



Department of Resource Management

Solano County Zoning Administrator

675 Texas Street, Suite 5500

Fairfield, CA 94533

Telephone No: (707) 784-6765

Fax: (707) 784-2894

Bill Emlen, Director

Clifford Covey, Asst Director

Use Permit Renewal - Staff Report

Application: U-77-01-MR1-EX3 (Warren's Turf Group)

Meeting of April 17, 2014

Project Planner: Eric Wilberg, Planning Tech.

Agenda Item No. 1

Location: 3773 Chadbourne Road

General Plan: Agriculture

Assessor Parcel Number: 0046-310-130

Zoning: Suisun Marsh Agriculture

Requested Action

Request for Zoning Administrator approval of Use Permit U-77-01-MR1-EX3 for the continued operation of a wholesale nursery and farm labor quarters at 3773 Chadbourne Road; APN 0046-310-130

Background

On February 3, 1977 the Solano County Planning Commission adopted a Negative Declaration of environmental impact and approved Use Permit U-77-1; permitting a wholesale nursery operation and farm labor quarters.

On January 3, 1980 the Planning Commission approved minor revision 1 which permitted an expansion of the existing use by adding a greenhouse.

Review

Based upon review of the renewal application, permit conditions of approval and absence of code compliance cases on file, staff recommends that the wholesale nursery and farm laborer's quarters are being operated in compliance with Use Permit No. U-77-01-MR1. In addition, the applicant has requested renewal and has paid the applicable permit renewal fee. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a renewal if the following circumstances exist:

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

Updated Permit Term

Condition of Approval No. 5 shall be updated as follows:

The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of October 2nd, ~~2013~~ 2018 and the use shall remain the same and in compliance with the conditions of approval. An extension may be considered if requested prior to the expiration date and depending upon the circumstances at that time.

Attachment A – Resolution No. 08-35 with U-77-01-MR1 Conditions of Approval

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 08-35**

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Use Permit No. U-77-01 of **Warren's Turf Group, Inc.** to continue utilization of developed property as a turf nursery and to extend the use of existing agricultural employee housing located at 3773 Chadbourne Road, Fairfield. The project is located within an "AL-80" Exclusive Agricultural Zoning District, APN: 0046-310-130, 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 October 2, 2008, and

WHEREAS, after due consideration, the said 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 use is consistent with the goals, objectives, and policies of the Solano County General Plan, including, but not limited to the Commercial Service – Light Industrial Section of the Land Use and Circulation Element of the General Plan.

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

Adequate utilities, access roads, drainage and other necessary facilities are being provided.

- 3. That the applicant exhibits proof that such use will not, under the circumstances of the 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; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.**

The Solano County Planning Commission adopted a Negative Declaration for this project at the time of U-77-01 approval. On the basis of a site inspection conducted by staff on July 15, 2008, as well as a lack of complaints on file with the Department of Resource Management, staff believes that the existing use does not constitute a nuisance nor is it detrimental to the comfort or general welfare of persons residing in or passing through the neighborhood.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the extension to Minor Revision No. 1 to Use Permit No. U-77-01 subject to the following conditions:

1. That the use be established in accord with the plans and project description submitted with Marsh Development Permit Application No. MD-79-08.
2. That all requirements of the County Health Department and the Regional Water Quality Control Board be met.
3. The project shall be constructed consistent with provisions of the grading-erosion controls contained in Chapter 31 of the Solano County Code. (Grading and Erosion Control Ordinance)
4. Solano County Code Section 28.21.030 B allows "A temporary manufactured dwelling unit for an employee on parcels of twenty (20) acres or more is permitted for a maximum five (5) year period upon approval of a conditional use permit and subject to the following conditions as well as the development standards delineated in Table 28-21B.
 - a. One or more occupants of the dwelling are employed by the owner or the lessee of the parcel;
 - b. Non-employee occupants of the dwelling are members of the employee's family;
 - c. The employee occupant(s) of the dwelling has rent deducted from his or her wages; and
 - d. The employee occupant is required to live in the dwelling as a condition of his or her employment."
5. The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of October 2nd, 2013 and the use shall remain the same and in compliance with the conditions of approval. An extension may be considered if requested prior to the expiration date and depending upon the circumstances at that time.
6. This permit shall not become final until twenty (20) working days after notification of the permit's issuance has been received by the San Francisco Bay Conservation and

Development Commission. Any valid appeal to the Commission shall stay all proceedings until determination of the appeal.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 2, 2008.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager