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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-05-01-CR2 (Silveyville Farm)

Project Planner: Eric Wilberg

Location: 5415 Silveyville Road

General Plan: Agriculture

Meeting of: August 20, 2015

Agenda Item No. 1

APN: 0108-050-130

Zoning: Exclusive Agriculture 'A-40'

Proposal

The applicant has filed compliance review No. 2 of Use Permit U-05-01 for the continued use of a veterinary facility. Pursuant to Section 28.106(N) of the County Zoning Regulations, use permits subject to periodic renewal shall be administratively approved if all of the following criteria are met:

- 1) The permittee has requested renewal;
- 2) The permittee has paid the applicable renewal fee; and
- 3) The use is being conducted in compliance with all conditions of the use permit.

Background

Use Permit U-05-01 was granted on June 2, 2005 by the Solano County Zoning Administrator which established a veterinary facility that primarily serves food producing animals (pigs, sheep, and cattle). A subsequent renewal has extended the permit term through June 2, 2015.

Review and Recommendation

Based on the application materials submitted for this renewal and review of the approved development plans and conditions of approval, staff has determined that the veterinary business quarters is being operated in compliance with U-05-01. Staff recommends approval based on the following findings:

1. The applicant filed an application for a renewal.
2. The applicant has paid the necessary permit renewal fee.
3. The permitted use is operating in compliance with the conditions of approval as set forth in U-05-01.

Updated Permit Term (Condition of Approval No. 12)

The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic reviews shall be charged at that time (The next scheduled compliance review is due June 2, 2020).

Attachment - U-05-01 Permit and Planning Commission Resolution No. 4416



Department Of Resource Management
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ORIGINAL

signed original to app 6/28/05

LAND USE PERMIT NO. U-05-01

JON AND KAREN WHITEHAIR

(permittee)

To establish a veterinary facility, providing traditional veterinary services, including evaluation of animals for medical and surgical problems, and evaluation of medical products. The facility will primarily serve food producing animals (pigs, sheep, and cattle). The project is located on Silveyville Road, approximately 2.5 miles northwest of the City of Dixon in an "A-40" Exclusive Agricultural Zoning District, APN: 0108-050-130.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit, if any, are attached.


Granting or conditional granting of this permit does not release the permittee from complying with all other county, state or federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

Date Granted June 2, 2005

SOLANO COUNTY PLANNING COMMISSION

Issued by:


Birgitta E. Corsello, Director/Secretary

Date

6/28/05

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4416**

WHEREAS, the Solano County Planning Commission has considered Use Permit Application No. U-05-01 of **Jon and Karen Whitehair** to establish a veterinary facility, providing traditional veterinary services, including evaluation of animals for medical and surgical problems, and evaluation of medical products. The facility will primarily serve food producing animals (pigs, sheep, and cattle). The project is located on Silveyville Road, approximately 2.5 miles northwest of the City of Dixon in an "A-40" Exclusive Agricultural Zoning District, APN: 0108-050-130, and

WHEREAS, said 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 June 2, 2005, and

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

- 1. The establishment, maintenance or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution and other aspects of the General Plan;**

The establishment and operation of a veterinary services facility is consistent with the goals and the objectives and policies of Chapter 3, Agriculture and Open Space Land Uses, pg. 36-37c of the Solano County Land Use and Circulation Element which allow for uses that do not impact agricultural uses in the area.

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

External access to the site is from Silveyville Road with internal access via a private driveway. Onsite sewage disposal and potable water are proposed to serve the site. A building permit will be required for all proposed construction at the site, which will also include assurances that all structures adhere to the fire code.

- 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.**

The project consists of the establishment and operation of a veterinary facility that primarily serves animals related to commercial agriculture. An initial study of environmental impact has been processed, and potential impacts from traffic, noise, and nuisances were analyzed. No significant impacts to health, safety, peace or morals were identified.

- 4. The project is located on land contracted under the Williamson Act. Veterinary facilities that are related to the production of commercial agriculture (pigs, sheep, cattle, etc.) or any**

animals supportive of commercial agriculture are compatible uses per the Solano County Policy and Regulations Governing Agricultural Preserves and are therefore consistent with the Williamson Act.

5. The project has been reviewed and processed in accordance with the California Environmental Quality Act (CEQA) and the County EIR Guidelines. A Negative Declaration was prepared and made available for public review. The Planning Commission has considered the Negative Declaration and public comments thereon prior to acting on the project and finds that the Negative Declaration is adequate and there is no evidence that the project will have a significant impact on the environment.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does adopt the Negative Declaration and the recommended findings, including a finding that veterinary facilities specializing in services to food or fiber producing animals are a compatible use under the Williamson Act, and approve Use Permit Application No. U-05-01, subject to the following recommended conditions of approval:

1. The proposed veterinary operation shall be established in accord with the plans and information submitted with Use Permit Application No. U-05-01, and as shown on the approved site plan entitled Use Permit Plan, Veterinary Facility, drawn by Cooper Design Group, submitted to Solano County on March 4, 2005 and approved by the Solano County Planning Commission.
2. 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 surrounding properties.
3. Hours and days of operation for the proposed use shall be between 7:00am and 7:00pm, Monday through Saturday.
4. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan or those otherwise allowed by right, without prior approval of a new permit or minor revision to the use permit and additional environmental review.
5. If hazardous materials, including fuels, oils, lubricants, and/or welding gases are stored onsite, verification with Solano County Resource Management, Hazardous Materials Section shall be made regarding requirements for a Hazardous Materials Management Plan.
6. Prior to issuance of a building permit for a structure with interior plumbing, a sewage disposal system permit shall be approved by the Solano County Environmental Health Services Division, and the design shall be based on the largest potential wastewater flow from the proposed use.

7. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, demolishing any building or structure, fence or retaining wall regulated by the Solano County Building laws. Submit four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
8. Animals served by the proposed veterinary facility, including animals used for product research purposes, shall be related to the production of commercial agriculture (pigs, sheep, cattle, etc.).
9. The permittee shall apply for, obtain and comply with the requirements of a commercial encroachment permit from Public Works Engineering. The commercial encroachment permit shall be for the construction of any driveway connections to the public road.
10. Prior to issuance of building permits, all requirements of the Dixon Fire Protection District shall be met.
11. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
12. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic reviews shall be charged at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on June 2, 2005 by the following vote:

AYES:	Commissioners	<u>Hawkes, Plutchok, Moore, Mahoney and</u> <u>Chairman Barnes</u>
NOES:	Commissioners	<u>None</u>
ABSTAIN:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>None</u>

By: 

Birgitta Corsello, Secretary