

ATTACHMENT C

FINDINGS

AMENDMENT TO TEICHERT MINING PERMIT (ZF #95-093) ZONE FILE #2023-0012

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2023-0012, the Yolo County Planning Commission finds the following:
(A summary of evidence to support each FINDING is shown in Italics)

California Environmental Quality Act (CEQA) and Guidelines

That the recommended Addendum Environmental Impact Report (EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of 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 as a result of the proposed project.

General Plan

That the proposal is consistent with the Yolo County General Plan as follows:

The Yolo County General Plan designates the subject property as Agriculture (AG)/Mineral Resource Overlay (MRO). Surface mining is a compatible use in the AG designation. The MRO designation applies to State designated mineral resource zones containing critical geological deposits needed for economic use, as well existing mining operations.

Zoning

A. That the proposal is consistent with the property's zoning.

The properties are zoned A-N/SG-O (Agricultural Intensive/Sand and Gravel Overlay). The proposed use is a permitted use in the Sand and Gravel Overlay zone, consistent with Section 10-4.412 of the Off-Channel Surface Mining Ordinance (OCSMO), which regulates mining activities within the Sand and Gravel Overlay zone.

B. That the proposal is consistent with findings required for approval of a Use Permit (Section 8-2.217(e) of the Yolo County Code) as follows:

The requested land use is listed as a conditional use in the zone regulations or elsewhere in this Chapter.

Pursuant to Section 8-2.306(t) the proposed amendment to the mining permit to allow limited dewatering activity is allowed within the A-N/SG-O zone through the Major Use (Mining) Permit review and approval process.

The request is essential or desirable to the public comfort and convenience.

The proposed amendment to allow limited dewatering is consistent with the Off-Channel Surface Mining Ordinance (as amended). The amendment would allow CEMEX to continue mining activity at the site which is in the public interest to provide aggregate materials for construction.

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

As evidenced in the Addendum Environmental Impact Report, the proposed amendment to the mining permit is consistent with the original project EIR and will not create a significant effect on the character of the surrounding rural area. Adequate safeguards are included in the amendment to ensure there would be no additional impacts related to the dewatering.

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

All necessary infrastructure and utilities are already provided at the site. Dewatering will not involve any new significant infrastructure.

The requested use, if located in an agricultural zone, will serve and support production of agriculture, the agricultural industry, or is otherwise agriculturally related; or if the use is not agriculturally related (e.g., solar or wind energy, rural recreation, and other non-agricultural uses), the use is listed as a conditional use consistent with subsection (1), above, and generally relies on a rural location; and

The requested use, if located in an agricultural zone, and if proposed on prime farmland, cannot be reasonably located on lands containing non-prime farmland.

The amendment is consistent with the existing mining permit for the project, which is allowed in the Cache Creek mining area.