

SOLANO COUNTY PLANNING COMMISSION

RESOLUTION NO. XX

WHEREAS, the Solano County Planning Commission has considered amending Use Permit Application No. U-01-06 Amendment No. 1, to increase the number of cattle from 6, 000 to 10, 291, without exceeding the assumed number of animal units originally approved in 2001, 7215.5 animal units, construction of exercise and grazing pens, calf hutches and one additional agricultural employee housing, for HD Dairy located at 7815 Midway Road in an "A-40" Exclusive Agricultural Zoning District, 3.25 miles east of the City of Dixon, APN's 0112-060-060, 070, 080; 0112-100-050, 060 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 September 6, 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 operation and maintenance of the dairy is consistent with the goal and the objectives and policies of the Solano County General Plan.

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

The site has existing electrical power, telephone and septic system. External access to the site will be via Midway Road with internal access via a driveway. The additional heads of cattle will not significantly impact traffic or the road system. All on-site runoff will be directed to the lagoon for use in the fields. Drainage will not affect adjacent parcels.

- 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.**

An Initial Study/Mitigated Negative Declaration was prepared and made available for public review. The Planning Commission has considered the Initial Study/Mitigated Negative Declaration and public comments thereon prior to acting on the project and finds that the Mitigated Negative Declaration is adequate and there is no evidence that the project will have a significant impact on the environment.

4. **The project is located on land contracted under the Williamson Act. Confined Animal Facilities including dairies and agricultural employee housing are permitted land uses and compatible with Solano County Regulations Governing Agricultural Preserves and; therefore, consistent with the Williamson Act.**
5. **The proposal to expand the facility by increasing the number of cattle on the property does not exceed the assumed animal units as previously approved in 2001 due to the replacement with a smaller sized breed.**

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby APPROVE amending Use Permit Application No. U-01-06 AM 1, subject to the following recommended conditions of approval:

1. The dairy facilities shall be established in accord with the plans and information submitted with Use Permit Application No. U-01-06 Amendment No. 1 and approved by the Solano County Planning Commission.
2. The number of cattle on the property shall not exceed 7, 215.5 Animal Units.
3. The grazing pens located within 200 feet of the front property line shall be planted and maintained with rye grass. Cattle grazing is permitted within this setback; however, no structures or other dairy facilities may be permitted within 200 feet of any property line. The carrying capacity of cattle in these areas shall be maintained so as not to cause the ground to become denuded of growth. Only natural grazing is permitted in this area.
4. Storage or stockpiling of manure and silage shall occur in a manner which minimizes odor and vector nuisances to the greatest extent practicable, based on current industry practices.
5. Adequate truck loading areas shall be provided within the developed portion of the facility. Ingress and egress shall be designed to avoid creation of traffic hazards and congestion, odor, dust, noise or drainage impacts.
6. Manure used as fertilizer and process water used to irrigate cropland may be used on the project site within the minimum setback areas, specified in Zoning Code Section 28.71.II.12 (C).
7. All structures shall be constructed with material suitable to prevent excessive glare so as not to create a nuisance to neighbors or danger to aircraft.
8. The permittee shall take all necessary measures to prevent dust, noise, light, glare, odor and other objectionable elements from adversely affecting the surrounding area beyond acceptable limits.
9. The applicant shall comply with the requirements of the Central Valley Region, Regional Water Quality Control Board regarding the Reissued Waste Discharge Requirements General Order for Existing Milk Cow Dairies Order No, R-5-2013-0122 and any site specific

Waste Discharge and Monitoring Requirements as determined by the Central Valley RWQCB.

10. Comply with the requirements of the State of California Water Board Division of Drinking Water, and/or Solano County Department of Resource Management requirements for State Small Water Systems, based on the number of people serviced and the number of water connections at the property.
11. Comply with the requirements of the Solano County Code, Chapter 27 regulating Large Confined Animal Standards.
12. All measures set forth in the applicant's Odor Control Management Plan, Integrated Pest Management Plan, and Nutrient Management Plan shall be adhered to in order to prevent significant odor impacts, extensive pest population, and pollution of groundwater, surface water or watercourses.
13. Comply with the Dixon Fire Protection District rules and regulations.
14. Any change of use or intensification of use will require permit revision and further environmental review. Any deviation from the project description or requirements of the Planning Commission will subject the use permit to review and possible revocation.
15. Should an odor complaint be reported, the complainant shall be given the opportunity to be present during any site inspection. Results of the inspection and any other follow-up shall be submitted to the complainant.

Environmental Mitigation Measures:

16. MMRP – A.1: Exterior lighting shall be hooded and directed away from adjacent residential development.
17. MMRP – A.2: In order to mitigate for PM₁₀, as recommended by the YSAQMD, emission permittee has agreed to construct a vegetative buffer of mixed deciduous and coniferous tree species along the west and north edges of the expansion corral area and to replace the tree buffer along Midway Road. The buffer shall be a 30-feet wide planting strip and trees shall be spaced at 20 feet on center. Prior to the issuance of a building or grading permit, whichever occurs first, the permittee shall submit a planting and irrigation plan for the vegetative buffer and provide evidence of the Yolo-Solano Air Quality Management District approval of the planting and irrigation plan, to the Department of Resource Management. The tree species shall be as recommended in the Vegetative Buffer Plan.
18. MMRP – BR-1: In order to mitigate for the loss of Swainson Hawk foraging habitat, the project proponent/permittee shall install an additional row of trees suitable for Swainson Hawk nesting and habitat, such as Redwoods, Cottonwoods and/or Willows to the vegetative buffer presented as mitigation A-2 within the 30-foot-wide planter strip. The planting and irrigation plan will be submitted to the Department of Resource Management for Planning Department for review and approval prior to issuance of a grading or building permit, whichever occurs first.

19. MMRP CR-1: In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report, will be determined by the Director of the Solano County Department of Resource Management. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documented according to current professional standards.
20. MMRP CR-2: Section 7050.5 of the California Health and Safety Code states that if human remains are found during construction activities, all operations are to cease until the County coroner has determined that the remains are not subject to the provisions of law concerning investigation of the circumstances in the manner provided in Section 5097.98 of the Public Resources Code.

Agricultural Employee Housing

21. Approval of this permit is for one (1) additional agricultural employee housing, for a total of seven (7) agricultural employee housing on the property and supersedes all prior permit approvals including AD-16-04 and AD-16-05. The agricultural employee housing shall comply with the following:
 - a. One or more occupants of the dwelling shall be employed by the owner or the lessee of the parcel;
 - b. Non-employee occupants of the dwelling shall be members of the employee's family;
 - c. The employee occupant(s) of the dwelling has rent deducted from his or her wages; and,
 - d. The employee occupant is required to live in the dwelling as a condition of his or her employment.
 - e. The agricultural employee housing is permitted for a maximum of five (5) year period and shall be subject to renewal.
 - f. Comply with the requirements of the State of California Department of Housing and Community Development, Employee Housing Division. Permitting is required when five or more employees are housed at the property.
22. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at

five (5) year intervals from the date of granting this permit. The cost associated with the periodic reviews shall be charged at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on September 6, 2018, by the following vote:

AYES:	Commissioners	_____

NOES:	Commissioners	_____
EXCUSED:	Commissioners	_____

By: _____
Bill Emlen, Secretary