

DEPARTMENT OF RESOURCE MANAGEMENT

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COUNTY

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Planning Services Division

Solano County Zoning Administrator
Staff Report
MU-12-05-Rev1

Application No. MU-12-05-Rev1 Project Planner: Travis Kroger, Associate Planner		Meeting of April 17, 2025	
Applicant Brenda Bray 5778 Dixon Avenue West Dixon, CA 95694		Property Owner Same as applicant	
Action Requested: Consideration of Revision No. 1 of Minor Use Permit Application No. MU-12-05 of Brenda Bray (Discovery Land Care) to revise the existing landscape care and maintenance business to change the number of employees who work off-site from two (2) to five (5), change the parking and storage locations of supplies and equipment as shown on the provided site plan, and convert the as-built apartments in the existing egg barn into an employee breakroom and ADA restroom, located at 5778 Dixon Road West 0.75 miles northwest of the City of Dixon, in a "A-40" Exclusive Agricultural Zoning District, APN" 0109-020-080.			
Property Information:			
Size: 4.56 acres (total):		Site Address: 5778 Dixon Avenue West	
Assessor's Parcel Number (APN): 0109-020-080		SRA Designation: Local Responsibility Area	
Zoning: Exclusive Agriculture 40-acre minimum (A-40)		Land Use: Cottage Industry – Limited/Nursery	
General Plan: Agriculture		Ag. Contract: N/A	
Utilities: Private well/septic system		Access: Dixon Avenue West	
Adjacent General Plan Designation, Zoning District, and Existing Land Use:			
	General Plan	Zoning	Land Use
North	Agriculture/Agricultural Reserve Overlay	Exclusive Agriculture 40-acre min (A-40)	Agriculture
South	Agriculture/Agricultural Reserve Overlay	Exclusive Agriculture 40-acre min (A-40)	Nursery
East	Agriculture/Agricultural Reserve Overlay	Exclusive Agriculture 40-acre min (A-40)	Vacant Land
West	Agriculture/Agricultural Reserve Overlay	Exclusive Agriculture 40-acre min (A-40)	Nursery
Environmental Analysis: The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15301 Class 1 – Existing Facilities, which includes minor alterations, repairs, and additions to existing structures and therefore is exempt from further environmental review.			
See the Environmental Analysis section for further details.			

Staff Recommendation

Staff recommends that the Zoning Administrator **ADOPT** the attached resolution with respect to the enumerated findings and **APPROVE** Revision No. 1 to Minor Use Permit No. MU-12-05 subject to the recommended conditions of approval.

DISCUSSION

Setting

The project is in northern Solano County, 1.25 miles west of the City of Dixon at 5778 Dixon Avenue West and consists of a single APN (0109-020-080) which is 4.56 acres in size. As identified by the General Plan, the property is situated in the Dixon Ridge agricultural region which provides for a combination of agricultural production, agricultural processing, and agricultural services.

The subject property is zoned Exclusive Agriculture 40-acre minimum (A-40) zoning district, and is developed with a primary dwelling, secondary dwelling (unpermitted, with an as-built Building Permit application in review) and several accessory structures and is primarily used for a nursery and landscape maintenance business. Access to the property is via an existing driveway from Dixon Avenue West.

Surrounding Land Use

Adjacent parcels are mainly used for residential and agricultural use, with another nursery located to the west.

PROJECT DESCRIPTION

Existing Use

Several existing buildings on the parcel were constructed in the 1950s for the James Egg Ranch. A nursery and landscaping business "Discovery Land Care" was permitted by MU-12-05 in 2012 to operate as a Cottage Industry – Limited and Nursery with Public Sales including improvements to the existing egg ranch buildings and infrastructure.

Proposed Revisions

Since approval of MU-12-05, several unpermitted modifications have been made to the former poultry ranch buildings including conversion into two (2) apartments, conversion of a detached garage into a secondary dwelling, addition of interior walls, removal of a portion of one building and construction of a new end wall at the rear of the property, and addition of an office area at the front of the property. The required detached ADA accessible restroom was also never completed due to high construction cost.

The unpermitted garage conversion to a Secondary Dwelling does not require separate Planning entitlement, so the property owner has submitted a Building Permit application (B2024-0546) to legalize this structure.

Discovery Land Care will continue to operate from the site in compliance with the standards for a Cottage Industry – Limited with storage, parking and office areas as shown on the approved plans. Instead of the originally proposed standalone ADA compliant restroom, one of the existing apartments will be converted to an employee break room and restroom. The remaining unpermitted improvements will be permitted as necessary (including any required modifications to meet code requirements) or removed including the following:

- a. The second unpermitted apartment will be converted back to storage space.
- b. The office addition at the front of the old poultry barn will be permitted for the appropriate occupancy.
- c. The new end wall at the rear of the poultry barn will be permitted.
- d. All interior modifications (walls, doors) will be permitted or removed, as necessary.
- e. The existing unpermitted carport and dog kennel adjacent to the primary dwelling will be permitted or removed.
- f. All shipping containers will be permitted or removed.

The nursery will continue to operate as permitted, with public sales permitted but not planned at this time.

A new septic system will also be constructed to serve the new employee breakroom and Secondary Dwelling.

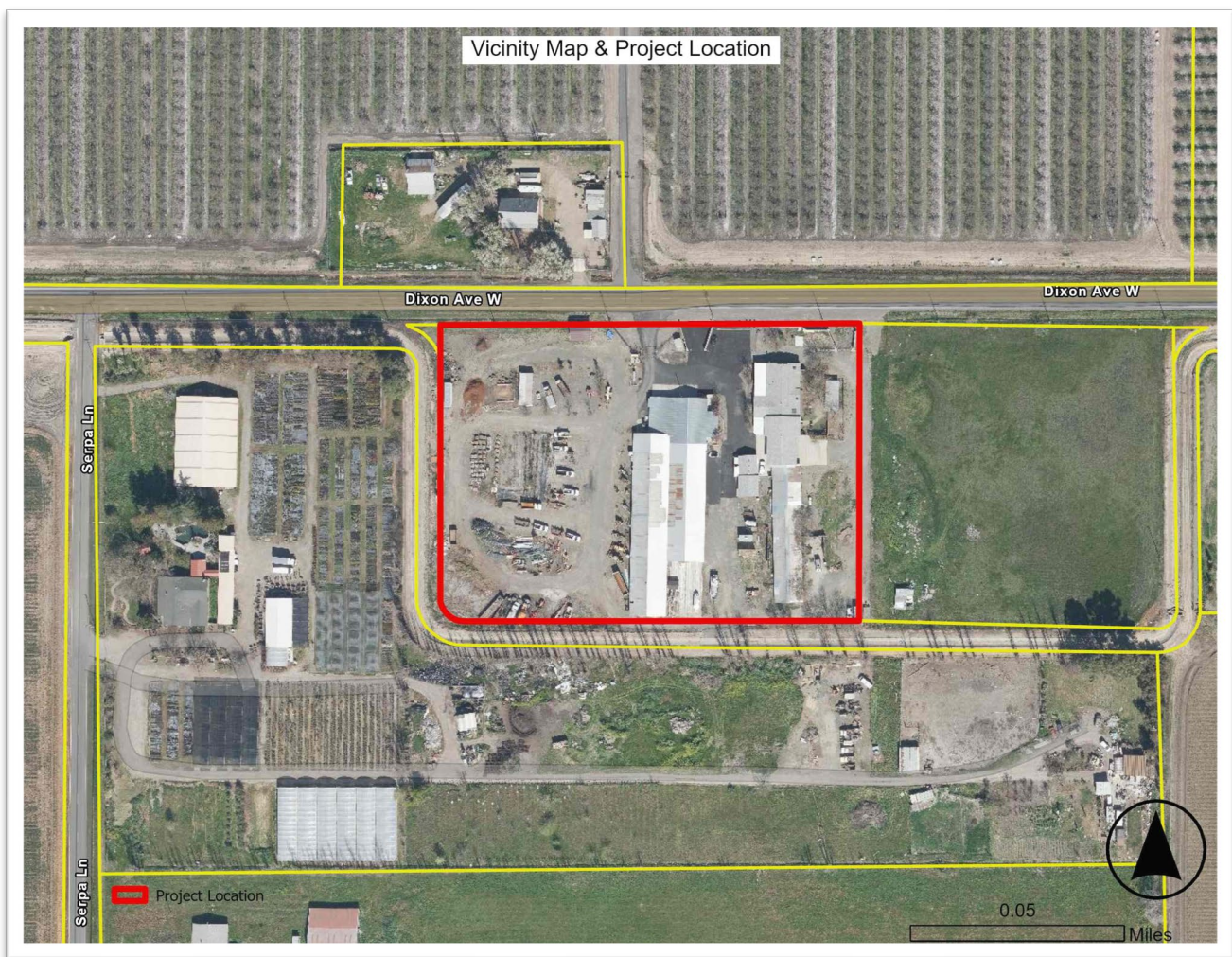


Figure 1: Vicinity Map and Project Location

LAND USE CONSISTENCY

General Plan

The project site is designated Agriculture by the General Plan Land Use diagram (Figure LU-1) of the Solano County General Plan and zoned Exclusive Agriculture 40-acre minimum (A-40). The location is in the Dixon Ridge Agricultural Region (Figure AG-4), which has a minimum lot size of 40 acres. The

existing zoning is consistent with the 2008 General Plan, and the proposed Cottage Industry – Limited and Nursery are allowed in the A-40 zoning district subject to the applicable regulations and permitting requirements detailed below.

Zoning

General Standards: The proposed facility will meet all standards listed in Section 28.72.10 of the Solano County Code when operated in compliance with the proposed conditions of approval.

Specific Standards: The subject parcel is zoned A-40, where a Cottage Industry – Limited is allowed with approval of a Minor Use Permit subject to 28.72.40(A) & (B)(1) of the Solano County Code. A Nursery with Public Sales (although no public sales are proposed) is allowed by right when accessed via a public road.

As proposed and conditioned, this project will comply with all applicable zoning standards as described.

ENVIRONMENTAL ANALYSIS (CEQA)

The project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301 Class 1 – Existing Facilities. The work proposed by this permit includes alterations including changes to interior walls, electrical and plumbing alterations, repair of deteriorated structures, and additions of less than 50% of the existing floor area, all of which are consistent with a Class 1 exemption.

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

PUBLIC HEARING NOTICE

In accordance with Solano County Zoning Regulations, a Notice of Public Hearing (Attachment C) was published at least 15 days before the scheduled hearing in the Fairfield Daily Republic. In addition, all property owners of real property as shown on the latest equalized assessment roll within 1/2 mile of the property, and all persons requesting notification, were mailed notices of the hearing.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings and **APPROVE** Revision No. 1 of Minor Use Permit No. MU-12-05, subject to the recommended conditions of approval.

Attachments:

- A. Draft Resolution
- B. Development Plans
- C. Public Notice

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. 25-XX

WHEREAS, the Solano County Zoning Administrator has considered Revision No. 1 of Minor Use Permit Application No. MU-12-05 of Brenda Bray (Discovery Land Care) to revise the existing Cottage Industry – Limited landscape care and maintenance business to change the number of employees who work off-site from two (2) to five (5), change the parking and storage locations of supplies and equipment as shown on the provided site plan, and convert the as-built apartments in the existing egg barn into an employee breakroom and ADA restroom, located at 5778 Dixon Road West 0.75 miles northwest of the City of Dixon, in a “A-40” Exclusive Agricultural Zoning District, APN” 0109-020-080; 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 April 17, 2025; and

WHEREAS, after due consideration, the Zoning Administrator has made the following findings regarding 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 existing zoning designation of A-40 is consistent with the existing General Plan designation. The proposed use is conditionally permitted within the A-40 zoning district.

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

The site is accessed via Dixon Avenue West, a public road, and is developed with a residential well and private sewage disposal system. As proposed and conditioned, the existing and proposed facilities and development are adequate for the existing and proposed structures and land 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, 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 project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to the following:**

The project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301 Class 1 – Existing Facilities.

The work proposed by this permit includes alterations including changes to interior walls, electrical and plumbing alterations, repair of deteriorated structures, and additions of less than 50% of the existing floor area, all of which are consistent with a Class 1 exemption.

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

BE IT THEREFORE RESOLVED that the Zoning Administrator has approved Revision No. 1 of Minor Use Permit MU-12-05 subject to the following recommended 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 Revision No. 1 of Minor Use Permit MU-12-05, revised October 18, 2024, and as approved by the Solano County Zoning Administrator. Approval of this revision would authorize submittal of applications for all permits associated with the proposed development and permitting of existing unpermitted structures, and continued operation of the existing Cottage Industry - Limited landscape business and Nursery in compliance with all applicable standards and permitting requirements. All existing unpermitted development must either be properly permitted or removed within one (1) year of approval of this permit.
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. All existing construction of new structures or modification or expansion of existing structures completed without permits will require

after the fact building, grading, septic and any other permits specified by applicable regulations.

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 use permit and cessation of the permitted uses at the Permittee's expense.
6. **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 1-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.
7. **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 April 17, 2030, and the use remains in compliance with these Conditions of Approval.

Action Needed - Administrative				
COA #	Required to exercise Y/N	Action	When	Verified
7 above	N	Submit renewal application	Every 5 years	

OPERATIONAL CONTROLS

8. **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.
9. **Junk & Debris.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
10. **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.
11. **Odor.** The facility shall not cause objectionable odors on adjacent properties.
12. **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.
13. **Business Area.** The maximum area devoted to Discovery Land Care office space, product and vehicle storage and the nursery's non-plant inventory shall not exceed 3,000 square feet in the area as depicted on the approved Site Plan. In the event the nursery use is terminated, the maximum area devoted to the cottage industry shall not

exceed 1,500 square feet.

14. **PARKING.** No more than one work vehicle belonging to the operator and 2 personal employee vehicles may be parked in a location visible from Dixon Avenue West.

BUILDING AND SAFETY DIVISION

15. **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."
16. **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.
17. **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 Code Analysis:
- a. Occupancy Classification
 - b. Type of Construction
 - c. Seismic Zone
 - d. Location on Property
 - e. Height of all buildings and structures
 - f. Number of stories
 - g. Occupant Load
 - h. Allowable Floor Area
18. **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."
19. Complete calculations signed & stamped by a CA registered professional engineer or architect demonstrating that the structure will be brought into compliance with the 2022 California Building Code

20. For each existing unpermitted structure, either application for a demolition permit is required to remove the structure, or application for a Building Permit is required. The plans shall comply with the 2022 California Building Code and the following design criteria:

- **Wind:** Basic Wind Speed 93 MPH, Exposure C.
- **Seismic:** Seismic Design Category D.
- **Snow:** Ground Snow Load 0 pounds per square foot
- **Minimum Foundation Depth:** 12 inches

Action Needed - Building Division				
COA #	Required to exercise Y/N	Action	When	Verified
15 above	Y	Submit Building Permit or Demolition Permit application for all unpermitted structures	By April 17, 2026	

DIXON FIRE PROTECTION DISTRICT

21. Comply with the Dixon Fire District requirements.

ENVIRONMENTAL HEALTH DIVISION

22. **Sewage Disposal Requirements.** The facility shall continue to operate and maintain the existing alternative onsite wastewater treatment system (OWTS) in accordance with Solano County Code Ch. 6.4. Records indicate that the OWTS system is under County Operation and Maintenance permit # 802831. The facility shall submit annual reporting and once every three-year professional maintenance reports, as specified under Solano County Code Ch. 6.4-56.

23. **Septic Permit Required.** A septic permit will be required when the building permit application to legalize the unpermitted garage residence is submitted. The employee restrooms and break room shall either be connected to the existing septic system or shall be connected to the new system. The facility shall either connect any remaining plumbing fixtures within the two unpermitted residences within the former chicken coop to an approved septic system, or they shall remove the plumbing fixtures under Building Division permit. The new septic system will need to be constructed, maintained, and operated in accordance with Solano County Code Ch. 6.4. Any alternative type septic system will need to submit annual pump count reporting and once every three-year septic professional maintenance reports as specified under Solano County Code Ch. 6.4-56.

24. **Hazardous Materials.** The facility shall create a Hazardous Materials Business (HMBP) if it handles, stores, or uses hazardous materials in reportable quantities. Reportable quantities of hazardous materials are those equal to or greater than 55 gallons of liquids, 200 cubic feet for gases, 500 lbs. for solids. Within 30 days of exceeding any of the threshold hazardous materials quantities, the HMBP must be created on the online California Environmental Reporting System (CERS).

Action Needed - Environmental Health Division				
COA #	Required to exercise Y/N	Action	When	Verified
22 above	N	Submit annual septic O & M permit reports	Annually	
23 above	N	Obtain septic permit as part of effort to legalize ADU	Concurrent with building permits to legalize ADU	
24 above	N	Create HMBP	Per condition when required	

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 17, 2025.

Allan M. Calder, Planning Manager
Resource Management

BRAY

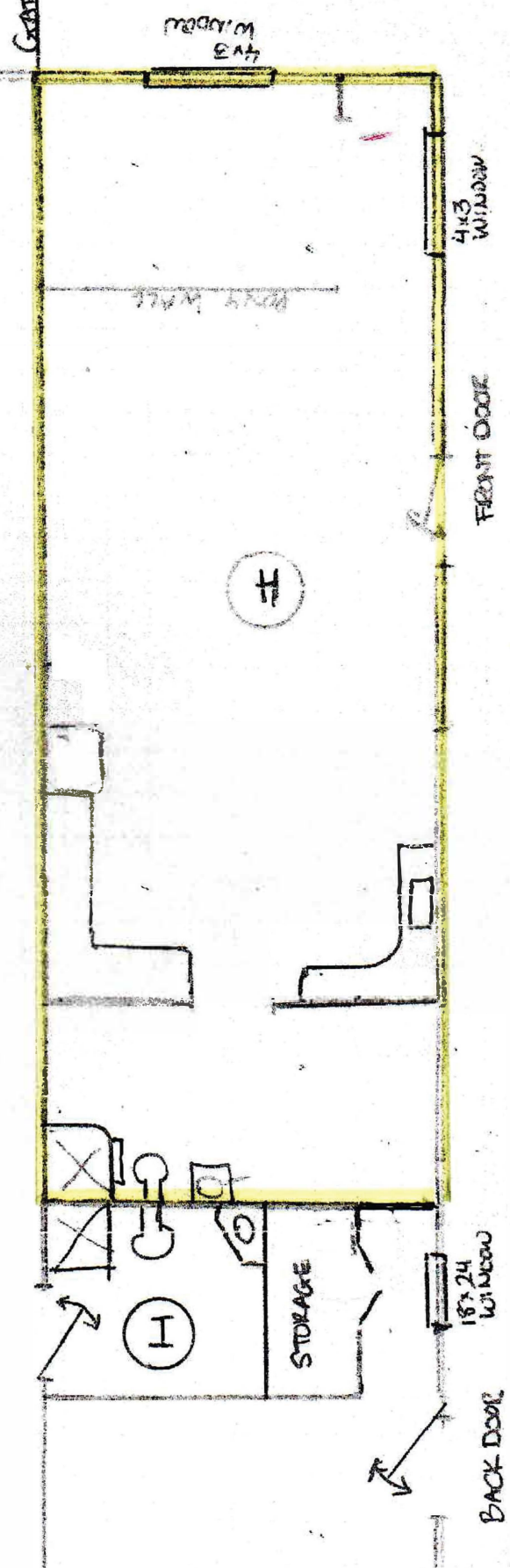
5778 DIXON AVE W
DIXON, CA

FLOOR PLAN AFTER REQUESTED CHANGES

Changes are: 1) REMOVE RANGE

2) INSTALL GRIP BAR ON LEFT SIDE OF SHOWER

NO REMOVAL OF ANY WALL IS A PART OF SOW



6' WOOD FENCE

RAISED PLANTER

BACK DOOR

18x24 WINDOW

FRONT DOOR

4x3 WINDOW

4x3 WINDOW

POT

I

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STORAGE

GATE

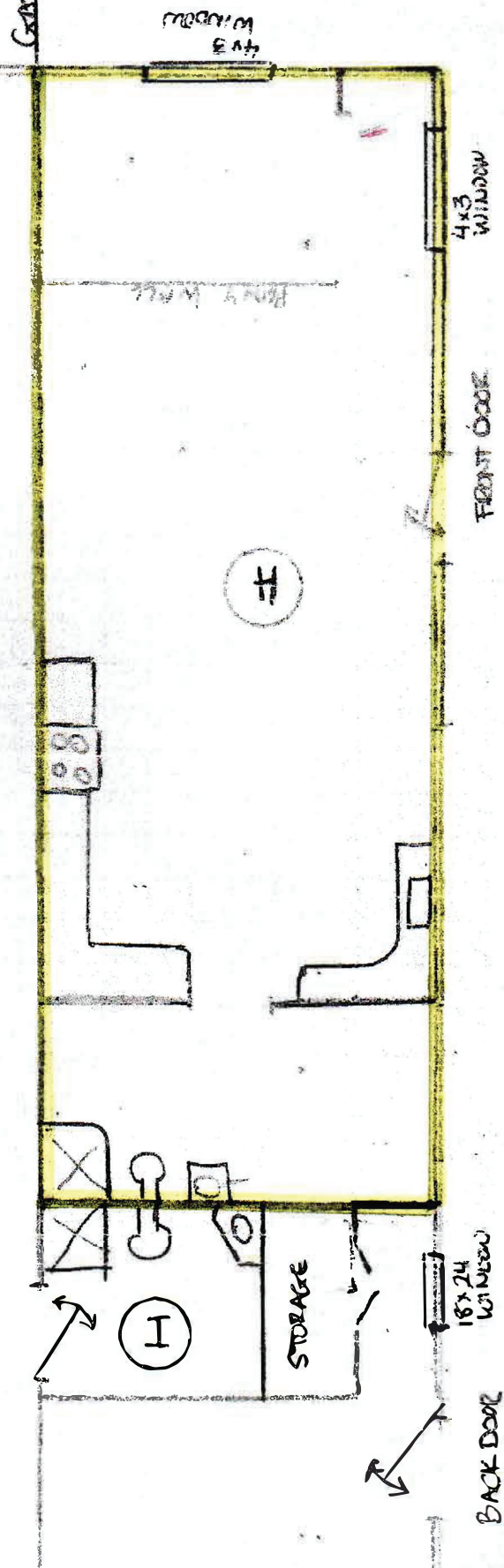
5778 Dixon Ave West
Detail of Accessory Building
Production area, office, etc

BRAY
5778 DIXON AVE WEST
DIXON, CA

FLOOR PLAN BEFORE REQUESTED CHANGES

Former Lockroom to be
Used as employee restroom +
break area, before required changes

5778 Dixon Ave West,
Detail of Accessory Building
Production area, office, etc

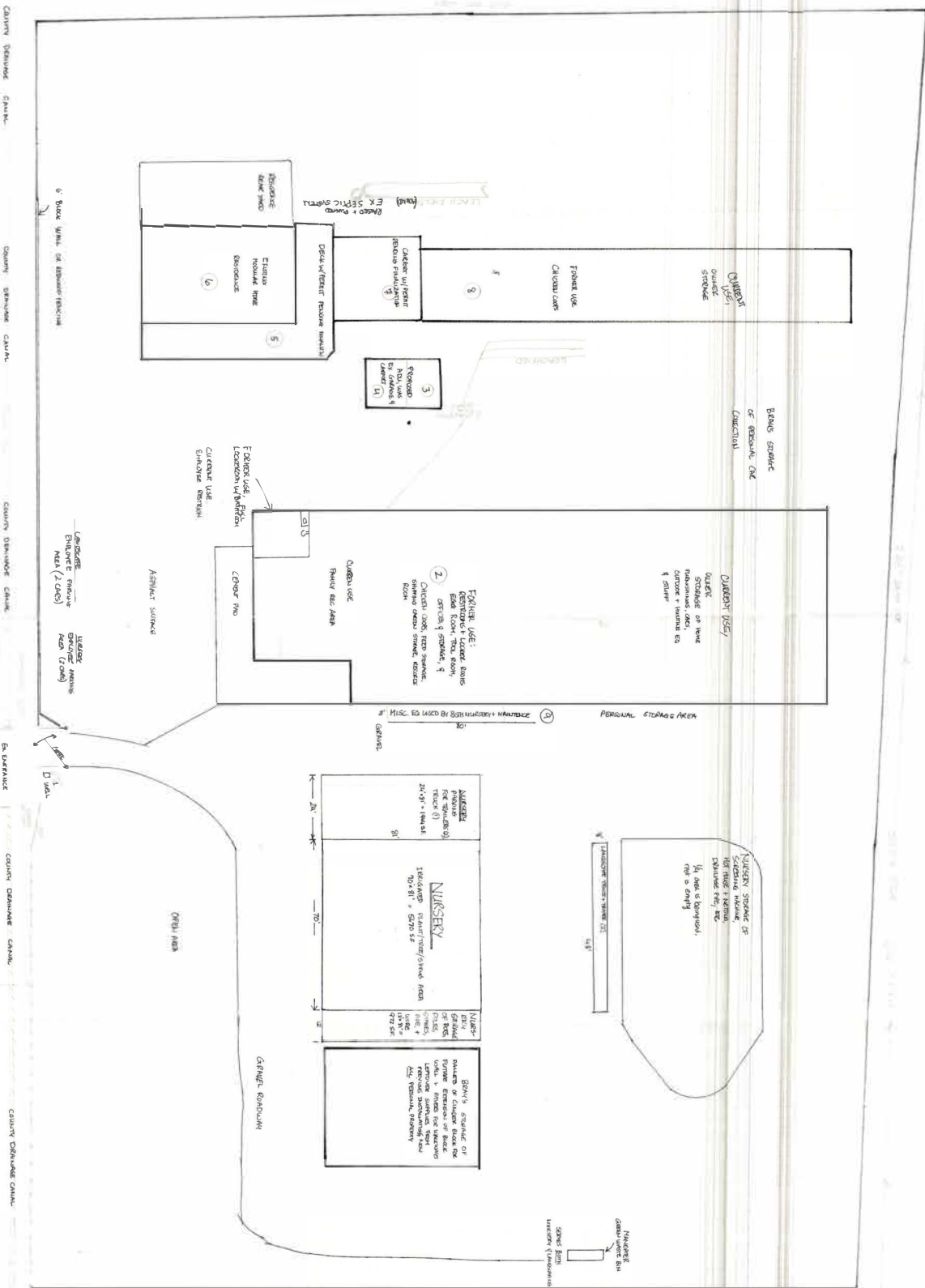


6' WOOD FENCE

RAISED PLANTER

- 1 TO REMAIN STRUCTURES ON SITE 11/6/2004
2 TO SHOW AREAS FOR NEP APPLICATION
3 DETAILS OF FUTURE USE AND CURRENT USE

SITE MAP



1. WELL

2. EXISTING STRUCTURE (REMAINS)

3. EXISTING STRUCTURE (REMAINS)

4. EXISTING STRUCTURE (REMAINS)

5. EXISTING STRUCTURE (REMAINS)

6. EXISTING STRUCTURE (REMAINS)

7. EXISTING STRUCTURE (REMAINS)

8. EXISTING STRUCTURE (REMAINS)



DEPARTMENT OF RESOURCE MANAGEMENT



Planning Services Division

NOTICE OF PUBLIC HEARING

(Zoning Administrator)

NOTICE IS HEREBY GIVEN that the Solano County Zoning Administrator will hold a PUBLIC HEARING to consider the Application for Revision No. 1 of Minor Use Permit No. MU-12-05 of Brenda Bray (Discovery Land Care) to change the number of employees who work off-site from two (2) to five (5), change the parking and storage locations of supplies and equipment as shown on the provided site plan, and convert the as-built apartments in the existing egg barn into an employee breakroom and ADA restroom. The property is located in the "A-40" Exclusive Agricultural Zoning District. The project has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301. The property is located at 5778 Dixon Road West 0.75 miles northwest of the City of Dixon, APN" 0109-020-080. (Project Planner: Travis Kroger, 707-784-6765)

The hearing will be held on **Thursday, April 17, 2025 at 10:00 a.m.** in the Department of Resource Management Conference Room, 5th Floor, County Administration Center, 675 Texas Street, Fairfield, California. Staff reports and associated materials will be available to the public approximately one week prior to the meeting at www.solanocounty.gov under Departments; Resource Management; Boards, Commissions & Special Districts; Solano County Zoning Administrator.

The County of Solano does not discriminate against persons with disabilities. If you wish to participate in this meeting and you will require assistance in order to do so, please call 707-784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC COMMENTS:

In-Person: You may attend the public hearing at the time and location listed above and provide comments during the public speaking period. Email/Mail: Written comments can be emailed to Planning@SolanoCounty.gov or mailed to Resource Management, Zoning Administrator, 675 Texas Street, Suite 5500, Fairfield, CA 94533 and must be received by 8:00 a.m. the day of the meeting. Copies of written comments received will be provided to the Zoning Administrator and will become a part of the official record but will not be read aloud at the meeting.

If you challenge the proposed consideration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

Daily Republic - legal ad/one time – Wednesday, April 2, 2025