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**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-05-21-CR1

Applicant: Wallace Nalley

Project Planner: Travis Kroger

Meeting of October 1, 2015

Agenda Item No. 3

Location: 8423 Quail Canyon Road

Assessor Parcel Number: 0101-090-470

General Plan: Watershed

Zoning: Watershed 'W-160'

Proposal

The applicant has requested compliance review No. 1 of use permit U-05-21, pursuant to condition of approval No. 9. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal 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 September 4th, 2008 the Zoning Administrator granted Use Permit U-95-02, permitting an additional dwelling for agricultural employee housing on the above mentioned parcel. On October 6, 2013 the applicant requested compliance review No. 1.

Review and Recommendation

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the agricultural employee housing is in compliance with use permit no. U-05-21.

Permit Term

Per condition 9 of U-05-21, staff recommends that this permit be extended for a 5 year term with provision that an extension may be granted if requested by the applicant prior to the expiration date of September 4th, 2018.

Attachment:

Exhibit A – Conditions of Approval U-05-21, Solano County Zoning Administrator Resolution No. 08-32.

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 08-32**

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-05-21 of **Wallace Nalley** for an additional single-family dwelling for an agricultural employee located at 8423 Quail Canyon Road, in a "W-160" Watershed and Conservation Zoning District, 9 miles north of the City of Vacaville, APN: 0101-090-470, 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 September 4, 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, Chapter III (Agriculture and Open Space Land Use, Watershed Lands) of the Land Use and Circulation Element.

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

As conditioned, there will be adequate well water and septic facilities to accommodate the proposed residence. Issuance of these permits will ensure that all requirements of the Environmental Health Technical Services Division will be met. Access will be obtained from a private driveway off of Quail Canyon Road.

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 proposed agricultural employee residence is located in an area of the County where very few other dwelling units exist, as the property is not residential and is zoned for 160 acre parcels. The applicant will be required to obtain necessary septic system expansion permits and building permits prior to construction of the project. As such, the establishment of the proposed dwelling, as conditioned below, should not cause a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of other County residents.

ADDITIONAL FINDINGS

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

The project is categorically exempt from the California Environmental Quality Act pursuant to Section 15303 (New Construction or Conversion of Small Structures).

5. **The proposed project is consistent with provisions of the Williamson Act.**

As per Table A of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts, agricultural employee housing is a compatible use on contracted lands.

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

1. The proposed use shall be established in accord with the application and site plan for Use Permit U-05-21, submitted August 18, 2008 by the applicant, Wallace Nalley, 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. All necessary permits shall be obtained from the Solano County Environmental Health Services Division for the expansion of the existing septic system.
4. A grading permit shall be obtained from the Solano County Public Works Engineering Division in the event that additional grading of the site becomes necessary.
5. All requirements of the Vacaville Fire Protection District shall be met prior to issuance of building permits for the proposed agricultural employee dwelling.
6. The area under and around the proposed dwelling shall be maintained clear of all dry vegetation and combustible growth for a distance of not less than 30 feet.

7. 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 (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
8. All requirements of the Geotechnical Investigation, dated October 13, 2005, shall be met prior to or during construction of the proposed dwelling.
9. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic reviews shall be charged at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on September 4, 2008.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager