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Planning Services Division

Use Permit Compliance Review Staff Report

Application: U-82-01-MR2-CR2 (Fellowship Baptist Church)
Project Planner: Nedzlene Ferrario

Meeting of April 20, 2017
Agenda Item No. 1

Location: 3321 Farrell Road
Assessor Parcel Number: 0123-130-200
General Plan: Rural Residential
Zoning: RR-5

Discussion

The permittee is requesting approval of a five year time extension to a previously approved land use permit. Use permit U-82-01 was initially approved on March 4, 1982 by the Planning Commission which established the church land use. On October 18, 2007, minor revision no. 2 for the sanctuary expansion and additional parking was approved by the Planning Commission. The church has been operating continuously; however, the approved expansion has yet to be constructed.

Review and Recommendation

On February 5, 2014, the Development Review Committee reviewed Use Permit U-82-50-MR2 along with applicable development plans and conditions of approval, and determined that the land use is being operated in compliance with said permit. In addition, there are no active Code Enforcement cases involving the site.

As such, staff recommends that the permit be renewed for an additional five year period with the provision that an extension may be granted if said request is received prior to the expiration date of October 18, 2019, depending upon the circumstances at the time.

Use Permit Renewal Mandatory Findings

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

Attached

A- U-82-50-MR2 Resolution with permit Conditions of Approval



Department Of Resource Management
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*mailed 11/29/07**

LAND USE PERMIT NO. U-82-01
(Minor Revision No. 2)

FELLOWSHIP BAPTIST CHURCH
(permittee)

For an existing church facility to demolish an existing classroom building and establish a 9,375 square foot sanctuary in its place, including the expansion of the parking areas from 62 spaces to 171 spaces. The project is located at 3321 Farrell Road, approximately ¼ mile east and west of the City of Vacaville, in an "RR-5" Rural Residential Zoning District, APN: 0123-130-200.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit, if any, are attached.

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 Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this 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.

Date Granted October 18, 2007

SOLANO COUNTY PLANNING COMMISSION

Issued by: *Birgitta E. Corsello*
Birgitta E. Corsello, Director/Secretary

Date 11/27/07

R:\PLANNING\U- Use Permits\1959-1982\U-82-01 (Fellowship Baptist Church)\Minor Revision #2\U-82-01 mr2 (Fellowship Baptist Church) Permit.doc; October 26, 2007

SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO. 4480

WHEREAS, the Solano County Planning Commission has considered Minor Revision No. 2 to Use Permit No. U-82-01 of **Fellowship Baptist Church** for an existing church facility to demolish an existing classroom building and establish a 9,375 square foot sanctuary in its place, including the expansion of the parking areas from 62 spaces to 171 spaces. The project is located at 3321 Farrell Road, approximately ¼ mile east and west of the City of Vacaville, in an "RR-5" Rural Residential Zoning District, APN: 0123-130-200, 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 October 18, 2007, 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;**

As conditioned, the proposed project is consistent with the Land Use and Circulation Element of the General Plan. The project will not effect population densities and distribution. Though traffic circulation will be effected, based on the increase in the usage of the facility, the conditions of approval will ensure that potential impacts are kept to a less than significant level.

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

The site has existing septic facilities, potable water, and access to a public road. Prior to issuance of building permits for the expansion, permits for an expansion of the septic system and encroachment permit for the driveway will be required to be issued. Offsite drainage will be mitigated by the proposed detention pond and grading permits that must be issued prior to approval of building permits for the expansion. As conditioned, adequate utilities, road access, and drainage will be provided.

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 onto the general welfare of the County.**

The project has been reviewed and processed in accordance with the California Environmental Quality Act (CEQA) and the County EIR Guidelines. A Negative Declaration was prepared and made available for public review. The Planning Commission has considered the Negative Declaration and public comments thereon prior to acting on the project and finds that the Negative Declaration is adequate and there is no evidence that the project will have a significant impact on the environment.

4. Said Planning Commission heard testimony relative to the subject application at a duly noticed public hearing.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby adopt the Negative Declaration, the mandatory and additional findings and approve Minor Revision No. 2 to Use Permit No. U-82-01 subject to the recommended conditions of approval:

1. The use shall be established in accord with the plans and information submitted with Minor Revision #2 to Use Permit Application No. U-82-01, entitled New Sanctuary Building for Fellowship Baptist Church, dated April 10, 2007 (as revised and resubmitted on September 14, 2007), and approved by the Solano County Planning Commission.
2. The permittee shall take all necessary measures to prevent dust, noise, light, glare, odor and other objectionable elements from adversely affecting the surrounding area beyond acceptable limits.
3. Any change of use or intensification of use will require permit revision and further environmental review. Any deviation from the project description or requirements of the Planning Commission will subject the use permit to review and possible revocation.
4. All requirements of SID shall be met, including:
 - a. A District-standard Relocation and Protection of Facilities Agreement shall be signed by the permittee. A fee of \$50 is required. If the permittee proposed to change the standard agreement, a fee of \$300 is required, and all District legal and staff time involved in the modification of the agreement will be billed to the permittee.
 - b. The permittee must sign a development work order. The work order is the mechanism to which all fees and charges associated with District reviews, boundary adjustments, and facilities will be charged for reimbursement from the permittee.
 - c. The District's Brazelton Lateral is located on the easterly boundary of the property. The lateral is 27" CCP(concrete cylinder, concrete pipe) and may remain in place provided the following conditions are met:
 1. Thirty-six (36) inches of minimum cover is required over the pipeline.
 2. Crossing utilities must provide 12" minimum clearance between the SID line and subject utility.
 3. The pipeline's integrity has not been compromised and is in such condition as to withstand urban type loadings.
 - d. Submit all planning documents, maps, and improvement plans to the District review and comment. The District must place its certificate on the improvement plans and sign the improvement plans.
 - e. Construction affecting District Facilities (Brazelton Lateral) must take place outside of the irrigation season so as not to interrupt service to the District's customers. The irrigation season is typically from March through October.

- f. Any damage to the District facilities during construction shall be repaired at the permittee's expense.
 - g. Permanent structures shall not be allowed to be constructed over the District's easement, nor shall any trees or large shrubs be planted within 6 feet of the centerline of the pipeline.
 - h. Construction shall be inspected by the District at the permittee's expense.
 - i. Electronic AutoCAD files are required upon the completion of the project showing "as-builts" for electronic archiving.
5. All requirements of the Solano County Environmental Health Services Division shall be met including:
 - a. All requirements of Solano County Code, Chapter 6.4, Sewage Disposal Standards shall be met, prior to approval of an on-site sewage disposal system permit application. The additional wastewater flow from the proposed use will require specific design details for the construction of the on-site wastewater system, in conjunction with the issuance of a Solano County Building Division construction permit for the proposed sanctuary building.
 6. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, demolishing and 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.
 7. No further permanent improvements shall be approved on the portion of the property within the proposed right-of-way of Vaca Valley Parkway as it has been shown on the Proposed Site Plan A1, dated April 10, 2007, without review by the City of Vacaville Director of Public Works.
 8. Prior to issuance of building permits, the permittee shall submit an irrigation plan, describing the method of irrigation to be installed.
 9. Prior to the finaling of building permits for the church, all proposed landscaping, parking area construction, and irrigation system construction shall be completed.
 10. All approved landscaping shall be maintained in a healthy, thriving, and weed-free condition at all times by the permittee.
 11. All parking associated with the facility shall be onsite. Offsite parking and street parking shall not be permitted.
 12. All exterior lighting at the site shall be directed downward and away from adjacent properties and public rights-of-way.

13. All busses parked at the site shall be actively utilized for the church's bus ministry and shall be licensed and operable. Storage of busses or other vehicles shall not be permitted.

14. The proposed expansion of the church operation will general significant amounts of traffic concentrated at peak times. It will also create over 30,000sf of disturbed surface area due to the new structure and parking area expansion. All requirements of the Public Works Division shall be met, including:
 - a. Prior to issuance of a building permit for the proposed expansion, a left turn lane shall be constructed for east bound traffic on Farrell Road turning left into the site.

 - b. Prior to issuance of a building permit for the proposed expansion, the applicant shall apply for, obtain, and meet all requirements of a major grading permit for the site, together with an encroachment permit for the realigned driveway.

15. The approved project description and all conditions approved with Minor Revision #2 to U-82-01 shall supersede all previously approved project descriptions and conditions of approval.

16. 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 Planning Commission on October 18, 2007 by the following vote:

AYES:	Commissioners	<u>Moore, Barnes, Mahoney, Barton, & Chairperson</u>
		<u>McAndrew</u>
NOES:	Commissioners	_____
ABSTAIN:	Commissioners	_____
ABSENT:	Commissioners	_____

By: 
Birgitta E. Corsello, Secretary