

TERRY SCHMIDTBAUER
Director

JAMES BEZEK
Assistant Director

ALLAN CALDER
Planning Services Manager

DEPARTMENT OF RESOURCE MANAGEMENT



675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805

www.solanocounty.com

ZONING ADMINISTRATOR STAFF REPORT

Application Number:	U-20-05	Hearing Date:	December 16, 2021
CAMS Site Number(s):	262005	Project Planner:	Travis Kroger
Applicant:	Ed Vega 4012 Arroyo Avenue Davis, CA 95618	Property Owner:	Jorge E Vega-Zambrano 8444 Bulkley Rd. Dixon CA 95620
Action Requested:			
<p>Land Use permit application U-20-05 to establish a Large Poultry Ranch for breeding and sales of laying hens including construction of 9 new buildings, located at 8444 Bulkley Road, 4.5 miles east of the City of Dixon in the Exclusive Agriculture (A-40) zoning district, APN 0111-070-070.</p> <p>No other changes to the site or new development are proposed.</p>			
DECISIONMAKER FOR THIS APPLICATION:			
<input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Zoning Administrator <input type="checkbox"/> Planning Commission <input type="checkbox"/> Board of Supervisors			
Applicable Zoning Sections:	Sections 28.70.10, 28.71.30(A) & (B)(2)		
Subject Property Information:			
Parcel Size:	14.55 acres	Site Address:	8444 Bulkley Road
APN(s):	0111-070-070	CALFIRE State Responsibility Area Designation:	N/A
Zoning District:	Exclusive Agriculture (A-40)	General Plan Designation:	Agriculture
Ag. Contract:	N/A	Utilities:	Well and septic system
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	
North	Agriculture	Exclusive Agriculture (A-40)	
South	Agriculture	Exclusive Agriculture (A-40)	
East	Agriculture	Exclusive Agriculture (A-40)	
West	Agriculture	Exclusive Agriculture (A-40)	
Environmental Analysis	Class 3 Categorical Exemption CEQA Guidelines Section 15303 New Construction or Conversion of Small Structures.		
Motion to Approve			
<p>The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Land Use Permit U-20-05, based on the enumerated findings and subject to the recommended conditions of approval.</p>			

BACKGROUND

Permit History:

Permit Number	Description	Status
B2020-0801	(N) 400 Amp 120/240-volt single phase CT Meter Cabinet (Overhead Service), (N) 120/240-volt single phase Fused Disconnect, (N) 120/240-volt single phase 400 Amp Main Lug Load Center. 2" PVC underground from new 400-amp Load Center to old meter service to repower	Revoked
B2020-0719	New 36' X 120' agricultural building. No mechanical, electrical, or plumbing.	In Review
B2000-0021	replace HVAC	Finald

Existing Development:

The subject site consists of one APN, currently developed with a primary dwelling, 4 small accessory structure and one larger accessory structure, none of which are proposed to be used for the poultry ranch.

Legal Lot Status:

Prior development has been approved on parcel 0111-070-070. A prior determination has been made that this 14.55-acre parcel is a standalone legal building site.

Aerial Image:



SETTING

Access: This site is accessed via an existing encroachment from Bulkley Road, a public road.

Surrounding uses: Agricultural land, with several residences to the south.

PROJECT DESCRIPTION

The proposed poultry ranch will be a confined poultry breeding operation for egg laying hens. There will be two brooder houses (36' x120') to raise the breeding chickens from 0-16 weeks old, when they will be transferred to seven laying houses (40' x 168') for fertile eggs to be collected. Fertile eggs will be transported to the hatchery, where they will be incubated and hatched, and transported to the customers location. Up to 18,000 chickens will be located on the site at any one time, and manure will be transported off site for use as compost or fertilizer. The operation is expected to produce 60 cubic yards of manure per month, but it will be removed from the site every 14 days. The proposed development includes 9 chicken houses, a hatchery with a new dedicated septic system, and a new gravel driveway to access the new buildings.

No other changes to the site or land use are proposed.

ZONING & LAND USE CONSISTENCY FINDINGS

General Standards:

The proposed facility will meet all standards listed in Section 28.72.10 of the Solano County Code when operated in compliance with the proposed conditions of approval (also see Attachment C - General zoning consistency checklist) as described below.

Performance Standards:

All development associated with the Large Poultry Ranch use will be set back at least 200 feet from all property lines, and conditions will be imposed to avoid offensive noise, dust, glare and odors. To avoid offensive noise, dust and glare. The applicant will be required to file a hazardous materials business plan should the allowable quantities of hazardous materials be exceeded.

Other Permits:

- The Building & Safety Division will require permits for all proposed structures and ADA accessibility.
- The Environmental Health Division will require that the applicant provide verification that the facility is being operated within California Department of Food and Agriculture Central Valley Regional Water Quality Control Board guidelines and that all necessary permits have been obtained.
- The Public Works Division will require an encroachment permit to construct a commercial driveway, a stormwater management and pollution prevention plan, and a grading permit for all on-site grading associated with the site development.
- The Dixon Fire Protection District will require proper site identification and emergency access and will review Building Permits plans for compliance with all fire code standards.

Specific Standards:

The proposed Large Poultry Ranch use will meet the requirements of Sections 28.71.30(A)&(B)(2) of the Solano County Code (also see Attachment D - Specific zoning consistency checklist) as described below.

General Requirements: The proposed site plan shows all development related to the use at least 200 feet from all property lines, and conditions will be imposed to prevent storm water pollution.

Specific Requirements: As shown on the approved site plan, all buildings and activities associated with the poultry ranch will be required to be set back at least 200 feet from all property lines to avoid interfering with the use of adjacent parcels. A manure management plan will be submitted the Environmental Health division for review prior to operation of the facility and will require manure to be removed from the site periodically to avoid accumulation and any nuisance such as odor or flies. In addition to the manure management plan, an overall management plan will be submitted to the Ag Commissioner annually for review to avoid any nuisance created by operation of the facility and may require changes to the management practices of the facility to address any issues or complaints identified during the course of normal operations.

ENVIRONMENTAL REVIEW

This parcel is located in an area with zoning (A-40) and general plan designations (Agriculture) consistent with commercial agricultural uses. Review of this project has determined that the agricultural nature of the project site and surrounding parcels and the county and state regulations will allow the proposed business to operate with little to no impact on existing conditions, therefore the project qualifies for a Class I Categorical Exemption per CEQA Guidelines Section 15304(e), minor alterations to land.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings detailed in Attachment A and **APPROVE** Minor Use Permit U-20-05 subject to the recommended conditions of approval.

ATTACHMENTS

- A. [Draft Resolution \(Conditions of Approval\)](#)
- B. [Assessor's Parcel map](#)
- C. [General zoning consistency checklist](#)
- D. [Specific zoning consistency checklist](#)
- E. [Draft site plan](#)

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 21-XX**

WHEREAS, the Solano County Zoning Administrator has considered Land Use permit application U-20-05 to establish a Large Poultry Ranch for breeding and sales of laying hens including construction of 9 new buildings, located at 8444 Bulkley Road, 4.5 miles east of the City of Dixon in the Exclusive Agriculture (A-40) zoning district, APN 0111-070-070, and;

WHEREAS, said Zoning Administrator 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 December 16, 2021, and;

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

- 1. That the establishment, maintenance or operation of the use or building is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

This project is located within an area designated Exclusive Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is conditionally permitted within the Exclusive Agriculture (A-40) zoning district.

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

The site is provided with water by private well and sewer service by an on-site sewage disposal system. Access is via encroachment off Bulkley Road.

- 3. The subject use will not, under the circumstances of this 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.**

As conditioned, the proposed Large Poultry Ranch use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

- 4. The project qualifies for a Class 3 Categorical Exemption from the California Environmental Quality Act pursuant to Section 15303 New Construction or Conversion of Small Structures.**

BE IT THEREFORE RESOLVED, that the Zoning Administrator does hereby approve Land Use Permit U-20-05 subject to the following recommended conditions of approval:

General

1. The above use shall be established in accord with the application materials and development plans as submitted with U-20-05 filed December 29, 2020 and as approved by the Solano County Zoning Administrator.
2. 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 properties.
3. Any expansion or change in the use or new or expanded buildings may require a Minor Revision or Amendment to the existing Land Use permit or a new permit if determined to be necessary by the Director of the Department of Resource Management.
4. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
5. The applicant will submit to the Agricultural Commissioner, on an annual basis, a plan for the management of the operation which will provide policies and procedures for insuring that the Poultry Ranch operation is not likely to become a nuisance to surrounding property owners or the community and that no health and safety problems will arise due to its operation. The Plan should describe policies and procedures that:
 - i. Regulate, control or prohibit the accumulation of manure.
 - ii. Prevent any accumulation of animal or vegetable matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people
 - iii. Protect pollutants from entering in creeks, streams, drainage ditches or groundwater supplies.

Environmental Health Division

The following shall be completed prior to issuance of Building Permits for the facility:

6. The applicant shall provide verification from the California Department of Food and Agriculture that the proposed facility is in conformance with the 2018 Proposition 12 requirements, or that is exempt from these requirements.
7. Prior to operation, the applicant shall provide a manure management plan that indicates how the chicken litter and waste will be managed, stored, and composted and/or land applied to prevent the generation of odors and prevent and reduce the attraction of disease vectors such as flies and rodents. Once approved, the facility shall operate in compliance with this plan for as long as the poultry ranch remains in operation.

8. The applicant shall provide documentation from the Central Valley Regional Water Quality Control Board that the proposed facility has a Waste Discharge Requirement approval, waiver, or is exempted from any similar requirements.
9. The applicant shall provide additional description of the anticipated amount of chicken litter / waste that will be generated, how or if the material will be composted, to what areas of the property this will be spread, and how much is anticipated to be given or sold to offsite farmers.
10. The applicant shall provide documentation that the proposed septic system will require either approval from the Central Valley Regional Water Quality Control Board for dispersal of high strength wastewater, or it shall provide verification that the wastewater is not high strength and can be permitted by Solano County.

Building and Safety Division

Building permit applications for all proposed structures shall be submitted within one year of permit issuance.

11. The Building and any site improvements shall be designed using the 2019 California Building Standards Codes including the mandatory measures found in the new 2019 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 2019 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.
12. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2019 California Building Code. "Any owner or authorized agent who intends to construct, enlarge, or change the occupancy of a building or structure shall first make application to the building official and obtain the required permit."
13. 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."
14. The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2019 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2019 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.
15. All accessible paths of travel and parking areas shall be a hard-scaped surface and shall meet all of the worst-case requirements between Chapter 11B of the 2019 California

Building Code and the ADA Federal Law. One ADA parking shall be provided per every 25 parking stalls.

16. The building permit plans shall include a code analysis as listed below and the design shall be under the 2019 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:
 - i. Occupancy Classification
 - ii. Type of Construction
 - iii. Seismic Zone
 - iv. Location on Property
 - v. Height of all buildings and structures
 - vi. Square footage
 - vii. Occupant Load
 - viii. Allowable Floor Area
 - ix. Height and Number of Stories
17. Plans and Specifications shall meet the requirements as per Section 105 of the 2019 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." 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."
18. An Automatic residential fire sprinkler system may be required throughout the building.
19. A geotechnical report is required for this project.

Public Works Division

The information and permit applications detailed below shall be submitted prior to issuance of Building Permits for the proposed facility.

20. Applicant shall build a Commercial width driveway at the Gravel Driveway location shown on the site map provided in the application. The driveway shall conform to Figure 8 of the Solano County Road Standards. The driveway shall be paved to the right of way line for Bulkley Road. The paving shall be asphaltic concrete.

21. The applicant shall furnish a Stormwater Management Plan to address both quantity and quality of stormwater and provide measures to mitigate any potential excess flow from the project site. Once the plan has been submitted and approved, the facility will be operated in compliance with this plan for as long as the poultry ranch remains in operation.
22. The applicant shall furnish a Stormwater Pollution Prevention Plan (SWPPP) signed and sealed by a Qualified SWPPP Developer (QSD). Once the plan has been submitted and approved, the facility will be operated in compliance with this plan for as long as the poultry ranch remains in operation.
23. Applicant shall apply for, secure, and abide by the conditions of an encroachment permit for any work within the public right-of-way. Driveways must be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto public roads.
24. Applicant shall apply for, secure, and abide by the conditions of a grading permit for the construction of the private access improvements, parking areas and walkways, as well as any onsite grading.

Dixon Fire Protection District

25. These new buildings meet the definition of an Ag Building per the 2019 California Fire Code (CFC) and 2019 California Building Code.
 - [BG] AGRICULTURAL BUILDING. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.
26. Floor and Elevation Plans meeting the Solano County Building and Safety Division minimum plan check submittal requirements shall be submitted in order to conduct a thorough plan review.
27. The Hatchery shall be assigned a new address following the Solano County Addressing guidelines. Each chicken house will need the building number marked on the building visible from approach.
28. The address shall be posted prior to construction at the street where the driveway makes its access from. The address numbers shall be FOUR inches in height, at a minimum, and contrast with their background. The address shall be visible from both directions of approach on Bulkley Road. CFC 505.1

Permit Term

29. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic renewals shall be charged at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on December 16, 2021.

Allan M. Calder, Planning Manager
Resource Management

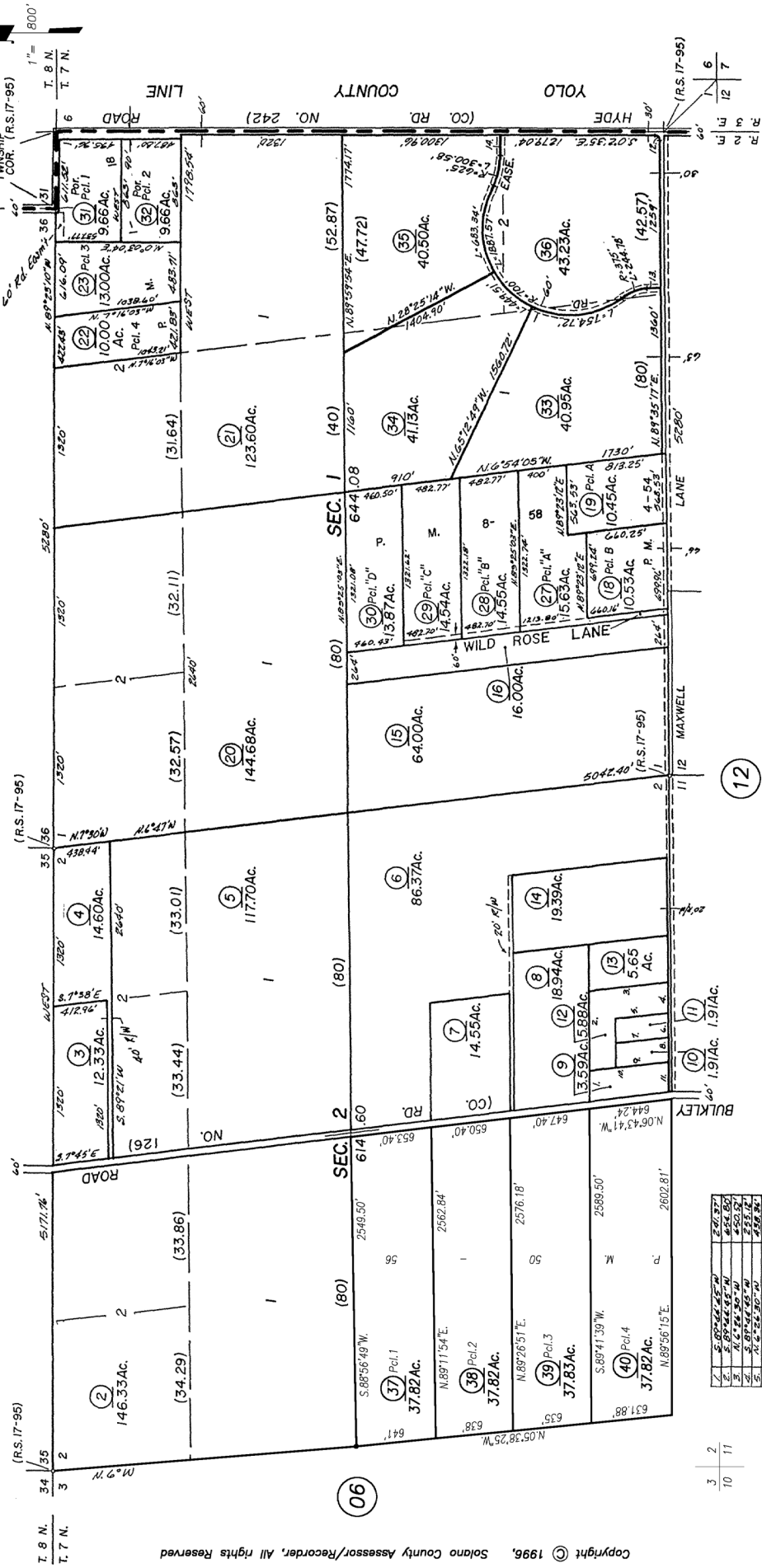
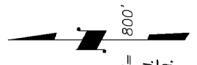
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Tax Area Code
63003

SEC.'S 1 & 2, T.7N., R.2E., M.D.B. & M.

111-07

Bk. 110



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NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

070-371nu40 (Pm)	4-1-13	Cr
BULKLEY	2-6-91	SS
R.D. COR.	5-14-90	SS
REVISION	DATE	BY

Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles


U-20-05
General Development Standards Checklist (Section 28.70.10)

No use of land or buildings shall be conducted except in compliance with these general development standards.				
A. Zoning District Standards				
Any use of land or buildings must meet the general development standards described in this section unless more stringent permitting and development standards are delineated in the applicable zoning district.				
B. Performance Standards				
	YES	MAYBE	NO	N/A
1. Prevent Offensive Noise, Dust, Glare, Vibration, or Odor. All uses of land and structures shall be conducted in a manner, and provide adequate controls and operational management to prevent:				
a. Dust, offensive odors, or vibrations detectable beyond any property line;		X		
b. Noise that exceeds 65dBA LDN at any property line		X		
c. Glint or glare detectable beyond any property line or by overflying aircraft		X		
2. Prevent Storm Water Pollution. Any use of land or buildings shall contain measures to manage storm water to prevent any potential contaminants, processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.				
3. Parking. Adequate off-street parking shall be provided pursuant to Section 28-94; parking areas and driveways shall be treated as necessary to control dust. Parking areas shall not be located any closer than 200 feet to an adjoining property. Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.				
4. Removal of Natural Material. Removal of natural material 1) shall prevent offensive noise, dust, vibrations or standing water from occurring beyond any property line; 2) shall not create finished grades of a greater slope than two to one; and 3) shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.				
5. Solid Waste and General Liquid Waste Storage and Disposal.				
a. All uses are prohibited from discharging liquid, solid, toxic, or hazardous wastes onto or into the ground and into streams, lakes, or rivers except as allowed by applicable local, State and federal laws and regulations.	X			
b. The handling and storage of hazardous materials, the discharge of hazardous materials into the air and water, and the disposal of hazardous waste in connection with all uses shall be in conformance with all applicable local, State and federal regulations.				X
c. All burning of waste materials accessory to any use shall comply with the Yolo-Solano Air Quality Management District or the San Francisco Bay Area Air Quality Management district based on geographic location of the activity specific to each air quality management district.				X
d. The disposal or dumping of solid wastes accessory to any use, including, but not limited to, slag, paper and fiber wastes or other industrial wastes, shall be in compliance with applicable local, State, and federal laws and regulations.		X		
Note: Should the Director of Resource Management believe that a proposed use in any district is likely to violate the performance standards in B.1-8 above, the Director may invoke the performance standard procedures contained in Section 28-95 .				
C. Fairfield Train Station Specific Plan Area (No longer applicable)				
D. Airport Land Use Compatibility Plans				
	YES	MAYBE	NO	N/A
1. Within an airport area of influence or area of concern depicted in an airport land use compatibility plan adopted by the Solano County Airport Land Use Commission, land				
				X

uses allowed by this Zoning Ordinance shall conform with the applicable compatibility policies and criteria set forth in that airport land use compatibility plan.				
E. Other Permits.				
1. Building and Safety Division. The Building Services Division may require a building permit and/or occupancy permit prior to conducting any use authorized by this chapter. A building permit may also be required prior to any change in the occupancy type of a previously permitted building or structure.				
a. Building Permit Required	X			
b. Occupancy Permit Required	X			
c. Change of Occupancy Required				X
2. Environmental Health Services Division. The Environmental Health Services Division administers a variety of laws and regulations which may require permits prior to conducting specific land uses authorized under this chapter, including:				
a. Food facility permits				
1. Sale and Consumption of Food and Beverage. Any use of land or buildings which provide for the sale and/or consumption of the food or beverage must meet all federal, state and local laws and regulations, including Department of Resource Management Environmental Health Services Division approval (if required) prior to operation.				X
2. Food Preparation. Any use of land or buildings which provide for the sale of prepared food, must meet all federal, state and local laws and regulations, including Department of Resource Management Environmental Health Services Division approval (if required) prior to operation.				X
b. Hazardous materials and waste program permits		X		
c. Recreational health facility permits				X
d. Liquid and solid waste permits including septic system permits	X			
e. State small water system permits				X
f. Water well permits				X
3. Public Works Engineering Division. The Engineering Services Division administers a variety of regulations which may require permits including:				
a. Encroachment permits	X			
b. Grading and drainage permits	X			
4. Fire Protection District. Local fire protection districts may regulate certain uses of buildings and land.	X			
5. Other Agencies. Certain land uses are subject to laws and regulations administered by federal, state, regional and local agencies and may require additional licenses or permits, prior to conducting the land use. Prior to conducting any land use authorized under this chapter, any other licenses or permits required by any other agency must be obtained.	X			


U-20-05
**ANIMAL FACILITIES AND OPERATIONS
(Sections 28.71.30(A)&(B)(2))**

A. <u>General Requirements</u>				
Animal facilities and operations shall comply with the following general standards:				
Animal facilities and operations shall comply with the following general standards:	YES	MAYBE	NO	N/A
1. Shall be located no closer than two hundred (200) feet from any property line;	X			
2. Processing facilities may be located on a private road only if there is a recorded maintenance agreement executed by all lot owners served by the private road.				X
3. Shall manage storm water to prevent any processing wastes or by-products from discharging into any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.	X			
B. <u>Specific Requirements</u>				
The animal facilities and operations listed below shall comply with the general requirements for animal facilities and operations (A) above and the following specific standards:				
2. <u>Fowl and Poultry Ranch</u>				
"Fowl and Poultry Ranches" are distinguished from "Pastured Poultry" operations in the definitions found in Section 28.10. Regulations for pastured poultry operations may be found in Section 28.71.30(B)(4).				
a. Standards. Fowl and poultry ranches shall:	YES	MAYBE	NO	N/A
1. Employ best practices to ensure that stray birds do not trespass onto adjacent public rights-of-way or private lands, and	X			
2. Manage supplemental feeds, manure, bedding and nesting materials to lessen any potential adverse impacts that the pastured poultry operation might have on neighbors or the larger community. Fowl and poultry ranch operators are required to submit to the Agricultural Commissioner, on an annual basis, a plan for the management of the operation which will provide policies and procedures for insuring that the pastured poultry operation is not likely to become a nuisance to surrounding property owners or the community and that no health and safety problems will arise due to its operation. The Plan should describe policies and procedures that:				
i. Regulate, control or prohibit the accumulation of manure.	X			
ii. Prevent any accumulation of animal or vegetable matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people	X			
iii. Protect pollutants from entering in creeks, streams, drainage ditches or groundwater supplies.	X			

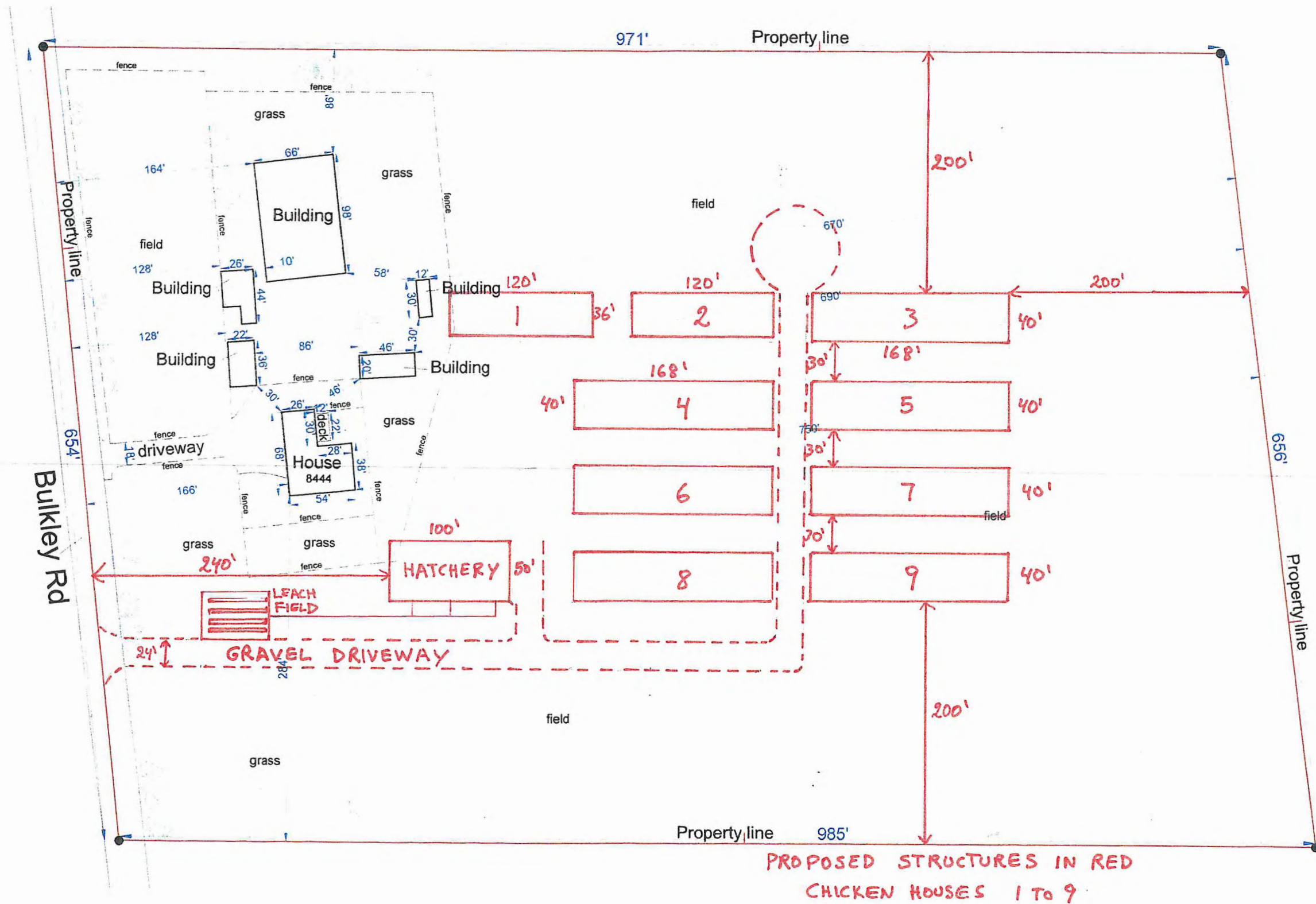
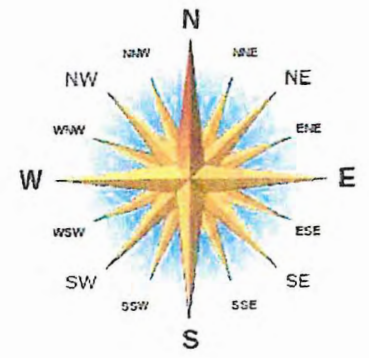
SITE PLAN

Address: 8444 Bulkley Rd

City, State, ZIP: Dixon CA, 95620

Country: USA

Scale 1":90'



PROPOSED STRUCTURES IN RED
CHICKEN HOUSES 1 TO 9