

# **SOLANO COUNTY PLANNING COMMISSION**

## **RESOLUTION NO.**

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**WHEREAS**, the Solano County Planning Commission has considered Use Permit U-18-03 of **Gary and Ying Bacon** to establish and operate an eight room Bed & Breakfast Inn and Special Events venue located at 4400 Suisun Valley Road, 2 miles west of the City of Fairfield, within the Suisun Valley Agricultural Zoning District "A-SV-20", APN's 0027-020-030, 080, and 090, and;

**WHEREAS**, the 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 September 19, 2019, and;

**WHEREAS**, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

**1. The establishment, maintenance, or operation of the proposed use or building applied for are in conformity to the Solano County General Plan with regard to traffic circulation, population densities, and distribution, and other aspects of the General Plan considered by the Planning Commission to be pertinent.**

The applicant has furnished a Traffic Impact Analysis to evaluate the potential traffic impacts associated with the project. The analysis has determined that the project would not impact traffic level of service conditions based on the Solano County significance thresholds. Driveway operations would remain acceptable during weekend and weekday events for typical sized and maximum sized events. Existing and cumulative operations would operate at LOS 'B' or better conditions.

The General Plan policies relating to population densities and distribution are not applicable to this use permit amendment request.

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

The project is served by Suisun Valley Road which is a public road that provides adequate transportation and circulation to and from the site. The traffic study provided with the application concludes that the proposed project will not adversely affect traffic operations along Suisun Valley Road. Onsite domestic water supply and wastewater treatment systems will be upgraded as needed to support the project and as conditioned by this permit.

**3. The subject 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.**

The proposed Bed and Breakfast Inn and Special Event venue will not create a nuisance or cause any detrimental effect to the health, safety, peace, morals, comfort, or general welfare of the community. The environmental review and analysis provided with this application demonstrate that the land use will not generate potentially significant environmental impacts.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission does hereby adopt the Negative Declaration prepared for the Project. The Planning Commission certifies that the Negative Declaration has been completed, reviewed, and considered along with the comments received during the public review process and finds that the Negative Declaration reflects the independent judgement of the Planning Commission.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission has approved Use Permit U-18-03 subject to the following recommended conditions of approval:

**Administrative**

1. The proposed Bed and Breakfast Inn and Special Events Facility shall be established and operated in accord with the application materials and development plans for Use Permit U-18-03, filed June 8, 2018, and as approved by the Solano County Planning Commission.
2. Granting of Use Permit U-18-03 authorizes the construction of a 4,000 square foot barn-styled accessory structure to serve as a Special Event facility adjunct to the Suisun Valley Inn. Approval also authorizes the increase of up to eight rooms as part of the Bed and Breakfast Inn.

The project includes new and expanded facilities to accommodate the increased demand for parking, vehicle access, septic capacity, storm water retention, and fire suppression.

3. This use permit is subject to renewal pursuant to Section 28.106(N) of the Solano County Code. Application for renewal must be filed 60 days prior to the five (5) year anniversary date of the initial approval or the most recent renewal approval date.
4. Conditions of Approval established through the issuance of this amendment shall supersede any and all prior conditions established under Administrative Permit AD-17-01.
5. No additional uses, new or expanded buildings shall be established beyond those identified on the approved development plans without prior approval of an amendment or revision to the use permit.
6. Prior to the issuance of a certificate of occupancy for structures authorized under this use permit, the permittee shall be present on site for an inspection of the premises by the Department of Resource Management and other agencies with jurisdiction, in order to determine if all prerequisite conditions and requirements have been met. Commencement of activities authorized under this permit shall not begin until the Director of Resource Management determines that the permittee is in compliance with the necessary prerequisite conditions of approval.
7. If additional inspections are required before the Director determines the permittee is in compliance with the use permit, the permittee shall be charged inspection fees based on the adopted rate established by the Board of Supervisors for hourly work by the Department.
8. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.
9. By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers and employees shall not be responsible for injuries to property or person arising from the issuance or exercise of this permit. The permittee shall defend, indemnify and hold harmless the County of Solano, its officers and employees from all claims,

liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance of and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.

### **Agritourism Uses - Special Events Facility A-SV-20**

10. The subject property shall be limited to a maximum occupancy of 250 guests during Special Events.
11. The Special Event facility shall be operated by the property owner or occupant, subject to possession of a valid Solano County business license.
12. The Special Event facility shall maintain a thirty (30) foot minimum setback from an adjacent street.
13. The Special Event facility shall have ingress and egress designed as to avoid traffic congestions and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
14. The Special Event facility shall provide off-street parking in accordance with Section 28.94 in addition to paved parking spaces, aisles, and pathways for the disabled in accordance with the Building Code.
15. All authorized events shall start no sooner than 10 a.m. and end by 10 p.m. Facility set up and clean up shall be allowed between the hours of 8 a.m. to 11 p.m. All guests of an event shall be off the property by 10:30 p.m.

### **Bed and Breakfast Inn**

16. Signage on the residence shall be limited to one (1) non-illuminated wall-mounted sign not to exceed four (4) square feet in area.
17. The Bed and Breakfast Inn shall have no more than eight guestrooms.

### **Circulation & Parking**

18. Ingress and egress to the subject site and the interior circulation pattern shall be developed consistent with the approved development plan.
19. Parking on-site is restricted to the areas designated and identified for parking on the approved development plans. Overflow parking for Special Events and activities is prohibited on other areas of the subject property and off-site along Suisun Valley Road.
20. The proposed parking lot and driveways leading to it shall be surfaced with asphaltic concrete or its equivalent as approved by the Solano County Public Works Division. The proposed parking lot shall be sloped consistent with the approved development plans.
21. The permittee shall maintain its contract with the Solano Community College (for offsite parking to facilitate larger events, with guests being shuttled to the Event Facility) should the Event Facility continue the need for parking in excess of the 61 spaces provided onsite or for events greater than 150 persons.

## **Lighting**

- 22.** Lighting capable of providing adequate illumination for security and safety shall be provided. Lighting shall be downcast and/or directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.

## **Operational & Performance Standards**

- 23.** Construction activities associated with the development of the proposed Special Events facility shall only take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday.
- 24.** The permittee shall be responsible for taking measures necessary or as may be required by the County to prevent light, glare, traffic congestion, visual distraction or other impacts which constitute a nuisance to motorists, persons or property in the surrounding area.
- 25.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
- 26.** The permittee shall prevent offensive noise, dust, glare, vibration or odor. All uses of land and buildings shall be conducted in a manner, and provide adequate controls and operational management to prevent:
  - a.** Dust, offensive odors, vibration detectable beyond any property line.
  - b.** Noise that exceeds 65dBA LDN at any property line.
  - c.** Glint or glare detectable beyond any property line or by overflying aircraft.
- 27.** The project shall contain measures to manage storm water to prevent any potential contaminants, processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.

## **Building & Safety Division**

- 28.** The Building and any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
- 29.** Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2016 California Building Code. **“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.”**
- 30.** Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein.”
- 31.** A separate permit will be required for any grading.

32. A geotechnical/Soils Report will be required for any expansions to existing buildings or for the construction of new buildings.
33. The building permit plans shall include a code analysis as listed below and the design shall be under the 2016 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
  - A) Occupancy Classification
  - B) Occupant Load
  - C) Exiting
34. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. **“Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.” Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”**
35. The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2016 California Building. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2016 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale, and designed by a licensed architect reflecting all site accessibility.
36. All accessible paths of travel and parking areas shall be a hard-scaping surface and shall meet all of the worst case requirements between Chapter 11B of the 2016 California Building Code and the ADA Federal Law.
37. The fire district shall reassess the site for fire life and safety requirements.

#### **Cordelia Fire District**

38. The event barn shall require a commercial fire sprinkler system that is fed from the water line at Suisun Valley Road.
39. The event barn shall require a monitored alarm system.
40. The facility shall meet emergency vehicle access requirements as determined by the District.

#### **Environmental Health Services Division**

41. The permittee shall obtain a new Environmental Health Bed and Breakfast permit, and pay any difference in permit fees, to reflect the maximum of eight rooms being offered for lodging onsite.

42. The permittee shall obtain a permit from the Environmental Health – Consumer Protection Program to operate a food facility at such time as permitting is being pursued to construct the commercial kitchen within the event barn.
43. If the site exceeds the threshold of providing water service to 25 people or more, for 60 or more days of the year, the facility shall obtain a Public Water System (PWS) permit from the Division of Drinking Water.

The permittee may contact Marco Pacheco, Sanitary Engineer with the California Division of Drinking Water at (510) 620-3474, or [marco.pacheco@waterboards.ca.gov](mailto:marco.pacheco@waterboards.ca.gov) for additional information.

If the site does not exceed the threshold of providing water service to 25 people or more, for 60 or more days of the year, and does not require a PWS permit from the Division of Drinking Water, the permittee shall obtain a State Small Water System (SSWS) permit from the Environmental Health – Technical Program.

The permittee may contact Environmental Health at 707.784.6765 for additional information.

44. The permittee shall bring its existing septic systems into compliance by repairing any damage to the system and submitting their annual pump data reporting to Environmental Health.
45. Concurrent with submittal of the Building permit application for the event barn, the permittee shall submit a complete application, plans, and application fees for the construction of the septic system proposed to service the event barn.

The application shall include calculations showing the septic system design is compliant with Solano County Code Ch. 6.4: Sewage Standards. The permittee may contact the Environmental Health – Technical Program at 707.784.6765 for additional information.

### **Public Works – Engineering Division**

46. The permittee shall apply for, secure, and abide by the conditions of a grading permit prior to any onsite grading. The permittee 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.
47. The permittee shall apply for, secure, and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to Suisun Valley Road that do not have an existing encroachment permit issued by Solano County. All driveway connections to public roads shall meet Solano County Road Improvement Standards and Land Development Requirements.

### **Solano Irrigation District**

48. The property is currently provided with agricultural irrigation water between April and October through an existing agricultural service; however, the District does not provide any potable water.
49. If the permittee would like to use the agricultural irrigation water for landscape irrigation, they will need to install a new service which will be billed at a higher rate.

If a new service is desired, the landowner must sign and pay for a District work order. The work order is the mechanism to which all fees and charges associated with District staff time and/or materials will be charged for reimbursement from the landowner.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on September 19, 2019 by the following vote:

AYES: Commissioners

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NOES: Commissioners

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EXCUSED: Commissioners

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By: \_\_\_\_\_  
Bill Emlen, Secretary