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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

Staff Report  
R-294-MR1

<b>Application No.</b> R-294-MR1 (Blue Ridge Kennels) <b>Project Planner:</b> Travis Kroger, Planning Technician		<b>Meeting of January 7, 2021</b> <b>Agenda Item No. 1</b>	
<b>Applicant</b> Max D & Edna M Holland 7590 Nunes Rd. Dixon CA 95620		<b>Property Owner</b> Max D & Edna M Holland 7590 Nunes Rd. Dixon CA 95620	
<b>Action Requested</b> Consideration of Minor Revision No. 1 to Land Use Permit R-294 to permit the expansion from the 20 kennels originally permitted to the current 42 kennels			
<b>Property Information</b>			
Size: 9.24 ac. (total)		Location: 7590 Nunes Road	
APN: 0109-050-120			
Zoning: Exclusive Agriculture (A-40)		Land Use: Large Kennel	
General Plan: Agriculture		Ag. Contract: n/a	
Utilities: private well and septic system		Access: Midway Road	
<b>Adjacent General Plan Designation, Zoning District, and Existing Land Use</b>			
	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Agriculture	Exclusive Agriculture (A-40)	Residential/Grazing
<b>South</b>	Agriculture	Exclusive Agriculture (A-40)	Orchard
<b>East</b>	Agriculture	Exclusive Agriculture (A-40)	Residential
<b>West</b>	Agriculture	Exclusive Agriculture (A-40)	Agriculture – Row crops
<b>Environmental Analysis</b> The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.			
<b>Motion to Approve</b> The Zoning Administrator does hereby <b>ADOPT</b> the attached resolution and <b>APPROVE</b> Minor Revision No. 1 to Land Use Permit No. R-294 based on the enumerated findings and subject to the recommended conditions of approval.			

## **BACKGROUND**

The existing development consists of a primary dwelling, secondary dwelling, an accessory structure which includes storage and an office for the kennel, seven small accessory structures, an existing 20 run kennel permitted by Land Use Permit R-294 and Building Permit R-7169, and an additional 22 outdoor runs which have been added since the existing approval.

## **SETTING**

The subject property consists of 9.24 acres of land, fronting on Nunes Road in unincorporated Dixon. The surrounding parcels are developed with a mixture of agricultural and residential uses.

## **PROJECT DESCRIPTION**

The applicant has applied for a Minor Revision to Land Use Permit R-294 to permit the expansion from the 20-run kennel approved by R-294 to the current 42 kennels.

No other changes to the site or land use are proposed.

## **LAND USE CONSISTENCY**

The parcel is designated Agriculture by the Solano County General Plan Land Use Diagram. 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.

The subject site is zoned Exclusive Agriculture (A-40). Within this district, a large kennel or cattery is allowed subject to Section 28.76.20(A) & (B)(1) of the Solano County Code. These general requirements address access, setbacks, waste management and avoidance of public nuisance.

## **ENVIRONMENTAL ANALYSIS**

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

## **RECOMMENDATION**

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Minor Revision No. 1 to Land Use permit R-294, subject to the recommended conditions of approval.

## **LAND 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.**

This project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agriculture (A-40) zoning

district. The Zoning of the property along with the existing use and proposed modifications is consistent with the General Plan.

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

The site is provided with water by an existing on-site private well and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Nunes Road.

**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.**

As conditioned, the proposed large kennel use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

#### **ADDITIONAL FINDINGS**

4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

#### **CONDITIONS OF APPROVAL**

##### **General**

1. The above use shall be established in accord with the application materials, site plan, development plans and aerial photos as submitted with Minor Revision No. 1 to Land Use permit R-294 filed September 6, 2015 and as approved by the Solano County Zoning Administrator.
2. The kennel will maintain a current Solano County Business License for as long as the business remains in operation.
3. Building Permits for the as-built expansion permitted under this Minor Revision and any additional as-built development determined to required Building Permits by the Solano County Building Official will be submitted within 1 year of approval of this application.
4. Any further expansion to the business or additional development may require approval of a new Minor Revision to R-294.

##### **Building and Safety Division**

5. While the following comments are not all inclusive, they will act as a guideline for the requirements for the construction of any buildings or structures on the site now and in the future. These comments are not required on the application plan for the Use Permit, but (4) sets of plans will be required to be submitted to reflect all of the requirements in the latest edition of the codes adopted by the State of California and Solano County at the time of a construction permit application. These requirements, as well as all other required code requirements, shall be reflected on all construction drawings submitted for permit through Solano County Building Division.

6. The Building and any site improvements shall be designed using the 2019 California Building Standards Codes including the mandatory measures found in the new 2019 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
7. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2019 California Building Code, or the most current edition of the code 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.”**
8. Plans and Specifications shall meet the requirements as per Section 105 of the 2019 California Building Code. **“Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.”** Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”
9. The fire district will reassess the site for fire life and safety requirements.

#### **Public Works Division**

10. Applicant shall apply for, secure and abide by the conditions of a Grading Permit for any grading on the property including, but not limited to, building site preparation, private access improvements, parking areas and walkways, as well as any onsite grading exceeding a total of 5,000 square feet.
11. The Applicant shall apply for, secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connection to Nunes Road that does not have an existing encroachment permit issued by Solano County. Driveways must meet Solano County’s commercial driveway standard and shall be maintained in such a matter as to prevent soil, rocks and debris from tracking onto Nunes Road.
12. Applicant shall apply for, secure and abide by the conditions of an Encroachment Permit for any work within the public right of way. Driveways must meet Solano County’s commercial driveway standard and shall be maintained in such a matter as to prevent soil, rocks and debris from tracking onto Nunes Road.
13. Off-site parking within the Nunes Road public right-of-way shall be prohibited along the entire property frontage.

### **Environmental Health Division**

14. Any additional expansion of the kennel may also require expansion of the existing septic system.
15. The applicant shall obtain an applicable water system permit if it should exceed any of the thresholds:
  - Per the Health and Safety Code (HSC), §116275(n) and the California Code of Regulations (CCR) Title 17, §64211, a State Small Water System (SSWS) permit from Solano County is required if there are five to 14 structures connected to the water system onsite.
  - Per the HSC §116275(h), and CCR Title 17, §64552, a Public Water System (PWS) permit from the CA State Division of Drinking Water is required if the water system services more than 25 daily users for 60 or more days of the year.

### **Permit Term**

16. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals occurring at five (5) year intervals commencing January 7, 2021. The cost associated with the periodic reviews shall be charged at that time.

### **Attachments**

A – Draft Resolution (to be distributed at the meeting)