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**DEPARTMENT OF RESOURCE MANAGEMENT**



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Planning Services Division

**Use Permit Renewal - Staff Report**

**Application:** U-07-12-CR1 (Jackson)  
**Project Planner:** Jim Leland, Principal Planner

**Meeting of July 2, 2015**  
**Agenda Item No. 3**

**Location:** 6743 Willow Road  
**Assessor Parcel Number:** 0133-140-160

**General Plan:** Rural Residential  
**Zoning:** RR-2.5

**Requested Action**

Request for Zoning Administrator approval of Use Permit U-07-01-CR1 for the continued operation of a rural residential enterprise for a contractor's office at 6743 Willow Road, Vacaville, CA; APN 0133-140-160

**Background**

On April 3, 2008 the Solano County Zoning Administrator approved Use Permit U-07-12 permitting a rural residential enterprise for a contractor's office (See Attachment A).

**Review**

Based upon review of the renewal application, permit conditions of approval and absence of code compliance cases on file, staff recommends that the rural resident enterprise is being operated in compliance with Use Permit No. U-07-12-CR1. In addition, the applicant has requested renewal and has paid the applicable permit renewal fee. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a renewal if the following circumstances exist:

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

**Updated Permit Term**

Condition of Approval No. 16 shall be updated as follows:

16. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit, April 3, 2008. The cost associated with the periodic reviews shall be charged at that time. The next compliance review shall occur on or before April 3, 2018.

**Attachment** – Zoning Administrator Resolution No. 08-07

**SOLANO COUNTY ZONING ADMINISTRATOR  
RESOLUTION NO. 08-07**

**WHEREAS**, the Solano County Zoning Administrator has considered Use Permit Application No. U-07-12 of David Jackson for a rural resident enterprise for a contractor's office and shop located at 6743 Willow Road in an "RR-2.5" Rural Residential Zoning District, .5 miles east of the City of Vacaville, APN: 0133-140-160, 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 March 20, 2008, which was continued to April 3, 2008, and

**WHEREAS**, after due consideration, the said 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 County General Plan with regard to traffic circulation, population densities and distribution and other aspects of the General Plan;**

The establishment and operation of a rural residential enterprise is consistent with the goals and the objectives and policies of Chapters V, Residential Land Use, of the Solano County Land Use and Circulation Element since the facility will be incidental to and subordinate to the residential use of the property.

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

The primary residence on the property is adequately served by an on-site septic system and water well. Solano County Environmental Health has determined that the existing septic system is adequate to serve the additional demands of the proposed project. No new storm water facilities are proposed.

**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 applicant is proposing to conduct a residential remodeling and contracting business within a 1,500 square foot portion of a 3,100 square foot building. As such, there will be no significant degradation of the neighborhood or the County's health, safety, peace, morals, comfort, or general welfare.

**4. As conditioned, the facility complies with all applicable sub-sections of the Solano County Zoning Ordinance relating to rural residential enterprises.**

5. The addition of the proposed 3,100 square foot metal building qualifies for a Class 3 categorical exemption pursuant to the California Environmental Quality Act (Section 15303, New Construction of Small Structures).

**BE IT THEREFORE RESOLVED**, that the Zoning Administrator has approved use Permit Application No. U-07-12 permit subject to the following recommended conditions of approval

1. The proposed rural residential enterprise shall be established in accord with the information submitted with U-07-12 and with the plans entitled Jackson Plot Plan, dated February 25, 2008 and approved by the Solano County Zoning Administrator, subject to modifications required by the all conditions of approval listed below
2. The proposed metal building shall be relocated to the northwest to reduce the impacts upon the neighbor to the south in such a manner as is acceptable to the Zoning Administrator, and such change shall be reflected on the building permit plans.

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3. The Rural Resident Enterprise may only conduct hours between the hours of 7:00 AM until 6:00 PM, Mondays through Saturdays, except for legal federal holidays.
4. 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.
5. Any expansion or change in the use may require a new or modified use permit and further environmental review. Any expansion shall be required to have County approval prior to the expansion.
6. 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 new permits or minor revisions to the permits.
7. The permittee shall obtain approval from the Building Division prior to constructing, erecting, enlarging, altering, repairing, moving, improving, removing, converting, or 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.

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8. The Building Division has determined that the proposed occupancy is a commercial use. For this occupancy class, the Building Division will require detailed, scale drawings prepared by a licensed architect or engineer. The applicant will need to provide accurate scalable documentation that the proposed building and associated driveway will meet the setback requirements of the County of Solano.
9. The building and any storage areas will have to comply with all applicable codes, including ADA requirements and the requirements of the Vaca-Elmira Fire District. Driveways shall be 20 feet clear in width. The applicant needs to indicate where the rural residential use is located on the site plan and building plans. If a portion of the building is devoted to the rural residential use, it will need to be separated from the balance of the building by a 1-hour rated fire wall.

10. The permittee shall obtain a business license from Solano County for the proposed rural residential enterprise and maintain compliance with all of its requirements.
11. All of the following regulations shall be met relating to the proposed rural residential enterprise:
  - a. Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers. The 1,500 square feet shall be physically separated from the rest of the building area by a one-hour solid firewall.
  - b. Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.
  - c. Uses shall not be allowed which generate significant amounts of traffic
  - d. Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.
  - e. Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.
  - f. When enterprises are to be contained within a building or area exceeding the allowable size limitations, that area to be used for the enterprise shall be physically separated from the remaining area and in no case shall an existing garage be converted to a rural resident enterprise unless additional enclosed parking is provided in conformance with the County's parking standards.
  - g. Signs shall be limited to one non-illuminated name plate not to exceed twenty square feet mounted on or directly adjacent to the residence or proposed use. No advertising signs shall be permitted.
  - ~~h. If areas of the property are dedicated to outside storage or use, such areas shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.~~
  - i. Adequate parking shall be provided as determined necessary by the Zoning Administrator or Planning Commission. Access to the enterprise shall be limited to the approved residential driveway.
  - j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.

12. The rural residential enterprise and the accessory building shall comply with all applicable standards contained within Chapter 28 of the Code of Solano County (Zoning Ordinance).
13. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
14. The permittee shall complete the requirements of the encroachment permit for the new driveway.
15. The permittee shall apply for, obtain and comply with the requirements of a minor grading permit for the proposed development. This application will need to be accompanied by a grading and erosion control plan.
16. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit, April 3, 2008. The cost associated with the periodic reviews shall be charged at that time.

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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 3, 2008.

BIRGITTA E. CORSELLO, DIRECTOR  
RESOURCE MANAGEMENT

  
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Michael Yankovich  
Planning Program Manager