

BILL EMLN

Director

TERRY SCHMIDTBAUER

Assistant Director

MIKE YANKOVICH

Planning Services Manager



SOLANO COUNTY

DEPARTMENT OF RESOURCE MANAGEMENT

675 Texas Street, Suite 5500

Fairfield, CA 94533-6342

(707) 784-6765

Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

OFFICE OF THE ZONING ADMINISTRATOR

**Meeting of November 7, 2019 10:00 a.m.
held in the Office of Resource Management,
County Administration Center
675 Texas Street, Suite 5500, Fairfield, CA**

Attendance by the applicant or authorized representative may be necessary to enable a decision to be rendered. Any person adversely affected by a decision of the Zoning Administrator may file an appeal of the decision to the Planning Commission within ten days of the Zoning Administrator's action. The appeal must be filed with the Secretary to the Planning Commission and must state the reasons why the Zoning Administrator erred in the decision.

Any person wishing to review the application(s) and accompanying information may do so at the Solano County Department of Resource Management, Planning Division, 675 Texas Street, Suite 5500, Fairfield, CA

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Paris Stovell, Department of Resource Management at the address and phone number listed above at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

- A G E N D A -

ADMINISTRATIVE APPROVALS

No items scheduled for approval

PUBLIC HEARINGS

PUBLIC HEARING to consider Minor Use Permit No. MU-19-11 to allow horse boarding and lessons on property zoned Rural Residential 2.5 acre "RR 2.5" acres. The property is located at 5204 Maple Road, Vacaville, CA 95687, APN 0134-280-080 The project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act. (Project Planner: Nedzlene Ferrario) **Staff Recommendation: Approval**

ADJOURNMENT

Staff reports can be found at www.solanocounty.com under Departments, Resource Management, Boards and Commissions approximately one week prior to the hearing.

BILL EMLIN
 Director
 (707) 784-6765

TERRY SCHMIDTBAUER
 Assistant Director
 (707) 784-6765

MIKE YANKOVICH
 Planning Services Manager
 (707) 784-6765

DEPARTMENT OF RESOURCE MANAGEMENT



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

www.solanocounty.com

SOLANO COUNTY ZONING ADMINISTRATOR
Staff Report
Adams Public Stable

Application No. MU-19-11 Project Planner: Nedzlene Ferrario		Meeting of November 7, 2019 Agenda Item No. *	
Applicant Dan and Ellen Adams 5204 Maple Road Vacaville, CA 95687		Property Owner Same	
Action Requested APPROVE the Minor Use Permit application no. MU-19-11 to allow horse boarding and lessons on property zoned RR 2.5 acres.			
Property Information			
Size: 4.89 acres		Location: 5204 Maple Road	
APNs: 0134-280-080			
Zoning: RR-2.5		Land Use: Residence and public stable	
General Plan: Rural Residential		Ag. Contract: N/A	
Utilities: Septic system and well		Access: Maple Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	RR 2.5	Residential
South	Rural Residential	RR 2.5	Residential
East	Rural Residential	RR 2.5	PG&E Easement
West	Rural Residential	RR 2.5	Residential
Environmental Analysis Determine that the project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Use Permit No. MU-19-11 based on the enumerated findings and subject to the recommended conditions of approval.			

PROJECT DESCRIPTION

The property is developed with a single-family dwelling, a barn with horse stalls and indoor arena, hay barn and outdoor arena. Several miscellaneous outbuildings are located on the property, used to keep feed, chickens and rabbits. The property is encumbered by a Solano Irrigation District easement which allows raw untreated water to run through the property.

The horse boarding facility is known as Topiary Farms, operated by the current owners since 2011. A partner assists the operations and does not live on-site. Topiary Farms offers horse boarding services and equestrian lessons to adults and children. Public horse shows are not proposed. A complaint was filed against the property owner about an illegal public stable. Approval of the use permit will bring the public stable into compliance with zoning regulations.

Currently, there are 15 stalls in the main barn and 4 stalls in the adjacent barn, totaling 19 horse stalls. The owners utilize the property to the east (0134-280-090), owned by PG&E to keep several horses in a corral. Official authorization from PG&E to use the corral and the property is required in order for the County to approve a conditional permit that allows usage of the adjacent property. The applicant was unable to secure official authorization from PG&E; therefore, use of the PG&E property cannot be granted. The use permit approval is limited to 9 horses. Exceeding the 9-horse limit, triggers the Confined Animal Facility standards which are a prohibited land use in the Rural Residential zoning districts.

With regard to equestrian lessons, Topiary Farms offers group or private lessons, Monday – Saturday. Group lessons occur on Saturdays, maximum of 2 per week and a maximum of 5 riders per class. Private lessons are offered during the week and typically, 3-4 per day maximum, mostly on Saturdays. Due to the small class sizes and the number of lessons per week, adverse impacts relative to traffic are not anticipated. Approximately 15 parking spaces are available on the property, located nearby the main barn. Adequate parking is available.

Several structures along the west property are within the required 20-foot side yard setback, built by the owners. The owners have agreed to remove the encroachments and comply with the required setbacks. The outdoor arena, constructed by the previous owners, is located within the 60-foot side and rear yard setback, and the current owners have agreed to relocate the arena fence in order to comply with setback requirements.

With regard to manure management, according to the applicant, cleaning is done by the students traded for free ride time. The manure is held in a 6-foot x 16-foot box with a cement bottom and a new cinder box is proposed. Manure is hauled out twice a week and transported off-site to customers. Adverse odor impacts are not anticipated. However, a manure management plan is required by Environmental Health as a condition of approval.

Environmental Health:

Restrooms for guests or employees are required for the facility. The leachfield reserve area shall be designated for the 4-bedroom residence. Conditions of approval are recommended.

ENVIRONMENTAL ANALYSIS (CEQA)

The project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.

RECOMMENDATION

APPROVE Minor Use Permit Application No: 19-11 (MU-19-11), subject to the findings and conditions of approval contained in this report.

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 horse boarding and training facility is consistent with the Rural Residential land use designation of the Solano County General Plan. Policy conflicts have not been identified.

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

Existing access to the site is via Maple Lane which connects to Leisure Town Road. Adequate parking is available for the clients.

- 3. That the applicant exhibits proof that such 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; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.**

Compliance with the conditions of approval will minimize impacts to the neighborhood.

- 4. The project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.**

CONDITIONS OF APPROVAL

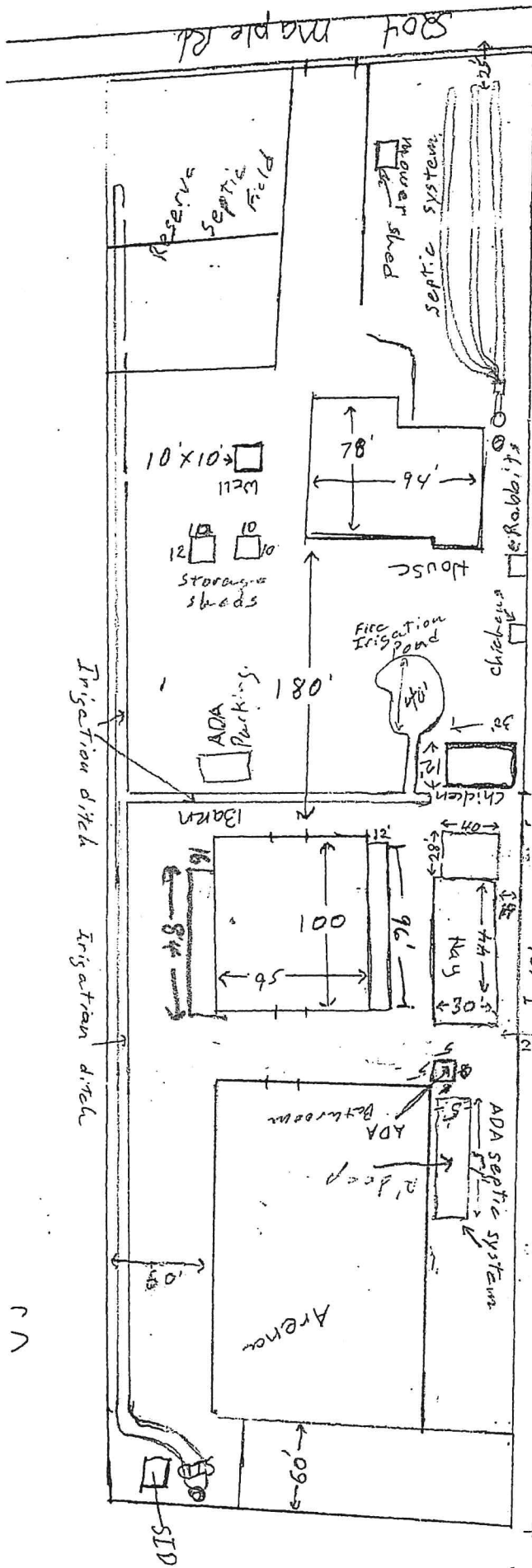
1. The public stable shall be established in accord with the plans and information submitted with Minor Use Permit Application No. MU-19-11 and approved by the Solano County Zoning Administrator.
2. The public stable facility and equine lessons are limited to the subject property, located at 5204 Maple Road, Vacaville, California (APN 0134-280-080) and the number of horses boarded at the facility shall not exceed nine (9) horses. Group and private lessons are permitted. Public horse shows are not permitted unless an amendment or revision to Minor Use Permit No. 19-11 is granted.
3. Hours of operation are Monday through Saturday 9 am – 5 pm. Private and Group classes are permitted. Group classes are limited to a maximum of 2 per week and 5 riders per class. Private lessons (one on one instruction) are permitted by appointment.

4. Within 60 days of granting the Minor Use Permit, obtain a demolition permit from the Building Division to relocate the outdoor arena a minimum of 60 feet from all property lines and removal of the structures within 20 feet of the eastern property line.
5. A Solano County business license shall be obtained within 120 days of Minor Use Permit approval.
6. 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.
7. No additional uses (except uses allowed under Chapter 28 of the Solano County Code) shall be established beyond those identified on the project site plan without prior approval of a minor revision to the use permit. No additional new or expanded buildings (except buildings which are uses allowed under Chapter 28 of the Solano County Code) shall be constructed without prior approval of a minor revision to the use permit, pursuant to Section 28-53(m) of the Solano County Code.
8. 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.
9. Comply with the accessibility requirements under the American Disability Act and California Code for the disabled, as required by the Building and Safety Division.
10. Comply with the Vacaville Fire District rules and regulations.
11. Prior to issuance of the business license, submit a manure management and vector control plan to the Environmental Health Division for review and approval, to clarify how the horse manure on-site is managed and disposed of and describing any measures in place to reduce odors and control disease vectors such as flies.
 - A. Describe any vector and/or odor control practices.
 - B. Describe how the manure is prevented from forming leachate during precipitation events.
12. Prior to issuance of the business license, submit an application and plans to the Environmental Health Division for review and approval, for the construction of permanent restrooms, to serve guests or employees for the business. The plans shall also map a leachfield reserve area for the existing septic system serving the four-bedroom residence.
13. If the facility serves 25 or more persons per day for 60 days or more during a year, it shall obtain a permit to operate a Public Water System (PWs) from the California Regional Water Quality Control Board, Division of Drinking Water. This number includes visitors, employees, and guests; be advised that the system will need to be designed for the maximum daily demand.
14. The premises shall be maintained in a neat and orderly manner and kept free of accumulated building materials, debris, or junk.

15. Failure to comply with any of the conditions or limitations set forth in the subject conditions of approval shall be cause for the revocation of this use permit, pursuant to Section 28-53(j) of the Solano County Code.
16. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews 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:

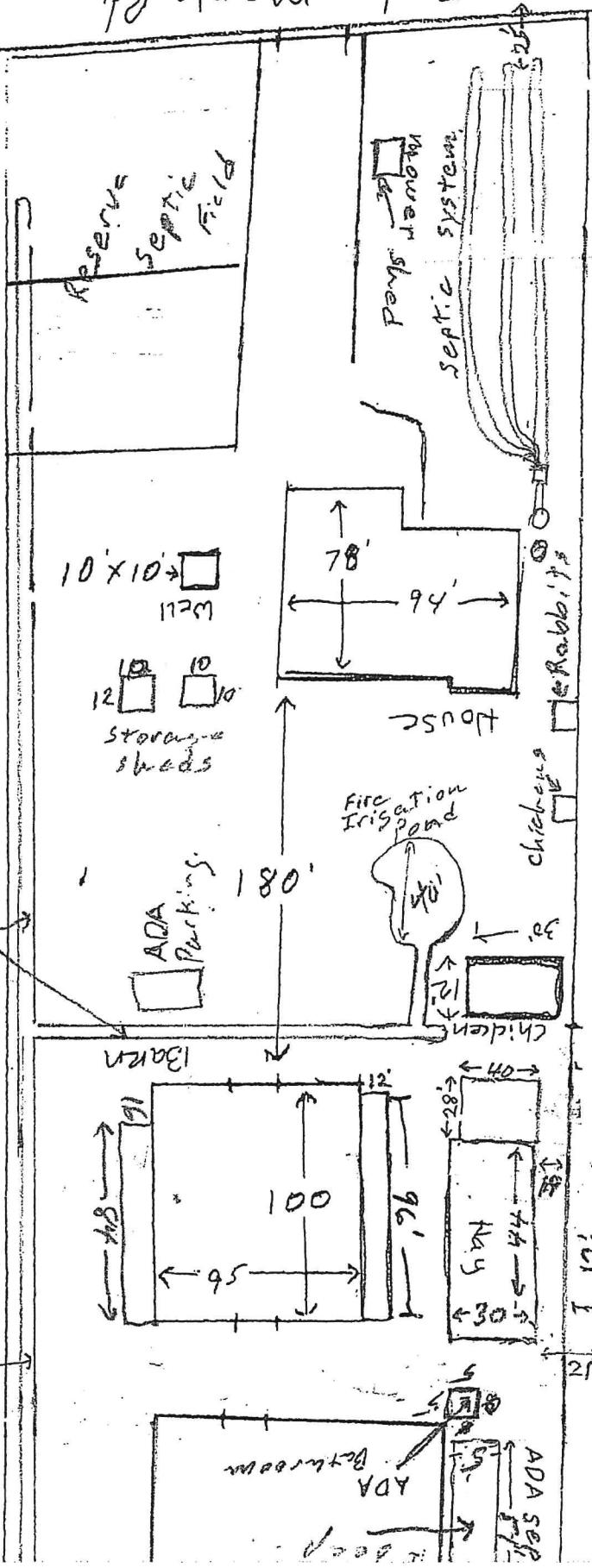
- Exhibit A - Site Plan
- Exhibit B – Aerial
- Exhibit C – Draft Resolution



Prop. line

N

8007 Maple Rd.



Prop. line

Irrigation ditch

Irrigation ditch

5204 Maple Road

Write a description for your map.

Legend

📍 5204 Maple Rd

Google Earth

© 2018 Google

300 ft



5204-Maple Rd



SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit Application No. MU-19-11, of **Ellen Adams** to allow horse boarding and lessons (Topiary Farms). The property is located, APN. 0134-280-080 at 5204 Maple Road, within the Rural Residential 2.5 - acre minimum (RR 2.5) zoning district 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 November 7, 2019, 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 horse boarding and training facility is consistent with the Rural Residential land use designation of the Solano County General Plan. Policy conflicts have not been identified.

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

Existing access to the site is via Maple Lane which connects to Leisure Town Road. Adequate parking is available for the clients.

- 3. That the applicant exhibits proof that such 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; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.**

Compliance with the conditions of approval will minimize impacts to the neighborhood.

- 4. The project qualifies for Class 1 Categorical Exemption Section 15301 Existing Facilities, pursuant to the California Environmental Quality Act.**

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Use Permit Application No.: MU-19-11 subject to the following recommended conditions of approval:

1. The public stable shall be established in accord with the plans and information submitted with Minor Use Permit Application No. MU-19-11 and approved by the Solano County Zoning Administrator.
2. The public stable facility and equine lessons are limited to the subject property, located at 5204 Maple Road, Vacaville, California (APN 0134-280-080) and the number of horses boarded at the facility shall not exceed nine (9) horses. Group and private lessons are permitted. Public horse shows are not permitted unless an amendment or revision to Minor Use Permit No. 19-11 is granted.
3. Hours of operation are Monday through Saturday 9 am – 5 pm. Private and Group classes are permitted. Group classes are limited to a maximum of 2 per week and 5 riders per class. Private lessons (one on one instruction) are permitted by appointment.
4. Within 60 days of granting the Minor Use Permit, obtain a demolition permit from the Building Division to relocate the outdoor arena a minimum of 60 feet from all property lines and removal of the structures within 20 feet of the eastern property line.
5. A Solano County business license shall be obtained within 120 days of Minor Use Permit approval.
6. 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.
7. No additional uses (except uses allowed under Chapter 28 of the Solano County Code) shall be established beyond those identified on the project site plan without prior approval of a minor revision to the use permit. No additional new or expanded buildings (except buildings which are uses allowed under Chapter 28 of the Solano County Code) shall be constructed without prior approval of a minor revision to the use permit, pursuant to Section 28-53(m) of the Solano County Code.
8. 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.
9. Comply with the accessibility requirements under the American Disability Act and California Code for the disabled, as required by the Building and Safety Division.
10. Comply with the Vacaville Fire District rules and regulations.
11. Prior to issuance of the business license, submit a manure management and vector control plan to the Environmental Health Division for review and approval, to clarify how the horse

manure on-site is managed and disposed of and describing any measures in place to reduce odors and control disease vectors such as flies.

- A. Describe any vector and/or odor control practices.
 - B. Describe how the manure is prevented from forming leachate during precipitation events.
12. Prior to issuance of the business license, submit an application and plans to the Environmental Health Division for review and approval, for the construction of permanent restrooms, to serve guests or employees for the business. The plans shall also map a leachfield reserve area for the existing septic system serving the four-bedroom residence.
 13. If the facility serves 25 or more persons per day for 60 days or more during a year, it shall obtain a permit to operate a Public Water System (PWS) from the California Regional Water Quality Control Board, Division of Drinking Water. This number includes visitors, employees, and guests; be advised that the system will need to be designed for the maximum daily demand.
 14. The premises shall be maintained in a neat and orderly manner and kept free of accumulated building materials, debris, or junk.
 15. Failure to comply with any of the conditions or limitations set forth in the subject conditions of approval shall be cause for the revocation of this use permit, pursuant to Section 28-53(j) of the Solano County Code.
 16. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews 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.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on November 7, 2019.

BILL EMLER, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager