

BILL EMLEN
 Director
 (707) 784-6765

TERRY SCHMIDTBAUER
 Assistant Director
 (707) 784-6765

MIKE YANKOVICH
 Planning Services Manager
 (707) 784-6765

DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
 COUNTY**

675 Texas Street, Suite 5500
 Fairfield, CA 94533-6342
 (707) 784-6765
 Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 U-79-13-MR2**

Application No. U-79-13-MR2 (Robben) Project Planner: Travis Kroger, Planning Technician		Meeting of April 5, 2018 Agenda Item No. 5	
Applicant Harold E. Robben Jr. 8057 Runge Road Dixon, Ca 95620		Property Owner Harold E. Robben Jr. 8057 Runge Road Dixon, Ca 95620	
Action Requested Consideration of Minor Revision No. 2 to Land Use permit application U-79-13 to add an additional manufactured home for farm labor housing approximately 4 miles south of Dixon in the vicinity of the intersection of Robben and Binghamton Road in the Exclusive Agriculture (A-80) zoning district at 6455 Robben Road, APN 0143-100-050.			
Property Information			
Size: 158.18 ac. (total)		Location: 6455 Robben Road	
APN: 0143-100-050			
Zoning: Exclusive Agriculture (A-40/A-80)		Land Use: Agricultural Employee Housing	
General Plan: Agriculture		Ag. Contract: #292	
Utilities: Existing well and septic system		Access: Robben Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Agriculture	Exclusive Agriculture (A-40)	Agriculture
South	Agriculture	Exclusive Agriculture (A-80)	Agriculture
East	Agriculture	Exclusive Agriculture (A-80)	Agriculture
West	Agriculture	Exclusive Agriculture (A-40/A-80)	Agriculture
Environmental Analysis The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Land Use Permit No. U-79-13-MR2 based on the enumerated findings and subject to the recommended conditions of approval.			

SETTING

The subject property consists of 158.18 acres of land, accessed from Robben Road in the unincorporated Dixon area. The surrounding parcels include grazing and row crops. The existing development on this parcel consists of three residential structures (including the one proposed to be used as agricultural employee housing as part of this permit), three agricultural accessory structures, and a wireless communications facility under a separate permit. Use Permit Application U-79-13 was granted in April of 1979 to “establish a mobile home as caretaker’s quarters” for five years. In October of 1994, the permit was revised to install an additional mobile home, to be used in the same manner. This permit was granted for a five year term, and an extension was applied for in 1999, 2005, and 2010. At the time of the 2005 extension, caretaker mobile homes were no longer allowed, but the permit was extended under the provision for agricultural employee housing, since that has been the actual use of the structures since the original permit approval.





PROJECT DESCRIPTION

The applicant is proposing a Minor Revision No. 2 to Land Use permit U-79-13 to add a 3rd manufactured home for agricultural employee housing to care for livestock on the property. The application for this revision was submitted in November of 2014, and the unit has since been installed under Building Permit B2014-0835.

LAND USE CONSISTENCY

The parcel is designated Agriculture by the Solano County General Plan Land Use Diagram. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Exclusive Agriculture (A-40/A-80) Zoning Districts are consistent with this designation.

The subject site is zoned Exclusive Agriculture (A-40/A-80). Within this district Agricultural Employee Housing is allowed subject to Section 28.71.40(A) & (B)(1) of the Solano County Code. These general requirements address the requirements for the occupants to be considered agricultural employees. The applicant has provided signed declarations for each of the existing structures stating that the use is consistent with the applicable standards.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

Assessor's property records and Building Permit records indicate the effective age of development on the subject parcel (0143-100-050) to be built starting in 1977.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Minor Revision No. 2 to Use Permit No. U-79-13, subject to the recommended conditions of approval.

MINOR USE PERMIT MANDATORY FINDINGS

- 1. That the establishment, maintenance or operation of the use or building 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 to be pertinent.**

This project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agriculture (A-40/A-80) zoning districts. The Zoning of the property along with the proposed use is consistent with the General Plan.

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

The site is provided with water and sewage disposal by an existing well and on-site septic system. Access is provided via Robben 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 conditioned, the proposed Agricultural Employee Housing use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

ADDITIONAL FINDINGS

- 4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Assessor's records show development on site beginning in 1977.**

CONDITIONS OF APPROVAL

General

- 1. The proposed Agricultural Employee Housing shall be established in accord with the plans and information submitted with Minor Revision No. 2 to Land Use Permit U-79-13, and as shown on the approved site plan and as approved by the Solano County Zoning Administrator.**

2. The Agricultural Employee housings units will only be occupied by individuals who meet the requirements of the applicable code sections. Once the units are no longer needed for this use, they must be removed from the property.
3. Any unpermitted structures shall be removed or as-built Building Permits must be obtained within 6 months of approval of this permit.
4. 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.
5. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan or those otherwise allowed by right, without prior approval of a new permit or minor revision to the use permit and additional environmental review.
6. If hazardous materials, including fuels, oils, lubricants, and/or welding gases are stored onsite, verification with Solano County Resource Management, Hazardous Materials Section shall be made regarding requirements for a Hazardous Materials Management Plan.
7. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.

Building and Safety Division

8. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2016 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."
9. 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.

Public Works Division

10. The Applicant shall apply for, secure and abide by the conditions of a grading permit prior to any onsite grading. The Applicant shall submit improvement plans to Public Works Engineering for review and approval by the appropriate official. The review of plans and inspection of the construction is subject to fees to cover the cost to Public Works Engineering.

Permit Term

11. 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 for the two units installed in 1979 and 1994. The cost associated with the periodic reviews shall be charged at that time. The additional unit installed in 2014 will be subject to the following conditions for extension/renewal:
 - This revision to add a 3rd unit is granted for a fixed 5 year term from the date of approval. If the unit is still in use and to remain on the property, a new revision to the existing permit will be required, otherwise the unit must be removed.
 - One or more occupants of the dwelling are employed by the owner or the lessee of the parcel;
 - Non-employee occupants of the dwelling are members of the employee's family;
 - The employee occupant(s) of the dwelling has rent deducted from his or her wages; and
 - The employee occupant is required to live in the dwelling as a condition of his or her employment.

Attachments

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

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 2 to Use Permit No. U-79-13 of **Harold E. Robben, Jr.** to add an additional manufactured home for farm labor housing approximately 4 miles south of Dixon in the vicinity of the intersection of Robben and Binghamton Road in the Exclusive Agriculture "A-80" Zoning District at 6455 Robben Road, APN 0143-100-050, 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 April 5, 2018, and;

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

1. **That the establishment, maintenance or operation of the use or building 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 to be pertinent.**

This project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agriculture (A-40/A-80) zoning districts. The Zoning of the property along with the proposed use is consistent with the General Plan.

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

The site is provided with water and sewage disposal by an existing well and on-site septic system. Access is provided via Robben 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 conditioned, the proposed Agricultural Employee Housing use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Assessor's records show development on site beginning in 1977.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Revision No. 2 to Use Permit No. U-79-13 subject to the following recommended conditions of approval:

General

1. The proposed Agricultural Employee Housing shall be established in accord with the plans and information submitted with Minor Revision No. 2 to Land Use Permit U-79-13, and as shown on the approved site plan and as approved by the Solano County Zoning Administrator.
2. The Agricultural Employee housings units will only be occupied by individuals who meet the requirements of the applicable code sections. Once the units are no longer needed for this use, they must be removed from the property.
3. Any unpermitted structures shall be removed or as-built Building Permits must be obtained within 6 months of approval of this permit.
4. 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.
5. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan or those otherwise allowed by right, without prior approval of a new permit or minor revision to the use permit and additional environmental review.
6. If hazardous materials, including fuels, oils, lubricants, and/or welding gases are stored onsite, verification with Solano County Resource Management, Hazardous Materials Section shall be made regarding requirements for a Hazardous Materials Management Plan.
7. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.

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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.

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Permit Term

11. 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 for the two units installed in 1979 and 1994. The cost associated with the periodic reviews shall be charged at that time. The additional unit installed in 2014 will be subject to the following conditions for extension/renewal:

- This revision to add a 3rd unit is granted for a fixed 5 year term from the date of approval. If the unit is still in use and to remain on the property, a new revision to the existing permit will be required, otherwise the unit must be removed.
- One or more occupants of the dwelling are employed by the owner or the lessee of the parcel;
- Non-employee occupants of the dwelling are members of the employee's family;
- The employee occupant(s) of the dwelling has rent deducted from his or her wages; and
- The employee occupant is required to live in the dwelling as a condition of his or her employment.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 5, 2018.

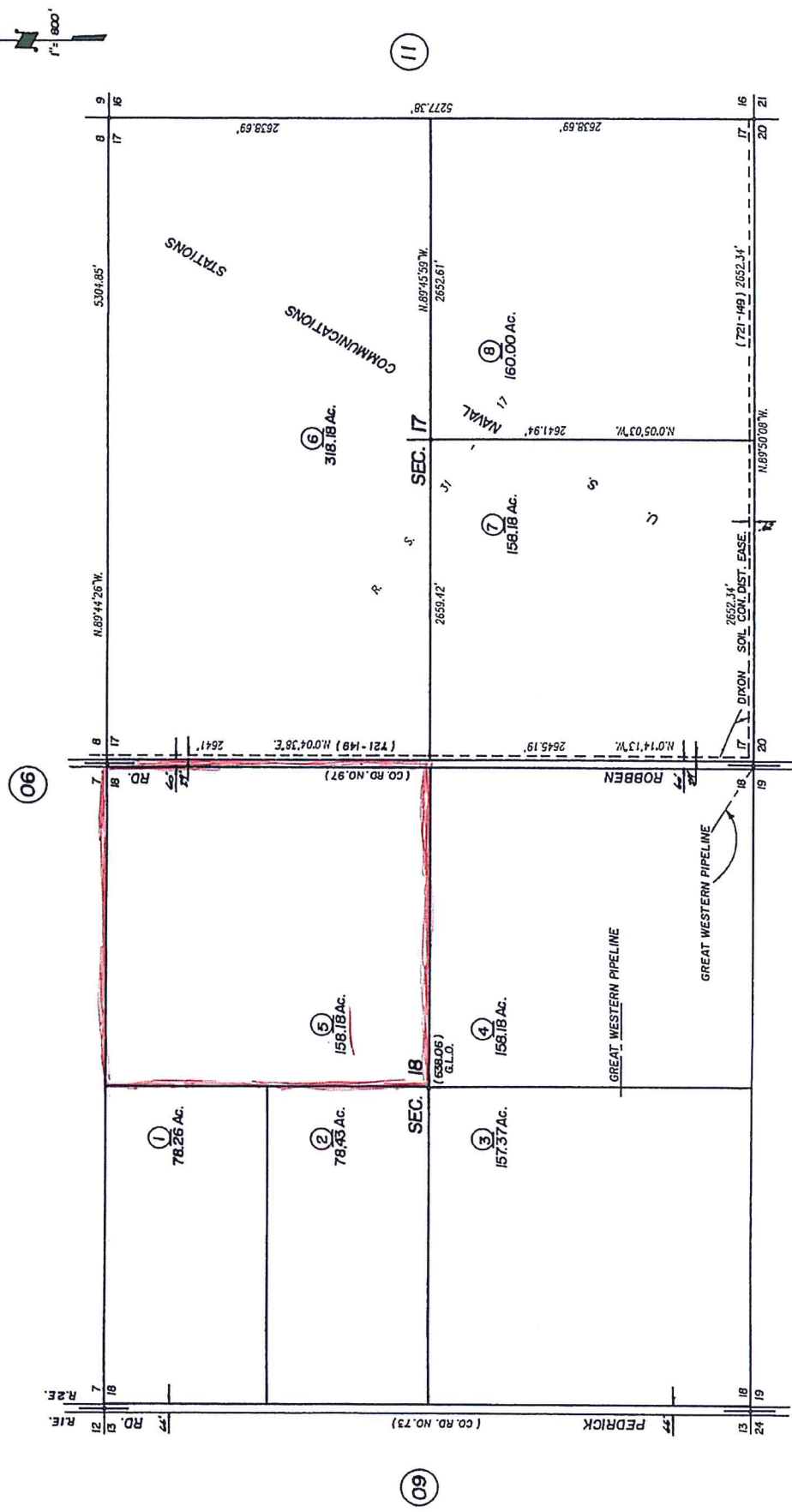
**BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT**

Michael Yankovich
Planning Program Manager

143-10

Tax Area Code
63004
63047

SEC'S 17&18, T.6N., R.2E., M.D.B.&M.



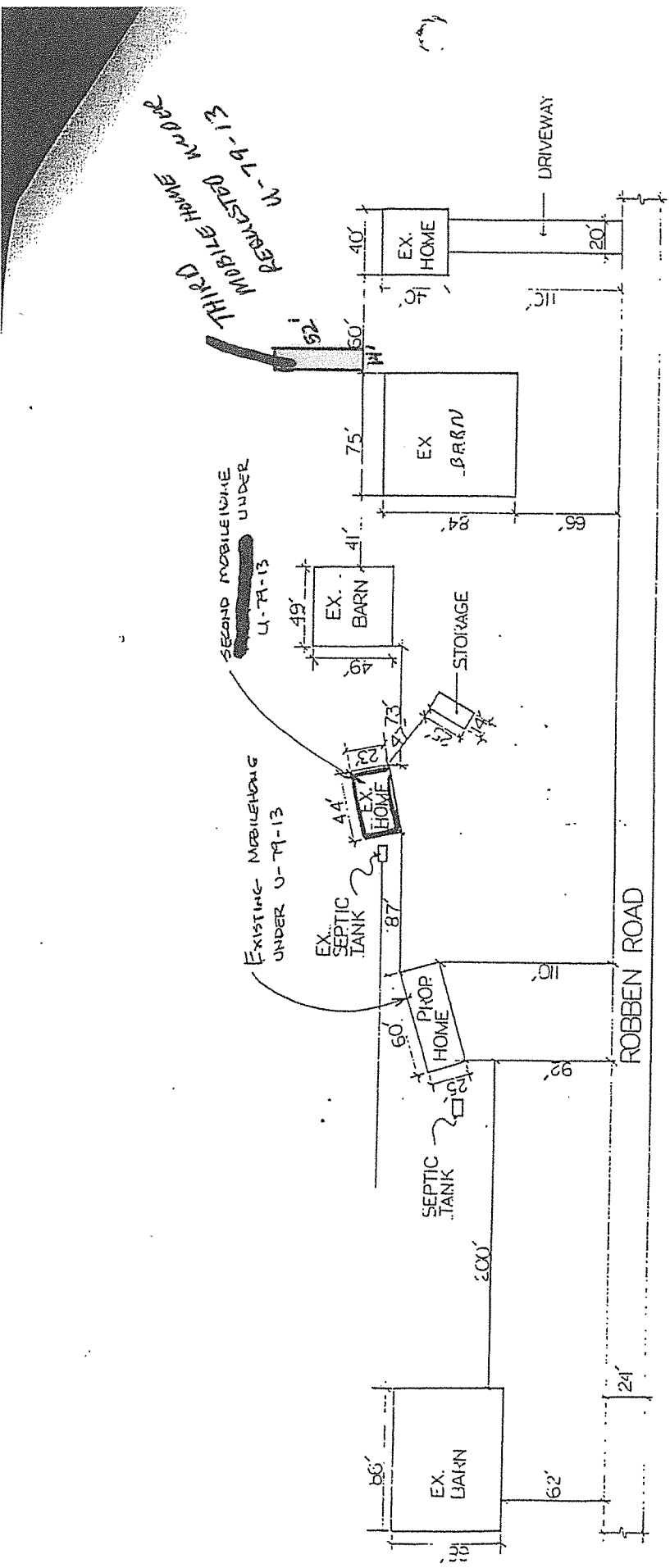
NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

REV.	DATE	BY
2-19-14	DV	
7-1-94	FC	
7-13-93	SS	
6-23-92	SS	
	DATE	BY

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

DIXON & VICINITY
Assessor's Map Bk. 143 Pg. 10
County of Solano, Calif.

15-16



SOLANO COUNTY PLANNING COMMISSION
 Plan File Identification
 DATE OF PLAN FILING 9/13/99
 AS A PART OF TO U-79-13
 FILED BY GENE ROBBEN
 SHEET NO. 2 OF 3 SHEETS
 RECD. BY. *Gene Robben*

GENE ROBBEN
 6455 ROBBEN RD.
 APN. 143-010-050

Exhibit B

— Z —
 SITE PLAN
 SCALE: 1"=60'