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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-81-44/MD-04-01-MR3-EX1
Applicant: Birds Landing, LLC

**Meeting of January 7, 2016
Agenda Item No. 1**

Project Planner: Travis Kroger

Location: 2099 Collinsville Road
Assessor Parcel Number: 0090-070-230

**General Plan:
Zoning:** A-160

Proposal

The applicant has requested extension No. 1 of use permit U-81-44-MR3, pursuant to condition of approval No. 13. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal request so long as the following requirements are satisfied:

- 1) The permittee has requested renewal
- 2) The permittee has paid the applicable renewal fee
- 3) The use is being conducted in compliance with the conditions of the use permit

Background

On February 19th, 1981, Land Use permit U-80-31 and Marsh Development permit MD-80-13 were granted by the Solano County Planning Commission to establish a hunting preserve. On November 20th, 1986, this permit was revised by application U-81-44 to add a dog kennel and trailer park to the existing hunting preserve. On July 15th, 2004, U-81-44-MR2 and MD-04-01 were approved to add a clay target shooting facility, restaurant, pro shop to the existing facility, and expand the hunting dog kennels from 5 to 20 dogs. On February 4th, 2010, U-81-44-MR3 was approved to add a 2,400 square foot equipment storage building to the existing facility. As of the time of this compliance review the building has not yet been constructed, but the applicant stated that the building should be completed by the end of 2016.

Review and Recommendation

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the hunting preserve is being operated in compliance with Use Permit U-81-44-MR3.

Permit Term

Per condition 13 of U-81-44-MR3, staff recommends that this permit be extended for a 5 year term with provision that an extension may be granted if requested by the applicant prior to the expiration date of July 15, 2019.

Attachment: Solano County Zoning Administrator Resolution No. 10-02

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 10-02**

WHEREAS, the Solano County Zoning Administrator has considered a minor revision to Use Permit No. U-81-44-MR3 and Marsh Development Permit No. MD-04-01-MR1 of **Birds Landing Hunting Preserve** to add a 2,400 square foot metal building for equipment storage and maintenance activities associated with the Birds Landing Hunting Preserve at 2099 Collinsville Road located 9 miles southwest of the City of Rio Vista in an "M-P" Marsh Preservation Zoning District, APN's: 0090-070-230, 140, 150 and 160, 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 January 7, 2010, 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 proposed use is considered to be incidental to the existing, established facilities associated with the Bird's Landing Hunting Preserve. The recreational shooting facility has been determined to be consistent with the policies of Agricultural and Marsh designations of the Land Use Chapter of the Solano County General Plan.

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

The site is adequately served by the on-site septic system and well. Access is provided by Collinsville and Dinkelspiel Roads.

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.

On the basis of staff site inspection performed on October 29, 2009, and the lack of complaints on file with the Department of Resource Management as of December 2009, the proposed use does not constitute a nuisance nor is it detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, nor is it detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County of Solano.

MARSH DEVELOPMENT PERMIT MANDATORY FINDINGS

4. The application process complies with the California Environmental Quality Act of 1970, as amended.

A Negative Declaration of Environmental Impacts has been adopted for the project pursuant to the California Environmental Quality Act of 1970, as amended

5. The proposed use is consistent with the Certified Suisun Marsh Local Protection Program.

The use is consistent with the Certified Suisun Marsh Local Protection Program, including General Plan requirements regarding recreational land use in the Marsh. Additionally, the proposed use is consistent with zoning district regulations which were applied to areas within the Marsh to provide land use controls consistent with Marsh Act provisions.

ADDITIONAL FINDINGS

6. Adequate controls or measures will be taken to prevent any hazard or nuisance to surrounding residents or farm animals, and to prevent trespassing to surrounding property.

Adequate controls have been taken to prevent any hazard or nuisance to surrounding residents or farm animals. All users of the facility are required to be licensed hunters who have successfully completed a gun safety course. All users of the facility are provided with clear instructions regarding the site's boundaries to prevent trespassing to surrounding properties.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the minor revision to Use Permit No. U-81-44-MR3 and Marsh Development Permit No. MD-04-01-MR1 subject to the following recommended conditions of approval:

1. The proposed use shall be established in accord with the application materials, development permit application, and site plan titled 'New shop building, Birds Landing Hunting Preserve dated September 9, 2009' and as approved by the Solano County Zoning Administrator.
2. This use permit minor revision includes Marsh Development permit MD-04-01, and supersedes all previous use permits and use permit revisions.
3. 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 permit or minor revision to the use permit and potentially subject to environmental review.
4. The permittee shall take all necessary measures to prevent dust, noise, light, glare, odor and other objectionable elements from adversely affecting the surrounding area beyond acceptable limits.

5. The area under and around the manufactured home shall be maintained clear of all dry vegetation or combustible growth for a distance of not less than 30 feet.
6. All parking shall be on-site at the clubhouse facility and parking areas designated on the approved plans.
7. A safety zone shall be established and posted a minimum of 500 feet from any occupied off-site dwelling.
8. All requirements of the **Environmental Health Division** shall be met including:
 - a. The permittee shall maintain a proper permit for the water distribution system from the State of California Department of Public Health, Division of Drinking Water. This office shall be copied with documentation of the State of California Department of Public Health, Division of Drinking Water permitting and correspondence.
 - b. The well serving the manufactured home shall have a chlorination device in place and functioning.
 - c. All waste drain lines from the manufactured home shall be solid ABS Schedule 40 pipe or its equivalent, equipped with solid couplings. All drain lines shall be connected directly to the septic tank.
 - d. The permittee shall ensure the wash water from the dog kennel is properly piped to the sewage disposal system.
 - i. The second compartment of the septic tank shall be fit with an effluent filter.
 - ii. Hair screens shall be installed on the floor drains to prevent entrance of hair into the septic tank.
 - iii. Plumbing plans of the dog kennel shall be submitted for approval to this Division prior to the issuance of a septic tank permit and building permit.
 - e. A minimum of 50 feet shall be required between the dog kennel and any wells.
 - f. The septic tank and drain field system servicing the clubhouse and related facilities shall be maintained in functional condition so as not to create a public nuisance.
9. All requirements of the **Building and Safety Division** shall be met including:

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.

10. Use of the manufactured residence shall remain accessory and incidental to the Bird's Landing Hunting Preserve.
11. Upon expiration of the permit, should no extension be granted, the temporary manufactured residence shall be removed.
12. Use of the recreational vehicle park shall be limited to the months of September through April. Recreational vehicles shall not be used or stored on the subject property or neighboring properties during other times of the year.
13. The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of July 15, 2014.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on January 7, 2010.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager