

DEPARTMENT OF RESOURCE MANAGEMENT

JAMES BEZEK
Director

ALLAN CALDER
Planning Services Manager



675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

**Solano County Zoning Administrator
Staff Report
MU-24-05**

Application No. MU-24-05 Project Planner: Travis Kroger, Associate Planner		Meeting of April 18, 2024 Agenda Item No. 4	
Applicant Albert Medvitz P.O. Box 565 Rio Vista, CA 94571		Property Owner McCormack Ranch Trust P.O. Box 565 Rio Vista, CA 95671	
Action Requested: Consideration of Minor Use Permit application MU-24-05 by Albert Medvitz for a Temporary Agritourism Event relating to sheepdog trials. The project has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act. The property is located at 7680 Montezuma Hills Road in the Exclusive Agriculture (A-160) zoning district approximately 2 miles southwest of the City of Rio Vista, APNs 0090-200-020, 0090-200-070, 0090-200-080, 0090-190-070, & 0090-210-020.			
Property Information:			
Size: 1,865.44 acres (total):		Site Address: 7680 Montezuma Hills Road	
Assessor's Parcel Number(s) (APN(s)): 0090-200-020, 0090-200-070, 0090-200-080, 0090-190-070, & 0090-210-020		SRA Designation: Local Responsibility Area, and not in Fire Hazard Severity Zone.	
Zoning: Exclusive Agriculture 160-acre minimum (A-160)		Land Use: Temporary Agritourism – Agritourism Event	
General Plan: Agriculture		Ag. Contract: 1333 (mixed Prime/Nonprime)	
Utilities: N/A		Access: Existing driveway at the intersection of Montezuma Hills Road and Anderson Road.	
Adjacent General Plan Designation, Zoning District, and Existing Land Use:			
	General Plan	Zoning	Land Use
North	Agriculture	Exclusive Agriculture 160-acre min (A-160)	Agriculture
South	Agriculture/Waterbodies & Courses	Exclusive Agriculture 160-acre min (A-160)	Agriculture/Sacramento River
East	Agriculture	Exclusive Agriculture 160-acre min (A-160)	Agriculture
West	Agriculture	Exclusive Agriculture 160-acre min (A-160)	Agriculture
Environmental Analysis: The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304 Class 4, Minor Alterations to Land, subsection (e) which states that Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc. is exempt from further environmental review.			
See the Environmental Analysis section for further details.			

Staff Recommendation

Staff recommends that the Zoning Administrator **ADOPT** the attached resolution with respect to the enumerated findings and **APPROVE** Use Permit No. MU-24-05 subject to the recommended conditions of approval.

DISCUSSION

Setting

The subject property is located approximately two (2) miles southwest of the City of Rio Vista in the Montezuma Hills region, and consists of five (5) APNs, 0090-200-020, 0090-200-070, 0090-200-080, 0090-190-070, & 0090-210-020 for a total of 1,865.44 acres. Much of the property is undeveloped and used for grazing, with the remainder developed with a dwelling, several agricultural buildings, power transmission lines, and both active and closed natural gas wells.

Surrounding Land Use

Adjacent parcels are mainly used for grazing and wind turbines, with one dwelling located to the north of the project location. The property is bordered by the Sacramento River to the south.

PROJECT DESCRIPTION

Proposed Use

The proposed project consists of a public sheepdog trial event open to the public to be conducted May 4-5, 2024, from 9:00 am to 3:00 pm each day. The event will be open to the public and will provide education about proper livestock handling and to raise funds to support local farmers.

The event will be located 0.25 miles east of the intersection of Anderson Road and Montezuma Hills Road on APN 0090-200-020. Tickets will be sold via Eventbrite and are required for all spectators to enter the site. Attendance will be limited via ticket sales with a maximum of 450 attendees (not including event staff and participants).

Parking

Parking will be provided in an approximately 5.5-acre area 0.2 miles from the event location which is designated as Class 2 soil by the National Resource Conservation Service (NRCS). The parking area is flat with a surface consisting of mowed grass and well compacted soil. Americans with Disabilities Act (ADA) compliant parking, participant parking, viewing area and restrooms will be provided adjacent to the main spectator viewing area as shown on the site plan. Parking will not be permitted along the public road frontage or access roads to the event. At least 180 parking spaces will be provided, with at least 25 being ADA accessible.

Location & Amenities

The event will take place on and adjacent to an existing abandoned gas well pad and access road. No permanent development is proposed. During the event, temporary restrooms will be provided, along with food trucks (1-2 each day of the event), and hay bales for spectator seating. No alcohol sales are proposed or permitted as part of this event.

Waste Disposal

Solid waste will be disposed of in a dumpster which is already on-site for ranch operations and serviced regularly by Mt. Diablo Resource Recovery.

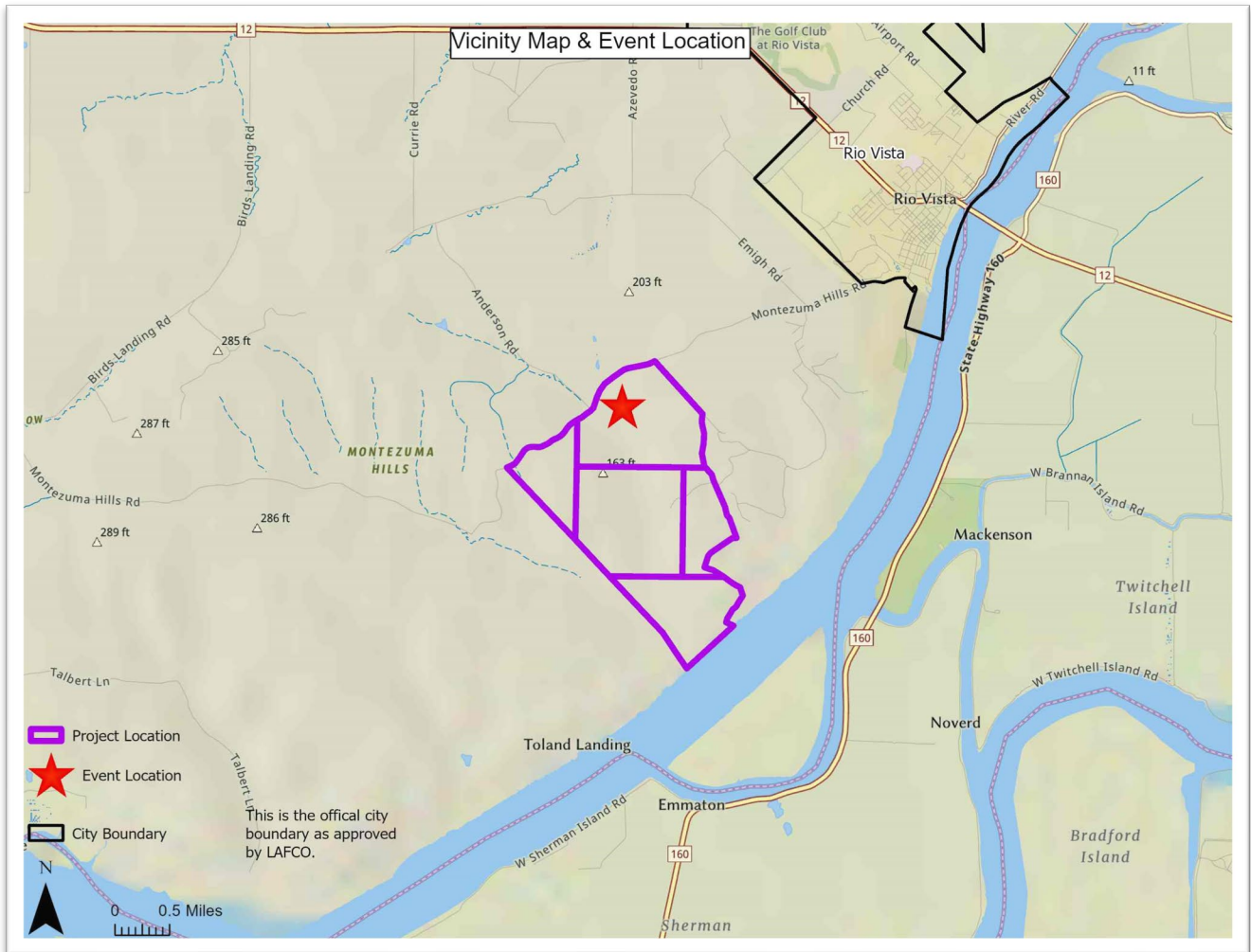


Figure 1: Vicinity map and Event Location

LAND USE CONSISTENCY

General Plan

The project site is designated Agriculture by the General Plan Land Use diagram (Figure LU-1) of the Solano County General Plan and zoned Exclusive Agriculture 160-acre minimum (A-160). The existing zoning is consistent with the 2008 General Plan, and the proposed Agritourism Events are allowed in the A-160 zoning district subject to the applicable regulations and permitting requirements detailed below.

Zoning

General Standards: The proposed facility will meet all standards listed in Section 28.72.10 of the Solano County Code when operated in compliance with the proposed conditions of approval.

Specific Standards: The subject parcel is zoned A-160, where Agritourism Events are allowed with approved of a Minor Use Permit subject to Section 28.75.10(A) & (B)(1) of the Solano County Code.

As proposed and conditioned, this project will comply with all applicable zoning standards.

Williamson Act Contract

Per Table A of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts, Agricultural Education is compatible with both Prime and Nonprime Williamson Act Contracts. Since the proposed sheepdog trials will provide education to the public on proper handling of animals, this event is consistent with the Williamson Act Contract.

Conservation Easement

The property is also covered by a conservation easement, and Solano Land Trust has reviewed the project and provided verification that the proposed event is consistent with the existing easement.

ENVIRONMENTAL ANALYSIS (CEQA)

The project qualifies for Categorical Exemption from the California Environmental Quality Act pursuant to the CEQA Guidelines Section listed below.

- a. CEQA Guidelines Section 15304 Class 4, Minor Alterations to Land
 - Subsection (e) of this exemption includes temporary events which have little to no permanent effect on the environment. The proposed event will only take place for a single weekend and does not involve any removal of existing agriculture or construction of permanent improvements,

With the implementation of standard County conditions of approval, the development and operation of the proposed project is not anticipated to cause significant effects on the environment.

PUBLIC HEARING NOTICE

In accordance with Solano County Zoning Regulations, a Notice of Public Hearing (Attachment C) was published at least 15 days before the scheduled hearing in the Fairfield Daily Republic. In addition, all property owners of real property as shown on the latest equalized assessment roll within 1/2 mile of the property, and all persons requesting notification, were mailed notices of the hearing.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings and **APPROVE** Use Permit No. MU-24-05, subject to the recommended conditions of approval.

Attachments:

- A. Draft Resolution
- B. Site Plan
- C. Public Notice

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. 24-XX
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WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit application MU-24-05 by Albert Medvitz for a Temporary Agritourism Event relating to sheepdog trials. The project has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act. The property is located at 7680 Montezuma Hills Road in the Exclusive Agriculture (A-160) zoning district approximately 2 miles southwest of the City of Rio Vista, APNs 0090-200-020, 0090-200-070, 0090-200-080, 0090-190-070, & 0090-210-020; 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 April 18, 2024; and

WHEREAS, after due consideration, the Zoning Administrator has made the following findings regarding said proposal:

1. **That the establishment, maintenance, or operation of the use or building conforms with the General Plan for the County concerning traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

The project site is designated Agriculture by the General Plan Land Use diagram (Figure LU-1) of the Solano County General Plan. The existing zoning designation of A-160 is consistent with the existing General Plan designation. The proposed use is conditionally permitted within the A-160 zoning district.

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

The site is accessed via an existing driveway connection located at the intersection of Montezuma Hills Road and Anderson Road. No permanent utilities are proposed or required.

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.**

With the proposed conditions, this project will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

4. **The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to the following:**

a. CEQA Guidelines Section 15304 Class 4, Minor Alterations to Land.

- Subsection (e) states that Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc. are exempt from further environmental review.

BE IT THEREFORE RESOLVED that the Zoning Administrator has approved Minor Permit application MU-24-05 subject to the following recommended conditions of approval:

ADMINISTRATIVE

1. **Land Use.** The proposed land use shall be established and operated in accord with the application materials and development plans submitted for Minor Use Permit MU-24-05, submitted on March 25, 2024, and as approved by the Solano County Zoning Administrator. This permit will authorize the applicant to conduct a public sheepdog trial to take place on May 4-5, 2024, per the approved plans and project description.
2. **Revisions or Modifications of Land Use.** Pursuant to Section 28.106(I) of the County Code, no additional land uses or activities including new or expanded buildings shall be established beyond those identified on the approved development plan and detailed within the project description without prior approval of a revision, amendment, or new use permit and subsequent environmental review or a determination by the Director of Resource Management that the proposed modification is in substantial compliance with the existing approval.
3. **Indemnification.** By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers, and employees shall not be responsible for injuries to property or person arising from the issuance or exercise of this permit. The permittee shall defend, indemnify, and hold harmless the County of Solano, its officers, and employees, from all claims, liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney fees related to litigation based on the issuance and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
4. **Permits Required.** The Project shall comply with all applicable Solano County Zoning regulations and Building Code provisions and secure all required local, State, regional and federal permits required to operate.
5. **Failure to Comply.** Failure to comply with any of the conditions of approval or limitations set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.
6. **Exercise of Permit.** The permit shall be deemed exercised once all required action items below have been completed and verified by County staff.
7. **Permit Term.** This Minor Use Permit is granted for the event proposed to take place May 4-5, 2024. The permit is only valid for one (1) event and will lapse if the event is not conducted on the specified date.

OPERATIONAL CONTROLS

8. **Event Management Plan.** All uses of land and buildings shall be conducted in a manner and provide adequate controls and operational management to prevent nuisances such as noise, dust, glare, vibration, and odor. Prior to opening, the permittee shall submit an Event Management Plan to the Director or his designee for approval, which shall identify measures, procedures, and operational controls to manage potential nuisances such as fugitive dust, noise, light, glare, and odor. In addition, the Event Management Plan shall describe event security procedures, and identify measures and controls to manage any emergency which might reasonably arise during an event. The applicant shall provide a list of emergency contacts for various responders to all staff and volunteers and identify a

central location on the property which will serve as an emergency center with communications and fire and first aid equipment.

9. **Hazard or Nuisance.** 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 residents, visitors, or property in the surrounding areas. In the event complaints are received regarding the event, the issues will be communicated to the operator to be addressed in a timely manner.
10. **Junk & Debris.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
11. **Fugitive Dust.** Any access from unpaved dirt roads and with unpaved on-site access roads and parking areas shall control fugitive dust with water trucks, sprinkler system or other practices acceptable to the applicable air quality management district, as needed to prevent airborne dust.
12. **Construction Noise & Outdoor Sound.** During preparation, operation, and teardown, no noise shall exceed 65 dBA when measured at the property lines.
13. **Odor.** The facility shall not cause objectionable odors on adjacent properties.
14. **Parking.** Adequate on-site parking shall be provided to accommodate all employees, participants and visitors (at least 180 parking spaces). Accessible parking spaces shall be located as indicated on the site plan. Event participant parking shall be permitted at the location labeled "Handler Parking", with all other event parking located in the area labeled "Overflow Parking". To facilitate emergency access, no parking shall take place along on-site driveways and access roads. No parking shall be allowed within any road right-of-way for 1,000 feet in either direction of any access point or access located on the site.

Action Needed -Operational Controls				
COA #	Required to exercise Y/N	Action	When	Verified
8	Y	Provide event management plan to Planning@solanocounty.com	Prior to event	

BUILDING AND SAFETY DIVISION - SITE ACCESSIBILITY REQUIREMENTS:

15. **Parking**
 - a. Provide 25 accessible parking spaces including one (1) van accessible parking space per 2022 California Building Code (CBC) section 11B-502.
 - b. The parking space and access aisle shall be firm, stable and slip resistant and shall have slopes not exceeding 1:48 in all directions per 2022 CBC 11B-502.4 & 11B-302. Gravel is not firm or stable.
 - c. Parking & access aisle dimensions, marking, ISA symbols, signage, and relationship to accessible routes shall be provided by 2022 CBC 11B-502.
16. **Path of travel**
 - a. The path of travel from the accessible parking space to the viewing/activity area shall meet the requirements of 2022 CBC 11B-302.

- b. The path of travel shall be firm, stable and slip resistant per 2022 CBC 11B-403.2. Gravel does not meet this standard.
- c. The running slope of the path of travel shall not exceed 1:20 in the direction of travel, and the cross slope shall not exceed 1:48 per 2022 CBC 11B-403.3.
- d. No marking for the path of travel is required, but the path must be continuous from the accessible parking space to the viewing/activity area.

17. Toilet Facilities

- a. Accessible toilets shall be provided and shall comply with 2022 CBC 11B-604.
- b. Accessible routes to accessible toilets shall be provided 2022 CBC 11B-403.

ENVIRONMENTAL HEALTH DIVISION

- 18. The event shall have commercial garbage service. The facility shall provide a plan describing how all solid waste will be collected and properly disposed of.
- 19. The facility shall obtain a Special Events Organizer permit if they intend to have more than one food truck/mobile food unit onsite for the event.
- 20. The facility shall ensure adequate portable toilets, hand wash stations, and drinking water are provided, in accordance with CA Plumbing Code, Table 422.1. The portable toilets must be sourced from a company permitted to operate within Solano County. For 450 attendees, a minimum of nine (9) water closets, six (6) lavatories, and at least one (1) drinking fountain / fixture should be provided..

Action Needed -Environmental Health Division				
COA #	Required to exercise Y/N	Action	When	Verified
18	Y	Submit Waste Disposal Plan to Planning@solanocounty.com	Prior to event	
19	Y	Obtain required food permits	Prior to event	

FIRE PROTECTION DISTRICT

- 21. Comply with the Montezuma Fire Protection District requirements.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 18, 2024.

JAMES BEZEK, DIRECTOR
 RESOURCE MANAGEMENT

Allan M. Calder
 Planning Program Manager

Site Plan Dog Trial May 4-5, 2024

Legend

- Food truck
- Handicap parking
- Parking
- PG&E Power
- Spectator area
- Spectator Area
- Toilets
- Trial Field
- Water/Handwash



DEPARTMENT OF RESOURCE MANAGEMENT



Planning Services Division

NOTICE OF PUBLIC HEARING

(Zoning Administrator)

NOTICE IS GIVEN that the Solano County Zoning Administrator will hold a **PUBLIC HEARING** to consider Minor Use Permit application MU-24-05 by Albert Medvitz for Temporary Agritourism Events relating to sheepdog trials. The project has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act. The property is located at 7680 Montezuma Hills Road in the Exclusive Agriculture (A-160) zoning district approximately 2 miles southwest of the City of Rio Vista, APNs 0090-200-020, 0090-200-070, 0090-200-080, 0090-190-070, & 0090-210-020. (Project Planner: Travis Kroger, 707-784-6765)

The hearing will be held on **Thursday, April 18, 2024 at 10:00 a.m.** in the Department of Resource Management Conference Room, 5th Floor, County Administration Center, 675 Texas Street, Fairfield, California.

The County of Solano does not discriminate against persons with disabilities. If you wish to participate in this meeting and you will require assistance in order to do so, please call 707-784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC COMMENTS:

In-Person: You may attend the public hearing at the time and location listed above and provide comments during the public speaking period. Phone: You may provide comments verbally from your phone by dialing **1-323-457-3408** and entering Conference ID number **293118721#**. Once entered in the meeting, you will be able to hear the meeting and will be called upon to speak during the public speaking period. Email/Mail: Written comments can be emailed to Planning@SolanoCounty.com or mailed to Resource Management, Zoning Administrator, 675 Texas Street, Suite 5500, Fairfield, CA 94533 and must be received by 8:00 a.m. the day of the meeting. Copies of written comments received will be provided to the Zoning Administrator and will become a part of the official record but will not be read aloud at the meeting.

Staff reports and associated materials will be available to the public approximately one week prior to the meeting at www.solanocounty.com under Departments; Resource Management; Boards, Commissions & Special Districts; Solano County Zoning Administrator.

If you challenge the proposed consideration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

Daily Republic - legal ad/one time – Wednesday, April 3, 2024