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**DEPARTMENT OF RESOURCE MANAGEMENT**



**SOLANO COUNTY**

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Planning Services Division

**SOLANO COUNTY ZONING ADMINISTRATOR**

**Staff Report**

**Francesca Dog Kennel**

<b>Application No. U-03-07 MR 1</b> <b>Project Planner:</b> Nedzlene Ferrario		<b>Meeting of October 17, 2019</b> <b>Agenda Item No. 1</b>	
<b>Applicant</b> Francesca Marsh 6927 Cypress Trail Dixon, CA 95620		<b>Property Owner</b> Same as applicant	
<b>Action Requested</b> Establish group and private training lessons, for an existing kennel facility in the A-40 zoning district.			
<b>Property Information</b>			
Size: 10.07 acres		Location: 6927 Cypress Trail, Dixon, CA 95620	
APNs: 0141-020-160			
Zoning: A-40		Land Use: Residence and kennel	
General Plan: Agriculture		Ag. Contract: N/A	
Utilities: septic and well		Access: Cypress Trail	
<b>Adjacent General Plan Designation, Zoning District, and Existing Land Use</b>			
	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Agriculture	A-40	Residential
<b>South</b>	Agriculture	A-40	Canal/Agriculture
<b>East</b>	Agriculture	A-40	Residential
<b>West</b>	Agriculture	A-40	Agriculture
<b>Environmental Analysis</b> Determine that the project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.			
<b>Motion to Approve</b> <b>APPROVE</b> Minor Revision No. 1 of Use Permit U-03-07, subject to the findings and conditions of approval contained in this report.			

## **BACKGROUND**

The original use permit U-03-07 was approved in 2003, for a boarding and training facility to accommodate a maximum of 10 dogs. The dogs would then receive specialized obedience training in the pole barn or in the open, grassy play area to the south of the barn. The remainder of the time, the dogs would occupy their crates, which are enclosed in the two-car garage. Training services were rendered solely by the applicant, who also resides in the single-family dwelling on the property.

## **PROJECT DESCRIPTION**

The goal of this use permit revision is to incorporate the aspect of group training classes into the existing business and clarify the hours of operation in order to minimize noise and traffic nuisances to the neighborhood. Cypress Trail, a private road, provides access to three other residences nearby.

The hours of operations for the kennel and dog training classes are as follows:

- Kennel – Monday – Friday 9 am – 5 pm, Saturday and Sunday 1 pm – 4 pm, by appointment only.
- Group classes (maximum of 12 clients and 12 dogs per class)  
Saturdays 8 am – 1 pm  
Tuesdays and Thursdays 6:30 pm - 8:30 pm
- Private lesson (one client and one dog):  
Monday – Saturdays 7 am – 7 pm, by appointment only
- No private or group classes on Sundays.

By limiting the hours of operations and the class sizes, noise caused by barking dogs or vehicular traffic will not cause a significant impact to the neighborhood.

Private or group classes will draw members of the public to access designated areas of the property in order to receive training with their dogs. As required under ADA and California Code for the disabled, any buildings or structures intended to be open to the public shall be deemed accessible. Through the building permit process, the Solano County Building Division shall ensure that all applicable accessibility aspects of the business are properly addressed.

An existing gravel lot is available for customer parking. The lot can provide parking space for approximately 15 vehicles and is accessible from private driveway off Cypress Trail.

Trees, wooden and chain link fencing that enclose the graveled parking lot, barn and play area, help to physically and visually separate the residential portion of the property from the area designated for business.

The applicant will remain the sole trainer in the operation and will not require additional employees. The boarding aspect of the business shall remain unchanged and located in the approved, enclosed two-car garage. Customers will continue to be able to board their dogs by appointment only.

## **LAND USE CONSISTENCY**

The property is zoned A-40, a conditional use permit was granted for the kennel facility in 2003 consistent with zoning requirements.

## **ENVIRONMENTAL ANALYSIS (CEQA)**

The project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.

## **RECOMMENDATION**

**APPROVE** the proposed revisions to the use permit, subject to the findings and conditions of approval contained in this report.

## **MANDATORY FINDINGS**

- 1. That the establishment, maintenance or operation of the use applied for is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator.**

The dog boarding and training facility is consistent with the Agriculture land use designation of the Solano County General Plan. Policy conflicts have not been identified.

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

Existing access to the site is via 60-foot private graveled road (Cypress Trail) which connects to Fox Road, a County road. The site is adequately served by an on-site septic system and water well. Adequate parking is available for the clients.

- 3. That the applicant exhibits proof that such 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; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.**

Compliance with the conditions of approval will minimize impacts to the neighborhood.

- 4. The project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.**

## **CONDITIONS OF APPROVAL**

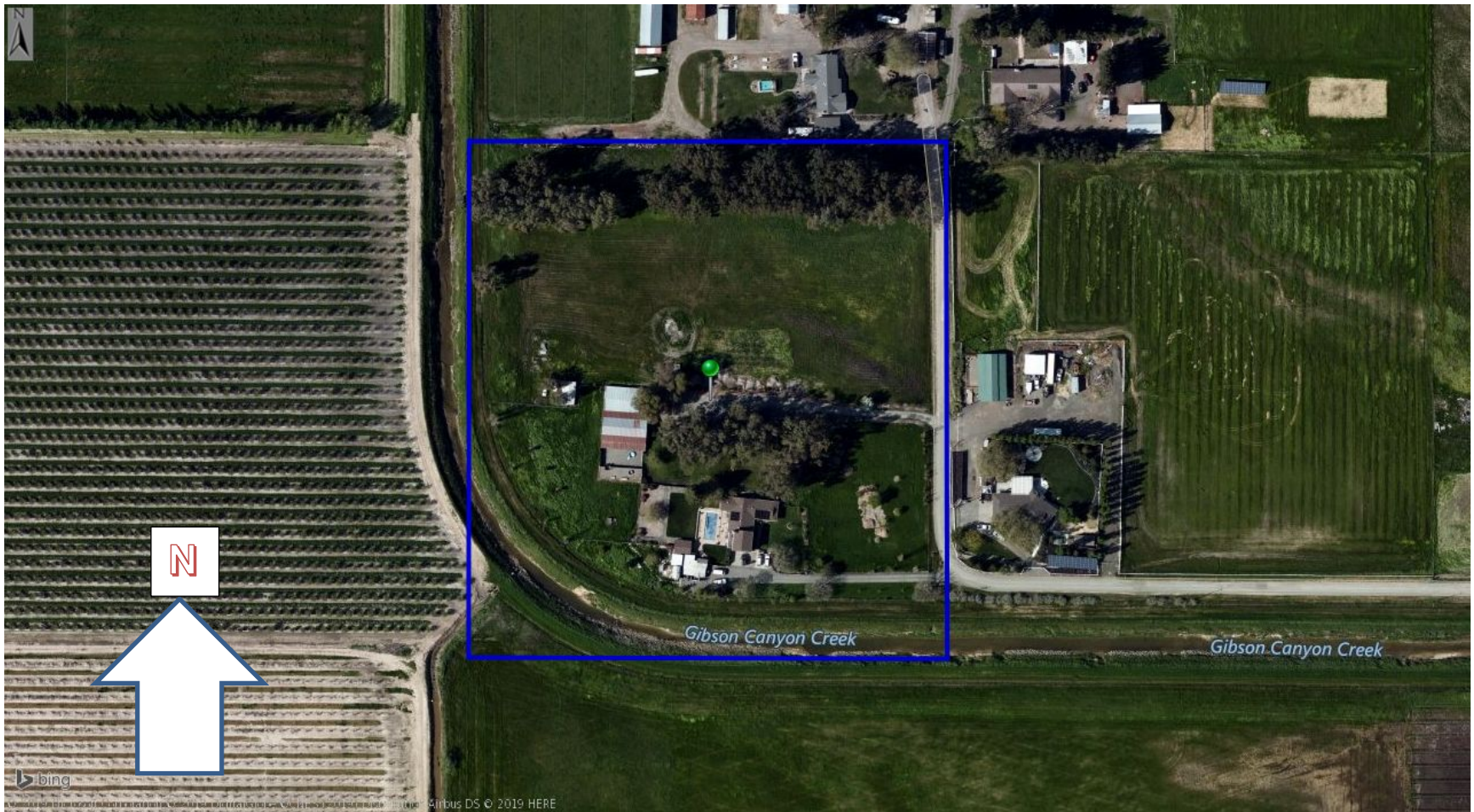
1. The kennel shall be established in accord with the plans and information submitted with Use Permit Application No. U-03-07 Minor Revision No.1 and approved by the Solano County Zoning Administrator.
2. The number of dogs boarded at the kennel facility shall not exceed 10. Kennel hours of operation are Monday through Friday 9 am – 5 pm, Saturday and Sunday 1 pm – 4 pm, by appointment only.
3. Private and Group dog training classes are permitted, instructed by the owner/operator. Private lessons (one client and one dog) hours are limited to Monday – Friday 7 am – 7 pm. Group classes (maximum of 12 clients and 12 dogs per class) hours are limited to

Saturdays 8 am – 1 pm. Tuesdays and Thursdays 6:30 – 8:30 pm. No private or group classes on Sundays.

4. A Solano County business license shall be obtained within 60 days of use permit approval.
5. 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 property.
6. No additional uses (except uses allowed under Chapter 28 of the Solano County Code) shall be established beyond those identified on the project site plan without prior approval of a minor revision to the use permit. No additional new or expanded buildings (except buildings which are uses allowed under Chapter 28 of the Solano County Code) shall be constructed without prior approval of a minor revision to the use permit, pursuant to Section 28-53(m) of the Solano County Code.
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. Comply with the accessibility requirements under the American Disability Act and California Code for the disabled, as required by the Building and Safety Division.
9. Comply with the Dixon Fire District rules and regulations.
10. Maintain the annual Operation and Maintenance permit for the onsite septic system to the satisfaction of the Environmental Health Division, Department of Resource Management.
11. If the facility serves 25 or more persons per day for 60 days or more during a year, it shall obtain a permit to operate a Public Water System (PWs) from the California Regional Water Quality Control Board, Division of Drinking Water. This number includes visitors, employees, and guests; be advised that the system will need to be designed for the maximum daily demand.
12. The premises shall be maintained in a neat and orderly manner and kept free of accumulated building materials, debris, or junk.
13. Failure to comply with any of the conditions or limitations set forth in the subject conditions of approval shall be cause for the revocation of this use permit, pursuant to Section 28-53(j) of the Solano County Code.
14. The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of August 21, 2023 and the approved use continues to remain in compliance with the conditions of approval.

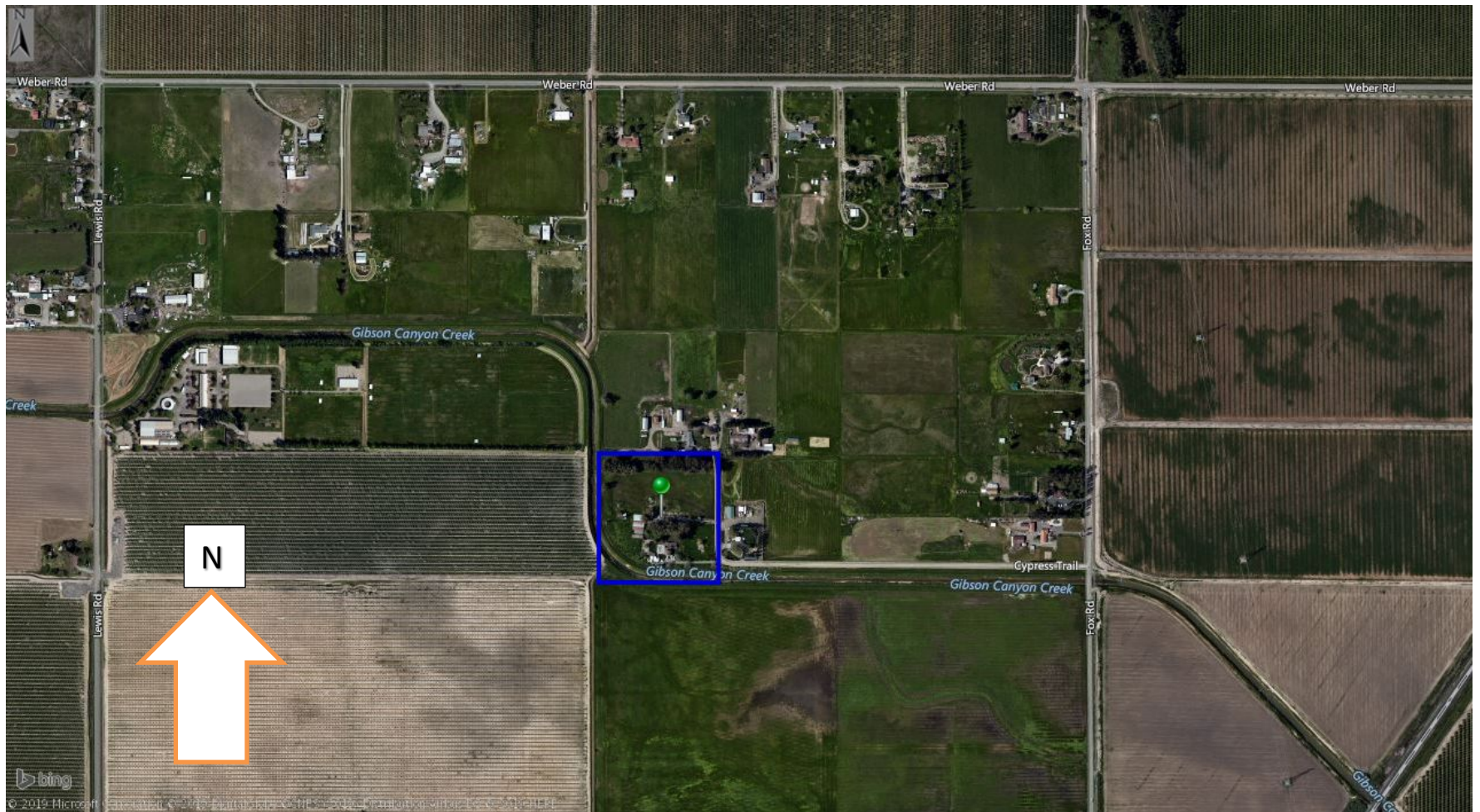
**Attachments:**

Exhibit A-Site Aerial  
Exhibit B-Vicinity Aerial



**EXHIBIT A**





**EXHIBIT B**

## **SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. 19-XX**

**WHEREAS**, the Solano County Zoning Administrator has considered Minor Revision No. 1 of Use Permit No. U-03-07 of **Francesca Marsh** to establish group and private training lessons, for an existing kennel facility. The facility is located at 6927 Cypress Trail, 3.25 miles southwest of the City of Dixon within the Exclusive Agriculture 40 acre minimum "A-40" Zoning District, APN: 0141020160 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 October 17, 2019 and;

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

1. That the establishment, maintenance or operation of the use applied for is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator.

The dog boarding and training facility is consistent with the Agriculture land use designation of the Solano County General Plan. Policy conflicts have not been identified.

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

Existing access to the site is via 60-foot private graveled road (Cypress Trail) which connects to Fox Road, a County road. The site is adequately served by an on-site septic system and water well. Adequate parking is available for the clients.

3. That the applicant exhibits proof that such 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; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.

Compliance with the conditions of approval will minimize impacts to the neighborhood.

4. The project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.

**BE IT THEREFORE RESOLVED**, that the Zoning Administrator has approved --- subject to the following recommended conditions of approval:

1. The kennel shall be established in accord with the plans and information submitted with Use Permit Application No. U-03-07 Minor Revision No.1 and approved by the Solano County Zoning Administrator.
2. The number of dogs boarded at the kennel facility shall not exceed 10. Kennel hours of operation are Monday through Friday 9 am – 5 pm, Saturday and Sunday 1 pm – 4 pm, by appointment only.
3. Private and Group dog training classes are permitted, instructed by the owner/operator. Private lessons (one client and one dog) hours are limited to Monday – Friday 7 am – 7 pm. Group classes (maximum of 12 clients and 12 dogs per class) hours are limited to Saturdays 8 am – 1 pm. Tuesdays and Thursdays 6:30 – 8:30 pm. No private or group classes on Sundays.
4. A Solano County business license shall be obtained within 60 days of use permit approval.
5. 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 property.
6. No additional uses (except uses allowed under Chapter 28 of the Solano County Code) shall be established beyond those identified on the project site plan without prior approval of a minor revision to the use permit. No additional new or expanded buildings (except buildings which are uses allowed under Chapter 28 of the Solano County Code) shall be constructed without prior approval of a minor revision to the use permit, pursuant to Section 28-53(m) of the Solano County Code.
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. Comply with the accessibility requirements under the American Disability Act and California Code for the disabled, as required by the Building and Safety Division.
9. Comply with the Dixon Fire District rules and regulations.
10. Maintain the annual Operation and Maintenance permit for the onsite septic system to the satisfaction of the Environmental Health Division, Department of Resource Management.
11. If the facility serves 25 or more persons per day for 60 days or more during a year, it shall obtain a permit to operate a Public Water System (PWs) from the California Regional Water Quality Control Board, Division of Drinking Water. This number includes visitors, employees, and guests; be advised that the system will need to be designed for the maximum daily demand.



12. The premises shall be maintained in a neat and orderly manner and kept free of accumulated building materials, debris, or junk.
13. Failure to comply with any of the conditions or limitations set forth in the subject conditions of approval shall be cause for the revocation of this use permit, pursuant to Section 28-53(j) of the Solano County Code.
14. The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of August 21, 2023 and the approved use continues to remain in compliance with the conditions of approval.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 17, 2019.

BILL EMLLEN, DIRECTOR  
RESOURCE MANAGEMENT

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Michael Yankovich  
Planning Program Manager