

## **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 Renewal - Staff Report

Application: U-08-05-EX1

Meeting of February 6, 2014

Project Planner: Eric Wilberg, Planning Tech.

Agenda Item No. 2

Location: 7545 Pleasants Valley Road

General Plan: Watershed

Assessor Parcel Number: 0102-060-220

Zoning: Exclusive Agriculture 'A-20'

### **Requested Action**

Request for Zoning Administrator approval of extension No. 1 of Use Permit U-08-05 to continue the use of agricultural employee housing at 7543 and 7545 Pleasants Valley Road.

#### Background

On July 3, 2008 the Solano County Zoning Administrator approved Use Permit U-08-05, permitting two agricultural employee housing units. At that time, each unit had been previously permitted under separate permit (U-91-38 and U-97-22).

#### Review

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

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the agricultural employee housing is being operated in full compliance with Use Permit No. U-08-05. In addition, the applicant has requested renewal and has paid the applicable permit renewal fee.

#### **Updated Permit Term**

Condition of Approval No. 8 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 July 3, 2013 July 3, 2018 and the use shall remain the same and in compliance with the conditions of approval. An extension may be considered if requested prior to the expiration date and depending upon the circumstances at that time.

**EXHIBIT A:** Zoning Administrator Resolution 08-24

# SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. 08-24

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-08-05 of William Morgan, Jr. for agricultural employee housing located at 7543 and 7545 Pleasants Valley Road in an "A-20" Exclusive Agricultural Zoning District, 3.5 miles northwest of the City of Vacaville, APN: 0102-060-220, 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 July 3, 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 to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.

The use is consistent with the goals, objectives, and policies of the Solano County General Plan, including, but not limited to the Agricultural Section of the Land Use Section of the Land Use and Circulation Element and Chapter II of the Housing Element of the General Plan.

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

The property accommodates existing water, septic, and road access.

3. The subject 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.

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.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the Use Permit Application No. U-08-05 subject to the following recommended conditions of approval:

 The proposed use shall be established in accord with the plans and information submitted with Use Permit Application No. U-08-05 and approved by the Solano County Zoning Administrator. Specifically, a letter submitted by William Morgan, Jr. which summarizes his employee's duties, hours worked, and overall need for on-site housing, as well as an

**EXHIBIT A** 

Agricultural Employee Housing Supplemental Application and Declaration as completed by the applicant.

- 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 property.
- 3. No additional uses (except uses allowed under Chapter 28 of the Solano County Code) shall be established beyond those identified on the project site plan without prior approval of a minor revision to the use permit. No additional new or expanded buildings (except buildings which are uses allowed under Chapter 28 of the Solano County Code) shall be constructed without prior approval of a minor revision to the use permit, pursuant to Section 28-53(m) of the Solano County Code.
- 4. The permittee shall remain the owner of the property or a lessee engaged in agricultural activities on the property.
- 5. The permittee shall maintain the requirements set forth by Solano County Code Section 28.21.030 B throughout the duration of the Use Permit.
- 6. All requirements of the Solano County Building and Safety Division shall be met, including:
  - a) 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 (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
  - b) Except as exempted in Chapter 31 of Solano County Code, no person shall commence or perform any grading, filling, excavation, or clearing of vegetation for any purpose without having first obtained a grading permit from the Building and Safety Division.
- 7. Prior to the issuance of the use permit, the permittee shall secure a bond or Certificate of Deposit or similar instrument in the amount of Three Thousand (\$3,000.00) Dollars to insure removal or conversion of the two mobilehomes. Said document shall be made payable to "Solano County" with the interest payable to depositor; and shall not be released, except as authorized by the Zoning Administrator, upon receipt of a written request and satisfactory evidence that the mobilehomes have been removed or converted to permanent dwellings with the appropriate building permits; and shall be forfeited to the County of Solano if the mobilehomes have not been 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.
- 8. 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 July 3<sup>rd</sup>, 2013 and the

use shall remain the same and in compliance with the conditions of approval. An extension may be considered if requested prior to the expiration date and depending upon the circumstances at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on July, 3, 2008.

BIRGITTA E. CORSELLO, DIRECTOR RESOURCE MANAGEMENT

Michael Yankoyicl

Planning Program Manager