



## Agenda Submittal

|                        |  |                      |                             |
|------------------------|--|----------------------|-----------------------------|
| <b>Agenda #:</b>       | 1  | <b>Status:</b>       | PC-Regular                  |
| <b>Type:</b>           | PC-Document  | <b>Department:</b>   | Planning Commission         |
| <b>File #:</b>         | PC 19-030  | <b>Contact:</b>      | Michael Yankovich, 784.6765 |
| <b>Agenda date:</b>    | 7/18/2019  | <b>Final action:</b> |                             |
| <b>Title:</b>          | CONTINUED PUBLIC HEARING to consider Use Permit Application No. U-18-04 of Ted and Jeri Seifert (The Timbers-Silveyville Christmas Tree and Pumpkin Farm) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, with the addition of a proposed event venue consisting of a 3,000 square foot building and adjacent park. The property is located at 6224 Silveyville Road, northwest of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0108-090-130 and 140. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines. (Project Planner: Michael Yankovich) |                      |                             |
| <b>Governing body:</b> | Planning Commission  |                      |                             |
| <b>District:</b>       |  |                      |                             |
| <b>Attachments:</b>    | 1. A - Application.pdf, 2. B - U-18-04 CONDITIONS OF APPROVAL.pdf, 3. C - Vicinity Map.pdf, 4. D - Aerial Vicinity Map.pdf, 5. E - Site Plan.pdf, 6. F - Aerial Site Plan.pdf, 7. G - Williamson Act Rules and Regs Final 5-11-12.pdf, 8. H - Draft Resolution.pdf   |                      |                             |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

### **RECOMMENDATION:**

The Department of Resource Management recommends that the Planning Commission **ADOPT** the mandatory and suggested findings, and **APPROVE** Use Permit No. U-18-04, subject to the recommended conditions of approval in Attachment B.

### **EXECUTIVE SUMMARY:**

The Planning Commission is being asked to consider Use Permit Application No. U-18-04 of Ted and Jeri Seifert (**The Timbers-Silveyville Christmas Tree and Pumpkin Farm**) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, and with the addition of a proposed event venue consisting of a 3,000 square foot building and adjacent park. The proposed event venue will host special events such as weddings, anniversaries and birthday celebrations.

### **ENVIRONMENTAL ANALYSIS:**

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304(e), Minor Alterations to Land. This exemption is for "minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc."

### **BACKGROUND:**

#### **Environmental Setting:**

The site is comprised of two parcels (APN's: 0108-090-130 and 140) which together contain 31.8 acres. (See Attachments C-F). The 9.3-acre parcel (0108-090-140) was previously used by the State as a tomato grading station and is entirely developed with pavement and multiple structures. It is also under contract, No. 52, through the Solano County Uniform Rules and Procedures as authorized by the California Land Conservation

Act. The 22.5-acre parcel (0108-090-130) is developed with agricultural and residential structures as well as significant areas planted in trees and seasonal crops. It is also under California Land Conservation Act contract No. 52.

The Williamson Act program is designed to protect agricultural land for continued commercial agricultural use primarily for the production of food and fiber and other lands devoted to open-space and recreational uses. The rules set forth the eligibility requirements, land use restrictions and procedures for entering into and terminating agricultural preserves and land conservation contracts within Solano County. Table A of the rules does not cite the proposed uses as permitted or compatible with lands within agricultural preserve.

### **Project Description:**

Ted and Jeri Seifert, the owners of the Silveyville Christmas Tree Farm and Pumpkin Patch (Silveyville Project), have applied for a Use Permit (U-18-04) to incorporate special events into their larger agricultural operations which also include a Christmas Tree Farm and the Pumpkin Patch. (See Site Plan). The site is located at 6208-6248 Silveyville Road, in unincorporated Dixon. The Silveyville Project consists of two separate legal lots as shown in Table 1 below. The project includes a seasonal sales lot for pumpkins (Pumpkin Patch) and a seasonal sales lot for Christmas Trees (Christmas Tree Farm). The owners wish to add a special events area (The Timbers) on a portion of the property to accommodate social gatherings of up to 200 persons. Detailed descriptions of each of these land uses is provided in subsequent sections of this report.

### **Project Site**

The project consists of two separate legal parcels, separated for assessment purposes, and containing the following existing and proposed uses and facilities:

| <b>Table 1</b>                  |              |   |   |
|---------------------------------|--------------|---|---|
| <b>APN Number</b>               | <b>Acres</b> | <b>Existing Land Uses</b>   | <b>Proposed Land Uses</b>   |
| <b>Parcel 1</b><br>0108-090-130 | 22.5         | Pumpkin Patch, Christmas Tree Farm, 3 residences, outbuilding for farming, a stable and 1 acre of Christmas trees, 4 acres of pumpkins and 1 acre of almonds and walnuts. | Pumpkin Patch, Christmas Tree Farm, Special Events Venue, 3 residences, outbuilding for farming, a stable and 1 acre of Christmas trees, 4 acres of pumpkins and 1 acre of almonds and walnuts. |
| <b>Parcel 2</b><br>0108-090-140 | 9.9          | Parking and circulation area, agriculture related business  | Parking and circulation area, agriculture related business and a special events structure building  |

### **Parcel 1 (APN 0108-090-130)**

APN 0108-090-130 is approximately 22.5 acres and contains several residences and accessory buildings in addition to areas for pumpkins and Christmas trees. The specific improvements are shown on the site plan and consist of:

### **Existing Structures and Facilities (See Attached Site Plan)**

| Letter | Description |
|--------|-------------|
|--------|-------------|

- A. Residence - 6208 Silveyville - 3,000 sf
- B. Residence - 6224 Silveyville - 2,900 sf
- C. Residence - 6240 Silveyville - 1,200 sf
- D. Pole Barn - 2,700 sf
- E. Barn - 4,800 sf
- F. Office - 1,400 sf
- G. Shop - 1,500 sf
- H. Storage Building - 1,600
- Ag Well
- I. Stable - 1,200 sf
- W. Anzac Office - 400 sf

**Proposed Structures and Facilities** (See Attached Site Plan)

| Letter | Description                                |
|--------|--|
| U.     | New Leach Field                            |
| V.     | Proposed Special Event Facility - 3,000 sf |
| X.     | Special Event Catering                     |
| Y.     | Stage                                      |

**Parcel 2 (0108-090-140)**

APN 0108-090-140 is approximately 9.9 acres with impervious surfaces and buildings left over from a tomato grading operation. The specific improvements are shown on the site plan and consist of:

**Existing Structures and Facilities** (See Attached Site Plan)

| Letter | Description               |
|--------|---------------------------|
| J.     | Office - 1,500 sf         |
| K.     | Pole Barn - 8,000 sf      |
| L.     | Shop Building - 10,000 sf |
| M.     | Well                      |

- N. Septic System
- O. Parking Area
- P. Handicap Parking

## **Components of the Proposed Project (See Attachment E: Site Plan)**

### **The Pumpkin Patch**

The Pumpkin Patch is a seasonal sales lot which operates from approximately the last weekend in September until October 31<sup>st</sup>. In addition to the sale of pumpkins, visitors can participate in a variety of activities such as rides around the farm on an “ATV Train” or decorating pumpkins. The Pumpkin Patch is open every day during its season (September through October) for no more than 25 days from 10:00 am until 6:00 pm.

### **Christmas Tree Farm**

The Christmas Tree Farm is also a seasonal sales lot which opens shortly after Thanksgiving and operates until a few days before Christmas for no more than 25 days. The Christmas Tree Farm provides a variety of pre-cut and cut-your-own trees for sale along with tree shaking and netting services. Amusement activities are also provided including “Santa’s Sleigh Ride” and the “Christmas Village” among other amusements. The Christmas Tree farm hours of operation are from 9:00 am until 5:00 pm and 9:00 am to 7:00 pm several days of the week.

### **The Timbers at Silveyville**

The Timbers at Silveyville will be located on the property for special events such as weddings, either outdoors or within a proposed 3,000 square foot special event building or a 5,000 square foot tent. The Timbers is set under a redwood grove in the southern part of Parcel 1. In addition, there will be an outdoor stage/performance area and food preparation/catering area. The Timbers can serve events up to 200 persons in size. The events will occur from March through October.

### **The Gift Shop**

The shop is approximately 800 square feet in size located in Building E (Red barn). The shop contains purchased items from commercial vendors and handmade items from the family for sale to the public. Online orders may also be placed for merchandise. The gift shop is open during pumpkin and Christmas Tree sales seasons. Since the gift shop is open to the public and there is no record of a building permit, the building must meet current building and fire code requirements.

### **Miscellaneous Uses**

There are numerous miscellaneous uses on the property, including:

| Building | Use  |
|----------|--|
| E.       | Pay House - 300 sf.  |
| E.       | Concession Area - 250 sf.                                    |
| D.       | Display of produce, children’s activity center, Santa visits |
| F.       | Restrooms, office, waiting room for event center             |

|    |                              |
|----|------------------------------|
| M. | Ag/Commercial rental spaces  |
| L. | Ag/Commercial rental spaces  |
| G. | Private shop/vehicle storage |
| W. | Ag/Commercial rental space   |

## Infrastructure

### Storm water

The project has existed in the present physical condition for several decades. No changes in impervious surface area are proposed and no additional storm drainage improvements are included within the project.

### Traffic and Circulation

The project has driveway access from two connections to Silveyville Road, a paved two-lane county road. No changes are proposed to the project access and circulation configuration. A traffic control plan will be in place to ensure that traffic congestion during an event is minimized.

### Water Supply

Water will be supplied by a combination of four existing on site wells.

### Wastewater

There are four existing septic systems and leach fields on site. A new system with a primary and secondary leach field is proposed on Parcel 1 to serve the existing remodeled restrooms.

## ANALYSIS:

### **General Plan Consistency:**

The 2008 General Plan designates this property as Agricultural, which is defined as:

*Provides areas for the practice of agriculture as the primary use, including areas that contribute significantly to the local agricultural economy, and allows for secondary uses that support the economic viability of agriculture. Agricultural land use designations protect these areas from intrusion by nonagricultural uses and other uses that do not directly support the economic viability of agriculture.*

*Agricultural areas within Solano County are identified within one of 10 geographic regions. Within these regions, uses include both irrigated and dryland farming and grazing activities. Agriculture-related housing is also permitted within areas designated for agriculture to provide farm residences and necessary residences for farm labor housing. - pg. LU-21*

The proposed use of the property by the Silveyville Christmas Tree Farm and Pumpkin Patch as a seasonal sales lot for produce with associated agritourism amusements and events is consistent with the vision and policies contained within the 2008 General Plan.

### **Zoning Consistency:**

The parcels are zoned Exclusive Agricultural (A- 40), which contain the following Zoning District Standards

Section 28.21 of the Solano County Code establishes permissible land uses for the Exclusive Agricultural District which include seasonal sales lots, amusement and entertainment uses and agricultural processing with special events. A use permit is required to assure that the uses are appropriate for the specific parcel and would not result in nuisances to

surrounding properties and facilities.

**Site Specific Considerations:**

The site consists of approximately 31.8 acres of relatively flat agricultural lands that are currently contracted under the California Land Conservation Act as contract No. 52. The permittee will file Nonrenewal of the contract upon approval of Use Permit U-18-04. The property is generally rectangular in shape and has frontage on, and access from Silveyville Road.

**PROPOSED 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 as Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agricultural (A-40) District. The proposed temporary agritourism uses are consistent with the General Plan. The property is developed with agricultural and residential structures as well as significant areas planted in trees and seasonal crops.

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

The site does not have utilities for permanent development. The proposed use is a temporary event for up to 45 days. All necessary services will be brought onto the site on a temporary basis for 45 days and then removed. A traffic control plan will be in place to ensure that traffic congestion during an event is minimized.

- 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 seasonal sales lot with amusements and entertainment uses will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents. A traffic and parking management plan will be in place to ensure that traffic congestion during an event is minimized.

**ADDITIONAL FINDINGS**

- 4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304, Minor Alterations to Land.**

**CONDITIONS OF APPROVAL**

See Attachment B for conditions of approval.

**ATTACHMENTS**

Attachment A: Application  
Attachment B: Conditions of Approval  
Attachment C: Vicinity Map  
Attachment D: Aerial Vicinity Map  
Attachment E: Site Plan  
Attachment F: Aerial Site Plan  
Attachment G: Williamson Act Rules and Regulations  
Attachment H: Draft Resolution