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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

Solano County Zoning Administrator

**Staff Report
MU-19-13**

Application No. MU-19-13 (My Clever Canine Ranch) Project Planner: Travis Kroger, Planning Technician		Meeting of April 18, 2021 Agenda Item No. 2	
Applicant Amy Peterson & Tim Cutter – Tails of Success LLC 5678 Weber Rd. Dixon CA 95620		Property Owner Timothy R Cutter JT 5678 Weber Rd. Dixon CA 95620	
Action Requested Consideration of Minor Land Use Permit application MU-19-13 to establish and operate a Large Kennel located at 5678 Weber Road, 2.5 miles northeast of the City of Vacaville, within the Exclusive Agriculture "A-40" Zoning District; APN: 0141-020-080			
Property Information			
Size: 10.12 ac. (total)		Location: 5678 Weber Road	
APN: 0141-020-080			
Zoning: Exclusive Agriculture (A-40)		Land Use: Large Kennel	
General Plan: Agriculture		Ag. Contract: n/a	
Utilities: Private well and on-site septic system		Access: Weber Road	
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)	Public Stable/Residential
East	Agriculture	Exclusive Agriculture (A-40)	Residential
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 15303, New Construction or Conversion of Small Structures.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Use Permit No. MU-19-13 based on the enumerated findings and subject to the recommended conditions of approval.			

BACKGROUND

The existing development on this parcel consists of a one (1) primary dwelling, detached garage and four (4) small accessory structures. This parcel is a legal building site per Land Division #461.

SETTING

The subject property consists of 10.12 acres of land in a “flag lot” configuration with access from Weber Road. The surrounding parcels are developed with residential structures, and an existing public stable to the south.



PROJECT DESCRIPTION

The applicant has applied for a Minor Land Use permit to establish a Large Kennel for training and boarding of dogs, with the project to be constructed in three phases.

Phase 1: Dogs will be picked up from the client's home and lessons will be conducted upon return in the client's home or public space such as a park, walkway or where appropriate. The employees will not be on site but will conduct online and virtual lessons from their homes as well as private in-home lessons at the clients' homes.

Phase 2: Addition of ADA parking, path of travel and restroom, with business operations taking place on-site with both employees and customers accessing the property. Customers will access the site by appointment only with business hours of 9am to 6 pm Tuesday-Saturday.

Phase 3: Addition of the proposed office building.

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

Neighborhood Compatibility

An aerial survey shows that surrounding parcels in the area are developed with dwellings and accessory structures, with an existing public stable to the south. Operation of the proposed Large Kennel will create little to no visual impact on the surrounding area.

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 zoning districts are consistent with this designation.

The subject site is zoned Exclusive Agriculture (A-40). Within this district, Large Kennels are allowed subject to Section 28.72.10(A) and (B)(1) of the Solano County Code. These general requirements address setbacks, utilities, and use of the structure. The business operations will be set back at least 200 feet from front, side and rear property lines. The proposed restroom and the primary dwelling will be served by a private well and on-site sewage disposal system.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Use Permit No. MU-19-13, subject to the recommended conditions of approval.

MINOR 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 Exclusive 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.

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

The site is provided with water by private well and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Weber 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 15303, New Construction or Conversion of Small Structures.**

CONDITIONS OF APPROVAL

General

1. The above use shall be established in accord with the application materials and development plans as submitted with MU-19-13 filed October 8, 2019 and revised site plan submitted January 19, 2021 and as approved by the Solano County Zoning Administrator.
2. Any changes or expansions to this land use or construction of additional structures may require a Minor Revision or Amendment to this Minor Use permit or approval of a new permit.
3. The property owner will maintain a current Solano County Business License for as long as this business remains in operation.

Building and Safety Division

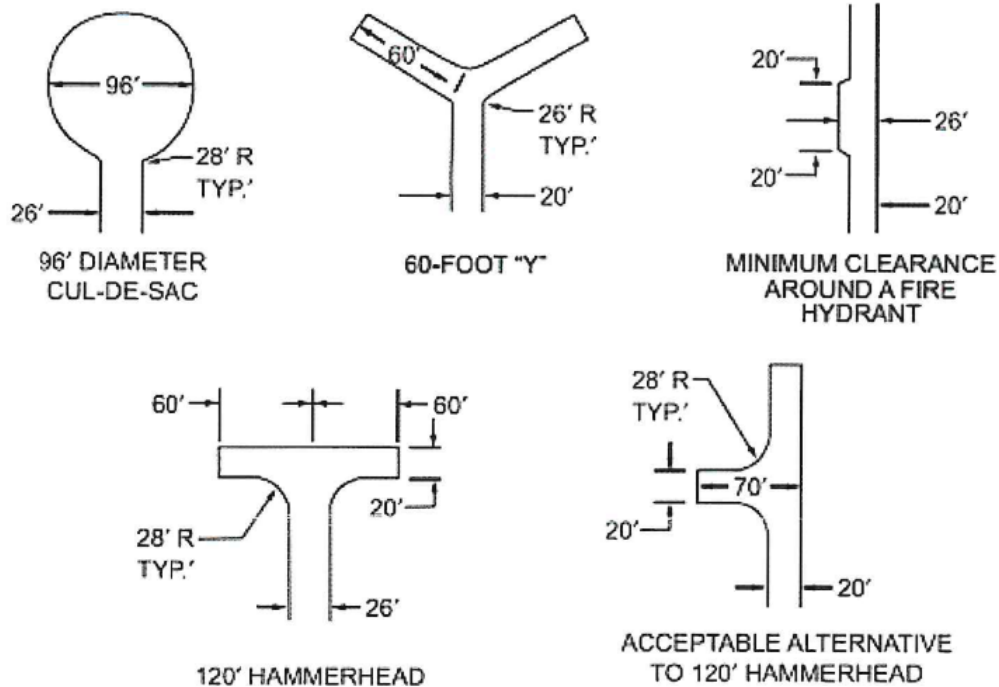
4. While the following comments are not all inclusive, they will act as a guideline for the requirements for the construction of any buildings or structures on the site now and in the future. These comments are not required on the application plan for the Use Permit, but (4) sets of plans will be required 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.
5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2019 California Building Code. **"Any owner or authorized agent who intends to construct, enlarge, or change the occupancy of a building or structure shall first make application to the building official and obtain the required permit."**
6. Certificate of Occupancy " 111.1 Use and 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 therefore as provided herein ."
7. The site and all facilities including, Tuff Sheds, shall meet all of the accessibility requirements found in Chapter 1 IB of the 2019 California Building. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2019 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale, and designed by a licensed architect reflecting all site accessibility.
8. All accessible paths of travel and parking areas shall be a hard-scaped surface and shall meet all of the worst-case requirements between Chapter 1 1B of the 2019

California Building Code and the ADA Federal Law. One ADA parking shall be provided per every 25 parking stalls.

9. The building permit plans shall include a code analysis as listed below and the design shall be under the 2019 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
 - A) Occupancy Classification
 - B) Occupant Load
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." 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 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.
12. An Automatic residential fire sprinkler system could be required throughout the building.
13. The Tuff Shed plans must be designed per the CBC 2019 seismic and wind load requirements and signed/stamped by a licensed engineer.

Dixon Fire District:

14. The fire access road will need to meet the minimum requirements in the California Fire Code (CFC) if they do not already comply. Requirements stated in the CFC Section 503 and Appendix D.
 - (a) The turn radius is 28 feet inside diameter and 52 feet outside diameter.
 - (b) Requirements in table D103.4 show that turnaround provisions are required in accordance with Figure D103.1.
 - (c) Minimum road width for any road over 501 feet is 26 feet wide.
 - (d) The Fire Access Road shall extend to within 150 feet of all portions of the exterior walls of the building.
 - (e) The Fire Access Road shall be asphalt, concrete or other approved driving surface capable of supporting imposed load of fire apparatus weighing up to 75,000 pounds in all weather conditions.



Public Works Division

15. Per Section 1-3.1 of Solano County Road Improvement Standards and Land Development Requirements, driveway serving one parcel shall be built as required by the provision of the California Fire Code Section 902 - Fire Department Access (including Appendix III-D), or Public Resources Code Section 4290 - Fire Safe Regulations, whichever applies. The road shall be constructed of 0.67 feet of compacted Class 2 aggregate base. The width of the road shall be 12 feet, with 60 feet long by 8 feet wide turnouts every 300 feet (for roads over 300 feet long), plus 2 feet graded shoulders, and shall also have an unobstructed width of 20 feet.
16. 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 be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto Weber Road.
17. 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.

Environmental Health Division

The applicant is notified that the compaction and paving or graveling of the existing leachfield, as well as the vehicular traffic, will deteriorate the field and cause it to lose its percolative ability. Any reports of a failing leachfield or surfacing sewage will require a repair and re-location of the leachfield area .

- (a) The applicant shall designate a leachfield reserve area of at least 3,200 square feet (the size of the existing leachfield area) and provide a mapping of this area. The reserve area shall not be developed nor graded and shall be held in reserve for when the existing leachfield fails. The mapping shall be signed by

the property owners to indicate they understand and will abide by the reserve area requirements.

The applicant shall show the location of all water wells on the property so that verification of the 100 ft. required separation distance between all water wells and the reserve area can be made.

The applicant is advised that if the reserve area is required for installation of a new leachfield, the replacement leachfield may need to be of the alternative type, potentially requiring pumps, pretreatment units, and inclusion in the County O&M program.

18. The applicant shall continue to dry bag the dog wastes and dispose of them via weekly solid waste pickup and shall make every effort to prevent odors and disease vectors, such as flies, from becoming established on the property. Any verified complaints of odor or excessive disease vectors on the property may require an enhancement of the dog wastes management plan, potentially including solid waste pickup several times a week or the installation of a septic system to manage the liquid waste from dog waste and dog run wash downs.
19. The applicant shall have a Site and Soil Evaluation performed under permit to determine the expansion area required for the potential additional wastewater flows from the proposed new office and ADA restroom. The applicant shall expand the existing septic system under permit to accommodate the potential additional wastewater flows from the office and ADA rest rooms. Incidental use of the restroom by the residents on the property does not add additional waste flows to the septic systems, however the potential wastewater flows from the employees and clients that will be allowed onsite shall be calculated using Solano County Code Ch. 6.4-87, Table 4: Projected Daily Sewage Flows.
20. The applicant is notified that if there are five or more structures on site connected to the water well, the site is required to get a State Small Water System (SSWS) permit from Environmental Health. The SSWS permit requires initial testing of the water well for contaminants, including heavy metals, and quarterly bacteriological testing of the water well.

Permit Term

21. As provided for in Section 28.106.N of the County Code, 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 from the date of granting this permit. The cost associated with the periodic reviews shall be charged at that time.

Attachments

- A – Draft Resolution (to be provided at a later date)
- B – Assessor's Parcel Map

N. 1/2 SEC. 5, T.6N., R.1E., M.D.B.&M.

Tax Area Code

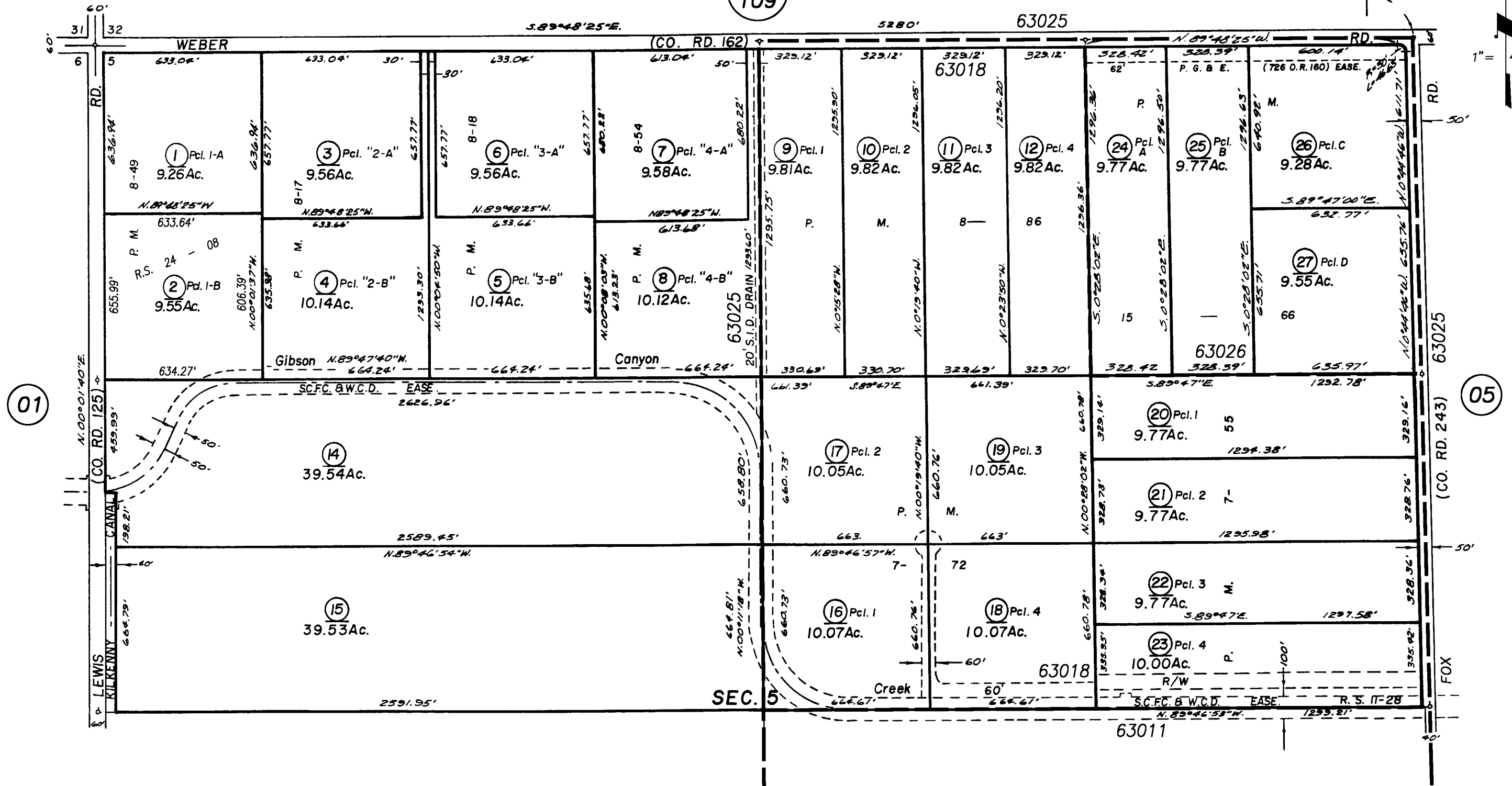
141-02

63018
63025
63026

32 33
5 4

Bk.
109

1" = 400'



NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

04

REVISION	DATE	BY
020-02 Rs24-08	8-29-00	FG
020-24thru27	6-21-78	MRT

NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 141 Pg. 02
County of Solano, Calif.

01/02

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