



DEPARTMENT OF RESOURCE MANAGEMENT

Planning Services Division

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STAFF REPORT

www.solanocounty.com

Mike Yankovich
Program Manager

Agenda Item No. 1

To: Solano County Planning Commission

From: Eric Wilberg, Associate Planner

Subject: Appeal of the Zoning Administrator's approval of Minor Use Permit MU-14-02 (Bessolo) to permit a 1,344 square foot modular structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club).

Meeting of: February 19, 2015

I. DEPARTMENT RECOMMENDATION

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a noticed public hearing to consider an appeal of the Zoning Administrator's decision to approve Minor Use Permit MU-14-02, permitting the construction of a 1,344 square foot modular structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club), and
2. Adopt a resolution to deny the appeal and affirm the Zoning Administrator's approval of Minor Use Permit MU-14-02 (Attachment A).

II. INTRODUCTION

Pursuant to Section 28.112 of the Solano County Zoning Regulations, the Planning Commission shall have power to hear and decide appeals when it is alleged by the appellant that there is error in any order, requirement, permit, decision or determination made by an administrative official or architectural review committee in the administration or enforcement of the Solano County Zoning Regulations. The Planning Commission is being asked to consider an appeal filed by David Marianno of the Zoning Administrator's approval of Minor Use Permit MU-14-02; permitting the construction of a 1,344 square foot modular structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club). Upon hearing the appeal, the Planning Commission shall find that the decision appealed from shall be (one of the following):

1. Deny the appeal and affirm the Zoning Administrator's decision to approve the project, or
2. Deny the appeal and conditionally modify the Zoning Administrator's decision to approve the project, or

3. Uphold the appeal and reverse the Zoning Administrator's approval of the project, or
4. Continue the hearing in order to obtain additional information.

III. BACKGROUND

On December 29, 2014 the Solano County Zoning Administrator conducted a noticed public hearing to consider Minor Use Permit application MU-14-02 of Potrero Duck Club 303 filed by John Bessolo. After staff's brief presentation of the project, the Zoning Administrator opened the public hearing. As detailed in the meeting's minutes (Attachment D), comments were received by three members of the public as well as the project applicant. The appellant, Dave Marianno presented pictures of the site which depicted vehicles, heavy equipment and machinery, as well as cargo containers. He stated that these elements were an eyesore to the community. Two neighbors spoke in favor of the project. At the close of the hearing, the Zoning Administrator approved the project, with the added condition that:

Condition No. 6. *"No junk, abandoned machinery or equipment, salvage materials or parts shall be stored outside of enclosed buildings."*

IV. APPEAL

On December 29, 2014 David Marianno filed an appeal of the decision with the Department of Resource Management. As described on the appeal request form (Attachment E), the appellant has identified the following reasons for why the decision making body erred in its decision. The following are areas of concern:

- Source of electricity
- Sewage disposal
- Firearm discharge close to state Highway 12
- Sinage location for rental of duck blinds
- Parking of hunters personal trailers on property
- Parking and sale of equipment
- Removable of equipment (box cars)

V. DISCUSSION

The applicant states that the site has operated as a seasonal duck hunting club since 1961 and that the property has been utilized for duck hunting purposes since the early 1900's. The project involves constructing a 1,344 square foot modular mobilehome within the developed footprint of the existing Potrero Duck Club. Pursuant to Section 28.114 of the County Zoning Regulations, the existing land use is considered legal, non-conforming with respect to current Zoning Code permit requirements. The current project is considered an expansion of the legal, non-conforming use, and requires issuance of a minor use permit to permit construction of the modular unit.

The appellant has raised concerns, both at the Zoning Administrator hearing and through written appeal, with respect to: on-site utilities, firearm discharge in proximity to State Highway 12, club operations, and unsightly equipment and box cars on-site.

Provided below is further discussion and clarification for each of the identified items outlined in the appeal.

Utilities

The project involves constructing a 1,344 sq. ft. modular unit on-site. As detailed in Condition of Approval No. 3, the project requires application and issuance of a Building Permit prior to any construction or improvements taking place. All construction, including but not limited to building installation, electrical, gas, mechanical and plumbing is reviewed and permitted through the building permit process.

In addition, Solano County Code, Chapter 6.4 Sewage Disposal Standards, Section 6.4-89(d) has language to allow an intermittently used non-residential non-commercial structure, such as a duck club in the Suisun Marsh to have sewer connection made to a sewage holding tank where the tank is water tight and is routinely serviced. The holding tank is also fit with an alarm panel and float to prevent the accidental discharge of sewage from the holding tank. This option is available for sewage disposal.

The Environmental Health Division has also indicated that a water well is not developed at the property at this time. Water supply for the modular unit is required prior to certificate of occupancy being issued for the building permit.

Firearm Use

The California Department of Fish and Wildlife regulates and requires hunting licenses for persons hunting within the Suisun Marsh. In addition to validation and licensing, CDFW has established hunter education requirements, area permits, shoot time tables, and waterfowl season and bag limits.

The Solano County Policies and Regulations Governing the Suisun Marsh consolidate the policies and regulations contained in the Local Component of the Suisun Marsh Local Protection Program as certified by BCDC. These documents identify the importance of the marsh as a recreational area which can be seen in the amount of land devoted to duck hunting, approximately 37,000 acres. Policies promote the use of the Marsh for recreational purposes, especially when located near the outer portion of the Marsh, within close proximity to population centers. The proposed project is consistent with this policy and is located off State Highway 12, at the northern extent of the Suisun Marsh Management Area, 3.5 miles southeast of Suisun City.

Duck Club Operations

Certain aspects of the existing duck hunting club will remain unchanged as a result of the current project, which is due to the legal, non-conforming nature of the existing land use. Patrons would continue to park their vehicles and trailers on-site while utilizing the facility. Duck blind rental and the incidental rental and/or sales of hunting equipment is not included as part of the current project, and would continue to occur at the club. The existing infrastructure on-site would also remain, including: a boat house, boat launch docks, dog kennel, and various small accessory structures comprise the development of the club. Development is clustered near the northern extent of the property, near State Highway 12, which provides access to the facility.

Equipment and Machinery

The appellant has stated that there is excessive equipment, heavy machinery, and cargo storage containers on-site, that have become an eyesore to the community. At the Zoning Administrator hearing Mr. Marianno presented photographs of the site showing these items. The applicant has stated that the equipment and machinery had been utilized for site and levee maintenance and are typically removed from the site once the work is complete. Mr. Bessolo also stated that cargo containers had been utilized to keep tools and equipment out of the elements. In order to address any excessive accumulation of inoperable, unsightly junk, debris, and equipment on-site, the Zoning Administrator included condition No. 6 in the approval of the project:

Condition No. 6. *"No junk, abandoned machinery or equipment, salvage materials or parts shall be stored outside of enclosed buildings."*

VI. CONCLUSION

As detailed in the Zoning Administrator Staff Report and Resolution, the project is consistent with applicable land use regulations, including the Solano County General Plan, Zoning Regulations, and the Policies and Regulations Governing the Suisun Marsh. As such, the Department recommends that the Planning Commission deny the appeal and affirm the Zoning Administrator's approval of the project.

ATTACHMENTS

- A** – Draft Planning Commission Resolution
- B** – Zoning Administrator Staff Report MU-14-02
- C** – Zoning Administrator Resolution No. 14-09
- D** – Zoning Administrator Minutes December 29, 2014
- E** – Appeal Request

SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO.

WHEREAS, the Solano County Planning Commission has duly considered, in public hearing, an appeal of the Zoning Administrator's decision to approve Minor Use Permit Application MU-14-02 by **John Bessolo (Potrero Duck Club)** to permit a 1,344 square foot structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club) located off of State Highway 12, 3.5 miles southeast of the City of Suisun City, within a Marsh Preservation 'MP' Zoning District, APN: 0046-120-060, and;

WHEREAS, said Commission has reviewed the appellant's reasons for appeal, the applicant's submittal and the staff report of the Department of Resource Management, read and considered the minutes and resolution of the Zoning Administrator, and heard and considered all comments regarding said application at the public hearing held on February 19, 2015; and,

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

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 marsh oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters.

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

Access to the site will be from an existing private road off of State Highway 12. All necessary utilities will be provided on-site.

3. **The subject 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.**

The seasonal duck hunting club is located in the Suisun Marsh. Open marsh surrounds the project site, with seasonal hunting and fishing clubs being the predominant land use in the area. The club has operated since the 1960's with no history of nuisance or detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

4. **The proposed project qualifies for a Class 3 Categorical Exemption from CEQA.**

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15303 – New Construction of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. The proposed project involves utilizing a 1,344 square foot manufactured unit as office space for the existing duck hunting club. The structure is proposed within the developed footprint of the facility and does not exceed the 2,500 square foot floor area threshold outlined in the CEQA Guidelines.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby deny the appeal and Approve Minor Use Permit Application No. MU-14-02 subject to the following conditions of approval:

1. The marsh oriented recreation facility shall be established and operated in accord with the application materials for Minor Use Permit U-14-02, submitted August 27, 2014 by the applicant, John Bessolo, and as 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 properties.
3. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the latest edition enforced at the time of building permit application. "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."
4. Prior to Building Permit issuance by the Department of Resource Management, the permittee shall submit documentation from the San Francisco Bay Conservation and Development Commission, confirming acquisition of the requisite Marsh Development Permit.
5. Upon termination, expiration, or revocation of the subject use permit, the permitted structure shall be removed from the site and the area restored to natural conditions.
6. No junk, abandoned machinery or equipment, salvage materials or parts shall be stored outside of enclosed buildings.
7. The permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of December 29, 2019 and the use remains in compliance with permit conditions of approval.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on February 19, 2015, by the following vote:

| | | |
|----------|---------------|-------|
| AYES: | Commissioners | _____ |
| | | _____ |
| NOES: | Commissioners | _____ |
| ABSTAIN: | Commissioners | _____ |
| ABSENT: | Commissioners | _____ |

By: _____
Bill Emlen, Secretary

SOLANO COUNTY ZONING ADMINISTRATOR
Resource Management Staff Report

Application No. MU-14-02 (Potrero Duck Club)
Project Planner: Eric Wilberg

Special meeting of December 29, 2014
Agenda Item No. 1

Applicant:
 John Bessolo
 424 First Street
 Rodeo, CA 94572

Property Owner:
 same

Action Requested:

Zoning Administrator approval of minor use permit MU-14-02 to permit a 1,344 square foot modular structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club).

SITE INFORMATION

Size: 516.01 acres

Location: Off Highway 12, near Nurse Slough

APN: 0046-120-060

Zoning: Marsh Preservation

Land Use: Marsh Oriented Recreation

General Plan: Marsh

Ag. Contract: No. 913

Soils Type(s): N/A

Access: State Highway 12

Utilities: N/A

Adjacent General Plan Designations, Zoning and Existing Land Uses

| | General Plan | Zoning | Land Use |
|-------|--------------|--------|----------------------------|
| North | Agriculture | A-160 | Open space |
| South | Marsh | MP | Marsh, seasonal recreation |
| East | Marsh | MP | Marsh, seasonal recreation |
| West | Marsh | MP | Marsh, seasonal recreation |

Environmental Analysis:

The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction of Small Structures.

Motion to Approve:

The Zoning Administrator does hereby **ADOPT** the attached resolution and **APPROVE** minor use permit No. MU-14-02 based on the enumerated findings and subject to the recommended conditions of approval.

SETTING

The subject site is 516 acres located southeast of Suisun City. The entire property is relatively flat and located within the Primary Management Area of the Suisun Marsh. Multiple sloughs and drainage ditches exist on the parcel and generally drain south towards Nurse Slough and Suisun Bay.

The applicant states that the site has been utilized as a seasonal duck hunting club since 1961. A boat house, boat launch docks, dog kennel, and various small accessory structures comprise the development of the club. Development is clustered near the northern extent of the property, near State Highway 12, which provides access to the facility. Similar land uses and open marsh surround the project site.

PROJECT

The applicant proposes to construct a 1,344 square foot modular mobilehome as part of an existing marsh oriented recreation facility. Since 1961, the site has operated as a seasonal duck hunting club. The structure is proposed within the previously graded footprint of the facility, adjacent to the existing boat docks and launch area (Attachment C, Site Plan). Vehicle and boat parking are available within this graded area.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15303 – New Construction of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. The proposed project involves utilizing a 1,344 square foot manufactured unit as office space for the existing duck hunting club. The structure is proposed within the developed footprint of the facility and does not exceed the 2,500 square foot floor area threshold outlined in the CEQA Guidelines.

ANALYSIS

General Plan and Zoning

The project site is designated Marsh by the Solano County General Plan. In addition, the parcel is located within a Resource Conservation Overlay. The Marsh designation provides for the protection of marsh and wetland areas and permits marsh-oriented recreational uses such as hunting clubs. The purpose of the overlay is to identify and protect areas of the county with special resource management needs such as the Marsh, while maintaining the validity of the underlying land use designations. As such, the existing and continued operation of the hunting club is consistent with the General Plan.

The project site is located within the Marsh Preservation 'MP' Zoning District. Per Section 28.52 of the County Zoning Regulations, Marsh oriented recreation is a conditionally permitted land use within this district. As proposed, the project conforms with the general requirements for recreational uses outlined in Section 28.73.10(A) of the County Zoning Regulations, as follows:

The project site is accessed via existing private roadway off State Highway 12. As such, ingress and egress to the property would not change. Issuance of an encroachment permit to a County maintained road is not necessary.

Lighting capable of providing illumination for security and safety will be directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.

The proposed structure is set back 290 feet from the northern (front) property line and greater than 1,500 feet from all other lot lines. The structure exceeds the minimum set back requirements as required for the main building within the 'MP' district.

The project does not abut residentially zoned property and does not require screening measures to separate parking areas.

Suisun Marsh

The project is located within the Primary Management area of the Suisun Marsh and requires issuance of a Marsh Development Permit from the San Francisco Bay Conservation and Development Commission (BCDC).

The Solano County Policies and Regulations Governing the Suisun Marsh consolidate the policies and regulations contained in the Local Component of the Suisun Marsh Local Protection Program as certified by BCDC. These documents identify the importance of the marsh as a recreational area which can be seen in the amount of land devoted to duck hunting, approximately 37,000 acres. Policies promote the use of the Marsh for recreational purposes, especially when located near the outer portion of the Marsh, within close proximity to population centers. The proposed project is consistent with this policy and is located off State Highway 12, at the northern extent of the Suisun Marsh Management Area, 3.5 miles southeast of Suisun City.

The applicant has been in contact with BCDC and is aware that a marsh development permit from BCDC is required. A condition of approval reflecting this requirement is included below.

MINOR USE PERMIT MANDATORY FINDINGS

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

The marsh oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters.

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

Access to the site will be from an existing private road off of State Highway 12. All necessary utilities will be provided on-site.

- 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 seasonal duck hunting club is located in the Suisun Marsh. Open marsh surrounds the project site, with seasonal hunting and fishing clubs being the predominant land use in the

area. The club has operated since the 1960's with no history of nuisance or detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

SUGGESTED FINDINGS

4. The proposed project qualifies for a Class 3 Categorical Exemption from CEQA.

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15303 – New Construction of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. The proposed project involves utilizing a 1,344 square foot manufactured unit as office space for the existing duck hunting club. The structure is proposed within the developed footprint of the facility and does not exceed the 2,500 square foot floor area threshold outlined in the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Zoning Administrator **APPROVE** minor use permit No. MU-14-02, based on the findings enumerated herein, and subject to the recommended conditions of approval incorporated in this report.

CONDITIONS OF APPROVAL

1. The marsh oriented recreation facility shall be established and operated in accord with the application materials for Minor Use Permit U-14-02, submitted August 27, 2014 by the applicant, John Bessolo, 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. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the latest edition enforced at the time of building permit application. "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."
4. Prior to Building Permit issuance by the Department of Resource Management, the permittee shall submit documentation from the San Francisco Bay Conservation and Development Commission, confirming acquisition of the requisite Marsh Development Permit.
5. Upon termination, expiration, or revocation of the subject use permit, the permitted structure shall be removed from the site and the area restored to natural conditions.
6. The permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of December 29, 2019 and the use remains in compliance with permit conditions of approval.

Attachments

- Exhibit A – Draft Resolution**
- Exhibit B – Assessor's Parcel Map**
- Exhibit C - Site Plan**

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. XX**

WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit Application No. MU-14-02 of **John Bessolo (Potrero Duck Club)** to permit a 1,344 square foot structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club) located off of Highway 12 adjacent to the City of Suisun City in an "MP" Marsh Preservation Zoning District, APN: 0046-120-060, 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 special public hearing held on December 29, 2014, and;

WHEREAS, after due consideration, the Zoning Administrator 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 Solano County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.**

The marsh oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters.

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

Access to the site will be from an existing private road off of State Highway 12. All necessary utilities will be provided on-site.

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 seasonal duck hunting club is located in the Suisun Marsh. Open marsh surrounds the project site, with seasonal hunting and fishing clubs being the predominant land use in the area. The club has operated since the 1960's with no history of nuisance or detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

4. **The proposed project qualifies for a Class 3 Categorical Exemption from CEQA.**

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15303 – New Construction of Small Structures. Class 3 consists of construction and

EXHIBIT A

location of limited numbers of new, small facilities or structures. The proposed project involves utilizing a 1,344 square foot manufactured unit as office space for the existing duck hunting club. The structure is proposed within the developed footprint of the facility and does not exceed the 2,500 square foot floor area threshold outlined in the CEQA Guidelines.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Use Permit Application No. MU-14-02 subject to the following recommended conditions of approval:

1. The marsh oriented recreation facility shall be established and operated in accord with the application materials for Minor Use Permit U-14-02, submitted August 27, 2014 by the applicant, John Bessolo, 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. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the latest edition enforced at the time of building permit application. "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."
4. Prior to Building Permit issuance by the Department of Resource Management, the permittee shall submit documentation from the San Francisco Bay Conservation and Development Commission, confirming acquisition of the requisite Marsh Development Permit.
5. Upon termination, expiration, or revocation of the subject use permit, the permitted structure shall be removed from the site and the area restored to natural conditions.
6. The permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of December 29, 2019 and the use remains in compliance with permit conditions of approval.

I hereby certify that the foregoing resolution was adopted at the special meeting of the Solano County Zoning Administrator on December 29, 2014.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

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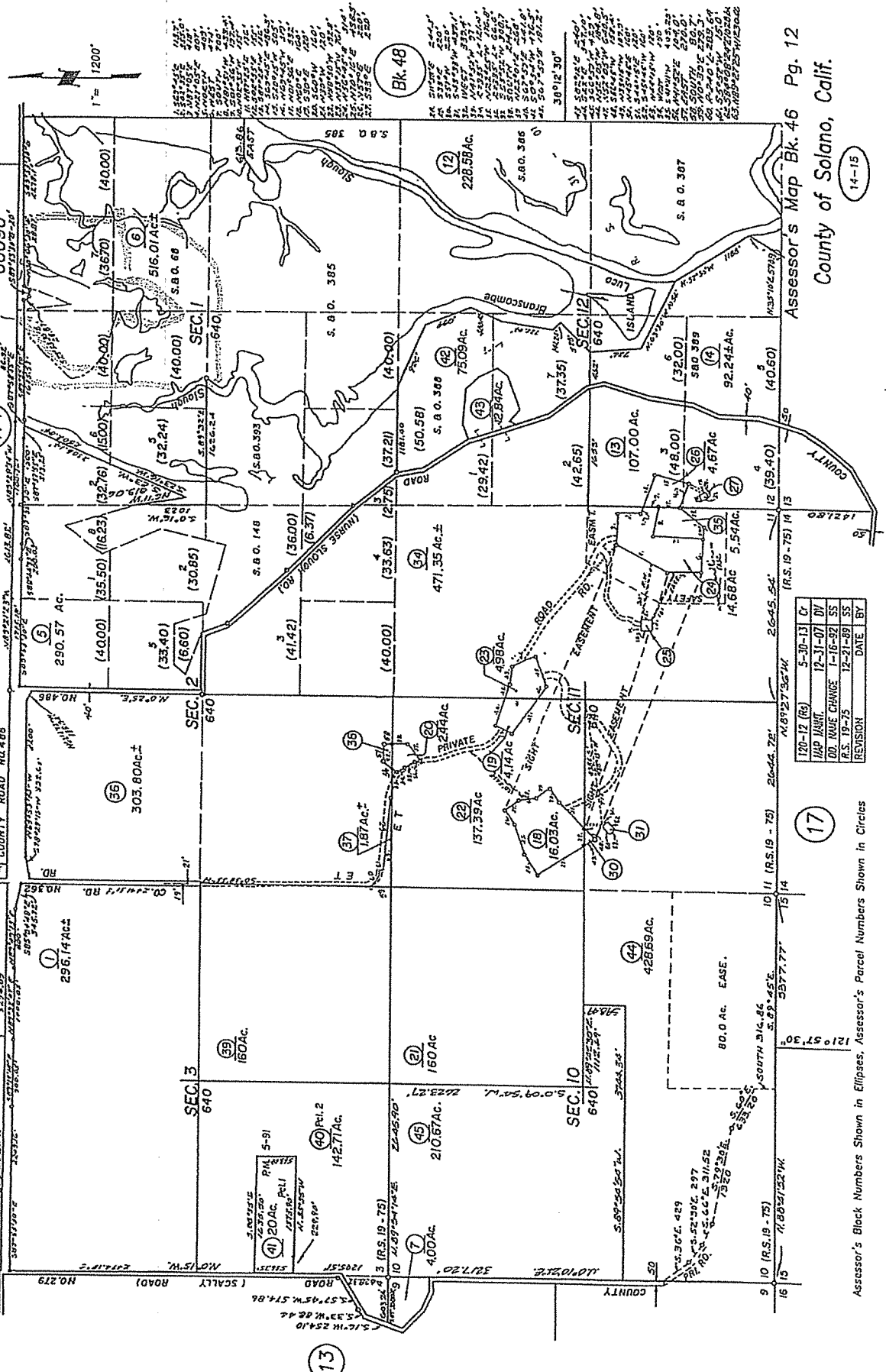
46-12

Tax Area Code
60090

T.4N., R.1W., M.D.B.& M.

Bk. 174

Bk. 48



ht © 1996, Solano County Assessor/Recorder, All rights Reserved

EXHIBIT B

Assessor's Map Bk. 46 Pg. 12

County of Solano, Calif.

14-15

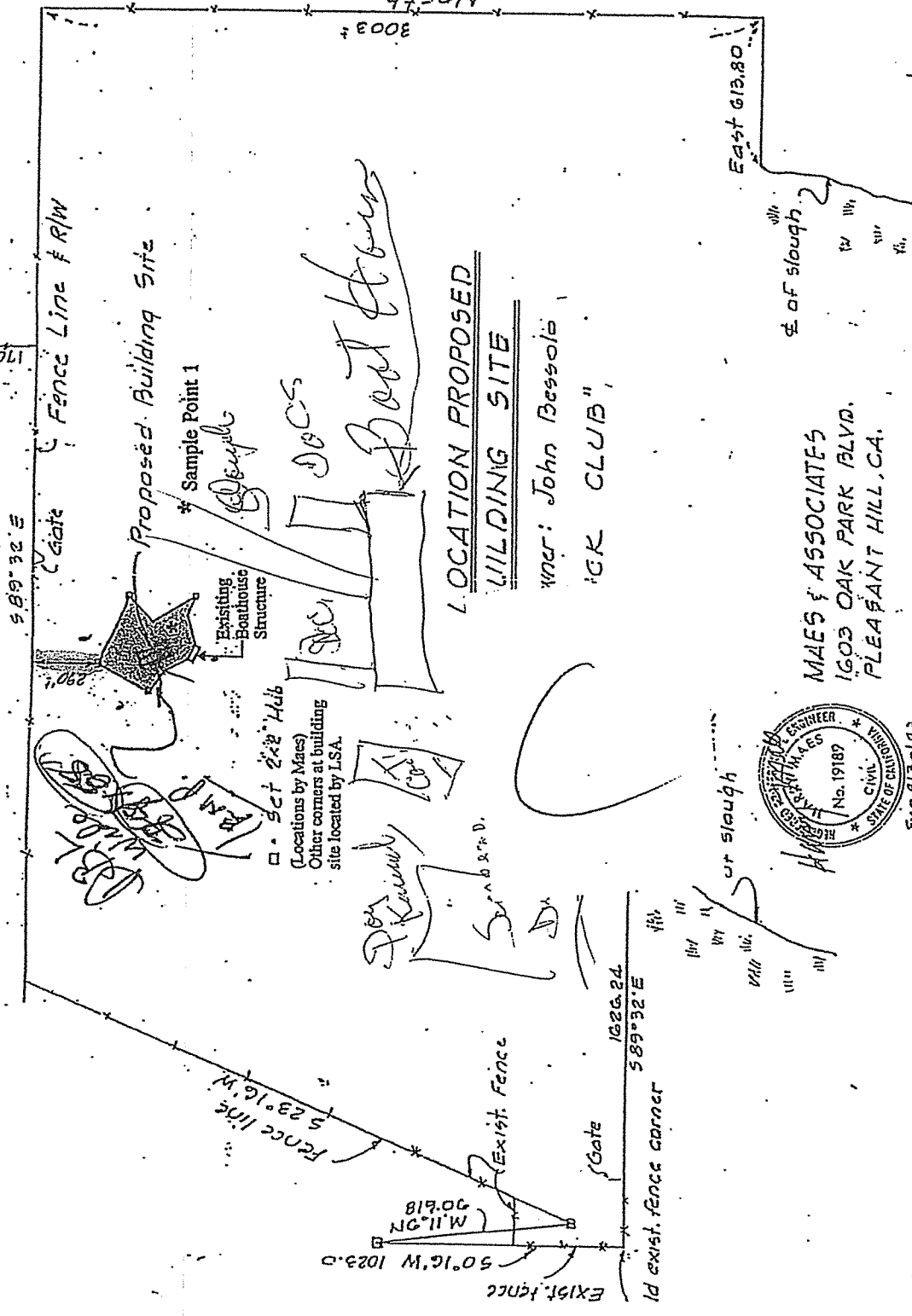
17

Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles

3/20/92
Public

John
gr
Amy
gr

STATE HIGHWAY 12



Sept 1992



Exp 11/30/93

FILE COPY

EXHIBIT C

8/27/2014 [Signature]

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 14-09**

WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit Application No. MU-14-02 of **John Bessolo (Potrero Duck Club)** to permit a 1,344 square foot structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club) located off of Highway 12 adjacent to the City of Suisun City in an "MP" Marsh Preservation Zoning District, APN: 0046-120-060, 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 special public hearing held on December 29, 2014, and;

WHEREAS, after due consideration, the Zoning Administrator 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 Solano County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.**

The marsh oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters.

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

Access to the site will be from an existing private road off of State Highway 12. All necessary utilities will be provided on-site.

- 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 seasonal duck hunting club is located in the Suisun Marsh. Open marsh surrounds the project site, with seasonal hunting and fishing clubs being the predominant land use in the area. The club has operated since the 1960's with no history of nuisance or detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

- 4. The proposed project qualifies for a Class 3 Categorical Exemption from CEQA.**

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15303 – New Construction of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. The proposed project involves utilizing a 1,344 square foot manufactured unit as office space for the existing duck hunting club. The structure is proposed within the developed footprint of the facility and does not exceed the 2,500 square foot floor area threshold outlined in the CEQA Guidelines.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Use Permit Application No. MU-14-02 subject to the following recommended conditions of approval:

1. The marsh oriented recreation facility shall be established and operated in accord with the application materials for Minor Use Permit U-14-02, submitted August 27, 2014 by the applicant, John Bessolo, 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. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the latest edition enforced at the time of building permit application. "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."
4. Prior to Building Permit issuance by the Department of Resource Management, the permittee shall submit documentation from the San Francisco Bay Conservation and Development Commission, confirming acquisition of the requisite Marsh Development Permit.
5. Upon termination, expiration, or revocation of the subject use permit, the permitted structure shall be removed from the site and the area restored to natural conditions.
6. No junk, abandoned machinery or equipment, salvage materials or parts shall be stored outside of enclosed buildings.
7. The permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of December 29, 2019 and the use remains in compliance with permit conditions of approval.

I hereby certify that the foregoing resolution was adopted at the special meeting of the Solano County Zoning Administrator on December 29, 2014.

BILL EMLER, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager

MINUTES OF THE SOLANO COUNTY ZONING ADMINISTRATOR

Special Meeting of December 29, 2014

The special meeting of the Solano County Zoning Administrator was called to order at 10:00 a.m. in the Department of Resource Management, Fairfield, California.

STAFF PRESENT: Michael Yankovich, Program Manager
Eric Wilberg, Associate Planner

1. **PUBLIC HEARING** to consider Minor Use Permit Application No. MU-14-02 of **Potrero Duck Club (John Bessolo)** to permit a 1,344 square foot structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club) located off of Highway 12 adjacent to the City of Suisun City in an "MP" Marsh Preservation Zoning District, APN: 0046-120-060. This consideration has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act. (Project Planner)

After a brief presentation of staff's written report by the project planner, Mike Yankovich opened the public hearing.

Dave Marianno, 3915 Denver Road, Suisun, presented pictures of the site which depicted vehicles, heavy equipment and machinery, as well as cargo containers. He stated that these elements were an eyesore to the community.

The applicant, John Bessolo explained that his need for these items were for levee maintenance, storage of personal belongings, and transportation. He noted that once the project is complete these items would be removed from the site.

Mike Marianno, an adjacent property owner, stated that Mr. Bessolo is a good neighbor and has spent a considerable amount time and money maintaining and enhancing the property.

Cyndy Pace, 2467 Cordelia Road, Suisun, expressed support for the project.

Mr. Bessolo noted for the record that he has received written support from other adjacent property owners.

Since there were no further speakers, Mr. Yankovich closed the public hearing and approved the minor use permit application with an additional condition of approval to require the removal of cargo containers, miscellaneous equipment and machinery at the completion of the project.

Any person who believes he or she has been adversely affected by the decision of the Zoning Administrator may file an appeal of the decision to the Planning Commission within ten days

2. Since there was no further business, the meeting was **adjourned**.



DEPARTMENT OF RESOURCE MANAGEMENT

Planning Services Division

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APPEAL REQUEST FORM

- 1. Name of Appellant: DAVID MARIANNO Telephone: 707-374-2735
Email address: KMARIANNO@HUGHES.NET
2. Mailing Address: 3915 DENVERTON RD, City: SUISUN CITY State: CA Zip: 94585
3. Appealed to: [X] Planning Commission [] Board of Supervisors
4. Appeal Fee: \$150.00 Receipt # 1019307
5. State the application name and reason(s) why the decision making body erred in its decision. Attach additional sheets if necessary: MU-14-02 (Potrero Duck Club)

The following ARE AREAS OF CONCERN ON SUBJECT APPLICATION
Source of Electricity
SEWAGE DISPOSAL
FIREARM DISCHARGE close to Hwy 12 STATE
SINAGE LOCATION FOR RENTAL OF DUCK BLINDS
PARKING OF HUNTERS PERSONEL TRAILERS ON PROPERTY
PARKING AND SALE OF EQUIPMENT
REMOVABLE OF EQUIPMENT (BOY CARS)

Appellants Signature: David J. Marriano Date: 12-29-14
T:\PLANNING\Planning Templates\Front Counter Application and Instruction Forms\COUNTER FORMS - (O-R-I-G-I-N-A-L-S)\Request for Appeal Form\Application - Project Appeal Form.doc (June 7, 2010)