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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

Staff Report MU-16-04

Application No. MU-16-04 (B Walker Ranch) Project Planner: Eric Wilberg, Planner Associate	Meeting of April 19, 2018 Agenda Item No. 3
Applicant B Walker Ranch 4303 Abernathy Road Fairfield, CA 94534	Property Owner same

Action Requested

Consideration of Minor Use Permit application MU-16-04 to establish and operate an Agricultural Education facility located at 4303 Abernathy Road, 1 mile west of the City of Fairfield, within the Suisun Valley Agricultural "A-SV-20" Zoning District; APN: 0027-040-040.

Property Information

Size: 10.71 acres	Location: 4303 Abernathy Road	
APN: 0027-040-040		
Zoning: Suisun Valley Agriculture "A-SV-20" Land Use: Agriculture		
General Plan: Agriculture Ag. Contract: 1223		
Utilities: Well and septic	Access: Abernathy Rd.	

Adjacent General Plan Designation, Zoning District, and Existing Land Use

	General Plan	Zoning	Land Use
North	Agriculture	Suisun Valley Agriculture "A-SV-20"	Orchard/wine tasting
South	Agriculture	Suisun Valley Agriculture "A-SV-20"	Residential
East	Agriculture	Suisun Valley Agriculture "A-SV-20"	Orchard
West	Agriculture	Suisun Valley Agriculture "A-SV-20"	Residential

Environmental Analysis

The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

Motion to Approve

The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Use Permit No. MU-16-04 based on the enumerated findings and subject to the recommended conditions of approval.

SETTING

The subject property is located at 4303 Abernathy Road, 1 mile west of the City of Fairfield. The 10.71 acre parcel is situated within a predominantly agricultural setting identified as the Suisun Valley Agricultural Region by the Solano County General Plan. Within the general vicinity, the property is surrounded by a variety of orchards, vine, and row crops. The lot is bordered to the north by an orchard, residences, and a wine tasting facility; to the east by an orchard; to the south by a fallow field and a residence; and to the west by a fallow field.

The subject property is developed with two residences (1,900 and 600 square feet), barn, and various smaller residential and agricultural accessory structures. All development on the property is located on the eastern half of the lot. The property utilizes a domestic water well, private septic system, and is developed with existing access off Abernathy Road.

OBJECTIVE

B Walker Ranch (BWR) is a farming day program for adults with autism and special needs. BWR is a non-profit organization dedicated to maximizing opportunities that better serve adult individuals who have autism. The ranch setting will offer a variety of experiences to help clients/ranchers build confidence and cultivate relationships within a holistic and educational environment. BWR will be a natural, organic, and sustainable day program that will be self-supportive, maximizing work skill and vocational education by managing daily farm tasks. BWR will be a working farm which becomes the teaching tool that provides easy and accessible growth opportunities for maximum impact on clients, families, and community awareness.

PROJECT DESCRIPTION

B Walker Ranch is proposing to establish and operate an Agricultural Education facility. The project includes remodeling, enhancing, and upgrading the existing 10.71 acre agricultural property. As funding is secured, the various components of the B Walker Ranch program will be implemented. BWR has a variety of programs such as horticulture, animal therapy, art therapy, cooking/nutrition, learning center, and occupational therapy. The facility will accommodate 8-18 clients, operating weekdays Monday through Friday between the hours of 8 a.m. to 3 p.m. Between 3 - 5 employees are expected to staff the weekday programs.

In order to administer the various components of the BWR program, the applicant intends to plant and cultivate a variety of fruit trees, row crops, and gardens as well as utilize indoor green and hoop houses. Existing fruit trees including orange, pear, apricot, mandarin, cherry, lemon, pomegranate, avocado walnuts, plum, and olive are clustered within the southeast quadrant of the property. The proposal also integrates animals and livestock into the program. The applicant anticipates having alpaca, chickens, and goats on-site.

The project also involves remodeling and enhancing two structures which will serve as main components of the BWR program.

Ma & Pa Kettle House

The Ma & Pa Kettle house would function as the first contact meeting space intended for client check-in to the facility. After check-in, ranchers would gather, put belongings in cubbies, and receive program assignments for the day. The project involves remodeling the existing 600 sq. ft. caretaker's house and enlarging the structure to 1,536 square feet.

Page 3 of 8

A new 500 sq. ft. 4 stall restroom is proposed near the Kettle House. The restroom will utilize a new septic system, independent of the existing system serving the primary single family residence on-site.

Barn

As funding is secured, a remodel and expansion of the existing barn is proposed. The 60° x 80° barn would host various programs including cooking and nutrition within the commercial kitchen. The main 4,500 sq. ft. space within the barn would be utilized to host workshops, marketing events, community outreach, and fundraising events. Events of up to 120 persons would primarily take place on weekends between the hours of 8:00 a.m. and 3 p.m. In addition, the concept floor plan depicts an Accessory Dwelling Unit within the footprint of the Barn.

Signage

Proposed signage includes a 24 square foot freestanding sign near the entrance of the property along Abernathy Road, as well as wall mounted and directional signage on-site. Section 28.96.60 of the Zoning Regulations provides standards for the allowed type, number, area, height, and type of lighting for signs within each Zoning District. A maximum of three (3) awning, freestanding, projecting, or wall mounted signage, up to 60 square feet (total area), with indirect lighting are allowed within the A-SV-20 Zoning District. Freestanding signs are limited to six (6) feet in height.

Parking

The project anticipates approximately 25 persons (clients and employees) utilizing the facility during regular weekday hours and up to 120 persons during events. Section 28.94 of the Zoning Ordinance establishes the minimum number of off-street parking spaces required for each land use type. Events would be considered a public assembly use therefore the Code requires one space per four persons at capacity. As such, a minimum of thirty (30) parking spaces shall be provided on-site.

ANALYSIS

The Suisun Valley Agriculture Zoning Regulations require issuance of a Minor Use Permit for the proposed Agricultural Education facility. The applicant has demonstrated that the proposed use will meet the applicable development standards, including: the property owner will operate the facility, the facility is located on a public road, the educational services are for the purpose of furthering and understanding of agricultural crop or livestock production and processing, there will be no removal of any crops or grazing plants, and the hours of operation will be between 8:00 am and 6:00 pm daily.

Williamson Act

The subject property is entered into an active Williamson Act contract No. 1223. As seen in Table A of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts the Agricultural Education land use is "compatible" on contracted property.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Examples include restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

The project involves utilization and further development of a farming operation to provide Agricultural Education services to its' clients. The existing agricultural uses and structures will be enhanced and expanded to meet various health and safety codes including California Building, Health and Safety, and Retail Food Codes as well as Americans with Disabilities Act and Fire Code. These upgrades are detailed further as Conditions of Approval provided by each respective agency.

RECOMMENDATION

The Department recommends that the Zoning Administrator **ADOPT** the enumerated findings, and **APPROVE** Minor Use Permit No. MU-16-04, subject to the recommended conditions of approval.

MINOR USE PERMIT MANDATORY FINDINGS

 That the establishment, maintenance or operation of the use or building 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 to be pertinent.

The proposed Agricultural Education facility is consistent with the goals, objectives and policies of the Solano County General Plan and Zoning Ordinance. The property is designated Agriculture by the General Plan Land Use Diagram and the facility is a conditionally permitted land use within the Suisun Valley Agriculture "A-SV-20" Zoning District. The facility will perpetuate farming practices on-site and within the Suisun Valley Agricultural Region. The proposal meets or exceeds the general and specific land use regulations pertaining to this use.

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

The property is developed with a primary single family dwelling and accompanying domestic water well and private septic system. Access is provided via Abernathy 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.

The project involves the operation of an Agricultural Education facility located at 4303 Abernathy Road within the Suisun Valley. The operation will utilize vehicles and equipment typical of commercial agricultural operations and which are regularly implemented in an agricultural setting for livestock, crop, orchard, and vineyard establishment and on-going maintenance. The subject use will not constitute a nuisance to surrounding properties or persons residing, working, or passing through the agricultural area.

ADDITIONAL FINDINGS

4. The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features,

involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Examples include restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

CONDITIONS OF APPROVAL

General

- 1. Approval is hereby granted to B Walker Ranch to operate an Agricultural Education facility consisting of a 1,536 sq. ft. kettle house, 4,800 sq. ft. marketing event barn, along with agricultural production, various agricultural accessory structures, and residential development at 4303 Abernathy Road; APN 0027-040-040. The permitted use shall be established in accord with the application materials and development plans for MU-16-04, filed January 30, 2017 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. Any expansion or change in the use may require a new or modified use permit and further environmental review.
- 4. No additional uses (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 use permit or minor revision or amendment to the permit.
- **5.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
- 6. A maximum of three (3) awning, freestanding, projecting, or wall mounted signs, up to 60 square feet (total area of signage), with indirect lighting are allowed. Freestanding signs are limited to six (6) feet in height.
- 7. Pursuant to Section 28.94 of the Zoning Ordinance a minimum of one parking space per four persons at capacity shall be required. The project proposes up to 25 persons per weekday and up to 120 persons for marketing events. As such, a minimum of thirty (30) parking spaces shall be provided on-site. Standard parking arrangements, dimensions, curb openings, surface and marking, access widths, and accessible parking shall be consistent with Section 28.94 of the Zoning Ordinance.

Environmental Health Division

- 8. The onsite water supply well serves at least 25 individuals daily at least 60 days out of the year it is considered a "public water system" under the CA Health and Safety Code Section 116275, and requires additional testing and permitting under the California State Water Resources Control Board, Division of Drinking Water. You may contact Alla Lilichenko, Sanitary Engineer with the California Division of Drinking Water at 510.620.3601, or Alla.Lilichenko@cdeph.ca.gov for additional information.
- 9. The California Retail Food Code requires all food facilities to obtain a permit to operate from Environmental Health. Complete plans are required for the food facility and any

retail areas; contact Joyce Benefield at (707)784-6765 for the application and guidelines for construction.

Public Works – Engineering Services Division

10. The applicant shall apply for, secure, and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to Abernathy Road that do not have an existing encroachment permit issued by Solano County. All driveway connections to public roads shall meet Solano County Road Improvement Standards and Land Development Requirements for commercial driveways.

Building and Safety Division

- 11. Any buildings and site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
- 12. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2016 California Building Code. "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit."
- 13. Certificate of Occupancy "111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein."
- **14.** A geotechnical/Soils Report will be required for any expansions to existing buildings or for the construction of new buildings.
- 15. The building permit plans shall include a code analysis as listed below and the design shall be under the 2016 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
 - a. Occupancy Classification
 - b. Type of Construction
 - c. Seismic Zone
 - d. Location on Property
 - e. Height of all buildings and structures
 - f. Square footage
 - g. Occupant Load
 - h. Allowable Floor Area
 - Height and Number of Stories
- 16. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. "Construction documents, statement of special inspections and

other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional." Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official."

- 17. The site and all facilities and features shall meet all of the accessibility requirements found in Chapter 11B of the 2016 California Building. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2016 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale, and designed by a licensed architect reflecting all site accessibility.
- 18. Accessible routes shall be continuous, unobstructed paths connecting all elements and spaces of the buildings and the site, such as raised garden beds, hoop house, green house, etc.
- 19. All accessible paths of travel and parking areas shall be a hard-scaped surface and shall meet all of the worst case requirements between Chapter 11B of the 2016 California Building Code and the ADA Federal Law.

Suisun Fire Protection District

Requirements for building within the boundaries of the Suisun Fire Protection District include, but are not limited to, the following:

- 20. Remodel and change in use must be approved by Solano County Building Department. Building Official will determine Use Classification before Fire can make complete comments.
- 21. Plans submitted for building permit must meet all requirements of the Uniform Building and Fire Codes.
- 22. The access road must meet all Solano County requirements for use as a commercial driveway. This may include adequate turning radius or approved turnarounds capable of supporting fire apparatus.
- 23. Any gate entrances shall be at least 16 ft. wide. If gate is locked, it will be required to be provided with approved fire department access devise.

Permit Term

- 24. The Minor Use Permit MU-16-04 shall be in effect for an indefinite term subject to periodic renewal every five (5) years, beginning April 19, 2023. The Zoning Administrator shall administratively approve the renewal if the following criteria are met:
 - 1) The permittee has filed a completed renewal application.
 - 2) The permittee has paid the renewal application fee as set by the Board of Supervisors.

3) The use is being conducted in compliance with all conditions of approval.

Attachments

- A Draft Resolution
- B Assessor's Parcel Map
- C Site Plan
- D Ma & Pa Kettle House Floor Plan
- E Barn Floor Plan & Elevation

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit Application No. MU-16-04 of **B Walker Ranch** to establish an Agricultural Education Facility at 4303 Abernathy Road, 1 mile west of the City of Fairfield within the Suisun Valley Agriculture "A-SV-20" Zoning District, APN: 0027-040-040, 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 April 19, 2018, 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 or building 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 to be pertinent.

The proposed Agricultural Education facility is consistent with the goals, objectives and policies of the Solano County General Plan and Zoning Ordinance. The property is designated Agriculture by the General Plan Land Use Diagram and the facility is a conditionally permitted land use within the Suisun Valley Agriculture "A-SV-20" Zoning District. The facility will perpetuate farming practices on-site and within the Suisun Valley Agricultural Region. The proposal meets or exceeds the general and specific land use regulations pertaining to this use.

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

The property is developed with a primary single family dwelling and accompanying domestic water well and private septic system. Access is provided via Abernathy 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.

The project involves the operation of an Agricultural Education facility located at 4303 Abernathy Road within the Suisun Valley. The operation will utilize vehicles and equipment typical of commercial agricultural operations and which are regularly implemented in an agricultural setting for livestock, crop, orchard, and vineyard establishment and on-going maintenance. The subject use will not constitute a nuisance to surrounding properties or persons residing, working, or passing through the agricultural area.

4. The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Examples include restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the minor use permit application subject to the following recommended conditions of approval:

General

- 1. Approval is hereby granted to B Walker Ranch to operate an Agricultural Education facility consisting of a 1,536 sq. ft. kettle house, 4,800 sq. ft. marketing event barn, along with agricultural production, various agricultural accessory structures, and residential development at 4303 Abernathy Road; APN 0027-040-040. The permitted use shall be established in accord with the application materials and development plans for MU-16-04, filed January 30, 2017 and as approved by the Solano County Zoning Administrator.
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Environmental Health Division

8. The onsite water supply well serves at least 25 individuals daily at least 60 days out of the year it is considered a "public water system" under the CA Health and Safety Code

Section 116275, and requires additional testing and permitting under the California State Water Resources Control Board, Division of Drinking Water. You may contact Alla Lilichenko, Sanitary Engineer with the California Division of Drinking Water at 510.620.3601, or Alla.Lilichenko@cdeph.ca.gov for additional information.

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 - a. Occupancy Classification
 - b. Type of Construction

- c. Seismic Zone
- d. Location on Property
- e. Height of all buildings and structures
- f. Square footage
- g. Occupant Load
- h. Allowable Floor Area
- i. Height and Number of Stories
- 16. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. "Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional." Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official."
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Suisun Fire Protection District

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- 21. Plans submitted for building permit must meet all requirements of the Uniform Building and Fire Codes.

- 22. The access road must meet all Solano County requirements for use as a commercial driveway. This may include adequate turning radius or approved turnarounds capable of supporting fire apparatus.
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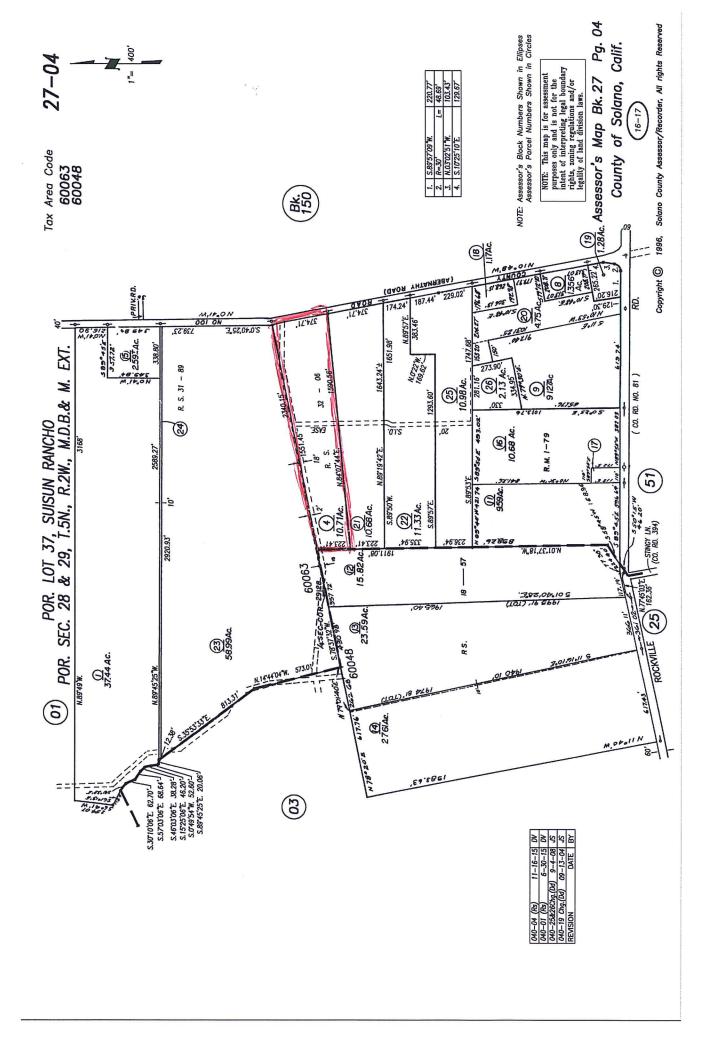
Permit Term

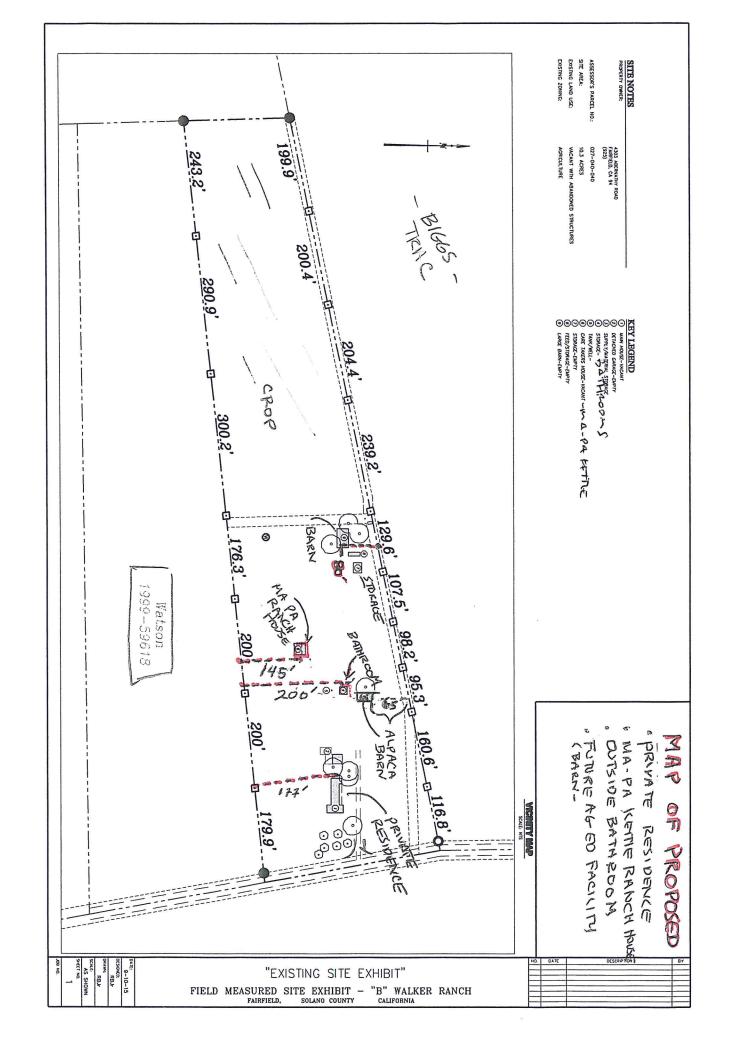
- 24. The Minor Use Permit MU-16-04 shall be in effect for an indefinite term subject to periodic renewal every five (5) years, beginning April 19, 2023. The Zoning Administrator shall administratively approve the renewal if the following criteria are met:
 - 1) The permittee has filed a completed renewal application.
 - 2) The permittee has paid the renewal application fee as set by the Board of Supervisors.
 - 3) The use is being conducted in compliance with all conditions of approval.

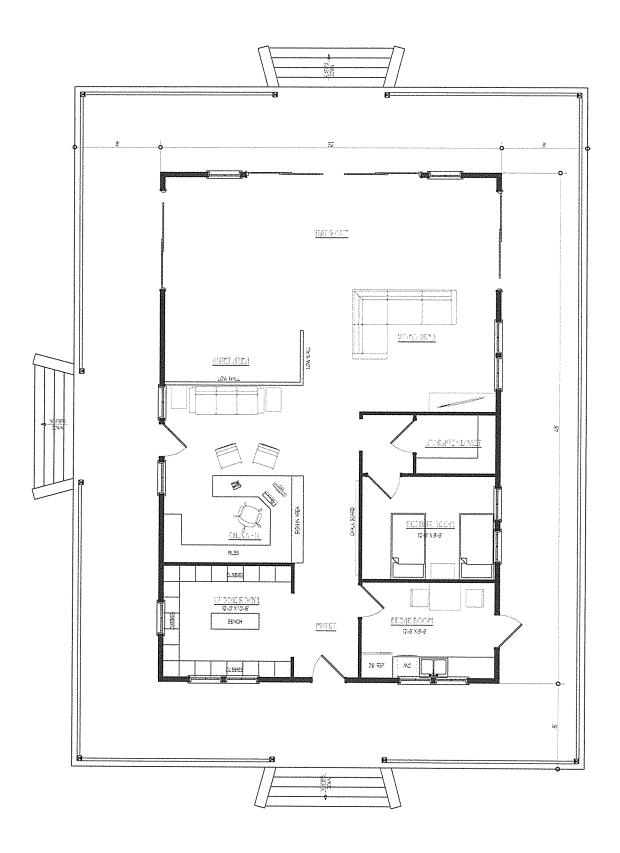
I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 19, 2018.

BILL EMLEN, DIRECTOR RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager



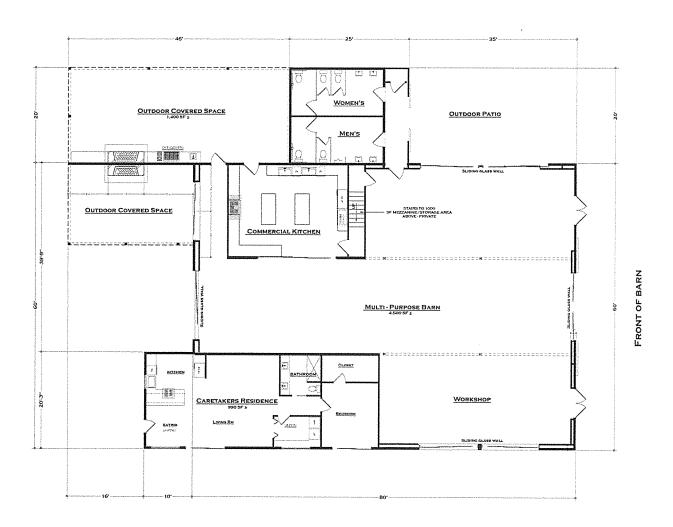




GRAVEL ROAD - PARKING AREA



FRONT ELEVATION



B WALKER RANCH

