

BILL EMLÉN
Director
TERRY SCHMIDTBAUER
Assistant Director
MIKE YANKOVICH
Planning Services Manager

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
ZONING ADMINISTRATOR STAFF REPORT
Compliance Review

Use Permit Renewal - Staff Report

Application: U-08-20-MR1-CR2 (Sievers)
Project Planner: Michael Yankovich

Meeting of June 20, 2019
Agenda Item No. 1

Location: 2625 Mankas Corner Road
Assessor Parcel Number: 0151-140-040

General Plan: Agriculture
Zoning: Suisun Valley Agriculture ASV-20

Requested Action

Request for Zoning Administrator approval of Use Permit U-08-20-MR1-CR1 to continue operating an olive processing facility and special events center at 2625 Mankas Corner Road.

Review

On December 18, 2008 the Solano County Zoning Administrator approved Use Permit U-08-20 to establish an olive processing facility with special events. A minor revision was approved by the Zoning Administrator on May 20, 2010 which converted a residential structure into a tasting room, merchandise sales, commercial kitchen and office space.

The applicant is adding an outdoor covered terrace for additional restaurant seating. A Building Permit application has been submitted that meets ADA requirements. Upon review of the permit conditions of approval, staff site inspection and based on the absence of code compliance cases on file, staff has determined that the olive processing facility is being operated in full compliance with Use Permit No. U-08-20-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. 7 shall be updated as follows;

The permittee shall be required to file a Report of Compliance at five (5) year intervals from the date use permit U-08-20 was initially granted, December 18, 2008. The third Report of Compliance shall be filed prior to December 18, 2023 then every fifth year thereafter, for the life of the use permit. The permittee shall submit a written report verifying how the project is in compliance with the use permit conditions of approval, along with any other application materials that may be required at that time.

EXHIBIT A: Zoning Administrator Resolutions 08-40 and 10-14 (U-08-20 & U-08-20-MR1)

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 08-40**

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-08-20 of **Mark Sievers** for an olive processing facility with special events located at 2625 Mankas Corner Road in an "A-20" Exclusive Agricultural Zoning District, 0.5 miles west of the City of Fairfield, APN: 0151-140-040, 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 December 18, 2008, 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 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 Planning Commission.

The operation and maintenance of an olive processing facility, together with the conduct of special events, is consistent with the goal and the objectives and policies of the Solano County Land Use and Circulation Element. The facility as proposed by the applicant, along with the recommended conditions of approval, will be consistent with the General Plan.

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

External access to the site will be via Mankas Corner Road. The site has existing electrical power, domestic and irrigation water and will provide for its own wastewater treatment 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 onto the general welfare of the County.

The Solano County Development Review Committee has reviewed the Use Permit and determined that all necessary services exist to support the olive facility, including special events, at this location and will not present a detrimental or injurious impact on surrounding properties.

FINDINGS

4. That the proposed use will not have a negative effect on neighboring properties nor pose a threat to the public's health or safety.

The operation of the proposed facility, in accordance with the conditions of approval, will not create a nuisance or pose a threat to surrounding properties. The conditions of approval include limitations on live music and amplified sounds as well as lighting which will protect the surrounding areas.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Use Permit Application No. U-08-20 subject to the following recommended conditions of approval

General

1. The proposed use shall be established in accord with the plans and information submitted with Use Permit Application No. U-08-20 and approved by the Solano County Zoning Administrator.
2. The operating hours of the facility shall be limited to the hours of 8:00 a.m. to 11:00 p.m. Live music and amplified sound shall be limited to the hours of 9:00 AM until 9:00 PM. All lighting shall be directed so as to not cast light onto adjoining properties. Special events shall be limited to 24 per any one calendar year.
3. No additional uses shall be established beyond those identified on the project plot plan without prior approval. No new or expanded buildings shall be constructed without prior approval of a minor revision to this use permit or approval of a new use permit
4. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
5. 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 property.
6. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of this permit.
7. 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 December 18, 2013 and the use remains the same and in compliance with the conditions of approval.
8. Trucks traveling to or from the property shall operate within the approved operating hours, and shall not cause undue noise from truck horn honking or truck engine idling.

Building and Safety Division

9. All requirements of the Solano County Building and Safety Division shall be met including:
 - a. 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 sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.

- b. Except as exempted in Chapter 31 of the Solano County Code, no person shall commence or perform any grading, filling, excavation, or clearing of vegetation for any purpose without having first obtained a grading permit from the Building and Safety Division.
10. The water line sizing calculations shall include all water processing procedures and basins.
11. During a recent meeting, Mr. Sievers stated that the site was proposed to be annexed to the Solano Irrigation District (SID) for irrigation water. Please provide a letter from the Suisun-Solano Water Authority stating that if the property is annexed to SID that the current Will Serve letter for potable water to the residence and proposed processing plant will still be approved.
12. If the building permit application is submitted prior to July 1, 2009, the project shall be designed under the 2007 California Building Codes. These designs shall be specific on the plans.
13. The building permit plans shall include a code analysis which will include the Occupancy Classification, Type of Construction, Seismic Zone, Location on Property, Allowable Area, Allowable Area Increase, Occupancy Separation requirements, and Height and Number of Stories.
14. A Soils/Geotechnical Report shall accompany the Building Permit Application.
15. The site and Building shall be designed for the worst case scenario between the ADA Federal Guidelines and California Title 24 Accessibility Standards. The design and details on the plans shall be site specific and not typical details.
16. Please clarify how the minimum number of required sanitation facilities will be met if the Restrooms are not to be constructed with the building. This could severely restrict the number of occupants allowed on the site and within the building.
17. On the construction drawings for building permit application, it is suggested that the foundation for the future additions as reflected on the plans be a part of the original building permit along with the under slab plumbing for the future restrooms.
18. The facility shall be designed and constructed with the required occupancy separations between assembly occupancy, mercantile, and any other use that requires separation between the assembly occupancy. This shall include the second floor floor/ceiling and wall assemblies.
19. This project is located in a State Responsibility Area (SRA) for the Fire District and the building and site shall be designed for the state requirements for this area and the plans will be submitted to the State Fire Marshall's office by the local Fire District for review and approval. This would mean that the proposed exterior surfaces shall be non-combustible materials instead of the proposed T-111 exterior wood siding. There are many other requirements and you can find these requirements on the State Fire Marshall's Web Site.
20. On the Title sheet it states that the design for energy is the 2007 California Energy Code. Currently this is incorrect and is the 2005 California Energy Code until January 1, 2009 which will then be the 2008 California Energy Code. Please revise the plans to reflect this.
21. On the Cover Sheet it states a Type of Construction that no longer exists. Please refer to Chapter 6 of the 2007 California Building Code for the correct Type of Construction for this building.

22. Please specify on the Cover Sheet as part of the Code Analysis the Seismic Zone that the project will be located in.
23. Please specify on the plans that the proposed monument sign located on Mankas Corner Road will be a separate building permit application. The permittee shall provide drawings of the sign design for review and approval by the Planning Division, prior to the approval of the building permit for the sign.
24. There is a new shed reflected on the Site Plan. Please specify on the plans that this will be a separate permit application. Please clarify on the plans the setback of the shed to the property line.
25. There are two other sheds reflected on the site plan. Are these existing or new. Please clarify and provide the set backs from these structures to the property lines on the site plan.
26. On the Site Plan for the construction documents, please show the location of all sewer lines for the new project and specify the type, size, depth below grade and minimum slope of the drainage lines.
27. Please clarify on the plans that there shall be a minimum slope away from the buildings of 2% for at least 10'-0".
28. On the Site Plans for the construction drawings, please provide a one line drawing of the PG&E electrical along with the location of the Meter Panel Box and the Ampere size. Any underground electrical after the meter panel box shall be clarified on the plans and shall state the size, type, and depth below grade of the conduit and the size and type of conductor based on the Ampere rating of the circuit or feeder.

Environmental Health Division

29. The sewage disposal system shall be maintained so as not to create a public health nuisance.
30. The Regional Water Quality Control has relinquished permit authority to Solano County. The applicant shall obtain all necessary wastewater discharge permits from the County of Solano.
31. The permittee shall redesign the drip system for a soil application rate of 0.1 gpd/ft² maximum, and also redesign the drip dispersal pipe layout spread out over a larger footprint area, rather than the concentrated minimum footprint layout shown in the report, per the Regional Water Quality Control Board.

Planning Division

32. The permittee shall bring the property into full compliance with the Williamson Act within five years.

Public Works – Engineering Division

33. The existing driveway does not meet the requirements of a commercial driveway. The driveway should be upgraded to accommodate deceleration and acceleration into traffic in accordance with the County's commercial driveway standard.

34. In addition, if in the future the County needs to establishing a No Parking zone on both sides of Mankas Corner Road in front of Fiorello as a result of overflow parking problems created by events at Fiorello, the Fiorello project will need to pay the County for the cost of installing the No Parking signs.

Other Agencies

35. The permittee shall furnish a letter from SID and Suisun-Solano Water stating that SSWA is providing potable water to the property and SID is providing irrigation water to the property, prior to approval of a building permit.
36. The permittee shall comply with the requirements of the Suisun Fire Protection District.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on December 18, 2008.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 10-14**

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Use Permit No. U-08-20 of **Mark & Ann Sievers (Il Fiorello Olive Oil Company)** to convert a residential structure into a tasting room, merchandise sales, commercial kitchen and office space. The property is located at 2625 Mankas Corner Road, 0.5 miles west of the City of Fairfield in an A-20" Exclusive Agricultural Zoning District, APN: 0151-140-040, 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 May 20, 2010, 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 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 Planning Commission.**

The operation and maintenance of an olive processing facility, together with the conduct of special events, is consistent with the goal and the objectives and policies of the Land Use and Agriculture Chapters of the Solano County General Plan. The facility as proposed by the applicant, along with the recommended conditions of approval, is consistent with the General Plan.

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

External access to the site is from Mankas Corner Road. The site has existing electrical power, domestic and irrigation water and will provide for its own wastewater treatment 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 Solano County Development Review Committee has reviewed this amendment to Use Permit U-08-20 and determined that all necessary services exist to support the olive facility, including special events, at this location and will not present a detrimental or injurious impact on surrounding properties.

4. That the proposed use will not have a negative effect on neighboring properties nor pose a threat to the public's health or safety.

For the reasons stated above, the operation of the proposed facility, in accordance with the conditions of approval, will not create a nuisance or pose a threat to surrounding properties. The conditions of approval include limitations on live music and amplified sounds as well as lighting which will protect the surrounding areas.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Revision No. 1 to Use Permit No. U-08-20 subject to the following recommended conditions of approval:

Building and Safety Division

1. All requirements of the Solano County Building and Safety Division shall be met including:
 - a) All commercial structures shall be designed and constructed to meet all of the requirements for the worst case scenario between the Federal ADA and California Title 24 Accessibility requirements including but not limited to accessible parking and paths of travel to all amenities on the property.
 - b) Any building utilized as part of a commercial service or change in use and occupancy shall meet the current edition of the State of California Energy Standards and the applicant shall submit Title 24 Energy calculations to the building division for review and approval.
 - c) The construction plans and site drawings shall be reviewed and approved by the Suisun Fire District for all Fire Code requirements for the conversion of the existing single family dwelling unit as well as fire and emergency evacuation egress and ingress into and on the site, including but not limited to the width of all roadways and driveways.
 - d) It is proposed to construct unisex restroom facilities. There shall be a multiple user restroom facility, one for women and one for men. The number of fixtures required to be installed shall be as per Table 4-B of the latest edition of the Plumbing Code at the time of application.
 - e) If the Environmental Health Division requires a commercial kitchen, all requirements shall be reflected on the building permit plans for a commercial kitchen as per the latest edition of the plumbing and mechanical code at the time of submittal.
 - f) The facility shall be designed and constructed with the required occupancy separations between assembly occupancy, mercantile, and any other use that requires separation between the assembly occupancy. This shall include the second floor floor/ceiling and wall assemblies.
 - g) The building permit plans shall include a code analysis which will include the Occupancy Classification, Type of Construction, Seismic Zone, Location on Property, Allowable Area, Allowable Area Increase, Occupancy Separation requirements, and Height and Number of Stories.
 - h) The proposed change in use and occupancy is not exempt under the Health and Safety code and shall be designed by a licensed Architect licensed in the State of California.

i) The building permit plans shall include a code analysis as listed below and if plans are submitted prior to January 1, 2011, the design shall be under the 2007 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. **If the plans are submitted on or after January 1, 2011, they shall be designed under all code requirements and laws adopted by Solano County at the time of building permit application submittal.** Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:

- a. Occupancy Classification
- b. Type of Construction
- c. Seismic Zone
- d. Location on Property
- e. Height of all buildings and structures
- f. Square footage
- g. Occupant Load
- h. Allowable Floor Area
- i. Height and Number of Stories
- j. Plumbing Fixture Counts based on Occupancy Classification and Occupant Load

Environmental Health Division

2. All requirements of the Solano County Environmental Health Division shall be met including, but not limited to requirements for the proposed commercial kitchen.

General

3. The proposed use shall be established in accord with the plans and information submitted with Use Permit Application No. U-08-20; EXCEPT as amended by the plans and information submitted with Use Permit Application No. U-08-20 minor revision 1 (U-08-20-MR1), and approved by the Solano County Zoning Administrator.

4. Currently potable water is being supplied by the Suisun-Solano Water Agency. Please provide a Will Serve letter for the continued service of potable water for a commercial site.

5. A Department of Resource Management sign permit shall be secured prior to the construction or installation of any signage on-site. Signage shall conform to Section 28-66 of the County Zoning Regulations. Some or all of these signs may be required to have a building permit issued.

6. The construction materials, texture, and color(s) of the Olive Center shall be compatible with and/or complement existing development on-site. In addition, the aesthetic quality and architectural character of development on-site shall remain harmonious with the surrounding land uses within the Suisun Valley.

7. The permittee shall be required to file a Report of Compliance at five (5) year intervals from the date use permit U-08-20 was initially granted, December 18, 2008. The first Report of Compliance shall be filed prior to December 18, 2013, then every fifth year thereafter, for the life of the use permit. The

Resolution No. 10-14
U-08-20-MR1, Sievers

permittee shall submit a written report verifying how the project is in compliance with the use permit conditions of approval, along with any other application materials that may be required at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on May 20, 2010.

CLIFFORD K. COVEY, INTERIM DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager

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