



**Department of Resource Management**  
**Solano County Zoning Administrator**  
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Bill Emlen, Director  
Clifford Covey, Asst Director

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**Use Permit Extension - Staff Report**

**Application:** U-94-30-EX3 (Green Valley Tractor)  
**Project Planner:** Eric Wilberg

Meeting of May 3, 2012  
Agenda Item No. 1

**Location:** 4135 Abernathy Road  
**Assessor Parcel Number:** 0027-510-310 & 0027-510-160  
**General Plan:** Specific Project Area  
**Zoning:** Agricultural Tourist Center – North Connector 'ATC-NC' (Suisun Valley)

**Proposal**

The applicant is requesting a five year time extension to Use Permit U-94-30, as provided for by Condition of Approval No. 13.

**Review and Recommendation**

The land use remains in substantial compliance with Use Permit U-94-30, approved by the Board of Supervisors June 6, 1995. On January 12, 2011 this application was routed through the Development Review Committee to analyze the operation's compliance with the existing permit. No noncompliance issues were identified and no conditions of approval remained unaddressed. With respect to condition no. 4, the one acre equipment display area as seen on the approved site plan, lacks the six foot high perimeter fencing. Two prior time extensions have been granted despite the absence of the fencing. The site is adequately screened from travelers along Interstate 80 by trees planted along the freeway. In addition there are no active code compliance cases for the tractor sales and repair business, therefore the Department has previously taken the stance that the establishment of the fencing is not pressing.

**Use Permit Renewal Mandatory Findings**

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

**Additional Suggested Findings**

- 4) Project conforms with prior CEQA status
- 5) Adopted conditions of approval have been or are being fulfilled

**ATTACHMENTS**

Exhibit A – Resolution No. 95-128 (Conditions of Approval)  
Exhibit B – Assessor's Parcel Map

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Building & Safety David Cliche Building Official	Planning Services Mike Yankovich Program Manager	Environmental Health Terry Schmidtbauer Program Manager	Administrative Services Suganthi Krishnan Senior Staff Analyst	Public Works- Engineering Matt Tuggle Engineering Manager	Public Works- Operations Wayne Spencer Operations Manager
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**RESOLUTION NO. 95-128**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF SOLANO COUNTY  
GRANTING THE APPEAL AND APPROVING USE PERMIT APPLICATION NO.  
U-94-30 OF RON & CLYDE LONEY**

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**WHEREAS**, the Solano County Board of Supervisors has duly considered, in public hearing, an appeal of the Planning Commission's denial of Use Permit Application No. U-94-30 of **Ron and Clyde Loney** to establish a full service tractor sales and repair business utilizing an existing shop/office building and surrounding area totaling 1 acre in size. The project is located at 4235 Abernathy Road on the north side of Highway 80 in an "A-40" Exclusive Agricultural District, APNs: 27-510-15 & 16, and

**WHEREAS**, said Board has reviewed the applicant's submittal and staff report of the Department of Environmental Management, read and considered the minutes and resolution of the Planning Commission, and heard and considered all comments regarding said application at the public hearing held on June 6, 1995, and

**WHEREAS**, after due consideration, said Board made the following findings in regard to said application:

1. The establishment, maintenance or operation of a use or building applied for are in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.
2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
3. The application exhibits proof that such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood as such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
4. The Board has interpreted the Zoning Ordinance pursuant to its powers under the Solano County Code Section 28-50(a)(11) and found that the proposed tractor sales use is consistent with the agricultural service use provisions of the Zoning Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, that the Solano County Board of Supervisors does hereby approve Use Permit Application No. U-94-30 of **Ron and Clyde Loney** subject to the following conditions:

**EXHIBIT A**

1. The proposed use shall be conducted in accord with the plans submitted as part of U-94-30 as approved by the Solano County Planning Commission. The applicant shall submit a detailed plot plan, subject to the Department's approval, drawn to scale consistent with this use permit application outlining the specific limits of the outside sales/storage area prior to issuance of this use permit.
2. All requirements of the Solano County Environmental Health Division shall be met including:
  - a. Within 30 days of the issuance of the use permit, the permittee shall submit a revised Hazardous Materials Management Plan to this Division for permitting and approval.
3. Signage shall not exceed the minimum standards for the Exclusive Agricultural District as set forth in Section 28-21(b)(5) of the Solano County Code and no sign shall be visible from Interstate 80 except the sign proposed for the south side of the repair shop building.
4. The one acre site shall be enclosed by a six foot high, chainlink fence with wood slats, or other fence adequate to screen the site from view and provide a definite limit to the area approved for agricultural service use under the use permit.
5. Prior to beginning operations the permittee shall present written evidence to the Department of Environmental Management that they have:
  - a. Obtained an encroachment permit for the construction of a commercial driveway connection to the extension of Abernathy Road and constructed the connection in accordance with its provision.
6. If painting of equipment or machinery will be conducted on the site, the applicant shall incorporate a paint booth into the project design adequate to control painting operations and air pollutants therefrom. The permittee shall meet all requirements of the Bay Area Air Quality Management Control District with regard to paint booth operations, including securing of an Authority to Construct; if required, prior to the issuance of any building permit.
7. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws. Submit three sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.

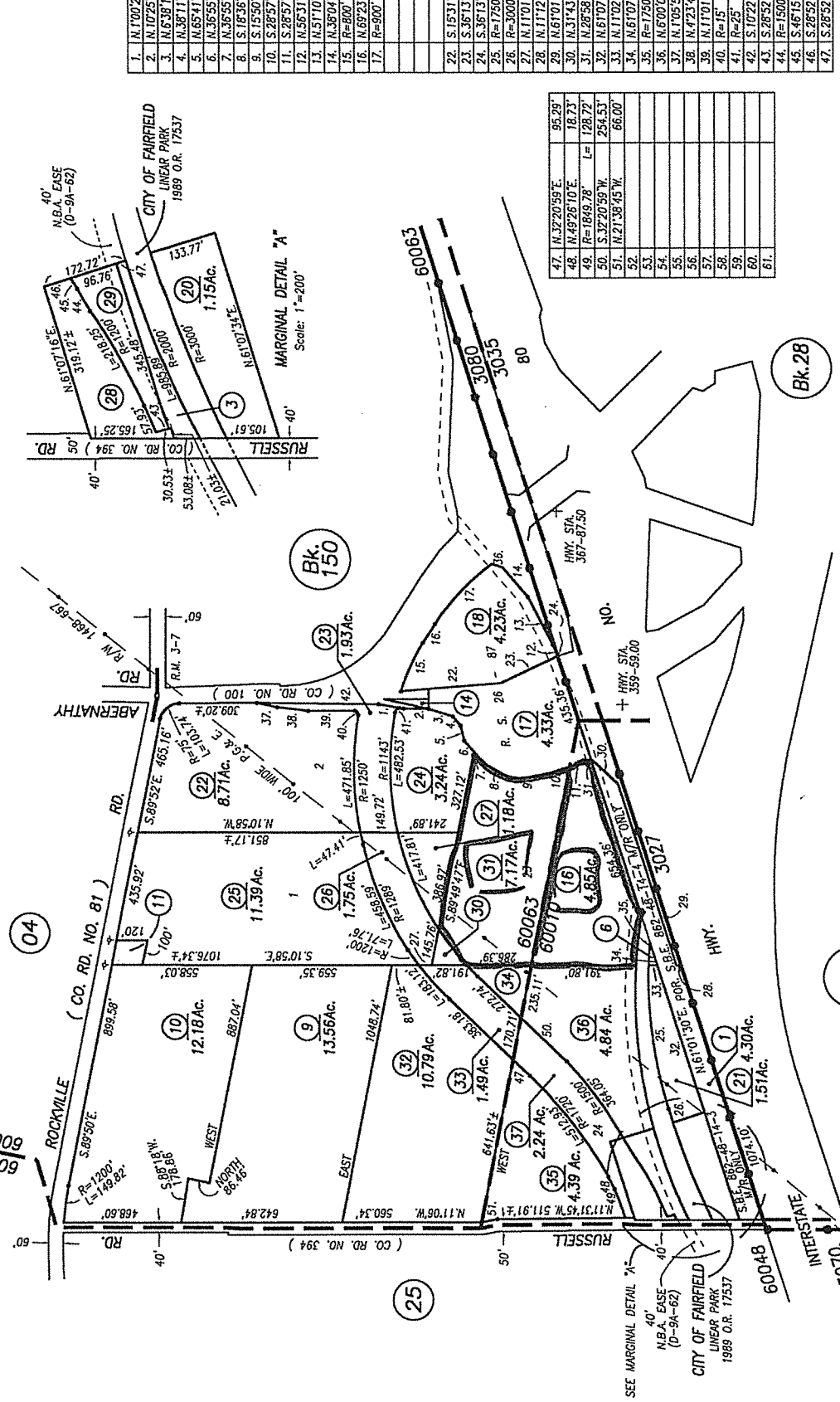
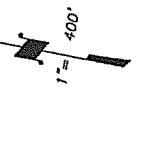
Board of Supervisors Resolution  
U-94-30, Loney

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8. No additional uses (including outdoor storage uses) shall be established beyond those identified on the project plot plan without prior approval of a minor revision to the use permit. No new or expanded buildings shall be constructed without prior approval of a minor revisions to the use permit.
- 9a. Disabled, damaged or abandoned motor vehicles or farm machinery shall not be held for longer than 90 days on the project site. The permittee shall maintain business records adequate to document compliance with this condition. Such records shall be provided to the Department of Environmental Management upon request.
- 9b. Motor vehicles; farm machinery or other equipment shall not be dismantled on the project site. The project site shall not be used as wrecking yard or junkyard.
10. The premises shall be maintained in a neat and orderly manner and kept free of accumulation of debris or junk.
11. Equipment shall not be stored outside in excess of the height of the fence.
12. The use shall not be operated in such a manner as to produce offensive dust, noise, lighting or other impacts so as not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the County, or be detrimental to adjacent properties or improvements or to the general welfare of the County.
13. The permit shall be in effect for a five (5) year period with the provision that an extension may be granted by the Planning Commission if a request is received prior to the expiration date of June 6, 2000.

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I, LINDA TERRA, Clerk of the Board of Supervisors, of the County of Solano, State of California, do hereby certify that the foregoing resolution was regularly introduced, passed and adopted by said Board at a regular meeting thereof held on June 6, 1995.



47.	N. 32°20'59"E.	95.29
48.	N. 49°26'10"E.	18.73
49.	R=1849.78' L=128.72	
50.	S. 37°20'59"W.	254.53
51.	N. 21°38'45"W.	66.00
52.		
53.		
54.		
55.		
56.		
57.		
58.		
59.		
60.		
61.		

1.	N. 1°00'29"W.	85.07
2.	N. 10°25'30"W.	100.00
3.	N. 6°38'11"E.	102.43
4.	N. 38°11'4"E.	48.39
5.	N. 65°41'45"E.	61.76
6.	N. 36°55'52"E.	57.45
7.	N. 36°55'52"E.	64.92
8.	S. 18°36'23"W.	122.37
9.	S. 19°50'22"E.	120.81
10.	S. 28°57'31"E.	122
11.	S. 28°57'31"E.	90.00
12.	N. 56°31'18"E.	37.48
13.	N. 51°10'09"E.	217.83
14.	N. 36°04'12"E.	158.27
15.	R=600' L=219.77	
16.	N. 69°23'02"W.	76.47
17.	R=900' L=334.61	
18.		
19.		
20.		
21.		
22.	S. 15°31'52"E.	392.10
23.	S. 36°13'09"E.	253.17
24.	S. 36°13'14"E.	1.00
25.	R=1750' L=589.35	
26.	R=3000' L=58.50	
27.	N. 11°01'09"W.	48.42
28.	N. 11°12' W.	13.64
29.	N. 61°01'30"E.	258.20
30.	N. 37°43'17"E.	151.19
31.	N. 28°58'30"W.	1.99
32.	N. 61°07'34"E.	625.58
33.	N. 11°02'08"W.	35.29
34.	N. 61°07'34"E.	98.10
35.	R=1750' L=93.54	
36.	N. 67°00'08"E.	48.09
37.	N. 1°05'53"E.	62.87
38.	N. 47°23'49"W.	124.03
39.	N. 1°01'08"W.	186.57
40.	R=15' L=26.11	
41.	R=25' L=27.01	
42.	S. 10°22'E.	487
43.	S. 28°52'44"E.	25.53
44.	R=1500' L=52.20	
45.	S. 46°15'20"W.	24.99
46.	S. 28°52'44"E.	56.09
47.	S. 28°52'44"E.	19.87

NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

REVISION	DATE	BY
510-19	Kill (Mm)	
510-18	Chg. (0d)	6-18-10 JS
510-35	36&37 (0d)	4-01-10 JS
510-17	(0m)	11-23-09 DV

Lewis Pierce Subdivision Unit No. 1, R.M. Bk. 3 Pg. 7  
Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles