



# County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo  
DIRECTOR

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## PLANNING COMMISSION STAFF REPORT

OCTOBER 8, 2009

**FILE #2009-006:** Request to add approximately 168,000 square feet of total building area to an agricultural research facility, including a new 85,500-square-foot office and laboratory building (of which 56,750 square feet was approved by ZF #99-040), and approximately 138,360 square feet of agricultural support and storage buildings (**Attachment A**).

**APPLICANT/OWNER:** Seminis Vegetable Seeds, Inc.  
37437 State Highway 16  
Woodland, CA 95695

**LOCATION:** 37437 State Highway 16, west of County Road 98 and the City of Woodland (APN: 025-470-35, -38) (**Attachment B**).

**GENERAL PLAN:** Agriculture

**ZONING:** Agricultural Preserve (A-P) and Agricultural General (A-1)

**SUPERVISORIAL DISTRICT:** 5  
(Supervisor Chamberlain)

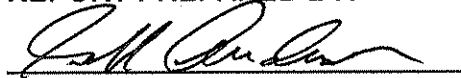
**FLOOD ZONE:** A (area within the 100-year flood plain) and C (area outside the 100-year and 500-year flood plains)

**SOILS:** Yolo silt loam (Class I), Rincon silty clay loam (Class II), Brentwood silty clay loam, 0 to 2 percent slopes (Class I), Myers clay (Class II)

**FIRE SEVERITY ZONE:** None

**ENVIRONMENTAL DETERMINATION:** Negative Declaration

**REPORT PREPARED BY:**

  
Jeff Anderson, Assistant Planner

**REVIEWED BY:**

  
David Morrison, Assistant Director

### RECOMMENDED ACTIONS

That the Planning Commission:

1. **HOLD** a public hearing and receive comments;
2. **ADOPT** the Initial Study/Negative Declaration prepared for the project in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment C**);
3. **ADOPT** the proposed Findings (**Attachment D**); and
4. **APPROVE** the modification of the Use Permit subject to the Conditions of Approval (**Attachment E**).

**AGENDA ITEM 6.2**

## **REASONS FOR RECOMMENDED ACTIONS**

The applicant, Seminis Vegetable Seeds, Inc. (Seminis), is the largest developer, grower, and marketer of fruit and vegetable seeds in the world. Seminis is a leading employer in Yolo County, and expansion of the facility will result in the creation of approximately twenty permanent jobs and several temporary jobs. The proposed project will strengthen the valuable agricultural industry in the county, and the nation, by improving seed research techniques.

## **BACKGROUND**

Petoseed Company, Inc. first obtained a Use Permit to establish an agricultural research center on the property in 1972. The Use Permit was maintained by Petoseed until 1994 when Seminis acquired the company. Several modifications to the Use Permit have been granted since the initial approval to allow for expansion of the facility, with the most recent occurring on September 9, 1999. Please refer to **Attachment F** for a detailed list of approvals for the subject property.

In 1999, Seminis was approved for a Use Permit modification (ZF #99-040) for a four phase master plan involving a 56,750-square-foot office/laboratory building, a 9,800-square-foot research laboratory building, a 20,000-square-foot conference center, and various ancillary agricultural structures, including greenhouses and screenhouses, totaling approximately 295,000 square feet (**Attachment F**). Seminis anticipated that the four phases of the master plan would be completed by 2004. However, since the approval by the Planning Commission in 1999, Seminis has only constructed approximately 42,000 square feet of building.

In the current Use Permit modification application, Seminis is proposing to add 168,070 square feet of total building area, including 114,000 square feet of greenhouses, 24,000 square feet of agricultural storage, a 960-square-foot modular break room, and a 360-square-foot restroom facility (**Attachment A**). The project also proposes an 85,500-square-foot office and laboratory building (of which 56,750 square feet was approved by ZF #99-040). The 56,750-square-foot office/laboratory building was never constructed; thus Seminis is requesting to increase the size of the previously approved building by 28,750 square feet.

After the expansion of the facility as proposed, approximately 45 acres of the project site will be developed with agricultural support buildings (including greenhouses and screenhouses) and office/laboratory buildings. The remaining 100 acres will remain in agricultural production and will continue to be used for research purposes.

## **STAFF ANALYSIS**

The Use Permit for the project site has been maintained for approximately 37 years. In the 15 years that Seminis has owned the property, the Planning and Public Works Department has not received any significant complaints regarding the operation of the facility. The proposed project will expand on the previous Use Permit modifications and will allow the company to continue to increase their research capacities. The applicant has continually been in compliance with the Conditions of Approval approved for the project site.

After build-out of the facility (incorporating approvals from ZF #99-040 and ZF #2009-006), approximately twenty new full-time positions will be added. Seminis plans to consolidate the existing office and laboratory buildings and move the majority of the employees to the state-of-the-art (85,500- square-foot) office/laboratory building once it is constructed. In addition, several part-time employees will be added during harvest times or when extra help is needed. Seminis also plans to build a conference center, which was approved in 1999, to hold occasional meetings for employees

and guests. The impacts to traffic as a result of this Use Permit modification are negligible, as only a small number of employees will be added.

The impacts to traffic were analyzed in the Mitigated Negative Declaration in 1999 as part of ZF #99-040, when Seminis was approved for over 295,000 square feet of building area, including 99,000 square feet of office and laboratory area. Seminis was required to install a left turn lane on State Highway 16 for the westerly driveway to mitigate traffic and complete driveway improvements to both driveways connecting to State Highway 16. The applicant is now proposing to use the easternmost driveway on the subject property along State Highway 16 for all future ingress and egress. The existing driveway to the west will be closed for regular access, but will remain available for emergency access. Caltrans has indicated that the new proposed driveway will require a recessed gate so the vehicles entering the facility do not stack onto the highway. Caltrans also indicated that the applicant is required to stripe a westbound left turn lane with the same storage length as the left turn lane at the existing main entrance.

Seminis has proposed to modify the drainage on the project site in the anticipation of the proposed future development and in response to overland flow from neighboring sheds. Currently, a series of ditches, pipes, and culverts convey runoff to six detention ponds. Several improvements are proposed in the drainage study, including the construction of a drainage channel that will transect the property. As indicated in the Conditions of Approval, prior to the construction of any drainage improvements or the construction of any of the buildings proposed as part of this Use Permit modification, a drainage study for the project site must be submitted to the Planning and Public Works Department for review and approval. Drainage plans for each individual building will be reviewed and approved by the Planning and Public Works Department prior to the issuance of building permits.

The proposed project, as conditioned, is consistent with the County Code and the Yolo County General Plan. Specifically, the expansion of the agricultural research facility is consistent with the following goals, policies, and implementation measures:

- AG-4: Support and promote a healthy and competitive agricultural community and economy.*
- AG-5: Create sites for agricultural industry in order to meet demand for agricultural suppliers, laboratory research, field research, seed research, food processing and other related activities.*
- AP-14: Yolo County shall promote research, development and use of high technology agricultural practices, agricultural biotechnology, sustainable agriculture, agri-tourism, water conservation practices and non-traditional agricultural operations in order to expand and improve opportunities for those engaged in agriculture.*
- AI-7: Support efforts by the private sector to introduce high technology agricultural practices, sustainable agriculture, agri-tourism and non-traditional agricultural operations.*

The Conditions of Approval approved by the Planning Commission for this project in 1999, and in prior Use Permits, are ongoing and continuously enforced. These previously approved Conditions of Approval have been amended and reformatted, and new Conditions of Approval have been added (**Attachment E**).

### **SUMMARY OF AGENCY COMMENTS**

A Request for Comments was prepared and circulated for the proposed project from April 27, 2009 to May 18, 2009. The project was also reviewed at two Development Review Committee meetings

on May 27, 2009 and September 23, 2009. Additionally, a courtesy notice was sent to property owners within 300 feet of the project site. At the time of this report, staff has not received any comments from nearby property owners in opposition to the proposed project. Comments received during the review period from interested agencies are displayed below and will be incorporated into the project as appropriate.

<b>Date</b>	<b>Agency</b>	<b>Comment</b>	<b>Response</b>
April 28, 2009	Yolo County Building Division	There are three open and/or expired building permits on the property.	All building permit issues have been resolved.
April 28, 2009	Yolo County Public Works Division	The county will need evidence that Caltrans accepts any proposed increases in storm water discharge to state right-of-way. For any work required in state right-of-way, the county will require a copy of the Caltrans encroachment permit. A SWPPP will be required for construction disturbance greater than one acre. The drainage study must be reviewed and approved by Planning and Public Works.	Included in Conditions of Approval.
April 30, 2009	Yolo County Assessor's Office	Title is held under two names (Petoseed Co. 025-470-35) and (Seminis Inc. 025-470-38).	Comment noted and applicant notified.
May 11, 2009	Yolo County Farm Bureau	The Farm Bureau supports the expansion plans submitted by Seminis. Such facilities are critical to keeping farming viable for growers.	Comment noted.
June 10, 2009	Health Department, Environmental Health Division	Plans for expansion of the septic system(s) used for domestic liquid waste must be reviewed and approved by Environmental Health.	Included in Conditions of Approval.
June 19, 2009	Central Valley Regional Water Quality Control Board	If the expansion will result in a significant change in the volume, character, or management of the process wastewater, the applicant must apply for revised Waste Discharge Requirements (WDRs).	Included in Conditions of Approval.

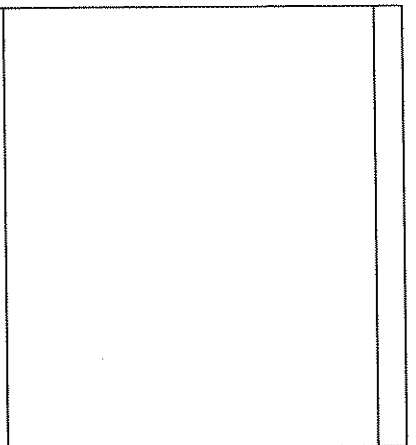
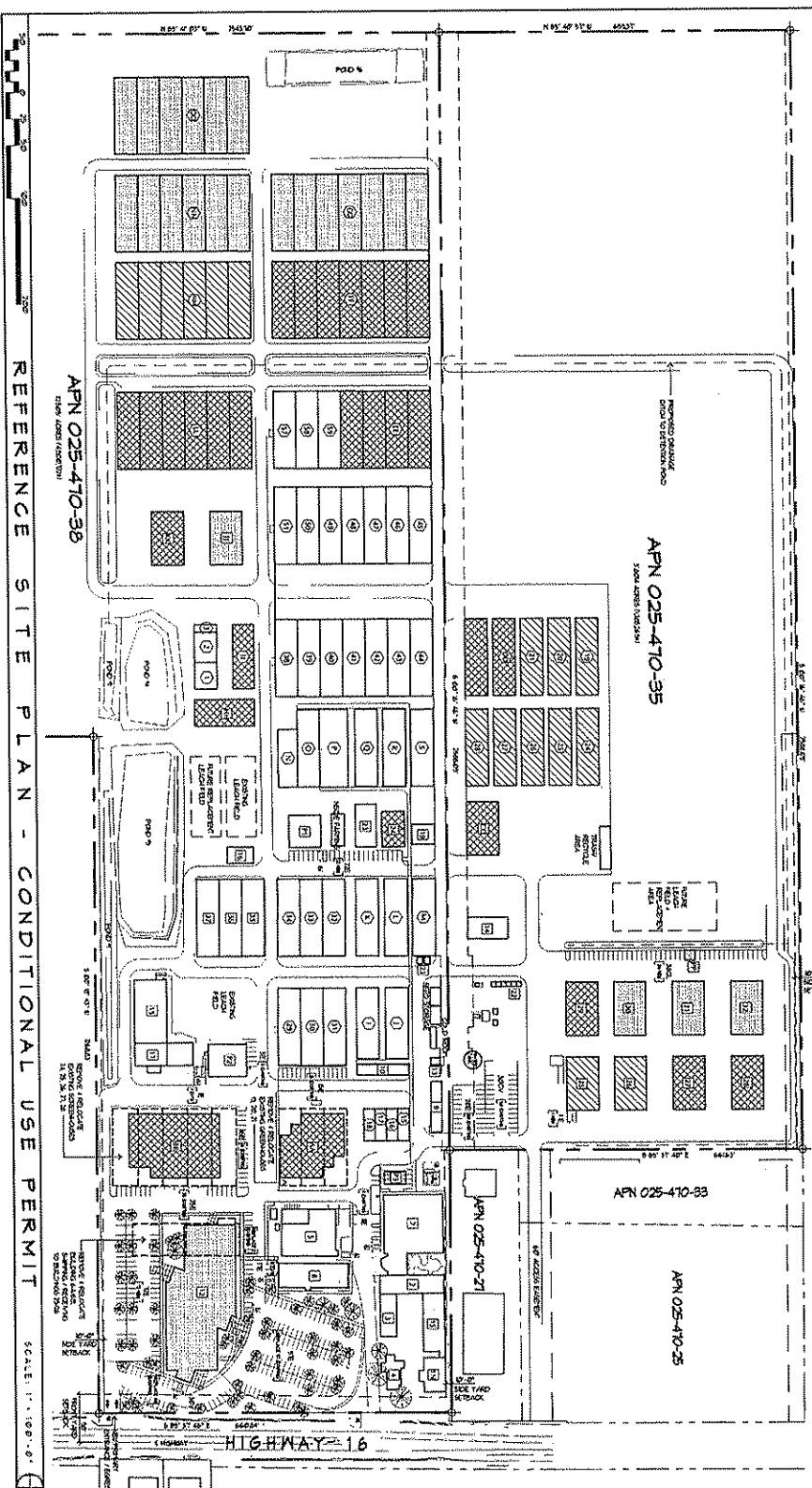
August 26, 2009	California Department of Transportation (Caltrans)	<p>An encroachment permit will be required for any work conducted in the state's right-of-way. Maintenance of landscaping, or sidewalks built within the state's right-of-way becomes the responsibility of the county.</p> <p>The proposed main entrance will need to have a recessed gate so vehicles entering the facility do not stack onto the highway. A westbound left turn lane on State Route 16 must be striped with the same storage length as the left turn lane at the existing main entrance. The applicant must also provide a pavement delineation plan sheet to show the proposed striping on State Route 16.</p>	Included in Conditions of Approval.
October 1, 2009	Willow Oak Fire Protection District	A Knox key switch system shall be installed for the new electric gate.	Included in Conditions of Approval.

**APPEALS**

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of the Board of Supervisors within **fifteen days** from the date of the action. A written notice of appeal specifying the grounds for appeal and an appeal fee immediately payable to the Clerk of the Board must be submitted at the time of filing. The Board of Supervisors may sustain, modify, or overrule this decision.

**ATTACHMENTS**

- A: Site Plan
- B: Location Map
- C: Negative Declaration
- D: Findings
- E: Conditions of Approval
- F: September 9, 1999 Planning Commission Staff Report (ZF #99-040)



**LOCATION MAP**

**SITE LEGEND**

**LOT COVERAGE**

APN 025-470-35  
APN 025-410-33  
APN 025-410-21

APN 025-470-35  
APN 025-410-33  
APN 025-410-21

APN 025-470-35  
APN 025-410-33  
APN 025-410-21

APN 025-470-35  
APN 025-410-33  
APN 025-410-21

**APN 025-470-35**

APN 025-410-33

APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

**PARKING**

APN 025-470-35

APN 025-410-33

APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

**BUILDING AREAS**

APN 025-470-35

APN 025-410-33

APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

APN 025-470-35

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APN 025-410-21

APN 025-470-35

APN 025-410-33

APN 025-410-21

**Project**

**SEMINIS**

**CONDITIONAL USE PERMIT**

**37437 STATE HIGHWAY 16**

**WOODLAND, CA**

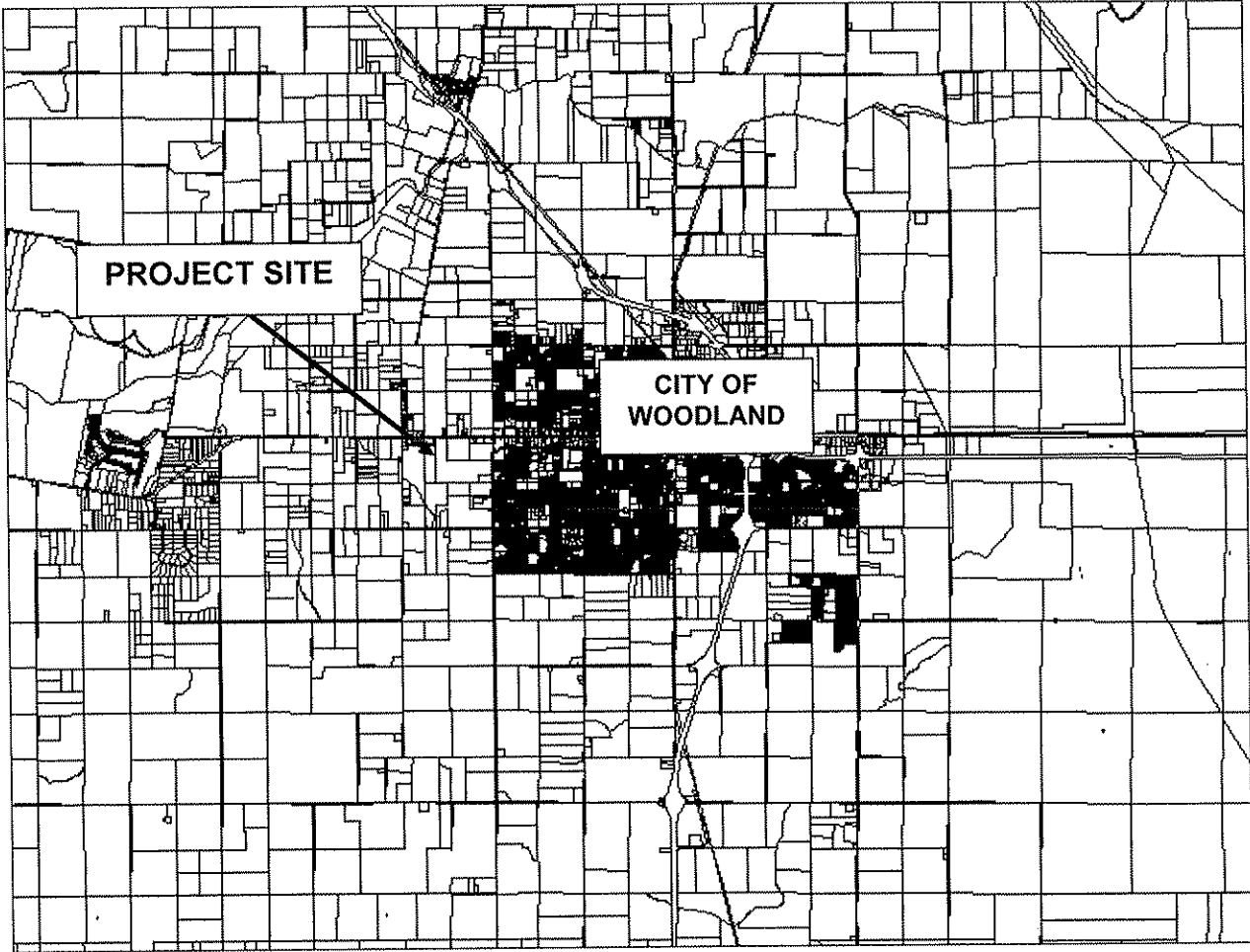
**Architect**

**ARKTEGRAEF**

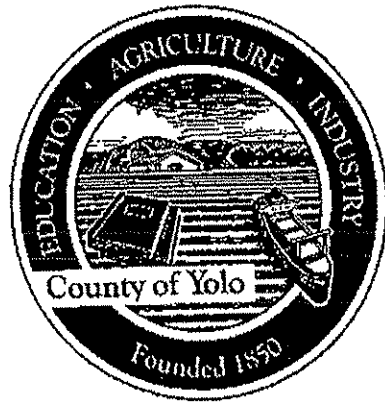
**INCORPORATED**

**ARCHITECTURE • SPACE PLANNING • INTERIOR DESIGN**

1400 27th Street • Berkeley, California 94710 • Telephone: (415) 754-0000



**ATTACHMENT B**



**YOLO COUNTY PLANNING & PUBLIC WORKS  
DEPARTMENT**

**INITIAL STUDY/ NEGATIVE DECLARATION  
ZONE FILE # 2009-006  
SEMINIS VEGETABLE SEEDS  
USE PERMIT MODIFICATION**

**September 8, 2009**



**Negative Declaration / Initial Environmental Study**

1. **Project Title:** Zone File No. 2009-006
2. **Lead Agency Name and Address:**  
 Yolo County Planning and Public Works Department  
 292 West Beamer Street  
 Woodland, CA 95695
3. **Contact Person and Phone Number:** Jeff Anderson, Assistant Planner  
 (530) 666-8036; jeff.anderson@yolocounty.org
4. **Project Location:** 37437 State Highway 16, approximately one-half mile west of the City of Woodland. (APN: 025-470-35, 025-470-38)
5. **Project Sponsor's Name and Address:**  
 Seminis Vegetable Seeds, Inc. (Brett Sanders & Rusty Myers)  
 37437 State Highway 16  
 Woodland, CA 95695
6. **General Plan Designation(s):** Agriculture
7. **Zoning:** Agricultural Preserve (A-P) & Agricultural General (A-1)
8. **Description of the Project:** The proposed project is a Use Permit modification for an agricultural research facility. The project site consists of two adjoining, agriculturally zoned parcels. Parcel 1 (APN: 025-470-38) is zoned Agricultural General (A-1) and Parcel 2 (APN: 025-470-35) is zoned Agricultural Preserve (A-P) and is enrolled in the Williamson Act. The project site is located along the south side of State Route 16, just west of the City of Woodland. In 1999, Seminis Vegetable Seeds, Inc. was approved for a Use Permit modification (ZF #99-040) for a four phase master plan involving a 56,750 square foot office, 9,800 square foot research laboratory building, and various ancillary agricultural structures totaling approximately 295,000 square feet. Since the approval by the Planning Commission in 1999, Seminis has only constructed approximately 42,000 square feet of building.

The intent of the proposed Use Permit modification (ZF #2009-006) is to amend the number and size of future buildings on the Seminis campus over the next five to ten years. Seminis is proposing to add approximately 168,000 square feet of total building area, including a new 85,000 square foot office and laboratory building (of which 56,750 square feet was approved by ZF #99-040), approximately 138,360 square feet of agricultural support and storage buildings, and a 960 square foot modular building. The extent of the Use Permit modification application will only consider these new buildings which have not received previous approval. However, the environmental impacts have been analyzed, taking into consideration the cumulative impact of the current project and the previously approved, but never built, structures.

Seminis has proposed to modify the drainage on the project site in the anticipation of the proposed future development and in response to overland flow from neighboring sheds. Currently, a series of ditches, pipes, and culverts convey runoff to six detention ponds.

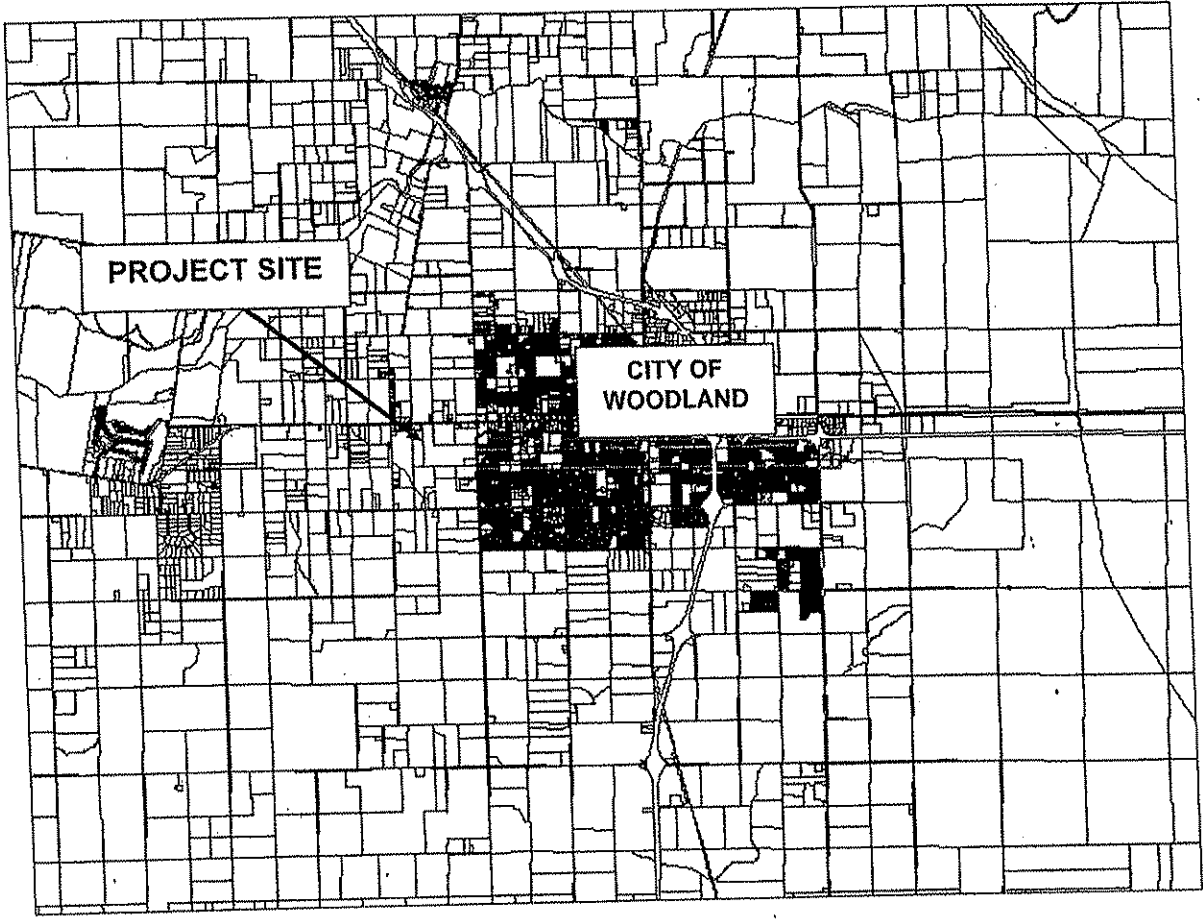
Several improvements are proposed in the drainage study, including the construction of a drainage channel that will transect the property. In addition, the drainage study proposes to discharge into the roadside ditch on the west side of County Road 98. A portion of the drainage improvements, including the controlled discharge into the County Road 98 ditch occur in the 100-year flood zone. Improvements constructed in a flood zone will require a Flood Hazard Development Permit prior to any grading and building permits. In addition, prior to the construction of any drainage improvements or the construction of any of the buildings proposed as part of this Use Permit modification, the drainage study submitted by the applicant must be approved by the Planning and Public Works Department.

As part of the approved Use Permit Modification in 1999, the impacts to traffic were analyzed and the applicant was required to install a left turn lane on State Route (SR) 16 for the westerly driveway to mitigate traffic and complete driveway improvements to both driveways connecting to State Route 16. The applicant is proposing to use the easternmost driveway on the subject property along SR 16 for all future ingress and egress. The existing driveway to the west will be closed for regular access, but will remain available for emergency access. Caltrans has indicated that the new proposed driveway will require a recessed gate so the vehicles entering the facility do not stack on the highway. Caltrans also indicated that the applicant is required to stripe a westbound left turn lane with the same storage length as the left turn lane at the existing main entrance. A Caltrans encroachment permit will be required. In 1999, Caltrans approved road improvements and a left turn lane for the westernmost entrance.

**9. Surrounding Land Uses and Setting:**

Relation to Project	Land Use	Zoning	General Plan Designation
Project Location	Agricultural, Seed Research	Agricultural Preserve (A-P) & Agricultural General (A-1)	Agriculture
North	SR 16 & Agricultural	Agricultural Preserve (A-P)	Agriculture
South	Agricultural	Agricultural General (A-1)	Agriculture
East	Agricultural, CR 98 & City of Woodland	Agricultural General (A-1) & City of Woodland zoning	Agriculture & City of Woodland
West	Agricultural	Agricultural Preserve (A-P) and Agricultural General (A-1)	Agriculture

- 10. Other public agencies whose approval is required:** Amended CVRWQCB wastewater discharge permit, Caltrans encroachment permit, Flood Hazard Development Permit (Yolo County Planning and Public Works), Stormwater Pollution Prevention Plan (Yolo County Planning and Public Works).
- 11. Other Project Assumptions:** The Initial Study assumes compliance with all applicable State, Federal, and local codes and regulations including, but not limited to, County of Yolo Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.



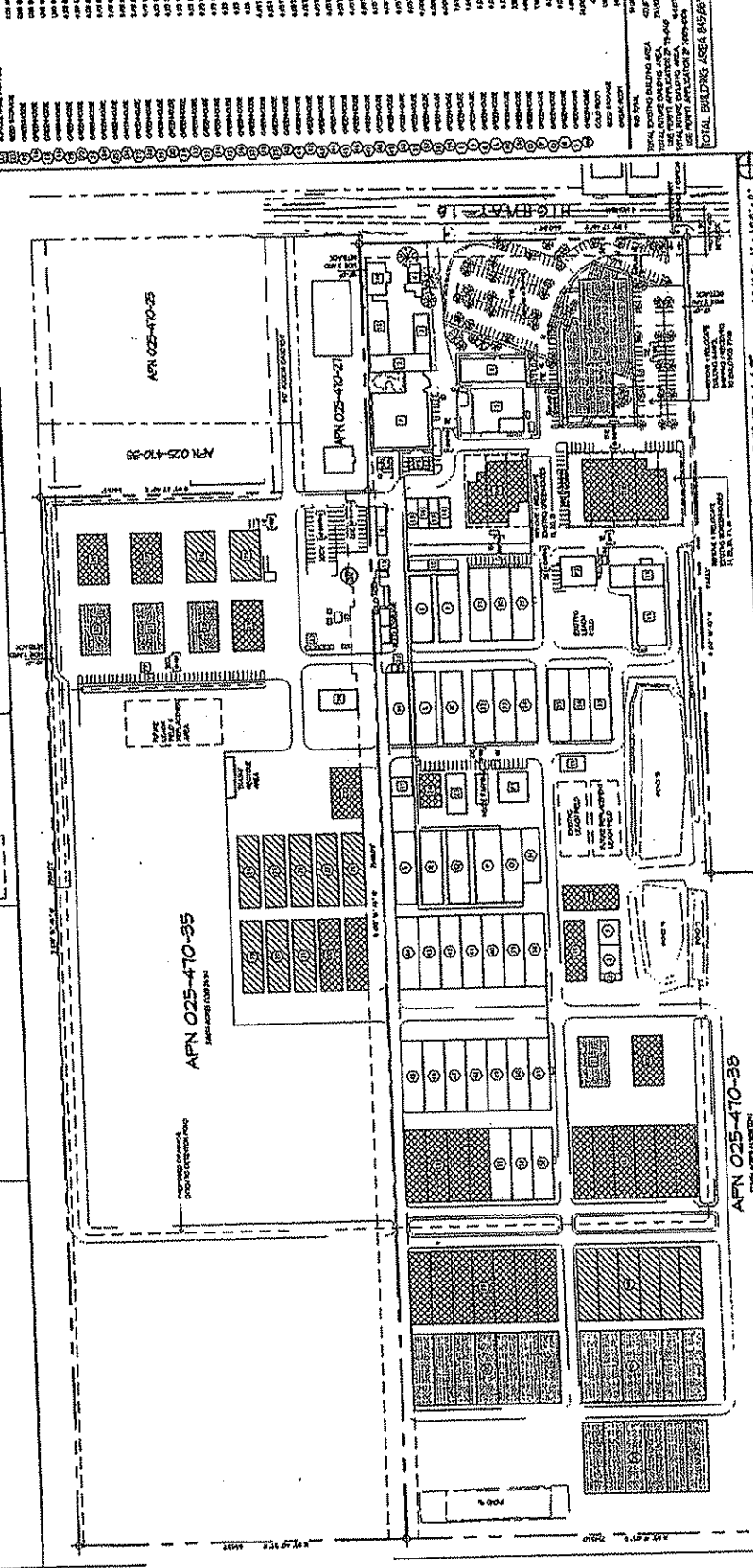
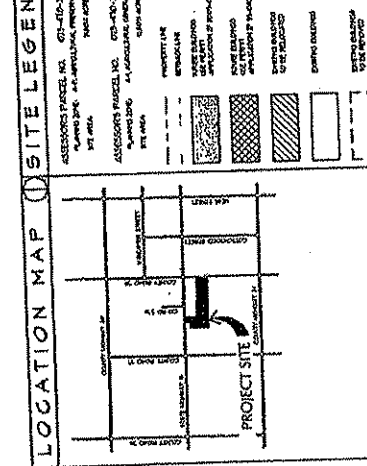
**PROJECT LOCATION**

**BUILDING AREAS**

APN	AREA	USE	PERCENTAGE OF LOT	REMARKS
APN 025-470-35	Office Building	Office Building	100%	
APN 025-470-36	Office Building	Office Building	100%	
APN 025-470-37	Office Building	Office Building	100%	
APN 025-470-38	Office Building	Office Building	100%	
APN 025-470-39	Office Building	Office Building	100%	

**PARKING**

1. MINIMUM	10 SPACES
2. MAXIMUM	10 SPACES
3. TOTAL	10 SPACES
4. TYPE	ASPHALT
5. TOTAL PAVED AREAS	4000 SF
6. TOTAL PAVED AREAS	4000 SF
7. TOTAL PAVED AREAS	4000 SF
8. TOTAL PAVED AREAS	4000 SF



**SITE PLAN**

SCALE: 1" = 100'-0"

REFERENCE SITE PLAN - CONDITIONAL USE PERMIT

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is still "Potentially Significant Impact" (after any proposed mitigation measures have been adopted) as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agricultural Resources             | <input type="checkbox"/> Air Quality              |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION:** (To be completed by the Lead Agency)

On behalf of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 Planner's Signature

9-8-09  
 Date

Jeff Anderson  
 Planner's Printed name

**PURPOSE OF THIS INITIAL STUDY**

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. A determination that a "Less Than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, pursuant to Section 15063 (c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVII at the end of the checklist.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

**I. AESTHETICS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

- (a) *No Impact.* The project would not have an effect on a scenic vista. Agricultural research facilities are allowed with a Use Permit in the A-P and A-1 zones. The project is not located within a county or state designated scenic vista or scenic highway.
- (b) *No Impact.* The project would not damage scenic resources within a state scenic highway. The project is not located within a state designated scenic highway.
- (c) *No Impact.* The project site is currently developed as an agricultural research facility and contains numerous greenhouses, laboratories, offices, and other agricultural buildings. The addition of similar buildings on the project site will not degrade the existing visual character or quality of the site and its surroundings. Agricultural research is allowed with a Use Permit in the A-P and A-1 zones.
- (d) *Less Than Significant Impact.* The construction of new parking areas and new buildings will result in new sources of light. However, any new lighting of parking areas and buildings shall be so designed and located that light sources are pointed toward the ground and shielded from adjoining properties, and shall not cause a glare hazardous to pedestrians or auto drivers. Light fixtures shall be fully shielded, photocell type illumination.

**II. AGRICULTURAL RESOURCES:**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a) *No Impact.* The project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. The development footprint of the project site is designated as "Urban and Built-Up Land" on the Farmland Mapping and Monitoring Program 2006 Yolo County Important Farmland map. In addition, agricultural research is a conditional use in the Agricultural Preserve (A-P) and Agricultural General (A-1) zones. The remainder of the project site (not proposed for development under the Use Permit) is designated as Farmland of Statewide Importance. This land will continue to be used for agricultural purposes by the applicant.
- (b) *No Impact.* The project site is located on two parcels. Parcel 1 is zoned A-P and is enrolled in the Williamson Act and Parcel 2 is zoned A-1. Both zones allow agricultural research facilities as a conditional use. In addition, agricultural research is compatible with Williamson Act regulations.
- (c) *No Impact.* The project would not involve other changes in the existing environment that could result in conversion of farmland to a non-agricultural use. The uses proposed in the Use Permit are agriculture related. The seed research operations on the Seminis property provide residual benefits for the County's agricultural industry.

**III. AIR QUALITY:**

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

The Yolo Solano Air Quality Management District (YSAQMD) has published a set of recommendations that provide specific guidance on evaluating projects under CEQA relative to the above general criteria (YSAQMD, 2007). The Guidelines identify quantitative and qualitative long-term significance thresholds for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources. These thresholds include:

Reactive Organic Gases (ROG)	10 tons/year
Oxides of Nitrogen (NOx)	10 tons/year
Particulate Matter (PM <sub>10</sub> )	80 ppd
Carbon Monoxide (CO)	Violation of a state ambient air quality standard for CO

Development projects are considered cumulatively significant if:



1. The project requires a change in the existing land use designation (i.e., general plan amendment, rezone); and
2. Projected emissions (ROG, NOx, or PM<sub>10</sub>) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation.
  - (a) *No Impact.* The project would not substantially conflict with or obstruct implementation of the Yolo Solano Air Quality Management District Air Quality Attainment Plan (1992), the Sacramento Area Regional Ozone Attainment Plan (1994), or the goals and objectives of the Yolo County General Plan.
  - (b)(c) *Less Than Significant Impact.* The Yolo-Solano region is a non-attainment area for state particulate matter (PM<sub>10</sub>) and ozone standards, and the Federal ozone standard. The project would contribute to air quality impacts, including PM<sub>10</sub>, during construction and grading activities. However, this is only a temporary or short-term increase in PM<sub>10</sub>. This impact is considered less than significant because any potentially sensitive receptors would be exposed to minor amounts of construction dust and equipment emissions for short periods of time with no long term exposure to potentially affected groups. In the long term, some PM<sub>10</sub> may result from dust raised by vehicles driving on the site. Such dust is expected to be minimal, consistent with effects typically found in an agricultural area.
  - (d) *Less Than Significant Impact.* The nearest sensitive receptors in the project vicinity include two single family homes approximately 130 feet from the property line of the project site. The air pollutants generated by the proposed project would be primarily limited to dust and particulate matter during construction and improvement activities, vehicle trips generated through employee and visitor activity, and truck deliveries. However, dust will be controlled through effective management practices, such as water spraying during construction activity. As part of the building permit process, approvals shall be obtained by Yolo Solano Air Quality Management District prior to obtaining a building permit.
  - (e) *Less Than Significant Impact.* Odors on the site may come from the storage of onions or other similar product. Moreover, autoclaves used for sterilizing release steam and may produce a smell upon opening. However, these items have been determined to be less than significant based on their proposed location on the project site and the distance to any sensitive receptor.

**IV. BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations; or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 4040 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**INITIAL STUDY CHECKLIST/NEGATIVE DECLARATION**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion of Impacts**

- (a) *Less Than Significant Impact.* The proposed development that will result from approval of the Use Permit modification has the potential to decrease foraging habitat for the Swainson's hawk. As part of the Use Permit modification approval in 1999 (ZF #99-040), a Condition of Approval (#13) was implemented to require the applicant to mitigate for the loss of Swainson's hawk habitat prior to the issuance of building permits. Consistent with the approved Use Permit modification in 1999, the applicant shall mitigate for the loss of Swainson's hawk habitat through participation in the Draft Yolo County Habitat Conservation Plan, as outlined in the Conditions of Approval. This shall apply to all structures that were approved in 1999, but never constructed, and for new structures allowed by the approval of this Use Permit modification (ZF #2009-006). Structures proposed to be located on an already developed portion of the property, of which is not Swainson's hawk foraging habitat, are excluded. The applicant shall be required to mitigate by participating in the Draft Yolo County Habitat Conservation Plan prior to securing building permits.
- (b-f) *No Impact.* Agricultural lands surround the project to the north, south, and west. Residential uses, within the City of Woodland, surround the property to the east across County Road 98. However, the proposed structures and agricultural buildings will not be located on the portion of the property near the City of Woodland residential uses. There are no known wetlands or riparian habitat in the project area. The project will not conflict with the provisions of any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan including the Draft County Habitat Conservation Plan.

**V. CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a) *No impact.* The project site is not known to have any historical significant or significant characteristics as defined by the criteria within the CEQA Guidelines.
- (b) *No impact.* The project site is not known to have any archaeologically significant characteristics as defined by the criteria in the CEQA Guidelines.
- (c) *No impact.* No paleontological resources are known or suspected and no unique geologic features exist on the project site.
- (d) *Less Than Significant Impact.* No human remains are known or predicted to exist in the project area. If, however, any future development resulting from the parcel map should uncover human remains, no further site disturbance shall occur until the County coroner has determined that the remains are

**INITIAL STUDY CHECKLIST/NEGATIVE DECLARATION**

not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

**VI. GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known Fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

(a) *Less Than Significant Impact.*

- iv. The project site can be expected to experience moderate to strong ground shaking during future seismic events along major active faults throughout Northern California or on smaller active faults located in the project vicinity. However, the project will comply with all applicable Uniform Building Code and Yolo County Improvement Standards requirements in order to obtain Building Permit approval from the Yolo County Planning and Public Works Department.
- ii. & iii. Any major earthquake damage on the project site is likely to occur from ground shaking and seismically related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. Seismically induced shaking and some damage should be expected to occur during a major event but damage should be no more severe in the project area than elsewhere in the region. Framed construction on proper foundations constructed in accordance with current Uniform Building Code requirements is generally flexible enough to

sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking or ground failure, including liquefaction.

- iv. The project site is relatively level, with gentle sloping variation, and approval of the project would not expose people or structures to potential landslides.
- (b) *Less Than Significant Impact.* Existing Yolo County regulations require that a Storm Water Pollution Prevention Plan (SWPPP) be obtained before any grading can occur on one acre or more, which requires the use of soil erosion control techniques in order to reduce the possibility of any significant soil erosion from occurring. As a condition of project approval, the applicant will be required to prepare a SWPPP before a grading permit can be obtained for an area over an acre.
- (c)-(d) *Less Than Significant Impact.* The project is not located on expansive soils. All construction will be required to comply with all applicable Uniform Building Codes.
- (e) *Less Than Significant Impact.* The septic system and wastewater disposal systems are regulated by the Environmental Health Division and California Regional Water Quality Control Board (Central Valley Region), respectively. The soils on the site have historically been acceptable for handling the wastewater and waste discharge.

**VII. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working within the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**INITIAL STUDY CHECKLIST/NEGATIVE DECLARATION**

- (a) *Less Than Significant Impact.* Construction activities associated with the proposed project would require the transport, storage, use, handling and disposal of different types of hazardous substances including fuel, oil, lubricants, and solvents. However, transport, use, and disposal of hazardous materials will be stored and handled in accordance with all applicable federal, state, and local requirements, including Yolo County Environmental Health regulations and be limited to the duration of construction. Long term, the project is not expected to include the routine transport, use, or disposal of hazardous materials.
- (b) *Less Than Significant Impact.* Construction of the proposed project will involve the use of equipment that uses small amounts of oils and fuels and other potentially flammable substances typically associated with construction activities. However, the risk of construction-related release of hazardous materials for the proposed project will be minimal because the transport, use, and disposal of any construction related hazardous materials will be stored and handled in accordance with all applicable federal, state, and local requirements, including Yolo County Environmental Health regulations, as described above. Long term, there are no reasonably foreseeable conditions involving the release of hazardous materials into the environment. Unleaded gas, sulfuric acid, agricultural chemicals and waste drums are used for lab waste. However, due to the relatively low quantities of these items the project will not present a significant risk of accidental release of hazardous substances. The buildings proposed as part of this Use Permit Modification are largely agricultural structures and greenhouses.
- (c) *No Impact.* As stated above, minimal usage of hazardous materials will occur as a result of this Use Permit modification. Additionally, the project site is not located within one-quarter mile of an existing or proposed school.
- (d) *No Impact.* The project site is not located on a site and/or near a site that is included on a list of hazardous materials sites compiled by the Yolo County Environmental Health Department-Hazardous Waste Site Files pursuant to Government Code 65962.5. The proposed project would not expose people to known existing sources of potential health hazards.
- (e) *No Impact.* The project is not within two miles of a public airport, and therefore not within the runway clearance zones established to protect adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents.
- (f) *No Impact.* The project is not located within the vicinity of a private airstrip.
- (g) *No Impact.* The project does not have the potential to interfere with an emergency response plan or emergency evacuation plan.
- (h) *No Impact.* The project site is not located in a wildland area and, therefore, would not be at risk from wildland fires. The project will be developed in accordance with fire district standards and the Uniform Fire Code.

**VIII. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Significantly deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**INITIAL STUDY CHECKLIST/NEGATIVE DECLARATION**

runoff in a manner which would result in flooding on- or off-site?

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion of Impacts**

- (a) *Less Than Significant Impact.* The waste discharge for the project site is regulated by the California Regional Water Quality Control Board, Central Valley Region (CVRWQCB). The facility has been operating under Waste Discharge Requirements Order No. 97-137. The facility has the approval to discharge 24,000 gallons per day of seed washing wastewater, during the summer and fall months, with an average seed washing daily flow of approximately 4,800 gallons per day and an estimated 4,000 gallons per day of laboratory wastewater. It is expected that the discharge will increase approximately 1500-2500 gallons per day with the addition of the 85,000 SF office/laboratory building. Prior to the construction of new office/laboratory building, Seminis shall obtain the necessary permits from CVRWQCB for discharge requirements.
- (b) *Less Than Significant Impact.* There are three wells located on the project site—one domestic well and two agricultural wells. The project will not significantly deplete groundwater supplies or interfere with groundwater recharge.
- (c)(d)(e) *Less Than Significant Impact.* The applicant has proposed to modify the drainage on the project site in the anticipation of the proposed future development and in response to overland flow from neighboring sheds. Currently, a series of ditches, pipes, and culverts convey runoff to six detention ponds. Several improvements are proposed in the drainage study, including the construction of a drainage channel that will transect the property. In addition, the drainage study proposes to discharge into the roadside ditch on the west side of County Road 98. A portion of the drainage improvements, including the controlled discharge into the County Road 98 ditch occur in the 100-year flood zone. Improvements constructed in a flood zone will require a Flood Hazard Development Permit prior to any grading and building permits. In addition, prior to the construction of any drainage improvements or the construction of any of the buildings proposed as part of this Use Permit modification, the drainage study submitted by the applicant must be approved by the Planning and Public Works Division.
- (f) *Less Than Significant Impact.* The project will not substantially degrade water quality on the project site or in the surrounding area. The discharge of wastewater is heavily regulated by the CVRWQCB. In addition, any expansion of the septic system(s) used for domestic liquid waste must be reviewed and approved by the Environmental Health Division.
- (g) *No Impact.* The portion of the subject site where development is proposed is in flood zone "C", as designated by the Federal Emergency Management Agency (FEMA), and is not subject to 100-year or 500-year flood flows. Only a small segment of the project site, where there are neither existing structures nor proposed structures, is located in flood zone "A." In addition, no housing is proposed to be built as part of this application.

- (h) *Less Than Significant Impact.* No structures are proposed within the 100-year flood zone. However, drainage improvements are proposed in the 100-year flood zone. A Flood Hazard Development Permit will be required prior to any grading or building permits within the 100-year flood zone to determine that all requirements are satisfied and that the project site and surround area are safe from flooding. The drainage study must be approved by the Planning and Public Works Division prior to any improvements.
- (i) *No Impact.* The project site is not located immediately down stream of a dam or adjacent to a levee that would expose individuals to risk from flooding.
- (j) *No Impact.* The project area is not located near standing water. In addition, the project site is relatively flat and is not located near any physical or geologic features that would produce a mudflow hazard.

**IX. LAND USE AND PLANNING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a) *No Impact.* The City of Woodland is approximately one mile east of the project site. The properties surrounding the project site are agriculturally zoned. The proposal is consistent with the adjacent rural uses and does not divide the physical arrangement of an established community.
- (b) *No Impact.* The project does not conflict with any land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project is in full compliance with the adopted policies of the Yolo County General Plan and Woodland Area General Plan.
- (c) *No Impact.* The county does not have an adopted HCP or NCCP. The project would not conflict with the Yolo County Draft Natural Community Conservation Plan.

**X. MINERAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a)(b) *No Impact.* There are no known mineral resources on the site and the site is not delineated as resource recovery site. The proposed project will not affect the availability of any known mineral resource or resource recovery site.

**INITIAL STUDY CHECKLIST/NEGATIVE DECLARATION**

**XI. NOISE**

Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a) *Less Than Significant Impact.* The additional agricultural research facilities on the project site will not generate excessive levels of new noise. Noise levels from the proposed new uses will be consistent with noise levels typically found in agricultural areas, and impacts to noise levels would be less than significant.
- (b) *Less Than Significant Impact.* Potential groundborne vibration may occur during paving or construction of new buildings and agricultural support facilities. However, this is not expected to be significant and would be short term.
- (c) *Less Than Significant Impact.* The proposed project would not increase overall ambient noise within the immediate vicinity and would not create a substantial permanent noise source. Truck trips may slightly increase ambient noise levels; however, the impact would be negligible.
- (d) *Less Than Significant Impact.* Required grading and construction for the new uses (agricultural and office buildings) would involve the use of trucks and equipment that generate noise; however, temporary and periodic impacts related to construction noise are expected to be less than significant.
- (e) *No Impact.* The nearest public airport is not within two miles of the project vicinity, and therefore not within an airport land use plan.
- (f) *No Impact.* The project site is not located near a private airstrip and would not be exposed to noise from any private airstrip.

**XII. POPULATION**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**Discussion of Impacts**

- (a) *No Impact.* The project does not include the extension of any major infrastructure nor would it induce substantial development or growth in an undeveloped area. The project site is served by existing wells and septic systems.  
 (b)(c) *No Impact.* The project does not propose to displace existing housing or people.

**XIII. PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response time or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a) *Less Than Significant Impact.* The increase of employees as a result of this project and the construction of new buildings could slightly increase the demand for fire and emergency services. The Willow Oak Fire District provides primary service to the project site. The project has been sent to the Willow Oak Fire District with no major concerns noted. All new buildings will require the approval of the fire district before a building permit may be issued.  
 (b) *Less Than Significant Impact.* The proposed project would not significantly impact police services provided by the Yolo County Sheriff's Department.  
 (c) *No Impact.* The expansion of the agricultural research facilities on the project site will not have an impact on local schools. Prior to the issuance of building permits for applicable structures on the project site, school impact fees will be collected for the Woodland Joint Unified School District.  
 (d) *No Impact.* The project will not have an impact on neighborhood or regional parks.  
 (e) *No Impact.* The project will not have an impact on other public facilities.

**XIV. RECREATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a) *No Impact.* The project would not directly or indirectly increase the use of existing parks or other recreational facilities.
- (b) *No Impact.* The project does not propose recreational facilities nor will it require the construction or expansion of recreational facilities.

**XV. TRANSPORTATION/TRAFFIC**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase on either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- (a) *Less Than Significant Impact.* An estimated twenty employees are anticipated to be added after the 85,000 square foot office/laboratory facility is constructed and approximately ten truck deliveries are expected per business day. This, by itself, will not cause a significant increase in traffic. Several buildings, which were approved in 1999 and never built, will increase traffic to the facility; however these impacts have already been accounted for in the previous Mitigated Negative Declaration. As

part of the approved Use Permit Modification in 1999, the impacts to traffic were analyzed and the applicant was required to install a left turn lane on State Route (SR) 16 for the westerly driveway to mitigate traffic impacts. The applicant is proposing to use the easternmost driveway on the subject property along SR 16 for all future ingress and egress. The existing driveway to the west will be closed for regular access, but will remain available for emergency access. Caltrans has indicated that the new proposed driveway will require a recessed gate so the vehicles entering the facility do not stack on the highway. Caltrans also indicated that the applicant is required to stripe a westbound left turn lane with the same storage length as the left turn lane at the existing main entrance. A Condition of Approval will be added to this effect. The roadway and driveway improvements have been analyzed in the 1999 Mitigated Negative Declaration.

- (b) *Less Than Significant Impact.* The current level of service (LOS) on State Route 16 in the project area is LOS D. The proposed project will not impact the existing LOS on the road.
- (c) *No Impact.* The project will not result in a change in air traffic patterns.
- (d) *Less Than Significant Impact.* See (a) above. The project site connects to SR 16 with two existing paved driveways. The project is not expected to increase hazards and is considered a less than significant impact.
- (e) *No Impact.* The proposed project will not result in inadequate emergency access. The existing entrance/exit off SR 16 (westerly entrance/exit) is proposed to be used only for limited and emergency access. The driveway to the east off SR 16 will be available for emergency access. In addition, Seminis maintains an access easement over the property (APN: 025-470-27) to the west.
- (f) *No Impact.* The previous Use Permit modification anticipated that 589 parking spaces would be provided after build-out of the entire facility. The project has not reached full build-out, and is not expected to do so for several years. Currently, 267 parking spaces are provided on site for approximately 230 employees. The site plan proposes to add 133 parking spaces for a total of 400 spaces. The facility is expected to add approximately 20 employees after the 85,500 square foot office/laboratory is constructed. Since this is a discretionary project, staff can work with the applicant to develop a realistic number of parking spaces to be required. In any case, with the amount of available land on the parcel and with the current number of parking spaces already provided, there will not be an inadequate amount of parking.
- (g) *No Impact.* The project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

**XVI. UTILITIES AND SERVICE SYSTEMS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**INITIAL STUDY CHECKLIST/NEGATIVE DECLARATION**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion of Impacts**

- (a)(b) *Less Than Significant Impact.* The waste discharge for the project site is regulated by the California Regional Water Quality Control Board, Central Valley Region (CVRWQCB). The facility has been operating under Waste Discharge Requirements Order No. 97-137. The facility has the approval to discharge 24,000 gallons per day of seed washing wastewater, during the summer and fall months, with an average seed washing daily flow of approximately 4,800 gallons per day and an estimated 4,000 gallons per day of laboratory wastewater. It is expected that the discharge will increase approximately 1500-2500 gallons per day with the addition of the 85,000 SF office/laboratory building. The facility has the capacity to store existing and anticipated future wastewater onsite. Prior to the construction of new office/laboratory building, Seminis shall obtain the necessary permits from CVRWQCB for discharge requirements. Domestic wastewater is treated in septic tanks with leach field disposal, regulated by Yolo County Environmental Health Division. Any expansion of the septic system(s) used for domestic liquid waste must be reviewed and approved by the Environmental Health Division.
- (c) *Less Than Significant Impact.* The onsite drainage is currently a series of ditches, pipes, and culverts that convey runoff to six detention ponds. Seminis has proposed to modify the drainage on the project site in the anticipation of the proposed future development and in response to overland flow from neighboring sheds. Several improvements are proposed in the drainage study, including the construction of a drainage channel that will transect the property. In addition, the drainage study proposes to discharge into the roadside ditch on the west side of County Road 98. Prior to the construction of any drainage improvements or the construction of any of the buildings proposed as part of this Use Permit modification, the drainage study submitted by the applicant must be approved by the Planning and Public Works Division.
- (d) *No Impact.* The project site has sufficient water supplies available to serve the proposed project and the anticipated future build-out of the site. The site is served by an onsite domestic well and two agricultural wells for field and greenhouse irrigation.
- (e) *Less Than Significant Impact.* The project area is not served by existing wastewater treatment facilities and will not result in the construction of new wastewater treatment facilities or the expansion of existing facilities. The project will continue to be served by an existing septic system and wastewater ponds.
- (f) *No Impact.* The existing County landfill would adequately accommodate the project. The project would not impact disposal capacity at the landfill.
- (g) *No Impact.* The proposed project would be required to comply with all solid waste regulations as implemented and enforced by Yolo County.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

Does the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable")	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?

- c) Have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Discussion of Impacts**

- (a) *No Impact.* Based on the information provided in this Initial Study, no potential environmental impacts would be caused by the project. No important examples of major periods of California history or prehistory in California were identified; and the habitat and/or range of any special status plants, habitat, or plants would not be substantially reduced or eliminated.
- (b) *No Impact.* Based on the analysis provided in this Initial Study, the project would have no significant cumulative impacts.
- (c) *No Impact.* Based on the analysis provided in this Initial Study, no impacts to human beings would result from the proposed project. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly.

**REFERENCES**

- Yolo County General Plan
- Project description and site plans provided by the applicant
- Previous Use Permit modification (ZF #99-040)

**FINDINGS**  
**SEMINIS VEGETABLE SEEDS, INC. USE PERMIT MODIFICATION**  
**ZONE FILE #2009-006**

Upon due consideration of the facts presented in the staff report and at the public hearing for Zone File #2009-006, the Planning Commission approves the proposed Use Permit modification. In support of this decision, the Planning Commission makes the following findings (*A summary of the evidence to support each FINDING is shown in italics*):

**California Environmental Quality Act**

1. That the proposed Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and Guidelines and is the appropriate level of environmental review for this project.

*The environmental document for the project, prepared pursuant to Section 15000 et. seq. of the CEQA Guidelines, provides the necessary proportionate level of analysis for the proposed project, and sufficient information to reasonably ascertain the project's potential environmental effects. The environmental review process has concluded that there will not be a significant effect on the environment.*

**Yolo County General Plan**

In accordance with Land Use Policy 18 of the Yolo County General Plan, Agricultural Area Uses, the Planning Commission finds the following:

2. The use is directly related to agricultural land use.

*The expansion of the agricultural research facility is directly related to agriculture. The project includes greenhouses and screenhouses where agricultural products are grown for research purposes. In addition, approximately 100 acres of the 145 acre project site will remain entirely in agriculture production (for research purposes).*

3. The use will not diminish or prevent agricultural use on site or on adjoining agricultural lands.

*The proposed project will not diminish or prevent agricultural use on any adjoining agricultural lands. Properties to the west, south, and east are all in agricultural production and will continue as such. The project site will continue to be utilized for farming and agricultural research operations, which are beneficial to the county's agricultural community.*

4. The use has some hazard or nuisance aspect which precludes it from being placed in an urban area.

*Typically, agricultural research facilities need to be located on agricultural land and cannot be located within an urban area. The project facility requires significant amount of agricultural acreage in order to meet their business objectives, which is not available in urban areas.*

5. The use can be developed in the area without significant reduction of cultivation, growth, and harvesting of the indigenous agricultural products.

*The expansion of the facility as proposed in the application is located either within or adjacent to the already developed portion of the project site. The new agricultural support and storage buildings will be strategically placed to minimize the impact to land in agricultural production. The 85,500 square foot office building will be located in an area that has already been approved for a smaller size building, and is in a location that has already been developed or disturbed.*

### **Zoning Code**

In accordance with Section 8-2.2804 of Chapter 2, Title 8, the Planning Commission finds the following:

6. The requested land use is listed as a conditional use in the zoning regulations.

*Agricultural research facilities are listed as conditional uses in both the Agricultural Preserve (A-P) and Agricultural General (A-1) zones. Under the provisions of the A-P zone, "Agricultural research with the exception of product processing plants" is listed as a conditional use in Section 8-2.404(m). Similarly, under the provisions of the A-1 zone, "Agricultural research" is listed as a conditional use in Section 8-2.604(n). The project is in compliance with the conditional use provisions in both the A-P and A-1 zones.*

7. The requested use is essential or desirable to the public comfort and convenience.

*The proposed project will help promote agriculture in the area. Seminis is a world-renowned research facility, and expansion of the facility will provide residual benefits for the county's agricultural industry.*

8. The requested land use will not impair the integrity or character of a neighborhood or be detrimental to public health, safety, or general welfare.

*The proposed modifications and future expansion of the facility will not be detrimental to the public interest, health, safety, or general welfare. All development will occur within the boundaries of established parcels that are currently used for agricultural research operations. New site improvements will include the striping of a westbound left turn lane on State Highway 16 to access the proposed new main entrance to the facility.*

9. The requested use will be in conformity with the General Plan.

*The proposed project, including the addition of several agricultural storage buildings, greenhouses, screenhouses, and an office/laboratory are consistent with the provisions of the Yolo County General Plan. The general plan supports agriculture, industry, and innovation; all of which are incorporated into the project and are exemplified by Seminis Vegetable Seeds, Inc. Goals AG-4, AG-5, and*

*Implementation Measure AI-7 in the Agricultural Element of the general plan specifically support agricultural research operations in the county.*

10. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

*Adequate utilities will be provided via local providers. The property will be accessed by State Highway 16, with road improvements completed under the jurisdiction of Caltrans. Drainage will be collected onsite by existing retention ponds on the property. The project also proposes modifications to the drainage plan, which must be reviewed and approved by the Yolo County Planning and Public Works Division prior to construction.*



**CONDITIONS OF APPROVAL  
SEMINIS VEGETABLE SEEDS USE PERMIT MODIFICATION  
ZONE FILE #2009-006**

*The Conditions of Approval approved by the Planning Commission for this project in 1999 (ZF #99-040) are ongoing and continuously enforced. These previously approved Conditions of Approval have either been maintained, deleted (when condition has already been fulfilled), or revised. New Conditions of Approval have also been added.*

**ON-GOING OR OPERATIONAL CONDITIONS OF APPROVAL:**

PLANNING DIVISION—PPW (530) 666-8808

1. Development of the site, including construction and/or placement of structures, shall be as described in this staff report for this Use Permit (ZF 2009-006). Construction shall be limited to those structures shown on the approved Site Plan (**Attachment A**). Any minor modification or expansion of the proposed use shall be in keeping with the purpose and intent of this Use Permit, and shall be administered through Site Plan Review approved by the Director of the Planning and Public Works Department. The facility shall be operated in a manner consistent with the project's approval. *(New)*
2. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval as contained herein. *(No change)*
3. The applicant shall pay fees in the amount of \$2,043 (\$1,993 for state filing fee, plus \$50 county processing fee), under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4, at the time of the filing of the Notice of Determination, to cover the cost of review of the environmental document by the California Department of Fish and Game. *(New)*
4. This Use Permit modification shall commence within one year from the date of the Planning Commission's approval or said permit shall be null and void. The Director of Planning and Public Works may grant an extension of time; however such an extension shall not exceed a maximum of one year. *(New)*
5. The applicant shall ascertain and comply with the requirements of all federal, state, county and local agencies as applicable to the proposed use and the project area. These include, but are not limited to: Department of Fish and Game (Swainson's hawk mitigation fees and CEQA filing fees), Central Valley Regional Water Quality Control Board (CVRWQCB), Yolo-Solano Air Quality Management District (YSAQMD), Caltrans District 3, Yolo County Environmental Health, Yolo County Planning and Public Works, and the Willow Oak Fire Protection District. *(New)*
6. Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent properties and the night sky. Lighting fixtures shall use low-glare lamps or other similar lighting fixtures. All light fixtures shall be designed, installed, and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. *(New)*

**ATTACHMENT E**

7. Construction activities shall be limited from 6:00 am to 6:00 pm, Monday through Friday. *(No change)*
8. During construction, all disturbed soils and unpaved roads shall be adequately watered to keep soil moist to provide dust control. *(No change)*
9. If any county enforcement activities are required to enforce compliance with these Conditions of Approval, the applicant and/or property owner shall be charged for such enforcement activities in accordance with the Yolo County Code Schedule of Fees. *(New)*

PUBLIC WORKS DIVISION—PPW (530) 666-8811

10. Encroachment permits shall be obtained from the Planning and Public Works Department prior to any work within the county right-of-way. *(New)*

CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)—DISTRICT 3 (916) 274-0635

11. An encroachment permit shall be obtained from Caltrans prior to any work conducted in the state's right-of-way. *(New)*

COUNTY COUNSEL—(530) 666-8172

12. In accordance with Yolo County Code Section 8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the county or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the county or its agents, officers, or employees to attach, set aside, void, or annul an approval of the county, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The county shall promptly notify the applicant of any claim, action or proceeding and that the county cooperates fully in the defense. If the county fails to promptly notify the applicant of any claim, action, or proceeding, or if the county fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the county harmless as to that action.

The county may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation. *(No change)*

13. Failure to comply with the **CONDITIONS OF APPROVAL** as approved by the Yolo County Planning Commission may result in the following actions:
  - **non-issuance of future building permits;**
  - **legal action.** *(No change)*

**PRIOR TO ISSUANCE OF GRADING PERMIT:**

PLANNING DIVISION—PPW (530) 666-8808

14. In order to obtain grading, building and occupancy permits, the applicant/developer shall submit a Condition Compliance deposit through the Planning Division in accordance with the directions stated in the Conditional Approval letter. The deposit must be in the project account at the time the Condition Compliance is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. *(New)*
15. Any drainage improvements constructed in a flood zone shall require a Flood Hazard Development Permit prior to the issuance of a grading permit. *(New)*

PUBLIC WORKS DIVISION—PPW (530) 666-8811

16. The applicant has proposed to modify the drainage on the project site in anticipation of the proposed future development and in response to existing overland flow from neighboring parcels. Prior to the issuance of the first grading permit under this Use Permit modification (2009-006), a drainage study for the project site must be submitted to the Planning and Public Works Department for review and approval. The study must be signed and sealed by a civil engineer licensed in the State of California. The drainage study must be per County Improvement Standards, and be approved by the Department prior to beginning any work within county right-of-way. *(New)*
17. The applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for construction disturbance greater than one acre that describes the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-storm water management controls. The Public Works Division shall review and accept the SWPPP prior to issuance of a grading permit. *(New)*

ENVIRONMENTAL HEALTH DIVISION—HEALTH DEPARTMENT (530) 666-8646

18. Plans for expansion of the septic system(s) used for domestic liquid waste must be reviewed and approved by the Environmental Health Division. *(New)*
19. Liquid wastes from laboratories, industrial operations, mechanic shops, and similar operations using hazardous chemicals creating designated waste must not dispose of wastes into the septic system. Waste lines from such operations shall be segregated from domestic sewage lines. Final disposal of this waste must be done under permit from the Central Valley Regional Water Quality Control Board (CVRWQCB). Written clearance shall be obtained from the CVRWQCB and a copy forwarded to the Environmental Health Division. *(New)*

**PRIOR TO ISSUANCE OF BUILDING PERMITS:**

PLANNING DIVISION—PPW (530) 666-8808

20. Prior to the issuance of a building permit within an area of the project site that is not currently developed or disturbed\*, the applicant shall mitigate for the loss of Swainson's hawk habitat. The applicant shall mitigate for the loss of foraging habitat by either: 1) paying a Swainson's hawk mitigation fee for the loss of potential foraging habitat disturbed by the development to the Yolo County Habitat Joint Powers Authority, which it shall use to acquire, enhance, and manage suitable foraging habitat elsewhere, or 2) transfer fee simple title or a Swainson's hawk conservation easement in a form, and to an entity approved by, the Yolo County Habitat Joint Powers Authority, together with appropriate management funds (endowment). The fee is currently set at \$8,660 per acre and is subject to change. The exact acreage to be mitigated shall be calculated upon submission of a grading plan to the Planning and Public Works Department. *(Revised)*

*\*Swainson's hawk mitigation shall be required for the disturbance of land by the buildings and associated parking or paved areas, as circled on the site plan (Exhibit 1) approved by the Planning Commission. The total area is approximately 6.5 acres, but the exact acreage to be mitigated shall be calculated upon submission of a grading plan to the Planning and Public Works Department. Any future changes to the site plan, as approved by the Planning Commission or Director of Planning and Public Works, will require Swainson's hawk mitigation when disturbing an undeveloped area on the project site.*

21. Prior to issuance of building permits for the 85,500 square foot office/laboratory building, the applicant shall submit a detailed landscaping and irrigation plan for the area visible from State Highway 16 and for the proposed parking area for the office/laboratory building. Water conservation and use of native landscape plant materials shall be emphasized. The landscaping and irrigation plan shall be in conformance with state and local ordinance and shall be installed to the satisfaction of the Planning and Public Works Director prior to issuance of final building permits. *(Revised)*
22. The applicant shall provide parking spaces similar to what is proposed on the site plan approved by the Planning Commission. The applicant shall comply with the parking and loading requirements provided in Title 8, Chapter 2, Article 25 of the County Code; however, a reduction in parking space requirements may be granted by the Director of Planning and Public Works if the applicant demonstrates there is sufficient parking for the uses provided. *(New)*

BUILDING DIVISION—PPW (530) 666-8775

23. The applicant shall pay all appropriate fees prior to the issuance of Building Permits, including by not limited to the Woodland Unified School District, Willow Oak Fire Protection District, and County facility fees. *(No change)*
24. As part of each building submittal, the applicant shall provide a site drainage plan showing the finish floor elevation, finish grade elevation, and general topography into the natural drainage way on-site. *(No change)*

25. If a pad is to be raised, a soils report for the pad performed by a geotechnical engineer will be required. Building foundations and slabs shall comply with any special requirements included in the soils report. *(No change)*
26. All building plans shall be submitted to the Planning and Public Works Department for review and approval in accordance with County Building Standards prior to the commencement of any construction. *(No change)*

WILLOW OAK FIRE DISTRICT—(530) 662-0781

27. The above referenced project is protected by the Willow Oak Fire Protection District. Prior to any construction occurring on the project site, the applicant shall contact the fire district for verification of current fire protection development requirements. All new construction shall comply with the existing Uniform Fire Code requirements and all applicable statutes, codes, ordinances, or standards of the fire district. In addition, a Knox key switch system shall be installed for the new electric gate. *(New)*

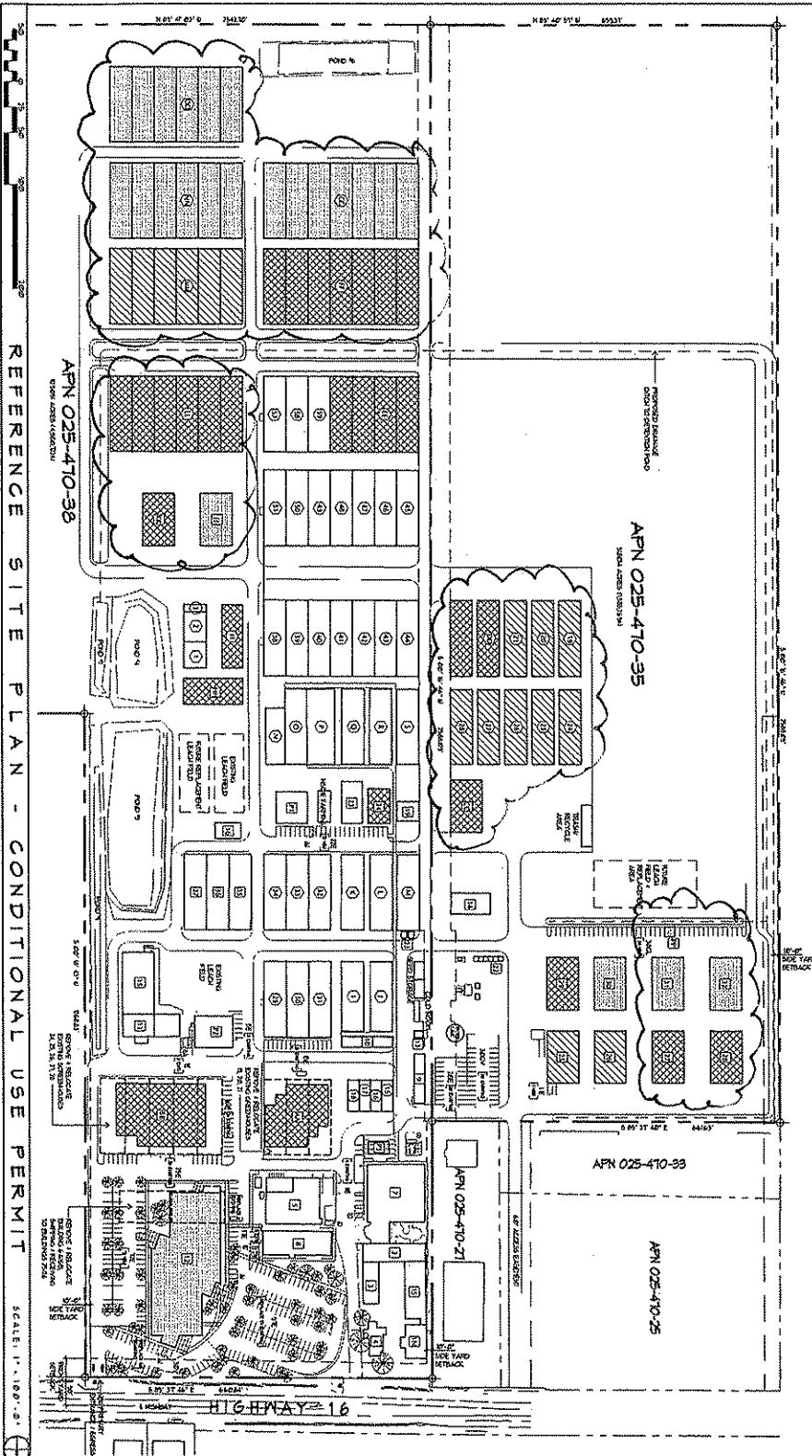
**PRIOR TO ISSUANCE OF FINAL OCCUPANCY**

PLANNING DIVISION—PPW (530) 666-8808

28. The waste discharge for the project site is regulated by the Central Valley Regional Water Quality Control Board (CVRWQCB). Prior to issuance of final occupancy permits for the 85,500 square foot office/laboratory building, Seminis shall obtain the necessary permits from the Central Valley Regional Water Quality Control Board for discharge requirements, and a copy of all applicable permits shall be submitted to the Planning and Public Works Department. *(New)*

CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)—DISTRICT 3  
(916) 274-0635

29. Prior to issuance of final occupancy for the 85,500 laboratory building, the applicant shall install a recessed gate at the eastern entrance (proposed main entrance) along State Highway 16, so that vehicles entering the facility do not stack onto the highway. *(New)*
30. The applicant shall stripe a left turn lane westbound, for the eastern entrance (proposed main entrance), with the same storage length as the left turn lane at the existing main entrance. The applicant shall provide a Pavement Delineation plan sheet to show the proposed striping on State Highway 16. Final approval of the respective improvements shall be obtained, to the satisfaction of the Planning and Public Works Department, prior to the issuance of a certificate of occupancy for the 85,500 square foot office/laboratory building, or at the time when the new easternmost driveway is used for the primary ingress and egress, whichever is first. *(New)*

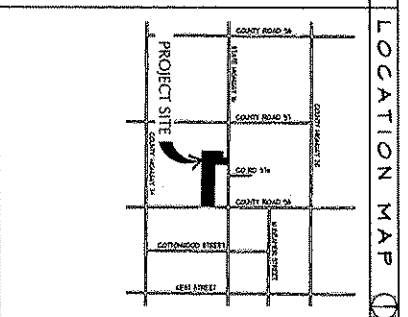
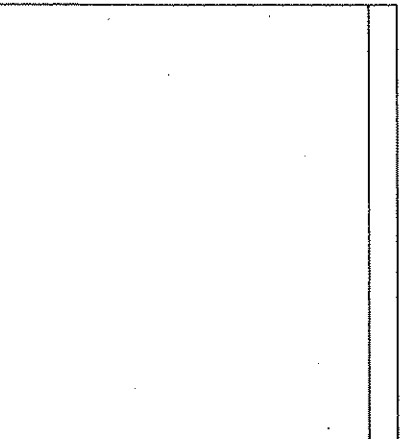


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APN 025-470-35  
APN 025-470-36  
APN 025-470-21  
APN 025-470-25

APN 025-470-35  
APN 025-470-36  
APN 025-470-21  
APN 025-470-25

APN 025-470-35  
APN 025-470-36  
APN 025-470-21  
APN 025-470-25



**LOT COVERAGE**

APN 025-470-35	APN 025-470-36	APN 025-470-21	APN 025-470-25
38,414 sq ft	38,414 sq ft	38,414 sq ft	38,414 sq ft
100%	100%	100%	100%

**PARKING**

APN 025-470-35	APN 025-470-36	APN 025-470-21	APN 025-470-25
400 spaces	400 spaces	400 spaces	400 spaces

**BUILDING AREAS**

APN 025-470-35	APN 025-470-36	APN 025-470-21	APN 025-470-25
73,103 sq ft	73,103 sq ft	73,103 sq ft	73,103 sq ft

**APN 025-470-35**

APN 025-470-35	APN 025-470-36	APN 025-470-21	APN 025-470-25
73,103 sq ft	73,103 sq ft	73,103 sq ft	73,103 sq ft

**APN 025-470-36**

APN 025-470-36	APN 025-470-36	APN 025-470-36	APN 025-470-36
73,103 sq ft	73,103 sq ft	73,103 sq ft	73,103 sq ft

**ARKTEGRÄF**

ARCHITECTURE • SPACE PLANNING • INTERIOR DESIGN

11000 S. DEER CREEK ROAD, SUITE 100, DUBLIN, CA 94568

TEL: (925) 835-1100 FAX: (925) 835-1101

**SEMINIS**

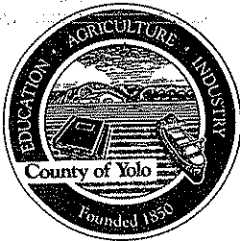
CONDITIONAL USE PERMIT

37437 STATE HIGHWAY 15

WOODLAND, CA

Sheet A-1

# EXHIBIT 1



# County of Yolo

## PLANNING AND PUBLIC WORKS DEPARTMENT

292 WEST BEAMER STREET, WOODLAND, CA 95695-2598 • (530) 666-8775

BUILDING/PLANNING FAX (530) 666-8156 PUBLIC WORKS FAX (530) 666-8728

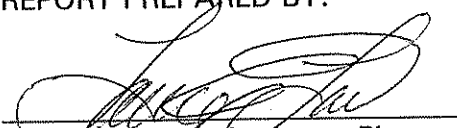
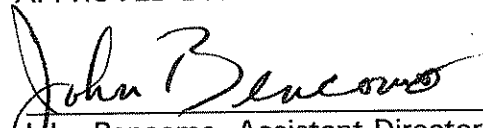
## DIVISION OF INTEGRATED WASTE MANAGEMENT

(530) 575-5577 FAX (530) 757-5570

TOMMY J. DAVIS  
DIRECTOR

### PLANNING COMMISSION STAFF REPORT

SEPTEMBER 9, 1999

<b>REQUEST/ZONE FILE: 99-040</b> Modification of an existing Conditional Use Permit to allow development of a four phase Master Plan involving a 56,750 square foot office and 9,800 square foot research lab building and various ancillary agricultural structures totaling approximately 300,000 additional square feet of building area over the next five years.	
APPLICANT: Seminis Vegetable Seeds, Inc. 37437 State Highway 16 Woodland, CA. 95695	
LOCATION: Subject project is located at 37437 State Highway 16, approximately 1 mile west of County Road 98. Woodland, CA. 95695.	
ZONING: Agricultural General (A-1) & Agricultural Preserve (A-P) Zone APNS: 025-470-21,27 & 35	FLOOD ZONE: C (areas of minimal flooding) SOIL TYPES: Class I & II (prime)
ENVIRONMENTAL DETERMINATION:	Mitigated Negative Declaration
REPORT PREPARED BY:  Lance E. Lowe, Assistant Planner	APPROVED BY:  John Bencomo, Assistant Director

### RECOMMENDED ACTION

That the Planning Commission take the following actions:

1. **CERTIFY** the Mitigated Negative Declaration prepared for the project as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines (**Exhibit "4"**);
2. **ADOPT** the findings of approval for the Conditional Use Permit Modification, as presented in the staff report;
3. **APPROVE** the modification of Conditional Use Permit (ZF # 3336) in accordance with the "Conditions of Approval" as presented in the staff report.

**REASONS FOR RECOMMENDED ACTION**

The applicant, as a world renowned research facility is intent on increasing its investment by expanding their site operations, which will provide residual benefits for the County's agricultural industry. The project is exemplary of the goals and policies of Yolo County, which are intended to compliment and fortify the agricultural character of the region. The project is consistent with the "Agricultural and Tourism Targeted Industry Analysis" prepared for Yolo County at the direction of the Board of Supervisors in 1996.

**PROJECT DESCRIPTION**

Consideration of a Modification of an existing Conditional Use Permit to allow development of a four phase Master Site Plan involving a new 56,750 square foot, three level office, 9,800 square foot research lab building and various ancillary agricultural structures totaling approximately 300,000 additional square footage of building area over the next five years. The Seminis campus currently accommodates approximately 331,050 of building area. Total build out will encompass approximately 40 acres of the Seminis property. The proposal will add and be tentatively phased in the "best case scenario" according to the following schedule:

<b>Phase I      1999-2000</b>		<b>Phase II      2000-2002</b>	
<u>New Office/Lab Buildings</u>		<u>New Office/Lab Buildings</u>	
Building 2,000	56,750 sq. ft.	Breeder's	20,000 sq. ft.
Lab building	9,800 sq. ft.		
<u>New Ag. Support Buildings</u>		<u>New Ag. Support Buildings</u>	
Ag Storage	3,025 sq. ft.	Headhouse	6,000 sq. ft.
Onion Barn	6,000 sq. ft.	Germ House	4,800 sq. ft.
Headhouse	4,500 sq. ft.	Grow Cages	2,400 sq. ft.
Autoclave/Trash	2,350 sq. ft.	Greenhouses	24,000 sq. ft.
Greenhouses	18,000 sq. ft.		
<b>Total Square Footage</b>	<b>130,425 sq. ft.</b>	<b>Total Square Footage</b>	<b>57,200 sq. ft.</b>

<b>Phase III      2002-2004</b>		<b>Phase IV      2003-2004</b>	
<u>New Ag. Support Buildings</u>		<u>New Office/Lab Buildings</u>	
Ag Storage	6,000 sq. ft.	Lab Building Addition	12,450 sq. ft.
Onion Barn	6,000 sq. ft.	Café Conference	20,000 sq. ft.
Greenhouses	18,000 sq. ft.		
		<u>New Ag. Support Buildings</u>	
		Ag Storage	3,000 sq. ft.
		Onion Barn	6,000 sq. ft.
		Head House	2,000 sq. ft.
		Greenhouses	24,000 sq. ft.
<b>Total Square Footage</b>	<b>42,450 sq. ft.</b>	<b>Total Square Footage</b>	<b>65,450 sq. ft.</b>

**Total Square Footage Added      295,525 square feet**

Reference site Master Plans with corresponding legend for the types and sizes of each building to be expanded or created for each phase may be viewed in the attached Exhibits "3"



## Site Characteristics

Immediately north of the existing facility are several residential homesites fronting on State Highway 16 amongst four larger Agricultural parcels. Agricultural properties adjoin the property to the south. On the east side of the project, two larger Agricultural Preserve (A-P) parcels, 30 to 80 acres are present. Immediately west of the property is the City of Woodland, an urbanized residential area (**Exhibit "1"- Vicinity Map**).

## **Seminis Property History:**

- April 19, 1972                    A Conditional Use Permit was approved by the Planning Commission to allow for the establishment of an agricultural research center for the development of seeds (ZF # 1933).
- June 15, 1983                    A Conditional Use Permit to expand the seed research facility was approved by the Planning Commission (ZF # 3336).
- January 5, 1989                Yolo County Planning Commission approved an expansion to allow the construction of a 3,900 square foot two story land building and the relocation of an existing administration building (ZF # 3336).
- August 15, 1990                Yolo County Zoning Administrator approved a use permit modification to relocate a portion of an existing greenhouse and to relocate an existing parking area along the northerly portion of the property to accommodate highway widening by Cal Trans (ZA # 692).
- October 21, 1992                A Conditional Use Permit modification to construct a 3,024 square foot storage building was approved by the Yolo County Zoning Administrator (ZA # 770).
- September 9, 1993              Planning Commission approved the modification of the existing Conditional Use Permit to expand the facility. The expansion increased the square footage of enclosed buildings from 19,000 square feet to 39,000 square feet, and greenhouses/screenhouses from 39,000 square feet to 305,440 square feet. The Planning Commission adopted the findings as presented and certified a Mitigated Negative Declaration as the appropriate level of environmental review for this project.
- March 26, 1999                Yolo County Zoning Administrator approved a Lot Line Adjustment resulting in a approximate 6 acre and 112 acre parcel. The 112 acre parcel was purchased by Seminis Vegetable Seed, Inc. (ZF # 98-067).

## **BACKGROUND**

The prime objective of the Agricultural and Tourism Targeted Industry Analysis was to devise an agribusiness attraction strategy for Yolo County, which promotes the County's long-term economic development. An important secondary objective is the full utilization and protection of the County's diverse agricultural and economic resources, the foundation of all past, current and future economic development. A summary of Yolo County's Seed Industries economic profiles are contained below:

### **Agricultural and Tourism Targeted Industry Analysis:**

- \$17.5 million farmgate value of seed production in Yolo County growing at 30% per year during 1969-1994
- 250 seed companies in California generate estimated annual seed sales of \$410 million; California produces 40% of US vegetable and flower seeds
- Yolo County is a world-class seed region with Research & Development (R&D), production and processing facilities of leading international seed companies such as Pioneer Hybrid (the world's largest seed company), Petoseed (recently acquired by Seminis Seeds, the world's largest vegetable seed company), Rogers Seed (part of the Sandoz Seed Group), Agrigenetics/Mycogen (a leading ag biotech/seed company), Harris Moran Seed Company, CalWest Seeds, (largest seed cooperative in the United States) as well as SeedTech International and Calgene, owner of Stoneville Cotton Seed Company, the second largest cottonseed company in the United States.

### **Agricultural and Tourism Targeted Industry Conclusions:**

#### **Seed Industries**

- Seeds are a large and growing crop in Yolo County and the surrounding region. The region has an excellent competitive advantage for the production of seed crops. Yolo County also has a strong competitive advantage to attract further seed company research and development due to the existing cluster of research stations and the increasing need for seed companies to gain access to the biotechnology and advanced breeding research conducted by UC Davis. The potential for job creation in the research segment of the seed industry is moderate.
- There are approximately twenty-five seed related companies operating in Yolo County. Many of the employees of these companies are highly skilled in seed production, multiplication, research, testing, breeding, and related areas. Thus, there is a ready pool of trained personnel, which is available to new companies establishing seed growing, conditioning or research facilities in Yolo County.

## Seed Support Industries

- There are an array of support industries which service the seed industry. These include manufacturers of coating materials and equipment, manufacturers of seed equipment, seed testing laboratories and suppliers of seed packaging materials. Very few of these seed support companies are located in Yolo County or the Sacramento Valley. The significant expansion of the seed industry in the region and an expansion of the research and conditioning activities recommended in this report, may eventually create market opportunities for these support industries. The attraction of these companies would be part of a long-term marketing effort, which would follow successful implementation of other facets of the seed attraction strategy.

## GENERAL PLAN/ZONING CONSISTENCY

The Yolo County General Plan designates the property as Agricultural. Pursuant to that designation, the following General Plan policies apply:

### LU 15 Commercial and Industrial Uses Prohibited

All Commercial and industrial uses are prohibited in the agricultural area except those directly related to and incidental to the agricultural operation conducted on the land, as allowed in the following policy

### LU 16 Agricultural Uses

Land uses permitted in the agricultural area shall be limited to those directly related to the production of agricultural crops on the land, except as described in the following policies:

### LU 18 Agricultural Area Uses

Yolo County shall consider the placement of certain agricultural related land uses in agricultural areas, by means of Conditional Use Permits, which uses may be incompatible with urban sites by reason of hazard or nuisance to concentrations of people. Findings for approval shall include, but are not limited to:

- The use is directly related to agricultural land use (cultivation of agricultural plants or the raising of animals, and
- Will not diminish nor prevent agricultural use on site or on adjoining agricultural lands, and
- The use has some hazard or nuisance aspect which precludes it from being placed in an urban area, and
- The use can be developed in the area without significant reduction of cultivation, growth, and harvesting of the indigenous agricultural products.

## Zone Regulations of Title 8, Chapter 2

The properties are designed Agricultural Preserve (A-P) (not under Williamson Act Contract) and Agricultural General (A-1) Zoning. The project is consistent with the agricultural zones as provided under the following provisions of the code:

### **Section 8-2.208 Agriculture.**

"Agriculture" shall mean the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, and the necessary accessory uses thereto; provided, however, the operation on any such accessory uses shall be secondary to that of the normal agricultural activities. For the purposes of this section, "accessory use" shall mean supply, service, storage, and processing areas and facilities for any other agricultural land.

**Principle permitted uses (A-P, A-1)**

Agriculture, including any customary agricultural building and structures, and such uses as, but not limited to, livestock ranges, animal husbandry, field crops, tree crops, nurseries, and greenhouses, together with all the necessary equipment and facilities for the support and maintenance of the operation.

**ENVIRONMENTAL DETERMINATION**

Staff has determined that a Mitigated Negative Declaration is the appropriate level of environmental review pursuant to the California Environmental Quality Act (CEQA) Article 6, Section 15070 of the CEQA Guidelines (**Exhibit "4"**).

A "Request for Comments" (Initial Study) was prepared and circulated for the project from June 10, 1999 to July 8, 1999. The following significant comments have been received and incorporated into the environmental document:

**California Department of Transportation (Cal-Trans)**

- Seminis Vegetable Seeds, Inc. has applied for an encroachment permit to upgrade the two existing driveways onto State Route (SR) 16 and to construct a left turn land on the highway for the easterly driveway. These improvements should mitigate any significant traffic impacts to SR 16 from this master plan. These improvements should be required as a condition of approval of this use permit. We recommend the highway improvements be constructed before occupancy of the new 56,750 square foot Research Lab and Office Building.
- The project site should be developed in such a way as to preserve and perpetuate the existing drainage pattern of the nearby State highway. No net increase in surface water discharge from the Seminis Vegetable Seeds project site should be directed toward State Route 16 drainage facilities. Any increased runoff should be mitigated to pre-project conditions.

Subsequently, a copy of the Mitigated Negative Declaration was available for a 30 day review period commencing August 6, 1999 at the Yolo County Planning and Public Works Department. There were no significant comments received during the public review period.

When adopting a Mitigated Negative Declaration for the project the public agency shall adopt a reporting or monitoring program for changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment (**Exhibit "5"**).

**STAFF ANALYSIS**

Seminis Vegetable Seeds is the world's largest vegetable seed company. Since their initial Conditional Use Permit approved in 1972, the Seminis facility has undergone several improvements and/ or expansions throughout their 28-year history with Yolo County. The proposal is exemplary of the policies and goals of Yolo County. Furthermore, the proposal is consistent with the "Agricultural and Tourism Targeted Industry Analysis" prepared for Yolo County at the direction of the Board of Supervisors.

The benefits of project approval, which staff has used as a basis for approval of the project are as follows:

- The project will generate additional employment opportunities and tax revenues;
- Agricultural Biotech and Seed Crops are the 2<sup>nd</sup> and 3<sup>rd</sup> ranked targeted industries behind wine grapes and wineries;
- Seed crops account for 17.5 million in revenues and 13,753 acres in Yolo County;
- Yolo County has an average growth rate in the seed industry of approximately 3%-12% per year.

As conditioned, the proposal will further the Yolo County's efforts as a leader in agriculture, while maintaining the agricultural integrity of the surrounding properties.

### **CONDITIONS OF APPROVAL**

#### **Planning and Public Works Department**

1. The applicant shall be responsible for all costs associated with implementing the conditions contained within this staff report.
2. The project and phasing shall remain consistent with the project as proposed and contained within this staff report. If, after approval of the design by the Planning Commission, any changes are proposed to the project by Seminis Vegetable Seeds, Inc. they shall be reviewed and approved by the Yolo County Planning and Public Works Department, who may defer to the Planning Commission if he/she interprets the changes to be substantially different from the approved project.
3. Prior to approval of building permits, the Planning and Public Works Director shall approve a landscape plan.
4. Construction activities shall be limited from 6:00 am to 6:00 pm, Monday through Friday.
5. During construction, all disturbed soils and unpaved roads shall be adequately watered to keep soil moist to provide dust control.
6. The applicant shall pay the appropriate fees prior to the issuance of Building Permits, including but not limited to the Woodland Unified School District, Willow Oak Fire Protection District, County Facility fees, and environmental health fees.
7. Any grading in excess of 50 cubic yards will require a grading permit to be approved by the Chief Building Official pursuant to Appendix 33 of the 1998 Uniform Building Code. The grading permit shall include a drainage plan to ensure the project site adequately drains into existing and proposed detention ponds.

8. As part of each building submittal, the applicant shall provide a site drainage plan showing the finish floor elevation, finish grade elevation, and general topography into the natural drainage way on-site.
9. If a pad is to be raised, a soils report for the pad performed by a geotechnical engineer will be required. Building foundations and slabs shall comply with any special requirements included in the soils report.
10. All building plans shall be submitted to the Planning and Public Works Department for review and approval in accordance with County Building Standards prior to the commencement of any construction.
11. Encroachment permits shall be obtained from the Planning and Public Works Department prior to any work within the County right-of-way.

### **California Department of Transportation**

#### Mitigation Measure

12. A West bound left turn lane and shoulder frontage improvements shall be required of the project. Seminis shall complete all necessary roadway and driveway improvements with respect to State Route 16 concurrent with Phase I construction. Cal-Trans encroachment permit(s) shall be evidenced to the County prior to building permit issuance. Final approval of the respective improvements shall be obtained, to the satisfaction of the Planning and Public Works Department, prior to the issuance of a certificate of occupancy for the office and research lab building.

### **Department of Fish and Game**

13. The project has been sent to the California Department of Fish and Game. As of the date of this document, no information has been received from the Department of Fish and Game regarding this site. Prior to the issuance of a building permit with the County of Yolo, the applicant shall mitigate for the loss of Swainson's Hawk habitat according to the California Department of Fish and Game Swainson's Hawk Guidelines or by participation in the preparation of the Yolo County Habitat Management Plan. Mitigation for the project shall be to the satisfaction of the California Department of Fish and Game.

### County Counsel

14. In accordance with Yolo County Code Section 8-2.2415, the applicants, owners, their successor's or assignees shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County,

advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to the action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

15. Failure to comply with the **CONDITIONS OF APPROVAL** as approved by the Planning Commission may result in the following:

- **legal action;**
- **non-issuance of future building permits.**

**NOTE:** A copy of the above conditions of approval was mailed to the applicant prior to the Planning Commission hearing date to ensure awareness of the conditions of approval.

**FINDINGS** (A summary of evidence to support each FINDING is shown in italics).

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File # 99-040, the Yolo County Planning Commission finds the following:

**California Environmental Quality Act (CEQA) Guidelines**

That the proposed Mitigated Negative Declaration is the appropriate level of environmental review pursuant to the California Environmental Quality Act (CEQA) Article 6, Section 15070 of the CEQA Guidelines (**Exhibit "5"**).

The Initial study identified potentially significant effects, but: Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are release for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, an environmental evaluation (Initial Study) has been circulated and comments received have been incorporated into the project as "Conditions of Approval". Subsequently, the Mitigated Negative Declaration has been circulated for 30 days for public review and to responding "Responsible" Agencies having jurisdiction over the project with no further comments noted.

**Conditional Use Permit**

In granting a use permit, The Yolo County Planning Commission, with due regard to the nature and condition of all adjacent structures and uses, the zone within which the structures and uses are located, and the General Plan, shall find the following general conditions to be fulfilled:

- (a) The requested use is listed as a Conditional Use in the Zone regulations under Conditional Uses in the Agricultural General (A-1) and Agricultural Preserve (A-P) Zone;

*The project is listed as conditional uses in both the Agricultural General (A-1) and Agricultural Preserve (A-P) Zone. Pursuant to Section 8-2.604 of Conditional Uses allowed in the Agricultural General (A-1) Zone, subsection (t) Commercial and industrial uses of primary and essential service to the agricultural use of the area, including, but not limited to, almond hulling; fruit, grain, and bean storage and drying; the sale of fertilizers and insecticides; the sale and repair of farm equipment and machinery, such as tractors and cultivators; and the limited manufacture of such equipment and machinery for use with such area.*

*Under the provisions of the Agricultural Preserve (A-P) Zone, the project is listed as a Conditional Use in subsection (p) of Article 4, Section 8-2.404. of the County Zoning Ordinance. Subsection (p) reads as follows:(p) Agricultural related industrial uses not otherwise listed as a permitted, accessory, or conditional use in this zone, including product processing plants and laboratories used in the production of food and fiber provided that it is found that the proposed use (1) will serve and support production of agriculture within Yolo County, (2) is not appropriate for location within a city or town, (3) cannot be reasonably located on lands zoned A-1, AGI, or A-E and (4) if proposed on prime soils, cannot be reasonably located on lands containing non-prime soils. The project coincides with both of the provisions of the Agricultural Zones under Conditional Use Permits.*

- (b) The requested use is essential or desirable to the public comfort and convenience;

*The project further enhances the character of the surrounding area development with the boundaries of the existing campus by strengthening agriculture as the leading business industry and job provider locally. Surrounding developments adjacent to and along public right-of-ways will be enhanced by a new project whose design and image are intended to compliment and fortify the agricultural character of the region.*

- (c) The request will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare;

*The new facility and subsequent future expansion will not be detrimental to the public interest, health safety, convenience or welfare. New site improvements will include the addition of a new westbound left turn lane an eastbound deceleration lane off of State Highway 16.*

- (d) The request will be in conformity with the Yolo County General Plan;

*The project for new Building 2,000 and all subsequent future improvements are consistent with the provisions of the Yolo County General Plan. The existing Seminis Vegetable Seed site due south of State Highway 16 is zoned Agricultural General (A-1). Past property acquisitions and lot line adjustments added the west portion of the site which is zoned Agricultural Preserve (A-P). The east parcel most recently acquired,*



*extends to County Road 98 and is zoned Agricultural General (A-1). The entire Seminis campus is surrounded by parcels to the north zoned A-P, and to the south zoned A-1.*

- (e) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided;

*Adequate utilities will be provided via local providers. The property will be accessed by State Route (SR) 16 with site improvements completed under the jurisdiction of the California Department of Transportation. Drainage will be collected onsite by existing and proposed retention ponds on the property. The capacity of which was reviewed and approved by the Yolo County Planning and Public Works Department.*

**APPEALS**

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of the Board within **fifteen days** from the date of the action. A written notice of appeal specifying the grounds and an appeal fee **immediately** payable to the Clerk of the Board must be submitted at the **time of filing**. The Board of Supervisors may sustain, modify, or overrule this decision.

\*\*\*\*\*

**ACKNOWLEDGMENT OF CONDITIONS OF APPROVAL**

I hereby concur with the Conditions of Approval as set forth in the Planning Commission Staff Report (ZF # 99-040). I understand that the Planning Commission during the course of the Planning Commission Hearing may modify these conditions.

Signature of Authorized Representative/Owner \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

**EXHIBITS**

- Exhibit "1"** - Vicinity Map
- Exhibit "2"** - Assessor's Parcel Map
- Exhibit "3"** - Master Site Plan (Phase I – IV)
- Exhibit "4"**- Mitigated Negative Declaration
- Exhibit "5"** - Mitigation Monitoring Plan