

SOLANO COUNTY ZONING ADMINISTRATOR

Resource Management Staff Report

Application No. U-14-04
Project Planner: Eric Wilberg

Meeting of: April 16, 2015
Agenda Item No. 3

Applicant: Clarke Rosa 6357 Calle Montalvo Circle Granite Bay, CA 95746	Property Owner: same
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Action Requested:

Zoning Administrator approval of Use Permit application U-14-04 to permit a 1,534 square foot structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting).

SITE INFORMATION

Size: 64 acres	Location: 2864 Grizzly Island Road
APN: 0046-190-160	
Zoning: Marsh Preservation	Land Use: Marsh Oriented Recreation
General Plan: Marsh	Ag. Contract: No. 999
Soils Type(s): Other Land	Access: Gum Tree Road
Utilities: On-site	

Adjacent General Plan Designations, Zoning and Existing Land Uses

	General Plan	Zoning	Land Use
North	Marsh	MP	Montezuma Slough
South	Marsh	MP	Marsh, seasonal recreation
East	Marsh	MP	Marsh, seasonal recreation
West	Marsh	MP	Marsh, seasonal recreation

Environmental Analysis:

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15302 – Replacement or Reconstruction.

Motion to Approve:

The Zoning Administrator does hereby **ADOPT** the attached resolution and **APPROVE** Use Permit No. U-14-04 based on the enumerated findings and subject to the recommended conditions of approval.

SETTING

The subject site is 64 acres located 4.5 miles south of Suisun City. The entire property is relatively flat and located within the Primary Management Area of the Suisun Marsh. Montezuma Slough bounds the property to the north; Man made drainage ditches bound the eastern and western sides of the parcel; and open marsh lie to the south. Approximately 90% of the property is flooded one foot deep to provide habitat during the duck hunting season (generally October through April).

The northwest corner of the property has been historically developed with a storage structure and club house. These structures are clustered on this graveled area, along with buildings on adjacent Assessor's Parcel Numbers 0046-190-170 and 0046-190-200, in the area where these three parcels converge near Montezuma Slough. Gravel access and parking is also provided in this area.

Similar marsh oriented recreational land uses, including duck hunting, duck ponds, sloughs, gravel parking areas and club houses exist on properties surrounding the project site.

PROJECT

The project involves re-constructing a 1,534 square foot clubhouse to be utilized seasonally for private duck hunting purposes. Duck hunting within the Suisun Marsh generally occurs annually between October and April. The structure would be occupied intermittently during the hunting season and the applicant indicates that the property would not be rented or leased for profit.

The proposed building replaces a structure previously used for the same hunting purposes and is in generally the same location near the northwestern corner of the lot. The project would also include the removal of storage structure to the south.

The structure would be served by a new on-site potable water tank and septic collection tank. A 5,000 gallon fire protection water tank would also be constructed to serve the facility. Garage parking would be provided below the clubhouse. The newly re-constructed building would utilize existing PG&E electrical service, propane tank, and existing gravel access.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15302 – Replacement or Reconstruction of an existing structure. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The proposed project involves constructing a 1,534 square foot hunting clubhouse, garage parking (below the clubhouse), and associated utility infrastructure (water and septic storage tanks). The project is replacing the clubhouse formally on-site as well as the accessory storage structure.

ANALYSIS

General Plan and Zoning

The project site is designated Marsh by the Solano County General Plan. In addition, the parcel is located within a Resource Conservation Overlay. The Marsh designation provides for the protection of marsh and wetland areas and permits marsh-oriented recreational uses such as hunting clubs. The

purpose of the overlay is to identify and protect areas of the county with special resource management needs such as the Marsh, while maintaining the validity of the underlying land use designations. As such, the existing and continued operation of the hunting club is consistent with the General Plan.

The project site is located within the Marsh Preservation 'MP' Zoning District. Per Section 28.52 of the County Zoning Regulations, Marsh oriented recreation is a conditionally permitted land use within this district. As proposed, the project conforms with the general requirements for recreational uses outlined in Section 28.73.10(A) of the County Zoning Regulations, as follows:

The project site is accessed via existing private roadway off Gum Tree Road. As such, ingress and egress to the property would not change. Issuance of an encroachment permit to a County maintained road is not necessary.

Lighting capable of providing illumination for security and safety will be directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.

The proposed structure is set back at least 10 feet from all property lines and exceeds the minimum set back requirements as required for the main building within the 'MP' district.

The project does not abut residentially zoned property and does not require screening measures to separate parking areas.

Suisun Marsh

The project is located within the Primary Management area of the Suisun Marsh and requires issuance of a Marsh Development Permit from the San Francisco Bay Conservation and Development Commission (BCDC). The Solano County Policies and Regulations Governing the Suisun Marsh consolidate the policies and regulations contained in the Local Component of the Suisun Marsh Local Protection Program as certified by BCDC. These documents identify the importance of the marsh as a recreational area which can be seen in the amount of land devoted to duck hunting, approximately 37,000 acres.

Within the Suisun Marsh, policies state that provisions should be made to allow for public and private recreational development and access to the Marsh for such uses as fishing, hunting, boating, picnicking, hiking and nature study.

The applicant has been in contact with BCDC and is aware that a marsh development permit from BCDC is required. A condition of approval reflecting this requirement is included below.

USE PERMIT MANDATORY FINDINGS

- 1. The establishment, maintenance, or operation of the proposed use is in conformity with the Solano County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.**

The marsh oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters.

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

Access to the site is from an existing private road off Gum Tree Road. All necessary utilities, including potable water and septic disposal will be provided on-site.

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.**

The project site will continue to be utilized for seasonal marsh oriented recreation. Primary and Secondary Management Areas of the Suisun Marsh surround the project site, whereas seasonal hunting and fishing clubs are the predominant land use and development within the Marsh. The Department does not have a record of the project site generating a nuisance or being a detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

SUGGESTED FINDINGS

4. **The proposed project qualifies for a Class 3 Categorical Exemption from CEQA.**

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15302 – Replacement or Reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

RECOMMENDATION

Staff recommends that the Zoning Administrator **APPROVE** Use Permit No. U-14-04, based on the findings enumerated herein, and subject to the recommended conditions of approval incorporated in this report.

CONDITIONS OF APPROVAL

1. The marsh oriented recreation facility shall be established and operated in accord with the application materials for Use Permit U-14-04, submitted November 25, 2014 for Clarke Rosa, and as approved by the Solano County Zoning Administrator.
2. 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 properties.
3. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the latest edition 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."

4. The project is located in a Flood Zone and the building shall be raised a minimum of one foot above the Base Flood Elevation and a Pre- and Post elevation certificate shall be provided to the building division for review and approval.
5. Prior to Building Permit issuance by the Department of Resource Management, the permittee shall submit documentation from the San Francisco Bay Conservation and Development Commission, confirming acquisition of the requisite Marsh Development Permit.
6. Upon termination, expiration, or revocation of the subject use permit, the permitted structure shall be removed from the site and the area restored to natural conditions.
7. The permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of April 16, 2020 and the use remains in compliance with permit conditions of approval.

Attachments

A – Draft Resolution

B – Assessor's Parcel Map

C - Site Plan

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-14-04 of **Clarke Rosa** for a 1,534 square foot seasonally occupied (private) clubhouse to support marsh oriented recreation at 2864 Grizzly Island Road, 5 miles south of the City of Suisun City in an "MP" Marsh Preservation Zoning District, APN: 0046-190-160, 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 April 16, 2015, and;

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

- 1. The establishment, maintenance, or operation of the proposed use is in conformity with the Solano County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.**

The marsh oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters.

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

Access to the site is from an existing private road off Gum Tree Road. All necessary utilities, including potable water and septic disposal will be provided on-site.

- 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.**

The project site will continue to be utilized for seasonal marsh oriented recreation. Primary and Secondary Management Areas of the Suisun Marsh surround the project site, whereas seasonal hunting and fishing clubs are the predominant land use and development within the Marsh. The Department does not have a record of the project site generating a nuisance or being a detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

SUGGESTED FINDINGS

- 4. The proposed project qualifies for a Class 3 Categorical Exemption from CEQA.**

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the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

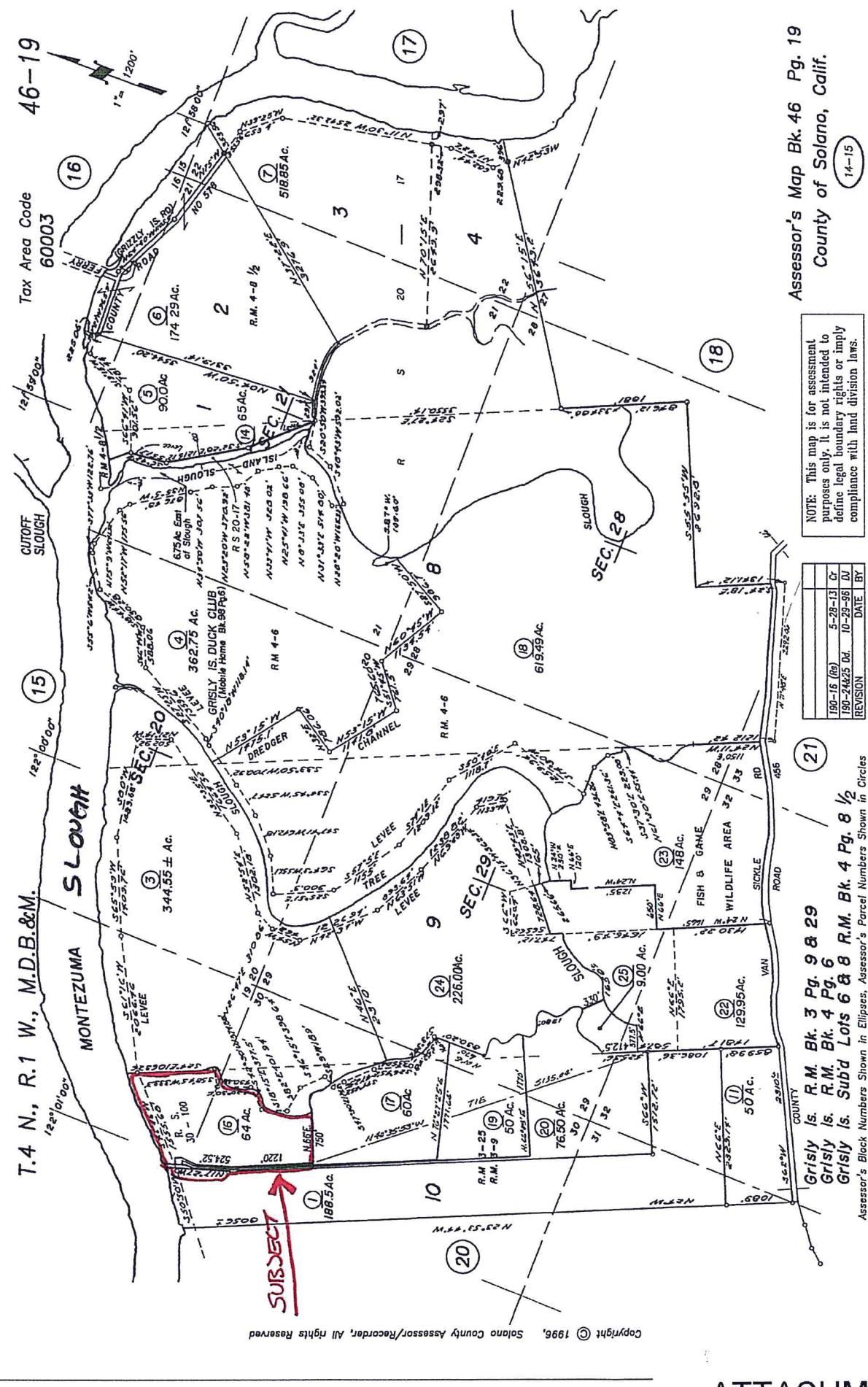
BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Use Permit Application No. U-14-04 subject to the following recommended conditions of approval:

1. The marsh oriented recreation facility shall be established and operated in accord with the application materials for Use Permit U-14-04, submitted November 25, 2014 for Clarke Rosa, and as approved by the Solano County Zoning Administrator.
2. 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 properties.
3. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the latest edition 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."
4. The project is located in a Flood Zone and the building shall be raised a minimum of one foot above the Base Flood Elevation and a Pre- and Post elevation certificate shall be provided to the building division for review and approval.
5. Prior to Building Permit issuance by the Department of Resource Management, the permittee shall submit documentation from the San Francisco Bay Conservation and Development Commission, confirming acquisition of the requisite Marsh Development Permit.
6. Upon termination, expiration, or revocation of the subject use permit, the permitted structure shall be removed from the site and the area restored to natural conditions.
7. The permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of April 16, 2020 and the use remains in compliance with permit conditions of approval.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 16, 2015.

BILL EMLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager



<http://www.co.solano.ca.us/subapp/scpls/asr/maps/0046/004619.tif>

RECEIVED BY THE STATE OF CALIFORNIA, SEAL OF APPROVAL AND NOT FOR CONSIDERATION UNLESS IT BE SIGNED BY THE GOVERNOR ALONG WITH THE COVENANT TO PLANS BEARING THE SIGNATURE OF THE CIVIL ENGINEER OR ARCHITECT.

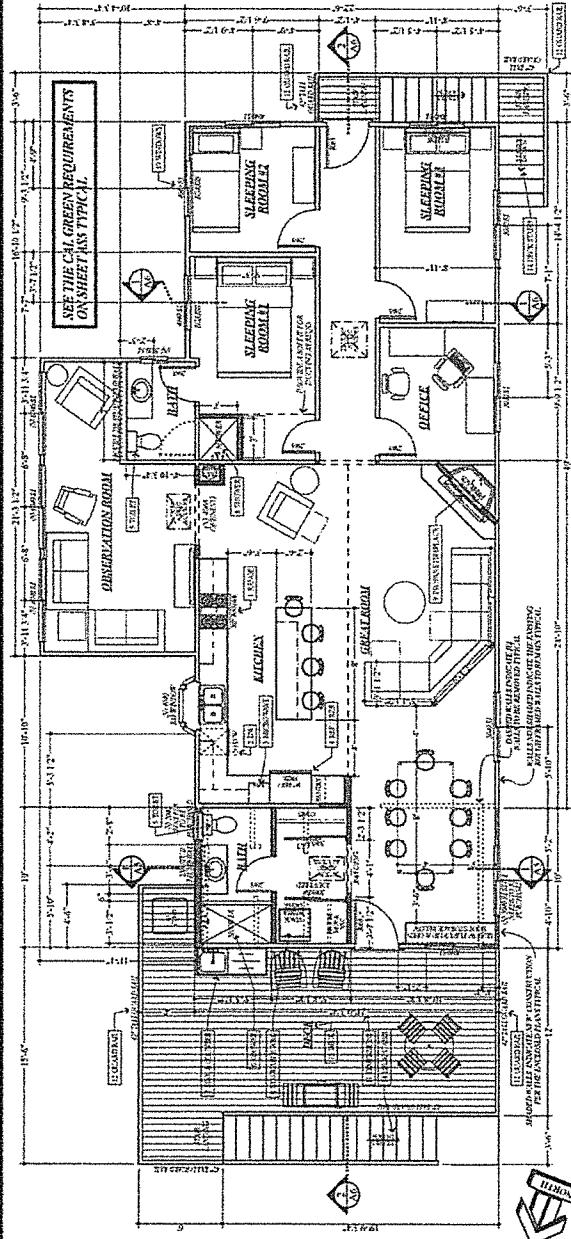
ATTACHMENT C

VACATION HOME PLANS

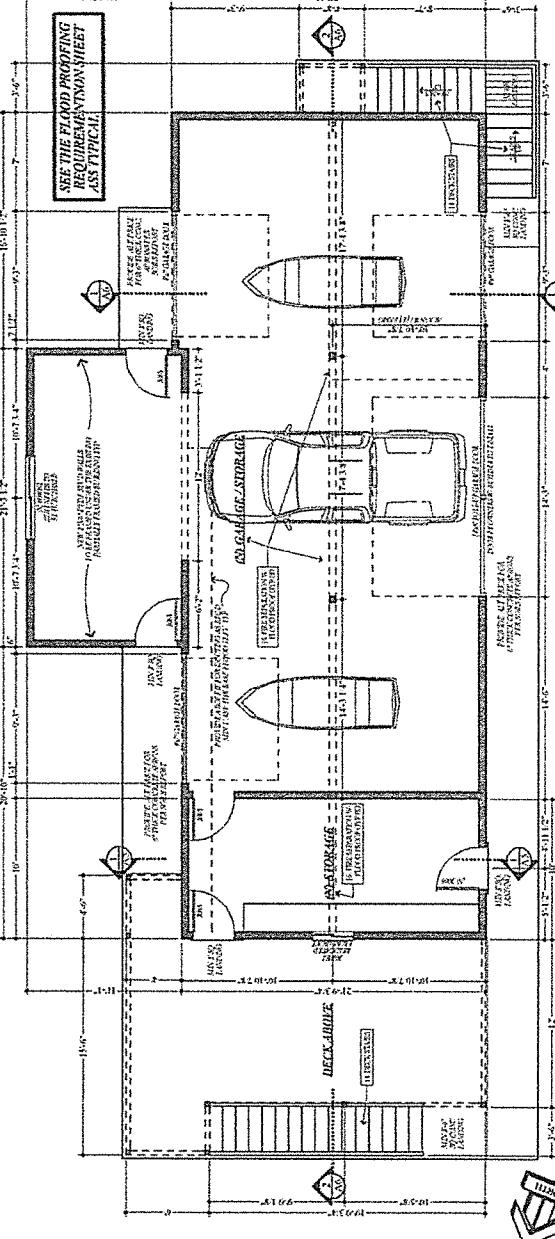
APN# 046-190-160
FAIRFIELD, CALIFORNIA

JAMES GEORGE
MESSIAH

THESE PLANS BEAR A WATER SIGNATURE ALONG WITH THE COVENANT AGREEMENTS. THIS IS THE SEAL OF AFFIRMATION AND WITNESS.



UPPER / MAIN LEVEL FLOOR PLAN



LOWER GARAGE LEVEL FLOOR PLAN

FLOOR PLAN REFERENCE NOTES:

PARTIAL PLUMBING REQUIREMENTS:

PART II. FLICKER PLANE GENERAL NOTES

A 2 & A 5

THESE HANDS ARE CONSIDERED PESTILENTIA AND NOT FOR CUSTODY; THESE PLANS BEAR A MELANCHOLIC SEAL OF APPROPRIAL AND WET SKIN CARE.

1 GATE DOOR THRESHOLD

Diagram illustrating the construction of a gate door threshold. It shows a concrete base plate, a metal frame, and a gate door. Labels include: GATE DOOR, METAL FRAME, CONCRETE BASE PLATE, and GATE DOOR THRESHOLD.

2 DECK STAIR DETAIL

Diagram showing a deck stair detail. It includes a handrail, a nosing, and a treads. Labels include: TREADS, NOISING, and HANDRAIL.

3 FIRE SEPARATION DETAIL

Diagram showing a fire separation detail between two rooms. It includes a wall, a door, and various labels for components like firestop, insulation, and drywall.

4 TYPICAL THRESHOLD STEP

Diagram illustrating a typical threshold step. It shows a ramp leading up to a platform with a door. Labels include: RAMP, PLATFORM, DOOR, and TYPICAL THRESHOLD STEP.

5 FIRE SEPARATION DETAIL

Diagram showing another fire separation detail, similar to detail 3 but with different component configurations.

6 GARAGE DOOR THRESHOLD

Diagram illustrating a garage door threshold. It shows a concrete base plate, a metal frame, and a garage door. Labels include: GATE DOOR, METAL FRAME, CONCRETE BASE PLATE, and GARAGE DOOR THRESHOLD.