



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

Use Permit Renewal - Staff Report

Application: U-97-24-EX3 (Biggs)
Project Planner: Eric Wilberg, Planning Tech.

Meeting of May 1, 2014
Agenda Item No. 1

Location: 4325 Abernathy Road
Assessor Parcel Number: 0027-040-230

General Plan: Agriculture
Zoning: Suisun Valley Agriculture

Requested Action

Request for Zoning Administrator approval of Use Permit U-97-24-EX3 for the continued use of temporary agricultural employee housing at 4325 Abernathy Road; APN 0027-040-230.

Background

On October 2, 1997 Solano County Zoning Administrator found the project to be exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303 (New Construction of Small Structures) and approved Use Permit U-97-24 permitting the use of a temporary farm labor mobilehome. Time extension number 2 has extended the permit term through April 9, 2014.

Review and Recommendation

Based upon review of the renewal application, permit conditions of approval and absence of code compliance cases on file, staff recommends that the agricultural employee housing is being operated in compliance with Use Permit No. U-97-24.

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 October 2nd, ~~2002~~ 2018.

Attachment A – Zoning Administrator Resolution No. 97-18

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 97-18**

WHEREAS, the Solano County Zoning Administrator has considered, in public hearing, Use Permit Application No. U-97-24 of **Gloria Cadenasso-Rice** for a temporary farm labor mobilehome for a ranch foreman. The project is located at 4325 Abernathy Road, in an "A-40" Exclusive Agriculture Zoning District, 3 miles west of the City of Fairfield, APN: 27-040-23, and

WHEREAS, said Zoning Administrator has reviewed the report of the Department of Environmental Management and heard testimony relative to the subject application at the duly noticed public hearing held on October 2, 1997, and

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

1. That the establishment, maintenance or operation of the use applied for is 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 considered by the Zoning Administrator.

The proposed use is consistent with the policies and intent of the Solano County General Plan, including, but not limited to, the Intensive Agricultural designation and the Residential Land Use chapter of the Land Use and Circulation Element, and Chapter II of the Housing Element.

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

Adequate utilities, access roads, drainage and other necessary facilities have been provided.

3. That the applicant 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 of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.

The applicant has demonstrated evidence to support making this mandatory finding. The project presents no significant environmental impacts and qualifies for a Categorical Exemption under the requirement of the California Environmental Quality Act.

4. The proposed use will not have a significant negative effect on neighboring properties or pose a threat to health or safety.
5. The proposed use has been reviewed by the Solano County Agricultural Commissioner's Office. It is compatible with surrounding land uses, and it will not be in conflict with agricultural operations in the immediate vicinity.
6. The proposed use will conform to the requirements of the Solano County Zoning Ordinance based on the imposition of the recommended conditions of approval.
7. The proposed project will not have a significant effect on the environment, and it is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303 under Categorical Exemption - Class 3 (New Construction of Small Structures).

WHEREAS, the Zoning Administrator has determined that the following conditions of approval shall be incorporated into said Use Permit:

1. The proposed use shall be established in accord with the plans and information submitted with Use Permit Application No. U-97-24 and approved by the Solano County Zoning Administrator.
2. The permittee shall take such measures as may be necessary or may be required by the County to prevent offensive noise, lighting, dust or other impacts which would constitute a hazard or nuisance to surrounding property.
3. The mobilehome shall be a minimum distance of 10 feet from any other structure.
4. The area under and around the mobilehome shall be maintained clear of all dry vegetation and combustible growth for a distance of not less than thirty (30) feet.
5. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
6. All requirements of the Solano County Transportation Department shall be met, including:
 - a. The permittee shall acquire an Encroachment Permit from the Transportation Department for the connection of the private driveway to the public road.
7. All requirements of the Solano County Environmental Health Division shall be met including:
 - a. Prior to the issuance of the building permit for the temporary mobilehome, the existing septic tank shall be inspected and the size of the existing leach field verified by a representative of this Division.

- b. Should the size and condition of the existing septic system prove to be inadequate, the applicant may be required to secure a permit for necessary system modifications or complete system replacement.

- 8. 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 four sets of plans to the Building and Safety Division for review and permits prior to beginning any improvements.

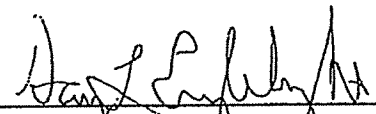
- 9. Failure to comply with any of the conditions or limitations set forth in the subject Conditions of Approval shall be cause for the revocation of this permit.

- 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 October 2, 2002.

BE IT, THEREFORE, RESOLVED, that the Zoning Administrator of the County of Solano does hereby approve Use Permit Application No. U-97-24 of Gloria Cadenasso-Rice subject to the recommended conditions of approval.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 2, 1997.

BIRGITTA CORSELLO, INTERIM DIRECTOR

for 

Christopher L. Monske,
Planning Program Manager

r:mwu9724.res/kd (October 8, 1997)