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DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application:	U-98-28-MR1-CR1	Meeting of:	April 20, 2017
Applicant:	Masahiro Nakada (Salad Cosmo)	Agenda Item No.	3
Project Planner:	Travis Kroger		
Location:	5944 Dixon Avenue West	General Plan:	Agriculture
Assessor Parcel Number:	0109-030-040	Zoning:	A-40

Proposal

The applicant has requested compliance review No. 1 for Land Use permit U-98-28-MR1 pursuant to condition of approval No. 14. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal request so long as the following requirements are satisfied:

- 1) The permittee has requested renewal
- 2) The permittee has paid the applicable renewal fee
- 3) The use is being conducted in compliance with the conditions of the use permit

Background

On April 7th, 1999 the Solano County Planning Commission granted Land Use permit U-98-28 to allow the expansion of an existing 55,000 square foot agricultural processing building for the production of sprouts and the addition of greenhouses, an office and visitor center, and a waste water pond. On April 21st, 2011, the Solano County Zoning Administrator approved Minor Revision No. 1 to allow expansion of the existing facility.

Review and Recommendation

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the existing agricultural processing facility is being operated in compliance with Use Permit U-98-28-MR1.

Permit Term

Per condition 14 of U-98-28-MR1, staff recommends that U-98-28-MR1 be found to be in compliance with the conditions of approval, with the next compliance review be due April 21st, 2021.

Attachment: Land Use Permit U-98-28-MR1 and conditions of approval.



Department Of Resource Management
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LAND USE PERMIT NO. U-98-28
(Minor Revision No. 1)

Salad Cosmo

(permittee)

For an expansion of an existing agricultural processing facility located at 5944 Dixon Avenue West .75 miles west of the City of Dixon in an "A-40" Exclusive Agricultural Zoning District, APN: 0109-030-040.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit, if any, are attached.

Granting or conditional granting of this permit does not release the permittee from complying with all other county, state or federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

Date Granted April 21, 2011

SOLANO COUNTY ZONING ADMINISTRATOR

Issued by: _____

Bill Emlen, Director
Resource Management

Date _____

6/1/11

**CONDITIONS OF APPROVAL FOR MINOR REVISION NO. 1 TO
LAND USE PERMIT NO. U-98-28
of
SALAD COSMO**

PRIOR CONDITIONS OF APPROVAL (U-98-28) and (AR-98-20) applicable to existing uses, buildings and structures as of April 21, 2011 and all new uses, buildings and structures approved by this permit.

General

1. The proposed use shall be established in accord with the plans and information submitted with Use Permit Application No. U-98-28 and Architectural Review Application No. AR-98-20 and 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 as proposed by the permittee 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 in the proposed tasting room 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 Environmental Management. The

- facility shall not be rented for parties or receptions. To control usage site parking shall be restricted to the paved areas in marked spaces. 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. Except as exempted in Chapter 31 of the Solano County Code, no person shall commence or perform any grading, filling, excavation, or clearing of vegetation for any purpose without having first obtained a grading permit from the Building and Safety Division.
 10. All requirements of the Solano County Environmental Health Division shall be met, including the filing of a Hazardous Materials Management Plan with the Division of Environmental Health.
 11. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
 12. 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.
 13. 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.
 14. The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of April 21, 2016 and the use shall remain the same and in compliance with the conditions of approval.

ADDITIONAL CONDITIONS OF APPROVAL FOR THE MINOR REVISION (U-98-28) and (AR-98-20) applicable to all new uses, buildings and structures approved by this permit.

Building and Safety Division

1. 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.
2. 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.”**
3. 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.”
4. A separate permit will be required for any grading.

5. A geotechnical/Soils Report will be required for any expansions to existing buildings or for the construction of new buildings.
6. 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
7. 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.”**
8. 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.
9. 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.
10. The fire district will reassess the site for fire life and safety requirements.

Environmental Health Division

11. The permittee shall provide plans and specifications for the proposed sewer connection from the proposed factory building to the existing on-site sewage disposal system. Application and fees shall be paid to Environmental Health, in order to plan check the proposed plans and to make field inspection to verify and document the construction.
12. 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.

Public Works – Engineering Division

13. The permittee shall apply for, secure and abide by the conditions of a Grading Permit for any and all work on the site.

Planning Division

Mitigation Measures from the Mitigated Negative Declaration

Aesthetics

14. **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.

15. **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

16. **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.1-60, the County shall require each project applicant, 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 NO_x 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 applicants 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 NO_x and PM₁₀ control equipment will be available.

Verification

Prior to issuance of a grading or building permit, the Director of Resource Management shall verify that this mitigation measure has been implemented.

17. 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 applicant, 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.

18. Mitigation Measure 4.2-3a: Require Implementation of YSAQMD Design Recommendations for Development Projects.

The County shall require each project applicant, 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.

19. Mitigation Measure 4.2-4a: Require Implementation of Measures to Reduce Operational Emissions from Mobile Sources.

The County shall require each project applicant, 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.

20. 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 project applicant 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.

21. Additional 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, applicant shall obtain and comply with a public water system permit.

Other Planning Conditions

22. At the existing processing facility some of the screening landscaping has died and needs to be replaced. As a part of the landscaping required for the proposed expansion project, the applicant shall replace the deceased tree plantings and other landscaping. Such replanting measures shall be included with the landscaping submittal required for the new building.

Other Agencies

City of Dixon – Fire

23. All new construction will require the installation of an NFPA 13 automatic fire sprinkler system.
24. The current water supply system will require analysis to determine its capacity to support the new building.
25. A fire alarm system is required per the California Building Code, 2010 Edition.
26. The project may require additional fire hydrants based on the location of current hydrants.

27. 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.
28. 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.
29. 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.
30. Driveways narrower than twenty feet (20') will require other access measures and must be approved by the fire marshal.
31. 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.
32. Portable fire extinguishers will need to be strategically located in all structures per NFPA 10.
33. All buildings, new and existing, will require a means of identification as approved by the fire marshal.

City of Dixon and Vacaville

34. 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 applicant on matters of building architecture and landscape design.

State of California – Department of Public Health

35. 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.

State of California – Department of Transportation

36. 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

37. 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.

