

BILL EMLÉN
Director
TERRY SCHMIDTBAUER
Assistant Director
MIKE YANKOVICH
Planning Services Manager

DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

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

www.solanocounty.com

Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-94-06-EX2
Applicant: Kathy Castillo

Meeting of November 5th, 2015
Agenda Item No. 1

Project Planner: Travis Kroger

Location: 5718 Cherry Glen Road
Assessor Parcel Number: 0128-020-020

General Plan: Agriculture
Zoning: A-40

Proposal

The applicant has requested extension No. 4 of use permit U-94-06, pursuant to condition of approval No. 14. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal request so long as the following requirements are satisfied:

- 1) The permittee has requested renewal
- 2) The permittee has paid the applicable renewal fee
- 3) The use is being conducted in compliance with the conditions of the use permit

Background

On August 4th, 1994 the Zoning Administrator granted Use Permit U-94-06, permitting a dog and cat grooming business and a kennel and cattery limited to 30 animals each. On September 16, 1999, extension No. 2 was granted by the Zoning Administrator. On September 5, 2013, extension No. 3 was granted by the Zoning Administrator for a 5 year term ending August 4th, 2014. On July 30th, 2014, the permit holder requested extension No. 4.

Review and Recommendation

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the septic service business is being operated in compliance with use permit no. U-94-06.

Permit Term

Per condition 14 of U-94-06, staff recommends that this permit be extended for a 5 year term with provision that an extension may be granted if requested by the applicant prior to the expiration date of August 4th, 2019.

Attachments: Solano County Zoning Administrator Resolution 94-17

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 94-17**

WHEREAS, the Solano County Zoning Administrator has considered, in public hearing, Use Permit Application No. U-94-06 of **Cathy Castillo** for the establishment of a dog and cat grooming shop and a cattery for the boarding of 30 cats on a 3.39 acre parcel, located at 5718 Cherry Glen Road in the Vacaville area. The property is within the "A-40" Exclusive Agricultural Zoning District (APN: 128-020-020), and

WHEREAS, said Zoning Administrator has reviewed the report of the Department of Environmental Management and heard testimony relative to the subject application at the duly noticed public hearing held on August 4, 1994, and

WHEREAS, after due consideration, the said Zoning Administrator has made the following findings in regard to said proposal:

1. The establishment, maintenance or operation of the proposed project is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution and other aspects of the General Plan.
2. The proposed use will conform to such performance standards as may be imposed and established by the Conditions of Approval suggested below and pursuant to the regulations of the Solano County Zoning Ordinance.
3. The proposed project will not have a significant effect on the environment. The Initial Study identified potential significant effects, but the conditions of approval agreed to by the applicant would avoid or mitigate the effects to a point where clearly no significant effects would occur (CEQA Section 15070(b)).
4. The subject parcel is located in the area defined in the Land Use and Circulation Element as an Intensive Agricultural District.
5. A use permit is required for any new or expanded use in this area.
6. The proposed use is consistent with the Solano County General Plan and Zoning Ordinance.
7. The project, as conditioned, will provide adequate facilities for site access, parking, utilities and drainage because required permits are subject to County standards and requirements.
8. No evidence from the Initial Study or otherwise submitted to the County shows any potential adverse impact on wildlife resources from this project.
9. The proposed use is compatible with existing land uses in the area.

10. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
11. The subject use will not, under the circumstances of the 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.
12. The size of this subject property is 3.39 acres (zoned "A-40") and this "indoor" kennel would create a buffer equal to the 200 foot setback required for kennels.
13. The proposed use is allowed with a use permit in the Exclusive Agricultural Zoning District.

WHEREAS, the Zoning Administrator has determined that the following conditions of approval shall be incorporated into said Use Permit:

1. The use shall be established in accord with the plans and information submitted with Use Permit No. U-94-06 and Variance Application No. V-94-01 as approved by the Solano County Zoning Administrator.
2. All requirements of the Solano County Environmental Health Division shall be met including:
 - a) Prior to the issuance of building permits for the cattery and dog kennel, the applicant shall submit plans for the siting, location and layout of the sewage disposal system to serve the animal facility and secure a permit for the installation thereof from the Environmental Health Division. Plans shall include estimated waste water flow from the grooming and kennel operations.
 - b) The sewage disposal system shall be maintained so as not to create a public health nuisance.
 - c) The facility shall be kept clean and free of odors so as not to create a public health nuisance.
3. In conjunction with the application for a building permit the applicant shall apply to the Transportation Department for:
 - a) an encroachment permit for the site access onto Cherry Glen Road and
 - b) a grading permit for all on-site grading.
4. All requirements of the Solano County Building and Safety Division shall be met including:
 - a) The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting or demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws.
 - b) The permittee shall submit three sets of plans to the Building and Safety Division for plan review and permits prior to beginning improvements.

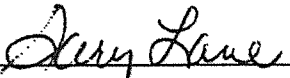
August 4, 1994

5. The premises shall be maintained in a neat and orderly manner and kept free of accumulation of debris or junk. Outside storage shall be prohibited.
6. Adequate measures will be taken as necessary or as directed by the County to prevent offensive noise, lighting, glare, dust or other impacts which may constitute a hazard or nuisance to surrounding property or persons in the area.
7. Any expansion or change in the use or location may require a new or modified use permit and environmental review if required.
8. Failure to comply with the provisions of this use permit shall be cause for immediate revocation of this permit.
9. The permittee shall take steps in construction, establishment, and maintenance of the kennel facilities and operation as necessary to maintain sounds at levels found acceptable by the Zoning Administrator to persons residing in the community.
10. Prior to the issuance of the variance and use permit the new septic system construction shall be inspected by the Environmental Health Services Division.
11. The facility shall be inspected on a regular basis by the Animal Control Division.
12. Prior to the issuance of the building permit, a noise expert shall verify that the proposed construction for the dog kennel will satisfy the noise standard of 60 dBA CNEL at all property lines through the Planning Division sign-off on the Building Permit checklist.
13. All violations of the Solano County Zoning Ordinance shall be abated prior to issuance of this permit.
14. The permit shall be valid for a five (5) year period, ending August 4, 1999 provided that one or more extensions may be granted if a request for extension is received prior to the expiration date, and depending on the circumstances at that time.

BE IT, THEREFORE, RESOLVED, that the Zoning Administrator of the County of Solano does hereby approve Land Use Permit Application No. U-94-04 of Cathy Castillo.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on August 4, 1994.

JOHN TAYLOR, ZONING ADMINISTRATOR



Gary Lane, Principal Planner

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