

..title

Conduct a noticed public hearing to consider the Appeal of the Solano County Zoning Administrator approval of Use Permit revision application no. U-18-01-MR1 of EQ Industrial Services Inc. to establish and operate a waste 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. The project is eligible for a Class 1 Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Facilities.

..body

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

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a noticed public hearing to consider an Appeal of the Solano County Zoning Administrator approval of Use Permit revision application no. U-18-01-MR1 of EQ Industrial Services Inc. to establish and operate a waste transfer facility on an 8-acre portion of a 26-acre 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.
2. Adopt a resolution to Approve Minor Revision No. 1 of Use Permit U-18-01 based on the enumerated findings and subject to the recommended conditions of approval. (Attachment A).

SUMMARY

On December 16th, 2021 the Solano County Zoning Administrator held a duly noticed public hearing to consider a use permit minor revision application from EQ Industrial Services Inc. After due consideration, review of the Department of Resource Management’s report, and hearing testimony at the meeting, the Zoning Administrator took action to approve U-18-01-MR1.

Zoning Administrator approval included a modification to Condition of Approval No. 7 as well as a new condition of approval:

Modification of Condition of Approval No. 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. Business activities may occasionally occur outside of normal operating hours to facilitate unforeseen disaster and emergency response.

New Condition of Approval

Prior to conducting the authorized land use, the permittee shall acquire any permit, approval, or clearance necessary from the California Department of Toxic Substances Control to operate the proposed “Exempt” Hazardous Waste Transfer Facility. Prior to operation, the permittee shall

provide documentation to the Planning Services Division to verify that this condition has been satisfied.

On December 22, 2021 the appellant filed an Appeal Request Form with the Department of Resource Management. The appeal, included as Attachment B, details the reasons for objection to the Zoning Administrator's decision.

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-Day Transfer Station, provided it meets required siting criteria. 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 eight (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 two (2) truck trips and eight (8) employee trips per operating weekday. The business is not open to the public.

Signage measuring five (5) feet by five(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.



California Department of Toxic Substances Control (DTSC)

Certain land uses are subject to laws and regulations administered by federal, state, regional, and other local agencies and may require additional licenses or permits, prior to conducting the land use. The proposal includes a Hazardous Waste Transfer Facility, which is subject to the rules and regulations administered by the California Department of Toxic Substances Control. Under DTSC regulations, such a facility may be exempt from DTSC permit requirements depending on location.

In order to operate as an Exempt Hazardous Waste Transfer Facility specific conditions and siting consideration must be met, which includes, among others, locating a minimum of 500 feet from structures used for permanently occupied human habitations or other special uses (e.g. schools, day care centers). Verification that a particular facility satisfies the specific conditions and siting considerations applicable to an Exempt Hazardous Waste Transfer Facility is made at the discretion of DTSC. The Zoning Administrator imposed Condition No. 21 to require the permitted to verify that the facility either had the required DTSC permits or was exempt from DTSC permitting requirements. Because DTSC issues its permits to the facility operator rather than the property owner, staff is recommending that the language of Condition No. 21 be modified to address DTSC permit practices.

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 waste transfer 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.

ALTERNATIVES:

The Planning Commission, after conducting a public hearing on this matter, may choose one of the following options:

1. Affirm the Zoning Administrator's approval, or
2. Reverse the Zoning Administrator's approval, or
3. Modify the terms and conditions of the permit based on new information received and further analysis.

Attachments:

[A - Draft Resolution](#)

[B - Appeal Request](#)

[C - Assessor Parcel Map](#)

[D - Site Development Plan](#)

[E - Public Comments](#)

SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO. xxxx

WHEREAS, the Solano County Planning Commission, after proper notice, conducted a public hearing on February 3, 2022, to consider an Appeal of the Solano County Zoning Administrator approval of Use Permit revision application No. U-18-01-MR1 of EQ Industrial Services Inc. to establish and operate a waste 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 Planning 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 February 3, 2022; and

WHEREAS, after due consideration, the Planning Commission 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 Planning Commission to be pertinent.**

The proposed Infrastructure Use is consistent with the goals, objectives and policies of the Solano County 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.**

RESOLVED, the Planning Commission approves Minor Revision No. 1 of Use Permit U-18-01 subject to the following conditions of approval:

General

1. Approval is hereby granted to operate Waste Transfer Facility 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. Business activities may occasionally occur outside of normal operating hours to facilitate unforeseen disaster and emergency response
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 Code. 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.

California Department of Substances Control

- 21. Prior to operation of the Waste Transfer Facility, the permittee or the operator shall acquire any permit, approval, or clearance necessary from the California Department of Toxic Substances Control. Prior to operation, the permittee or operator shall provide documentation to the Planning Services Division to verify that this condition has been satisfied.

Permit Term

- 22. 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 Planning Commission on February 3, 2022 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

Paula Bauer, Chairperson

By: _____
Terry Schmidtbauer, Secretary



DEPARTMENT OF RESOURCE MANAGEMENT

Planning Services Division

675 Texas Street, Suite 5500, Fairfield, CA 94533

Phone (707) 784-6765 Fax (707) 784-4805

www.solanocounty.com

ATTACHMENT B
RECEIVED

DEC 22 2021

COUNTY OF SOLANO
RESOURCE MANAGEMENT

APPEAL REQUEST FORM

1. Name of Appellant: JAMES SCHNEIDER Telephone: 530-902-8895

Email address: csotis@shoglobal.net csotis@shoglobal.net

2. Mailing Address: 6110 READECK LN City: DIXON State: CA Zip: 95620

3. Appealed to: Planning Commission Board of Supervisors

4. Appeal Fee: \$150.00 Receipt # 19953

5. State the application name and reason(s) why the decision making body erred in its decision. Attach additional sheets if necessary: U-18-01-MRI
FA INDUSTRIAL SERVICES

* FAILURE TO FOLLOW SOLANO COUNTY PLANNING SERVICE MISSION STATEMENT. WHEN OTHER OPTIONS ARE AVAILABLE

* FAILURE TO DISCLOSE THE TRUE NATURE OF FACILITY IN THE PUBLIC HEARING NOTICE BY OMITTING THAT HAZARDOUS MATERIALS WILL BE HANDLED AND STORED

* FAILURE TO PROVIDE ANY JUSTIFICATION TO APPROVE REQUEST

* FAILURE TO PROVIDE ADEQUATE SITE CONDITION, SUCH AS DISTANCES NEARBY RESIDENCES

* FAILURE TO CONSIDER ECONOMIC EFFECTS ON NEARBY BY PROPERTIES INCLUDING DIXON CAUSED BY REQUIRED DISCLOSURE STATEMENT ON FUTURE HOME SALES

* FAILURE CONSIDER RESTRICTIONS ON ADJACENT PROPERTY OWNER ARE TO 500' MINIMUM DISTANCE TO RESIDENCE

Appellants Signature: [Signature]

Date: 12/22/21



DEPARTMENT OF RESOURCE MANAGEMENT

Planning Services Division

675 Texas Street, Suite 5500, Fairfield, CA 94533

Phone (707) 784-6765 Fax (707) 784-4805

www.solanocounty.com

ATTACHMENT B
CONTINUATION SHEET
FROM PAGE 1

APPEAL REQUEST FORM

- 1. Name of Appellant: JAMES SCITALESEN Telephone: 530-902-8895
Email address: csotis@shcsjohal.net
2. Mailing Address: 6110 REARICK LN City: DIXON State: CA Zip: 95620
3. Appealed to: [X] Planning Commission [] Board of Supervisors
4. Appeal Fee: \$150.00 Receipt #
5. State the application name and reason(s) why the decision making body erred in its decision. Attach additional sheets if necessary:

* FAILURE TO DO A COMPLETE ENVIRONMENTAL EVALUATION
* REQUEST TO ADD ADDITIONAL CONCERNS AFTER RECEIVING FOIA

Appellants Signature: [Signature] Date: 12/27/21

Tax Area Code
 63000
 63023
 63024

N. 1/2 SEC. 15, T.7N., R.1E., M.D.B.8M.

113-01



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.

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

REVISION	DATE	BY
SBE 97-006	10-04-96	DL
010-31 to 508	9-16-94	FD

LN.	DESCRIPTION	DATE	BY
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

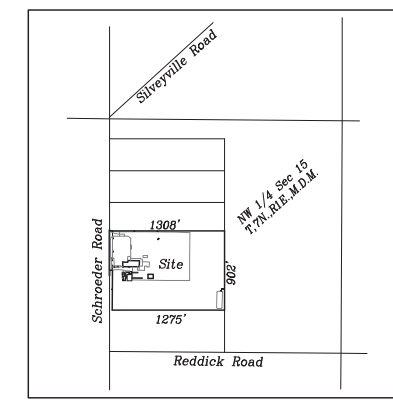
CITY OF DIXON & VICINITY
 Assessor's Map Bk. 113 Pg. 01
 County of Solano, Calif.

Copyright © - 1996, Solano County Assessor/Recorder. All rights Reserved

Schroeder-Evans
Parcel "A"
2018-46119

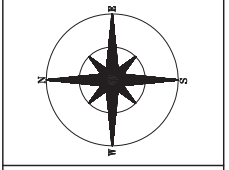
LEGEND

---	Approximate Boundary Line
---	Adjoiner Line
---	Centerline
---	Right of Way Line
ssco	Sanitary Sewer Cleanout
□sep	Septic Tank
*	Light Pole
○	Utility Pole
⊙	Well

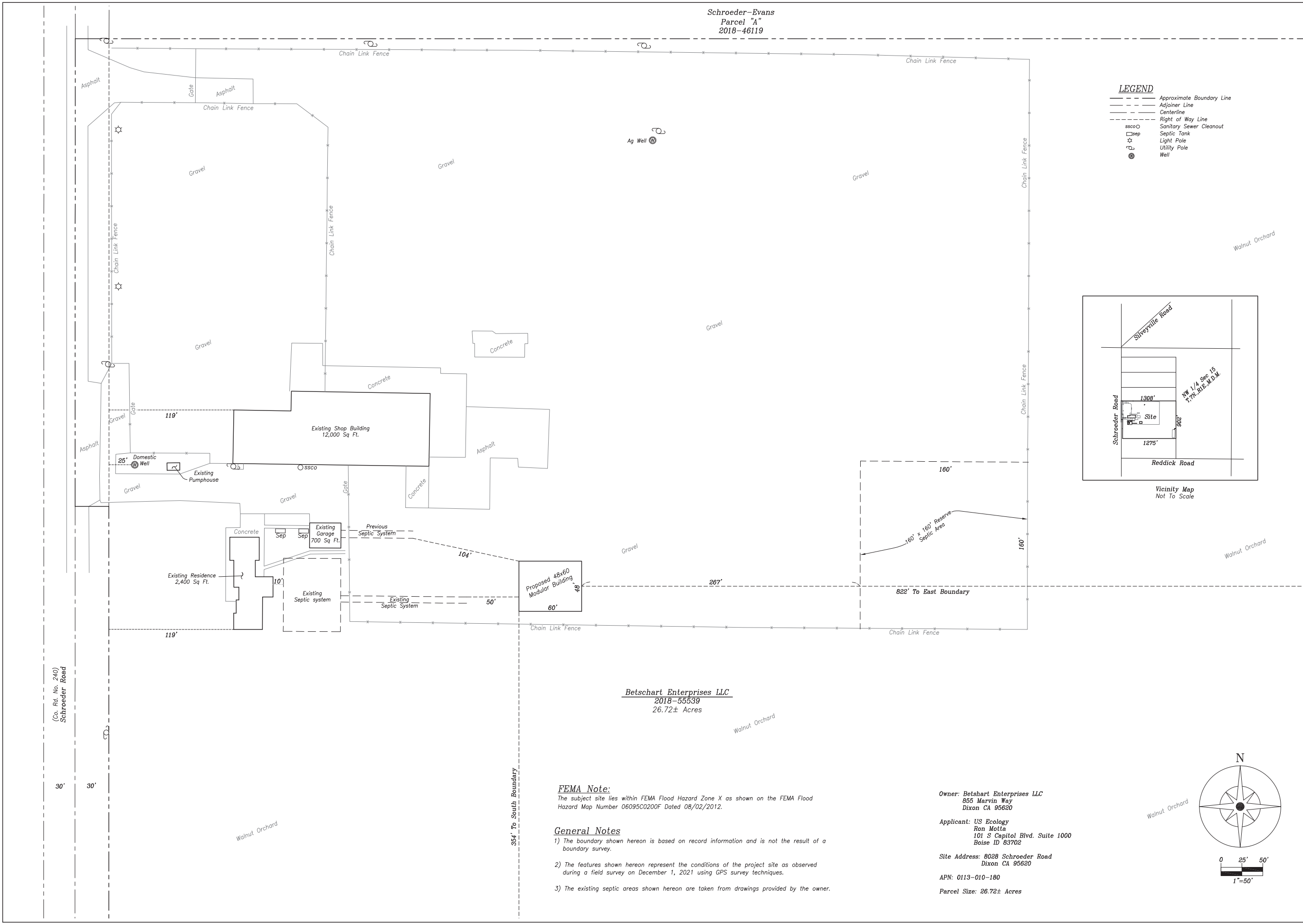


Job #:	21106
Scale:	1"=40'
Date:	12/01/2021
Sheet	1 of 1

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



Site Plan
Proposed 48x60 Modular Building
Lands of Betschart Enterprises LLC
8028 Schroeder Road
Solano County California
APN 0113-010-180



Betschart Enterprises LLC
2018-55539
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.

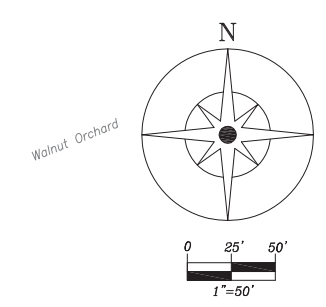
- General Notes**
- 1) The boundary shown hereon is based on record information and is not the result of a boundary survey.
 - 2) The features shown hereon represent the conditions of the project site as observed during a field survey on December 1, 2021 using GPS survey techniques.
 - 3) The existing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

Owner: Betschart Enterprises LLC
855 Marvin Way
Dixon CA 95620

Applicant: US Ecology
Ron Mottia
101 S Capitol Blvd. Suite 1000
Boise ID 83702

Site Address: 8028 Schroeder Road
Dixon CA 95620

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



(Co. Rd. No. 240)
Schroeder Road

Walnut Orchard

354' To South Boundary

Walnut Orchard

Walnut Orchard

Walnut Orchard

From: [Jeffrey Williams](#)
To: [Planning](#)
Subject: Zoning Administrator Hearing
Date: Thursday, December 2, 2021 7:53:55 PM

I received notice of a public hearing regarding refuse disposal transfer facility near my home in Dixon, I would like to know exactly what this facility entails. Is this a full blown landfill? If so it is far to close to homes and I wouldn't want it here. A little information would be greatly appreciated!!!

Jeff Williams

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

From: [DM](#)
To: [Planning](#)
Subject: Use permit u-18-01-mr1
Date: Tuesday, December 7, 2021 11:20:56 AM

To: Eric Wilberg, planning administrator

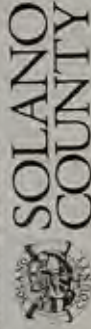
From: Dominic Maionchi

1. I would like to see the entire file regarding the refuse disposal transfer facility
2. I oppose the use permit under the California based on all legal grounds available including but not limited to CEQUA, CEQUA exemption, environmental concerns, noise, odor, fumes, nuisance, traffic, vibrations, administrative violations, etc.
3. I reserve all rights to challenge in court
4. Under the California public records act I wish to be provided with ALL records including but not limited to external emails, internal emails, texts, video, photos, correspondence, documents, notes, architectural plans, prior correspondence with EQ Industrial services regarding prior projects and applications at this or other sites, any prior communication from any government official or employee with EQ industrial services, concerning this proposed project. This is a rush request as I was just informed of this project and there is a hearing soon.
4. If you cannot provide this prior to public hearing I ask that you postpone the hearing.
5. Specifics on the CEQUA exemption.

Dominic Maionchi
415 385 8278

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

DEPARTMENT OF RESOURCE MANAGEMENT



Planning Services Division

NOTICE OF PUBLIC HEARING Zoning Administrator

NOTICE IS GIVEN that the Solano County Zoning Administrator will hold a **PUBLIC HEARING** to consider the Permit revision application no. U-18-01-MR1 of **EQ Industrial Services Inc.** to establish and operate a refuse disposal transfer facility on an 8-acre portion of property located at 8028 Sacramento Road, 1/2 mile west of the City of Dixon, within the Exclusive Agriculture "A-10" Zoning District, APN 0113-010-180. The Zoning Administrator considers this project eligible for a Class 1 Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Facilities. (Project Planner: Eric Wilberg)

The hearing will be held on **Thursday, December 16, 2021 at 10:00 a.m.** in the Department of Resource Management Conference Room, 5th Floor, County Administration Center, 675 Texas Street, Fairfield, California.

Due to COVID-19 and to protect members of the public and County staff, members of the public are encouraged to participate in the meeting telephonically. If you attend the Zoning Administrator meeting in person, you must abide by all State rules and public health guidelines regarding masking and social distancing in the County Administration Center.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance to participate, please call 707-784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC COMMENTS:

In-Person: You may attend the public hearing at the time and location listed above and provide comments during the public speaking period. **Phone:** You may provide comments verbally from your phone by dialing **1-323-457-3408** and entering Conference ID number **2931187218**. Once entered in the meeting, you will be able to hear the meeting and will be called upon to speak during the public speaking period. **Email/Mail:** Written comments can be emailed to Planning@SolanoCounty.com or mailed to Resource Management, Zoning Administrator, 675 Texas Street, Suite 5500, Fairfield, CA 94533 and must be received by 8:00 a.m. the day of the meeting. Copies of written comments received will be provided to the Zoning Administrator and will become a part of the official record but will not be read aloud at the meeting.

Staff reports and associated materials will be available to the public approximately one week prior to the meeting at www.solanocounty.com under Departments: Resource Management; Boards, Commissions & Special Districts; Solano County Zoning Administrator.

If you challenge the proposed consideration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

Daily Republic - legal ad/one time - Wednesday, December 1, 2021
Dixon Tribune - legal ad/one time - Wednesday, December 1, 2021

Sent from my iPhone

12/14/2021

Solano County Planning Manager

Allan Calder

I'm writing in regards to Notice of Public Hearing Application U-18-01-MR1. I am a local neighbor and am very concerned about a potential exemption of important agricultural lands to Commercial Industrial use in Solano county. I have several questions and comments

- In the Dept. of Toxic Substance Control Fact Sheet "Managing Hazardous Waste at Transfer Facilities" section "Siting Considerations for Transfer Facilities" it says that even if exempted the facility must meet a minimum 500-foot minimum distance from permanently occupied housing. This exemption is stated the Project description about in the Project description appears
- What criteria does the county use to determine whether to approve a zoning exemption?
- How much does public input affect the decision?
- Have other potential sites been looked at that wouldn't require an exemption and why was this one selected. The previous location used for this type of operation (Tremont Rd) is nothing like the proposed site on Schroeder. The existing site is industrial and the nearest residence over ½ mile away, with most over 1 mile away. The proposed site on Schroeder has at least a dozen rural agricultural and residential homes within ½ mile. One with within several hundred feet. These homes depend on shallow ground water for domestic and irrigation needs. A potential spill could make the aquifers unusable. A residential area in NW Dixon, in the Tremont School area is also within ½ mile which would be subject to noise, dust and smells. There is an agricultural food processing facility less than 1000 feet away which also be impacted by these
- If the exemption is approved what further control is available to prevent changes in the original plans. It's my understanding that the scale of anything that is approved could be increased (ex. number of trucks, hours and days of operation, quantity of material, etc.) without any further county oversight. Is anything that is allowed in the exemption allowed to be done in the future as long as it meets build permitting?
- Is there any local or community benefits provided at this location that can't be provided by locating it in an area already zoned for this use? There are zero benefits to agriculture that I can see, unlike the previous trucking company which transported agricultural products.
- Why is there no date and contact phone number on the public notice letter sent out? When I called the office the person said she didn't know who to connect me too. She transferred me to the Planning Manager, Allan Calder and I never heard back.

My concerns include, traffic, noise, dust, smells, rodents and other pests. Owners of the property do not live in the area and will not be subject to any of the negative effects. There are other areas in the county already zoned for industry, that are better suited for a Refuse Transfer Station, without the need to use valuable agricultural zoned land.

To me seems that the reason to locate in ag zone is financially beneficial to the company (water, sewer, taxes, lower rent) and the property owner at the expense of local resident's quality of life and property values. During a real estate transaction nearby residents would be required to disclose an industrial hazardous waste site or be susceptible to potential lawsuits for non-disclosure.

Jim Schneider 530-902-8895

6110 Reddick Ln, Dixon CA 95620

From: [Colleen K. Schneider](#)
To: [Planning](#)
Subject: Public notice for zoning U-18-01-MR1
Date: Wednesday, December 15, 2021 11:46:00 AM

I am requesting a 3 week extension of time for the Public Hearing for Use Permit application U-18-01-MR1 of EQ Industrial Services Inc.

Extension is requested due to the following

1. Solano County and State of California delayed response time for Freedom of Information request.
2. Inconsistencies in exemption requests and State of California Waste Transfer Facility laws and procedures
3. Short time frame of Public meeting date from receipt of letter in mail.
4. Extended time period required to collect necessary data and information to thoroughly evaluate effects of exemption. Likely due to COVID Restrictions

Without all the available information a complete evaluation of the exemption will not be possible. Thank you for your consideration

Jim Schneider
6110 Reddick Ln
Dixon, CA. 95620
530-902-8895

Sent from my iPad

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Wilberg, Eric J.

From: Dom <dm567@icloud.com>
Sent: Wednesday, December 15, 2021 1:51 PM
To: Wilberg, Eric J.
Cc: Vasquez, John M.; Hamilton, Jennifer; Chalk, Ryan L.
Subject: use permit u-18-01-mr1

Dear Project Planner,

For the record, I am a neighbor and landowner and oppose the use permit for US Ecology that is being considered.

-I have not had ample time to review all the information regarding this application and there are outstanding CA freedom of information requests yet to be fulfilled.

- The TWO proposed industrial uses, hazardous waste transfer site and staging center for cleanups, are NOT consistent with the agricultural zoning.

- There should be a full CEQA environmental review given the proximity of residential homes and farms to the proposed uses as a hazardous waste transfer site and staging center for cleanups and given the potential for leaks to the groundwater serving residential wells as well as commercial wells. The categorical exemption does not consider the specific nature and dangers of the proposed uses.

- We do not want to raise our children next to hazardous waste storage/transfer site. Neither would you.

-These proposed uses are best suited to an industrial zoned site.

-The proposed uses have no demonstrated direct link to farming.

-For technical reasons that others will be providing and I will leave out here.

-For lack of notice and public input for the exemption offered by the California State Department of Toxic Substances Control from whom we also seek information under the California Department of Toxic Substances Control.

We ask the planners to deny this use permit.

Regards,

Dominic Maionchi

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Comments regarding proposed modification to use permit U-19-01-MR1

The proposed use permit modification to use permit U-19-01-MR1 cannot and should not be approved because the proposed changes to the use of the property would violate county zoning ordinances and create a substantial risk of the release of hazardous materials onto the ground and into groundwater. This risk is made worse by the inaccurate, incorrect and inadequate Environmental Evaluation Questionnaire. Further, the proposed use of this property to handle hazardous waste is masked behind misleading statements and inadequate details. **The applicant must correct the inconsistencies in the submittal, add substantially more information, and request either a zoning change or a variance.**

The Proposed Use Violates the Zoning Ordinance

The proposed modifications to the use permit would allow a hazardous waste processing business that has connection to or affiliation with agriculture. This would be a use that is not approved for land zoned as “A-40” Exclusive Agriculture. In fact the Environmental Evaluation Questionnaire states that there is a proposed General Plan or Zoning Change to “industrial” [sic] (page 6). For that reason, this proposed use would require either a zoning change or a variance but no such procedures have been asked for or initiated. For these reasons, approval of the use permit modification application would violate the California Environmental Quality Act and County ordinances including the General Plan.

The Environmental Evaluation Questionnaire Contains Significant Errors and Insufficiencies

In the Environmental Evaluation Questionnaire, numerous misstatements are made.

1. The description of the operations and the environmental evaluation is superficial and inadequate. For instance, a statement is made under Solid & Hazardous Waste that no “waste containers” will be opened at the site. However, the project description states that the operation will involve “aggregating” containers from various businesses and/or customers. There is no definition of what a “container” is. It may be a mere “zip-lock” bag of a liquid waste. Since the facility would be handling hazardous waste, a very precise description of the varying types of waste and types of waste containers is necessary for staff to ensure procedures are in

- place to minimize the risk of release of hazardous materials to the environment.
2. A use permit allowing the handling of hazardous waste should contain express procedures and requirements for the handling of hazardous waste and the procedures to be followed in the event of an accidental release of hazardous waste. Instead the project description simply states “US Ecology is well versed in the operation of this type and many other waste and transportation related facilities” as if that assurance is adequate to ensure that adequate hazardous waste procedures will be implemented and followed.
 3. The Environmental Evaluation Questionnaire inconsistently describes the current or proposed use of the residence on the property. Under “2. Existing Land Use, Development, and Activities”, the residence is described as “House, no occupancy. Storage only”. This implies that the current use of the house (it is a residential rental) will be abandoned. However this is not expressly stated. If it is not being abandoned as a residence, then there are issues related to the impacts of a hazardous waste operation being conducted in or on or immediately adjacent to a residence. In another location the
 4. The Environmental Evaluation Questionnaire is inconsistent in whether or how changes will be made to the site. Under “Proposed Development and/or Land Use” it states that there will “no changes” to the site. But under “Proposed Structures” it states that a “2,865 Sq. Ft. Modular Office building” will be “placed” on site. Further, there is no explanation of any related sewer, water and power connections nor any discussion of vehicular parking, including required ADA accessible parking requirements.
 5. Another statement in the Environmental Evaluation Questionnaire reads “No crops were grown at the proposed site”. However, the area surrounding the residence, including the location where a modular office is proposed to be installed, is a walnut orchard. Thus, the proposed modification will not only be inconsistent with the agricultural zoning, it will also eliminate some area of agricultural production.
 6. Under “Drainage” the Environmental Evaluation Questionnaire states that the “Site is covered in gravel”. However portions of the site are not covered in gravel, in particular the area proposed for the Modular Office Building.
 7. Under “Easements and Utilities” the Environmental

- Evaluation Questionnaire requires the applicant to describe “any power lines, water mains pipelines” located on the site. The Environmental Evaluation Questionnaire states “none” but this is not correct. At a minimum there is a PG&E easement and also an SID easement and existing power and SID water lines and service. The power service will need to be modified to service the Modular Office Building”
8. Under “Proposed Outdoor Uses or Activities” the Environmental Evaluation Questionnaire merely states “Truck parking and container consolidation”. This is belied by the fact that a warehouse will be used and a modular office will be installed. It is also (again) an inadequate description of how waste (including hazardous waste) will be processed and handled.
 9. The Project Description is inconsistent on the types of waste that will be handled. It states that no “medical” waste will be processed but indicates that one of the types of businesses that the waste processing facility will handle are “pharmaceutical”.
 10. Under “Traffic Generation” the Environmental Evaluation Questionnaire states that only 2 truck trips a day are anticipated and only 8 employees are expected to visit each day. However under “Employees” it states that 15 employees are anticipated.

**WE OPPOSE THE PROPOSED REFUSE DISPOSAL TRANSFER FACILITY AT
8028 Schroeder Road, Dixon, CA**

ATTACHMENT E

We oppose the proposed modifications to use permit U-18-01 because it would create an industrial hazardous waste processing facility in an exclusive agricultural zone that has no connection or relation to agriculture. It is an industrial use that requires a Minor Use Permit (MUP) of its own for a "Transitional Industrial Use" and there are specific requirements for such a use that are not being complied with. Further, the application is misleading, inconsistent and inadequate for such a facility. The application contains misstatements, proposes a new structure, and inadequately and inconsistently describes the types of waste that will be processed and how such waste will be handled. The county must receive substantially more information and details and then conduct a thorough vetting of the application to ensure that our groundwater and air is not contaminated. In Zoning A-40 this information must be provided in a complete application for a MUP for a "Transitional Industrial Use" so that the county can properly evaluate the use to ensure protection of our community.

PRINTED NAME	ADDRESS	SIGNATURE	DATE
<u>EVADENE BURLEY</u>	<u>7906 Schroeder Rd</u>	<u>Evadne Burley</u>	<u>12/13/2021</u>
<u>Cynthia Contreras</u>	<u>7909 Schroeder Rd</u>	<u>Cynthia Contreras</u>	<u>12/13/2021</u>
<u>Clara A. Contreras</u>	<u>7909 Schroeder Rd.</u>	<u>[Signature]</u>	<u>12-13-21</u>
<u>JAMES SCHWEIDER</u>	<u>6110 REARDICK LN</u>	<u>[Signature]</u>	<u>12/14/21</u>
<u>DAVE Scheiber</u>	<u>6127 Reardick LN</u>	<u>[Signature]</u>	<u>12/14/21</u>
<u>STACY SCHEIBER</u>	<u>6127 Reardick LN</u> <u>6110 REARDICK</u>	<u>[Signature]</u>	<u>12/14/21</u>
<u>COLLEEN SCHWEIDER</u>	<u>Colleen Scheiber</u>	<u>Colleen Scheiber</u>	<u>12/14/21</u>
<u>John McKinsey</u>	<u>6212 Silveyville Rd</u>	<u>John McKinsey</u>	<u>12/15/21</u>
<u>George Barley</u>	<u>265 Alder Glen dr.</u>	<u>George Barley</u>	<u>12-15-21</u>
<u>THERON ANDERSEN</u>	<u>7914 SCHROEDER RD</u>	<u>Theron Andersen</u>	<u>12-15-21</u>
<u>Allison Andersen</u>	<u>7914 Schroeder Rd</u>	<u>Allison Andersen</u>	<u>12-15-21</u>

**WE OPPOSE THE PROPOSED REFUSE DISPOSAL TRANSFER FACILITY AT
8028 Schroeder Road, Dixon, CA**

We oppose the proposed modifications to use permit U-18-01 because it would create an industrial hazardous waste processing facility in an exclusive agricultural zone that has no connection or relation to agriculture. It is an industrial use that requires a Minor Use Permit (MUP) of its own for a "Transitional Industrial Use" and there are specific requirements for such a use that are not being complied with. Further, the application is misleading, inconsistent and inadequate for such a facility. The application contains misstatements, proposes a new structure, and inadequately and inconsistently describes the types of waste that will be processed and how such waste will be handled. The county must receive substantially more information and details and then conduct a thorough vetting of the application to ensure that our groundwater and air is not contaminated. In Zoning A-40 this information must be provided in a complete application for a MUP for a "Transitional Industrial Use" so that the county can properly evaluate the use to ensure protection of our community

PRINTED

NAME ADDRESS SIGNATURE DATE

Daniel Maionchi 7959 Schroeder Rd. Daniel Maionchi 12/13/2021
Dixon, CA

DOMINIC MAIONCHI 8089 Schroeder Rd [Signature] 12/13/2021


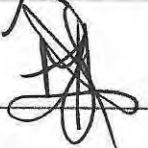



Kathy Maionchi 7953 Schroeder Kathy Maionchi 12/13/2021

Clark Maionchi 7959 Schroeder Rd Clark Maionchi 12/13/21

Milena Maionchi 8089 Schroeder Milena Maionchi 12/13/21

**WE OPPOSE THE PROPOSED REFUSE DISPOSAL TRANSFER FACILITY AT
8028 Schroeder Road, Dixon, CA**

We oppose the proposed modifications to use permit U-18-01 because it would create an industrial hazardous waste processing facility in an exclusive agricultural zone that has no connection or relation to agriculture. It is an industrial use that requires a Minor Use Permit (MUP) of its own for a "Transitional Industrial Use" and there are specific requirements for such a use that are not being complied with. Further, the application is misleading, inconsistent and inadequate for such a facility. The application contains misstatements, proposes a new structure, and inadequately and inconsistently describes the types of waste that will be processed and how such waste will be handled. The county must receive substantially more information and details and then conduct a thorough vetting of the application to ensure that our groundwater and air is not contaminated. In Zoning A-40 this information must be provided in a complete application for a MUP for a "Transitional Industrial Use" so that the county can properly evaluate the use to ensure protection of our community

PRINTED NAME	ADDRESS	SIGNATURE	DATE
Veronica Mendez	8089 Schroeder Rd. Dixon CA. 95620		12/19/2021
Enika Ramos Mendez	8089 Schroeder Rd Dixon CA 95620		12/14/2021
Dana Ramos Mendez	8089 Schroeder Rd. Dixon CA. 95620		12/14/2021
Alberto Ramos	8089 Schroeder Rd. Dixon .CA. 95620		12/14/2021
Cesar Morales	8089 Schroeder Rd. Dixon .CA. 95620		12/14/2021

Wilberg, Eric J.

From: Colleen K Schneider <csotis@sbcglobal.net>
Sent: Monday, December 27, 2021 10:55 AM
To: Calder, Allan M.; Leland, James H.; Wilberg, Eric J.; Vasquez, John M.; channigan@solanocounty.com; Spering, Jim P.; mcbrown@solanocounty.com; Mashburn, Mitchell H.
Subject: U-18-01-MR1 Locating a Hazardous Waste Transfer Facility in A-40 lands near Dixon

Allan Calder, Solano County Planning Manager

Cc: Bridget Corsello, Solano CAO; Terry Schmidtbauer, RM Director; Jim Leland, Solano Planning; Krishna Abrams, Solano county DA; Supervisors; John Vasquez, Erin Hannigan, Monica Brown, Jim Spearing, Mitch Mashburn; Planning commissioners

I'm writing in regards to Staff Report U-18-01-MR1 of EQ Industrial Services (U.S. Ecology). I don't know if you've heard the saying trying to fit a square peg in a round hole but in my opinion that's what is being attempted with this request. It may be accomplished but that doesn't mean it's right. It's much easier to just use a round hole. I question who (U.S. Ecology, realtor, property owner) is really trying to accomplish this. I, along with other neighbors am very concerned about a potential exemption of important agricultural lands to locate a Hazardous Waste Transfer Site Facility in our neighborhood. We are a fairly densely populated area of small orchards with shallow groundwater for our domestic use. The applicants and/or county planning services haven't provided any justification to the public for locating this in our community or why this location is preferred to the numerous industrial sites currently for rent or purchase in the Dixon/Vacaville area. The Solano County Planning Administrator Jim Leland recently recommended approval of this exemption. This is not an exemption for a small event center but for a hazardous waste handling facility where the owner does not reside. Along with potential health effects, our property values and rights will be effected by having to disclose this facility on any future sale. I have many concerns about the process and lack of justification for this recommendation, but will only address a major one here.

In the Dept. of Toxic Substance Control (DTSC) Fact Sheet "Managing Hazardous Waste at Transfer Facilities" the section "Siting Considerations for Transfer Facilities" states that even if the facility is exempted it must meet a 500-foot minimum distance from permanently occupied housing including mobile homes. I brought this to Planner Associate Eric Wilberg's attention approximate one week before the Public Hearing. He implied that he was not aware of this requirement, that it was a DTSC rule and he would check into it. I never heard anything back before the public meeting. At the meeting we were never given any information by the applicant or the county planning department about the residence located on site being vacated. Within hours of the public meeting, when this requirement was made public, the tenants received an eviction notice. In a conversation with one of the residents two days later I was told that US Ecology originally wanted to rent the house for an office but that the property owner said they didn't want to displace their longtime renters and friends. The tenants were told "it was only going to be trucks parking there" and they could stay. They were told nothing about the handling of hazardous waste close by. We have measured another nearby residence with several computer mapping sites and believe it is also within the 500 ft. minimum distance. We have told the planning staff but no one seems concerned enough to check it.

This is more than a little concerning that this application was processed and recommended by the Solano County Planning Department with something of this magnitude, being unknown or

overlooked. If we (the public) had not discovered and disclosed this information, I'm sure you can imagine the liability that Solano County, E.U. Ecology, and the property owner would have been exposed to. In my opinion, this oversight is indicative of the seemingly superficial review and recommendation of an impactive exemption to Solano County and the residents of Dixon.

We as a coalition of neighbors are requesting that alternative sites be considered and/or some justification be given to the public as to why this sight is beneficial over other local Industrial zoned sights. Thank you. Feel free to contact me by email, text or phone

Jim Schneider

6110 Reddick Ln

Dixon, CA 95620 csotis@sbcglobal.net 530-902-8895

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.