



Department of Resource Management
Solano County Zoning Administrator
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Bill Emlen, Director
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Administrative Permit - Staff Report

Application: PS-04-01-CR1 (A&A Concrete Supply)
Project Planner: Nedzlene Ferrario

Meeting of September 1, 2011
Agenda Item No. 2

Location: 3809 Bithell Lane, Suisun, CA 94585
Assessor Parcel Number: 0048-020-550
General Plan: Agriculture
Zoning: General Manufacturing - MG

Project Description:

The applicant is seeking compliance review approval to continue operation of a concrete batch plant approved by the Planning Commission on August 5, 2004.

Environmental Determination:

After review of the CEQA Guidelines, staff is recommending that the Zoning Administrator find that this action is exempt from the provisions of CEQA per CEQA Section 21080(b)(1).

Background:

On December 21, 2010, planning staff visited the site and determined that the site is in compliance with the adopted conditions of approval except for Condition No. 5 which requires installation of 6 foot fencing surrounding the facility in sound condition and chain link slats installed on the eastern boundary of the site fencing along the south. The site visit revealed that the eastern boundary fencing did not contain slats. The western boundary chain link fence had fallen and concrete blocks were used intermittently to define the boundary; thus, not maintained in sound condition. The permittee was given 6 months to correct the situation and on July 29, 2011 staff verified that all conditions PS-04-01 were satisfied and the use is in compliance with the permit conditions.

Conditions of Approval:

1. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of regular compliance reviews occurring at five (5) year intervals. The next review shall occur on or before August 5, 2014. The permittee is required to pay all applicable fees for periodic review as approved by the Board of Supervisors.
2. Comply with Performance Standards PS-04-01 conditions of approval.

Attachments:

- Exhibit A: Planning Commission Resolution and Conditions of Approval
Exhibit B: Site Plan

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4392**

WHEREAS, the Solano County Planning Commission has considered Performance Standards Application No. PS-04-01 of **A & A Concrete Supply** to construct and operate a concrete batch plant at 3809 Bithell Lane in an "M-G" General Manufacturing Zoning District, approximately 8 miles east of the City of Fairfield, APN: 0048-020-550, and

WHEREAS, said Commission 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 5, 2004, and

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

1. The establishment, maintenance or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution and other aspects of the General Plan;

The operation and maintenance of a cement batch plant is consistent with the goal and the objectives and policies of the Solano County Land Use and Circulation Element.

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

External access to the site is from Bithell Lane via Lambie Road with internal access from a 60 ft. wide internal access 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.

As stated in the Analysis section of this staff report, the project has been conditioned to prevent the use from becoming a nuisance or become detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood.

SUGGESTED FINDINGS

1. The Planning Commission has found that, as conditioned, the proposed use and size of the structures meets the purpose and intent of the Solano County Zoning Regulations in that they will not adversely affect the orderly and harmonious development of the County,

Exhibit A

7. All requirements of the Solano County Building and Safety Division shall be met including:
 - a. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws. Submit four sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
 - b. A building permit is required for the placement of the proposed modular office. Submit four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
 - c. Except as exempted in Chapter 31 of the Solano County Code, no person shall commence or perform any grading, filling, excavation, or clearing of vegetation for any purpose without having first obtained a grading permit from the Building and Safety Division.
 - d. Grading plans shall be reviewed and approved by the Building Division prior to constructing the retention basin and truck washout station.

8. All requirements of the Solano County Environmental Health Division shall be met, including:
 - a. New construction that generates liquid waste and for which public sewer is not available will require an on-site sewage disposal system complying with Solano County Sewage Disposal Standards is required.
 - b. Soil testing shall be performed in accordance with Solano County Code Chapter 25, Sewage Disposal Standards. Soil profiles shall be performed for both the primary and reserve area leachfields, and results may require additional percolation testing.
 - c. The total length of leach line required shall be calculated using the infiltrative area as determined by soil testing. All employees, patrons and delivery drivers shall be considered in the design of the sewage disposal system. The design shall be stamped by a professional engineer or registered environmental health specialist.
 - d. Prior to beginning operations, the permittee shall submit a Hazardous Materials Management Plan to this division for review and approval.

9. All material stockpiled on site shall be sufficiently watered to prevent fugitive dust from leaving property boundaries and causing a public nuisance. Watering shall occur at least once a day with complete site coverage, preferably in the mid-morning hours.

the stability of land values and investments, and the general welfare by the erection of structures or additions or alterations thereto of unsightly, undesirable, or obnoxious appearance.

2. The functional arrangement and general appearance of the project will be consistent with the character of the area.
3. The proposed structures are compatible with surrounding land uses.
4. As conditioned, the establishment, maintenance, or operation of the use as proposed would conform to the General Plan and Zoning Ordinance.
5. As conditioned, adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby adopt the mitigated negative declaration and findings, and invoke the following development standards for the development of the proposed cement batch plant and support facilities for Performance Standards Application No. PS-04-01:

1. The proposed use shall be established in accord with the plans and information submitted with Performance Standards Application PS-04-01 and approved by the Solano County Planning Commission.
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 property.
3. Prior to issuance of building permits, the permittee shall secure a Permit to Construct and a Permit to Operate from the Bay Area Air Quality District.
4. All lighting shall be shielded to prevent any light spillover onto surrounding properties. A lighting plan providing the location, light intensity and direction, construction and materials shall be submitted and approved by the Planning Division prior to issuance of building permit.
5. All fencing surrounding the facility shall be a minimum of six feet in height and shall be maintained plumb, level, and in a structurally sound condition. Screening with slates shall be installed and maintained along the eastern boundary of the project lease site.
6. No additional uses shall be established beyond those identified on the project plot plan without prior approval. No new or expanded buildings shall be constructed without prior approval of a minor revision to this use permit or approval of a new use permit.

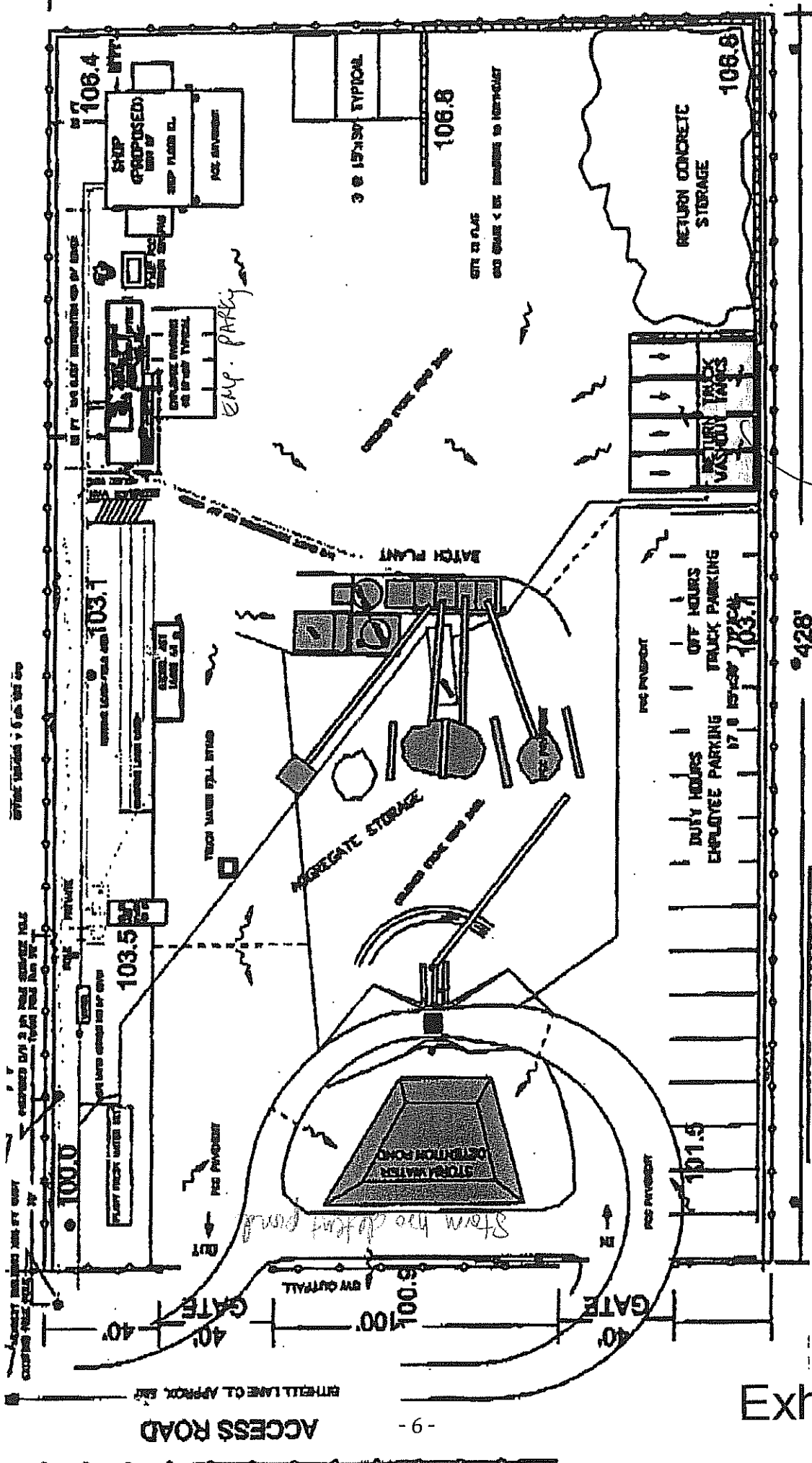
10. All on site areas with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions.
11. All trucks hauling dirt, sand, aggregates or other loose materials shall be covered or shall maintain at least two feet of freeboard (i.e. minimum vertical distance between top of load and trailer).
12. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
13. Failure to comply with any of the conditions or limitations set forth in these Performance Standards shall be cause for the revocation of this permit.
14. The project site shall be returned to pre-development levels if the use ceases to exist.
15. Any increase in the number of truck trips, beyond 30, will require additional CEQA review and a revision to the Performance Standards application.
16. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of regular compliance reviews occurring at five year intervals from the date of granting this permit.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on August 5, 2004 by the following vote:

AYES:	Commissioners	<u>Hawkes, Plutchok, Barnes & Chairman Moore</u>
NOES:	Commissioners	<u>None</u>
ABSTAIN:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>Campbell</u>

By: 
Birgitta Corsello, Secretary

R:\PLANNING\PS-) Performance Standards\PS-04-01 (A&A Concrete-Barnes, Daniel)\pc resolution.doc August 9, 2004



RETURN TRUCKS
WASH OUT TANKS

ACCESS ROAD

Exhibit B