

BILL EMLÉN
 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-94-23-MR1**

Application No. U-94-23-MR1 (Western Railroad Museum) Project Planner: Michael Yankovich		Meeting of August 15, 2019 Agenda Item No. 1	
Applicant Bay Area Electric Railroad Association 5848 State Hwy 12 Suisun, CA 94585		Property Owner Bay Area Electric Railroad Association 5848 State Hwy 12 Suisun, CA 94585	
Action Requested Consider Minor Revision No. 1 of Use Permit Application No. U-94-23 of Western Railroad Museum to construct a 29,750 square foot car barn located at 5848 State Hwy 12, Suisun, in an "CR" Commercial Recreation zone district. Staff recommendation: Approval with Conditions			
Property Information			
Size: 20.3 acres		Location: 5848 State Hwy 12	
APN: 0048-030-080			
Zoning: Commercial Recreation (CR)		Land Use: Railroad museum	
General Plan: Agriculture		Ag. Contract: NA	
Utilities: Electric, Septic		Access: State Hwy 12	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Agriculture	A-40	Dry land farming
South	Agriculture	A-40	Dry land farming
East	Agriculture	A-40	Dry land farming
West	Agriculture	A-40	Dry land farming
Environmental Analysis The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304(e), Minor Alterations to Land.			

PROJECT DESCRIPTION

The parcel is triangular in shape that has frontage along the south side of Hwy 12. The parcel, known as Rio Vista Junction, was an actual stop on the electrically powered Sacramento Northern main line in Solano County. In 1985, the name "Western Railway Museum" was officially adopted.

The project consists of the construction of a "Car Barn" for the historic railroad cars that the Western Railroad Museum (Museum) owns. The Car Barn would be constructed on the one parcel (0048-030-080) totaling 20.3 acres. The parcel is currently developed with a 12,000 sq. ft. visitors and Archives Center, three car barns of various sizes and several other structures. The new car barn will measure 350' by 85' for a total of 29,750 square feet. It will have both horizontal and vertical metal siding with color accents.

LAND USE CONSISTENCY

1. General Plan Consistency

The 2008 General Plan designates this property as Commercial Recreation, which is described as:

Provides for privately owned recreational facilities, including campgrounds, special occupancy vehicle parks, floating home communities, golf courses and recreational boat marinas. Complementary commercial facilities are also allowed with the primary use including restaurants, commercial lodging, retail shops. Boat sales, boat launching, and facilities for boat construction and repair.

The use of the property as a railroad museum with an associated agritourism visitors center is consistent with the vision and policies contained within the 2008 General Plan.

2. Zoning Consistency

Commercial Recreation (CR) zoning district standards

The C-R zoning district is intended to provide appropriate commercial recreation uses that support recreational activities and resource based recreational uses within the County in a manner compatible with surrounding land uses.

3. Site Specific Considerations

The site consists of approximately 22 acres of relatively level land. The property is triangular in shape with the railroad tracks bordering the western property and Hwy 12 bordering the northeast portion of the property. The site has frontage on Hwy 12 that leads to a paved parking lot.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304(e), Minor Alterations to Land. This exemption is for "... Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc."

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Minor Revision No. 1 of Use Permit No. U-94-23, subject to the recommended conditions of approval stated in Attachment B.

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 as C-R, Commercial Recreation, by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Commercial Recreation, Commercial Recreation, zoning district.

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

The property is triangular in shape with the railroad tracks bordering the western property and Hwy 12 bordering the northeast portion of the property. The site has frontage on Hwy 12 that leads to a paved parking lot.

- 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 Western Railroad Museum has not been a part of any actions that would 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 15304, Minor Alterations to Land.**

CONDITIONS OF APPROVAL

See Attachment B for conditions of approval.

Attachments

Attachment A: Resolution

Attachment B: Conditions of Approval

Attachment C: Location Map

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Use Permit No. U-94-23 of **Western Railroad Museum** to construct a 29,750 square foot car barn located at 5848 State Hwy 12, Suisun, within the Commercial Recreation "CR" Zoning District, APN: 0048-030-080, 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 August 15, 2019, 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 as C-R, Commercial Recreation, by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Commercial Recreation, Commercial Recreation, zoning district.

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

The property is triangular in shape with the railroad tracks bordering the western property and Hwy 12 bordering the northeast portion of the property. The site has frontage on Hwy 12 that leads to a paved parking lot.

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 Western Railroad Museum has not been a part of any actions that would 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 15304, Minor Alterations to Land.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the minor revision to Use Permit No. U-94-23, subject to the following recommended conditions of approval:

1. The use shall be established in accord with the plans and information submitted with Use Permit Application No. U-94-23 as approved by the Solano County Planning Commission.
2. All requirements of the Solano County Environmental Health Division shall be met including:
 - a. Prior to the issuance of any building permits for buildings containing inside plumbing, the permittee shall submit completed plans and specifications, prepared by a registered engineer, for the proposed sewage disposal system.
 - b. Within ninety (90) days of the granting of the use permit, the permittee shall apply for a permit to operate a small public water system from the California Department of Health Services, Division of Drinking Water.
 - c. Prior to the occupancy of the historic buildings relocated from Oakland, the permittee shall submit a comprehensive nitrate report, prepared by a registered engineer, which addresses nitrate loading and the possibility of nitrates leaching into groundwater. The report shall assess the cumulative groundwater quality impacts to include a determination of hydraulic gradient, nitrate accumulation, salt accumulation, and mounding effect. If nitrate levels are found to be high, the Division of Health Services shall set up a nitrate monitoring program and water treatment program and/or relocation of the proposed septic system or well may be required.
 - d. Should the amount of floor area for the sale of food increase, or the types of food offered for sale change, the permittee shall notify this Division to secure a food facility permit if necessary.
 - e. Within ninety (90) days of the granting of the use permit, the permittee shall submit a Hazardous Materials Management Plan to this Division for permitting and approval.
3. All requirements of the Solano County Public Works Department shall be met including:
 - a. The permittee shall apply to the Public Works Department for a grading permit for all proposed on-site improvements. And drainage plan, prepared by a Civil Engineer, will be required to process the grading permit application.
4. 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 or demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws.

- b. The permittee shall submit three sets of plans to the Building and Safety Division for plan review and permits prior to beginning improvements.

5. The permittee shall complete improvements to State Highway 12 for the provision of an eastbound right-turn deceleration lane at the construction standard at the time deemed necessary by CalTrans.

6. Within ninety (90) days of the issuance of the use permit the permittee shall submit a landscape plan to the Zoning Administrator for approval which will adequately screen the parking lot and comply with the policies of the Scenic Roadway Element of the General Plan.

7. The premises shall be maintained in a neat and orderly manner and kept free of accumulation of debris or junk.

8. Adequate measures will be taken as necessary or as directed by the County to prevent offensive noise, lighting, glare, dust or other impacts which may constitute a hazard or nuisance to surrounding property or persons in the area.

9. Any expansion or change in the use or location may require a new or modified use permit and environmental review if required.

10. Failure to comply with the provisions of this use permit shall be cause for immediate revocation of this permit.

11. The permit shall be valid for a ten (10) year period, ending August 15, 2029 provided that one or more extensions may be granted if a request for extension is received prior to the expiration date, and depending on the circumstances at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on August 15, 2019.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

CONDITIONS OF APPROVAL FOR LAND USE PERMIT NO. U-94-23
of
H. ERIC BORGWARDT

1. The use shall be established in accord with the plans and information submitted with Use Permit Application No. U-94-23 as approved by the Solano County Planning Commission.
2. All requirements of the Solano County Environmental Health Division shall be met including:
 - a. Prior to the issuance of any building permits for buildings containing inside plumbing, the permittee shall submit completed plans and specifications, prepared by a registered engineer, for the proposed sewage disposal system.
 - b. Within ninety (90) days of the granting of the use permit, the applicant shall apply for a permit to operate a small public water system from the California Department of Health Services, Division of Drinking Water.
 - c. Prior to the occupancy of the historic buildings relocated from Oakland, the permittee shall submit a comprehensive nitrate report, prepared by a registered engineer, which addresses nitrate loading and the possibility of nitrates leaching into groundwater. The report shall assess the cumulative groundwater quality impacts to include a determination of hydraulic gradient, nitrate accumulation, salt accumulation, and mounding effect. If nitrate levels are found to be high, the Division of Health Services shall set up a nitrate monitoring program and water treatment program and/or relocation of the proposed septic system or well may be required.
 - d. Should the amount of floor area for the sale of food increase, or the types of food offered for sale change, the permittee shall notify this Division to secure a food facility permit if necessary.
 - e. Within ninety (90) days of the granting of the use permit, the permittee shall submit a Hazardous Materials Management Plan to this Division for permitting and approval.
3. All requirements of the Solano County Department of Transportation shall be met including:
 - a. The permittee shall apply to the Transportation Department for a grading permit for all proposed on-site improvements. And drainage plan, prepared by a Civil Engineer, will be required to process the grading permit application.
4. 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 or demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws.
 - b. The permittee shall submit three sets of plans to the Building and Safety Division for plan review and permits prior to beginning improvements.

5. The permittee shall complete improvements to State Highway 12 for the provision of an eastbound right-turn deceleration lane at the construction standard at the time deemed necessary by CalTrans.
6. Within ninety (90) days of the issuance of the use permit the permittee shall submit a landscape plan to the Zoning Administrator for approval which will adequately screen the parking lot and comply with the policies of the Scenic Roadway Element of the General Plan.
7. The premises shall be maintained in a neat and orderly manner and kept free of accumulation of debris or junk.
8. Adequate measures will be taken as necessary or as directed by the County to prevent offensive noise, lighting, glare, dust or other impacts which may constitute a hazard or nuisance to surrounding property or persons in the area.
9. Any expansion or change in the use or location may require a new or modified use permit and environmental review if required.
10. Failure to comply with the provisions of this use permit shall be cause for immediate revocation of this permit.
11. The permit shall be valid for a ten (10) year period, ending August 15, 2029 provided that one or more extension may be granted if a request for extension is received prior to the expiration date, and depending on the circumstances at that time.

