

TERRY SCHMIDTBAUER
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DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

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Planning Services Division

OFFICE OF THE ZONING ADMINISTRATOR

Meeting of January 7, 2021
10:00 a.m.

Due to COVID-19 and to protect County staff and members of the public Zoning Administrator meeting will take place by telephonic conference and not in person. This precaution is being taken pursuant to the authority conferred by Governor Newsom's Executive Order N-29-20.

The telephonic hearing will be held on December 17, 2020, at 10:00 a.m. Interested persons may call 1-877-411-9748 and use the access code 6208644 at 10:00am the day of the meeting.

- A G E N D A -

ADMINISTRATIVE APPROVALS

There are no items scheduled for approval.

PUBLIC HEARINGS

1. PUBLIC HEARING to consider the application of (**Klassen – Blue Ridge Kennels**) for a Minor Revision No. 1 of Land Use permit R-294 to permit the as-built expansion of an existing commercial dog kennel from 20 kennels to 42 kennels located 1.2 miles west of the City of Dixon in the Exclusive Agriculture (A-40) zoning district, APN 0109-050-120. **Staff Recommendation: Approval**
2. PUBLIC HEARING to consider the approval of Neighborhood Compatibility Waiver WA-20-04 (**Garben**) to waive the two-car enclosed garage requirement for a proposed new primary dwelling located at 1824 Cravea Lane in unincorporated Solano County, within the Rural Residential (RR-2.5) Zoning District; APN 0025-180-310. **Staff Recommendation: Approval**
3. PUBLIC HEARING to consider the approval of Neighborhood Compatibility Waiver WA-20-06 (**Griffen**) to waive the two-car enclosed garage requirement for an existing primary dwelling to allow conversion of the existing garage to living space located at 3498 Brehme Lane in unincorporated Solano County, within the Exclusive Agriculture (A-40) Zoning District; APN 0102-140-010. **Staff Recommendation: Approval**

ADJOURNMENT

Staff reports can be found at www.solanocounty.com under Departments, Resource Management, Boards and Commissions approximately one week prior to the hearing.

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SOLANO COUNTY ZONING ADMINISTRATOR

Staff Report
R-294-MR1

Application No. R-294-MR1 (Blue Ridge Kennels) Project Planner: Travis Kroger, Planning Technician		Meeting of January 7, 2021 Agenda Item No. 1	
Applicant Max D & Edna M Holland 7590 Nunes Rd. Dixon CA 95620		Property Owner Max D & Edna M Holland 7590 Nunes Rd. Dixon CA 95620	
Action Requested Consideration of Minor Revision No. 1 to Land Use Permit R-294 to permit the expansion from the 20 kennels originally permitted to the current 42 kennels			
Property Information			
Size: 9.24 ac. (total)		Location: 7590 Nunes Road	
APN: 0109-050-120			
Zoning: Exclusive Agriculture (A-40)		Land Use: Large Kennel	
General Plan: Agriculture		Ag. Contract: n/a	
Utilities: private well and septic system		Access: Midway Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Agriculture	Exclusive Agriculture (A-40)	Residential/Grazing
South	Agriculture	Exclusive Agriculture (A-40)	Orchard
East	Agriculture	Exclusive Agriculture (A-40)	Residential
West	Agriculture	Exclusive Agriculture (A-40)	Agriculture – Row crops
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-294 based on the enumerated findings and subject to the recommended conditions of approval.			

BACKGROUND

The existing development consists of a primary dwelling, secondary dwelling, an accessory structure which includes storage and an office for the kennel, seven small accessory structures, an existing 20 run kennel permitted by Land Use Permit R-294 and Building Permit R-7169, and an additional 22 outdoor runs which have been added since the existing approval.

SETTING

The subject property consists of 9.24 acres of land, fronting on Nunes Road in unincorporated Dixon. The surrounding parcels are developed with a mixture of agricultural and residential uses.

PROJECT DESCRIPTION

The applicant has applied for a Minor Revision to Land Use Permit R-294 to permit the expansion from the 20-run kennel approved by R-294 to the current 42 kennels.

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.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Minor Revision No. 1 to Land Use permit R-294, 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 Nunes 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 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, site plan, development plans and aerial photos as submitted with Minor Revision No. 1 to Land Use permit R-294 filed September 6, 2015 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 as-built expansion permitted under this Minor Revision and any additional as-built development determined to required Building Permits by the Solano County Building Official will be submitted within 1 year of approval of this application.
4. Any further expansion to the business or additional development may require approval of a new Minor Revision to R-294.

Building and Safety Division

5. 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.

6. 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.
7. 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.”**
8. 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.”
9. The fire district will reassess the site for fire life and safety requirements.

Public Works Division

10. 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.
11. The Applicant shall apply for, secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connection to Nunes Road that does not have an existing encroachment permit issued by Solano County. 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 Nunes Road.
12. 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 Nunes Road.
13. Off-site parking within the Nunes Road public right-of-way shall be prohibited along the entire property frontage.

Environmental Health Division

14. Any additional expansion of the kennel may also require expansion of the existing septic system.
15. 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

16. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals occurring at five (5) year intervals commencing January 7, 2021. The cost associated with the periodic reviews shall be charged at that time.

Attachments

A – Draft Resolution (to be distributed at the meeting)

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Planning Services Division

**Staff Report
WA-20-04**

Application No. WA-20-04 Project Planner: Travis Kroger, Planning Technician		Notice of Intent Mailed out: 12/16/20	
Applicant Jason & Paige Garben 1824 Cravea Lane Fairfield, CA 94534		Property Owner Jason & Paige Garben 1824 Cravea Lane Fairfield, CA 94534	
Action Requested Consideration and approval of Neighborhood Compatibility Waiver WA-20-04 to waive the two-car enclosed garage requirement for a proposed new primary dwelling located at 1824 Cravea Lane in unincorporated Solano County, within the Rural Residential (RR-2.5) Zoning District; APN 0025-180-310.			
Property Information			
Size: 2.25 acres		Location: Unincorporated Solano County	
APN: 0025-180-310			
Zoning: Rural Residential (RR-2.5)		Land Use: Single Family Residence	
General Plan: Rural Residential		Ag. Contract: N/A	
Utilities: SID water and on-site septic system		Access: Cravea Lane	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	Rural Residential (RR-2.5)	Residential
South	Rural Residential	Rural Residential (RR-2.5)	Residential
East	Rural Residential	Rural Residential (RR-2.5)	Residential
West	Rural Residential	Exclusive Agriculture (A-40)	Residential
Environmental Analysis The Neighborhood Compatibility Waiver application is a ministerial action, therefore exempt from the provisions of the California Environmental Quality Act per CEQA Section 21080(b)(1).			
Motion to Approve Staff recommends that the Director approve Neighborhood Compatibility Waiver Application No. WA-20-04.			

SITE DESCRIPTION

The subject property is located within unincorporated Solano County, 1 mile north of the City of Fairfield. The 2.25 -acre parcel is mostly flat. The lot is accessed from Cravea Lane. The parcel is developed with an existing primary dwelling which will become the secondary dwelling when the proposed larger primary dwelling is constructed. Other parcels fronting on Cravea Lane are of similar size, with approximately 30 parcels in the surrounding area developed with at least one dwelling.

PROJECT DESCRIPTION

Pursuant to Section 28.108(A) of the Zoning Regulations, the applicant is requesting approval of a Neighborhood Compatibility Waiver to waive the requirement of a two-car enclosed garage for the proposed new dwelling.

The existing primary dwelling will become the secondary dwelling, with a new larger primary dwelling to be constructed which does not include a garage. Two of the 3 parking spaces on the first floor of the existing dwelling will be used as parking for the new primary dwelling and one space used for the existing dwelling located above the garage. This parking arrangement is proposed as a substitute for the two-car enclosed garage requirement for the new primary dwelling as specified in the current minimum development standards for dwelling units (Zoning Regulations Section 28.72.10(B)(1)(b)).

NEIGHBORHOOD COMPATIBILITY ANALYSIS

The subject site is located north of Fairfield in unincorporated Solano County on the south side of Cravea Lane. There are approximately 30 parcels developed with at least one dwelling located within ½ mile of the subject site. The area is residential in nature, with most parcels developed with at least one dwelling and some accessory structures. There is an open area available for parking in front of the existing dwelling, along with 3 enclosed parking spaces on the ground floor.

RECOMMENDATION

Based on these findings of neighborhood compatibility, staff recommends that the Director approve Waiver application WA-20-04 to waive the two-car enclosed garage requirement for this parcel on Cravea Lane; APN 0025-180-310, after the required ten-day Notice of Intent expires.

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**Staff Report
WA-20-06**

Application No. WA-20-06 Project Planner: Travis Kroger, Planning Technician		Notice of Intent Mailed out: 12/16/20	
Applicant Edward & Joetta Griffin P.O Box 5026 Vacaville, CA 95696		Property Owner Edward & Joetta Griffin P.O Box 5026 Vacaville, CA 95696	
Action Requested Consideration and approval of Neighborhood Compatibility Waiver WA-20-06 to waive the two-car enclosed garage requirement for an existing primary dwelling to allow conversion of the existing garage to living space located at 3498 Brehme Lane in unincorporated Solano County, within the Exclusive Agriculture (A-40) Zoning District; APN 0102-140-010.			
Property Information			
Size: 10.00 acres		Location: Unincorporated Solano County	
APN: 0102-140-010			
Zoning: Exclusive Agriculture (A-40)		Land Use: Single Family Residence	
General Plan: Agriculture		Ag. Contract: N/A	
Utilities: Private well and on-site septic system		Access: Brehme Lane	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Agriculture	Exclusive Agriculture (A-40)	Residential
South	Agriculture	Exclusive Agriculture (A-40)	Residential
East	Agriculture	Exclusive Agriculture (A-40)	Vacant
West	Agriculture	Exclusive Agriculture (A-20)	Residential
Environmental Analysis The Neighborhood Compatibility Waiver application is a ministerial action, therefore exempt from the provisions of the California Environmental Quality Act per CEQA Section 21080(b)(1).			
Motion to Approve Staff recommends that the Director approve Neighborhood Compatibility Waiver Application No. WA-20-06.			

SITE DESCRIPTION

The subject property is located within unincorporated Solano County, 2.8 miles west of the City of Vacaville. The 10-acre parcel is mostly flat. The lot is accessed from Brehme Lane. The parcel is developed with an existing primary dwelling, secondary dwelling and small accessory structure. Other parcels fronting on Brehme Lane are of similar size, with approximately 12 parcels in the surrounding area developed with at least one dwelling.

PROJECT DESCRIPTION

Pursuant to Section 28.108(A) of the Zoning Regulations, the applicant is requesting approval of a Neighborhood Compatibility Waiver to waive the requirement of a two-car enclosed garage and convert the existing attached garage to living space with an existing outdoor graded area used for parking in lieu of the two-car enclosed garage required for the primary dwelling as specified in the current minimum development standards for dwelling units (Zoning Regulations Section 28.72.10(B)(1)(b)).

NEIGHBORHOOD COMPATIBILITY ANALYSIS

The subject site is located west of Vacaville in unincorporated Solano County on the east side of Pleasants Valley Road. There are approximately 12 parcels developed with at least one dwelling located within ½ mile of the subject site. The area is mixed residential and agricultural in nature, with most parcels developed with at least one dwelling and some accessory structures. There is an open area available for parking in front of the existing dwelling, which is screened from view from Pleasants Valley Road or Brehme Lane by trees.

RECOMMENDATION

Based on these findings of neighborhood compatibility, staff recommends that the Director approve Waiver application WA-20-06 to waive the two-car enclosed garage requirement for this parcel on Brehme Lane; APN 0102-140-010, after the required ten-day Notice of Intent expires.