



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-87-45-EX2 (Sunset Cellars)
Project Planner: Eric Wilberg, Planning Tech.

Meeting of August 1, 2013
Agenda Item No. 1

Location: 4495 Suisun Valley Road
Assessor Parcel Number: 0153-150-080

General Plan: Agriculture
Zoning: Agricultural Tourist Center

Requested Action

Request for Zoning Administrator approval of extension No. 2 to use permit U-87-45 for the continued operation of a winery and retail sales tasting room at 4495 Suisun Valley Road, within an Agricultural Tourist Center zoning district, APN 0153-150-080.

Background

On January 7, 1988, the Solano County Planning Commission adopted a Negative Declaration of environmental impact, and granted use permit U-87-45, authorizing a winery and retail sales tasting room. On April 10, 2007 the permit was extended for an additional five year term.

Review & Recommendation

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the winery and retail sales tasting room is being operated in compliance with use permit no. U-87-45. In addition, the applicant has requested renewal and has paid the applicable permit renewal fee. As such, staff recommends renewal of U-87-45.

Permit Term

Condition of Approval No. 8 shall be updated to reflect the extended permit term:

The permit shall be in effect for a five (5) year period with the provision that an extension may be granted if a request is received prior to the expiration date of ~~April 7, 2012~~ **April 7, 2017**, depending on the circumstances at the time.

Attachment A – Planning Commission Resolution No. 3837 (U-87-45 Conditions of Approval)

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 3837**

WHEREAS: The Solano County Planning Commission has considered, in public hearing, Use Permit Application No. U-87-45 of DANIEL L. CAPP, to ESTABLISH A WINERY AND RETAIL SALES TASTING ROOM in an existing building in an Exclusive Agricultural District, zoned "A-40", located on the west side of Suisun Valley Road approximately 500 feet south of the intersection of Suisun Valley Road and Morrison Lane, and

WHEREAS: Said Commission has reviewed the report of the Department of Environmental Management, and

WHEREAS: Said Commission heard testimony relative to the subject application, and

WHEREAS: A Negative Declaration of environmental impact was prepared and processed by the Department of Environmental Management pursuant to the California Environmental Quality Act and the State and County EIR Guidelines, and

WHEREAS: After due consideration, the said Planning Commission has made the following findings in regard to said proposal:

1. That the proposed use is consistent with the Solano County General Plan and Zoning Ordinance.
2. That adequate utilities, access road, drainage and other necessary facilities have been or will be provided.
3. That the proposed use is and can remain compatible with existing and future surrounding land uses.
4. The project has been reviewed pursuant to CEQA and a Negative Declaration of Environmental Impact has been prepared and processed according to State and local guidelines, with the public review period ending January 5, 1988. No significant impacts which are not mitigated by the project or conditions of project approval will occur.
5. The use would not have any negative effect on neighboring properties.

Be it, therefore,

RESOLVED: That the Planning Commission does hereby ADOPT the said Negative Declaration of environmental impact prepared in regard to the project and does hereby APPROVE Use Permit Application No. U-87-45 of Daniel Capp, subject to the following conditions:

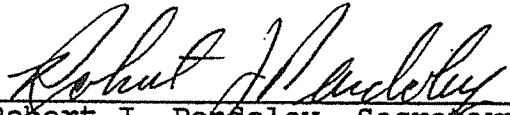
1. The use shall be established and conducted in accord with the information and plans submitted and as approved by the Planning Commission.
2. The applicant shall meet all requirements of the Division of Environmental Health Services including:
 - a. Prior to the issuance of a building permit, applicant shall secure approval and issuance of sewage disposal system permit and a public water system permit to include engineered plans and specifications as to well yield, instantaneous and average daily demand, storage capacity, and required chemical analysis. The design values may also be determined from existing water use records of the water system or a similar water system.
 - b. The sewage disposal systems shall be maintained so as not to create or cause to become a public nuisance.
 - c. Winery process solids shall be temporarily stored on site and disposed of in a manner that will not create offensive odors, fruit fly propagation, or become a public nuisance.
3. The applicant shall meet requirements of the County Fire Warden and Suisun Fire District including adequate water supply and/or sprinklers for fire suppression and adequate access to accommodate fire fighting apparatus.
4. Adequate measures shall be taken to prevent offensive dust, noise, lighting or other impact which constitutes a nuisance to surrounding properties.
5. The three outdoor wine storage tanks located on the north side of the building shall be screened by redwood slat fence or other suitable visual screen approved by the Zoning Administrator prior to issuance of this permit.

6. Prior to the issuance of the use permit an amended site plan shall be submitted for approval of the Zoning Administrator to show location, area, and design for on site signs. Signs proposed for the use shall be coordinated with the existing adjoining fruit stand signage so that the combined number and area for all signs on site do not exceed three signs totaling 60 square feet in area.
7. Outdoor social activities such as picnicking, within view of Suisun Valley Road shall be prohibited.
8. The permit shall be in effect for a five (5) year period with the provision that an extension may be granted if a request is received prior to the expiration date of January 7, 1993, depending upon the circumstances at the time.

* * * * *

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on January 7, 1988 by the following vote:

AYES:	Commissioners	<u>Lanza, Kay, Johnson,</u> <u>Woodson, Hartwell, Hawkes,</u> <u>Campbell, Mahoney and</u> <u>Cassil</u>
NOES:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>Vasquez</u>


Robert J. Peadoley, Secretary

RJP/LM/kl

ZLMRCapp