



Department of Resource Management
Solano County Zoning Administrator
675 Texas Street, Suite 5500
Fairfield, CA 94533

Telephone No: (707) 784-6765
Fax: (707) 784-2894

Bill Emlen, Director
Clifford Covey, Asst Director

Use Permit Compliance Review - Staff Report

Application: U-07-05-CR1 Rock Creek Vineyard
Project Planner: Karen Avery
Location: 4610 Green Valley Road, Fairfield
General Plan: Rural Residential

Meeting of June 6, 2013
Agenda Item No. 2
Assessor Parcel Number: 0153-040-080
Zoning: RR 2.5

Proposal

The applicant is requesting a compliance review of Use Permit U-07-05. Condition No. 9 of the Use Permit approval requires an administrative level compliance review of the adopted conditions of approval at five (5) year intervals.

History

Use Permit U-07-05, permitting the establishment of a rural residential enterprise for a small production winery (1,000 gallons per year) within an existing barn was approved by the Zoning Administrator on August 16, 2007.

Review and Recommendation

Upon review of the permit conditions of approval, the evidence submitted by the applicant and based upon the absence of code compliance cases on-file, staff has determined that the rural residential enterprise is being operated in compliance with U-07-05.

Updated Permit Term

The permit shall be in effect for a five (5) year period with provision that a compliance review be conducted prior to August 16, 2017.

EXHIBIT A: Zoning Administrator Resolution No. 07-20



Department Of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA • 94533
Planning Division
(707) 784-6765

** mailed 9/14/07 **

LAND USE PERMIT NO. U-07-05

THOMAS WEST (Rock Creek Winery)
(permittee)

For a rural residential enterprise for a small production winery (1,000 gallons/year) within an existing barn, located at 4610 Green Valley Road, approximately one mile north of its intersection with Rockville Road in a "RR-2.5" Rural Residential Zoning District, APN: 0153-040-080.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit, if any, are attached.

Granting or conditional granting of this permit does not release the permittee from complying with all other county, state or federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

Date Granted August 16, 2007

SOLANO COUNTY ZONING ADMINISTRATOR

Issued by: 
Birgitta E. Corsello

Date 9/13/07

R:\PLANNING(U-) Use Permits\2007\U-07-05 (Thomas West - Rock Creek Winery)\U-07-05 (Thomas West-Rock Creek Winery) za permit.doc; August 28, 2007

Exhibit A

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 07-20**

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-07-05 of **Thomas West** for a rural residential enterprise for a small production winery (1,000 gallons/year) within an existing barn. The project is located at 4610 Green Valley Road, approximately one mile north of its intersection with Rockville Road in a "RR-2.5" Rural Residential Zoning District, APN: 0153-040-080, and

WHEREAS, said Zoning Administrator has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on August 16, 2007, and

WHEREAS, after due consideration, the said Zoning Administrator has made the following findings in regard to said proposal:

- 1. The establishment, maintenance or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution and other aspects of the General Plan;**

The establishment and operation of a rural residential enterprise is consistent with Chapter V, Residential Land Use, of the Solano County Land Use and Circulation Element since the facility will be incidental to and subordinate to the residential use of the property and will not have an adverse impact on any public facilities or services.

- 2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Existing access to the site is from a private shared road off of Green Valley Road, and power currently exists at the site.

The City of Vallejo has determined that the project could be served by the existing water connection. A report was prepared and confirmed by Environmental Health which demonstrated that the existing septic system could handle the increase in winery wastewater.

- 3. The subject use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

The proposed use will be located entirely within the existing on-site barn. Though winemaking equipment will be used in the barn, it is not anticipated that there will be a noise nuisance to neighbors. This combined with the distance to the nearest offsite residences will ensure that noise will be minimal. Traffic generated as a result of the proposed use would not exceed those levels considered normal for rural residential neighborhoods with minimal agricultural production. As such, there will be no significant degradation of the neighborhood or the County's health, safety, peace, morals, comfort, or general welfare.

4. The facility complies with all applicable sub-sections of the Solano County Zoning Ordinance relating to rural residential enterprises.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the use permit subject to the following recommended conditions of approval:

1. The proposed rural residential enterprise shall be established in accordance with the information dated May 30, 2007 and plans dated April 26, 2007, submitted with U-07-05 on April 26, 2007 by Thomas West and approved by the Solano County Zoning Administrator.
2. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts, which constitute a hazard or nuisance to surrounding properties.
3. Any expansion or change in the use may require a new or modified use permit and further environmental review. Any expansion shall be required to have County approval prior to the expansion. This condition includes adding a non-resident employee at any time.
4. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plan without prior approval of new permits or minor revisions to the permits.
5. The applicant shall be required to obtain the necessary permits and/or licenses from any applicable agency, including but not limited to the U.S. Tax and Trade Bureau, the California Department of Alcoholic Beverages and the California State Board of Equalization, City of Vallejo Water Division and Solano County Environmental Health Division.
6. The applicant shall obtain a business license from Solano County for the proposed rural residential enterprise and maintain compliance with all of its requirements.

7. All of the following regulations shall be met relating to the proposed rural residential enterprise:
- a. Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers.
 - b. Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.
 - c. Uses shall not be allowed which generate significant amounts of traffic. A permit on a private road which involves an increase in traffic may be approved by the Planning Commission only after evidence is shown that the proposed use will not unduly burden adjacent property owners on the private road.
 - d. Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.
 - e. Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.
 - f. When enterprises are to be contained within a building or area exceeding the allowable size limitations, that area to be used for the enterprise shall be physically separated from the remaining area and in no case shall an existing garage be converted to a rural resident enterprise unless additional enclosed parking is provided in conformance with the County's parking standards.
 - g. Signs shall be limited to one non-illuminated name plate not to exceed twenty square feet mounted on or directly adjacent to the residence or proposed use. No advertising signs shall be permitted.
 - h. Areas dedicated to outside storage or use shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.
 - i. Adequate parking shall be provided as determined necessary by the Zoning Administrator or Planning Commission. Access to the enterprise shall be limited to the existing residential driveway.

- j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.
- 8. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
- 9. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit, August 16, 2012. The cost associated with the periodic reviews shall be charged at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on August 16, 2007.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager