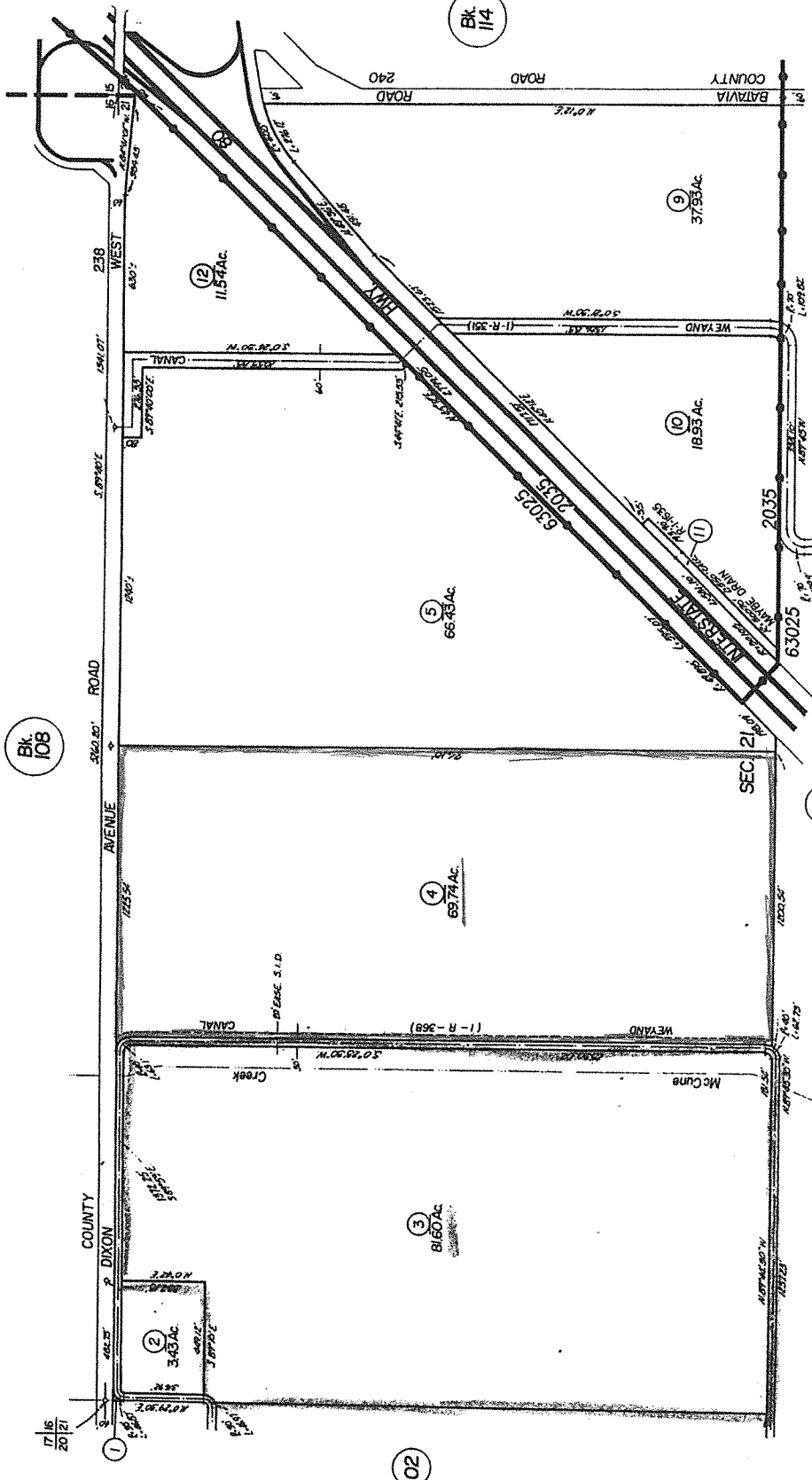
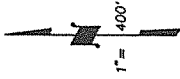
NOES:	Commissioners	_____
EXCUSED:	Commissioners	_____

By: _____
Bill Emlen, Secretary

N. 1/2 SEC. 21, T. 7N., R. 1E., M. D. B. & M.

Tax Area Code
2035
63025

109-03



NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

REVISION	DATE	BY
59E 97-006	10-04-96	DJ

CITY OF DIXON & VICINITY
Assessor's Map Bk. 109 Pg. 03
County of Solano, Calif.

9798

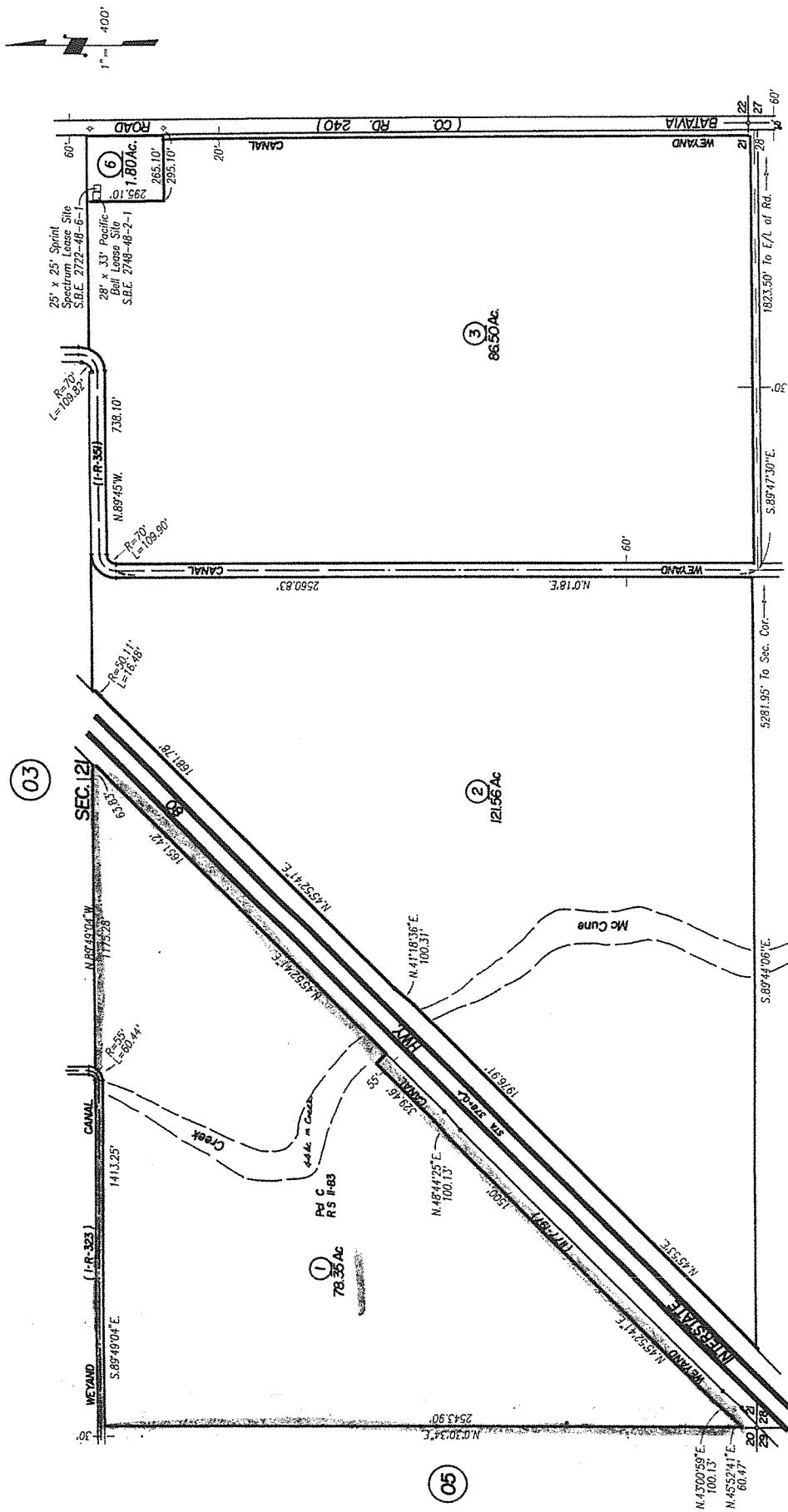
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FILE COPY
U-98-28-MR2
Salad Cosmo

S. 1/2 SEC. 21, T.7N., R.1E., M.D.B. & M.

Tax Area Code
63025

109-06



NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

REVISION	DATE	BY
SRE-RU (060-06)	6-28-00	PD
SRE-RU (060-06)	12-19-97	PD
UMP CORR (M&M) (06)	12-6-96	RU
(060-06) (06)	6-7-96	RU

Assessor's Map Bk. 109 Pg. 06
County of Solano, Calif.

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Salad Cosmo, USA

Use Permit U-98-28-MR2

**Initial Study and
Negative Declaration**

June 2018

**Prepared By
County of Solano
Department of Resource Management**

TABLE OF CONTENTS

INTRODUCTION4

ENVIRONMENTAL DETERMINATION.....6

1.0 ENVIRONMENTAL SETTING AND PROJECT DESCRIPTION7

1.1 ENVIRONMENTAL SETTING.....7

1.2 PROJECT DESCRIPTION.....8

1.3 CONSISTENCY WITH EXISTING GENERAL PLAN, ZONING, AND OTHER APPLICABLE LAND USE CONTROLS16

1.4 PERMITS AND APPROVALS REQUIRED FROM OTHER AGENCIES (RESPONSIBLE, TRUSTEE AND AGENCIES WITH JURISDICTION.....17

2.0 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES AND AVOIDANCE, MINIMIZATION AND/OR PROTECTION MEASURES.....18

2.1 AESTHETICS.....19

2.2 AGRICULTURAL RESOURCES.....20

2.3 AIR QUALITY.....21

2.4 BIOLOGICAL RESOURCES.....26

2.5 CULTURAL RESOURCES.....28

2.6 GEOLOGY AND SOILS.....29

2.7 GREENHOUSE GAS EMISSIONS.....31

2.8 HAZARDS AND HAZARDOUS MATERIALS.....32

2.9 HYDROLOGY AND WATER.....34

2.10 LAND USE AND PLANNING.....37

2.11 MINERAL RESOURCES.....38

2.12 NOISE.....38

2.13 POPULATION AND HOUSING.....40

2.14 PUBLIC SERVICES.....41

2.15 RECREATION.....42

2.16 TRANSPORTATION AND TRAFFIC.....43

2.17 UTILITIES AND SERVICE SYSTEMS.....45

2.18	MANDATORY FINDINGS OF SIGNIFICANCE.....	47
3.0	AGENCY COORDINATION AND PUBLIC INVOLVEMENT.....	49
4.0	LIST OF PREPARERS.....	49
5.0	DISTRIBUTION LIST.....	50
6.0	APPENDICES.....	51

DEPARTMENT OF RESOURCE MANAGEMENT
PART II OF INITIAL STUDY OF ENVIRONMENTAL IMPACTS

Introduction

The following analysis is provided by the Solano County Department of Resource Management as a review of and supplement to the applicant's completed "Part I of Initial Study". These two documents, Part I and II, comprise the Initial Study prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15063.

Project Title:	Salad Cosmo, USA
Application Number:	U-98-28-MR2
Project Location:	5944 Dixon Avenue West Dixon, CA 95620
Assessor Parcel No.(s):	0109-030-040, 030, and 0109-060-010
Project Sponsor's Name and Address:	Salad Cosmo, USA c/o Masahiro Nakada 5944 Dixon Avenue West Dixon, CA 95620

General Information

This document discusses the proposed project, the environmental setting for the proposed project, and the impacts on the environment from the proposed project and any measures incorporated which will minimize, avoid and/or provide mitigation measures for the impacts of the proposed project on the environment.

- Please review this Initial Study. You may order additional copies of this document from the Solano County Department of Resource Management Planning Services Division at 675 Texas Street, Fairfield, CA, 94533.
- We welcome your comments. If you have any comments regarding the proposed project please send your written comments to this Department by the deadline listed below.
- Submit comments via postal mail to:
Department of Resource Management
Planning Services Division
Attn: Eric Wilberg, Planner Associate
675 Texas Street
Fairfield, CA 94533
- Submit comments via fax to: (707) 784-4805
- Submit comments via email to: ejwilberg@solanocounty.com
- Submit comments by the deadline of: July 16, 2018

Next Steps

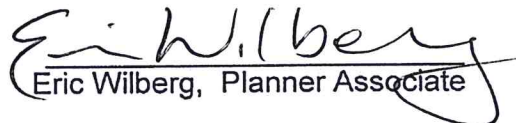
After comments are received from the public and any reviewing agencies, the Department may recommend that the environmental review is adequate and that a Negative Declaration be adopted or that the environmental review is not adequate and that further environmental review is required.

ENVIRONMENTAL DETERMINATION

On the basis of this initial study:

- The Department of Resource Management finds the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- The Department of Resource Management finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The Department of Resource Management finds the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
- The Department of Resource Management finds find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study.
An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
- The Department of Resource Management finds that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required.

5-31-18
Date


Eric Wilberg, Planner Associate

INCORPORATION OF MITIGATION MEASURES INTO THE PROPOSED PROJECT

By signature of this document, the project proponent amends the project description to include the mitigation measures as set forth in Section 2.

5/31/2018
Date


Salad Cosmo, USA

1.0 ENVIRONMENTAL SETTING and PROJECT DESCRIPTION

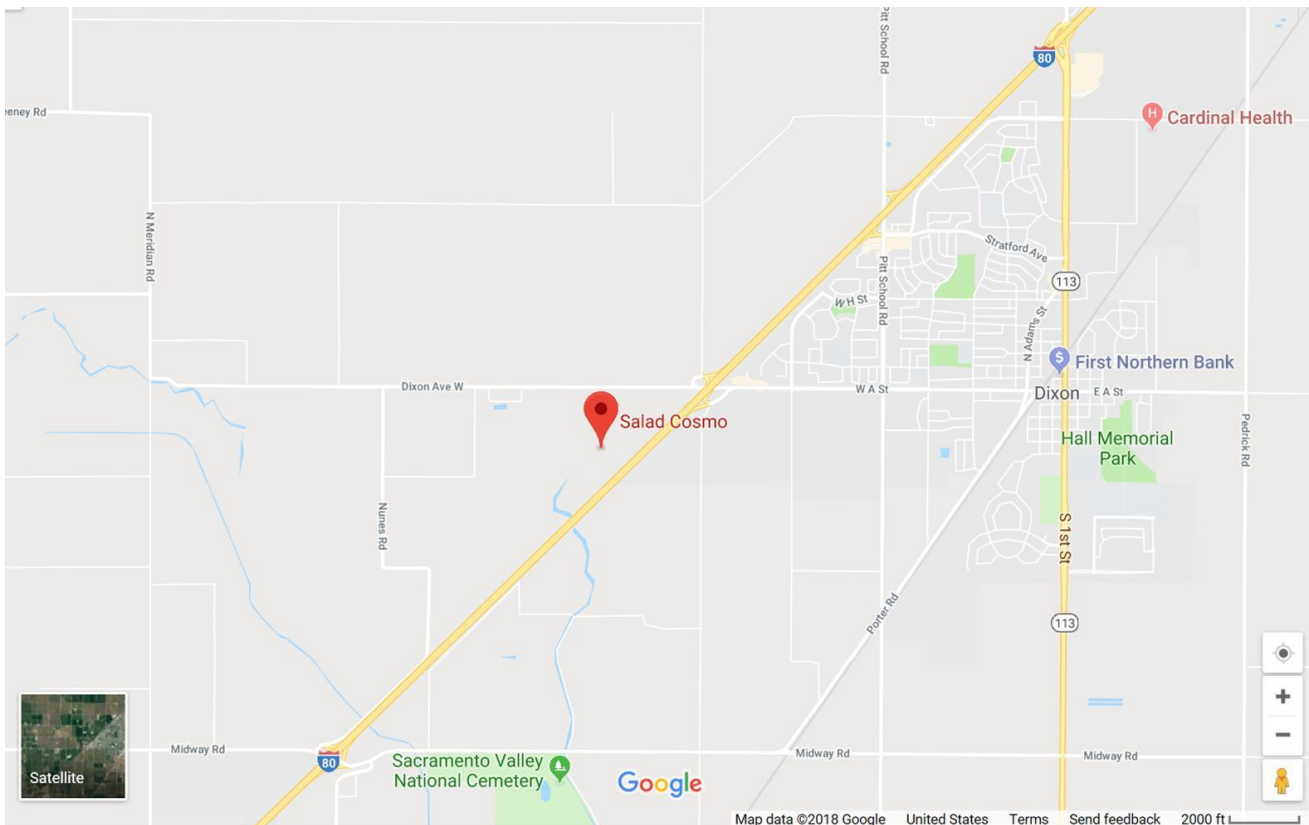
1.1 ENVIRONMENTAL SETTING:

The project is located at 5944 Dixon Avenue West, 1 mile southwest of the City of Dixon. The property is situated within a predominantly agricultural setting identified as the Dixon Ridge Agricultural Region by the Solano County General Plan. Land surrounding the project site is devoted to a variety of agricultural uses including orchard, field, and row crops. The predominantly agricultural setting is accompanied by residences on some parcels.

The subject site is comprised of three Assessor's Parcels totaling approximately 230 acres. The parcels are relatively flat exhibiting slopes of less than six percent. McCune Creek and the Solano Irrigation District's Weyand Canal flow between the developed eastern parcel (APN 0109-030-040) and the adjacent agricultural parcel to the west (APN 0109-030-030). McCune Creek then continues on, meandering through the undeveloped southern parcel (APN 0109-060-010) and beyond Interstate 80 to the south.

All existing and proposed development is situated on APN 0109-030-040. Site improvements include processing facilities, wastewater pond, parking, associated landscaping, and residential structures. The developed footprint measures approximately 24 acres of the 69 acre parcel. The remainder of the developed parcel and the two additional parcels under Salad Cosmo, USA ownership are utilized for organic farming of seed crops (no fertilizer or pesticides) including mung bean, radishes, and alfalfa.

Figure 1: Vicinity Map



1.2 PROJECT DESCRIPTION:

Objective and Existing Conditions

Salad Cosmo began growing bean sprouts in Japan in 1945. In 1998 Masa Nakada, son of founder Toshio Nakada, began Salad Cosmo USA Corp. at their Dixon, CA location. The facility primarily produces mung bean sprouts in addition to radishoots (daikon sprouts), nano-onion, and nano-red radish. The project consists of an expansion to the existing Salad Cosmo agricultural processing facility. The applicant has filed a revision of their existing use permit (U-98-28) and architectural review (AR-98-20) to facilitate the proposed changes.

The facility cultivates site-harvested and imported seeds inside the existing 59,060 square foot processing plant. Product is received by truck at the loading dock and transported into the cleaning room where seeds are cleaned and processed as needed. Seeds are then placed in large storage rooms where they are stockpiled awaiting use within the climatically controlled grow rooms to be sprouted. Radish sprouts are grown in the 11,000 sq. ft. greenhouse just east of the main production building. The original 54,974 square foot production building is located northeast of the main processing building and is currently utilized for product storage and warehousing. The facility utilizes a 10 acre process waste water pond south of the buildings on-site. Pond water is reclaimed for irrigation of the alfalfa fields on-site as well as percolation to recharge underground aquifers. The waste water discharge component of the processing facility is permitted through the Central Valley Water Quality Control Board.

Project Description

Salad Cosmo, USA is proposing additions to their processing facility as well as demolition of portions of existing structures. The project will be constructed in two general phases. The first phase is to accommodate bean sprout growing that is conducted in complete darkness. The second phase is designed to prepare for the growing of other types of sprout in sunlit greenhouses.

The main component of the first phase includes construction of an 11,291 sq. ft. seed storage building west of the existing processing structure. The new storage area is necessary to store product on site and in close proximity to the growing line. Purchased seeds will be made under more advantageous bulk purchases, stored on site, and eliminate the need storing product in rented warehousing off site. In addition, phase I includes the construction of a 5,306 sq. ft. cold storage area and a 5,675 sq. ft. processing room expansion. These two components would be located attached to and near the northeast corner of the existing production building.

This phase also includes a 6,400 sq. ft. expansion of the grow rooms located along the south side of the existing production building to produce organic bean sprouts. Also, radish sprout operations will be relocated into the south half of the existing green house and a 732 sq. ft. portion of the structure will be demolished. During this time, removal of a 5,614 sq. ft. appendage of the original processing building is also proposed.

An expansion of the paved area around the seed storage for vehicular access is also proposed. Approximately 5,000 cubic yards of excavated material from deepening the water detention pond would be utilized.

Phase I development also includes construction of a commercial scale solar photovoltaic system with production capacity of 602kW to serve the processing facility. The solar PV system consists of 2,208 modules and measures 67,276 square feet in size. The system is a floating array, to be anchored within the existing waste water pond. The table below summarizes the first phase of the project:

Phase I

Additions	Size
Seed Storage expansion	11,291 sq. ft.
Cold Room storage	5,306 sq. ft.
Processing Room expansion	5,675 sq. ft.
Grow Room expansion	6,400 sq. ft.
Vehicular access	---
Solar PV system	67,276 sq. ft.(within existing waste water pond)
Demolitions	Size
Greenhouse (portion)	732 sq. ft.
"Old" Production Bldg. (portion)	5,614 sq. ft.
NET Change	22,326 sq. ft. increase, not including solar PV

Phase II

Phase II involves construction of three (3) additional greenhouses southeast of the existing greenhouse. Each new greenhouse measures 4,800 square feet. Phase II would result in an overall increase of 14,400 sq. ft. of structures.

Infrastructure

Potable Water and Septic

The facility relies on a domestic well for its potable water. No new water supplies are proposed or required for the expansion project. A State of California Department of Public Health, Drinking Water Permit is required when an average of 25 people per day are using the facilities in any 60 day period. Based on the number of employees and potential visitors it is likely that a State permit is necessary.

A septic tank and leach field system provides sanitary services for the facility. There is no change proposed for the current septic system which has a calculated and constructed capacity of up to 1,000 gallons per day. The system accommodates the employee waste water stream, and does not include any of the process waste water for the sprout growing and packaging operations. The 24 employees per day as stated by the applicant are within the calculated capacity of the existing on-site sewage disposal system. The system is calculated at 20 gallons per employee per day, which equates to a maximum of 50 persons per day. The project does not propose any changes to the existing septic system.

Wastewater

Wastewater is discharged into a 10 acre wastewater pond and subsequently utilized on site for supplemental agricultural water. The wastewater pond is permitted by the Central Valley Regional Water Quality Board. The project proposes the excavation of 5,000 cubic yards of material from the pond to be utilized for the expansion of vehicular access around the new seed storage building, thus resulting in an increase wastewater retention capacity of the pond. The solar PV component of the project is proposed atop the existing wastewater pond.

Irrigation Water

The project site is located within the boundaries of the Solano Irrigation District (S.I.D). The property has an existing service and is provided raw, untreated, agricultural irrigation water. The project does not propose any changes to the existing S.I.D.

Drainage

The property is traversed by McCune Creek. Storm water from the subject site sheds from north to south collecting in existing drainage courses and seasonal ditches, constructed as part of the agricultural operations on the property, with outfall to McCune Creek; there are no chemicals or fertilizers used by the crops. The absorption rate, drainage patterns and surface runoff are affected slightly by the building and paving areas, however, the runoff is collected by new ditches that tie into the existing drainage courses resulting in no significant increase.

Fire Protection

Upon development, each structure and permitted land use will be evaluated for fire protection by the Dixon Fire Protection District and the County Department of Resource Management through the building permit process. An on-site fire protection system shall be designed, installed, and maintained by the permittee, including provision for the adequate storage of water for fire suppression purposes.

Access

The subject site has frontage along, and an encroachment to Dixon Avenue West. The facility is accessed via a 26 foot wide, 1,850 linear foot private driveway. The project does not propose any changes to the existing access.

Figure 2: Aerial Photo of Site Improvements – May 2017



Figure 3: Site Plan



PROPOSED EXPANSION MASTER
 PLAN SEPTEMBER 2017
 REVISED 05 MAY 2018 Δ--



Date: _____
 Drawn by: _____
 Checked by: _____

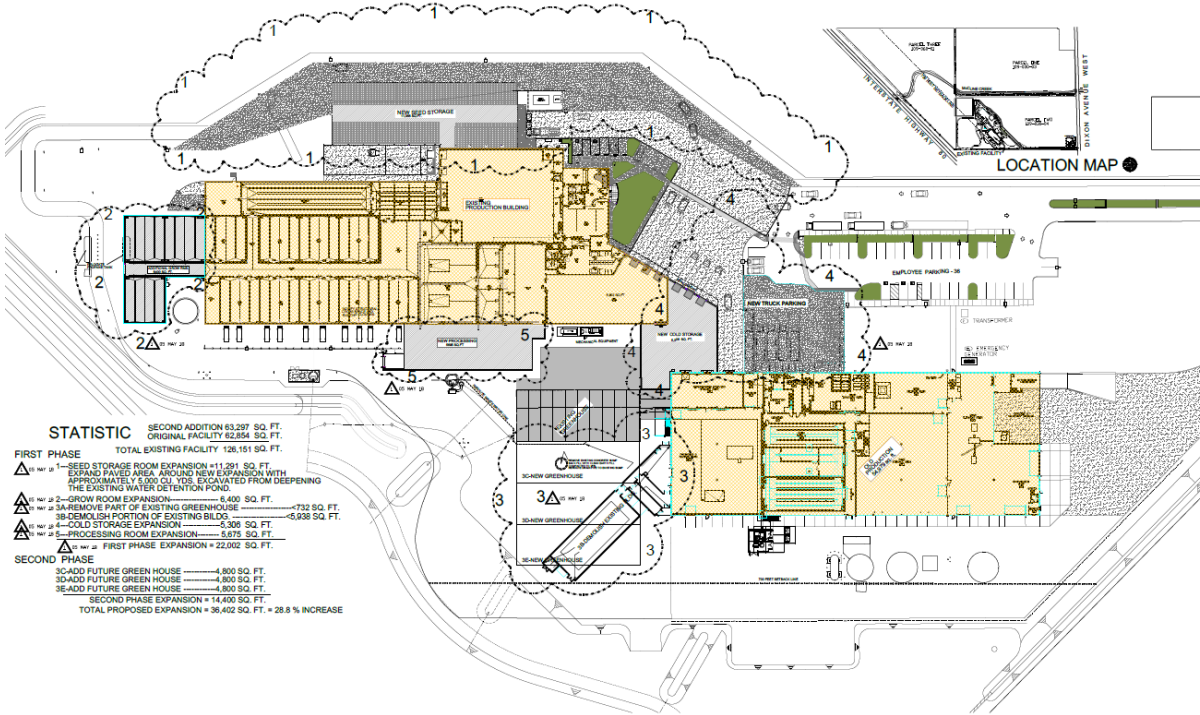
Scale: _____
 Contour: _____

MASTER SITE PLAN SEPTEMBER 2017

SALAD COSMO
 5844 DIXON AVE WEST
 DIXON CA 95620

SITE PLAN

Scale: _____
 Revision: _____
 1/1000
 01 SEP 2017
A1.0



STATISTIC

SECOND ADDITION 63,297 SQ. FT.
 ORIGINAL FACILITY 62,854 SQ. FT.
 TOTAL EXISTING FACILITY 126,151 SQ. FT.

FIRST PHASE

- 1- SEED STORAGE ROOM EXPANSION +11,291 SQ. FT.
- 2- EXPAND PAVED AREA AROUND NEW EXPANSION WITH APPROXIMATELY 5,000 CU. YDS. EXCAVATED FROM DEEPENING THE EXISTING WATER DETENTION POND.
- 3- GROW ROOM EXPANSION +6,400 SQ. FT.
- 3A- REMOVE PART OF EXISTING GREENHOUSE -732 SQ. FT.
- 3B- DEMOLISH PORTION OF EXISTING BLDG. -5,938 SQ. FT.
- 4- COLD STORAGE EXPANSION -2,306 SQ. FT.
- 5- PROCESSING ROOM EXPANSION -5,675 SQ. FT.

Δ 1-11 SEP 17
 Δ 2-11 SEP 17
 Δ 3-11 SEP 17
 Δ 3A-11 SEP 17
 Δ 3B-11 SEP 17
 Δ 4-11 SEP 17
 Δ 5-11 SEP 17

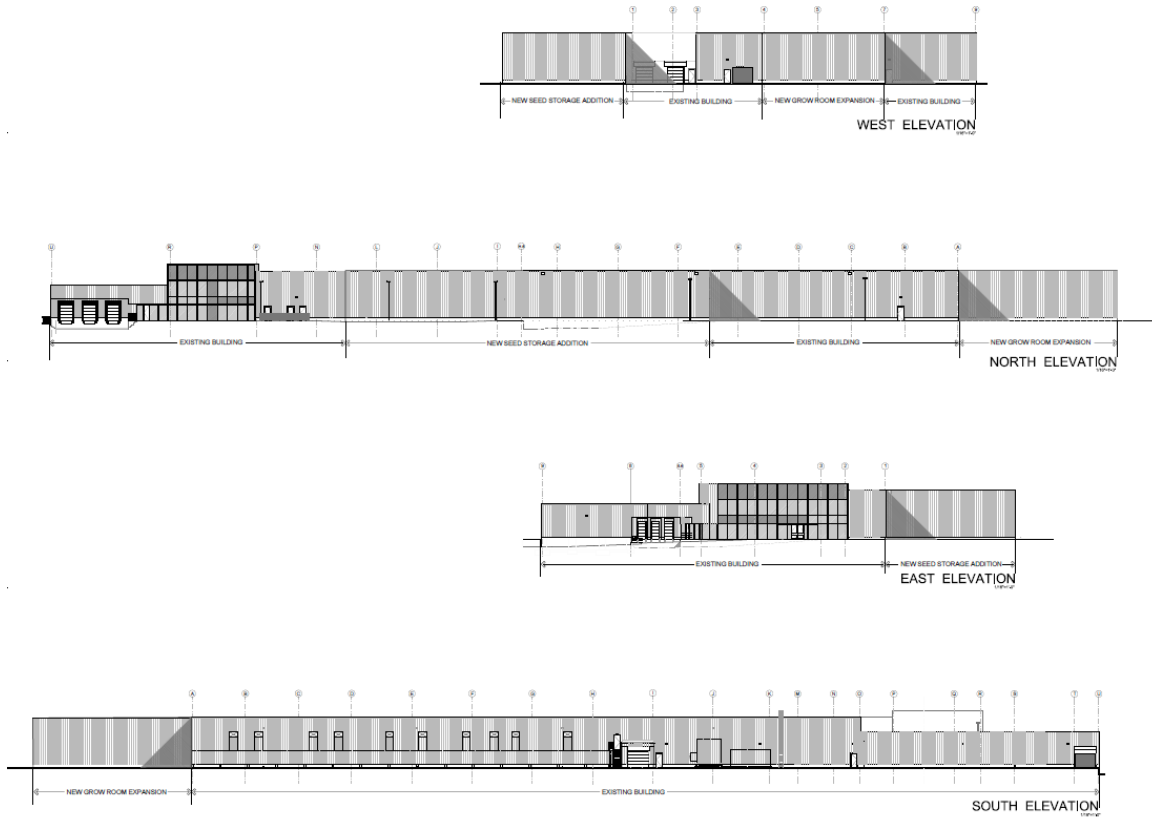
SECOND PHASE

- 3C- ADD FUTURE GREEN HOUSE +4,800 SQ. FT.
- 3D- ADD FUTURE GREEN HOUSE +4,800 SQ. FT.
- 3E- ADD FUTURE GREEN HOUSE +4,800 SQ. FT.

Δ 3C-11 SEP 17
 Δ 3D-11 SEP 17
 Δ 3E-11 SEP 17

SECOND PHASE EXPANSION = 14,400 SQ. FT.
 TOTAL PROPOSED EXPANSION = 38,402 SQ. FT. = 28.8 % INCREASE

Figure 4: Elevation Diagram









Professional seal and project information block containing the following text:

- Logo of a registered professional engineer (R.E. 014318).
- Text: "I hereby certify that, with me, the design, construction, and maintenance of the project was supervised by me or a duly qualified person under my direct supervision and control."
- Text: "MACTER SITE PLAN SEPTEMBER 2017"
- Text: "SALAD COSMO 5544 DUCK FIVE WEST DIXON CA 95021"
- Text: "EXTERIOR ELEVATIONS"
- Text: "SCHEMATIC PLAN 1/8\"

Figure 5: Photographs of Existing Facility

PHOTOGRAPHS OF EXISTING FACILITY

		
<p>1 VIEW FROM THE ENTRY DRIVEWAY JUST OFF OF DIXON AVENUE WEST BETWEEN A COLONNADE OF TREES LEADING TO THE PLANT SEEN IN THE FAR RIGHT BACKGROUND</p>	<p>2 VIEW FROM THE EAST APPROACHING THE FACILITY WITH ORIGINAL BUILDING TO THE LEFT AND THE LATEST EXPANSION STRAIGHT ON.</p>	<p>3 VIEW OF THE ORIGINAL BUILDING FROM THE EMPLOYEE PARKING IN THE FOREGROUND AND THE LATEST EXPANSION IN THE FAR RIGHT BACKGROUND</p>
		
<p>4 VIEW OF LATEST EXPANSION WITH THE TRUCK LOADING DOCKS TO THE LEFT AND THE ENTRY TO THE TWO LEVEL ADMINISTRATIVE OFFICES.</p>	<p>5 VIEW OF THE NORTH SIDE OF THE LATEST EXPANSION BUILDING WHERE THE NEW SEED STORAGE EXPANSION WILL BE ADDED.</p>	<p>6 VIEW OF THE WEST SIDE OF THE LATEST EXPANSION WITH THE SEED TRUCK LOADING DOCKS TO THE LEFT AND THE EXISTING GROW ROOMS WHERE THE NEW GROW ROOMS WILL BE ADDED.</p>



1000 CALIFORNIA AVENUE WEST
 DIXON, CALIFORNIA 95620
 PHONE: (916) 335-1000
 FAX: (916) 335-1001
 WWW: SALADCOSMO.COM

MASTER
 SITE
 PLAN
 SEPTEMBER
 2017

SALAD COSMO
 1000 CALIFORNIA AVENUE WEST
 DIXON, CA 95620

EXTERIOR
 PHOTO

SCHEMATIC DEVELOPMENT
 NAME: **AS2**
 DATE: 09/2017

1.2.1 ADDITIONAL DATA:

NRCS Soil Classification:	Capay Silty Clay Loam Class II
Agricultural Preserve Status/Contract No.:	Agricultural Conservation Easement Vaca-Dixon Greenbelt
Non-renewal Filed (date):	N/A
Airport Land Use Referral Area:	N/A
Alquist Priolo Special Study Zone:	N/A
Primary or Secondary Management Area of the Suisun Marsh:	N/A
Primary or Secondary Zone identified in the Delta Protection Act of 1992:	N/A
Other:	None

1.2.2 Surrounding General Plan, Zoning and Land Uses

	General Plan	Zoning	Land Use
Property	Agriculture/Ag. Reserve	Exclusive Agriculture A-40	Processing/Ag.
North	Agriculture/Ag. Reserve	Exclusive Agriculture A-40	Row crop
South	Agriculture/Ag. Reserve	Exclusive Agriculture A-40	Field crop
East	---	---	Interstate 80
West	Agriculture/Ag. Reserve	Exclusive Agriculture A-40	Orchard

1.3 CONSISTENCY WITH EXISTING GENERAL PLAN, ZONING, AND OTHER APPLICABLE LAND USE CONTROLS:

1.3.1 General Plan

The project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram as well as the Agricultural Reserve Overlay which is designed to encourage private landowners to voluntarily participate in agricultural conservation easements. The subject site is also situated within the Dixon Ridge Agricultural Region which contains some of the best farmland in the County. Most of the region is in production for field crops, such as tomatoes, alfalfa, and safflower. Agricultural production, processing, and services are the predominant land uses with Dixon Ridge. The existing agricultural processing land use and proposed project expansion are consistent with the purpose and intent of these General Plan designations.

1.3.2 Zoning

The project site is located within the Exclusive Agriculture 'A-40' Zoning District. Section 28.21 of the County Zoning Regulations conditionally permits agricultural processing facilities such as Salad Cosmo.

1.4 Permits and Approvals Required from Other Agencies (Responsible, Trustee and Agencies with Jurisdiction):

Central Valley Regional Water Quality Control Board
Yolo - Solano Air Quality Management District
Solano County Department of Resource Management

1.41 Agencies that May Have Jurisdiction over the Project

Army Corps. of Engineers District: Sacramento District
California Department of Fish & Wildlife
California Department of Transportation
City of Dixon
City of Vacaville
Dixon Fire Protection District
Solano Irrigation District
Ulatis Soil Conservation District

AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES AND AVOIDANCE, MINIMIZATION AND/OR PROTECTION MEASURES

This chapter discusses the potential for adverse impacts on the environment. Where the potential for adverse impacts exist, the report discusses the affected environment, the level of potential impact on the affected environment and methods to avoid, minimize or mitigate for potential impacts to the affected environment.

Findings of SIGNIFICANT IMPACT

Based on the Initial Study, Part I as well as other information reviewed by the Department of Resource Management, the project does not have the potential for significant impacts to any environmental resources.

Findings of LESS THAN SIGNIFICANT IMPACT Due to Mitigation Measures Incorporated Into the Project

Based on the Initial Study, Part I as well as other information reviewed by the Department of Resource Management, the following environmental resources were considered and the potential for significant impacts were reduced to less than significant due to mitigation measures incorporated into the project. A detailed discussion of the potential adverse effects on environmental resources is provided below:

- | | |
|---|--|
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Mandatory Findings of |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Significance |

Findings of LESS THAN SIGNIFICANT IMPACT

Based on the Initial Study, Part I as well as the review of the proposed project by the Department of Resource Management, the following environmental resources were considered and the potential for impact is considered to be less than significant. A detailed discussion of the potential adverse effects on environmental resources is provided below:

- | | |
|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hydrology and Water |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use Planning |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Hazards & Hazardous Materials | |

Findings of NO IMPACT

Based on the Initial Study, Part I as well as the review of the proposed project by the Department of Resource Management, the following environmental resources were considered but no potential for adverse impacts to these resources were identified. A discussion of the no impact finding on environmental resources is provided below:

- | | |
|---|---|
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Transportation & Traffic |

2.1 Aesthetics

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Increase the amount of shading on public open space (e.g. parks, plazas, and/or school yards)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project is located adjacent to Interstate 80, which is designated as a Scenic Roadway by the 2008 Solano County General Plan. Policy RS.P-37 is to “protect the visual character of designated scenic roadways”. In addition, the property is a part of the Dixon-Vacaville Greenbelt preserving the rural agricultural resources between the two cities.

The existing facility is approximately 700’ northwest of Interstate-80. The facility is within the foreground component of a highly visible Scenic Corridor as identified in the Solano County General Plan. The intent of the design of the facility was to be indigenous with the surrounding agricultural area. The facility is not visible from the eastbound lanes of I-80 due to the high oleander median. There is an 8’ high fence along the freeway side of the building with vine plantings to screen the service utilities. The facility is highly visible from I-80 in the westbound direction. Because of the size and scale of the structure on the site, the applicant planted Dwarf Blue Gum (“E. g. Compacta”) eucalyptus trees to screen the facility. These plantings provide a hedgerow along the eastern property boundary and clustered tree plantings adjacent to the rear of the building. The species is a multi-branched, bushy shrub like tree, which grows as high as 60-70 ft. Foliage persists to the ground for 10-15 years with the species becoming treelike later. The species is fast growing and is very hardy accommodating frosts down to down to 17° F.

The majority of the proposed building additions are located either between the two existing main structures or on the west side of existing development, out of view from motorists along Interstate 80. The proposed 4,798 sq. ft. grow room off the south end of the production facility would increase the building mass visible from the freeway. The building would be located parallel to Interstate 80, approximately 1,000 feet northwesterly of the ROW. The building elevation facing Interstate 80 is a blank side of the building, containing no fenestration or public entrances.

Impacts Discussion

a. *Have a substantial adverse effect on a scenic vista?*

The building as designed could have a significant effect on scenic resources, due to its scale and utilitarian façade facing Interstate 80. The project sponsor has agreed to plant additional trees to provide screening from the highway, similar to the plantings along the existing buildings. **Less Than Significant with Mitigation.**

b. *Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?*

There are no scenic resources within the development footprint of the project. **No Impact.**

c. *Substantially degrade the existing visual character or quality of the site and its surroundings?*

The project site and surrounding sites are agricultural in nature, planted with row crops or orchards. For the reasons outlined in 2.1.a. above, tree plantings that provide visual buffering from Interstate 80 should be provided. In addition, lighting should be designed so that it is not directed up or outward away from the building. **Less Than Significant with Mitigation.**

d. *Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

See discussion in 2.1.c. above. **Less Than Significant with Mitigation.**

e. *Increase the amount of shading on public open space (e.g. parks, plazas, and/or school yards)?*

There are public open spaces within the vicinity of the project. **No Impact.**

Avoidance, Minimization Measures and/or Mitigation Measures

Mitigation Measures

Mitigation Measure 2.1.1 The applicant shall submit a landscape plan concurrent with building permit submittal, providing for tree plantings that provide the same screening as provided with the existing processing plant. The landscape plan shall be subject to the review by the City of Vacaville, the City of Dixon and review and approval by the Director of Resource Management for Solano County. All trees shall be planted prior to the issuance of a Certificate of Occupancy by the Building Official.

Verification

The Director of Resource Management shall verify that a landscape plan is submitted prior to the building permit submittal and that all trees required by the landscape plan have been planted prior to the issuance of a certificate of occupancy.

Mitigation Measure 2.1.2 The applicant shall utilize non-glare, shielded lighting fixtures to prevent fugitive light from producing glare.

Verification

The Director of Resource Management shall verify that non-glare, shielded light fixtures have been incorporated into the lighting plan for the building.

2.2 Agricultural Resources

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The property is located in the Dixon Ridge agricultural area and is a part of the Dixon-Vacaville Greenbelt. The Dixon Ridge area contains most of the county's prime agricultural lands. The project site is surrounded by other agricultural lands on the north, west and south sides. The eastern boundary is formed by Interstate 80. The existing facility and the proposed development are located on a portion of the property identified as Urban and Built-Up land pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The balance of the property and surrounding lands are shown as "Prime Farmlands". The project does not impact any "Prime Farmland, Unique Farmland or Farmland of Statewide Significance.

The property is also subject to an Agricultural Conservation Easement (ACE). The on-going agricultural processing and agricultural production on-site are consistent with the easement.

Impact Discussion

- a. *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The property is shown as Urban and Built-Up lands pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. **No Impact.**

- b. *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The expansion of the agricultural processing facility is consistent with the Agricultural Zoning and Agricultural Conservation Easement. **No Impact.**

- c. *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

The proposed development is a part of the existing, developed site containing the current processing plant, offices and parking/loading areas. Construction of the proposed building does not infringe on the existing cultivation on surrounding lands. The expanding processing plant will increase the demand for locally produced seeds utilized by Salad Cosmo. **No Impact.**

2.3 Air Quality

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The project is located in the Sacramento Valley Air Basin (SVAB), which also includes Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, Tehama, Yolo, and Yuba Counties and the western portion of Placer County. Eastern Solano County is currently designated as a nonattainment area for the federal and state ozone (8-hour) and PM .5 (24-hour) standards (ARB 2009, EPA 2009). In addition, western Solano County is currently designated as a nonattainment area for the state ozone (1-hour) and the state PMJO (24hour) standards. Solano County is unclassified for the federal PM10 standard (ARB 2009).

Sacramento Valley Air Basin

The SVAB is relatively flat, bordered by the north Coast Range to the west and the northern Sierra Nevada to the east. Air flows into the SVAB through the Carquinez Strait, the only breach in the western mountain barrier, and moves across the Sacramento–San Joaquin Delta (Delta) from the SFBAAB.

The Mediterranean climate type of the SVAB is characterized by hot, dry summers and cool, rainy winters. During the summer, daily temperatures range from 50 degrees Fahrenheit (°F) to more than 100°F. The inland location and surrounding mountains shelter the area from much of the ocean breezes that keep the coastal regions moderate in temperature.

Most precipitation in the area results from air masses that move in from the Pacific Ocean, usually from the west or northwest, during the winter months. More than half the total annual precipitation falls during the winter rainy season (November–February); the average winter temperature is a moderate 49°F. Characteristic of SVAB winters are periods of dense and persistent low-level fog, which are most prevalent between storms. The prevailing winds are moderate in speed and vary from moisture-laden breezes from the south to dryland flows from the north.

The mountains surrounding the SVAB create a barrier to airflow, which leads to the entrapment of air pollutants when meteorological conditions are unfavorable for transport and dilution. The highest frequency of poor air movement occurs in the fall and winter when high-pressure cells are present over the SVAB. The lack of surface wind during these periods, combined with the reduced vertical flow because of less surface heating, reduces the influx of air and leads to the concentration of air pollutants under stable meteorological conditions. Surface concentrations of air pollutant emissions are highest when these conditions occur in combination with agricultural burning activities or temperature inversions, which hamper dispersion by creating a ceiling over the area and trapping air pollutants near the ground.

May–October is ozone season in the SVAB. This period is characterized by poor air movement in the mornings and the arrival of the Delta sea breeze from the southwest in the afternoons. Longer daylight hours provide a plentiful amount of sunlight to fuel photochemical reactions between reactive organic gases (ROG) and oxides of nitrogen (NOX), which result in ozone formation. Typically, the Delta breeze transports air pollutants northward out of the SVAB; however, during about half of the days from July to September, a phenomenon known as the Schultz Eddy prevents this from occurring. Instead of allowing the prevailing wind patterns to move north, carrying pollutants out of the valley, the Schultz Eddy causes the wind pattern to shift southward and blow air pollutants back into the SVAB. This phenomenon exacerbates the concentration of air pollutant emissions in the area and contributes to violations of the ambient air quality standards. The eddy normally dissipates around noon when the Delta sea breeze arrives.

Local meteorology of the eastern portion of Solano County is represented by measurements recorded at the Davis station. The normal annual precipitation is approximately 18 inches. January temperatures range from a normal minimum of 36°F to a normal maximum of 53°F. July temperatures range from a normal minimum of 55°F to a normal maximum of 93°F (NOAA 1992). The predominant wind direction and speed, measured at the Woodland station, is from the north-northwest at around 7 miles per hour (mph) (ARB 1994).

Concentrations of ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), respirable and fine particulate matter (PM₁₀ and PM_{2.5}), and lead are used as indicators of ambient air quality conditions. Because these are the most prevalent air pollutants known to be deleterious to human health. And because there is extensive documentation available on health-effects criteria for these pollutants, they are commonly referred to as "criteria air pollutants." Sensitive receptors within the vicinity of the proposed project include nearby single-family residential dwellings to the southwest, south, and east of the SVSP area.

The ambient concentrations of air pollutant emissions are determined by the amount of emissions released by sources and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Therefore, existing air quality conditions in the area are determined by such natural factors as

topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources. These pollutant sources were discussed within the General Plan EIR, starting on page 4.2- 1.

General Plan Air Quality Impacts

The General Plan EIR found that future development under the General Plan in Solano County would generate emissions of criteria air pollutants (fine particulate matter with an aerodynamic resistance diameter of 10 micrometers or less [PM10]) and ozone precursors, both of which affect regional air quality. The General Plan EIR found that even with Mitigation Measure 4.2-2a (Coordinate with Air Districts on Assumptions from Air Quality Plan Updates) and the various General Plan goals, policies, and programs intended to minimize air quality impacts, implementation of the General Plan would still result in operational emissions in excess of significance thresholds and assumptions used by the Bay Area Air Quality Management District (BAAQMD) for applicable clean air plans and attainment planning efforts. Therefore, the General Plan EIR found that buildout of the General Plan would conflict with current air quality planning efforts.

The General Plan EIR also found that future development in Solano County would generate emissions of criteria air pollutants (PM10) and ozone precursors, both of which affect regional air quality. The anticipated population and development with implementation of the General Plan would lead to operational (mobile-source and area-source) emissions that exceed BAAQMD's and YSAQMD's significance thresholds. Implementation of General Plan EIR Mitigation Measure 4.2-3a, the adopted General Plan policies and implementation programs, and existing regulations would reduce operational emissions of reactive organic gases (ROG), oxides of nitrogen (NOx), and PM10, but not to a less-than significant level.

Construction-related emissions of criteria air pollutants and precursors would still exceed significance thresholds; for this reason, and because of the large amount of development anticipated in Solano County, such emissions would violate or contribute substantially to an existing or projected air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations. As stated on page 4.2-25 of the General Plan EIR, implementation of Mitigation Measures 4.2-1a(1) and 4.2-1 a(2) would reduce short-term, construction-related emissions, but not below the applicable level of significance.

The General Plan EIR found that future urban development pursuant to the General Plan would contribute considerably to nonattainment conditions in Solano County by adding vehicle trips, accommodating construction, and through other means, resulting in a significant cumulative impact.

Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The screening-level distance identified by BAAQMD for major sources of odors is 1 mile from sensitive receptors (2 miles for petroleum refineries). Minor sources of odors, such as exhaust from mobile sources, garbage collection areas, and charbroilers associated with commercial uses, are not typically associated with numerous odor complaints, but are known to have some temporary, less concentrated odorous emissions. These sources of odors were discussed on page 4.2-37 of the General Plan EIR.

The General Plan EIR found that buildout of the General Plan would lead to increases in greenhouse gas emissions (Impact 6.2-1a). Implementation of the 2008 General Plan goals, policies and programs described in the 2008 General Plan would reduce greenhouse gas emissions, but the degree of future impacts and applicability, feasibility, and success of the future mitigation measures cannot be adequately known for each specific future project at this program level of analysis. Since

it cannot be determined whether these measures would reduce GHG levels to a less-than-significant level, this impact must be considered significant and unavoidable.

Impact Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

The proposed processing facility is consistent with the development assumptions evaluated in the General Plan EIR. Because the proposed project is consistent with the General Plan, it is not anticipated to exceed the impacts analyzed within the General Plan EIR. The Proposed processing facility's incremental contribution to regional nonattainment conditions as documented in the General Plan EIR is not an impact peculiar to the project within the meaning of State CEQA Guidelines Section 15183. Rather, the General Plan EIR, and the related findings adopted by the Solano County Board of Supervisors, identified air quality impacts as significant and unavoidable. To the extent that the proposed project contributes incrementally to those impacts, Section 15183 permits the County to conclude that such impacts have been adequately discussed and disclosed in the General Plan EIR on pages 4.2-26 to 4.2-28. **Less Than Significant With Mitigation.**

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

See discussion 2.3(a) above.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

See discussion 2.3(a) above.

d) Expose sensitive receptors to substantial pollutant concentrations?

Criteria Air Pollutants and Precursor Emissions

The General Plan EIR found that buildout of the General Plan would expose sensitive receptors to substantial pollutant concentrations. However, the project does not propose the siting of new sensitive receptors (e.g., residences), and the project's incremental contribution to this impact is not an impact peculiar to the project within the meaning of State CEQA Guidelines Section 15183. Rather, the General Plan EIR, and the related findings adopted by the Solano County Board of Supervisors, identified air quality impacts as significant and unavoidable. To the extent that the proposed project contributes incrementally to this impact, Section 15183 permits the County to conclude that such impacts have been adequately discussed and disclosed in the General Plan EIR on pages 4.2-29 to 4.2-31. **Less Than Significant With Mitigation.**

e) Create objectionable odors affecting a substantial number of people?

The project does not propose the siting of any major odor source or siting of sensitive receptors within screening level distances from an existing major odor source (e.g., landfill, wastewater treatment plant, dairy). The construction of the proposed project would result in diesel exhaust emissions from on-site diesel equipment. The diesel exhaust emissions would be intermittent and temporary and would dissipate rapidly from the source with an increase in distance. Thus, the construction and operation of the proposed project are not anticipated to result in the creation of objectionable odors affecting a substantial number of people, and this impact would be **Less Than Significant.**

Avoidance, Minimization Measures and/or Mitigation Measures

The General Plan EIR included mitigation measures for discretionary permit review. All of the applicable mitigation measures for Air Quality Impacts and Greenhouse Gas impacts are included below

Mitigation Measure 4.2-1a(1): Require Implementation of Supplemental Measures to Reduce Construction-Related Exhaust Emissions.

In addition to the measures recommended by BAAQMD and YSAQMD for construction emissions of PM₁₀ and incorporated into the 2008 Draft General Plan under Program HS.I-60, the County shall require each project applicant, as a condition of project approval, to implement the following measures to further reduce exhaust emissions from construction-related equipment:

- Commercial electric power shall be provided to the project site in adequate capacity to avoid or minimize the use of portable gas-powered electric generators and equipment.
- Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set).
- To the extent feasible, alternative fuels and emission controls shall be used to further reduce NO_x and PM₁₀ exhaust emissions.
- On-site equipment shall not be left idling when not in use.
- The hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time shall be limited.
- Construction shall be curtailed during periods of high ambient pollutant concentrations; this may involve ceasing construction activity during the peak hour of vehicular traffic on adjacent roadways or on Spare the Air Days.
- Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.
- Before construction contracts are issued, the project applicants shall perform a review of new technology, in consultation with BAAQMD and YSAQMD, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is anticipated that in the near future, both NO_x and PM₁₀ control equipment will be available.

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

Mitigation Measure 4.2-1a(2): Require Implementation of Supplemental Measures to Reduce Fugitive PM₁₀ Dust Emissions.

In addition to the required basic control measures, the County shall require each project applicant, as a condition of project approval, to implement the following enhanced and additional control measures recommended by BAAQMD and YSAQMD to further reduce fugitive PM₁₀ dust emissions:

- Hydroseeding shall be used or nontoxic soil stabilizers shall be applied to inactive construction areas (previously graded areas inactive for 10 days or more).
- Exposed stockpiles (e.g., dirt, sand) shall be enclosed, covered, or watered twice daily, or nontoxic soil binders shall be applied to such stockpiles.
- Traffic speeds on unpaved roads shall be limited to 15 mph.
- Sandbags or other erosion control measures shall be installed to prevent runoff of silt to public roadways.
- Vegetation shall be replanted in disturbed areas as quickly as possible.
- Wheel washers shall be installed on all exiting trucks, or the tires or tracks of all trucks and equipment leaving the site shall be washed off.
- Windbreaks shall be installed or trees/vegetative windbreaks shall be planted at windward side(s) of construction areas.
- Excavation and grading activity shall be suspended when winds (instantaneous gusts) exceed 25 mph.
- The area subject to excavation, grading, and other construction activity at any one time shall be limited, as necessary.

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

Mitigation Measure 4.2-3a: Require Implementation of YSAQMD Design Recommendations for Development Projects.

The County shall require each project applicant, as a condition of project approval, to implement the following mitigation measure recommended by YSAQMD.

Design of all development projects shall include all of the following elements, as applicable:

- A duct system within the building thermal envelope, or insulated to R-38 standards
- Passive cooling strategies, including passive or fan-aided cooling planned for or designed into the structure, a cupola or roof opening for hot-air venting, or underground cooling tubes
- High-efficiency outdoor lighting utilizing solar power or controlled by motion detectors
- Natural lighting in buildings
- Building siting and orientation designed to reduce energy use

- Summer shading and wind protection measures to increase energy efficiency
- Use of concrete or other nonpolluting materials for parking lots instead of asphalt
- Use of landscaping to shade buildings and parking lots
- Photovoltaic and wind generators
- Installation of energy efficient appliances and lighting
- Installation of mechanical air conditioners and refrigeration units that use non-ozone-depleting chemicals

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

Mitigation Measure 4.2-4a: Require Implementation of Measures to Reduce Operational Emissions from Mobile Sources.

The County shall require each project applicant, as a condition of project approval, to implement the following mitigation measures, as appropriate:

- Intersections affected by individual projects shall be evaluated for violations of CO concentration thresholds.
- Development review shall focus on upgrading roads in Solano County to County design standards if the new development significantly contributes to the need to upgrade these roads, regardless of whether the new development occurs inside a city or within the unincorporated county.

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

Mitigation Measure 4.2-5a: Require Implementation of Measures to Reduce the Potential for Exposure to TACs from Mobile Sources.

The County shall require each project applicant to implement the following measures as a condition of project approval:

- Activities involving idling trucks shall be oriented as far away from and downwind of existing or proposed sensitive receptors as feasible.
- Strategies shall be incorporated to reduce the idling time of main propulsion engines through alternative technologies such as IdleAire, electrification of truck parking, and alternative energy sources for TRUs to allow diesel engines to be completely turned off.
- Proposed developments shall incorporate site plans that move sensitive receptors as far as feasibly possible from major roadways (100,000+ average daily trips).

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

2.4 Biological Resources

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The proposed expansion will be located predominantly at the northeast side of the existing facility. All new construction will be located within the 24 acre developed footprint of the existing facility. This site is not identified as within a habitat conservation area by the 2008 Solano General Plan (See Appendix 6.1 Map of Vegetation and Cover Types and 6.2 Map of Priority Habitat Areas).

Impact Discussion

- a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

New construction within the developed footprint of the processing facility will not affect habitat for any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations. **No Impact.**

- b. *Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No aquatic, wetland or riparian habitat or other sensitive natural community is impacted by the proposed expansion. **No Impact.**

- c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?*

There are no federally impacted wetlands located on the proposed site for the expansion. **No Impact.**

- d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

There are no wildlife corridors indicated in the project's vicinity by the 2008 Solano General Plan. **No Impact.**

- e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

There are no local policies or ordinances protecting biological resources which affect this site. **No Impact.**

- f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Construction of the proposed facility does not conflict with the Resources Chapter of the 2008 Solano County General Plan. **No Impact.**

2.5 Cultural Resources

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The proposed expansion is located within the 24 acre footprint of the existing agricultural processing facility. There are no historical structures proposed for removal.

Impacts

- a. *Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?*

There are no historical resources located on the site. **No Impact.**

- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?*

Due to the developed and disturbed nature of the site, it is not likely that any archeological resources exist on the site. **No Impact.**

- c. *Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?*

Due to the developed and disturbed nature of the site, it is not likely that any unique paleontological resources exist on the site. **No Impact.**

- d. *Disturb any human remains, including those interred outside of formal cemeteries?*

Due to the developed and disturbed nature of the site, it is not likely that any human remains exist on the site. **No Impact.**

2.6 Geology and Soils

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.				
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, differential settlement, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The Seismic Shaking Potential map, Figure HS-3 of the General Plan depicts the project outside of the Highest Potential Earthquake Damage Area; however near the Midland Fault. The project is not located within an Alquist-Priolo fault zone per the Alquist-Priolo Earthquake Fault Zoning Map. Per General Plan Figure HS-6, the project site has Moderate liquefaction potential. The Landslide Stability map (Figure HS-5) does not map the project area with a landslide susceptibility classification; however the entire project and lands immediately adjacent to the site exhibit relatively flat slopes (less than 6%).

Impacts Discussion

a. *Would the project cause*

1. *Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other*

substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)

The site does lie within, or in close proximity to, an earthquake fault zone. **No Impact.**

2. *Strong seismic ground shaking?*

The site does lie within, or in close proximity to, an earthquake fault zone. **No Impact.**

3. *Seismic-related ground failure, including liquefaction?*

The site is in an area with a moderate potential for liquefaction (2008 Solano General Plan). The building will be designed in conformance with the county's current building code, which will require a soils and geologic report and a foundation and structural engineering designed to minimize any impacts from liquefaction. **Less Than Significant Impact.**

4. *Landslides?*

The site does not lie within, or in close proximity to, areas subject to potential landslides (2008 Solano General Plan). **No Impact.**

b. *Result in substantial soil erosion or the loss of topsoil?*

The project will be constructed within the developed footprint of the existing agricultural processing facility. A major grading and drainage permit is necessary prior to any construction, which will impose conditions of approval to prevent storm water pollution. **No Impact.**

c. *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, differential settlement, liquefaction or collapse?*

The existing buildings were built in 1999 and have shown no signs of distress related to soils or geologic conditions. The building will be designed in conformance with the county's current building code, which will require a soils and geologic report and foundation and structural engineering designed to prevent any impacts from on- or off-site landslide, lateral spreading, subsidence, differential settlement, liquefaction or collapse. **No Impact.**

d. *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

The building will be designed in conformance with the county's current building code, which will require a soils and geologic report and foundation and structural engineering designed to prevent any impacts from on- or off-site landslide, lateral spreading, subsidence, differential settlement, liquefaction or collapse. **No Impact.**

e. *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The existing facility maintains a septic system that functions in compliance with the County's environmental health requirements. It will be expanded to handle the increased discharges from the expansion project. **No Impact.**

2.7 Greenhouse Gas Emissions

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

See discussion under 2.3 Air Quality.

Impacts Discussion

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

The proposed project may generate greenhouse gas emissions in addition to other emissions during the construction phase of the project. **Less Than Significant With Mitigation. See Mitigation Measures.**

- b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The proposed project may generate greenhouse gas emissions in addition to other emissions during the construction phase of the project. **Less Than Significant With Mitigation. See Mitigation Measures.**

Avoidance, Minimization Measures and/or Mitigation Measures

Mitigation Measures

Mitigation Measures 2.7.a. Require Tier-3 Compliant Construction Equipment. Equipment utilized during grading and construction shall meet Tier-3 standards of emission control.

2.8 Hazards and Hazardous Materials

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The facility operates an 8,000 gallon propane tank located 40' from the processing building, utilized for a process hot water boiler and gas-fired unit heaters. The applicant maintains an approved Hazardous Materials Plan with the county for the following materials utilized on-site:

- Isopropyl alcohol
- potassium nitrate
- liquid bleach
- granular sodium hypochlorite

- argon gas
- oxygen
- acetylene
- ethylene
- propane
- diesel
- acid detergent, and
- non-flammable gas mixture

Impact Discussion

- a. *Does the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project operates in compliance with a Hazardous Materials Business Plan issued by Solano County Department of Resource Management. The plan provides for the proper use and storage of the materials identified above as well as emergency response procedures in the event of a release of hazardous materials. The management of these materials reduces the likelihood of an adverse impact. **Less Than Significant Impact.**

- b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

See discussion under (a) above. **Less Than Significant Impact.**

- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The project is not located within one-quarter mile of a school. **No Impact.**

- d. *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The project is not located on a hazardous materials site as defined in Government Code Section 65962.5. **No Impact.**

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

The project is not located within an airport land use area of influence, or within two miles of a public airport. **No Impact.**

- f. *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The project is not within the vicinity of a private airstrip. **No Impact.**

- g. *Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?*

The project will not affect any adopted emergency response plans. **No Impact.**

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project is not located in the vicinity of any wildland/urban interface areas. **No Impact.**

2.9 Hydrology and Water

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

j. Be subject to inundation by seiche, tsunami, or mudflow?

Environmental Setting

Storm water from the subject site sheds from north to south collecting in existing drainage courses and seasonal ditches, constructed as part of the agricultural operations on the property, with outfall to McCune Creek; there are no chemicals or fertilizers used by the crops. The absorption rate, drainage patterns and surface runoff are affected slightly by the building and paving areas, however, the runoff is collected by new ditches that tie into the existing drainage courses resulting in no significant increase.

The existing processing facility has a 64,000 gallon water storage tank which draws from an on-site domestic water well at a flow rate of 270 GPM. This water is used for the germination/growing/washing of sprouts, which in turn will be collected by a series of drains throughout the building, cleaned by a separation system and discharged into the on-site pond. The pond water will be reclaimed for irrigation as well as percolation to groundwater. The waste discharge is controlled by a current waste discharge permit issued by the Central Valley Water Quality Control Board.

Impact Discussion

a. *Violate any water quality standards or waste discharge requirements?*

The project is subject to the waste discharge requirements of the Central Valley Water Quality Control Board and operates in accordance with their permit. The expanded facility will continue to be permitted by the CVWQCB. Adherence to those requirements protects against violations of water quality standards. **No Impact.**

b. *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

The existing plant utilizes an on-site well for process water. The expansion is not expected to require a substantial increase in current well draws. **Less Than Significant Impact.**

c. *Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

McCune Creek flows through the site, approximately 300 feet west of the facility. Under the required major grading permit, the project shall retain any additional storm water flows so that the rate of discharge is not increased through the minimal addition of the new vehicular access around the proposed seed storage structure. A storm water pollution prevention plan will protect McCune Creek from the potential for erosion or siltation. **No Impact.**

d. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?*

Refer to (c) above. **Less Than Significant Impact.**

- e. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Refer to (c) above. **No Impact.**

- f. *Otherwise substantially degrade water quality?*

The project includes a holding pond for waste water discharge, prior to the beneficial reuse on site for irrigation water. This system prevents the release of wastewater into McCune Creek. **No Impact.**

- g. *Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

The project site is not located within the 100 year flood zone as identified by FEMA. **No Impact.**

- h. *Place within a 100-year flood hazard area structures that would impede or redirect flood flows?*

Refer to (g) above. **No Impact.**

- i. *Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?*

Refer to (g) above. **No Impact.**

- j. *Be subject to inundation by seiche, tsunami, or mudflow?*

The project is not in an area which would experience any inundation by seiche, tsunami, or mudflow. **No Impact.**

2.10 Land Use and Planning

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project is situated within a predominantly agricultural setting identified as the Dixon Ridge Agricultural Region in the Solano County General Plan. Dixon Ridge and the Agricultural General Plan designation and policies provide for agricultural production, processing facilities, and services. The project is consistent with the intent of these designations.

The project does not lie within a “priority habitat conservation area” as defined in the General Plan. The existing use and proposed expansion is consistent with the Exclusive Agricultural Zoning District and applicable land use regulations.

Impacts Discussion

a. *Physically divide an established community?*

The project is located on an agricultural parcel and not within an established community. **No Impact.**

b. *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The project is consistent with the General Plan designation and Zoning Districts applied to the subject property. **No Impact.**

c. *Conflict with any applicable habitat conservation plan or natural community conservation plan*

The project is not a part of either a *habitat conservation plan or natural community conservation plan.* **No Impact.**

2.11 Mineral Resources

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project is located within an area that is not identified on the Mineral Resources map of the General Plan (Figure RS-4).

Impacts Discussion

- a. *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No known mineral resources exist at the site. **No Impact.**

- b. *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

Refer to (a) above. **No Impact.**

2.12 Noise

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of, excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Environmental Setting

The project is adjacent to Interstate 80, a source of significant noise. The 2008 Solano County General Plan indicates a noise contour of 60 dB at the proposed location of the processing facility. The General Plan recommends that new industrial uses are appropriate with noise levels of less than 70 dB.

Impacts Discussion

a. *Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The existing facility and project expansion does not include industrial processes that generate significant vibration or noise levels. **No Impact.**

b. *Exposure of persons to or generation of, excessive ground borne vibration or ground borne noise levels?*

Refer to (a) above. **No Impact.**

c. *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Refer to (a) above. **No Impact.**

d. *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Refer to (a) above. **No Impact.**

e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The project is not located within the area of influence of an airport land use compatibility plan, nor is it located within two miles of a public airport. **No Impact.**

f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

The project is not located within the vicinity of a private airstrip. **No Impact.**

2.13 Population and Housing

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impacts Discussion

- a. *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The project provides for an upgrade to the existing facilities operations by incorporating new technologies and production processes. **No Impact.**

- b. *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

There is no existing housing in the project's expansion area. No housing units are proposed for removal. **No Impact.**

- c. *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Refer to (b) above. **No Impact.**

2.14 Public Services

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project involves an expansion to the existing agricultural processing facility. The project does not introduce any change to existing public services.

Impacts Discussion

- a. *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

The project does not introduce any change to existing public services. **No Impact.**

- 1) *Fire Protection?*

Refer to (a) above. **No Impact.**

- 2) *Police Protection?*

Refer to (a) above. **No Impact.**

- 3) *Schools?*

Refer to (a) above. **No Impact.**

- 4) *Parks?*

Refer to (a) above. **No Impact.**

5) *Other Public Facilities?*

Refer to (a) above. **No Impact.**

2.15 Recreation

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project involves the expansion of an existing agricultural processing facility. There is no residential component to the project. There are no recreational facilities in the immediate vicinity of the project and the project does not relate to recreational facilities.

Impacts Discussion

a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project does not generated demand for recreational uses. **No Impact.**

b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?*

The project does not include, nor require, the construction of new recreational facilities. **No Impact.**

c. *Physically degrade existing recreational resources?*

The project does not physically degrade existing recreational facilities. **No Impact.**

2.16 Transportation and Traffic

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The applicant estimates that the site currently generates between 68 and 87 vehicle trips per day. This includes approximately 50-60 employee trips, 18-22 export and import delivery trucks, and 0-5 visitors per day. The applicant expects vehicle trips to remain unchanged with the proposed project.

Dixon Avenue West has the capacity of 4,000 vehicles per day. When last surveyed, it was operating at 1,310 vehicles per day.

Impacts Discussion

- a. *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?*

The capacity of Dixon Avenue West far exceeds its current usage and operates at a Level of Service A. Any negligible increase in the number of vehicle trips would not change the current level of Service. **No Impact.**

- b. *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?*

Refer to (a) above. **No Impact.**

- c. *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The project does not include any air transportation and will not interfere with air traffic. **No Impact.**

- d. *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?*

The proposed facility does not include any features which create dangerous conditions. **No Impact.**

- e. *Result in inadequate emergency access?*

The project does not alter the access to the site. The new structures will have emergency access on all sides. **No Impact.**

- f. *Result in inadequate parking capacity?*

The project meets the county's requirements for off-street parking and loading (per Zoning Regulations). **No Impact.**

- g. *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

Due to its location in an agricultural area, the project does not conflict with any alternative transportation plans or policies. **No Impact.**

2.17 Utilities and Service Systems

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

PG&E have extended underground electrical service to the site. Natural gas was not economically feasible to extend to the facility so a certified propane tank was provided. Telephone service has been extended to the facility.

An on-site disposal system (septic tank with an evaporation sand filter) has been constructed and received final construction inspection by the Environmental Health Services Division.

Vacaville Sanitation provides building solid waste disposal. Sprout waste from the facility will be collected/separated from the general solid waste and used for compost by the operator. The compost will be spread onto the fields and disked in on a regular basis. Compost piling will not occur.

Impacts Discussion

- a. *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

The project operates with a wastewater discharge permit from the Central valley Water Quality Control Board. The new facility will be incorporated into the existing permit to regulate wastewater discharge. **No Impact.**

- b. *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The existing wastewater treatment system is adequate for the new facility. No new construction is required. **No Impact.**

- c. *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The project will require a major grading and drainage permit from the county. A retention pond is maintained to manage the storm water flows into McCune Creek. **No Impact.**

- d. *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

The project operates with a locally approved well water drinking water system. The facility currently operates at levels which may require additional drinking water entitlements, including a public water system permit from the California Department of Public Health.

The Safe Drinking Water Act requires that no person operate a public water system without first having secured a domestic water supply permit from the Department of Public Health. Operating a public water system without a proper permit may constitute a danger to consumers and the operator may be liable in the event of consumer illness. A public water system permit issued by the Department of Public Health may necessary for the existing and proposed uses at Salad Cosmo USA.

The permittee shall consult with the California Department of Public Health on the requirements for operating a public water system and, if required, obtain and comply with a public water system permit. **Less Than Significant with Mitigation.**

- e. *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

An on-site disposal system (septic tank with an evaporation sand filter) has been constructed and received final construction inspection by the Environmental Health Services Division. **No Impact.**

- f. *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Solano County is served by two landfills which maintain more than a fifteen year capacity for the county's solid waste disposal needs. The solid waste generated by the current facility will increase slightly with the implementation of the proposed project. **No Impact.**

g. *Comply with federal, state, and local statutes and regulations related to solid waste?*

The Environmental Health Division has determined that the project complies with federal, state, and local statutes and regulations related to solid waste. **No Impact.**

Avoidance, Minimization Measures and/or Mitigation Measures

Mitigation Measure 2.17 (d): Public Water System Permit Requirements.

The permittee shall consult with the Department of Public Health and if it is determined that the project requires a public water system permit, applicant shall obtain and comply with a public water system permit.

2.18 Mandatory Findings of Significance

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

As outlined through the various Checklist Chapters of this Initial Study, the project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory.

Impacts Discussion

a. *Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5)*

reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?

See Sections 2.1 thru 2.17. **Less Than Significant Impact with Mitigation.**

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.*

See Sections 2.1 thru 2.17. **Less Than Significant Impact with Mitigation.**

- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

See Sections 2.1 thru 2.17. **Less Than Significant Impact with Mitigation.**

3.0 Agency Coordination and Public Involvement

3.1 Consultation and Coordination with Public Agencies

The Initial Study is being circulated through the State Clearinghouse for a thirty (30) public comment period.

3.2 Public Participation Methods

The Initial Study is being circulated for public comment and referred to the State Clearinghouse for coordinated review by state agencies. In addition, it will be sent to the Department of Conservation and the Solano County Agriculture Commissioner and other local agencies for review and comment. For a complete list of agencies reviewing the document, see Section 5.0 Distribution List.

The Initial Study is available at the Solano County Department of Resource Management and online at the Department's Planning Services Division website at:

<http://www.solanocounty.com/depts/rm/documents/eir/default.asp>

Interested parties may contact the planner assigned to this project at the contact points provided below:

Eric Wilberg
Planner Associate

Department of Resource Management
Planning Services Division
675 Texas Street Suite 5500
Fairfield, CA 94533

Tel: (707) 784-6765
Fax: (707) 784-4805
E-mail: ejwilberg@solanocounty.com

4.0 List of Preparers

This Initial Study was prepared by the Solano County Department of Resource Management.

5.0 Distribution List

Federal Agencies

U.S. Army Corps of Engineers
U.S. Department of Fish and Wildlife

State Agencies

California Department of Conservation
California Department of Fish and Wildlife
California Department of Public Health, Drinking Water Field Operations Branch
California Department of Transportation

Regional Agencies

Yolo-Solano Air Quality Management District
Central Valley Regional Water Quality Control Board

Other

City of Dixon Planning Department
City of Vacaville Planning Department
Solano Irrigation District
Dixon Fire District
Solano County Building Division
Solano County Environmental Health Division
Solano County Public Works Engineering Division
Solano County Water Agency
Ulatis Soil Conservation District

6.0 Appendices

6.1 Initial Study, Part I –Use Permit application

6.2 Assessor's Parcel Maps

6.0 APPENDICES

6.1



DEPARTMENT OF RESOURCE MANAGEMENT
PLANNING SERVICES APPLICATION FORM

675 Texas Street Suite 5500, Fairfield, CA 94533

(707) 784-6765 Phone
(707) 784-4805 Fax

www.solanocounty.com

- Application Type: [] New [] Extension (maps) [] Minor Revision [] Map Modification
[] Administrative Permit (AD) [] Minor Use Permit (MU) [] Sign Permit (SGN)
[] Architectural Review (AR) [] Mobilehome Storage Permit (MH) [] Use Permit (U)
[] General Plan Amendment (G) [] Mutual Agreement (MA) [] Variance (V)
[] Major Subdivision (S) [] Performance Standards (PS) [] Waiver (WA)
[] Marsh Development Permit (MD) [] Policy Plan Overlay (PP) [] Zone Text Amendment (ZT)
[] Minor Subdivision (MS) [] Rezone (Z)

FOR OFFICE USE ONLY

U.98 28 MK-2

Application No: MR# Hrg: AD ZA PC BOS Date Filed: NOV 29, 2017 Plnr:

Project Name: Salad Cosmo, USA

Subject Site Information

Site Address: 5944 Dixon Ave. West City: Dixon State: CA Zip: 95620

Assessor's Parcel Number (s): 109-030-04 Size (sq. ft/acre):

Preferred Property Access by Staff: [x] OK to access [] Call applicant before access [] Call owner before access

Contact Information

Property Owner Name: Masahiro Nakada

Contact Name: Masahiro Nakada Phone: (707) 678-6633 Email: mnakada@saladcosmo.com

Mailing Address: 5944 Dixon Ave. West City: Dixon State: CA Zip: 95620

Architect/Engineer/Land Surveyor Company Name: E. M. Kado Architecture

Contact Name: Edwin M. Kado Phone: (916) 921-1661 Email: kado@emkarch.com

Mailing Address: 1661 Garden Hwy, Ste 200 City: Sacramento State: CA Zip: 95833

Applicant/Company Name: Salad Cosmo, USA

Contact Name: Masahiro Nakada Phone: (707) 678-6633 Email: mnakada@saladcosmo.com

Mailing Address: 5944 Dixon Ave. West City: Dixon State: CA Zip: 95620

Other Contacts:

Name: Phone: Email:

Mailing Address: City: State: Zip:

PROJECT NARRATIVE

This expansion project is to address needs that came to light after the completion of the large expansion project four years ago but not put into operation until a year later. The following is a narrative of the two phases of additions and alterations that are needed to augment the operations of the last major expansion.

FIRST PHASE

1. Addition of a new seed storage building of 11,366 sq. ft. This storage area is necessary to store on site and in close proximity to the growing line. Seed purchases are now made under more advantageous bulk purchases. Seeds are now having to be stored in rented warehouses off site.

2. Addition of two grow rooms of 4,798 sq. ft. to produce "organic" bean sprouts.

3A. Relocate radish sprout operations into south half of existing green house and remove north half of existing greenhouse. Reduction of 5,089 sq. ft.

3B. Remove west greenhouse appendage of the original building. A reduction of 5,614 sq. ft. The net overall increase resulting from phase 1 is 5,461 sq. ft. 11,366 sq. ft. plus 4,758 sq. ft. equals 16,164 sq. ft. minus 5,089 sq. ft. minus 5,614 sq. ft. equals 5,470 sq. ft. a net increase of 4% overall floor area.

SECOND PHASE

Second phase to be scheduled after completion of first phase work. The FIRST PHASE work is to accommodate the bean sprout growing that is conducted in complete darkness. Phase 2 is to prepare for the growing of other types of sprouts in sunlit greenhouses, the expansion of cold storage and expansion of the processing area to accommodate a backup processing line. Currently there is no provision of a backup processing line in case of a break down.

3C, 3D and 3E are future greenhouses of 4, 800 sq. ft. each.

4. Expansion of existing cold storage room to physically connect to the original building approximately 5,506 sq. ft.

5. Expansion of existing processing area 4,517 sq. ft. to accommodate backup processing line.

3 Williamson Act Contract

A. Is any portion of the property under Williamson Act Contract? Yes No

If yes, Contract No. _____ please provide a copy.

If yes, has a Notice of Non-Renewal been filed? Yes No

If yes, please provide a copy.

B. Are there any agricultural conservation, open space or similar easements affecting the use of the project site? (such easements do not include Williamson Act contracts)

Yes No *if yes, please list and provide a copy.* Agricultural Preserve

4 Additional Background Information

A. Does the proposal propose the demolition or alteration of any existing structures on the subject site?

Yes No *If yes, please describe in the project narrative.*

B. List any permits that are required from Solano County and/or other local, state, federal agencies (i.e. building permit, Department of Fish and Game permits, etc.)

Building Department

C. List any known previously approved projects located on the property (i.e. Use Permit, Parcel Maps, etc). Identify the project name, type of project and date of approval.

N/A

D. List any known professionally prepared reports for the project (i.e. biological survey, traffic study, geologic, hazardous materials, etc.)

None

E. Does the project involve Housing and Urban Development (HUD) federal funding? Yes No
Is HUD funding anticipated? Yes No

If yes, indicate the type of funding (i.e. CDBG grant, HOME, Investment Partnership Program, etc), funding amount, whether awarded or application pending and fiscal year of award or application request.

H. Is this part of a larger project? If yes, please explain. Yes No

Expansion of existing facilities (see Project description)

5 Existing Conditions

Describe in general the project site and surrounding properties as they presently exist; including but not limited to, information on existing land uses, unique physical and topographic features, soil stability, plants and animals, cultural, historical, or scenic aspects, and any other information which would assist the Department in understanding the project's environmental setting. Clear, representative color photographs may be submitted to show the project area. Draw in property boundaries on the photographs.

A. Project site:

Indoor bean sprout growing facility.

B. Surrounding properties:

Agricultural

C. Existing use of land:

Bean sprout growing.

D. Describe number and type of existing structures:

	Type/Number	Square Feet
Residential		
Agricultural	Bean sprout growing	126,151
Commercial		
Industrial		
Other		

E. Describe existing vegetation on site, including number and type of existing trees.

F. If in agricultural use, describe type of use or crop (cattle, sheep, hay, vegetables, fruit, etc).

Hay

G. Slope of property:

Flat or sloping (0 - 6% slope) 100% acres
Rolling (7 - 15% slope) _____ acres
Hilly (16 - 24% slope) _____ acres
Steep (> 24% slope) _____ acres

H. Describe existing drainage conditions on site. Indicate direction of surface flows, adjacent parcels affected.

I. Describe land uses on adjacent parcels (specify types of crops if agricultural).

North	Orchard	South	Freeway I-80
East	Corn	West	Alfalfa

J. Distance to nearest residence(s) or other adjacent use(s): 5 miles (ft/mi)

K. Describe and indicate location of any power lines, water mains, pipelines or other transmission lines which are located on or adjacent to the property.

N/A

L. Describe number and location of natural creeks or water courses through or adjacent to the property. Specify names (if any). Indicate whether ephemeral (brief flows following rains), intermittent (seasonal flows during wet season), or perennial (year-round flows).

Mcuen Creek

M. Describe number and location of man-made drainage channels through or adjacent to the property. Specify names, if any.

N/A

N. Identify and describe any on-site or adjacent marshes, wetlands, vernal pools, wet meadows, riparian (i.e. dependant on water bodies) vegetation, etc.:

Water hold ponds piped to irrigate adjacent agricultural fields.

O. Are there any unique, sensitive, rare, threatened, or endangered animals, plants, or habitats on the project site or located in close proximity which may be affected by the project?

Yes _____ No X Don't Know _____ If yes, please list:

P. Describe existing vehicle access(s) to property:

Paved roadway.

- Q. List and describe the nature and location of all existing easements serving or affecting the property, including access, utility, and other public or private easements (see deed or recent preliminary title report).

N/A

- R. List and describe any freestanding and attached signage on the property. Describe the dimensions, area and height. Include the location on the site plan.

Existing free-standing Salad Cosmo address sign ' x '

6 Proposed Changes to the Site

- A. Topography and grading (attach copy of grading plan showing existing and proposed topography and drainage patterns.)

i. Percent of site previously graded: _____%.

ii. Project area (area to be graded or otherwise disturbed): _____sq. ft./acres.

iii. Estimate amount of soil to be moved (cut and/or fill):

_____ Less than 50 cubic yds³ _____ More than 50 cubic yds³ 5,000 More than 1000 cubic yds³

iv. Estimate amount of soil to be:

Imported _____yd³ Exported _____yd³ Used on site 5,000 yd³.

- B. Number, size and type of trees, and type and quantity of vegetation to be removed. (size of trees = diameter at 4ft. above grade)

N/A

- C. Number, type and use of existing structures to be removed, and removal schedule:

See Project description.

- D. Describe proposed fencing and/or visual screening (landscaping):

N/A

- E. Proposed access to project site (road name, driveway location, etc.):

Existing paved driveway.

- F. Proposed source and method of water supply:

Well water.

- G. Proposed method of sewage disposal (specify agency if public sewer):

Existing septic.

H. Provisions for solid/hazardous waste disposal (specify company or agency if applicable):

I. List hazardous materials or wastes handled on-site:

N/A

J. Duration of construction and/or anticipated phasing:

Phase I: March 2018, 6 months; Phase II: 2019.

K. Will the proposed use be affected by or sensitive to existing noise in the vicinity? If so, describe source (e.g. freeway, industrial) and distance to noise source.

N/A

7 Proposed Site Utilization

A. RESIDENTIAL PROJECTS

1. Number of structures: Single Family: _____ Multi-family: _____ Accessory: _____

If multi-family, number of units: _____ Maximum height: _____

2. Signage: Freestanding: _____ Dimension(s): _____ Area: _____ (sq.ft)

Attached/Wall: _____ Dimensions(s): _____ Area: _____ (sq.ft)

B. NON-RESIDENTIAL PROJECTS (Commercial, Industrial, Agricultural, Other)

1. Lot coverage:

Building coverage: 126,151 (sq.ft) Surfaced area: _____ (sq.ft)

Landscaped or open space: _____ (sq.ft)

2. Total floor area: Same (sq.ft)

3. Number of stories: One Maximum height: 24 (ft.)

4. Proposed hours of operation:

Days: 7

From: 24-7 a.m./p.m to _____ a.m./p.m

Year round: Yes No

Months of operation: from 1 through 12

5. Proposed construction schedule:

Daily construction schedule: from 6 a.m. a.m./p.m. to 3 p.m. a.m./p.m.

Days of construction: One Hundred Twenty (120)

6. Will this project be constructed in phases? Describe:

Yes, Phase I and Phase II. Please refer to Project Narrative attached herewith.

7. Maximum number of people using facilities:

At any one time: No Change Throughout day: No Change

8. Total number of employees: No Change

Expected maximum number of employees on site: No Change

During a shift: No Change During day: No Change

9. Number of parking spaces proposed: No Change

10. Maximum number of vehicles expected to arrive at site:

At any one time: No Change day: No Change

11. Radius of service area: No Change

12. Type of loading/unloading facilities:

Same number of existing truck loading dock openings.

13. Type of exterior lighting proposed:

LED

14. Describe all anticipated noise-generating operations, vehicles or equipment on-site.

No Change

15. Describe all proposed uses which may emit odors detectable on or off-site.

N/A

16. Describe all proposed freestanding and wall signage. Include the dimensions, area and height.

Existing sign.

8 Environmental Checklist

Indicate the following items applicable to the project or its effects. Discuss in Section 9 all items checked "Yes" or "Maybe". **Attach additional sheets as necessary.**

	YES	MAYBE	NO
A. Change in existing natural features including any bays, tidelands, lakes, streams, beaches, natural landforms or vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Change in scenic views or vistas from existing residential areas, public lands or roads.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Change in scale, pattern or character of general area of project.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Increased amounts of solid waste or litter.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Dust, ash, smoke, fumes or odors on site or in vicinity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Change in ground water quality or quantity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G. Alteration of existing drainage patterns, or change in surface water quantity or quality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H. Change in existing noise or vibration levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I. Construction on filled land or construction or grading on slopes of 25% or more.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
J. Storage, use or disposal of materials potentially hazardous to man or wildlife, including gasoline and diesel fuel. (See Environmental Health Division for assistance or information).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
K. Increase in demand for public services (police, fire, water, sewer, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
L. Increase in fossil fuel consumption (electricity, natural gas, oil, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
M. Change in use of or access to an existing recreational area or navigable stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
N. Change in traffic or vehicular noise on road system in immediate vicinity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
O. Increased hazards for vehicles, bicycles or pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P. Removal of agricultural or grazing lands from production.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Q. Relocation of people.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9 Additional Information by Applicant

In order to make this application COMPLETE, please submit any additional data, information or special study reports that may be necessary to determine whether the project may have significant effect on the environment or to evaluate any adverse impacts, and to determine how they may be mitigated. Add additional pages as necessary.

10 Information Verification - Signed by Owner and Applicant

Owner and Applicant must sign below certifying that all information is to the best of his/her knowledge true and correct.

If the applicant is not the owner of record of all property included in this application, the signature given below is certification that the owners of record have knowledge of and consent to the filing of this application and supporting information. Additionally, the undersigned does hereby authorize representatives of the County to enter upon the above mentioned property for inspection purposes. **This certification acknowledges that if the project exceeds double that of the application fee, applicants are subject to the hourly billing rate of staff time. You will be notified if the project is approaching this threshold.**

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Owner signature: _____ Date: _____

PRINTED NAME: Masahiro Nakada

Applicant signature: _____ Date: _____

PRINTED NAME: Masahiro Nakada

For Office Use Only

Planning Permit Fee(s)		Environmental Review Fees	
_____	\$ _____	Initial Study	\$ 1046 ²⁵
_____	\$ _____	Archaeological Study (Sonoma State NWIC)	\$ 75
_____	\$ _____	Negative Declaration	\$ 2177
_____	\$ _____	CA Fish and Games (ND or EIR)	\$ 2274 ²⁵
_____	\$ _____	Initiate EIR	\$ _____
_____	\$ _____	Mitigation Monitoring Plan	\$ _____
Total	\$ _____	Total	\$ _____
Total Fees Paid (P + E)	\$ 5573 ⁵⁰	Receipt No.: 1054188	DATE: _____

Staff verify: Zoning: _____ GP Land Use & Consistency: _____

Comments: _____ Staff/Date: _____

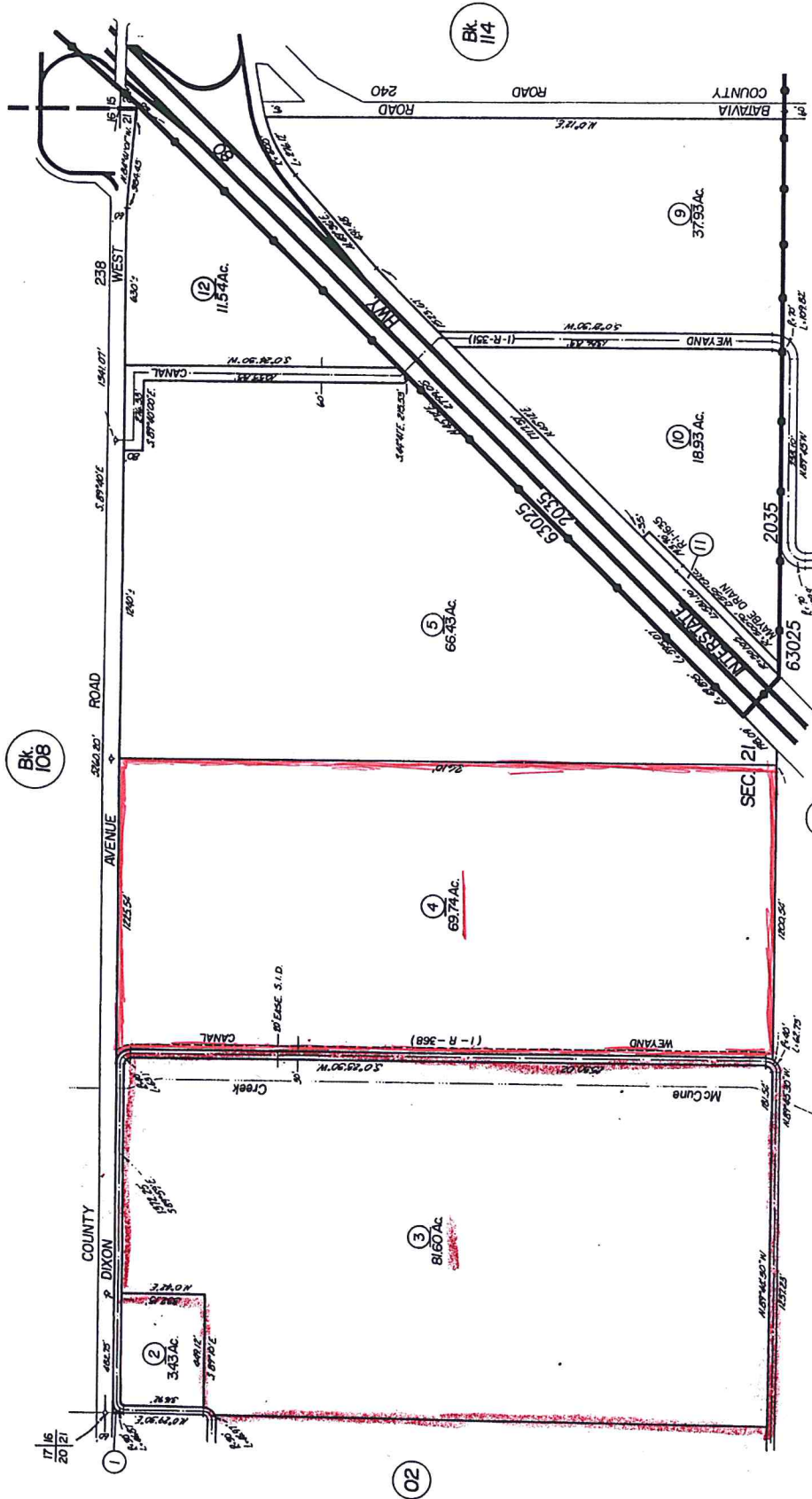
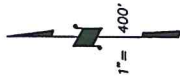
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6.2

N. 1/2 SEC. 21, T.7N., R.1E., M.D.B. & M.

Tax Area Code
2035
63025

109-03



NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

NOTE: Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles

CITY OF DIXON & VICINITY
Assessor's Map Bk. 109 Pg. 03
County of Solano, Calif.

9798

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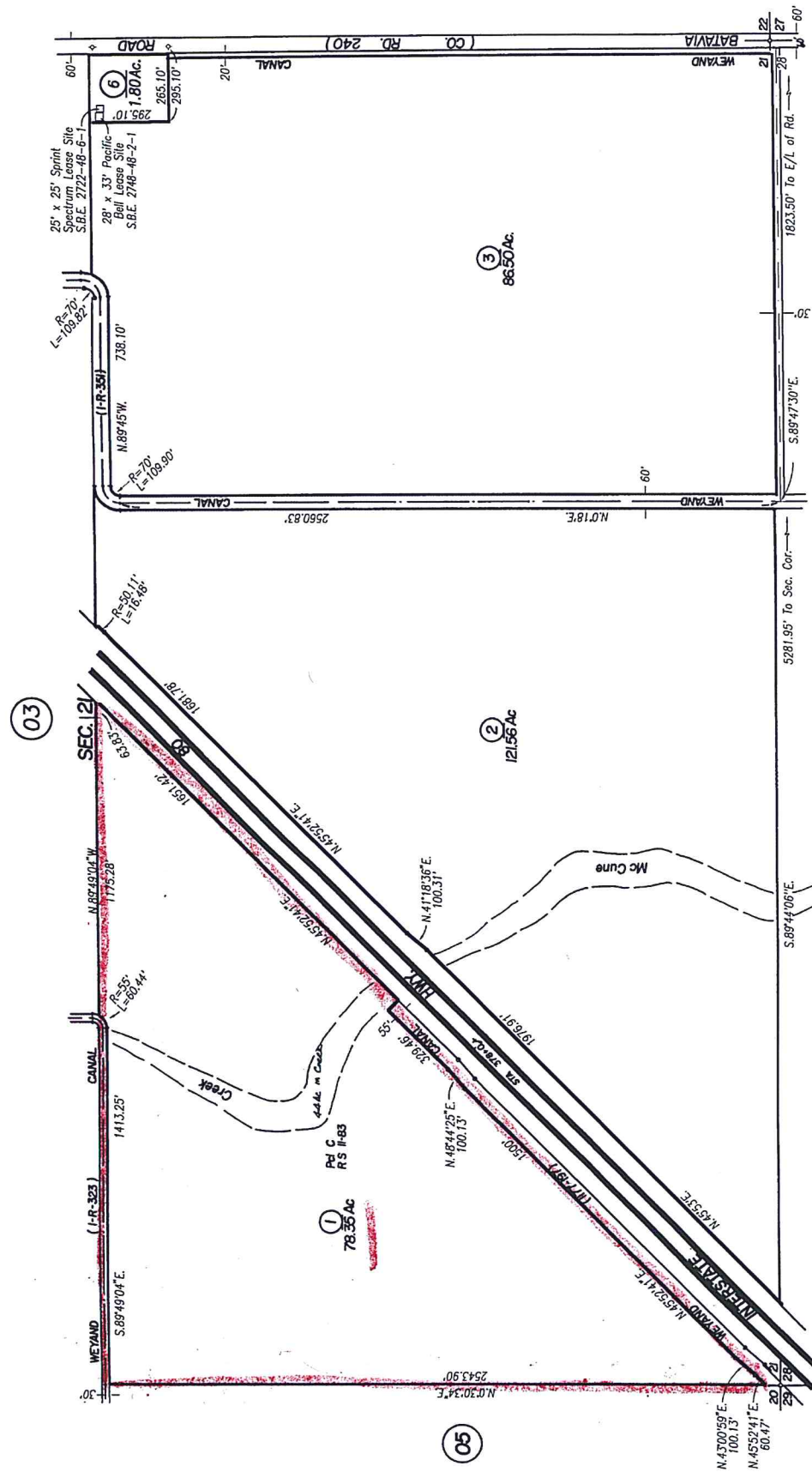
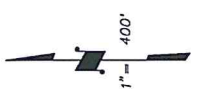
REVISION	DATE	BY
SBE 97-006	10-04-96	DV

FILE COPY
U-98-28-MR2
Salad Cosmo

S. 1/2 SEC. 21, T.7N., R.1E., M.D.B. & M.

Tax Area Code
63025

109-06



NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

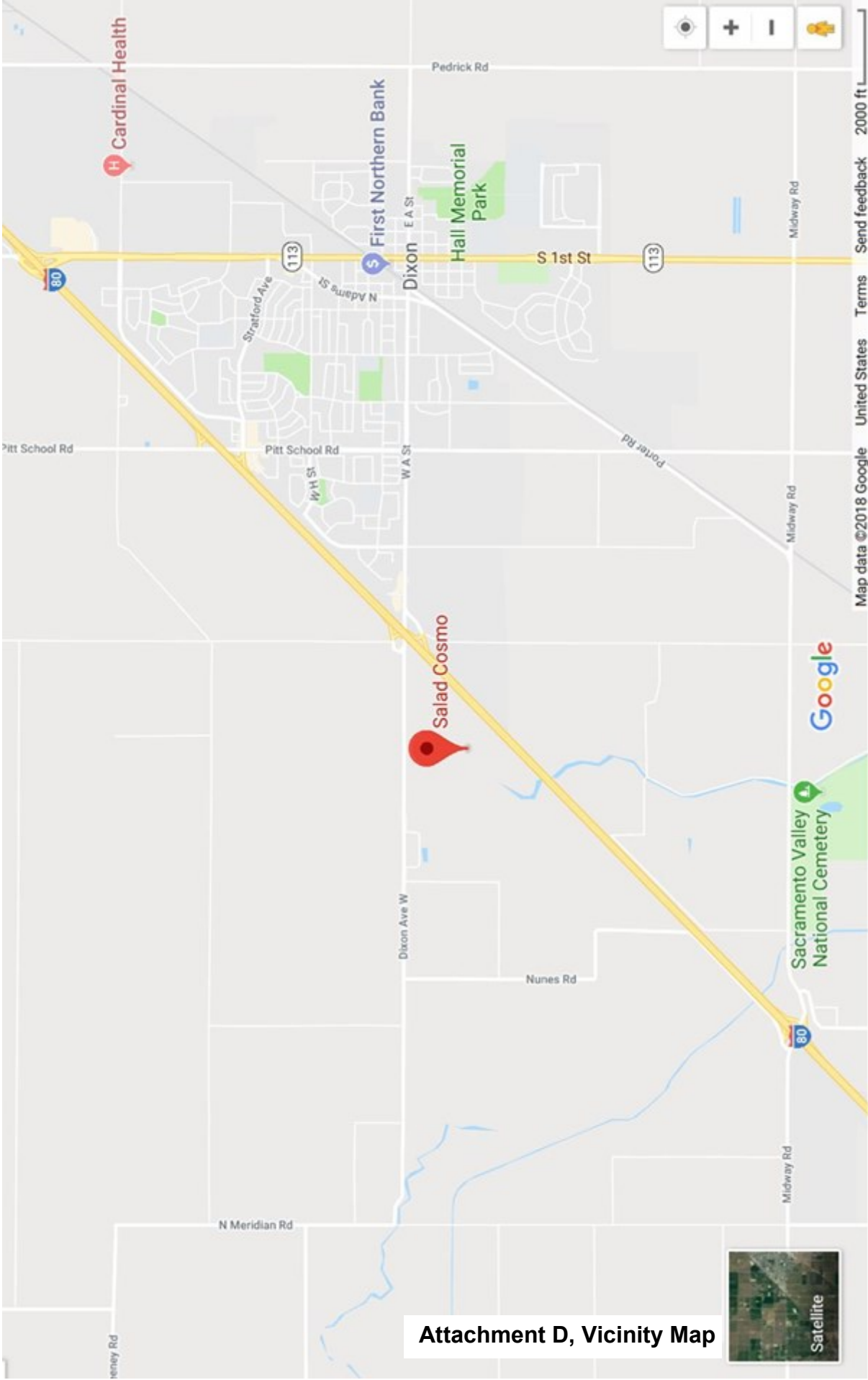
NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

REVISION	DATE	BY
SBE-FU (060-06) 6-28-00	Pd	
SBE-FU (060-06) 12-19-97	Pd	
IMP CORR (Add TAC) 12-6-96	Pd	
060-06 (06)	6-7-96	Pd

Assessor's Map Bk. 109 Pg. 06
County of Solano, Calif.

01 02

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Attachment D, Vicinity Map



Attachment E, Aerial Photo May 2017

PHOTOGRAPHS OF EXISTING FACILITY

 <p>1 VIEW FROM THE ENTRY DRIVEWAY JUST OFF OF DIXON AVENUE WEST BETWEEN A COLONNADE OF TREES LEADING TO THE PLANT SEEN IN THE FAR RIGHT BACKGROUND</p>	 <p>2 VIEW FROM THE EAST APPROACHING THE FACILITY WITH ORIGINAL BUILDING TO THE LEFT AND THE LATEST EXPANSION STRAIGHT ON.</p>	 <p>3 VIEW OF THE ORIGINAL BUILDING FROM THE EMPLOYEE PARKING IN THE FOREGROUND AND THE LATEST EXPANSION IN THE FAR RIGHT BACKGROUND</p>
 <p>4 VIEW OF LATEST EXPANSION WITH THE TRUCK LOADING DOCKS TO THE LEFT AND THE ENTRY TO THE TWO LEVEL ADMINISTRATIVE OFFICES.</p>	 <p>5 VIEW OF THE NORTH SIDE OF THE LATEST EXPANSION BUILDING WHERE THE NEW SEED STORAGE EXPANSION WILL BE ADDED.</p>	 <p>6 VIEW OF THE WEST SIDE OF THE LATEST EXPANSION WITH THE SEED TRUCK LOADING DOCKS TO THE LEFT AND THE EXISTING GROW ROOMS WHERE THE NEW GROW ROOMS WILL BE ADDED.</p>



DATE: _____

DATE: _____

DATE: _____

DATE: _____

DATE: _____

DATE: _____

DATE: _____

MASTER SITE PLAN SEPTEMBER 2017

SALAS ROMO
5840 DIXON RD
DIXON, CA 95620

DATE: _____

EXTERIOR PHOTOS

DATE: _____

DATE: _____

DATE: _____

Phase I

Additions	Size
Seed Storage expansion	11,291 sq. ft.
Cold Room storage	5,306 sq. ft.
Processing Room expansion	5,675 sq. ft.
Grow Room expansion	6,400 sq. ft.
Vehicular access	---
Solar PV system	67,276 sq. ft.(within existing waste water pond)
Demolitions	Size
Greenhouse (portion)	732 sq. ft.
"Old" Production Bldg. (portion)	5,614 sq. ft.
NET Change	22,326 sq. ft. increase, not including solar PV



PROPOSED EXPANSION MASTER
 PLAN SEPTEMBER 2017
 REVISED 05 MAY 2018



STATISTIC

SECOND ADDITION	83,387 SQ. FT.
ORIGINAL FACILITY	82,854 SQ. FT.
TOTAL	166,241 SQ. FT.
HASE	
1-SEED STORAGE ROOM EXPANSION	+11,291 SQ. FT.
2-EXPAND PAVED AREA AROUND NEW EXPANSION WITH THE EXISTING WATER DETENTION POND.	0 SQ. FT.
3-GROW ROOM EXPANSION	6,400 SQ. FT.
3A-REMOVE PART OF EXISTING GREENHOUSE	-732 SQ. FT.
3B-DEMOLISH PORTION OF EXISTING BLDG	-4,800 SQ. FT.
3C-ADD FUTURE GREENHOUSE	1,800 SQ. FT.
3D-PROCESSING ROOM EXPANSION	5,475 SQ. FT.
TOTAL	+22,034 SQ. FT.
PHASE	
3C-ADD FUTURE GREENHOUSE	1,800 SQ. FT.
3D-PROCESSING ROOM EXPANSION	5,475 SQ. FT.
3E-ADD FUTURE GREENHOUSE	1,800 SQ. FT.
TOTAL	+9,075 SQ. FT.
SECOND PHASE EXPANSION	+11,400 SQ. FT.
TOTAL PROPOSED EXPANSION	+36,402 SQ. FT. = 28.8% INCREASE

THE CITY OF DIXON, CALIFORNIA
 1000 WEST MAIN STREET, DIXON, CA 95621
 PHONE: (209) 837-1001 FAX: (209) 837-1000
 WWW.CITYOFDIXON.COM

MASTER SITE PLAN
 SEPTEMBER 2017

SCALE: 1/8" = 1'-0"

DATE: 09/20/17

PROJECT: SALAD COSMO
 1000 WEST MAIN STREET, DIXON, CA 95621

SCALE: 1/8" = 1'-0"

DATE: 09/20/17

PROJECT: SALAD COSMO
 1000 WEST MAIN STREET, DIXON, CA 95621

Attachment H, Site Plan



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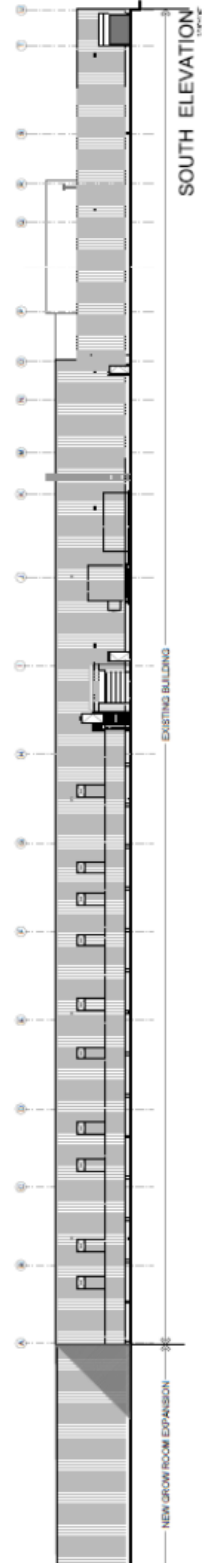
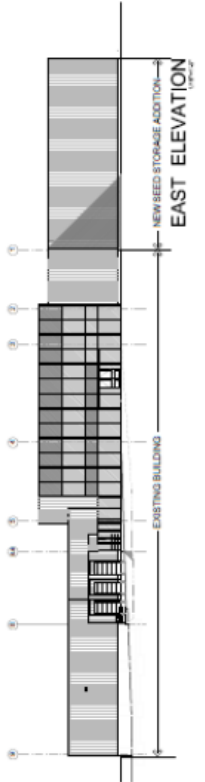
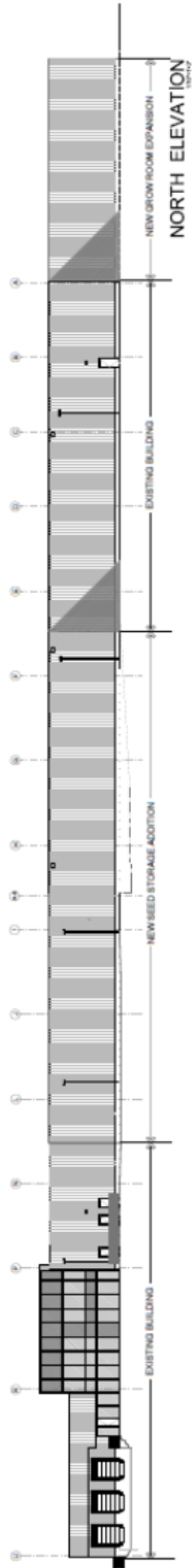
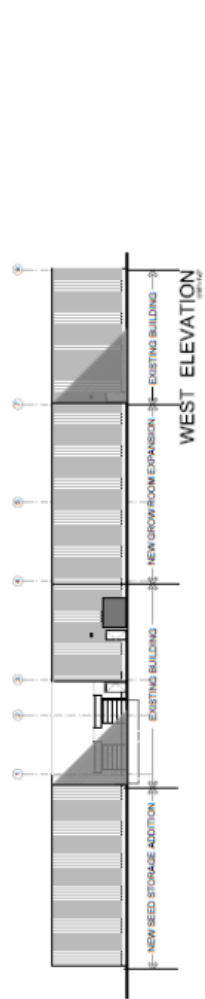
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Attachment I, Elevation Diagram



Agenda Submittal

Agenda #:	2	Status:	PC-Regular
Type:	PC-Document	Department:	Planning Commission
File #:	PC 18-030	Contact:	Michael Yankovich, 784-6765
Agenda date:	7/19/2018	Final action:	
Title:	CONTINUED PUBLIC HEARING to consider an ordinance (ZT-18-03) amending Chapter 28 of the Solano County Code to define the short-term rental of a dwelling as a “vacation house rental” and to authorize such land use, subject to an administrative or minor use permit, within the Agricultural, Rural Residential and Watershed Zoning Districts		

Governing body:

District:

Attachments: [A - Final Ordinance](#)
[B - County business licensing](#)
[B - Short term vacation rental ordinance](#)

Date	Ver.	Action By	Action	Result
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RECOMMENDATION:

The Planning Division of the Department of Resource Management recommends that the Planning Commission conduct a public hearing to consider an ordinance (Ordinance 1) addressing Vacation House Rentals in the unincorporated area of the county.

DISCUSSION:

At the June 21st meeting of the Planning Commission, staff presented two ordinances for the Commission’s consideration regarding vacation house rentals. Ordinance 1 grouped vacation house rentals into two categories - hosted and unhosted, and proposed general regulations along with specific regulations for each. Ordinance 2 collapsed the general and specific regulations contained in Ordinance 1 and placed them under the general heading of requirements.

The application submittal process for a hosted rental would be an Administrative permit while the unhosted rental would be a minor use permit. A hosted rental application process would involve the submittal of an administrative permit that the Director of Resource Management shall administratively approve if all standards and requirements of Chapter 28 and elsewhere in the Code are satisfied. The unhosted rental application process would involve the submittal of a minor use permit which requires a public hearing before the Zoning Administrator.

The application process for permits under Ordinance 2 would involve the submittal of an administrative permit that the Director of Resource Management shall administratively approve if all standards and requirements of Chapter 28 and elsewhere in the Code are satisfied.

Following a discussion period, the commission provided staff with comments which were incorporated into the Ordinance 1. Several commissioners indicated that they were comfortable with Ordinance 1 with the incorporation of stated comments, while one commissioner felt that hosted only vacation house rentals are reasonable since the residential character of the neighborhood is retained

Changes to Ordinance 1 include: reducing the quiet time hours from 8 pm to 10 am to 10 pm to 8 am which is the time period approved for past projects; clarifying that special events include weddings, parties and similar events; prohibiting outdoor amplified sound; clarifying that repair work for unhosted rentals will take longer than the initial 45-minute response time; requiring vacation rentals to meet building and fire codes and to submit to a fire inspection prior to a rental; and elimination of the ATC-NC (Agriculture Tourist Center-North Connector from consideration due to the potential intensity of the commercial uses anticipated for the property and the proximity to Interstate 80. Although there was testimony requesting that the Watershed zone (W-160) be considered to include vacation house rentals, staff believes the constraints posed by the topography, as mentioned in the previous memo, is not conducive for this land use. Should the Commission choose the hosted only option then the language in the ordinance addressing unhosted vacation rentals will be deleted.

The ordinance addresses whole house rentals only. Staff will be addressing individual room and portions of a house later this year since changes to existing residential definitions are needed.

ENVIRONMENTAL REVIEW

The Zone Text Amendment is exempt from further environmental review under the General Rule Exemption of Section 15060(c)(2) of Title 14 of the California Code of Regulations because the project will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Attachments:

- A - Ordinance showing changes
- B - Public comments received

ORDINANCE 1

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE TO DEFINE THE SHORT-TERM RENTAL OF A DWELLING AS A “VACATION HOUSE RENTAL” AND TO AUTHORIZE SUCH LAND USE, SUBJECT TO EITHER AN ADMINISTRATIVE PERMIT OR A MINOR USE PERMIT, WITHIN THE A-20 EXCLUSIVE AGRICULTURAL, SUISUN VALLEY AGRICULTURAL, AND RURAL RESIDENTIAL ZONING DISTRICTS

The Board of Supervisors of the County of Solano ordains as follows:

SECTION I: DEFINITIONS

The following definitions related to transient lodging facilities are amended or added, in alphabetical order, to section 28.01 of the Solano County Code:

Guest house. Detached living quarters of a permanent type of construction, without a kitchen-and accessory to the primary dwelling on the same building site. A guest house may not to be rented, let, or leased separate from the primary dwelling, whether compensation be direct or indirect.

Vacation house rental. A dwelling with no more than five guestrooms or sleeping rooms that is offered, used, let, or hired out for compensation for periods of 30 consecutive days or less. Does not include an occasional home exchange ~~or similar transient occupancy of a dwelling unit not involving the payment of monetary compensation to the property owner or resident of a dwelling used as the property owner's primary residence~~. Includes any dwelling used pursuant to a time share plan or other similar form of co-ownership if any time share period or other entitlement to occupancy of the dwelling is limited to 30 days or less per year.

Vacation house rental-Hosted. A vacation house rental on a parcel with a primary and secondary dwelling where the property owner resides on the property in the non-rental dwelling.

Vacation house rental-Unhosted. A vacation house rental where the owner does not reside on the property.

SECTION II: ZONING DISTRICTS

Tables 28.21A, 28.23A, 28.31A, and 28.51A of the Solano County Code is amended, as shown on Exhibits _____ (to be prepared later), to authorize a Vacation House Rental-Hosted as a Tourist Use in the A-20, A-SV, ATC, ~~ATC-NG~~, ATC-NC, RR 2.5, RR 5 and RR-10 zoning districts, subject to an administrative permit, and to authorize a Vacation House Rental-

Unhosted as a Tourist Use in the A-20, A-SV, ATC, ~~ATC-NC~~, RR 2.5, RR 5, and RR-10 zoning districts subject to a minor use permit.

SECTION III: REGULATIONS ADDED

Section 28.75 of the Solano County Code is amended to add a new subsection 28.75.30, as follows:

28.75.30 Vacation House Rentals

A. General Requirements

Vacation house rentals shall comply with the following general standards:

1. A dwelling used as a vacation house rental shall meet all of the development standards for dwellings specified in subsection 28.72.10(A)(1) and in Tables 28.21B, 28.23B, and 28.31B as applicable to the zoning district. If the dwelling includes a guest house, the guest house shall also meet those development standards.
2. Space used for overnight accommodations as part of a vacation house rental must be located entirely within a dwelling or a dwelling in combination with an approved guest house. Other accessory buildings, recreational vehicles, recreational vehicle parking space, or tents may not be used as a vacation house rental.
3. Overnight occupancy is limited to 2 persons per bedroom plus 2 additional persons, not to exceed a total of 10 persons.
4. Three off-street parking spaces shall be provided for all guests. On-street parking is prohibited for any property on which a vacation house is located.
5. A vacation house rental may not be advertised, offered, or used as a special events facility. ~~Radios, televisions, or sound amplification equipment may not be used outdoors between 8:00 p.m. and 10:00 a.m. The owner is responsible for the nuisance behaviors of guests that includes events such as weddings, parties and similar events. No outdoor amplified sound is allowed.~~
6. A dwelling or guest house may not be used as a vacation house rental if it is the subject of an enforcement action pursuant to any provision of this code.
7. Transient occupancy tax registration and payment are required, pursuant to Chapter 11 of this code. A business license is required, pursuant to Chapter 14 of this code.
8. The property shall be covered by commercial property insurance.

9. The property owner shall obtain the required permit and complete transient occupancy tax registration prior to advertising or operating the vacation house rental. Online advertisements and /or listings for the vacation house rental shall include the following:
 - a. Maximum occupancy, not including children under 3;
 - b. Maximum number of vehicles;
 - c. Notification that quiet hours must be observed between 10 ~~8~~ p.m. and 8 ~~10~~ a.m.;
 - d. Notification that no outdoor amplified sound is allowed; and
 - e. The Transient Occupancy Tax Certificate number for that property.

10. Vacation house rentals shall meet all building and fire codes at all times and shall be inspected by the Fire Department before any short term rental can occur.

B. Specific Requirements

Vacation house rentals listed below shall comply with the general requirements in section 28.75.30(A) above and the following specific standards.

1. Vacation House Rental-Hosted

- a. A hosted vacation house rental requires the property owner to reside on the property during the vacation house rental period.
- b. Only one dwelling may be used as a vacation house rental and the property owner must reside in the other dwelling.

2. Vacation House Rental-Unhosted

- a. While a vacation house is rented, a manager shall be available twenty-four hours per day, seven days a week for the purpose of responding within forty-five minutes to complaints regarding the condition, operation, or conduct of occupants of the vacation house rental or their guests. Items in need of repair may take longer to correct.
- b. A displaysign with the name of the property owner or manager and a current contact phone number shall be located near the front door of the dwelling unit.

SECTION IV:

All ordinance and parts of ordinances in conflict herewith are repealed.

SECTION V

The Board of Supervisors has made the following findings and declarations in regard to the zoning amendments:

1. These zoning amendments are in conformity with the Solano County General Plan.
2. The zoning amendment will not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the County or be detrimental to adjacent property or improvements in the neighborhood.
3. This ordinance is exempt from the California Environmental Quality Act pursuant to section 15061(b)(3) of the CEQA Guidelines. This ordinance will not permit the development of new dwelling units at locations not already allowed, and the ordinance imposes standards on vacation house rentals sufficient to ensure that the use of existing and new dwelling units as vacation house rentals will not have a greater adverse effect on the environment than the use of such structures as residences. Because the use of some dwelling units as vacation house rentals will require discretionary approval of a minor use permit, consideration of any potential site-specific impacts related to a particular location is properly deferred.
4. The use of a dwelling unit as a vacation house rental, as defined in this ordinance, is a commercial land use rather than as a residential land use and is not currently authorized by Chapter 28 of the Solano County Code. Therefore, this ordinance is amendatory to rather than declarative of existing law. Any use of a dwelling unit as a vacation house rental prior to the effective date of this ordinance or prior to the approval of a use permit pursuant to the regulations set forth in Section III of this ordinance shall not be considered a legal nonconforming land use.

SECTION VI

This ordinance will be effective thirty (30) days after its adoption.

SECTION VII

If any provision of this ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance

which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION VIII

A summary of this ordinance shall be published once in the Daily Republic, a newspaper of general circulation in the County of Solano, not later than fifteen (15) days after the date of its adoption.

PASSED AND ADOPTED by the Solano County Board of Supervisors at its regular meeting on _____, 2018, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

EXCUSED: Supervisors _____

John M. Vasquez, Chair
Solano County Board of Supervisors

ATTEST:
Birgitta E. Corsello, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

From: [Mary Browning](#)
To: [Yankovich, Michael G.](#); [Emlen, Bill F.](#); [Planning Commission](#)
Subject: County business licensing
Date: Friday, June 22, 2018 4:06:02 PM

In regards to the June 21st PC Meeting on Tourist Housing, please do not consider easing the business licensing process in the county that was talked about. Proponents want self-regulation and few if any rules that interfere with their commercial enterprises. They are not considering potential impacts to public safety and the environment. They are only concerned for their own personal financial gain.

Since county business licenses are obtained through the sheriff's office, finger printing is routine, and we assume that includes background checks.

We did a little research with Megan's Law this morning. Two of the vocal proponents, Daniel Schwartz (6994 Blue Ridge Rd.) and Eleanor Macmakin (3022 Mix Canyon Rd.) live in close proximity to a recently convicted sex offender who just bought 42 acres at 2751 Mix Canyon Rd. this year. His offense is too disgusting to mention here. And you are considering a preposterous ordinance that may be self-regulated, by right, in areas that county staff determines are the most desirable. Desirable areas are becoming a very rare thing.

Also, Blue Ridge Rd. and Mix Canyon Rd. are in an area known for it's high hazard risk for wild fire. It is easy to research past fire history in the area. Hazard risk maps can be found online and the Vaca Mountain Range west of Pleasants Valley Rd. is solid red, meaning the highest level of fire danger. Satellite imagery online shows dense brush and steep topography. Road infrastructure is minimal in area. Eleanor Macmakin's property is two thirds of one acre in size and has no defensible space. Ridgelines are geographical features well known for high fire danger, plus wind.

Staff is considering making watershed zones off-limits to STR's, as it should be. But go further. All areas surrounded by wildland vegetation should be off-limits to promoting higher densities of people. Wind-blown embers cause the most destruction, and it happens fast. It's bad enough when residents must flee, like we witnessed last October. But do the math. You are considering double and triple home occupancies, and unlimited future event centers that will have hundreds of guests each, often on the same dates during the fire season.

Good planning would direct all commercial uses into the urban areas. Urban areas have the infrastructure and services already in place. There are plenty of hotel rooms that serve any type of traveler who comes to visit our county. Commercial hotels and motels in the city already have safety measures in place and they employ many people. Commercial hotels and motels in Fairfield pay 14% TOT and don't require county code enforcement. They also do not intrude on residents quiet enjoyment of life. Travelers who stay in any of the 18 hotels established in our area have the same opportunity to visit all of the same destinations that a STR guest may visit.

The wild fires last October showed our county's lack of preparedness for emergency response. Residents and all sectors of the community have a critical role in planning, prevention, and protection. The number of lives lost and homes burned in the 2017 wildfires should inspire a new approach to fire protection. Solano County doesn't have risk assessment for project approvals. It has no policy for how many tourist uses will be allowed. There is no plan to limit the numbers of short-term rentals or event centers in the Suisun Valley and surrounding desirable areas of choice.

You must not burden residents and discredit our quiet enjoyment of life, in favor of a small number of people who live beyond their means, make poor investments, or don't have traditional jobs that earn a livable wage that supports them. These are people who don't care if they cause harm to others. The rest of us don't want to cause harm to our neighbors. Well, psychopaths don't care if they hurt you. One violator in particular comes to mind and his attorney was handing out business cards to proponents at last night's PC meeting. All of the proponents are currently avoiding taxes and don't want rules.

If procurement of tax revenue is your only motive for allowing so-called Tourist Housing, it is not justification for spending millions of dollars on infrastructure to support tourism. The estimate was \$32 million just to improve the Suisun Valley "loop", according to the Draft S.V. Strategic Plan. California taxpayer's must foot the bill for the transportation grants being procured for what is essentially a private development project --- transportation grants intended for use in urban areas for improving urban traffic flow, and priority conservation area grants (PCA's are those areas that are actually threatened by urban development).

To Mr. Emlen and Mr. Yankovich, when was the last time you drove around Suisun Valley? May we offer you both and the planning commissioners a guided tour? You can't adequately study the issues without seeing the problems.

Sincerely,

Mary Browning
Clayton Road
Suisun Valley
372-6262

From: [Dan](#)
To: [Sowards, Kristine](#)
Subject: Short term vacation rental ordinance
Date: Thursday, June 28, 2018 6:12:05 PM

Kristine,

Is it possible to provide this link to the planning commissioners prior to the July 19 meeting? Listing our property in Vacaville as one of the “10 of the most stunning wine estate listing on Airbnb” in the world! Thank you.

<https://www.thedrinksbusiness.com/2018/06/10-of-the-most-stunning-wine-estates-on-airbnb/>

Dan Schwartz
girlonthehill.com
415.309.7782 (c)
707.449.6480 (o)