

DEPARTMENT OF RESOURCE MANAGEMENT

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Planning Services Division

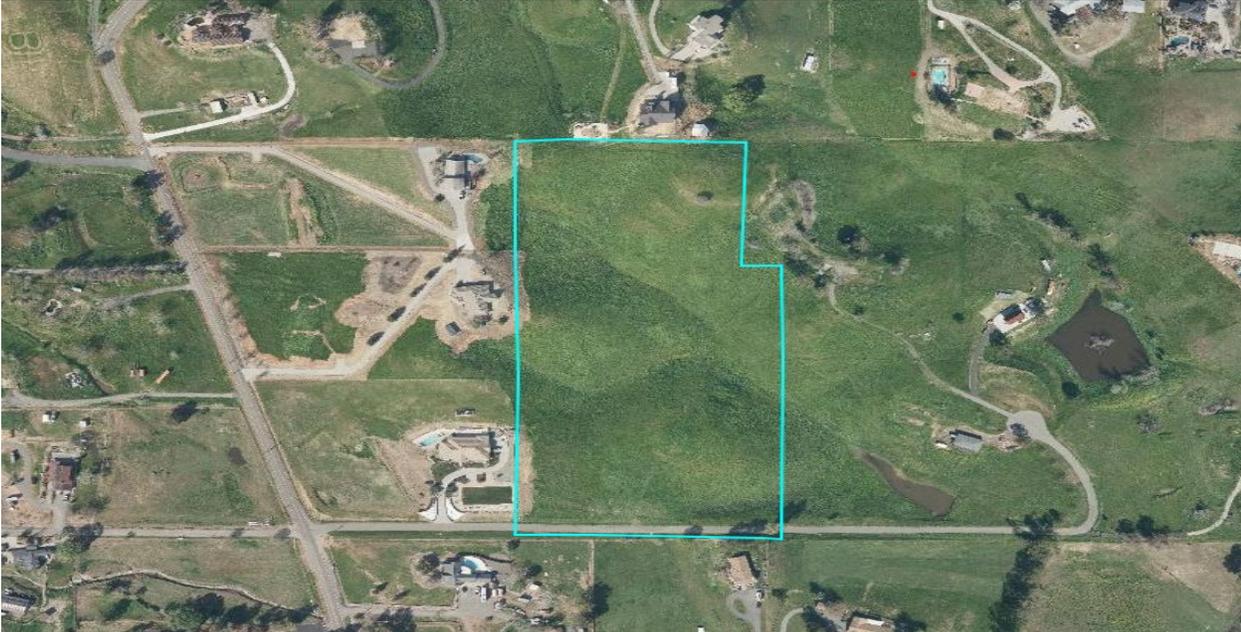
Solano County Zoning Administrator

Staff Report  
MU-23-01

<b>Application No.</b> MU-23-01 <b>Project Planner:</b> Catherine Cook, Associate Planner		<b>Meeting of April 20, 2023</b> <b>Agenda Item No. 2</b>	
<b>Applicant</b> Alex Withers 4753 Mangels Blvd Fairfield, CA 94534		<b>Property Owner</b> Withers Family Farms, LLC 4753 Mangels Blvd. Fairfield, CA 94534	
<b>Action Requested</b> Consideration of Minor Land Use Permit application MU-23-01 to construct a 3,880 square foot detached accessory structure to be used for garage and workshop by the property owner on a 13.0-acre parcel.			
<b>Property Information</b>			
<b>Size:</b> 13.0 acres (total)		<b>Location:</b> Skyhawk Lane	
<b>APN:</b> 0104-150-600		<b>SRA Designation:</b> Moderate	
<b>Zoning:</b> Rural Residential 5.0 acre minimum (RR-5)		<b>Land Use:</b> Residential accessory structure over 2,500 square feet	
<b>General Plan:</b> Rural Residential		<b>Ag. Contract:</b> n/a	
<b>Utilities:</b> Rural North Vacaville water service and on-site septic system		<b>Access:</b> Skyhawk Lane	
<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>	Rural Residential	Rural Residential (RR-5)	Residential
<b>South</b>	Rural Residential	Rural Residential (RR-2.5)	Residential
<b>East</b>	Rural Residential	Rural Residential (RR-5)	Residential
<b>West</b>	Rural Residential	Rural Residential (RR-5)	Residential
<b>Environmental Analysis</b> The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, Class 3, New Construction or Conversion of Small Structures.			
<b>Motion to Approve</b> The Zoning Administrator does hereby <b>ADOPT</b> the attached resolution and <b>APPROVE</b> Use Permit No. MU-23-01 based on the enumerated findings and subject to the recommended conditions of approval.			

## **BACKGROUND/SETTING**

The subject property consists of 13 acres of land, fronting on Skyhawk Lane in unincorporated Solano County. The surrounding parcels are developed with residential dwellings and accessory structures. The property is currently undeveloped with a pending Building Permit (B2022-1141) to build a 4,100 square foot single-family home. Applicant intends to construct the detached 3,880 square foot workshop and garage at the same time as the primary dwelling. An accessory dwelling unit of 959 square feet on the second story of the detached accessory building is proposed in the future. The property has some steep and rolling hills, including to the rear of the detached garage location. Only one mature tree is on the property; however, it is not proposed for removal.



## **PROJECT DESCRIPTION**

The applicant has applied for a Minor Land Use permit to construct a 3,880 square foot residential accessory structure to be used as a five (5)-car garage for personal vehicles and RV parking, and a workshop. The building has a concrete slab foundation and seven (7) roll-up doors. A new driveway is proposed to the accessory structure.

## **NEIGHBORHOOD COMPATIBILITY**

An aerial survey shows that most surrounding parcels in the area are developed with existing accessory structures. Construction of the proposed detached accessory structure will have minimal to no negative visual impact on the surrounding area. The exterior of the accessory structure is similar in appearance to the primary dwelling with stucco siding, rock façade and tile roofing.

## **LAND USE CONSISTENCY**

The parcel is designated Rural Residential in the Solano County General Plan. As indicated on the General Plan Land Use Diagram (Figure LU-1) the Rural Residential minimum 5.0 acres (RR-5) zoning district is consistent with this designation.

The subject site is zoned Rural Residential. Within this district, accessory buildings over 2,500 square feet are allowed with a Minor Use Permit, subject to Section 28.72.30 (B)(1) of the Solano County Code.

Accessory structures are subject to the Development Standards for Accessory Buildings, Table 28-31C of the Zoning regulations. The proposed structure exceeds the minimum setbacks required by the zoning district as listed below:

	<b>Required</b>	<b>Proposed</b>
<b>Front</b>	60 feet	183 feet
<b>Side</b>	10 feet	52 feet
<b>Rear</b>	10 feet	828 feet
<b>Between dwellings</b>	10 feet	141 feet

The detached accessory garage and workshop will be served by the Rural North Vacaville Water District and the property has an existing water connection with meter and backflow device. No additional permitting is required by Environmental Health in conjunction with this minor use permit, but review of the septic construction and potable water source for the structure will be required as part of the building permit application.

### **ENVIRONMENTAL ANALYSIS**

The project qualifies for a Class 3 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

### **RECOMMENDATION**

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings and **APPROVE** Use Permit No. MU-23-01, subject to the recommended conditions of approval.

### **MINOR 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 Rural Residential by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Rural Residential 5.0-acre minimum (RR-5) zoning district.

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

Water will be provided by Rural North Vacaville Water District, and sewer service by an on-site sewage disposal system. The site is accessed by Skyhawk Lane.

- 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 residential accessory structure 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 3 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

## **CONDITIONS OF APPROVAL**

### **Planning Division / General**

1. The above use shall be established in accord with the application materials and development plans as submitted with MU-23-01, filed January 23, 2023 and as approved by the Solano County Zoning Administrator
2. This structure will only be used for keeping personal vehicles, and workshop use by the occupants of the primary dwelling. Any expanded uses, other than residentially related uses, including any commercial use will require a Minor Revision to the minor use permit.
3. Construction of any additional accessory structure, that in aggregate with this structure is greater than 5,000 square feet in size, will require a Minor Revision to the minor use permit except for the following:
  - a) Any structure used for the keeping of animals, such as a stable or corral, or for crop storage, which is unenclosed with an open side and no flooring, shall not require a use permit and shall not be counted as part of the aggregate total for accessory buildings.
  - b) Any structure 120 square feet in size or less and exempt from the permit requirements of County Building Code shall not be counted as part of the aggregate total for accessory buildings.

### **Building and Safety Division**

4. The building and any site improvements shall be designed using the 2022 California Building Standards Codes or the current code at the time of application.
5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2022 California Building Code: "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, shall first make application to the building official and obtain the required permit."
6. Plans and Specifications shall meet the submittal requirements as per Section 107 of the 2022 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.”

7. Based on Solano County maps, this project is located within the Fire Hazard Severity Zone and shall comply with all requirements of materials, systems and construction methods of chapter 7A of the 2022 California Building Code and section 337 of the 2022 California Residential Code.
8. The Vacaville Fire Protection District will reassess the site for fire, protection of life and property, and safety requirements at the time of Building Permit review.

### **Environmental Health**

9. Prior to approval for the Building permit application for the workshop/garage, review and approval of a septic construction permit will be required.
10. Prior to approval for the Building Permit application for the workshop/garage, review and approval of the potable water source for the structure, per Solano County Code Chapter 6.3-50, -51, and -52 will be required.

### **Public Works**

11. Applicant shall apply for, secure, and abide by the conditions of a grading permit for the construction of any improvements required by this Use Permit. The permittee 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, access improvements, parking areas and walkways, as well as any onsite grading exceeding a total of 5,000 square feet. In addition, Grading Permits shall be secured for any future grading or drainage improvements on the property. Public Works Engineering will require the submittal of a drainage plan showing all offsite and onsite improvements necessary to manage storm water issues related to this development. Agricultural soil cultivation does not require a grading Permit.
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 be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto public roads.

### **Attachments:**

[A – Draft Resolution](#)

[B – Assessor’s Parcel Map](#)

[C – Vicinity Map](#)

[D – Overall Site Plan](#)

[E – Garage and Workshop Floor Plan](#)

**SOLANO COUNTY ZONING ADMINISTRATOR  
RESOLUTION NO. 23-xx**

**WHEREAS**, the Solano County Zoning Administrator has considered Minor Use permit application MU-23-01 (**Withers**) to construct a new 3,881 square foot residential accessory structure for use as a workshop and garage for personal vehicles located at Skyhawk Lane, within unincorporated Vacaville in the Rural Residential (RR-5) zoning district, APN 0104-150-600; 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 April 20, 2023, 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 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 Rural Residential by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Rural Residential 5.0-acre minimum (RR 5) zoning district.

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

The site is accessed by Skyhawk Lane; provided with water by Rural North Vacaville Water District and on-site septic system.

- 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 residential accessory structure use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

- 4. The project qualifies for a Class 3 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.**

**BE IT THEREFORE RESOLVED**, that the Zoning Administrator has approved Minor Permit application MU-23-01 subject to the following recommended conditions of approval:

**General**

1. The above use shall be established in accordance with the application materials and development plans as submitted with MU-23-01, filed January 23, 2023 and as approved by the Solano County Zoning Administrator.
2. The use of the proposed 3,881 square foot structure is limited to keeping personal vehicles, and workshop use, by the occupants of the primary dwelling. Any expanded uses, including any commercial use, will require a Minor Revision to this permit.
3. Construction of any additional accessory structures not described by the following will require a Minor Revision to this permit.
  - a) Any structure used for the keeping of animals, such as a stable or corral, or for crop storage, which is unenclosed with an open side and no flooring, shall not require a use permit and shall not be counted as part of the aggregate total for accessory buildings.
  - b) Any structure 120 square feet in size or less and exempt from the permit requirements of County Building Code shall not be counted as part of the aggregate total for accessory buildings.

**Building and Safety Division**

4. The building and any site improvements shall be designed using the 2022 California Building Standards Codes or the current Code at the time of application.
5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2022 California Building Code: “Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure shall first make application to the building official and obtain the required permit.”

<b>Building &amp; Safety Division Action Required</b>	<b>When</b>	<b>Date Completed</b>	<b>Verified by</b>
Obtain building permit application for the proposed new structure per COA #5	Prior to construction		

6. Plans and Specifications shall meet the submittal requirements as per Section 107 of the 2022 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.”

- 7. Based on Solano County maps, this project is located within the Fire Hazard Severity Zone and shall comply with all requirements of materials, systems and construction methods of chapter 7A of the 2022 California Building Code and section 337 of the 2022 California Residential Code.
- 8. The fire district will reassess the site for fire, protection of life and property, and safety requirements at the time of Building Permit review.

**Environmental Health**

- 9. Review and approval of a septic construction permit will be required prior to approval for the Building permit application for the workshop/garage.
- 10. Review and approval of the potable water source for the structure, per Solano County Code Chapter 6.3-50, -51, and -52 will be required prior to approval for the Building Permit application for the workshop/garage.

**Public Works**

- 11. Applicant shall apply for, secure, and abide by the conditions of a grading permit for the construction of any improvements required by this Use Permit. The permittee 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, access improvements, parking areas and walkways, as well as any onsite grading exceeding a total of 5,000 square feet. In addition, Grading Permits shall be secured for any future grading or drainage improvements on the property. Public Works Engineering will require the submittal of a drainage plan showing all offsite and onsite improvements necessary to manage storm water issues related to this development. Agricultural soil cultivation does not require a grading Permit.
- 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 be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto public roads

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 20, 2023.

TERRY SCHMIDTBAUER, DIRECTOR  
RESOURCE MANAGEMENT

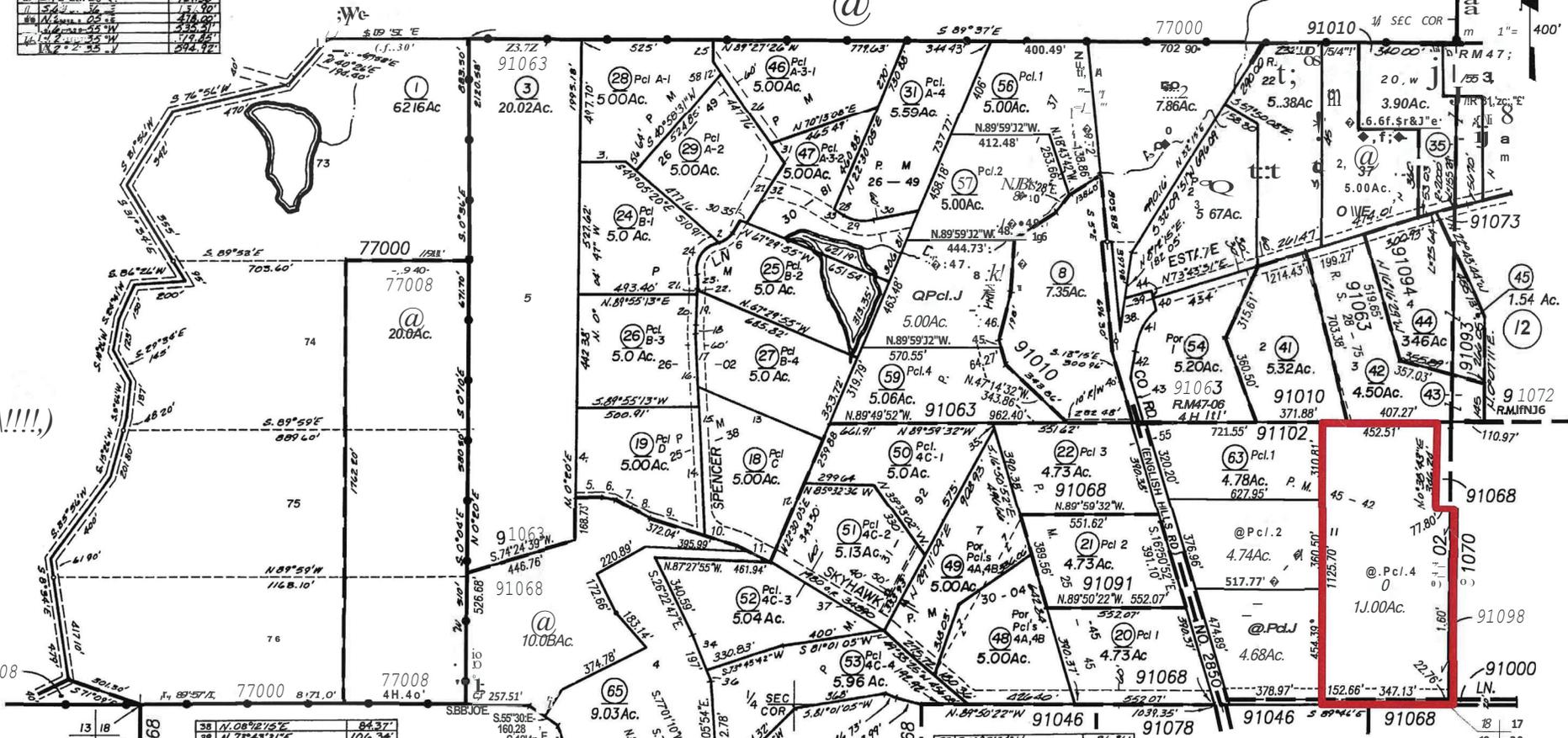
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Allan Calder, Planning Services Manager  
Department of Resource Management

POR. SEC. 18 & 19, T.7N., R.1W., M.D.B. & M.  
 POR. SEC. 13, T.7N., R.2W., M.D.B. & M.

Tax Area Code **104-15**  
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40	S.10°16'23"E	48.76'		
41	B=220'	L=176.29'		
42	S.08°12'15"W	88.27'		
43	S.10°42'00"E	24.12'		
44	N.16°16'24"W	30'		
45	N.15°14'32"W	36.05'		
46	N.11°45'28"E	198.00'	48. N. 4'00'28"E	9.65'
47	N. 4'00'28"E	201.55'	49. N.58'30'28"E	198.00'

25	S.0°33'33"W	84.36'
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150-04,05 Cha.(L/a)	2-7-19	Cr
150-42&43(Rs)	6-02-08	JS
150-41&42(Cha,Ua)	4-09-08	JS
REVISION	DATE	BY

NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

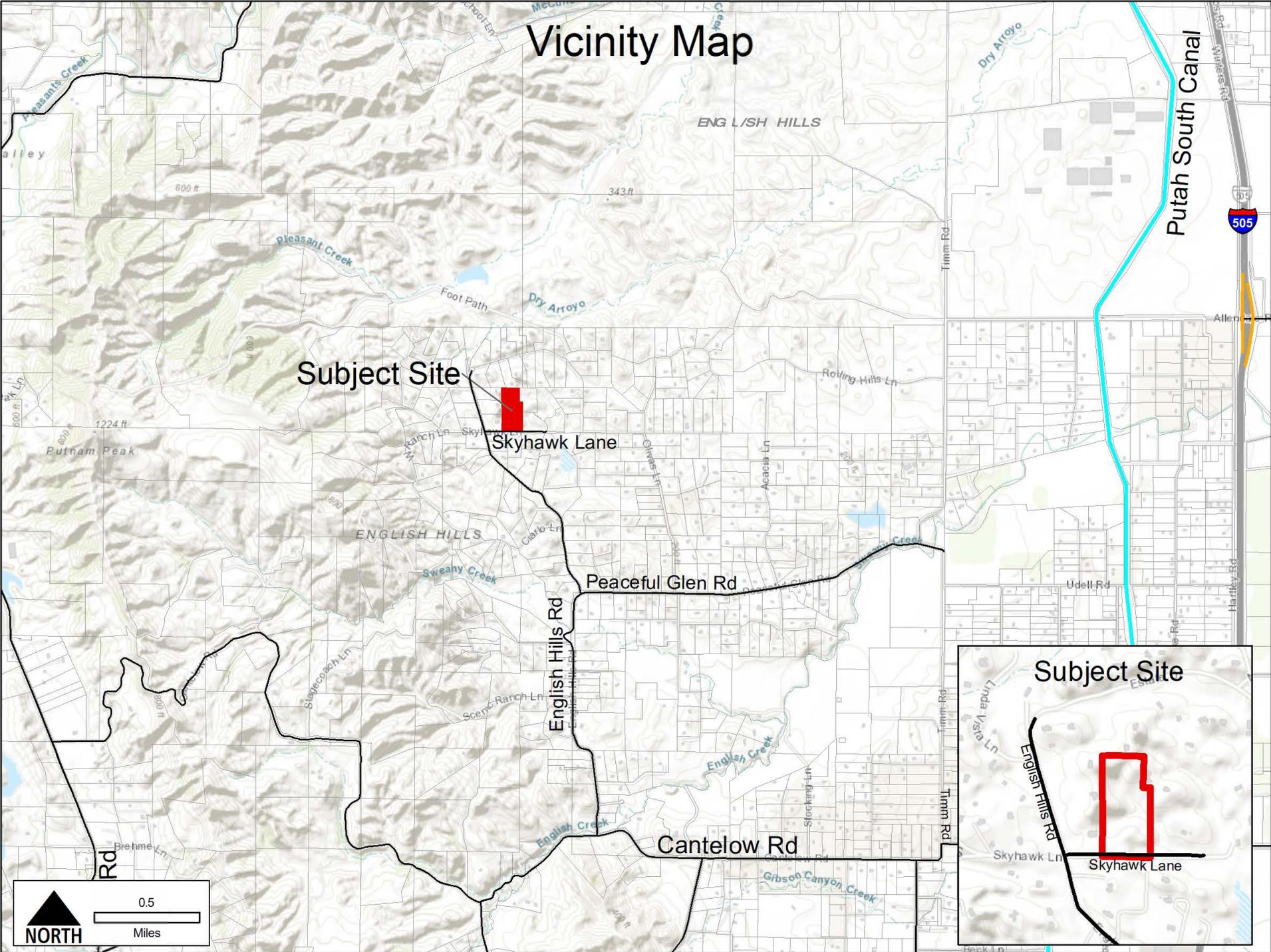
Olivas Subdivision, R.M. Bk 1 Pg 83  
 The Early Zone Fruit Farms, R.M. Bk 5 Pg 14  
 Norman Subdivision, R.M. Bk 47 Pg 06  
 Assessor's Block Numbers Shown in Ellipses, Assessor's Poreel Numbers Shown in Circles

Assessor's Map Bk. 104 Pg. 15  
 County of Solano, Calif.



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# Vicinity Map



**Subject Site**

Skyhawk Lane

Peaceful Glen Rd

Cantelow Rd

Putah South Canal

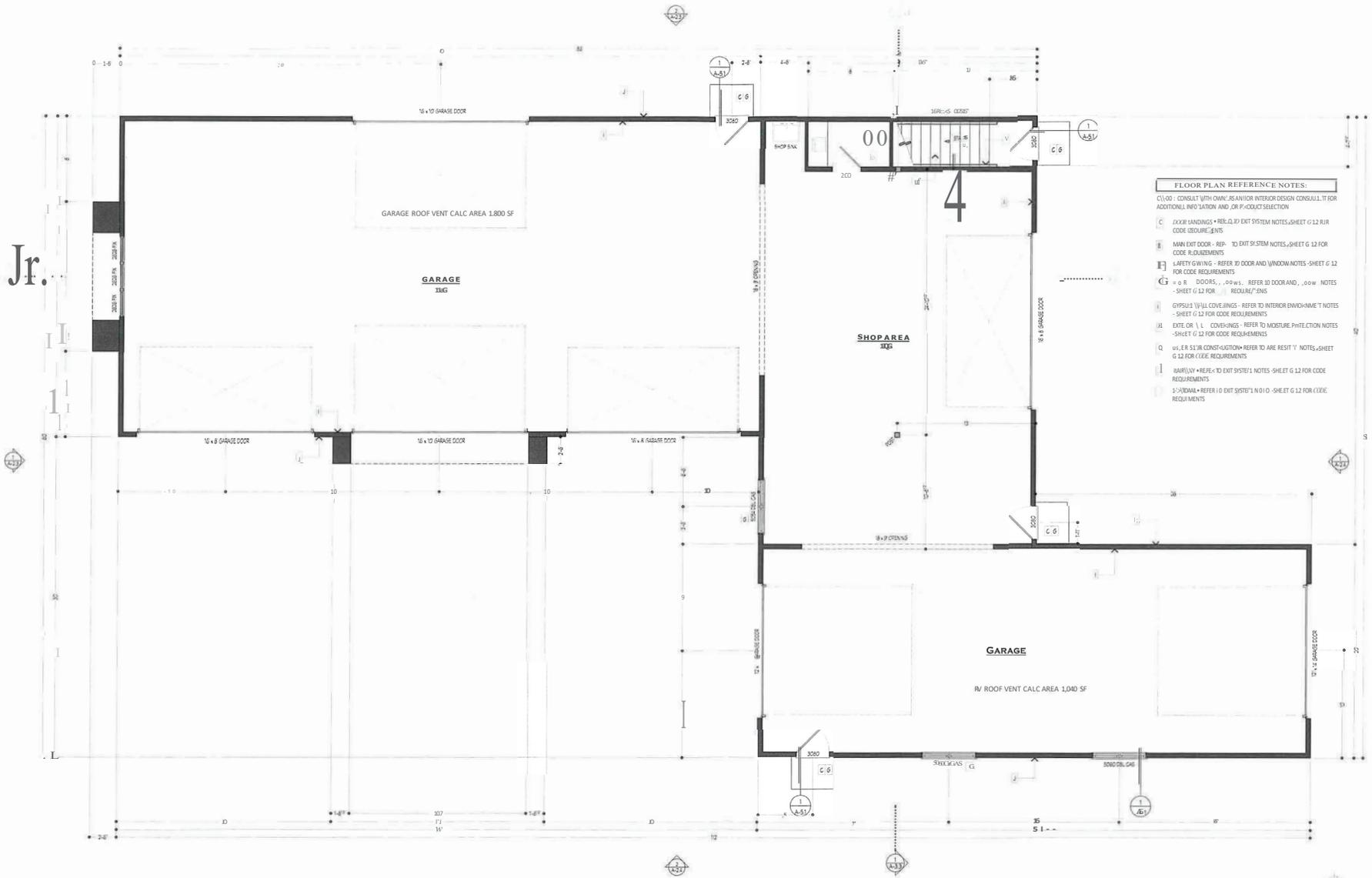
**Subject Site**



English Hills Rd

Skyhawk Lane





- FLOOR PLAN REFERENCE NOTES:**
- CV-00 - CONSULT WITH OWNER'S ARCHITECTURAL INTERIOR DESIGN CONSULTANT FOR ADDITIONAL INFORMATION AND/OR PRODUCT SELECTION
  - C DOOR HANDINGS - REFER TO EXIT SYSTEM NOTES, SHEET G-12, RIR CODE REQUIREMENTS
  - M MAIN EXIT DOOR - REFER TO EXIT SYSTEM NOTES, SHEET G-12 FOR CODE REQUIREMENTS
  - S SAFETY GLASS - REFER TO DOOR AND WINDOW NOTES, SHEET G-12 FOR CODE REQUIREMENTS
  - G GLASS DOORS, GLASS PARTITIONS, GLASS PARTITIONS - REFER TO DOOR AND WINDOW NOTES, SHEET G-12 FOR CODE REQUIREMENTS
  - H HANGERS - REFER TO INTERIOR FINISH NOTES - SHEET G-12 FOR CODE REQUIREMENTS
  - W WINDOW COUPLERS - REFER TO INTERIOR FINISH NOTES - SHEET G-12 FOR CODE REQUIREMENTS
  - Q QUARTZ COUNTERTOP - REFER TO ARE RESTROOM NOTES, SHEET G-12 FOR CODE REQUIREMENTS
  - R RAMP - REFER TO EXIT SYSTEM NOTES, SHEET G-12 FOR CODE REQUIREMENTS
  - S-SIDEWALK - REFER TO EXIT SYSTEM NOTES - SHEET G-12 FOR CODE REQUIREMENTS

Jr.



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**WITHERS GARAGE / SHOP & ADU**  
 SKYHAWK LANE VACAVILLE, CA 95688



shop Floor  
 Plan  
 Scale - As Noted  
 December 2022

Sheet Number  
**A-1.1**

**SHOP FLOOR PLAN**  
 Scale, 1/4" = 1'-0"