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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application:	U-95-24-MR2-EX1	Meeting of:	December 7, 2017
Applicant:	Garton Tractor, Inc	Agenda Item No.	1
Project Planner:	Travis Kroger		
Location:	4088 Russell Road	General Plan:	Agriculture
Assessor Parcel Number:	0027-510-350. 360	Zoning:	A-SV-20

Proposal

The applicant has requested compliance review No. 1 for Land Use permit U-95-24-MR2 pursuant to condition of approval No. 20. 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 February 1, 1996 the Solano County Planning Commission granted Land Use permit U-95-24 to establish a machinery repair service for a 5 year term with provision for extension if requested by the applicant. On August 2nd, 2001, Minor Revision No. 1 was approved to add a 5000 square foot accessory structure, which was never constructed. On September 14th, 2011, Minor Revision No. 2 was approved to address the changes necessary as a part of the construction of Suisun Parkway.

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 existing farm machinery repair and sales business is being operated in compliance with Use Permit: U-95-24-MR2.

Permit Term

Per condition 20 of : U-95-24-MR2, staff recommends that U-95-24-MR2 be found to be in compliance with the conditions of approval, and the next compliance review be due September 14, 2021.

Attachment: Solano County Zoning Administrator Resolution No. 11-17.

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 11-17**

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 2 to Use Permit No. U-95-24 of **Moore Tractor Company** for an ag service use at 4088 Russell Road in an "A-SV-20" Agriculture-Suisun Valley Zoning District, 1/4 mile west of the City of Fairfield, APN: 0027-510-350, & 360, 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 August 18, 2011, 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 continuation of the agricultural equipment repair and sales service business is consistent with the goals, objectives and policies of the Solano County General Plan.

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

The site has existing electrical power, domestic water and septic system on-site. Access to the northern portion of the property shall be from Russell Road. Access to the southern portion of the property shall be from the designated driveway shown on the site plan.

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.

The Solano County Development Review Committee has reviewed the project permit and determined that the project will not present a detrimental or injurious impacts on surrounding properties.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the minor revision to Use Permit No. U-95-24 subject to the following recommended conditions of approval:

1. The proposed use shall be established in accord with the site plan dated February 19, 2009 and submitted to the Department of Resource Management with Minor Revision No. 2 of Use Permit 95-24 and as approved by the Solano County Zoning Administrator. The Minor Revision No. 2 site plan supersedes all previous plans associated with Minor Revision No. 1 and the original Use Permit Application No. U-95-24.

2. The use shall be specifically limited to farm machinery repair service including machine general repair, or welding service for farm equipment. Only agricultural tractors implements, parts and supplies shall be sold from the subject property.
3. The permittee shall meet all requirements of the Division of Environmental Health Services.
4. All requirements of the Division of Public Works Engineering shall be met:
5. The existing driveway connections to Russell Road shall continue to be the points of access for APN 0027-510-350. Applicant will need to obtain an encroachment permit if the third driveway noted as "non- paved site access" is to be used as a commercial driveway.
6. The existing driveway connection at the westerly end of APN 0027-510-360 shall be the point of access to APN 0027-510-360. No other driveway access shall be allowed.
7. The permittee shall meet all requirements of the County Fire Official and Suisun Fire District including adequate water supply and/or sprinklers for fire suppression and sufficient access to accommodate firefighting apparatus.
8. Adequate measures shall be taken to prevent offensive dust, noise, lighting or other impact which constitutes a nuisance to surrounding properties.
9. The permittee shall obtain approval for the Building and Safety Division 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. The permittee shall submit four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
10. Prior to the issuance of building permit, this division shall verify that the proposed metal storage building is painted to match the exterior of the primary building on the property.
11. If painting of equipment or machinery will be conducted on site, the permittee shall incorporate a paint booth into the project design adequate to control painting operations and air pollutants therefrom. The permittee shall meet all requirements of the Bay Area Air Quality Control District with regard to paint booth operations, including securance of an Authority to Construct, if required, prior to the issuance of any building permit.
12. All business activities, including retail sales display, inventory and outdoor storage shall only occur within the designated business prior of the site as approved by the Planning Commission Zoning Administrator, and no business activities shall take place on the remainder of the subject property.
13. No additional uses (including outdoor storage uses) shall be established beyond that identified in the project site plan without prior approval of a minor revision to the sue permit. No new or expanded buildings shall be constructed without prior approval of a minor revision to the use permit.
14. Motor vehicles, farm machinery or other equipment shall not be dismantled on the project site. The project site shall not be used as a wrecking yard or junk yard.
15. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.

16. Stacked items stored in the materials storage area shall not be stored in excess of the height of the new fence installed along the boundary of the Suisun Parkway.
17. The use shall not be operated in such a manner as to produce offensive dust, noise, lighting or other impacts so as to 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 properties or improvements or to the general welfare of the County.
18. All landscaping installed as a result of the subject use permit shall be automatically irrigated and maintained in a healthy, thriving and weed-free condition at all times by the permittee.
19. Failure to comply with any of the conditions or limitations set forth in the subject Conditions of Approval shall be cause of the revocation of this use permit.
20. The permit shall be in effect for a five (5) year period. An extension may be granted if said request is received prior to the expiration date of August 18, 2016 and the use is found to be in full compliance with the terms and conditions of this permit at that time. The applicant shall submit a "Report of Compliance" to the Department of Resource Management, along with the applicable "Periodic Review and Written Report fees", on the fifth (5th) anniversary of the issuance of this permit for review by the staff. The Report of Compliance shall address compliance of conditions no 1 through 17.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on August 18, 2011.

BILL EMLÉN, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager