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DEPARTMENT OF RESOURCE MANAGEMENT



SOLANO COUNTY

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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 U-18-01**

Application No. U-18-01 Project Planner: Eric Wilberg, Planner Associate		Meeting of July 5, 2018 Agenda Item No. 1	
Applicant Malcolm and Sandy Betschart 855 Marvin Way Dixon, CA 95620		Property Owner same	
Action Requested Consideration and approval of Use Permit U-18-01 to establish and operate an agricultural trucking facility and a custom farm services business at 8034 Schroeder Road, ½ mile west of the City of Dixon within the Exclusive Agriculture "A-40" Zoning District, APN: 0113-010-180.			
Property Information			
Size: 26.41 acres		Location: 1/2 mile W of City of Dixon	
APN: 0113-010-180			
Zoning: Exclusive Agriculture "A-40"		Land Use: Agriculture/Custom Farm Service	
General Plan: Agriculture		Ag. Contract: n/a	
Utilities: Domestic well, septic system		Access: Schroeder Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Agriculture	Exclusive Agriculture "A-40"	Commercial Agriculture
South	Agriculture	Exclusive Agriculture "A-40"	Commercial Agriculture
East	Agriculture	Exclusive Agriculture "A-40"	Commercial Agriculture
West	Agriculture	Exclusive Agriculture "A-40"	Commercial Agriculture
Environmental Determination The project qualifies for a Class 1 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Use Permit No. U-18-01 based on the enumerated findings and subject to the recommended conditions of approval.			

SITE DESCRIPTION

The project is located at 8034 Schroeder Road, ½ mile west of the City of Dixon. The property is situated within a predominantly agricultural setting identified as the Dixon Ridge Agricultural Region by the Solano County General Plan. Land surrounding the site is devoted to a variety of agricultural uses including orchard, field, and row crops. The predominantly agricultural setting is accompanied by residences on some parcels.

The subject parcel is 26.41 acres in size and is relatively flat exhibiting slopes of less than six percent. 10.2 acres near the northwest corner of the parcel is developed primarily with a gravel storage yard, a 12,450 square foot metal building, and residential structure. Chain link fencing with privacy slats frames the developed footprint. The balance of the parcel acreage is cultivated in almond and walnut orchard.

Figure 1 – Aerial of Subject Site



BACKGROUND

The subject site has accommodated agricultural trucking operations since 1989. Use Permit U-89-23 was issued by the Solano County Planning Commission which permitted the first such use on site. Subsequent use permit revisions have superseded the original approval and expanded the area devoted to agricultural trucking, storage, and maintenance. The previous agricultural trucking operation has relocated off site and the use permit has expired, thus requiring issuance of a new land use permit for the proposed uses.

PROJECT DESCRIPTION

The applicants Malcolm and Sandy Betschart are requesting consideration and approval of Use Permit U-18-01 to re-establish an agricultural trucking facility as well as a custom farm services business on their property at 8034 Schroeder Road. The project includes establishing two separate businesses within the existing 10.2 acre fenced gravel yard.

Betschart, Inc. is a custom hay harvesting service performing swathing, raking, baling, and field stacking of hay at off site locations. The business intends to utilize 1.5 acres of the gravel yard along the western edge of the developed footprint in addition to 4,250 square feet of the existing metal structure. The shop and yard will be used for regular maintenance and off-season storage of hay harvesting equipment. Equipment includes: (3) swathers, (2) balewagons, (3) tractor-big baler units, (7) 55/65 hp tractors, (4) small balers, and (4) sets of hay rakes. The business operates seasonally with (1) full-time and (4) part-time employees. Part-time employees generally go directly to field job locations to perform work duties. Customers and delivery trucks will not access the site. Hay is not stored or sold on site. Betschart Inc. will not utilize above or below ground fuel tanks. Vehicles and equipment refuel at an offsite location in Dixon.

The remaining 8.7 acres of the fenced gravel yard will be leased by the Tremont Group, a trucking company serving the agricultural community. Typical products hauled include: grain, pears, peaches, tomatoes, dry and liquid fertilizer, lime, and gypsum. The existing gravel yard and metal building would be utilized for truck parking and maintenance. The applicant anticipates storage and parking for approximately 15 trucks and 120 trailers on the western half of the fenced gravel yard. Vehicle and engine maintenance would occur with the metal building which would include air compressors and pneumatic tools. 250 gallons of motor oil would be stored within the structure. A 440 square foot commercial coach is proposed just west of the large shop to facilitate administrative functions.

No agricultural commodities would be stored on site. The applicant anticipates approximately 30 truck trips per day, seasonally from March to November. Trucking operations would occur Monday through Saturday between the hours of 5 a.m. – 8 p.m. The Tremont Group would employ 12 persons on site and parking would be provided just south of the existing metal shop building.

The facility has developed access off Schroeder Road near the northwest corner of the parcel. An existing gated entrance is set back approximately 100 feet from the driveway encroachment onto the public road, providing regulated access to the site. The proposed businesses would utilize existing domestic water well and private septic system developed on site.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class 1 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The parcel has historically been utilized and permitted to operate as an agricultural trucking facility. The site is developed with a fenced gravel storage yard and 12,450 square foot metal shop building. Negligible development in the form of a 440 sq. ft. office coach is proposed under this permit. The parcel has developed access and utilities serving the facility. The custom farm services use is similar to the trucking operation in that the site will be utilized seasonally for vehicle storage and maintenance and both are agriculturally supportive in nature. The proposed uses will be located within the existing developed footprint on the property.

LAND USE CONSISTENCY

General Plan and Zoning

The property is designated Exclusive Agriculture by the Solano County General Plan. 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. Exclusive Agriculture Zoning Regulations require issuance of a Use Permit in order to operate an Agricultural Trucking Facility as well as a Custom Farm Services use subject to general and specific use requirements detailed in Solano County Zoning Code Sections 28.76.10 (A) & (B2):

28.76.10 (A)

General Development Standards. *No use of land or buildings shall be conducted except in compliance with the general development standards in Section 28.70.10 and Section 28.70.20.*

Setbacks. *Minimum setback from an adjacent street shall be the same as required for the main building.*

Within the "A-40" Zoning District, the minimum setback for a main building from the front property line is 30 feet. The project does not involve the construction of any new structures within the required setback. The existing metal building is setback 120 feet from the nearest (front) parcel line. The proposed office coach exceeds setback requirements.

Ingress/Egress. *Shall have ingress and egress on a county public road and shall be designed so as to avoid traffic congestion and hazards.*

The project site fronts along Schroeder Road (County Road No. 240). An entrance gate to the facility is set back 100 feet from Schroeder Road to regulate access and to minimize traffic congestion and hazards.

Trucking Access. *Shall be located to provide convenient trucking access with minimum interferences to normal traffic.*

See Ingress/Egress above.

Loading Spaces. *Shall provide loading spaces as required by the Zoning Administrator or Planning Commission*

The project does not include or require loading spaces.

Encroachment Permit Required. *All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.*

The project has a developed private driveway and encroachment off Schroeder Road.

No Removal of Agriculture. *Shall not require the removal of agricultural crops or grazing areas.*

The existing 10.2 acre fenced gravel yard will be utilized for proposed business operations. The proposed office coach is situated within the developed footprint and no agricultural land will be taken out of production.

Incidental Retail Uses. *Commercial service uses of land, buildings or structures may include*

incidental retail uses customarily found at such establishments.

The project does not include any retail component.

Outdoor Storage. *Outdoor storage incidental to the primary use of the parcel for commercial service purposes is permitted, provided the area devoted to outdoor storage is screened from public view.*

Outdoor storage of trucks, vehicles, and equipment will be screened from public view via the existing chain link fencing with privacy slats.

Adjacent to an R-District. *Shall be adequately screened by landscaping or solid fencing materials.*

The subject site is not adjacent to any Residentially zoned land.

28.76.10 (B2)

In addition to the general standards detailed above, Agricultural Trucking Services and Facilities shall:

- 1) *Show that adequate measures will be taken to control odor, dust, noise, and waste disposal so as not to constitute a nuisance, and;*

Outdoor storage of vehicles and equipment is not expected to contribute to nuisances in this agricultural setting. Repair and maintenance activities would generate some level of noise; however effects would be minimized as these tasks would be performed within the metal shop building.

- 2) *Show that proposed source of water will not deprive other of normal water supply.*

The site is developed with an existing domestic water well which served the previous agricultural trucking operation. The same level of water usage is anticipated for the proposed uses.

RECOMMENDATION

The Department recommends that the Zoning Administrator **ADOPT** the resolution enumerating the mandatory and suggested findings, and **APPROVE** Use Permit No. U-18-01, subject to the recommended conditions of approval.

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.**

The proposed Agricultural Trucking Facility and Custom Farm Services businesses are consistent with the goals, objectives and policies of the Solano County General Plan and Zoning Ordinance and Solano County General Plan. Both businesses support agricultural operations within the region and are conditionally permitted land uses within the Exclusive Agriculture "A-40" Zoning District. As detailed in the Analysis of this report, the proposal meets or exceeds the general and specific land use regulations pertaining to this use.

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

The subject site has developed utilities, access off Schroeder Road, and drainage necessary for the facility.

- 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.**

The project involves the operation of an Agricultural Trucking Facility and a Custom Farm Service business at 8034 Schroeder Road. Vehicle and equipment storage would occur outdoors within the existing fenced gravel yard and would be screened from public view by existing perimeter chain link fencing with privacy slats. Site utilization is seasonal and operations are not expected to be out of character for the agricultural setting or generate nuisances.

ADDITIONAL FINDINGS

- 4. The project qualifies for a Class 1 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.**

CONDITIONS OF APPROVAL

General

- 1. Approval is hereby granted to operate an Agricultural Trucking Facility and a Custom Farm Services business consisting of a 10.20 acre gravel storage yard, 12,450 metal shop building, and 440 sq. ft. office coach at 8034 Schroeder Road; 0113-010-180. The permitted uses shall be established in accord with the application materials and development plans for Use Permit U-18-01, filed January 24, 2018 and as approved by the Solano County Zoning Administrator.**
- 2. 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 properties.**
- 3. Any expansion or change in the use may require a new or modified use permit and further environmental review.**
- 4. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of a new or modified use permit.**

5. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
6. In order to minimize the generation of dust, the permittee shall prohibit vehicular speeds from exceeding 5 mph on site and post signage in a clearly visible place to inform drivers of this limitation. In addition, the permittee shall spray the gravel area of the yard with water as needed in order to suppress the generation of dust.
7. In order to minimize noise impact on surrounding properties, the hours of operation of the shop facility shall be limited to 7:00 a.m. – 6:00 p.m. (November – March) and from 5:00 a.m. – 8:00 p.m. (April – October) Monday through Saturday.

Business License

8. The permittee shall secure and abide by the terms and conditions of a Business License issued by this Department for each business on site. This approved Use Permit shall constitute as the “Zoning Clearance” necessary to file for the license.

Public Works – Engineering

9. The permittee shall maintain a valid Encroachment Permit for the commercial driveway access connection to Schroeder Road.

Building and Safety Division

10. Prior to any construction or improvements taking place, a building permit application shall first be submitted as per Section 105 of the 2013 California Building Code or the latest edition of the codes 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.”

Environmental Health Division

11. The permittee shall comply with the standards and conditions of a Solano County Hazardous Material Management Business Plan which requires secondary containment of hazardous materials.

Permit Term

12. The permit shall be in effect for a five (5) year period with provision that a renewal may be granted if said request is received prior to the expiration date of July 19, 2023 and the use shall remain the same and in compliance with the conditions of approval.

Attachments:

- A – Draft Resolution
- B – Assessor’s Parcel Map
- C – Site Plan Detail
- D – Office Trailer Drawing

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-18-01 of **Malcolm and Sandy Betschart (c/o The Tremont Group)** to establish and operate an Agricultural Trucking Facility and a Custom Farm Services business at 8034 Schroeder Road ½ mile west of the City of Dixon within the Exclusive Agriculture "A-40" Zoning District, APN: 0113-010-180, 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 July 5, 2018, 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 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.**

The proposed Agricultural Trucking Facility and Custom Farm Services businesses are consistent with the goals, objectives and policies of the Solano County General Plan and Zoning Ordinance and Solano County General Plan. Both businesses support agricultural operations within the region and are conditionally permitted land uses within the Exclusive Agriculture "A-40" Zoning District. As detailed in the Analysis of this report, the proposal meets or exceeds the general and specific land use regulations pertaining to this use.

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

The subject site has developed utilities, access off Schroeder Road, and drainage necessary for the facility.

- 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.**

The project involves the operation of an Agricultural Trucking Facility and a Custom Farm Service business at 8034 Schroeder Road. Vehicle and equipment storage would occur outdoors within the existing fenced gravel yard and would be screened from public view by existing perimeter chain link fencing with privacy slats. Site utilization is seasonal and operations are not expected to be out of character for the agricultural setting or generate nuisances.

4. The project qualifies for a Class 1 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

BE IT THEREFORE RESOLVED that the Zoning Administrator has approved Use Permit Application No. U-18-01 subject to the following recommended conditions of approval:

General

1. Approval is hereby granted to operate an Agricultural Trucking Facility and a Custom Farm Services business consisting of a 10.20 acre gravel storage yard, 12,450 metal shop building, and 440 sq. ft. office coach at 8034 Schroeder Road; 0113-010-180. The permitted uses shall be established in accord with the application materials and development plans for Use Permit U-18-01, filed January 24, 2018 and as approved by the Solano County Zoning Administrator.
2. 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 properties.
3. Any expansion or change in the use may require a new or modified use permit and further environmental review.
4. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of a new or modified use permit.
5. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
6. In order to minimize the generation of dust, the permittee shall prohibit vehicular speeds from exceeding 5 mph on site and post signage in a clearly visible place to inform drivers of this limitation. In addition, the permittee shall spray the gravel area of the yard with water as needed in order to suppress the generation of dust.
7. In order to minimize noise impact on surrounding properties, the hours of operation of the shop facility shall be limited to 7:00 a.m. – 6:00 p.m. (November – March) and from 5:00 a.m. – 8:00 p.m. (April – October) Monday through Saturday.

Business License

8. The permittee shall secure and abide by the terms and conditions of a Business License issued by this Department for each business on site. This approved Use Permit shall constitute as the "Zoning Clearance" necessary to file for the license.

Public Works – Engineering

- 9. The permittee shall maintain a valid Encroachment Permit for the commercial driveway access connection to Schroeder Road.

Building and Safety Division

- 10. Prior to any construction or improvements taking place, a building permit application shall first be submitted as per Section 105 of the 2013 California Building Code or the latest edition of the codes 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.”

Environmental Health Division

- 11. The permittee shall comply with the standards and conditions of a Solano County Hazardous Material Management Business Plan which requires secondary containment of hazardous materials.

Permit Term

- 12. The permit shall be in effect for a five (5) year period with provision that a renewal may be granted if said request is received prior to the expiration date of July 19, 2023 and the use shall remain the same and in compliance with the conditions of approval.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on July 5, 2018.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

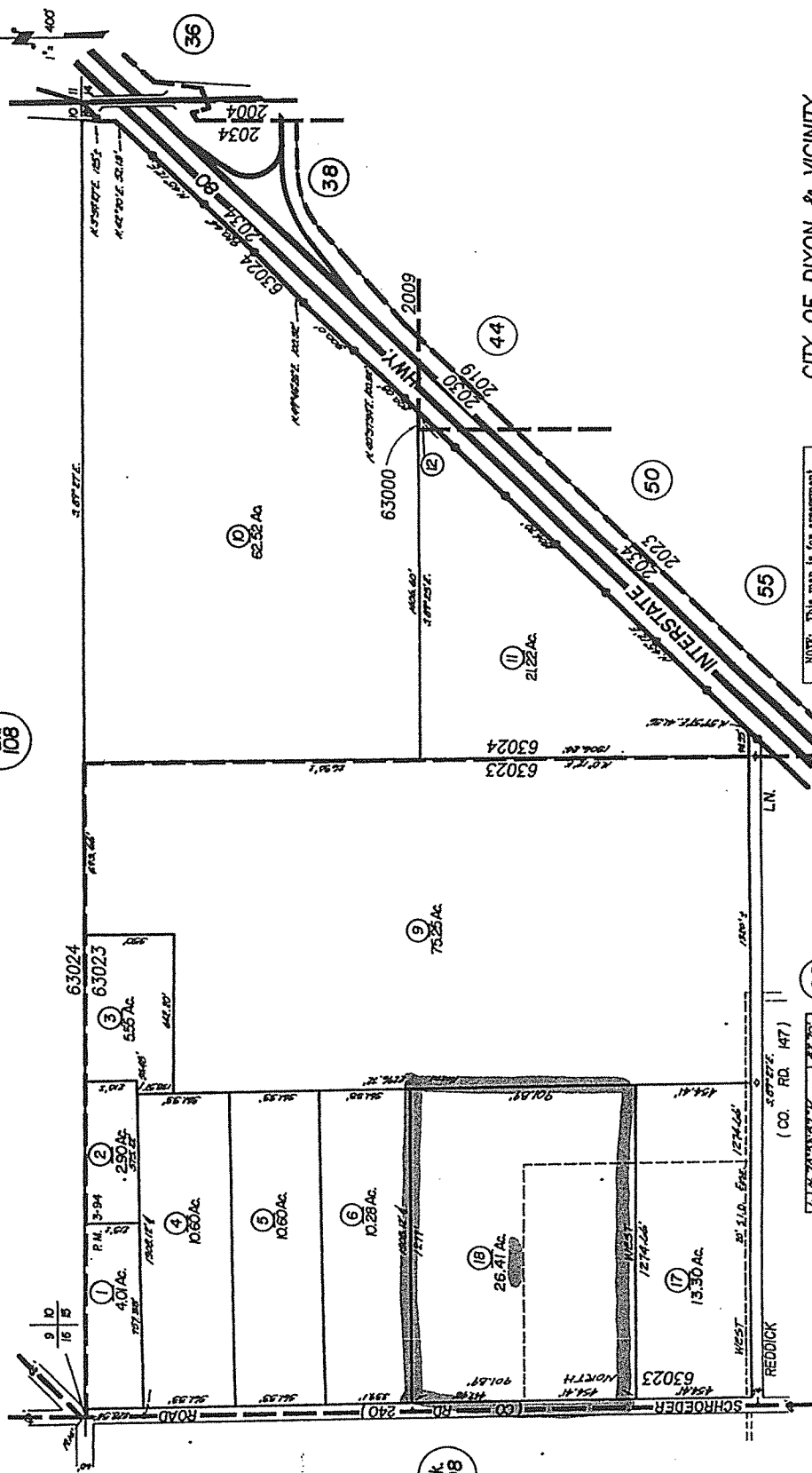
Michael Yankovich
Planning Program Manager

N. 1/2 SEC. 15, T. 7 N., R. 1 E., M.D.B.&M.

Tax Area Code 113-01

63000
63023
63024

Bk 108



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.

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

CITY OF DIXON & VICINITY
Assessor's Map Bk. 113 Pg. 01
County of Solano, Calif.

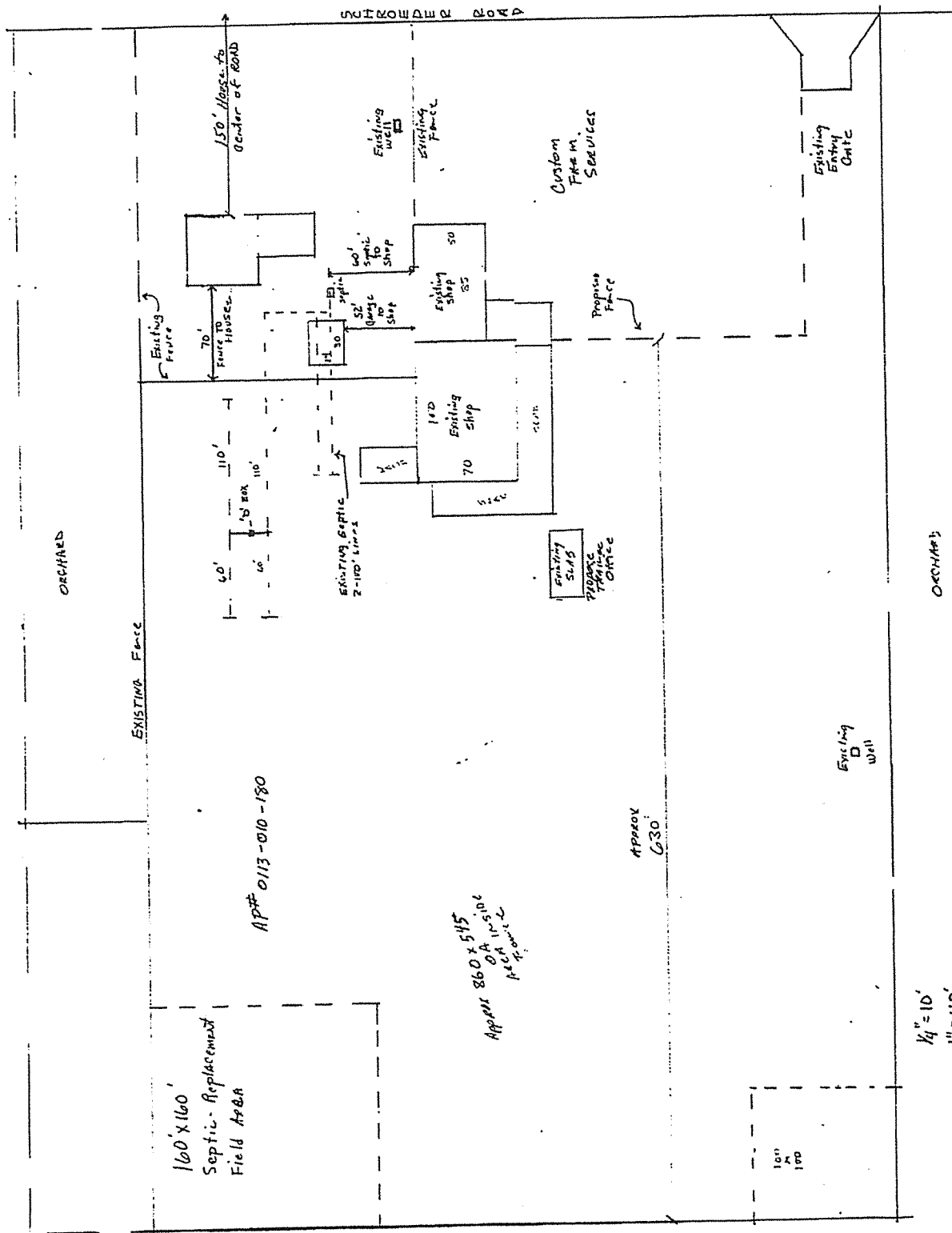
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REVISION	DATE	BY
010-31 to SUB	9-16-94	TS
SEE 97-008	10-04-95	DJ

NO.	DATE	BY
1	10/15/94	TS
2	10/15/94	TS
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30	10/15/94	TS

Bk 108



FILE COPY
J-18-01

CUSTOM FARM SERVICES LOT

MAIN ENTRANCE & EXIT

GATE



GATE

MOTOR OIL 250 GALLONS

HAZARDOUS OIL 250 GALLONS

SHOP

CONCRETE APRON

CONCRETE SLAB

THE TREMONT GROUP
8034 SCHROEDER RD.
DIXON, CA. 95620
PH 707-392-0493

EVACUATION AREA #2

APPROXIMATELY (8.5 ACRES)

GRAVEL LOT

- FIRE EXTINGUISHERS
- EXITS
- EVACUATION ROUTES

PORTABLE RESTROOM

CONCRETE SLAB

OPEN AREA
EVACUATION AREA #1

TIRES

TRUCK PARKING (15)

TRAILER PARKING (30)

TRAILER PARKING (30)

TRAILER PARKING (30)

TRAILER PARKING (30)

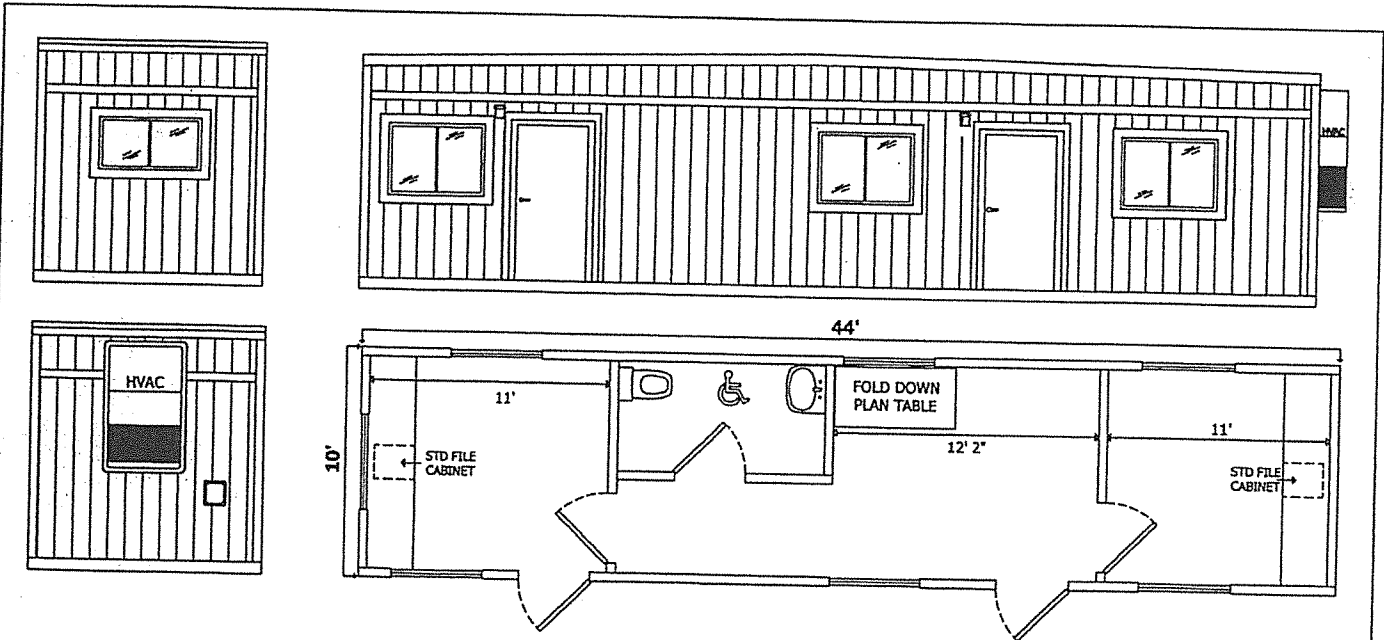
NOT TO SCALE

ORCHARD (SOUTH)

ORCHARD (NORTH)

EMPLOYEE PARKING

FILE COPY
0-18-01



- 440 square feet of office space.
- Two private offices and restroom
- Generous office space for up to eight people.
- Two integrated work stations with desktop and file cabinets as well as one plan table.
- Completely insulated and includes a heating and air conditioning system.
- Vinyl floors are near maintenance free.
- Upgraded interior wall coverings and decorative wood siding for a professional appearance.

Note: Dimensions, and door & window locations shown are nominal. Actual dimensions, layout, and roof slope may vary depending on model or model year selected.

Your Local
Sales Professional
Brent Hoffman
707.678.6100

10' x 44' Mobile Office Building with Restroom

Delivered ready to use "On Time and On Budget"



www.DesignSpaceModular.com

Attachment D

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(1-18-01)