

SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO.
DRAFT

WHEREAS, the Solano County Planning Commission has considered Amendment No. 1 to Use Permit U-99-04 and Variance 19-03 of **Christiane Noelting** to expand the public stable with horse shows (*Christiane Noelting Dressage Center*) to allow for 40 additional horse stalls, a commercial modular used as a classroom, storage building and horse walker. Variance to allow 40 horse stalls within the 200-feet of any property line. The property is located at 6984 Lewis Road, within the unincorporated portion of Vacaville on property zoned Exclusive Agriculture 40 acre minimum, "A-40" APN: 0141-020-140, and;

WHEREAS, the Commission 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 December 5, 2019, and;

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

USE PERMIT

- 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.**

The structures are accessory to the public horse stable and do 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.

- 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 facility. The site is served by necessary utilities, 2 septic systems and a private well. Adequate utilities, access roads, drainage and other necessary facilities have been provided.

- 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.

VARIANCE

1. **Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this Chapter is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.**

The property is long and narrow in shape (658 feet wide x 2600 feet long) and further encumbered by two canals; Gibson Canyon Creek, 100-foot wide canal and associated easement that traverses the property on the west, north and west of the property, and Kilkenny Canal, located on the west side of the site. Therefore, the size, shape and presence of the canals physically restrict the developable portion of the property.

2. **Variance granted shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which subject property is situated.**

The variance is not a special privilege in that the physical circumstances are unique to the property.

BE IT, THEREFORE, RESOLVED, that the Planning Commission does hereby determine that 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 Planning Commission has approved Amendment No. 1 to Use Permit U-99-04 and Variance no. V-19-03 subject to the following recommended conditions of approval:

1. Approval is granted to allow a public horse stable with shows at 6984 Lewis Road, Vacaville. The approval for the facility is limited to maximum boarding capacity for 40 horses and 40 additional horse stalls. The approved Site Plan for the facility is consistent with Exhibit A.
2. Equestrian lessons and day camps shall be limited to 10 participants at any one time. Dressage horse shows and events shall be limited to three (3) 1-2 day Dressage Shows per year with a maximum of 50 people and 25 cars in attendance at one event. Maximum of six (6) 3 - 4 day clinics/seminars per year with a maximum of 25 participants at any one time. All such activities shall conclude no later than 9:00 p.m.
3. Maintain a minimum 10-foot setback between horse corrals or stalls and the property line.
4. Approval of U-99-04 Amendment No. 1 supersedes prior approvals.
5. Comply with the Vacaville Fire Protection rules and regulations.
6. Within 6 months of use permit approval, the permittee shall secure the appropriate Building Permits for the existing structures pursuant to the Building Code, renew the Business License and pay appropriate fees.
7. Comply with the accessibility requirements under the American Disability Act and California Code for the disabled, as required by the Building and Safety Division

8. 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.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
10. 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.
11. 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.
12. 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, 2023* 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 the conditions of approval.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on December 5, 2019 by the following vote:

AYES: Commissioners

NOES: Commissioners

EXCUSED: Commissioners

By: _____
Bill Emlen, Secretary