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DEPARTMENT OF RESOURCE MANAGEMENT



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COUNTY**

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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-95-02-EX2
Applicant: Franks Septic Service
Project Planner: Travis Kroger

Meeting of September 17, 2015
Agenda Item No. 1

Location: 7555 Leisure Town Road
Assessor Parcel Number: 0106-090-430, 0106-150-370
General Plan: Agriculture
Zoning: Exclusive Agriculture 'A-20'

Proposal

The applicant has requested extension No. 2 of use permit U-95-02, pursuant to condition of approval No. 15. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal request so long as the following requirements are satisfied:

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

Background

On June 13th, 1995 the Planning Commission granted Use Permit U-95-02, permitting a septic service business on the above mentioned parcels. On August 26, 2005 the Zoning Administrator approved extension No. 1 to extend the permit for an additional 10 year term.

Review and Recommendation

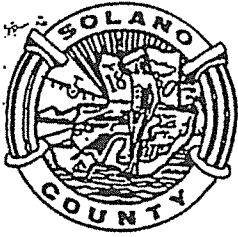
Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the septic service business is being operated in compliance with use permit no. U-95-02.

Permit Term

Per condition 15 of U-95-02, staff recommends that this permit be extended for a 10 year term with provision that an extension may be granted if requested by the applicant prior to the expiration date of June 13, 2025.

Attachments:

Conditions of Approval U-95-02, Solano County Planning Commission Resolution No. 4086, Site Plan.



Department of Environmental Management

601 TEXAS STREET
FAIRFIELD, CALIFORNIA • 94533

LAND USE PERMIT NO. U-95-02

ORIGINAL

ALVIN BONIFACIO (Frank's Septic Service, Inc.)

(permittee)

To establish a septic service business use on a 10+ acre portion of a 77.56 acre ownership located at 7555 Leisure Town Road, 3/4 mile north of Midway Road and the City of Vacaville.

The property is located within the "A-20" Exclusive Agricultural District.

APNs: 106-090-43; 106-150-37.

(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 as follows:

(See attached Sheets)

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof and unless this permit is issued by signature of an authorized agent of the County.

I agree to conform fully to this Use Permit and all of the foregoing conditions.

Al Bonifacio 7555 Leisure Town Rd. 7-12-95
Permittee's Signature Address Vacaville Date

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 Use Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Use 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.

Appeals from action to grant this permit may be filed by any person within ten (10) days of the date granted. Any such appeal shall stay all proceedings until determination of the appeal.

SOLANO COUNTY BOARD OF SUPERVISORS

By: Brenda E. Conello
Director/Secretary

Date Granted June 13, 1995

01/06/2005

CONDITIONS OF APPROVAL FOR LAND USE PERMIT NO. U-95-02
of
ALVIN BONIFACIO (Frank's Septic Service, Inc.)

1. The proposed use shall be conducted in accord with the plans and text submitted as part of Use Permit Application No. U-95-02 as conditionally approved by the Solano County Board of Supervisors.
2. All activities related to this operation are limited to the area east of the berm which currently constitutes the westerly boundary of the operation and to the area south of the access driveway.
3. No services (including but not limited to backhoe or land leveling services, aggregate hauling, trucking, and/or sale of sand, rock, gravel, and dirt), other than those septic services described in Use Permit application No. U-95-02, are to be offered from or conducted upon the subject site.
4. All requirements of the Solano County Department of Transportation shall be met, including:
 - a. Prior to issuance of this permit, the permittee shall apply to the Transportation Department for an encroachment permit for the access and construction of a commercial type road connection to Leisure Town Road. The encroachment shall be constructed to CalTrans standards.
5. All requirements of the Solano County Environmental Health Division shall be met, including:
 - a. Should the 6,000 gallon tank trailer be used for sewage hauling, the permittee shall secure a permit to operate from Environmental Health Services prior to its use.
6. The proposed use shall comply with all requirements set forth by the Yolo-Solano Air Quality Management District.
7. Approval from the Building and Safety Division must be obtained prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting or demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws. Submit three sets of plans to the Building and Safety Division for plan review and permits prior to beginning improvements.

- 8. The drainage pipe that drains water from the subject property into SID's K-1 Spill (drain) shall be replaced with a larger diameter pipe with flash-board riser, and the bank graded to original condition, at the applicant's expense. The applicant shall contact Solano Irrigation District's Engineering Department to arrange for this work to be completed within 1 year of the granting of this permit on April 20, 1995.
- 9. Any signs shall be limited to a nameplate for the purpose of property and approved business identification. No advertising sign shall be permitted.
- 10. The storage of junk or salvageable materials, including junk metals or other scrap materials and the storage, dismantling or wrecking of automobiles or other vehicles or machinery shall not be permitted
- 11. The property owner shall be responsible for taking measures necessary or as may be required by the County to prevent offensive noise, light, dust, odor or other impacts which constitute a hazard or nuisance to persons or property in the surrounding area.
- 12. By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers and employees shall not be responsible for injuries to property or person arising from exercise of this permit. The permittee shall defend, indemnify and hold harmless the County of Solano, its officers and employees from all claims, liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance of and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
- 13. Any expansion or change in the use may require a new or modified use permit and further environmental review.
- 14. 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 use permit.
- 15. The permit shall be in effect for a ten (10) year period from the date of the granting of this permit with provision that an extension may be granted if said request is received prior to the expiration date of June 13, 2005, depending upon the circumstances at this time.

Conditions of Approval
U-95-02, Bonifacio

06/12/95

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.

~~/s/~~ *Ah Bonifacio*

Permittee's Signature

7-12-95

Date

~~/s/~~ *7555 Leisure Town Rd. Vacaville, CA 95688*

Address

Zip

g:RGU9502.con/kl (June 14, 1995) #4

SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4086

WHEREAS, the Solano County Planning Commission has considered, in public hearing, Use Permit Application No. U-95-02 of **Alvin Bonifacio (Frank's Septic Service, Inc.)** to establish a septic service business use on a 10± acre portion of a 77.56 acre ownership located at 7555 Leisure Town Road, 3/4 mile north of Midway Road and the City of Vacaville. The property is located within the "A-20" Exclusive Agriculture District, APNs: 106-090-43; 106-150-37, and

WHEREAS, the Commission has reviewed the project record and the report of the Department of Environmental Management, and heard testimony relative to the subject application at a duly noticed public hearing held on April 20, 1995, and

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

1. The Commission disagrees with staff's interpretation of the Board's intent when it determined that "[a] septic tank service facility serving agricultural and rural areas qualifies as a permitted use [in an Agricultural district] subject to the conditions for a Use Permit". The Commission believes instead that the Board's intent was that the proposed septic tank service facility would qualify as a permitted use only if carried out in conjunction with a land spreading operation as described by the applicant to the Board on March 1, 1994.
2. The Commission disagrees with staff's recommendation and finds that Section 28-21(c)(3) which permits "dumping, disposal, incineration and reduction of refuse" in an Exclusive Agricultural District does not permit the establishment of a septic services use as proposed.
3. The Commission finds that manufacturing [of septic tanks and distribution boxes] is not a permitted use in an Agricultural district.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby **DENY** Use Permit Application No. U-95-02.

Resolution No. 4086
U-95-02, Bonifacio

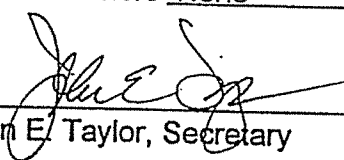
I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on April 20, 1995, the following vote:

AYES: Commissioners Hawkes, Campbell & Chairman Plutchok

NOES: Commissioners Stahl & Robbins

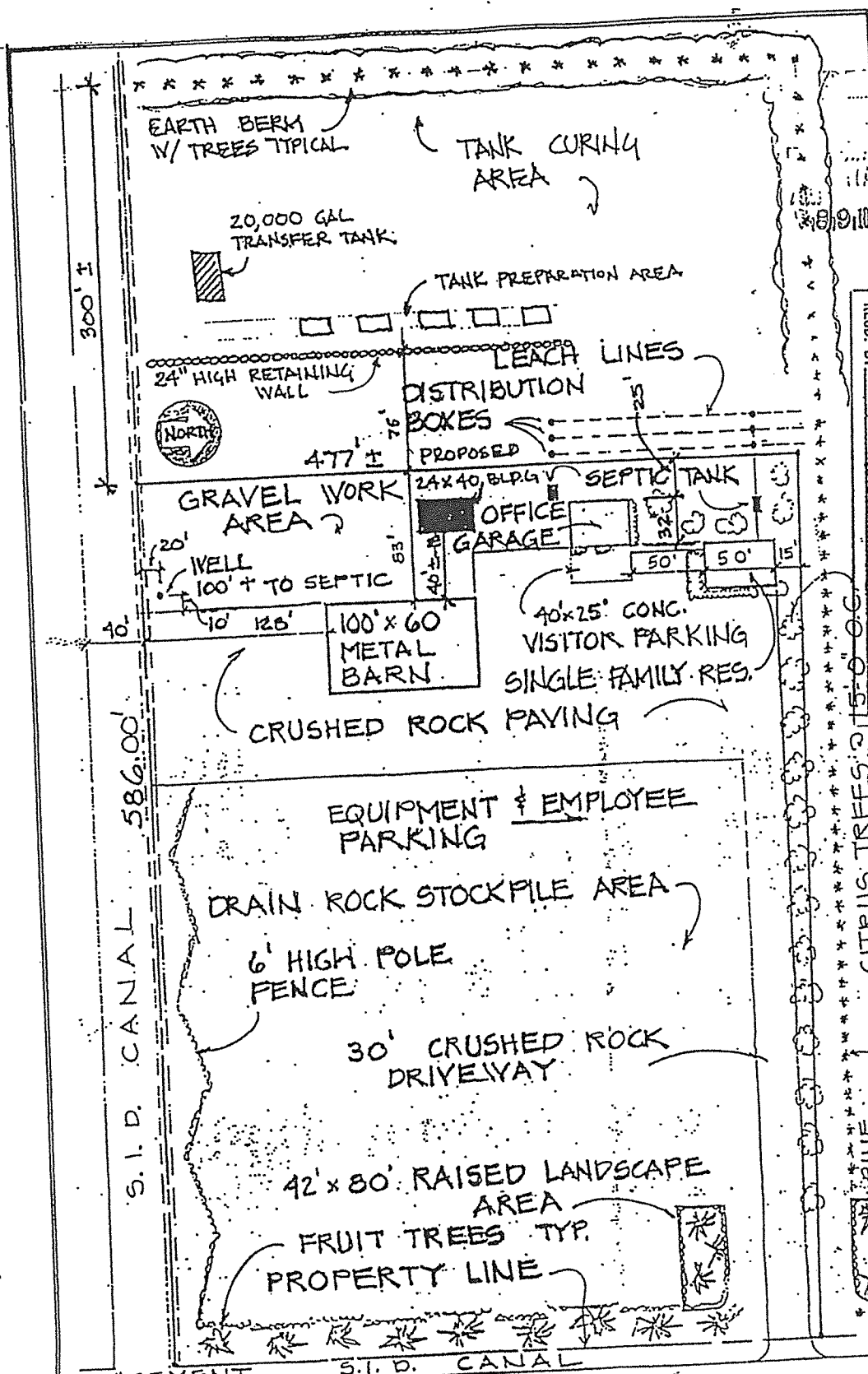
ABSTAIN: Commissioners None

ABSENT: Commissioners None



John E. Taylor, Secretary

g:rgu9502.res/kl (May 31, 1995) #4



RECEIVED
 Solano County
 Environmental Management
 APR 28 1995
 8:09 AM

SOLANO COUNTY PLANNING COMMISSION
 Plan File Identification

DATE OF PLAN FILING: 3/28/95
 AS A PART OF: U-92-02
 FILED BY: A. Bonifacio
 SHEET NO. 1 OF 2 SHEETS

PROJECT: U-92-18 BONIFACIO		DATE: JUNE 4, 1992
SOLANO COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT		REF: 5-9-95/3-27
LEISURE TOWN ROAD		SCALE: NTS

CITRUS TREES 15-0-0-0
 PINE TREES