

DEPARTMENT OF RESOURCE MANAGEMENT

TERRY SCHMIDTBAUER
Director

ALLAN CALDER
Planning Services Manager



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

www.solanocounty.com

Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

Staff Report

U-18-01 Minor Revision No. 1

Application No. U-18-01-MR1 Project Planner: Eric Wilberg, Planner Associate		Meeting of December 16, 2021 Agenda Item No. 2	
Applicant EQ Industrial Services Inc. 101 S. Capital Blvd Boise, ID 83702		Property Owner Betschart Enterprises LLC 855 Marvin Way Dixon, CA 95620	
Action Requested Consideration and approval of Minor Revision No. 1 of Use Permit U-18-01 of EQ Industrial Services Inc. to establish and operate a refuse disposal transfer facility on an 8-acre portion of property located at 8028 Schroeder Road, ½ mile west of the City of Dixon, within the Exclusive Agriculture “A-40” Zoning District; APN 0113-010-180.			
Property Information			
Size: 26.41 acres		Location: 1/2 mile W of City of Dixon	
APN: 0113-010-180			
Zoning: Exclusive Agriculture “A-40”		Land Use: Agriculture/Custom Farm Service	
General Plan: Agriculture		Ag. Contract: n/a	
Utilities: Domestic well, septic system		Access: Schroeder Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Uses			
	General Plan	Zoning	Land Use
North	Agriculture	Exclusive Agriculture “A-40”	Agriculture (Orchard)
South	Agriculture	Exclusive Agriculture “A-40”	Agriculture (Orchard)
East	Agriculture	Exclusive Agriculture “A-40”	Agriculture (Orchard)
West	Agriculture	Exclusive Agriculture “A-40”	Agriculture (Orchard)
Environmental Analysis The project qualifies for a Class 1 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.			

Motion to Approve

The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Revision No. 1 of Use Permit U-18-01 based on the enumerated findings and subject to the recommended conditions of approval.

SITE and BACKGROUND

Approximately 10 acres of the 26-acre property is graveled, fenced and utilized for truck parking, vehicle, and equipment storage. This area is developed with a 15,000 square foot maintenance shop. The property is also developed with a 2,300 sq. ft. single family residence and the balance of the parcel is planted in orchard.

The subject site has accommodated agricultural trucking operations since 1989. Use Permit U-89-23 was issued by the Solano County Planning Commission which permitted the first such use on site. Subsequent permitting has superseded the original approval and expanded the area devoted to trucking, storage, and maintenance on-site.

On July 5, 2018 the Zoning Administrator granted Use Permit U-18-01 to authorize two businesses at this location:

- 1) Betschart, Inc. is a custom hay harvesting business which offers services off-site. Betschart Inc. utilizes 1.5 acres of the site for vehicle and equipment storage along with a portion of the existing maintenance shop.
- 2) Tremont Group dba Grow West previously utilized 8.7 acres to operate a trucking company serving the agricultural community. The business also utilized a portion of the existing maintenance shop. 30 truck trips per day were included as part of the previous use permit approval for Grow West.

The acreage and portion of the shop building previously utilized by Grow West coincides with the proposed EQ Industrial Services project.

PROJECT DESCRIPTION

US Ecology Inc., operating as EQ Industrial Services (EQIS), maintains a Retail Services Division that provides waste disposal services for many retail stores and distribution operations. EQIS customers include grocery, hardware, pharmaceutical, and large warehouse where goods are damaged or returned as defective. Retail Services Division handles waste such as shampoo, dish soap, bug spray, car batteries, over the counter medications, paint, and consumer electronics.

All on-site waste is packaged in its original containers, where a liquid is involved, the waste is placed in a zip-lock bag and then placed in a drum or box for shipment to the proposed site. This type of operation is considered by the Department of Toxic Substance Control (DTSC) as an Exempt 10 Transfer Station. US Ecology would be aggregating containers from various businesses and/or customers (such as Home Depot, Harbor Freight, auto shops, etc.) containing various types of waste material. This waste would include defective consumer products, non-hazardous waste, e-waste, universal waste, California regulated wastes and RCRA wastes. This facility will not handle municipal or medical waste at this location. Where required by law, regulated waste would arrive in DOT approved containers. None of the containers would be opened at the proposed Dixon facility.

In addition, US Ecology's emergency response division will utilize the site for staging of emergency response equipment. This equipment will include emergency response trailers, trucks, and supplies (drums, booms, absorbent and PPE).

Approximately 8 acres of the existing graveled, fenced portion of the property would be utilized by the proposed business for truck, vehicle, container, and equipment storage.

A majority of the existing 15,000 square foot maintenance shop will be utilized by EQ Industrial Services.

A 2,865 sq. ft. modular office will be placed near the existing warehouse.

The project involves 2 truck trips and 8 employee trips per operating weekday. The business is not open to the public.

Signage measuring 5 feet by 5 feet will be affixed to the existing chain-link fence.

There are no proposed changes to the existing Betschart Inc. operations on-site.

Figure 1 – Aerial, Developed portion of subject site.



ENVIRONMENTAL ANALYSIS

The project qualifies for a Class 1 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The parcel has historically been utilized and permitted to operate as an agricultural trucking facility. The site is developed with a fenced gravel storage yard and 12,450 square foot metal shop building. Negligible development in the form of a 2,880 sq. ft. modular office coach is proposed under this permit. The parcel has developed access and utilities serving the facility. The refuse trucking use is similar to the previous agriculture trucking operation in that the site will be utilized for vehicle storage. The proposed uses will be located within the existing developed footprint on the property.

LAND USE CONSISTENCY

General Plan and Zoning

The property is designated Agriculture by the Solano County General Plan. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Exclusive Agriculture "A-40" Zoning District is consistent with this designation. Exclusive Agriculture Zoning Regulations require issuance of a Use Permit in order to operate an Infrastructure Use subject to general and specific use requirements detailed in Solano County Zoning Code Sections 28.78.20 (A) & (B3):

Infrastructure uses, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district and comply with the following general requirements:

Access. *Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.*

The project site fronts along Schroeder Road (County Road No. 240). An entrance gate to the facility is set back 100 feet from Schroeder Road to regulate access and to minimize traffic congestion and hazards.

The project has a developed private driveway and encroachment off Schroeder Road.

Roads. *Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.*

See Access above.

Setbacks. *Minimum setback from an adjacent street shall be the same as required for the main building.*

Within the "A-40" Zoning District, the minimum setback for a main building from the front property line is 30 feet. The project does not involve the construction of any new structures within the required setback. The existing metal building is setback 120 feet from the nearest (front) parcel line. The proposed office coach exceeds setback requirements.

In addition to the general requirements above, the following specific infrastructure requirement applies:

Waste Disposal, Processing, or Composting. *Disposal, processing, or composting of waste shall show that adequate controls or measures will be taken to prevent offensive smoke, odors, and fumes; and shall be located so that truck traffic noise and vibration shall not be offensive to neighboring dwellings.*

Outdoor storage of vehicles and equipment is not expected to contribute to nuisances in this agricultural setting. Repair and maintenance activities would generate some level of noise; however, effects would be minimized as these tasks would be performed within the metal shop building.

RECOMMENDATION

The Department recommends that the Zoning Administrator **ADOPT** the resolution enumerating the mandatory and suggested findings and **APPROVE** Minor Revision No. 1 of Use Permit No. U-18-01, subject to the recommended conditions of approval.

Attachments:

- A - Draft Resolution
- B - Assessor Parcel Map
- C - Site Development Plan

<p>SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX</p>
--

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 1 of Use Permit Application No. U-18-01 of **EQ Industrial Services Inc.** to establish and operate a refuse disposal transfer facility on an 8-acre portion of property located at 8028 Schroeder Road, ½ mile west of the City of Dixon, within the Exclusive Agriculture “A-40” Zoning District; APN 0113-010-180, 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.**

The proposed Infrastructure Use is consistent with the goals, objectives and policies of the Solano County General Plan and Zoning Ordinance and Solano County General Plan. Both businesses are conditionally permitted land uses within the Exclusive Agriculture “A-40” Zoning District. As detailed in the Analysis of this report, the proposal meets or exceeds the general and specific land use regulations pertaining to this use.

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

The subject site has developed utilities, access off Schroeder Road, and drainage necessary for the facility.

- 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.**

The project involves the operation of an Infrastructure Use and a Custom Farm Service business at 8034 Schroeder Road. Vehicle and equipment storage would occur outdoors within the existing fenced gravel yard and would be screened from public view by existing perimeter chain link fencing with privacy slats. Site utilization is not expected to be out of character for the agricultural setting or generate nuisances.

4. The project qualifies for a Class 1 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

BE IT THEREFORE RESOLVED that the Zoning Administrator has approved Minor Revision No. 1 of Use Permit U-18-01 subject to the following recommended conditions of approval:

General

1. Approval is hereby granted to operate an Infrastructure Use and a Custom Farm Services business consisting of a 10.20-acre gravel storage yard, 15,000 square foot metal shop building, and 2,880 sq. ft. office coach at 8034 Schroeder Road; 0113-010-180. The permitted uses shall be established in accord with the application materials and development plans for Use Permit U-18-01-MR1, filed November 17, 2021 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 may require a new or modified use permit and further environmental review.
4. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of a new or modified use permit.
5. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
6. In order to minimize the generation of dust, the permittee shall prohibit vehicular speeds from exceeding 5 mph on site and post signage in a clearly visible place to inform drivers of this limitation. In addition, the permittee shall spray the gravel area of the yard with water as needed in order to suppress the generation of dust.
7. In order to minimize noise impact on surrounding properties, the hours of operation of the shop facility shall be limited to 7:00 a.m. – 6:00 p.m. (November – March) and from 5:00 a.m. – 8:00 p.m. (April – October) Monday through Saturday.
8. Approval granted through the issuance of this minor revision shall supersede the original use permit, U-18-01, and its conditions of approval.

Business License

9. The permittee shall secure and abide by the terms and conditions of a Business License issued by this Department for each business on site. This approved Use Permit shall constitute as the “Zoning Clearance” necessary to file for the license.

Public Works – Engineering

10. The permittee shall maintain a valid Encroachment Permit for the commercial driveway access connection to Schroeder Road.

Building and Safety Division

11. 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.”
12. 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.”
13. 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 2016 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.
14. 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 2016 California Building Code and the ADA Federal Law. One ADA parking shall be provided per every 25 parking stalls.
15. 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:
 - a. Occupancy Classification
 - b. Type of Construction
 - c. Occupant Load
 - d. Number of required restrooms (based on occupant load)
 - e. Number of required ADA parking
16. 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."

- 17. Site Accessibility Requirements. The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2019 California Building. 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 reflecting all site accessibility. The site shall be developed in a manner consistent with state and federal requirements for accessibility for disabled persons, including all parking area, aisles and paths of travel and structures.
- 18. The fire district will reassess the site for fire life and safety requirements.
- 19. An Automatic residential fire sprinkler system shall be installed throughout the modular office.

Environmental Health Division

- 20. The permittee shall comply with the standards and conditions of a Solano County Hazardous Material Management Business Plan which requires secondary containment of hazardous materials.

Permit Term

- 21. The permit shall be in effect for a five (5) year period with provision that a renewal may be granted if said request is received prior to the expiration date of December 16, 2026 and the use shall remain the same and in compliance with the conditions of approval.

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

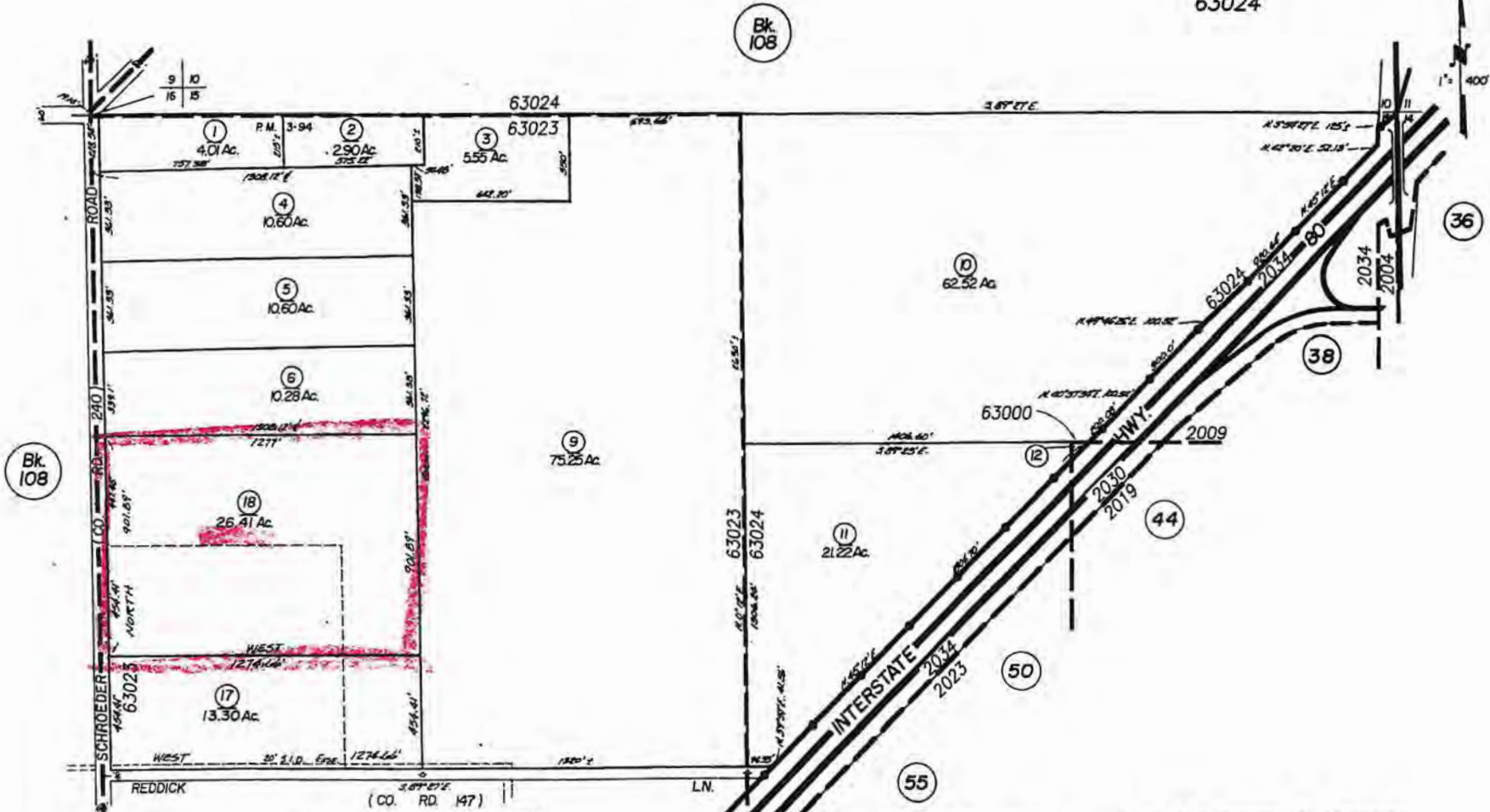
TERRY SCHMIDTBAUER, DIRECTOR
RESOURCE MANAGEMENT

ALLAN CALDER
Planning Program Manager

N. 1/2 SEC. 15, T.7N., R.1E., M.D.B.&M.

Tax Area Code
 63000
 63023
 63024

113-01



1. IN 2004-03-12	87.25
2. IN 2004-03-12	75.25
3. IN 2004-03-12	75.25

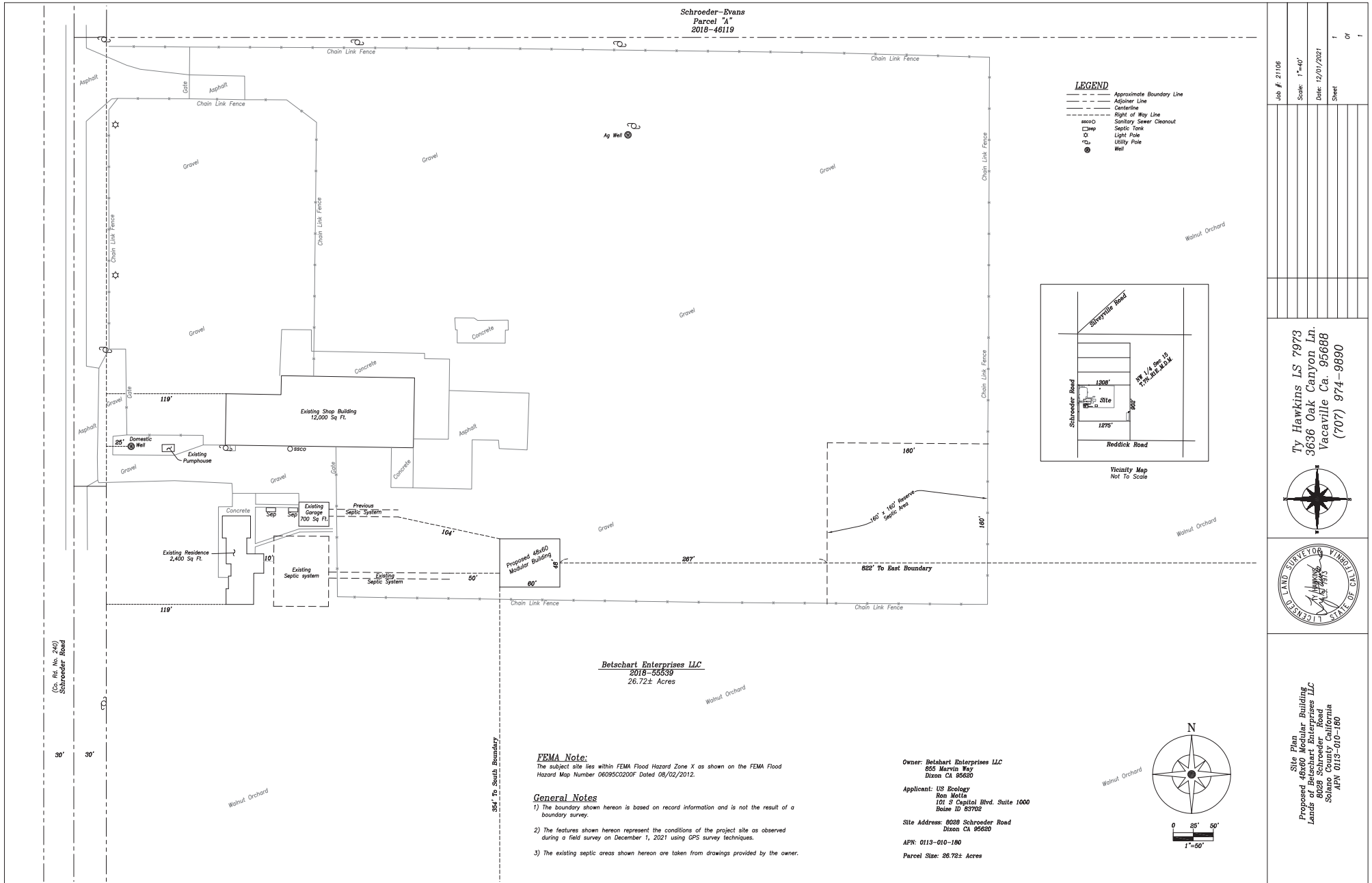
SBC 97-006	10-04-96	DJ
010-31 to SUB	9-16-94	FG
REVISION	DATE	BY

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.

CITY OF DIXON & VICINITY
 Assessor's Map Bk. 113 Pg. 01
 County of Solano, Calif.

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

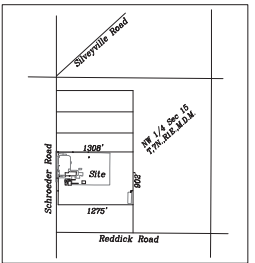
9798



Schroeder-Evans
Parcel "A"
2018-46119

LEGEND

- - - - - Approximate Boundary Line
- - - - - Adjoiner Line
- - - - - Centerline
- - - - - Right of Way Line
- ssco Sanitary Sewer Cleanout
- Septic Tank
- Light Pole
- Utility Pole
- Well



Job # 21166	Scale 1"=40'	Date 12/01/2021	Sheet 1 of 1
-------------	--------------	-----------------	--------------

Ty Hawkins LS 7973
3636 Oak Canyon Ln.
Vacaville Ca. 95688
(707) 974-9890



Belschar Enterprises LLC
2018-35539
26.72± Acres

FEMA Note:
The subject site lies within FEMA Flood Hazard Zone X as shown on the FEMA Flood Hazard Map Number 06095C0200F Dated 08/02/2012.

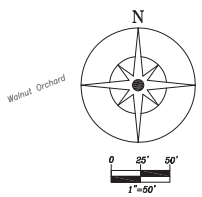
- General Notes**
- 1) The boundary shown hereon is based on record information and is not the result of a boundary survey.
 - 2) The features shown hereon represent the conditions of the project site as observed during a field survey on December 1, 2021 using GPS survey techniques.
 - 3) The existing septic areas shown hereon are taken from drawings provided by the owner.

Owner: Belschar Enterprises LLC
85 Marvin Way
Dixon CA 95620

Applicant: US Ecology
Ron Mollin
101 S Capitol Blvd, Suite 1000
Bolton ID 83702

Site Address: 8028 Schroeder Road
Dixon CA 95620

APN: 0113-010-180
Parcel Size: 26.72± Acres



Site Plan
Proposed 48x60 Modular Building
Land: Belschar Enterprises LLC
8028 Schroeder Road
Solano County California
APN 0113-010-180