



Legislation Text

File #: PC 18-039, Version: 1

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Public hearing to consider Minor Revision No. 1 to Use Permit No. U-15-05 of Go Green Asphalt, Inc. to convert the existing Construction, Demolition, and Inert Debris Facility into an Inert Debris (Type A) Recycling Center which accepts, processes, and stores construction debris including concrete, asphalt, and soil. The project is located within unincorporated Solano County, adjacent to the City of Fairfield within the Exclusive Agriculture "A-80" Zoning District, APN: 0166-040-060. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Eric Wilberg) Staff Recommendation: Approval

Published Notice Required? Yes X No ____
Public Hearing Required? Yes X No ____

RECOMMENDATION:

1. Conduct a noticed public hearing to consider Minor Revision No. 1 to Use Permit U-15-05 of Go Green Asphalt, Inc. to permit the existing facility as a Type A Inert Debris Recycling Center located at 5204 North Gate Road; and
2. Adopt a resolution to Adopt the Mitigated Negative Declaration and Approve Use Permit U-15-05-MR1 subject to the mandatory and suggested findings and recommended conditions of approval (Attachment A, Resolution).

EXECUTIVE SUMMARY:

The permittee, Go Green Asphalt, Inc., is requesting a minor revision to their use permit to convert the existing Construction, Demolition, and Inert Debris Facility into an Inert Debris (Type A) Recycling Center which accepts, processes, and stores construction debris including concrete, asphalt, and soil. Permitting the reclassification would allow for an increase in storage time limitations for unprocessed and processed materials.

The property owner is concurrently pursuing a policy plan overlay application on an 83 acre portion of the subject site. At 33 acres the Go Green facility would be the primary land use within the overlay district. The existing use and proposed changes are conditionally permitted within the proposed overlay district.

ENVIRONMENTAL ANALYSIS:

The Department of Resource Management has prepared a Draft Initial Study and Mitigated Negative Declaration "IS/MND" pursuant to the California Environmental Quality Act for this project. The environmental documents have been circulated and made available for public review and comment from May 29, 2018 through June 27, 2018. The Draft MND identified certain potentially significant impacts together with proposed mitigations to reduce the impacts to less than significant along with other impacts determined to be less than significant.

Reference Attachment B, Initial Study and Mitigated Negative Declaration

BACKGROUND:

- A. Prior approvals:** Use Permit No. U-15-05
- B. Applicant/Owner:**
Canon Partners LLC
c/o Joseph Andrews
1107 Kentucky Street
Fairfield, CA 94533
- C. General Plan Land Use Designation/Zoning:**
General Plan: Agriculture, Travis Reserve
Zoning: Exclusive Agriculture "A-80"
- D. Existing Use:** CDI facility, grazing
- E. Adjacent Zoning and Uses:**
North: Exclusive Agriculture "A-40", Grazing
South: Exclusive Agriculture "A-80", Grazing
East: Exclusive Agriculture "A-80", Grazing
West: Industrial (City of Fairfield), Grazing

ANALYSIS:

A. Environmental Setting:

The subject site is located within unincorporated Solano County adjacent to the City of Fairfield; 1.5 miles southeast of the City of Vacaville; 2 miles northeast of existing commercial and residential development within the City of Fairfield; and 1 mile north of residential development at Travis Air Force Base. The site is situated east of the intersection between Canon Road and North Gate Road. Fairfield city limit boundaries have recently been expanded as part of the Fairfield Train Station Specific Plan and bound the site to the west.

Reference Attachment C, Location Map.

The subject property is relatively flat, exhibiting slopes of less than six percent. The site generally slopes downward to the east with elevations of 130 feet above sea level along the western property line, then dropping to 95 feet ASL along the eastern lot line. The property contains mainly grasslands for an existing cattle grazing operation. There are no trees or creeks located on the parcel. As part of the Mitigated Negative Declaration prepared for the project, a wetlands assessment concluded that the parcels have been historically graded to facilitate flood irrigation and that the project does not encompass any vernal pools, seasonal wetlands, channels, ponds, lakes, drainage/irrigation ditches or any other water features that may be subject to jurisdictional boundaries of the U.S Army Corps of Engineers, the California Department of Fish and Wildlife, or the California Water Quality Control Board.

The subject property is comprised of two Assessor's Parcels; APN's 0116-040-060 and 0166-050-100. The Go Green concrete recycling business encompasses approximately 33 acres of the 302 acre property. In addition to the unenclosed area devoted to processed and unprocessed material storage, the operation utilizes a 600 square foot office trailer and portable truck scale. The balance of the 302 acre property is undeveloped and has primarily been utilized for grazing cattle

Access to the site is provided via private driveway off North Gate Road at the intersection of Canon Road.

Surrounding properties exhibit characteristics similar to those of the subject site. The parcels are relatively flat and utilized agriculturally for pasture land and grazing. The State Department of Water Resources operates a water tank as part of the North Bay Aqueduct project 500 feet south of the project site. The nearest residential development is approximately one mile south at the military base. Properties to the west of the subject site are located within Fairfield city limits. The land to the west is currently undeveloped; however the Fairfield Train Station Specific Plan designates this area for various industrial, manufacturing, and commercial service land uses and plans to extend municipal services including water and sewer to that location.

B. Project Description:

Existing Use

On February 4, 2016 the Planning Commission granted Go Green Asphalt, Inc. Use Permit U-15-05 to construct and operate a construction debris recycling yard which accepts, processes, and stores concrete, asphalt, and soil. Asphalt and concrete are accepted from slabs, roof tiles, sidewalks, driveways, curbs, pipe, roadways, parking lots, etc. Materials are sourced from various construction sites and crushed on-site in the unenclosed material storage and processing area. These materials are imported, processed, and sold as needed for re-use as base rock and sold wholesale to contractors and municipalities. The facility processes an average incoming daily tonnage between 0 - 1,000 tons of material(s) dependent on the economy and construction activities. The recycling yard operates between the hours of 7 a.m. to 4:30 p.m. Mondays through Saturdays year round. The operation generates 20 vehicle trips per day, with a majority occurring between the hours of 9 a.m. to 3 p.m. Other than for security purposes while operating equipment, no lighting is utilized. The project may have up to 5 employees on-site per day.

Proposed Change

Processing of materials on-site occurs seasonally and is hindered during heavy rainfall, generally during the winter months. Processing delays due to weather conditions have generated some non-compliance since initial permitting which has caused material storage times to exceed the thresholds allowed for a Construction, Demolitions, and Inert Debris (CDI) facility. Default storage time limits applicable to a CDI facility are: 1) no more than 30 days for material that **has not** been processed or sorted for resale or reuse, and 2) no more than 90 days for material that **has** been processed or sorted for resale or reuse.

As a result, the permittee is pursuing a minor revision to reclassify their facility as a Type A Inert Debris Recycling Center. In order to qualify as a Type A Inert Debris Recycling Center as provided in 14 CCR section 1738.1, the facility is required to:

- a) Receive only Type A inert debris. Type A inert debris includes but is not limited to concrete (including fiberglass or steel reinforcing bar embedded in the concrete), fully cured asphalt, glass, fiberglass, asphalt or fiberglass roofing shingles, brick, slag, ceramics, plaster, clay and clay products.
- b) The Type A inert debris shall be source separated or separated for reuse.
- c) The residual shall be less than ten percent (10%) by weight of the amount of debris received at the site, calculated on a monthly basis.
- d) The amount of putrescible wastes in the inert debris received at the site shall be less than one percent (1%) by volume of the amount of debris received at the site, calculated on a monthly basis, and the putrescible wastes shall not constitute a nuisance, as determined by the Local Enforcement Agency (LEA).

In addition, there are standardized “default” time limits for material stored on-site. The storage time shall be limited to six (6) months for unprocessed material and twelve (12) months for processed material. Storage times for both processed and unprocessed material shall be reported to the LEA by the 10th of each month. The total inert debris, residual and putrescible waste weights shall also be submitted monthly to the Solano County LEA by the 10th of each month.

D. General Plan Consistency:

The project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The project is also located within the Travis Reserve Area which provides for future expansion of Travis Air Force Base and support facilities for the base. The general plan designates the Travis Reserve for the “ongoing agricultural and open space uses” with the reserve area. The Department is recommending that short-term temporary nonresidential uses may also be considered, subject to a discretionary permit approval.

The recycling facility would operate for fixed term of ten (10) years. Additional permitting would be necessary should the use continue beyond the ten year fixed term.

The site is also located within the Municipal Service Area of the City of Fairfield. Upon annexation, land uses on the property would be subject to the zoning and general plan designations of the City of Fairfield.

E. Zoning Consistency:

The project site is located within the Exclusive Agriculture “A-80” Zoning District. Section 28.21 of the County Zoning Regulations conditionally permits certain infrastructure uses within this district, including: refuse, disposal, incineration, recycling or composting.

In addition, the project site is located within an area being considered for a policy plan overlay district. The existing facility and proposed revision are a conditionally permitted land use within Policy Plan Overlay No. PP -17-01. The granting of this revision will be contingent on approval of the policy plan overlay and it becoming effective.

Reference Attachment D, Development Plan PP-17-01

F. Agency Review:

As part of the Department of Resource Management project review process, the application, Initial Study, and Negative Declaration have been reviewed by various County Departments, as well as Local and Regional Agencies. Any recommended conditions of approval have been incorporated into the use permit resolution. The following entities may have jurisdiction over the project:

Local Agencies

City of Fairfield
Solano County Department of Resource Management
Solano Irrigation District
Vaca-Elmira Fire District

Regional and State Agencies

Air Port Land Use Commission - Solano County
Bay Area Air Quality Management District
Central Valley Regional Water Quality Control Board

State Department of Water Resources

FINDINGS and CONDITIONS OF APPROVAL:

Staff recommends that the Planning Commission make the findings contained in the attached resolution in support of approving Use Permit application No. U-17-03 and subject to the recommended conditions of approval.

Reference Attachment A, Draft Resolution

ATTACHMENTS:

- A - Draft Resolution
- B - Initial Study and Negative Declaration
- C - Vicinity Map
- D - Development Plan PP-17-01