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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

Use Permit Renewal – Staff Report

Application: U-09-12 (Coleman)
Project Planner: Eric Wilberg
Location: 6059 Clark Road
General Plan: Agriculture

Meeting of April 16, 2015
Agenda Item No. 1
Assessor Parcel Numbers: 0142-170-100
Zoning: Exclusive Agriculture 'A-40'

Proposal

The applicant has filed compliance review No. 1 of Use Permit U-09-12 for the continued operation of a rural resident enterprise which provides archaeological services. Pursuant to Section 28.106(N) of the County Zoning Regulations, use permits subject to periodic renewal shall be administratively approved if all of the following criteria are met:

- 1) The permittee has requested renewal;
- 2) The permittee has paid the applicable renewal fee; and
- 3) The use is being conducted in full compliance with all conditions of the use permit.

Background

Use Permit U-09-12 was granted by the Solano County Zoning Administrator February 4, 2010.

Review and Recommendation

Based on the application materials submitted for this renewal and review of the approved development plans and conditions of approval, staff has determined that the rural resident enterprise is being operated in compliance with U-09-12. Staff recommends approval based on the following findings:

1. The applicant filed an application for a renewal.
2. The applicant has paid the necessary permit renewal fee.
3. The permitted use is operating in compliance with the conditions of approval as set forth in U-09-12.

Updated Permit Term (Condition of Approval No. 9)

The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit, February 4, 2015. The cost associate with the periodic reviews shall be charged at that time.

Attachment A – Land Use Permit U-09-12 and Zoning Administrator Resolution No. 10-06



Department Of Resource Management
675 Texas Street, Suite 5500
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Planning Division
(707) 784-6765

*mailed 3-3-10

LAND USE PERMIT NO. U-09-12

JOHN DOBLES

(permittee)

For a Rural Residential Enterprise to convert a portion of an existing garage into an office space for Solano Archeological Services, located at 6059 Clark Road 6 miles south of the City of Dixon in an "A-40" Exclusive Agricultural Zoning District. APN: 0142-170-100.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit, if any, are attached.


Granting or conditional granting of this permit does not release the permittee from complying with all other county, state or federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

Date Granted February 4, 2010

SOLANO COUNTY ZONING ADMINISTRATOR

Issued by:


Birgitta E. Corsello, Director
Resource Management

Date 2/26/10

R:\PLANNING\U-) Use Permits\2009\U-09-12 (Dobles-Coleman)\ZAU-09-12 (Coleman-Dobles) permit.doc(February 17, 2010)

ATTACHMENT A

CONDITIONS OF APPROVAL FOR LAND USE PERMIT NO. U-09-12
of
JOHN DOBLES

1. The proposed rural resident enterprise shall be established in accord with the application materials, development permit application, and site plan titled 'Garage Conversion' dated October 2009 and as approved by the Solano County Zoning Administrator.
2. 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 properties.
3. No additional uses associated with the rural resident enterprise (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of a new permit or minor revision to the use permit and potentially subject to environmental review.
4. The permittee shall obtain approval from the Building Division prior to constructing, erecting, enlarging, altering, repairing, moving, improving, removing, converting, or 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.
5. The building and any storage areas will have to comply with all applicable codes, including ADA requirements and the requirements of the Vacaville Fire Protection District.
6. The permittee shall obtain a business license from Solano County for the proposed rural residential enterprise and maintain compliance with all of its requirements.
7. All of the following regulations shall be met, relating to the proposed rural residential enterprise:
 - a. Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers.
 - b. Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.
 - c. Uses shall not be allowed which generate significant amounts of traffic.
 - d. Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.
 - e. Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.
 - f. When enterprises are to be contained within a building or area exceeding the allowable size limitations, that area to be used for the enterprise shall be physically separated from the remaining area and in no case shall an existing garage be converted to a rural resident enterprise unless additional enclosed parking is provided in conformance with the County's parking standards.

- g. Signs shall be limited to one non-illuminated name plate not to exceed twenty square feet mounted on or directly adjacent to the residence or proposed use. No advertising signs shall be permitted.
 - h. If areas of the property are dedicated to outside storage or use, such areas shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.
 - i. Adequate parking shall be provided as determined necessary by the Zoning Administrator or Planning Commission. Access to the enterprise shall be limited to the approved residential driveway.
 - j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage, or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.
8. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
9. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit, February 4, 2010. The cost associated with the periodic reviews shall be charged at that time.

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof.

I agree to conform fully to this use permit and all of the foregoing conditions.

 2-22-2010
Permittee's Signature Date

John G Dobles
Permittee's Name (Please Print)

10059 CLARK ROAD DIXON CA 95687
Address City Zip

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 10-06**

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-09-12 of **John Dobles** for a Rural Residential Enterprise. The proposal consists of converting a portion of an existing garage into an office space for Solano Archeological Services. The project is located at 6059 Clark Road, 6 miles south of the City of Dixon in an "A-40" Exclusive Agricultural Zoning District, APN: 0142-170-100, 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 4, 2010, and

WHEREAS, after due consideration, the 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 establishment and operation of a rural residential enterprise is consistent with the goals, objectives, and policies of the Land Use Chapter of the Solano County General Plan because the facility will be incidental to and subordinate to the residential use of the property.

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

The site is adequately served by the on-site septic system and well. Access is provided Clark Road.

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.

On the basis of staff site inspection performed and the lack of complaints on file with the Department of Resource Management as of February 2010, the proposed use does not constitute a nuisance nor is it detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, nor is it detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County of Solano.

4. Adequate controls or measures will be taken to prevent any hazard or nuisance to surrounding residents or farm animals, and to prevent trespassing to surrounding property.

Adequate controls have been taken to prevent any hazard or nuisance to surrounding residents or farm animals. The business operator, employee, and any clients who utilize the facility will not

constitute a nuisance above and beyond what is permissible under a typical residential use of the property.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Use Permit Application No. U-09-12 subject to the following recommended conditions of approval:

1. The proposed rural resident enterprise shall be established in accord with the application materials, development permit application, and site plan titled 'Garage Conversion' dated October 2009 and as approved by the Solano County Zoning Administrator.
2. 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 properties.
3. No additional uses associated with the rural resident enterprise (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of a new permit or minor revision to the use permit and potentially subject to environmental review.
4. The permittee shall obtain approval from the Building Division prior to constructing, erecting, enlarging, altering, repairing, moving, improving, removing, converting, or 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.
5. The building and any storage areas will have to comply with all applicable codes, including ADA requirements and the requirements of the Vacaville Fire Protection District.
6. The permittee shall obtain a business license from Solano County for the proposed rural residential enterprise and maintain compliance with all of its requirements.
7. All of the following regulations shall be met, relating to the proposed rural residential enterprise:
 - a. Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers.
 - b. Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.
 - c. Uses shall not be allowed which generate significant amounts of traffic.
 - d. Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.
 - e. Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.

f. When enterprises are to be contained within a building or area exceeding the allowable size limitations, that area to be used for the enterprise shall be physically separated from the remaining area and in no case shall an existing garage be converted to a rural resident enterprise unless additional enclosed parking is provided in conformance with the County's parking standards.

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h. If areas of the property are dedicated to outside storage or use, such areas shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.

i. Adequate parking shall be provided as determined necessary by the Zoning Administrator or Planning Commission. Access to the enterprise shall be limited to the approved residential driveway.

j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.

8. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
9. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit, February 4, 2010. The cost associated with the periodic reviews shall be charged at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on February 4, 2010.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager