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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 R-514-MR1**

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| Application No. R-514-MR1 (Odom) Project Planner: Travis Kroger, Planning Technician | | Meeting of April 2, 2020 Agenda Item No. 1 | |
| Applicant Ken Odom 6677 Midway Road Dixon, CA 95620 | | Property Owner Ken Odom 6677 Midway Road Dixon, CA 95620 | |
| Action Requested Consideration of Minor Revision No. 1 to Land Use Permit R-514 to add an additional 50 kennels in a new 50' x 150' building to the existing 50 run commercial kennel. | | | |
| Property Information | | | |
| Size: 9.69 ac. (total) | | Location: 6677 Midway Road | |
| APN: 0112-040-120 | | | |
| Zoning: Exclusive Agriculture (A-40) | | Land Use: Large Kennel | |
| General Plan: Agriculture | | Ag. Contract: n/a | |
| Utilities: private well and City of Dixon sewer connection | | Access: Midway Road | |
| Adjacent General Plan Designation, Zoning District, and Existing Land Use | | | |
| | General Plan | Zoning | Land Use |
| North | Agriculture | Exclusive Agriculture (A-40) | Agricultural processing |
| South | Agriculture | General Manufacturing (MG-1/2) | Storage of trucks and recycled material |
| East | Agriculture | Exclusive Agriculture (A-40) | Agriculture – Row crops |
| West | Agriculture | Exclusive Agriculture (A-40) | Residential |
| Environmental Analysis The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. | | | |
| Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Revision No. 1 to Land Use Permit No. R-514 based on the enumerated findings and subject to the recommended conditions of approval. | | | |

BACKGROUND

The existing development on this parcel consists of a 50 run kennel permitted by Land Use permit R-514 and Building Permit R-8578 approved by the Solano County Planning Commission on April 5, 1971, a primary dwelling built at approximately the same time, a secondary dwelling permitted by Building Permit B2018-0262, a residential ground mount solar array permitted by Building Permit B2016-0839, a 348 square foot residential accessory structure permitted by Building Permit B2019-0017, and an existing unpermitted office structure to be removed as part of this project.

SETTING

The subject property consists of 9.69 acres of land, fronting on Midway Road in unincorporated Dixon. The surrounding parcels are developed with a mixture of agricultural, general manufacturing and residential uses.

PROJECT DESCRIPTION

The applicant has applied for a Minor Revision to Land Use Permit R-514 to construct a new 50' x 150' building with an office and an additional 50 dog runs, office, cattery, feed/supply room and a customer/staff restroom adjacent to the existing building to expand the total capacity from 50 dogs to 100. The existing unpermitted office structure will also be removed.

No other changes to the site or land use are proposed.

LAND USE CONSISTENCY

The parcel is designated Agriculture by the Solano County General Plan Land Use Diagram. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Exclusive Agriculture (A-40) Zoning District is consistent with this designation.

The subject site is zoned Exclusive Agriculture (A-40). Within this district, a large kennel or cattery is allowed subject to Section 28.76.20(A) & (B)(1) of the Solano County Code. These general requirements address access, setbacks, waste management and avoidance of public nuisance.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

Aerial images and permit history show that the parcel was originally developed with the existing kennel building and primary dwelling in the early 1970s, and a manufactured home, secondary dwelling and several accessory structures have been added since.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings and **APPROVE** Minor Revision No. 1 to Land Use permit R-514, subject to the recommended conditions of approval.

LAND USE PERMIT MANDATORY FINDINGS

- 1. That the establishment, maintenance or operation of the use or building 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 to be pertinent.**

This project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agriculture (A-40) zoning district. The Zoning of the property along with the existing use and proposed modifications is consistent with the General Plan.

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

The site is provided with water by an existing on-site private well and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Midway Road.

- 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.**

As conditioned, the proposed large kennel and cattery use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

ADDITIONAL FINDINGS

4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

CONDITIONS OF APPROVAL

General

1. The above use shall be established in accord with the application materials and development plans as submitted with Minor Revision No. 1 to Land Use permit R-514 filed December 2, 2019 and as approved by the Solano County Zoning Administrator.
2. The kennel will maintain a current Solano County Business License for as long as the business remains in operation.
3. Building Permits for the expansion proposed under this Minor Revision will be submitted within 1 year of approval of this application.
4. The as-built office structure will be removed within 1 year of approval of this Minor Revision.
5. Building Permit B2019-0017 for the existing as-built 348 square foot shed will be finalized within 1 year of this Minor Revision, or the structure removed.
6. Any further expansion to the business or additional development may require approval of a new Minor Revision to R-514.

Building and Safety Division

7. While the following comments are not all inclusive, they will act as a guideline for the requirements for the construction of any buildings or structures on the site now and in the future. These comments are not required on the application plan for the Use Permit, but (4) sets of plans will be required to be submitted to reflect all of the requirements in the latest edition of the codes adopted by the State of California and Solano County at the time of a construction permit application. These requirements, as well as all other required code requirements, shall be reflected on all construction drawings submitted for permit through Solano County Building Division.
8. The Building and any site improvements shall be designed using the 2019 California Building Standards Codes including the mandatory measures found in the new 2019 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
9. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2019 California Building Code, or the most current edition of the code enforced at the time of building permit application. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”**
10. Plans and Specifications shall meet the requirements as per Section 105 of the 2019 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.”** Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”
11. The fire district will reassess the site for fire life and safety requirements.

Dixon Fire District

12. The proposed new 5,360 square foot building does not meet the definition of an Agricultural building per the California Building and Fire Code. Solano County Fire Code Amendments may require this building to have automatic fire sprinklers installed meeting NFPA 13 requirements.

Public Works Division

13. Applicant shall apply for, secure and abide by the conditions of a Grading Permit for any grading on the property including, but not limited to, building site preparation, private access improvements, parking areas and walkways, as well as any onsite grading exceeding a total of 5,000 square feet.

14. Applicant shall apply for, secure and abide by the conditions of an Encroachment Permit for any work within the public right of way. Driveways must meet Solano County's commercial driveway standard and shall be maintained in such a manner as to prevent soil, rocks and debris from tracking onto Midway Road.
15. Off-site parking within the Midway Road public right-of-way shall be prohibited along the entire property frontage.

Environmental Health Division

16. Any new structure onsite that produce wastewater, including any new kennels, shall be tied into the City of Dixon sewer service.
17. The applicant shall obtain an applicable water system permit if it should exceed any of the thresholds:
 - Per the Health and Safety Code (HSC), §116275(n) and the California Code of Regulations (CCR) Title 17, §64211, a State Small Water System (SSWS) permit from Solano County is required if there are five to 14 structures connected to the water system onsite.
 - Per the HSC §116275(h), and CCR Title 17, §64552, a Public Water System (PWS) permit from the CA State Division of Drinking Water is required if the water system services more than 25 daily users for 60 or more days of the year.

Permit Term

18. 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 commencing April 2, 2020. The cost associated with the periodic reviews shall be charged at that time.

Attachments

- A – Draft Resolution
- B – Assessor's Parcel Map