Department of Resource Management
Solano County Zoning Administrator
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Bill Emlen, Director
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Use Permit Renewal - Staff Report

Application: U-06-03-MR1-EX1
Project Planner: Eric Wilberg, Planning Tech.

Meeting of March 20, 2014
Agenda Item No.

Location: 3841 Bithell Lane
Assessor Parcel Number: 0048-020-550

General Plan: General Industrial
Zoning: General Manufacturing 'MG-3'

Requested Action

Request for Zoning Administrator approval of Use Permit U-06-03-MR1-EX1 to continue use of two temporary office trailers at 3841 Bithell Lane.

Background

On May 4, 2006 the Solano County Zoning Administrator approved Use Permit U-06-03 to establish a temporary office trailer. A minor revision was approved February 21, 2008 to add a second office trailer to the site.

Review

Based upon review of the renewal application, permit conditions of approval and absence of code compliance cases on file, staff recommends that the temporary office trailers are being operated in full compliance with Use Permit No. U-06-03-MR1. In addition, the applicant has requested renewal and has paid the applicable permit renewal fee. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a renewal if the following circumstances exist:

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

Updated Permit Term

Condition of Approval No. 10 shall be updated as follows;

The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of ~~February 21, 2013~~ **February 21, 2018**

EXHIBIT A: Zoning Administrator Resolution 08-05 (U-06-03-MR1)

SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 08-05

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Use Permit No. U-06-03 of **Matrix Service, Inc.** to establish a temporary office trailer located at 3841 Bithell Lane in an "M-G" General Manufacturing Zoning District, 8 miles east of the City of Suisun, APN: 0048-020-550, 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 February 21, 2008, 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 temporary use of a commercial coach is consistent with the goals and the objectives and policies of Chapter VII Industrial Land Use, of the Solano County Land Use and Circulation Element. (LUCE).

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

Existing access to the site is from Bithell Lane, a 64-foot wide private road, off of Highway 12. Services are provided by on-site water and septic as required by the General Policies of Chapter VII of the LUCE.

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 temporary commercial coach will not constitute a nuisance; there will be no significant degradation of the neighborhood or the County's health, safety, peace, morals, comfort, or general welfare.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has adopted the mandatory findings, and approved Minor Revision No. 1 to Use Permit No. U-06-03 subject to the following recommended conditions of approval:

1. The proposed use shall be established in accordance with the information submitted with Application U-06-03 Minor Revision No. 1 and with the plans entitled "3841 Bithell Lane-Site Plan", submitted on October 26, 2007 and approved by the Solano County Zoning Administrator.

2. The permittee shall comply with all the conditions set forth in Section 28-50(a)(11) of the Solano County Code, as follows:

   a. The commercial coach may not be used as a residence and shall meet all building setbacks applicable to permanent development on the parcel.

3. The area under and around the mobile office shall be maintained clear of all dry vegetation and combustible growth for a distance of not less than thirty (30) feet.

4. Prior to issuance of the Use Permit all requirements of the Solano County Building Division shall be met.

5. All requirements of the Solano County Environmental Health Division shall be met including but not limited to:

   a. Prior to issuance of Building Permit, the existing sewage disposal system shall be evaluated by a properly licensed consultant, and in accordance with Solano County Code, Chapter 6.4 Sewage Disposal Standards; the evaluation shall include specific soil testing and results. A certification of the proposed maximum wastewater flow or a recommendation of repair or replacement of the existing on-site sewage disposal system shall be included.

   b. A determination shall be provided detailing the number of people served by the existing drinking water system, including all connections to the drinking water system:

      i. A State Small Water system permit shall be required if 25 or more people are served water at least 60 days per year.

      ii. There are three existing businesses connected to the on-site well. At such time when there are five connections to the well a State Small Water system permit shall be required.

6. Approval of this commercial coach solely and exclusively allows for the placement and use of this 12' x 40' commercial coach. No other structures or uses, existing or proposed, are permitted or authorized by issuance of this permit.

7. Failure to comply with any of the conditions or limitations set forth in the subject Conditions of Approval shall be cause for revocation of this permit.

8. Prior to the issuance of the Use Permit, the permittee shall secure a Certificate of Deposit or similar instrument in the amount of Three Thousand ($3,000.00) Dollars to insure removal or conversion of the commercial coach. Said document shall be made payable to "Solano County" with the interest payable to depositor; shall not be released, except as authorized by the Zoning Administrator, upon receipt of a written request and satisfactory evidence that the commercial coach has either been removed or converted to permanent office space with the appropriate building permits; and shall be forfeited to the County of Solano if the commercial coach is not removed or converted within the period of this permit. Except as provided for above, the original Certificate of Deposit or similar instrument shall not be released from control of Solano County other than through a direct exchange in a Solano County office for an acceptable Certificate or instrument which does not place an unwarranted expense, workload or risk on the County of Solano.

9. Upon expiration of the permit, should no extension request be filed prior to the expiration date, or if no extension is granted, the commercial coach shall be removed from the property, converted to permanent office space or the County of Solano shall be authorized to remove the commercial coach for the current landowner at the landowner's expense.

10. The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of February 21, 2013.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on February 21, 2008.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

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