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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 MU-19-10**

Application No. MU-19-10 Project Planner: Eric Wilberg, Planner Associate		Meeting of February 27, 2020 Agenda Item No. 1	
Applicant Chris Curtis 7361 Wagon Wheel Lane Vacaville, CA 95688		Property Owner same	
Action Requested Consideration and approval of Minor Use Permit MU-19-10 to establish and operate a Cottage Industry – Limited contractor’s business and to authorize a residential accessory structure larger than 2,500 square feet, located at 7361 Wagon Wheel Lane, 1.5 miles north of the City of Vacaville within the Rural Residential “RR-5” Zoning District; APN 0105-120-200.			
Property Information			
Size: 5 acres		Location: 1.5 miles north, City of Vacaville	
APN: 0105-120-200			
Zoning: Rural Residential “RR-5”		Land Use: Single Family Residence	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: Domestic well, septic system		Access: Wagon Wheel Lane	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	Rural Residential “RR-5”	Residential
South	Rural Residential	Rural Residential “RR-5”	Residential
East	Rural Residential	Rural Residential “RR-5”	Residential
West	Rural Residential	Rural Residential “RR-5”	Residential
Environmental Analysis The project qualifies for a Class 3 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303(e), New Construction of Small Structures. Class 3 consists of construction and location of selimited numbers of new, small facilities or structures; including accessory (appurtenant) structures such as garages, carports, patios, swimming pools, and fences.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Use Permit No. MU-19-10 based on the enumerated findings and subject to the recommended conditions of approval.			

SITE DESCRIPTION

The subject property is located within the unincorporated County, 1.5 miles north of the City of Vacaville. The 5 acre parcel is generally flat exhibiting slopes of less than six percent. The rectangular lot has frontage along Wagon Wheel Lane, a private road, which connects to Cantelow Road approximately ¼ mile to the south. Residential development on-site is clustered near the center of the lot and consists of a Primary residence and associated utilities including a domestic water well and septic system. Parcels surrounding the property exhibit characteristics similar to that of the subject site. Lots are relatively flat, generally five acres in size, and developed with single family residences.

PROJECT DESCRIPTION

The applicant is requesting approval of Minor Use permit application MU-19-10 to establish and operate a Cottage Industry – Limited home-based contractor’s business as well as to permit a residential accessory structure larger than 2,500 sq. ft. The business utilizes three vehicles with less than 14,000 pounds gross vehicle weight. Material and equipment storage primarily includes PVC pipe and bag cement, as well as small hand tools and various parts. All vehicles and equipment would be stored within the proposed 720 square foot garage/shop located near the northeast corner of the lot. The business has two employees who would access the site, gather equipment and vehicles, then perform job duties at off site locations. The hours of operation would be five days per week between the hours of 8 a.m. and 5 p.m.

The project also involves construction of a 28’ by 50’, 2,718 square foot four car garage with storage and restroom on the second floor. This building will function as a residential accessory and would not be utilized for business purposes. Issuance of a Use Permit is required for residential accessory structures greater than 2,500 sq. ft.

The lot is developed with a 2,400 square foot Primary Dwelling. Residential development is currently served by on-site domestic water well, private septic system, and electrical service. No additional utilities are required.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class 3 Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303(e), New Construction of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; including accessory (appurtenant) structures such as garages, carports, patios, swimming pools, and fences. The primary use of the property is for residential purposes. By definition, the home based business cannot operate in the absence of a Primary Dwelling and is accessory to the residence therefore qualifying for his exemption.

LAND USE CONSISTENCY

General Plan and Zoning

The property is designated Rural Residential by the Solano County General Plan. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Rural Residential “RR-5” Zoning District is consistent with this designation.

Rural Residential Zoning Regulations require issuance of a Use Permit in order to operate a Cottage Industry – Limited home based business. The property is developed with a Primary Single Family Residence and is therefore able to pursue the cottage industry as an accessory use on-site. The Cottage Industry – Limited has specific development and operational standards that must be met in order to comply with Zoning Regulations. The following details demonstrate that the proposed use would be consistent with the cottage industry regulations:

- The cottage industry is incidental and subordinate to the use of the premises for residential purposes. The owner/ occupant of the residence will be conducting the cottage industry.
- The cottage industry will be located within the proposed residential accessory structures and would not prevent the use of the required garage or parking space(s) or vehicle parking on a daily basis.
- The cottage industry is located on a private road and the permittee has supplied proof of financial participation in a road maintenance agreement and written consent of other property owners utilizing the private road (Attachment D).
- The cottage industry does not exceed the per parcel allowance of one per lot.
- The cottage industry would not have more than two employees who work on the premises in addition to the members of the family residing on the premises.
- The total area occupied by the cottage industry (720 sq. ft.), including storage, does not exceed the 1,500 sq. ft. maximum afforded to a Cottage Industry – Limited.
- The cottage industry does not involve on-site retail and would not exceed the 500 sq. ft. retail sales area afforded to a Cottage Industry – Limited.
- The cottage industry utilizes three large vehicles and one trailer per large vehicle and would not exceed vehicle allowances for a Cottage Industry – Limited.
- The cottage industry does not involve customers or clients accessing the site and therefore would not be subject to specified hours of operation.

The proposal meets or exceeds the general and specific requirements for the Cottage Industry – Limited as specified in Section 28.73.40 (A) & (B1) of the Zoning Ordinance.

In addition, the project requires issuance of the Minor Use permit to allow for an accessory building greater than 2,500 square feet (proposed garage).

RECOMMENDATION

The Department recommends that the Zoning Administrator **ADOPT** the resolution enumerating the mandatory and suggested findings, and **APPROVE** Minor Use Permit No. MU-19-10, subject to the recommended conditions of approval.

Attachments:

- A – Draft Resolution
- B – Assessor’s Parcel Map
- C – Development Plans
- D – Private Road Maintenance Participation