



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 2/11/2025

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Permit & Resource Management Department

Staff Name and Phone Number: Director Tennis Wick, Cecily Condon (707) 565-1958

Vote Requirement: Majority

Supervisorial District(s): District Four

Title:

Consent, Appeal of Revocation for UPE07-0112, at 3660 Copperhill Lane, Continued from January 28, 2025.

Recommended Actions:

Permit Sonoma recommends that the Board of Supervisors adopt a Resolution upholding the April 5, 2024 Farrow Ready Mix Appeal of the Board of Zoning Adjustments March 28, 2024 revocation of Permit Sonoma File No. UPE07-0112 located at 3660 Copperhill Lane, Santa Rosa.

Executive Summary:

On January 28, 2025 the Board of Supervisors held a public hearing at which time all interested parties were invited to be heard and directed Staff to return with a resolution upholding the April 5, 2024 Farrow Ready Mix Appeal of the Board of Zoning Adjustments March 28, 2024 revocation of UPE07-0112.

Following the Board of Zoning Adjustments' review and subsequent decision to revoke the permit, the applicants took action to comply with the original permit's outstanding conditions of approval, including but not limited to securing the avigation easement, sewer and water connections, payment of mitigation fees, applications for additional permits, and requesting demolition permits for unpermitted site improvements. The applicants have continued to pursue compliance with the permit, UPE07-0112.

Final permit approval of Occupancy, or Final, on all pending permits or successor permits of, BLD24-2332 and BLD24-3307, DEM24-0034, DEM24-0249, SEW23-0141, SEW16-0050, and payment of all outstanding permit fees, will abate violations VBU11-0102 and VBU11-0102. If the violations are abated and costs paid, then the violations will be closed and operation may continue under UPE07-0112 subject to conditions.

Discussion:

On March 28, 2024, the Board of Zoning Adjustments adopted a resolution to revoke use permit UPE07-0112 located at 3660 Copperhill Lane. The Board of Zoning Adjustments held a public hearing to revoke UPE07-0112 for non-compliance with the Conditions of Approval and violations of the Sonoma County Code; including Chapter 7, Building Code, and Chapter 26, Zoning Code. The Use Permit, UPE07-0112, was conditionally approved on April 22, 2008, with approval extended to June 29, 2011, for a concrete manufacturing plant on a 1.2-acre portion of a 6.78-acre parcel including a batch plant, 250 sq ft mobile office, and on-site truck storage for up to 8 trucks. Hours of operation are from 5 a.m. until 5 p.m. with up to 5 employees and 45 estimated truck trips per day. Though a concrete batch plant was installed and started operations the preoperational conditions on the Permit were never fully satisfied and no use permit certificate was issued on the subject

parcel. A timely appeal of the revocation was filed by the project applicants on April 05, 2024.

Following the Board of Zoning Adjustments' review of staff's recommendation and subsequent decision to revoke the permit, the applicants took action to comply with the original permit's outstanding conditions of approval, including but not limited to securing the avigation easement, sewer and water connections, payment of mitigation fees, applications for additional permits, and requesting demolition permits for unpermitted site improvements. At the time this staff report was drafted, full compliance had not occurred because while applications for additional needed permits have been submitted, required work to come into code compliance pursuant to those permits has not yet occurred. If work under the currently applied for permits is satisfactorily completed, it appears that all known building code violations from 2011 would be resolved. If the applicant demonstrates compliance with conditions of approval, including a site plan confirming the operation is consistent with the approved 1.2-acre project footprint, it appears that all know use permit compliance violations from 2011 would be resolved.

If the Board upholds the appeal and decides not to revoke the permit, staff would still be able to pursue other remedies for code compliance in lieu of revocation. Final permit approval of Occupancy, or Final on all pending permits or successor permits of, BLD24-2332 and BLD24-3307, DEM24-0034, DEM24-0249, SEW23-0141, SEW16-0050, and payment of all outstanding permit fees, will abate violations VBU11-0102 and VBU11-0102. If the violations are abated and costs paid, then the violations will be closed. At the January 28, 2025 hearing the Board of Supervisors considered the revocation of UPE07-0112. The Board discussion identified in the record the actions taken by the current operator to abate the violations since the Board of Zoning Adjustments revocation and provided direction to Staff to return with a resolution that would not revoke the permit and allows the operator to continue bringing the project into compliance.

Failure to complete abatement of these violations would result in continued encumbrance of this property by notice of abatement or liens. However, if the property owner desires to sell or refinance the property, it is the Department's practice to work with the property owner to effectuate these goals. If the property owner intends to sell the property, the Department will negotiate a signed abatement agreement with the buyer to allow release of these liens to allow such transaction to move forward. If the property owner intends to seek refinancing, the county will negotiate a signed abatement agreement with the property owner to temporarily remove the liens to allow such financing to occur. Additionally, adoption of a resolution upholding the appeal allows the permit holder to continue to pursue compliance. Such action does not restrict the County's future enforcement should compliance not be achieved.

Prior Board Actions:

January 28, 2025: the Board of Supervisors held a public hearing at which time all interested parties were invited to be heard and directed Staff to return with a Resolution upholding the April 5, 2024 Farrow Ready Mix Appeal of the Board of Zoning Adjustments March 28, 2024 revocation of UPE07-0112 ([SONOMA COUNTY - File #: 2024-0866 <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=7101801&GUID=B3F7C7E3-5535-41B8-879B-B90913E5EA3F&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=7101801&GUID=B3F7C7E3-5535-41B8-879B-B90913E5EA3F&Options=&Search=>)).

Narrative Explanation of Fiscal Impacts:

Not Applicable

Narrative Explanation of Staffing Impacts (If Required):

Agenda Date: 2/11/2025

Not Applicable

Attachments:

Attachment 1: Board of Supervisors Resolution Upholding Appeal

Related Items "On File" with the Clerk of the Board:

Not Applicable