

GLENN COUNTY
Planning & Community Development Services Agency

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Donald Rust, Director

STAFF REPORT

MEETING DATE: October 21, 2020
TO: Glenn County Planning Commission
FROM: Greg Conant, Assistant Planner
SUBJECT: Conditional Use Permit 2020-002, Mission Livestock Feedlot

Attachments:

1. Mitigation Measures and Conditions of Approval
2. State Clearinghouse Documentation
3. Mitigated Negative Declaration and Initial Study
4. Mitigation Monitoring and Reporting Program
5. Request for Review Comments Received
6. Application and Ancillary Documents

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1 PROJECT SUMMARY

The project addresses an application for a Conditional Use Permit to convert the previous Greenwood Dairy facility, located at 6569 County Road 27 in Orland, to a beef cattle feedlot. The Greenwood Dairy was established in 2000; in December 2007 Conditional Use Permit 2007-002 was approved for the expansion of the Greenwood Dairy. In March 2009 a Minor Amendment for revisions of the site plans were approved. Conditional Use Permit 2007-002 approved a herd of 4,100 dairy cattle (Holstein); which equates to 5,567 Animal Units.

Conditional Use Permit 2020-002 proposes a feedlot with a beef cattle capacity of approximately 7,100, (4,260 Animal Unit) with a maximum capacity of 9,278 beef cattle. Cattle will arrive at the site at an average weight of 350 pounds and leave at a weight of approximately 950 pounds. Individual cattle will be onsite for approximately 150 days. The facility is proposed to operate seven days a week from 6:00 a.m. to 5:00 p.m. No new structures are being proposed.

Mission Livestock is applying for coverage under Regional Water Quality Control Board (RWQCB) Order R5-2017-0058 Waste Discharge Requirements General Orders for Confined Bovine Feeding Operations. Under this Order, the conversion of the dairy to a feedlot would be considered an “existing facility” as the current dairy was covered under individual waste discharge requirements (Order R5-2008-0122) and the operation had been approved and undergone CEQA review.

The General Plan land use designation is “Intensive Agriculture” and the zoning designation is “AE-40” (Exclusive Agriculture Zone). The proposed feedlot is a permitted use with an approved conditional use permit within the “AE-40” zone. Glenn County Code §15.330.040.W. Detailed project information is included in the Mitigated Negative Declaration and Initial Study attached to this report.

Location:

The project site is 6569 County Road 27, approximately 4-miles south of Orland; located on the south side of County Road 27, west of County Road M, north of County Road 30 and east of County Road 99W, within the unincorporated area of Glenn County, California. Section 15, Township 21 North, Range 3 West, MDBM. Based on U.S. Geological Survey (USGS) Orland 7.5-minute Quadrangle, the site coordinates are Latitude: 39.674oN, Longitude: 122.190oW. (Figure 1 and 2). The project site comprises the following Assessor’s Parcel Number (APN): 024-100-017 (273.07± acres).

1.1 RECOMMENDATIONS

Environmental Determination

That the Planning Commission, in accordance with the previously adopted Glenn County Confined Animal Facility Element, find that Conditional Use Permit 2020-002, will not have a significant adverse effect on the environment because the codified County standards, Conditions of Approval, and Mitigation Measures (*CR-1, TCR-1, AQ-1, AQ-2, AQ-3 and HA-1*) shall reduce potential significant impacts to a less than significant level. Therefore, a Mitigated Negative Declaration shall be granted with the Findings listed in the Staff Report and the Mitigation Measures as presented.

Conditional Use Permit

Also, that the Planning Commission approve Conditional Use Permit 2020-002 with the Findings as presented in the Staff Report and the Mitigation Measures and Conditions of Approval as attached.

2 ANALYSIS

On December 6, 2005 the Glenn County Board of Supervisors adopted a Confined Animal Facilities Element to the Glenn County General Plan. A Program Environmental Impact Report (EIR) for the Confined Animal Facilities Element was certified by the Board of Supervisors. The Confined Animal Facility Element (Policy CAF 3.3) requires confined animal facilities to be subject to a Conditional Use Permit. Therefore, a Conditional Use Permit is required. Conditional Use Permit 2020-002 is in accordance with the previously adopted Glenn County Confined Animal Facilities Element.

A copy of the proposed Mitigated Negative Declaration for Conditional Use Permit 2020-002 is attached. This proposal will not have a significant adverse effect on the environment because the codified County standards, Conditions of Approval, and Mitigation Measures (CR-1, TCR-1, AQ-1, AQ-2, AQ-3 and HA-1) will reduce potential significant impacts to a less than significant level.

This portion of Glenn County is primarily an agricultural area. The proposed project will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity with the proposed mitigation measures and conditions of approval.

2.1 ENVIRONMENTAL DETERMINATION

A copy of the proposed Mitigated Negative Declaration and Initial Study is attached. The Initial Study is a detailed discussion of the project and a discussion of the project's potential environmental impacts as required by the California Environmental Quality Act (CEQA). The Initial Study concludes that this project will result in no Potentially Significant Impacts to the environment with implementation of appropriate mitigation measures, conditions of approval and applicable Federal, State, and local laws and regulations. Therefore, a Mitigated Negative Declaration has been prepared for adoption by the Planning Commission.

2.2 GLENN COUNTY UNIFIED DEVELOPMENT CODE (TITLE 15)

2.2.1 “AE-40” Exclusive Agriculture Zone (Glenn County Code Chapter 15.330)

Uses Permitted with a Conditional Use Permit (Glenn County Code §15.330.040):

The applicant has applied for a Conditional Use Permit for a feedlot. Under Glenn County Code §19.040.020, the proposal would be defined as a confined animal facility. The proposed feedlot or is permitted only if a conditional use permit has first been secured

Glenn County Code §15.330.040.X: Confined animal facility;

Glenn County Code §15.020.020.11: Confined Animal Facilities” are cattle, calves, horses, sheep, goats, swine, rabbits, or large fowl, corralled, penned, or otherwise caused to remain in restricted areas for agricultural-commercial purposes where feeding is other than grazing for more than 45 days during the year. Range pastures for livestock beef cattle are exempt from the definition of confined animal facilities. School projects, 4-H, fairs and other individual educational projects are exempt from the definition of confined animal facilities.

Maximum Building Height (Glenn County Code §15.330.060):

No new structures are being proposed. Any future development shall meet height requirement for the Exclusive Agriculture Zone. §15.330.060.

Minimum Distance Between Structures (Glenn County Code §15.330.070):

No new structures are being proposed. Any future development shall meet the Minimum Distance Between Structures requirement for the Exclusive Agriculture Zone. §15.330.080.

Minimum Yard Requirements (Glenn County Code §15.330.080):

No new structures are being proposed. Any future development shall meet minimum yard requirement for the Exclusive Agriculture Zone. §15.330.080.

2.2.2 Performance Standards (Glenn County Code Chapter 15.560)

The performance standards contained in the following subsections are only those applicable to the proposed project. They shall not be construed as an exhaustive list of project requirements. State and federal laws are also applicable and may require additional compliance measures.

Air Quality (Glenn County Code §15.560.040)

All uses shall comply with applicable local, state, and federal laws and regulations regarding contaminants and pollutants. This requirement includes, but is not limited to, emissions of suspended particles, carbon monoxide, hydrocarbons, odors, toxic or obnoxious gases and fumes. The Glenn County Air Pollution Control District (GCAPCD) is responsible for the planning and maintenance/attainment of these standards at the local level. GCAPCD provided comments regarding this proposal. Mitigation Measure AQ-1 and AQ-2 has been established based upon GCAPCD comments. Air quality impacts are further discussed in Section III of the Initial Study for the project.

Liquid, Solid and Hazardous Waste (Glenn County Code §15.560.090)

- A. *All uses are prohibited from discharging liquid, solid, toxic or hazardous wastes onto or into the ground and into streams, lakes or rivers. Discharge into a public or private waste disposal system in compliance with applicable local, state and federal laws and regulations is permitted.*

- E. *The disposal or dumping of solid wastes accessory to any use including, but not limited to, slag, paper and fiber wastes or other industrial wastes shall be in compliance with applicable local, state and federal laws and regulations.*

The applicant shall operate the proposal in a manner that meet this requirement. Central Valley Regional Water Quality Control Board was provided application documentation. Comments were received on April 30, 2020. Conditions of Approval were established based upon their comments. Waste and water related impacts are further discussed in Section X and XIX of the Initial Study for the project.

2.2.4 GENERAL PROVISIONS

Flood Zone Designation:

Flood Zone “X” according to Flood Insurance Rate Map (FIRM) No. 06021C0400D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone.

3 COMMENTS

Request for Review requesting comments on the proposal was sent on April 9, 2020. The following agencies submitted comments regarding this proposal. Based on their responses we have formulated mitigation measures and conditions of approval for the project. All comment letters are attached to this report for review.

Air Pollution Control District

Based upon Air Pollution Control District Comments Condition of Approval 5 has been established. In addition to Condition of Approval 5, based upon Air Pollution Control District Comments Mitigation Measures AQ-1 (Condition of Approval 12), AQ-2 (Condition of Approval 13), AQ-3 (Condition of Approval 14) and HA-1 (Condition of Approval 15) have been established, details provided in Initial Study.

Condition of Approval 5 (Glenn County Air Pollution Control District):

The site shall operate in accordance with California Code of Regulations Title 16 §86501. As a result, the operator shall keep and maintain records that specify the numbers of animals maintained daily and such other information as may be required by the Glenn County Air Pollution Control District or Air Quality Management District rules. Such records shall be maintained at a central place of business for a period of not less than three years and shall be made available upon request to the Executive Officer or Air Pollution Control Officer or their representative.

Condition of Approval 12 (Mitigation Measure AQ-1 (Air Quality)):

The applicant shall obtain an Authorization to Construct and Permit to Operate (or exemption thereof) approved by the Glenn County Air Pollution Control District. A fully executed copy of Authorization to Construct shall be provided to the Planning Division prior to operation commencement.

Timing/Implementation:
Prior to Operation Commencement

Enforcement/Monitoring:
Glenn County Air Pollution Control District

Condition of Approval 13 (Mitigation Measure AQ-2 (Air Quality)):

The applicant shall submit a copy of a Dust Control Plan (or exemption thereof) approved by the Glenn County Air Pollution Control District. A fully executed copy shall be provided to the Planning Division prior to the issuance of a building permit.

Timing/Implementation:
Prior to Operation Commencement

Enforcement/Monitoring:
Glenn County Air Pollution Control District

Condition of Approval 14 (Mitigation Measure AQ-3 (Air Quality)):

The applicant shall submit a copy of an Odor Control Plan (or exemption thereof) approved by the Glenn County Air Pollution Control District. A fully executed copy shall be provided to the Planning Division prior to the issuance of a building permit or any other permit for site development.

Timing/Implementation
Prior to Operation commencement

Enforcement/Monitoring:
Glenn County Air Pollution Control District

Condition of Approval 15 (Mitigation Measure HA-1 (Hazards and Hazardous Materials)):

Prior to operation commencement, the applicant shall provide Glenn County Planning Division a Hazardous Materials Business Plan approved by Glenn County Air Pollution Control District.

Timing/Implementation:
Prior to Operation Commencement

Enforcement/Monitoring:
Glenn County Air Pollution Control District

Central Valley Regional Water Quality Control Board

Based upon Central Valley Regional Water Quality Control Board Comments Condition of Approval 2 and 3 has been established:

Condition of Approval 2 (Central Valley Regional Water Quality Control Board):

The applicant will operate under Central Valley Regional Water Quality Control Board (RWQCB) Order R5-2017-0058 *Waste Discharge Requirements General Order for Confined Bovine Feeding Operations*. Prior to operation commencement the applicant shall provide Glenn County Planning Division conformation of such coverage from the RWQCB.

Condition of Approval 3 (Central Valley Regional Water Quality Control Board):

Composting operations on site will be covered under SWRCB Order WQ-2015-0121 *General Waste Discharge Requirements for Composting Operations*. Site composting operations shall remain in compliance with this general order.

Environmental Health

Based on Environmental Health Comments Condition of Approval 1 has been established:

Condition of Approval 1 (Glenn County Environmental Health):

The site shall operate as an excluded facility pursuant to Title 14 of California Code of Regulation §17855(a)(1); and shall meet the following:

- Handle exclusively agricultural material as defined by 14 CCR 17852(a)(5).
- All compostable material is obtained from the same property, or adjoining properties owned or controlled by the same owner
- All material, after composting, shall be returned to the same property (except as noted below)
- No more than 1000 cubic yards of compost shall be sold or given away annually

Public Works

Based on Public Works Comments Condition of Approval 4, 7 and 11 have been established:

Condition of Approval 4 (Glenn County Public Works Agency):

That no off-site parking associated with this development shall be allowed on County Road 27.

Condition of Approval 7 (Glenn County Public Works Agency):

That prior to any work being done in the 60' County Right-of-Way an Encroachment Permit shall be applied for and received from the Glenn County Public Works Agency.

Condition of Approval 11 (Glenn County Public Works):

Prior to commencement of operations the applicant shall provide Glenn County Planning Division a copy of a Road Maintenance Agreement (or exemption therefrom) from Glenn County Public Works. Said fee is to be processed through Public Works.

Middle Town Rancheria:

Middle Town Rancheria was provided the application information and submitted a letter regarding the proposal (attached).

Pacific Gas and Electric Company:

Pacific Gas and Electric (PG&E) was provided the application information and submitted a letter regarding the proposal (attached).

Vicinity Comment:

In addition to Agency Comments Received project notices were sent to neighboring property owners informing them an application for a Conditional Use Permit has been received. Only one comment was received from the surrounding property owners and it has been attached to this report.

4 OTHER REQUIREMENTS

There is a ten (10) calendar day appeal period following Planning Commission action on this conditional use permit (Glenn County Code §15.050.020). An appeal made to the Glenn County Board of Supervisors must be made in accordance with Section 15.050.020 of the Glenn County Code and the Board of Supervisors will hear the appeal as prescribed. The decision of the Board of Supervisors may then be challenged in court.

An approved conditional use permit expires one (1) year from the date of granting unless substantial physical construction and/or use of the property in reliance on the permit has commenced prior to its expiration. An approved conditional use permit may be extended by the director for an additional sixty (60) calendar days provided that the applicant/owner submits a written request for extension to the director at least twenty-one (21) calendar days prior to the expiration date. Only one (1) extension shall be allowed for each permit (Glenn County Code §15.090.100.A).

The necessary permits shall be secured in all affected federal, state, and local agencies. It is the responsibility of the applicant/operator to make certain all requirements are met and permits are obtained from all other agencies.

In addition to the Conditions of Approval, the applicant's and his/her technical or project management representative's attention is directed to the project comments from other agencies reviewing the application. The items noted are a guide to assist the applicant in meeting the requirements of applicable government codes. Project comments may also note any unusual circumstances that need special attention. The items listed are a guide and not intended to be a comprehensive summary of all codified requirements or site-specific requirements.

5 FINDINGS FOR MITIGATED NEGATIVE DECLARATION

The Initial Study prepared for the project documents reasons to support the following Findings.

Finding 1 (Aesthetics)

The project will not have a significant impact on aesthetics. The adopted standards for lighting and construction will minimize impacts from future development. The project is compatible with existing uses in the area. Impacts are considered less than significant.

Finding 2 (Agricultural and Forest Resources)

The project will not have a significant impact on agriculture or forest resources. The proposed project will not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. The project site is zoned “AE-40” Exclusive Agriculture (Chapter 15.330 Glenn County Code). The project does not involve construction or conversion of forestland and no trees will be removed. Agricultural activities within the vicinity will not be adversely impacted by this project. No significant change in the current use of the land will result, therefore impacts are considered less than significant.

Finding 3 (Air Quality)

The project will not have a significant impact on air quality with mitigation measure incorporated. The project will not violate air quality standards or contribute substantially to an existing air quality violation. Additionally, the project will not adversely impact sensitive receptors nor would it create objectionable odors. Impacts are considered less than significant with the following mitigation measure incorporated.

Mitigation Measure AQ-1 (Air Quality)

The applicant shall obtain an Authorization to Construct and Permit to Operate (or exemption therefrom) approved by the Glenn County Air Pollution Control District. A fully executed copy shall be provided to the Planning Division prior to operation commencement.

Mitigation Measure AQ-2 (Air Quality)

The applicant shall submit a copy of a Dust Control Plan (or exemption therefrom) approved by the Glenn County Air Pollution Control District. A fully executed copy shall be provided to the Planning Division prior to the issuance of a building permit or any other permit for site development.

Mitigation Measure AQ-3 (Air Quality)

The applicant shall submit a copy of an Odor Control Plan (or exemption therefrom) approved by the Glenn County Air Pollution Control District. A fully executed copy shall be provided to the Planning Division prior to the issuance of a building permit or any other permit for site development.

Finding 4 (Biological Resources)

The project will not have a significant impact on biological resources. There are no identified sensitive habitats or natural communities within the project site; therefore, the project will have a less than significant impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Impacts are considered less than significant.

Finding 5 (Cultural Resources)

The project will not have significant impact on cultural resources with mitigation measures incorporated. State laws are in place in case of accidental discoveries made. Impacts are considered less than significant with mitigation measures incorporated.

Mitigation Measure CR-1 (Cultural Resources)

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- *If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.*
- *If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either:
 - 1) *is not eligible for the NRHP or CRHR; or*
 - 2) *that the treatment measures have been completed to their satisfaction.**
- *If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify Glenn County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours*

from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Finding 6 (Energy)

The project will not have a significant impact on energy. The project will comply with California Green Building Standards as well as California Energy Code. The project will not with conflict or obstruct any state or local plans for renewable or efficient energy.

Finding 7 (Geology and Soils)

The project will not have a significant impact on geology and soils because geologic hazards in the area are minimal and the building codes will require new construction to meet standards for soil conditions. Impacts are considered less than significant.

Finding 8 (Greenhouse Gas Emissions)

The project will not have a significant impact on global climate change as a result of greenhouse gas emissions. The project is not in conflict with existing guidelines or standards. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project will not create significant changes in GHG emissions. Impacts are considered less than significant.

Finding 9 (Hazards and Hazardous Materials)

Hazards and hazardous materials will not have a significant impact on the environment as a result of the proposed project. The project will not interfere with an adopted emergency response plan nor expose people to risk of loss, injury, or death. The project does not propose the use of hazardous materials either directly or indirectly. Impacts are considered less than significant with mitigation measure incorporated.

Mitigation Measure HA-1 (Hazards and Hazardous Materials)

Prior to Operation Commencement, the applicant shall provide Glenn County Planning Division a Hazardous Materials Business Plan approved by Glenn County Air Pollution Control District.

Finding 10 (Hydrology/Water Quality)

The project will not have a significant impact on hydrology and water quality because the project will not significantly alter the drainage pattern of the area. The project will not significantly interfere with groundwater recharge in the area. The project will not substantially deplete groundwater supplies or expose people or structures to a significant risk of loss, injury, or death involving flooding. The project will not violate water quality standards or waste discharge requirements. Impacts are considered less than significant.

Finding 11 (Land Use and Planning)

The project will not have a significant impact on land use and planning because the project would not physically divide an established community. The project is consistent with the Glenn County General Plan land use designation of “Intensive Agriculture” as well as Title 15 of Glenn County Code. The project will not conflict with an existing habitat conservation plan or natural community conservation plan. No impacts are anticipated.

Finding 12 (Mineral Resources)

The project will not have a significant impact on mineral resources; according to the California Department of Conservation Mineral Lands Classification Map, the property does not contain Concrete-Grade Mineral Aggregates. Impacts are considered less than significant.

Finding 13 (Noise)

The project will not have a significant impact on people residing or working in the area from excessive noise levels. The proposed project will not substantially increase noise levels in the area or expose people in the area to excessive noise levels. Any future noise generating activities are required to meet the established standards prescribed by the County Code. The project site is not directly within an airport land use plan and not in the vicinity of a private airstrip which would expose people in the area to unacceptable noise levels. Impacts are considered less than significant.

Finding 14 (Population and Housing)

The project will not have a significant impact on population and housing because the project will not displace people or housing. The project does not induce population growth. Impacts are considered less than significant.

Finding 15 (Public Services)

The project will not have a significant impact on public services. The services of fire protection, police protection, schools, parks, and other public facilities are sufficient to accommodate the proposed project. Existing requirements for taxes and developmental impact fees are implemented to offset impacts.

Finding 16 (Recreation)

The project will not have a significant impact on recreation because it would not substantially increase the use of existing recreational facilities nor does the project include such facilities. No impacts are anticipated.

Finding 17 (Transportation)

The project will not have a significant impact on transportation/circulation because it will not significantly increase traffic volumes on existing roads. The project will not change air traffic patterns. There is adequate access to the project site. Public roads will provide adequate emergency access to the project site. Alternative transportation plans will not be impacted. Impacts are considered less than significant.

Finding 18 (Tribal Cultural Resources)

The project will not have a significant impact on Tribal Cultural Resources with mitigation measures incorporated. Native Tribes were sent project documentation; additionally, the Northeast Information Center of the California Historical Resources Information System states that there are no prehistoric or historic resources in the project area. It is concluded this proposal will not have a significant impact with mitigation measures incorporated.

Mitigation Measure TCR -1 (Tribal Cultural Resources)

In the event that any prehistoric or historic subsurface cultural (including Tribal) resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) and corresponding tribal representative to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report and tribal representative, will be determined by the Glenn County Planning & Community Development Services Agency. Work may proceed on other parts of the project site while mitigation for historical resources, unique archaeological resources, and/or tribal resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, tribal representative, and documented according to current professional standards.

Finding 19 (Utilities and Service Systems)

The project will not have a significant impact on utilities and service systems. The project will not require or result in new or expanded municipal facilities that could cause significant environmental effects. Onsite water supplies and future development is required to meet local, state, federal and utility company standards. Impacts are considered less than significant.

Finding 20 (Wildfire)

The project will not have a significant impact on wildfires. The project will not impair an adopted emergency response plan or emergency evacuation plan. The project will not exacerbate wildfire risk, and no new infrastructure is being proposed. The site is relatively flat and there will be no change in drainage. Impacts are considered less than significant.

Finding 21 (Mandatory Findings of Significance)

There is no substantial evidence, in light of the whole record, that the project may have a significant impact on the environment either cumulatively or individually. Impacts are considered less than significant.

5.2 FINDINGS FOR CONDITIONAL USE PERMIT

According to Glenn County Code Sections 15.220.010 and 15.220.030, the following Findings listed in Glenn County Code Section 15.220.020 shall be made prior to recommending approval of a conditional use permit:

Finding 1

That the proposed use at the particular location is necessary or desirable in providing a service or facility, which will contribute to the general well-being of the public. The site is in an area of existing agricultural uses. The location is desirable because the site is within an existing intensive agricultural area. Additionally, the site is well suited for the proposed use as this site has previously been used as a dairy; as a result no new structures are being proposed, also the existing facility contains many facilities needed for animal waste management.

Finding 2

That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working on the vicinity, or injurious to property or improvements in the vicinity. This project will not be subjected to hazardous conditions due to adverse geologic conditions, proximity to airports, fire hazards, or topography. This site is an existing facility that is transitioning from dairy cattle to beef cattle; no new structures are being proposed, the existing facility also contains many facilities needed for animal waste management. Impacts from hazards resulting from the project are further discussed in the Initial Study. The analysis in the Initial Study concludes that this project will not be detrimental to the health, safety, or general welfare of persons or property in the vicinity of the project.

Finding 3

That the site for the proposed use is adequate in size and shape to accommodate said use and to accommodate all of the yards, setbacks, walls or fences, and other features required herein or by the Planning Commission. The site is adequate in size and shape to accommodate this proposal. The project site is approximately 273.07 acres in size. This site is an existing facility that is transitioning from dairy cattle to beef cattle; no new structures are being proposed, the existing facility also contains many facilities needed for animal waste management. The parcel is adequate in size and shape to accommodate the proposed project. There is adequate space for on-site parking and unloading/loading.

Finding 4

That granting the permit will not adversely affect the General Plan or any area plan of the County because the proposed project conforms to the General Plan and County Code. The proposed project is consistent with the Land Use Designation of “Intensive Agriculture” and the zoning of “AE-40” (Exclusive Agriculture Zone). The proposed Livestock Feedlot is permitted uses within AE-40 zoning with a Conditional Use Permit under Glenn County Code §15.330.040.X and pursuant to the Glenn County Confined Animal Facilities Element of the Glenn County General Plan. The proposed project will meet the land use and zoning requirements of the General Plan and the Zoning Code.

6 SAMPLE MOTIONS:

Environmental Determination

I move that the Planning Commission, in accordance with the previously adopted Glenn County Confined Animal Facilities Element, find that **Conditional Use Permit 2020-002**, will not have a significant adverse effect on the environment because the codified County standards, Conditions of Approval, and Mitigation Measures (*CR-1, TCR-1, AQ-1, AQ-2, AQ-3 and HA-1*) shall reduce potential significant impacts to a less than significant level. Therefore, a Mitigated Negative Declaration shall be granted with the Findings listed in the Staff Report and the Mitigation Measures as presented.

Conditional Use Permit

I (further) move that the Planning Commission approve Conditional Use Permit 2020-002 with the Findings as presented in the Staff Report and the Mitigation Measures and Conditions of Approval as attached.

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