

RESOLUTION NO. 2025 - _____

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS UPHOLDING THE ZONING ADMINISTRATORS' APPROVAL OF MINOR USE PERMIT MU-23-08 AND DENYING THE APPEAL REQUEST BY MATTHEW FLAHERTY

Whereas, the Solano County Board of Supervisors (Board) has considered an appeal by Matthew Flaherty of the Solano County Zoning Administrator's June 19, 2025 approval of Minor Use Permit Application No. MU-23-08 of Rhonda and Mike Petrillo to establish a Special Events Facility (Small/Medium), located three (3) miles southwest of the City of Winters in the Exclusive Agriculture 20-acre minimum (A-20) zoning district at 3695 Vickrey Lane, APN 0101-090-550; and

Whereas, the Board has reviewed and considered the appeal, the report of the Department of Resource Management, the record of the proceedings before the Zoning Administrator and Planning Commission, and heard testimony relative to the subject application and appeal at the duly noticed public hearing held on September 9, 2025; and

Whereas, after due consideration, the Board of Supervisors has made the following findings in regard to said proposal:

- 1. That the establishment, maintenance, or operation of the use or building conforms with the General Plan for the County concerning traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

The project site is designated Agriculture by the General Plan Land Use diagram (Figure LU-1) of the Solano County General Plan. The project location is in the Western Hills Agricultural Region (Figure AG-4), which has a minimum lot size of 20 acres. The existing zoning designation of A-20 and lot size of 20 acres are consistent with the existing General Plan designation. The proposed use is conditionally permitted within the A-20 zoning district.

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

The site is accessed via Vickery Lane, which is a private road, and is developed with a residential well and private sewage disposal system. As proposed and conditioned, the existing and proposed facilities are adequate for the Special Events Facility use.

- 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.**

With the proposed conditions of approval, this project will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

- 4. The proposed Minor Use Permit is consistent with the State Board of Forestry and Fire Protection's State Responsibility Area (SRA) Fire Safe Regulations.**

The property is located within a State Responsibility Area (SRA) designated by the California Department of Forestry and Fire Protection (CAL FIRE) as a Very High Fire Hazard Severity Zone.

The Solano County Building Official and Vacaville Fire Protection District have conducted an inspection and determined that the existing access and availability of water for fire suppression is adequate for the proposed use. The project, in its initial stage, does not propose any new construction or development which would be subject to SRA regulations. If and, if so, when the permanent restroom requirement is triggered under Condition of Approval No. 22, new construction of those facilities will require compliance with SRA regulations. At that time, improvements to the site to comply with SRA regulations may be required, consistent with State law.

5. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303 and 15304. A Notice of Exemption shall be filed with the State Clearinghouse.

The project is exempt from CEQA under CEQA Guidelines Sections 15303 and 15304.

- Cal. Code Regs., tit. 14, sec. 15303 provides that projects which consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, are categorically exempt from the provisions of CEQA. A detached permanent restroom facility is the only new permanent structure proposed, and the project will not include any other substantial physical changes to the property. Therefore, the project falls within section 15303.
- Cal. Code Regs., tit. 14, sec. 15304 provides that projects which consist of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes are categorically exempt from the provisions of CEQA. The proposed single day events (limited to 12 per year) do not require any permanent changes to the property or construction of any new facilities and represent a minor temporary use of land having negligible or no permanent effects on the environment. The project site currently does not support riparian habitat, federally protected wetlands, or migratory corridors. Additionally, special status plants, animals, or natural communities are not expected to be found within close proximity to the property. Therefore, the project falls within section 15304.
- There are no unusual circumstances that would lead to significant impacts, including cumulative impacts, and the Project is not subject to any exceptions to the categorical exemptions as set forth in 14 Cal. Code Regs. § 15300.2. This project site is not of a different size, or in a unique location or environmental context, rendering it unusual from other projects that qualify for the above-stated categorical exemptions. The special events use is allowed on the site with a minor use permit consistent with the General Plan and Zoning Code. The fire risk in the area, while high, is not increased due to the existence of the project. The project would not impact implementation of or interfere with an adopted emergency response or evacuation plan, the local roadway system is not significantly impacted by the project, and there is no new infrastructure associated with the project that could exacerbate fire risk or other impacts on the environment. The project site is substantially developed, proposes only up to 12 single-day temporary special events per year, and will be required to obtain approval of a site evacuation plan prior to the first event to ensure there are no significant risks or exacerbation of risks by bringing people into the area.

With the implementation of standard Solano County conditions of approval, the development and operation of the proposed project is not anticipated to cause a significant impact to the environment.

Resolved, that the Solano Board of Supervisors does hereby approve Minor Use Permit application MU-23-08 subject to the following conditions of approval:

ADMINISTRATIVE

1. **Land Use.** The proposed land uses shall be established and operated in accordance with the application materials and development plans submitted for Minor Use Permit MU-23-08, revised January 8, 2024, and as approved by the Solano County Zoning Administrator. Approval of this permit would authorize the Small/Medium Special Events Facility to be established and operate as proposed on the subject parcel.
2. **Revisions or Modifications of Land Use.** Pursuant to Section 28.106(I) of the County Code, no additional land uses or activities including new or expanded buildings shall be established beyond those identified on the approved development plan and detailed within the project description without prior approval of a revision, amendment, or new use permit and subsequent environmental review or a determination by the Director of Resource Management that the proposed modification is in substantial compliance with the existing approval.
3. **Indemnification.** 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 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.
4. **Permits Required.** The Project shall comply with all applicable Solano County Zoning regulations and Building Code provisions and secure all required local, state, regional and federal permits required to operate.
5. **Failure to Comply.** 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 Minor Use permit and cessation of the permitted uses at the Permittee's expense.
6. **Inspection Prior to Commencement of Activities.** Prior to operation of the Special Events Facility under this Minor Use Permit or the admission of customers, event attendees or employees to the site, the permittee shall be present on site for an inspection of the premises by the Department of Resource Management, which may include the Vacaville Fire District, and other agencies with jurisdiction, 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 (Director) determines that the permittee complies with the required prerequisite conditions of approval.
7. **Business License.** The permittee shall secure and abide by the terms and conditions of a Business License issued by Solano County. This approved Minor Use Permit shall constitute as the "Zoning Clearance" necessary to file for the license.
8. **Exercise of Permit.** The permit shall be deemed exercised once all **required** action items below have been completed and verified by County staff. If the permit is not exercised within one year of the date of issuance, the permittee may request that a one-time extension of one (1) year to exercise the permit be granted by the Zoning Administrator, otherwise the permit will be deemed null and void with no further action.

9. **Permit Term.** This Use Permit is subject to renewal every five (5) years pursuant to Section 28.106(N) of the Solano County Code. Renewal may be granted if said application is received prior to September 9, 2030, and the use remains in compliance with these Conditions of Approval.

Action Needed – Administrative				
COA #	Required to exercise Y/N	Action	When	Verified
6 above	Y	Schedule pre-opening inspection	Prior to conducting the first event.	
7 above	Y	Obtain business license	By 9/9/26	

OPERATIONAL CONTROLS

10. **Point of Contact.** The applicant will designate a point of contact for any complaints or other issues and provide the contact information (phone and email) to the Solano County Department of Resource Management and make the information available to the public via on-site posting and if the business has a website or social media available to the public the contact information shall be posted there as well.
11. **Event Management Plan.** All uses of land and buildings shall be conducted in a manner and provide adequate controls and operational management to prevent nuisances such as noise, dust, glare, vibration, and odor. Prior to the opening inspection, the permittee shall submit an Event Management Plan to the Director or his designee for approval, which shall identify measures, procedures, and operational controls to manage potential nuisances such as fugitive dust, noise, light, glare, and odor. In addition, the Event Management Plan shall identify measures and controls to manage any emergency which might reasonably arise during an event. Applicant to provide a list of emergency contacts for various responders to all staff and volunteers. Identify a central location on the property which will serve as an emergency center with communications and fire and first aid equipment.
12. **Commercial Property Insurance.** Prior to commencing operations under this permit, the property owner shall obtain and provide proof of commercial property insurance. The applicant shall maintain insurance coverage during any events held under this permit.
13. **Notice Prior to Events.** At least 30 days in advance of each scheduled event, the permittee shall provide notice to the Department of Resource Management, Solano County Sheriff, the Vacaville Fire Protection District, and all residents of properties accessed via Vickrey Lane.
14. **Hours of Operation.** Hours of operation shall be limited to 10am-10pm on the day of a scheduled event, with setup and cleanup between 8am-11pm.
15. **Hazard or Nuisance.** 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 residents, visitors, or property in the surrounding areas. In the event complaints are received regarding the development and operation of the project, the issues will be communicated to the operator to be addressed in a timely manner.

Multiple complaints and ongoing issues may require a Revision or Amendment to the permit to address the issue subject to approval by the Zoning Administrator or Planning Commission.

16. **Junk & Debris.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
17. **Fugitive Dust.** Any access from unpaved dirt roads and with unpaved on-site access roads and parking areas shall control fugitive dust with water trucks, sprinkler system or other practices acceptable to the applicable air quality management district, as needed to prevent airborne dust.
18. **Noise & Outdoor Sound.** During operation, no noise shall exceed 65 dBA when measured at the property lines.
19. **Odor.** The facility shall not cause objectionable odors on adjacent properties.
20. **Parking.** The Facility shall provide at least 60 parking spaces on-site to accommodate all employees and visitors. No parking shall be allowed within any road right-of-way for 1,000 feet in either direction of any access point or access located on the site.
21. **Lighting and Glare.** All light fixtures shall be installed that have light sources aimed downward and shielded to prevent glare or reflection or any nuisance, inconvenience, and hazardous interference of any kind on adjoining streets or property.
22. **Restroom Facilities.** This permit authorizes events to be conducted with portable modular restrooms provided via a vendor licensed to operate in Solano County until any of the following conditions are met:
 - i. 18 total events have been conducted;
 - ii. More than six (6) events take place in a calendar year; or
 - iii. Five (5) years have passed since the date this permit is issued.

Once any of the above have occurred, the applicant will construct a permanent restroom facility and appropriately sized septic system prior to conducting any further events. Upon completion of the permanent restroom facility, the facility may be used for up to 12 events per calendar year with up to 150 attendees for as long as this permit remains in effect.

23. **Road Maintenance.** Prior to conducting any events under this permit, the permittee shall ensure that any necessary repairs are made, and that the Vickrey Lane remains safely passable by event attendees, emergency vehicles and residents of other properties accessed via the private road for the life of the permit. The permittee shall be responsible for maintenance costs proportionate to the use made of the private road easement.

Action Needed - Operational Controls				
COA #	Required to exercise Y/N	Action	When	Verified
10 above	N	Provide point of contact	Per condition and prior to opening to the public	

11 above	Y	Provide event management plan	By 9/9/26	
12 above	Y	Provide proof of commercial property insurance	By 9/9/26	
13 above	N	Provide event notification per condition	30 days prior to events	
22 above	N	Construct permanent restroom when required	Per condition	

BUILDING AND SAFETY DIVISION

24. **Building Permit Application.** Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2022 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 shall first make application to the building official and obtain the required permit."
25. **Certificate of 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.
26. **Site Accessibility Requirements.** The site and all facilities shall meet all the accessibility requirements found in Chapter 11B of the California Building Code. The licensed architect or professional engineer is required to design for the most restrictive requirements between ADA Federal Law and the 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 reflecting all site accessibility. The site shall be developed in a manner consistent with State and federal requirements for accessibility for disabled persons, including all parking areas, aisles and paths of travel and structures. The Applicant shall submit accessibility analysis prepared by a Certified Access Specialist (CAS). The analysis must state that the inspected structures and other site features meet both State and Federal accessibility requirements or specify what corrections are necessary to comply. The permittee shall make any necessary corrections that are necessary to comply. All accessible paths of travel and parking areas shall be hard-scaped surfaces as specified by the CAS specialist and shall meet all the worst-case requirements between Chapter 11 B of the California Building Code and ADA Federal law.
27. **Building Permit Plans.** The Building Permit plans shall include a code analysis as listed below and the design shall be under the current California Codes and all current rules, regulations, laws, and ordinances of local, State, and Federal requirements. Upon Building Permit submittal, the licensed architect shall provide the following building code analysis:
- Occupancy Classification
 - Type of Construction
 - Seismic Zone
 - Location on Property
 - Height of all buildings and structures
 - Number of stories
 - Occupant Load
 - Allowable Floor Area
28. **Plans and Specifications.** Shall meet the requirements as per section 105 of the current 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 work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinance, rules, and regulations, as determined by the building official.”

Action Needed - Building Division				
COA #	Required to exercise Y/N	Action	When	Verified
24 above	N	Submit building permit applications prior to any new construction	Per condition	
26 above	N	Complete any required accessibility improvements	Prior to operation	

ENVIRONMENTAL HEALTH DIVISION

29. **Pool Safety.** A locking fence, or some other barrier, is required around the non-operating pool to ensure that there is no unauthorized use of the pool. The fence should be at least five (5) feet in height, have a gap no more than two (2) inches off the ground, have gaps on the fencing four (4) inches or less in size, and be equipped with a self-closing and self-latching gate.

30. **Hazardous Materials Requirements.** Environmental Health staff observed reportable quantities of hazardous materials onsite, including two above ground diesel / fuel storage tanks that were each larger than 55 gallons in capacity.

The applicant is advised that the storage, handling, and/or use of hazardous materials in quantities equal to or greater than 55 gallons of liquids, 200 cubic feet for gases, 500 lbs. for solids requires the creation of a Hazardous Materials Business Plan (HMBP), which consists of facility information, hazardous materials inventory, site diagram, emergency response plan, and an employee training plan, on the online California Environmental Reporting System (CERS) within 30 days of bringing the material onsite.

The facility shall immediately create a HMBP on the CERS system and update it at least annually or reduce the amount of hazardous materials onsite to below reportable quantities.

31. **Solid Waste.** The facility shall maintain adequate garbage service with minimum collection frequency of at least once every seven (7) days.

32. **Sewage Disposal Requirements.** Prior to construction of permanent restrooms, the Applicant shall apply for a permit to install an onsite wastewater treatment system (OWTS) that is adequately sized to handle the anticipated maximum wastewater generation by the proposed structure and uses under Solano County Code Ch. 6.4.

- a. The facility shall adhere to all requirements of Solano County Code Ch. 6.4 related to the design, siting, installation, operation, and maintenance of an onsite septic system.
- b. The facility shall remain in compliance with all operation, maintenance, and reporting requirements of Environmental Health regarding the OWTS system for the duration of the Use Permit.

Action Needed - Environmental Health Division				
COA #	Required to exercise Y/N	Action	When	Verified
29 above	Y	Install pool fence	By 9/9/26	
30 above	Y	Create Hazardous Materials Business Plan	By 9/9/26	

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on September 9, 2025 by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

MITCH H. MASHBURN, Chair
Solano County Board of Supervisors

ATTEST:
BILL EMLLEN, Clerk
Solano County Board of Supervisors

By: _____
Alicia Draves, Chief Deputy Clerk