

BILL EMLÉN
Director
TERRY SCHMIDTBAUER
Assistant Director
MIKE YANKOVICH
Planning Services Manager

DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805
www.solanocounty.com

Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application:	U-87-45-EX3 – Suisun Valley Co-Op	Meeting of:	September 6, 2018
Applicant:	Doug Sparks	Agenda Item No.	1
Project Planner:	Karen Avery		
Location:	4495 Suisun Valley Road	General Plan:	Agriculture
Assessor Parcel Number:	0153-150-080	Zoning:	ATC

Proposal

The applicant has requested the third extension for Use Permit U-87-45 pursuant to condition of approval No. 8 of the use permit. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit extension 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 January 7, 1988, the Planning Commission granted Use Permit U-87-45 for a 5-year term to establish a winery and retail sales tasting room in an existing building. The use permit was extended in 2007 and 2012.

Review and Recommendation

Upon review of the permit conditions of approval and based on a site inspection conducted on August 2, 2018, staff has determined that the existing winery and retail sales tasting room is being operated in compliance with Use Permit U-87-45.

Permit Term

Per condition No. 8 of Use Permit U-87-45 conditions of approval, staff recommends that U-87-45 be found in compliance with the conditions of approval. The next use permit extension will be due by April 7, 2022.

Attachment: Solano County Planning Commission Resolution No. 3837

 Solano County Department of
Environmental Management

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LAND USE PERMIT NO. U-87-45

DANIEL CAPP
(permittee)

To ESTABLISH A WINERY AND RETAIL SALES TASTING ROOM in an existing
building in an Exclusive Agricultural District, zoned "A-40",
located on the west side of Suisun Valley Road approximately 500 feet
south of the intersection of Suisun Valley Road and Morrison Lane.
(Land use, location and zone district)

In addition to the zoning regulations, the conditions of granting this permit, if any, are as follows:

SEE ATTACHED SHEET

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.

Daniel C. Capp 1456 Shelly Drive, F.F. 1/19/88
Permittee's Signature Address 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 days of the date granted. Any such appeal shall stay all proceedings until determination of the appeal.

SOLANO COUNTY PLANNING COMMISSION

By: *[Signature]*
Director/Secretary

Date Granted January 7, 1988

SOLANO COUNTY ZONING ADMINISTRATOR

By: _____

SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 3837

WHEREAS: The Solano County Planning Commission has considered, in public hearing, Use Permit Application No. U-87-45 of DANIEL L. CAPP, to ESTABLISH A WINERY AND RETAIL SALES TASTING ROOM in an existing building in an Exclusive Agricultural District, zoned "A-40", located on the west side of Suisun Valley Road approximately 500 feet south of the intersection of Suisun Valley Road and Morrison Lane, and

WHEREAS: Said Commission has reviewed the report of the Department of Environmental Management, and

WHEREAS: Said Commission heard testimony relative to the subject application, and

WHEREAS: A Negative Declaration of environmental impact was prepared and processed by the Department of Environmental Management pursuant to the California Environmental Quality Act and the State and County EIR Guidelines, and

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

1. That the proposed use is consistent with the Solano County General Plan and Zoning Ordinance.
2. That adequate utilities, access road, drainage and other necessary facilities have been or will be provided.
3. That the proposed use is and can remain compatible with existing and future surrounding land uses.
4. The project has been reviewed pursuant to CEQA and a Negative Declaration of Environmental Impact has been prepared and processed according to State and local guidelines, with the public review period ending January 5, 1988. No significant impacts which are not mitigated by the project or conditions of project approval will occur.
5. The use would not have any negative effect on neighboring properties.

Be it, therefore,

RESOLVED: That the Planning Commission does hereby ADOPT the said Negative Declaration of environmental impact prepared in regard to the project and does hereby APPROVE Use Permit Application No. U-87-45 of Daniel Capp, subject to the following conditions:

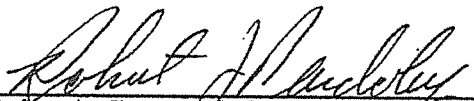
1. The use shall be established and conducted in accord with the information and plans submitted and as approved by the Planning Commission.
2. The applicant shall meet all requirements of the Division of Environmental Health Services including:
 - a. Prior to the issuance of a building permit, applicant shall secure approval and issuance of sewage disposal system permit and a public water system permit to include engineered plans and specifications as to well yield, instantaneous and average daily demand, storage capacity, and required chemical analysis. The design values may also be determined from existing water use records of the water system or a similar water system.
 - b. The sewage disposal systems shall be maintained so as not to create or cause to become a public nuisance.
 - c. Winery process solids shall be temporarily stored on site and disposed of in a manner that will not create offensive odors, fruit fly propagation, or become a public nuisance.
3. The applicant shall meet requirements of the County Fire Warden and Suisun Fire District including adequate water supply and/or sprinklers for fire suppression and adequate access to accommodate fire fighting apparatus.
4. Adequate measures shall be taken to prevent offensive dust, noise, lighting or other impact which constitutes a nuisance to surrounding properties.
5. The three outdoor wine storage tanks located on the north side of the building shall be screened by redwood slat fence or other suitable visual screen approved by the Zoning Administrator prior to issuance of this permit.

6. Prior to the issuance of the use permit an amended site plan shall be submitted for approval of the Zoning Administrator to show location, area, and design for on site signs. Signs proposed for the use shall be coordinated with the existing adjoining fruit stand signage so that the combined number and area for all signs on site do not exceed three signs totaling 60 square feet in area.
7. Outdoor social activities such as picnicking, within view of Suisun Valley Road shall be prohibited.
8. The permit shall be in effect for a five (5) year period with the provision that an extension may be granted if a request is received prior to the expiration date of January 7, 1993, depending upon the circumstances at the time.

* * * * *

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on January 7, 1988 by the following vote:

AYES:	Commissioners	<u>Lanza, Kay, Johnson,</u> <u>Woodson, Hartwell, Hawkes,</u> <u>Campbell, Mahoney and</u> <u>Cassil</u>
NOES:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>Vasquez</u>


Robert J. Pendoley, Secretary

RJP/LM/kl

ZLMRCapp