



Solano County Department of Resource Management

675 Texas Street, Suite 5500 • Fairfield, California 94533 • (707) 784-6765

MUTUAL AGREEMENT APPLICATION INSTRUCTIONS PLANNING COMMISSION

1. **GENERAL COMMENTS** - The purpose of a mutual agreement is to allow uses, generally on a temporary basis, subject to appropriate specific conditions and with the approval of the Planning Commission. Mutual agreements are governed by Section 28-50(a)(6) of the County Zoning Regulations.

The applicant should discuss the intended use in person with a member of the Planning Division of Resource Management staff prior to submission of the application.

2. **APPLICATION** - The minimum information required to file the application with Resource Management includes:

- a. Completed application form for Mutual Agreement provided by Resource Management.
- b. Completed Environmental Evaluation Questionnaire provided by Resource Management.
- c. Completed project narrative (written project description).
- d. Completed site plan drawing. (See typical plan drawing.)
- e. Assessor's Parcel Map and other information as requested by Resource Management.
- f. Application Filing Fee: \$3,550

The Application Filing Fee includes the combined cost of time and materials for Planning Division processing, reporting, public notice and hearing for this type of application. This fee does not include environmental review. **If time and materials needed to process your application exceed the Planning Division fee amount plus 100% of the fee amount, you will be billed for the additional costs incurred by the County.**

3. **PUBLIC NOTICE** - One advertised public hearing is required for each use permit application. At least fifteen days prior to the hearing, Resource Management will provide written notice by first class mail to the applicant and owners of property located within 500 feet of the property involved (1/2 mile in the Agricultural (A) and Rural Residential (RR) zone districts). Notice will also be published in a newspaper of general circulation or posted in the vicinity of the project location. This public notice is to inform the public of their right to appear and be heard on the matter.

4. **PUBLIC HEARING** - The applicant or his representative should be present at the public hearing. If he is unable to attend, he may request a continuance in writing. During the hearing, all interested persons will have the opportunity to speak in favor or in opposition to granting the use permit. Persons speaking will usually be asked their interest in the use and other pertinent questions deemed necessary in determining approval or denial of the use permit. Normally, the applicant is invited to speak first.

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5. **DECISION** - In order to approve a Mutual Agreement, the Planning Commission will determine if the following minimum conditions are met:
 - a. That the application process complies with the California Environmental Quality Act of 1970, as amended.
 - b. That the establishment, maintenance or operation of the use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution and all other pertinent aspects.
 - c. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
 - d. That the applicant has exhibited proof that such use will not constitute a nuisance or be detrimental to the health, safety, comfort or general welfare of the people of the County or be detrimental to adjacent property or improvements in the neighborhood.
 - e. That the use will conform to such performance standards as may be imposed and established pursuant to the zoning regulations.

6. **APPEALS** - Any person or party aggrieved or affected by any determination of the Planning Commission may file an appeal pursuant to Section 28-63 of the Solano County Code. The appeal must be in writing outlining the reasons of the appeal and filed within ten days of the decision to be appealed.

7. **PERMIT GRANTED** - The mutual agreement is not valid until the ten day appeal period has expired and until it is signed by the applicant, returned to Resource Management and issued by signature of the public authority. Applicants are strongly advised not to expend funds establishing a project in anticipation of approval of the Mutual Agreement. Premature expenditure of funds will not be considered justification for approval. The County is in no way obligated to applicants for investments made on the premise that the use permit will be granted.

8. **PERMIT REVIEW** - Resource Management or other County departments will periodically inspect the use permit site to insure that all conditions of approval are being met. The violation of any conditions is grounds for revocation of the Mutual Agreement.