

**SOLANO COUNTY ZONING ADMINISTRATOR
MINOR REVISION**

Resource Management Staff Report

Application No. U-99-04-MR2 (Noelting)
Project Planner: Nedzlene Ferrario

Meeting of October 7, 2010
Agenda Item No. 1

Applicant:

Name: Christiane Noelting
Address: 6954 Lewis Road
Vacaville, CA 95687

Property Owner:

Name: same as applicant

Action Requested: Approval of a 3880 square foot shelter for an approved public stable in the A-40 zone.

Site Information:

Size: 39.54 acres

Location: 6954 Lewis Road

APN: 0141-020-140

Zoning: A-40

Land Use Type: Public Horse Stable

General Plan: Agriculture

Ag. Contract: None

Utilities: Well and Septic

Access: Lewis Road

Adjacent General Plan Designations, Zoning and Existing Land Uses

	General Plan	Zoning	Land Use
North	Agriculture	A-40	Agriculture/Residence
South	Agriculture	A-40	Agriculture
East	Agriculture	A-40	Agriculture
West	Agriculture	A-40	Agriculture

Environmental Analysis: The project is exempt under the California Environmental Quality Act Guidelines Section 15303 New Construction or conversion of small structures.

Motion to Approve: The Zoning Administrator does hereby **ADOPT** the attached draft resolution and **APPROVE** the Minor Revision.

RECOMMENDATION

The Department of Resource Management recommends that the Zoning Administrator **APPROVE** Minor Revision No. 2, based on the findings enumerated herein, and subject to the conditions of approval incorporated in this report.

BACKGROUND AND SURROUNDING USES

Subject site and surrounding properties



On June 3, 1999, the Planning Commission approved Use Permit 99-04 for 40 horse public stable, small horse shows and riding instruction.

On November 16, 2006, the Planning Commission approved Minor Revision No. 1 to add a 6,400 square foot covered lunge pen. The current use permit is due to expire on June 3, 2011.

On September 28, 2010, the Board of Supervisors approved a Zoning Code amendment which allows minor deviations of a major permit to be heard by the Zoning Administrator as opposed to the Planning Commission.

PROJECT DESCRIPTION

The 3880 square foot proposed run in shed, will be located on an existing pasture, east of the main facilities. The structure will be used to shelter young horses such as foals and yearlings, from the weather elements when grazing in the pasture. Approximately 8-12 young horses are expected to be housed in this shelter. The young horses are owned by the operator through the breeding program. The general public is not expected to access this area of the facility.

The proposed single slope structure is approximately 12 feet high will have openings on one side and. No plumbing or electrical proposed.

ANALYSIS

The proposed structure is consistent with the operations of a public horse stable and consistent with the agricultural zoning. The 12 foot high structure is setback more than 1015 feet from the front property line, 250 feet from the side property lines and more than 300 feet from the rear. The structure complies with the maximum height and public stable standards of the Zoning Code.

DEPARTMENTAL REVIEW

Public Works: An encroachment permit was obtained to construct the driveway approach to the public stable, and Public Works staff found that the driveway to be in good condition.

Environmental Health: No concerns were noted. The existing septic and well is adequate for the proposed addition.

Building & Safety: Building permit no. B2010-0328 is currently in progress and approval is dependent upon the Zoning Administrator's approval.

USE PERMIT 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 proposed run-in shelter is an accessory structure for the public horse stable and does not conflict with the policies and intent of the Solano County General Plan, including but not limited to, the Intensive Agriculture designation of the General Plan. In addition, the proposed structure complies with the Zoning Code development standards.

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

Existing access to the site from Lewis Road is adequate for the proposed project. The existing septic and water will be adequate for the proposed addition.

- 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.**

No evidence has been received indicating that the existing levels of operation constitute a nuisance or are detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing, working in, or passing through the neighborhood. In addition, it is not anticipated that the construction of the proposed structure will constitute a

nuisance or are detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing, working in, or passing through the neighborhood.

4. The project is exempt under the California Environmental Quality Act Guidelines Section 15303 New Construction or conversion of small structures.

RECOMMENDATION

Approve Minor Revision No. 2 subject to the recommended conditions of approval listed below.

CONDITIONS OF APPROVAL

1. Approval is granted to allow a 3880 square foot structure (run in shelter) for horses on an existing public horse stable with a maximum capacity of 40 horses, in accordance with the application and site plan for Use Permit U-99-04 Minor Revision No. 2, and as approved by the Solano County Zoning Administrator. Activities at the site shall be limited to the number of events, people and vehicles as specified in the permit application materials (i.e. "Project Description and Planned Activities at the Dressage Center") as approved by the Planning Commission on June 3, 1999. All such activities shall conclude no later than 9:00 p.m.

Minor revisions which include additions or modifications to the approved Site Plan may be approved by the Zoning Administrator; however, any substantial revisions such as increasing the number of horse stalls beyond the amount granted by this permit may require a new use permit approved by the Planning Commission.

2. The subject use permit shall be in effect for a five (5) year period. An extension may be granted if said request is received prior to the expiration date of *June 3, 2016* and the use is found to be in full compliance with the terms and conditions of this permit at that time. The applicant shall submit a "Report of Compliance" to the Resource Management Department, along with applicable "Periodic Review and Written Report fees", on the fifth (5th) anniversary of the issuance of this permit for review by the staff. The "Report of Compliance" shall address compliance of conditions no. 3 through 8.
3. Comply with the Dixon Fire District requirements.
4. 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.
6. The facility shall be kept clean and free of accumulated horse manure so as not to create a public health nuisance or a breeding area for flies.
7. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.

8. 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.
9. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit.

Attachments:

Exhibit A: Draft Resolution
Exhibit B: Site Plan

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. XX**

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 2 to Use Permit No. U-99-04 of **Christiane Noelting** to add a 3880 square foot horse shelter for a public stable at 6954 Lewis Road, Dixon, in an "A-40" Exclusive Agricultural Zoning District, APN: 0141-020-140, 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 7, 2010, 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 proposed run-in shelter is an accessory structure for the public horse stable and does not conflict with the policies and intent of the Solano County General Plan, including but not limited to, the Agriculture designation of the General Plan. In addition, the proposed structure complies with the Zoning Code development standards.

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

Existing access to the site from Lewis Road is adequate for the proposed project. The existing septic and well will be adequate for the proposed addition.

- 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.**

No evidence has been received indicating that the existing levels of operation constitute a nuisance or are detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing, working in, or passing through the neighborhood. In addition, it is not anticipated that the construction of the proposed structure will constitute a nuisance or are detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing, working in, or passing through the neighborhood.

Exhibit A

4. **The project is exempt under the California Environmental Quality Act Guidelines Section 15303 New Construction or conversion of small structures.**

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Revision No.2 subject to the following recommended conditions of approval:

1. Approval is granted to allow a 3880 square foot structure (run in shelter) for horses on an existing public horse stable with a maximum capacity of 40 horses, in accordance with the application and site plan for Use Permit U-99-04 Minor Revision No. 2, and as approved by the Solano County Zoning Administrator. Activities at the site shall be limited to the number of events, people and vehicles as specified in the permit application materials (i.e. "Project Description and Planned Activities at the Dressage Center") as approved by the Planning Commission on June 3, 1999. All such activities shall conclude no later than 9:00 p.m.

Minor revisions which include additions or modifications to the approved Site Plan may be approved by the Zoning Administrator; however, any substantial revisions such as increasing the number of horse stalls beyond the amount granted by this permit may require a new use permit approved by the Planning Commission.

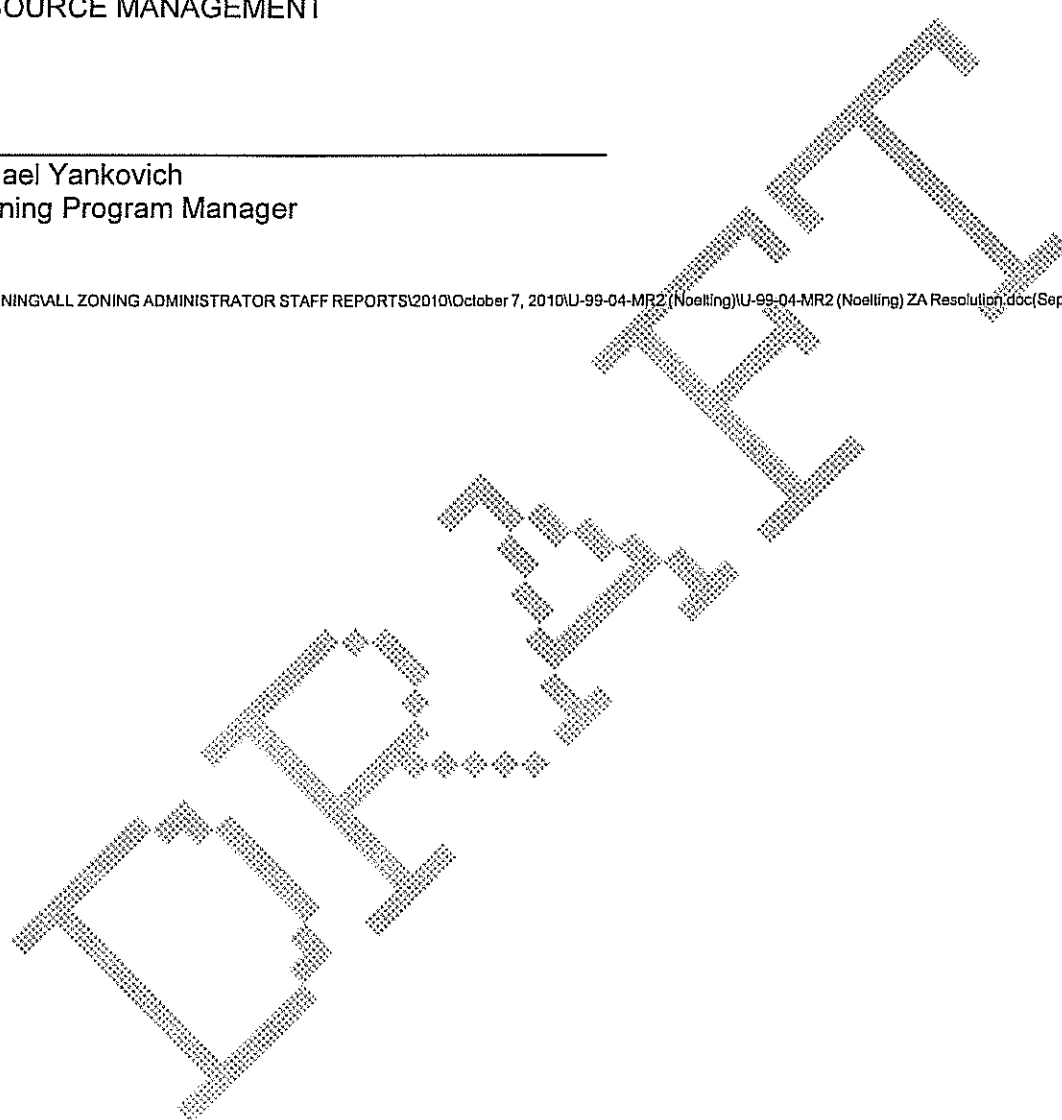
2. The subject use permit shall be in effect for a five (5) year period. An extension may be granted if said request is received prior to the expiration date of ~~June 3, 2016~~, and the use is found to be in full compliance with the terms and conditions of this permit at that time. The applicant shall submit a "Report of Compliance" to the Resource Management Department, along with applicable "Periodic Review and Written Report fees", on the fifth (5th) anniversary of the issuance of this permit for review by the staff. The "Report of Compliance" shall address compliance of conditions no. 3 through 8.
3. Comply with the Dixon Fire District requirements.
4. 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.
6. The facility shall be kept clean and free of accumulated horse manure so as not to create a public health nuisance or a breeding area for flies.
7. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
8. 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.
9. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit.

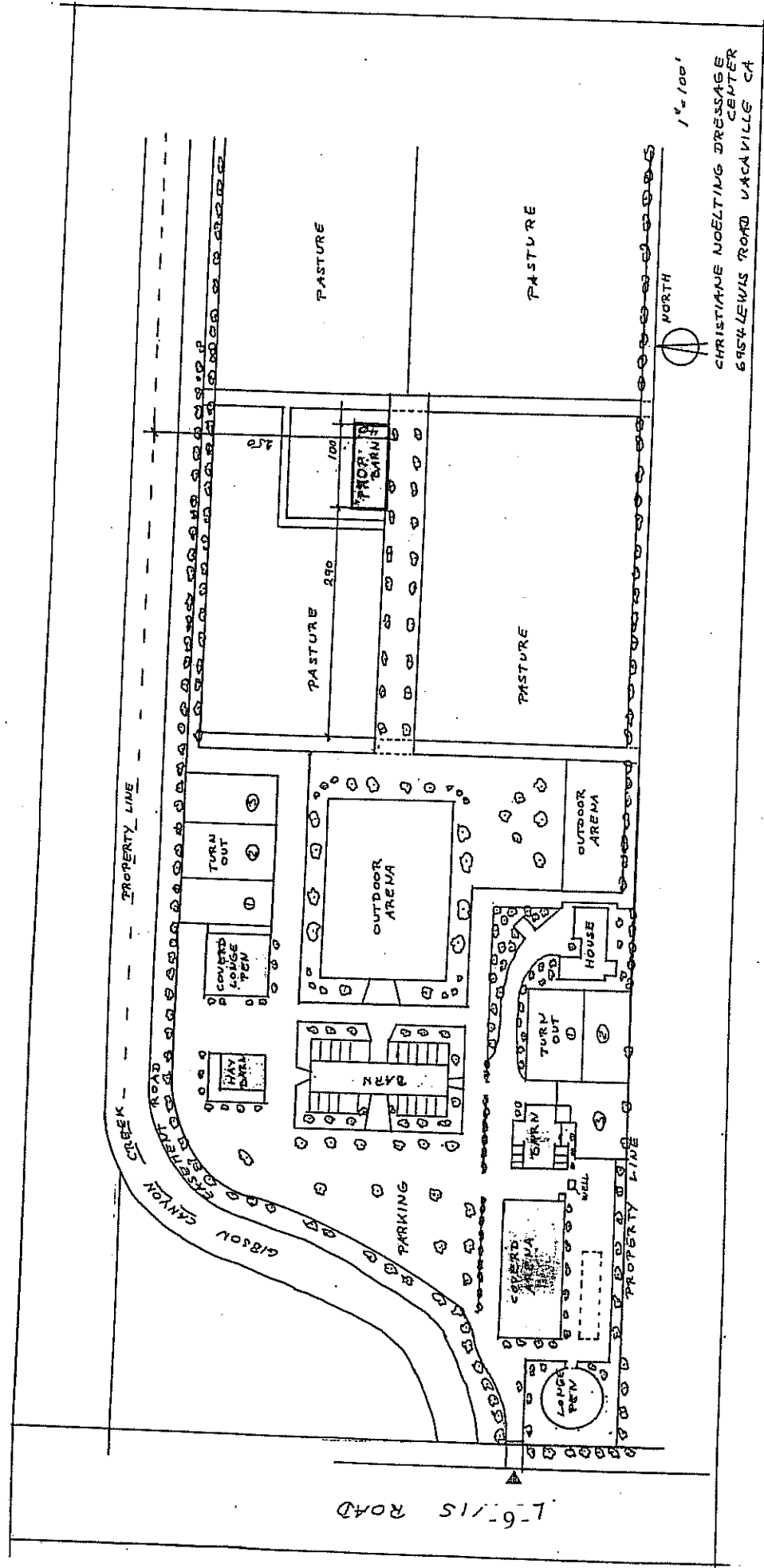
I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 7, 2010.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

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1" = 100'
 NORTH
 CHRISTIANE NOELTING DRESSAGE CENTER
 6954 LEWIS ROAD VACAVILLE CA

L-6-115 ROAD

Exhibit B