

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:

- 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 NOX 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 permittees 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 NOX and PM10 control equipment will be available. 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.

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 permittee, 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 permittee, 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 permittee, 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.

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 permittee 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.

Permittee shall consult with the Department of Public Health and if it is determined that the project requires a public water system permit, permittee 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 permittee 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 permittee 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:

Office of Permits,
California DOT, District 4,
P.O. Box 23660,
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.

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

